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SENATE—*Tuesday, December 1, 2015*

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

God of grace and glory, on Your people place Your power. As we turn our hands and hearts in grateful praise to You, use us for Your glory.

Touch our Senators. Lift them from valleys of pessimism as You fill them with Your abiding hope. Prepare them to receive Your best gifts, helping them to remember that You are able to do more than they can ask for or imagine.

Thank You that You are the beginner of our yesterdays, the mystery of our today, and the hope for our tomorrows.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

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

RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION ACT

Mr. MCCONNELL. Mr. President, when Washington Democrats passed ObamaCare over the objections of the American people, they were confident Americans would soon warm up to this new law, but more than 5 years later, the American people continue to oppose this unprecedented Democratic attack on their health care. Is it any wonder? When Americans think ObamaCare, they think increased costs, runaway premiums, surging deductibles, and tax hikes on the middle class. When Americans think ObamaCare, they think decreased choice, fewer doctors, far-away hospitals, and a frightening scarcity of options for too many when they get sick. When Americans think ObamaCare, they think broken promises and endless failure, imploding State-based exchanges, collapsing co-ops, insurers eyeing the exit door, fewer jobs, and the lie of the year: If you like your health care plan, you can keep it. It is not as though ObamaCare's structural failures are just going to go away. They are baked right into the law. They only seem to get worse as time moves along.

Just as we have seen costs rise, choices narrow, and failures mount, we have seen congressional Democrats block attempts to start over with real health care reform. Well, this week we finally have a chance to vote to end ObamaCare's cycle of broken promises and failures with just 51 votes. This week we will take up the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015 that already passed the House of Representatives. It is a bill that will take the first steps necessary to build a bridge away from ObamaCare. By building upon the House's good work, this bill will also save billions in spending and eliminate more than a $1 trillion tax burden on the American people.

By employing the same tactics Democrats used to help get ObamaCare across the finish line, this bill will not be subject to a filibuster. In other words, it cannot be blocked by defenders of ObamaCare's failed status quo. In other words, the President cannot be shielded from the weighty decision he will finally have to make when this measure lands right on his desk. When the President picks up his pen, he will have a real choice to make. He may decide to stick to his rhetoric that the law is working better than even he intended and veto the bill, but he should instead decide to finally stand with the middle class that has suffered enough from this failed law and actually sign it. We will see. It is a choice the President has never faced before. It is a choice he is going to face after Senate action this week.

ACCOMPLISHMENTS OF THE NEW SENATE

Mr. MCCONNELL. Mr. President, on another matter, the new Republican Senate has been working hard to get Congress back to work over the past year. We have obviously had a lot of success. As I noted yesterday, the new Republican Senate will soon pass two very significant bipartisan bills for a second and final time: the bipartisan multiyear highway bill and the bipartisan replacement for No Child Left Behind. We will send them to the President for his signature.

These are the latest examples of a new Congress that is back to work on behalf of the American people. They are hardly the only examples we will be talking about. Take another important issue that languished for too long but passed the new Senate: cyber security. By a vote of 74 to 21, we ended years of Senate inaction on this issue by passing an important bipartisan cyber security bill that even the White House has endorsed. That bill was the product of a lot of hard work by the top Republican and the top Democrat on the Intelligence Committee. I am glad that the new, more open, and more inclusive Republican Senate made their cooperation possible because even though the old forces of gridlock tried to trip that bill up several times along the way, we kept moving forward, and we always knew we were doing the right thing for the American people.

My hope is that we can ultimately get this bill into conference and send it to the President closer to its current form because the challenges posed by cyber attacks are real and they are growing. A cyber attack can be a deeply invasive attack on personal privacy. The voluntary information sharing provisions in the bill we passed are key to defeating cyber attacks and protecting the personal information of the people we represent.

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

CYBER SECURITY

Mr. REID. Mr. President, my friend the Republican leader talked about the old forces of gridlock when he talked about cyber security. He and his caucus were those old forces of gridlock. We tried for 5 years to pass a cyber security bill; it was filibustered every time. The bills, quite frankly, that were filibustered were very strong, good, in-depth bills. We passed a cyber security bill—better than nothing, but that is about it. It was not really a resoundingly good effort to go after the problems we are having with cyber security, but we finally got it done because the problems on the Republican side disappeared.

AFFORDABLE CARE ACT

Mr. REID. Mr. President, my friend the Republican leader has an obsession with the Affordable Care Act, ObamaCare. He cannot give up on this obsession. The share of Americans without insurance is at the lowest point in history. And one need look no further than renowned Republican—Republican—columnist of the New York Times, David Brooks. Here is what he wrote. I am sorry to take so much time reading something that was written by this man who is a Republican columnist for the New York Times. Here is what he said. Regardless of what the Republican leader may claim, the Affordable Care Act continues to work. It is increasing quality health care coverage and improving care, and there is no question about that. Brooks noted that health care costs are rising at the lowest rate in years. He said:

> The good news is that recently health care inflation has been at historic lows. As Jason Furman, the chairman of President Obama's Council of Economic Advisers, put it in a speech to the Hamilton Project last month, ''Health care prices have grown at an annual rate of 1.6 percent since the Affordable Care Act was enacted in March 2010, the slowest rate for such a period in five decades—
>
> Fifty years—
>
> and those prices have grown at an even slower 1.1 percent rate over the 12 months ending in August 2015.''
>
> As a result of the slowdown in health care inflation, the Congressional Budget Office keeps reducing its projections of the future cost of federal health programs like Medicare. As of October, projections for federal health care spending in the year 2020 were $175 billion lower than projections made in August 2010. That would be a huge budget improvement.

''Historic lows'' and hundreds of billions of dollars saved by the Federal Government tell me that ObamaCare is working.

Enough of this haranguing about ObamaCare from my Republican friend. One need only go home and people come up to you and say: You know, ObamaCare is so good.

My daughter, who could never get health insurance because she was a diabetic—now she can get it. No one with a preexisting disability can be denied insurance. Young men and women struggling to finish their college education can stay on their parents' health insurance until age 26. That is important. That is part of ObamaCare. Community health centers around this country are booming. Why? Because of the Affordable Care Act, we put $11 billion in there to provide for those essential community health centers.

I will have more to say about this because I am sure the Republican leader is going to come and talk about what a great victory it was on this reconciliation, which is an anomaly that we face every year. They are passing something that is just to satisfy the haranguing about ObamaCare. It means nothing substantively. It will pass and go to the President. He will veto it in about 10 seconds, and, of course, the veto will certainly be sustained.

Even in Kentucky—here is what one article said in Kentucky:

> In a state of 4.4 million people, 500,000 people gained coverage because of [ObamaCare in that State]—4 in 5 through Medicaid. The effects were particularly dramatic in one Appalachian county, where many coal jobs have vanished and the poverty rate is 23 percent. From 2013 to 2014, the proportion of residents lacking health coverage plummeted by half—from 13 percent to 6.6 percent.

Half a million Kentuckians are using the Affordable Care Act. That is more than 10 percent of the State's population.

There are all kinds of personal accounts of how this has literally saved people's lives. One account is of an uninsured mother and daughter. This is from a news article:

> Amid the coal fields of eastern Kentucky, a small clinic that is part of the Big Sandy Health Care network furnishes daily proof of this state's full embrace of the Affordable Care Act.
>
> It was here that Mindy Fleming handed a wad of tissues to Tiffany Coleman when she arrived, sleepless and frantic, with no health insurance and a daughter suffering a 103-fever and mysterious pain. ''It will be all right,'' Fleming assured her, and it was. An hour later, Coleman had a WellCare card that paid for hospital tests, which found that 4-year-old Alexsis had an unusual bladder problem.

Quoting another Washington Post story:

> [Dennis Blackburn] has a hereditary liver disorder, numbness in his hands and legs, back pain from folding his 6-foot-1-inch frame into 29-inch mine shafts as a young man, plus an abnormal heart rhythm—the likely vestige of having been struck by lightning 15 years ago in his tin-roofed farmhouse.
>
> Blackburn was making small payments on an MRI he'd gotten at Pikeville Medical Center, the only hospital in a 150-mile radius, when he heard about Big Sandy's Shelby Valley Clinic. There he met Fleming, who helped him sign up for one of the managed-care Medicaid plans available in Kentucky.

So the facts never seem to get in the way of my Republican friend when it comes to ObamaCare—anything he could do to denigrate this system that is helping 17 million people.

NOMINATIONS

Mr. REID. Mr. President, one need only watch the news to see how our Nation is facing threats abroad. We are doing the best we can, but as the world grows more dangerous, Senate Republicans continue to block and obstruct the President's national security. They are blocking the very people who could help us respond to these threats.

Take, for instance—for week after week after week—Azita Raji, who has been nominated to be our Ambassador to Sweden. Nearly 300 Swedish citizens have left to fight in Syria or Iraq, making this nation the second largest country of origin per capita for foreign fighters in Europe. The Swedish Government is on heightened alert for an attack. Yet the United States doesn't have a Senate-confirmed Ambassador to represent us in Stockholm.

Similar to Sweden, Norway is also dealing with the growing threat of terror, and some of their citizens have joined the radical ranks of foreign fighters, but due to Republican obstruction, our Nation does not have a confirmed Ambassador in Norway.

Sam Heins, a Minnesota attorney nominated by President Obama, has been pending on the floor since July. We are now in December. So I personally applaud the Presiding Officer today for finally removing the holds on these two good people. I appreciate it very much. He and others have held up these nominees, and it is unfortunate. It is gone. I am pleased. In the wake of the Paris attacks and threats across the continent, it is imperative that we have Ambassadors working with European governments at the highest levels.

Perhaps the most egregious example of Republican obstruction is the nomination of Adam Szubin. This man would lead—if he were approved in the Senate—a team within the Department of State that disrupts terrorist financing networks, cutting off money for terrorists so they cannot finance their attacks. Hand in hand, they work with the Treasury Department. You would think that such an important nominee would be quickly confirmed, but Mr. Szubin's nomination has been pending for more than 200 days. Remember what he does—remember what he would like to do, I should say. He would lead a team that disrupts terrorist financing networks, cutting off money for terrorists so they can't finance their own evil deeds.

The chairman of the banking committee, the senior Senator from Alabama, has previously called this position ''a vital position in the effort to combat terrorist financing,'' but in spite of this, the committee on banking continues to block Szubin, despite his qualifications. I am sorely disappointed so many Republican Senators have decided that scoring political points is more important than confirming these national security nominations.

Two weeks ago, I asked the senior Senator from Iowa to put an end to his partisan investigation of Secretary Clinton. For months, the senior Senator blocked more than 20 Foreign Service promotions. In fact, for a day it was some 600 nominations, just simply people who were in the Foreign Service who were entitled by law to a promotion. Well, he blocked these people for a long time, talking about how he wanted more documents from the State Department. I told the senior Senator that I thought it was a mistake to target career promotions, so I was surprised, happily so, when he appeared to change course and allow these good public servants to get the promotions they earned and deserved.

Unfortunately, though, just as he took one step forward, he immediately took another step back. Although he allowed the list of 20 Foreign Service promotions to proceed, he doubled down on his obstruction by placing a hold on Tom Shannon, President Obama's nominee to serve as Under Secretary of State for Political Affairs, an extremely important position that is not filled now. Ambassador Shannon is a career member of the Foreign Service, with more than 30 years of experience. He served as our Nation's Ambassador to Brazil, he worked on the National Security Council in the last Bush administration, and his experience will help the State Department strategy in combatting ISIS, but he can't do that because we were not able to approve him because of the holds.

The Senator from Iowa continues to block other important nominees, such as David Robinson to be Assistant Secretary of State in the Bureau of Conflict and Stabilization. He is a 30-year veteran of the Foreign Service. This is a man who has served the Nation in Afghanistan, Bosnia, and many other places around the world.

Brian Egan has been nominated to be the State Department Legal Advisor, their lawyer. He has been a senior member of the legal team in the State Department, Treasury, and the National Security Council at the White House, but he has been held up since June without a vote, all because of Republican obstructionism.

Remember, it would be nice if the State Department had a lawyer, but as the senior Senator from Iowa will tell you, he has nothing against Tom Shannon, David Robinson or Brian Egan. Senator GRASSLEY has expressed no substantive objections to these nominees or questions about their capabilities. Senator GRASSLEY is blocking these important nominations for the sake of his committee's political crusade against former Secretary of State Hillary Clinton—who as we all know is running for President. This good woman scares Republicans because she will likely win. It is all part of the disturbing trend of the Judiciary Committee to politicize the oversight process.

It appears the constitutional duties of the Senate are taking a backseat to a political hit job on a Democratic candidate for President. Just look at what he and his committee are doing; that is, the chairman and his committee. They are requesting transcribed interviews from the Clinton staff. They have asked for timesheets. The committee investigation has gone so far as to ask for the maternity leave records of one of Secretary Clinton's closest aides, Huma Abedin. It appears that until the senior Senator from Iowa gets the maternity leave records he has requested and everything else he has requested, he is going to continue to block State Department nominees. I am disappointed my friend from Iowa refuses to do what I believe is the right thing. He should drop these unwarranted holds. I am disappointed he continues—under the guise of oversight—his anti-Hillary Clinton crusade, which is hurting American security. Each day this investigation continues, we can see what a waste of taxpayer resources this has become.

Last month, when given the opportunity, my friend from Iowa refused to address the significant amount of resources his committee is spending to investigate Secretary Clinton. Why? If he is so confident of the work his committee is doing, why not readily acknowledge the amount of taxpayer resources that are being used? But aside from the wasting of taxpayer dollars, I am troubled by the way his committee staff is operating. The press reports have suggested the Republican Judiciary Committee staffers are selectively leaking confidential information. For example, in September, the State Department gave the committee information that Senator GRASSLEY requested, with specific instructions that the documents remain confidential. That is because the information shared with the Judiciary Committee contains sensitive information or other personal information from State Department employees. Included in the State Department's response to Senator GRASSLEY was a big warning in bold capital letters across the page—in very large bold letters: ''US DEPARTMENT OF STATE PRODUCTION TO THE SENATE JUDICIARY COMMITTEE ONLY; NOT AUTHORIZED FOR PUBLIC RELEASE.''

The email reproductions from the State Department also contained a watermark in red capital letters saying the emails were not for public release. It was across the entirety of that document. It had the watermark and the large bold letters.

Within 24 hours, that information was public and reporters began calling with questions. Within 48 hours, stories were published based on the emails given to the Judiciary Committee that falsely created the appearance of impropriety by Ms. Abedin—and I mean false. A reporter forwarded the watermark emails meant only for the Judiciary Committee to her and to her legal team for comment. How did the reporter get documents that were solely in the possession of the Judiciary Committee staff?

As I have said before, Ms. Abedin is an American success story. She has reached the highest levels of politics, as an aide to Secretary Clinton for decades, through her hard work and loyalty. Senator JOHN MCCAIN said that Ms. Abedin is ''an honorable woman, a dedicated American, and a loyal public servant.'' She doesn't deserve the treatment that has come from the Judiciary Committee. Republican investigators on that committee cannot stop their fixation on Ms. Abedin, even going so far to request her maternity leave records. As a result, her personal information, including Social Security number and payroll records, has been given to the press.

Violating the privacy of hard-working staff members—and in particular a staff member—to score political points against Secretary Clinton is unbecoming of the world's greatest deliberative body. The Senate has been through difficult times in the past when confidential information has been leaked. Senator GRASSLEY and I were both here in the 1990s when then-Senate Majority Leader George Mitchell came to the floor to address this disturbing trend. He said:

> The unilateral decision by a Member or employee to release confidential committee information is inconsistent with the Senate's practice of making such decisions openly and collaboratively. Arrogation of this responsibility by individuals can destroy mutual trust among Members and be harmful to this institution.

That is an understatement. Senator Mitchell's quote gets to the heart of the matter. Leaking information undermines the institution of the Senate and the trust between its Members. In the Republican fervor to target Secretary Clinton over Benghazi, we should not lose sight of the rules that govern our behavior in the Senate. The Benghazi report on her is now over $5 million. It is wrong to target a former Clinton aide with invasive requests about her maternity leave and pass her personal information on to members of the press.

It is wrong to politicize the legitimate oversight role of Congress ahead

of the 2016 Presidential election. Sadly, the improper disclosure of sensitive materials related to Secretary Clinton's aides only demonstrates the underlying political position of the Judiciary Committee's oversight. Going forward, I hope my Republican colleagues will exercise greater restraint in the relentless pursuit of Secretary Clinton, but, more importantly, I hope Senate Republicans take their constitutional responsibility more seriously to offer their advice and consent on the Presidential nominees. I hope they take them very seriously. It is shameful that the Republicans are blocking critical, national security nominees for political purposes. I would ask them to please change course because the American people are watching.

ROSA PARKS AND MONTGOMERY BUS BOYCOTT ANNIVERSARY

Mr. REID. Mr. President, 60 years ago today Rosa Parks boarded a city bus in Montgomery, AL. She had worked hard all day. She was riding a bus. She was asked to give up her seat by the bus-driver, who was a White man. She was sick of having to give up her seat and she was tired, but she refused to give up her seat, so she was arrested.

On that day at that moment of courage, Rosa Parks sparked a movement that would end the legal segregation of public transportation, the Montgomery Bus Boycott. That boycott lasted from December 5, 1955, to December 20, 1956—almost 1 year, becoming the first large-scale demonstration against segregation in our country's history. The Supreme Court ultimately ordered Montgomery to integrate its public bus transportation system.

Rosa Parks went on to become a pillar of the civil rights movement, a lifelong freedom fighter who changed the course of history.

In 2013, a bronze statue of Ms. Parks was unveiled in Statuary Hall in the Capitol. In the decades since Rosa Parks refused to give up her seat on that bus, our Nation has made tremendous progress in the defense of civil rights for all Americans, but we have much more to do. Today, 60 years after Rosa Parks took a stand for equality, the fight for equal justice rages on. Just like Rosa Parks, many Americans across this country are very upset with the status quo, and they are taking a stand against injustice and discrimination.

As we remember the valiant actions of Rosa Parks, may we be inspired by her character and her determination. May we follow her example and continue the work of the civil rights movement.

Mr. President, what do we have the rest of the day?

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Georgia.

RECOGNIZING THOMAS G. COUSINS

Mr. ISAKSON. Mr. President, last Thursday was Thanksgiving in America. Like every Member of the Senate and every American, I paused to give thanks for the many blessings we have in the country, the blessings I have as a father and grandfather, and the blessings we enjoy from all those who serve in harm's way around the world who keep us safe and in peace.

I also took a second to participate in some charitable activities for those less fortunate and, in doing so, stopped to pause and give thanks for those people who on the day of Thanksgiving were giving of their time and their money to make the lives of those less fortunate better.

One of the people in my State I want to talk about who has done exactly that for five decades is a man by the name of Thomas G. Cousins, a real estate developer greatly renowned in Atlanta and, really, around the world, and who amassed millions and millions of dollars in the Cousins Foundation and invested that money in trying to solve the problems of poverty, crime, unemployment, and health care.

Thomas G. Cousins founded the Cousins Foundation to see to it that Atlanta, GA, and the State of Georgia were a better State. But he became frustrated. He recognized that of the 72 million children in the United States of America, 40 percent of them lived in poverty. He became frustrated because he found that isolated neighborhoods of concentrated poverty created unemployment, poor performance by students, and greater crime rates in the city of Atlanta. Worst of all, he found that the entrepreneurial gifts of charity trying to alleviate these problems often got consumed but never made a fundamental change. He thought it was time for his charitable money to become entrepreneurial, not just a giveaway. So in the decade of 1990, Tom Cousins decided to do something about making the Cousins Foundation investment make a meaningful difference in the lives of Americans around the country. He did exactly that.

He heard Dr. Todd Clear, a professor at Rutgers University, give a speech in New York City, where he had done research on the prison population of the State of New York and researched where they came from to find, amazingly, that three out of every four prisoners in the New York State prison system came out of eight neighborhoods in New York City. Concentrated poverty created concentrated crime and concentrated criminals. There was a never-ending cycle of crime, poverty, and poor educational performance in those neighborhoods.

So Tom Cousins decided that, instead of giving his money away in small, incremental bits to make a minor difference, he would become a charitable entrepreneur. He would go to a neighborhood of concentrated crime and poverty and try to make a meaningful difference. He found a neighborhood called East Lake Meadows in the 1990s in Atlanta, GA. It was the home of Bobby Jones and Charlie Yates, famous golfers of the 1920s, but had gone to seed, was dilapidated, and became a neighborhood of crime. In fact, it had become known as the Little Vietnam of Georgia. Police would not enter the area because of the crime rate. Drew Elementary School was the worst performing elementary school in the State of Georgia.

Tom Cousins came to the State board of education—and I know this because I was the chairman—and asked us to go to the city of Atlanta to get them to issue a charter for Drew Elementary School and a 99-year lease to the Cousins Foundation. Tom Cousins went in and built a new Drew Elementary School, hired Georgia State University to bring in a professor to be the principal there and manage the education of those children. Drew Elementary School went from being one of the worst performing schools in the State of Georgia to one of the best.

But he didn't stop with the school. He improved the neighborhood. He improved the facilities. He built a YMCA. He took a holistic approach to East Lake Meadows and turned it into a shining city once again in the State of Georgia. But he didn't do it just because he gave money. He did it because he invested his money in the lives of these people.

I will give some idea of the changes made in East Lake Meadows and Drew Elementary School. Drew Elementary went from 5 percent of its fifth graders reading and performing in math levels where they should, to where 90 percent of the fifth graders exceeded the math standards of the State of Georgia. Where the median income of the families in East Lake Meadows was $4,536 when Tom Cousins went in, 15 years later it was $17,260. There was a 90-percent reduction in the crime rate, to the point where it was 50 percent lower than the city's overall crime rate. He transformed the neighborhood because he invested his money entrepreneurially in trying to solve the problems and the poverty of these people.

He went to Warren Buffett, a leading entrepreneur of America, and formed a new organization called Purpose Built Communities, which is based on three fundamental discoveries they made at East Lake Meadows. No. 1, it can be done. How many times have people walked by declining neighborhoods of poverty, crime, and failing schools, and said: There is nothing we can do; we cannot solve that problem. Tom Cousins proved that any problem, no matter how great, is solvable if you are willing to dedicate yourself to doing so.

Second, it takes a holistic approach—not just schools, not just playgrounds, not just housing, not just jobs but everything. The transformation of East Lake Meadows was a holistic approach for the entire community. Lastly, mixed-income housing was important to bring employed people back into the neighborhood. So they had mixed-use housing all throughout East Lake Meadows.

The result was a purpose-built community that is now home to the PGA FedEx Championship, a restored East Lake Golf Club, and a community that is proud of itself and one of the shining stars of the city of Atlanta.

Because a man with purpose, Thomas G. Cousins, invested his money, public purpose-built communities are now all over the country being started as renovation projects in Indianapolis, New Orleans, and in cities around the United States of America.

So we should all pause to give thanks for those who have done so much to make our States and our country better. I pause to thank Thomas G. Cousins for the great investment he made in the city of Atlanta, the children of our State, and the United States of America.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. CORNYN. Mr. President, I ask unanimous consent to speak for up to 20 minutes.

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

OBAMACARE

Mr. CORNYN. Mr. President, this week the Republican-led Senate will keep a promise we made to the American people. If they entrusted us with the leadership and the majority in the last election, we told them we would vote to repeal ObamaCare—the largest Federal overreach in recent history. It has been disastrous to thousands, if not millions, of people.

Unfortunately, the President's ill-advised health care law and the partisan push that made it law came with a lot of burdensome regulations. Both the law and those regulations have hobbled the American economy because they simply added additional burdens onto the small businesses that we depend upon to create the jobs so people can find work and provide for their families. It has hobbled those small businesses by burdening them with unmanageable costs, and it has failed the American people at every turn.

When the President said ''If you like what you have you can keep it,'' that was not true. Millions of Americans lost their preferred health insurance providers and the doctors who accepted that coverage. Instead of providing people with more affordable access to health care, millions of people faced higher premiums and higher deductibles. For all practical matters, the higher deductibles that come along with most ObamaCare health care policies make millions of Americans effectively self-insured.

More than 5 years after it became law, it is no surprise that a recent poll found that only 37 percent of the respondents approved of ObamaCare. ObamaCare is a textbook example of how bigger government does not necessarily lead to more choices or real solutions. Indeed, what it demonstrates is that it can lead to higher costs, inefficient health care delivery, and millions of Americans being let down by a system that was a partisan vote here in the Senate.

I remember being here on Christmas Eve in 2009 at 7 o'clock in the morning when Senate Democrats pushed through the ObamaCare legislation in the Senate. Again, without any sort of bipartisan commitment to actually improve health care choices and make health care more affordable for the American people, it was purely a partisan undertaking.

This bill that we are voting on to repeal ObamaCare will not only provide relief and more choices and the opportunity for the market to give people the health care they want at a price they can afford, but it also represents keeping a promise we made to the American people that we would deliver on if they gave us the majority. We will do that this week.

HUMANE ACT

Mr. CORNYN. Mr. President, there is another subject I want to raise because it is a matter of great concern. It is not only because I come from Texas and we see thousands and thousands of unaccompanied minor children continuing to cross our border, but you will recall in the summer of 2014, I believe the President himself talked about the humanitarian crisis as a result of the thousands and thousands of unaccompanied children—some with a single parent—who were streaming across the border in an overload of the capacity of local communities in the Rio Grande Valley and elsewhere to be able to deal with these children in a humane and acceptable sort of way.

While the memory here in Washington, DC, may have faded about this humanitarian crisis, I can tell you that most Texans remember it vividly. The picture was stark: tens of thousands of unaccompanied children coming from Central American countries that had set out to cross Mexico and to cross the border into the United States. Virtually all of these children had seen their lives placed in the hands of violent criminals to get here. To say the journey was a perilous one is a gross understatement.

We recently had a hearing of the international drug enforcement caucus in the Senate. I asked one of the witnesses: Isn't it the case that the same criminal organizations that smuggle people into the United States for economic reasons are the same people who smuggle children for human trafficking purposes, that these are the same people and the same organizations that smuggle illegal drugs and perhaps dangerous and other hazardous materials into the United States? Without hesitation, the witness said yes.

It may have been some bygone era when an individual coyote, as we call them in South Texas, smuggled people in for the fee they could charge, but now this is big business. This is a business model that is being exploited day in and day out by the transnational criminal organizations, but that all seems to be lost on the administration.

I saw how this tragedy was unfolding firsthand in McAllen where I visited these children who made the journey—sometimes alone—only to end up here in this country by themselves, looking for a friendly face or somebody who might help them. It was heartbreaking to see young children without their parents and extremely heartbreaking to hear the horrific stories about the trips they made. Again, coming from Central America, across Mexico, perhaps on the back of a train they called The Beast, physically assaulted, some murdered and many robbed and otherwise mistreated.

The pressing question in that summer of 2014 was, Why now and why here? Why was all of this happening? How could we stem the tide of this seemingly endless migration of unaccompanied children from Central America?

You don't have to look much further than the President's own Department of Homeland Security. One internal memo analyzing the surge of child and female migrants flooding the southwest border stated: ''The main reason the subjects chose this particular time to migrate to the United States was to

take advantage of the 'new' U.S. 'Law' that grants a 'free pass' or permit.'' I think they call them permisos in Spanish. In other words, they came here because of the widespread perception that these unaccompanied children and women traveling with children would be allowed to stay here in defiance of our immigration laws, even after they crossed the border illegally.

A similar study by the Department of Homeland Security's Office of Science and Technology Directorate concluded that the unaccompanied minors ''are aware of the relative lack of consequences they will receive when apprehended at the U.S. border.'' Apparently, at the time, these minors and their parents believed there would be no or little consequence to illegally coming into the United States, and tragically, sadly, they were right.

In the wake of that crisis last summer, it became clear that the President's failed immigration policies, including his deferred action program and his overall lack of seriousness when it came to immigration enforcement, played a role in inducing thousands of families to risk their lives to travel to the United States.

Until recently, we had perhaps been lulled into the misconception that this flood of migrants had stopped. But over the weekend, I was startled by news reports—perhaps I shouldn't have been surprised but I was—that suggest this downward trend has started to reverse and in a big way. According to these reports, smugglers were again bringing hundreds of women and children into the United States across the Rio Grande.

One from the New York Times noted that according to official data, ''border Patrol apprehensions of migrant families . . . have increased 150 percent'' from last year. The number of unaccompanied children has more than doubled.

The bottom line is that, clearly, there is virtually nothing being done to deter these children and their families from illegally crossing the border and little or no consequences when they do.

I have to point out that the administration has done virtually nothing to make sure these children are not exposed to the same criminal organizations operating in this country. In fact, current law requires these children to be released by the Department of Health and Human Services to sponsors without any assurance or systemic protections that they are being sent to a safe environment. There are no criminal background checks. They are not required to be actual family members, and they could well be some extension of the same criminal organizations that smuggled them into the United States in the first place.

It is shocking to me that the Senate would not be moved to act on this because, of course, we passed a large anti-human trafficking law this last spring with a 99-to-0 vote. But to sit quietly while these children continue to stream across our border and are placed in the hands of potentially dangerous individuals is unacceptable.

Earlier this year, four individuals were indicted for their involvement in a trafficking ring that smuggled unaccompanied Guatemalan children into the country and forced them into slave labor at a farm in Ohio. These children were not only forced to work long hours, but they were abused and threatened and exploited. Many of them could have been spared if the Federal Government and Health and Human Services had an adequate system for screening and vetting the sponsors of these unaccompanied minors.

We have to do a better job of protecting these children, which is why I recently joined a letter with the chairman of the Senate Judiciary Committee demanding answers from the Department of Homeland Security and the Department of Health and Human Services.

It is clear that the Federal Government needs to step up and create a more effective review process before releasing these children to strangers and perhaps criminals. Our government has a duty to protect them once they are here and to ensure that they are no longer preyed upon by criminals and human traffickers.

Given the administration's inability to deter illegal immigration and the Federal Government's failure to deal with them reasonably, rationally, and humanely when they get here, we have every reason to believe that illegal immigration surges of this nature will continue and will grow until we reform this system. That is why I intend to introduce a piece of legislation called the HUMANE Act, which will reform the system to end the practice of automatic catch-and-release to nongovernmental sponsors. It would enhance the screening of these children to determine if they are victims of crime or in need of some specialized care. It will make sure they get a swift and fair court determination on whether or not they are eligible for any protected status under our immigration laws.

The HUMANE Act would also help ensure that if these children are in need of humanitarian assistance, they will never be released to sex offenders, criminals, or others who will seek to harm them. Of course, preventing these surges is not just a humanitarian issue; it is a national security issue as well. By tying up our law enforcement, customs, and other security officials with humanitarian care obligations, the cartels and other transnational criminal organizations create an environment where it is much easier to traffic drugs, weapons, and other contraband.

We know there are increasing ties between terrorist organizations and drug cartels, so the threat that they will work together to exploit another humanitarian crisis is very real. For instance, last year before the Senate Armed Services Committee, SOUTHCOM's commander, John Kelly, stated that he was ''troubled by the financial and operational overlap between criminal and terrorist networks in the [Central American] region.''

He went on to say: ''Although the extent of criminal-terrorist cooperation is unclear, what is clear is that terrorists and militant organizations easily tap into the international illicit marketplace to underwrite their activities and obtain arms and funding to conduct operations.''

I am not just talking about economic migrants. I am talking about immigrants from around the world who can potentially get through our southern border virtually at will. I am talking about transnational criminal organizations determined to spread violence and import narcotics into the United States.

I hope the administration will take these most recent reports seriously, before we experience once again the horrifying humanitarian disaster we experienced in 2014. But nothing short of real improvements to border security and our laws will work.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

BURUNDI

Mr. CARDIN. Mr. President, I rise to call for urgent action to prevent widespread violence and mass atrocities in Burundi. Let us not allow Burundi to become the next Rwanda or Darfur. We are at a critical juncture. I call upon the Burundian Government and opposition to respect the spirit of the 2000 Arusha agreement and immediately stop all violence, disarm militias, including youth militia aligned with the government, and urge all legitimate stakeholders to agree to participate in an inclusive dialogue to determine a path forward for their country.

As my colleagues may know, the country has been in turmoil since April, when President Pierre Nkurunziza decided to run for a third term. His decision, which many feel violated the spirit of the very agreement that ended the Burundi 12-year civil war and the Burundian Constitution itself, has led to widespread violence. An attempted coup in May revealed an alarming split in the militia's military ranks, and I came to the floor in June to discuss my concern that the situation could escalate. Unfortunately, I was correct. It has. At that time, 90,000 people had fled the country, and now there are over 200,000 refugees. In June, an estimated 21 people had died during the protest. The U.N. now estimates that nearly 250 people have been killed since April, some

at the hands of the security forces and others in a series of tit-for-tat targeted assassinations and killings.

The violence has taken on troubling overtones. Bodies of those who have been clearly victims of execution-style killings are found daily in the streets of Bujumbura, Burundi's capital. The families of political opponents are now being targeted and killed. Government officials have been murdered.

In November, Burundian officials engaged in alarming rhetoric reminiscent of language used to incite and carry out the genocide in Rwanda. The government was forced to issue a letter that claimed that the statements made by the President and the president of the senate were not intended to foment such actions. Intended or not, such comments are deeply disturbing.

The international community has engaged, but I fear our efforts may not be enough. I was very pleased to see the African Union Peace and the Security Council's October 17 communique, which urged dialogue, called for deployment of additional human rights monitors, and threatened targeted sanctions against those who contribute to the escalation of violence and act as spoilers to a political solution. It sent a strong message to all parties that continued violence will not be tolerated and that an inclusive dialogue—one that includes the Burundian opposition that has taken refuge outside the country—is the only way to restore stability. The United Nations Security Council took a much needed step by approving a resolution in late November. The European Union has been forward leaning, imposing sanctions on government officials and requesting a dialogue with the government to discuss the current situation under the provisions of the Cotonou Agreement related to democracy and human rights.

The United States has been actively engaged in preventive action and diplomacy for some time. On November 23, President Obama issued an Executive order sanctioning four individuals whose actions have threatened the peace and security of Burundi. He also announced that as of January, Burundi will no longer be eligible for preferential trade benefits under the African Growth and Opportunity Act. Our Special Envoy for the Great Lakes, Tom Perriello, has been in the region numerous times. High-ranking officials, including our United Nations Ambassador and the Secretary of State have raised Burundi with our international partners on numerous occasions. Ambassador Power has traveled there herself, and I applaud the administration's consistent attention to the concerns of Burundi.

However, the violence continues. We must redouble our efforts to support a political solution to this current crisis. Let me be clear. There is no substitute for a commitment by the Burundians themselves when it comes to finding a way forward. They themselves must choose the path of peace, but I firmly believe we, in cooperation with our international partners, can provide the right incentives for them to do that. We can take other meaningful actions in pursuit of an agreement.

First, we must help the African Union to finalize contingency plans for an African-led mission to prevent widespread violence in the country.

Second, I call upon the AU to convene a meeting with special envoys from the United Nations, African Union, United States, European Union, and Belgium, as well as representatives from the East African community, to discuss coordination among donors, the United Nations, the AU, and the Security Council's recommendations and to identify ways that the international actors can support the increased number of human rights monitors and military observers authorized by the AU in October.

Third, it is imperative that we help put in place mechanisms for accountability for those who have engaged in extrajudicial killings during this period of time. Those who have committed these atrocities must be held accountable. The international community must be firm about this. We cannot allow those who perpetrate these crimes to go unpunished.

The United States has made a promise to actively prevent the commission of mass atrocities. As the unrest continues, people are suffering in refugee camps or living in fear in their homes, afraid to go out. Violence is on the rise, the economy is in a downward spiral, and civil space is closed. Every day that goes by without a civil solution the probability of atrocities increases. Preventing widespread violence and mass atrocities is everyone's business. Diplomatic engagement to prevent political violence that has the potential to become ethnically based killing is exactly what we and the rest of the international community must focus on addressing.

I submit to you that acting to prevent this from happening is all of our collective business, and I urge continued action to do so.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

OBAMACARE

Mr. THUNE. Mr. President, 5 years ago, days after President Obama signed the Affordable Care Act into law, the senior Democratic Senator from New York went on ''Meet the Press'' to discuss the bill. He told the host: ''Well, I think as people learn about the bill, and now that the bill is enacted, it's going to become more and more popular.'' I don't need to tell anyone that never happened.

Five years after ObamaCare was enacted, a majority of Americans disapproved the law, and that is a pattern we have seen since the law's passage. Why has the law failed to earn the support Democrats predicted? For one simple reason: The law is just not working as President Obama promised it would. The Affordable Care Act was supposed to lower health care premiums. It didn't. It was supposed to reduce health care costs. It didn't. It was supposed to protect the health care plans that Americans wanted to keep. It didn't. The law was sold as a health care solution, but it turned out to be yet another health care problem.

Five years after the law's passage, here is where we are: Americans with job-based insurance are paying more for their health care, with the average employee seeing a $400 increase in his or her deductible since 2010. Small business employees have fared even worse, with average deductibles now close to $2,000. And Americans are paying more for their premiums as well. An average annual premium contribution for family coverage is currently $12,591, up from $9,773 in 2010. That is nearly $3,000 in additional premium costs or another $250 a month. For many families, that comes on top of an increase in their deductible. Meanwhile, thousands of part-time workers have lost their job-based insurance thanks to ObamaCare mandates that encouraged several large employers to stop offering health benefits to part-time employees.

The situation with the exchanges is no better. Exchange premiums will rise once again this year, with many Americans facing rate increases in the double digits.

Over the past few months, I have heard from numerous constituents wondering how they will be able to afford the massive premium increases they are facing. One constituent in Wessington, SD, wrote to tell me that her and her husband's health care plan is going from $17,194 this year to a staggering $25,370 next year. That is an annual increase of more than $8,000. What family can afford an $8,000 increase in expenses from one year to the next?

Another constituent of mine wrote to tell me this:

> We just received our rate increase for our family health insurance. We have been paying $1,283 a month and the $557.45 increase will bring it up to $1,841.26. This amount has gone from 26 percent to 37 percent of our income. It is over twice of our house payment. . . . After having insurance coverage for the past 38 years, we are faced with dropping coverage, which is ironic since that is not

the purpose of the Affordable Care Act. We are considering dropping insurance and facing the penalty just so we can continue to live in our house, pay our bills, and buy groceries.

That is from a constituent of mine in South Dakota.

I have received far too many letters like these from individuals who are facing enormous premium increases.

Another constituent wrote to me and said they are facing a 69-percent premium increase—69 percent. She and her husband are facing a $22,884 insurance bill. She could buy a brand-new car for less than that.

So it is no surprise that a recent survey from the Robert Wood Johnson Foundation found that nearly 80 percent of uninsured Americans who have looked for insurance report that they cannot find or cannot afford to buy health insurance. The grim reality for millions of Americans is that the Affordable Care Act is anything but affordable.

Unfortunately, higher health care costs are just one of the problems with this law. ObamaCare has already reduced Americans' health care choices. Faced with expensive ObamaCare mandates, insurance companies have chosen one of the few methods left to them to control costs, and that is restricting consumers' choice of doctors and hospitals. Americans were promised they could keep the doctor they liked, but for many Americans, that is not true.

Then there are the taxes imposed by the law. Because the administration did its best to hide the true cost of ObamaCare, many Americans don't realize that the law hiked taxes by $1 trillion. In fact, the law imposed almost a dozen new taxes, including an annual tax on health insurance that is passed on to consumers in the form of higher premiums, a tax increase on flexible spending accounts and health savings accounts, and a tax on wages and self-employment income. President Obama promised not to raise taxes on those making less than $250,000, but, as we all know, he broke that promise many times over when ObamaCare was signed into law. Many of these taxes directly impact low- and middle-income families.

Additionally, the law's tax on the makers of lifesaving medical devices, such as pacemakers and insulin pumps, which went into effect in 2013, has already eliminated jobs in the medical device industry and driven up the price of essential medical equipment.

The medical device industry is not the only industry in which ObamaCare is costing jobs. ObamaCare's requirement that employers provide their workers with government-approved insurance or pay a tax has made employing full-time workers more costly, which has discouraged employers from hiring. Workers in the retail and restaurant industries, many of them younger, less skilled workers, have been hit particularly hard. In all, the Congressional Budget Office has predicted that ObamaCare will result in the equivalent of 2 million fewer full-time jobs in 2017 and 2.5 million fewer full-time jobs by 2024. That is not good news for our already sluggish economy.

All Americans remember the President's claim that under ObamaCare, ''If you like your plan, you can keep it''—a claim that was named, interestingly enough, PolitiFact's ''Lie of the Year'' in 2013 after ObamaCare eliminated the health care plans of 4 million Americans. Now hundreds of thousands of Americans will be losing their ObamaCare health care plan after a number of the health insurance co-ops established under the law proved unsustainable. In all, 12 of the 23 health care co-ops established by the President's health care law have collapsed, resulting in the loss of billions in taxpayer dollars, in addition to the loss of Americans' health plans. Taxpayers have also lost more than $1 billion spent on failed or failing State exchanges, such as the failed exchanges in the States of Oregon, Hawaii, Vermont, Maryland, and Massachusetts.

Four years after telling ''Meet the Press'' that ObamaCare would become ''more and more popular,'' the senior Senator from New York admitted that the Democrats had made a strategic error by focusing on ObamaCare. Americans, he admitted, were ''crying out for an end to the recession, for better wages and more jobs; not for changes in their health care.'' The senior Senator from New York is right.

Americans didn't want ObamaCare then, and they certainly don't want it now. ObamaCare is broken, and Americans know it. It is time to repeal this law and start moving toward the kind of health care reform Americans are actually looking for: an affordable, accountable, patient-focused system that gives individuals control of their health care decisions.

This week the Senate will take up a repeal bill that will begin the process of lifting the burdens ObamaCare has placed on Americans. I look forward to debating the bill and working with my colleagues to begin building a bridge to a better health care system for hard-working families across the country. It is time to give the American people the real health care reform they deserve.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

AMERICAN SECURITY AGAINST FOREIGN ENEMIES ACT

Mr. KAINE. Mr. President, I rise today to speak about the American Security Against Foreign Enemies Act of 2015. This act was passed by the House shortly before we recessed for Thanksgiving—an act dealing with the refugee crisis from Syria and Iraq. It is an act that is sort of pending before the body now as we try to decide whether to take up the House bill or take up the topic of the House bill as part of the deliberations in which we are engaged.

First, I think everyone in this body and everyone in the House acknowledges the security needs of America in this challenging time as we are engaged in a battle against ISIL. As we have seen in recent weeks, the reach of ISIL—whether it is a passenger aircraft in Sinai, a neighborhood in southern Beirut, or multiple neighborhoods in Paris, ISIL's strength is expanding and mutating, and we have to take those concerns seriously.

I applaud the work that has already been done to try to make sure the vetting process for refugees who entered the United States is pretty intense. Four million refugees left Syria during the course of the Syrian civil war. Of those 4 million who have left and registered with the U.N., after a fairly extensive review process, the U.N. has referred 20,000 to the United States for possible consideration to be refugees. Of those 20,000, after an 18-month vetting process, we have allowed approximately 2,000 into the United States. So the vetting process for refugees is pretty intense. If we can make it better, we need to do that, but it is already fairly significant. I also applaud efforts the administration announced yesterday and that other colleagues, including the Presiding Officer, are working on to ensure that the visa waiver program we currently have, which allows citizens from 38 countries to come to the United States without visas, is tight. We have to do our best in a careful and deliberate way to make sure our security in the midst of this battle against ISIL is strong.

I rise today to speak particularly about this act because I think it is problematic, and I think it is problematic from the very title of the act. I think it raises some questions we have to be very careful about.

Syrian and Iraqi refugees are not foreign enemies. Refugees are not the enemies of the United States. We have an enemy. The enemy is ISIL. We are coming up on the start of a 17-month war against ISIL that Congress has been unwilling to debate, vote on, and declare. ISIL is an enemy, and we would all acknowledge that, but the refugees who are leaving Syria and Iraq are not our enemies. They are victims. They are victims. I think before we go down the path of quickly—and this bill was passed in the House in just a couple of days—painting with a broad brush as our enemies these poor people who have suffered so much, we really need to reflect on what they have been through.

This refugee crisis in Syria has been called by most NGOs and other organizations like the U.N. the greatest humanitarian crisis since World War II.

In a country of between 25 and 30 million people, 4 million have had to flee because of the atrocities of the Assad regime and the atrocities of the civil war carried out by ISIL and other terrorist organizations.

Four million had to leave their homes and 8 million more had to leave their homes and move to other places in their country where they would prefer not to live because their homes are unsafe because of the civil war.

Nearly 300,000 Syrians have been killed in this civil war, and the atrocities are horrible. The Assad regime uses barrel bombs in civilian neighborhoods to kill innocents without any rhyme or reason as to where or when they are going to fall, creating psychological terror as well as physical danger. ISIL in Syria is carrying out beheadings and the forced subjugation of people and selling them into sexual slavery. It is the oppression of religious minorities, virtually any religion other than that of the Sunni extremists who would fit within ISIL's narrow definition of who they think true believers are. This is what people are fleeing from.

This Senator emphasizes this point: Refugees are not our enemies. They are not foreign enemies. They are victims who deserve compassion.

This is a fairly famous photograph from a suburb of Damascus, Yarmouk, that is filled with Palestinian refugees who have been waiting for food. The Assad regime had cordoned them off and would not allow humanitarian aid because they thought there were opponents to the regime in this neighborhood.

This was a photo that was taken in January of 2014 when the U.N. could finally come in to try to deliver humanitarian food aid to these folks. You can see the tens of thousands of people who are waiting in the midst of their bombed-out neighborhood for a delivery of basic food aid, which has been very episodic during the course of this war. This neighborhood has gone back under blockade, and it has been extremely difficult to get them the food they need.

These are not enemies; these are people who are worthy of the compassion of any person and especially of a nation as compassionate as the United States.

More recently, we were all stunned to see this horrible photograph of a 3-year-old Syrian boy who, with his family and a group of 12 Syrians, tried to make it across water to Greece, fleeing atrocities in the battle between Kurds and ISIL in northern Syria. Twelve members of this family in a boat were killed and drowned, including this 3-year-old and his 5-year-old brother. These are not enemies.

To have an act that purports to deal with this refugee crisis and to call this an act that is an act about foreign enemies—they are not enemies. There is no way we should allow the kind of tar brush approach that would paint these poor unfortunates who are victims of the worst humanitarian crisis since World War II as if they are somehow enemies. We should have a compassionate response that protects American security but is nevertheless compassionate.

These photographs really grab me, and the rhetoric surrounding these refugees—that they are enemies—when this act passed really grabbed me. I found myself thinking about it not so much even in just a policy way—what is the right policy, what is the right mixture of things to keep the country safe? That is very important, but these pictures make one think about something more fundamental: Why does this happen?

Since the beginning of time, human beings have asked: Why is there suffering of this kind? Why must hundreds of thousands be huddled into a bombed-out neighborhood and be nearly starved to death to wait for a delivery episodically from the United Nations? Why would a family have to flee from their home, with their children killed, to try to get away from atrocities? If you are a student from California State University, on a semester-abroad program in Paris, sitting in a cafe, why are you gunned down by ISIL terrorists? If you are a tourist coming back from a vacation in the Sinai with your family, why is your plane suddenly bombed out of the sky?

Humans have asked this question since the beginning of time. Why do these things happen? There are two conventional answers to the question of why these things occur, and there is a nonconventional answer that is a challenging one that we as a body and as a country really have to grapple with. The two conventional answers as to why there is horrible suffering such as this is obviously there is evil in the world and there is evil within. There is evil out in the world and there is evil within and we make mistakes. Clearly there is evil in the world. ISIL is evil. Refugees are not evil.

I think it is interesting that one of the bodies here could come up with a piece of legislation, draft it, debate it, and vote on it in a couple of days to label refugees as ''foreign enemies'' when we have been at war for 17 months against ISIL and we haven't been able to have a debate in this body to authorize military force and declare that they are an enemy. There is evil in the world, and part of what we must do is call it out and be willing to stand against it.

The great Irish poet Yeats talked about a situation where the best lack all conviction and the worst are filled with passionate intensity. I worry that this legislative body has not shown the conviction to call out evil in the way that we should call it out, and mistakenly we are calling people evil who aren't evil but who are deserving of compassionate help from us and from other nations. That is the first explanation of why evil occurs. There is evil out in the world, and ISIL is evil, the atrocities of Assad are evil, and we ought to call it out.

The second explanation is our own weakness. When bad things happen, whether to yourself or to your country, you have to look in the mirror and ask: Did we do anything wrong? And I have a concern that when the chapter on the Syrian refugee crisis is written, neither the United States nor other nations are going to look that good. It is going to be like looking into the 1990s and looking at why the United States was able to intervene and stop atrocities in the Balkans and chose not to in Rwanda. The answer to why we did in one instance and not the other—I don't think that looks good in retrospect. I worry with respect to this refugee crisis, the 4 to 8 million killed, these children and their families—we have to look in the mirror and ask ourselves whether we have done enough or whether we can do more.

Last, there is a nonconventional explanation of why suffering like this occurs that is a challenging one. It is in the Book of Job. There is a Bible on the Presiding Officer's desk. It is there because it is a book of wisdom. I know you know the story. It is an interesting story, as we grapple with suffering like this and we have to ask why it occurs. Job was an upright and righteous man. He was a blameless person, a person of integrity.

The story was written in about 500 BC and posits this debate between God and Satan. God is talking about how great Job is. Satan says that he is great because he is wealthy and has a great family, and if he lost that, he would cease being so faithful.

God says: I think he would be faithful anyway.

Satan says: Let's have a wager and see what happens.

That is how the Book of Job begins. This upright and blameless man who has everything proceeds to very quickly lose everything. He loses his wealth, he loses his family, he loses his health—not because of his own sin, his own weakness, or his own error, his own mistakes, and not because of evil in the world; he suffers because he is being tested. That is the reason he suffers.

As the story goes on, he is tested. He is tested. He argues with God, he fights with God, he fights with the faith, but he doesn't let go of his faith. At the end of the story, this Book of Job—and this is a book which is not only in the Old Testament and studied by Jews and

Christians alike, this is in the Koran. This is a story which all the Abrahamic faith traditions have grabbed on to because it has a fundamental piece of wisdom to it.

Sometimes when suffering such as this occurs, it is not just because there is evil in the world or because of our own sin, it is because bad things happen to test us as individuals. Bad things happen and sometimes test us as a country.

I look at this refugee crisis as a test. It is a test on whether we, like Job, will be true to our principles or whether we will abandon them. Job was true to his principles, and things came back to him multiplied. Are we going to be true to our principles?

My State of Virginia began when the English who were starving were helped out by Indians down near Jamestown Island. There was the extension of a hand to strangers in a strange land that enabled them to survive, unlike earlier parties who had been wiped out by starvation or battles with Indians.

My people came from Ireland in the 1840s. They were chased out by oppression. They were chased out by hunger. My people have the same story that virtually everybody who came to the United States has. Some came under much worse conditions, brought over in slavery and servitude.

The nation of France recognized the United States for what it was—a beacon of liberty for people from around the world—when France gave to the United States the Statue of Liberty, which we planted in New York Harbor right next to Ellis Island, where so many people came into this country. Nobody who came here had it easy. People faced signs that said ''No Irish need apply'' or they faced discrimination or oppression, but they didn't face a door being shut in their face and being told they were foreign enemies when they were really refugees looking for a better situation in life.

As I think about what we are grappling with and what we may be called to vote on in the next 10 days in this body, I think about this massive scale of human suffering that is going on with respect to Syria, and I think about that wisdom from the Book of Job, which is that sometimes suffering and adversity is to test us. Are we going to abandon our principles? Are we not going to be the Statue of Liberty nation? Are we not going to be the nation that will extend a hand of welcome or friendship for those who suffer? Are we going to be true to our principles?

Again and again in our Nation's history and in the history of nations, it has been shown that if you are true to your principles—especially true to them during times of adversity—then you are worthy of respect. You teach important lessons to your kids and to the generations that follow, and usually things work out. I think our Nation's principles are solid. They are rock solid. In the heat of the moment, we shouldn't abandon them, and we shouldn't abandon people who have suffered and are suffering with the kind of hot legislative language that would label them as ''foreign enemies'' when they are just refugees in the same way that people throughout history have been refugees needing a compassionate response from others.

Thank you, Mr. President.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to complete my remarks.

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

RELIGIOUS LIBERTY

Mr. HATCH. Mr. President, last week families across the Nation gathered in gratitude to celebrate Thanksgiving—the holiday we commemorate in remembrance of our Pilgrim ancestors. With humble appreciation, we venerate the sacrifice of America's early settlers. We remember their fortitude in leaving family and home to colonize a new wilderness. Facing disease, starvation, and even death, these brave men and women endured tremendous hardships to secure the blessings of religious liberty.

Freedom of religion—so precious and so prized by our Pilgrim forebears—is the legacy we enjoy as a result of their sacrifice. Today, I wish to honor the Pilgrims' legacy by speaking once again on the topic of religious liberty. Over the past several weeks, I have addressed this subject at length. In so doing, I have explained the critical importance of religious freedom and its centrality to our Nation's founding. I have also debunked the erroneous notion that religious liberty is primarily a private matter that has little place in the public domain. More recently, I have detailed the many ways freedom of conscience is under attack—both at home and abroad.

You might wonder why I devote so much time and attention to this vital subject. After all, this is the seventh in a series of speeches I have given on the topic of religious liberty. When there are myriad other issues facing our country, why do I feel so compelled to speak out about religious freedom? Because, Mr. President, no other freedom is so essential to human flourishing and to the future of our Nation. Indeed, religion is not only beneficial to society but also indispensable to democracy.

I begin by discussing the most tangible benefits religion brings to society. History provides many examples. Indeed, many of our Nation's most significant moral and political achievements are grounded in religious teachings and influences.

First, consider the role of religion in the formation of our most basic rights. America's Framers were well versed in both religion and philosophy, and in drafting our Founding documents, they drew inspiration from both sources.

Take for example, the unalienable rights identified in the Declaration of Independence: life, liberty and the pursuit of happiness. These rights are a synthesis of both religious and philosophic teachings. The rights themselves stem from the theories of the philosopher John Locke, but the concept of inalienability—the idea that these rights are inviolable because they are ''endowed [to men] by their Creator''—is religious in nature.

By invoking the divine and linking our rights to a moral authority that lies above and beyond the state, America's Founders insulated our freedoms from government abuse. Philosophy helped articulate our fundamental rights, but religion made them unassailable. Thanks to the moral grounding provided by religion, we exercise these rights free of state control.

In addition to undergirding the establishment of our God-given rights, religion directly benefitted American society by catalyzing the two greatest social movements in our Nation's history: abolition and civil rights.

Abolition traces its roots to the Second Great Awakening, when preachers such as Charles Grandison Finney and Lyman Beecher rose to prominence with their revivalist teachings on social justice and equality. Many of the earliest pro-abolition organizations coalesced around Christian evangelical communities in the North. Emancipation was a religious cause first and a political movement second.

Most abolitionists were deeply religious themselves, including two of the movement's most vocal leaders, William Lloyd Garrison and John Greenleaf Whittier. The Christian doctrine of moral equality was especially crucial in generating the grassroots support that eventually made emancipation possible.

Religion was equally influential in guiding the civil rights movement. We speak today of Dr. Martin Luther King, but we sometimes forget that before he was a doctor he was a reverend. In 1967, the year before his death, Reverend King proclaimed:

> Before I was a civil rights leader, I was a preacher of the Gospel. This was my first calling and it still remains my greatest commitment. . . . [A]ll that I do in civil rights I do because I consider it a part of my ministry.

Reverend King recruited other religious leaders to his cause when he convened a meeting of more than 60 black

ministers in what would eventually become the Southern Christian Leadership Conference. This coalition of evangelical leaders was instrumental in organizing both the Birmingham campaign and the March on Washington. For these ministers and many other men and women who participated in the civil rights movement, religion provided the initial impetus for their advocacy.

Today, religion continues to benefit society by contributing to our Nation's robust philanthropic sector. The importance of charity and helping the poor is nearly universal across all faiths. Every year, religious organizations throughout the United States feed the hungry, clothe the naked, give shelter to the homeless, and care for the sick and afflicted.

Without these religious groups, our government welfare system would be overwhelmed.

Charitable organizations are irreplaceable because they often step in where the state cannot. Consider some of the largest, most well-respected religious charities in operation today, such as the Salvation Army, Catholic Charities, World Vision, or LDS Humanitarian Services. These organizations are motivated by more than a mere humanitarian impulse; they are driven by a sense of duty both to God and to man. Every year, they lift millions from despair, offering not only material assistance but also spiritual direction to help individuals lead more prosperous lives. This is a critical service that no government program could ever provide.

It is clear that religion has benefitted our society in several meaningful ways. First, as a result of religious teachings, we have unfettered claim to the natural rights delineated in our Nation's founding documents. Second, thanks to religious leaders from John Rankin to Martin Luther King, we freely exercise civil rights today that were once denied millions of Americans. Third, by virtue of religious teaching on charity, we have a humanitarian sector that is unparalleled in its ability to respond to crisis, bless the poor, and lift the needy.

But my purpose in speaking today is not merely to recite a list of blessings brought about by religious liberty. Religion is not simply beneficial to society; it is an indispensable feature of any free government. Without religion, liberty itself would be in danger and democracy would devolve into despotism.

The nexus between religion and democracy involves the relationship between morality and freedom. Freedom is a double-edged sword; it can be used for good or for evil. Statesmen may use freedom to defend justice, but tyrants can abuse it for their own corrupt ends. Morality is necessary to ensure that individuals exercise their freedom responsibly.

Religion provides free individuals with the moral education necessary to exercise freedom responsibly. It instills the very virtues that lead to an engaged citizenry, including a concern for others, the ability to discern between right and wrong, and the capacity to look beyond the mere pursuit of present pleasures to the good of society.

President George Washington identified the link between morality and religion. According to Washington, ''Reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.'' For Washington, morality presupposed religion, and both virtues cultivated a healthy society. Perhaps this why he said that ''[o]f all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports.'' That was George Washington.

John Adams was of the same mind. He argued that without religion and morality, our government could not stand because, ''[a]varice, ambition, revenge and gallantry would break the strongest cords of our Constitution, as a whale goes through a net''; hence, his most famous observation that the Constitution ''was made only for a moral and religious people.''

For Washington, Adams, and many others who helped to establish our constitutional system of self-government, religion, morality, freedom, and democracy are necessarily interlinked. Without the moral sensibilities that religion that can provide, freedom is all too easily corrupted, endangering the very foundation of democracy.

Our Founding Fathers were not alone in calling attention to the inextricable connection between religion and a healthy democracy. The renowned political philosopher Alexis de Tocqueville offered his own analysis on the subject. After spending several months observing American Government and society, Tocqueville wrote his famed ''Democracy in America'' in an attempt to explain American political culture to his French counterparts. When Tocqueville published his work in the early 19th century, the United States was a burgeoning democracy and unique as one of the only countries in the world that guaranteed religious liberties to its citizens.

At this intersection of democracy and religion, Tocqueville made his most compelling observations. Like Washington and Adams, Tocqueville believed that religion was essential to the success of the American political experiment. Without the moral strictures of religion, the Nation's democracy would collapse on itself. In Tocqueville's own words:

> Despotism may be able to do without faith, but freedom cannot. . . . How could society escape destruction if, when political ties are relaxed, moral ties are not tightened? And what can be done with a people master of itself if it is not subject to God?

In other words, Tocqueville asked how the experiment of self-government could succeed if individuals refused to submit to any moral authority beyond themselves. By posing this question, Tocqueville argued that democracy needs religion and morality to ensure that citizens exercise their freedom responsibly. Democracy needs religion to help refine the people's moral responsibility and instill the virtues of good citizenship that make democracy possible in the first place.

Tocqueville also taught that democracy needs religion to temper the materialistic impulses of a free-market society. By setting our hopes and desires beyond imminent, temporal concerns and turning our hearts instead toward those in need, religion engenders charitable behavior and saves democracy from its own excesses.

In Tocqueville's view, the free exercise of religion is not just a condition of liberal society; it is a precondition for a healthy democracy. Without religion and the moral instruction it provides, freedom falters, and democracy all too easily dissolves into tyranny.

In this regard, religion is not merely a boon to democracy, but a bulwark against despotism. Laws alone are incapable of instilling order and regulating moral behavior across society. As LDS Apostle Dallin H. Oaks has observed, ''Our society is not held together just by law and its enforcement, but most importantly by voluntary obedience to the unenforceable and by widespread adherence to unwritten norms of right . . . behavior.''

Of course, religion and a basic sense of morality help induce such voluntary obedience to the unenforceable that Elder Oaks describes. George Washington conceded that individuals may find morality without religion, but political society needs the spiritual grounding that only religion can provide. In this regard, religion complements law in cultivating a moral citizenry.

Both law and religion are necessary to engender good citizenship. As the influence of religion diminishes, governments must enact more laws to fill the void to maintain a moral citizenry. So the consequences of less religious activity are not greater human freedom but greater state control.

Religion, then, acts as a check on state power. It cultivates morality so governments don't have to through the cold, impersonal machinery of law.

By acting as a shield against state overreach, religion is a friend to both democracy and freedom. Expanding religious freedom empowers democracy, but limiting religious freedom weakens our democratic institutions. In the most extreme case, eliminating religious freedom altogether results in tyranny and human suffering on a massive scale.

Consider the catastrophic state of affairs in countries that have explicitly outlawed religion. The Soviet Union, Communist China under Mao, the Khmer Rouge in Cambodia, and North Korea are prominent examples. In each of these countries, leaders committed unspeakable atrocities to enforce their own godless morality. In the absence of faith, there was no religious horizon to keep political ambitions within limits. Unencumbered by the moral restraint of religion, dictators systematically killed millions of their own people to establish their own secular vision of Heaven on Earth. These illustrations of totalitarianism, torture, and genocide demonstrate that a society without religion is a society without freedom.

I raise these grievous examples to reiterate my initial point: Religion is central to human prosperity. Society needs religion to keep political ambitions in check, and democracy needs religion to maintain morality so that freedom can flourish.

I had the privilege of serving for 2 years in three States—Ohio, Indiana, and Michigan—as a missionary for the Church of Jesus Christ of Latter-day Saints. We served without pay, without compensation. I lived on $55 to $65 a month, and I traveled all over those three States, helping other missionaries be able to teach the Gospel of Jesus Christ. I am glad I had the freedom to be able to serve that mission in three States in this beautiful, wonderful country, where religious freedom is a revered right and a heralded concept.

Those 2 years were the most important years of my life because they led to a wonderful marriage with Elaine, 6 children, 23 grandchildren, and 16 great-grandchildren, and those are all I know about at this time. I have to say that they led to a better life in every way, even though my life has been hard.

I was raised in Pittsburgh, PA. My father was a building tradesman. Sometimes there wasn't work. We lost our home shortly after my birth. It was a little band-box frame home in Homestead Park, PA. My dad borrowed $100 to purchase an acre and then tore down a burned-out building to build us a home that was black on three sides, and the fourth side had a Meadow Gold Dairy sign that he had apparently torn down and put up just exactly the way it was. We didn't have indoor facilities.

It was an acre of ground, and we raised quite a bit of our food. We actually raised chickens. I was in charge of the chickens, taking care of the chicken coop, feeding them, cleaning up after them, collecting the eggs every day, selling the eggs, and delivering the eggs, from 6 years old on. I am glad I had that experience.

I am glad that my family went to church and was religious. The Mormon Church at that time in Pittsburgh was very small, but the people were all patriotic and loved America. Why did they? Many of them were from other countries. They loved America because they were free. I didn't know any better, but I knew I was free, and that was important—not just to me but to my parents and to many others as well.

Elaine and I are so grateful that we have been able to raise our six children, all of whom are married now, all of whom have children, and many of whom have our great-grandchildren.

The thing that tied us together more than anything else was religion in this freest of all nations. I am so grateful for this country. I am so grateful for the freedoms that we all take for granted. I am so grateful for my parents, who were just humble people, neither of whom had received any education beyond the eighth grade, but both were brilliant in his or her own way. The thing they taught us was religion and doing good to our fellow men and women.

I am so grateful for this great country. I am so grateful for all of the many blessings we have from religious freedom, and I don't want to see us lose that in the realm of political correctness.

In closing, I urge all of my colleagues to consider the state of religious liberty in the United States today. Only by strengthening this fundamental freedom can we secure the future of our own democracy and keep the rest of our freedoms alive and viable.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

WASTEFUL SPENDING

Mr. COATS. Mr. President, I am here for my now 28th ''Waste of the Week.'' I have been coming to the floor of the Senate for 28 weeks pointing out government waste.

Some in this Chamber say we can't cut a penny more. We are down to the bone. We are far from it. This is just a small effort, having been shot down, in terms of anything larger to do to deal with our fiscal situation, because the White House simply does not want to engage in it. We at least ought to be able to take steps as a body to eliminate the kind of wasteful spending that takes place on a daily basis in Washington.

I have come down once a week to do this. I could come down every day, I could come down every hour and point out something in this vast array of Federal Government that never stops growing that simply falls in the category of waste, fraud, and abuse. So far we are well over our $100 billion goal of accumulated waste. Today, this is No. 28. Specifically, this particular waste of the week is facilitator fraud in the Social Security disability insurance fund.

What is the facilitator fraud? Facilitator fraud is when individuals with specialized knowledge use system as a means to fraudulently, illegally qualify people to receive SSDI benefits. They look for claimants either by putting out ads or using social media or word of mouth: Look, you too can get checks from the Federal Government even if you are not disabled because we have figured out how to qualify you. We will help you process these forms. We have connections with doctors and medical providers who will be able to give us written information, even though it is fraudulent and illegal, that you can use to justify with the Social Security Administration to qualify for Social Security disability.

Then, when those payments start, the facilitators get a percentage of that or they have worked out some kind of agreement that you will pay us this amount of money if we can get you the claim. Once disability payment is made, financial compensation to the facilitator is in place, and there is a vicious cycle of fraud and abuse. So instead of robbing Peter to pay Paul, Peter and Paul are robbing the Federal Government together and reaping the benefits.

Over the last 5 years, the Social Security Administration has seen an amazing increase in fraudulent activity associated with facilitators. The estimate is potentially 1 percent and perhaps even more—we haven't tied this down yet—of SSDI payments are affected by facilitator fraud. We have taken a rough estimate of what this would amount to over a 10-year period of time and dropped $.4 billion. We think at least $10 billion over 10 years is a conservative estimate of the waste of taxpayers' dollars through fraudulent, illegal means.

Last month the Social Security inspector general, Patrick O'Carroll, testified before the Joint Economic Committee, which I chair, and shared his concerns about this question. He said, ''There are people out there in positions of trust that the agency relies on for information. . . .'' as to determining whether a claim is a legitimate claim for coverage. He said, ''And if those people [whom we rely on] decide to defraud the government''—by sending in false claims, backed up by false medical support, the taxpayer is being taken to the cleaners. ''We have found that in some cases the former Social Security employees''—that have left the employment of the Federal Government—''that understand the way the system works then go into conspiracies with unscrupulous medical providers

and attorneys, where they will use improper information and facilitate getting in so that a person will get on benefits,'' and they get the payment and the rewards.

Last year, a San Diego-area psychologist confessed to charging his patients $200 each to fabricate medical evidence to support their disability claims.

Imagine getting up in the morning, going to your desk, you have the credentials of a doctor—in this case a psychologist—to issue an opinion as to what the claimant's medical condition is, and then participate in this cycle of fraudulent activity and be paid for it. That is his job. That is what he does every day. Fortunately, we caught him, and that is how we know about this.

In August of 2013, Federal law enforcement officials and the Puerto Rico Police Department arrested 75 people in Puerto Rico and dismantled a large-scale disability fraud scheme involving physicians and a claimant representative who is also a former Social Security Administration employee.

So not only are individuals doing this, but there are groups of individuals who are working through a system. These are just two small examples of what is happening. To give some credit, the discovery of this has produced some progress in terms of addressing this problem. The most recent budget deal reached in the Senate included increased funding for what is called the Cooperative Disability Investigation Units, which investigate suspicious disability claims and hopefully prevents fraud before it happens. Additionally, the Social Security Administration's regional Disability Fraud Pilot Program works specifically on facilitator fraud across the country trying to identify those high-dollar, high-impact cases involving third-party facilitators conspiring with claimants to defraud the Social Security Administration. It is a pilot program. I don't know why we haven't had that program in place from its very inception. Every agency distributing funds for individuals should have as a component of that agency an investigative process for fraud, waste, and abuse because—you name the program writing checks to claimants, and I believe we will be able to find those that are fraudulently taking money out of taxpayers' wallets.

We are going to keep coming here every week putting the spotlight on waste, fraud, and abuse. Today we add another $10 billion to the total, which keeps growing and growing. Now it is a total of $128,812 billion of documented waste, fraud, and abuse. This is not something we make up. This is not something we read about in the paper. This is something where agencies of the Federal Government, which have accountability and responsibility to try to dig in and find this abuse, provide information on a regular basis, but it is something taxpayers simply cannot afford, should not be obligated to pay, and highlights the fact that we have a government growing beyond its means.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

EXTENSION OF MORNING BUSINESS

Mr. COATS. Mr. President, I ask unanimous consent that morning business be extended until 3 p.m. today, with Senators permitted to speak for up to 10 minutes each.

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

RECESS

Mr. COATS. Mr. President, I ask unanimous consent that the Senate stand in recess as under the previous order.

There being no objection, the Senate, at 12:28 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

The PRESIDING OFFICER. The Senator from Utah.

REMEMBERING GOVERNOR OLENE WALKER

Mr. LEE. Mr. President, I rise today to pay tribute to Governor Olene Walker, Utah's 15th Governor, who passed away on Saturday, November 28, 2015, at the age of 85. She was the first woman to serve as Utah's Governor, worked as Lieutenant Governor for over 11 years, and was a member of the Utah Legislature for 8 years.

Olene Walker will be remembered and revered by Utahns not because of the many firsts she pioneered in politics but for her commitment to leave a legacy of public and, more importantly, private service based on principles that truly last. Olene Walker's life and career were centered in the principles of lifelong learning, selfless service, and making a difference through civil discourse and meaningful dialogue.

Governor Walker believed that the best way to open a mind was to read a book. Immediately upon becoming Governor, she launched her Read With a Child Program, focused on getting adults to read with a child for 20 minutes every day. She knew that 20 minutes of daily reading would not only transform children across the State by getting them to read at or above grade level, but it would transport them to magical places, big ideas, and brighter futures. Because she became Governor at the age of 73—and as a grandmother—I think she also recognized that 20 minutes of reading with a child would inspire the adults in the State of Utah as well.

Governor Walker was never far from a book or a group of children to read to, often choosing her personal favorite from Dr. Seuss, ''Oh, the Places You'll Go!'' Governor Walker went many places in her public service but sent thousands and thousands of Utah children on adventures never to be forgotten in the wonderful world of good books. She was living proof that books expand the mind and that a mind expanded, especially the mind of a child, could never return to its original state. I was inspired when reading her obituary that the last line, in typical Olene Walker style, stated: ''In lieu of flowers, please read with a child.'' Her commitment to the principle of lifelong learning is a legacy in and of itself.

Governor Walker also understood that it didn't really matter where she served, but how she served. Whether working alongside her husband in the family's snack business, in the legislature or in the Governor's office, Olene Walker knew that her time on this Earth would never be measured by the titles she held but by the impact and influence that she had on others. She understood and lived by the adage: ''We are to live our lives not by days, but by deeds, not by seasons, but by service.'' After leaving the Governor's mansion, she participated in literacy forums, served an LDS mission with her husband in New York, and at an age when most people slow down, Olene Walker took on a new and, many would say, daunting challenge of leading dozens of 3- to 11-year-old children for 2 hours every Sunday in her LDS congregation.

Governor Walker served with confidence, charisma, and charm that was elevating and at the same time enlightening. National political players, rural farmers, business executives, and children were equally inspired by her energetic approach, and they responded to her invitation to engage because they sensed that what they were about to experience was not about Governor Walker; it was about them.

In an age of egomaniacs and narcissists, Olene Walker's example of selfless service in high office is a model for all to follow—a model that all people should try to emulate. Governor Walker also understood the principle that mean-spirited arguments produce little, while meaningful dialogue creates much. She was known for her disarming style and for her corresponding ability to pull people into a conversation. She believed and lived by a motto

that my office is committed to. The solution to any and every problem begins when someone says: Let's talk about it. Olene Walker challenged political candidates, elected officials of both parties, and young people in particular to transcend the talk-radio style bombast in personal attacks in favor of civil, serious, and substantive discussions. The Olene S. Walker Institute of Politics & Public Service, at her beloved Weber State University, is a testament to her commitment to make a difference through a more meaningful and deeper dialogue.

A picture of Olene Walker taken inside the Governor's mansion contains an interesting image that illuminates much of what Olene Walker was really all about. Resting on a desk in the background of the picture is a statue of a vibrant, energetic, pioneering Brigham Young. He is walking swiftly, leading with staff in hand, eyes set on a bright future as he began the audacious endeavor of being the first to establish a lasting legacy in the tops of the Rocky Mountains. In the picture, the statue of Brigham Young almost appears to be trying to keep up with Governor Walker. Only Olene Walker could get a trailblazing Brigham Young to pick up the pace. Governor Walker, likewise, was a pioneer and a trailblazer, moving swiftly, leading with a clear vision of a better society, and guided by her principles of lifelong learning, selfless service, and civil dialogue. Her life of many firsts will be celebrated and emulated for generations to come because it was founded on and inspired by such principles—principles that will truly last.

The PRESIDING OFFICER. The Senator from Colorado.

TRAGEDY AT PLANNED PARENTHOOD CLINIC IN COLORADO SPRINGS

Mr. BENNET. Mr. President, I am here to reflect on the tragedy that occurred in Colorado Springs last week. There, a gunman attacked a Planned Parenthood clinic, killing three people and injuring nine others. Colorado is mourning the losses of the three who were murdered, all of whom were parents in the prime of their lives and all of whom represented the best of our State.

Officer Garrett Swasey was one of the first officers to arrive at the scene. He had served as an officer at the University of Colorado Colorado Springs Police Department for 6 years. Garrett had been married to his wife Rachel for 17 years. He leaves behind his two children—Faith, who is only 6, and Elijah, who just turned 11 on Sunday. His wife said:

> His greatest joys were his family, his church, and his profession. We will cherish his memory, especially those times he spent tossing the football to his son and snuggling with his daughter on the couch.

She went on to note:

> Helping others brought him deep satisfaction and being a police officer was a part of him. In the end, his last act was for the safety and well-being of others and was a tribute to his life.

Officer Swasey's actions last Friday spoke to his extraordinary courage and selflessness. As a university police officer, he wasn't under any obligation to respond when he first heard of the incident through emergency radio. He could have looked the other way. Yet he was one of the first to arrive at Planned Parenthood, which is 4 miles away from the university.

His good friend and co-pastor said that Officer Swasey often responded to dangerous calls off campus and that he put other people's lives before his own. The University of Colorado Colorado Springs police chief said:

> There was no way any of us could have kept him here. He was always willing to go. . . . He had an enthusiasm that was hard to quell.

Officer Swasey is truly a hero in every sense of the word. Before joining the university police force, Officer Swasey was a Junior National Champion ice skater. Upon hearing the news of the tragedy, his skating partner, with whom he won that championship, observed:

> Garrett was selfless, always there to help me, always my wingman. He was my brother and my partner. I could always count on him.

After his competitive career, Officer Swasey continued to teach skating. He also served as a copastor at Hope Chapel, which he and his family attended since 2001. At church he led care groups and taught Scripture and guitar. At services on Sunday, a fellow pastor at the church described how he felt. ''You don't realize how much you love someone until you can't tell him anymore.''

Our State is also mourning the loss of Ke'Arre Marcell Stewart. He was only 29 years old. Here is how his family and friends have described Ke'Arre: ''a good friend and an amazing listener''; ''one of the most caring men I've ever met''; ''someone you could just sit and talk to about life''; ''caring, giving, funny and just a damn good person.''

Those traits were on display Friday when he was at Planned Parenthood accompanying a friend. He served our country in the Army and was deployed to Iraq between 2005 and 2006. Last week he died as he was trying to save others. According to reports, after being shot outside of the building, Ke'Arre ran back inside to warn others to seek safety. His family credits his military training and instinct for how he responded. Ke'Arre wasn't a native of Colorado. He was born in Texas, where he was a three-sport athlete, playing football, basketball, and running track. His friends say he moved to Colorado because he was stationed at Fort Carson and stayed, like so many of us, because he loved our beautiful State. Ke'Arre had two children, both daughters. They are 11 and 6 years old. His friend observed that ''he loved his daughters to death. He would do anything for them.''

Finally, the third victim, Jennifer Markovsky, was also accompanying a friend to the clinic on Friday. Jennifer grew up in Hawaii, where she met her husband who was serving in the Army at the time. About a decade ago—in a story similar to Ke'Arre's—they moved to Colorado when he was reassigned. Jennifer's family described her as a loving wife and mother to a young son and daughter. Her sister-in-law told the Colorado Springs Gazette: ''She lived for her kids.'' She said Jennifer often took her children, who are 10 and 6, on hikes and spent time with them baking and working on crafts. Her father, who had just wished her a happy Thanksgiving one day earlier, called her ''the most lovable person . . . kindhearted . . . always there when I needed her.''

Yesterday her husband said:

> She was a very caring and compassionate person and patient and understanding parent. She was deeply loved by all who knew her. She was always helping the kids do homework and reading books with them. We will miss her; her cooking, crafting and adventurous spirit.

Three young parents who woke up last Friday morning with long, bright futures ahead of them, with the chance to raise their children and watch them grow and learn, with the chance to contribute, as they had before, to our community and our country but instead whose lives were violently ended in a hail of gunfire—three strangers to each other, now joined together in our fondest memories. Nine others were wounded, and our thoughts and prayers are with them and their families as well.

We should also honor and thank the Colorado Springs Police Department and other local law enforcement agencies that responded so swiftly and effectively. Five officers were wounded in the attack.

I wish to also recognize the employees at Planned Parenthood who worked tirelessly during the extended shooting and hostage incident to ensure that their patients were kept safe.

This is not the day to talk about how our country begins to emerge from this season of killing and violence, but let me simply say in recent years too many of our children and parents have had their lives stolen, and too many of the rest of us have lived to pursue the ordinary course of our lives—going to school, going to work, seeking health care—in the shadows of the question: Whose child will be next? Whose mom and dad will be next?

What we need today—instead of charged rhetoric and political tactics—

is to find a way to at least begin figuring out how we can deal with these problems that we need to solve, how we can make things better.

I thank my colleagues for their comforting words this week, and I hope we will all take time in the days ahead to think of the families and victims involved in this tragedy. Take a moment to think of the kids who lost their mom or dad.

I have no doubt that the Colorado Springs community and our State will come together to heal during this difficult time. We could all take a cue from that here.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

OBAMACARE

Mr. ENZI. Mr. President, shortly we will be getting on a bill to repeal ObamaCare. It comes as a part of the budget operation. It is a special debate that can result in the passage of a bill with 51 votes in the Senate. There will be a limit on the debate of 20 hours—10 hours for each side—to convey any messages that Senators may have about the bill and also to handle any amendments. At the end of the process there could be another vote-arama if there are a lot of amendments left over. This is an amendable bill. It has quite a few rules that fall under the budget process that make this a bit more difficult than just a wide-open bill, so there are rules that have to be met in order for an amendment to not affect the outcome of the bill.

Many of you have heard of the expression, I am sure, ''caveat emptor,'' which means buyer beware. The President and the Democrats in Congress should have heeded this warning before forcing the country to purchase ObamaCare, which still remains unworkable, unaffordable, and more unpopular than ever. For millions of Americans the law today represents nothing more than broken promises, higher costs, and fewer choices.

It is no surprise that a Gallup poll published last month, more than 5 years after the law was passed and several years into actual implementation, shows that most Americans still oppose this unprecedented expansion of government intrusion into health care decisions for hard-working families and small businesses. Another poll I found interesting showed that more people were concerned about what has happened with health care than they do about climate change. That is appropriate for this week.

The law is saddling American households with more than $1 trillion in new taxes over the next 10 years. According to the Congressional Budget Office, ObamaCare will cost taxpayers more than $116 billion a year. In fact, on average, every American household can expect more than $20,000 in new taxes over the next 10 years because of this bill. ObamaCare's crushing regulations mean smaller paychecks for families while holding back small businesses from expanding and hiring new workers. For every American, ObamaCare has meant more government, more bureaucracy, and more rules and regulations, along with soaring health care costs and less access to care.

When we were debating this bill 5 years ago, I remember talking about 30 million people in the United States being uninsured. Today there are 30 million people in the United States uninsured, it is just a different 30 million people. The ones who couldn't be insured are insured and the ones who were insured can't afford the insurance. Of course, there was a lot of talk about health care companies gouging the insured. We put in risk corridors so those who were making an excess profit would put in money that would go to those who didn't figure on the right number of people or how healthy the people would be who they insured. We now know that didn't work. The amount of money that went into the fund was rather insignificant, so those who undercharged aren't getting much and companies are going out of business.

Today we take a crucial step forward in beginning to lift the burdens and the higher cost of this law that has been placed on all Americans. As I mentioned, this is a special budget operation that only requires 51 votes. The House has already passed a bill with more than a significant majority.

By the time we are done, the legislation the Senate passes will eliminate more than $1 trillion in tax increases placed on the American people while saving more than $500 billion in spending. Most importantly, this bill begins to build a bridge from the President's broken promises to a better health care system for hard-working families across the country.

Let's talk about the broken promises. As a Presidential candidate, then-Senator Obama promised Americans they could keep their health plan if they liked it. When he was in office and the bill was there, he said: If you like your plan, you can keep it. Millions soon learned they can't. This is because ObamaCare has drastically reduced America's choice among health care plans through a Federal Government takeover of the insurance marketplace. In fact, the President's promise, ''If you like your plan, you can keep it,'' was named PolitiFact's ''Lie of the Year'' in 2013 after the health care plan cancellations were mailed to over 4 million Americans.

Let's talk about the higher costs. Americans were also promised lower health care costs, but even the administration admits ObamaCare is failing to address costs and said average premiums are expected to rise by 7.5 percent this year. Recent headlines from across the country actually show much more dramatic increases.

In Minnesota insurance policies on the exchange have rate hikes in the double digits—between 14 and 49 percent. In Oregon premiums for the benchmark plan on the exchange will go up about 23 percent. In Alaska the premium hike will be more than 31 percent for the benchmark plan. In Oklahoma the second lowest cost silver plan premiums will increase more than 35 percent. In Utah plans on the federally run exchange will be 22 percent higher next year.

The President of the United States himself promised that this bill was not a tax. In fact, this was one of the law's top selling points because Democrats knew it would never pass if they said it was a tax, but while they got the bill passed and signed into law, the Supreme Court later ruled it is a tax. This law was deceptively sold to the American people and now these hidden taxes are being passed on to hard-working families in the form of higher fees and costs. It is time for Democrats in Congress and the President to admit that ObamaCare is a $1 trillion tax hike that families and employers simply can't afford.

We can talk about fewer choices. ObamaCare's mandates and taxes on employer-sponsored health care plans are not only leading to higher out-of-pocket expenses but also fewer choices and services for 150 million Americans who have relied upon job-based health benefits for decades. It eliminated some of the competition, and competition is the real way to bring down prices.

I remember when we did Medicare Part D. I was a little concerned because there were only two companies that were providing the pharmaceutical benefit in Wyoming, and I thought they would maybe drop out of the program, but Medicare Part D increased competition. What did increased competition do? It brought down the price of the pharmaceuticals by 25 percent before it even went into effect.

ObamaCare didn't provide for more competition. According to the nonpartisan Kaiser Family Foundation, employees who have job-based insurance have witnessed their out-of-pocket expenses, on average for an individual, climb from $900 in 2010 to $1,300 in 2015. Employees working for small businesses now have deductibles of over $1,800. Since ObamaCare became law, several large employers have stopped offering benefits to part-time employees, including Walmart, Target, Home Depot, and Trader Joe's. The premiums have gone up and the deductibles have gone up. There are fewer choices and higher costs.

So this was supposed to build a bridge to better care. Over the past 50 years, our Nation has made great strides in improving the quality of life for all Americans, but these transformative changes were always forged in the spirit of bipartisan compromise and cooperation. These qualities are essential to the success and longevity of crucial programs such as Medicare and Medicaid.

Shortly before he retired in 2001, Senator Daniel Patrick Moynihan, a Democrat from New York, said:

> Never pass legislation that affects most Americans without real bipartisan support. It opens the doors to all kinds of political trouble.

Senator Moynihan correctly noted that the side that didn't support the law will focus on each and every misstep. More importantly, he predicted that the measure's very legitimacy would always be in doubt and that the majority of Americans would have trouble supporting it in the long run unless it unquestionably achieved all of its goals.

We have seen each of these scenarios play out over the past 5 years as the health care law has polarized America like nothing before.

Bipartisan support, of course, means that both sides get some things into the mix of the bill. That did not happen even though we had a very extensive amendment process in committee and on the floor. Essentially, the Republican ideas were all thrown out. Both sides weren't included, so it was not a bipartisan bill.

After passage of the bill, we had a special time at the Blair House where there were half Republicans and half Democrats who got to speak with the President for a day. The amazing thing at that meeting was that every time a Republican mentioned an idea, the President blasted it immediately. When the Democrats suggested an idea, those were all good. At the end of the day, it turned out to be very much a waste of time because not a single idea was even considered that was brought up at that time by the Republicans.

We still need health care reform, but it has to be done the right way—not comprehensive. In my opinion, ''comprehensive'' means so large that nobody can understand it, and that is kind of what happened with this bill. We have to do it step by step. They can be pretty big steps, but if we do it step by step, we can bring the American public along. They can understand it, and they can tell us the unintended consequences, and those can be fixed. It would be correctable. This bill hasn't been correctable. We have known the flaws. The President has put waivers on to keep us from noticing them sooner. We have offered to make corrections but have never been taken up on our offer.

Providing access to high-quality, affordable health care is something I am confident that Democrats and Republicans should be able to do. It is time to build a bridge from the broken promises to better health care for each and every American once and for all.

EXTENSION OF MORNING BUSINESS

Mr. ENZI. Mr. President, I ask unanimous consent that morning business be extended until 4 p.m. today, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Vermont.

BUDGET RECONCILIATION BILL

Mr. SANDERS. Mr. President, as the ranking member of the Budget Committee, I rise in strong opposition to the budget reconciliation bill we are debating today. In fact, this bill should tell every American just how far removed the Republican leadership here in Congress is from the realities of American life and the needs of the American people.

At a time when the United States is the only major country on Earth that does not guarantee health care to all people; when 29 million Americans today have no health insurance and even more are underinsured, with high deductibles and high copayments; when we pay the highest prices in the world for prescription drugs and when one out of five Americans is unable to fill the prescriptions written by their doctors because drug prices are so high, what this legislation does is move us in exactly the wrong direction. It would throw more than 17 million Americans off of health insurance by gutting the Affordable Care Act. So we have a health care crisis, and this bill makes the crisis much worse.

Every other major country on Earth guarantees health care for all of their people as a right, but this bill would add 17 million more Americans to the ranks of the uninsured, creating a situation in which we would have 46 million Americans without any health insurance at all.

I think any sensible person would ask an obvious question: What happens to people who lose their health insurance? How many of those people will get much sicker than they otherwise would have because they are unable to go to a doctor when they need to go? How many of those people will not be able to get the prescription drugs they need? In fact, how many of those people will die? Let's be frank. When we throw 17 million people off of health insurance, people will die because they don't go to a doctor when they should and they don't go to the hospital when they should.

We know that before the passage of the Affordable Care Act, 45,000 Americans died each year because they lacked health insurance and didn't get to a doctor in time. I have talked to many doctors in Vermont and throughout this country who tell me that yes, of course, people walk into their door much sicker than they should have been.

When the doctor asks, ''Why didn't you come 6 months ago when you were sick?'' patients say, ''I didn't have any health insurance and I couldn't come.'' By the time they walk in the door, too often it is too late. That is not what should be happening in America, but that is what will increasingly happen if this legislation were to pass.

In the United States of America, when a person is sick, that person should be able to access health care and see a doctor. That is not a radical idea. And when a person goes to the hospital, that person should not end up in bankruptcy.

Instead of throwing 17 million Americans off of health insurance, what we should be doing is expanding on the improvements of the Affordable Care Act to make health care a right of all people, not just a privilege.

Further, let's be clear—and I think everybody here in the Senate understands this—the bill we are debating today is a complete waste of time. This is just another reason why the American people have so little respect for the Congress. There are major crises facing our country, and the Republican leadership is once again attempting to repeal ObamaCare. I kind of lost track of how many times this effort has been made. I think in the House it is over 50. I don't know how many it is here in the Senate. Let me break the news to my Republican colleagues, although I am sure they already got the news: President Obama is not going to sign a bill repealing ObamaCare. I think that is not likely to happen. And what we are doing today is just a waste of time.

Let's also be clear—this bill doesn't just gut the Affordable Care Act, it also eliminates funding for Planned Parenthood, which provides health care services to nearly 3 million women each and every year.

Last week three people were killed and nine were wounded at a shooting at a Planned Parenthood clinic in Colorado Springs, CO. While we still don't have all of the details as to what motivated the shooter, what is clear is that Planned Parenthood has been the subject of vicious and unsubstantiated statements attacking an organization that provides critical care for millions of Americans and, in fact, provides very high quality care.

I, for one, strongly support Planned Parenthood and the work it is doing. In my view, instead of trying to defund Planned Parenthood, we should be expanding funding so that every woman in this country gets the health care she needs.

It is also my sincere hope that people throughout this country, including my colleagues here in the Senate and across the Capitol in the House, understand that bitter, vitriolic rhetoric can have serious, unintended consequences.

Now is not the time to continue a witch hunt for an organization that provides critical health care services—from reproductive health care, to cancer screenings and preventive services—to millions of Americans. No one is forced to seek care at Planned Parenthood. It is a choice—a choice millions of women make freely and proudly.

This legislation is not only bad legislation and it is not only a waste of time because if it passes, it will be vetoed, but what it also tells the American people is that the Republican leadership is not prepared to discuss or to address the major crises facing our country.

Just today a report came out stating that the top 20 wealthiest people in this country own more wealth than the bottom half of the American people—20 people on one side and 150 million people on the other. The level of wealth inequality in America is grotesque and unacceptable. Not one word in this bill addresses that issue.

Today in America, millions of our people are working longer hours for lower wages. They are working two or three jobs just to survive. Yet 58 percent of all new income created is going to the top 1 percent. Is there anything in this legislation that would raise wages for millions of American workers who are struggling to keep their families solvent?

This is a bad piece of legislation. It is a piece of legislation that is not going to go anyplace because it is going to be vetoed, and it is a piece of legislation that I think speaks to why the American people are giving up in so many ways on the political process. People are struggling all over this country. They are hurting. They are working longer hours for lower wages. They can't afford to send their kids to college. They can't afford childcare. They are worried about high unemployment. This bill attempts to repeal ObamaCare. That is where we are.

I hope very strongly that this bill is defeated. If it is not defeated, I hope and expect the President will veto it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak for up to 30 minutes in morning business.

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

OBAMACARE

Mr. ALEXANDER. Mr. President, let me take my colleagues back 5½ years to February 25, 2010, and the White House health care summit at the Blair House—the same place where Senator Arthur Vandenberg sat down with George Marshall. They met privately to discuss the postwar plans after World War II. The result of that discussion became the Marshall Plan. It was the perfect setting—it is the perfect setting for a serious, bipartisan discussion for how to improve health care for Americans.

Thirty-six Members of Congress went to the Blair House that day at the invitation of President Obama. We were there to discuss the health care bill passed by the Democrats, what is now known as Obamacare. We stayed there all day. The President stayed there too. It was televised continuously. Both then-Minority Leader Boehner and Republican Leader MCCONNELL asked me to lead off in speaking for Republicans.

I said to the President that day that I was there not only to represent the view of Republicans but that I was there also as a former Governor and that I would like to have a chance to speak for the Governors as well because Governors managing States had a big stake in all of this.

I also said that I was at the summit to represent the views of a great many of the American people who have tried to say in every way they knew how—through town meetings, through surveys, through elections in Virginia and New Jersey and Massachusetts—that they oppose the health care bill that was passed in the Senate in the middle of a snowstorm on Christmas Eve.

I warned the President then about the unfortunate consequences of Obamacare for millions of Americans. I said to the President that this would send an unfunded Medicaid mandate to States. I said:

> ''It will cut Medicare by about half a trillion dollars and spend most of that on new programs. . . . It means there will be about a half trillion dollars of new taxes in it. It means that for millions of Americans, premiums will go up, because when people pay those new taxes, premiums will go up, and they will also go up because of the government mandates.''

That is what I said 5½ years ago. I said directly to the President then that instead of this partisan plan passed without the support of a single Republican in the Senate, we Republicans were prepared to work with him to reform health care. I said 5½ years ago to the President that we need to start over and go step-by-step in a different direction toward the goal of reducing health care costs. I said then that this means working together in the way that General Marshall and Senator Vandenberg did following World War II, and it means going step-by-step together to re-earn the trust of the American people. Those were my words to the President of the United States at the health care summit 5½ years ago.

The President and the congressional Democrats listened all day, but they didn't take any of my advice and hardly any of the advice of my Republican colleagues about what the disastrous outcomes of Obamacare would be. So now, 5½ years after the law was passed and 2 years into its implementation, we can say one thing without question: The unfortunate reality for the American people is that they are struggling with Obamacare and that 5½ years ago Republicans were right.

Obamacare was and is an historic mistake. Republicans agreed with the President and his party that our health care system was broken. We agreed that it needed to be fixed, but we argued that the President was moving in the wrong direction. What Obamacare did was to expand a broken system that everyone knew was too expensive. Republicans said so at the summit in February of 2010, and the facts today show we were right.

Let's take a closer look at what Republicans said then, nearly 6 years ago, and what unfortunately came true. Let's look also at what Democrats predicted back then—or better put, what they promised—and which of their predictions and promises came true. Let's go through them one by one.

First, Medicaid. During my opening remarks at the Blair House at the summit, I said this: ''Nothing used to make me madder as Governor than when Washington politicians would get together, pass a bill, take credit for it, and send me the bill to pay.'' That is exactly what Obamacare does with the expansion of Medicaid. In addition, it dumps 15 to 18 million low-income Americans into a Medicaid program that none of us would want to be a part of because 50 percent of the doctors won't see new patients. So it is like giving someone a ticket to a bus line when the bus runs only half the time.

That is what I said 5½ years ago. Medicaid had already always been one of the Federal Government's biggest unfunded mandates, and expanding that mandate on States would only wreak more havoc on State budgets that, especially at that time during the height of the recession, were already struggling. Our former Tennessee Governor Phil Bredesen, a Democrat, said that the proposed Medicaid expansion under Obamacare would represent ''the mother of all unfunded mandates.''

When I was Governor of Tennessee in the 1980s, Medicaid made up only about 8 percent of Tennessee's State budget. By last year it was 30.6 percent. States paying more and more to expand Medicaid means having less to spend on other priorities like higher education, roads, and schools. In 2012, I said that over the prior 10 years, Tennessee's Medicaid costs had gone up 43 percent, forcing the State to decrease its funding to colleges and universities by 11 percent. As a result, tuition went up 120 percent over those 10 years.

According to the Congressional Budget Office, the law will add $14 million new beneficiaries to struggling State Medicaid programs by 2025, at an extra cost of $46 billion to States and $847 billion to Federal taxpayers by 2025. Why is that so bad? I said at the time—and it is still true today—Medicaid's reimbursement rates are so low that only about one-half of the doctors will even see Medicaid patients and many of those aren't accepting new ones. It is not hard to see why expanding a failed program isn't good for Americans who need better health care.

Another thing to consider is that States still haven't had to pay yet for covering the new Medicaid enrollees under the expansion. The Federal Government promised to pay 100 percent for the first few years, but starting in 2017—in just a couple of years—States will have to start paying 5 percent and eventually up to 10 percent in 2020. That may not seem like much in Washington terms, but it is a lot of money in State budgets. States may have to start raising income taxes or gas taxes or find some other place to find the money. Regardless of how it is paid for, expanding Medicaid puts a huge dent in State budgets. Does that mean less money for teachers' salaries? Does that mean tuition is going to have to go even higher at community colleges and State universities?

Tennessee hasn't expanded Medicaid, but in its proposal to expand the program called Insure Tennessee, Governor Haslam anticipated an additional $35.6 million in costs to the State in 2017. In Illinois, Medicaid expansion will cost the State $208 million in 2020. In Kentucky's expansion, the State will have to pay $74 million in 2017 and an estimated $363 million in 2021. Governor-elect Bevin hasn't started looking for ways to pay for that increase yet because he plans to try to repeal it. If you look at the figures you can see why he is thinking about it. We were right about Obamacare's enormous impact on Medicaid and in turn Medicaid's huge negative effect on State budgets.

Second, higher premiums. When my turn came at the White House summit, this is what I said directly to the President: ''The Congressional Budget Office report says that premiums will rise in the individual market'' as a result of Obamacare. The President turned to me and said I was wrong about that.

A little bit later in the day, I gave the President a letter from the Congressional Budget Office showing that they predicted I would be right, that new non-group policies would be about 10 to 13 percent higher in 2016 than the average for non-group coverage in that same year under the current law. In that same letter, I reminded the President, that his own Chief Actuary for the Centers for Medicare & Medicaid Services agreed with the Congressional Budget Office.

You might be thinking that things would have turned out better than what I, the Congressional Budget Office, the Joint Committee on Taxation, and the Chief Actuary for CMS had predicted, but we all, unfortunately, were right. We were all right. Obamacare's premiums were and are higher for Americans with individual health care plans. We are talking about nearly 16 million Americans who purchase these individual plans. They buy these policies for themselves, and the cost of these plans is going through the roof.

On June 1, 2015, the U.S. Department of Health and Human Services announced that nearly 700 individual and small-group health plans in 41 States plus the District of Columbia had requested double-digit premium increases for 2016. In Tennessee, the rate hike was 36 percent; in Maryland, 26 percent. On average, 2016 premium increases for Oregon's biggest insurer on the State health exchange will be over 25 percent; for some smaller providers, more than 30 percent; for South Dakotans, they will pay 63 percent higher premiums for health insurance through the exchange. The list of States experiencing health care spikes goes on.

A recent report of the National Bureau of Economic Research confirmed this, going back to the nonpartisan Congressional Budget Office, which predicted in 2010 the premiums would go up. They said recently that premiums on the Obamacare exchange will increase by 6 percent on average every year between 2016 and 2024. Yet 5½ years ago, the President and congressional Democrats told Republicans time and time again during the debate that we were wrong, that the law would decrease premiums, when in fact our predictions, the administration's own estimates, estimates from the National Bureau of Economic Research and the nonpartisan Congressional Budget Office, all confirmed premiums for individual policies are going through the roof.

Third, Republicans said 5½ years ago that Obamacare would increase taxes. It did. Obamacare added 21 tax increases to the Tax Code. That is $1 trillion over 10 years, according to the Congressional Budget Office. A dozen of these target middle-income Americans, in clear violation of what the President had promised.

Then there was our fourth prediction: Obamacare will cost jobs. A few years after the law passed, I met with a large group of chief executives of restaurant companies in America. The service and hospitality industries are the largest employers in our country. Usually their employees are low-income, usually minority Americans.

In the meeting, the chief executive of Ruby Tuesday, Inc., which has about 800 restaurants, said to me—and said he didn't mind being quoted—that the cost to his company of implementing the new health care law was equal to or more than his net profit for that year, and as a result, he wasn't planning to build any new restaurants in the United States.

An even larger restaurant company represented at the meeting said that because of their analysis of the law, instead of operating their store with 90 employees, their goal would be to operate it with 70 employees. That means fewer employees and fewer jobs because of Obamacare.

More recently, another franchise business which has 550 employees told me: We have already begun cutting the hours of our employees to get well below the 30-hour threshold, and all of our new job postings are for part-time employees.

This has a bad effect on the employer-employee relations, and, as many Tennesseans have told me, 30 hours of work isn't enough to support a family. Those lost hours are because of Obamacare.

These are just a few examples of basic economics. It heaps costs on employers. They have less money to expand, so there is less money to hire workers. They heap on even higher costs. They cut hours. With higher costs, they lay off employees. We have seen all three as a result of the employer mandate that says employers with more than 50 full-time employees need to provide health insurance.

What is more, Obamacare went a step further and for the first time in our history defined ''full time'' as a 30-hour workweek. I asked the former Democratic chairman of our HELP Committee: Where did that come from? France? Nobody knew where that came from. Full-time work in the United States has not been typically considered 30 hours, but it is in Obamacare. It is causing large numbers of employees to work only 28 or 29 hours because their employers can't afford to hire them as full-time employees.

The Congressional Budget Office has projected that Obamacare will result in 2 million fewer jobs in 2017 and 2.5 million fewer full-time jobs by 2024. At least 450 employers across the Nation, including 100 school districts, have said Obamacare forced them to cut positions or reduce worker hours.

What we Republicans said would happen years ago was this: that Medicaid would destroy State budgets—it did; that premiums and taxes would go up—they have; and that jobs would be lost—they have. It has all, unfortunately, come true.

What did President Obama and congressional Democrats promise us about this law at about the time of the health care summit 5½ years ago? Were they right or were they wrong? One of the most infamous promises, which PolitiFact named—and I will use their words—as the 2013 ''Lie of the Year,'' was the President's ''If you like your plan, you can keep it.''

When Obamacare was fully implemented in 2014, millions of Americans learned very quickly that they wouldn't be able to keep the plans they liked.

In October 2013, I received a letter from a woman, Emilie, whom I met. She lives in Middle Tennessee, and she has lupus. She was one of 16,000 Tennesseans who were part of a plan called CoverTN. She wrote me about her chronic illness. She said she was deemed uninsurable and that the only way to insure her was through CoverTN. She was glad to have that coverage, and she was glad to hear about Obamacare. Then she learned the truth:

''I cannot keep my current plan because it does not meet the standards of coverage. This alone is a travesty. CoverTN has been a lifeline [for me].

With the discontinuation of CoverTN, I am being forced to purchase a plan . . . that will increase [my costs] by a staggering 410%. My out of pocket expense will increase by more than $6,000.00 a year. Please help me understand how this is 'affordable.' ''

This was Emilie in Middle Tennessee.

We could spend all day telling stories of Americans who liked their health care plans but weren't able to keep them under Obamacare.

In November 2013 that looked as if it might be as many as 5 million Americans. The administration then did some last-minute regulatory fixes and lowered that number. But still, many Americans lost their plans, as Emilie did.

The President also said:

''Medicare is a government program. But don't worry: I'm not going to touch it.''

The problem was he did touch it; $700 billion worth was taken from Medicare to finance Obamacare.

I said during the debate in 2009 that Obamacare would cut ''grandma's Medicare to spend on somebody other than grandma—a new entitlement program.'' I said Obamacare would do that at a time when the Medicare trustees have told us that Medicare is going broke if we don't fix it. That is their job to tell us that. I said then: ''I think what they are saying to us is if you are going to cut grandma's Medicare, you ought to at least spend it on grandma instead of spending it on somebody else.''

Again, the President went against the promise he repeated over and over and raided a program that serves over 55 million older Americans.

In summary, unfortunately Republicans were right when we said 5½ years ago that Obamacare would force spikes in State Medicaid spending, increase premiums and taxes, and hurt jobs. As right as we were, the Democrats were wrong. They said that you could keep your plan if you liked it, and they were wrong about that. They said Medicare wouldn't be affected, and they were wrong about that.

Finally, we all agreed that health care needed to be fixed. So how did we end up with a law that was such an historic mistake? Well, one big reason is the debate over Obamacare wasn't really a debate. If it had been, we might not find ourselves in a mess today.

The Senate Democratic leader then had a filibuster-proof majority. He didn't think he needed Republican ideas; so they didn't take them. They passed a Democratic bill. They voted for it; we voted against it. We sat here in a snowstorm on Christmas Eve when they had 60 votes, and they unveiled a bill filled to the brim with items from each Democratic Members' wish list.

Along with our warnings about what would happen, we offered a lot of thoughtful ideas about how to fix the health care system in a way that we thought would lower costs and expand access, while making sure patients didn't lose control over their own health care. But Democrats also had a majority in the House. They had a Democratic President. They didn't need our ideas, and so we got Obamacare.

So what do we Republicans have to offer Americans?

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. LANKFORD). The Senator has 9 minutes remaining.

Mr. ALEXANDER. I thank the Presiding Officer. I will wrap up. I see the Senator from Washington on the floor.

Throughout the Obamacare debate, Senator MCCONNELL, who was the minority leader at the time, was criticized for not coming up with a comprehensive plan of his own. We told the President and the congressional Democrats not to hold their breath waiting for ''McConnell Care.'' Don't hold your breath waiting for Senator MCCONNELL to come down to the Senate floor with a wheelbarrow filled with a 2,700-page bill of his own, because that is not how we believe the health care system ought to be fixed. We are policy sceptics. We doubt that anyone in Washington—Republicans, Democrats, Independents—have the wisdom to fix such a complex system everywhere in America all at once.

The wisest course would be to try to fix our health care system step by step in a way that emphasizes more choices and lower costs. This approach to health care reform is not something that Republicans cooked up last month. In fact, if you examine the CONGRESSIONAL RECORD, you will find that Republican Senators proposed a step-by-step approach to confronting our Nation's health care problems and other challenges 173 different times on the floor of the Senate during the year 2009. Some 173 times we talked about our step-by-step different direction for health care—almost none of which was included in Obamacare because they had the votes and they didn't need our ideas.

I had hoped the President would listen to us and work with us at Blair House, emphasize more freedom, more choices and lower costs. But that didn't happen. We suggested allowing individuals to buy a health care plan in any State that meets their needs. We suggested reducing junk lawsuits against doctors, which only increase costs. We suggested expanding health savings accounts and other mechanisms, allowing individuals to control how they spend their own health care dollars. We suggested returning power to the States to regulate their own markets and lower costs. We suggested allowing small businesses to assist employees in purchasing the insurance and look at other ways to support employers offering health care benefits to their employees. We had specific legislative proposals to do these things. We suggested lowering barriers at the Food and Drug Administration so that innovative drugs and devices could get to the market faster and putting the health sector in charge of health information technology. We suggested insuring Americans with pre-existing conditions in a way through high-risk pools and other insurance incentives. And there are many other ideas that we thought then and we think now we could work together on in a bipartisan way to lower costs, to increase access, and to put patients back in charge of their own health care.

This week, though, we are talking about repealing Obamacare, but for the last 6 years we have also been talking about a completely different path of providing health care at a lower cost to more Americans. Those steps were outlined in 2009, 2010, and 2011, and they are the same steps that we should be taking today.

I have been saying since 2009 that the historic mistake with Obamacare was that we had deliberately expanded a broken health care system that already cost too much instead of moving step by step to create a system where millions of Americans had choices of plans that fit their needs and fit their budgets.

The way we should accomplish this is the same way we passed Medicare, the same way we passed Social Security, the same way the Congress passed the Civil Rights Act, and in the same way—I hope and the Senator from Washington hopes—we will pass a broad reauthorization of the Elementary and Secondary Education Act in the next couple of weeks. None of this is done by cramming a bill down the throats of the American people with 60 votes during a snowstorm on Christmas Eve.

I renew our invitation to the President of the United States, and if he doesn't accept our invitation, to the next President of the United States.

To our colleagues on the other side of the aisle: Let's forget about party; let's

forget about this side or that side. Let's side with the American people whose premiums have gone up, who lost plans they like, whose Medicare has been raided, whose State budgets have been destroyed, and whose jobs have been lost. Work with Republicans in Congress to fix the damage Obamacare has done to health care in America. Work with us to replace Obamacare with real reforms at lower costs so more Americans can afford to buy insurance.

Mr. President, I ask unanimous consent to have printed in the RECORD my comments at the health care summit in February of 2010 and the letter that I handed to President Obama following our debate at the health care summit in 2010.

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

[Thursday, February 25, 2010]

ALEXANDER GIVES REPUBLICAN HEALTH CARE REMARKS AT WHITE HOUSE SUMMIT

OUTLINES REPUBLICAN STEPS TO FIX HEALTH CARE, CHALLENGES DEMOCRATS TO TAKE RECONCILIATION OFF THE TABLE

WASHINGTON.—U.S. Senator Lamar Alexander (R–Tenn.), chairman of the Senate Republican Conference, today delivered the following opening remarks on behalf of Republican members of Congress attending the White House health care summit:

''Mr. President, thank you very much for the invitation. Several of us were a part of the summits that you had a year ago, and so I've been asked to try to express what Republicans believe about where we've gotten since then. As a former governor, I also want to try to represent governors' views, because they have a big stake in this; I know you met with some governors just in the last few days. We also believe that our views represent the views of a great number of the American people who have tried to say in every way they know how—through town meetings, through surveys, through elections in Virginia and New Jersey and Massachusetts, that they oppose the health care bill that passed the Senate on Christmas Eve.

''And more importantly, we believe we have a better idea. And that's to take many of the examples that you just mentioned about health care costs and make that our goal: reducing health care costs. We need to start over and go step by step toward that goal. And we would like to briefly mention—others will talk more about it as we go along—what those ideas are.

''I would like to begin with a story. When I was elected governor, some of the media went up to the Democratic leaders in the legislature and said, 'What are you going to do with this new young Republican governor?' And they said, 'We're going help him, because if he succeeds, our state succeeds.' And they did that—that's the way we worked for eight years. But often, they had to persuade me to change my direction to get our state where it needed to go. I would like to say the same thing to you. I mean, we want you to succeed. Because if you succeed, our country succeeds. But we would like respectfully to change the direction you're going on health care costs, and that's what I want to mention here the in next few minutes.

''I was trying to think if there were any kind of event that this could be compared with. And I was thinking of the Detroit Auto Show, that if you had invited us out to watch you unveil the latest model that you and your engineers had created, and asked us to help sell it to the American people. When we look at it, it's the same model we saw last year. We didn't like it, and neither did they, because we don't think it gets us where we need to go, and we can't afford it. As they also say in Detroit, 'We think we have a better idea.'

''Your stories are a lot like the stories I heard when I went home for Christmas after we had 25 days of consecutive debate and voted on Christmas Eve on health care. A friend of mine from Tullahoma, Tennessee, said, 'I hope you'll kill that health care bill.' Then before the words rattled out of his mouth, he said, 'But, we've got to do something about health care costs. My wife has breast cancer. She got it 11 years ago and our insurance is $2,000 a month. We couldn't afford it if our employer weren't helping us do that. So we've got to do something.' That's where we are, but to do that, we have to start by taking the current bill and putting it on the shelf and starting from a clean sheet of paper.

''Now, you have presented ideas. There's an 11-page memo—I think it's important for the people to understand that there's not a presidential bill; there are good suggestions and ideas on the web. It's a lot like the Senate bill. It has more taxes, more subsidies, more spending. So what that means is, when it's written, it will be 2,700 pages, more or less. It will probably have a lot of surprises in it. It means it will cut Medicare by about half a trillion dollars and spend most of that on new programs, not on Medicare and making it stronger, even though it's going broke in 2015. It means there will be about a half trillion dollars of new taxes in it. It means that for millions of Americans, premiums will go up, because when people pay those new taxes, premiums will go up, and they will also go up because of the government mandates. It means that from a governor's point of view, it's going to be what our Democratic governor calls the 'mother of all unfunded mandates.'

''Nothing used to make me madder as a governor than when Washington politicians would get together, pass a bill, take credit for it, and send me the bill to pay. That's exactly what this does, with the expansion of Medicaid. In addition, it dumps 15 to 18 million low-income Americans into a Medicaid program that none of us want to be a part of, because 50 percent of doctors won't see new patients. So it's like giving someone a ticket to a bus line where the buses only run half the time.

''When fully implemented, the bill would spend about $2.5 trillion a year, and it still has sweetheart deals in it—one is out, some are still in. What's fair about taxpayers in Louisiana paying less than taxpayers in Tennessee? What's fair about protecting seniors in Florida and not protecting seniors in California and Illinois and Wyoming?

''Our view, with all respect, is that this is a car that can't be recalled and fixed, and that we ought to start over. But we'd like to start over. When I go down to the Senate floor, I've been there a lot on this issue, some of my Democratic friends will say, 'Well, Lamar, where's the Republican comprehensive bill?' And I say back, 'Well, if it you're waiting for Mitch McConnell to roll in a wheelbarrow with a 2,700-page Republican comprehensive bill, it's not going to happen because we have come to the conclusion Congress doesn't do comprehensive well.' We have watched the comprehensive economy-wide, cap and trade; we have watched the comprehensive immigration bill, we have the best Senators we have got working on that in a bipartisan way; we have watched the comprehensive health care bill. And they fall of their own weight.

''Our country is too big, too complicated, too decentralized for Washington to write a few rules about remaking 17 percent of the economy all at once. That sort of thinking works in a classroom, but it doesn't work very well in our big, complicated country. It doesn't work for most of us and if you look around the table—and I'm sure it's true on the Democratic side—we have got shoe store owners and small business people and former county judges and we've got three doctors. We've got people who are used to solving problems, step by step.

''That's why we said 'step by step' 173 times on the Senate floor in the last six months of last year in support of our step-by-step plan for reducing health care costs. I would like to just mention those in a sentence or two:

First, you mentioned Mike Enzi's work on the small business health care plan. That's a good start. It came up in the Senate. He will explain why it covers more people, costs less, and helps small businesses offer insurance.

Two, helping Americans buy insurance across state lines. You've mentioned that yourself. Most of the governors I've talked to think that would be a good way to increase competition.

Number three, put an end to junk lawsuits against doctors. In our state, half the counties' pregnant women have to drive to the big city to have prenatal health care or to have their baby, because the medical malpractice suits have driven up the insurance policies so high that doctors leave the rural counties.

Number four, give states incentives to lower costs.

Number five, expanding health savings accounts.

Number six, House Republicans have some ideas about how my friend in Tullahoma can continue to afford insurance for his wife who has had breast cancer; because she has a pre-existing condition, it makes it more difficult to buy insurance.

''So there're six ideas—they're just six steps. Maybe the first six, but combined with six others and six more and six others, they get us in the right direction.

''Now, some say we need to rein in the insurance companies; maybe we do. But I think it's important to note if we took all of the profits of the health insurance companies entirely away, every single penny of it, we could pay for two days of health insurance for Americans. And that would leave 363 days with costs that are too high. So that's why we continue to insist that as much as we want to expand access and to do other things in health care, that we shouldn't expand a system that's this expensive, that the best way to increase access is to reduce costs.

''Now, in conclusion, I have a suggestion and a request for how to make this a bipartisan and truly productive session. And I hope that those who are here will agree, I've got a pretty good record of working across party lines, and of supporting the president when I believe he's right, even though other members of my party might not on that occasion. And my request is this: before we go further today, that the Democratic Congressional leaders and you, Mr. President, renounce this idea of going back to the Congress and jamming your bill through on a

partisan vote through a little-used process we call reconciliation.

''You can say that this process has been used before, and that would be right, but it's never been used for anything like this. It's not appropriate to use to rewrite the rules for 17 percent of the economy. Senator Byrd, who is the constitutional historian of the Senate, has said that it would be an outrage to run the health care bill through the Senate like a freight train with this process. The Senate is the only place where the rights to the minority are protected, and sometimes, as Senator Byrd has said, the minority can be right.

''I remember reading Alexis de Tocqueville's book Democracy in America, in which he said that the greatest threat to the American democracy would be the 'tyranny of the majority.'

''When Republicans were trying to change the rules a few years ago, you and I were both there. Senator McCain was very involved in that—getting a majority vote for judges. Then-Senator Obama said the following, 'What we worry about is essentially having two chambers, the House and the Senate, who are simply majoritarian, absolute power on either side. That's just not what the founders intended.' Which is another way to saying that the founders intended the Senate to be a place where the majority didn't rule on big issues.

''Senator Reid in his book, writing about the 'Gang of 14,' said that the end of the filibuster requiring 60 votes to pass a bill 'would be the end of the United States Senate.' And I think that's why Lyndon Johnson, in the '60s, wrote the civil rights bill in Everett Dirksen's office, the Republican Leader, because he understood that by having a bipartisan bill, not only would pass it, but it would help the country accept it. Senator Pat Moynihan has said before he died that he couldn't remember a big piece of social legislation that passed that wasn't bipartisan.

''And after World War II, in this very house and in the room back over here, Democratic President Truman's Secretary of State, General Marshall, would meet once a week with Senator Vandenberg, the Republican Chairman of the Senate Foreign Relations Committee, and write the Marshall Plan. And General Marshall said that sometimes Van was my right hand, and sometimes he was his right hand.

''And we know how [Congressmen] John Boehner and George Miller did that on No Child Left Behind. [Senators] Mike Enzi and Ted Kennedy wrote 35 bills together; you mentioned that in your opening remarks. You and I and many other others worked together on the America COMPETES Act. We know how to do that—and we can do that on health care as well.

''But to do that, we'll have to renounce jamming it through in a partisan way. And if we don't, then the rest of what we do today will not be relevant. The only thing bipartisan will be the opposition to the bill, and we'll be saying to the American people—who I've tried to say this in every way they know how—town halls and elections and surveys—that they don't want this bill, that they would like for us to start over. So if we can do that—start over—we can write a health care bill. It means putting aside jamming it through. It means working together the way General Marshall and Senator Vandenberg did. It means reducing health care costs and making that our goal for now, not focusing on the other goals. And it means going step by step together to re-earn the trust of the American people. We would like to do that, and we appreciate the opportunity that you have given us today to say what our ideas are, and to move forward. Thank you very much.''

U.S. SENATE,
Washington, DC, February 25, 2010.

Hon. BARACK OBAMA,
President, The White House,
Washington, DC.

DEAR MR. PRESIDENT, During today's discussion on health care, you and I disagreed about whether the health care bill that passed the Senate on a party-line vote on December 24 would cause health insurance premiums to rise even faster than if Congress did not act. I believe premiums will rise because of independent analysis of the bill:

On November 30, the non-partisan Congressional Budget Office (CBO) wrote in a letter to Senator Bayh that ''CBO and JCT estimate that the average premium per person covered (including dependents) for new nongroup policies would be about 10 percent to 13 percent higher in 2016 than the average premium for nongroup coverage in that same year under current law.''

When you asserted that CBO says premiums will decline by 14 to 20 percent under the Senate bill, you are leaving out an important part of CBO's calculations. These reductions are overwhelmed by a 27 to 30 percent increase in premiums due to the mandated coverage requirements in the legislation. CBO added those figures together to arrive at a net increase of 10 to 13 percent—as shown in their chart in that same letter.

In that same letter, CBO wrote, ''The legislation would impose several new fees on firms in the health sector. New fees would be imposed on providers of health insurance and on manufacturers and importers of medical devices. Both of those fees would be largely passed through to consumers in the form of higher premiums for private coverage.''

On December 10, the chief actuary for the Centers for Medicare and Medicaid Services—who works for your administration—concurred with the CEO. In his analysis, the actuary said, ''We anticipate such fees would generally be passed through to health consumers in the form of higher drug and device prices and higher insurance premiums.'' He also said, ''The additional demand for health services could be difficult to meet initially with existing health provider resources and could lead to price increases, cost-shifting, and/or changes in providers' willingness to treat patients with low-reimbursement health coverage.''

For these reasons, the Senate-passed bill will, indeed, cause Americans' insurance premiums to rise, which is the opposite of the goal I believe we should pursue.

Sincerely,

LAMAR ALEXANDER.

Mr. ALEXANDER. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

WOMEN'S ACCESS TO HEALTH CARE

Mrs. MURRAY. Mr. President, like many of my colleagues I am deeply disappointed that Republican leaders have dedicated this week to partisan, political attacks rather than working with us to deliver results to the families we represent. So I wish to take a few minutes today to talk about the work we could and should be doing and make clear again that Republican efforts to undermine families' health care are nothing but a dead end.

I am pleased that over the last few months Democrats and Republicans have been able to work together on some very important issues. We passed another bipartisan budget deal. We have worked on a bill together to fix the No Child Left Behind law that is broken, and Republicans and Democrats are now working to pass a transportation bill that would do a lot to help fix our crumbling infrastructure. But there is certainly a lot more that we should be doing to boost wages, to expand opportunity, and to make sure our economy is growing from the middle out, not from the top down. I would hope that we would be working on a way to raise the minimum wage or ensure that working parents can earn paid sick days or make higher education more affordable and accessible for our students.

With the holidays just around the corner, we should be focused on what struggling families need to make ends meet. Those are the kinds of issues I would like to be working on and many more, but instead Republican leaders are insisting on tilting at tea party windmills by trying to dismantle the Affordable Care Act for the umpteenth time.

This bill is not going to be signed into law. As we all know, this is just a political gesture here. But I want to be very clear about what it would mean for millions of men, women, and children across the country if this were to be signed into law. The policies that are being put forward could cause millions of people to lose their health care coverage, make premiums skyrocket, increase costs for our hospitals and for our providers, cut off support for important public health programs by repealing the prevention fund, and take us back to the bad old days when insurance companies, not patients, had all of the power.

Democrats believe strongly that while the Affordable Care Act was an historic step forward, the work did not end when the law passed—far from it.

We are willing to work with anyone on either side of the aisle who has good ideas about how to build on the progress that has been made so far and continue making health care more affordable, expanding coverage, and improving quality of care for our families.

So it is very disappointing that Republicans instead continue to insist that when it comes to health care, politics—not families—comes first. This is especially because—again to be very clear—this legislation has no chance of becoming law. The very same is true when it comes to this latest attempt to cut off women's access to health care.

After years of trying to turn back the clock on women's constitutionally protected rights and to undermine Planned Parenthood, Republicans should have gotten their fill of political attacks on women's health. Clearly, they have not.

In the wake of the tragedy in Colorado Springs last week, I have thought a lot about how important it is that we do more to insure communities are protected from that kind of violence and that we continue to stand with Planned Parenthood as it helps so many people—women and men—get the care they need.

So it is very frustrating that my Republican colleagues are doubling down this week on their efforts to defund Planned Parenthood and get in between women and their health care. If Republicans were to succeed in the bill they have before us in defunding Planned Parenthood—our Nation's largest women's health care provider—with the legislation we are debating today, they would undermine a critical source of health care that one in five women have relied on for cancer screenings, for HIV tests, and for so much more. They would make it harder for women to exercise their constitutionally protected right to make their own choices about their own bodies and their own doctors.

By dismantling critical health care reforms, this proposal would cause millions of women to lose their health care coverage and access to everything from birth control to prenatal care. That is simply not going to happen—not on my watch, not on Democrats' watch, and not on President Obama's watch. Republicans may want to go back to the days when being a woman was a preexisting condition. They may see this entire bizarre effort as nothing more than a great opportunity to pander to their extreme tea party base by attacking health care and Planned Parenthood. But for millions of women and families, the policies we are debating today are no political exercise; instead, if enacted, they would represent a deeply harmful step backward—a step away from building a health care system that is affordable, accessible, and high quality, one that contributes to economic security and opportunity.

Women and families have seen these extreme Republican attempts many times before, and, frankly, I think they have had enough. They don't want Congress fighting over whether to roll back a law that has helped millions of people get health care coverage and bolstered our Nation's health care system, a law that has been upheld time and time again by the Supreme Court, and they believe firmly that politicians in Congress should have better things to do than interfere with women's constitutionally protected health care choices. I am sure they would rather see us working to actually improve health care and the many other challenges our country faces.

Democrats agree with that. We want to move health care forward, not backward, for women and families, and we want to do the other important work across the aisle to strengthen our economy and grow our middle class. So today, as my Republican colleagues double down on their partisan political pandering, we on this side are going to continue to stand up for family health care and stand up for women and their rights every step of the way. I hope my Republican colleagues will finally drop the politics and join us.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

OBAMACARE

Mrs. CAPITO. Mr. President, I wish to address ObamaCare repeal. As I was thinking about what I was going to say today, I went back and looked at a speech I made on the House of Representatives floor on March 21, 2010. The previous speaker talked about the partisanship that she perceives now. I thought it interesting. I am going to read just a couple quotes from my speech then: ''[We are thinking about] this bill as a blanket, a blanket of health care legislation that may be draped across America and its population in the coming years,'' which it has for the last 4 years. I talk about how ''its cloth has been cut behind closed doors and its color is tinged by partisan hands.'' That is the ObamaCare legislation and the ObamaCare plan we have today. ''The huge holes will not protect the cold winds of job loss, new taxes, government bureaucracy, and increased health care costs. . . . All of America will feel the weight of this uncomfortable burden.'' Those were my words on March 21, 2010, in the House of Representatives.

Today and later this week, the Senate will consider a bill to repeal that bill, ObamaCare, a costly disaster that 4 years—5 years later we see has cost countless people access to their doctors, access to the health care plan of their choice, and thousands of West Virginians from my State have lost or had to change their coverage. We ought to ask the individuals and families whose premiums and deductibles have skyrocketed and the small businesses that have been forced to cut hours and employees.

Let's consider the exchanges that are folding and the hospitals that are facing unmanageable costs. Even the Nation's largest health insurance provider has threatened to pull out of ObamaCare, citing high costs and growing risks. Just today, the CEO of that company said that joining ObamaCare was ''a bad decision.''

There has to be a better way, and we need to find it.

In the bill we are considering this week, the Senate will do two major things: It will repeal significant portions of the health care law that are not working. It will also provide a bridge to replace this law with an improved health care system. This ObamaCare repeal bill will eliminate enforcement of the individual and employer mandates. It will repeal $1 trillion—$1 trillion—in onerous taxes. It will save and strengthen Medicare. It will also dedicate resources to fight the growing drug epidemic that is sweeping across this country. Certainly in our State of West Virginia we have had many difficulties, as many of our fellow Americans have.

ObamaCare has upended our health care system and has broken many of the President's own promises. Headline after headline in recent weeks has called attention to the increasing premiums Americans will face next year. Across the Nation, rates for one out of every three ObamaCare plans will double in the year 2016.

For plans that are not seeing huge premium increases, rising deductibles are placing an excessive burden on patients—but not just on patients; let's think about our health care providers, our hospitals, for example. When a patient has a high deductible and comes in for an expensive surgery, that patient has to pay a $4,000 or $5,000 deductible. That is unaffordable for a lot of people, and that hospital is stuck with that bill.

The situation in my State is even worse. West Virginia is the only State in the country with only one insurer participating on the exchange. Remember, the President promised us choice and the ability to make decisions for ourselves. We have one choice in West Virginia. Highmark Blue Cross Blue Shield has been the only company in the West Virginia exchange through the first 2 years of ObamaCare, and we recently learned that it almost pulled out of the exchange for 2016. That would have been disastrous for our constituents. And why are they pulling out? Because they are losing millions of dollars on a health care plan that was promised to be a blanket, to blanket all of us, as I said in the speech I gave in 2010. It has turned out to be a blanket with huge holes.

With only one provider, choices and accesses are already limited, but for many Americans, the exchanges set up under ObamaCare have become their only option. Because of increasing costs, many are now unable to afford the health insurance without subsidies.

While Highmark Blue Cross Blue Shield—the exchange insurance in West Virginia—did remain in West Virginia, premiums are set to increase this year or next year by 24 percent. These increases are well beyond the financial reach of most West Virginians. Our unemployment in West Virginia

has skyrocketed because of the President's energy policies, and now we are looking at hard-working West Virginians and telling them their health care that was supposed to be affordable and accessible is going up 24 percent. That is unconscionable.

As one of my constituents pointed out, ''This represents a significant challenge to our family budget as my husband's pay has not increased at the rate that our health care costs continue to rise.''

What about ObamaCare's promise to lower the cost of health care? The reality is really quite different.

As another West Virginian put it, ''The law remains a failure by the administration's own metrics, and its harmful impact continues to make life more difficult for millions across the country.''

By repealing ObamaCare, we can revisit the problems caused by the health care law and the problems that existed before, replace them with reforms that work, and protect those whose coverage has been disrupted.

In order to ensure individuals do not lose access to current coverage, this ObamaCare repeal bill will provide a 2-year transition period. This period will give us time to enact alternative reforms that will provide access to quality, affordable care without disrupting coverage. Health care reform should give States and individuals choice—remember, in my State we don't have a choice; we have one provider, no choice—while reducing health care costs over the long term. Premiums are going up 24 percent, and deductibles are skyrocketing. That is not containing costs over the long term.

Americans deserve a health care system that works for them, and we know ObamaCare is not it. There is a better way.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. NELSON. Mr. President, am I correct that we are in morning business?

The PRESIDING OFFICER. The Senator is correct.

SENIORS AND VETERANS EMERGENCY BENEFITS ACT

Mr. NELSON. Mr. President, I want to take a moment to talk about a piece of legislation that a number of us have filed. There will be several Senators speaking here later this afternoon about the Seniors And Veterans Emergency Benefits Act. It is a very important piece of legislation to help millions of Americans who depend on Social Security benefits to make ends meet. I want to emphasize that point. Much of the American population does not realize that there are senior citizens whose sole existence depends on the check they get from Social Security. Unfortunately, we have seniors who are facing the situation that the price of food or some of their medicine unexpectedly goes up. How could this be, in America in the year 2015? But it happens among some of our senior citizens. In the last Congress I had the privilege of chairing the Special Committee on Aging. We held a number of hearings on this issue. It will break your heart, but that is going on today.

To add a little more drama and heartache to this, in October the Social Security Administration announced that for the third time in the past 40 years, there will not be a cost-of-living adjustment for 2016. That is under a formula, and it is legal. Since 1975, the cost-of-living adjustment has ensured that the purchasing power of the Social Security benefits stays the same, regardless of rising prices or inflation. When we get to a point that the formula says no cost-of-living adjustment for a senior citizen, that becomes a fairly big deal because 65 percent of all senior citizens depend on Social Security to provide the majority of their cash income. It is real money that they depend on to help make the basic expenses.

In my State, we have a higher percentage of the population who are senior citizens—4 million Floridians that are categorized as senior citizens because of their age. When there is not an adjustment on the cost-of-living adjustment, these folks are starting to feel the squeeze and are forced to sacrifice on something.

What a group of Senators are going to talk about and what I am sharing is that we are going to offer an opportunity to act before this no cost-of-living increase would take effect in January because 20 of us have sponsored legislation introduced by Senator WARREN to fix the fact that there is a lack of a cost-of-living adjustment. I am glad to see that Senator WARREN is here. I could not join the distinguished Senator later on, so I took the liberty of going ahead and telling from my point of view how this legislation is going to give to about 70 million Americans a one-time payment of approximately $580 to help them have money for the basic needs, such as food or rent.

Nearly 4.5 million people in Florida—a little less than a quarter of the State's population—would be eligible for that lump sum payment. Nine million veterans who receive Social Security benefits would receive a benefit under the bill. In my State, 323,000 veterans and their family members would get that benefit.

Forty percent of the seniors in the United States have incomes below the poverty line if they do not have Social Security assistance. That is a shocking statement. Let me say that again. Forty percent of our senior citizens in this country would have incomes below the poverty line if they did not have Social Security assistance. Therefore, this legislation that we are filing would lift over 1 million people out of poverty.

To some, a benefit of $580 may seem insignificant, but in reality, it is going to make a difference to millions. It may not seem like a big deal to a lot of people that there is no COLA, but if that senior citizen does not have the money to pay for the rent, a utility bill, a trip to the doctor or the groceries they need for their nutrition, that $580 is the difference.

Many Americans are living paycheck to paycheck and are forced to make these tough decisions. We ought to be making it easier for them. That is our job. There are no excuses. I intend to work with our colleagues to see if this is a possibility.

While Senator WARREN is here, I wish to engage the Senator from Massachusetts and yield to her for an answer. As we sat on the Special Committee on Aging, we heard the testimony of how dire, on the line, and on the razor's edge the income is for senior citizens with these Social Security benefits. When that does not keep up with the cost of living—surely there is a cost-of-living increase in one year over the other, but if their Social Security checks don't reflect that, does that not invite a tremendous hardship on that elderly person?

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, the answer is yes, it does. Senator NELSON has put his finger on a very serious problem; that is, every year because of policies made here in the Senate, we do a calculation of cost-of-living changes for Social Security. The problem is that calculation for cost-of-living changes is based on only about one-quarter of the population. It is not based on the whole population, and it is certainly not based just on those who receive Social Security.

We know from independent analysis that costs have gone up for seniors, but because of the policies made here in Congress, there will be no cost-of-living increase for seniors this year. That means they face high costs. Yet, at the same time, they are going to have a flat income.

The proposal here to give them a one-time payment of about $581 is enough to pay 3 months' worth of food bills for the average senior. It is enough to help cover the costs of prescription drugs that are not covered by Medicare. These are significant differences for seniors who most need it, and I appreciate Senator NELSON coming here

early to talk about and raise this important issue. He is exactly spot on about the difficulty with this issue.

I yield back.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mr. NELSON. Mr. President, I ask unanimous consent for an additional 30 seconds.

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

Mr. NELSON. Therefore, I conclude by resting the case. If the cost of every person's daily living is in fact going up and yet our formula shows that they get no cost-of-living adjustment, is that not putting a burden upon the ones who we should be respecting and protecting that should not be there? We can do that with this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

EXTENSION OF MORNING BUSINESS

Mr. BARRASSO. Mr. President, I ask unanimous consent that morning business be extended until 5:15 p.m. today, with Senators permitted to speak therein for up to 10 minutes each.

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

OBAMACARE

Mr. BARRASSO. Mr. President, soon we will be debating the future of ObamaCare. The American people have told us they want Congress to repeal this so-called health care law. They told us to start over with real health care reform. This actually shouldn't be a very controversial vote. It is clear, even to the law's supporters, that the Obama health care law has not worked out in any way they had specifically expected. The ObamaCare health care law is collapsing, whether the President wants to admit it or not.

Democrats should really be eager to join us to help fix the damage that has been done by this law. So far they have been much more focused on protecting President Obama's legacy than on protecting the American people and the health of the American people from ObamaCare.

Last month President Obama did a radio show in which he was asked about the law and about problems with the law because people all across the country are seeing significant problems with the law. The President would not admit to a single problem with this law. He insisted: ''It has been a success.''

Well, I go home to Wyoming every weekend. I am a doctor. I practiced medicine in Wyoming for 25 years, and the people whom I talk to—my patients, my neighbors, people all around the State, and the people whom I run into in my travels—do not consider ObamaCare a success.

Democrats come to the floor and say: It is OK that insurance rates are rising. Remember when the President said they would go down by $2,500 per family? The Democrats say it is OK that the insurance rates are rising because they say the rates also went up before the law. What they won't tell you is that premiums aren't just going up a little; they are going up a lot next year. Actually, they are going through the roof.

There was a study by the McKinsey Center for U.S. Health System Reform. They found that the median increase for the bronze plans went up 13 percent from this year to next year. That is just the average. That means for half of the people, they are going to pay more than that. The silver plan is up 11 percent, the platinum plan is up 12 percent, and the gold plan is up 15 percent. These double-digit price increases are not a success.

Democrats have come to the floor and have talked about some of the people who have gotten insurance coverage since the law took effect. What they won't tell you is that having insurance coverage is not the same thing as getting medical care.

The New York Times ran an article about 2 weeks ago with this headline: ''Many Say High Deductibles Make Their Health Law Insurance All But Useless.'' They don't even call it health insurance. They call it health law insurance because it is insurance to comply with the law and not to actually give you the health care. It is astonishing. Even the New York Times calls it health law insurance.

The article tells the story about David Reines from Jefferson Township, NJ. He is 60 years old and has a history of chronic knee pain. This man says: ''The deductible, $3,000 a year, makes it impossible to actually go to a doctor.'' He says: ''We have insurance, but can't afford to use it.''

President Obama, this is not a success. Democrats who support the health care law say that it created these marketplaces where people can shop for insurance. What they won't tell you is that companies have been pulling out of the marketplaces and exchanges all across the country. More than half of the State co-ops have gone out of business and have failed. The largest health insurance company in America says that it may drop out of the program entirely next year.

In Wyoming, there is just one company participating in the ObamaCare exchange. That is the choice on the Wyoming exchange—one. Does President Obama consider that a success? Democrats say a lot of people like their insurance plans. Well, they won't tell you about the Gallup poll last month that found that the American people are far from happy. Just 33 percent of Americans said that the health care coverage in this country is either excellent or good—one out of three. Only one out of five is satisfied with the total cost of their health care.

Now, both of these numbers are worse than they were when President Obama took office. When asked: How are you going now compared to where you were when Barack Obama moved into the White House, people will tell you that when it comes to health care, it is worse.

Another survey last month by the Kaiser Family Foundation found that just 38 percent of Americans have a favorable opinion of the health care law. Is that the way President Obama measures success? Is that what he calls a success?

Why won't the Democrats come to the floor and talk about these surveys? Democrats come down to the floor and say that ObamaCare has put millions of people on Medicaid. I am not sure how many of them have a full understanding of Medicaid. As a doctor who practiced medicine for 24 years, I can tell you a lot about Medicaid. They won't say anything about this failed program. They won't admit to the fact that Medicaid is a failed program.

A new study last month found that cancer patients with Medicaid in California—we have 2 Senators from California who voted for this law—are less likely to get recommended treatment and they have a lower survival rate than people with other types of insurance. The Democrats celebrate the fact that they have all of these new people on Medicaid. This is not a success. Democrats don't want to talk about any of this.

Nobody on this side of the aisle is denying that there are people who have been helped by the health care law. Why won't any Democrat come to the floor of the Senate and admit that for every person who has benefited, someone else may have been harmed and may have suffered? Why won't Democrats admit and the President admit that the law has not lived up to their promises?

Why did we need a 2,000-page law that upended the entire health care system in this country basically to expand the broken Medicaid program? None of this had to happen. None of this is what people were asking for when Democrats wrote their law behind closed doors back there. It is certainly not what people are asking for today. This health care law has been expensive, disruptive, and devastating. It is headed for collapse, and if Democrats won't admit it, then they are just kidding themselves.

Republicans are ready to move on with a better approach. We will work to lower costs and make insurance affordable for all Americans. We will make sure that people who need insurance can actually get usable insurance.

That means making coverage equal care. That is what it should do. Coverage ought to equal care. We will give people freedom, flexibility, and choice to allow patients to make the decisions that are best for them and their family—not Washington and President Obama telling them what is best for them and their family. Those people will be making those decisions for themselves. We will protect consumers by making insurance predictable and stable so people don't have to switch their coverage and their doctor every year.

Finally, we are going to fix Washington by making Medicare and Medicaid stronger for people who will absolutely rely on these programs.

President Obama and Democrats in Congress do have a choice. They can join with Republicans in accepting the inevitable. They can act now to reform our health care system in a way that works or they can stand by and watch as the wheels continue to come off of ObamaCare. The program is collapsing, and it is unavoidable. Congress should not allow this health care law to harm the American people for one day longer. Democrats should work with us to create a replacement that actually delivers care, not just unusable coverage.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

SENIORS AND VETERANS EMERGENCY BENEFITS ACT

Ms. WARREN. Mr. President, the clock is ticking. Exactly 1 month from today, on January 1, approximately 70 million seniors, veterans, Americans with disabilities, and others who depend on Social Security and other benefits will get their first check of the new year. For those 70 million Americans—that is 1 in 5 Americans—January 1 is supposed to be a day of relief. This is the day when the Federal Government boosts their checks just a little bit to help with the rising costs of housing, food, and medical care. But unless Congress does something right now, for just the third time since 1975, seniors and veterans won't be receiving any cost-of-living increase on January 1—not one penny more.

Look at who gets left out in the cold. Two-thirds of seniors depend on Social Security for the majority of their income. For 15 million Americans, Social Security is all that stands between them and poverty, but not one of these Americans will see an extra penny next year, and millions of other Americans whose benefits are pegged to Social Security—millions who receive veterans' benefits, disability benefits, and other monthly payments—won't see an extra penny either.

Times are tough, but not for everyone. Last year, the CEOs at the biggest 350 American companies received, on average, a 3.9-percent pay increase. How much money is that? Since the average CEO at one of those top 350 companies made a cool $16.3 million, a 3.9-percent raise landed them an additional half million bucks each. Everything is just great for America's top CEOs, who got huge raises, while 70 million seniors, veterans, and others who worked hard will be left with nothing. Why? It is not an accident. It is not inevitable. It is the result of deliberate policies made right here in Congress.

Social Security is supposed to be indexed to inflation so that when prices go up, benefits go up. But Congress's formula looks at the spending patterns of only about a quarter of the country, and the formula isn't geared to what older Americans actually spend their money on. In fact, official estimates show that the cost of core goods and services has increased, but seniors won't be getting a raise. Costs go forward while Social Security falls behind all because of the way that Congress says to calculate COLAs.

Skyrocketing CEO pay is also, in part, the result of policies set right here in Congress. Taxpayers subsidize CEOs' huge pay packages through billions of dollars in tax giveaways, including a crazy loophole that allows corporations to write off gigantic bonuses as business expenses. Sure, companies should make their own decisions on how much to pay their executives, but because of laws Congress has passed, American taxpayers are forced to subsidize these multimillion-dollar pay packages.

These two decisions—how to calculate Social Security raises and whether to give tax breaks for multimillion-dollar CEO bonuses—are made right here in Congress, and right now Senators bow and scrape for highly paid CEOs while they turn their backs on retirees and vets. We are here because it is time for Congress to make different choices.

Representative TAMMY DUCKWORTH and I have introduced the Seniors And Veterans Emergency Benefits Act, or the SAVE Benefits Act, to give retirees, veterans, and Americans with disabilities a one-time payment of about $581. That is the equivalent of a 3.9-percent increase over the average Social Security benefit—the same percentage raise CEOs received just last year.

Where would the money come from? Well, we can pay for it by closing the tax loophole for CEO bonuses that exceed $1 million. In fact, according to the Chief Actuary of the Social Security Administration, closing just this one loophole will create enough revenue to give a $581 raise to seniors and vets and still have billions of dollars left over to help boost the Social Security trust fund for the future.

The SAVE Benefits Act would give seniors, vets, and the disabled an extra $581 a year. That $581 a year may not mean much to a CEO, but that money will cover almost 3 months of groceries for seniors or a year's worth of out-of-pocket costs on prescription drugs for someone on Medicare. For seniors and vets, that $581 means a lot.

Already, 21 Democratic Senators have signed on as cosponsors. Dozens of organizations—Social Security Works, the AFL–CIO, MoveOn.org, the National Organization For Women, VoteVets, the National Council of La Raza, and I could go on and on with this list—have already endorsed the bill. Across the country, more than 400,000 people have signed petitions urging Congress to pass the SAVE Benefits Act.

This is about money, but it is also about values. For too long, we have listened to a handful of the rich and powerful insist that we cut taxes for those at the top and leave everyone else behind. And now, across this country, people are saying: Enough. Taxpayers should not be forced to subsidize millionaire CEOs while seniors and vets have to fight for whatever scraps are left behind.

The clock is ticking. It is time for Congress to step up. The money is there—either way. It can go for a payment to 70 million Americans who need it and who have earned it or it can go to CEOs and the wealthiest corporations.

Let's vote on the SAVE Benefits Act. Let's show everyone where we stand—whether we stand up for tax breaks for the country's most highly paid CEOs or whether we work for the seniors and vets who worked their hearts out to build this country.

Senator MCCONNELL, brings this bill to the floor and let us vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, last month I joined Senator WARREN and others in introducing the Seniors And Veterans Emergency Benefits Act, also known as the SAVE Benefits Act. This legislation is needed because for the first time in over 40 years, our seniors, veterans, and people with disabilities won't receive a cost-of-living adjustment, or a COLA, for 2016. We are here again to urge our colleagues to support this much needed legislation that would provide a 3.9-percent COLA increase next year. There is a reason we hit upon the 3.9-percent number as the appropriate increase. I will get to that.

Many of our people who rely on Social Security and other Federal benefits are on fixed incomes. Every extra dollar helps them buy basic necessities. These Americans worked hard and earned modest benefits. However, based on the current benefit formula this year, they are out of luck. They won't see any increase in their income.

But here is the thing. That is not the case for our Nation's top CEOs. According to analysis by the Economic Policy

Institute, CEOs of some of America's biggest, richest corporations not only earn an average of $16 million per year, but they received a 3.9-percent salary bump in 2014; hence our 3.9-percent COLA increase for recipients of the SAVE Benefits Act.

What does a 3.9-percent increase mean to these CEOs? About $635,000 more a year in their pockets—far more than most workers who rely on Social Security saw in 1 year or 10 years or perhaps even in their lifetimes. By contrast, what does a 3.9-percent increase mean to most seniors in Hawaii? About $580 more a year. Again, focusing on Hawaii, that is about enough for a Hawaii senior to buy almost 3 months of groceries or cover the average cost of a year's worth of prescription drugs. So $580 is a big deal for a lot of people in Hawaii.

This bill would help about 19 percent of Hawaii's population, or 268,000 people. They include seniors, children, and disabled workers who rely on Social Security to make ends meet. It includes 24,000 veterans and their family members, who would receive an increase to their well-earned benefits. That extra payment of $580 would help to prevent some 2,000 people in Hawaii from falling into poverty.

We are hearing from people all across the country about what will happen next year without the COLA increase.

One woman from Lanai City in Hawaii wrote:

> I feel it is deplorable that Social Security did not receive a COLA increase. Many Seniors and poor people rely on this money to help them make it through the month and although I am not one of them I still want to speak for them as I feel it is important.

This person from Lanai said this is a deplorable situation, and I agree. That is why we need to pass the SAVE Benefits Act.

This bill is paid for by closing a tax loophole that benefits the wealthiest CEOs. Remember that $600,000-plus salary increase they got? Well, some of that is paid for by taxpayers because of this tax loophole.

This bipartisan idea of closing this tax loophole was even included in the former chairman of the House Ways and Means Committee's 2014 tax reform proposal.

We only have a few days left for Congress to act before the end of the year. I urge my colleagues to join me in letting seniors in Hawaii and across the country know that we are on their side by cosponsoring the SAVE Benefits Act. Let's just think about the disparity—$600,000-plus increases for CEOs making over $16 million a year versus the millions of seniors and veterans and disabled people who rely on Social Security and who need and deserve this COLA increase.

I urge my colleagues to bring the SAVE Benefits Act to the floor for a vote, vote on it, and send it on to President Obama for his signature.

I yield the floor.

The PRESIDING OFFICER (Ms. AYOTTE). The Senator from New York.

Mr. SCHUMER. Madam President, today I wish to join my colleagues in strong support of the SAVE Benefits Act. I wish to commend the excellent work done by my friend and the Senator from Massachusetts, Ms. WARREN.

Millions of seniors and veterans deserve a little more money in their Social Security checks at the beginning of every year to help pay for the ever-increasing costs of rent and medicine and groceries. They earned it. The SAVE Benefits Act would provide a fair and well-deserved payment to our seniors receiving Social Security and veterans receiving Federal benefits who will not see a cost-of-living adjustment in their benefits next year. You see, next year there will be no official cost-of-living adjustment or COLA chiefly because the formula that determines it is heavily tied to the price of gasoline, which is low, but all the other cost-of-living indicators are up, including rent, medicine, and groceries. These are the costs our seniors are juggling most often.

I talk to seniors. They say: What is this? There is no inflation? My life costs me more each year—considerably more.

But because there was no official COLA even as those costs are going up, Social Security benefits will not increase by a single dime in 2016. And about two-thirds of seniors rely on Social Security for over half of their income.

If we don't help offset the increase in costs with an increase in these modest benefits, many people will be left with one of these excruciating choices: Do I buy more groceries or pay the rent this month? Can I afford putting off taking my medication for another day or another week or even another month?

In the past, when we had years without an official COLA, Congress stepped in. In 2009 there wasn't a COLA. We were in the throes of recession. But Congress stepped in and passed a law I strongly supported—the ARRA—to provide a one-time $250 payment to Social Security recipients and veterans to help them get through those tough times. Next year, we should do the same. But I hasten to add—I don't like to be partisan—in 2009 the House and Senate were Democratic, caring about Social Security. In 2015 the House and Senate are Republican, and we are getting no relief for seniors. Well, I hope that will change. The SAVE Benefits Act would change it. It would provide a one-time check of approximately $580 for our veterans and our seniors and fully pay for it by closing a loophole that benefits corporate compensation packages over $1 million. To boot, it would provide this benefit while also using some of the revenue to extend the life of Social Security.

In my State, over 4 million people would benefit—nearly 1.5 million women over the age of 65, a quarter of a million children, and half a million disabled workers in New York alone.

If we think about it in real terms, that $580 is almost 3 months of groceries or the average annual out-of-pocket expenses that a senior has for prescription drugs for Medicare.

This is the right thing to do. Social Security and veterans' benefits should rise to keep pace with prices, but unless Congress acts, our seniors and our veterans will not see any increase in their own benefits next year. It is time to fix that.

I want to ask who on the other side would say millionaires should continue to get to deduct their bonuses while senior citizens get no COLA. What percentage of Republicans in America would say that? What percentage of Independents?

This should not be a partisan issue. We should just pass it and help the seniors as we did in 2009 when the Congress was under different control. This is a real test of who cares for the seniors, who understands their struggles, and who understands the sweat seniors break out in when they have to pay the bills and they don't have enough money to pay basic expenses. Well, those who cosponsored this bill understand. Those who support this bill understand. I would like to hear from my colleagues who don't support it what their alternative is.

I urge my colleagues on the other side to join us in extending to our seniors and our veterans a fair increase in benefits that they earned.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. I thank the distinguished Presiding Officer, my neighbor in New Hampshire.

I also want to thank Senator WARREN for her leadership on a matter of great importance to millions of Americans. In October, Social Security beneficiaries received some upsetting news. I know it is upsetting to a lot of Vermonters, as I have talked to them in grocery stores, on street corners, and even coming out of church on Sunday. For the third time in 40 years, the Social Security Administration announced that in 2016, Social Security payments will not include a cost-of-living increase. Unless Congress acts, seniors and others who receive Social Security benefits will not see an additional dime in payments in the new year.

For the nearly two-thirds of beneficiaries who depend on Social Security for at least half of their income, and for the 24 percent of those where Social Security is the sole source of income, this news is not just distressing, it is devastating.

I will not take the time here, but I could tell so many stories of what Vermonters have told me, and I share their concerns. In order to address this issue, I am proud to stand with thousands of Vermonters and millions of Americans to support Senator WARREN's bill to provide Social Security recipients, those who receive disability benefits, and veterans, among others, a one-time payment next year. This payment would be equivalent to the average increase of 3.9 percent—incidentally the same pay increase top CEOs in the United States saw last year.

Many in Congress have turned a blind eye to the problems facing Social Security, arguing the idea that we as a country cannot possibly afford to spend resources on our seniors, but every year hard-working Americans subsidize billions of dollars in tax subsidies for corporate CEOs. By no longer allowing corporations to receive tax deductions for performance pay packages for their executives, we could give a one-time emergency payment to our Nation's seniors, and we could increase the solvency of the Social Security trust fund without adding a penny to the deficit. It is a win-win. It is a matter of priorities.

Are we as a country going to support the millions of Americans who depend upon Social Security to make ends meet? Or are we going to continue to allow the country's top CEOs, whose average salary in 2014 topped $16 million each, to continue to rake in billions of dollars thanks to the performance pay tax loophole? The choice should be clear. If these CEOs want to make more money, fine, but don't do it using a special tax loophole.

Social Security is an immensely important program, one that has helped millions of Americans stay out of poverty once entering retirement. This program has always represented a strong commitment to our Nation's seniors. Ever since Ida May Fuller of Vermont received the first Social Security check issued, vulnerable seniors have had a safety-net to fall back on in retirement or to supplement individual retirement savings or pensions. Support for this bill represents a continuing commitment to our Nation's seniors and also those with disabilities in an uncertain economy.

I hope we can redouble our commitment to seniors, veterans, and those with disabilities in this country by passing this important legislation. It is the least we can do.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Thank you, Madam President, very much.

I am very proud to be a cosponsor of the SAVE Benefits Act. I think we owe an enormous debt of gratitude to Senator WARREN, my colleague from Massachusetts, for the legislation she has introduced because she is going to make sure the Social Security benefits for seniors, for veterans, and for those who are disabled will be protected, and I applaud her for the enormously innovative way she has framed this debate for our Nation.

The Social Security Administration has recently determined that seniors will not receive an increase in their benefits for the next year. That means approximately 70 million American seniors, veterans, and the disabled will not receive any increase in their benefits, including the 1.4 million people in Massachusetts who are dependent upon these benefits. That is completely unacceptable. What Senator WARREN has done is to say that for these seniors, for many of them, Social Security is their sole basis for having any income at all, and for most seniors it is the majority of their income in their retirement. Those seniors depend on these benefits to pay for food, rent, medicine, and the electricity bill. In their world, prices for food, clothing, and medicine are not going down, they are going up. These are the necessities of life, and our seniors should not have to choose between eating and heating.

We have a simple question to ask ourselves: Who contributed most to our country over the last generation? Is it a small handful of CEOs who are now paid exorbitant salaries or is it every American who got up every morning to build us into this incredible country we now live in? I think it was grandma and grandpa. Those are the people who got up every day. Those are the people who built this great country. Right now we are being told that their standard of living is going to stay the same or go down. There will be no increase for them.

Well, unfortunately CEOs in America make about 273 times what the average American worker makes. Last year America's CEOs saw their pay increase by about $635,000 to an average of $16 million. A family in the top 1 percent has a net worth 288 times higher than the typical family. That is unacceptable and it must change.

Shouldn't our seniors—shouldn't grandma and grandpa who built this country receive an additional benefit from the economy which they created—this incredible wealth which they created in our country. When do they get their raise? They got up every morning.

My father worked for the Hood Milk Company. He got up every morning. He worked as hard as a human being can work, and so have hundreds of millions of Americans. They built this country with their hard work. They deserve a Social Security raise. They deserve a wage if they now have disabilities. If they are veterans, they not only got up and worked every single day, but they also saved our country, many of them overseas protecting us against our enemies. So that is what Senator WARREN's very wise piece of legislation focuses on. We know grandma and grandpa deserve a raise. We know the system that has been created allows those in the upper 1 percentile to continue to receive per year, on average, $685,000 in raises—up to an average of $16 million for salary. And we are saying to people who did the work: You don't get a raise at all.

I think for their sacrifice, for their hard work every single day, they deserve something. They built the greatest country in the history of the world. So let's give our seniors the 3.9-percent raise that Senator WARREN has proposed. Let's give them the kind of comfort they deserve for a lifetime of hard work, and let's thank Senator WARREN for reminding all of us of the obligation we have to those great Americans, so we don't forget them when it comes time at the end of the year to hand out bonuses. They deserve bonuses in the same way we know CEOs across our country, from Wall Street to Silicon Valley, are going to receive every year. We shouldn't turn our backs on those seniors.

Thank you, Senator WARREN, for all your great work.

Madam President, I yield back.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Madam President, we are just 1 month away from the new year 2016, which will bring a lot of good new things, I hope. The one thing it will not bring is a cost-of-living increase for seniors, veterans, and for people with disabilities. Despite the fact that the costs of health care, prescription drugs, and housing are increasing, the size of a Social Security check will not go up 1 cent on January 1, unless we act—unless Congress acts.

That is why Senator WARREN, my colleagues, and I have introduced the Senior And Veterans Emergency Benefits Act or SAVE Benefits Act. The SAVE Benefits Act is a one-time payment to seniors and veterans receiving their earned benefits so they can better meet their basic living expenses.

The stagnant level for benefits in 2016 and its damaging effects are part of the bigger problem. Too many of our seniors are feeling the squeeze and just aren't secure enough in their retirement. Today's Social Security benefits are not enough to live on, and other retirement savings aren't filling the gap. You see, the share of private sector workers with pensions has fallen precipitously in recent years, and yet half of all Americans don't have retirement accounts or 401(k) plans or IRAs.

So without sufficient pensions or retirement accounts, many seniors depend on Social Security. Social Security benefits comprise over 90 percent of income for the poorest 25 percent of retirees. Social Security comprises 70 percent of income for the middle 50 percent of retirees. With the cost of things seniors have to spend money on increasing, the absence of a cost-of-living increase in Social Security benefits is especially damaging.

I have heard from many Minnesota seniors who are worried about the squeeze that no increase in Social Security will put on their budgets. Jeff from Minneapolis wrote: ''Food prices are up and my rent is up 4 percent in 2015 and will be up again in 2016.'' He continues: ''I lost most of my IRA earnings in the 2008–2009 debacle and now I rely almost entirely on Social Security.''

If we want Minnesotans like Jeff—and millions of Americans across the country facing similar situations—to have a secure retirement, we need to increase these benefits. That is what the SAVE Benefits Act does. Under our bill, seniors and veterans have a 3.9-percent increase—the same percentage increase that CEO pay went up from 2013 to 2014. For the average beneficiary, a 3.9-percent raise would come to about $580 a year.

While that $580 may not sound like a lot compared, of course, to the raises that CEOs are getting, $580 can make a big difference to the average American, especially the average senior. The $580 may cover several months of groceries or out-of-pocket costs for prescription drugs for a senior on Medicare who has gone into their doughnut hole.

Some may ask if we can afford to give seniors and veterans a raise right now. Too often the ideas we have heard for ''fixing'' Social Security focus on cutting benefits, such as reducing cost-of-living increases by using chained CPI or raising the retirement age, but I think that is the wrong approach. We shouldn't cut our way to solvency. We need to strengthen our Social Security System by protecting and enhancing the benefits that seniors and veterans have earned, and that means improving Social Security's finances. A good place to start is by removing special provisions to the wealthiest Americans in our current Tax Code.

Right now, individuals making millions of dollars a year still pay payroll tax only on the first $118,500 of their income. Over the long term, that is the sort of thing we need to address in order to strengthen Social Security.

This bill proposes to pay for the one-time increase of Social Security benefits in the same spirit—rebalancing our Tax Code by ending a tax deduction for CEO pay that doesn't make sense and allows corporations to avoid paying their fair share of taxes. CEOs and big businesses will still do just fine under this bill.

At the same time, the SAVE Benefits Act will provide critical assistance to Americans struggling to meet their expenses. In fact, this increase in benefits will lift about 8,000 Minnesotans out of poverty and thousands more in every State of our Union.

Ultimately, the debate over this bill comes down to priorities. What is more important to us—protecting high pay for the wealthiest Americans or tax deductions for corporations on that high pay or ensuring that veterans, seniors, and people with disabilities have the income security they need to pay for health care, prescription drugs, and housing?

As this year comes to a close, it is time to get our priorities straight and to stand up for our seniors and our veterans. They need a raise in 2016.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I am here to join the chorus for providing some additional help to our seniors on Social Security. What can I say? Here we go again. In 2010 and in 2011, America's seniors were told by the Social Security Administration there would be no cost-of-living adjustment, no increase for them, and now it is happening a third time. We all know that the price of the things seniors actually buy has continued to go up, and yet no COLA.

In 2010 and 2011 we tried to remedy that with Senator SANDERS' Emergency Senior Citizens Relief Act. We did not succeed. There was opposition from the other side.

We did succeed at getting a one-time $300 payment to seniors under the Economic Stimulus Act in 2008, back in the depths of the great Wall Street recession, and another $250 under the Recovery Act. So we have done this before, and it has helped. I strongly encourage that we do it.

There is a flaw built into the Social Security COLA, which is that the CPI measures things that a lot of seniors don't buy. It measures laptops, it measures flat screens, and it measures a lot of technology, but seniors in Rhode Island who make a little over $1,200 from Social Security on average aren't buying a lot of flat screen TVs and they are not buying a lot of laptops. What they are buying is fuel, medicines, food, and maybe something for the grandchildren at Christmastime, and all of that keeps going up.

We should fix that formula. There should be a CPI–E, a CPI for elderly folks that tracks what they actually spend and not some hypothetical CPI that spreads across all age groups. That would be the ultimate fix, but in the meantime, we should do this. I think it is paid for very sensibly.

I commend Senator WARREN. We established as a country that beyond $1 million in executive compensation, it wasn't going to be tax deductible any longer. If you are a big corporation and you want to pay your CEO more than $1 million—fine, you still do that, but you don't get to have the American taxpayer kick in for the more-than-$1 million salary.

So what did corporate America do? They took it out of salary and they moved it over to bonuses. Now you have those big bonuses over $1 million. They dodged that exemption, and now the American taxpayer is back on the hook again to kick in for a $1 million-plus compensation package for a corporate CEO. Come on. We ought to be able to get beyond that.

So we have a way to pay for it that is fair, sensible, and consistent with the policy that we have already agreed on as a nation, which is that above $1 million in compensation, taxpayers shouldn't be kicking in any longer to help the company pay those exorbitant salaries. I think we have a very good way to spend those resources, which is helping seniors who now—for the third time since I have been in the Senate—are getting a zero COLA while everything goes up around them.

I commend Senator WARREN for taking the lead, and I am pleased to be a cosponsor on her bill.

I am delighted to yield back.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Madam President, I appreciate the colleagues who came to the floor today to talk about the SAVE Benefits Act.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. WHITEHOUSE. Madam President, I ask unanimous consent to speak for up to 20 minutes in morning business.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, as the Presiding Officer knows well, every week that I am here and the Senate is in session, I come to the floor to remind us of the damage carbon pollution continues to do to our atmosphere and oceans. Today I rise for the 120th time to urge my colleagues to wake up to the threat of climate change. I am not alone, although it sometimes seems a bit lonely here.

We have an advertisement today in the Wall Street Journal—we will find it here in 1 second; well, I seem to have mislaid it—that has a considerable number of American companies that

have called upon the public and called on the readers of the Wall Street Journal to support a strong outcome in Paris. It matches another Wall Street Journal full-page advertisement—this one went back to October 22—which was ''Republicans and Democrats Agree: U.S. Security Demands Global Climate Action.'' That had 23 Republican former officials, including Senators Cohen, Coleman, Danforth, Hagel, Lugar, Kassebaum, Smith, and Snowe, Secretaries of Commerce, State, Treasury, members of the National Intelligence Council, Homeland Security advisers, and Trade Representatives. In total, 33 Republican and military officials were calling on us to get serious about it. So a lot of people out there, including Republicans, are interested in getting something done.

I wanted to build my remarks this week around something interesting that Pope Francis said this past weekend about the upcoming climate talks in Paris. He said: ''It would be sad, and dare I say even catastrophic, were special interests to prevail over the common good and lead to manipulating information in order to protect their own plans and interests.''

''Sad,'' and ''even catastrophic''—let's look at that part. The fact is, we have changed the composition of our atmosphere, pushing the concentration of carbon dioxide beyond the range it has been in for at least 800,000 years, longer than our species has been on the planet. For 8,000 centuries, our Earth had an atmosphere between 170 and 300 parts per million of CO_2. Concentrations have now hit 400 parts per million, farther out of the range than the midpoint of the range, and that trend continues to rise. By the way, that is measurement. That is not somebody's theory. That is not a computer-model run. We have measured that.

Last year was the hottest year since we began keeping records in 1880, a dubious distinction. According to the World Meteorological Organization, the last 5 years are now the warmest 5-year period in human history. This year is on track to be another record-breaker, expected to reach the both symbolic and significant milestone of 1 full degree Celsius above the average temperature of the preindustrial era.

Many scientists agree that 2 degrees above the precarbon-era norm will likely mean irreparable harm to our planet and to our current way of life. So it would, indeed, be sad and perhaps ultimately catastrophic if we were to do nothing.

Yet we in Congress continue to do nothing, which brings me to the next of Pope Francis's words in that opening quotation: ''special interests prevail[ing] over the common good.'' Well, doing nothing is just fine by the big polluters because they make more money when we do nothing. To keep their profitable racket running, the polluters spend huge sums on lobbying and on politics, particularly right here in the Congress. As one author has written, and I will quote him: ''[R]ivers of money flowing from secret sources have turned our elections into silent auctions.'' And the polluters get what they pay for. With the Congress of the United States distracted and deceived by their mischief, the effects of climate change just keep piling up.

This problem got worse in 2010 when the big polluters got a gift. They got handed a big, new political weapon. Thanks to five Justices on the U.S. Supreme Court, all of them Republican appointees, the big polluters can now threaten lawmakers with the cudgel of unlimited, undisclosed Citizens United money. So we do nothing, and the polluters offload onto everyone else the costs in damage from their fossil fuel product, the costs of heat waves, of sea level rise, of ocean acidification, of dying forests, of worsening storms and more. The polluters happily dump those costs onto everybody else. They suck up hundreds of billions of dollars in effective public subsidy, according to the International Monetary Fund, and of course they fight desperately to protect their favored status.

Pope Francis had it right—special interests indeed prevail over the common good. And that brings us to the Pope's words about them ''manipulating information in order to protect their own plans and interests.''

I have spoken on this floor about the decades-long, purposeful corporate campaign of misinformation on climate change. The fossil fuel industry and its allies gin up doubt about the dangers of carbon pollution through a smokescreen of misleading public statements, sophisticated marketing, and polluter-funded front groups. The mission of these well-organized and mightily funded deniers is to manufacture a product—uncertainty, doubt. The polluters spend huge amounts on a big, complex PR machine to churn out doubt about the real science. It is a fraud. It is a deliberate pollution of the public mind.

We know that a network of front organizations with innocent-sounding names has emerged to propagate that baloney science. This network has been well documented by Dr. Robert Brulle at Drexel University and Dr. Riley Dunlap at Oklahoma State University, among others. Professor Brulle's follow-the-money analysis, for instance, diagrams the complex flow of cash to these front groups, a flow that the fossil fuel industry persistently tries to obscure.

A new study was released just last week, a study by Dr. Justin Farrell at Yale University. His work examines how corporations have used their money to amplify the voices of climate deniers and to exaggerate scientific uncertainty. Dr. Farrell used computers to perform a comprehensive quantitative analysis of more than 39 million words written by 164 climate denial organizations—yes, there are 164 of them; this is a big beast—over a 20-year period. His study compared corporate-funded groups to the rest.

Professor Farrell's stated purpose was to uncover empirically the actual social arrangements within which large-scale scientific misinformation is generated and the important role private funding plays in shaping the actual ideological content of scientific information that is written and amplified. He describes the climate denial apparatus as a complex network of think tanks, foundations, public relations firms, trade associations, and other groups that are ''overtly producing and promoting skepticism and doubt about scientific consensus on climate change.'' Farrell describes the function of the network as, one, ''the production of an alternative contrarian discourse,'' and two, ''to create ideological polarization around climate change.'' Why polarization? Because ''it is well understood that polarization is an effective strategy for creating controversy and delaying policy progress particularly around environmental issues.''

So the polarization we see in this building on this issue is a product created by a network of corporate-funded climate denial front groups. We are the living proof of the success of this scheme. Corporate backing created a united network, said Farrell, within which the contrarian messages could be strategically created. That is right, climate denial is ''strategically created.''

Farrell's data show particularly that donations from ExxonMobil and the Koch family foundations signal what he calls entry into a powerful network of influence, and that corporate funding influences the actual language and thematic content of polarizing discourse. And, of course, one of the areas of distinct corporate-funded polarizing discourse produced by this network was questions about the scientific veracity of long-term climate change. Again, it is the product of a scheme.

Professor Farrell made another comparison. He has made the same comparison that others have made with tobacco. I will quote him:

> Well-funded and well-organized ''contrarian'' campaigns are especially important for spreading skepticism or denial where scientific consensus exists—such as in the present case of global warming, or in historical contrarian efforts to create doubt about the link between smoking and cancer.

To create doubt about the link between smoking and cancer. That echos the telling sentence from the tobacco denial campaign: Doubt is our product.

Just as Pope Francis said, the denial machinery is ''manipulating information in order to protect their own plans

and interests.'' The actions of the climate denial machine have been so effective, they have made it ''difficult for ordinary Americans to even know who to trust,'' says Farrell. Doubt is still their product.

Every generation of Americans has faced its challenge, and each has risen to its challenge. Some generations left bloody footprints in the snows of Valley Forge to secure our independence. Some generations were torn to pieces by cannon fire in the great battles of the Civil War. Some generations endured mustard gas and trench warfare in World War I. Some secured the world's freedom from the Axis powers in World War II. Some rebuilt the American economy after the Great Depression. Some were beaten, bombed, and burned as they struggled to secure the civil rights we now enjoy. We are the generation whose duty it is to face down the climate crisis that threatens our planet and face down the folks behind this vast climate denial scheme. All we have to do to rise to our duty is to resist all the dark money, all the fossil fuel-funded threats and intimidation Citizens United made possible.

Let me read from an opinion that was in my clips today from David Brooks, a conservative columnist. I see him at American Enterprise Institute gatherings. He is a self-identified Republican conservative who was writing about climate change and the upcoming Paris conference. He says this as if he is communicating with Alexander Hamilton. He obviously is not, but that is his rhetorical device. He said, ''So I seanced up my hero Alexander Hamilton to see what he thought'' about the Paris climate conference. Here is what he said:

First, [Alexander Hamilton] was struck by the fact that on this issue the G.O.P. has come to resemble a Soviet dictatorship—a vast majority of Republican politicians can't publicly say what they know about the truth of climate change because they're afraid the thought police will knock on their door and drag them off to an AM radio interrogation.

That is a conservative Republican economist talking about this.

We can get through this. We simply need conscientious Republicans and Democrats to work together in good faith on a common platform of established science, clear facts, and basic common sense. If we do that, we can protect the American people, the American economy, and our American reputation from the harm of the looming effects of climate change. It is on us. It is on us. We simply need to shed the shackles of corrupting influence and rise to our duty, as other generations always have. We do not have to be the generation that failed. Yes, we are headed down a road to infamy now, but it doesn't have to be that way. We can leave a legacy that will echo down the corridors of history, so the generations that follow us will be proud of our efforts the way we are proud of those who did great things for our country before us. But sitting here doing nothing, yielding to the special interests, won't accomplish that.

This new analysis out of Yale is an important addition to the increasing body of academic research and journalism that is shining some much needed sunlight on the shadowy enterprise of phony science and phony doubt that props up climate denial. It is time we all caught on to this deceptive enterprise. Being suckers down a road to infamy is not a good legacy. It is time to wake up.

Madam President, I ask unanimous consent that the advertisement ''Business Backs Low-Carbon USA'' in the Wall Street Journal and the article by David Brooks, ''The Green Tech Solution,'' be printed in the RECORD.

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

PAID ADVERTISEMENT

BUSINESS BACKS LOW-CARBON USA

lowcarbonusa.org

WE ARE SOME OF THE BUSINESSES THAT WILL HELP CREATE THE FUTURE ECONOMY OF THE UNITED STATES.

We want this economy to be energy efficient and low carbon. We believe there are cost-effective and innovative solutions that can help us achieve that objective. Failure to tackle climate change could put America's economic prosperity at risk. But the right action now would create jobs and boost competitiveness.

We encourage our government to

1. seek a strong and fair global climate deal in Paris that provides long-term direction and periodic strengthening to keep global temperature rise below 2 °C

2. support action to reduce U.S. emissions that achieves or exceeds national commitments and increases ambition in the future

3. support investment in a low-carbon economy at home and abroad, giving industry clarity and the confidence of investors

We pledge to continue efforts to ensure a just transition to a low-carbon, energy-efficient U.S. economy and look forward to enabling strong ambition in the U.S. and at the Paris climate change conference.

Autodesk, Inc.; The Coca-Cola Company; Unilever; Adidas Group; Johnson Controls, Inc.; Clif Bar & Company; Intel; Kingspan Insulated Panels; Microsoft; Qualcomm; Sprint; Colgate-Palmolive Company; Smartwool; The Hartford; Volvo, Volvo Group North America; Burton; Snowbird; eBay; Seventh Generation; Johnson & Johnson Family of Companies; Vail Resorts; Levi Strauss & Co.; EMC; New Belgium Brewing Company; Squaw Valley Alpine Meadows; Annie's; Alta; General Mills; Dignity Health; BNY Mellon; Jupiter Oxygen Corporation; Hewlett Packard Enterprise; Outdoor Industry Association; Procter & Gamble; Ben & Jerry's; Schneider Electric; Xanterra; Nike; The North Face; Symantec; JLL; Powdr Corporation; Gap Inc.; Owens Corning; EnerNOC; Hilton Worldwide; VF Corporation; Guggenheim; Timberland; L'Oreal; IKEA; Aspen Snowmass, Aspen Skiing Company; Vulcan; Eileen Fisher; DuPont; CA Technologies; Nestle; Pacific Gas and Electric Company; Catalyst; Sealed Air; National Grid; Saunders Hotel Group; Hewlett Packard; Kellogg's; Teton Gravity Research; Dell; Mars, Incorporated; NRG; Ingersoll Rand

ENVIRONMENTAL ENTREPRENEURS (E2)

Ameristar SolarStream, Big Kid Science, Bloom Energy, Canadian Solar, Inc., Carbon Lighthouse, Clean Blue Technologies, Inc. Clean Edge, Clean Energy Collective, Decent Energy, Inc., Drew Maran Construction, Inc., Creep Optimizers, USA, Ideal Energy, Intex Solutions, iSpring Associates, Jacobs Farm—Del Cabo, Krull & Company, Lenox Hotels, LIVINGPLUG, Make Good, Want MEI Hotels, Inc., Microgrid Energy, National Car Charging LLC., Next Step Living, NLine Energy, Inc., Nth Power, one3LED, Recurrent Energy, Sequoia Lab, Sierra Energy, Sustainable Farming Corporation, Terviva, Toniic, Uswharrie Bank, Vigilent, Wall @ Law

Coordinated by Business Council for Sustainable Energy, CDP, Ceres, C2ES, Environmental Defense Fund, Environmental Entrepreneurs, The Climate Group, We Mean Business, and World Wildlife Fund in collaboration with the above businesses.

[From the New York Times, Dec. 1, 2015]

THE GREEN TECH SOLUTION

(By David Brooks)

I've been confused about this Paris climate conference and how the world should move forward to ameliorate climate change, so I séanced up my hero Alexander Hamilton to see what he thought. I was sad to be reminded that he doesn't actually talk in hip-hop, but he still had some interesting things to say.

First, he was struck by the fact that on this issue the G.O.P. has come to resemble a Soviet dictatorship—a vast majority of Republican politicians can't publicly say what they know about the truth of climate change because they're afraid the thought police will knock on their door and drag them off to an AM radio interrogation.

This week's Paris conference, I observed, seems like a giant Weight Watchers meeting. A bunch of national leaders get together and make some resolutions to cut their carbon emissions over the next few decades. You hope some sort of peer pressure will kick in and they will actually follow through.

I'm afraid Hamilton snorted.

The co-author of the Federalist papers is the opposite of naïve about human nature. He said the conference is nothing like a Weight Watchers meeting. Unlike weight loss, the pain in reducing carbon emissions is individual but the good is only achieved collectively.

You're asking people to impose costs on themselves today for some future benefit they will never see. You're asking developing countries to forswear growth now to compensate for a legacy of pollution from richer countries that they didn't benefit from. You're asking richer countries that are facing severe economic strain to pay hundreds of billions of dollars in ''reparations'' to India and such places that can go on and burn mountains of coal and take away American jobs. And you're asking for all this top-down coercion to last a century, without any enforcement mechanism. Are the Chinese really going to police a local coal plant efficiently?

This is perfectly designed to ensure cheating. Already, the Chinese government made a grandiose climate change announcement but then was forced to admit that its country was burning 17 percent more coal than it had previously disclosed. The cheating will create a cycle of resentment that will dissolve any sense of common purpose.

I countered by pointing out that policy makers have come up with some clever ways

to make carbon reductions more efficient, like cap and trade, permit trading and carbon taxing.

The former Treasury secretary pointed out that these ideas are good in theory but haven't worked in reality. Cap and trade has not worked out so well in Europe. Over all, the Europeans have spent $280 billion on climate change with very little measurable impact on global temperatures. And as for carbon taxes, even if the U.S. imposed one on itself, it would have virtually no effect on the global climate.

Hamilton steered me to an article by James Manzi and Peter Wehner in his favorite magazine, National Affairs. The authors point out that according to the United Nations Intergovernmental Panel on Climate Change, the expected economic costs of unaddressed global warming over the next century are likely to be about 3 percent of world gross domestic product. This is a big, gradual problem, but not the sort of cataclysmic immediate threat that's likely to lead people to suspend their immediate self-interest.

Well, I ventured, if you're skeptical about our own policies, Mr. Founding Father, what would you do?

Look at what you're already doing, he countered. The U.S. has the fastest rate of reduction of CO_2 emissions of any major nation on earth, back to pre-1996 levels.

That's in part because of fracking. Natural gas is replacing coal, and natural gas emits about half as much carbon dioxide.

The larger lesson is that innovation is the key. Green energy will beat dirty energy only when it makes technical and economic sense.

Hamilton reminded me that he often used government money to stoke innovation. Manzi and Wehner suggest that one of our great national science labs could work on geoengineering problems to remove CO_2 from the atmosphere. Another could investigate cogeneration and small-scale energy reduction systems. We could increase funding on battery and smart-grid research. If we move to mainly solar power, we'll need much more efficient national transmission methods. Maybe there's a partial answer in increased vegetation.

Hamilton pointed out that when America was just a bunch of scraggly colonies, he was already envisioning it as a great world power. He used government to incite, arouse, energize and stir up great enterprise. The global warming problem can be addressed, ineffectively, by global communiqués. Or, with the right government boost, it presents an opportunity to arouse and incite entrepreneurs, innovators and investors and foment a new technological revolution.

Sometimes like your country you got to be young, scrappy and hungry and not throw away your shot.

Mr. WHITEHOUSE. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

POLICY ISSUES AND APPROPRIATIONS BILLS

Mr. MORAN. Madam President, I rise to visit for a moment with my colleagues, both Republican and Democratic, about the ongoing debate we are having over the appropriateness of having policy issues debated and then decided in appropriations bills.

We are now at the stage in our legislative process in which it looks as if we are going to complete our work on the final spending bill for the fiscal year that ended a few months ago and that by December 11, when the continuing resolution concludes, we very well may have an appropriations bill that takes us into the new year completed.

There are some in the Senate who have argued that within this appropriations bill there is no place for policy riders, for provisions in that bill that direct in a more specific way how we spend money. I would say that is a terrible mistake on the part of Members of the Senate to reach that conclusion, and I would say it is wrong for our country. It is wrong based upon the Constitution of the United States that creates three coequal branches of government.

In the legislative branch, we know that our role is to legislate, to create the laws, to appropriate the money. There cannot be a distinction between legislating and appropriating money. They end up being the same thing. When we appropriate money, we are directing an administration to conduct itself according to that appropriations bill. Particularly in this case, we have a few Democrats who are arguing that there shouldn't be any policy riders included in that appropriations bill. I doubt that we would hear that from Democrats if this were a Republican President and a Democratic Congress. In my view, it ought not to be any different. Congress's role is to make decisions about how money is spent. For too long, Congress has given up the power of the purse strings.

This is a significant development in our constitutional history because in giving up the power of the purse strings, we authorize the executive branch—that branch of Government that is to execute the laws, to administer the laws—to have significantly more power. The American people and our Constitution are harmed when any Executive—this President, previous Presidents, future Presidents—exceeds the authority granted to them by the U.S. Constitution. Sometimes I think we end up supporting Presidential decisions that we agree with and oppose those, obviously, that we disagree with. But the reality is that if those decisions are unconstitutional, if they exceed the authority that Congress has granted an executive branch, they ought to be denied, regardless of whether we agree with those decisions or not. In other words, the Constitution should trump.

In my view, this Congress and many who preceded us have taken the opportunity to be in the back seat, granting authority or allowing Presidents to consume additional power well beyond the Constitution. I am here to encourage my colleagues—Republicans and Democrats—to reexert our constitutional grant of authority to legislate. We ought not to pay undue deference to an executive branch, whether the President is a Republican or a Democrat.

I would say that in the time I have been a Senator, in this first term of my term in office, we have seen an executive branch that has continued to increase its power and authority and exceeded, in my view, its constitutional grant of authority and in so many instances has exceeded the authority granted to them by a statute—a piece of legislation passed by the House, passed by the Senate, and sent to the President.

The President should only be able to do those things which are granted to him or her by the Constitution or by legislative enactment pursuant to the Constitution. That seemingly has been forgotten during the recent history of our country. Congress holds the power of the purse strings.

There are many of us—Republicans and Democrats—who would like to direct the executive branch in how money is spent. The appropriations bill ultimately will determine how much money is spent. But in addition to that, we have the ability to direct whether that spending can occur, shouldn't occur or how it should occur. I think all of you have heard me speak previously, and some of you may remember about a particular provision that I wanted included in the Interior and Environment appropriations bill related to the U.S. Fish and Wildlife Service—the designation of the lesser prairie chicken as a threatened species.

We have had this conversation. In fact, in a bipartisan way, that issue was voted on here on the Senate floor. It was approved, but the legislation it was attached to did not become law. Now the opportunity to instruct a Federal agency arises as we appropriate the money for them to operate. There are five States in the middle of the country—New Mexico, Texas, Colorado, Kansas, and Oklahoma—that have felt the consequences of a decision made by the U.S. Fish and Wildlife Service to list the lesser prairie chicken as a threatened species. The issue that is so troublesome to me is that those five States have come together to solve this problem on their own without the heavy hand of the Federal Government. Conservation practices were being put in place. The U.S. Department of Agriculture was providing technical and financial assistance for conservation efforts to landowners to provide the incentives to put voluntary conservation practices in place across those five States. In my view, the U.S. Fish and Wildlife Service only paid lip service to those conservation efforts. Their actions spoke louder than the words, and they listed the lesser prairie chicken as threatened.

This decision at that point in time didn't provide enough time for local

plans to prove their effectiveness, and the reality is the problem in our State and across that region of the country was that we didn't have moisture. We didn't have adequate snowfall. We don't have adequate rainfall. When you have little or no rain, you have little or no habitat. You can't solve that problem without moisture. Now the rains have returned. Over the last 2 years, just as you would predict and as common sense would tell us, if there is more rain, there is more habitat and there are more birds.

The most recent census of the lesser prairie chicken indicates that in the last 2 years, the population of that bird has increased by 50 percent. Again, common sense tells us if there is rain and if there is moisture, there is habitat and the birds return. As the rainfall has returned, the habitat is growing, and it is healthy again. Local surveys indicate what we would expect: The bird's population is again increasing.

Therefore, one might think it would be useful to take a second look at the listing. Despite our request of the U.S. Fish and Wildlife Service, they dismissed with little thought that as the species has returned, maybe it should no longer be listed. The opportunity that I and others have to rein in decisions that we believe are poorly made, lack common sense, and are unreasonable occurs in this appropriations process. My guess is that all of my colleagues have certain issues on which they want to direct a Federal agency about how to behave, what rules and regulations are appropriate, where we believe they have exceeded their authority or where they simply lack the common sense or sound science to have made an appropriate decision.

There are some who say you shouldn't legislate on an appropriations bill. An appropriations bill is a legislative effort, and it would be wrong for us not to take the opportunity to direct agencies on behalf of the American people, on behalf of the constituents—in my case of Kansas—who feel very strongly about this issue and have suffered the consequences of the listing of the lesser prairie chicken by the U.S. Fish and Wildlife Service.

Despite the practical reasons that this listing should be reversed, the agency is not listening, and we ought to take the opportunity to direct their behavior in a legislative way. Whether or not an amendment is approved is decided here in the Senate by a majority vote. I would tell you that in the case of this issue, the amendment was offered in the Appropriations Committee. It is included in the Interior appropriations bill. The House has adopted similar language in their appropriations bill. So for those who say this is inappropriate, this is the legislative process as it should be. This is the Senators and the Members of the House of Representatives speaking on behalf of their constituents in a very constitutional and appropriate way.

It is important for us to utilize our authority as Members of Congress to make decisions that benefit our country as we see best, and we ought to work together to accomplish that. There will be riders—provisions that are offered that are included in an appropriations bill—that I will disagree with, but the appropriations process ought to work. As a member of the Appropriations Committee and as a Member of the Senate, I want to see us get back to the days in which the power of the legislative branch is able to be utilized and we make certain that we make decisions on how we spend the money.

I appreciate the opportunity to be on the Senate floor today to speak as we move next week toward the appropriations bill and its conclusion. I wish to say that in a bipartisan way, we ought to work together to find opportunities to solve the problems that our constituents and Americans face. The legislative process is a way that we can do that. It is not inappropriate. In fact, it is the constitutional response to an abuse of power in an executive branch. Whether it is a Republican executive branch or a Democratic executive branch, we ought to work together as Members of Congress in utilizing our constitutional authority to make appropriate decisions for the American people.

EXTENSION OF MORNING BUSINESS

Mr. MORAN. Madam President, I ask unanimous consent that morning business be extended until 6 p.m. today, with Senators permitted to speak for up to 10 minutes each.

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

Mr. MORAN. Madam President, I yield the floor to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah.

HIGHWAY BILL

Mr. HATCH. Madam President, throughout my time as ranking member and now chairman of the Senate Finance Committee, finding money for surface transportation infrastructure has been a persistent and seemingly intractable problem. Even as we went into this year with a new Republican majority in the Senate, none of us could have imagined that we could find a way to provide 5 years of solvency and stability for the highway trust fund. Yet, with today's announcement of the completed conference report, that is precisely where we are right now.

The conference report for the Fixing America's Surface Transportation Act will hopefully be enacted within a few days' time. As the very first member of the conference committee to sign the report, I want to briefly talk about the process by which the legislation came about and how we got to where we are now.

Immediately before the Memorial Day recess, there was an unsuccessful attempt to put together a package to possibly get the highway trust fund through the rest of 2016. The agonizing difficulty we faced at that time in dragging ourselves through another 18 months gave us a desire to think bigger than we had before. This is why I was determined to help find a way out of the cycle of short-term infrastructure bills and why I believed it was necessary for us to think outside of the proverbial box and look everywhere for potential offsets.

Generally, the Finance Committee is responsible for the financing title of any highway bill that goes through the Senate. Usually, we do our best to work within our committee's jurisdiction to identify offsets. However, because those resources have been quickly drying up, we had to look elsewhere for this package.

After the committee spent weeks examining numerous options and alternatives, I was able to present our distinguished majority leader with a list of offsets that, while not necessarily ideal, would allow us to put together a long-term highway bill without raising taxes or increasing the deficit.

I am very pleased with the work we were able to do there as that list of offsets formed the basis of the funding for the long-term deal we will likely be voting on in short order. As we continued on, by the end of July, the Senate had managed to pass a bipartisan infrastructure bill with 3 years of solvency, funding, and certainty for the highway trust fund. Though we were required to enact another short-term extension before the August recess, momentum had begun to build in both Chambers for a long-term highway bill.

Common practice on highways over the past few years has been to enact short-term extensions and then go and complain about the dysfunction in Congress before moving on to the next order of business. The offset package produced by the Senate showed that we could do things differently and, for the first time in almost two decades, a long-term transportation bill was actually possible.

After the August recess, the House began working off of the Senate bill as a template for their own legislation. After they passed a remarkably similar bill in November, the conference committee came together to produce the legislation announced today.

While I am not one who likes to count chickens before they have been hatched—no pun intended—I am optimistic that the bill will pass with a

strong bipartisan vote. Putting these offsets for this long-term bill together has truly been a group effort. As I mentioned, we searched far and wide for offsets that required a number of chairmen and committees to work together. I commend my colleagues for their efforts and their willingness to do so and their willingness to do what it took to make the endeavor successful.

I especially want to thank Senator THUNE and the commerce committee, who assisted these efforts by providing for the transfer of certain motor vehicle safety penalties to the highway trust fund. I also appreciate the work done by the House Financial Services Committee and Congressman RANDY NEUGEBAUER, chairman of the Subcommittee on Financial Institutions and Consumer Credit. He was able to identify a new and important offset for the infrastructure bill, a feat which few have been capable of. While, as is often the case around here, some are very quick to throw out criticisms of individual offsets and were less willing to offer suggestions for suitable alternatives, Congressman NEUGEBAUER, in response to concerns about an item in the original offset package, came forward to produce a viable and scorable alternative that was able to garner bipartisan support and ultimately broaden the overall support for this long-term deal.

Back in July, when the Senate first proposed a long-term bill, many said we couldn't do it without raising taxes. When we passed our first bill, these same people claimed that it stood no chance of passage in the House. Now, just a few months later, both Chambers are a few days away from considering the conference report built upon the foundation laid by that same Senate bill.

This legislation provides a longer extension than the vaunted SAFETEA-LU extension, which many had long viewed as a model for a multiyear highway bill. In fact, you would need to go back at least to the late 1990s—actually, to the early 1990s—to find a highway reauthorization of comparable duration.

As I said, this major bicameral success was unthinkable a few months ago.

While I do acknowledge that we still face the problem of outlays from the highway trust fund outpacing the dedicated revenues, this bill will give us a much needed 5-year break from the deadlines and cliffs that all too often dictate how we deal with the highway trust fund. It is, quite simply, a great example of what we can do when we work together.

I would like to briefly note that these types of victories for good government have been piling up all year under the current Senate majority.

We do need to start thinking now about more permanent solutions on highways, but once we pass this bill, we will be in a better position than at any time in nearly two decades to do so. That, as they say, is nothing to sneeze at.

Before I conclude, I wish to pay tribute to Chairman INHOFE, Chairman SHUSTER, and BARBARA BOXER and her Democratic counterpart in the House, who led a conference committee that was able to sift through various issues and put together a very complex piece of legislation in a matter of just a few weeks. These two chairmen deserve a lot of credit for their efforts, as do all the Members who took part in the conference.

Today Congress is making headway to implementing the longest highway reauthorization bill in more than 15 years. We have heard time and again that a long-term highway bill would only be possible if we included a big tax increase. Yet we have been able to defy the odds and provide much needed funding for America's bridges, highways, and roads for the next 5 years. This marks a watershed moment for our transportation community, which will now have the security and stability they need to plan, implement, and complete critical infrastructure projects.

Of course, while we have crossed a major hurdle today, our job is not yet over. There is still one more vote to go, and I am confident we will get there.

I look forward to continuing to work with my colleagues on both sides of the aisle to complete our work and ensure that a strong multiyear highway bill is signed into law this year. I look forward to working with all of my colleagues for whatever challenges lie ahead.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Oklahoma.

GOVERNMENT SPENDING

Mr. LANKFORD. Mr. President, when you are home and the television is on, the phone starts to ring, your dog is at the back door barking, and the kids need help doing their homework, occasionally you can forget that dinner is on the stove, but if you forget about it too long, your house will catch on fire, and that is going to be a problem. You can get distracted by a lot of things and suddenly miss out on something that is very important.

Our Nation is dealing with a lot of issues right now, such as terrorism, immigration, banking issues, our economy, education, transportation, and I do have a concern that we have forgotten this year we still have $450 billion in deficit and a total debt of $19 trillion hanging over our heads.

If we were in any State in America and faced with that, the legislative branch would work, make hard decisions, and then balance their budget. Every single State, at the end of the legislative session, comes to a balanced budget, but we don't. We just overspend, and it has happened consecutively so many times now, our debt has built up to $19 trillion. I don't have an easy way to articulate $19 trillion of debt, but let me give you a picture of that. Earlier this year we passed a 10-year budget plan that would get rid of our $450 billion of deficit and would slowly work down, within 10 years, back to a balance. Good.

Let's do a hypothetical. Let's say we finish out that path, and we have to get back to a balance within 10 years, and then in year 11 we do very well and we have a $50 billion surplus. It is a good surplus. Here is my question: How many years in a row would we have to have that $50 billion surplus before we paid off our debt? If you are doing the math in your head, the correct answer is 460 years in a row. If we had a $50 billion surplus for 460 years in a row, we could pay off our debt. That is not going to happen, is it? We are in a bad spot, and my fear is that we are distracted and we are not focusing on something that will come back and bite us.

What do we do about that? I ask if we can do the first thing: Can we at least agree that this is a problem and that we should actually work to balance our budget? At least have that as the common ground that we can agree on in this body and say we need to get back to a balanced budget, and then we need to begin to pay this down and start that process—to approach this issue in a way that I think can develop real solutions. We need to find common-ground areas, but first we need to begin with that one simple principle.

Our office has come up with a list which we affectionally call the Federal Fumbles List—100 ways the Federal Government has dropped the ball. We are identifying areas of waste, duplication, and, quite frankly, regulations that are well outside the purview of the Federal Government, many of which slow down the economy and drive up the costs to consumers.

These Federal fumbles are not an exhaustive list. This is not everything; This is just our list. We took some from multiple agencies and entities. As we pulled this list together, we encouraged this. This is our to-do list. We encourage other offices to start their to-do list so at least we can have a common-ground sense of, let's get back to a balance and work together to identify something within our own office to find out ways we can deal with some simple things, such as, how are we wasting taxpayer dollars? What programs are ripe with fraud? What duplication and inefficiency is out there? Where are we overregulating, which in turn raises the costs of goods and services for consumers? And how does the

government actually have processes in place that deceive taxpayers and add debt to their families?

When we walked through this, we had a common agreement on our team: We are not just going to identify problems; we are going to actually work together to find a solution. Our issues and conversations have been simple. If I am back home in Oklahoma, I can sit in the coffeehouse with other folks eating breakfast and talk about all the problems, but when I get back in this room, we can't just complain about the issues, we have to fix those issues. That is our job. We spend a tremendous amount of time just complaining about the issues as if fixing it comes from somewhere else.

So we take all 100 of these issues and say: Here is the problem, and here is the solution we have proposed. If people have different ideas and different solutions, bring them, but let's at least agree that these things should be resolved. Some of them are small, some of them are large, but we simply asked the question: How do we fix this?

I have several things to say on that issue. One is that we have to fix our budgeting process and the way we make decisions about it.

We have these cute little terms in our budgeting process, such as CHIMPS, changes in mandatory programs. It is a cute term, but the problem is that adds $11 billion to the debt every year and everyone just pretends that it is not there, that it is not real.

There is a fund called the Crime Victims Fund. This fund is supposed to go directly to what it says—to crime victims—but it is actually not used for crime victims.

Eleven billion dollars each year—in fact, this is the same $11 billion that is used each year as an offset for additional spending, but the money never actually moves out of that account, it just stays there. We pretend we are going to spend it and then actually spend it somewhere else and then the next year do the same thing again. It is deceptive. We have to stop that. That adds deficit and debt onto families by a deceptive tactic.

We have a thing called the corporate payment shift. This one is fun as well. The corporate payment shift assumes that money is going to come in or be spent, and we have a 10-year budgeting window and move it in the very last month to year 10 plus 1 month. We move it just slightly out of the budget window, but we say we are going to spend it and actually go ahead and spend it anyway. If we had a budget that was 10 years and 1 month, it would be out of balance, but if we put that little corporate payment shift in there, it looks fine on paper, but in reality it doesn't work. So we identify that as one of the fumbles that we have as a government. It is something that we obviously have to fix. Basic oversight will help that, but it is also this body making a decision on how we are going to budget it.

We also walked through a lot of areas where we just identified things that the Federal Government spends money on that we thought were rather unique to spend money on and we thought may need some oversight.

How about a $43 million natural gas filling station built in Afghanistan? It cost $43 million for one natural gas filling station. Now that that station is in place, it is not being used at all and it is a $43 million waste.

How about the Academy Awards. It is a pretty ritzy event. The Academy Awards are choosing to build a $250 million museum, and the Federal taxpayers are kicking in $25,000 to that museum. Why in the world are we kicking in $25,000? Did we believe at some point that they couldn't raise the last $25,000, and so we had to kick in a Federal connection to it? I would disagree.

One of my favorites is the fact that we just spent almost $50,000 to study the history of tobacco use in Russia. I am still looking for the national security implications of why we just spent $50,000 to study cigarette use in Russia.

The National Park Service spent $65,000 doing a study on what happens to bugs when you turn on a light in dark areas. I can tell anyone in this Chamber what bugs do if you turn on a light in a rural area. They fly at the light. But we spent $65,000 trying to investigate that.

The VA in Arkansas installed solar panels to show that they have green energy in this area. Many VA centers around the country are doing this project. The particular one in Arkansas put them on in the wrong spot, relocated them, and spent $8 million in total just for the installation for their solar panels. Any guess on how long those solar panels will have to run continuously to before they pay off the cost of installation? They will have to run continuously for 40 years just to pay for the cost of installation. That is not green energy, that is just waste.

How about a challenge like this. The Social Security Administration—the definition for Social Security disability is that you cannot work in any job in the economy. You are only eligible for Social Security disability if you cannot work in any job in the economy. But there are individuals who receive both Social Security disability, which by definition means you cannot work, and unemployment insurance, which by definition means you are looking for a job. You should not be able to get unemployment insurance and Social Security disability insurance at the same time. They violate the definitions between the two. Even the President of the United States agrees with that. Yet we have not been able to get that done. That is a fumble.

As American taxpayers, we spent $374,000 studying the dating habits of senior adults. Can someone help me understand what the national security implications are for that and why we spent $374,000 studying the dating habits of senior adults?

We also created what is called the Ambassador Slush Fund.

The Ambassador's Cultural Fund from the State Department, $5 million—almost $6 million—is designed to be able to help us give away money to do construction in other areas.

We have done projects like building a welcome grotto into a Buddhist temple in China, which I find the ultimate irony. If any church in America said we wanted to be able to add on a welcome center onto our church, we would forbid the use of taxpayer dollars for that, but in China we literally borrowed money from them, gave it to our State Department so they could build a welcome grotto into a Buddhist temple back in China. I am not sure that is a great idea.

The State Department also has a Twitter account called ThinkAgainTurnAway. It is to discourage people from joining the jihadi movement. Any guess on how much Americans spend for a Twitter account? For that one Twitter account with 23,000 followers, we spent $5 million—$5 million to maintain a Twitter account. I am very confident there are multiple teenagers at home who could help us run that for a lot less than the price.

Mr. President, I ask unanimous consent to extend my remarks for a couple more moments.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LANKFORD. Let me mention just a couple more.

I have a real concern that our Social Security Administration is not sharing what is called the death master file. That may seem like a macabre comment, but what happens is, if we don't share the death master file, then we literally don't know in other agencies when to be able to pull a Social Security number off the record. The Social Security Administration recognizes that someone has passed away, but the IRS doesn't, so that is still a live Social Security number to them, meaning someone could get that Social Security number, file, get a work permit, even register and vote—all sorts of things can be done—under that number.

We have 6.5 million people, according to our government, who are over 112 years old—6.5 million people. That is quite a few. Actually, in the world, there are less than 100, but according to our government we have 6.5 million and those numbers are being abused.

I can't even get into multiple issues, but let me just mention one more on this list of waste. We identified what

many Americans already know. Social Security numbers are being stolen and used to file fraudulent tax forms. Many Americans in the coming months will file their taxes only to get notification from the IRS that someone has already filed under this number. It is infuriating to them, and it is billions of dollars of loss to the Federal taxpayer. The IRS knows how to fix this. We list out the solutions. We have to actually implement the fixes. We have to be able to protect the taxpayer and to protect individuals from identify theft. That is a fumble, but it is fixable and we need to do it.

I haven't even gotten into some simple things such as school lunches—ask any teenager what they think of school lunches at this point with the new regulations—or waters of the United States and how even the Corps of Engineers doesn't want to implement the new EPA rule. The fiduciary standard is causing chaos among retirees and individuals wanting to get retirement advice or rural banks in how they want to be able to give out loans for mortgages but can't in many rural areas of America.

There are solutions to these problems, and it is our responsibility to be able to work through the process to solve them. With $450 billion in deficit spending and an economy that continues to slow down, this body needs to determine what our job is and do it. It would be my encouragement in the days ahead that we actually achieve that; that in the days ahead we speak of what we have solved for the American people rather than pretending, as we are eating breakfast back home with some friends who are complaining about the problems. It is time for us to fix the problems.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

PARIS CLIMATE CHANGE CONFERENCE

Mr. WICKER. Mr. President, policymakers from all over the world will be meeting in Paris this week and next to address the issue of climate change. With much fanfare, they will purport to reach an agreement that will prevent the Earth's ''average global air temperature'' from rising more than 2 degrees Celsius. This 2-degree limit will supposedly mean success for the conference in Paris and success in the battle against global warming, thus preventing catastrophic events from occurring.

So I come to the floor to call attention to several news articles pointing out problems with this approach, with this 2-degree Celsius approach. The first is a front-page story from yesterday's Wall Street Journal. I hold it in my hand. It is titled ''Climate Experts Question Temperature Benchmark.'' This is not an opinion piece, it is a news article. The article points out that the 2-degree target is both arbitrary and based on questionable research.

The article quotes Mark Maslin, professor of climatology at the University College London, saying:

> It emerged from a political agenda, not a scientific analysis. It's not a sensible, rational target.

The article goes on to say that despite assumptions by policymakers, the 2-degree target does not express ''a solid scientific view.'' Indeed, no report by the U.N. Intergovernmental Panel on Climate Change even mentions the 2-degree limit.

Economics Professor William Nordhaus appears to have been the first to use the 2-degree figure. The article notes that his work ''argued that a rise of two or more degrees would put the earth's climate outside the observable range of temperature over the last several hundred thousand years.'' I ask my colleagues how did they measure air temperature 100,000 years ago, 200,000 years ago, as Professor Nordhaus appears to have been concerned about. I would also point out to my colleagues that being outside the observable range is far different than being catastrophic. It is not the same thing, but from that has evolved the 2-degree model.

This is not the first time the model has been criticized. In October of last year, David Victor and Charles Kennel wrote about it in the journal Nature. Victor is a professor of international relations at the University of California San Diego and Kennel is a professor at the Scripps Institution of Oceanography in La Jolla, CA.

Yesterday I got this article from the journal Nature and read it myself. In their piece, Professors Victor and Kennel wrote:

> Politically and scientifically, the 2 degree Celsius goal is wrong-headed. . . . It has allowed some governments to pretend that they are taking serious action to mitigate global warming, when in reality they have achieved almost nothing.

This is one of the things I worry about. This is one of the things I fear from the Paris conference. The United States will agree to do a lot, costing job growth here, and other countries will do almost nothing, as the professors say.

Victor and Kennel say that the 2009 and 2010 U.S. conferences in Copenhagen and Cancun officially adopted this approach. They then conclude: ''There was little scientific basis for the 2 degrees Celsius figure that was adopted.''

Additionally, in an op-ed last month for the Wall Street Journal, environmentalist Bjorn Lomborg cites his own peer-reviewed study to show how the most high-flown promises in Paris will fail to make any substantial impact on climate change.

Even if every country fulfills every promise made in Paris over the next decade and a half, according to Dr. Lomborg, the growth of global temperatures would be reduced by less than .05 degrees Celsius, or five-hundredths of a degree Celsius—by the end of the century, the year 2100. So is it 2 degrees or is it less than five-hundredths of a degree? And is 2 degrees sensible and rational? Not according to Professors Maslin, Victor, Kennel, and certainly not according to Dr. Lomborg.

One more quote from Professors Victor and Kennel. They point out one of the major problems in the 2-degree Celsius approach: ''Failure to set scientifically meaningful goals makes it hard for scientists and politicians to explain how big investments in climate production will deliver tangible results.''

Yes, what are the tangible results? What can we expect in tangible results from the agreements that will certainly come out of Paris? We will be $3 billion poorer, that is for certain, because the President has pledged $3 billion from taxpayers for the Green Climate Fund. I would point out that $3 billion could be used for Alzheimer's research or malaria or malnutrition or any number of the other problems the people of the world see as more important than climate change.

Tangible results coming out of Paris: Electricity bills will be higher. Lower income Americans will be colder in their own homes, our economy will have suffered, and job growth will have been slowed, perhaps by as much as $154 billion a year. That figure comes from Stanford University analysts who say that if we adopt the Obama administration's proposal of cutting domestic carbon dioxide emissions by as much as 28 percent, GDP will be reduced by $154 billion per year.

If we spend all of this money, trim our GDP by $154 billion a year, and actually achieve this impractical 2 degrees Celsius, where will humankind be then? How much will the sea level not rise? No one can say. How much thicker will the icecap be in the Arctic or Antarctic? No one knows. How many coral reefs will be preserved? No one will even venture a guess. All of this to be done, all of this money to be spent, and experts cannot say how much it will help, if at all.

Dr. Lomborg writes that the Paris agreements are ''likely to see countries that have flourished with capitalism willingly compromising their future prosperity in the name of climate change.'' Negotiators in Paris should weigh the real-world costs against the negligible environmental impact when discussing emissions reductions.

Finally, the Obama administration's international promises should come back to the Senate for advice and consent of Congress. Under the Constitution, the approval by two-thirds in the

Senate is needed to enter into a legally binding treaty. I join many of my colleagues in urging the President to submit to Congress any agreement in Paris with regard to U.S. emissions targets and timetables or pledges that appropriate taxpayer dollars.

Americans should have a say in the approval process. A recent FOX News poll showed that only 3 percent of Americans believe that climate change is the most important issue facing our country.

In conclusion, the President's promises in Paris are not based on scientific analysis, according to these professors, but would certainly slow the economy, cost jobs, cost billions of dollars, divert money from real and pressing needs, and be of limited value. With so much at stake, these policies should come back to Congress for debate, consultation, and approval or disapproval.

Thank you, Mr. President.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. WYDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent that I follow Senator GRASSLEY after he has completed his remarks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

OBAMACARE

Mr. GRASSLEY. Mr. President, I come to the floor because we are discussing ObamaCare on the reconciliation bill. Webster's dictionary defines the word ''success'' as the correct or desired result of an attempt. So I want to discuss the definition of the word ''success'' as we consider repeal of ObamaCare.

On the day the bill was signed into law, President Obama said the following:

> Today we are affirming that essential truth, a truth every generation is called to rediscover for itself, that we are not a nation that scales back its aspirations.

Such grand words for where we are today with ObamaCare. Today the success of the law that now bears his name, ObamaCare, is defined in much more meager terms. Think of all we have been through to this point: the fight over the bill and the extreme legislative means used to pass it through the Congress; the Supreme Court decision that effectively repealed half of the law's coverage. Think of all the changes made to the law through regulation to make sure ObamaCare actually got launched—the postponing of the employer mandate, the postponing of lifetime limits. Think of the impact this law has had on our economy—people losing jobs, people losing the health insurance they currently have because if you like what you have, you may not be able to keep it.

Let's talk about that for a moment. ''If you like what you have, you can keep it.'' This was the promise the President made to the American people on at least 36 separate occasions. It is a great sound bite. It is easy to say. It rolls off the tongue. It is also not true. It was never true. It obviously was not true when the law was written. It was obviously not true when the first proposed regulation came out.

This is what I said on the Senate floor in September of 2010:

> Only in the District of Columbia could you get away with telling the people ''if you like what you have, you can keep it,'' and then pass regulations 6 months later that do just the opposite, and figure that people are going to ignore it.

It is not that I have some magic crystal ball. We all knew it. The administration certainly knew the day would come when millions of people would receive cancellation notices. My constituents clearly know that. I heard from many Iowans who found out the hard way that the President made a bunch of pie-in-the-sky promises that he knew he couldn't keep; constituents such as this one from Perry, IA, who wrote to me saying:

> My husband and I are farmers. For nine years now we have bought our own policy. To keep the cost affordable our plan is a major medical plan with a very high deductible. We recently received a letter that our plan was going away. Effective January 1, 2014, it will be updated to comply with the mandates of ObamaCare.
>
> To manage the risks of much higher premiums, our insurance company is asking us to cancel our current policy and sign on at a higher rate effective December 31, 2013 or we could go to the government exchange.
>
> We did not get to keep our current policy. We did not get to keep our lower rates. I now have to pay for coverage that I do not want or will never use. We are not low income that might qualify for assistance.
>
> We are the small business owner that is trying to live the American dream. I do not believe in large government that wants to run my life.

From a constituent living in Mason City:

> My wife and I are both 60 years old, and have been covered by an excellent Wellmark Blue Cross Blue Shield policy for several years. It is not through my employer. We selected the plan because it had the features we wanted and needed . . . our choice. And because we are healthy, we have a preferred premium rate.
>
> Yesterday, we got a call from our agent explaining that since our plan is not grandfathered, it will need to be replaced by the end of 2014. The current plan has a $5,000 deductible and the premium is $511 a month. The best option going forward for us from Wellmark would cost $955 per month (a modest 87 percent increase), and have a $10,000 deductible. And because we have been diligent and responsible in saving for our upcoming retirement, we do not qualify for any taxpayer-funded subsidies.

These are just two of many letters, emails, and phone calls I have received from Iowans.

Now the issue has turned to cost. Millions of people face rising premiums. The impact is real and undeniable.

Here is another from a constituent from Des Moines:

> In 2013, I encountered some medical problems which caused me to retire early. My spouse works as an adjunct instructor . . . thus not qualifying for coverage. In 2014, with 4 part-time jobs between us, we made $44,289 in Adjusted Gross Income.
>
> Our Obamacare insurance cost $968 per month and after credits, we paid $478 per month or approximately 13 percent of our Adjusted Gross Income. In 2015, our Adjusted Gross Income will be approximately the same, however our Obamacare insurance jumped to a premium of $1,028.82 and our cost to $590.12.
>
> The insurance company touted that premiums went up less than 10 percent, but as you can see, my costs went up 23 percent. The impact to Adjusted Gross Income went to 16 percent, a 23 percent increase. I just received my 2016 premium estimate. Our Adjusted Gross Income is likely to be the same. Our gross premium is scheduled to rise 36 percent to nearly $1,400; our cost after the credit is jumping 63 percent and the impact to our Adjusted Gross Income is that 25 percent of our income will be spent on health insurance (a 56 percent increase).

Thousands of Iowans have contacted me asking what can be done. Now that we clearly see that what the President sold the American people was a bag of Washington's best gift-wrapped hot air. All the grandiose talk about the importance of this statute, and what we ultimately have is an optional Medicaid expansion with a glorified high-risk pool and a government portal that makes DMV look efficient.

Finally, I would be remiss if I didn't mention the co-op disaster. The first co-op to fall was Iowa's CoOportunity. CoOportunity enrolled the second most beneficiaries of any co-op in America. CoOportunity knew they were in trouble because they enrolled more than 100,000 people when they were planning for less than 20,000. CoOportunity was in contact with CMS and so was the State of Iowa. CMS chose not to further fund CoOportunity and CoOportunity has since been liquidated. American taxpayers have billions of dollars invested in these co-ops. The taxpayer only gets their money back when co-ops succeed. CMS's stewardship of this program has proven that CoOportunity was not an exception but unfortunately the rule as more and more co-ops have failed.

Americans deserve better. They voted for better. It is time to admit that ObamaCare has not achieved the correct or desired result of an attempt. It has not been a success by any measure, unless, of course, you lower your standard to the point that the mere act of keeping the doors open is a success. How sad is that for all we have been through.

Maybe, just maybe, it is time to admit that the massive restructuring has failed. Partisanship has failed. Perhaps it is time to sit down and consider

commonsense, bipartisan steps that we could take to lower the cost and improve quality. Perhaps we could enact alternative reforms aimed at solving America's biggest health care problems, reforms like revising the Tax Code to help individuals who buy their own health insurance, allowing people to purchase health coverage across State lines and form risk pools in the individual market, expanding tax-free health savings accounts, making health care price and quality information more transparent, cracking down on frivolous medical malpractice lawsuits, using high-risk pools to insure folks with preexisting conditions, giving States more freedom to improve Medicaid, and using provider competition and consumer choice to bring down costs in Medicare and throughout the health care delivery system.

The American people need to know that this failed program is not the only answer and we are not scaling back our aspirations. With this vote this week, we once again demonstrate to the American people our willingness to not accept failure and to aim for better. That is what America is all about.

I yield the floor.

EXTENSION OF MORNING BUSINESS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that morning business be extended until 7 p.m., with Senators permitted to speak for up to 10 minutes each.

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

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

RECONCILIATION LEGISLATION

Mr. WYDEN. Mr. President, with so many issues to wrap up before the end of this year and so many enormous challenges facing our country, my view is the Senate ought to be embracing bipartisanship at every turn. In fact, earlier today the senior Senator from Iowa and I released an 18-month bipartisan inquiry into Solvaldi, which is the blockbuster drug to deal with hepatitis C, and the reason we did is because these specialty drugs are the drugs of the future for cancer, Alzheimer's, diabetes, and defeating hepatitis C if people can afford them. Using the company's own documents, there were real questions about whether access and affordability were just kind of an oversight because all they truly cared about was maximizing revenue. A Republican, a senior Member of this body, a good friend of mine, and I as a Democrat came together because we thought this question of making sure the public can get access to breakthrough cures and that they be affordable was something that would require bipartisan effort. I am very proud that the senior Senator from Iowa and I joined in that effort earlier today.

We ought to be embracing bipartisanship. I come tonight to unfortunately talk about this reconciliation legislation because I think it is the antithesis of what Chairman GRASSLEY and I sought to do earlier today, which was to take a bipartisan approach. The reconciliation legislation in my view is a rejection of bipartisanship. It is a rejection of bipartisanship because it would, for example, undermine women's health, it would mean millions more Americans go without insurance, and it puts at risk our ability to have affordable health insurance premiums. I think it is going to drive up these health insurance premiums.

So I am going to just spend a few minutes tonight talking about why I object to this legislation and again why it really is the antithesis of the kind of bipartisanship that we need.

My first concern is that the Senate is looking once again at a plan that would wreak havoc on women's health in our country by denying the funding for Planned Parenthood. It is important to recognize the horrific act of gun violence that happened at a Colorado Planned Parenthood clinic last week. It was another in a long stream of tragedies that have taken place across the Nation, including one in my home State in Roseburg, OR, in October. This time it marked an attack on the public and women's health.

Millions of women have sought routine, medical care in Planned Parenthood clinics just like the one in Colorado. More than 70,000 Oregonians are served by the 11 Planned Parenthood centers in my home State.

The bottom line is that Planned Parenthood is a bedrock institution for women's health care in America. In my view it is wrong to bring such a misguided, controversial proposal before this body in the wake of the horrible, tragic events in Colorado.

These are the services Planned Parenthood offers that would be at risk of disappearing with this reconciliation proposal: pregnancy tests, birth control, prenatal services, HIV tests, cancer screenings, vaccinations, testing and treatment for sexually transmitted infections, basic physical examinations, treatment for chronic conditions, pediatric care, adoption referrals, nutrition programs, and more.

This seems to be the latest offering in what amounts to an ongoing, coordinated campaign to regrettably undermine the fundamental rights of all women in our country to make their own reproductive choices and attain affordable, high-quality health care. When you wipe out Planned Parenthood's funding, you dramatically and painfully reduce women's access to services that have absolutely nothing to do with abortion. And I want to repeat that; I have done that on this floor before. What I have talked about are all those important services: cancer screenings, gone; vaccinations, gone; basic physical exams, gone; treatment for chronic conditions, gone; pediatric care, gone. The list goes on and on and has absolutely nothing to do with abortion. So I hope that this campaign against women's health will come to an end.

The second objection I want to touch on tonight is the harm the bill threatens to do to millions of vulnerable Americans by repealing as much of the Affordable Care Act, frankly, as Senate procedure would allow. Based on the reports of the bill's contents, this is what is at stake. According to the nonpartisan experts at the Congressional Budget Office, this proposal would mean 14 million more Americans would go without health insurance. For people who shop for their own private insurance coverage, premiums would increase by 20 percent. That is potentially hundreds or thousands of dollars taken out of families' pockets. Emergency rooms would once again be the fallback for people without a doctor. Typical Americans with insurance would once again have to pay the hidden tax of higher premiums to cover the costs of those without coverage.

There have been more than 50 votes to repeal or undermine the Affordable Care Act, and there is still no viable plan to replace it. As a Member of Congress, you can object to a law and want to make changes, but America cannot and will not go back to the days when health care was reserved for the healthy and the wealthy. That is what this plan does.

Before I came to Congress, I was co-director of the senior citizens group, the Gray Panthers, and I remember what health care was like in those days. In effect, the system truly did work for people who were healthy and wealthy. If you were healthy, you didn't have any preconditions. You didn't have any of these pre-existing conditions. If you were wealthy, you could just pay the bill, but it was care that worked for the healthy and the wealthy.

Yet with the Affordable Care Act, that changed. Unfortunately, what this destructive reconciliation bill would do would be to take us back to those days when health care was reserved for the healthy and the wealthy.

The fact is, despite raising costs for families, causing turmoil in insurance markets, and raising the number of uninsured Americans by 14 million, this bill doesn't even manage to repeal the Affordable Care Act fully. That is because of the reconciliation process, because of the way it works, which brings me to the final issue I wish to raise today.

Reconciliation is a sharp departure from the usual procedure for Senate debate. Usually bills being considered on

the Senate floor are subject to an unlimited debate and unlimited amendment. Further, it typically takes 60 votes to pass a bill, assuring that there is at least some measure of bipartisan support. These regular-order procedures give the Senate its unique character. The reconciliation procedure is an exception to this usual approach. Reconciliation imposes tight limits on debate and on amendments, and it allows a vote of a bare majority of Senators—51—to pass a bill. The reconciliation procedure originally was created to facilitate the passage of budget-related bills which can be particularly important and particularly hard to pass. But reconciliation shouldn't be a free pass that allows the majority to pass anything it wants on a fast track. That would undermine the fundamental character of the Senate.

I am concerned that the reconciliation process is being misused here. Everybody in the Chamber knows what is happening. This bill is not designed to address budget-related issues; it is all about repealing the Affordable Care Act to the maximum extent possible. Repeatedly, the bill's advocates have proposed to repeal ObamaCare—to dismantle ObamaCare.

A few weeks ago, the Parliamentarian advised that the reconciliation process could not be used to repeal the individual and employer mandates. The Parliamentarian said that would violate what is known as the Byrd rule against extraneous amendments because the budgetary effects of the provision would be dwarfed by the health policy effects.

In response, the majority has proposed to formally retain the mandates but to completely repeal the penalties enforcing them. That is not a straightforward way to legislate. It is a very cynical approach, and that is not this Senate at its best.

The complete elimination of all penalties is tantamount to repeal of the mandates. A mandate without an enforcement system is not a legal requirement; it is a mere recommendation. It is like having speed limits but not fines for violating. By deleting the penalties, the proposal fundamentally alters the character and operation of the law.

Finally, I think this would set a very dangerous precedent for this body. These penalties can be eliminated in a reconciliation bill. The door is going to be open to all kinds of proposals to strip away penalties in a future reconciliation bill. For example, you could keep an environmental law on the books, but you could just say: Let's strip away the penalties for violating. That would allow a majority to fundamentally undermine a nonbudgetary law in a reconciliation bill.

I have enormous respect for the Parliamentarian and her staff. They work diligently to serve the Senate, and they have to make some tough calls. I will say that this one leaves me disappointed and perplexed.

With so many issues—as I touched on earlier—I would hope that the Senate would spend more time doing what Chairman GRASSLEY and I did somewhere in the vicinity of 9 hours or 10 hours ago. We said there was an important issue. It happened to be a health care issue as well—prescription drugs. We spent 18 months with our very dedicated staffs, Democrats and Republicans working together, to try to find some common ground. It is a hugely important issue, important to the people of Colorado, Oregon, and everywhere else. In effect, we said it was important because it was about the future. The drugs of the future are going to be specialty drugs, exciting drugs with the opportunity for real cures. People are going to have to be able to afford them, and using the companies' own documents, this morning Chairman GRASSLEY and I pointed out how affordability and accessibility weren't actually the issue; the issue was maximizing revenue.

But most important—whether you agree with the two of us or not—it was bipartisan. It was Democrats and Republicans coming together on a hugely important issue.

This reconciliation proposal we will deal with on the floor of this Senate is a rejection of the kind of bipartisanship that I was part of something like 8 hours or 10 hours ago. It is part of what I believe the Senate is all about—what the Senate is at its best—as an institution that functions in a bipartisan way. That is why I felt compelled to come to the floor tonight and lay out my concerns about a very troubling precedent, and that is the one that is being set with the reconciliation bill.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 299, H.R. 3762.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION ACT OF 2015

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 299, H.R. 3762, a bill to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

The PRESIDING OFFICER. The motion is not debatable.

The question occurs on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the bill.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

AMENDMENT NO. 2874

Mr. MCCONNELL. Mr. President, I send a substitute amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2874.

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

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

The amendment is as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

TITLE I—FINANCE

SEC. 101. FEDERAL PAYMENT TO STATES.

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term ''prohibited entity'' means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded $350,000,000.

(2) DIRECT SPENDING.—The term ''direct spending'' has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

SEC. 102. INDIVIDUAL MANDATE.

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B) by striking clauses (ii) and (iii) and inserting the following:

''(ii) Zero percent for taxable years beginning after 2014.'', and

(2) in paragraph (3)—

(A) by striking ''$695'' in subparagraph (A) and inserting ''$0'',

(B) by striking ''and $325 for 2015'' in subparagraph (B), and

(C) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2014.

SEC. 103. EMPLOYER MANDATE.

(a) LARGE EMPLOYERS NOT OFFERING HEALTH COVERAGE.—Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting ''($0 in the case of months beginning after December 31, 2014)'' after ''$2,000''.

(b) LARGE EMPLOYERS OFFERING COVERAGE WITH EMPLOYEES WHO QUALIFY FOR PREMIUM TAX CREDITS OR COST-SHARING REDUCTIONS.—Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting ''($0 in the case of months beginning after December 31, 2014)'' after ''$3,000''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2014.

SEC. 104. REPEAL OF MEDICAL DEVICE EXCISE TAX.

(a) IN GENERAL.—Chapter 32 of the Internal Revenue Code of 1986 is amended by striking subchapter E

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to sales in calendar quarters beginning after the date of the enactment of this Act.

SEC. 105. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.

(a) EXCISE TAX.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980I.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2017.

(c) REINSTATEMENT.—The amendment made by subsection (a) shall not apply to taxable years beginning after December 31, 2024, and chapter 43 of the Internal Revenue Code of 1986 is amended to read as such chapter would read if such subsection had never been enacted.

SEC. 106. RECAPTURE OF EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.

(a) IN GENERAL.—Paragraph (2) of section 36B(f) of the Internal Revenue Code of 1986 is amended by striking subparagraph (B).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending after December 31, 2015.

TITLE II—HEALTH, EDUCATION, LABOR AND PENSIONS

SEC. 201. REPEAL OF THE PREVENTION AND PUBLIC HEALTH FUND.

(a) IN GENERAL.—Section 4002(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11(b)) is amended—

(1) in paragraph (2), by striking ''2017'' and inserting ''2015''; and

(2) by striking paragraphs (3) through (5).

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available by such section 4002, the unobligated balance is rescinded.

SEC. 202. FUNDING FOR COMMUNITY HEALTH CENTER PROGRAM.

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting after ''Section 10503(b)(1)(E) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b–2(b)(1)(E)) is amended'' the following: ''by striking '$3,600,000,000' and inserting '$3,835,000,000' and''.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the consideration of H.R. 3762 now be for debate only during today's session of the Senate.

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

Mr. MCCONNELL. Mr. President, the Senate is now considering the House-passed Restoring Americans' Healthcare Freedom Reconciliation Act of 2015. We finally have a chance to vote to end ObamaCare's cycle of broken promises and failures with a simple majority vote. I look forward to completing action on this bill this week.

MORNING BUSINESS

TRIBUTE TO TOM OWEN

Mr. MCCONNELL. Mr. President, respected public servant and renowned historian Tom Owen has announced that he will be retiring from the Louisville Metro Council after next year. Tom is a friend of mine, and I want to take this opportunity to express my gratitude for his many years of public service. His deep knowledge of Louisville's past and his great passion to shape our city's future will be greatly missed and impossible to replace.

Tom is one of the original members of the metro council, having served since that body's inception in 2002. In 2010 he served as metro council president. Tom previously served on the old Louisville Board of Aldermen from 1990 to 1998.

Tom represents district 8, which includes most of the Highlands neighborhood. I should mention here that Tom is not only my friend but also my councilman. He is currently the chair of the committee on sustainability and a member of the committees on public works, bridges and transportation and planning, and zoning and land design.

Tom is also a full professor at the University of Louisville; and he has served as a history instructor, an archivist, and a community relations associate at the University of Louisville since 1968. His knowledge of the city of Louisville is vast, and he frequently speaks on local television and radio about Louisville history. He also leads walking tours of historic Louisville and famous city landmarks and makes videos of these walking tours available to the public.

Tom earned his Ph.D. in American history from the University of Kentucky, a master's in history from the University of Louisville, a bachelor of divinity from Methodist Theological School in Ohio, and a bachelor's degree from Kentucky Wesleyan. He is an elder at Highland Presbyterian Church, and of his many hobbies, I know he enjoys bicycling and commuting by bicycle, as he has championed bicycle commuting as one his causes on the metro council.

Tom has been awarded the Distinguished Service Award from the Louisville Historical League, the Outstanding University of Louisville Employee Award, an honorary membership in the Kentucky Chapter of the America Institute of Architects, and a Patron Service Award at the University of Louisville libraries. As all these awards make clear, Tom is widely respected as Louisville's unofficial historian, and his absence from city government will be felt deeply.

Tom and I don't always see eye to eye on every issue, but I have great respect for Tom as a legislator, as an advocate for the citizens of the 8th district, and as someone who set out to make a difference for all the citizens of Louisville. Our shared hometown is better off thanks to Tom's many years of service. I wish him well in retirement, and I am sure his wife, Phyllis, and his children and grandchildren will be glad to spend more time with him. I wish my friend, Tom, all the best in whatever exciting endeavors await him after his time in office draws to a close.

The Louisville Courier-Journal published an article detailing Tom's career and decision to retire. I ask unanimous consent that the article be printed in the RECORD.

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

[From the Louisville Courier-Journal, Nov. 25, 2015]

HIGHLANDS COUNCILMAN TOM OWEN RETIRING

(By Phillip M. Bailey)

Longtime Metro Councilman Tom Owen announced Wednesday he will not seek reelection next year, opening up a possible avalanche of candidates who will run for his seat representing much of the Highlands neighborhood.

Owen, 76, who is an archivist at the University of Louisville, has served on the council since 2003 and was a member of the old Board

of Aldermen before that. He told The Courier-Journal last week he was still deliberating on retirement, but said after careful and lengthy consideration that now is the time to step away.

''I had been mulling on this decision for a good two months and that's why there had been rumors out there,'' Owen, D–8th District, said. ''Once I got closer to pushing the send button the more hesitant I became.''

Owen, a former council president, was first elected to the old board in 1989 when he defeated incumbent Alderwoman Linda Solley in the Democratic primary. In that campaign, Owen ran on his credentials as a local historian, saying at the time he was the ''only candidate who knows the city of Louisville edge to edge and has a vision of the whole city's history and needs.''

Among those needs in 1989, Owen said, was a trolley service for the Bardstown Road corridor, safer pedestrian traffic and a citywide paper recycling program. He was the only challenger to beat an incumbent in the nine board primary races that year.

''I love being involved and I'm honored as a historian to think I have shaped the destiny of Louisville even one percent,'' Owen said Wednesday.

In a statement, Mayor Greg Fischer said, Owen ''has long been the city's unofficial city historian, quite literally a walking encyclopedia of Louisville history.''

Former Councilwoman Tina Ward-Pugh, who also served with Owen on the Board of Aldermen for four years, said the two were political soulmates on a number of issues such as the environment, transportation and gay rights. She said Owen's departure will create a ''vast cavern of institutional knowledge'' for the council.

''Tom and I were virtually joined at the hip on many progressive and social justice issues over the years,'' Ward-Pugh said. ''I probably pushed him a little more than he was comfortable and he held my hand when I was headed out a little too far, so we balanced each other.''

Owen ran for mayor in the 1998 Democratic primary where he came just shy of beating Dave Armstrong, who went on to be the last mayor of the old city.

The newspaper archives show Owen was one of the early supporters of a Fairness law when the city was first debating adopting an anti-discrimination legislation to protect gay, lesbian, bisexual and transgendered individuals in housing and other public accommodations. Today, Owen is most associated with his push for better public transportation and bicycle advocacy, and he has championed the city adding more bike lanes to major thoroughfares.

As a UofL professor of libraries since 1975, colleagues say Owen was always able to put the council's current actions in a historical context.

''Tom's a person I always go to for that information, so I hope he keeps his same phone number,'' Councilman David James, D–6th, said.

''Tom has institutional knowledge, he has brains, he is thoughtful and I have thoroughly enjoyed working with him,'' said Councilman Kelly Downard, R–16th, who is also retiring after this year. ''The council is going to miss him heavily, and boy, there's going to be a hole.''

Only half of the Metro Council's 26 members are from the original class who were elected when city and county governments merged in 2002.

Owen said he doesn't want to look back on his career just yet and has a lot more he'd like to accomplish in his last year, but he said there are plenty of talented people who can represent the district.

William Corey Nett, a member of the Tyler Park Neighborhood Association, filed as a Democratic candidate this month. It is expected that several more contenders will jump in the race to represent the district, which encompasses most of the Highlands neighborhood.

The deadline for candidates to run for Metro Council is Jan. 26.

RECOGNIZING PAST CRIMES AGAINST HUMANITY IN INDONESIA

Mr. LEAHY. Mr. President, the realignment toward Asia has focused our attention on partnerships with countries in the region. We share political, economic, security, and humanitarian interests, creating complex and multidimensional relationships. But our commitment to the protection and promotion of human rights must continue to be a foundation for our relations with these countries, as with others around the world. We must continue to advocate for open societies where dialogue and dissent are encouraged and where security forces are professional and accountable. At the same time, we cannot ignore history.

Fifty years ago, under the guise of a state-sanctioned Communist purge, hundreds of thousands of Indonesian men, women, and children were murdered. Many more were rounded up and led to concentration camps where they were imprisoned, and many were tortured by the security forces of a dictatorial and brutal regime that had the backing of the United States. It has been widely recognized as one of the worst mass atrocities of the 20th century, but efforts to establish a truth and reconciliation commission to come to terms with these crimes have stalled at every turn. The atrocities are still not recognized or discussed by the Indonesian Government, and the perpetrators were long celebrated as heroes for their actions.

The United States should lead by example in acknowledging this tragic history and reaffirm that human rights are at the forefront of our strategic relationships in Indonesia and beyond. As the most senior member of the Appropriations Committee, I have supported conditions on foreign assistance, including requiring recipient countries to protect freedoms of expression and association, respect the rule of law and due process, reform their judicial systems and security forces, and strengthen other key elements of a democratic society.

Through the ''Leahy Law,'' I have sought to encourage reform of Indonesia's military and police forces, promote cooperation with civilian authorities, and hold human rights violators accountable. I have also supported efforts to demilitarize West Papua and stop the human rights violations associated with the militarization of that island.

Unfortunately, while Indonesia has made important economic and political strides since the systemic repression of the Suharto years, impunity for the horrific crimes of the 1960s and during the final years of the independence struggle in East Timor remain glaring examples of unfinished business that are inconsistent with a democratic society based on the principle that no one is above the law.

We need to recognize the role of our own government in this history, declassify relevant documents, and urge the Indonesian Government to acknowledge the massacres and establish a credible truth and justice mechanism.

I ask unanimous consent that a poignant opinion piece on this subject that was published in the New Yorker on September 29, 2015, be printed in the RECORD.

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

[From the New Yorker, Sept. 29, 2015]

SUHARTO'S PURGE, INDONESIA'S SILENCE

(By Joshua Oppenheimer)

This week marks the 50th anniversary of the beginning of a mass slaughter in Indonesia. With American support, more than 500,000 people were murdered by the Indonesian Army and its civilian death squads. At least 750,000 more were tortured and sent to concentration camps, many for decades.

The victims were accused of being ''communists,'' an umbrella that included not only members of the legally registered Communist Party, but all likely opponents of Suharto's new military regime—from union members and women's rights activists to teachers and the ethnic Chinese. Unlike in Germany, Rwanda or Cambodia, there have been no trials, no truth-and-reconciliation commissions, no memorials to the victims. Instead, many perpetrators still hold power throughout the country.

Indonesia is the world's fourth most populous nation, and if it is to become the democracy it claims to be, this impunity must end. The anniversary is a moment for the United States to support Indonesia's democratic transition by acknowledging the 1965 genocide, and encouraging a process of truth, reconciliation and justice.

On Oct. 1, 1965, six army generals in Jakarta were killed by a group of disaffected junior officers. Maj. Gen. Suharto assumed command of the armed forces, blamed the killings on the leftists, and set in motion a killing machine. Millions of people associated with left-leaning organizations were targeted, and the nation dissolved into terror—people even stopped eating fish for fear that fish were eating corpses. Suharto usurped President Sukarno's authority and established himself as de facto president by March 1966. From the very beginning, he enjoyed the full support of the United States.

I've spent 12 years investigating the terrible legacy of the genocide, creating two documentary films, ''The Act of Killing'' in 2013 and ''The Look of Silence,'' released earlier this year. I began in 2003, working with a family of survivors. We wanted to show what it is like to live surrounded by still-powerful perpetrators who had murdered your loved ones.

The family gathered other survivors to tell their stories, but the army warned them not to participate. Many survivors urged me not to give up and suggested that I film perpetrators in hopes that they would reveal details of the massacres.

I did not know if it was safe to approach the killers, but when I did, I found them open. They offered boastful accounts of the killings, often with smiles on their faces and in front of their grandchildren. I felt I had wandered into Germany 40 years after the Holocaust, only to find the Nazis still in power.

Today, former political prisoners from this era still face discrimination and threats. Gatherings of elderly survivors are regularly attacked by military-backed thugs. Schoolchildren are still taught that the ''extermination of the communists'' was heroic, and that victims' families should be monitored for disloyalty. This official history, in effect, legitimizes violence against a whole segment of society.

The purpose of such intimidation is to create a climate of fear in which corruption and plunder go unchallenged. Inevitably in such an atmosphere, human rights violations have continued since 1965, including the 1975–1999 occupation of East Timor, where enforced starvation contributed to the killing of nearly a third of the population, as well as torture and extrajudicial killing that go on in West Papua today.

Military rule in Indonesia formally ended in 1998, but the army remains above the law. If a general orders an entire village massacred, he cannot be tried in civilian courts. The only way he could face justice is if the army itself convenes a military tribunal, or if Parliament establishes a special human rights court—something it has never done fairly and effectively. With the military not subject to law, a shadow state of paramilitaries and intelligence agencies has formed around it. This shadow state continues to intimidate the public into silence while, together with its business partners, it loots the national wealth.

Indonesia can hold regular elections, but if the laws do not apply to the most powerful elements in society, then there is no rule of law, and no genuine democracy. The country will never become a true democracy until it takes serious steps to end impunity. An essential start is a process of truth, reconciliation and justice.

This may still be possible. The Indonesian media, which used to shy from discussing the genocide, now refers to the killings as crimes against humanity, and grassroots activism has taken hold. The current president, Joko Widodo, indicated he would address the 1965 massacre, but he has not established a truth commission, issued a national apology, or taken any other steps to end the military's impunity.

We need truth and accountability from the United States as well. U.S. involvement dates at least to an April 1962 meeting between American and British officials resulting in the decision to ''liquidate'' President Sukarno, the populist—but not communist—founding father of Indonesia. As a founder of the nonaligned movement, Sukarno favored socialist policies; Washington wanted to replace him with someone more deferential to Western strategic and commercial interests.

The United States conducted covert operations to destabilize Sukarno and strengthen the military. Then, when genocide broke out, America provided equipment, weapons and money. The United States compiled lists containing thousands of names of public figures likely to oppose the new military regime, and handed them over to the Indonesian military, presumably with the expectation that they would be killed. Western aid to Suharto's dictatorship, ultimately amounting to tens of billions of dollars, began flowing while corpses still clogged Indonesia's rivers. The American media celebrated Suharto's rise and his campaign of death. Time magazine said it was the ''best news for years in Asia.''

But the extent of America's role remains hidden behind a wall of secrecy: C.I.A. documents and U.S. defense attach papers remain classified. Numerous Freedom of Information Act requests for these documents have been denied. Senator Tom Udall, Democrat of New Mexico, will soon reintroduce a resolution that, if passed, would acknowledge America's role in the atrocities, call for declassification of all relevant documents, and urge the Indonesian government to acknowledge the massacres and establish a truth commission. If the U.S. government recognizes the genocide publicly, acknowledges its role in the crimes, and releases all documents pertaining to the issue, it will encourage the Indonesian government to do the same.

This anniversary should be a reminder that although we want to move on, although nothing will wake the dead or make whole what has been broken, we must stop, honor the lives destroyed, acknowledge our role in the destruction, and allow the healing process to begin.

CBO COST ESTIMATE—S. 720

Ms. MURKOWSKI. Mr. President, in compliance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources has obtained from the Congressional Budget Office an estimate of the costs of S. 720, the Energy Savings and Industrial Competitiveness Act of 2015, as reported from the committee. I respectfully ask unanimous consent that the summary of the opinion of the Congressional Budget Office be printed in the CONGRESSIONAL RECORD. The full estimate is available on CBO's Web site www.cbo.gov.

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

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 720—ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT OF 2015

(October 19, 2015)

Summary: S. 720 would amend current law and authorize appropriations for a variety activities and programs related to energy efficiency. The bill would require federal agencies that guarantee mortgages to consider whether homes with energy-efficient improvements would affect borrowers' ability to repay mortgages. The bill also would modify certain energy-related goals and requirements for federal agencies.

CBO estimates that enacting S. 720 would increase direct spending by $15 million over the 2016–2025 period; therefore, pay-as-you-go procedures apply. Enacting the bill would not affect revenues. In addition, CBO estimates that implementing the legislation would cost $218 million over the next five years, assuming appropriation actions consistent with the legislation.

CBO estimates that enacting S. 720 would not increase on-budget deficits or net direct spending by more than $5 billion in any of the four consecutive 10-year periods beginning in 2026. S. 720 would impose an intergovernmental mandate, as defined in the Unfunded Mandates Reform Act (UMRA), by requiring states and tribal governments to certify to the Department of Energy (DOE) whether or not they have updated residential and commercial building codes to meet the latest standards developed by building efficiency organizations. CBO estimates that the cost of that mandate would fall well below the annual threshold established in UMRA for intergovernmental mandates ($77 million in 2015, adjusted annually for inflation.) This bill contains no private-sector mandates as defined in UMRA.

CBO COST ESTIMATE—S. 2011

Ms. MURKOWSKI. Mr. President, in compliance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources has obtained from the Congressional Budget Office an estimate of the costs of S. 2011, the Offshore Production and Energizing National Security Act of 2015, as reported from the committee. I respectfully ask unanimous consent that the summary of the opinion of the Congressional Budget Office be printed in the CONGRESSIONAL RECORD. The full estimate is available on CBO's Web site www.cbo.gov.

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

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 2011—OFFSHORE PRODUCTION AND ENERGIZING NATIONAL SECURITY ACT OF 2015

(October 6, 2015)

Summary: S. 2011 would amend existing laws related to oil and gas leasing on the Outer Continental Shelf (OCS) and would remove restrictions on exporting crude oil produced in the United States. The legislation would modify the terms and conditions governing certain leasing activities and authorize new direct spending of proceeds from federal oil and gas leasing for certain programs and for payments to certain coastal states. In addition, the bill would authorize appropriations for grants to Indian tribes for capital projects and other activities aimed at adapting to climate change.

CBO estimates that enacting S. 2011 would reduce net direct spending by about $0.2 billion over the 2016–2025 period. Provisions in titles I–Ill would affect oil and gas leasing on the OCS and CBO estimates those provisions would have a net cost about $1.3 billion over the 10 year period. Increased collections from eliminating restrictions on exports of crude oil would total $1.4 billion over the same period.

In addition, CBO estimates that implementing the bill would increase spending subject to appropriation by about $700 million over the 2016–2020 period mainly for programs to assist Indian tribes. Because enacting the legislation would affect direct spending, pay-as-you-go procedures apply. Enacting the bill would not affect revenues.

CBO estimates that enacting the legislation would increase both direct spending and

net on-budget deficits by more than $5 billion in at least one of the four consecutive 10-year periods beginning in 2026.

The bill contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments. To the extent that the bill would increase royalties and other revenue from offshore oil and gas development, the bill would benefit certain coastal states through the sharing of leasing receipts with the federal government. Some local and tribal governments, as well as 2 institutions of higher education, also would benefit from receipt sharing and grant programs funded by leasing revenues.

The bill contains no private-sector mandates as defined in UMRA.

CBO COST ESTIMATE—S. 2012

Ms. MURKOWSKI. Mr. President, in compliance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources has obtained from the Congressional Budget Office an estimate of the costs of S. 2012, the Energy Policy Modernization Act of 2012, as reported from the committee. I respectfully ask unanimous consent that the summary of the opinion of the Congressional Budget Office be printed in the CONGRESSIONAL RECORD. The full estimate is available on CBO's Web site www.cbo.gov.

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

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 2012—ENERGY POLICY MODERNIZATION ACT OF 2015

(October 15, 2015)

Summary: S. 2012 would amend current law and authorize appropriations for a variety of activities and programs administered primarily by the Department of Energy (DOE). The legislation also would:

Expand and extend federal agencies' authority to use certain types of long-term contracts to invest in energy conservation measures and related services;

Specify various energy-related goals and requirements for federal agencies;

Modify DOE's authority to guarantee loans under Title 17 of the Energy Policy Act of 2005; and

Establish a pilot program to streamline the review and approval of applications for permits to drill for oil and gas on federal lands.

Assuming appropriation of amounts specifically authorized and estimated to be necessary under S. 2012—roughly $40 billion over the 2016–2020 period (and an additional $3 billion in later years)—CBO estimates that implementing this legislation would result in outlays totaling $32 billion over the 2016–2020 period from those appropriations, with additional spending of about $11 billion occurring after 2020.

CBO also estimates that the bill would result in additional direct spending. The estimated amount of direct spending depends on the budgetary treatment of federal commitments through certain types of long-term energy-related contracts, which CBO expects would increase under the bill. In CBO's view, commitments under such contracts are a form of direct spending because agencies enter into such contracts without appropriations in advance to cover their full costs. On the basis of that view, CBO estimates that enacting S. 2012 would increase direct spending by $659 million over the 2016–2025 period.

However, for purposes of determining budget-related points of order for legislation considered by the Senate, section 3207 of the Concurrent Resolution on the Budget for Fiscal Year 2016 specifies a scoring rule for provisions related to such contracts (referred to in this document as the scoring rule for energy contracts). Specifically, that rule requires CBO to calculate, on a net present value basis, the lifetime net cost or savings attributable to projects financed by such contracts and to record that amount as an upfront change in spending subject to appropriation. Under that rule, CBO estimates that S. 2012 would increase direct spending by $29 million over the 2016–2025 period.

Enacting S. 2012 could affect revenues, but CBO estimates any such effects would be insignificant in any year. Because the bill would affect direct spending and revenues, pay-as-you-go procedures apply.

CBO estimates that enacting S. 2012 would not increase net direct spending or on-budget deficits by more than $5 billion in any of the four consecutive 10-year periods beginning in 2026.

S. 2012 would impose an intergovernmental and private-sector mandate, as defined in the Unfunded Mandates Reform Act (UMRA), on public and private entities regulated by FERC, such as electric utilities, by requiring them to pay fees in some circumstances. The bill would impose two additional mandates on public entities. One would require state and tribal governments to certify to DOE whether or not they have updated residential and commercial building codes to meet the latest standards developed by building efficiency organizations. The other would preempt state and local environmental and liability laws if they conflict with emergency orders issued by the Federal Energy Regulatory Commission (FERC). The bill also would impose private-sector mandates on electric transmission organizations and traders of oil contracts and on individuals seeking compensation for damages caused by utilities operating under certain emergency orders. Based on information from DOE and analyses of similar requirements, CBO estimates that the aggregate cost of complying with mandates in the bill would fall below the annual thresholds established in UMRA for intergovernmental and private-sector mandates ($77 million and $154 million in 2015, respectively, adjusted annually for inflation).

CBO has not reviewed some provisions of section 2001 and section 4303 for intergovernmental or private-sector mandates. Those provisions would provide the Secretary of Energy with emergency authority to protect the electric transmission grid from cybersecurity threats and would protect entities subject to that authority from liability. Section 4 of the Unfunded Mandates Reform Act excludes from the application of that act any legislative provisions that are necessary for national security. CBO has determined that those provisions fall within that exclusion.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2016 OBJECTION

Mr. WYDEN. Mr. President, this afternoon the House of Representatives passed a new version of the Intelligence authorization bill for fiscal year 2016. I am concerned that section 305 of this bill would undermine independent oversight of U.S. intelligence agencies, and if this language remains in the bill, I will oppose any request to pass it by unanimous consent.

Section 305 would limit the authority of the watchdog body known as the Privacy and Civil Liberties Oversight Board. In my judgment, curtailing the authority of an independent oversight body like this board would be a clearly unwise decision. Most Americans whom I talk to want intelligence agencies to work to protect them from foreign threats, and they also want those agencies to be subject to strong, independent oversight, and this provision would undermine some of that oversight.

Section 305 states that the Privacy and Civil Liberties Board shall not have the authority to investigate any covert action program. This is problematic for two reasons. First, while this board's oversight activities to date have not focused on covert action, it is reasonably easy to envision a covert action program that could have a significant impact on Americans' privacy and civil liberties—for example, if it included a significant surveillance component.

An even bigger concern is that the CIA, in particular, could attempt to take advantage of this language and could refuse to cooperate with investigations of its surveillance activities by arguing that those activities were somehow connected to a covert action program. I recognize that this may not be the intent of this provision, but in my 15 years on the Intelligence Committee, I have repeatedly seen senior CIA officials go to striking lengths to resist external oversight of their activities. In my judgment, Congress should be making it harder, not easier, for intelligence officials to stymie independent oversight.

For these reasons, it is my intention to object to any unanimous consent request to pass this bill in its current form. I look forward to working with my colleagues to modify or remove this provision.

NO CHILD LEFT BEHIND CONFERENCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a copy of my opening remarks during the conference with the House of Representatives on S. 1177, the Every Child Achieves Act, be printed in the RECORD.

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

NO CHILD LEFT BEHIND CONFERENCE

Representative Kline, Representative Scott, Senator Murray, ladies and gentlemen.

We're here for one reason today, because I sat down with Patty Murray in January and she gave me some good advice and I took it.

And the advice was—why don't we see if we can develop a bipartisan beginning to this bill, because we had failed in the last two congresses.

And as a result we ended up with a bill that passed by the Senate after many amendments, 81 to 17.

Newsweek magazine recently reminded us what we already knew very well: No Child Left Behind is a law that everybody wants fixed. Governors, teachers, superintendents, parents, Republicans, Democrats, students they all want to see this law fixed.

There is a consensus about that. And, fortunately, there is a consensus about how to do it.

And that consensus is this—Continue the law's important measurements of academic progress of students but restore to states, school districts, classroom teachers and parents the responsibility for deciding what to do about improving student achievement.

That's why in the Senate the bill passed 81 to 17.

That's is why the bill had the support of the nation's governors, the Chief State School Officers, the school superintendents, the National Education Association and the American Federation of Teachers.

There were some differences between the House bill and Senate bill. Fundamentally, they were based upon that same consensus.

Both end the waivers through which the U.S. Department of Education has become, in effect, a national school board for more than 80,000 Schools in 42 states.

Both end the federal Common Core mandate.

Both move decisions about whether schools and teachers are succeeding or failing out of Washington, D.C., and back to states and communities and teachers where those decisions belong because the real way to higher standards, better teachers and real accountability is through states, communities, and classrooms—not through Washington, D.C.

That's why I believe this conference will be successful, that both houses will approve our conference work product and I believe the president will sign the legislation into law.

Even though this agreement, in my opinion, is the most significant step toward local control of schools in 25 years, some Republicans would like to go further.

I am one of them.

But my Scholarship for Kids proposal, which would have given states the option to allow federal dollars to follow children to the schools their parents choose, only received 45 votes in the Senate. We need 60.

So I have decided, like a president named Reagan once advised, that I'll take 80 percent of what I want and I'll fight for the other 20 percent on another day.

Besides, if I were to vote no, I would be voting to leave in place the federal Common Core mandate, the national school board, the waivers in 42 states. Let me repeat: Voting no is voting to leave in place the Common Core mandate, the national school board, and waivers in 42 states.

There are a lot of people counting on us: 50 million children and 3.4 million teachers and 100,000 public schools.

The law expired seven years ago. If it were strictly applied, every school in America a failing school.

Teachers and children and parents have been waiting all that time. If this were homework, they would give us a failing grade for being tardy.

So I hope we will remind ourselves, and this is my conclusion, that it is a great privilege to serve in the United States House of Representatives and the United States Senate.

That there is no need for us to have that privilege if all we do is announce our opinions. We could do that at home, or on the radio, or the newspaper or the street corner.

As members of the Congress, after we have our say, our job is to get a result.

We're not the Iraqi parliament.

We are members of the United States Congress, and I hope that we will demonstrate that we cherish that privilege and that we cherish our children by building upon this consensus—fixing the law that everybody wants fixed—and showing that we are capable of governing by bringing badly needed certainty to federal education policy in 100,000 public schools.

Thank you, Mr. Chairman.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a copy of my closing remarks during the conference with the House of Representatives on S. 1177, the Every Child Achieves Act, be printed in the RECORD.

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

NO CHILD LEFT BEHIND CONFERENCE

The real winners today are 100,000 public schools which are attended by 50 million children, where three and a half million teachers work and are eager for us to bring some certainty to federal education policy.

This is a law that everybody knows needs fixing. But also in fixing this law we know that there were alligators lurking in every corner of the pond, and the fact that we were able to both in the Senate and the House navigate that pond and deal with respectfully with one another—and also recognize in some cases our different points of view couldn't be included—I think, is a great credit to the process.

Governors, teachers, superintendents, Republicans and Democrats, wanted us to do this, and we've done it so far. There's not only consensus on the need to fix it, but we have now shown today that in the House and Senate of the United States, there is consensus on how to fix it. And that means we'll keep the important measures of student achievement, but we will restore to states, communities and classroom teachers the responsibility with what to do about the results of the tests.

This would not have happened without your leadership and Rep. Bobby Scott, who has been a terrific partner in all this, and the cooperation of the members of the House and Senate on this committee.

I've complimented Senator Murray perhaps excessively over the last year, but she has been absolutely key to this. So I thank you for the opportunity to participate in this.

I came to the Senate not just to make a speech but also to try and get a result and today we've gotten one.

TRIBUTE TO BONNIE CARROLL

Ms. MURKOWSKI. Mr. President, last week President Obama awarded the Presidential Medal of Freedom, our Nation's highest civilian honor, to my longtime friend and fellow Alaskan Bonnie Carroll. In my judgment, this is a recognition long due. While America may have first heard the name Bonnie Carroll last week, our military families have long viewed her as a lifeline, a true woman of valor.

Bonnie is the founder of the Tragedy Assistance Program for Survivors, TAPS. She founded TAPS after the death of her husband, Alaska Army National Guard BG Tom Carroll, in a military plane crash on November 12, 1992.

TAPS is an organization that provides support to military families who have lost a loved one. TAPS welcomes anyone who is grieving the death of someone who died in the military. Its families have experienced loss in a variety of ways—from combat, suicide, terrorism, homicide, negligence, accidents, and illness. Our survivors include mothers and fathers, husbands and wives, sons and daughters, brothers and sisters, fiancés, and other relatives of those who have died.

Since its launch in 1994, TAPS has cared for the more than 50,000 surviving family members through a national network of peer-based emotional support services, a 24/7 helpline available to those grieving a loss, connections to community-based care throughout the Nation, and casework assistance for families navigating all of the resources and benefits available to them.

One of TAPS' most respected programs is its ''Good Grief Camp,'' which is offered to young people who have lost a loved one. This program pairs young survivors with Active-Duty military mentors. Military mentors help the young survivors learn how our Nation honors those who have served and sacrificed and companion these children during their grief journey.

I suspect that many of our fellow Americans had never heard of Bonnie Carroll or TAPS before. Unlike some of the others honored at last week's ceremony—people like Barbra Streisand, Steven Spielberg, and James Taylor—Bonnie is not a celebrity. She does not seek attention for herself. Her laser focus is on helping military families, and she does nothing to distract herself or her organization from that mission. But that doesn't make her any less a rockstar. And now America knows why.

Incredible as it may seem, Bonnie Carroll's road to distinction did not begin with her work at TAPS. Her resume includes service to America as a member of the Air National Guard, the U.S. Air Force Reserve, as a senior staff member in the Reagan White House Cabinet Affairs Office, and the VA's White House liaison in the administration of President George W. Bush. She relocated to Baghdad to serve with the Coalition Provisional Authority. She has served on countless boards and commissions related to military

health, suicide prevention, and grief therapy.

Bonnie reflects the very best of the Alaskan spirit, a spirit of community and service before self. I am honored to join with the President in recognizing the extraordinary contributions of Bonnie Carroll, my dear friend, fellow Alaskan, and great American.

TRIBUTE TO ALICE WATERS

Mrs. BOXER. Mr. President, I ask my colleagues to join me in congratulating Alice Waters, groundbreaking chef, restaurant owner, author, and activist who was recently awarded the National Humanities Medal by President Obama for her pioneering role in the sustainable food movement.

As a student at the University of California, Berkeley, in the 1960s, Alice developed a passion for social activism. While studying abroad in Paris one semester, she began to realize the impact food can have on our daily lives. Exposed to lively discussions over fresh, locally sourced home-cooked meals, a simple yet revolutionary idea took root, and in 1971 she and a group of friends opened Chez Panisse in Berkeley.

It was a concept that took off almost immediately: fresh, local, and organic food that changed with the seasons. As the restaurant's success grew, Alice and her staff created a network of local farmers and producers whose dedication to sustainable agriculture supplied Chez Panisse's fresh ingredients, helped to pioneer farm-to-table-cuisine, and served as a model for future generations of restaurant owners.

Alice's influence spread far beyond the kitchen. In 1996, she created the Edible Schoolyard Project to help schools develop community gardens, so students can better understand the origins of their food and how to create fresh, local, and healthy meals. Today there are more than 5,000 Edible Schoolyard Project locations worldwide, and the effort helped inspire First Lady Michelle Obama to plant a vegetable garden on the South Lawn of the White House.

Alice has said that ''good food is a right, not a privilege,'' and her work is helping to make that a reality. She has revolutionized the way our country cooks, eats, and thinks about food—and we are all better because of it.

I am proud to congratulate my friend, Alice Waters, on this incredible honor and wish her many more years of continued success.

RECOGNIZING THE 100TH ANNIVERSARY OF THE AMERICAN MEDICAL WOMEN'S ASSOCIATION

Mrs. BOXER. Mr. President, I ask my colleagues to join me in recognizing the 100th anniversary of the American Medical Women's Association, AMWA, the first national organization of women physicians.

One hundred years ago, less than 6 percent of all physicians in the United States were women. Recognizing a crucial need to provide support for these pioneering women and to bring diversity to the medical field, Dr. Bertha Van Hoosen founded the AMWA on November 18, 1915, in Chicago.

The AMWA quickly established a network and support system for women in the medical profession and documented their lack of opportunities in postgraduate training, internships, and academic appointments.

Over the years, the AMWA successfully advocated to increase leadership roles for women doctors, sponsored research and panel discussions on medical women in the workforce, and established scholarship and mentorship programs to encourage the next generation of women leaders. The AMWA has also worked to improve women's health by addressing issues from human trafficking and affordable contraceptive care, to childhood obesity and osteoporosis risk across the globe.

For the past century, the American Medical Women's Association has served as the vision and voice of women in medicine. As we celebrate their extraordinary milestone, I ask my colleagues to join me in congratulating the AMWA for their tireless efforts to open the door for generations of women physicians. Because of their work, countless men, women, and children have benefited from the dedicated service of AMWA members, and for that we are all grateful.

OBSERVING WORLD AIDS DAY

Mr. CARDIN. Mr. President, today I wish to commemorate the 28th World AIDS Day. This day is a time to recognize the tremendous progress we have made in combating the human immunodeficiency virus infection and acquired immune deficiency syndrome, HIV/AIDS, and to redouble our commitment to preventing and treating this devastating disease.

For many years, we have viewed AIDS as a death sentence. Before 2000, rates of infection grew exponentially. People living with HIV/AIDS had few options, and what options they did have were expensive and out of reach. Millions of children orphaned by HIV/AIDS were isolated within their own communities, and there was virtually no way to prevent HIV transmissions from pregnant women to their unborn children, ending countless lives before they could truly begin.

But thanks to sustained United States and global efforts—administered through programs like the President's Emergency Plan for AIDS Relief, PEPFAR, the Global Fund, and UNAIDS—we are finally turning the tide, not only in terms of slowing the spread of HIV/AIDS, but also by improving the lives of those affected by this disease.

Since 2000, new HIV infections have dropped by 35 percent. AIDS-related deaths are down 42 percent from their peak in 2004. To date, 15 million men, women, and children worldwide are on anti-retroviral therapy, compared to only 1 million in 2001. We have also made significant progress in tackling mother-to-child transmissions, which are key to ending the AIDS epidemic. Today 73 percent of pregnant women living with HIV have access to antiretroviral therapy, greatly reducing the likelihood that they will transmit the disease to their babies. As a result, since 2000, new infections among children have fallen by 58 percent. Because of our investments in HIV/AIDS treatment and prevention, health systems throughout Africa have been strengthened, allowing millions to gain access to medications and more advanced treatments. Life expectancy in nations like Rwanda and Kenya have dramatically increased, and health facilities have been modernized.

These steps are just some of the ways in which we have made remarkable progress to stop HIV/AIDS in its tracks. We are, without a doubt, on our way to an AIDS-free generation. This is something that can happen in our lifetimes.

In mid-September, more than 150 world leaders gathered at the United Nations General Assembly to adopt the 2030 Agenda for Sustainable Development. Goal 3 includes a target to eradicate HIV/AIDS, tuberculosis, malaria, and other communicable diseases by 2030. This is a bold commitment that requires strong leadership from the United States. To achieve this goal, the United States must continue to invest in and provide strong funding for our global health programs, especially PEPFAR.

As my colleagues know, PEPFAR is the largest commitment by any nation to combat a single disease internationally and represents the very best of America and our commitment to global humanitarian values. Thanks to PEPFAR, 7.7 million men, women, and children worldwide are receiving antiretroviral treatments. In 2014, PEPFAR supported HIV testing and counseling for more than 56.7 million people and provided training for more than 140,000 new health care workers to help combat HIV on the ground. Through PEPFAR, we have been able to reach 5 million children who have been orphaned or made vulnerable due to HIV/AIDS. PEPFAR has also dramatically improved outcomes for pregnant women and their babies, reducing the transmission of HIV from mother to child. In 2014, PEPFAR supported HIV testing and counseling for more than 14.2 million pregnant women worldwide. For the nearly 750,000 pregnant women who tested positive for

HIV, PEPFAR's anti-retroviral medications allowed 95 percent of their children to be born HIV-free.

We have made extraordinary progress; however, there is still much work to be done. Currently, there are more than 22 million people living with HIV who are not yet on treatment, and HIV is still the leading cause of death for women of reproductive age worldwide. We are on our way to an AIDS-free generation, but we can't rest on our laurels now. We need the commitment and leadership of partner countries—reinforced with support from donor nations, civil society, people living with HIV, faith-based organizations, the private sector, and foundations—to make an AIDS-free generation a reality. On this World AIDS Day, we recognize the progress we have made and recommit ourselves to continuing to combat HIV/AIDS both at home and abroad.

ADDITIONAL STATEMENTS

HONORING MILTON PITTS CRENCHAW

● Mr. BOOZMAN. Mr. President, I wish to honor today Milton Pitts Crenchaw, an aviation pioneer from Little Rock, AR, who paved the way for integration in the U.S. military and impacted generations of aviators.

Crenchaw, known as the father of black aviation in Arkansas, developed a love of flying while at the Tuskegee Institute. He exceled in the program, and after earning his pilot's license, he pursued his instructor's certificate. Following the bombing of Pearl Harbor, Crenchaw joined the Army Air Corps Civilian Pilot Training Program as a flight instructor.

He had the distinction of being one of the original supervising squadron commanders for the Tuskegee Airmen. He trained hundreds of cadets during the 1940s, an accomplishment he was rightfully proud of.

''The first thing that he takes pride in is that he and the other Black flight instructors paved the way for people of color to enter the field of aviation. He is proud that he was chosen to implement that program,'' his daughter Dolores Crenchaw Singleton said in a recent interview.

Crenchaw helped break the barriers that existed in the military. His passion for aviation continued after his tenure at Tuskegee, serving as a flight instructor at several air bases, including Camp Rucker, AL, where he became the first Black flight instructor.

Crenchaw honorably served with the U.S. Army Air Corps and the U.S. Air Force for more than 40 years.

He also shared his love of aviation with Arkansas, and he was instrumental in creating an aviation program at Philander Smith College in Little Rock. Crenchaw taught aviation at the school from 1947 to 1953, holding classes at Adams Field in the Central Flying Service building.

Along with the accolades of inductions in the Arkansas Aviation Hall of Fame and the Arkansas Black Hall of Fame, in 2007 he was awarded the Congressional Gold Medal, along with other members we have come to admire as the Tuskegee Airmen.

Milton Pitts Crenchaw passed away on November 17, 2015. Today he will be laid to rest at the Arkansas State Veterans Cemetery in North Little Rock. He was a true American hero whose leadership helped secure victory and peace for all freedom-loving people of the world.●

RECOGNIZING THE CHILDREN'S MUSEUM OF ATLANTA

● Mr. ISAKSON. Mr. President, I wish to honor a wonderful asset in my hometown of Atlanta, GA, the Children's Museum of Atlanta.

Since the opening of its permanent facility in 2003 at Centennial Olympic Park in downtown Atlanta, it has become a leading attraction for families and has helped ignite the revitalization of the area, along with the Georgia Aquarium, the Center for Civil and Human Rights, the College Football Hall of Fame, and the iconic World of Coca-Cola. The Children's Museum of Atlanta has promoted the power of play and highlighted the importance of early childhood education in all areas, especially literacy, math, and science.

Not only am I married to a former teacher, but as a grandfather and the former chair of the Georgia Board of Education, I have long been committed to enhancing and improving educational opportunities for our children. The Children's Museum's mission and vision help parents, educators, and schools ignite curiosity and discovery in young children, enhance learning, and help them reach their goals.

The museum has recently undergone a major renovation and will reopen its doors on December 12, 2015, to a completely updated facility.

I am delighted to recognize on the floor of the Senate and to join the city of Atlanta in celebrating Saturday, December 12, 2015, as Children's Museum of Atlanta Day.●

TRIBUTE TO DEONTAY WILDER

● Mr. SHELBY. Mr. President, I wish to recognize the current World Boxing Council, WBC, World Heavyweight Champion Deontay Leshun Wilder.

Mr. Wilder is a native of Tuscaloosa, AL. He graduated from Tuscaloosa Central High School in 2004, and he attended Shelton State Community College. From there, he focused on forging a career in boxing.

Mr. Wilder began his boxing career in 2005, and he has achieved outstanding success as both an amateur and professional boxer. In 2007, Wilder upset the favorites to win the National Golden Gloves and the U.S. championships. Wilder was awarded the bronze medal in boxing at the 2008 Olympics. In 2012, he won the WBC Continental Americas heavyweight boxing title.

In January of this year, Wilder became the first American heavyweight champion in 9 years after his win over Bermane Stiverne. Since then, Wilder has successfully defended his WBC title twice, most recently in September.

Deontay Wilder has made a proactive effort to give back to the State of Alabama by hosting his first two title defenses in Birmingham, AL. He has also been a champion of charitable causes such as the fight against spina bifida.

Mr. Wilder is an incredible athlete and an inspiration to many. I am honored to recognize his great talent and success, and I am proud to call him a fellow Alabamian.●

REMEMBERING JAMES JOSEPH MARSHALL

● Mr. TESTER. Mr. President, today I wish to honor James Joseph Marshall, a third generation Montanan and a veteran of World War II.

On behalf of all Montanans and Americans, I stand to say thank you to Jim's family for his service to our Nation.

It is my honor to share the story of Jim's life and service, a story that most certainly will not be forgotten, and a story he perhaps wouldn't have told himself.

In fact, it wasn't until his oldest daughter, Vicki, was in eighth grade that she even noticed her father's limp. She asked her mother, ''Why does daddy limp?''

Ruth told her that he limped because of his war wound. He never talked about his experience during the war, and it wasn't until he wrote about his injury for a presentation to middle schoolers that his family heard the full story.

Jim was shot in the leg while fighting in the Ruhr Pocket, in Germany, near the border of Czechoslovakia on April 25, 1945.

After sweeping the countryside searching for any remaining resistance, his platoon butted up against German troops on a mountainside. It wasn't long until the platoon was pinned down by the automatic weapon fire.

The platoon made a dash for cover but to no avail. Every man was hit. Jim described the shot to his leg like being hit by a sledgehammer.

German troops came to confirm they were all dead and to gather any rifles and ammo. Jim, with his orders shoved underneath him and the sole survivor, played dead. They passed on.

Not long after, German medics came through.

Surprisingly, a young German, whom Jim identified by the swastika on his arm, put a compress on his leg and a jacket over top of him before moving on.

Shortly after, an American Jeep rolled up and rescued him.

Jim always said he never would have made it out alive had that young German not stopped to show him some compassion.

Once home from the war in 1946, Jim enrolled at Montana State University at Bozeman.

It was there that he met his future wife Ruth Officer, a nurse who tended to some residual issues with Jim's hip. They married on March 15, 1947.

Jim was always a man who took care of his family, and that devotion took them to Livingston, Ruth's hometown. There, he began work as a carpenter's apprentice, eventually becoming a journeyman.

After returning to MSU to get his industrial art degree, he began teaching shop at Emerson Junior High in Bozeman. Eventually, he became a purchasing agent for Missoula School District No. 1.

Jim and Ruth had three children: Vicki, Leann, and Jim. They remember him as a humble man who cared deeply for his family and frequently demonstrated that devotion.

The fondness with which Jim is remembered is reflective of the life he lived. Folks will remember his willingness to help out a friend and his love of photography, especially bald eagles. He was passionate about making Montana better for future generations.

In September of 2012, Jim had the pleasure of participating in one of the earliest Honor Flights to Washington, DC, to see the World War II Memorial there.

His daughter, Leann, helped him register himself as a World War II veteran at the memorial, and his name will remain in the kiosks there for anyone to see.

In fact, I had the honor of greeting that particular Honor Flight back to Montana afterward and am happy to hear that Jim immensely enjoyed that experience.

Jim died on April 8, 2014, surrounded by family.

It was my honor to recognize James Joseph Marshall's bravery and service to the United States by presenting his family with the Bronze Star Medal for meritorious achievement based on his prior award of the combat infantryman badge and the Army of Occupation Medal with Germany Clasp.

Our Nation is forever grateful for Jim's service.●

MESSAGES FROM THE HOUSE

At 12:09 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 611. An act to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1541. An act to amend title 54, United States Code, to make Hispanic-serving institutions eligible for technical and financial assistance for the establishment of preservation training and degree programs.

H.R. 1755. An act to amend title 36, United States Code, to make certain improvements in the congressional charter of the Disabled American Veterans.

H.R. 2212. An act to take certain Federal lands located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes.

H.R. 2270. An act to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Memorial within the wildlife refuge, and for other purposes.

H.R. 2288. An act to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes.

H.R. 3279. An act to amend titles 5 and 28, United States Code, to require annual reports to Congress on, and the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes.

H.R. 3490. An act to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes.

The message further announced that pursuant to 15 U.S.C. 1024(a), and the order of the House of January 6, 2015, the Speaker appoints the following Member on the part of the House of Representatives to the Joint Economic Committee: Mr. TIBERI of Ohio, to rank before Mr. AMASH.

ENROLLED BILL SIGNED

At 6:41 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 611. An act to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1541. An act to amend title 54, United States Code, to make Hispanic-serving institutions eligible for technical and financial assistance for the establishment of preservation training and degree programs; to the Committee on Energy and Natural Resources.

H.R. 1755. An act to amend title 36, United States Code, to make certain improvements in the congressional charter of the Disabled American Veterans; to the Committee on the Judiciary.

H.R. 2212. An act to take certain Federal lands located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes; to the Committee on Indian Affairs.

H.R. 2288. An act to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3279. An act to amend titles 5 and 28, United States Code, to require annual reports to Congress on, and the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes; to the Committee on the Judiciary.

H.R. 3490. An act to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes; to the Committee on the Judiciary.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 427. An act to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, December 1, 2015, she had presented to the President of the United States the following enrolled bill:

S. 599. An act to extend and expand the Medicaid emergency psychiatric demonstration project.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 1719. A bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MENENDEZ:

S. 2335. A bill to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes; to the Committee on Environment and Public Works.

By Mr. COONS (for himself, Mr. MARKEY, Ms. BALDWIN, and Ms. WARREN):

S. 2336. A bill to modernize laws, and eliminate discrimination, with respect to people living with HIV/AIDS, and for other purposes; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. FLAKE, Ms. HEITKAMP, Mr. COATS, Mr. HEINRICH, Mr. JOHNSON, Mr. BENNET, Ms. AYOTTE, Mr. WARNER, Ms. BALDWIN, Mr. TESTER, Mr. KING, Ms. KLOBUCHAR, Mrs. BOXER, Mr. BLUMENTHAL, Ms. COLLINS, and Mr. FRANKEN):

S. 2337. A bill to improve homeland security by enhancing the requirements for participation in the Visa Waiver Program, and for other purposes; to the Committee on the Judiciary.

By Ms. HIRONO:

S. 2338. A bill to award grants to States for the development of innovative long-term services and supports programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Mr. BLUMENTHAL, and Mr. WHITEHOUSE):

S. 2339. A bill to amend the Mineral Leasing Act to increase the royalty rate for coal produced from surface mines on Federal land, to prohibit the export of coal produced on Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER (for himself, Mr. THUNE, Ms. STABENOW, and Mr. ROBERTS):

S. Res. 323. A resolution supporting the designation of December 1, 2015, as ''#GivingTuesday'' and supporting strong incentives for all people of the United States to give generously; to the Committee on Finance.

By Mr. KIRK (for himself, Mr. MANCHIN, and Mr. RUBIO):

S. Con. Res. 26. A concurrent resolution expressing the sense of Congress regarding the right of States and local governments to maintain economic sanctions against Iran; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 85

At the request of Mr. BURR, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 85, a bill to amend the Higher Education Act of 1965 to establish a simplified income-driven repayment plan, and for other purposes.

S. 247

At the request of Mr. CRUZ, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 247, a bill to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, and for other purposes.

S. 373

At the request of Mr. CRAPO, his name was added as a cosponsor of S. 373, a bill to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel.

S. 429

At the request of Ms. BALDWIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 429, a bill to amend title XIX of the Social Security Act to provide a standard definition of therapeutic foster care services in Medicaid.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 551

At the request of Mrs. FEINSTEIN, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 551, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 569

At the request of Mr. LEAHY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 569, a bill to reauthorize the farm to school program, and for other purposes.

S. 571

At the request of Mr. SASSE, his name was added as a cosponsor of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 578

At the request of Ms. COLLINS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 849

At the request of Mr. ISAKSON, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 849, a bill to amend the Public Health Service Act to provide for systematic data collection and analysis and epidemiological research regarding Multiple Sclerosis (MS), Parkinson's disease, and other neurological diseases.

S. 857

At the request of Ms. STABENOW, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 857, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of an initial comprehensive care plan for Medicare beneficiaries newly diagnosed with Alzheimer's disease and related dementias, and for other purposes.

S. 946

At the request of Mr. KIRK, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 946, a bill to amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing 2 or more levels stacked on top of one another.

S. 1133

At the request of Mr. FRANKEN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1133, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 1212

At the request of Mr. CARDIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1495

At the request of Mr. TOOMEY, the names of the Senator from Iowa (Mrs. ERNST) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 1495, a bill to curtail the use of changes in mandatory programs affecting the Crime Victims Fund to inflate spending.

S. 1559

At the request of Ms. AYOTTE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1559, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 1830

At the request of Mr. BARRASSO, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1830, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 1856

At the request of Mr. BLUMENTHAL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1856, a bill to amend title 38, United States Code, to provide for suspension and removal of employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety and to improve accountability of employees of the Department, and for other purposes.

S. 1915

At the request of Ms. AYOTTE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1915, a bill to direct the Secretary

of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes.

S. 2045

At the request of Mr. HELLER, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2045, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

S. 2196

At the request of Mr. CASEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2283

At the request of Mr. DAINES, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2283, a bill to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements.

S. 2308

At the request of Mr. CARDIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2308, a bill to amend the Internal Revenue Code of 1986 to clarify the treatment of church pension plans, and for other purposes.

S. 2323

At the request of Mr. DURBIN, the names of the Senator from Maine (Mr. KING), the Senator from Oregon (Mr. MERKLEY) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 2323, a bill to clarify the definition of nonimmigrant for purposes of chapter 44 of title 18, United States Code.

S. 2327

At the request of Mr. CASEY, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2327, a bill to amend the Internal Revenue Act of 1986 to strengthen the earned income tax credit and expand eligibility for childless individuals and youth formerly in foster care.

S. CON. RES. 25

At the request of Mr. LEE, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. Con. Res. 25, a concurrent resolution expressing the sense of Congress that the President should submit the Paris climate change agreement to the Senate for its advice and consent.

S. RES. 148

At the request of Mr. WYDEN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 322

At the request of Mr. SESSIONS, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. Res. 322, a resolution recognizing the 60th anniversary of the refusal of Rosa Louise Parks to give up her seat on a bus on December 1, 1955.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. FLAKE, Ms. HEITKAMP, Mr. COATS, Mr. HEINRICH, Mr. JOHNSON, Mr. BENNET, Ms. AYOTTE, Mr. WARNER, Ms. BALDWIN, Mr. TESTER, Mr. KING, Ms. KLOBUCHAR, Mrs. BOXER, Mr. BLUMENTHAL, Ms. COLLINS, and Mr. FRANKEN):

S. 2337. A bill to improve homeland security by enhancing the requirements for participation in the Visa Waiver Program, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Visa Waiver Program Security Enhancement Act.

I am pleased to be joined by Senator FLAKE, who is the lead Republican cosponsor, as well as Senators HEITKAMP, COATS, HEINRICH, JOHNSON, BENNET, AYOTTE, WARNER, BALDWIN, TESTER, KING, KLOBUCHAR, BOXER, and BLUMENTHAL.

This bill would improve the security of the Visa Waiver Program, which is used by about 20 million travelers a year.

The horrific attacks in Paris and the emergence of ISIL make it absolutely clear that we must strengthen the Visa Waiver Program to protect our country. This bill would do just that.

38 countries are now part of the Visa Waiver Program.

Nationals from these countries may come to the United States for up to 90 days without a visa.

Travelers through the program use an online application to gain approval to travel to the United States. Many of these travelers simply apply for approval from their home computer.

Participating countries must also enter into valuable intelligence-sharing agreements with the United States.

By comparison, only about 36 million people secured visas for business, tourism, and other temporary purposes to the United States from 2005 to 2010—an average of only 6 million per year.

As we all know, fewer than 2,000 refugees from the Syrian conflict—which go through a heavy vetting process—were admitted to the United States over the last 4 years.

Put that in perspective: fewer than 2,000 Syrian refugees over 4 years, versus 20 million travelers through the Visa Waiver program annually.

The vetting for a refugee takes 18 to 24 months, whereas an application to travel through the Visa Waiver Program can be approved within seconds.

That should tell us how much of a priority improving the security of this program is.

Today, there are thousands of citizens from European visa waiver countries that have gone to fight in Syria.

In fact, the Visa Waiver Program includes numerous countries that have populations in which some people have become radicalized.

The program includes 38 countries, including the following: Belgium, France, Germany, Greece, Hungary, The Netherlands, and The United Kingdom.

So, nationals of these countries who travel to Iraq or Syria to train and fight may then be able to cross back into Europe and then come to this country on a visa waiver.

As is now clear, some who committed the recent attacks in Paris were French and Belgian nationals.

The attackers in the Charlie Hebdo attacks—the Kouachi brothers—were born and raised in France. They were French nationals as well.

The European Union Justice Commissioner said in April of this year that 5,000–6,000 Europeans could be fighting in Syria.

More than 1,500 are French nationals.

This is why the Visa Waiver Program, at the current time, poses a major risk—it is a quick and direct route for a terrorist to come to the United States without a visa.

The group known as ISIL has publicly threatened to attack the United States and we have every reason to believe they will exploit every opportunity to do so.

So we must take strong action.

A major concern is also the problem with lost and stolen passports, which could be used by dangerous individuals to gain entry to the United States on the Visa Waiver Program without raising red flags.

According to INTERPOL, nearly 45 million passports have been reported lost or stolen within the past 10 years.

Let me repeat that: 45 million lost or stolen passports circulating worldwide.

Passports typically are valid for five to 10 years, which means many of these lost or stolen passports have not yet expired.

If a blank passport is stolen, it may have no expiration date at all.

A foreign fighter could use one of the millions of unexpired lost and stolen passports to travel to the United States through the Visa Waiver Program in order to do us harm.

Today, the first face-to-face interaction and biometric check that a

first-time Visa Waiver Program traveler would have with any U.S. official is when the person reaches the port of entry, like a United States airport.

That provides only a narrow window to detect that the individual is a person who is intent on committing an attack.

This Visa Waiver Program Security Enhancement Act would strengthen the Visa Waiver Program in a variety of ways, making our nation safer and protecting an important stream of international tourism and commerce.

First, the bill says that a national of a Visa Waiver country who has traveled to Iraq or Syria in the last five years would have to get a visa instead of using the Visa Waiver Program.

The effect of this would be that the person would have to go through the normal consular process—in which biometric information would be taken, and the person interviewed—instead of traveling to the United States on a visa waiver.

Second, the bill would require that biometric data, such as digital photographs or fingerprints, be provided to the U.S. government prior to boarding a plane to travel to the U.S. on the Visa Waiver Program but only for those individuals for whom we do not already have biometrics.

Today, biometrics are not taken until a traveler from a Visa Waiver country first enters the United States at the port of entry.

That is too late, and it leaves the opportunity for a person seeking to commit an attack against the aircraft itself to do so.

We have recently seen that ISIL is willing to take down airliners. We know what sort of tragedy can happen when terrorists take control of an airplane.

We must do everything we can to make sure an ISIL member does not board an aircraft bound for the United States with the intent to take it down.

This bill would make the biometric requirement effective within one year, prioritizing areas of danger, and would enable the Department of Homeland Security to extend the roll-out on a country-specific basis.

The Department of Homeland Security has already announced its intent to expand Customs and Border Protection preclearance to new foreign airports, including in Belgium, the Netherlands, Spain, and the United Kingdom—all Visa Waiver countries.

As the bill is currently written, those foreign nationals who travel through the preclearance process would satisfy the biometric requirements of the bill.

The simple fact is that we need to develop a way to screen and verify individuals biometrically before they get on a plane to the U.S., and this bill would do that.

Third, the bill would eliminate the use of older-generation passports by any citizen of Visa Waiver Countries.

Within 90 days of enactment, all Visa Waiver travelers would be required to have a valid, unexpired, machine-readable passport that is tamper-resistant and incorporates biometric identifiers.

The Department of Homeland Security has announced that it will roll this out administratively, but this provision would make it a clear statutory requirement.

Fourth, the bill would strengthen the intelligence sharing that is the bedrock of this program.

The Department of Homeland Security has been able to gather valuable data from Visa Waiver countries under existing information sharing agreements.

There are three such agreements. One relates to information regarding known or suspected terrorists. The second relates to sharing of fingerprint data pertaining to serious crimes. And the third requires provision of lost or stolen passport information directly or via INTERPOL.

It is my understanding that—although countries have signed these agreements—not all have fully implemented them. This bill would require that those agreements be implemented, not just signed.

The bill would also establish several new information-sharing provisions, which the Department of Homeland Security would be required to examine in assessing whether a country can join or stay in the Visa Waiver Program.

One such provision would require DHS to consider whether a country contributes to and screens against INTERPOL's lost and stolen documents database.

Let me explain why this is important. Simply put, INTERPOL's lost and stolen documents database is not as frequently used as it could be.

Increased use of INTERPOL's database could assist all nations, including those outside the Visa Waiver Program, to prevent travel using lost or stolen passports and thus to inhibit the international movement of foreign fighters.

This bill would also require DHS to consider whether a country collects and shares biometric information of refugee and asylum seekers—an important provision to help the United States ensure bad actors are prevented from traveling to the United States.

It would also require DHS to consider whether a country shares intelligence about foreign fighters with the United States, as well as with international organizations like INTERPOL.

Lastly, the bill would require that countries participating in the Visa Waiver Program have Federal Air Marshal agreements in place.

The Paris attacks demonstrate beyond any doubt that the Visa Waiver Program creates a security risk for our country.

The Visa Waiver Program Security Enhancement Act will address vulnerabilities in the Visa Waiver Program, improve information sharing, and help keep our country safe.

I urge my colleagues to support this bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 323—SUPPORTING THE DESIGNATION OF DECEMBER 1, 2015, AS ''#GIVINGTUESDAY'' AND SUPPORTING STRONG INCENTIVES FOR ALL PEOPLE OF THE UNITED STATES TO GIVE GENEROUSLY

Mr. SCHUMER (for himself, Mr. THUNE, Ms. STABENOW, and Mr. ROBERTS) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 323

Whereas the Tuesday after Thanksgiving begins the holiday giving season with a global day dedicated to charitable giving, known as ''#GivingTuesday'';

Whereas December 1, 2015, is the fourth annual #GivingTuesday;

Whereas since the inception of #GivingTuesday in 2012, #GivingTuesday has become a worldwide movement that celebrates the power of giving in all forms;

Whereas in 2012, #GivingTuesday brought together more than 2,500 organizations in all 50 States and continues to gain momentum with more than 35,000 partners in the United States and around the world;

Whereas online donations have increased 470 percent since the Tuesday after Thanksgiving in 2011;

Whereas #GivingTuesday, along with other community giving days, highlights the charitable community in the United States, which comprises approximately 1,500,000 nonprofit organizations, philanthropic organizations, and religious congregations that are dedicated to improving lives and strengthening communities;

Whereas nonprofit organizations are key partners with Federal, State, and local governments in the delivery of key programs and services, including—

(1) child learning and nutrition;

(2) emergency disaster response;

(3) services for victims; and

(4) job training and placement programs;

Whereas communities are lifted up by the exposure of all community members to the cultural, educational, and civic opportunities provided by nonprofit organizations;

Whereas the values of volunteerism and generosity toward the common good has led to over 60 percent of people in the United States, including 84 percent of millennials, making financial contributions to support the work of nonprofit organizations;

Whereas virtually every person in the United States benefits from the work of the charitable community, which—

(1) employs over 13,700,000 workers, or 10 percent of the workforce of the United States; and

(2) engages an additional 63,000,000 volunteers;

Whereas in 2014, individuals, foundations, and businesses gave over $335,000,000,000 to support charitable causes and it has been estimated that, with no deduction for charitable gifts, annual individual giving would drop by 25 to 36 percent;

Whereas other effective charitable giving incentives in the Internal Revenue Code of 1986 relating to individual retirement account contributions, food donations, and conservation easement donations expired on January 1, 2015, the fifth time in recent years;

Whereas the United States is a great country with a strong philanthropic tradition that should be continued and carried on; and

Whereas all political parties can agree on charitable giving, which transcends differences of ideology and unites people across boundaries: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that the United States needs a strong and vibrant charitable and philanthropic sector to enable communities to meet local needs;

(2) supports the designation of December 1, 2015, as ''#GivingTuesday''—

(A) to encourage charitable giving;

(B) to effect positive change; and

(C) to promote causes dedicated to progress, prosperity, and a better world; and

(3) supports strong incentives for all people of the United States to give generously to charitable organizations by—

(A) protecting the existing charitable donation tax deduction; and

(B) continuing incentives that encourage philanthropy, volunteering, and innovation.

Mr. THUNE. Mr. President, I am pleased to support S. Res. 323, a resolution I submitted today along with Senator SCHUMER, Senator STABENOW, and Senator ROBERTS, which expresses the sense of the Senate that Congress should recognize the benefits of charitable giving and express support for the designation of today, December 1, 2015, as #GivingTuesday.

Celebrated annually since 2012 on the Tuesday after Black Friday and Cyber Monday, #GivingTuesday kicks off the holiday giving season with a global day dedicated to charitable giving through a social movement that encourages giving in all its forms by people and communities across the country.

From the first year of #GivingTuesday, when more than 2,500 organizations from all 50 States came together to celebrate giving, to today, when more than 35,000 partners in the United States and around the world will participate, this movement has provided an annual opportunity for the country to come together to honor the long American history of giving back and working together.

I would also like to recognize #GivingTuesday for its power to enact positive change and promote causes that further progress and prosperity for a better world, while also enabling local communities to meet specific needs.

In my State of South Dakota, for example, many local organizations have already endorsed #GivingTuesday. Feeding South Dakota, located in Pierre, Rapid City, and Sioux Falls, is participating through numerous food programs and fundraisers with the ultimate goal of eliminating hunger entirely in my state. Likewise, the United Way & Volunteer Services of Greater Yankton is participating through a book drive that benefits local children as part of the Big Red Bookshelf program, and through financial support that will be used for the Connecting Kids Youth Scholarship program.

The success of #GivingTuesday further highlights the work of the American charitable community, which boasts 1.5 million nonprofits, philanthropic organizations, and religious congregations dedicated to improving lives and strengthening communities. These charitable organizations employ 13.7 million workers, or nearly 10 percent of the U.S. workforce, with an additional 63 million people engaged in volunteer work.

In all, more than 60 percent of Americans, including 84 percent of millennials, make financial contributions to support the work of nonprofit organizations.

As we just gave thanks last week surrounded by friends and family, it is abundantly clear that we have much to be thankful for. I hope that my colleagues will join me to continue that spirit of giving and sharing, and support #GivingTuesday.

SENATE CONCURRENT RESOLUTION 26—EXPRESSING THE SENSE OF CONGRESS REGARDING THE RIGHT OF STATES AND LOCAL GOVERNMENTS TO MAINTAIN ECONOMIC SANCTIONS AGAINST IRAN

Mr. KIRK (for himself, Mr. MANCHIN, and Mr. RUBIO) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 26

Whereas Iran is a major threat to the national security of the United States and its allies;

Whereas Iran is the world's leading state sponsor of terrorism and continues to materially support Hezbollah, Hamas, and the regime of Bashar al-Assad;

Whereas Iran is responsible for severe violations of the human rights of the people of Iran, including imprisonment, harassment, and torture against dissidents and those critical of the Iranian regime such as human rights defenders, lawyers, activists, and ethnic minorities;

Whereas the United States has led the international community in imposing crippling economic sanctions against Iran for sponsoring terrorism and its human rights violations;

Whereas section 202 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8532) authorizes States and local governments to divest from, or prohibit investment of the assets of the State or local government in, any person that the State or local government determines, using credible information available to the public, engages in investment activities in Iran;

Whereas section 202(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 states that, ''It is the sense of Congress that the United States should support the decision of any State or local government that for moral, prudential, or reputational reasons divests from, or prohibits the investment of assets of the State or local government in, a person that engages in investment activities in the energy sector of Iran, as long as Iran is subject to economic sanctions imposed by the United States.'';

Whereas section 202(f) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 states that, ''A measure of a State or local government authorized under subsection (b) or (i) is not preempted by any Federal law or regulation.'';

Whereas States have explicit authority granted by Congress and the executive branch through the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 to enact sanctions against Iran or entities that do business with Iran and cannot have such actions be preempted by Federal law or regulation;

Whereas the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, including section 202 of such Act, was enacted by Congress out of concern for illicit Iranian behavior, including its state sponsorship of terrorism and human rights abuses;

Whereas 30 States and the District of Columbia have enacted divestment legislation or policies against Iran by refusing to invest State and local pensions in international corporations that do business with Iran;

Whereas 11 States have enacted laws or policies that prohibit awarding State or local government contracts to companies or financial institutions that do business with Iran;

Whereas such laws and regulations in no way interfere with the conduct of United States foreign policy;

Whereas States and local governments adopted such laws and regulations out of a shared concern for illicit Iranian behavior, including its state sponsorship of terrorism and human rights violations;

Whereas on July 14, 2015, the P5+1 countries and Iran agreed to the Joint Comprehensive Plan of Action (in this resolution referred to as the ''JCPOA'');

Whereas Iran divestment laws and regulations adopted by States and local governments in no way prevent the implementation of the lifting of sanctions as specified in the JCPOA;

Whereas, on July 28, 2015, under testimony to the Committee on Foreign Affairs of the House of Representatives, Secretary of State John Kerry confirmed that States' legal authority to enact sanctions against Iran would not be affected by the implementation of the JCPOA;

Whereas, on September 30, 2015, Chris Backemeyer, the Principal Deputy Coordinator for Sanctions Policy at the Department of State, stated in reference to sanctions by State and local governments against Iran, ''We certainly discussed this issue when we were in the negotiations, and at the present time we do not feel like any of those pieces of legislation jeopardize our ability to implement the JCPOA, and we are quite clear about that.''; and

Whereas sanctions targeting Iran's sponsorship of terrorism and human rights violations, including State and local government divestment laws and regulations, remain a core national security priority of the United States: Now, therefore, be it

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

(1) reaffirms its commitment to stopping Iran's sponsorship of terrorism and human rights violations;

(2) reaffirms its legislative intent that the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8501 et seq.), including section 202 of such Act, was enacted to deter illicit Iranian behavior, including its sponsorship of terrorism and human rights violations; and

(3) strongly supports continued State and local government sanctions targeting Iran's illicit activity, including divestment of assets from companies investing in Iran and prohibition of investment of the assets of the State or local government in any person that the State or local government determines, using credible information available to the public, engages in investment activities in Iran, as authorized by section 202 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2874. Mr. MCCONNELL proposed an amendment to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

TEXT OF AMENDMENTS

SA 2874. Mr. MCCONNELL proposed an amendment to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

Strike all after the enacting clause and insert the following:

TITLE I—FINANCE

SEC. 101. FEDERAL PAYMENT TO STATES.

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term ''prohibited entity'' means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded $350,000,000.

(2) DIRECT SPENDING.—The term ''direct spending'' has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

SEC. 102. INDIVIDUAL MANDATE.

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B) by striking clauses (ii) and (iii) and inserting the following:

''(ii) Zero percent for taxable years beginning after 2014.'', and

(2) in paragraph (3)—

(A) by striking ''$695'' in subparagraph (A) and inserting ''$0'',

(B) by striking ''and $325 for 2015'' in subparagraph (B), and

(C) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2014.

SEC. 103. EMPLOYER MANDATE.

(a) LARGE EMPLOYERS NOT OFFERING HEALTH COVERAGE.—Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting ''($0 in the case of months beginning after December 31, 2014)'' after ''$2,000''.

(b) LARGE EMPLOYERS OFFERING COVERAGE WITH EMPLOYEES WHO QUALIFY FOR PREMIUM TAX CREDITS OR COST-SHARING REDUCTIONS.—Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting ''($0 in the case of months beginning after December 31, 2014)'' after ''$3,000''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2014.

SEC. 104. REPEAL OF MEDICAL DEVICE EXCISE TAX.

(a) IN GENERAL.—Chapter 32 of the Internal Revenue Code of 1986 is amended by striking subchapter E

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to sales in calendar quarters beginning after the date of the enactment of this Act.

SEC. 105. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.

(a) EXCISE TAX.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980I.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2017.

(c) REINSTATEMENT.—The amendment made by subsection (a) shall not apply to taxable years beginning after December 31, 2024, and chapter 43 of the Internal Revenue Code of 1986 is amended to read as such chapter would read if such subsection had never been enacted.

SEC. 106. RECAPTURE OF EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.

(a) IN GENERAL.—Subparagraph (2) of section 36B(f) of the Internal Revenue Code of 1986 is amended by striking subparagraph (B).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending after December 31, 2015.

TITLE II—HEALTH, EDUCATION, LABOR AND PENSIONS

SEC. 201. REPEAL OF THE PREVENTION AND PUBLIC HEALTH FUND.

(a) IN GENERAL.—Section 4002(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11(b)) is amended—

(1) in paragraph (2), by striking ''2017'' and inserting ''2015''; and

(2) by striking paragraphs (3) through (5).

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available by such section 4002, the unobligated balance is rescinded.

SEC. 202. FUNDING FOR COMMUNITY HEALTH CENTER PROGRAM.

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting after ''Section 10503(b)(1)(E) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b–2(b)(1)(E)) is amended'' the following: ''by striking '$3,600,000,000' and inserting '$3,835,000,000' and''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. COATS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on December 1, 2015, at 9:30 a.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. COATS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on December 1, 2015, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. COATS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on December 1, 2015, at 2:45 p.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''International Tax: OECD BEPS & EU State Aid.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. COATS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 1, 2015, at 2:30 p.m., to conduct a hearing entitled ''Nominations.''

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

COMMITTEE ON THE JUDICIARY

Mr. COATS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized

to meet during the session of the Senate on December 1, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Puerto Rico's Fiscal Problems: Examining the Source and Exploring the Solution.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. COATS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on December 1, 2015, at 2:30 p.m.

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

MEASURE READ THE FIRST TIME—H.R. 427

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk and ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 427) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

Mr. MCCONNELL. I ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR WEDNESDAY, DECEMBER 2, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, December 2; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; lastly, that following leader remarks, the Senate then resume consideration of H.R. 3762.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:50 p.m., adjourned until Wednesday, December 2, 2015, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—*Tuesday, December 1, 2015*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. KELLY of Mississippi).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 1, 2015.

I hereby appoint the Honorable TRENT KELLY to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

NATIONAL FISH AND WILDLIFE FOUNDATION

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, a few weeks ago, I participated in a forum hosted by a Foundation created in the 1980s by Congress: the National Fish and Wildlife Foundation, or NFWF. The forum was on the connection between agriculture and the Chesapeake Bay.

The health of the bay is important in Pennsylvania's Fifth Congressional District, which I represent, since the streams and rivers in a large portion of the district drain into it. This is also a region which depends on agriculture, the Commonwealth's largest industry.

Among the topics of discussion at the forum were the Chesapeake Stewardship grants, which are funded by the U.S. Environmental Protection Agency and administered by the NFWF. This funding goes toward the restoration of streams which flow into the bay and to those that cut down on nutrient and sediment pollution.

This fall, I joined the NFWF in touring several sites across Pennsylvania's Fifth Congressional District, which were all funded by these grant programs. These sites show the direct connection between agriculture and the health of the Chesapeake Bay, with all of them located on farmland. The projects range from those which keep animal waste out of waterways to flood control and stream bank restoration, all of which improve the overall health of local streams, local watersheds, and, ultimately, the health of the Chesapeake Bay.

As chairman of the House Agriculture Subcommittee on Conservation and Forestry, as well as a member of the House National Resource Committee, the health of our watersheds is critically important. Healthy watersheds are needed for the sustainability of both agriculture and the land.

As I explained during the forum, the commitment to agriculture and healthy watersheds continues through passage last year of a 5-year farm bill and the various conservation programs contained within title II of that bill.

The tour of the National Fish and Wildlife Foundation watershed projects, along with this recent forum, gave me the opportunity to hear firsthand from farmers, agricultural leaders, and those involved in the restoration of streams and rivers on what can be done here in Washington to help improve the quality of water in our local rivers, streams, the Chesapeake Bay Watershed, and the bay itself. I look forward to working with the agriculture community and many conservationists as we prepare for the next reauthorization of the farm bill.

CLIMATE CHANGE

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

Mr. BLUMENAUER. Mr. Speaker, the eyes of the world are on Paris as it recovers from one tragedy and when 150 world leaders gather to prevent another. They meet to secure a global agreement on climate change.

Reliance on fossil fuels, especially coal, and wasteful, expensive energy consumption shortchanges today's priorities and threatens our future. Ten years from now, even many of the current climate skeptics will wonder, ''What were we thinking?''

The scientific evidence and the overwhelming consensus it has created is clear. The immediate impacts of record temperatures, erratic, very dangerous weather patterns, ocean acidification, drought, disease, social disruption, and wildfires have predictable impacts that have already cost us dearly, with many more severe problems on the horizon.

It is sad that what should be a straightforward, scientific conclusion has become so emotionally charged and politically volatile. It is embarrassing and ironic that in the middle of this historic event on climate change, as the world consensus is strengthening and moving toward action, the best that our Republican Congress can do is voting on two pieces of legislation that would undo much of the progress we have already made.

The Republican leader in the Senate argues that the carbon rule of the administration is a vast overreach and yet that the Obama policies won't accomplish anything, all while working to undermine their effectiveness. We will then vote on H.R. 8, a fossil fuel giveaway that will do nothing to combat climate change, but only accelerate the problem.

The best solution to the climate threat is not these foolish votes and obstructionism, but an action that has the potential to resolve other controversial issues while addressing our major climate challenges.

It is past time for the Federal Government to enact a revenue-neutral fee on carbon emissions. This would not be an excuse to expand government spending and new programs, but instead simplify and solve current problems in a cost-effective manner.

Consider for a moment that high on the list of problems, in addition to climate change, is that almost everyone thinks we should fix our broken corporate Tax Code, avoiding the looming Social Security deficit, and streamlining the patchwork of uneven energy subsidy provisions.

A revenue-neutral carbon tax is a proven market mechanism to reduce the devastating carbon pollution. We could sweep away expensive and often conflicting clean energy subsidies and replace them with something much more effective.

We could use the carbon revenues not for new programs, but to eliminate the looming 25 percent cut in Social Security, acting quickly while a solution is more affordable and less disruptive to the lives of our seniors.

At the same time, we could adjust the Social Security tax downward to protect middle and lower income people from impacts of the fee, and we could boost small business, shielding

them from part of the cost and lowering the payroll tax they pay, making it cheaper for them to employ people.

Finally, a portion of the revenues could be used to buy down the world's highest corporate tax rate that the United States currently has, which distorts business decisions and places us at a competitive disadvantage with other developed countries.

Think about it. We could solve the existential climate threat, make the tax system simpler, more fair, and effective, avoid the looming Social Security crisis, and shield individuals and small business from the undue impact from the carbon fee, while making our businesses more competitive. That is about as close as can you get to a nonpartisan, nonideological, grand-slam policy home run.

Instead of policies of division and denial, it is time for us to come together to support a revenue-neutral carbon tax to solve multiple problems and meet our obligations to our children and grandchildren.

HONORING WILLIAM BOSTIC JR. AND DOUGLAS CLAYTON FARGO

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to recognize the lives of two outstanding Americans who passed away in October. Both men were part of the Greatest Generation and served our country honorably during the Second World War.

William Bostic Jr., also known as Bill, passed away on October 30. He was a native of West Virginia, born in Renick in 1922, lived most of his life in Ravenswood in the Second Congressional District, and was the son of William Bostic Sr. and Nancy Lou Dale Bostic.

In 1943, he was called to serve his country, and serve it well he did. Bill served in the Pacific Theater, where he was injured in the line of duty.

On February 8, 1945, Corporal Bostic was serving as a member of an artillery liaison party when the enemy began attacking with rocket, artillery, and mortars in support of demolition units. Bill, with complete disregard for his own safety, left his foxhole and crawled to a point where he could better communicate with the supporting artillery.

After establishing communications, he was struck by enemy mortar fragments and, though seriously wounded, refused to leave his post until the enemy attack had been repulsed. His utter disregard for his own personal welfare and his devotion to duty assisted materially in the adjustment of artillery fire that broke up the enemy attack.

For this act of gallantry, Bill was awarded the Silver Star. During his 11 years of service to our country, he also earned six Bronze Stars, a Purple Heart, and a Good Conduct ribbon, just to name a few.

Bill is survived by his wife of 65 years, Pauline Bostic. She still lives in Jackson County, West Virginia. He will be laid to rest at Arlington National Cemetery.

Mr. Douglas Clayton Fargo, Doug, is another true American hero who passed away.

Doug lived in Charles Town, West Virginia, for over 25 years. After graduating from high school, Doug enlisted with the U.S. Army and served from 1944 to 1946. He fought in nine major battles and was quickly elevated in rank from a private to a sergeant as he served under the great General George Patton. He was awarded the Bronze Star and the Combat Infantry Badge for his services.

In 1951, he was recalled to Active Duty and served another 2 years in the Korean war, where he received his field commission as a lieutenant. He led 11 combat patrols and was awarded a second Bronze Star and a second Combat Infantry Badge, as well as 18 other ribbons and decorations.

After his retirement, he remained active in the community and stayed involved with a number of veterans organizations, including the Korean War Veterans Association, Forty and Eight, Kiwanis, and Military Officers Association of America.

Doug was preceded in death by his first wife, Maria Laura Mae Fargo, and his second wife, Eileen Fargo, as well as the last love of his life, Eunice Steed. Additionally, Mr. Fargo lost his grandson, Adam Joseph Fargo, on July 22, 2006, when he was killed in action while fighting in Iraq.

Doug will also be buried in the Arlington National Cemetery.

Bill and Doug were fantastic men who served their country and their communities with honor.

PARIS CLIMATE TALKS

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

Mr. QUIGLEY. Mr. Speaker, this week, more than 40,000 negotiators from 196 governments have descended on the French capital for the Paris climate summit. This summit provides the world with a critical opportunity to take a significant step toward creating an ambitious and effective global framework for addressing climate change.

Climate change is no longer a problem for future generations. It is our problem, and we must act now. Paris gives us that opportunity.

The science demonstrating the reality of climate change advances by the day. In fact, 14 of the 15 warmest years on record have occurred since the year 2000, and 2015 is on track to be the warmest year of all.

No country, no matter how large or small, wealthy or poor, is immune to the detrimental effects we will face if we do not address this global climate crisis.

The good news is that there has been quite a bit of global action over the past few months leading up to the Paris summit. Nearly 180 countries, covering more than 95 percent of the global greenhouse gas emissions, have pledged to take steps to reduce CO_2 emissions.

A U.N. report shows that the pledges submitted so far represent a substantial step in global action that will significantly curtail the world's carbon trajectory.

□ 1015

If those pledges are implemented, global warming would slow to roughly 3 degrees by 2100. While this isn't enough to meet U.N. targets, it is better than the 4- to 5-degree increase if nothing were done.

With such a significant and impactful opportunity in front of us, many eyes are on the U.S. What will we do? How will we act?

As the world's largest economy and the second largest emitter of carbon dioxide, we cannot stand by and do nothing. Thanks to President Obama, we have made real progress in advancing our goals of reducing emissions and improving our air quality.

Earlier this year the administration finalized the Clean Power Plan, which establishes the first ever national standards to limit carbon pollution from existing power plants. This is a plan that will prevent up to 3,600 premature deaths, 90,000 asthma attacks in children, and 300,000 missed workdays and schooldays, all the while creating tens of thousands of jobs and saving American families money on their energy bills.

Right now world leaders at the Paris Climate Summit are working to forge international progress on the climate crisis. So it comes as no surprise that my colleagues here in Congress are taking action on this important topic as well. Not so much.

In Paris, they are developing a road map to gradually reduce greenhouse gas emissions. In Washington, we are voting on resolutions that would nullify the only national plan we have to address carbon pollution.

In Paris, the burden of slashing greenhouse gases is being shared by everyone, not just the wealthy countries. In Washington, some, the majority, are reluctant to take any blame for this growing crisis.

This all makes perfect sense. Right?

At a time when the world is coming together to address one of the defining issues of our lifetime, some of my colleagues have decided to sabotage

American leadership on this critical topic.

This is not what American families need, and this is certainly not what the world needs to see from a global leader.

Theodore Roosevelt once said, ''Knowing what's right doesn't mean much unless you do what's right.''

We know we are running out of time to mitigate climate change. If we fail to take meaningful action now, that knowledge will mean nothing.

As with any global challenge, climate change will not be solved in one fell swoop. No single action, no single government, and no single summit will decisively address one of the greatest global threats our world has ever seen.

But Paris does allow us the opportunity to devise a common purpose to create a better world for future generations.

I urge my colleagues to do the right thing, vote against these harmful environmental riders on the floor this week, and allow America to be the leader on climate change.

HONORING THE LIFE OF OFFICER DANIEL N. ELLIS

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

Mr. BARR. Mr. Speaker, I rise today to celebrate the life and note the ''End of Watch'' for Officer Daniel Ellis, originally of Campbellsville, Kentucky, and more recently of Richmond, Kentucky.

On November 6, Officer Ellis was suddenly and tragically killed while on duty as an officer with the Richmond Police Department.

As a father of a young family, my heart breaks for his wife, Katie, and their 3-year-old son, Luke.

Officer Ellis was known by his friends and family to have a gentle spirit and a servant's heart. His death, while tragic, has united Kentuckians in honoring his service in Richmond.

My wife, Carol, and I were privileged to attend the memorial service for Officer Ellis on the campus of Eastern Kentucky University. Thousands of people lined the streets to show their support during his funeral procession.

Blue ribbons and wreaths adorned the windows of local businesses, and 7,000 mourners packed Eastern Kentucky University's Alumni Coliseum, including law enforcement officers from around the Commonwealth and the Nation, to honor the life of Officer Ellis, a life, as was noted during the service, that was devoted to justice, kindness, and service to others.

His death is a tragic reminder of the dangerous, selfless, and heroic work done by law enforcement officers and first responders each and every day.

I thank Officer Ellis for his service and devotion to our community. We celebrate and honor his life.

SYRIAN REFUGEE CRISIS

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

Mr. VEASEY. Mr. Speaker, I rise today to respectfully share with my colleagues some of the thoughts and concerns shared by residents in the Dallas-Fort Worth metroplex. These are heartfelt views expressed since we last met as a legislative body and voted on the passage of the American SAFE Act.

A passionate public discussion is underway about the role the United States should play during one of the greatest humanitarian crises of our time. I have received calls, emails, handwritten letters, texts, Facebook messages from fellow Texans back home.

Many have expressed clearly that they think that some of the enhanced security clearances for Syrian and Iraqi refugees really means that America's legacy as a Nation that shares its freedom and opportunity is in danger.

They have expressed their disappointment, sometimes anger, that we may be allowing our national security concerns to trump our Nation's history of standing for liberty and justice.

I will take a moment to share their thoughts and views to ensure my colleagues that we also consider their views when making any future decision about the Syrian refugee crisis.

One resident stated that voting for a pause in accepting refugees from Iraq and Syria may not slow down the trickle that arrives here, but it is a huge symbolic vote.

Another resident stated that the SAFE Act only makes it harder for good people to flee from danger and being used by ISIL, and his hope is that the Obama administration is able to provide what Congress needs to do its job and that good Members reconsider the SAFE Act and don't vote to override the President's impending veto.

Other residents, like one in Arlington, directly stated that this bill was wrong.

Let me be clear. I did not view the SAFE Act as a vote against Syrian or Iraqi refugees or the greater refugee community. But the constituents that I represent have sent a strong message that any action that does not effectively balance national security with our national values is off course.

We must remember that the Statue of Liberty is more than just a symbol of freedom. It is a symbol that America is committed to welcoming and protecting those who seek and need refuge.

Many of my Democratic colleagues have joined me in supporting legislation that echoes this sentiment. We have sent letters to the administration and agencies supporting refugees this past year.

I have cosigned a letter to President Obama urging him to convene international negotiations to stop the Syrian civil war.

I cosponsored the Protecting Religious Minorities Persecuted by ISIS Act of 2015. This legislation directs the Secretary of State to establish or use existing refugee processing mechanisms to allow those with a credible fear of persecution by ISIL for gender, religious, or ethnic membership to apply for refugee admission to the United States.

But we can do more, as a Congress, to support the goals of refugee resettlement and keep the American people safe at the same time.

If we vote to update the refugee resettlement program, we must also allocate appropriate funds to ensure that men, women, and children fleeing violence do not get caught in unnecessary bureaucracy.

As a Congress, we can give legislative teeth to security enhancements to the Visa Waiver Program implemented by the Department of Homeland Security earlier this year. We can fully fund the President's budget request for aviation security. We can support and expedite our efforts to expand preclearance capability of foreign airports around the world. Doing so will provide with us a greater ability to prevent those who should not be flying here.

I am committed to keeping Americans safe, but I know that doing so is not inconsistent with providing refuge to some of the world's most vulnerable people. To turn our backs on refugees would be to betray our values.

The United States is a welcoming country that knows diversity equals strength. Our resettlement program must continue to reflect this. Any legislation that challenges this legacy should be rejected.

I will continue to keep residents' thoughts and concerns at the forefront of my decisionmaking, and I thank them for reaching out to me over the last week. I urge my colleagues to do the same.

STUDENT SUCCESS ACT

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

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to speak about the issue of public education in America and what we need to do here in Washington, D.C., to improve our public education system.

I specifically rise today to urge passage of the Student Success Act in the name of putting students first.

The bottom line, Mr. Speaker, is that right now the Federal education bureaucracy has imposed more mandates on local classrooms, on students, on teachers, on administrators, than was

ever intended or contemplated by our Constitution and essentially runs afoul of the principles of federalism. That being that, if power is not vested upon the Federal Government to do something, it should be left to the States or even more local subdivisions; in this case, our local school boards.

The Student Success Act seeks to empower teachers, administrators, parents, and students by sending control back to school boards and classrooms across this country.

Mr. Speaker, the Student Success Act accomplishes a great deal for the sake of the student. I am going to spend a minute explaining how and why that is. But it is also important to point out what happens if we do not pass this bill: more curriculum mandates out of Washington, D.C., more testing mandates out of Washington, D.C. If we do not pass this bill, we get more of that.

If we do not pass this bill, we have more power and control administered at the sole discretion of the Secretary of Education, as it stands right now. The Secretary of Education has the power of the purse at his disposal, and we have a waiver program that essentially plays out as follows:

If the Secretary of Education at the Federal level likes what you are doing with your curriculum and your accountability measures at the local level, you get grant money. If he doesn't like it, you don't get the grant money. There is way too much discretion in Washington, D.C., over how public education is managed and administered in this country. That is not the way it was intended to be.

The waiver program, which is in effect right now, is acting as a top-down lever to dictate what is taught in the classrooms, how it is taught, when and how much testing should be employed by teachers, how they teach in the classroom, and when students have to take tests.

I cannot tell you how often I hear from parents and students and teachers lamenting about not only the days spent testing, but the days spent preparing to test.

The effort with the Student Success Act is to roll that back and have States take a leadership role in that and the Federal Government retreat, reduce the Federal footprint in education in this country.

This is not a partisan issue. This is an issue of fairness. It is only fair that teachers and parents get more say over public education and Washington, D.C., gets less.

A vote against this bill is a vote for the status quo, and I don't think anyone really, truly wants public education coming more out of Washington, D.C.

The Student Success Act ensures that States cannot be coerced into Common Core. If we do not pass this bill, the Secretary of Education, through the waiver program, has more ability to impose Common Core. By passing this bill, States cannot be coerced into the Common Core curriculum.

The Student Success Act eliminates 49 duplicative, ineffective Federal programs. If we do not pass this bill, those 49 duplicative, ineffective programs stay on the books.

□ 1030

The Student Success Act provides more flexible funding for school districts to fund their priorities at the local level.

I want to thank Chairman KLINE, Mr. ROKITA, and all my colleagues on the Education and the Workforce Committee for their work on the Student Success Act.

Mr. Speaker, let's put children first and pass this bill.

ROSA PARKS DAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Mrs. BEATTY) for 5 minutes.

Mrs. BEATTY. Mr. Speaker, I rise today to honor and celebrate the memory of the great Rosa Parks, also known as the mother of the modern civil rights movement.

Today, December 1, marks the 60th anniversary of Rosa Parks' arrest for refusing to surrender her seat on a city bus in Montgomery, Alabama, to a White male. Her arrest on this date in 1955 put a face to Jim Crow and the disgrace of segregation in this country and, in many ways, united a nation in the struggle for civil rights for all.

As many of you know the story, Rosa Parks refused to give up her seat, sparking the peaceful Montgomery bus boycott, which lasted 381 days and led to the eventual desegregation of the public transportation system across this Nation.

Rosa Parks in every way embodies the tremendous difference a single person, Mr. Speaker, can make through the power of protest, nonviolence, and courage.

As a member of the Ohio General Assembly, where I served as House leader, I was proud to have led the efforts that resulted in the 2005 passage of House Bill 421 designating December 1 as Rosa Parks Day, the first State in the Nation to do so. Each year, the State of Ohio, spearheaded by the Central Ohio Transit Authority, proudly celebrates the life of Rosa Parks in our State capital, Columbus, Ohio.

It is important that we do not let her legacy of bravery die. I look forward to joining my constituents when I travel back to the district on December 3 to celebrate the 11th annual statewide tribute to Rosa Parks, ''The Power of One.''

Mr. Speaker, I would like to thank Congressman JOHN CONYERS, the dean of this House, for agreeing to participate in my Community Leaders Forum at this year's celebration.

For five decades, Congressman CONYERS has been a champion of civil rights and voting rights. His distinguished career is highlighted by his work on important civil rights legislation such as the Martin Luther King Holiday Act of 1983, the Motor Voter bill of 1993, and the Help America Vote Act of 2002. Today, he continues to fight for voting rights and civil rights as the ranking member on the House Judiciary Committee.

I look forward to welcoming him to our Rosa Parks celebration because he shared a personal relationship with her. She worked for Congressman CONYERS from 1964 until 1988. However, before working with Congressman CONYERS, she took a stand for justice and equality. The power of one person changed our Nation forever.

Our fight for racial equality and real inclusion is ongoing, as recently publicized tensions across our Nation have made clear. With the Supreme Court decision to strike down section 4 of the Voting Rights Act of 1965 in Shelby County v. Holder, we no longer have the safety net that ensures that Americans, especially minorities, are able to participate in our democratic process.

Mr. Speaker, we should not be rolling back voting rights protection. Instead, we should honor the progress our country has made to ensure and protect equal rights and equal treatment for all.

That is why I am the cosponsor of the Voting Rights Advancement Act of 2015, H.R. 2867, which enjoys bipartisan and bicameral support. Congress should immediately bring this legislation to the floor to ensure that all Americans may cast ballots to choose their leaders in public service.

Mr. Speaker, many of the policies being pushed by the House Republican leadership would adversely and disproportionally affect people of color and individuals in low-income communities.

When we talk about reform in Washington and starting with a clean slate without consideration of how these policies will affect all communities, we do our Nation a disservice. I am confident we can do better. I am hopeful that we can do better. We have a responsibility to do better.

Today and every day, let us be inspired by Rosa Parks and remember that each person must live their life as a model for others.

Mr. Speaker, I thank you for the opportunity to speak on this important issue.

OUR VETERANS DESERVE BETTER

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, last month, we celebrated Veterans Day, a day where we rightly single out the members of our military, past and present, and pay tribute to their service and sacrifice.

When you stop to think about it, it is amazing that men and women choose to serve in our Armed Forces, knowing full well that their sacrifice could be tremendous and even require their life. But, still, they volunteer. They do so because America—her ideals, her people, and her way of life—are worth defending.

The entire Nation owes our military personnel and veterans a huge debt of gratitude, and ensuring that debt is properly repaid is one of my top priorities in Congress.

Mr. Speaker, as I travel North Carolina's Fifth District, I hear a similar refrain. No matter where I go, constituents tell me horror stories of their experiences with the Department of Veterans Affairs.

Veterans from my district and across the country are frustrated with the lack of service they are receiving. They are angry because they can't get an appointment or a phone call returned. And they are outraged, as I am, that the Obama administration is doing nothing to solve the multitude of problems that have been revealed.

My heart is always touched when veterans and their families describe their efforts to get service through the VA and how the VA wouldn't help them until my office intervened. These stories affect me more than words can say.

I am always happy to know that my office has helped, and my staff is encouraged when we get a problem solved. However, these veterans shouldn't have to contact their congressional office to access the benefits they have earned.

To say I am fed up with this administration's treatment of veterans is an understatement. How they can turn their backs on the veterans the way they do is unconscionable to me.

It is past time to put an end to the agency-wide pattern of mismanagement at the Department of Veterans Affairs. The bureaucratic incompetence is abominable, and there needs to be a shakeup at all levels. The agency needs to be led and staffed by people who believe America has a duty and an obligation to help our veterans.

Right now, it seems there is no sense of responsibility or concern from the Obama administration with the disgraceful way our veterans are being treated. It is time for President Obama to truly commit to reforming the VA and give America's veterans a meaningful, decisive plan to right the many wrongs.

Regardless of the outcome, my office will continue to leave no stone unturned when it comes to serving our veterans.

HIV/AIDS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. PELOSI) for 5 minutes.

Ms. PELOSI. Mr. Speaker, I come to the floor today to mark World AIDS Day.

I do so in great pride, following my colleague from Ohio, Congresswoman JOYCE BEATTY, who spoke on the floor about the 60th anniversary of what happened in Montgomery when Rosa Parks, with great courage, refused to give up her seat on the bus. The courage of that woman and all of those who supported her has made such an incredible difference in our country, and it is indeed related to what I want to say about HIV and AIDS.

Many of us had the privilege of knowing Rosa Parks when she worked for JOHN CONYERS. We honored her here in the House and are so proud that we have a statue of Rosa Parks in the Capitol of the United States.

We think of her and we think of the courage she had, which led to the Civil Rights Act, the Voting Rights Act. And that Voting Rights Act and Civil Rights Act led to our having a much more diverse Congress of the United States.

From there came our Congressional Black Caucus, the Hispanic Caucus, and the Asian Pacific Caucus. The Black Caucus directly related to Mr. CONYERS, who was a founding member, and Rosa Parks, who was an inspiration. They were responsible for so much change in the leadership of our Congress. And because so many issues spring from the Congressional Black Caucus, some say ''the conscience of the Congress.''

So the relationship from Rosa Parks, through the caucus, to now we are observing the 25th anniversary of World AIDS Day, the link is Congresswoman BARBARA LEE, who has been such a champion in the Congress on this subject. We take great pride in the accomplishments she has had in her capacity as a Member of Congress but also as our representative to the United Nations General Assembly.

Each year, World AIDS Day is observed internationally to reflect the progress that has been made in reaffirming our determination to banish AIDS to the annals of history. We recognize that achieving an AIDS-free generation requires our relentless, energetic, and undaunted commitment to testing, treatment, and finding a cure.

The World AIDS Day theme this year, ''The time to act is now,'' challenges us to act with the urgency that this global epidemic demands.

AIDS, as we know, and the HIV virus is a ferocious and resourceful disease, a resourceful virus, ever-mutating to escape our efforts to destroy it. Therefore, we have to be ferocious, resourceful, and adaptable in our effort to succeed to end HIV. We must bring bold thinking and deep commitment to testing, treatment, and the search for a cure and a vaccine to prevent.

President Bush, with his PEPFAR initiative, took a big advance in how we can help prevent the spread of AIDS in the rest of the world. He and Mrs. Bush, with their Pink Ribbon Red Ribbon Initiative to link cervical cancer prevention with HIV testing and treatment in Africa, was a remarkable initiative.

So we salute the bipartisanship. We supported, of course, President Bush with PEPFAR. We wanted it bigger, and he wanted it strong, and there we were with something that has saved millions of lives and given hope to people.

I visited some of the clinics in Africa where PEPFAR is being administered, and some of the people I met there said, ''I would never have come in to be tested before because there was no reason. I had no hope that there would be any remedy or any maintaining of a quality of life that would have encouraged me to risk the stigma of saying that I was HIV-infected.'' So, again, it is all about the people.

In New York today, Bono will be observing the 10th anniversary of the ONE and (RED) initiatives that have set out to alleviate poverty and eradicate disease, with a heavy focus on HIV/AIDS. We know the work of the Melinda and Bill Gates Foundation and what they have done on this issue, particularly in India.

I, today, also wish I could be in San Francisco, where amfAR will be saluting the work at University of California-San Francisco on HIV/AIDS by establishing a new initiative there.

I am just mentioning a few other observances of World AIDS Day. It is happening throughout the world.

If you go back a number of years, when I came to Congress, we were going to two funerals a day. It was the saddest thing. Now we are going to weddings and helping people make out their wills and all the rest because they have a longer life ahead.

The maintenance of life, the quality of life is really important, but we do want a cure.

So I said it was the 25th anniversary of World AIDS Day; I meant to say the 25th anniversary of the Ryan White CARE Act. That young man, whose name is something that is iconic to all of us, left us, but his mother carries on the tradition, and it has made such a tremendous difference.

My colleague Henry Waxman, who is no longer in the Congress but is still a champion on HIV/AIDS, was so instrumental in leading us to passing that legislation.

So it has been bipartisan. It is global. It is personal. It is urgent that we continue so that, one day, 50 years from now, people will say, ''What was AIDS? What was that?'', and the books will

show that it was a terrible, terrible tragedy that befell the world's population regardless of status, of wealth, of gender or of race, and something that is now buried in the news somewhere as a terrible memory but not a part of our future.

Again, as we observe World AIDS Day, may we all wear our red ribbons in sympathy with those who have lost their lives, sadly, before the science took us to a better place on this.

That is what we are counting on, research and science to take us to a better place on this, and also the enthusiasm, determination, and relentlessness of so many people throughout the world to make HIV/AIDS a horrible, horrible memory, again, but not part of our future.

□ 1045

THE RIGHT OF PRIVACY MUST EXTEND TO ELECTRONIC COMMUNICATIONS

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

Mr. POE of Texas. Mr. Speaker, like most Americans, I store a lot on my computer and on my phone: family photographs, personal calendars, emails, schedules, and even weekend to-do lists or, as my wife calls them, honey-do lists.

But this information stored on a phone, like the one I have here in my hand, is not private from the prying, spying eyes of government—our government. Most Americans have no idea that Big Brother can snoop on tweets, Gchats, texts, Instagrams, and even emails.

Anything that is stored in the cloud for over 6 months is available to be spied on by government as long as it is older than 180 days. Now, why is that? Well, it goes all the way back to the outdated Electronic Communications Privacy Act of 1986. That act protects privacy of emails that are less than 6 months old.

In 1986, those were the days before the World Wide Web even existed. Many of us have staff that weren't even born before 1986. We stored letters in folders, filing cabinets, and desk drawers. No one knew what the cloud was because the cloud did not exist. There was not any broadband, no social media, no tablets, or no smartphones. So, in 1986, lawmakers tried to protect emails but only did so for 180 days.

Under current law, every email, every text, every Google doc and Facebook message, every photograph of our vacation is subject to government inspection without a warrant, without probable cause, and without our knowledge if it is older than 6 months.

This is an invasion of privacy. Constitutional protection for 6 months only? That is nonsense, Mr. Speaker.

What is worse, some government agencies don't want the law changed. The Securities and Exchange Commission is lobbying to keep the same law on the books so they can snoop around in emails after 6 months without a warrant. The SEC is not even a law enforcement agency, but yet they want to keep the ability to look at emails.

I suspect they want to be able to read personal financial records and communications without a warrant. Spying on citizens by government sounds like conduct reminiscent of the old Soviet Union.

The SEC is not the only government agency that has access to emails over 6 months old. Any government agency can go in, confiscate emails that are older than 6 months without a warrant, without probable cause, and without knowledge of the person that they are snooping on. To me, this is a clear violation of the spirit of the United States Constitution.

Mr. Speaker, if we go back to the days of snail mail and you write a letter and you put it in an envelope and you put it in a mailbox and it floats around the country from place to place and finally ends up in somebody else's mailbox, government cannot go and grab that letter and search it without a warrant under most circumstances, no matter where it goes in the U.S., because it is protected. It is the privacy of the person who wrote the letter and the person who is receiving the letter.

Why should government have the ability to snoop around in our personal emails? They don't have that right, even though they have the ability to do so.

Mr. Speaker, the Fourth Amendment makes us, the U.S., different than any nation on Earth to protect the privacy of American citizens. Government agencies can't raid homes or tap into phones or read mail without showing a judge they have probable cause that a crime was committed. They must obtain a search warrant.

Mr. Speaker, I was a judge in Texas for 22 years, a criminal court judge, and saw 20,000 cases or more. Police officers would come to me at all times, day or night, with a search warrant. If it stated probable cause, I would sign the warrant, and then they would be instructed to go search whatever it was that they had probable cause to search.

That is what the Constitution requires before you can snoop around and spy on Americans. If you want to search, get a warrant. That is the rule under our law.

Why should our possessions and communications be less private because they are online? Well, they shouldn't be. That is why I have teamed up with Representative ZOE LOFGREN on the other side and lots of other Members of Congress in both parties to introduce legislation to update the outdated ECPA law.

There are several bills pending. In fact, these bills have over 300 sponsors right now, bipartisan, to restore ECPA's original purpose to protect the privacy of American citizens.

This legislation would protect the sacred right of privacy from ever-increasing spying government trolls on Americans. Our mission is simple: extend constitutional protections to communications and records that Americans store online for any amount of time.

Mr. Speaker, technology may change, but the Constitution remains the same. Thomas Jefferson said in the Declaration of Independence, government is created to ensure our rights, not violate those rights.

It is about time we make government protect the right of privacy rather than violate the right of privacy. We need to pass this ECPA law and get privacy back in America.

And that is just the way it is.

RECESS

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

Accordingly (at 10 o'clock and 51 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. STEWART) at noon.

PRAYER

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

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

As we face a new day, help us to discover the power of resting in You. Send Your Spirit down upon the Members of the people's House.

Grant them wisdom, insight and vision that the work they do will be for the betterment of our Nation during a time of struggle for so many Americans.

In extraordinary times, people from around the world are coming together and recognizing shared threats to peace and prosperity among all people of goodwill. May the men and women of this House emerge as leading statesmen and women to address issues that transcend the here and now of political tides.

Help them to identify policies that will redound to the benefit of our children and grandchildren.

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

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. DOLD) come forward and lead the House in the Pledge of Allegiance.

Mr. DOLD led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches from each side of the aisle.

POSITIVE IMPROVEMENTS TO MENTAL HEALTH

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

Mr. WILSON of South Carolina. Mr. Speaker, millions of Americans across the country know the benefits of evidence-driven mental health care; yet, our national mental health system has been harmed after years of bad policy.

Yesterday The Wall Street Journal stated, ''As it happens, this month a House subcommittee passed one of the more consequential bills of this Republican majority—the Helping Families in Mental Health Crisis Act. Recent mass killers have nearly all had some kind of mental illness; yet, few receive proper treatment. Representative TIM MURPHY spent more than a year investigating dysfunction and writing an overhaul.''

I am grateful to be a cosponsor of the Helping Families in Mental Health Crisis Act developed by a dedicated professional, TIM MURPHY. This legislation helps States to modernize involuntary commitment laws and encourages assisted outpatient treatment for patients to remain active in their communities.

This legislation determines funding based on evidence-based care, putting critical resources into programs we know work, not into vague or untested theories. As the former president of the Mid-Carolina Mental Health Association myself, I appreciate this reform.

In conclusion, God bless our troops. May the President by his actions never forget September the 11th in the global war on terrorism.

THE POLICE TRAINING AND INDEPENDENT REVIEW ACT

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

Mr. COHEN. Mr. Speaker, in the wake of the shocking video from Chicago showing the brutal shooting of Laquan McDonald by a Chicago police officer, I rise today to encourage my colleagues to pass H.R. 2302, the Police Training and Independent Review Act.

Congressman LACY CLAY and I introduced this bill earlier this year to stop local prosecutors from being tasked with investigating and prosecuting the same local police with whom they work so closely.

This is an inherent conflict of interest. What happened in Chicago is just the latest evidence that it needs to end.

If enacted, the Police Training and Independent Review Act would condition the receipt of full Byrne-JAG funding on States adopting laws to require independent investigation and, if necessary, prosecution of law enforcement officers in cases involving the use of deadly force.

If we are serious about restoring a sense of fairness and justice, we need to pass this bill and remove this conflict.

Law enforcement, police, and sheriffs have a tough job, a dangerous job, and they bring cases to DAs and serve as witnesses. This hand-in-glove relationship shouldn't be upset, but it also shouldn't upset justice.

We have seen charges brought against officers in certain cities, but more would be brought if there were independent prosecutions.

CONGRATULATING PRINCIPAL STEVE HOPE, 2015 INDIANA HIGH SCHOOL PRINCIPAL OF THE YEAR

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize Principal Steve Hope of Penn High School in Mishawaka for earning the 2015 Indiana High School Principal of the Year Award by the Indiana Association of School Principals.

For nearly 20 years Principal Hope has been more than just a teacher. He has been a mentor, support system, and friend to countless people.

His passion for education has been instrumental in preparing young Hoosiers for so much success later in life. Since he became the principal in 2008, Indiana's Department of Education has named Penn an A-rated school and a 4-Star Award winner.

He has taught students more than just curriculum. He has taught students life lessons they will remember forever.

On behalf of the people of the Second Congressional District of Indiana, I heartily want to thank Principal Hope for being an inspiration to students and teachers alike. His dedication to providing a quality education to each Hoosier that crosses his path is such an inspiration to all of us in Indiana.

Mr. Speaker, please join me in congratulating Penn High School Principal Steve Hope on receiving this prestigious award.

CONGRATULATIONS TO SOUTH PARK HIGH SCHOOL

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

Mr. HIGGINS. Mr. Speaker, last Friday my alma mater, South Park High School, made history as their football team, the Sparks, brought home the New York State Public High School Athletic Association Championship to Buffalo.

The Sparks played in front of a crowd of 3,000 at the Carrier Dome in Syracuse. The team capped off a record-breaking 12–1 season by defeating Our Lady of Lourdes by a score of 49–46.

The team's win was a storybook ending to a historic season. Most members of the team have been playing together since Little League, and this close-knit group became the first ever Buffalo City School to win a State championship.

I stand today as a proud South Park graduate to congratulate the team, coaches, parents, and Principal Terri Schuta, my friend and classmate, for claiming the State title for Buffalo and South Park High School.

PRESIDENT OBAMA'S TIMID RESPONSE TO ISIS

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, it is so disappointing that President Obama believes a climate change summit is somehow a rebuke of international terrorism. Think about that.

The President's timid response about how to take on ISIS and how to define our enemy has emboldened our enemy, radical Islamists extremists.

But he has not been timid in his response on global warming. At a meeting of world leaders right now in Paris, President Obama is choosing to pursue his climate change agenda instead of addressing how we are going to destroy ISIS.

In fact, our President seems to believe that global warming is a greater threat than international terrorism. It is clear, in the wake of the horrific attacks in Paris, that his priorities are gravely misplaced.

When discussing ISIS, the President reminded the Nation that ''we've faced

greater threats to our way of life before.'' True. But that doesn't change the fact that radical Islamic extremism is the threat we face now.

HONORING THE LIFE OF ROSA PARKS

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, 60 years ago today Rosa Parks was arrested for refusing to give up her bus seat to a White man. Her simple act of defiance and her quiet dignity in the face of daily injustice grabbed the attention of activists and launched the civil rights movement.

In 2013, we unveiled a statue of Rosa Parks that stands just outside these doors in the U.S. Capitol Statuary Hall. This year I took my 11-year-old granddaughter to Rosa Parks Museum in Montgomery, Alabama, so that the next generation of young Americans can understand the role that she played in shaping the history of our country.

I actually got the great honor of meeting Rosa Parks at an event once that my father held at the Martin Luther King, Jr. Community Hospital in Watts. What thrill it was to hold her hand as the audience sang ''We Shall Overcome.''

It has been 60 years, but, unfortunately, we know that the discrimination Rosa Parks faced still faces minorities communities in this country today.

On this anniversary, I hope we can look to her example for inspiration in the ongoing struggle for justice for every American.

HONORING MIAMI DADE COLLEGE WOLFSON CAMPUS PRESIDENT DR. JOSE A. VICENTE

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to honor Dr. Jose A. Vicente, who is retiring from his post as president of Wolfson Campus of Miami Dade College, where each year 27,000 students receive a high-quality education in the heart of downtown Miami.

Dr. Vicente's retirement marks the end of an amazing 42-year career at my alma mater, Miami Dade College. Dr. Vicente's commitment to education is evident not only from his varied teaching and administrative roles at Miami Dade College, but also through his active involvement as a board member in national education groups, including the American Association of Community Colleges and the Hispanic Association of Colleges and Universities, known as HACU.

Congratulations to Dr. Jose Vicente on his well-deserved retirement. I thank him for his wonderful legacy of enhanced educational opportunities that will continue to benefit our South Florida community for years to come.

Godspeed, Jose.

□ 1215

WORLD AIDS DAY

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, I rise today to commemorate World AIDS Day. The theme this year is: The Time to Act is Now.

First, I would like to thank Leader PELOSI for her steadfast commitment to fighting HIV and AIDS and for guaranteeing strong United States leadership in this area.

As the cofounder and cochair along with my good friend from Florida, Congresswoman ILEANA ROS-LEHTINEN of the bipartisan Congressional HIV/AIDS Caucus, we have seen the significant progress that we have made in the global fight against HIV.

From PEPFAR and the Global Fund to Fight AIDS, TB, and Malaria, which we were very proud to cosponsor, to the Ryan White CARE Act and the Minority AIDS Initiative, the U.S. has been a global leader in committing the critical resources needed to end this disease.

Thanks to the leadership of people like Congresswoman MAXINE WATERS, former Congresswoman Donna Christensen, and the Congressional Black Caucus, we are turning the tide in providing lifesaving prevention and treatment services to disproportionately affected communities here at home. This has been a bipartisan effort which we must continue because we still have a lot of work to do.

Mr. Speaker, in the United States, southern States are now the epicenter of the HIV/AIDS epidemic. Stigma, discrimination, and lack of education about the disease continue to be significant barriers to care and prevention. The time to act is now.

EPILEPSY AWARENESS MONTH

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

Mr. DOLD. Mr. Speaker, I rise to highlight November as Epilepsy Awareness Month. Tragically, across the country today thousands of families dealing with epilepsy and other debilitating seizure disorders have been forced to uproot their families as they travel to States where CBD oil is already legalized.

Especially in children, CBD oil helps reduce the amount and the duration of seizures. But over and over again the government has stood in the way of access to lifesaving care for these children.

Children across the country, like Sophie Weiss, deserve better. Sophie is an inspiring young girl from the Tenth Congressional District in Illinois. She suffers from a severe form of epilepsy and, without CBD oil, suffers upwards of 200 seizures each and every day.

Mr. Speaker, for Sophie and children suffering like her, I helped introduce a bill to stop the government from standing in the way of this lifesaving relief.

In honor of Epilepsy Awareness Month, I call on my colleagues to join me so we can pass the Charlotte's Web Medical Hemp Act of 2015 and ensure that no family has to endure the loss of a child as they wait for approval of this natural, lifesaving option.

9/11 HEALTH AND COMPENSATION ACT

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, let's not play politics with the health and compensation bill for the 9/11 heroes and heroines. There are over 70,000 9/11 first responders and survivors, the veterans of our war on terror. They come from every single State in the Union, and they are waiting to see if Congress will act for their health care.

There is broad bipartisan, bicameral support for a permanent reauthorization. There are 259 House cosponsors, including 67 Republicans. Both Chairman GOODLATTE and Chairman UPTON, along with Ranking Member CONYERS and Ranking Member PALLONE, support this bill and want to pass it.

There are just 7 legislative days left. This is something we all agree on, something that is clearly the right thing to do.

I urge my colleagues, Mr. Speaker, to get this done this year. Let's keep our promise to the 9/11 heroes and heroines, to the first responders, to the victims, and to the survivors. Let's pass this bill this year.

THE PROMISE ACT

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

Mr. BILIRAKIS. Mr. Speaker, I rise on behalf of our true American heroes, our veterans, to highlight important legislation that will help those who need it most. Last month I introduced the PROMISE Act to continue my efforts to promote safety, patient advocacy, and better access to quality care for our veterans.

The PROMISE Act will increase safety for opioid therapy and pain management, encourage more transparency at

the VA, encourage more outreach and awareness of the Patient Advocacy Program for veterans, and help provide alternative forms of care to address veterans' health needs.

Our veterans sacrificed so much for our country. It is up to us to provide them with the care they have earned and deserve. We must encourage safe, quality care for those who have fought for our freedoms.

Mr. Speaker, I urge my colleagues to support this bill and help fulfill our promise to our veterans.

BOKO HARAM

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Mr. Speaker, I rise today to shed light on the hundreds of Chibok schoolgirls who were abducted by Boko Haram nearly 600 days ago. Some girls have been recovered, but many more are still missing.

Boko Haram is now the most dangerous terrorist organization in the world, killing more than 6,000 people in 2014 alone.

While our Nation and the world are reeling from the death and destruction ISIS has caused in recent weeks, we must not forget the terror that Boko Haram brings every single day.

Mr. Speaker, I applaud our government's efforts in helping provide Nigeria with the support they need to fight these militants. But there is more to be done. We cannot turn a blind eye to the destruction and bloodshed they have caused. We must continue to dedicate resources and support to wipe out the world's deadliest terror organizations.

There also needs to be a continuous effort to save so many lives from falling into Boko Haram's hands.

I thank Representative WILSON of Florida for leading the charge on this issue here in Congress. I am proud to stand with you in the fight to Bring Back Our Girls and stop Boko Haram.

PROPER PROCESS FOR THE 9/11 HEALTH AND COMPENSATION ACT

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

Mr. BURGESS. Mr. Speaker, today I want to address the importance of passing the reauthorization of the James Zadroga 9/11 Health and Compensation Act, H.R. 1786, and this needs to be done as a standalone bill. The reauthorization of this bill is far too important to be rolled into a package at the end of the year.

Our country was attacked 14 years ago, and these Americans responded without hesitation. First responders are undoubtedly heroes in the eyes of America. They at least deserve to have their bill heard individually.

Five years ago, in the last days of the 111th Congress, this bill was passed. It was the last bill that Congress passed that year in the lame-duck 2010 year.

It is important that this bill be brought up. It is important that each of us put our cards in. Vote your conscience. Vote ''yes'' or ''no.'' But we deserve a chance to vote on this bill as a standalone bill.

WORLD AIDS DAY

(Ms. CLARKE of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CLARKE of New York. Mr. Speaker, I rise in commemoration of World AIDS Day and to honor those who labor to end its spread.

Today is the day to raise our awareness of HIV/AIDS and our unwavering fight against it. New infections worldwide are down 35 percent since 2000, and AIDS-related deaths have been reduced by 42 percent since 2004.

Though HIV and AIDS are now considered chronic illnesses, like with any chronic illness, first you must know that you have it in order to treat it.

We know that 35 million people are living with HIV/AIDS globally, and that is unacceptable. My own district, the Ninth District of Brooklyn, New York, has been particularly hard hit over the past three decades by HIV/AIDS.

Nearly 29,000 Brooklyn residents were living with HIV/AIDS since June of 2014. Over 30 percent of new HIV diagnoses in the first half of 2014 were made concurrent with AIDS diagnoses and years after infection. Surveys suggest that 40 percent of Brooklyn adults have yet to receive an HIV screening.

Mr. Speaker, in the first half of 2014, Brooklyn had the highest percentages of HIV/AIDS, so now is the time for us to act. Let us end HIV/AIDS. Help stop the spread today.

CADILLAC TAX LETTER

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

Mr. GUINTA. Mr. Speaker, I rise to request the President's timely response to a bipartisan, bicameral letter from congressional Members willing to work with him to repeal the Affordable Care Act's tax on middle class families' healthcare benefits.

This month I joined House and Senate Members, both Democrat and Republican, to express our constituents' extreme concern about the 40 percent tax on employer-sponsored benefits coming in 2018. Public and private employers and employees tell me that the tax will cost jobs and incomes across New Hampshire as they cope with higher taxes and premiums.

Companies and municipalities are planning for the worst. Families will face lower wages and higher prices as organizations shift costs to pay for new taxes. Our coalition asks the President to meet with us as soon as possible so we can find a solution to this so-called Cadillac tax by the end of this year.

I would like to thank Senators HELLER, BROWN, and HEINRICH, as well as Representative JOE COURTNEY, for their help.

Mr. President, please respond to our request to work together. If we act now, we can avoid more unintended consequences of the Affordable Care Act.

WEAR RED WEDNESDAY

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, tomorrow is Wear Red Wednesday to Bring Back Our Girls.

Boko Haram has been declared the world's deadliest terrorist organization. Boko Haram has actually murdered more people than ISIS. This means that Boko Haram's attacks are more lethal and more devastating than anything we have seen in the history of modern terrorism.

Mr. Speaker, Boko Haram's January attack on Baga was the second deadliest terrorist attack in modern history after 9/11. An organization capable of this level of death and destruction must be eradicated.

I urge Congress to pass my bill, H.R. 3833, which would require the U.S. Government to develop a regional strategy to assist Nigeria in defeating Boko Haram. Please continue to tweet, tweet, tweet #bringbackourgirls and remember to wear something red tomorrow, Wednesday, a tie, a pin, a flower. Just wear something red and tweet, tweet, tweet #bringbackourgirls, #joinrepwilson. Tweet, tweet, tweet.

IMPORTANT ISSUES OF THE DAY

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, first of all, let me say that I join my colleagues in asking for the James Zadroga bill to be passed in honor and tribute to our first responders after the tragedy and heinous terrorist act of 9/11.

And then, of course, today is World AIDS Day. I want to congratulate my constituents. I join the city of Houston, Harris County, in honoring the President's 2020 initiative, which is to encourage all of us to surge back into education and prevention of HIV/AIDS.

So many of us have lost too many. Today in my district as well, the Thomas Street Clinic and a number of

other organizations will be acknowledging those who still live with AIDS. It is certainly our responsibility to fight to ensure the stopping of HIV/AIDS in this Nation.

I also rise to speak of the intelligence bill that will be on the floor today. What I would like to note is that I am glad that some of the issues have been resolved.

Particularly, I am concerned and glad that it will provide critical resources for the fight against ISIL, emphasize collection to monitor and ensure compliance with the Iranian nuclear agreement, which some have been very concerned about, that intelligence is very important, and as well it promotes foreign partner capabilities such as helping our allies in France.

Mr. Speaker, as I close, let me say my concern, however, still remains on the authority limited of the Privacy and Civil Liberties Oversight Board. It is a bill that we all should consider.

PROVIDING FOR CONSIDERATION OF H.R. 8, NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2015; PROVIDING FOR CONSIDERATION OF S.J. RES. 23, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY; AND PROVIDING FOR CONSIDERATION OF S.J. RES. 24, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 539 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 539

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House any joint resolution specified in section 3 of this resolution. All points of order against consideration of each such joint resolution are waived. Each such joint resolution shall be considered as read. All points of order against provisions in each such joint resolution are waived. The previous question shall be considered as ordered on each such joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to commit.

SEC. 3. The joint resolutions referred to in section 2 of this resolution are as follows:

(a) The joint resolution (S.J. Res. 23) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units''.

(b) The joint resolution (S.J. Res. 24) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units''.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

□ 1230

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. BURGESS. Mr. Speaker, H. Res. 539 provides for a rule to consider three important bills that will help millions of Americans and their families who are having to pay or will soon be paying higher energy costs due to the administration's misguided and ill-conceived energy policies. The rule provides for 1 hour of debate, equally divided between the majority and the minority of the Energy and Commerce Committee, on each of the pieces of legislation before us, including S.J. Res. 23, a resolution of disapproval of a rule promulgated by the Environmental Protection Agency on greenhouse gases from new stationary sources; S.J. Res. 24, a resolution of disapproval of a rule promulgated by the Environmental Protection Agency on greenhouse gases from existing stationary sources; and H.R. 8, the North American Energy Security and Infrastructure Act of 2015, which will move this country in a direction of greater energy independence.

The rule before us today provides for a closed rule on both resolutions of disapproval, as is standard for such measures, allowing for 1 hour of debate equally divided between the majority and minority of the Committee on Energy and Commerce, while allowing the minority a motion to commit on each of the resolutions.

Further, the rule provides for 1 hour of debate on H.R. 8, also equally divided between the chair and ranking member of the Committee on Energy and Commerce. A subsequent order from the Committee on Rules will likely address any amendments to be made in order later in the week.

The House, in taking up these measures, is doing so to reflect the will of the people so many of us represent who are opposed to the administration's actions and wish to stop this out-of-control Environmental Protection Agency from doing further damage to the economy. Further, H.R. 8 reflects a broad consensus of energy stakeholders who are ready and willing to move the country's energy future into high gear.

S.J. Res. 23, disapproving of the Environmental Protection Agency's new greenhouse gas rules on new stationary sources—loosely translated, that means the Nation's power plants, keeping the lights on in your home, the heat on in the winter, and the air-conditioning on in the summer—and S.J. Res. 24, disapproving of the EPA's new greenhouse gas rules on existing stationary sources, both of these joint resolutions passed in the Senate in October by a majority vote of 52–46. The Congressional Review Act, the law which allows for the process of disapproval by Congress when an administration goes too far with one of its rules, allows us an up-or-down vote on the resolution, which cannot be filibustered, thus allowing the measure to be considered in the Senate. It is now time for the House to be heard on this measure as well.

Mr. Speaker, the Environmental Protection Agency's overreaching greenhouse gas rules have had an extensive number of hearings in the Energy and Commerce Committee over the last few years. The committee reviewed all aspects of the proposed rules, including the impacts on reliability and the impacts on consumer costs, including bringing the Federal Energy Regulatory Commission to discuss possible impacts on reliability around the country due to these rules.

Already, in many States across the Nation, coal-fired power plants are closing because they see that the Obama administration's EPA has made it clear that it will go after them relentlessly until they are shuttered. This means fewer cost-effective options for consumers and also the potential for brownouts and blackouts during high-consumption times, like during the peak of the summer in Texas,

where rolling brownouts are already not uncommon. The Environmental Protection Agency's new rules will only exacerbate this issue.

Whether Members of this body support these rules or oppose them, the measures before us today will provide each Member the opportunity to be officially registered on where they stand on these EPA rules, and that is what we are all here to do.

H.R. 8, in contrast to the EPA's regulations, moves the country to a place of greater energy security and abundance. Over the past several years, the Energy and Commerce Committee has worked towards modernizing the Nation's energy laws, making the government more accountable, more accountable to the people it is meant to represent as it makes decisions which affect literally every citizen in this country and their pocketbooks.

The free market has long been the guiding force in moving this country ahead in the energy sector. Texas was one of the first major beneficiaries, with the oil boom in the last two centuries. Now, as new technologies and innovations emerge, Congress must stand on the side of the free market again, stopping the executive branch from picking winners and losers in the energy market and allowing consumers—allowing consumers—to make those decisions for themselves.

When consumers choose what energy sources and what technologies work best for them, the economy grows faster and grows more efficiently than ever the government could possibly drive it. That is what the Architecture of Abundance is all about.

This country has the resources to be energy independent. It has the ability to end our reliability on oil and gas from the Middle East, a region that is perpetually in turmoil. But the Obama administration has stymied much of the progress that was made in the first decade of this century, slowing or stopping leases on public lands for new exploration of our own resources and putting up red tape and numerous barriers to allowing Americans to tap into what is rightfully theirs. This is a bill that is long overdue, and I certainly thank Chairman UPTON for his work on the bill, H.R. 8.

I encourage all of my colleagues to vote ''yes'' on the rule and ''yes'' on the three underlying bills. They are an important first step in setting this country on the path to a modern, stable, and abundant energy future.

I reserve the balance of my time.

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

Mr. Speaker, I want to thank the gentleman from Texas (Mr. BURGESS) for yielding me the customary 30 minutes.

Mr. Speaker, I rise in opposition to this closed rule and the underlying legislation.

I want to begin by congratulating the Republican majority for breaking a record today. Through their exemplary, heavyhanded, undemocratic leadership, this is now officially the most closed session of Congress in the entire history of the United States of America. I am not sure that is something to be proud of, but that is the title that they have earned.

Today, we are debating the 47th and 48th closed rules of the 114th Congress. We are in our third legislative week since Speaker RYAN took the gavel, and we are already debating our third and fourth closed rules during his short tenure.

Speaker RYAN promised a more open, more inclusive, more deliberative, more participatory process. I think he must have misspoken because, by any measure, the Republican leadership has already fallen short of that commitment.

Today, we are considering three bills: two that seek to undermine the EPA's ability to protect our public health and environment and a third that offers many troubling provisions, including one which would hastily rush the natural gas pipeline approval process and allow pipelines to be built and run right through our magnificent national parks.

On December 11, our government will run out of money. During the 114th Congress, we have stood in this Chamber debating Republican messaging bills to repeal the Affordable Care Act, undermine the Dodd-Frank financial reform law, and weaken public health and environmental regulations while failing to consider meaningful legislation that would create jobs, boost the economy, and help vulnerable Americans rise out of poverty. Instead of focusing on these priorities, this majority will bring to the floor three bills intended to prevent the EPA from effectively doing its job.

Now, if anyone is feeling déjà vu, that is probably because what I just said is from a floor speech I gave on a rule for three antiscience bills that the Republicans brought before us last November. The only difference is I changed 113th to 114th Congress. And while I hate to repeat myself, unfortunately, the majority is in a rut of bringing before us the same old same old: unproductive legislation that is going nowhere.

We have 6 legislative days left to ensure that the government doesn't run out of money, just 6 days; but instead of focusing on that, instead of working to ensure the government is funded, we are on the floor debating more Republican messaging bills that I think were written in the National Republican Congressional Committee because they are poorly drafted. These bills have drastic and devastating effects on public health and the environment, and they will be vetoed by the President of the United States.

I include in the RECORD the Statements of Administration Policy on these bills, expressing the administration's intent to veto these bills.

STATEMENT OF ADMINISTRATION POLICY

H.R. 8—NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2015

(Rep. Upton, R–MI, Nov. 30, 2015)

The Administration is committed to taking responsible steps to modernize the Nation's energy infrastructure in a way that addresses climate change, promotes clean energy and energy efficiency, drives innovation, and ensures a cleaner, more stable environment for future generations. The Administration strongly opposes H.R. 8 because it would undermine already successful initiatives designed to modernize the Nation's energy infrastructure and increase our energy efficiency.

Increased energy efficiency offers savings on energy bills, provides opportunities for more jobs, and improves industrial competitiveness. H.R. 8 would stifle the Nation's move toward energy efficiency by severely hampering the Department of Energy's (DOE) ability to provide technical support for building code development and State implementation. In addition, the bill would undercut DOE's ability to enforce its appliance standards and would weaken section 433 of the Energy Independence and Security Act of 2007, which requires a reduction in fossil fuel-generated energy in Federal buildings.

H.R. 8 includes a provision regarding certain operational characteristics in capacity markets operated by Regional Transmission Organizations (RTO5) and Independent System Operators (ISOs). The Federal Energy Regulatory Commission (FERC) and RTOs and ISOs are already well positioned, especially as technologies change over time, to ensure that capacity market structures adequately provide for the procurement of sufficient capacity to efficiently and reliably fulfill the resource-adequacy function that these markets are intended to perform.

H.R. 8 includes new, unnecessary provisions that would broaden FERC's authority to impose deadlines on other Federal agencies reviewing the environmental implications of natural gas pipeline applications. H.R. 8 also would unnecessarily curtail DOE's ability to fully consider whether natural gas export projects are consistent with the public interest.

Further, H.R. 8 would undermine the current hydropower licensing regulatory process in place under the Federal Power Act that works to minimize negative impacts associated with the siting of hydropower projects, including negative impacts on safety, fish and wildlife, water quality and conservation, and a range of additional natural resources and cultural values. Among the ways that H.R. 8 would undermine this process would be by creating a new exemption from licensing that would undercut bedrock environmental statutes, including the Clean Water Act, the National Environmental Policy Act, and the Endangered Species Act.

Finally, H.R. 8 presents certain constitutional concerns. Sections 1104 and 3004 would impermissibly interfere with the President's authorities with regard to the conduct of diplomacy and in some cases diplomatic communications, and sections 1109 and 1201 raise concerns under the Recommendations Clause.

If the President were presented with H.R. 8, his senior advisors would recommend that he veto the bill.

STATEMENT OF ADMINISTRATION POLICY

S.J. RES. 23—DISAPPROVING EPA RULE ON GREENHOUSE GAS EMISSIONS FROM NEW, MODIFIED, AND RECONSTRUCTED ELECTRIC UTILITY GENERATING UNITS

(Sen. McConnell, R–KY, Nov. 17, 2015)

The Administration strongly opposes S.J. Res. 23, which would undermine the public health protections of the Clean Air Act (CAA) and stop critical U.S. efforts to reduce dangerous carbon pollution from power plants. In 2007, the Supreme Court ruled that the CAA gives the U.S. Environmental Protection Agency (EPA) the authority to regulate greenhouse gas (GHG) pollution. In 2009, EPA determined that GHG pollution threatens Americans' health and welfare by leading to long-lasting changes to the climate that can, and are already, having a range of negative effects on human health and the environment. This finding is consistent with conclusions of the U.S. National Academy of Sciences, the Intergovernmental Panel on Climate Change, and numerous other national and international scientific bodies. Power plants account for roughly one-third of all domestic GHG emissions. While the United States limits dangerous emissions of arsenic, mercury, lead, particulate matter, and ozone precursor pollution from power plants, the Carbon Pollution Standards and the Clean Power Plan put into place the first national limits on power plant carbon pollution. The Carbon Pollution Standards will ensure that new, modified, and reconstructed power plants deploy available systems of emission reduction to reduce carbon pollution.

S.J. Res. 23 would nullify carbon pollution standards for future power plants and power plants undertaking significant modifications or reconstruction, thus slowing our country's transition to cleaner, cutting-edge power generation technologies. Most importantly, the resolution could enable continued build-out of outdated, high-polluting, and long-lived power generation infrastructure and impede efforts to reduce carbon pollution from new and modified power plants—when the need to act, and to act quickly, to mitigate climate change impacts on American communities has never been more clear.

Since it was enacted in 1970, and amended in 1977 and 1990, each time with strong bipartisan support, the CAA has improved the Nation's air quality and protected public health. Over that same period of time, the economy has tripled in size while emissions of key pollutants have decreased by more than 70 percent. Forty-five years of clean air regulation have shown that a strong economy and strong environmental and public health protection go hand-in-hand.

Because S.J. Res. 23 threatens the health and economic welfare of future generations by blocking important standards to reduce carbon pollution from the power sector that take a flexible, common sense approach to addressing carbon pollution, if the President were presented with S.J. Res. 23, he would veto the bill.

STATEMENT OF ADMINISTRATION POLICY

S.J. RES. 24—DISAPPROVING EPA RULE ON CARBON POLLUTION EMISSION GUIDELINES FOR EXISTING ELECTRIC UTILITY GENERATING UNITS

(Sen. Capito, R–WV, Nov. 17, 2015)

The Administration strongly opposes S.J. Res. 24, which would undermine the public health protections of the Clean Air Act (CAA) and stop critical U.S. efforts to reduce dangerous carbon pollution from power plants. In 2007, the Supreme Court ruled that the CAA gives the U.S. Environmental Protection Agency (EPA) the authority to regulate greenhouse gas (GHG) pollution. In 2009, EPA determined that GHG pollution threatens Americans' health and welfare by leading to long-lasting changes to the climate that can, and are already, having a range of negative effects on human health and the environment. This finding is consistent with conclusions of the U.S. National Academy of Sciences, the Intergovernmental Panel on Climate Change, and numerous other national and international scientific bodies. Power plants account for roughly one-third of all domestic GHG emissions. While the United States limits dangerous emissions of arsenic, mercury, lead, particulate matter, and ozone precursor pollution from power plants, the Clean Power Plan and the Carbon Pollution Standards put into place the first national limits on power plant carbon pollution. The Clean Power Plan empowers States to cost-effectively reduce emissions from existing sources and provides States and power plants a great deal of flexibility in meeting the requirements. EPA expects that under the Clean Power Plan, by 2030, carbon pollution from power plants will be reduced by 32 percent from 2005 levels.

By nullifying the Clean Power Plan, S.J. Res. 24 seeks to block progress towards cleaner energy, eliminating public health and other benefits of up to $54 billion per year by 2030, including thousands fewer premature deaths from air pollution and tens of thousands of fewer childhood asthma attacks each year. Most importantly, the resolution would impede efforts to reduce carbon pollution from existing power plants—the largest source of carbon pollution in the country—when the need to act, and to act quickly, to mitigate climate change impacts on American communities has never been more clear.

Since it was enacted in 1970, and amended in 1977 and 1990, each time with strong bipartisan support, the CAA has improved the Nation's air quality and protected public health. Over that same period of time, the economy has tripled in size while emissions of key pollutants have decreased by more than 70 percent. Forty-five years of clean air regulation have shown that a strong economy and strong environmental and public health protection go hand-in-hand.

Because S.J. Res. 24 threatens the health and economic welfare of future generations by blocking important standards to reduce carbon pollution from the power sector that take a flexible, common sense approach to addressing carbon pollution, if the President were presented with S.J. Res. 24, he would veto the bill.

Mr. McGOVERN. But I guess from the Republican point of view, the positive thing about these bills is that they are yet another pander to big money fossil fuel special interests. I urge my colleagues to follow the money because that is what this is all about here today. It is not about serious legislating. It is about fundraising.

Mr. Speaker, S.J. Res. 23 and S.J. Res. 24 look to stop commonsense regulations that the EPA has put in place that protect us from the harmful pollution emitted by power plants. These joint resolutions are another clear message from the Republican majority that they do not believe that climate change is real. Over 120 environmental, faith-based, and public health organizations have already come out opposing these two resolutions, including the American Lung Association, the Allergy and Asthma Network, the League of Conservation Voters, the Natural Resources Defense Council, the Sierra Club, and Public Citizen. I can stand here forever and repeat the other organizations that have a lot of public support in this country that have come out against these bills.

Power plants account for 40 percent of our annual carbon pollution emissions. They are the single biggest source of carbon pollution in the country. Yet the Republican majority wants to take away the greatest step we have taken to try to curb that major source of pollution. These two joint resolutions would permanently prevent the EPA from ever, ever limiting pollution from power plants in the future as well.

H.R. 8 is also a deeply troubling piece of legislation. It favors the use of fossil fuels over renewable energy and favors consumption over energy efficiency.

□ 1245

It would ram pipeline applications through FERC in under 90 days even though most applications, by the way, are reviewed and approved in less than 1 year.

It all but removes individuals from the process, allowing big gas companies to choose to build wherever they want, regardless of the consequences for local communities. It would even allow them to build through our treasured national parks. It is an early Christmas gift for big special interests.

At some point, we must face the facts, Mr. Speaker.

So I want to say something to my colleagues on the Republican side. I know it may make you feel uncomfortable, but it is the truth: Climate change is real.

The overwhelming science says it is real, yet a huge chunk of the Republican Conference is in denial. They don't believe there is such a thing as climate change. They don't believe we have any responsibility to our children or to future generations to combat climate change.

They are perfectly happy living in this fantasy world where you can rely on fossil fuels and rely on fossil fuels and rely on fossil fuels and can just make believe that it has no impact at all on the environment.

Quite frankly, if climate change weren't such a serious issue, it would be comical, but climate change is a serious issue. It is a real issue. It is an issue not just for us; it is an issue for future generations. So their denial, quite frankly, is frightening.

We shouldn't be propping up coal and oil industries with taxpayer subsidies. We shouldn't be using taxpayer money to destroy our environment. When the scientific community reaches a clear

consensus on an issue like climate change, Congress shouldn't undermine them with dangerous legislation like this.

When we receive credible, peer-reviewed study after study after study after study that tells us we are in the middle of a climate crisis and that something must be done about it, we need to listen, but the Republican majority refuses to listen.

Climate change is often referred to as the most pressing issue of our time. We know that climate change is for real. We know that. We see it. We live it. The scientific community has verified it.

Climate change is not a theory, it is not a hoax, and it is certainly not some silly fantasy. When arctic ice is crashing into the oceans at record rates, that is not a hoax. When species are going extinct at accelerated rates around the globe, that is not a fantasy. When extreme weather events are becoming commonplace, that is not a theory. When the global temperature of the planet continues to increase every year for decades, we should pay attention.

These are the exact same scare tactics that have been used for over 45 years in opposition to climate change. It is the same old stuff. Opponents of clean air have been claiming for half a century that clean air regulations would kill jobs and hurt economic growth, but they are wrong.

The truth is that the Clean Air Act alone has created $57 trillion in benefits since it was enacted in 1970. The Clean Power Plan will lead to a stronger economy, a safer climate, and better health for all of us.

Why is this so difficult? Maybe it is because my friends on the other side of the aisle don't like the President, so anything that he is for they have to be against. You have got to move beyond your anger. You have got to look at the issues, and you have to evaluate them based on the evidence.

The evidence is that climate change is for real, but you would never know that in listening to the majority. They have no solutions, only denial. Let's keep on down the road of the same old, same old, and their ''just say no'' agenda is a recipe for disaster.

As we gather here, leaders from all around the world are meeting in Paris to talk about how to deal with the issue of climate change. What we should be doing here is providing some wind at the backs of not only our President but of all of the leaders of the world who are gathering to try to figure out how to deal with this challenge.

Instead of doing that, we are doing this. It is really sad that this is what we have come to. If we are going to say ''no'' to anything today, it should be to this closed rule and to S.J. Res. 23 and to S.J. Res. 24.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself 2 minutes.

The Republican Party is in the majority today. There are a couple of reasons that is so.

There were bills passed in 2009 and 2010, and the American people looked at what was happening in their legislative body and said: We need a change. We need a change from the direction in which we are going.

One of those bills, I will submit, was the Waxman-Markey bill, the cap-and-trade scheme that was drawn up in the Energy and Commerce Committee, of which I am a member. I sat through the debate on it. I remember it very well.

That bill was brought to this floor, and that bill was forced through this House in June of 2009, right before Members went home for the 4th of July weekend.

A lot of people will look at the Affordable Care Act and say that is the reason Congress changed from a majority-Democrat institution to a majority-Republican institution. It is because of the passage of the Affordable Care Act.

Yet, Mr. Speaker, I submit that it was actually that activity in June of 2009 that caused people to look at what was going on in their Congress and to look at that bill that was drafted in the Energy and Commerce Committee by Chairman WAXMAN and Chairman MARKEY and say: No, not for us. We are not going along with this. This is not a direction in which we want you to take this country.

We still function under that quaint notion that we have government with the consent of the governed, but the governed did not consent to what they saw being passed in Congress late in June of 2009. So it is no accident that things are the way they are today.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BURGESS. Mr. Speaker, I yield myself an additional 1 minute.

I want to read a passage from columnist George Will from earlier this year, January 7, of his writing in the Washington Post. Mr. Will writes:

''We know, because they often say so, that those who think catastrophic global warming is probable and perhaps imminent are exemplary empiricists. They say those who disagree with them are 'climate change deniers' disrespectful of science.

''Actually, however, something about which everyone can agree is that, of course, the climate is changing—it always is. And if climate Cassandras are as conscientious as they claim to be about weighing evidence, how do they accommodate historical evidence of enormously consequential episodes of climate change not produced by human activity? Before wagering vast wealth and curtailments of liberty on correcting the climate,'' perhaps they should consider the past.

Then he goes on to detail those episodes in the past: the Little Ice Age and the Medieval Warm Period.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. BURGESS. Mr. Speaker, I yield myself an additional 30 seconds.

There are, indeed, recent episodes in recorded history that can be looked to where the climate has changed and, yes, has affected human behavior and the human condition, but those were not climate changes affected by the result of human activity. Those were caused by natural cycles, within the Sun cycle, within things over which none of us had any control.

Again, I would take the words of Mr. Will to heart. Before we wager vast amounts of wealth and curtailments of liberty, we would do well to consider those facts.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I inquire of the gentleman as to how many more speakers he has, for I am prepared to close.

Mr. BURGESS. Mr. Speaker, I believe I am the only speaker.

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

With all due respect to George Will, with whom I don't agree on very much of anything, quite frankly, if he or anybody else really believes that there is no correlation between human activity and climate change, I would suggest that maybe he go back to school, because the overwhelming science tells us that there is a connection. The overwhelming science tells us that our reliance on fossil fuels, in particular, has accelerated the climate change on this planet.

Again, it just astounds me that, on an issue on which the scientific community has come together overwhelmingly, there is such a disconnect. Again, at a time when all the world's leaders are gathered in Paris trying to figure out how to deal with this challenge, the House of Representatives is dealing with this. I think that is sad and regrettable.

I ask my colleagues to defeat the previous question. If we defeat the previous question, I will offer an amendment to the rule to bring up bipartisan legislation that would grant law enforcement the authority to block the sale of firearms and explosives to individuals who are suspected of international or domestic terrorism.

Mr. Speaker, I ask unanimous consent to include in the RECORD the text of the amendment, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, to me, this should not be controversial, but in this Chamber that is so beholden to the National Rifle Association, this has become a point of controversy. We are talking about people who are suspected of international or domestic terrorism. I don't think any reasonable person feels comfortable with selling those people weapons.

We ought to be able to come together by putting the security interests of the people of this country first and enacting this. I hope that there is a strong, bipartisan vote to defeat the previous question so that we can actually bring this up, debate it, and pass it.

Mr. Speaker, I include for the RECORD a letter from 120 organizations—many environmental organizations, many faith-based organizations—all who oppose S.J. Res. 23 and S.J. Res. 24.

NOVEMBER 30, 2015.

DEAR REPRESENTATIVE: On behalf of our millions of members, the undersigned organizations urge you to oppose Senators McConnell and Capito's Congressional Review Act resolutions of disapproval (S.J. Res. 23 and 24) that would permanently block the EPA's Clean Power Plan.

These resolutions are an extreme assault on public health, the clean energy economy, and modernizing our energy sector. The Clean Power Plan puts in place commonsense limits on power plant carbon pollution, developed with the input of thousands of stakeholders, and provides the flexibility states need to develop their own plans to meet pollution reduction targets. Blocking these commonsense safeguards puts polluter profits before the health of our children.

Power plants are the country's single largest source of the pollution fueling climate change and the Clean Power Plan is the single biggest step we have ever taken to tackle climate change. This plan is expected to deliver billions of dollars in benefits and will prevent nearly 3,000 premature deaths and more than a hundred thousand asthma attacks per year by 2030.

Not only would these resolutions undo all of the health and economic benefits of the Clean Power Plan, they would also bar EPA from issuing any standards in the future that are substantially similar. This means that Americans would continue to be exposed indefinitely to carbon pollution and the impacts of climate change.

The world's leading scientists agree that failing to act on climate change will ensure worsening extreme weather events, threaten food supplies and increase public health risks. We strongly urge you to oppose these resolutions that put the health of our children and families at risk, threaten the quality of our air, and strip the EPA of the tools to address dangerous carbon pollution.

Sincerely,

350.Org, ActionAid USA, Alliance of Nurses for Healthy Environments, American Rivers, Appalachian Voices, Arizona Interfaith Power & Light, Arkansas Public Policy Panel, Center for Biological Diversity, Clean Air Task Force, Clean Water Action, Climate Action Alliance of the Valley.

Climate Law & Policy Project, Climate Parents, Coalition on the Environment and Jewish Life, Colorado Interfaith Power & Light, Conservation Voters for Idaho, Conservation Voters of South Carolina, Defenders of Wildlife, Delaware Interfaith Power & Light, Earthjustice, Earth Ministry/Washington Interfaith Power & Light, Elders Climate Action,

Environment America, Environment Arizona, Environment California, Environment Colorado, Environment Connecticut, Environment Florida, Environment Georgia, Environment Iowa, Environment Maine, Environment Maryland, Environment Massachusetts, Environment Michigan, Environment Minnesota, Environment Missouri.

Environment Montana, Environment Nevada, Environment New Mexico, Environment New Hampshire, Environment New York, Environment North Carolina, Environment Ohio, Environment Oregon, Environment Rhode Island, Environment Texas, Environment Virginia, Environment Washington, Environmental Advocates of New York.

Environmental Investigation Agency, Environmental Justice Leadership Forum on Climate Change, Environmental Law and Policy Center, Environmental and Energy Study Institute, Environmental Defense Action Fund, Georgia Interfaith Power & Light, GreenLatinos, Health Care Without Harm, Hoosier Interfaith Power & Light, Illinois Interfaith Power & Light, Interfaith Power & Light, Interfaith Power & Light (DC. MD. NoVA), Iowa Interfaith Power & Light, Iowa Chapter Physicians for Social Responsibility.

International Forum on Globalization, KyotoUSA, League of Conservation Voters, League of Women Voters, Maine Interfaith Power & Light, Maine Conservation Voters, Maryland League of Conservation Voters, Massachusetts Interfaith Power & Light, Michigan League of Conservation Voters, Minnesota Interfaith Power & Light, Missouri Interfaith Power & Light, Montana Conservation Voters, Montana Environmental Information Center, Natural Resources Defense Council.

Nebraska Interfaith Power & Light, New Jersey League of Conservation Voters, New Mexico Interfaith Power & Light, New Virginia Majority, New York Interfaith Power & Light, New York League of Conservation Voters, North Carolina Interfaith Power & Light, North Carolina Council of Churches, North Carolina League of Conservation Voters, Ohio Interfaith Power & Light, Oklahoma Interfaith Power & Light, Oregon League of Conservation Voters, PDA, Tucson, PennEnvironment, Pennsylvania Interfaith Power & Light.

Physicians for Social Responsibility, Physicians for Social Responsibility, Arizona, Physicians for Social Responsibility Maine Chapter, Polar Bears International, Protect Our Winters, Public Citizen, Rachel Carson Council, Rhode Island Interfaith Power & Light, Sierra Club, Southern Environmental Law Center, Southern Oregon Climate Action Now, Sunshine State Interfaith Power & Light, Tennessee Interfaith Power & Light.

Texas Interfaith Power & Light, Texas Physicians for Social Responsibility, The Climate Reality Project, Union of Concerned Scientists, Utah Interfaith Power & Light, Vermont Interfaith Power and Light, Virginia Interfaith Power & Light, Virginia Organizing, Voces Verdes, Voice for Progress, WE ACT for Environmental Justice, Western Organization of Resource Councils, Wisconsin Environment, Wisconsin Interfaith Power & Light, Wisconsin League of Conservation Voters, World Wildlife Fund.

Mr. MCGOVERN. Mr. Speaker, I include for the RECORD a letter that was sent to every Member of Congress who is opposed to these two bills. It is signed by the Allergy and Asthma Network, the American Lung Association, the American Public Health Association, the Children's Environmental Health Network, the Trust for America's Health, the National Association of Hispanic Nurses, the Asthma and Allergy Foundation of America, and the Health Care Without Harm.

Again, they are all opposed to the legislation that we are bringing before the House today.

NOVEMBER 16, 2015.

DEAR REPRESENTATIVE: The undersigned public health and medical organizations strongly urge you to oppose Congressional Review Act resolutions H.J. Res. 71 and 72. The measures are excessive attacks on public health protections from carbon pollution from power plants.

The Congressional Review Act resolutions are an extreme tool that would permanently block the U.S. Environmental Protection Agency (EPA)'s actions to reduce dangerous carbon pollution from power plants. These resolutions would prevent EPA from moving forward with any substantially similar action in the future. Carbon pollution from power plants greatly contributes to climate change, which is widely recognized as one of the greatest threats to public health. To protect public health, it is vital that our nation make progress in the fight against climate change.

As U.S. Surgeon General Vivek Murthy, MD, MBA, said during 2015 National Public Health Week, ''We know that climate change means higher temperatures overall, and it also means longer and hotter heat waves . . . higher temperatures can mean worse air in cities, and more smog and more ozone. We know that more intense wildfires will mean increased smoke in the air. And we know that earlier springs and longer summers mean longer allergy seasons.''

The science is clear: communities across the nation are experiencing the health effects of climate change now. Climate change is impacting air pollution, which can cause asthma attacks, cardiovascular disease and premature death, and fostering extreme weather patterns, such as heat and severe storms, droughts, wildfires and flooding, that can harm low-income communities disproportionately. Bold action is needed to protect public health, which is why our organizations support the Clean Power Plan.

EPA's action to reduce carbon pollution from power plants will help the nation take important steps toward protecting Americans' health from these threats. Not only does the Clean Power Plan give states flexible tools to reduce the carbon pollution that causes climate change, these crucial tools will also have the co-benefit of reducing other deadly pollutants at the same time, preventing up to 3,600 premature deaths and 90,000 asthma attacks every year by 2030.

Please make your priority the health of your constituents and vote NO on these Congressional Review Act resolutions, H.J. Res. 71 and 72.

Sincerely,

Allergy and Asthma Network; American Lung Association; American Public Health Association; American Thoracic Society; Asthma and Allergy Foundation of America; Children's Environmental Health Network; Health Care Without Harm; National Association of Hispanic Nurses; Trust for America's Health.

Mr. MCGOVERN. Mr. Speaker, I close as I began, which is by reminding my colleagues that we are at an important crossroads. We still have an opportunity to do something about climate change.

We still have an opportunity to be on the right side of history. We have the opportunity to do something that is good not only for all of us but for our children, for our grandchildren, and for generations to come.

We have an opportunity to provide some wind at the backs of the leaders from all over the world who are gathered in Paris and who are trying to figure out how to deal with the issue of climate change.

If we want to take advantage of that opportunity, we need to reject the same old, same old. We need to understand that we need to transition from our historic reliance on fossil fuels.

There is a correlation between our reliance on these forms of energy and what we are seeing right now in our environment. It didn't begin that way, and we didn't think we were doing harm to the environment when we were utilizing these resources, but science, over the years, has shown us, undeniably, the damage that has been done to our planet. It is up to us to try to reverse this trend, not to bury our heads in the sand, not to deny science, not to deny climate change, but to do the right thing.

I hope that my colleagues, even some of my Republican colleagues, will join with us in rejecting this legislation and will instead work with this White House and will work with other world leaders to deal with the issue of climate change

□ 1300

We all talk about national security as being our top priority. Well, national security is more than just the number of weapons we have in our arsenal. It also includes the cleanliness and the purity of our environment. It is about time we become good stewards of this planet.

I urge my colleagues to vote ''no'' on the previous question and to vote ''no'' on this backward-thinking legislation that really should not be on the floor today.

I yield back the balance of my time.

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

Mr. Speaker, I do feel obligated to point out that, in the absence of the Waxman-Markey bill, during this administration and the previous administration, between 2005 and 2012, carbon emissions in this country fell by 10 percent because of market-based activity.

That puts the United States halfway to the goal that it set for itself in the United Nations agreement, a goal that we would reduce carbon emissions by 20 percent in the year 2020.

We are halfway there, a 10 percent reduction. That is without Waxman-Markey. That is without any international agreement that the President might think he is entertaining or entering into over in Paris.

Mr. Speaker, today's rule provides for the consideration of three important bills for our energy future, two resolutions disapproving of the Environmental Protection Agency's greenhouse gas regulations and a bill that is forward looking that will set this country on the path to greater energy security.

The material previously referred to by Mr. MCGOVERN of Massachusetts is as follows:

AN AMENDMENT TO H. RES. 539 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

Strike all after the resolved clause and insert:

That immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 2. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BURGESS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. POE of Texas). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair

will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2016

Mr. NUNES. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4127) to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4127

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 2016''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Budgetary effects.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified schedule of authorizations.
Sec. 103. Personnel ceiling adjustments.
Sec. 104. Intelligence Community Management Account.
Sec. 105. Clarification regarding authority for flexible personnel management among elements of intelligence community.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. Provision of information and assistance to Inspector General of the Intelligence Community.
Sec. 304. Inclusion of Inspector General of Intelligence Community in Council of Inspectors General on Integrity and Efficiency.
Sec. 305. Clarification of authority of Privacy and Civil Liberties Oversight Board.
Sec. 306. Enhancing government personnel security programs.
Sec. 307. Notification of changes to retention of call detail record policies.
Sec. 308. Personnel information notification policy by the Director of National Intelligence.
Sec. 309. Designation of lead intelligence officer for tunnels.
Sec. 310. Reporting process required for tracking certain requests for country clearance.
Sec. 311. Study on reduction of analytic duplication.
Sec. 312. Strategy for comprehensive interagency review of the United States national security overhead satellite architecture.
Sec. 313. Cyber attack standards of measurement study.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

Sec. 401. Appointment and confirmation of the National Counterintelligence Executive.
Sec. 402. Technical amendments relating to pay under title 5, United States Code.
Sec. 403. Analytic objectivity review.

Subtitle B—Central Intelligence Agency and Other Elements

Sec. 411. Authorities of the Inspector General for the Central Intelligence Agency.
Sec. 412. Prior congressional notification of transfers of funds for certain intelligence activities.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

Subtitle A—Matters Relating to Russia

Sec. 501. Notice of deployment or transfer of Club–K container missile system by the Russian Federation.
Sec. 502. Assessment on funding of political parties and nongovernmental organizations by the Russian Federation.
Sec. 503. Assessment on the use of political assassinations as a form of statecraft by the Russian Federation.

Subtitle B—Matters Relating to Other Countries

Sec. 511. Report on resources and collection posture with regard to the South China Sea and East China Sea.
Sec. 512. Use of locally employed staff serving at a United States diplomatic facility in Cuba.
Sec. 513. Inclusion of sensitive compartmented information facilities in United States diplomatic facilities in Cuba.
Sec. 514. Report on use by Iran of funds made available through sanctions relief.

TITLE VI—MATTERS RELATING TO UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA

Sec. 601. Prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States.
Sec. 602. Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.
Sec. 603. Prohibition on use of funds for transfer or release to certain countries of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

TITLE VII—REPORTS AND OTHER MATTERS

Subtitle A—Reports

Sec. 701. Repeal of certain reporting requirements.
Sec. 702. Reports on foreign fighters.
Sec. 703. Report on strategy, efforts, and resources to detect, deter, and degrade Islamic State revenue mechanisms.
Sec. 704. Report on United States counterterrorism strategy to disrupt, dismantle, and defeat the Islamic State, al-Qai'da, and their affiliated groups, associated groups, and adherents.
Sec. 705. Report on effects of data breach of Office of Personnel Management.
Sec. 706. Report on hiring of graduates of Cyber Corps Scholarship Program by intelligence community.
Sec. 707. Report on use of certain business concerns.

Subtitle B—Other Matters

Sec. 711. Use of homeland security grant funds in conjunction with Department of Energy national laboratories.
Sec. 712. Inclusion of certain minority-serving institutions in grant program to enhance recruiting of intelligence community workforce.

SEC. 2. DEFINITIONS.

In this Act:

(a) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' means—

(1) the Select Committee on Intelligence of the Senate; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives.

(b) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

SEC. 3. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL LEVELS.—The amounts authorized to be appropriated under section 101 and, subject to section 103, the authorized personnel ceilings as of September 30, 2016, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany this bill.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations, or of appropriate portions of the Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR INCREASES.—The Director of National Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2016 by the classified Schedule of Authorizations referred to in section 102(a) if the Director of National Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed 3 percent of the number of civilian personnel authorized under such schedule for such element.

(b) TREATMENT OF CERTAIN PERSONNEL.—The Director of National Intelligence shall establish guidelines that govern, for each element of the intelligence community, the treatment under the personnel levels authorized under section 102(a), including any exemption from such personnel levels, of employment or assignment in—

(1) a student program, trainee program, or similar program;

(2) a reserve corps or as a reemployed annuitant; or

(3) details, joint duty, or long-term, full-time training.

(c) NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—The Director of National Intelligence shall notify the congressional intelligence committees in writing at least 15 days prior to each exercise of an authority described in subsection (a).

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2016 the sum of $516,306,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2017.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 785 positions as of September 30, 2016. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Community Management Account for fiscal year 2016 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts for advanced research and development shall remain available until September 30, 2017.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2016, there are authorized such additional personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a).

SEC. 105. CLARIFICATION REGARDING AUTHORITY FOR FLEXIBLE PERSONNEL MANAGEMENT AMONG ELEMENTS OF INTELLIGENCE COMMUNITY.

(a) CLARIFICATION.—Section 102A(v) of the National Security Act of 1947 (50 U.S.C. 3024(v)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3) A covered department may appoint an individual to a position converted or established pursuant to this subsection without regard to the civil-service laws, including parts II and III of title 5, United States Code.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to an appointment under section 102A(v) of the National Security Act of 1947 (50 U.S.C. 3024(v)) made on or after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112–87) and to any proceeding pending on or filed after the date of the enactment of this section that relates to such an appointment.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2016 the sum of $514,000,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. PROVISION OF INFORMATION AND ASSISTANCE TO INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY.

Section 103H(j)(4) of the National Security Act of 1947 (50 U.S.C. 3033(j)(4)) is amended—

(1) in subparagraph (A), by striking ''any department, agency, or other element of the United States Government'' and inserting ''any Federal, State (as defined in section 804), or local governmental agency or unit thereof''; and

(2) in subparagraph (B), by inserting ''from a department, agency, or element of the Federal Government'' before ''under subparagraph (A)''.

SEC. 304. INCLUSION OF INSPECTOR GENERAL OF INTELLIGENCE COMMUNITY IN COUNCIL OF INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY.

Section 11(b)(1)(B) of the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.) is amended by striking ''the Office of the Director of National Intelligence'' and inserting ''the Intelligence Community''.

SEC. 305. CLARIFICATION OF AUTHORITY OF PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.

Section 1061(g) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(g)) is amended by adding at the end the following new paragraph:

''(5) ACCESS.—Nothing in this section shall be construed to authorize the Board, or any agent thereof, to gain access to information regarding an activity covered by section 503(a) of the National Security Act of 1947 (50 U.S.C. 3093(a)).''.

SEC. 306. ENHANCING GOVERNMENT PERSONNEL SECURITY PROGRAMS.

(a) ENHANCED SECURITY CLEARANCE PROGRAMS.—

(1) IN GENERAL.—Part III of title 5, United States Code, is amended by adding at the end the following:

''Subpart J—Enhanced Personnel Security Programs

''CHAPTER 110—ENHANCED PERSONNEL SECURITY PROGRAMS

''Sec.

''11001. Enhanced personnel security programs.

''SEC. 11001. ENHANCED PERSONNEL SECURITY PROGRAMS.

''(a) ENHANCED PERSONNEL SECURITY PROGRAM.—The Director of National Intelligence shall direct each agency to implement a program to provide enhanced security review of covered individuals—

''(1) in accordance with this section; and

''(2) not later than the earlier of—

''(A) the date that is 5 years after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2016; or

''(B) the date on which the backlog of overdue periodic reinvestigations of covered individuals is eliminated, as determined by the Director of National Intelligence.

''(b) COMPREHENSIVENESS.—

''(1) SOURCES OF INFORMATION.—The enhanced personnel security program of an agency shall integrate relevant and appropriate information from various sources, including government, publicly available, and commercial data sources, consumer reporting agencies, social media, and such other sources as determined by the Director of National Intelligence.

''(2) TYPES OF INFORMATION.—Information obtained and integrated from sources described in paragraph (1) may include—

''(A) information relating to any criminal or civil legal proceeding;

''(B) financial information relating to the covered individual, including the credit worthiness of the covered individual;

''(C) publicly available information, whether electronic, printed, or other form, including relevant security or counterintelligence information about the covered individual or information that may suggest ill intent, vulnerability to blackmail, compulsive behavior, allegiance to another country, change in ideology, or that the covered individual lacks good judgment, reliability, or trustworthiness; and

''(D) data maintained on any terrorist or criminal watch list maintained by any agency, State or local government, or international organization.

''(c) REVIEWS OF COVERED INDIVIDUALS.—

''(1) REVIEWS.—

''(A) IN GENERAL.—The enhanced personnel security program of an agency shall require that, not less than 2 times every 5 years, the head of the agency shall conduct or request the conduct of automated record checks and checks of information from sources under subsection (b) to ensure the continued eligibility of each covered individual to access classified information and hold a sensitive position unless more frequent reviews of automated record checks and checks of information from sources under subsection (b) are conducted on the covered individual.

''(B) SCOPE OF REVIEWS.—Except for a covered individual who is subject to more frequent reviews to ensure the continued eligibility of the covered individual to access classified information and hold a sensitive position, the reviews under subparagraph (A) shall consist of random or aperiodic checks of covered individuals, such that each covered individual is subject to at least 2 reviews during the 5-year period beginning on the date on which the agency implements the enhanced personnel security program of an agency, and during each 5-year period thereafter.

''(C) INDIVIDUAL REVIEWS.—A review of the information relating to the continued eligibility of a covered individual to access classified information and hold a sensitive position under subparagraph (A) may not be conducted until after the end of the 120-day period beginning on the date the covered individual receives the notification required under paragraph (3).

''(2) RESULTS.—The head of an agency shall take appropriate action if a review under paragraph (1) finds relevant information that may affect the continued eligibility of a covered individual to access classified information and hold a sensitive position.

''(3) INFORMATION FOR COVERED INDIVIDUALS.—The head of an agency shall ensure that each covered individual is adequately advised of the types of relevant security or counterintelligence information the covered individual is required to report to the head of the agency.

''(4) LIMITATION.—Nothing in this subsection shall be construed to affect the authority of an agency to determine the appropriate weight to be given to information relating to a covered individual in evaluating the continued eligibility of the covered individual.

''(5) AUTHORITY OF THE PRESIDENT.—Nothing in this subsection shall be construed as limiting the authority of the President to direct or perpetuate periodic reinvestigations of a more comprehensive nature or to delegate the authority to direct or perpetuate such reinvestigations.

''(6) EFFECT ON OTHER REVIEWS.—Reviews conducted under paragraph (1) are in addition to investigations and reinvestigations conducted pursuant to section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341).

''(d) AUDIT.—

''(1) IN GENERAL.—Beginning 2 years after the date of the implementation of the enhanced personnel security program of an agency under subsection (a), the Inspector General of the agency shall conduct at least 1 audit to assess the effectiveness and fairness, which shall be determined in accordance with performance measures and standards established by the Director of National Intelligence, to covered individuals of the enhanced personnel security program of the agency.

''(2) SUBMISSIONS TO DNI.—The results of each audit conducted under paragraph (1) shall be submitted to the Director of National Intelligence to assess the effectiveness and fairness of the enhanced personnel security programs across the Federal Government.

''(e) DEFINITIONS.—In this section—

''(1) the term 'agency' has the meaning given that term in section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341);

''(2) the term 'consumer reporting agency' has the meaning given that term in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a);

''(3) the term 'covered individual' means an individual employed by an agency or a contractor of an agency who has been determined eligible for access to classified information or eligible to hold a sensitive position;

''(4) the term 'enhanced personnel security program' means a program implemented by an agency at the direction of the Director of National Intelligence under subsection (a); and''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part III of title 5, United States Code, is amended by adding at the end following:

''Subpart J—Enhanced Personnel Security Programs

''110. Enhanced personnel security programs ..... 11001''.

(b) RESOLUTION OF BACKLOG OF OVERDUE PERIODIC REINVESTIGATIONS.—

(1) IN GENERAL.—The Director of National Intelligence shall develop and implement a plan to eliminate the backlog of overdue periodic reinvestigations of covered individuals.

(2) REQUIREMENTS.—The plan developed under paragraph (1) shall—

(A) use a risk-based approach to—

(i) identify high-risk populations; and

(ii) prioritize reinvestigations that are due or overdue to be conducted; and

(B) use random automated record checks of covered individuals that shall include all covered individuals in the pool of individuals subject to a one-time check.

(3) DEFINITIONS.—In this subsection:

(A) The term ''covered individual'' means an individual who has been determined eligible for access to classified information or eligible to hold a sensitive position.

(B) The term ''periodic reinvestigations'' has the meaning given such term in section 3001(a)(7) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(a)(7)).

SEC. 307. NOTIFICATION OF CHANGES TO RETENTION OF CALL DETAIL RECORD POLICIES.

(a) REQUIREMENT TO RETAIN.—

(1) IN GENERAL.—Not later than 15 days after learning that an electronic communication service provider that generates call detail records in the ordinary course of business has changed the policy of the provider on the retention of such call detail records to result in a retention period of less than 18 months, the Director of National Intelligence shall notify, in writing, the congressional intelligence committees of such change.

(2) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees a report identifying each electronic communication service provider that has, as of the date of the report, a policy to retain call detail records for a period of 18 months or less.

(b) DEFINITIONS.—In this section:

(1) CALL DETAIL RECORD.—The term ''call detail record'' has the meaning given that term in section 501(k) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(k)).

(2) ELECTRONIC COMMUNICATION SERVICE PROVIDER.—The term ''electronic communication service provider'' has the meaning given that term in section 701(b)(4) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881(b)(4)).

SEC. 308. PERSONNEL INFORMATION NOTIFICATION POLICY BY THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) DIRECTIVE REQUIRED.—The Director of National Intelligence shall issue a directive containing a written policy for the timely notification to the congressional intelligence committees of the identities of individuals occupying senior level positions within the intelligence community.

(b) SENIOR LEVEL POSITION.—In identifying positions that are senior level positions in the intelligence community for purposes of the directive required under subsection (a), the Director of National Intelligence shall consider whether a position—

(1) constitutes the head of an entity or a significant component within an agency;

(2) is involved in the management or oversight of matters of significant import to the leadership of an entity of the intelligence community;

(3) provides significant responsibility on behalf of the intelligence community;

(4) requires the management of a significant number of personnel or funds;

(5) requires responsibility management or oversight of sensitive intelligence activities; and

(6) is held by an individual designated as a senior intelligence management official as such term is defined in section 368(a)(6) of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111–259; 50 U.S.C. 404i–1 note).

(c) NOTIFICATION.—The Director shall ensure that each notification under the directive issued under subsection (a) includes each of the following:

(1) The name of the individual occupying the position.

(2) Any previous senior level position held by the individual, if applicable, or the position held by the individual immediately prior to the appointment.

(3) The position to be occupied by the individual.

(4) Any other information the Director determines appropriate.

(d) RELATIONSHIP TO OTHER LAWS.—The directive issued under subsection (a) and any

amendment to such directive shall be consistent with the provisions of the National Security Act of 1947 (50 U.S.C. 401 et seq.).

(e) SUBMISSION.—Not later than 90 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees the directive issued under subsection (a).

SEC. 309. DESIGNATION OF LEAD INTELLIGENCE OFFICER FOR TUNNELS.

(a) IN GENERAL.—The Director of National Intelligence shall designate an official to manage the collection and analysis of intelligence regarding the tactical use of tunnels by state and nonstate actors.

(b) ANNUAL REPORT.—Not later than the date that is 10 months after the date of the enactment of this Act, and biennially thereafter until the date that is 4 years after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees and the congressional defense committees (as such term is defined in section 101(a)(16) of title 10, United States Code) a report describing—

(1) trends in the use of tunnels by foreign state and nonstate actors; and

(2) collaboration efforts between the United States and partner countries to address the use of tunnels by adversaries.

SEC. 310. REPORTING PROCESS REQUIRED FOR TRACKING CERTAIN REQUESTS FOR COUNTRY CLEARANCE.

(a) IN GENERAL.—By not later than September 30, 2016, the Director of National Intelligence shall establish a formal internal reporting process for tracking requests for country clearance submitted to overseas Director of National Intelligence representatives by departments and agencies of the United States. Such reporting process shall include a mechanism for tracking the department or agency that submits each such request and the date on which each such request is submitted.

(b) CONGRESSIONAL BRIEFING.—By not later than December 31, 2016, the Director of National Intelligence shall brief the congressional intelligence committees on the progress of the Director in establishing the process required under subsection (a).

SEC. 311. STUDY ON REDUCTION OF ANALYTIC DUPLICATION.

(a) STUDY AND REPORT.—

(1) IN GENERAL.—Not later than January 31, 2016, the Director of National Intelligence shall—

(A) carry out a study to evaluate and measure the incidence of duplication in finished intelligence analysis products; and

(B) submit to the congressional intelligence committees a report on the findings of such study.

(2) METHODOLOGY REQUIREMENTS.—The methodology used to carry out the study required by this subsection shall be able to be repeated for use in other subsequent studies.

(b) ELEMENTS.—The report required by subsection (a)(1)(B) shall include—

(1) detailed information—

(A) relating to the frequency of duplication of finished intelligence analysis products; and

(B) that describes the types of, and the reasons for, any such duplication; and

(2) a determination as to whether to make the production of such information a routine part of the mission of the Analytic Integrity and Standards Group.

(c) CUSTOMER IMPACT PLAN.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a plan for revising analytic practice, tradecraft, and standards to ensure customers are able to clearly identify—

(1) the manner in which intelligence products written on similar topics and that are produced contemporaneously differ from one another in terms of methodology, sourcing, or other distinguishing analytic characteristics; and

(2) the significance of that difference.

(d) CONSTRUCTION.—Nothing in this section may be construed to impose any requirement that would interfere with the production of an operationally urgent or otherwise time-sensitive current intelligence product.

SEC. 312. STRATEGY FOR COMPREHENSIVE INTERAGENCY REVIEW OF THE UNITED STATES NATIONAL SECURITY OVERHEAD SATELLITE ARCHITECTURE.

(a) REQUIREMENT FOR STRATEGY.—The Director of National Intelligence shall collaborate with the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to develop a strategy, with milestones and benchmarks, to ensure that there is a comprehensive interagency review of policies and practices for planning and acquiring national security satellite systems and architectures, including the capabilities of commercial systems and partner countries, consistent with the National Space Policy issued on June 28, 2010. Such strategy shall, where applicable, account for the unique missions and authorities vested in the Department of Defense and the intelligence community.

(b) ELEMENTS.—The strategy required by subsection (a) shall ensure that the United States national security overhead satellite architecture—

(1) meets the needs of the United States in peace time and is resilient in war time;

(2) is fiscally responsible;

(3) accurately takes into account cost and performance tradeoffs;

(4) meets realistic requirements;

(5) produces excellence, innovation, competition, and a robust industrial base;

(6) aims to produce in less than 5 years innovative satellite systems that are able to leverage common, standardized design elements and commercially available technologies;

(7) takes advantage of rapid advances in commercial technology, innovation, and commercial-like acquisition practices;

(8) is open to innovative concepts, such as distributed, disaggregated architectures, that could allow for better resiliency, reconstitution, replenishment, and rapid technological refresh; and

(9) emphasizes deterrence and recognizes the importance of offensive and defensive space control capabilities.

(c) REPORT ON STRATEGY.—Not later than February 28, 2016, the Director of National Intelligence, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a report on the strategy required by subsection (a).

SEC. 313. CYBER ATTACK STANDARDS OF MEASUREMENT STUDY.

(a) STUDY REQUIRED.—The Director of National Intelligence, in consultation with the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, and the Secretary of Defense, shall carry out a study to determine appropriate standards that—

(1) can be used to measure the damage of cyber incidents for the purposes of determining the response to such incidents; and

(2) include a method for quantifying the damage caused to affected computers, systems, and devices.

(b) REPORTS TO CONGRESS.—

(1) PRELIMINARY FINDINGS.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate congressional committees the initial findings of the study required under subsection (a).

(2) REPORT.—Not later than 360 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate congressional committees a report containing the complete findings of such study.

(3) FORM OF REPORT.—The report required by paragraph (2) shall be submitted in unclassified form, but may contain a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional intelligence committees.

(2) The Committees on Armed Services of the House of Representatives and the Senate.

(3) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(4) The Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. APPOINTMENT AND CONFIRMATION OF THE NATIONAL COUNTERINTELLIGENCE EXECUTIVE.

(a) IN GENERAL.—Section 902(a) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3382) is amended to read as follows:

''(a) ESTABLISHMENT.—There shall be a National Counterintelligence Executive who shall be appointed by the President, by and with the advice and consent of the Senate.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 402. TECHNICAL AMENDMENTS RELATING TO PAY UNDER TITLE 5, UNITED STATES CODE.

Section 5102(a)(1) of title 5, United States Code, is amended—

(1) in clause (vii), by striking ''or'';

(2) by inserting after clause (vii) the following new clause:

''(viii) the Office of the Director of National Intelligence;''; and

(3) in clause (x), by striking the period and inserting a semicolon.

SEC. 403. ANALYTIC OBJECTIVITY REVIEW.

(a) ASSESSMENT.—The Director of National Intelligence shall assign the Chief of the Analytic Integrity and Standards Group to conduct a review of finished intelligence products produced by the Central Intelligence Agency to assess whether the reorganization of the Agency, announced publicly on March 6, 2015, has resulted in any loss of analytic objectivity.

(b) SUBMISSION.—Not later than March 6, 2017, the Director of National Intelligence shall submit to the congressional intelligence committees, in writing, the results of

the review required under subsection (a), including—

(1) an assessment comparing the analytic objectivity of a representative sample of finished intelligence products produced by the Central Intelligence Agency before the reorganization and a representative sample of such finished intelligence products produced after the reorganization, predicated on the products' communication of uncertainty, expression of alternative analysis, and other underlying evaluative criteria referenced in the Strategic Evaluation of All-Source Analysis directed by the Director;

(2) an assessment comparing the historical results of anonymous surveys of Central Intelligence Agency and customers conducted before the reorganization and the results of such anonymous surveys conducted after the reorganization, with a focus on the analytic standard of objectivity;

(3) a metrics-based evaluation measuring the effect that the reorganization's integration of operational, analytic, support, technical, and digital personnel and capabilities into Mission Centers has had on analytic objectivity; and

(4) any recommendations for ensuring that analysts of the Central Intelligence Agency perform their functions with objectivity, are not unduly constrained, and are not influenced by the force of preference for a particular policy.

Subtitle B—Central Intelligence Agency and Other Elements

SEC. 411. AUTHORITIES OF THE INSPECTOR GENERAL FOR THE CENTRAL INTELLIGENCE AGENCY.

(a) INFORMATION AND ASSISTANCE.—Paragraph (9) of section 17(e) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517(e)(9)) is amended to read as follows:

''(9)(A) The Inspector General may request such information or assistance as may be necessary for carrying out the duties and responsibilities of the Inspector General provided by this section from any Federal, State, or local governmental agency or unit thereof.

''(B) Upon request of the Inspector General for information or assistance from a department or agency of the Federal Government, the head of the department or agency involved, insofar as practicable and not in contravention of any existing statutory restriction or regulation of such department or agency, shall furnish to the Inspector General, or to an authorized designee, such information or assistance.

''(C) Nothing in this paragraph may be construed to provide any new authority to the Central Intelligence Agency to conduct intelligence activity in the United States.

''(D) In this paragraph, the term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States.''.

(b) TECHNICAL AMENDMENTS RELATING TO SELECTION OF EMPLOYEES.—Paragraph (7) of such section (50 U.S.C. 3517(e)(7)) is amended—

(1) by inserting ''(A)'' before ''Subject to applicable law''; and

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

''(B) Consistent with budgetary and personnel resources allocated by the Director, the Inspector General has final approval of—

''(i) the selection of internal and external candidates for employment with the Office of Inspector General; and

''(ii) all other personnel decisions concerning personnel permanently assigned to the Office of Inspector General, including selection and appointment to the Senior Intelligence Service, but excluding all security-based determinations that are not within the authority of a head of other Central Intelligence Agency offices.''.

SEC. 412. PRIOR CONGRESSIONAL NOTIFICATION OF TRANSFERS OF FUNDS FOR CERTAIN INTELLIGENCE ACTIVITIES.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for the intelligence community for fiscal year 2016 may be used to initiate a transfer of funds from the Joint Improvised Explosive Device Defeat Fund or the Counterterrorism Partnerships Fund to be used for intelligence activities unless the Director of National Intelligence or the Secretary of Defense, as appropriate, submits to the congressional intelligence committees, by not later than 30 days before initiating such a transfer, written notice of the transfer.

(b) WAIVER.—

(1) IN GENERAL.—The Director of National Intelligence or the Secretary of Defense, as appropriate, may waive subsection (a) with respect to the initiation of a transfer of funds if the Director or Secretary, as the case may be, determines that an emergency situation makes it impossible or impractical to provide the notice required under such subsection by the date that is 30 days before such initiation.

(2) NOTICE.—If the Director or Secretary issues a waiver under paragraph (1), the Director or Secretary, as the case may be, shall submit to the congressional intelligence committees, by not later than 48 hours after the initiation of the transfer of funds covered by the waiver, written notice of the waiver and a justification for the waiver, including a description of the emergency situation that necessitated the waiver.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

Subtitle A—Matters Relating to Russia

SEC. 501. NOTICE OF DEPLOYMENT OR TRANSFER OF CLUB–K CONTAINER MISSILE SYSTEM BY THE RUSSIAN FEDERATION.

(a) NOTICE TO CONGRESS.—The Director of National Intelligence shall submit to the appropriate congressional committees written notice if the intelligence community receives intelligence that the Russian Federation has—

(1) deployed, or is about to deploy, the Club–K container missile system through the Russian military; or

(2) transferred or sold, or intends to transfer or sell, the Club–K container missile system to another state or non-state actor.

(b) NOTICE TO CONGRESSIONAL INTELLIGENCE COMMITTEES.—Not later than 30 days after the date on which the Director submits a notice under subsection (a), the Director shall submit to the congressional intelligence committees a written update regarding any intelligence community engagement with a foreign partner on the deployment and impacts of a deployment of the Club–K container missile system to any potentially impacted nation.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional intelligence committees.

(2) The Committees on Armed Services of the House of Representatives and the Senate.

(3) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 502. ASSESSMENT ON FUNDING OF POLITICAL PARTIES AND NONGOVERNMENTAL ORGANIZATIONS BY THE RUSSIAN FEDERATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate congressional committees an intelligence community assessment on the funding of political parties and nongovernmental organizations in former Soviet states and countries in Europe by the Russian Security Services since January 1, 2006. Such assessment shall include the following:

(1) The country involved, the entity funded, the security service involved, and the intended effect of the funding.

(2) An evaluation of such intended effects, including with respect to—

(A) undermining the political cohesion of the country involved;

(B) undermining the missile defense of the United States and the North Atlantic Treaty Organization; and

(C) undermining energy projects that could provide an alternative to Russian energy.

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

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional intelligence committees.

(2) The Committees on Armed Services of the House of Representatives and the Senate.

(3) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 503. ASSESSMENT ON THE USE OF POLITICAL ASSASSINATIONS AS A FORM OF STATECRAFT BY THE RUSSIAN FEDERATION.

(a) REQUIREMENT FOR ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate congressional committees an intelligence community assessment on the use of political assassinations as a form of statecraft by the Russian Federation since January 1, 2000.

(b) CONTENT.—The assessment required by subsection (a) shall include—

(1) a list of Russian politicians, businessmen, dissidents, journalists, current or former government officials, foreign heads-of-state, foreign political leaders, foreign journalists, members of nongovernmental organizations, and other relevant individuals that the intelligence community assesses were assassinated by Russian Security Services, or agents of such services, since January 1, 2000; and

(2) for each individual described in paragraph (1), the country in which the assassination took place, the means used, associated individuals and organizations, and other background information related to the assassination of the individual.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional intelligence committees.

(2) The Committees on Armed Services of the House of Representatives and the Senate.

(3) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

Subtitle B—Matters Relating to Other Countries

SEC. 511. REPORT ON RESOURCES AND COLLECTION POSTURE WITH REGARD TO THE SOUTH CHINA SEA AND EAST CHINA SEA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees an intelligence community assessment on the resources used for collection efforts and the collection posture of the intelligence community with regard to the South China Sea and East China Sea.

(b) ELEMENTS.—The intelligence community assessment required by subsection (a) shall provide detailed information related to intelligence collection by the United States with regard to the South China Sea and East China Sea, including—

(1) a review of intelligence community collection activities and a description of these activities, including the lead agency, key partners, purpose of collection activity, annual funding and personnel, the manner in which the collection is conducted, and types of information collected;

(2) an explanation of how the intelligence community prioritizes and coordinates collection activities focused on such region; and

(3) a description of any collection and resourcing gaps and efforts being made to address such gaps.

SEC. 512. USE OF LOCALLY EMPLOYED STAFF SERVING AT A UNITED STATES DIPLOMATIC FACILITY IN CUBA.

(a) SUPERVISORY REQUIREMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than one year after the date of the enactment of this Act, the Secretary of State shall ensure that each key supervisory position at a United States diplomatic facility in Cuba is occupied by a citizen of the United States.

(2) EXTENSION.—The Secretary of State may extend the deadline to carry out paragraph (1) by not more than one year if the Secretary submits to the appropriate congressional committees written notification and justification of such extension before making such extension.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the heads of other appropriate departments or agencies of the Federal Government, shall submit to the appropriate congressional committees a report on—

(1) the progress made by the Secretary with respect to carrying out subsection (a)(1); and

(2) the use of locally employed staff in United States diplomatic facilities, including—

(A) the number of such staff;

(B) the responsibilities of such staff;

(C) the manner in which such staff are selected, including efforts to mitigate counterintelligence threats to the United States; and

(D) the potential cost and effect on the operational capacity of the diplomatic facility if the number of such staff was reduced.

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

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SEC. 513. INCLUSION OF SENSITIVE COMPARTMENTED INFORMATION FACILITIES IN UNITED STATES DIPLOMATIC FACILITIES IN CUBA.

(a) RESTRICTED ACCESS SPACE REQUIREMENT.—The Secretary of State shall ensure that each United States diplomatic facility in Cuba that, after the date of the enactment of this Act, is constructed or undergoes a construction upgrade includes a sensitive compartmented information facility.

(b) NATIONAL SECURITY WAIVER.—The Secretary of State may waive the requirement under subsection (a) if the Secretary—

(1) determines that such waiver is in the national security interest of the United States;

(2) submits to the appropriate congressional committees written justification for such waiver; and

(3) a period of 90 days elapses following the date of such submission.

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

(1) the congressional intelligence committees;

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(3) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SEC. 514. REPORT ON USE BY IRAN OF FUNDS MADE AVAILABLE THROUGH SANCTIONS RELIEF.

(a) IN GENERAL.—At the times specified in subsection (b), the Director of National Intelligence, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report assessing the following:

(1) The monetary value of any direct or indirect forms of sanctions relief that Iran has received since the Joint Plan of Action first entered into effect.

(2) How Iran has used funds made available through sanctions relief, including the extent to which any such funds have facilitated the ability of Iran—

(A) to provide support for—

(i) any individual or entity designated for the imposition of sanctions for activities relating to international terrorism pursuant to an executive order or by the Office of Foreign Assets Control of the Department of the Treasury as of the date of the enactment of this Act;

(ii) any organization designated by the Secretary of State as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)) as of the date of the enactment of this Act;

(iii) any other terrorist organization; or

(iv) the regime of Bashar al Assad in Syria;

(B) to advance the efforts of Iran or any other country to develop nuclear weapons or ballistic missiles overtly or covertly; or

(C) to commit any violation of the human rights of the people of Iran.

(3) The extent to which any senior official of the Government of Iran has diverted any funds made available through sanctions relief to be used by the official for personal use.

(b) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—The Director shall submit the report required by subsection (a) to the appropriate congressional committees—

(A) not later than 180 days after the date of the enactment of this Act and every 180 days thereafter during the period that the Joint Plan of Action is in effect; and

(B) not later than 1 year after a subsequent agreement with Iran relating to the nuclear program of Iran takes effect and annually thereafter during the period that such agreement remains in effect.

(2) NONDUPLICATION.—The Director may submit the information required by subsection (a) with a report required to be submitted to Congress under another provision of law if—

(A) the Director notifies the appropriate congressional committees of the intention of making such submission before submitting that report; and

(B) all matters required to be covered by subsection (a) are included in that report.

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

(d) DEFINITIONS.—In this section:

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

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

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

(2) JOINT PLAN OF ACTION.—The term ''Joint Plan of Action'' means the Joint Plan of Action, signed at Geneva November 24, 2013, by Iran and by France, Germany, the Russian Federation, the People's Republic of China, the United Kingdom, and the United States, and all implementing materials and agreements related to the Joint Plan of Action, including the technical understandings reached on January 12, 2014, the extension thereto agreed to on July 18, 2014, and the extension thereto agreed to on November 24, 2014.

TITLE VI—MATTERS RELATING TO UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA

SEC. 601. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.

No amounts authorized to be appropriated or otherwise made available to an element of the intelligence community may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to transfer, release, or assist in the transfer or release, to or within the United States, its territories, or possessions, Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 602. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available to an element of the intelligence community may be used during the period beginning on the date of the enactment of this Act and

ending on December 31, 2016, to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 603. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE TO CERTAIN COUNTRIES OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

No amounts authorized to be appropriated or otherwise made available to an element of the intelligence community may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to transfer, release, or assist in the transfer or release of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of any country, or any entity within such country, as follows:

(1) Libya.

(2) Somalia.

(3) Syria.

(4) Yemen.

TITLE VII—REPORTS AND OTHER MATTERS

Subtitle A—Reports

SEC. 701. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) QUADRENNIAL AUDIT OF POSITIONS REQUIRING SECURITY CLEARANCES.—Section 506H of the National Security Act of 1947 (50 U.S.C. 3104) is amended—

(1) by striking subsection (a);

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively; and

(3) in subsection (b), as so redesignated, by striking ''The results required under subsection (a)(2) and the reports required under subsection (b)(1)'' and inserting ''The reports required under subsection (a)(1)''.

(b) REPORTS ON ROLE OF ANALYSTS AT FBI.—Section 2001(g) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3700; 28 U.S.C. 532 note) is amended by striking paragraph (3) and redesignating paragraph (4) as paragraph (3).

(c) REPORT ON OUTSIDE EMPLOYMENT BY OFFICERS AND EMPLOYEES OF INTELLIGENCE COMMUNITY.—

(1) IN GENERAL.—Section 102A(u) of the National Security Act of 1947 (50 U.S.C. 3024(u)) is amended—

(A) by striking ''(1) The Director'' and inserting ''The Director''; and

(B) by striking paragraph (2).

(2) CONFORMING AMENDMENT.—Subsection (a) of section 507 of such Act (50 U.S.C. 3106) is amended—

(A) by striking paragraph (5); and

(B) by redesignating paragraph (6) as paragraph (5).

(3) TECHNICAL AMENDMENT.—Subsection (c)(1) of such section 507 is amended by striking ''subsection (a)(1)'' and inserting ''subsection (a)''.

(d) REPORTS ON NUCLEAR ASPIRATIONS OF NON-STATE ENTITIES.—Section 1055 of the National Defense Authorization Act for Fiscal Year 2010 (50 U.S.C. 2371) is repealed.

(e) REPORTS ON ESPIONAGE BY PEOPLE'S REPUBLIC OF CHINA.—Section 3151 of the National Defense Authorization Act for Fiscal Year 2000 (42 U.S.C. 7383e) is repealed.

(f) REPORTS ON SECURITY VULNERABILITIES OF NATIONAL LABORATORY COMPUTERS.—Section 4508 of the Atomic Energy Defense Act (50 U.S.C. 2659) is repealed.

SEC. 702. REPORTS ON FOREIGN FIGHTERS.

(a) REPORTS REQUIRED.—Not later than 60 days after the date of the enactment of this Act, and every 60 days thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a report on foreign fighter flows to and from Syria and to and from Iraq. The Director shall define the term ''foreign fighter'' in such reports.

(b) MATTERS TO BE INCLUDED.—Each report submitted under subsection (a) shall include each of the following:

(1) The total number of foreign fighters who have traveled to Syria or Iraq since January 1, 2011, the total number of foreign fighters in Syria or Iraq as of the date of the submittal of the report, the total number of foreign fighters whose countries of origin have a visa waiver program described in section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), the total number of foreign fighters who have left Syria or Iraq, the total number of female foreign fighters, and the total number of deceased foreign fighters.

(2) The total number of United States persons who have traveled or attempted to travel to Syria or Iraq since January 1, 2011, the total number of such persons who have arrived in Syria or Iraq since such date, and the total number of such persons who have returned to the United States from Syria or Iraq since such date.

(3) The total number of foreign fighters in the Terrorist Identities Datamart Environment and the status of each such foreign fighter in that database, the number of such foreign fighters who are on a watchlist, and the number of such foreign fighters who are not on a watchlist.

(4) The total number of foreign fighters who have been processed with biometrics, including face images, fingerprints, and iris scans.

(5) Any programmatic updates to the foreign fighter report since the last report was submitted, including updated analysis on foreign country cooperation, as well as actions taken, such as denying or revoking visas.

(6) A worldwide graphic that describes foreign fighters flows to and from Syria, with points of origin by country.

(c) ADDITIONAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report that includes—

(1) with respect to the travel of foreign fighters to and from Iraq and Syria, a description of the intelligence sharing relationships between the United States and member states of the European Union and member states of the North Atlantic Treaty Organization; and

(2) an analysis of the challenges impeding such intelligence sharing relationships.

(d) FORM.—The reports submitted under subsections (a) and (c) may be submitted in classified form.

(e) TERMINATION.—The requirement to submit reports under subsection (a) shall terminate on the date that is 3 years after the date of the enactment of this Act.

SEC. 703. REPORT ON STRATEGY, EFFORTS, AND RESOURCES TO DETECT, DETER, AND DEGRADE ISLAMIC STATE REVENUE MECHANISMS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the intelligence community should dedicate necessary resources to defeating the revenue mechanisms of the Islamic State.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the strategy, efforts, and resources of the intelligence community that are necessary to detect, deter, and degrade the revenue mechanisms of the Islamic State.

SEC. 704. REPORT ON UNITED STATES COUNTERTERRORISM STRATEGY TO DISRUPT, DISMANTLE, AND DEFEAT THE ISLAMIC STATE, AL-QA'IDA, AND THEIR AFFILIATED GROUPS, ASSOCIATED GROUPS, AND ADHERENTS.

(a) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a comprehensive report on the counterterrorism strategy of the United States to disrupt, dismantle, and defeat the Islamic State, al-Qa'ida, and their affiliated groups, associated groups, and adherents.

(2) COORDINATION.—The report under paragraph (1) shall be prepared in coordination with the Director of National Intelligence, the Secretary of State, the Secretary of the Treasury, the Attorney General, and the Secretary of Defense, and the head of any other department or agency of the Federal Government that has responsibility for activities directed at combating the Islamic State, al-Qa'ida, and their affiliated groups, associated groups, and adherents.

(3) ELEMENTS.—The report under by paragraph (1) shall include each of the following:

(A) A definition of—

(i) core al-Qa'ida, including a list of which known individuals constitute core al-Qa'ida;

(ii) the Islamic State, including a list of which known individuals constitute Islamic State leadership;

(iii) an affiliated group of the Islamic State or al-Qa'ida, including a list of which known groups constitute an affiliate group of the Islamic State or al-Qa'ida;

(iv) an associated group of the Islamic State or al-Qa'ida, including a list of which known groups constitute an associated group of the Islamic State or al-Qa'ida;

(v) an adherent of the Islamic State or al-Qa'ida, including a list of which known groups constitute an adherent of the Islamic State or al-Qa'ida; and

(vi) a group aligned with the Islamic State or al-Qa'ida, including a description of what actions a group takes or statements it makes that qualify it as a group aligned with the Islamic State or al-Qa'ida.

(B) An assessment of the relationship between all identified Islamic State or al-Qa'ida affiliated groups, associated groups, and adherents with Islamic State leadership or core al-Qa'ida.

(C) An assessment of the strengthening or weakening of the Islamic State or al-Qa'ida,

its affiliated groups, associated groups, and adherents, from January 1, 2010, to the present, including a description of the metrics that are used to assess strengthening or weakening and an assessment of the relative increase or decrease in violent attacks attributed to such entities.

(D) An assessment of whether an individual can be a member of core al-Qa'ida if such individual is not located in Afghanistan or Pakistan.

(E) An assessment of whether an individual can be a member of core al-Qa'ida as well as a member of an al-Qa'ida affiliated group, associated group, or adherent.

(F) A definition of defeat of the Islamic State or core al-Qa'ida.

(G) An assessment of the extent or coordination, command, and control between the Islamic State or core al-Qa'ida and their affiliated groups, associated groups, and adherents, specifically addressing each such entity.

(H) An assessment of the effectiveness of counterterrorism operations against the Islamic State or core al-Qa'ida, their affiliated groups, associated groups, and adherents, and whether such operations have had a sustained impact on the capabilities and effectiveness of the Islamic State or core al-Qa'ida, their affiliated groups, associated groups, and adherents.

(4) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional intelligence committees.

(2) The Committees on Armed Services of the House of Representatives and the Senate.

(3) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 705. REPORT ON EFFECTS OF DATA BREACH OF OFFICE OF PERSONNEL MANAGEMENT.

(a) REPORT.—Not later than 120 days after the date of the enactment of this Act, the President shall transmit to the congressional intelligence committees a report on the data breach of the Office of Personnel Management disclosed in June 2015.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) The effects, if any, of the data breach on the operations of the intelligence community abroad, including the types of operations, if any, that have been negatively affected or entirely suspended or terminated as a result of the data breach.

(2) An assessment of the effects of the data breach on each element of the intelligence community.

(3) An assessment of how foreign persons, groups, or countries may use the data collected by the data breach (particularly regarding information included in background investigations for security clearances), including with respect to—

(A) recruiting intelligence assets;

(B) influencing decisionmaking processes within the Federal Government, including regarding foreign policy decisions; and

(C) compromising employees of the Federal Government and friends and families of such employees for the purpose of gaining access to sensitive national security and economic information.

(4) An assessment of which departments or agencies of the Federal Government use the best practices to protect sensitive data, including a summary of any such best practices that were not used by the Office of Personnel Management.

(5) An assessment of the best practices used by the departments or agencies identified under paragraph (4) to identify and fix potential vulnerabilities in the systems of the department or agency.

(c) BRIEFING.—The Director of National Intelligence shall provide to the congressional intelligence committees an interim briefing on the report under subsection (a), including a discussion of proposals and options for responding to cyber attacks.

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

SEC. 706. REPORT ON HIRING OF GRADUATES OF CYBER CORPS SCHOLARSHIP PROGRAM BY INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Director of the National Science Foundation, shall submit to the congressional intelligence committees a report on the employment by the intelligence community of graduates of the Cyber Corps Scholarship Program. The report shall include the following:

(1) The number of graduates of the Cyber Corps Scholarship Program hired by each element of the intelligence community.

(2) A description of how each element of the intelligence community recruits graduates of the Cyber Corps Scholar Program.

(3) A description of any processes available to the intelligence community to expedite the hiring or processing of security clearances for graduates of the Cyber Corps Scholar Program.

(4) Recommendations by the Director of National Intelligence to improve the hiring by the intelligence community of graduates of the Cyber Corps Scholarship Program, including any recommendations for legislative action to carry out such improvements.

(b) CYBER CORPS SCHOLARSHIP PROGRAM DEFINED.—In this section, the term ''Cyber Corps Scholarship Program'' means the Federal Cyber Scholarship-for-Service Program under section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442).

SEC. 707. REPORT ON USE OF CERTAIN BUSINESS CONCERNS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the representation, as of the date of the report, of covered business concerns among the contractors that are awarded contracts by elements of the intelligence community for goods, equipment, tools, and services.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) The representation of covered business concerns as described in subsection (a), including such representation by—

(A) each type of covered business concern; and

(B) each element of the intelligence community.

(2) If, as of the date of the enactment of this Act, the Director does not record and monitor the statistics required to carry out this section, a description of the actions taken by the Director to ensure that such statistics are recorded and monitored beginning in fiscal year 2016.

(3) The actions the Director plans to take during fiscal year 2016 to enhance the awarding of contracts to covered business concerns by elements of the intelligence community.

(c) COVERED BUSINESS CONCERNS DEFINED.—In this section, the term ''covered business concerns'' means the following:

(1) Minority-owned businesses.

(2) Women-owned businesses.

(3) Small disadvantaged businesses.

(4) Service-disabled veteran-owned businesses.

(5) Veteran-owned small businesses.

Subtitle B—Other Matters

SEC. 711. USE OF HOMELAND SECURITY GRANT FUNDS IN CONJUNCTION WITH DEPARTMENT OF ENERGY NATIONAL LABORATORIES.

Section 2008(a) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)) is amended in the matter preceding paragraph (1) by inserting ''including by working in conjunction with a National Laboratory (as defined in section 2(3) of the Energy Policy Act of 2005 (42 U.S.C. 15801(3))),'' after ''plans,''.

SEC. 712. INCLUSION OF CERTAIN MINORITY-SERVING INSTITUTIONS IN GRANT PROGRAM TO ENHANCE RECRUITING OF INTELLIGENCE COMMUNITY WORKFORCE.

Section 1024 of the National Security Act of 1947 (50 U.S.C. 3224) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking ''historically black colleges and universities and Predominantly Black Institutions'' and inserting ''historically black colleges and universities, Predominantly Black Institutions, Hispanic-serving institutions, and Asian American and Native American Pacific Islander-serving institutions''; and

(B) in the subsection heading, by striking ''HISTORICALLY BLACK'' and inserting ''CERTAIN MINORITY-SERVING''; and

(2) in subsection (g)—

(A) by redesignating paragraph (5) as paragraph (7); and

(B) by inserting after paragraph (4) the following new paragraphs (5) and (6):

''(5) HISPANIC-SERVING INSTITUTION.—The term 'Hispanic-serving institution' has the meaning given that term in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5)).

''(6) ASIAN AMERICAN AND NATIVE AMERICAN PACIFIC ISLANDER-SERVING INSTITUTION.—The term 'Asian American and Native American Pacific Islander-serving institution' has the meaning given that term in section 320(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1059g(b)(2)).''.

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

The Chair recognizes the gentleman from California (Mr. NUNES).

GENERAL LEAVE

Mr. NUNES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill, H.R. 4127.

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

There was no objection.

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

Mr. Speaker, when Ranking Member SCHIFF and I assumed the helm of the Intelligence Committee, we committed

to carrying on the practice of passing annual intelligence authorization bills, which is the most important tool Congress can use to control the intelligence activities of the United States Government. Today, building on the legacy of Chairman ROGERS and Ranking Member RUPPERSBERGER, we are bringing the sixth consecutive intelligence authorization bill to the floor.

Earlier this year the House passed its version of the bill with a strong vote. Since then, the Senate Select Committee on Intelligence reported out its version of the bill by a unanimous consent vote. I commend Chairman BURR and Vice Chairman FEINSTEIN for their leadership on the bill, and I look forward to working with them in future years.

The current bill contains text agreed to by both the House and the Senate committees. It preserves key House initiatives while adding several important provisions from the Senate. None of these provisions are considered controversial.

As most of the intelligence budget involves highly classified programs, the bulk of the direction is found in the bill's classified annex, which has been available in HVC–304 for all Members to review since yesterday.

At an unclassified level, I can report that the classified annex is consistent with the Bipartisan Budget Act of 2015. It reduces the President's request by less than 1 percent while still providing an increase above last year's level.

The agreed text preserves key committee and House funding initiatives that are vital to national security. These initiatives are offset by reductions to unnecessary programs and increased efficiencies. The agreement also provides substantial intelligence resources to help defeat ISIS and other terrorist groups.

Mr. Speaker, today the threat facing America is higher than at any time since 9/11. ISIS has established a safe haven across Iraq and Syria, and the group hopes to create a state stretching from Lebanon to Iraq, including Syria, Jordan, and Israel.

The goal of our counterterrorism strategy should be to deny safe havens from which terrorists can plot attacks against the United States and our allies. Regrettably, we have not prevented ISIS from establishing a safe haven and the group has become skilled at hiding from western intelligence services.

ISIS members have used that breathing room to plan attacks in Europe, North Africa, and the Middle East, and they are undoubtedly planning attacks against the United States.

We rightly demand that our intelligence agencies provide policymakers with the best and most timely information possible on the threats we face. We ask them to track terrorists wherever they train, plan, and fundraise. We ask them to stop devastating cyber attacks that steal American jobs. We ask them to track nuclear missile threats. We demand that they get it right every time.

This bill will ensure that the dedicated men and women of our intelligence community have the funding, authorities, and support they need to carry out their mission and to keep us safe.

Before closing, I want to take a moment to thank the men and women of this country who serve in our intelligence community. I am honored to get to know so many of them in the course of our oversight work.

I would also like to thank all the staff of the committee, both majority and minority, for their hard work on the bill and for their daily oversight of the intelligence community.

I would especially like to thank Jeff Shockey, Shannon Stuart, Andy Peterson, Jake Crisp, and Michael Ellis for all the long hours they put in to get this bill across the finish line.

From the minority staff, I would like to thank Michael Bahar, Tim Bergreen, Carly Blake, and Wells Bennett for their work on the bill.

Finally, thank you to the gentleman from California (Mr. SCHIFF). It has been a pleasure to work with him on this bill, and I look forward to continuing the committee's oversight work with him over the next year.

I would also like to recognize one member of the committee staff, Bill Flanigan. Bill is undergoing surgery today. We wish him all the best in his recovery.

I urge passage of H.R. 4127.

I reserve the balance of my time.

JOINT EXPLANATORY STATEMENT TO ACCOMPANY THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2016

The following consists of the joint explanatory statement to accompany the Intelligence Authorization Act for Fiscal Year 2016.

This joint explanatory statement reflects the status of negotiations and disposition of issues reached between the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence (hereinafter, ''the Agreement''). The joint explanatory statement shall have the same effect with respect to the implementation of this Act as if it were a joint explanatory statement of a committee of conference.

The joint explanatory statement comprises three parts: first, an overview of the application of the annex to accompany this statement; second, select unclassified congressional direction; and third, a section-by-section analysis of the unclassified legislative text.

PART I: APPLICATION OF THE CLASSIFIED ANNEX

The classified nature of U.S. intelligence activities prevents the congressional intelligence committees from publicly disclosing many details concerning the conclusions and recommendations of the Agreement. Therefore, a classified Schedule of Authorizations and a classified annex have been prepared to describe in detail the scope and intent of the congressional intelligence committees' actions. The Agreement authorizes the Intelligence Community to obligate and expend funds not altered or modified by the classified Schedule of Authorizations as requested in the President's budget, subject to modification under applicable reprogramming procedures.

The classified annex is the result of negotiations between the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence. It reconciles the differences between the committees' respective versions of the bill for National Intelligence Program (NIP) and the Homeland Security Intelligence Program for Fiscal Year 2016. The Agreement also makes recommendations for the Military Intelligence Program (MIP), and the Information Systems Security Program, consistent with the National Defense Authorization Act for Fiscal Year 2016, and provides certain direction for these two programs

The Agreement supersedes the classified annexes to the reports accompanying H.R. 2596, as passed by the House on June 16, 2015, and S. 1705, as reported by the Senate Select Committee on Intelligence on July 7, 2015. All references to the House-passed and Senate-reported annexes are solely to identify the heritage of specific provisions.

The classified Schedule of Authorizations is incorporated into the bill pursuant to Section 102. It has the status of law. The classified annex supplements and adds detail to clarify the authorization levels found in the bill and the classified Schedule of Authorizations. The classified annex shall have the same legal force as the report to accompany the bill.

PART II: SELECT UNCLASSIFIED CONGRESSIONAL DIRECTION

Enhancing Geographic and Demographic Diversity

The Agreement directs the Office of the Director for National Intelligence (ODNI) to conduct an awareness, outreach, and recruitment program to rural, under-represented colleges and universities that are not part of the IC Centers of Academic Excellence (IC CAE) program. Further, the Agreement directs that ODNI shall increase and formally track the number of competitive candidates for IC employment or internships who studied at IC CAE schools and other scholarship programs supported by the IC.

Additionally, the Agreement directs that ODNI, acting through the Executive Agent for the IC CAE program, the IC Chief Human Capital Officer, and the Director, IC Equal Opportunity & Diversity, as appropriate, shall:

1. Add a criterion to the IC CAE selection process that applicants must be part of a consortium or actively collaborate with under-resourced schools in their area;

2. Work with CAE schools to reach out to rural and under-resourced schools, including by inviting such schools to participate in the annual IC CAE colloquium and IC recruitment events;

3. Increase and formally track the number of competitive IC internship candidates from IC CAE schools, starting with Fiscal Year 2016 IC summer internships, and provide a report, within 180 days of the enactment of this Act, on its plan to do so;

4. Develop metrics to ascertain whether IC CAE, the Pat Roberts Intelligence Scholars Program, the Louis Stokes Educational Scholarship Program, and the Intelligence Officer Training Program reach a diverse demographic and serve as feeders to the IC workforce;

5. Include in the annual report on minority hiring and retention a breakdown of the students participating in these programs who

serve as IC interns, applied for full-time IC employment, received offers of employment, and entered on duty in the IC;

6. Conduct a feasibility study with necessary funding levels regarding how the IC CAE could be better tailored to serve under-resourced schools, and provide such study to the congressional intelligence committees within 180 days of the enactment of this Act;

7. Publicize all IC elements' recruitment activities, including the new Applicant Gateway and the IC Virtual Career Fair, to rural schools, Historically Black Colleges and Universities, and other minority-serving institutions that have been contacted by IC recruiters;

8. Contact new groups with the objective of expanding the IC Heritage Community Liaison Council; and

9. Ensure that IC elements add such activities listed above that may be appropriate to their recruitment plans for Fiscal Year 2016.

ODNI shall provide an interim update to the congressional intelligence committees on its efforts within 90 days of the enactment of this Act and include final results in its annual report on minority hiring and retention.

Analytic Duplication & Improving Customer Impact

The congressional intelligence committees are concerned about potential duplication in finished analytic products. Specifically, the congressional intelligence committees are concerned that contemporaneous publication of substantially similar intelligence products fosters confusion among intelligence customers (including those in Congress), impedes analytic coherence across the IC, and wastes time and effort. The congressional intelligence committees value competitive analysis, but believe there is room to reduce duplicative analytic activity and improve customer impact.

Therefore, the Agreement directs ODNI to pilot a repeatable methodology to evaluate potential duplication in finished intelligence analytic products and to report the findings to the congressional intelligence committees within 60 days of the enactment of this Act. In addition, the Agreement directs ODNI to report to the congressional intelligence committees within 180 days of enactment of this Act how it will revise analytic practice, tradecraft, and standards to ensure customers can clearly identify how products that are produced contemporaneously and cover similar topics differ from one another in their methodological, informational, or temporal aspects, and the significance of those differences. This report is not intended to cover operationally urgent analysis or current intelligence.

Countering Violent Extremism and the Islamic State in Iraq and the Levant

The Agreement directs ODNI, within 180 days of enactment of this Act and in consultation with appropriate interagency partners, to brief the congressional intelligence committees on how intelligence agencies are supporting both (1) the Administration's Countering Violent Extremism (CVE) program first detailed in the 2011 White House strategy Empowering Local Partners to Prevent Violent Extremism in the United States, which was expanded following the January 2015 White House Summit on Countering Violent Extremism, and (2) the Administration's Strategy to Counter the Islamic State of Iraq and the Levant, which was announced in September 2014.

Analytic Health Reports

The Agreement directs the Defense Intelligence Agency (DIA) to provide Analytic Health Reports to the congressional intelligence committees on a quarterly basis, including an update on the specific effect of analytic modernization on the health of the Defense Intelligence Analysis Program (DIAP) and its ability to reduce analytic risk.

All-Source Analysis Standards

The Agreement directs DIA to conduct a comprehensive evaluation of the Defense Intelligence Enterprise's (DIE) all-source analysis capability and production in Fiscal Year 2015. The evaluation should assess the analytic output of both NIP and MIP funded all-source analysts, separately and collectively, and apply the following four criteria identified in the ODNI Strategic Evaluation Report for all-source analysis: 1) integrated, 2) objective, 3) timely, and 4) value-added. The results of this evaluation shall be included as part of the Fiscal Year 2017 congressional budget justification book.

Terrorism Investigations

The Agreement directs the Federal Bureau of Investigation (FBI) to submit to the congressional intelligence committees, within 180 days of enactment of this Act, a report detailing how FBI has allocated resources between domestic and foreign terrorist threats based on numbers of investigations over the past 5 years. The report should be submitted in unclassified form but may include a classified annex.

Investigations of Minors Involved in Radicalization

The Agreement directs the FBI to provide a briefing to the congressional intelligence committees within 180 days of enactment of this Act on investigations in which minors are encouraged to turn away from violent extremism rather than take actions which that would lead to Federal terrorism indictments. This briefing should place these rates in the context of all investigations of minors for violent extremist activity and should describe any FBI engagement with minors' families, law enforcement, or other individuals or groups connected to the minor during or after investigations.

Furthermore, the Agreement directs the FBI to include how often undercover agents pursue investigations based on a location of interest related to violent extremist activity compared to investigations of an individual or group believed to be engaged in such activity. Included should be the number of locations of interest associated with a religious group or entity. This briefing also should include trend analysis covering the last five years describing violent extremist activity in the U.S.

PART III: SECTION-BY-SECTION ANALYSIS AND EXPLANATION OF LEGISLATIVE TEXT

The following is a section-by-section analysis and explanation of the Intelligence Authorization Act for Fiscal Year 2016.

TITLE I—INTELLIGENCE ACTIVITIES

Section 101. Authorization of appropriations

Section 101 lists the United States Government departments, agencies, and other elements for which the Act authorizes appropriations for intelligence and intelligence-related activities for Fiscal Year 2016.

Section 102. Classified Schedule of Authorizations

Section 102 provides that the details of the amounts authorized to be appropriated for intelligence and intelligence-related activities and the applicable personnel levels by program for Fiscal Year 2016 are contained in the classified Schedule of Authorizations and that the classified Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President.

Section 103. Personnel ceiling adjustments

Section 103 is intended to provide additional flexibility to the Director of National Intelligence (DNI) in managing the civilian personnel of the Intelligence Community (IC). Section 103 provides that the DNI may authorize employment of civilian personnel in Fiscal Year 2016 in excess of the number of authorized positions by an amount not exceeding three percent of the total limit applicable to each IC element under Section 102. The DNI may do so only if necessary to the performance of important intelligence functions.

Section 104. Intelligence Community Management Account

Section 104 authorizes appropriations for the Intelligence Community Management Account (ICMA) of the Director of National Intelligence and sets the authorized personnel levels for the elements within the ICMA for Fiscal Year 2016.

Section 105. Clarification regarding authority for flexible personnel management among elements of intelligence community

Section 105 clarifies that certain Intelligence Community elements may make hiring decisions based on the excepted service designation.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Section 201. Authorization of appropriations

Section 201 authorizes appropriations in the amount of $514,000,000 for Fiscal Year 2016 for the Central Intelligence Agency Retirement and Disability Fund.

Mr. SCHIFF. Mr. Speaker, I yield myself as much time as I may consume.

First, I want to begin by thanking Chairman NUNES. It has been a great pleasure to work with him. I greatly appreciate his dedication to the responsibilities that we have, the bipartisan way that he has run this committee, the professional way that he and his staff have conducted all the business of the committee. It has just been an honor to work with him, and I am greatly appreciative of all he has done to bring this bill forward.

I also want to express my gratitude to Senators BURR and FEINSTEIN for their efforts at producing this bipartisan, bicameral work product.

Earlier this year the House passed its version of the Intelligence Authorization Act for the fiscal year 2016. After the Senate's Intelligence Committee advanced its version out of committee, we worked together to produce the bill that is before us today. It is the result of careful negotiations and of a bipartisan and bicameral commitment to produce a strong intelligence bill for the sake of our country and of our allies.

I was not able to vote for the intelligence authorization when it first came before the House in June, but I am proud to support it today. Many of the underlying issues have been resolved or significantly improved. This

annual bill, like those that came before it, funds, equips, and sets priorities for the U.S. intelligence community, which is critical in the world that we inhabit today.

The recent Paris attacks drive home just how vigilant we need to be, and the bill before us provides urgent resources for the fight against ISIS and al Qaeda. At the same time, we must never let our focus on any one threat or terror group distract us from the other challenges we face, like those posed by Iran, North Korea, Russia, and China.

This bill strikes the right balance by providing the necessary means to counter other wide-ranging threats from state and nonstate actors, particularly in cyberspace, outer space, and in the undersea environment. The bill also takes critical steps to shore up our counterintelligence capabilities. This is of particular significance after the devastating OPM breach.

Additionally, the intelligence authorization continues to be the single most important means by which Congress conducts oversight of the intelligence community. We much support the IC, but we also have to rigorously oversee it and make sure that what it does in our name comports with our values.

The bill, therefore, prioritizes and provides detailed guidance, strict authorizations, and precise limitations on the activities of the intelligence community. It also fences funds to ensure that throughout the year congressional guidance is strictly followed.

Some of the other highlights of the bill include emphasizing collection to monitor and ensure Iran's compliance with the Joint Comprehensive Plan of Action—this is critical—funding our most important space programs, investing in space protection and resiliency, preserving investments in cutting-edge technologies, and enhancing oversight of contracting and procurement practices. I am particularly pleased with where the revised bill ends up with respect to our space programs.

Other highlights of the bill are promoting enhancements to our foreign partner capabilities, which are crucial to multiplying the reach and impact of our own intelligence efforts; enhancing human intelligence capabilities, which is often the key to understanding and predicting global events; greatly intensifying oversight of defense special operation forces activities worldwide.

The revised bill also continues to incorporate some of the excellent provisions championed by many of the Democratic members of the House Intelligence Committee as well as Republicans, in particular, Mr. HIMES' effort to enhance the quality of metrics we use to enable more thorough oversight, Ms. SEWELL's provisions to enhance diversity within the intelligence community, Mr. CARSON's provisions to better understand FBI resource allocation against domestic and foreign threats and the role of FBI and DNI in countering violent extremism particularly in minors, Ms. SPEIER's provision to provide greater human rights oversight of the IC's relationships with certain foreign partners, Mr. QUIGLEY's provision regarding intelligence support to Ukraine, and Mr. SWALWELL's provision to ensure that Department of Energy's national labs can work with State and local government recipients of Homeland Security grants.

As I said earlier, I was not able to support the prior version of the bill, but I am proud to support this version. I urge my colleagues to do the same. This version corrects the misguided overreliance on short-term overseas contingency operations funding to evade the Budget Control Act caps at the expense of our domestic programs.

The bill still contains unwelcome restrictions, in my view, on the closure of our facility at Guantanamo Bay, but it modifies them to mirror the provisions, which passed in the National Defense Authorization Act and which the President recently signed into law. To the extent there are any intelligence funds which could be used to close the prison, these IAA provisions would subject them to the same restrictions as govern the spending of defense funds in the NDAA.

I remain strongly opposed to any restrictions on closing the prison at Guantanamo Bay. As these provisions reflect what is currently in law, I support the larger bill. Especially with what happened in Paris, we need to act now to fund and enable our intelligence agencies.

Once again, I want to thank Chairman NUNES, Chairman BURR, and Vice Chairman FEINSTEIN, as well as the wonderful and hardworking staff of the HPSCI and the SSCI. I also want to thank the administration for their good work.

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

Mr. NUNES. Mr. Speaker, I insert in the RECORD at this point the second part of the joint explanatory statement.

TITLE III—GENERAL PROVISIONS

Section 301. Increase in employee compensation and benefits authorized by law

Section 301 provides that funds authorized to be appropriated by the Act for salary, pay, retirement, and other benefits for federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in compensation or benefits authorized by law.

Section 302. Restriction on conduct of intelligence activities

Section 302 provides that the authorization of appropriations by the Act shall not be deemed to constitute authority for the conduct of any intelligence activity that is not otherwise authorized by the Constitution or laws of the United States.

Section 303. Provision of information and assistance to Inspector General of the Intelligence Community

Section 303 amends the National Security Act of 1947 to clarify the Inspector General of the Intelligence Community's authority to seek information and assistance from federal, state, and local agencies or units thereof.

Section 304. Inclusion of Inspector General of Intelligence Community in Council of Inspectors General on Integrity and Efficiency

Section 304 amends Section 11(b)(1)(B) of the Inspector General Act of 1978 to reflect the correct name of the Office of the Inspector General of the Intelligence Community. The section also clarifies that the Inspector General of the Intelligence Community is a member of the Council of the Inspectors General on Integrity and Efficiency.

Section 305. Clarification of authority of Privacy and Civil Liberties Oversight Board

Section 305 amends the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA) to clarify that nothing in the statute authorizing the Privacy and Civil Liberties Oversight Board should be construed to allow that Board to gain access to information regarding an activity covered by section 503 of the National Security Act of 1947.

Section 306. Enhancing government personnel security programs

Section 306 directs the Director of National Intelligence (DNI) to develop and implement a plan for eliminating the backlog of overdue periodic investigations, and further requires the DNI to direct each agency to implement a program to provide enhanced security review to individuals determined eligible for access to classified information or eligible to hold a sensitive position.

These enhanced personnel security programs will integrate information relevant and appropriate for determining an individual's suitability for access to classified information; be conducted at least 2 times every 5 years; and commence not later than 5 years after the date of enactment of the Fiscal Year 2016 Intelligence Authorization Act, or the elimination of the backlog of overdue periodic investigations, whichever occurs first.

Section 307. Notification of changes to retention of call detail record policies

Section 307 requires the Director of National Intelligence to notify the congressional intelligence committees in writing not later than 15 days after learning that an electronic communication service provider that generates call detail records in the ordinary course of business has changed its policy on the retention of such call details records to result in a retention period of less than 18 months. Section 307 further requires the Director to submit to the congressional intelligence committees within 30 days of enactment a report identifying each electronic communication service provider (if any) that has a current policy in place to retain call detail records for 18 months or less.

Section 308. Personnel information notification policy by the Director of National Intelligence

Section 308 requires the Director of National Intelligence to establish a policy to ensure timely notification to the congressional intelligence committees of the identities of individuals occupying senior level positions within the Intelligence Community.

Section 309. Designation of lead intelligence officer for tunnels

Section 309 requires the Director of National Intelligence to designate an official to

manage the collection and analysis of intelligence regarding the tactical use of tunnels by State and non-State actors.

Section 310. Reporting process for tracking country clearance requests

Section 310 requires the Director of National Intelligence (DNI) to establish a formal reporting process for tracking requests for country clearance submitted to overseas DNI representatives. Section 310 also requires the DNI to brief the congressional intelligence committees on its progress.

Section 311. Study on reduction of analytic duplication

Sec. 311 requires DNI to carry out a study to identify duplicative analytic products and the reasons for such duplication, ascertain the frequency of and reasons for duplication, and determine whether this review should be considered a part of the responsibilities assigned to the Analytic Integrity and Standards office inside the Office of the DNI. Sec. 311 also requires DNI to provide a plan for revising analytic practice, tradecraft and standards to ensure customers are able to readily identify how analytic products on similar topics that are produced contemporaneously differ from one another and what is the significance of those differences.

Section 312. Strategy for comprehensive interagency review of the United States national security overhead satellite architecture

Section 312 requires the Director of National Intelligence, in collaboration with the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff, to develop a strategy, with milestones and benchmarks, to ensure that there is a comprehensive interagency review of policies and practices for planning and acquiring national security satellite systems and architectures, including the capabilities of commercial systems and partner countries, consistent with the National Space Policy issued on June 28, 2010. Where applicable, this strategy shall account for the unique missions and authorities vested in the Department of Defense and the Intelligence Community.

Section 313. Cyber attack standards of measurement study

Section 313 directs the Director of National Intelligence, in consultation with the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, and the Secretary of Defense, to carry out a study to determine the appropriate standards to measure the damage of cyber incidents.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

SUBTITLE A—OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

Section 401. Appointment and confirmation of the National Counterintelligence Executive

Section 401 makes subject to Presidential appointment and Senate confirmation, the executive branch position of National Counterintelligence Executive (NCIX), which was created by the 2002 Counterintelligence Enhancement Act. Effective December 2014, the NCIX was also dual-hatted as the Director of the National Counterintelligence and Security Center.

Section 402. Technical amendments relating to pay under title 5, United States Code

Section 402 amends 5 U.S.C. §5102(a)(1) to expressly exclude the Office of the Director of National Intelligence (ODNI) from the provisions of chapter 51 of title 5, relating to position classification, pay, and allowances for General Schedule employees, which does not apply to ODNI by virtue of the National Security Act. This proposal would have no substantive effect.

Section 403. Analytic Objectivity Review

The ODNI's Analytic Integrity and Standards (AIS) office was established in response to the requirement in IRTPA for the designation of an entity responsible for ensuring that the Intelligence Community's finished intelligence products are timely, objective, independent of political considerations, based upon all sources of available intelligence, and demonstrative of the standards of proper analytic tradecraft.

Consistent with responsibilities prescribed under IRTPA, Section 403 requires the AIS Chief to conduct a review of finished intelligence products produced by the CIA to assess whether the reorganization of the Agency, announced publicly on March 6, 2015, has resulted in any loss of analytic objectivity. The report is due two years from the date that the reorganization was announced, March 6, 2017.

SUBTITLE B—CENTRAL INTELLIGENCE AGENCY AND OTHER ELEMENTS

Section 411. Authorities of the Inspector General for the Central Intelligence Agency

Section 411 amends Section 17 of the Central Intelligence Agency Act of 1949 to consolidate the Inspector General's personnel authorities and to provide the Inspector General with the same authorities as other Inspector Generals to request assistance and information from federal, state, and local agencies or units thereof.

Section 412. Prior congressional notification of transfers of funds for certain intelligence activities

Section 412 requires notification to the congressional intelligence committees before transferring funds from the Joint Improvised Explosive Device Defeat Fund or the Counterterrorism Partnerships Fund that are to be used for intelligence activities.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

SUBTITLE A—MATTERS RELATING TO RUSSIA

Section 501. Notice of deployment or transfer of Club-K container missile system by the Russian Federation

Section 501 requires the Director of National Intelligence to submit written notice to the appropriate congressional committees if the Intelligence Community receives intelligence that the Russian Federation has deployed, or is about to deploy, the Club-K container missile system through the Russian military, or transferred or sold, or intends to transfer or sell, such system to another state or non-state actor.

Section 502. Assessment on funding of political parties and nongovernmental organizations by the Russian Federation

Section 502 requires the Director of National Intelligence to submit an Intelligence Community assessment to the appropriate congressional committees concerning the funding of political parties and nongovernmental organizations in the former Soviet States and Europe by the Russian Security Services since January 1, 2006, not later than 180 days after the enactment of the Fiscal Year 2016 Intelligence Authorization Act.

Section 503. Assessment on the use of political assassinations as a form of statecraft by the Russian Federation

Section 503 requires the Director of National Intelligence to submit an Intelligence Community assessment concerning the use of political assassinations as a form of statecraft by the Russian Federation to the appropriate congressional committees, not later than 180 days after the enactment of the Fiscal Year 2016 Intelligence Authorization Act.

SUBTITLE B—MATTERS RELATING TO OTHER COUNTRIES

Section 511. Report of resources and collection posture with regard to the South China Sea and East China Sea

Section 511 requires the Director of National Intelligence to submit to the appropriate congressional committees an Intelligence Community assessment on Intelligence Community resourcing and collection posture with regard to the South China Sea and East China Sea, not later than 180 days after the enactment of the Fiscal Year 2016 Intelligence Authorization Act.

Section 512. Use of locally employed staff serving at a United States diplomatic facility in Cuba

Section 512 requires the Secretary of State, not later than one year after the date of the enactment of this Act, to ensure that every supervisory position at a United States diplomatic facility in Cuba is occupied by a citizen of the United States who has passed a thorough background check. Further, not later than 180 days after the date of the enactment of this Act, the provision requires the Secretary of State, in coordination with other appropriate government agencies, to submit to the appropriate congressional committees a plan to further reduce the reliance on locally employed staff in United States diplomatic facilities in Cuba. The plan shall, at a minimum, include cost estimates, timelines, and numbers of employees to be replaced.

Section 513. Inclusion of sensitive compartmented information facilities in United States diplomatic facilities in Cuba

Section 513 requires that each United States diplomatic facility in Cuba that is constructed, or undergoes a construction upgrade, be constructed to include a sensitive compartmented information facility.

Section 514. Report on use by Iran of funds made available through sanctions relief

Section 514 requires the Director of National Intelligence, in consultation with the Secretary of the Treasury, to submit to the appropriate congressional committees a report assessing the monetary value of any direct or indirect form of sanctions relief Iran has received since the Joint Plan of Action (JPOA) entered into effect, and how Iran has used funds made available through such sanctions relief. This report shall be submitted every 180 days while the JPOA is in effect, and not later than 1 year after an agreement relating to Iran's nuclear program takes effect, and annually thereafter while that agreement remains in effect.

TITLE VI—MATTERS RELATING TO UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA

Section 601. Prohibition on use of funds for transfer or release of individual detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States

Section 601 states that no amounts authorized to be appropriated or otherwise made available to an element of the Intelligence Community may be used to transfer or release individuals detained at Guantanamo Bay to or within the United States, its territories, or possessions.

Section 602. Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba

Section 602 states that no amounts authorized to be appropriated or otherwise made available to an element of the Intelligence Community may be used to construct or modify facilities in the United States, its territories, or possessions to house detainees transferred from Guantanamo Bay.

Section 603. Prohibition on use of funds for transfer or release to certain countries of individuals detained at United States Naval Station, Guantanamo Bay, Cuba

Section 603 states that no amounts authorized to be appropriated or otherwise made available to an element of the Intelligence Community may be used to transfer or release an individual detained at Guantanamo Bay to the custody or control of any country, or any entity within such country, as follows: Libya, Somalia, Syria, or Yemen.

TITLE VII—REPORTS AND OTHER MATTERS

SUBTITLE A—REPORTS

Section 701. Repeal of certain reporting requirements

Section 701 repeals certain reporting requirements.

Section 702. Reports on foreign fighters

Section 702 requires the Director of National Intelligence to submit a report every 60 days for the three years following the enactment of this Act to the congressional intelligence committees on foreign fighter flows to and from Syria and Iraq. Section 702 requires information on the total number of foreign fighters who have traveled to Syria or Iraq, the total number of United States persons who have traveled or attempted to travel to Syria or Iraq, the total number of foreign fighters in Terrorist Identities Datamart Environment, the total number of foreign fighters who have been processed with biometrics, any programmatic updates to the foreign fighter report, and a worldwide graphic that describes foreign fighter flows to and from Syria.

Section 703. Report on strategy, efforts, and resources to detect, deter, and degrade Islamic State revenue mechanisms

Section 703 requires the Director of National Intelligence to submit a report on the strategy, efforts, and resources of the intelligence community that are necessary to detect, deter, and degrade the revenue mechanisms of the Islamic State.

Section 704. Report on United States counterterrorism strategy to disrupt, dismantle, and defeat the Islamic State, al-Qa'ida, and their affiliated groups, associated groups, and adherents

Section 704 requires the President to submit to the appropriated congressional committees a comprehensive report on the counterterrorism strategy to disrupt, dismantle, and defeat the Islamic State, al-Qa'ida, and their affiliated groups, associated groups, and adherents.

Section 705. Report on effects of data breach of Office of Personnel Management

Section 705 requires the President to transmit to the congressional intelligence communities a report on the data breach of the Office of Personnel Management. Section 705 requires information on the impact of the breach on intelligence community operations abroad, in addition to an assessment of how foreign persons, groups, or countries may use data collected by the breach and what Federal Government agencies use best practices to protect sensitive data.

Section 706. Report on hiring of graduates of Cyber Corps Scholarship Program by intelligence community

Section 706 requires the Director of National Intelligence (DNI) to submit to the congressional intelligence committees a report on the employment by the intelligence community of graduates of the Cyber Corps Scholarship Program. Section 706 requires information on the number of graduates hired by each element of the intelligence community, the recruitment process for each element of the intelligence community, and DNI recommendations to improve the hiring process.

Section 707. Report on use of certain business concerns

Section 707 requires the Director of National Intelligence to submit to the congressional intelligence committees a report of covered business concerns—including minority-owned, women-owned, small disadvantaged, service-enabled veteran-owned, and veteran-owned small businesses—among contractors that are awarded contracts by the intelligence community for goods, equipment, tools and services.

SUBTITLE B—OTHER MATTERS

Section 711. Use of homeland security grant funds in conjunction with Department of Energy national laboratories

Section 711 amends Section 2008(a) of the Homeland Security Act of 2002 to clarify that the Department of Energy's national laboratories may seek access to homeland security grant funds.

Section 712. Inclusion of certain minority-serving institutions in grant program to enhance recruiting of intelligence community workforce

Section 712 amends the National Security Act of 1947 to include certain minority-serving institutions in the intelligence officer training programs established under Section 1024 of the Act.

□ 1315

Mr. SCHIFF. Mr. Speaker, I yield myself the remainder of my time.

The world is a dangerous place, and our intelligence agencies and professionals are on the front lines of keeping us, our allies, and our partners safe. We also have to ensure that no matter how dangerous the world becomes, the United States adheres to its values. What is done to protect America cannot undermine America, and this legislation ensures consistent and rigorous oversight.

To the men and women of our intelligence community, you continue to have my sincerest gratitude and respect for all that you do and my full appreciation of your dedication, your patriotism, and your unparalleled skills.

We in Congress must now do our part by passing this bill, and then we must turn to completing work on cyber legislation and to beginning the urgent task of preparing for the fiscal year 2017 authorization bill.

To Chairman NUNES, Chairman BURR, and Vice Chair FEINSTEIN, thank you again for your leadership, your bipartisanship, and your determination to do what is right.

To all the Members of the House Permanent Select Committee on Intelligence, I thank you for your good work as well.

Finally, thank you to our very superb professional staff. You do a great job each and every day, and often for very, very long hours.

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

Mr. NUNES. Mr. Speaker, before I close, I want to reiterate that the bill is the most effective way for Congress to carry out oversight of intelligence activities. This bill forces the executive branch to remain responsive to congressional direction and priorities.

As the recent terrorist attacks in Paris show, our enemies are rapidly improving their ability to launch deadly strikes against the United States and our allies. Given these elevated threat levels, it is crucial that our intelligence professionals receive the resources they need to keep Americans safe. This bill will authorize those resources while ensuring full congressional oversight of the intelligence community. I urge my colleagues to vote for the bill.

In closing, Mr. Speaker, I want to again thank Mr. SCHIFF for his congeniality and all of his staff's work and our staff's work on our side.

Mr. Speaker, I urge passage of the bill.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Homeland Security Committee and Ranking member of the Judiciary Committee's Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, I rise in support of H.R. 4127, the "Intelligence Authorization Act for Fiscal Year 2016," for several reasons.

With bipartisan legislative changes negotiated and incorporated, H.R. 4127, is an improved and acceptable bill that will provide critical funding for our nation's 16 intelligence agencies.

While this measure is not perfect, H.R. 4127 corrects many of the provisions that were objectionable by providing a more balanced and realistic budget for our Intelligence Community.

The revised Intelligence Authorization Act makes cuts to less effective programs, adds money to underfunded ones, and requires intelligence agencies to keep Congress abreast of their activities to ensure responsible and lawful spending practices.

More specifically, I am pleased that this bill will: provide critical resources for the fight against ISIL; emphasize collection to monitor and ensure compliance with the Iranian nuclear agreement; provide the necessary means to counter threats from nation-state actors, particularly in cyberspace, space and the undersea environment, and furthermore helps to shore up our counter-proliferation and counter-intelligence capabilities; support our overhead architecture through the funding of critical space programs, invests in space protection and resiliency, preserves investments

in cutting-edge technologies, and enhances the oversight of contracting and procurement practices; promotes foreign partner capabilities; and enhance human intelligence capabilities and oversight throughout CIA's reorganization process.

H.R. 4127 will provide funding that is 7% above last year's enacted budget level, and only 1% less than President Obama's budget request.

Importantly, this version of the bill corrects the over-reliance on short-term Overseas Contingency Operations (OCO) funding to evade Budget Control Act caps, which proved problematic in the earlier version.

I applaud my colleagues for working together to reach agreement on a fair and balanced budget framework that does not harm our economy or require draconian cuts.

Additionally of concern in the prior measure, to the extent intelligence funds might be used in an effort to shutter the Guantanamo facility, the Guantanamo-related language in the current version will merely subject those funds to restrictions identical to those imposed by the FY 2016 National Defense Authorization Act, recently passed and signed into law by the President.

Lastly, while a provision of H.R. 4127 still curtails the Privacy and Civil Liberties Oversight Board's (PCLOB) ability to access information regarding covert action, it does not alter the PCLOB's broader jurisdiction or mission to provide independent oversight and to ensure that the U.S. appropriately protects privacy and civil liberties in its counter terrorism programs.

With respect to covert actions, the language of H.R. 4127 has been reworded to emphasize that such actions are subject to presidential approval and reporting to Congress pursuant to existing law.

The balance between liberty and security must be respected to preserve our way of life and the values that countless generations have fought to preserve.

This includes taking precautionary measures to ensure that lives are safe from eminent danger and terrorist threats both domestically and abroad.

On balance, Mr. Speaker, H.R. 4127 contains more salutary than objectionable provisions, and for that reason I support this bill.

Mr. POMPEO. Mr. Speaker, I commend Chairman NUNES, Ranking Member SCHIFF, and the entire Intelligence Committee for crafting the Intelligence Authorization Act for Fiscal Year 2016. This is a strong and bipartisan piece of legislation that will ensure the safety of every American.

For the people of the Fourth District of Kansas, whom I represent, and for many other Americans, this bill represents more than just the three letter agencies it oversees, this bill is about ensuring the U.S. has a robust national security posture to keep Americans safe. When we empower the men and women in the Intelligence Community with the resources, tools, and capabilities they need, they are able to do their jobs and protect our nation.

It is in the finest traditions of Congress that there has been such close cooperation between the House and Senate in undertaking our oversight responsibilities, and also productive collaboration with the Intelligence Community. As always, in the Committee's work of providing guidance to the Intelligence Community, we continue to recommend fiscal responsibility through increased efficiency and the elimination of unnecessary programs. All of this is done with a close eye to protecting every American's Constitutional rights.

I do not need to remind anyone that the threats facing the United States are real and dangerous. I applaud the decision to empower our intelligence agencies with potent tools, all the while focused on protecting privacy, to ensure that our interests and our way of life are protected in these uncertain times.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. NUNES) that the House suspend the rules and pass the bill, H.R. 4127.

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

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on H. Res. 539;

Adopting H. Res. 539, if ordered; and

Suspending the rules and passing S. 1170.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 8, NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2015; PROVIDING FOR CONSIDERATION OF S.J. RES. 23, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY; AND PROVIDING FOR CONSIDERATION OF S.J. RES. 24, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 539) providing for consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes; providing for consideration of the joint resolution (S.J. Res. 23) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units''; and providing for consideration of the joint resolution (S.J. Res. 24) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units'', on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 242, nays 179, not voting 12, as follows:

[Roll No. 646]

YEAS—242

Abraham	Fincher	LaHood
Aderholt	Fitzpatrick	LaMalfa
Allen	Fleischmann	Lamborn
Amash	Fleming	Lance
Amodei	Flores	Latta
Babin	Forbes	LoBiondo
Barletta	Fortenberry	Long
Barr	Foxx	Loudermilk
Barton	Franks (AZ)	Love
Benishek	Frelinghuysen	Lucas
Bilirakis	Garrett	Luetkemeyer
Bishop (MI)	Gibbs	Lummis
Bishop (UT)	Gibson	MacArthur
Black	Gohmert	Marchant
Blackburn	Goodlatte	Marino
Blum	Gosar	Massie
Bost	Gowdy	McCarthy
Boustany	Granger	McCaul
Brady (TX)	Graves (GA)	McClintock
Brat	Graves (LA)	McHenry
Bridenstine	Graves (MO)	McKinley
Brooks (AL)	Griffith	McMorris Rodgers
Brooks (IN)	Grothman	McSally
Buchanan	Guinta	Meadows
Buck	Guthrie	Meehan
Bucshon	Hanna	Messer
Burgess	Hardy	Mica
Byrne	Harper	Miller (FL)
Calvert	Harris	Miller (MI)
Carter (GA)	Hartzler	Moolenaar
Carter (TX)	Heck (NV)	Mooney (WV)
Chabot	Hensarling	Mullin
Chaffetz	Hice, Jody B.	Mulvaney
Clawson (FL)	Hill	Murphy (PA)
Cole	Holding	Neugebauer
Collins (GA)	Hudson	Newhouse
Collins (NY)	Huelskamp	Noem
Comstock	Huizenga (MI)	Nugent
Conaway	Hultgren	Nunes
Cook	Hunter	Olson
Costello (PA)	Hurd (TX)	Palazzo
Cramer	Hurt (VA)	Palmer
Crawford	Issa	Paulsen
Crenshaw	Jenkins (KS)	Pearce
Culberson	Jenkins (WV)	Perry
Curbelo (FL)	Johnson (OH)	Pittenger
Davis, Rodney	Johnson, Sam	Pitts
Denham	Jolly	Poe (TX)
Dent	Jones	Poliquin
DeSantis	Jordan	Pompeo
DesJarlais	Joyce	Posey
Diaz-Balart	Katko	Price, Tom
Dold	Kelly (MS)	Ratcliffe
Donovan	Kelly (PA)	Reed
Duffy	King (IA)	Reichert
Duncan (SC)	King (NY)	Renacci
Duncan (TN)	Kinzinger (IL)	Ribble
Ellmers (NC)	Kline	Rice (SC)
Emmer (MN)	Knight	Rigell
Farenthold	Labrador	

Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—179

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—12

Bishop (GA)
Cárdenas
Coffman
Herrera Beutler
Kirkpatrick
McCollum
Ruppersberger
Rush
Sewell (AL)
Slaughter
Takai
Williams

□ 1348

Messrs. ISRAEL, ELLISON, Ms. TSONGAS, Ms. MAXINE WATERS of California, and Mr. MEEKS changed their vote from ''yea'' to ''nay.''

Mr. PALAZZO changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. COFFMAN. Mr. Speaker, on rollcall No. 646, I was unavoidably detained. Had I been present, I would have voted "yes."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 181, not voting 9, as follows:

[Roll No. 647]

AYES—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—181

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Fudge
Herrera Beutler
Kirkpatrick
Ruppersberger
Rush
Sewell (AL)
Slaughter
Takai
Williams

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1359

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION TO VACATE PROCEEDINGS ON H.R. 4127, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2016

Mr. NUNES. Mr. Speaker, I ask unanimous consent that proceedings by which the motion to reconsider was laid upon the table and by which the motion that the House suspend the rules and pass the bill (H.R. 4127) to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, was adopted be vacated to the end that the Chair put the question de novo.

The SPEAKER pro tempore. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

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

There was no objection.

The SPEAKER pro tempore. Proceedings whereby the motion to reconsider was laid on the table and by which the House adopted the motion to suspend the rules and pass H.R. 4127 are vacated, and the Chair will put the question de novo.

The question is, Will the House suspend the rules and pass the bill, H.R. 4127?

The question was taken.

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

Mr. NUNES. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

MOMENT OF SILENCE IN RECOGNITION OF THE AFTERMATH OF TERRIBLE ACTS OF VIOLENCE IN COLORADO SPRINGS, COLORADO

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

Mr. LAMBORN. Mr. Speaker, I rise today with sadness in the aftermath of a terrible act of violence that took the lives of three innocent victims and injured nine others in my hometown of Colorado Springs, Colorado, last Friday.

Among those lives that were tragically lost was Iraq war veteran and father of two, Ke'Arre Stewart; wife and mother of two, Jennifer Markovsky; and University of Colorado-Colorado Springs police officer, husband, father of two and the pastor at Hope Chapel, Garrett Swasey, who bravely rushed to the scene to help save others. Officer Swasey immediately left his own jurisdiction and rushed to the scene when he got word that an officer was down. These three innocent individuals and their families, friends, and loved ones were the victims of senseless violence.

I would like to extend my sincere thanks to the brave first responders and law enforcement officers who responded on that day. Their heroism prevented a bad situation from being so much worse.

I would also like to thank everyone for their outpouring of support and prayers for Colorado Springs. We are a resilient and supportive community that will come together and will pull through this tragedy.

Mr. Speaker, I ask my colleagues to stand with me and my colleagues from the Colorado delegation and with the community of Colorado Springs for a moment of silence and to reflect upon the lives that were lost and to pray for their families and loved ones.

The SPEAKER pro tempore. The House will observe a moment of silence.

BREAST CANCER RESEARCH STAMP REAUTHORIZATION ACT OF 2015

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 1170) to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 1, not voting 10, as follows:

[Roll No. 648]

YEAS—422

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin

Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—1

Amash

NOT VOTING—10

Fudge
Herrera Beutler
Kirkpatrick
Rogers (AL)
Ruppersberger
Rush
Sewell (AL)
Slaughter
Takai
Williams

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1410

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ROGERS of Alabama. Mr. Speaker, on rollcall No. 648 I was off the floor meeting with an Air Force General when this vote was called. By the time I reached the floor to vote, the gavel had fallen and closed the vote. Had I been present, I would have voted ''yes.''

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2016

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4127) to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, on which a recorded vote has been ordered.

The Clerk read the title of the bill.

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

The vote was taken by electronic device, and there were—ayes 364, noes 58, not voting 11, as follows:

[Roll No. 649]

AYES—364

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Duckworth
Duffy
Edwards
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gallego
Garamendi
Garrett
Gibbs
Gibson
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grothman
Guinta
Guthrie
Gutiérrez
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Hoyer
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pittenger
Poliquin
Pompeo
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—58

Amash
Bass
Blumenauer
Capuano
Clark (MA)
Clarke (NY)
Clawson (FL)
Conyers
DelBene
DesJarlais
Doyle, Michael F.
Duncan (SC)
Duncan (TN)
Ellison
Fattah
Gabbard
Gohmert
Gosar
Grayson
Griffith
Grijalva
Hahn
Harris
Honda
Huelskamp
Huffman
Jones
Jordan
Labrador
Lee
Lewis
Lieu, Ted
Lofgren
Lowenthal
Lummis
Massie
McDermott
McGovern
Mooney (WV)
Moore
Mulvaney
O'Rourke
Pallone
Perry
Pingree
Pocan
Poe (TX)
Polis
Posey
Sanford
Schakowsky
Takano
Velázquez
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Yarmuth

NOT VOTING—11

Davis, Danny
Fudge
Herrera Beutler
Kirkpatrick
Pitts
Ruppersberger
Rush
Sewell (AL)
Slaughter
Takai
Williams

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CURBELO of Florida) (during the vote). There are 2 minutes remaining.

□ 1433

Mr. CONYERS changed his vote from ''aye'' to ''no.''

Mr. GUTIÉRREZ changed his vote from ''no'' to ''aye.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. SEWELL of Alabama. Mr. Speaker, during the votes held on December 1, 2015, I

was inescapably detained and away handling important matters related to my District and the State of Alabama. If I had been present, I would have voted "no" on the Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 8, S.J. Res. 23 and S.J. Res 24. Also, I would have voted "no" on H. Res. 539. Finally, I would have voted "yes" on S. 1170, the Breast Cancer Research Stamp Reauthorization Act of 2015, and "yes" on H.R. 4127, the Intelligence Authorization Act for Fiscal Year 2016.

CONFERENCE REPORT ON H.R. 22, SURFACE TRANSPORTATION REAUTHORIZATION AND REFORM ACT OF 2015

Mr. SHUSTER submitted the following conference report and statement on the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes:

CONFERENCE REPORT (TO ACCOMPANY H.R. 22)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 22), to authorize funds for Federal-aid highways, highway safety programs, and transmit programs, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Fixing America's Surface Transportation Act'' or the ''FAST Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

DIVISION A—SURFACE TRANSPORTATION

Sec. 1001. Definitions.
Sec. 1002. Reconciliation of funds.
Sec. 1003. Effective date.
Sec. 1004. References.

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

Sec. 1101. Authorization of appropriations.
Sec. 1102. Obligation ceiling.
Sec. 1103. Definitions.
Sec. 1104. Apportionment.
Sec. 1105. Nationally significant freight and highway projects.
Sec. 1106. National highway performance program.
Sec. 1107. Emergency relief for federally owned roads.
Sec. 1108. Railway-highway grade crossings.
Sec. 1109. Surface transportation block grant program.
Sec. 1110. Highway use tax evasion projects.
Sec. 1111. Bundling of bridge projects.
Sec. 1112. Construction of ferry boats and ferry terminal facilities.
Sec. 1113. Highway safety improvement program.
Sec. 1114. Congestion mitigation and air quality improvement program.
Sec. 1115. Territorial and Puerto Rico highway program.
Sec. 1116. National highway freight program.
Sec. 1117. Federal lands and tribal transportation programs.
Sec. 1118. Tribal transportation program amendment.
Sec. 1119. Federal lands transportation program.
Sec. 1120. Federal lands programmatic activities.
Sec. 1121. Tribal transportation self-governance program.
Sec. 1122. State flexibility for National Highway System modifications.
Sec. 1123. Nationally significant Federal lands and tribal projects program.

Subtitle B—Planning and Performance Management

Sec. 1201. Metropolitan transportation planning.
Sec. 1202. Statewide and nonmetropolitan transportation planning.

Subtitle C—Acceleration of Project Delivery

Sec. 1301. Satisfaction of requirements for certain historic sites.
Sec. 1302. Clarification of transportation environmental authorities.
Sec. 1303. Treatment of certain bridges under preservation requirements.
Sec. 1304. Efficient environmental reviews for project decisionmaking.
Sec. 1305. Integration of planning and environmental review.
Sec. 1306. Development of programmatic mitigation plans.
Sec. 1307. Technical assistance for States.
Sec. 1308. Surface transportation project delivery program.
Sec. 1309. Program for eliminating duplication of environmental reviews.
Sec. 1310. Application of categorical exclusions for multimodal projects.
Sec. 1311. Accelerated decisionmaking in environmental reviews.
Sec. 1312. Improving State and Federal agency engagement in environmental reviews.
Sec. 1313. Aligning Federal environmental reviews.
Sec. 1314. Categorical exclusion for projects of limited Federal assistance.
Sec. 1315. Programmatic agreement template.
Sec. 1316. Assumption of authorities.
Sec. 1317. Modernization of the environmental review process.
Sec. 1318. Assessment of progress on accelerating project delivery.

Subtitle D—Miscellaneous

Sec. 1401. Prohibition on the use of funds for automated traffic enforcement.
Sec. 1402. Highway Trust Fund transparency and accountability.
Sec. 1403. Additional deposits into Highway Trust Fund.
Sec. 1404. Design standards.
Sec. 1405. Justification reports for access points on the Interstate System.
Sec. 1406. Performance period adjustment.
Sec. 1407. Vehicle-to-infrastructure equipment.
Sec. 1408. Federal share payable.
Sec. 1409. Milk products.
Sec. 1410. Interstate weight limits.
Sec. 1411. Tolling; HOV facilities; Interstate reconstruction and rehabilitation.
Sec. 1412. Projects for public safety relating to idling trains.
Sec. 1413. National electric vehicle charging and hydrogen, propane, and natural gas fueling corridors.
Sec. 1414. Repeat offender criteria.
Sec. 1415. Administrative provisions to encourage pollinator habitat and forage on transportation rights-of-way.
Sec. 1416. High priority corridors on National Highway System.
Sec. 1417. Work zone and guard rail safety training.
Sec. 1418. Consolidation of programs.
Sec. 1419. Elimination or modification of certain reporting requirements.
Sec. 1420. Flexibility for projects.
Sec. 1421. Productive and timely expenditure of funds.
Sec. 1422. Study on performance of bridges.
Sec. 1423. Relinquishment of park-and-ride lot facilities.
Sec. 1424. Pilot program.
Sec. 1425. Service club, charitable association, or religious service signs.
Sec. 1426. Motorcyclist advisory council.
Sec. 1427. Highway work zones.
Sec. 1428. Use of durable, resilient, and sustainable materials and practices.
Sec. 1429. Identification of roadside highway safety hardware devices.
Sec. 1430. Use of modeling and simulation technology.
Sec. 1431. National Advisory Committee on Travel and Tourism Infrastructure.
Sec. 1432. Emergency exemptions.
Sec. 1433. Report on Highway Trust Fund administrative expenditures.
Sec. 1434. Availability of reports.
Sec. 1435. Appalachian development highway system.
Sec. 1436. Appalachian regional development program.
Sec. 1437. Border State infrastructure.
Sec. 1438. Adjustments.
Sec. 1439. Elimination of barriers to improve at-risk bridges.
Sec. 1440. At-risk project preagreement authority.
Sec. 1441. Regional infrastructure accelerator demonstration program.
Sec. 1442. Safety for users.
Sec. 1443. Sense of Congress.
Sec. 1444. Every Day Counts initiative.
Sec. 1445. Water infrastructure finance and innovation.
Sec. 1446. Technical corrections.

TITLE II—INNOVATIVE PROJECT FINANCE

Sec. 2001. Transportation Infrastructure Finance and Innovation Act of 1998 amendments.
Sec. 2002. Availability payment concession model.

TITLE III—PUBLIC TRANSPORTATION

Sec. 3001. Short title.
Sec. 3002. Definitions.
Sec. 3003. Metropolitan and statewide transportation planning.
Sec. 3004. Urbanized area formula grants.
Sec. 3005. Fixed guideway capital investment grants.
Sec. 3006. Enhanced mobility of seniors and individuals with disabilities.
Sec. 3007. Formula grants for rural areas.
Sec. 3008. Public transportation innovation.
Sec. 3009. Technical assistance and workforce development.
Sec. 3010. Private sector participation.
Sec. 3011. General provisions.
Sec. 3012. Project management oversight.
Sec. 3013. Public transportation safety program.
Sec. 3014. Apportionments.
Sec. 3015. State of good repair grants.
Sec. 3016. Authorizations.
Sec. 3017. Grants for buses and bus facilities.
Sec. 3018. Obligation ceiling.
Sec. 3019. Innovative procurement.
Sec. 3020. Review of public transportation safety standards.
Sec. 3021. Study on evidentiary protection for public transportation safety program information.
Sec. 3022. Improved public transportation safety measures.

Sec. 3023. Paratransit system under FTA approved coordinated plan.
Sec. 3024. Report on potential of Internet of Things.
Sec. 3025. Report on parking safety.
Sec. 3026. Appointment of directors of Washington Metropolitan Area Transit Authority.
Sec. 3027. Effectiveness of public transportation changes and funding.
Sec. 3028. Authorization of grants for positive train control.
Sec. 3029. Amendment to title 5.
Sec. 3030. Technical and conforming changes.

TITLE IV—HIGHWAY TRAFFIC SAFETY

Sec. 4001. Authorization of appropriations.
Sec. 4002. Highway safety programs.
Sec. 4003. Highway safety research and development.
Sec. 4004. High-visibility enforcement program.
Sec. 4005. National priority safety programs.
Sec. 4006. Tracking process.
Sec. 4007. Stop motorcycle checkpoint funding.
Sec. 4008. Marijuana-impaired driving.
Sec. 4009. Increasing public awareness of the dangers of drug-impaired driving.
Sec. 4010. National priority safety program grant eligibility.
Sec. 4011. Data collection.
Sec. 4012. Study on the national roadside survey of alcohol and drug use by drivers.
Sec. 4013. Barriers to data collection report.
Sec. 4014. Technical corrections.
Sec. 4015. Effective date for certain programs.

TITLE V—MOTOR CARRIER SAFETY

Subtitle A—Motor Carrier Safety Grant Consolidation

Sec. 5101. Grants to States.
Sec. 5102. Performance and registration information systems management.
Sec. 5103. Authorization of appropriations.
Sec. 5104. Commercial driver's license program implementation.
Sec. 5105. Extension of Federal motor carrier safety programs for fiscal year 2016.
Sec. 5106. Motor carrier safety assistance program allocation.
Sec. 5107. Maintenance of effort calculation.

Subtitle B—Federal Motor Carrier Safety Administration Reform

PART I—REGULATORY REFORM

Sec. 5201. Notice of cancellation of insurance.
Sec. 5202. Regulations.
Sec. 5203. Guidance.
Sec. 5204. Petitions.
Sec. 5205. Inspector standards.
Sec. 5206. Applications.

PART II—COMPLIANCE, SAFETY, ACCOUNTABILITY REFORM

Sec. 5221. Correlation study.
Sec. 5222. Beyond compliance.
Sec. 5223. Data certification.
Sec. 5224. Data improvement.
Sec. 5225. Accident review.

Subtitle C—Commercial Motor Vehicle Safety

Sec. 5301. Windshield technology.
Sec. 5302. Prioritizing statutory rulemakings.
Sec. 5303. Safety reporting system.
Sec. 5304. New entrant safety review program.
Sec. 5305. High risk carrier reviews.
Sec. 5306. Post-accident report review.
Sec. 5307. Implementing safety requirements.

Subtitle D—Commercial Motor Vehicle Drivers

Sec. 5401. Opportunities for veterans.
Sec. 5402. Drug-free commercial drivers.
Sec. 5403. Medical certification of veterans for commercial driver's licenses.
Sec. 5404. Commercial driver pilot program.

Subtitle E—General Provisions

Sec. 5501. Delays in goods movement.
Sec. 5502. Emergency route working group.
Sec. 5503. Household goods consumer protection working group.
Sec. 5504. Technology improvements.
Sec. 5505. Notification regarding motor carrier registration.
Sec. 5506. Report on commercial driver's license skills test delays.
Sec. 5507. Electronic logging device requirements.
Sec. 5508. Technical corrections.
Sec. 5509. Minimum financial responsibility.
Sec. 5510. Safety study regarding double-decker motorcoaches.
Sec. 5511. GAO review of school bus safety.
Sec. 5512. Access to National Driver Register.
Sec. 5513. Report on design and implementation of wireless roadside inspection systems.
Sec. 5514. Regulation of tow truck operations.
Sec. 5515. Study on commercial motor vehicle driver commuting.
Sec. 5516. Additional State authority.
Sec. 5517. Report on motor carrier financial responsibility.
Sec. 5518. Covered farm vehicles.
Sec. 5519. Operators of hi-rail vehicles.
Sec. 5520. Automobile transporter.
Sec. 5521. Ready mix concrete delivery vehicles.
Sec. 5522. Transportation of construction materials and equipment.
Sec. 5523. Commercial delivery of light- and medium-duty trailers.
Sec. 5524. Exemptions from requirements for certain welding trucks used in pipeline industry.
Sec. 5525. Report.

TITLE VI—INNOVATION

Sec. 6001. Short title.
Sec. 6002. Authorization of appropriations.
Sec. 6003. Technology and innovation deployment program.
Sec. 6004. Advanced transportation and congestion management technologies deployment.
Sec. 6005. Intelligent transportation system goals.
Sec. 6006. Intelligent transportation system purposes.
Sec. 6007. Intelligent transportation system program report.
Sec. 6008. Intelligent transportation system national architecture and standards.
Sec. 6009. Communication systems deployment report.
Sec. 6010. Infrastructure development.
Sec. 6011. Departmental research programs.
Sec. 6012. Research and Innovative Technology Administration.
Sec. 6013. Web-based training for emergency responders.
Sec. 6014. Hazardous materials research and development.
Sec. 6015. Office of Intermodalism.
Sec. 6016. University transportation centers.
Sec. 6017. Bureau of Transportation Statistics.
Sec. 6018. Port performance freight statistics program.
Sec. 6019. Research planning.
Sec. 6020. Surface transportation system funding alternatives.
Sec. 6021. Future interstate study.
Sec. 6022. Highway efficiency.
Sec. 6023. Transportation technology policy working group.
Sec. 6024. Collaboration and support.
Sec. 6025. GAO report.
Sec. 6026. Traffic congestion.
Sec. 6027. Smart cities transportation planning study.
Sec. 6028. Performance management data support program.

TITLE VII—HAZARDOUS MATERIALS TRANSPORTATION

Sec. 7001. Short title.

Subtitle A—Authorizations

Sec. 7101. Authorization of appropriations.

Subtitle B—Hazardous Material Safety and Improvement

Sec. 7201. National emergency and disaster response.
Sec. 7202. Motor carrier safety permits.
Sec. 7203. Improving the effectiveness of planning and training grants.
Sec. 7204. Improving publication of special permits and approvals.
Sec. 7205. Enhanced reporting.
Sec. 7206. Wetlines.
Sec. 7207. GAO study on acceptance of classification examinations.
Sec. 7208. Hazardous materials endorsement exemption.

Subtitle C—Safe Transportation of Flammable Liquids by Rail

Sec. 7301. Community safety grants.
Sec. 7302. Real-time emergency response information.
Sec. 7303. Emergency response.
Sec. 7304. Phase-out of all tank cars used to transport Class 3 flammable liquids.
Sec. 7305. Thermal blankets.
Sec. 7306. Minimum requirements for top fittings protection for class DOT–117R tank cars.
Sec. 7307. Rulemaking on oil spill response plans.
Sec. 7308. Modification reporting.
Sec. 7309. Report on crude oil characteristics research study.
Sec. 7310. Hazardous materials by rail liability study.
Sec. 7311. Study and testing of electronically controlled pneumatic brakes.

TITLE VIII—MULTIMODAL FREIGHT TRANSPORTATION

Sec. 8001. Multimodal freight transportation.

TITLE IX—NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

Sec. 9001. National Surface Transportation and Innovative Finance Bureau.
Sec. 9002. Council on Credit and Finance.

TITLE X—SPORT FISH RESTORATION AND RECREATIONAL BOATING SAFETY

Sec. 10001. Allocations.
Sec. 10002. Recreational boating safety.

TITLE XI—RAIL

Sec. 11001. Short title.

Subtitle A—Authorizations

Sec. 11101. Authorization of grants to Amtrak.
Sec. 11102. Consolidated rail infrastructure and safety improvements.
Sec. 11103. Federal-State partnership for state of good repair.
Sec. 11104. Restoration and enhancement grants.
Sec. 11105. Authorization of appropriations for Amtrak Office of Inspector General.
Sec. 11106. Definitions.

Subtitle B—Amtrak Reforms

Sec. 11201. Accounts.
Sec. 11202. Amtrak grant process.
Sec. 11203. 5-year business line and asset plans.
Sec. 11204. State-supported route committee.
Sec. 11205. Composition of Amtrak's Board of Directors.
Sec. 11206. Route and service planning decisions.
Sec. 11207. Food and beverage reform.
Sec. 11208. Rolling stock purchases.
Sec. 11209. Local products and promotional events.
Sec. 11210. Amtrak pilot program for passengers transporting domesticated cats and dogs.

Sec. 11211. Right-of-way leveraging.
Sec. 11212. Station development.
Sec. 11213. Amtrak boarding procedures.
Sec. 11214. Amtrak debt.
Sec. 11215. Elimination of duplicative reporting.

Subtitle C—Intercity Passenger Rail Policy

Sec. 11301. Consolidated rail infrastructure and safety improvements.
Sec. 11302. Federal-State partnership for state of good repair.
Sec. 11303. Restoration and enhancement grants.
Sec. 11304. Gulf Coast rail service working group.
Sec. 11305. Northeast Corridor Commission.
Sec. 11306. Northeast corridor planning.
Sec. 11307. Competition.
Sec. 11308. Performance-based proposals.
Sec. 11309. Large capital project requirements.
Sec. 11310. Small business participation study.
Sec. 11311. Shared-use study.
Sec. 11312. Northeast Corridor through-ticketing and procurement efficiencies.
Sec. 11313. Data and analysis.
Sec. 11314. Amtrak Inspector General.
Sec. 11315. Miscellaneous provisions.
Sec. 11316. Technical and conforming amendments.

Subtitle D—Safety

Sec. 11401. Highway-rail grade crossing safety.
Sec. 11402. Private highway-rail grade crossings.
Sec. 11403. Study on use of locomotive horns at highway-rail grade crossings.
Sec. 11404. Positive train control at grade crossings effectiveness study.
Sec. 11405. Bridge inspection reports.
Sec. 11406. Speed limit action plans.
Sec. 11407. Alerters.
Sec. 11408. Signal protection.
Sec. 11409. Commuter rail track inspections.
Sec. 11410. Post-accident assessment.
Sec. 11411. Recording devices.
Sec. 11412. Railroad police officers.
Sec. 11413. Repair and replacement of damaged track inspection equipment.
Sec. 11414. Report on vertical track deflection.
Sec. 11415. Rail passenger liability.

Subtitle E—Project Delivery

Sec. 11501. Short title.
Sec. 11502. Treatment of improvements to rail and transit under preservation requirements.
Sec. 11503. Efficient environmental reviews.
Sec. 11504. Railroad rights-of-way.

Subtitle F—Financing

Sec. 11601. Short title; references.
Sec. 11602. Definitions.
Sec. 11603. Eligible applicants.
Sec. 11604. Eligible purposes.
Sec. 11605. Program administration.
Sec. 11606. Loan terms and repayment.
Sec. 11607. Credit risk premiums.
Sec. 11608. Master credit agreements.
Sec. 11609. Priorities and conditions.
Sec. 11610. Savings provisions.
Sec. 11611. Report on leveraging RRIF.

DIVISION B—COMPREHENSIVE TRANSPORTATION AND CONSUMER PROTECTION ACT OF 2015

TITLE XXIV—MOTOR VEHICLE SAFETY

Subtitle A—Vehicle Safety

Sec. 24101. Authorization of appropriations.
Sec. 24102. Inspector general recommendations.
Sec. 24103. Improvements in availability of recall information.
Sec. 24104. Recall process.
Sec. 24105. Pilot grant program for state notification to consumers of motor vehicle recall status.
Sec. 24106. Recall obligations under bankruptcy.
Sec. 24107. Dealer requirement to check for open recall.
Sec. 24108. Extension of time period for remedy of tire defects.
Sec. 24109. Rental car safety.
Sec. 24110. Increase in civil penalties for violations of motor vehicle safety.
Sec. 24111. Electronic odometer disclosures.
Sec. 24112. Corporate responsibility for NHTSA reports.
Sec. 24113. Direct vehicle notification of recalls.
Sec. 24114. Unattended children warning.
Sec. 24115. Tire pressure monitoring system.
Sec. 24116. Information regarding components involved in recall.

Subtitle B—Research And Development And Vehicle Electronics

Sec. 24201. Report on operations of the council for vehicle electronics, vehicle software, and emerging technologies.
Sec. 24202. Cooperation with foreign governments.

Subtitle C—Miscellaneous Provisions

PART I—DRIVER PRIVACY ACT OF 2015

Sec. 24301. Short title.
Sec. 24302. Limitations on data retrieval from vehicle event data recorders.
Sec. 24303. Vehicle event data recorder study.

PART II—SAFETY THROUGH INFORMED CONSUMERS ACT OF 2015

Sec. 24321. Short title.
Sec. 24322. Passenger motor vehicle information.

PART III—TIRE EFFICIENCY, SAFETY, AND REGISTRATION ACT OF 2015

Sec. 24331. Short title.
Sec. 24332. Tire fuel efficiency minimum performance standards.
Sec. 24333. Tire registration by independent sellers.
Sec. 24334. Tire identification study and report.
Sec. 24335. Tire recall database.

PART IV—ALTERNATIVE FUEL VEHICLES

Sec. 24341. Regulatory parity for natural gas vehicles.

PART V—MOTOR VEHICLE SAFETY WHISTLEBLOWER ACT

Sec. 24351. Short title.
Sec. 24352. Motor vehicle safety whistleblower incentives and protections.

Subtitle D—Additional Motor Vehicle Provisions

Sec. 24401. Required reporting of NHTSA agenda.
Sec. 24402. Application of remedies for defects and noncompliance.
Sec. 24403. Retention of safety records by manufacturers.
Sec. 24404. Nonapplication of prohibitions relating to noncomplying motor vehicles to vehicles used for testing or evaluation.
Sec. 24405. Treatment of low-volume manufacturers.
Sec. 24406. Motor vehicle safety guidelines.
Sec. 24407. Improvement of data collection on child occupants in vehicle crashes.

DIVISION C—FINANCE

TITLE XXXI—HIGHWAY TRUST FUND AND RELATED TAXES

Subtitle A—Extension of Trust Fund Expenditure Authority and Related Taxes

Sec. 31101. Extension of Highway Trust Fund expenditure authority.
Sec. 31102. Extension of highway-related taxes.

Subtitle B—Additional Transfers to Highway Trust Fund

Sec. 31201. Further additional transfers to trust fund.
Sec. 31202. Transfer to Highway Trust Fund of certain motor vehicle safety penalties.
Sec. 31203. Appropriation from Leaking Underground Storage Tank Trust Fund.

TITLE XXXII—OFFSETS

Subtitle A—Tax Provisions

Sec. 32101. Revocation or denial of passport in case of certain unpaid taxes.
Sec. 32102. Reform of rules relating to qualified tax collection contracts.
Sec. 32103. Special compliance personnel program.
Sec. 32104. Repeal of modification of automatic extension of return due date for certain employee benefit plans.

Subtitle B—Fees and Receipts

Sec. 32201. Adjustment for inflation of fees for certain customs services.
Sec. 32202. Limitation on surplus funds of Federal reserve banks.
Sec. 32203. Dividends of Federal reserve banks.
Sec. 32204. Strategic Petroleum Reserve drawdown and sale.
Sec. 32205. Repeal.

Subtitle C—Outlays

Sec. 32301. Interest on overpayment.

Subtitle D—Budgetary Effects

Sec. 32401. Budgetary effects.

DIVISION D—MISCELLANEOUS

TITLE XLI—FEDERAL PERMITTING IMPROVEMENT

Sec. 41001. Definitions.
Sec. 41002. Federal Permitting Improvement Council.
Sec. 41003. Permitting process improvement.
Sec. 41004. Interstate compacts.
Sec. 41005. Coordination of required reviews.
Sec. 41006. Delegated State permitting programs.
Sec. 41007. Litigation, judicial review, and savings provision.
Sec. 41008. Reports.
Sec. 41009. Funding for governance, oversight, and processing of environmental reviews and permits.
Sec. 41010. Application.
Sec. 41011. GAO Report.
Sec. 41012. Savings provision.
Sec. 41013. Sunset.
Sec. 41014. Placement.

TITLE XLII—ADDITIONAL PROVISIONS

Sec. 42001. GAO report on refunds to registered vendors of kerosene used in noncommercial aviation.

TITLE XLIII—PAYMENTS TO CERTIFIED STATES AND INDIAN TRIBES

Sec. 43001. Payments from Abandoned Mine Reclamation Fund.

DIVISION E—EXPORT-IMPORT BANK OF THE UNITED STATES

Sec. 50001. Short title.

TITLE LI—TAXPAYER PROTECTION PROVISIONS AND INCREASED ACCOUNTABILITY

Sec. 51001. Reduction in authorized amount of outstanding loans, guarantees, and insurance.
Sec. 51002. Increase in loss reserves.
Sec. 51003. Review of fraud controls.
Sec. 51004. Office of Ethics.
Sec. 51005. Chief Risk Officer.
Sec. 51006. Risk Management Committee.
Sec. 51007. Independent audit of bank portfolio.
Sec. 51008. Pilot program for reinsurance.

TITLE LII—PROMOTION OF SMALL BUSINESS EXPORTS

Sec. 52001. Increase in small business lending requirements.

Sec. 52002. Report on programs for small- and medium-sized businesses.

TITLE LIII—MODERNIZATION OF OPERATIONS

Sec. 53001. Electronic payments and documents.
Sec. 53002. Reauthorization of information technology updating.

TITLE LIV—GENERAL PROVISIONS

Sec. 54001. Extension of authority.
Sec. 54002. Certain updated loan terms and amounts.

TITLE LV—OTHER MATTERS

Sec. 55001. Prohibition on discrimination based on industry.
Sec. 55002. Negotiations to end export credit financing.
Sec. 55003. Study of financing for information and communications technology systems.

DIVISION F—ENERGY SECURITY

Sec. 61001. Emergency preparedness for energy supply disruptions.
Sec. 61002. Resolving environmental and grid reliability conflicts.
Sec. 61003. Critical electric infrastructure security.
Sec. 61004. Strategic Transformer Reserve.
Sec. 61005. Energy security valuation.

DIVISION G—FINANCIAL SERVICES

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TITLE LXXXVIII—STATE LICENSING EFFICIENCY

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TITLE LXXXIX—HELPING EXPAND LENDING PRACTICES IN RURAL COMMUNITIES

Sec. 89001. Short title.
Sec. 89002. Designation of rural area.
Sec. 89003. Operations in rural areas.

DIVISION A—SURFACE TRANSPORTATION

SEC. 1001. DEFINITIONS.

In this division, the following definitions apply:

(1) DEPARTMENT.—The term ''Department'' means the Department of Transportation.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

SEC. 1002. RECONCILIATION OF FUNDS.

The Secretary shall reduce the amount apportioned or allocated for a program, project, or activity under titles I and VI of this Act in fiscal year 2016 by amounts apportioned or allocated pursuant to any extension Act of MAP–21, including the amendments made by that extension Act, during the period beginning on October 1, 2015, and ending on the date of enactment of this Act. For purposes of making such reductions, funds set aside pursuant to section 133(h) of title 23, United States Code, as amended by this Act, shall be reduced by the amount set aside pursuant to section 213 of such title, as in effect on the day before the date of enactment of this Act.

SEC. 1003. EFFECTIVE DATE.

Except as otherwise provided, this division, including the amendments made by this division, takes effect on October 1, 2015.

SEC. 1004. REFERENCES.

Except as expressly provided otherwise, any reference to ''this Act'' contained in this division shall be treated as referring only to the provisions of this division.

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

SEC. 1101. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) FEDERAL-AID HIGHWAY PROGRAM.—For the national highway performance program under section 119 of title 23, United States Code, the surface transportation block grant program under section 133 of that title, the highway safety improvement program under section 148 of that title, the congestion mitigation and air quality improvement program under section 149 of that title, the national highway freight program under section 167 of that title, and to carry out section 134 of that title—

(A) $39,727,500,000 for fiscal year 2016;
(B) $40,547,805,000 for fiscal year 2017;
(C) $41,424,020,075 for fiscal year 2018;
(D) $42,358,903,696 for fiscal year 2019; and
(E) $43,373,294,311 for fiscal year 2020.

(2) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM.—For credit assistance under the transportation infrastructure finance and innovation program under chapter 6 of title 23, United States Code—

(A) $275,000,000 for fiscal year 2016;
(B) $275,000,000 for fiscal year 2017;
(C) $285,000,000 for fiscal year 2018;
(D) $300,000,000 for fiscal year 2019; and
(E) $300,000,000 for fiscal year 2020.

(3) FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.—

(A) TRIBAL TRANSPORTATION PROGRAM.—For the tribal transportation program under section 202 of title 23, United States Code—

(i) $465,000,000 for fiscal year 2016;
(ii) $475,000,000 for fiscal year 2017;
(iii) $485,000,000 for fiscal year 2018;
(iv) $495,000,000 for fiscal year 2019; and
(v) $505,000,000 for fiscal year 2020.

(B) FEDERAL LANDS TRANSPORTATION PROGRAM.—

(i) IN GENERAL.—For the Federal lands transportation program under section 203 of title 23, United States Code—

(I) $335,000,000 for fiscal year 2016;
(II) $345,000,000 for fiscal year 2017;
(III) $355,000,000 for fiscal year 2018;
(IV) $365,000,000 for fiscal year 2019; and
(V) $375,000,000 for fiscal year 2020.

(ii) ALLOCATION.—Of the amount made available for a fiscal year under clause (i)—

(I) the amount for the National Park Service is—

(aa) $268,000,000 for fiscal year 2016;
(bb) $276,000,000 for fiscal year 2017;
(cc) $284,000,000 for fiscal year 2018;
(dd) $292,000,000 for fiscal year 2019; and
(ee) $300,000,000 for fiscal year 2020.

(II) the amount for the United States Fish and Wildlife Service is $30,000,000 for each of fiscal years 2016 through 2020; and

(III) the amount for the United States Forest Service is—

(aa) $15,000,000 for fiscal year 2016;
(bb) $16,000,000 for fiscal year 2017;
(cc) $17,000,000 for fiscal year 2018;
(dd) $18,000,000 for fiscal year 2019; and
(ee) $19,000,000 for fiscal year 2020.

(C) FEDERAL LANDS ACCESS PROGRAM.—For the Federal lands access program under section 204 of title 23, United States Code—

(i) $250,000,000 for fiscal year 2016;
(ii) $255,000,000 for fiscal year 2017;
(iii) $260,000,000 for fiscal year 2018;
(iv) $265,000,000 for fiscal year 2019; and
(v) $270,000,000 for fiscal year 2020.

(4) TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.—For the territorial and Puerto Rico

highway program under section 165 of title 23, United States Code, $200,000,000 for each of fiscal years 2016 through 2020.

(5) NATIONALLY SIGNIFICANT FREIGHT AND HIGHWAY PROJECTS.—For nationally significant freight and highway projects under section 117 of title 23, United States Code—

(A) $800,000,000 for fiscal year 2016;

(B) $850,000,000 for fiscal year 2017;

(C) $900,000,000 for fiscal year 2018;

(D) $950,000,000 for fiscal year 2019; and

(E) $1,000,000,000 for fiscal year 2020.

(b) DISADVANTAGED BUSINESS ENTERPRISES.—

(1) FINDINGS.—Congress finds that—

(A) while significant progress has occurred due to the establishment of the disadvantaged business enterprise program, discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in federally assisted surface transportation markets across the United States;

(B) the continuing barriers described in subparagraph (A) merit the continuation of the disadvantaged business enterprise program;

(C) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits, which show that race- and gender-neutral efforts alone are insufficient to address the problem;

(D) the testimony and documentation described in subparagraph (C) demonstrate that discrimination across the United States poses a barrier to full and fair participation in surface transportation-related businesses of women business owners and minority business owners and has impacted firm development and many aspects of surface transportation-related business in the public and private markets; and

(E) the testimony and documentation described in subparagraph (C) provide a strong basis that there is a compelling need for the continuation of the disadvantaged business enterprise program to address race and gender discrimination in surface transportation-related business.

(2) DEFINITIONS.—In this subsection, the following definitions apply:

(A) SMALL BUSINESS CONCERN.—

(i) IN GENERAL.—The term ''small business concern'' means a small business concern (as the term is used in section 3 of the Small Business Act (15 U.S.C. 632)).

(ii) EXCLUSIONS.—The term ''small business concern'' does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of $23,980,000, as adjusted annually by the Secretary for inflation.

(B) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term ''socially and economically disadvantaged individuals'' has the meaning given the term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to that Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this subsection.

(3) AMOUNTS FOR SMALL BUSINESS CONCERNS.—Except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts made available for any program under titles I, II, III, and VI of this Act and section 403 of title 23, United States Code, shall be expended through small business concerns owned and controlled by socially and economically disadvantaged individuals.

(4) ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.—Each State shall annually—

(A) survey and compile a list of the small business concerns referred to in paragraph (3) in the State, including the location of the small business concerns in the State; and

(B) notify the Secretary, in writing, of the percentage of the small business concerns that are controlled by—

(i) women;

(ii) socially and economically disadvantaged individuals (other than women); and

(iii) individuals who are women and are otherwise socially and economically disadvantaged individuals.

(5) UNIFORM CERTIFICATION.—

(A) IN GENERAL.—The Secretary shall establish minimum uniform criteria for use by State governments in certifying whether a concern qualifies as a small business concern for the purpose of this subsection.

(B) INCLUSIONS.—The minimum uniform criteria established under subparagraph (A) shall include, with respect to a potential small business concern—

(i) on-site visits;

(ii) personal interviews with personnel;

(iii) issuance or inspection of licenses;

(iv) analyses of stock ownership;

(v) listings of equipment;

(vi) analyses of bonding capacity;

(vii) listings of work completed;

(viii) examination of the resumes of principal owners;

(ix) analyses of financial capacity; and

(x) analyses of the type of work preferred.

(6) REPORTING.—The Secretary shall establish minimum requirements for use by State governments in reporting to the Secretary—

(A) information concerning disadvantaged business enterprise awards, commitments, and achievements; and

(B) such other information as the Secretary determines to be appropriate for the proper monitoring of the disadvantaged business enterprise program.

(7) COMPLIANCE WITH COURT ORDERS.—Nothing in this subsection limits the eligibility of an individual or entity to receive funds made available under titles I, II, III, and VI of this Act and section 403 of title 23, United States Code, if the entity or person is prevented, in whole or in part, from complying with paragraph (3) because a Federal court issues a final order in which the court finds that a requirement or the implementation of paragraph (3) is unconstitutional.

(8) SENSE OF CONGRESS ON PROMPT PAYMENT OF DBE SUBCONTRACTORS.—It is the sense of Congress that—

(A) the Secretary should take additional steps to ensure that recipients comply with section 26.29 of title 49, Code of Federal Regulations (the disadvantaged business enterprises prompt payment rule), or any corresponding regulation, in awarding federally funded transportation contracts under laws and regulations administered by the Secretary; and

(B) such additional steps should include increasing the Department's ability to track and keep records of complaints and to make that information publicly available.

SEC. 1102. OBLIGATION CEILING.

(a) GENERAL LIMITATION.—Subject to subsection (e), and notwithstanding any other provision of law, the obligations for Federal-aid highway and highway safety construction programs shall not exceed—

(1) $42,361,000,000 for fiscal year 2016;

(2) $43,266,100,000 for fiscal year 2017;

(3) $44,234,212,000 for fiscal year 2018;

(4) $45,268,596,000 for fiscal year 2019; and

(5) $46,365,092,000 for fiscal year 2020.

(b) EXCEPTIONS.—The limitations under subsection (a) shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation;

(12) section 119 of title 23, United States Code (as in effect for fiscal years 2013 through 2015, but only in an amount equal to $639,000,000 for each of those fiscal years); and

(13) section 119 of title 23, United States Code (but, for fiscal years 2016 through 2020, only in an amount equal to $639,000,000 for each of those fiscal years).

(c) DISTRIBUTION OF OBLIGATION AUTHORITY.—For each of fiscal years 2016 through 2020, the Secretary—

(1) shall not distribute obligation authority provided by subsection (a) for the fiscal year for—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) shall not distribute an amount of obligation authority provided by subsection (a) that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

(B) for which obligation authority was provided in a previous fiscal year;

(3) shall determine the proportion that—

(A) the obligation authority provided by subsection (a) for the fiscal year, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (12) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(13) for the fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) shall distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under this Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for the fiscal year; and

(5) shall distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the national highway performance program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(13) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for the fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for the fiscal year.

(d) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (c), the Secretary shall, after August 1 of each of fiscal years 2016 through 2020—

(1) revise a distribution of the obligation authority made available under subsection (c) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141)) and 104 of title 23, United States Code.

(e) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), obligation limitations imposed by subsection (a) shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) title VI of this Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(f) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation authority under subsection (c) for each of fiscal years 2016 through 2020, the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for the fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for the fiscal year because of the imposition of any obligation limitation for the fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (c)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 1103. DEFINITIONS.

Section 101(a) of title 23, United States Code, is amended—

(1) by striking paragraph (29);

(2) by redesignating paragraphs (15) through (28) as paragraphs (16) through (29), respectively; and

(3) by inserting after paragraph (14) the following:

''(15) NATIONAL HIGHWAY FREIGHT NETWORK.—The term 'National Highway Freight Network' means the National Highway Freight Network established under section 167.''.

SEC. 1104. APPORTIONMENT.

(a) ADMINISTRATIVE EXPENSES.—Section 104(a)(1) of title 23, United States Code, is amended to read as follows:

''(1) IN GENERAL.—There is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to be made available to the Secretary for administrative expenses of the Federal Highway Administration—

''(A) $453,000,000 for fiscal year 2016;

''(B) $459,795,000 for fiscal year 2017;

''(C) $466,691,925 for fiscal year 2018;

''(D) $473,692,304 for fiscal year 2019; and

''(E) $480,797,689 for fiscal year 2020.''.

(b) DIVISION AMONG PROGRAMS OF STATE'S SHARE OF BASE APPORTIONMENT.—Section 104(b) of title 23, United States Code, is amended—

(1) by striking ''(b) DIVISION OF'' and all that follows before paragraph (1) and inserting the following:

''(b) DIVISION AMONG PROGRAMS OF STATE'S SHARE OF BASE APPORTIONMENT.—The Secretary shall distribute the amount of the base apportionment apportioned to a State for a fiscal year under subsection (c) among the national highway performance program, the surface transportation block grant program, the highway safety improvement program, the congestion mitigation and air quality improvement program, the national highway freight program, and to carry out section 134 as follows:'';

(2) in paragraphs (1), (2), and (3) by striking ''paragraphs (4) and (5)'' each place it appears and inserting ''paragraphs (4), (5), and (6)'';

(3) in paragraph (2)—

(A) in the paragraph heading by striking ''SURFACE TRANSPORTATION PROGRAM'' and inserting ''SURFACE TRANSPORTATION BLOCK GRANT PROGRAM''; and

(B) by striking ''surface transportation program'' and inserting ''surface transportation block grant program'';

(4) in paragraph (4), in the matter preceding subparagraph (A), by striking ''the amount determined for the State under subsection (c)'' and inserting ''the amount of the base apportionment remaining for the State under subsection (c) after making the set aside in accordance with paragraph (5)'';

(5) by redesignating paragraph (5) as paragraph (6);

(6) by inserting after paragraph (4) the following:

''(5) NATIONAL HIGHWAY FREIGHT PROGRAM.—

''(A) IN GENERAL.—For the national highway freight program under section 167, the Secretary shall set aside from the base apportionment determined for a State under subsection (c) an amount determined for the State under subparagraphs (B) and (C).

''(B) TOTAL AMOUNT.—The total amount set aside for the national highway freight program for all States shall be—

''(i) $1,150,000,000 for fiscal year 2016;

''(ii) $1,100,000,000 for fiscal year 2017;

''(iii) $1,200,000,000 for fiscal year 2018;

''(iv) $1,350,000,000 for fiscal year 2019; and

''(v) $1,500,000,000 for fiscal year 2020.

''(C) STATE SHARE.—For each fiscal year, the Secretary shall distribute among the States the total set-aside amount for the national highway freight program under subparagraph (B) so that each State receives the amount equal to the proportion that—

''(i) the total base apportionment determined for the State under subsection (c); bears to

''(ii) the total base apportionments for all States under subsection (c).

''(D) METROPOLITAN PLANNING.—Of the amount set aside under this paragraph for a State, the Secretary shall use to carry out section 134 an amount determined by multiplying the set-aside amount by the proportion that—

''(i) the amount apportioned to the State to carry out section 134 for fiscal year 2009; bears to

''(ii) the total amount of funds apportioned to the State for that fiscal year for the programs referred to in section 105(a)(2) (except for the high priority projects program referred to in section 105(a)(2)(H)), as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141; 126 Stat. 405).''; and

(7) in paragraph (6) (as so redesignated), in the matter preceding subparagraph (A), by striking ''the amount determined for the State under subsection (c)'' and inserting ''the amount of the base apportionment remaining for a State under subsection (c) after making the set aside in accordance with paragraph (5)''.

(c) CALCULATION OF STATE AMOUNTS.—Section 104(c) of title 23, United States Code, is amended to read as follows:

''(c) CALCULATION OF AMOUNTS.—

''(1) STATE SHARE.—For each of fiscal years 2016 through 2020, the amount for each State shall be determined as follows:

''(A) INITIAL AMOUNTS.—The initial amounts for each State shall be determined by multiplying—

''(i) each of—

''(I) the base apportionment;

''(II) supplemental funds reserved under subsection (h)(1) for the national highway performance program; and

''(III) supplemental funds reserved under subsection (h)(2) for the surface transportation block grant program; by

''(ii) the share for each State, which shall be equal to the proportion that—

''(I) the amount of apportionments that the State received for fiscal year 2015; bears to

''(II) the amount of those apportionments received by all States for that fiscal year.

''(B) ADJUSTMENTS TO AMOUNTS.—The initial amounts resulting from the calculation under subparagraph (A) shall be adjusted to ensure that each State receives an aggregate apportionment equal to at least 95 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available.

''(2) STATE APPORTIONMENT.—On October 1 of fiscal years 2016 through 2020, the Secretary shall apportion the sums authorized to be appropriated for expenditure on the national highway performance program under section 119, the surface transportation block grant program under section 133, the highway safety improvement program under section 148, the congestion

mitigation and air quality improvement program under section 149, the national highway freight program under section 167, and to carry out section 134 in accordance with paragraph (1).''.

(d) SUPPLEMENTAL FUNDS.—Section 104 of title 23, United States Code, is amended by adding at the end the following:

''(h) SUPPLEMENTAL FUNDS.—

''(1) SUPPLEMENTAL FUNDS FOR NATIONAL HIGHWAY PERFORMANCE PROGRAM.—

''(A) AMOUNT.—Before making an apportionment for a fiscal year under subsection (c), the Secretary shall reserve for the national highway performance program under section 119 for that fiscal year an amount equal to—

''(i) $53,596,122 for fiscal year 2019; and

''(ii) $66,717,816 for fiscal year 2020.

''(B) TREATMENT OF FUNDS.—Funds reserved under subparagraph (A) and apportioned to a State under subsection (c) shall be treated as if apportioned under subsection (b)(1), and shall be in addition to amounts apportioned under that subsection.

''(2) SUPPLEMENTAL FUNDS FOR SURFACE TRANSPORTATION BLOCK GRANT PROGRAM.—

''(A) AMOUNT.—Before making an apportionment for a fiscal year under subsection (c), the Secretary shall reserve for the surface transportation block grant program under section 133 for that fiscal year an amount equal to—

''(i) $835,000,000 for each of fiscal years 2016 and 2017 pursuant to section 133(h), plus—

''(I) $55,426,310 for fiscal year 2016; and

''(II) $89,289,904 for fiscal year 2017; and

''(ii) $850,000,000 for each of fiscal years 2018 through 2020 pursuant to section 133(h), plus—

''(I) $118,013,536 for fiscal year 2018;

''(II) $130,688,367 for fiscal year 2019; and

''(III) $170,053,448 for fiscal year 2020.

''(B) TREATMENT OF FUNDS.—Funds reserved under subparagraph (A) and apportioned to a State under subsection (c) shall be treated as if apportioned under subsection (b)(2), and shall be in addition to amounts apportioned under that subsection.

''(i) BASE APPORTIONMENT DEFINED.—In this section, the term 'base apportionment' means—

''(1) the combined amount authorized for appropriation for the national highway performance program under section 119, the surface transportation block grant program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national highway freight program under section 167, and to carry out section 134; minus

''(2) supplemental funds reserved under subsection (h) for the national highway performance program and the surface transportation block grant program.''.

(e) CONFORMING AMENDMENTS.—

(1) Section 104(d)(1)(A) of title 23, United States Code, is amended by striking ''subsection (b)(5)'' each place it appears and inserting ''paragraphs (5)(D) and (6) of subsection (b)''.

(2) Section 120(c)(3) of title 23, United States Code, is amended—

(A) in subparagraph (A) in the matter preceding clause (i), by striking ''or (5)'' and inserting ''(5)(D), or (6)''; and

(B) in subparagraph (C)(i) by striking ''and (5)'' and inserting ''(5)(D), and (6)''.

(3) Section 135(i) of title 23, United States Code, is amended by striking ''section 104(b)(5)'' and inserting ''paragraphs (5)(D) and (6) of section 104(b)''.

(4) Section 136(b) of title 23, United States Code, is amended in the first sentence by striking ''paragraphs (1) through (5) of section 104(b)'' and inserting ''paragraphs (1) through (6) of section 104(b)''.

(5) Section 141(b)(2) of title 23, United States Code, is amended by striking ''paragraphs (1) through (5) of section 104(b)'' and inserting ''paragraphs (1) through (6) of section 104(b)''.

(6) Section 505(a) of title 23, United States Code, is amended in the matter preceding paragraph (1) by striking ''through (4)'' and inserting ''through (5)''.

SEC. 1105. NATIONALLY SIGNIFICANT FREIGHT AND HIGHWAY PROJECTS.

(a) IN GENERAL.—Title 23, United States Code, is amended by inserting after section 116 the following:

''§ 117. Nationally significant freight and highway projects

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—There is established a nationally significant freight and highway projects program to provide financial assistance for projects of national or regional significance.

''(2) GOALS.—The goals of the program shall be to—

''(A) improve the safety, efficiency, and reliability of the movement of freight and people;

''(B) generate national or regional economic benefits and an increase in the global economic competitiveness of the United States;

''(C) reduce highway congestion and bottlenecks;

''(D) improve connectivity between modes of freight transportation;

''(E) enhance the resiliency of critical highway infrastructure and help protect the environment;

''(F) improve roadways vital to national energy security; and

''(G) address the impact of population growth on the movement of people and freight.

''(b) GRANT AUTHORITY.—

''(1) IN GENERAL.—In carrying out the program established in subsection (a), the Secretary may make grants, on a competitive basis, in accordance with this section.

''(2) GRANT AMOUNT.—Except as otherwise provided, each grant made under this section shall be in an amount that is at least $25,000,000.

''(c) ELIGIBLE APPLICANTS.—

''(1) IN GENERAL.—The Secretary may make a grant under this section to the following:

''(A) A State or a group of States.

''(B) A metropolitan planning organization that serves an urbanized area (as defined by the Bureau of the Census) with a population of more than 200,000 individuals.

''(C) A unit of local government or a group of local governments.

''(D) A political subdivision of a State or local government.

''(E) A special purpose district or public authority with a transportation function, including a port authority.

''(F) A Federal land management agency that applies jointly with a State or group of States.

''(G) A tribal government or a consortium of tribal governments.

''(H) A multistate or multijurisdictional group of entities described in this paragraph.

''(2) APPLICATIONS.—To be eligible for a grant under this section, an entity specified in paragraph (1) shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary determines is appropriate.

''(d) ELIGIBLE PROJECTS.—

''(1) IN GENERAL.—Except as provided in subsection (e), the Secretary may make a grant under this section only for a project that—

''(A) is—

''(i) a highway freight project carried out on the National Highway Freight Network established under section 167;

''(ii) a highway or bridge project carried out on the National Highway System, including—

''(I) a project to add capacity to the Interstate System to improve mobility; or

''(II) a project in a national scenic area;

''(iii) a freight project that is—

''(I) a freight intermodal or freight rail project; or

''(II) within the boundaries of a public or private freight rail, water (including ports), or intermodal facility and that is a surface transportation infrastructure project necessary to facilitate direct intermodal interchange, transfer, or access into or out of the facility; or

''(iv) a railway-highway grade crossing or grade separation project; and

''(B) has eligible project costs that are reasonably anticipated to equal or exceed the lesser of—

''(i) $100,000,000; or

''(ii) in the case of a project—

''(I) located in 1 State, 30 percent of the amount apportioned under this chapter to the State in the most recently completed fiscal year; or

''(II) located in more than 1 State, 50 percent of the amount apportioned under this chapter to the participating State with the largest apportionment under this chapter in the most recently completed fiscal year.

''(2) LIMITATION.—

''(A) IN GENERAL.—Not more than $500,000,000 of the amounts made available for grants under this section for fiscal years 2016 through 2020, in the aggregate, may be used to make grants for projects described in paragraph (1)(A)(iii) and such a project may only receive a grant under this section if—

''(i) the project will make a significant improvement to freight movements on the National Highway Freight Network; and

''(ii) the Federal share of the project funds only elements of the project that provide public benefits.

''(B) EXCLUSIONS.—The limitation under subparagraph (A)—

''(i) shall not apply to a railway-highway grade crossing or grade separation project; and

''(ii) with respect to a multimodal project, shall apply only to the non-highway portion or portions of the project.

''(e) SMALL PROJECTS.—

''(1) IN GENERAL.—The Secretary shall reserve 10 percent of the amounts made available for grants under this section each fiscal year to make grants for projects described in subsection (d)(1)(A) that do not satisfy the minimum threshold under subsection (d)(1)(B).

''(2) GRANT AMOUNT.—Each grant made under this subsection shall be in an amount that is at least $5,000,000.

''(3) PROJECT SELECTION CONSIDERATIONS.—In addition to other applicable requirements, in making grants under this subsection the Secretary shall consider—

''(A) the cost effectiveness of the proposed project; and

''(B) the effect of the proposed project on mobility in the State and region in which the project is carried out.

''(f) ELIGIBLE PROJECT COSTS.—Grant amounts received for a project under this section may be used for—

''(1) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

''(2) construction, reconstruction, rehabilitation, acquisition of real property (including land related to the project and improvements to the land), environmental mitigation, construction contingencies, acquisition of equipment, and operational improvements directly related to improving system performance.

''(g) PROJECT REQUIREMENTS.—The Secretary may select a project described under this section (other than subsection (e)) for funding under

this section only if the Secretary determines that—

''(1) the project will generate national or regional economic, mobility, or safety benefits;

''(2) the project will be cost effective;

''(3) the project will contribute to the accomplishment of 1 or more of the national goals described under section 150 of this title;

''(4) the project is based on the results of preliminary engineering;

''(5) with respect to related non-Federal financial commitments—

''(A) 1 or more stable and dependable sources of funding and financing are available to construct, maintain, and operate the project; and

''(B) contingency amounts are available to cover unanticipated cost increases;

''(6) the project cannot be easily and efficiently completed without other Federal funding or financial assistance available to the project sponsor; and

''(7) the project is reasonably expected to begin construction not later than 18 months after the date of obligation of funds for the project.

''(h) ADDITIONAL CONSIDERATIONS.—In making a grant under this section, the Secretary shall consider—

''(1) utilization of nontraditional financing, innovative design and construction techniques, or innovative technologies;

''(2) utilization of non-Federal contributions; and

''(3) contributions to geographic diversity among grant recipients, including the need for a balance between the needs of rural and urban communities.

''(i) RURAL AREAS.—

''(1) IN GENERAL.—The Secretary shall reserve not less than 25 percent of the amounts made available for grants under this section, including the amounts made available under subsection (e), each fiscal year to make grants for projects located in rural areas.

''(2) EXCESS FUNDING.—In any fiscal year in which qualified applications for grants under this subsection will not allow for the amount reserved under paragraph (1) to be fully utilized, the Secretary shall use the unutilized amounts to make other grants under this section.

''(3) RURAL AREA DEFINED.—In this subsection, the term 'rural area' means an area that is outside an urbanized area with a population of over 200,000.

''(j) FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost of a project assisted with a grant under this section may not exceed 60 percent.

''(2) MAXIMUM FEDERAL INVOLVEMENT.—Federal assistance other than a grant under this section may be used to satisfy the non-Federal share of the cost of a project for which such a grant is made, except that the total Federal assistance provided for a project receiving a grant under this section may not exceed 80 percent of the total project cost.

''(3) FEDERAL LAND MANAGEMENT AGENCIES.—Notwithstanding any other provision of law, any Federal funds other than those made available under this title or title 49 may be used to pay the non-Federal share of the cost of a project carried out under this section by a Federal land management agency, as described under subsection (c)(1)(F).

''(k) TREATMENT OF FREIGHT PROJECTS.—Notwithstanding any other provision of law, a freight project carried out under this section shall be treated as if the project is located on a Federal-aid highway.

''(l) TIFIA PROGRAM.—At the request of an eligible applicant under this section, the Secretary may use amounts awarded to the entity to pay subsidy and administrative costs necessary to provide the entity Federal credit assistance under chapter 6 with respect to the project for which the grant was awarded.

''(m) CONGRESSIONAL NOTIFICATION.—

''(1) NOTIFICATION.—

''(A) IN GENERAL.—At least 60 days before making a grant for a project under this section, the Secretary shall notify, in writing, the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of the proposed grant. The notification shall include an evaluation and justification for the project and the amount of the proposed grant award.

''(B) MULTIMODAL PROJECTS.—In addition to the notice required under subparagraph (A), the Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate before making a grant for a project described in subsection (d)(1)(A)(iii).

''(2) CONGRESSIONAL DISAPPROVAL.—The Secretary may not make a grant or any other obligation or commitment to fund a project under this section if a joint resolution is enacted disapproving funding for the project before the last day of the 60-day period described in paragraph (1).

''(n) REPORTS.—

''(1) ANNUAL REPORT.—The Secretary shall make available on the Web site of the Department of Transportation at the end of each fiscal year an annual report that lists each project for which a grant has been provided under this section during that fiscal year.

''(2) COMPTROLLER GENERAL.—

''(A) ASSESSMENT.—The Comptroller General of the United States shall conduct an assessment of the administrative establishment, solicitation, selection, and justification process with respect to the funding of grants under this section.

''(B) REPORT.—Not later than 1 year after the initial awarding of grants under this section, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

''(i) the adequacy and fairness of the process by which each project was selected, if applicable; and

''(ii) the justification and criteria used for the selection of each project, if applicable.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by inserting after the item relating to section 116 the following:

''117. Nationally significant freight and highway projects.''.

(c) REPEAL.—Section 1301 of SAFETEA–LU (23 U.S.C. 101 note), and the item relating to that section in the table of contents in section 1(b) of such Act, are repealed.

SEC. 1106. NATIONAL HIGHWAY PERFORMANCE PROGRAM.

Section 119 of title 23, United States Code, is amended by adding at the end the following:

''(h) TIFIA PROGRAM.—Upon Secretarial approval of credit assistance under chapter 6, the Secretary, at the request of a State, may allow the State to use funds apportioned under section 104(b)(1) to pay subsidy and administrative costs necessary to provide an eligible entity Federal credit assistance under chapter 6 with respect to a project eligible for assistance under this section.

''(i) ADDITIONAL FUNDING ELIGIBILITY FOR CERTAIN BRIDGES.—

''(1) IN GENERAL.—Funds apportioned to a State to carry out the national highway performance program may be obligated for a project for the reconstruction, resurfacing, restoration, rehabilitation, or preservation of a bridge not on the National Highway System, if the bridge is on a Federal-aid highway.

''(2) LIMITATION.—A State required to make obligations under subsection (f) shall ensure such requirements are satisfied in order to use the flexibility under paragraph (1).

''(j) CRITICAL INFRASTRUCTURE.—

''(1) CRITICAL INFRASTRUCTURE DEFINED.—In this subsection, the term 'critical infrastructure' means those facilities the incapacity or failure of which would have a debilitating impact on national or regional economic security, national or regional energy security, national or regional public health or safety, or any combination of those matters.

''(2) CONSIDERATION.—The asset management plan of a State may include consideration of critical infrastructure from among those facilities in the State that are eligible under subsection (c).

''(3) RISK REDUCTION.—A State may use funds apportioned under this section for projects intended to reduce the risk of failure of critical infrastructure in the State.''.

SEC. 1107. EMERGENCY RELIEF FOR FEDERALLY OWNED ROADS.

(a) ELIGIBILITY.—Section 125(d)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A) by striking ''or'' at the end;

(2) in subparagraph (B) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) projects eligible for assistance under this section located on tribal transportation facilities, Federal lands transportation facilities, or other federally owned roads that are open to public travel (as defined in subsection (e)(1)).''.

(b) DEFINITIONS.—Section 125(e) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:

''(1) DEFINITIONS.—In this subsection, the following definitions apply:

''(A) OPEN TO PUBLIC TRAVEL.—The term 'open to public travel' means, with respect to a road, that, except during scheduled periods, extreme weather conditions, or emergencies, the road—

''(i) is maintained;

''(ii) is open to the general public; and

''(iii) can accommodate travel by a standard passenger vehicle, without restrictive gates or prohibitive signs or regulations, other than for general traffic control or restrictions based on size, weight, or class of registration.

''(B) STANDARD PASSENGER VEHICLE.—The term 'standard passenger vehicle' means a vehicle with 6 inches of clearance from the lowest point of the frame, body, suspension, or differential to the ground.''.

SEC. 1108. RAILWAY-HIGHWAY GRADE CROSSINGS.

Section 130(e)(1) of title 23, United States Code, is amended to read as follows:

''(1) IN GENERAL.—

''(A) SET ASIDE.—Before making an apportionment under section 104(b)(3) for a fiscal year, the Secretary shall set aside, from amounts made available to carry out the highway safety improvement program under section 148 for such fiscal year, for the elimination of hazards and the installation of protective devices at railway-highway crossings at least—

''(i) $225,000,000 for fiscal year 2016;

''(ii) $230,000,000 for fiscal year 2017;

''(iii) $235,000,000 for fiscal year 2018;

''(iv) $240,000,000 for fiscal year 2019; and

''(v) $245,000,000 for fiscal year 2020.

''(B) INSTALLATION OF PROTECTIVE DEVICES.—At least ½ of the funds set aside each fiscal year under subparagraph (A) shall be available for the installation of protective devices at railway-highway crossings.

''(C) OBLIGATION AVAILABILITY.—Sums set aside each fiscal year under subparagraph (A)

shall be available for obligation in the same manner as funds apportioned under section 104(b)(1).''.

SEC. 1109. SURFACE TRANSPORTATION BLOCK GRANT PROGRAM.

(a) FINDINGS.—Congress finds that—

(1) the benefits of the surface transportation block grant program accrue principally to the residents of each State and municipality where the funds are obligated;

(2) decisions about how funds should be obligated are best determined by the States and municipalities to respond to unique local circumstances and implement the most efficient solutions; and

(3) reforms of the program to promote flexibility will enhance State and local control over transportation decisions.

(b) SURFACE TRANSPORTATION BLOCK GRANT PROGRAM.—Section 133 of title 23, United States Code, is amended—

(1) by striking subsections (a), (b), (c), and (d) and inserting the following:

''(a) ESTABLISHMENT.—The Secretary shall establish a surface transportation block grant program in accordance with this section to provide flexible funding to address State and local transportation needs.

''(b) ELIGIBLE PROJECTS.—Funds apportioned to a State under section 104(b)(2) for the surface transportation block grant program may be obligated for the following:

''(1) Construction of—

''(A) highways, bridges, tunnels, including designated routes of the Appalachian development highway system and local access roads under section 14501 of title 40;

''(B) ferry boats and terminal facilities eligible for funding under section 129(c);

''(C) transit capital projects eligible for assistance under chapter 53 of title 49;

''(D) infrastructure-based intelligent transportation systems capital improvements;

''(E) truck parking facilities eligible for funding under section 1401 of MAP–21 (23 U.S.C. 137 note); and

''(F) border infrastructure projects eligible for funding under section 1303 of SAFETEA–LU (23 U.S.C. 101 note).

''(2) Operational improvements and capital and operating costs for traffic monitoring, management, and control facilities and programs.

''(3) Environmental measures eligible under sections 119(g), 328, and 329 and transportation control measures listed in section 108(f)(1)(A) (other than clause (xvi) of that section) of the Clean Air Act (42 U.S.C. 7408(f)(1)(A)).

''(4) Highway and transit safety infrastructure improvements and programs, including railway-highway grade crossings.

''(5) Fringe and corridor parking facilities and programs in accordance with section 137 and carpool projects in accordance with section 146.

''(6) Recreational trails projects eligible for funding under section 206, pedestrian and bicycle projects in accordance with section 217 (including modifications to comply with accessibility requirements under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)), and the safe routes to school program under section 1404 of SAFETEA–LU (23 U.S.C. 402 note).

''(7) Planning, design, or construction of boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.

''(8) Development and implementation of a State asset management plan for the National Highway System and a performance-based management program for other public roads.

''(9) Protection (including painting, scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) for bridges (including approaches to bridges and other elevated structures) and tunnels on public roads, and inspection and evaluation of bridges and tunnels and other highway assets.

''(10) Surface transportation planning programs, highway and transit research and development and technology transfer programs, and workforce development, training, and education under chapter 5 of this title.

''(11) Surface transportation infrastructure modifications to facilitate direct intermodal interchange, transfer, and access into and out of a port terminal.

''(12) Projects and strategies designed to support congestion pricing, including electronic toll collection and travel demand management strategies and programs.

''(13) At the request of a State, and upon Secretarial approval of credit assistance under chapter 6, subsidy and administrative costs necessary to provide an eligible entity Federal credit assistance under chapter 6 with respect to a project eligible for assistance under this section.

''(14) The creation and operation by a State of an office to assist in the design, implementation, and oversight of public-private partnerships eligible to receive funding under this title and chapter 53 of title 49, and the payment of a stipend to unsuccessful private bidders to offset their proposal development costs, if necessary to encourage robust competition in public-private partnership procurements.

''(15) Any type of project eligible under this section as in effect on the day before the date of enactment of the FAST Act, including projects described under section 101(a)(29) as in effect on such day.

''(c) LOCATION OF PROJECTS.—A surface transportation block grant project may not be undertaken on a road functionally classified as a local road or a rural minor collector unless the road was on a Federal-aid highway system on January 1, 1991, except—

''(1) for a bridge or tunnel project (other than the construction of a new bridge or tunnel at a new location);

''(2) for a project described in paragraphs (4) through (11) of subsection (b);

''(3) for a project described in section 101(a)(29), as in effect on the day before the date of enactment of the FAST Act; and

''(4) as approved by the Secretary.

''(d) ALLOCATIONS OF APPORTIONED FUNDS TO AREAS BASED ON POPULATION.—

''(1) CALCULATION.—Of the funds apportioned to a State under section 104(b)(2) (after the reservation of funds under subsection (h))—

''(A) the percentage specified in paragraph (6) for a fiscal year shall be obligated under this section, in proportion to their relative shares of the population of the State—

''(i) in urbanized areas of the State with an urbanized area population of over 200,000;

''(ii) in areas of the State other than urban areas with a population greater than 5,000; and

''(iii) in other areas of the State; and

''(B) the remainder may be obligated in any area of the State.

''(2) METROPOLITAN AREAS.—Funds attributed to an urbanized area under paragraph (1)(A)(i) may be obligated in the metropolitan area established under section 134 that encompasses the urbanized area.

''(3) CONSULTATION WITH REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS.—For purposes of paragraph (1)(A)(iii), before obligating funding attributed to an area with a population greater than 5,000 and less than 200,000, a State shall consult with the regional transportation planning organizations that represent the area, if any.

''(4) DISTRIBUTION AMONG URBANIZED AREAS OF OVER 200,000 POPULATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the amount of funds that a State is required to obligate under paragraph (1)(A)(i) shall be obligated in urbanized areas described in paragraph (1)(A)(i) based on the relative population of the areas.

''(B) OTHER FACTORS.—The State may obligate the funds described in subparagraph (A) based on other factors if the State and the relevant metropolitan planning organizations jointly apply to the Secretary for the permission to base the obligation on other factors and the Secretary grants the request.

''(5) APPLICABILITY OF PLANNING REQUIREMENTS.—Programming and expenditure of funds for projects under this section shall be consistent with sections 134 and 135.

''(6) PERCENTAGE.—The percentage referred to in paragraph (1)(A) is—

''(A) for fiscal year 2016, 51 percent;

''(B) for fiscal year 2017, 52 percent;

''(C) for fiscal year 2018, 53 percent;

''(D) for fiscal year 2019, 54 percent; and

''(E) for fiscal year 2020, 55 percent.'';

*(2) by striking the section heading and inserting ''**Surface transportation block grant program**'';*

(3) by striking subsection (e);

(4) by redesignating subsections (f) through (h) as subsections (e) through (g), respectively;

(5) in subsection (e)(1), as redesignated by this subsection—

(A) by striking ''104(b)(3)'' and inserting ''104(b)(2)''; and

(B) by striking ''fiscal years 2011 through 2014'' and inserting ''fiscal years 2016 through 2020'';

(6) in subsection (g)(1), as redesignated by this subsection, by striking ''under subsection (d)(1)(A)(iii) for each of fiscal years 2013 through 2014'' and inserting ''under subsection (d)(1)(A)(ii) for each of fiscal years 2016 through 2020''; and

(7) by adding at the end the following:

''(h) STP SET-ASIDE.—

''(1) RESERVATION OF FUNDS.—Of the funds apportioned to a State under section 104(b)(2) for each fiscal year, the Secretary shall reserve an amount such that—

''(A) the Secretary reserves a total under this subsection of—

''(i) $835,000,000 for each of fiscal years 2016 and 2017; and

''(ii) $850,000,000 for each of fiscal years 2018 through 2020; and

''(B) the State's share of that total is determined by multiplying the amount under subparagraph (A) by the ratio that—

''(i) the amount apportioned to the State for the transportation enhancements program for fiscal year 2009 under section 133(d)(2), as in effect on the day before the date of enactment of MAP–21; bears to

''(ii) the total amount of funds apportioned to all States for the transportation enhancements program for fiscal year 2009.

''(2) ALLOCATION WITHIN A STATE.—Funds reserved for a State under paragraph (1) shall be obligated within that State in the manner described in subsection (d), except that, for purposes of this paragraph (after funds are made available under paragraph (5))—

''(A) for each fiscal year, the percentage referred to in paragraph (1)(A) of that subsection shall be deemed to be 50 percent; and

''(B) the following provisions shall not apply:

''(i) Paragraph (3) of subsection (d).

''(ii) Subsection (e).

''(3) ELIGIBLE PROJECTS.—Funds reserved under this subsection may be obligated for projects or activities described in section 101(a)(29) or 213, as such provisions were in effect on the day before the date of enactment of the FAST Act.

''(4) ACCESS TO FUNDS.—

''(A) IN GENERAL.—A State or metropolitan planning organization required to obligate

funds in accordance with paragraph (2) shall develop a competitive process to allow eligible entities to submit projects for funding that achieve the objectives of this subsection. A metropolitan planning organization for an area described in subsection (d)(1)(A)(i) shall select projects under such process in consultation with the relevant State.

''(B) ELIGIBLE ENTITY DEFINED.—In this paragraph, the term 'eligible entity' means—

''(i) a local government;

''(ii) a regional transportation authority;

''(iii) a transit agency;

''(iv) a natural resource or public land agency;

''(v) a school district, local education agency, or school;

''(vi) a tribal government;

''(vii) a nonprofit entity responsible for the administration of local transportation safety programs; and

''(viii) any other local or regional governmental entity with responsibility for or oversight of transportation or recreational trails (other than a metropolitan planning organization or a State agency) that the State determines to be eligible, consistent with the goals of this subsection.

''(5) CONTINUATION OF CERTAIN RECREATIONAL TRAILS PROJECTS.—For each fiscal year, a State shall—

''(A) obligate an amount of funds reserved under this section equal to the amount of the funds apportioned to the State for fiscal year 2009 under section 104(h)(2), as in effect on the day before the date of enactment of MAP–21, for projects relating to recreational trails under section 206;

''(B) return 1 percent of those funds to the Secretary for the administration of that program; and

''(C) comply with the provisions of the administration of the recreational trails program under section 206, including the use of apportioned funds described in subsection (d)(3)(A) of that section.

''(6) STATE FLEXIBILITY.—

''(A) RECREATIONAL TRAILS.—A State may opt out of the recreational trails program under paragraph (5) if the Governor of the State notifies the Secretary not later than 30 days prior to apportionments being made for any fiscal year.

''(B) LARGE URBANIZED AREAS.—A metropolitan planning area may use not to exceed 50 percent of the funds reserved under this subsection for an urbanized area described in subsection (d)(1)(A)(i) for any purpose eligible under subsection (b).

''(7) ANNUAL REPORTS.—

''(A) IN GENERAL.—Each State or metropolitan planning organization responsible for carrying out the requirements of this subsection shall submit to the Secretary an annual report that describes—

''(i) the number of project applications received for each fiscal year, including—

''(I) the aggregate cost of the projects for which applications are received; and

''(II) the types of projects to be carried out, expressed as percentages of the total apportionment of the State under this subsection; and

''(ii) the number of projects selected for funding for each fiscal year, including the aggregate cost and location of projects selected.

''(B) PUBLIC AVAILABILITY.—The Secretary shall make available to the public, in a user-friendly format on the Web site of the Department of Transportation, a copy of each annual report submitted under subparagraph (A).

''(i) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, projects funded under this section (excluding those carried out under subsection (h)(5)) shall be treated as projects on a Federal-aid highway under this chapter.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 126.—Section 126(b)(2) of title 23, United States Code, is amended—

(A) by striking ''section 213'' and inserting ''section 133(h)''; and

(B) by striking ''section 213(c)(1)(B)'' and inserting ''section 133(h)''.

(2) SECTION 213.—Section 213 of title 23, United States Code, is repealed.

(3) SECTION 322.—Section 322(h)(3) of title 23, United States Code, is amended by striking ''surface transportation program'' and inserting ''surface transportation block grant program''.

(4) SECTION 504.—Section 504(a)(4) of title 23, United States Code, is amended—

(A) by striking ''104(b)(3)'' and inserting ''104(b)(2)''; and

(B) by striking ''surface transportation program'' and inserting ''surface transportation block grant program''.

(5) CHAPTER 1.—Chapter 1 of title 23, United States Code, is amended by striking ''surface transportation program'' each place it appears and inserting ''surface transportation block grant program''.

(6) CHAPTER ANALYSES.—

(A) CHAPTER 1.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 133 and inserting the following:

''133. Surface transportation block grant program.''.

(B) CHAPTER 2.—The item relating to section 213 in the analysis for chapter 2 of title 23, United States Code, is repealed.

(7) OTHER REFERENCES.—Any reference in any other law, regulation, document, paper, or other record of the United States to the surface transportation program under section 133 of title 23, United States Code, shall be deemed to be a reference to the surface transportation block grant program under such section.

SEC. 1110. HIGHWAY USE TAX EVASION PROJECTS.

Section 143(b) of title 23, United States Code, is amended—

(1) by striking paragraph (2)(A) and inserting the following:

''(A) IN GENERAL.—From administrative funds made available under section 104(a), the Secretary may deduct such sums as are necessary, not to exceed $4,000,000 for each of fiscal years 2016 through 2020, to carry out this section.'';

(2) in the heading for paragraph (8) by inserting ''BLOCK GRANT'' after ''SURFACE TRANSPORTATION''; and

(3) in paragraph (9) by inserting '', the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Environment and Public Works of the Senate'' after ''the Secretary''.

SEC. 1111. BUNDLING OF BRIDGE PROJECTS.

Section 144 of title 23, United States Code, is amended—

(1) in subsection (c)(2)(A) by striking ''the natural condition of the bridge'' and inserting ''the natural condition of the water'';

(2) by redesignating subsection (j) as subsection (k);

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

''(j) BUNDLING OF BRIDGE PROJECTS.—

''(1) PURPOSE.—The purpose of this subsection is to save costs and time by encouraging States to bundle multiple bridge projects as 1 project.

''(2) ELIGIBLE ENTITY DEFINED.—In this subsection, the term 'eligible entity' means an entity eligible to carry out a bridge project under section 119 or 133.

''(3) BUNDLING OF BRIDGE PROJECTS.—An eligible entity may bundle 2 or more similar bridge projects that are—

''(A) eligible projects under section 119 or 133;

''(B) included as a bundled project in a transportation improvement program under section 134(j) or a statewide transportation improvement program under section 135, as applicable; and

''(C) awarded to a single contractor or consultant pursuant to a contract for engineering and design or construction between the contractor and an eligible entity.

''(4) ITEMIZATION.—Notwithstanding any other provision of law (including regulations), a bundling of bridge projects under this subsection may be listed as—

''(A) 1 project for purposes of sections 134 and 135; and

''(B) a single project.

''(5) FINANCIAL CHARACTERISTICS.—Projects bundled under this subsection shall have the same financial characteristics, including—

''(A) the same funding category or subcategory; and

''(B) the same Federal share.

''(6) ENGINEERING COST REIMBURSEMENT.—The provisions of section 102(b) do not apply to projects carried out under this subsection.''; and

(4) in subsection (k)(2), as redesignated by paragraph (2) of this section, by striking ''104(b)(3)'' and inserting ''104(b)(2)''.

SEC. 1112. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.

(a) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—Section 147 of title 23, United States Code, is amended—

(1) in subsection (a), in the subsection heading, by striking ''IN GENERAL.—'' and inserting ''PROGRAM.—''; and

(2) by striking subsections (d) through (g) and inserting the following:

''(d) FORMULA.—Of the amounts allocated under subsection (c)—

''(1) 35 percent shall be allocated among eligible entities in the proportion that—

''(A) the number of ferry passengers, including passengers in vehicles, carried by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the number of ferry passengers, including passengers in vehicles, carried by all ferry systems in the most recent calendar year for which data is available;

''(2) 35 percent shall be allocated among eligible entities in the proportion that—

''(A) the number of vehicles carried by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the number of vehicles carried by all ferry systems in the most recent calendar year for which data is available; and

''(3) 30 percent shall be allocated among eligible entities in the proportion that—

''(A) the total route nautical miles serviced by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the total route nautical miles serviced by all ferry systems in the most recent calendar year for which data is available.

''(e) REDISTRIBUTION OF UNOBLIGATED AMOUNTS.—The Secretary shall—

''(1) withdraw amounts allocated to an eligible entity under subsection (c) that remain unobligated by the end of the third fiscal year following the fiscal year for which the amounts were allocated; and

''(2) in the subsequent fiscal year, redistribute the amounts referred to in paragraph (1) in accordance with the formula under subsection (d) among eligible entities for which no amounts were withdrawn under paragraph (1).

''(f) MINIMUM AMOUNT.—Notwithstanding subsection (c), a State with an eligible entity that meets the requirements of this section shall receive not less than $100,000 under this section for a fiscal year.

''(g) IMPLEMENTATION.—

''(1) DATA COLLECTION.—

''(A) NATIONAL FERRY DATABASE.—Amounts made available for a fiscal year under this section shall be allocated using the most recent data available, as collected and imputed in accordance with the national ferry database established under section 1801(e) of SAFETEA–LU (23 U.S.C. 129 note).

''(B) ELIGIBILITY FOR FUNDING.—To be eligible to receive funds under subsection (c), data shall have been submitted in the most recent collection of data for the national ferry database under section 1801(e) of SAFETEA–LU (23 U.S.C. 129 note) for at least 1 ferry service within the State.

''(2) ADJUSTMENTS.—On review of the data submitted under paragraph (1)(B), the Secretary may make adjustments to the data as the Secretary determines necessary to correct misreported or inconsistent data.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section $80,000,000 for each of fiscal years 2016 through 2020.

''(i) PERIOD OF AVAILABILITY.—Notwithstanding section 118(b), funds made available to carry out this section shall remain available until expended.

''(j) APPLICABILITY.—All provisions of this chapter that are applicable to the National Highway System, other than provisions relating to apportionment formula and Federal share, shall apply to funds made available to carry out this section, except as determined by the Secretary to be inconsistent with this section.''.

(b) NATIONAL FERRY DATABASE.—Section 1801(e)(4) of SAFETEA–LU (23 U.S.C. 129 note) is amended by striking subparagraph (D) and inserting the following:

''(D) make available, from the amounts made available for each fiscal year to carry out chapter 63 of title 49, not more than $500,000 to maintain the database.''.

(c) CONFORMING AMENDMENTS.—Section 129(c) of title 23, United States Code, is amended—

(1) in paragraph (2), in the first sentence, by inserting ''or on a public transit ferry eligible under chapter 53 of title 49'' after ''Interstate System'';

(2) in paragraph (3)—

(A) by striking ''(3) Such ferry'' and inserting ''(3)(A) The ferry''; and

(B) by adding at the end the following:

''(B) Any Federal participation shall not involve the construction or purchase, for private ownership, of a ferry boat, ferry terminal facility, or other eligible project under this section.'';

(3) in paragraph (4) by striking ''and repair,'' and inserting ''repair,''; and

(4) by striking paragraph (6) and inserting the following:

''(6) The ferry service shall be maintained in accordance with section 116.

''(7)(A) No ferry boat or ferry terminal with Federal participation under this title may be sold, leased, or otherwise disposed of, except in accordance with part 200 of title 2, Code of Federal Regulations.

''(B) The Federal share of any proceeds from a disposition referred to in subparagraph (A) shall be used for eligible purposes under this title.''.

SEC. 1113. HIGHWAY SAFETY IMPROVEMENT PROGRAM.

(a) IN GENERAL.—Section 148 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by striking ''includes, but is not limited to,'' and inserting ''only includes''; and

(ii) by adding at the end the following:

''(xxv) Installation of vehicle-to-infrastructure communication equipment.

''(xxvi) Pedestrian hybrid beacons.

''(xxvii) Roadway improvements that provide separation between pedestrians and motor vehicles, including medians and pedestrian crossing islands.

''(xxviii) A physical infrastructure safety project not described in clauses (i) through (xxvii).'';

(B) by striking paragraph (10); and

(C) by redesignating paragraphs (11) through (13) as paragraphs (10) through (12), respectively;

(2) in subsection (c)(1)(A) by striking ''subsections (a)(12)'' and inserting ''subsections (a)(11)'';

(3) in subsection (d)(2)(B)(i) by striking ''subsection (a)(12)'' and inserting ''subsection (a)(11)''; and

(4) by adding at the end the following:

''(k) DATA COLLECTION ON UNPAVED PUBLIC ROADS.—

''(1) IN GENERAL.—A State may elect not to collect fundamental data elements for the model inventory of roadway elements on public roads that are gravel roads or otherwise unpaved if—

''(A) the State does not use funds provided to carry out this section for a project on any such roads until the State completes a collection of the required model inventory of roadway elements for the applicable road segment; and

''(B) the State demonstrates that the State consulted with affected Indian tribes before ceasing to collect data with respect to such roads that are included in the National Tribal Transportation Facility Inventory under section 202(b)(1) of this title.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to allow a State to cease data collection related to serious injuries or fatalities.''.

(b) COMMERCIAL MOTOR VEHICLE SAFETY BEST PRACTICES.—

(1) REVIEW.—The Secretary shall conduct a review of best practices with respect to the implementation of roadway safety infrastructure improvements that—

(A) are cost effective; and

(B) reduce the number or severity of accidents involving commercial motor vehicles.

(2) CONSULTATION.—In conducting the review under paragraph (1), the Secretary shall consult with State transportation departments and units of local government.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the results of the review conducted under paragraph (1).

SEC. 1114. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.

Section 149 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)(i)(I) by inserting ''in the designated nonattainment area'' after ''air quality standard'';

(B) in paragraph (3) by inserting ''or maintenance'' after ''likely to contribute to the attainment'';

(C) in paragraph (4) by striking ''attainment of'' and inserting ''attainment or maintenance in the area of'';

(D) in paragraph (7) by striking ''or'' at the end;

(E) in paragraph (8)—

(i) in subparagraph (A)(ii)—

(I) in the matter preceding subclause (I) by inserting ''or port-related freight operations'' after ''construction projects''; and

(II) in subclause (II) by inserting ''or chapter 53 of title 49'' after ''this title''; and

(ii) in subparagraph (B) by striking the period at the end and inserting ''; or''; and

(F) by adding at the end the following:

''(9) if the project or program is for the installation of vehicle-to-infrastructure communication equipment.'';

(2) in subsection (c)(2) by inserting ''(giving priority to corridors designated under section 151)'' after ''at any location in the State'';

(3) in subsection (d)—

(A) by striking paragraph (1)(B) and inserting the following:

''(B) is eligible under the surface transportation block grant program under section 133.'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i) by inserting ''would otherwise be eligible under subsection (b) if the project were carried out in a nonattainment or maintenance area or'' after ''may use for any project that''; and

(II) in clause (i) by striking ''paragraph (l)'' and inserting ''subsection (k)(1)''; and

(ii) in subparagraph (B)(i) by striking ''MAP–21t'' and inserting ''MAP–21''; and

(C) in paragraph (3) by inserting '', in a manner consistent with the approach that was in effect on the day before the date of enactment of MAP–21,'' after ''the Secretary shall modify'';

(4) in subsection (g)(2)(B) by striking ''not later that'' and inserting ''not later than'';

(5) in subsection (k) by adding at the end the following:

''(3) PM2.5 NONATTAINMENT AND MAINTENANCE IN LOW POPULATION DENSITY STATES.—

''(A) EXCEPTION.—In any State with a population density of 80 or fewer persons per square mile of land area, based on the most recent decennial census, the requirements under subsection (g)(3) and paragraphs (1) and (2) of this subsection shall not apply to a nonattainment or maintenance area in the State if—

''(i) the nonattainment or maintenance area does not have projects that are part of the emissions analysis of a metropolitan transportation plan or transportation improvement program; and

''(ii) regional motor vehicle emissions are an insignificant contributor to the air quality problem for PM2.5 in the nonattainment or maintenance area.

''(B) CALCULATION.—If subparagraph (A) applies to a nonattainment or maintenance area in a State, the percentage of the PM2.5 set-aside under paragraph (1) shall be reduced for that State proportionately based on the weighted population of the area in fine particulate matter nonattainment.

''(4) PORT-RELATED EQUIPMENT AND VEHICLES.—To meet the requirements under paragraph (1), a State or metropolitan planning organization may elect to obligate funds to the most cost-effective projects to reduce emissions from port-related landside nonroad or on-road equipment that is operated within the boundaries of a PM2.5 nonattainment or maintenance area.'';

(6) in subsection (l)(1)(B) by inserting ''air quality and traffic congestion'' before ''performance targets''; and

(7) in subsection (m) by striking ''section 104(b)(2)'' and inserting ''section 104(b)(4)''.

SEC. 1115. TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.

Section 165(a) of title 23, United States Code, is amended—

(1) in paragraph (1) by striking ''$150,000,000'' and inserting ''$158,000,000''; and

(2) in paragraph (2) by striking ''$40,000,000'' and inserting ''$42,000,000''.

SEC. 1116. NATIONAL HIGHWAY FREIGHT PROGRAM.

(a) IN GENERAL.—Section 167 of title 23, United States Code, is amended to read as follows:

''§ 167. National highway freight program

''(a) IN GENERAL.—

''(1) POLICY.—It is the policy of the United States to improve the condition and performance of the National Highway Freight Network established under this section to ensure that the Network provides the foundation for the United States to compete in the global economy and achieve the goals described in subsection (b).

''(2) ESTABLISHMENT.—In support of the goals described in subsection (b), the Administrator of the Federal Highway Administration shall establish a national highway freight program in accordance with this section to improve the efficient movement of freight on the National Highway Freight Network.

''(b) GOALS.—The goals of the national highway freight program are—

''(1) to invest in infrastructure improvements and to implement operational improvements on the highways of the United States that—

''(A) strengthen the contribution of the National Highway Freight Network to the economic competitiveness of the United States;

''(B) reduce congestion and bottlenecks on the National Highway Freight Network;

''(C) reduce the cost of freight transportation;

''(D) improve the year-round reliability of freight transportation; and

''(E) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

''(2) to improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas;

''(3) to improve the state of good repair of the National Highway Freight Network;

''(4) to use innovation and advanced technology to improve the safety, efficiency, and reliability of the National Highway Freight Network;

''(5) to improve the efficiency and productivity of the National Highway Freight Network;

''(6) to improve the flexibility of States to support multi-State corridor planning and the creation of multi-State organizations to increase the ability of States to address highway freight connectivity; and

''(7) to reduce the environmental impacts of freight movement on the National Highway Freight Network.

''(c) ESTABLISHMENT OF NATIONAL HIGHWAY FREIGHT NETWORK.—

''(1) IN GENERAL.—The Administrator shall establish a National Highway Freight Network in accordance with this section to strategically direct Federal resources and policies toward improved performance of the Network.

''(2) NETWORK COMPONENTS.—The National Highway Freight Network shall consist of—

''(A) the primary highway freight system, as designated under subsection (d);

''(B) critical rural freight corridors established under subsection (e);

''(C) critical urban freight corridors established under subsection (f); and

''(D) the portions of the Interstate System not designated as part of the primary highway freight system.

''(d) DESIGNATION AND REDESIGNATION OF THE PRIMARY HIGHWAY FREIGHT SYSTEM.—

''(1) INITIAL DESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.—The initial designation of the primary highway freight system shall be the 41,518-mile network identified during the designation process for the primary freight network under section 167(d) of this title, as in effect on the day before the date of enactment of the FAST Act.

''(2) REDESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.—

''(A) IN GENERAL.—Beginning 5 years after the date of enactment of the FAST Act, and every 5 years thereafter, using the designation factors described in subparagraph (E), the Administrator shall redesignate the primary highway freight system.

''(B) REDESIGNATION MILEAGE.—Each redesignation may increase the mileage on the primary highway freight system by not more than 3 percent of the total mileage of the system.

''(C) USE OF MEASURABLE DATA.—In redesignating the primary highway freight system, to the maximum extent practicable, the Administrator shall use measurable data to assess the significance of goods movement, including consideration of points of origin, destinations, and linking components of the United States global and domestic supply chains.

''(D) INPUT.—In redesignating the primary highway freight system, the Administrator shall provide an opportunity for State freight advisory committees, as applicable, to submit additional miles for consideration.

''(E) FACTORS FOR REDESIGNATION.—In redesignating the primary highway freight system, the Administrator shall consider—

''(i) changes in the origins and destinations of freight movement in, to, and from the United States;

''(ii) changes in the percentage of annual daily truck traffic in the annual average daily traffic on principal arterials;

''(iii) changes in the location of key facilities;

''(iv) land and water ports of entry;

''(v) access to energy exploration, development, installation, or production areas;

''(vi) access to other freight intermodal facilities, including rail, air, water, and pipelines facilities;

''(vii) the total freight tonnage and value moved via highways;

''(viii) significant freight bottlenecks, as identified by the Administrator;

''(ix) the significance of goods movement on principal arterials, including consideration of global and domestic supply chains;

''(x) critical emerging freight corridors and critical commerce corridors; and

''(xi) network connectivity.

''(e) CRITICAL RURAL FREIGHT CORRIDORS.—

''(1) IN GENERAL.—A State may designate a public road within the borders of the State as a critical rural freight corridor if the public road is not in an urbanized area and—

''(A) is a rural principal arterial roadway and has a minimum of 25 percent of the annual average daily traffic of the road measured in passenger vehicle equivalent units from trucks (Federal Highway Administration vehicle class 8 to 13);

''(B) provides access to energy exploration, development, installation, or production areas;

''(C) connects the primary highway freight system, a roadway described in subparagraph (A) or (B), or the Interstate System to facilities that handle more than—

''(i) 50,000 20-foot equivalent units per year; or

''(ii) 500,000 tons per year of bulk commodities;

''(D) provides access to—

''(i) a grain elevator;

''(ii) an agricultural facility;

''(iii) a mining facility;

''(iv) a forestry facility; or

''(v) an intermodal facility;

''(E) connects to an international port of entry;

''(F) provides access to significant air, rail, water, or other freight facilities in the State; or

''(G) is, in the determination of the State, vital to improving the efficient movement of freight of importance to the economy of the State.

''(2) LIMITATION.—A State may designate as critical rural freight corridors a maximum of 150 miles of highway or 20 percent of the primary highway freight system mileage in the State, whichever is greater.

''(f) CRITICAL URBAN FREIGHT CORRIDORS.—

''(1) URBANIZED AREA WITH POPULATION OF 500,000 OR MORE.—In an urbanized area with a population of 500,000 or more individuals, the representative metropolitan planning organization, in consultation with the State, may designate a public road within the borders of that area of the State as a critical urban freight corridor.

''(2) URBANIZED AREA WITH A POPULATION LESS THAN 500,000.—In an urbanized area with a population of less than 500,000 individuals, the State, in consultation with the representative metropolitan planning organization, may designate a public road within the borders of that area of the State as a critical urban freight corridor.

''(3) REQUIREMENTS FOR DESIGNATION.—A designation may be made under paragraph (1) or (2) if the public road—

''(A) is in an urbanized area, regardless of population; and

''(B)(i) connects an intermodal facility to—

''(I) the primary highway freight system;

''(II) the Interstate System; or

''(III) an intermodal freight facility;

''(ii) is located within a corridor of a route on the primary highway freight system and provides an alternative highway option important to goods movement;

''(iii) serves a major freight generator, logistic center, or manufacturing and warehouse industrial land; or

''(iv) is important to the movement of freight within the region, as determined by the metropolitan planning organization or the State.

''(4) LIMITATION.—For each State, a maximum of 75 miles of highway or 10 percent of the primary highway freight system mileage in the State, whichever is greater, may be designated as a critical urban freight corridor under paragraphs (1) and (2).

''(g) DESIGNATION AND CERTIFICATION.—

''(1) DESIGNATION.—States and metropolitan planning organizations may designate corridors under subsections (e) and (f) and submit the designated corridors to the Administrator on a rolling basis.

''(2) CERTIFICATION.—Each State or metropolitan planning organization that designates a corridor under subsection (e) or (f) shall certify to the Administrator that the designated corridor meets the requirements of the applicable subsection.

''(h) HIGHWAY FREIGHT TRANSPORTATION CONDITIONS AND PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of the FAST Act, and biennially thereafter, the Administrator shall prepare and submit to Congress a report that describes the conditions and performance of the National Highway Freight Network in the United States.

''(i) USE OF APPORTIONED FUNDS.—

''(1) IN GENERAL.—A State shall obligate funds apportioned to the State under section 104(b)(5) to improve the movement of freight on the National Highway Freight Network.

''(2) FORMULA.—The Administrator shall calculate for each State the proportion that—

''(A) the total mileage in the State designated as part of the primary highway freight system; bears to

''(B) the total mileage of the primary highway freight system in all States.

''(3) USE OF FUNDS.—

''(A) STATES WITH HIGH PRIMARY HIGHWAY FREIGHT SYSTEM MILEAGE.—If the proportion of a State under paragraph (2) is greater than or equal to 2 percent, the State may obligate funds apportioned to the State under section 104(b)(5) for projects on—

''(i) the primary highway freight system;

''(ii) critical rural freight corridors; and

''(iii) critical urban freight corridors.

''(B) STATES WITH LOW PRIMARY HIGHWAY FREIGHT SYSTEM MILEAGE.—If the proportion of a State under paragraph (2) is less than 2 percent, the State may obligate funds apportioned to the State under section 104(b)(5) for projects on any component of the National Highway Freight Network.

''(4) FREIGHT PLANNING.—Notwithstanding any other provision of law, effective beginning 2 years after the date of enactment of the FAST Act, a State may not obligate funds apportioned to the State under section 104(b)(5) unless the State has developed a freight plan in accordance with section 70202 of title 49, except that the multimodal component of the plan may be incomplete before an obligation may be made under this section.

''(5) ELIGIBILITY.—

''(A) IN GENERAL.—Except as provided in this subsection, for a project to be eligible for funding under this section the project shall—

''(i) contribute to the efficient movement of freight on the National Highway Freight Network; and

''(ii) be identified in a freight investment plan included in a freight plan of the State that is in effect.

''(B) OTHER PROJECTS.—For each fiscal year, a State may obligate not more than 10 percent of the total apportionment of the State under section 104(b)(5) for freight intermodal or freight rail projects, including projects—

''(i) within the boundaries of public or private freight rail or water facilities (including ports); and

''(ii) that provide surface transportation infrastructure necessary to facilitate direct intermodal interchange, transfer, and access into or out of the facility.

''(C) ELIGIBLE PROJECTS.—Funds apportioned to the State under section 104(b)(5) for the national highway freight program may be obligated to carry out 1 or more of the following:

''(i) Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities.

''(ii) Construction, reconstruction, rehabilitation, acquisition of real property (including land relating to the project and improvements to land), construction contingencies, acquisition of equipment, and operational improvements directly relating to improving system performance.

''(iii) Intelligent transportation systems and other technology to improve the flow of freight, including intelligent freight transportation systems.

''(iv) Efforts to reduce the environmental impacts of freight movement.

''(v) Environmental and community mitigation for freight movement.

''(vi) Railway-highway grade separation.

''(vii) Geometric improvements to interchanges and ramps.

''(viii) Truck-only lanes.

''(ix) Climbing and runaway truck lanes.

''(x) Adding or widening of shoulders.

''(xi) Truck parking facilities eligible for funding under section 1401 of MAP–21 (23 U.S.C. 137 note).

''(xii) Real-time traffic, truck parking, roadway condition, and multimodal transportation information systems.

''(xiii) Electronic screening and credentialing systems for vehicles, including weigh-in-motion truck inspection technologies.

''(xiv) Traffic signal optimization, including synchronized and adaptive signals.

''(xv) Work zone management and information systems.

''(xvi) Highway ramp metering.

''(xvii) Electronic cargo and border security technologies that improve truck freight movement.

''(xviii) Intelligent transportation systems that would increase truck freight efficiencies inside the boundaries of intermodal facilities.

''(xix) Additional road capacity to address highway freight bottlenecks.

''(xx) Physical separation of passenger vehicles from commercial motor freight.

''(xxi) Enhancement of the resiliency of critical highway infrastructure, including highway infrastructure that supports national energy security, to improve the flow of freight.

''(xxii) A highway or bridge project, other than a project described in clauses (i) through (xxi), to improve the flow of freight on the National Highway Freight Network.

''(xxiii) Any other surface transportation project to improve the flow of freight into and out of a facility described in subparagraph (B).

''(6) OTHER ELIGIBLE COSTS.—In addition to the eligible projects identified in paragraph (5), a State may use funds apportioned under section 104(b)(5) for—

''(A) carrying out diesel retrofit or alternative fuel projects under section 149 for class 8 vehicles; and

''(B) the necessary costs of—

''(i) conducting analyses and data collection related to the national highway freight program;

''(ii) developing and updating performance targets to carry out this section; and

''(iii) reporting to the Administrator to comply with the freight performance target under section 150.

''(7) APPLICABILITY OF PLANNING REQUIREMENTS.—Programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.

''(j) STATE PERFORMANCE TARGETS.—If the Administrator determines that a State has not met or made significant progress toward meeting the performance targets related to freight movement of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets, the State shall include in the next report submitted under section 150(e) a description of the actions the State will undertake to achieve the targets, including—

''(1) an identification of significant freight system trends, needs, and issues within the State;

''(2) a description of the freight policies and strategies that will guide the freight-related transportation investments of the State;

''(3) an inventory of freight bottlenecks within the State and a description of the ways in which the State is allocating national highway freight program funds to improve those bottlenecks; and

''(4) a description of the actions the State will undertake to meet the performance targets of the State.

''(k) INTELLIGENT FREIGHT TRANSPORTATION SYSTEM.—

''(1) DEFINITION OF INTELLIGENT FREIGHT TRANSPORTATION SYSTEM.—In this section, the term 'intelligent freight transportation system' means—

''(A) innovative or intelligent technological transportation systems, infrastructure, or facilities, including elevated freight transportation facilities—

''(i) in proximity to, or within, an existing right of way on a Federal-aid highway; or

''(ii) that connect land ports-of entry to existing Federal-aid highways; or

''(B) communications or information processing systems that improve the efficiency, security, or safety of freight movements on the Federal-aid highway system, including to improve the conveyance of freight on dedicated intelligent freight lanes.

''(2) OPERATING STANDARDS.—The Administrator shall determine whether there is a need for establishing operating standards for intelligent freight transportation systems.

''(l) TREATMENT OF FREIGHT PROJECTS.—Notwithstanding any other provision of law, a freight project carried out under this section shall be treated as if the project were on a Federal-aid highway.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 167 and inserting the following:

''167. National highway freight program.''.

(c) REPEALS.—Sections 1116, 1117, and 1118 of MAP–21 (23 U.S.C. 167 note), and the items relating to such sections in the table of contents in section 1(c) of such Act, are repealed.

SEC. 1117. FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.

(a) TRIBAL DATA COLLECTION.—Section 201(c)(6) of title 23, United States Code, is amended by adding at the end the following:

''(C) TRIBAL DATA COLLECTION.—In addition to the data to be collected under subparagraph (A), not later than 90 days after the last day of each fiscal year, any entity carrying out a project under the tribal transportation program under section 202 shall submit to the Secretary and the Secretary of the Interior, based on obligations and expenditures under the tribal transportation program during the preceding fiscal year, the following data:

''(i) The names of projects and activities carried out by the entity under the tribal transportation program during the preceding fiscal year.

''(ii) A description of the projects and activities identified under clause (i).

''(iii) The current status of the projects and activities identified under clause (i).

''(iv) An estimate of the number of jobs created and the number of jobs retained by the projects and activities identified under clause (i).''.

(b) REPORT ON TRIBAL GOVERNMENT TRANSPORTATION SAFETY DATA.—

(1) FINDINGS.—Congress finds that—

(A) in many States, the Native American population is disproportionately represented in fatalities and crash statistics;

(B) improved crash reporting by tribal law enforcement agencies would facilitate safety planning and would enable Indian tribes to apply more successfully for State and Federal funds for safety improvements;

(C) the causes of underreporting of crashes on Indian reservations include—

(i) tribal law enforcement capacity, including—

(I) staffing shortages and turnover; and

(II) lack of equipment, software, and training; and

(ii) lack of standardization in crash reporting forms and protocols; and

(D) without more accurate reporting of crashes on Indian reservations, it is difficult or impossible to fully understand the nature of the problem and develop appropriate countermeasures, which may include effective transportation safety planning and programs aimed at—

(i) driving under the influence (DUI) prevention;

(ii) pedestrian safety;

(iii) roadway safety improvements;

(iv) seat belt usage; and

(v) proper use of child restraints.

(2) REPORT TO CONGRESS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, after consultation with the Secretary of Interior, the Secretary of Health and Human Services, the Attorney General, and Indian tribes, shall submit to the Committee on Environment and Public Works and the Committee on Indian Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee

on Natural Resources of the House of Representatives a report describing the quality of transportation safety data collected by States, counties, and Indian tribes for transportation safety systems and the relevance of that data to improving the collection and sharing of data on crashes on Indian reservations.

(B) PURPOSES.—The purposes of the report are—

(i) to improve the collection and sharing of data on crashes on Indian reservations; and

(ii) to develop data that Indian tribes can use to recover damages to tribal property caused by motorists.

(C) PAPERLESS DATA REPORTING.—In preparing the report, the Secretary shall provide States, counties, and Indian tribes with options and best practices for transition to a paperless transportation safety data reporting system that—

(i) improves the collection of crash reports;

(ii) stores, archives, queries, and shares crash records; and

(iii) uses data exclusively—

(I) to address traffic safety issues on Indian reservations; and

(II) to identify and improve problem areas on public roads on Indian reservations.

(D) ADDITIONAL BUDGETARY RESOURCES.—The Secretary shall include in the report the identification of Federal transportation funds provided to Indian tribes by agencies in addition to the Department and the Department of the Interior.

(c) STUDY ON BUREAU OF INDIAN AFFAIRS ROAD SAFETY.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Interior, the Attorney General, States, and Indian tribes shall—

(1) complete a study that identifies and evaluates options for improving safety on public roads on Indian reservations; and

(2) submit to the Committee on Environment and Public Works and the Committee on Indian Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives a report describing the results of the study.

SEC. 1118. TRIBAL TRANSPORTATION PROGRAM AMENDMENT.

Section 202 of title 23, United States Code, is amended—

(1) in subsection (a)(6) by striking ''6 percent'' and inserting ''5 percent''; and

(2) in subsection (d)(2) in the matter preceding subparagraph (A) by striking ''2 percent'' and inserting ''3 percent''.

SEC. 1119. FEDERAL LANDS TRANSPORTATION PROGRAM.

Section 203 of title 23, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B) by striking ''operation'' and inserting ''capital, operations,''; and

(B) in subparagraph (D) by striking ''subparagraph (A)(iv)'' and inserting ''subparagraph (A)(iv)(I)'';

(2) in subsection (b)—

(A) in paragraph (1)(B)—

(i) in clause (iv) by striking ''and'' at the end;

(ii) in clause (v) by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(vi) the Bureau of Reclamation; and

''(vii) independent Federal agencies with natural resource and land management responsibilities.''; and

(B) in paragraph (2)(B)—

(i) in the matter preceding clause (i) by inserting ''performance management, including'' after ''support''; and

(ii) in clause (i)(II) by striking '', and'' and inserting ''; and''; and

(3) in subsection (c)(2)(B) by adding at the end the following:

''(vi) The Bureau of Reclamation.''.

SEC. 1120. FEDERAL LANDS PROGRAMMATIC ACTIVITIES.

Section 201(c) of title 23, United States Code, is amended—

(1) in paragraph (6)(A)—

(A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively (and by moving the subclauses 2 ems to the right);

(B) in the matter preceding subclause (I) (as so redesignated), by striking ''The Secretaries'' and inserting the following:

''(i) IN GENERAL.—The Secretaries'';

(C) by inserting a period after ''tribal transportation program''; and

(D) by striking ''in accordance with'' and all that follows through ''including—'' and inserting the following:

''(ii) REQUIREMENT.—Data collected to implement the tribal transportation program shall be in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

''(iii) INCLUSIONS.—Data collected under this paragraph includes—''; and

(2) by striking paragraph (7) and inserting the following—

''(7) COOPERATIVE RESEARCH AND TECHNOLOGY DEPLOYMENT.—The Secretary may conduct cooperative research and technology deployment in coordination with Federal land management agencies, as determined appropriate by the Secretary.

''(8) FUNDING.—

''(A) IN GENERAL.—To carry out the activities described in this subsection for Federal lands transportation facilities, Federal lands access transportation facilities, and other federally owned roads open to public travel (as that term is defined in section 125(e)), the Secretary shall for each fiscal year combine and use not greater than 5 percent of the funds authorized for programs under sections 203 and 204.

''(B) OTHER ACTIVITIES.—In addition to the activities described in subparagraph (A), funds described under that subparagraph may be used for—

''(i) bridge inspections on any federally owned bridge even if that bridge is not included on the inventory described under section 203; and

''(ii) transportation planning activities carried out by Federal land management agencies eligible for funding under this chapter.''.

SEC. 1121. TRIBAL TRANSPORTATION SELF-GOVERNANCE PROGRAM.

(a) IN GENERAL.—Chapter 2 of title 23, United States Code, is amended by inserting after section 206 the following:

''§ 207. Tribal transportation self-governance program

''(a) ESTABLISHMENT.—Subject to the requirements of this section, the Secretary shall establish and carry out a program to be known as the tribal transportation self-governance program. The Secretary may delegate responsibilities for administration of the program as the Secretary determines appropriate.

''(b) ELIGIBILITY.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), an Indian tribe shall be eligible to participate in the program if the Indian tribe requests participation in the program by resolution or other official action by the governing body of the Indian tribe, and demonstrates, for the preceding 3 fiscal years, financial stability and financial management capability, and transportation program management capability.

''(2) CRITERIA FOR DETERMINING FINANCIAL STABILITY AND FINANCIAL MANAGEMENT CAPACITY.—For the purposes of paragraph (1), evidence that, during the preceding 3 fiscal years, an Indian tribe had no uncorrected significant and material audit exceptions in the required annual audit of the Indian tribe's self-determination contracts or self-governance funding agreements with any Federal agency shall be conclusive evidence of the required financial stability and financial management capability.

''(3) CRITERIA FOR DETERMINING TRANSPORTATION PROGRAM MANAGEMENT CAPABILITY.—The Secretary shall require an Indian tribe to demonstrate transportation program management capability, including the capability to manage and complete projects eligible under this title and projects eligible under chapter 53 of title 49, to gain eligibility for the program.

''(c) COMPACTS.—

''(1) COMPACT REQUIRED.—Upon the request of an eligible Indian tribe, and subject to the requirements of this section, the Secretary shall negotiate and enter into a written compact with the Indian tribe for the purpose of providing for the participation of the Indian tribe in the program.

''(2) CONTENTS.—A compact entered into under paragraph (1) shall set forth the general terms of the government-to-government relationship between the Indian tribe and the United States under the program and other terms that will continue to apply in future fiscal years.

''(3) AMENDMENTS.—A compact entered into with an Indian tribe under paragraph (1) may be amended only by mutual agreement of the Indian tribe and the Secretary.

''(d) ANNUAL FUNDING AGREEMENTS.—

''(1) FUNDING AGREEMENT REQUIRED.—After entering into a compact with an Indian tribe under subsection (c), the Secretary shall negotiate and enter into a written annual funding agreement with the Indian tribe.

''(2) CONTENTS.—

''(A) IN GENERAL.—

''(i) FORMULA FUNDING AND DISCRETIONARY GRANTS.—A funding agreement entered into with an Indian tribe shall authorize the Indian tribe, as determined by the Indian tribe, to plan, conduct, consolidate, administer, and receive full tribal share funding, tribal transit formula funding, and funding to tribes from discretionary and competitive grants administered by the Department for all programs, services, functions, and activities (or portions thereof) that are made available to Indian tribes to carry out tribal transportation programs and programs, services, functions, and activities (or portions thereof) administered by the Secretary that are otherwise available to Indian tribes.

''(ii) TRANSFERS OF STATE FUNDS.—

''(I) INCLUSION OF TRANSFERRED FUNDS IN FUNDING AGREEMENT.—A funding agreement entered into with an Indian tribe shall include Federal-aid funds apportioned to a State under chapter 1 if the State elects to provide a portion of such funds to the Indian tribe for a project eligible under section 202(a). The provisions of this section shall be in addition to the methods for making funding contributions described in section 202(a)(9). Nothing in this section shall diminish the authority of the Secretary to provide funds to an Indian tribe under section 202(a)(9).

''(II) METHOD FOR TRANSFERS.—If a State elects to provide funds described in subclause (I) to an Indian tribe—

''(aa) the transfer may occur in accordance with section 202(a)(9); or

''(bb) the State shall transfer the funds back to the Secretary and the Secretary shall transfer the funds to the Indian tribe in accordance with this section.

''(III) RESPONSIBILITY FOR TRANSFERRED FUNDS.—Notwithstanding any other provision of law, if a State provides funds described in subclause (I) to an Indian tribe—

''(aa) the State shall not be responsible for constructing or maintaining a project carried

out using the funds or for administering or supervising the project or funds during the applicable statute of limitations period related to the construction of the project; and

''(bb) the Indian tribe shall be responsible for constructing and maintaining a project carried out using the funds and for administering and supervising the project and funds in accordance with this section during the applicable statute of limitations period related to the construction of the project.

''(B) ADMINISTRATION OF TRIBAL SHARES.—The tribal shares referred to in subparagraph (A) shall be provided without regard to the agency or office of the Department within which the program, service, function, or activity (or portion thereof) is performed.

''(C) FLEXIBLE AND INNOVATIVE FINANCING.—

''(i) IN GENERAL.—A funding agreement entered into with an Indian tribe under paragraph (1) shall include provisions pertaining to flexible and innovative financing if agreed upon by the parties.

''(ii) TERMS AND CONDITIONS.—

''(I) AUTHORITY TO ISSUE REGULATIONS.—The Secretary may issue regulations to establish the terms and conditions relating to the flexible and innovative financing provisions referred to in clause (i).

''(II) TERMS AND CONDITIONS IN ABSENCE OF REGULATIONS.—If the Secretary does not issue regulations under subclause (I), the terms and conditions relating to the flexible and innovative financing provisions referred to in clause (i) shall be consistent with—

''(aa) agreements entered into by the Department under—

''(AA) section 202(b)(7); and

''(BB) section 202(d)(5), as in effect before the date of enactment of MAP–21 (Public Law 112–141); or

''(bb) regulations of the Department of the Interior relating to flexible financing contained in part 170 of title 25, Code of Federal Regulations, as in effect on the date of enactment of the FAST Act.

''(3) TERMS.—A funding agreement shall set forth—

''(A) terms that generally identify the programs, services, functions, and activities (or portions thereof) to be performed or administered by the Indian tribe; and

''(B) for items identified in subparagraph (A)—

''(i) the general budget category assigned;

''(ii) the funds to be provided, including those funds to be provided on a recurring basis;

''(iii) the time and method of transfer of the funds;

''(iv) the responsibilities of the Secretary and the Indian tribe; and

''(v) any other provision agreed to by the Indian tribe and the Secretary.

''(4) SUBSEQUENT FUNDING AGREEMENTS.—

''(A) APPLICABILITY OF EXISTING AGREEMENT.—Absent notification from an Indian tribe that the Indian tribe is withdrawing from or retroceding the operation of 1 or more programs, services, functions, or activities (or portions thereof) identified in a funding agreement, or unless otherwise agreed to by the parties, each funding agreement shall remain in full force and effect until a subsequent funding agreement is executed.

''(B) EFFECTIVE DATE OF SUBSEQUENT AGREEMENT.—The terms of the subsequent funding agreement shall be retroactive to the end of the term of the preceding funding agreement.

''(5) CONSENT OF INDIAN TRIBE REQUIRED.—The Secretary shall not revise, amend, or require additional terms in a new or subsequent funding agreement without the consent of the Indian tribe that is subject to the agreement unless such terms are required by Federal law.

''(e) GENERAL PROVISIONS.—

''(1) REDESIGN AND CONSOLIDATION.—

''(A) IN GENERAL.—An Indian tribe, in any manner that the Indian tribe considers to be in the best interest of the Indian community being served, may—

''(i) redesign or consolidate programs, services, functions, and activities (or portions thereof) included in a funding agreement; and

''(ii) reallocate or redirect funds for such programs, services, functions, and activities (or portions thereof), if the funds are—

''(I) expended on projects identified in a transportation improvement program approved by the Secretary; and

''(II) used in accordance with the requirements in—

''(aa) appropriations Acts;

''(bb) this title and chapter 53 of title 49; and

''(cc) any other applicable law.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), if, pursuant to subsection (d), an Indian tribe receives a discretionary or competitive grant from the Secretary or receives State apportioned funds, the Indian tribe shall use the funds for the purpose for which the funds were originally authorized.

''(2) RETROCESSION.—

''(A) IN GENERAL.—

''(i) AUTHORITY OF INDIAN TRIBES.—An Indian tribe may retrocede (fully or partially) to the Secretary programs, services, functions, or activities (or portions thereof) included in a compact or funding agreement.

''(ii) REASSUMPTION OF REMAINING FUNDS.—Following a retrocession described in clause (i), the Secretary may—

''(I) reassume the remaining funding associated with the retroceded programs, functions, services, and activities (or portions thereof) included in the applicable compact or funding agreement;

''(II) out of such remaining funds, transfer funds associated with Department of Interior programs, services, functions, or activities (or portions thereof) to the Secretary of the Interior to carry out transportation services provided by the Secretary of the Interior; and

''(III) distribute funds not transferred under subclause (II) in accordance with applicable law.

''(iii) CORRECTION OF PROGRAMS.—If the Secretary makes a finding under subsection (f)(2)(B) and no funds are available under subsection (f)(2)(A)(ii), the Secretary shall not be required to provide additional funds to complete or correct any programs, functions, services, or activities (or portions thereof).

''(B) EFFECTIVE DATE.—Unless the Indian tribe rescinds a request for retrocession, the retrocession shall become effective within the timeframe specified by the parties in the compact or funding agreement. In the absence of such a specification, the retrocession shall become effective on—

''(i) the earlier of—

''(I) 1 year after the date of submission of the request; or

''(II) the date on which the funding agreement expires; or

''(ii) such date as may be mutually agreed upon by the parties and, with respect to Department of the Interior programs, functions, services, and activities (or portions thereof), the Secretary of the Interior.

''(f) PROVISIONS RELATING TO SECRETARY.—

''(1) DECISIONMAKER.—A decision that relates to an appeal of the rejection of a final offer by the Department shall be made either—

''(A) by an official of the Department who holds a position at a higher organizational level within the Department than the level of the departmental agency in which the decision that is the subject of the appeal was made; or

''(B) by an administrative judge.

''(2) TERMINATION OF COMPACT OR FUNDING AGREEMENT.—

''(A) AUTHORITY TO TERMINATE.—

''(i) PROVISION TO BE INCLUDED IN COMPACT OR FUNDING AGREEMENT.—A compact or funding agreement shall include a provision authorizing the Secretary, if the Secretary makes a finding described in subparagraph (B), to—

''(I) terminate the compact or funding agreement (or a portion thereof); and

''(II) reassume the remaining funding associated with the reassumed programs, functions, services, and activities included in the compact or funding agreement.

''(ii) TRANSFERS OF FUNDS.—Out of any funds reassumed under clause (i)(II), the Secretary may transfer the funds associated with Department of the Interior programs, functions, services, and activities (or portions thereof) to the Secretary of the Interior to provide continued transportation services in accordance with applicable law.

''(B) FINDINGS RESULTING IN TERMINATION.—The finding referred to in subparagraph (A) is a specific finding of—

''(i) imminent jeopardy to a trust asset, natural resources, or public health and safety that is caused by an act or omission of the Indian tribe and that arises out of a failure to carry out the compact or funding agreement, as determined by the Secretary; or

''(ii) gross mismanagement with respect to funds or programs transferred to the Indian tribe under the compact or funding agreement, as determined by the Secretary in consultation with the Inspector General of the Department, as appropriate.

''(C) PROHIBITION.—The Secretary shall not terminate a compact or funding agreement (or portion thereof) unless—

''(i) the Secretary has first provided written notice and a hearing on the record to the Indian tribe that is subject to the compact or funding agreement; and

''(ii) the Indian tribe has not taken corrective action to remedy the mismanagement of funds or programs or the imminent jeopardy to a trust asset, natural resource, or public health and safety.

''(D) EXCEPTION.—

''(i) IN GENERAL.—Notwithstanding subparagraph (C), the Secretary, upon written notification to an Indian tribe that is subject to a compact or funding agreement, may immediately terminate the compact or funding agreement (or portion thereof) if—

''(I) the Secretary makes a finding of imminent substantial and irreparable jeopardy to a trust asset, natural resource, or public health and safety; and

''(II) the jeopardy arises out of a failure to carry out the compact or funding agreement.

''(ii) HEARINGS.—If the Secretary terminates a compact or funding agreement (or portion thereof) under clause (i), the Secretary shall provide the Indian tribe subject to the compact or agreement with a hearing on the record not later than 10 days after the date of such termination.

''(E) BURDEN OF PROOF.—In any hearing or appeal involving a decision to terminate a compact or funding agreement (or portion thereof) under this paragraph, the Secretary shall have the burden of proof in demonstrating by clear and convincing evidence the validity of the grounds for the termination.

''(g) COST PRINCIPLES.—In administering funds received under this section, an Indian tribe shall apply cost principles under the applicable Office of Management and Budget circular, except as modified by section 106 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j–1), other provisions of law, or by any exemptions to applicable Office of Management and Budget circulars subsequently granted by the Office of Management

and Budget. No other audit or accounting standards shall be required by the Secretary. Any claim by the Federal Government against the Indian tribe relating to funds received under a funding agreement based on any audit conducted pursuant to this subsection shall be subject to the provisions of section 106(f) of that Act (25 U.S.C. 450j–1(f)).

''(h) TRANSFER OF FUNDS.—The Secretary shall provide funds to an Indian tribe under a funding agreement in an amount equal to—

''(1) the sum of the funding that the Indian tribe would otherwise receive for the program, function, service, or activity in accordance with a funding formula or other allocation method established under this title or chapter 53 of title 49; and

''(2) such additional amounts as the Secretary determines equal the amounts that would have been withheld for the costs of the Bureau of Indian Affairs for administration of the program or project.

''(i) CONSTRUCTION PROGRAMS.—

''(1) STANDARDS.—Construction projects carried out under programs administered by an Indian tribe with funds transferred to the Indian tribe pursuant to a funding agreement entered into under this section shall be constructed pursuant to the construction program standards set forth in applicable regulations or as specifically approved by the Secretary (or the Secretary's designee).

''(2) MONITORING.—Construction programs shall be monitored by the Secretary in accordance with applicable regulations.

''(j) FACILITATION.—

''(1) SECRETARIAL INTERPRETATION.—Except as otherwise provided by law, the Secretary shall interpret all Federal laws, Executive orders, and regulations in a manner that will facilitate—

''(A) the inclusion of programs, services, functions, and activities (or portions thereof) and funds associated therewith, in compacts and funding agreements; and

''(B) the implementation of the compacts and funding agreements.

''(2) REGULATION WAIVER.—

''(A) IN GENERAL.—An Indian tribe may submit to the Secretary a written request to waive application of a regulation promulgated under this section with respect to a compact or funding agreement. The request shall identify the regulation sought to be waived and the basis for the request.

''(B) APPROVALS AND DENIALS.—

''(i) IN GENERAL.—Not later than 90 days after the date of receipt of a written request under subparagraph (A), the Secretary shall approve or deny the request in writing.

''(ii) REVIEW.—The Secretary shall review any application by an Indian tribe for a waiver bearing in mind increasing opportunities for using flexible policy approaches at the Indian tribal level.

''(iii) DEEMED APPROVAL.—If the Secretary does not approve or deny a request submitted under subparagraph (A) on or before the last day of the 90-day period referred to in clause (i), the request shall be deemed approved.

''(iv) DENIALS.—If the application for a waiver is not granted, the agency shall provide the applicant with the reasons for the denial as part of the written response required in clause (i).

''(v) FINALITY OF DECISIONS.—A decision by the Secretary under this subparagraph shall be final for the Department.

''(k) DISCLAIMERS.—

''(1) EXISTING AUTHORITY.—Notwithstanding any other provision of law, upon the election of an Indian tribe, the Secretary shall—

''(A) maintain current tribal transportation program funding agreements and program agreements; or

''(B) enter into new agreements under the authority of section 202(b)(7).

''(2) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section may be construed to impair or diminish the authority of the Secretary under section 202(b)(7).

''(l) APPLICABILITY OF INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT.—Except to the extent in conflict with this section (as determined by the Secretary), the following provisions of the Indian Self-Determination and Education Assistance Act shall apply to compact and funding agreements (except that any reference to the Secretary of the Interior or the Secretary of Health and Human Services in such provisions shall be treated as a reference to the Secretary of Transportation):

''(1) Subsections (a), (b), (d), (g), and (h) of section 506 of such Act (25 U.S.C. 458aaa–5), relating to general provisions.

''(2) Subsections (b) through (e) and (g) of section 507 of such Act (25 U.S.C.458aaa–6), relating to provisions relating to the Secretary of Health and Human Services.

''(3) Subsections (a), (b), (d), (e), (g), (h), (i), and (k) of section 508 of such Act (25 U.S.C. 458aaa–7), relating to transfer of funds.

''(4) Section 510 of such Act (25 U.S.C. 458aaa-9), relating to Federal procurement laws and regulations.

''(5) Section 511 of such Act (25 U.S.C. 458aaa–10), relating to civil actions.

''(6) Subsections (a)(1), (a)(2), and (c) through (f) of section 512 of such Act (25 U.S.C. 458aaa–11), relating to facilitation, except that subsection (c)(1) of that section shall be applied by substituting 'transportation facilities and other facilities' for 'school buildings, hospitals, and other facilities'.

''(7) Subsections (a) and (b) of section 515 of such Act (25 U.S.C. 458aaa–14), relating to disclaimers.

''(8) Subsections (a) and (b) of section 516 of such Act (25 U.S.C. 458aaa–15), relating to application of title I provisions.

''(9) Section 518 of such Act (25 U.S.C. 458aaa–17), relating to appeals.

''(m) DEFINITIONS.—

''(1) IN GENERAL.—In this section, the following definitions apply (except as otherwise expressly provided):

''(A) COMPACT.—The term 'compact' means a compact between the Secretary and an Indian tribe entered into under subsection (c).

''(B) DEPARTMENT.—The term 'Department' means the Department of Transportation.

''(C) ELIGIBLE INDIAN TRIBE.—The term 'eligible Indian tribe' means an Indian tribe that is eligible to participate in the program, as determined under subsection (b).

''(D) FUNDING AGREEMENT.—The term 'funding agreement' means a funding agreement between the Secretary and an Indian tribe entered into under subsection (d).

''(E) INDIAN TRIBE.—The term 'Indian tribe' means any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. In any case in which an Indian tribe has authorized another Indian tribe, an intertribal consortium, or a tribal organization to plan for or carry out programs, services, functions, or activities (or portions thereof) on its behalf under this section, the authorized Indian tribe, intertribal consortium, or tribal organization shall have the rights and responsibilities of the authorizing Indian tribe (except as otherwise provided in the authorizing resolution or in this title). In such event, the term 'Indian tribe' as used in this section shall include such other authorized Indian tribe, intertribal consortium, or tribal organization.

''(F) PROGRAM.—The term 'program' means the tribal transportation self-governance program established under this section.

''(G) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

''(H) TRANSPORTATION PROGRAMS.—The term 'transportation programs' means all programs administered or financed by the Department under this title and chapter 53 of title 49.

''(2) APPLICABILITY OF OTHER DEFINITIONS.—In this section, the definitions set forth in sections 4 and 505 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b; 458aaa) apply, except as otherwise expressly provided in this section.

''(n) REGULATIONS.—

''(1) IN GENERAL.—

''(A) PROMULGATION.—Not later than 90 days after the date of enactment of the FAST Act, the Secretary shall initiate procedures under subchapter III of chapter 5 of title 5 to negotiate and promulgate such regulations as are necessary to carry out this section.

''(B) PUBLICATION OF PROPOSED REGULATIONS.—Proposed regulations to implement this section shall be published in the Federal Register by the Secretary not later than 21 months after such date of enactment.

''(C) EXPIRATION OF AUTHORITY.—The authority to promulgate regulations under subparagraph (A) shall expire 30 months after such date of enactment.

''(D) EXTENSION OF DEADLINES.—A deadline set forth in subparagraph (B) or (C) may be extended up to 180 days if the negotiated rulemaking committee referred to in paragraph (2) concludes that the committee cannot meet the deadline and the Secretary so notifies the appropriate committees of Congress.

''(2) COMMITTEE.—

''(A) IN GENERAL.—A negotiated rulemaking committee established pursuant to section 565 of title 5 to carry out this subsection shall have as its members only Federal and tribal government representatives, a majority of whom shall be nominated by and be representatives of Indian tribes with funding agreements under this title.

''(B) REQUIREMENTS.—The committee shall confer with, and accommodate participation by, representatives of Indian tribes, inter-tribal consortia, tribal organizations, and individual tribal members.

''(C) ADAPTATION OF PROCEDURES.—The Secretary shall adapt the negotiated rulemaking procedures to the unique context of self-governance and the government-to-government relationship between the United States and Indian tribes.

''(3) EFFECT.—The lack of promulgated regulations shall not limit the effect of this section.

''(4) EFFECT OF CIRCULARS, POLICIES, MANUALS, GUIDANCE, AND RULES.—Unless expressly agreed to by the participating Indian tribe in the compact or funding agreement, the participating Indian tribe shall not be subject to any agency circular, policy, manual, guidance, or rule adopted by the Department, except regulations promulgated under this section.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 2 of title 23, United States Code, is amended by inserting after the item relating to section 206 the following:

''207. Tribal transportation self-governance program.''.

SEC. 1122. STATE FLEXIBILITY FOR NATIONAL HIGHWAY SYSTEM MODIFICATIONS.

(a) NATIONAL HIGHWAY SYSTEM FLEXIBILITY.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue guidance relating to working with State departments of transportation that request assistance from the division offices of the Federal Highway Administration—

(1) to review roads classified as principal arterials in the State that were added to the National Highway System as of October 1, 2012, so

as to comply with section 103 of title 23, United States Code; and

(2) to identify any necessary functional classification changes to rural and urban principal arterials.

(b) ADMINISTRATIVE ACTIONS.—The Secretary shall direct the division offices of the Federal Highway Administration to work with the applicable State department of transportation that requests assistance under this section—

(1) to assist in the review of roads in accordance with guidance issued under subsection (a);

(2) to expeditiously review and facilitate requests from States to reclassify roads classified as principal arterials; and

(3) in the case of a State that requests the withdrawal of reclassified roads from the National Highway System under section 103(b)(3) of title 23, United States Code, to carry out that withdrawal if the inclusion of the reclassified road in the National Highway System is not consistent with the needs and priorities of the community or region in which the reclassified road is located.

(c) NATIONAL HIGHWAY SYSTEM MODIFICATION REGULATIONS.—The Secretary shall—

(1) review the National Highway System modification process described in appendix D of part 470 of title 23, Code of Federal Regulations (or successor regulations); and

(2) take any action necessary to ensure that a State may submit to the Secretary a request to modify the National Highway System by withdrawing a road from the National Highway System.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes a description of—

(1) each request for reclassification of National Highway System roads;

(2) the status of each request; and

(3) if applicable, the justification for the denial by the Secretary of a request.

(e) MODIFICATIONS TO THE NATIONAL HIGHWAY SYSTEM.—Section 103(b)(3)(A) of title 23, United States Code, is amended—

(1) in the matter preceding clause (i)—

(A) by striking '', including any modification consisting of a connector to a major intermodal terminal,''; and

(B) by inserting '', including any modification consisting of a connector to a major intermodal terminal or the withdrawal of a road from that system,'' after ''the National Highway System''; and

(2) in clause (ii)—

(A) by striking ''(ii) enhances'' and inserting ''(ii)(I) enhances'';

(B) by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(II) in the case of the withdrawal of a road, is reasonable and appropriate.''.

SEC. 1123. NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM.

(a) PURPOSE.—The Secretary shall establish a nationally significant Federal lands and tribal projects program (referred to in this section as the ''program'') to provide funding to construct, reconstruct, or rehabilitate nationally significant Federal lands and tribal transportation projects.

(b) ELIGIBLE APPLICANTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), entities eligible to receive funds under sections 201, 202, 203, and 204 of title 23, United States Code, may apply for funding under the program.

(2) SPECIAL RULE.—A State, county, or unit of local government may only apply for funding under the program if sponsored by an eligible Federal land management agency or Indian tribe.

(c) ELIGIBLE PROJECTS.—An eligible project under the program shall be a single continuous project—

(1) on a Federal lands transportation facility, a Federal lands access transportation facility, or a tribal transportation facility (as those terms are defined in section 101 of title 23, United States Code), except that such facility is not required to be included in an inventory described in section 202 or 203 of such title;

(2) for which completion of activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been demonstrated through—

(A) a record of decision with respect to the project;

(B) a finding that the project has no significant impact; or

(C) a determination that the project is categorically excluded; and

(3) having an estimated cost, based on the results of preliminary engineering, equal to or exceeding $25,000,000, with priority consideration given to projects with an estimated cost equal to or exceeding $50,000,000.

(d) ELIGIBLE ACTIVITIES.—

(1) IN GENERAL.—Subject to paragraph (2), an eligible applicant receiving funds under the program may only use the funds for construction, reconstruction, and rehabilitation activities.

(2) INELIGIBLE ACTIVITIES.—An eligible applicant may not use funds received under the program for activities relating to project design.

(e) APPLICATIONS.—Eligible applicants shall submit to the Secretary an application at such time, in such form, and containing such information as the Secretary may require.

(f) SELECTION CRITERIA.—In selecting a project to receive funds under the program, the Secretary shall consider the extent to which the project—

(1) furthers the goals of the Department, including state of good repair, economic competitiveness, quality of life, and safety;

(2) improves the condition of critical transportation facilities, including multimodal facilities;

(3) needs construction, reconstruction, or rehabilitation;

(4) has costs matched by funds that are not provided under this section, with projects with a greater percentage of other sources of matching funds ranked ahead of lesser matches;

(5) is included in or eligible for inclusion in the National Register of Historic Places;

(6) uses new technologies and innovations that enhance the efficiency of the project;

(7) is supported by funds, other than the funds received under the program, to construct, maintain, and operate the facility;

(8) spans 2 or more States; and

(9) serves land owned by multiple Federal agencies or Indian tribes.

(g) FEDERAL SHARE.—

(1) IN GENERAL.—The Federal share of the cost of a project shall be up to 90 percent.

(2) NON-FEDERAL SHARE.—Notwithstanding any other provision of law, any Federal funds other than those made available under title 23 or title 49, United States Code, may be used to pay the non-Federal share of the cost of a project carried out under this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $100,000,000 for each of fiscal years 2016 through 2020. Such sums shall remain available for a period of 3 fiscal years following the fiscal year for which the amounts are appropriated.

Subtitle B—Planning and Performance Management

SEC. 1201. METROPOLITAN TRANSPORTATION PLANNING.

Section 134 of title 23, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking ''people and freight and'' and inserting ''people and freight,'' and

(B) by inserting ''and take into consideration resiliency needs'' after ''urbanized areas,'';

(2) in subsection (c)(2) by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities and commuter vanpool providers'';

(3) in subsection (d)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(B) by inserting after paragraph (2) the following:

''(3) REPRESENTATION.—

''(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

''(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

''(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2).''; and

(C) in paragraph (5) as so redesignated by striking ''paragraph (5)'' and inserting ''paragraph (6)'';

(4) in subsection (e)(4)(B) by striking ''subsection (d)(5)'' and inserting ''subsection (d)(6)'';

(5) in subsection (g)(3)(A) by inserting ''tourism, natural disaster risk reduction,'' after ''economic development,'';

(6) in subsection (h)—

(A) in paragraph (1)—

(i) in subparagraph (G) by striking ''and'' at the end;

(ii) in subparagraph (H) by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(I) improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and

''(J) enhance travel and tourism.''; and

(B) in paragraph (2)(A) by striking ''and in section 5301(c) of title 49'' and inserting ''and the general purposes described in section 5301 of title 49'';

(7) in subsection (i)—

(A) in paragraph (2)—

(i) in subparagraph (A)(i) by striking ''transit,'' and inserting ''public transportation facilities, intercity bus facilities,'';

(ii) in subparagraph (G)—

(I) by striking ''and provide'' and inserting '', provide''; and

(II) by inserting '', and reduce the vulnerability of the existing transportation infrastructure to natural disasters'' before the period at the end; and

(iii) in subparagraph (H) by inserting ''including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' before the period at the end;

(B) in paragraph (6)(A)—

(i) by inserting ''public ports,'' before ''freight shippers,''; and

(ii) by inserting ''(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)'' after ''private providers of transportation''; and

(C) in paragraph (8) by striking ''paragraph (2)(C)'' and inserting ''paragraph (2)(E)'' each place it appears;

(8) in subsection (k)(3)—

(A) in subparagraph (A) by inserting ''(including intercity bus operators, employer-based commuting programs such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), job access projects,'' after ''reduction''; and

(B) by adding at the end the following:

''(C) CONGESTION MANAGEMENT PLAN.—A metropolitan planning organization serving a transportation management area may develop a plan that includes projects and strategies that will be considered in the TIP of such metropolitan planning organization. Such plan shall—

''(i) develop regional goals to reduce vehicle miles traveled during peak commuting hours and improve transportation connections between areas with high job concentration and areas with high concentrations of low-income households;

''(ii) identify existing public transportation services, employer-based commuter programs, and other existing transportation services that support access to jobs in the region; and

''(iii) identify proposed projects and programs to reduce congestion and increase job access opportunities.

''(D) PARTICIPATION.—In developing the plan under subparagraph (C), a metropolitan planning organization shall consult with employers, private and nonprofit providers of public transportation, transportation management organizations, and organizations that provide job access reverse commute projects or job-related services to low-income individuals.'';

(9) in subsection (l)—

(A) by adding a period at the end of paragraph (1); and

(B) in paragraph (2)(D) by striking ''of less than 200,000'' and inserting ''with a population of 200,000 or less'';

(10) in subsection (n)(1) by inserting ''49'' after ''chapter 53 of title'';

(11) in subsection (p) by striking ''Funds set aside under section 104(f)'' and inserting ''Funds apportioned under paragraphs (5)(D) and (6) of section 104(b)''; and

(12) by adding at the end the following:

''(r) BI-STATE METROPOLITAN PLANNING ORGANIZATION.—

''(1) DEFINITION OF BI-STATE MPO REGION.—In this subsection, the term 'Bi-State MPO Region' has the meaning given the term 'region' in subsection (a) of Article II of the Lake Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3234).

''(2) TREATMENT.—For the purpose of this title, the Bi-State MPO Region shall be treated as—

''(A) a metropolitan planning organization;

''(B) a transportation management area under subsection (k); and

''(C) an urbanized area, which is comprised of a population of 145,000 in the State of California and a population of 65,000 in the State of Nevada.

''(3) SUBALLOCATED FUNDING.—

''(A) PLANNING.—In determining the amounts under subparagraph (A) of section 133(d)(1) that shall be obligated for a fiscal year in the States of California and Nevada under clauses (i), (ii), and (iii) of that subparagraph, the Secretary shall, for each of those States—

''(i) calculate the population under each of those clauses;

''(ii) decrease the amount under section 133(d)(1)(A)(iii) by the population specified in paragraph (2) of this subsection for the Bi-State MPO Region in that State; and

''(iii) increase the amount under section 133(d)(1)(A)(i) by the population specified in paragraph (2) of this subsection for the Bi-State MPO Region in that State.

''(B) STBGP SET ASIDE.—In determining the amounts under paragraph (2) of section 133(h) that shall be obligated for a fiscal year in the States of California and Nevada, the Secretary shall, for the purpose of that subsection, calculate the populations for each of those States in a manner consistent with subparagraph (A).''.

SEC. 1202. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.

Section 135 of title 23, United States Code, is amended—

(1) in subsection (a)(2) by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities and commuter van pool providers'';

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (G) by striking ''and'' at the end;

(ii) in subparagraph (H) by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(I) improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and

''(J) enhance travel and tourism.''; and

(B) in paragraph (2)—

(i) in subparagraph (A) by striking ''and in section 5301(c) of title 49'' and inserting ''and the general purposes described in section 5301 of title 49'';

(ii) in subparagraph (B)(ii) by striking ''urbanized''; and

(iii) in subparagraph (C) by striking ''urbanized'';

(3) in subsection (f)—

(A) in paragraph (3)(A)(ii)—

(i) by inserting ''public ports,'' before ''freight shippers,''; and

(ii) by inserting ''(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)'' after ''private providers of transportation''; and

(B) in paragraph (7), in the matter preceding subparagraph (A), by striking ''should'' and inserting ''shall''; and

(C) in paragraph (8), by inserting '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' before the period at the end; and

(4) in subsection (g)(3)—

(A) by inserting ''public ports,'' before ''freight shippers''; and

(B) by inserting ''(including intercity bus operators),'' after ''private providers of transportation''.

Subtitle C—Acceleration of Project Delivery

SEC. 1301. SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.

(a) HIGHWAYS.—Section 138 of title 23, United States Code, is amended by adding at the end the following:

''(c) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

''(1) IN GENERAL.—The Secretary shall—

''(A) align, to the maximum extent practicable, with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 306108 of title 54, including implementing regulations; and

''(B) not later than 90 days after the date of enactment of this subsection, coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the 'Council') to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

''(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

''(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of a historic site, the Secretary may—

''(i) include the determination of the Secretary in the analysis required under that Act;

''(ii) provide a notice of the determination to—

''(I) each applicable State historic preservation officer and tribal historic preservation officer;

''(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

''(III) the Secretary of the Interior; and

''(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy subsection (a)(1).

''(B) CONCURRENCE.—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

''(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall—

''(i) be included in the record of decision or finding of no significant impact of the Secretary; and

''(ii) be posted on an appropriate Federal website by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

''(3) ALIGNING HISTORICAL REVIEWS.—

''(A) IN GENERAL.—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy subsection (a)(2) through the consultation requirements of section 306108 of title 54.

''(B) SATISFACTION OF CONDITIONS.—To satisfy subsection (a)(2), each individual described in paragraph (2)(A)(ii) shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.''.

(b) PUBLIC TRANSPORTATION.—Section 303 of title 49, United States Code, is amended by adding at the end the following:

''(e) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

''(1) IN GENERAL.—The Secretary shall—

''(A) align, to the maximum extent practicable, the requirements of this section with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 306108 of title 54, including implementing regulations; and

''(B) not later than 90 days after the date of enactment of this subsection, coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the 'Council') to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

''(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

''(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of a historic site, the Secretary may—

''(i) include the determination of the Secretary in the analysis required under that Act;

''(ii) provide a notice of the determination to—

''(I) each applicable State historic preservation officer and tribal historic preservation officer;

''(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

''(III) the Secretary of the Interior; and

''(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy subsection (c)(1).

''(B) CONCURRENCE.—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (c)(1) shall be required.

''(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall—

''(i) be included in the record of decision or finding of no significant impact of the Secretary; and

''(ii) be posted on an appropriate Federal website by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

''(3) ALIGNING HISTORICAL REVIEWS.—

''(A) IN GENERAL.—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy subsection (c)(2) through the consultation requirements of section 306108 of title 54.

''(B) SATISFACTION OF CONDITIONS.—To satisfy subsection (c)(2), the applicable preservation officer, the Council, and the Secretary of the Interior shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.''.

SEC. 1302. CLARIFICATION OF TRANSPORTATION ENVIRONMENTAL AUTHORITIES.

(a) TITLE 23 AMENDMENT.—Section 138 of title 23, United States Code, as amended by section 1301, is amended by adding at the end the following:

''(d) REFERENCES TO PAST TRANSPORTATION ENVIRONMENTAL AUTHORITIES.—

''(1) SECTION 4(F) REQUIREMENTS.—The requirements of this section are commonly referred to as section 4(f) requirements (see section 4(f) of the Department of Transportation Act (Public Law 89–670; 80 Stat. 934) as in effect before the repeal of that section).

''(2) SECTION 106 REQUIREMENTS.—The requirements of section 306108 of title 54 are commonly referred to as section 106 requirements (see section 106 of the National Historic Preservation Act of 1966 (Public Law 89–665; 80 Stat. 917) as in effect before the repeal of that section).''.

(b) TITLE 49 AMENDMENT.—Section 303 of title 49, United States Code, as amended by section 1301, is amended by adding at the end the following:

''(f) REFERENCES TO PAST TRANSPORTATION ENVIRONMENTAL AUTHORITIES.—

''(1) SECTION 4(F) REQUIREMENTS.—The requirements of this section are commonly referred to as section 4(f) requirements (see section 4(f) of the Department of Transportation Act (Public Law 89–670; 80 Stat. 934) as in effect before the repeal of that section).

''(2) SECTION 106 REQUIREMENTS.—The requirements of section 306108 of title 54 are commonly referred to as section 106 requirements (see section 106 of the National Historic Preservation Act of 1966 (Public Law 89–665; 80 Stat. 917) as in effect before the repeal of that section).''.

SEC. 1303. TREATMENT OF CERTAIN BRIDGES UNDER PRESERVATION REQUIREMENTS.

(a) PRESERVATION OF PARKLANDS.—Section 138 of title 23, United States Code, as amended by section 1302, is amended by adding at the end the following:

''(e) BRIDGE EXEMPTION FROM CONSIDERATION.—A common post-1945 concrete or steel bridge or culvert (as described in 77 Fed. Reg. 68790) that is exempt from individual review under section 306108 of title 54 shall be exempt from consideration under this section.''.

(b) POLICY ON LANDS, WILDLIFE AND WATERFOWL REFUGES, AND HISTORIC SITES.—Section 303 of title 49, United States Code, as amended by section 1302, is amended by adding at the end the following:

''(g) BRIDGE EXEMPTION FROM CONSIDERATION.—A common post-1945 concrete or steel bridge or culvert (as described in 77 Fed. Reg. 68790) that is exempt from individual review under section 306108 of title 54 shall be exempt from consideration under this section.''.

SEC. 1304. EFFICIENT ENVIRONMENTAL REVIEWS FOR PROJECT DECISIONMAKING.

(a) DEFINITIONS.—Section 139(a) of title 23, United States Code, is amended—

(1) by striking paragraph (5) and inserting the following:

''(5) MULTIMODAL PROJECT.—The term 'multimodal project' means a project that requires the approval of more than 1 Department of Transportation operating administration or secretarial office.''; and

(2) by striking paragraph (6) and inserting the following:

''(6) PROJECT.—

''(A) IN GENERAL.—The term 'project' means any highway project, public transportation capital project, or multimodal project that, if implemented as proposed by the project sponsor, would require approval by any operating administration or secretarial office within the Department of Transportation.

''(B) CONSIDERATIONS.—In determining whether a project is a project under subparagraph (A), the Secretary shall take into account, if known, any sources of Federal funding or financing identified by the project sponsor, including any discretionary grant, loan, and loan guarantee programs administered by the Department of Transportation.''.

(b) APPLICABILITY.—Section 139(b)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A) in the matter preceding clause (i) by striking ''initiate a rulemaking to''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) REQUIREMENTS.—In carrying out subparagraph (A), the Secretary shall ensure that programmatic reviews—

''(i) promote transparency, including the transparency of—

''(I) the analyses and data used in the environmental reviews;

''(II) the treatment of any deferred issues raised by agencies or the public; and

''(III) the temporal and spatial scales to be used to analyze issues under subclauses (I) and (II);

''(ii) use accurate and timely information, including through establishment of—

''(I) criteria for determining the general duration of the usefulness of the review; and

''(II) a timeline for updating an out-of-date review;

''(iii) describe—

''(I) the relationship between any programmatic analysis and future tiered analysis; and

''(II) the role of the public in the creation of future tiered analysis;

''(iv) are available to other relevant Federal and State agencies, Indian tribes, and the public; and

''(v) provide notice and public comment opportunities consistent with applicable requirements.''.

(c) FEDERAL LEAD AGENCY.—Section 139(c) of title 23, United States Code, is amended—

(1) in paragraph (1)(A) by inserting '', or an operating administration thereof designated by the Secretary,'' after ''Department of Transportation''; and

(2) in paragraph (6)—

(A) in subparagraph (A) by striking ''and'' at the end;

(B) in subparagraph (B) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(C) to consider and respond to comments received from participating agencies on matters within the special expertise or jurisdiction of those agencies.''.

(d) PARTICIPATING AGENCIES.—

(1) INVITATION.—Section 139(d)(2) of title 23, United States Code, is amended by striking ''The lead agency shall identify, as early as practicable in the environmental review process for a project,'' and inserting ''Not later than 45 days after the date of publication of a notice of intent to prepare an environmental impact statement or the initiation of an environmental assessment, the lead agency shall identify''.

(2) SINGLE NEPA DOCUMENT.—Section 139(d) of title 23, United States Code, is amended by adding at the end the following:

''(8) SINGLE NEPA DOCUMENT.—

''(A) IN GENERAL.—Except as inconsistent with paragraph (7), to the maximum extent practicable and consistent with Federal law, all Federal permits and reviews for a project shall rely on a single environment document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) under the leadership of the lead agency.

''(B) USE OF DOCUMENT.—

''(i) IN GENERAL.—To the maximum extent practicable, the lead agency shall develop an environmental document sufficient to satisfy the requirements for any Federal approval or other Federal action required for the project, including permits issued by other Federal agencies.

''(ii) COOPERATION OF PARTICIPATING AGENCIES.—Other participating agencies shall cooperate with the lead agency and provide timely information to help the lead agency carry out this subparagraph.

''(C) TREATMENT AS PARTICIPATING AND COOPERATING AGENCIES.—A Federal agency required to make an approval or take an action for a project, as described in subparagraph (B), shall work with the lead agency for the project to ensure that the agency making the approval or taking the action is treated as being both a participating and cooperating agency for the project.

''(9) PARTICIPATING AGENCY RESPONSIBILITIES.—An agency participating in the environmental review process under this section shall—

''(A) provide comments, responses, studies, or methodologies on those areas within the special expertise or jurisdiction of the agency; and

''(B) use the process to address any environmental issues of concern to the agency.''.

(e) PROJECT INITIATION.—Section 139(e) of title 23, United States Code, is amended—

(1) in paragraph (1) by inserting ''(including any additional information that the project sponsor considers to be important to initiate the process for the proposed project)'' after ''general location of the proposed project''; and

(2) by adding at the end the following:

''(3) REVIEW OF APPLICATION.—Not later than 45 days after the date on which the Secretary receives notification under paragraph (1), the Secretary shall provide to the project sponsor a written response that, as applicable—

''(A) describes the determination of the Secretary—

''(i) to initiate the environmental review process, including a timeline and an expected date for the publication in the Federal Register of the relevant notice of intent; or

''(ii) to decline the application, including an explanation of the reasons for that decision; or

''(B) requests additional information, and provides to the project sponsor an accounting regarding what documentation is necessary to initiate the environmental review process.

''(4) REQUEST TO DESIGNATE A LEAD AGENCY.—

''(A) IN GENERAL.—Any project sponsor may submit to the Secretary a request to designate the operating administration or secretarial office within the Department of Transportation with the expertise on the proposed project to serve as the Federal lead agency for the project.

''(B) SECRETARIAL ACTION.—

''(i) IN GENERAL.—If the Secretary receives a request under subparagraph (A), the Secretary shall respond to the request not later than 45 days after the date of receipt.

''(ii) REQUIREMENTS.—The response under clause (i) shall—

''(I) approve the request;

''(II) deny the request, with an explanation of the reasons for the denial; or

''(III) require the submission of additional information.

''(iii) ADDITIONAL INFORMATION.—If additional information is submitted in accordance with clause (ii)(III), the Secretary shall respond to the submission not later than 45 days after the date of receipt.

''(5) ENVIRONMENTAL CHECKLIST.—

''(A) DEVELOPMENT.—The lead agency for a project, in consultation with participating agencies, shall develop, as appropriate, a checklist to help project sponsors identify potential natural, cultural, and historic resources in the area of the project.

''(B) PURPOSE.—The purposes of the checklist are—

''(i) to identify agencies and organizations that can provide information about natural, cultural, and historic resources;

''(ii) to develop the information needed to determine the range of alternatives; and

''(iii) to improve interagency collaboration to help expedite the permitting process for the lead agency and participating agencies.''.

(f) PURPOSE AND NEED.—Section 139(f) of title 23, United States Code, is amended—

(1) in the subsection heading by inserting ''; ALTERNATIVES ANALYSIS'' after ''NEED''; and

(2) in paragraph (4)—

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

''(A) PARTICIPATION.—

''(i) IN GENERAL.—As early as practicable during the environmental review process, the lead agency shall provide an opportunity for involvement by participating agencies and the public in determining the range of alternatives to be considered for a project.

''(ii) COMMENTS OF PARTICIPATING AGENCIES.—To the maximum extent practicable and consistent with applicable law, each participating agency receiving an opportunity for involvement under clause (i) shall limit the comments of the agency to subject matter areas within the special expertise or jurisdiction of the agency.

''(iii) EFFECT OF NONPARTICIPATION.—A participating agency that declines to participate in the development of the purpose and need and range of alternatives for a project shall be required to comply with the schedule developed under subsection (g)(1)(B).'';

(B) in subparagraph (B)—

(i) by striking ''Following participation under paragraph (1)'' and inserting the following:

''(i) DETERMINATION.—Following participation under subparagraph (A)''; and

(ii) by adding at the end the following:

''(ii) USE.—To the maximum extent practicable and consistent with Federal law, the range of alternatives determined for a project under clause (i) shall be used for all Federal environmental reviews and permit processes required for the project unless the alternatives must be modified—

''(I) to address significant new information or circumstances, and the lead agency and participating agencies agree that the alternatives must be modified to address the new information or circumstances; or

''(II) for the lead agency or a participating agency to fulfill the responsibilities of the agency under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in a timely manner.''; and

(C) by adding at the end the following:

''(E) REDUCTION OF DUPLICATION.—

''(i) IN GENERAL.—In carrying out this paragraph, the lead agency shall reduce duplication, to the maximum extent practicable, between—

''(I) the evaluation of alternatives under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(II) the evaluation of alternatives in the metropolitan transportation planning process under section 134 or an environmental review process carried out under State law (referred to in this subparagraph as a 'State environmental review process').

''(ii) CONSIDERATION OF ALTERNATIVES.—The lead agency may eliminate from detailed consideration an alternative proposed in an environmental impact statement regarding a project if, as determined by the lead agency—

''(I) the alternative was considered in a metropolitan planning process or a State environmental review process by a metropolitan planning organization or a State or local transportation agency, as applicable;

''(II) the lead agency provided guidance to the metropolitan planning organization or State or local transportation agency, as applicable, regarding analysis of alternatives in the metropolitan planning process or State environmental review process, including guidance on the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other Federal law necessary for approval of the project;

''(III) the applicable metropolitan planning process or State environmental review process included an opportunity for public review and comment;

''(IV) the applicable metropolitan planning organization or State or local transportation agency rejected the alternative after considering public comments;

''(V) the Federal lead agency independently reviewed the alternative evaluation approved by the applicable metropolitan planning organization or State or local transportation agency; and

''(VI) the Federal lead agency determined—

''(aa) in consultation with Federal participating or cooperating agencies, that the alternative to be eliminated from consideration is not necessary for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

''(bb) with the concurrence of Federal agencies with jurisdiction over a permit or approval required for a project, that the alternative to be eliminated from consideration is not necessary for any permit or approval under any other Federal law.''.

(g) COORDINATION AND SCHEDULING.—

(1) COORDINATION PLAN.—Section 139(g)(1) of title 23, United States Code, is amended—

(A) in subparagraph (A) by striking ''The lead agency'' and inserting ''Not later than 90 days after the date of publication of a notice of intent to prepare an environmental impact statement or the initiation of an environmental assessment, the lead agency''; and

(B) in subparagraph (B)(i) by striking ''may establish as part of the coordination plan'' and inserting ''shall establish as part of such coordination plan''.

(2) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—Section 139(g)(3) of title 23, United States Code, is amended in the matter preceding subparagraph (A) by inserting ''and publish on the Internet'' after ''House of Representatives''.

(h) ISSUE IDENTIFICATION AND RESOLUTION.—

(1) ISSUE RESOLUTION.—Section 139(h) of title 23, United States Code, is amended—

(A) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively; and

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

''(4) ISSUE RESOLUTION.—Any issue resolved by the lead agency with the concurrence of participating agencies may not be reconsidered unless significant new information or circumstances arise.''.

(2) FAILURE TO ASSURE.—Section 139(h)(5)(C) of title 23, United States Code (as redesignated by paragraph (1)(A)), is amended by striking ''paragraph (5) and'' and inserting ''paragraph (6)''.

(3) FINANCIAL PENALTY PROVISIONS.—Section 139(h)(7)(B) of title 23, United States Code (as redesignated by paragraph (1)(A)), is amended—

(A) in clause (i)(I) by striking ''under section 106(i) is required'' and inserting ''is required under subsection (h) or (i) of section 106''; and

(B) by striking clause (ii) and inserting the following:

''(ii) DESCRIPTION OF DATE.—The date referred to in clause (i) is—

''(I) the date that is 30 days after the date for rendering a decision as described in the project schedule established pursuant to subsection (g)(1)(B);

''(II) if no schedule exists, the later of—

''(aa) the date that is 180 days after the date on which an application for the permit, license, or approval is complete; and

''(bb) the date that is 180 days after the date on which the Federal lead agency issues a decision on the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

''(III) a modified date in accordance with subsection (g)(1)(D).''.

(i) ASSISTANCE TO AFFECTED STATE AND FEDERAL AGENCIES.—

(1) IN GENERAL.—Section 139(j) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—

''(A) AUTHORITY TO PROVIDE FUNDS.—The Secretary may allow a public entity receiving financial assistance from the Department of Transportation under this title or chapter 53 of title 49 to provide funds to Federal agencies (including the Department), State agencies, and Indian tribes participating in the environmental review process for the project or program.

''(B) USE OF FUNDS.—Funds referred to in subparagraph (A) may be provided only to support activities that directly and meaningfully contribute to expediting and improving permitting and review processes, including planning, approval, and consultation processes for the project or program.''.

(2) ACTIVITIES ELIGIBLE FOR FUNDING.—Section 139(j)(2) of title 23, United States Code, is amended by inserting ''activities directly related to the environmental review process,'' before ''dedicated staffing,''.

(3) AGREEMENT.—Section 139(j) of title 23, United States Code, is amended by striking paragraph (6) and inserting the following:

''(6) AGREEMENT.—Prior to providing funds approved by the Secretary for dedicated staffing at an affected agency under paragraphs (1) and (2), the affected agency and the requesting public entity shall enter into an agreement that establishes the projects and priorities to be addressed by the use of the funds.''.

(j) ACCELERATED DECISIONMAKING; IMPROVING TRANSPARENCY IN ENVIRONMENTAL REVIEWS.—

(1) IN GENERAL.—Section 139 of title 23, United States Code, is amended by adding at the end the following:

''(n) ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.—

''(1) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the lead agency modifies the statement in response to comments that are minor and are confined to factual corrections or explanations of why the comments do not warrant additional agency response, the lead agency may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets—

''(A) cite the sources, authorities, and reasons that support the position of the agency; and

''(B) if appropriate, indicate the circumstances that would trigger agency reappraisal or further response.

''(2) SINGLE DOCUMENT.—To the maximum extent practicable, the lead agency shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

''(A) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

''(B) there is a significant new circumstance or information relevant to environmental concerns that bears on the proposed action or the impacts of the proposed action.

''(o) IMPROVING TRANSPARENCY IN ENVIRONMENTAL REVIEWS.—

''(1) IN GENERAL.—Not later than 18 months after the date of enactment of this subsection, the Secretary shall—

''(A) use the searchable Internet website maintained under section 41003(b) of the FAST Act—

''(i) to make publicly available the status and progress of projects requiring an environmental assessment or an environmental impact statement with respect to compliance with applicable requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other Federal, State, or local approval required for those projects; and

''(ii) to make publicly available the names of participating agencies not participating in the development of a project purpose and need and range of alternatives under subsection (f); and

''(B) issue reporting standards to meet the requirements of subparagraph (A).

''(2) FEDERAL, STATE, AND LOCAL AGENCY PARTICIPATION.—

''(A) FEDERAL AGENCIES.—A Federal agency participating in the environmental review or permitting process for a project shall provide to the Secretary information regarding the status and progress of the approval of the project for publication on the Internet website referred to in paragraph (1)(A), consistent with the standards established under paragraph (1)(B).

''(B) STATE AND LOCAL AGENCIES.—The Secretary shall encourage State and local agencies participating in the environmental review permitting process for a project to provide information regarding the status and progress of the approval of the project for publication on the Internet website referred to in paragraph (1)(A).

''(3) STATES WITH DELEGATED AUTHORITY.—A State with delegated authority for responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) pursuant to section 327 shall be responsible for supplying to the Secretary project development and compliance status for all applicable projects.''.

(2) CONFORMING AMENDMENT.—Section 1319 of MAP–21 (42 U.S.C. 4332a), and the item relating to that section in the table of contents contained in section 1(c) of that Act, are repealed.

(k) IMPLEMENTATION OF PROGRAMMATIC COMPLIANCE.—

(1) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete a rulemaking to implement the provisions of section 139(b)(3) of title 23, United States Code, as amended by this section.

(2) CONSULTATION.—Before initiating the rulemaking under paragraph (1), the Secretary shall consult with relevant Federal agencies, relevant State resource agencies, State departments of transportation, Indian tribes, and the public on the appropriate use and scope of the programmatic approaches.

(3) REQUIREMENTS.—In carrying out this subsection, the Secretary shall ensure that the rulemaking meets the requirements of section 139(b)(3)(B) of title 23, United States Code, as amended by this section.

(4) COMMENT PERIOD.—The Secretary shall—

(A) allow not fewer than 60 days for public notice and comment on the proposed rule; and

(B) address any comments received under this subsection.

SEC. 1305. INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.

Section 168 of title 23, United States Code, is amended to read as follows:

''§ 168. Integration of planning and environmental review

''(a) DEFINITIONS.—In this section, the following definitions apply:

''(1) ENVIRONMENTAL REVIEW PROCESS.—The term 'environmental review process' has the meaning given the term in section 139(a).

''(2) LEAD AGENCY.—The term 'lead agency' has the meaning given the term in section 139(a).

''(3) PLANNING PRODUCT.—The term 'planning product' means a decision, analysis, study, or other documented information that is the result of an evaluation or decisionmaking process carried out by a metropolitan planning organization or a State, as appropriate, during metropolitan or statewide transportation planning under section 134 or 135, respectively.

''(4) PROJECT.—The term 'project' has the meaning given the term in section 139(a).

''(5) PROJECT SPONSOR.—The term 'project sponsor' has the meaning given the term in section 139(a).

''(6) RELEVANT AGENCY.—The term 'relevant agency' means the agency with authority under subparagraph (A) or (B) of subsection (b)(1).

''(b) ADOPTION OR INCORPORATION BY REFERENCE OF PLANNING PRODUCTS FOR USE IN NEPA PROCEEDINGS.—

''(1) IN GENERAL.—Subject to subsection (d) and to the maximum extent practicable and appropriate, the following agencies may adopt or incorporate by reference and use a planning product in proceedings relating to any class of action in the environmental review process of the project:

''(A) The lead agency for a project, with respect to an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(B) The cooperating agency with responsibility under Federal law, with respect to the process for and completion of any environmental permit, approval, review, or study required for a project under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if consistent with that law.

''(2) IDENTIFICATION.—If the relevant agency makes a determination to adopt or incorporate by reference and use a planning product, the relevant agency shall identify the agencies that participated in the development of the planning products.

''(3) ADOPTION OR INCORPORATION BY REFERENCE OF PLANNING PRODUCTS.—The relevant agency may—

''(A) adopt or incorporate by reference an entire planning product under paragraph (1); or

''(B) select portions of a planning project under paragraph (1) for adoption or incorporation by reference.

''(4) TIMING.—A determination under paragraph (1) with respect to the adoption or incorporation by reference of a planning product may—

''(A) be made at the time the relevant agencies decide the appropriate scope of environmental review for the project; or

''(B) occur later in the environmental review process, as appropriate.

''(c) APPLICABILITY.—

''(1) PLANNING DECISIONS.—The relevant agency in the environmental review process may adopt or incorporate by reference decisions from a planning product, including—

''(A) whether tolling, private financial assistance, or other special financial measures are necessary to implement the project;

''(B) a decision with respect to general travel corridor or modal choice, including a decision to implement corridor or subarea study recommendations to advance different modal solutions as separate projects with independent utility;

''(C) the purpose and the need for the proposed action;

''(D) preliminary screening of alternatives and elimination of unreasonable alternatives;

''(E) a basic description of the environmental setting;

''(F) a decision with respect to methodologies for analysis; and

''(G) an identification of programmatic level mitigation for potential impacts of a project, including a programmatic mitigation plan developed in accordance with section 169, that the relevant agency determines are more effectively addressed on a national or regional scale, including—

''(i) measures to avoid, minimize, and mitigate impacts at a national or regional scale of proposed transportation investments on environmental resources, including regional ecosystem and water resources; and

''(ii) potential mitigation activities, locations, and investments.

''(2) PLANNING ANALYSES.—The relevant agency in the environmental review process may adopt or incorporate by reference analyses from a planning product, including—

''(A) travel demands;

''(B) regional development and growth;

''(C) local land use, growth management, and development;

''(D) population and employment;

''(E) natural and built environmental conditions;

''(F) environmental resources and environmentally sensitive areas;

''(G) potential environmental effects, including the identification of resources of concern and potential direct, indirect, and cumulative effects on those resources; and

''(H) mitigation needs for a proposed project, or for programmatic level mitigation, for potential effects that the lead agency determines are most effectively addressed at a regional or national program level.

''(d) CONDITIONS.—The relevant agency in the environmental review process may adopt or incorporate by reference a planning product under this section if the relevant agency determines, with the concurrence of the lead agency and, if the planning product is necessary for a cooperating agency to issue a permit, review, or approval for the project, with the concurrence of the cooperating agency, that the following conditions have been met:

''(1) The planning product was developed through a planning process conducted pursuant to applicable Federal law.

''(2) The planning product was developed in consultation with appropriate Federal and State resource agencies and Indian tribes.

''(3) The planning process included broad multidisciplinary consideration of systems-level or corridor-wide transportation needs and potential effects, including effects on the human and natural environment.

''(4) The planning process included public notice that the planning products produced in the planning process may be adopted during a subsequent environmental review process in accordance with this section.

''(5) During the environmental review process, the relevant agency has—

''(A) made the planning documents available for public review and comment by members of the general public and Federal, State, local, and tribal governments that may have an interest in the proposed project;

''(B) provided notice of the intention of the relevant agency to adopt or incorporate by reference the planning product; and

''(C) considered any resulting comments.

''(6) There is no significant new information or new circumstance that has a reasonable likelihood of affecting the continued validity or appropriateness of the planning product.

''(7) The planning product has a rational basis and is based on reliable and reasonably current data and reasonable and scientifically acceptable methodologies.

''(8) The planning product is documented in sufficient detail to support the decision or the results of the analysis and to meet requirements for use of the information in the environmental review process.

''(9) The planning product is appropriate for adoption or incorporation by reference and use in the environmental review process for the project and is incorporated in accordance with, and is sufficient to meet the requirements of, the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 1502.21 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the FAST Act).

''(10) The planning product was approved within the 5-year period ending on the date on which the information is adopted or incorporated by reference.

''(e) EFFECT OF ADOPTION OR INCORPORATION BY REFERENCE.—Any planning product adopted or incorporated by reference by the relevant agency in accordance with this section may be—

''(1) incorporated directly into an environmental review process document or other environmental document; and

''(2) relied on and used by other Federal agencies in carrying out reviews of the project.

''(f) RULES OF CONSTRUCTION.—

''(1) IN GENERAL.—This section does not make the environmental review process applicable to the transportation planning process conducted under this title and chapter 53 of title 49.

''(2) TRANSPORTATION PLANNING ACTIVITIES.—Initiation of the environmental review process as a part of, or concurrently with, transportation planning activities does not subject transportation plans and programs to the environmental review process.

''(3) PLANNING PRODUCTS.—This section does not affect the use of planning products in the environmental review process pursuant to other authorities under any other provision of law or restrict the initiation of the environmental review process during planning.''.

SEC. 1306. DEVELOPMENT OF PROGRAMMATIC MITIGATION PLANS.

Section 169(f) of title 23, United States Code, is amended—

(1) by striking ''may use'' and inserting ''shall give substantial weight to''; and

(2) by inserting ''or other Federal environmental law'' before the period at the end.

SEC. 1307. TECHNICAL ASSISTANCE FOR STATES.

Section 326 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) ASSISTANCE TO STATES.—On request of a Governor of a State, the Secretary shall provide to the State technical assistance, training, or other support relating to—

''(A) assuming responsibility under subsection (a);

''(B) developing a memorandum of understanding under this subsection; or

''(C) addressing a responsibility in need of corrective action under subsection (d)(1)(B).''; and

(2) in subsection (d), by striking paragraph (1) and inserting the following:

''(1) TERMINATION BY SECRETARY.—The Secretary may terminate the participation of any State in the program if—

''(A) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

''(B) the Secretary provides to the State—

''(i) a notification of the determination of noncompliance;

''(ii) a period of not less than 120 days to take such corrective action as the Secretary determines to be necessary to comply with the applicable agreement; and

''(iii) on request of the Governor of the State, a detailed description of each responsibility in need of corrective action regarding an inadequacy identified under subparagraph (A); and

''(C) the State, after the notification and period described in clauses (i) and (ii) of subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary.''.

SEC. 1308. SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM.

Section 327 of title 23, United States Code, is amended—

(1) in subsection (a)(2)(B)(iii) by striking ''(42 U.S.C. 13 4321 et seq.)'' and inserting ''(42 U.S.C. 4321 et seq.)'';

(2) in subsection (c)(4) by inserting ''reasonably'' before ''considers necessary'';

(3) in subsection (e) by inserting ''and without further approval of'' after ''in lieu of'';

(4) in subsection (g)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—To ensure compliance by a State with any agreement of the State under subsection (c) (including compliance by the State with all Federal laws for which responsibility is assumed under subsection (a)(2)), for each State participating in the program under this section, the Secretary shall—

''(A) not later than 180 days after the date of execution of the agreement, meet with the State to review implementation of the agreement and discuss plans for the first annual audit;

''(B) conduct annual audits during each of the first 4 years of State participation; and

''(C) ensure that the time period for completing an annual audit, from initiation to completion (including public comment and responses to those comments), does not exceed 180 days.''; and

(B) by adding at the end the following:

''(3) AUDIT TEAM.—

''(A) IN GENERAL.—An audit conducted under paragraph (1) shall be carried out by an audit team determined by the Secretary, in consultation with the State, in accordance with subparagraph (B).

''(B) CONSULTATION.—Consultation with the State under subparagraph (A) shall include a reasonable opportunity for the State to review and provide comments on the proposed members of the audit team.'';

(5) in subsection (j) by striking paragraph (1) and inserting the following:

''(1) TERMINATION BY SECRETARY.—The Secretary may terminate the participation of any State in the program if—

''(A) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

''(B) the Secretary provides to the State—

''(i) a notification of the determination of noncompliance;

''(ii) a period of not less than 120 days to take such corrective action as the Secretary determines to be necessary to comply with the applicable agreement; and

''(iii) on request of the Governor of the State, a detailed description of each responsibility in need of corrective action regarding an inadequacy identified under subparagraph (A); and

''(C) the State, after the notification and period provided under subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary.''; and

(6) by adding at the end the following:

''(k) CAPACITY BUILDING.—The Secretary, in cooperation with representatives of State officials, may carry out education, training, peer-exchange, and other initiatives as appropriate—

''(1) to assist States in developing the capacity to participate in the assignment program under this section; and

''(2) to promote information sharing and collaboration among States that are participating in the assignment program under this section.

''(l) RELATIONSHIP TO LOCALLY ADMINISTERED PROJECTS.—A State granted authority under this section may, as appropriate and at the request of a local government—

''(1) exercise such authority on behalf of the local government for a locally administered project; or

''(2) provide guidance and training on consolidating and minimizing the documentation and environmental analyses necessary for sponsors of a locally administered project to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any comparable requirements under State law.''.

SEC. 1309. PROGRAM FOR ELIMINATING DUPLICATION OF ENVIRONMENTAL REVIEWS.

(a) PURPOSE.—The purpose of this section is to eliminate duplication of environmental reviews and approvals under State laws and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) IN GENERAL.—Chapter 3 of title 23, United States Code, is amended by adding at the end the following:

"§ 330. Program for eliminating duplication of environmental reviews

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Secretary shall establish a pilot program to authorize States that have assumed responsibilities of the Secretary under section 327 and are approved to participate in the program under this section to conduct environmental reviews and make approvals for projects under State environmental laws and regulations instead of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), consistent with the requirements of this section.

''(2) PARTICIPATING STATES.—The Secretary may select not more than 5 States to participate in the program.

''(3) ALTERNATIVE ENVIRONMENTAL REVIEW AND APPROVAL PROCEDURES DEFINED.—In this section, the term 'alternative environmental review and approval procedures' means—

''(A) substitution of 1 or more State environmental laws for—

''(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(ii) any provisions of section 139 establishing procedures for the implementation of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) that are under the authority of the Secretary, as the Secretary, in consultation with the State, considers appropriate; and

''(iii) related regulations and Executive orders; and

''(B) substitution of 1 or more State environmental regulations for—

''(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(ii) any provisions of section 139 establishing procedures for the implementation of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) that are under the authority of the Secretary, as the Secretary, in consultation with the State, considers appropriate; and

''(iii) related regulations and Executive orders.

''(b) APPLICATION.—To be eligible to participate in the program, a State shall submit to the Secretary an application containing such information as the Secretary may require, including—

''(1) a full and complete description of the proposed alternative environmental review and approval procedures of the State, including—

''(A) the procedures the State uses to engage the public and consider alternatives to the proposed action; and

''(B) the extent to which the State considers environmental consequences or impacts on resources potentially impacted by the proposed action (such as air, water, or species);

''(2) each Federal requirement described in subsection (a)(3) that the State is seeking to substitute;

''(3) each State law or regulation that the State intends to substitute for such Federal requirement;

''(4) an explanation of the basis for concluding that the State law or regulation is at least as stringent as the Federal requirement described in subsection (a)(3);

''(5) a description of the projects or classes of projects for which the State anticipates exercising the authority that may be granted under the program;

''(6) verification that the State has the financial resources necessary to carry out the authority that may be granted under the program;

''(7) evidence of having sought, received, and addressed comments on the proposed application from the public; and

''(8) any such additional information as the Secretary, or, with respect to section (d)(1)(A), the Secretary in consultation with the Chair, may require.

''(c) REVIEW OF APPLICATION.—In accordance with subsection (d), the Secretary shall—

''(1) review and accept public comments on an application submitted under subsection (b);

''(2) approve or disapprove the application not later than 120 days after the date of receipt of an application that the Secretary determines is complete; and

''(3) transmit to the State notice of the approval or disapproval, together with a statement of the reasons for the approval or disapproval.

''(d) APPROVAL OF APPLICATION.—

''(1) IN GENERAL.—The Secretary shall approve an application submitted under subsection (b) only if—

''(A) the Secretary, with the concurrence of the Chair and after considering any public comments received pursuant to subsection (c), determines that the laws and regulations of the State described in the application are at least as stringent as the Federal requirements described in subsection (a)(3);

''(B) the Secretary, after considering any public comments received pursuant to subsection (c), determines that the State has the capacity, including financial and personnel, to assume the responsibility;

''(C) the State has executed an agreement with the Secretary in accordance with section 327; and

''(D) the State has executed an agreement with the Secretary under this section that—

''(i) has been executed by the Governor or the top-ranking transportation official in the State who is charged with responsibility for highway construction;

''(ii) is in such form as the Secretary may prescribe;

''(iii) provides that the State—

''(I) agrees to assume the responsibilities, as identified by the Secretary, under this section;

''(II) expressly consents, on behalf of the State, to accept the jurisdiction of the Federal courts under subsection (e)(1) for the compliance, discharge, and enforcement of any responsibility under this section;

''(III) certifies that State laws (including regulations) are in effect that—

''(aa) authorize the State to take the actions necessary to carry out the responsibilities being assumed; and

''(bb) are comparable to section 552 of title 5, including providing that any decision regarding the public availability of a document under those State laws is reviewable by a court of competent jurisdiction; and

''(IV) agrees to maintain the financial resources necessary to carry out the responsibilities being assumed;

''(iv) requires the State to provide to the Secretary any information the Secretary reasonably considers necessary to ensure that the State is adequately carrying out the responsibilities assigned to the State;

''(v) has a term of not more than 5 years; and

''(vi) is renewable.

''(2) EXCLUSION.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to a decision by the Secretary to approve or disapprove an application submitted under this section.

''(e) JUDICIAL REVIEW.—

''(1) IN GENERAL.—The United States district courts shall have exclusive jurisdiction over any civil action against a State relating to the failure of the State—

''(A) to meet the requirements of this section; or

''(B) to follow the alternative environmental review and approval procedures approved pursuant to this section.

''(2) LIMITATION ON REVIEW.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, a claim seeking judicial review of a permit, license, or approval issued by a State under this section shall be barred unless the claim is filed not later than 2 years after the date of publication in the Federal Register by the Secretary of a notice that the permit, license, or approval is final pursuant to the law under which the action is taken.

''(B) DEADLINES.—

''(i) NOTIFICATION.—The State shall notify the Secretary of the final action of the State not later than 10 days after the final action is taken.

''(ii) PUBLICATION.—The Secretary shall publish the notice of final action in the Federal Register not later than 30 days after the date of receipt of the notice under clause (i).

''(C) SAVINGS PROVISION.—Nothing in this subsection creates a right to judicial review or places any limit on filing a claim that a person has violated the terms of a permit, license, or approval.

''(3) NEW INFORMATION.—

''(A) IN GENERAL.—A State shall consider new information received after the close of a comment period if the information satisfies the requirements for a supplemental environmental impact statement under section 771.130 of title 23, Code of Federal Regulations (or successor regulations).

''(B) TREATMENT OF FINAL AGENCY ACTION.—

''(i) IN GENERAL.—The final agency action that follows preparation of a supplemental environmental impact statement, if required, shall be considered a separate final agency action, and the deadline for filing a claim for judicial review of the action shall be 2 years after the date of publication in the Federal Register by the Secretary of a notice announcing such action.

''(ii) DEADLINES.—

''(I) NOTIFICATION.—The State shall notify the Secretary of the final action of the State not later than 10 days after the final action is taken.

''(II) PUBLICATION.—The Secretary shall publish the notice of final action in the Federal Register not later than 30 days after the date of receipt of the notice under subclause (I).

''(f) ELECTION.—A State participating in the programs under this section and section 327, at the discretion of the State, may elect to apply the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) instead of the alternative environmental review and approval procedures of the State.

''(g) ADOPTION OR INCORPORATION BY REFERENCE OF DOCUMENTS.—To the maximum extent practicable and consistent with Federal law, other Federal agencies with authority over a project subject to this section shall adopt or incorporate by reference documents produced by a participating State under this section to satisfy the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(h) RELATIONSHIP TO LOCALLY ADMINISTERED PROJECTS.—

''(1) IN GENERAL.—A State with an approved program under this section, at the request of a local government, may exercise authority under that program on behalf of up to 25 local governments for locally administered projects.

''(2) SCOPE.—For up to 25 local governments selected by a State with an approved program under this section, the State shall be responsible for ensuring that any environmental review, consultation, or other action required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the State program, or both, meets the requirements of such Act or program.

''(i) REVIEW AND TERMINATION.—

''(1) IN GENERAL.—A State program approved under this section shall at all times be in accordance with the requirements of this section.

''(2) REVIEW.—The Secretary shall review each State program approved under this section not less than once every 5 years.

''(3) PUBLIC NOTICE AND COMMENT.—In conducting the review process under paragraph (2), the Secretary shall provide notice and an opportunity for public comment.

''(4) WITHDRAWAL OF APPROVAL.—If the Secretary, in consultation with the Chair, determines at any time that a State is not administering a State program approved under this section in accordance with the requirements of this section, the Secretary shall so notify the State, and if appropriate corrective action is not taken within a reasonable time, not to exceed 90 days, the Secretary shall withdraw approval of the State program.

''(5) EXTENSIONS AND TERMINATIONS.—At the conclusion of the review process under paragraph (2), the Secretary may extend for an additional 5-year period or terminate the authority of a State under this section to substitute the laws and regulations of the State for the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(j) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this section, and annually thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes the administration of the program, including—

''(1) the number of States participating in the program;

''(2) the number and types of projects for which each State participating in the program has used alternative environmental review and approval procedures;

''(3) a description and assessment of whether implementation of the program has resulted in more efficient review of projects; and

''(4) any recommendations for modifications to the program.

''(k) SUNSET.—The program shall terminate 12 years after the date of enactment of this section.

''(l) DEFINITIONS.—In this section, the following definitions apply:

''(1) CHAIR.—The term 'Chair' means the Chair of the Council on Environmental Quality.

''(2) MULTIMODAL PROJECT.—The term 'multimodal project' has the meaning given that term in section 139(a).

''(3) PROGRAM.—The term 'program' means the pilot program established under this section.

''(4) PROJECT.—The term 'project' means—

''(A) a project requiring approval under this title, chapter 53 of subtitle III of title 49, or subtitle V of title 49; and

''(B) a multimodal project.''.

(c) RULEMAKING.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary, in consultation with the Chair of the Council on Environmental Quality, shall promulgate regulations to implement the requirements of section 330 of title 23, United States Code, as added by this section.

(2) DETERMINATION OF STRINGENCY.—As part of the rulemaking required under this subsection, the Chair shall—

(A) establish the criteria necessary to determine that a State law or regulation is at least as stringent as a Federal requirement described in section 330(a)(3) of title 23, United States Code; and

(B) ensure that the criteria, at a minimum—

(i) provide for protection of the environment;

(ii) provide opportunity for public participation and comment, including access to the documentation necessary to review the potential impact of a project; and

(iii) ensure a consistent review of projects that would otherwise have been covered under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(d) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 23, United States Code, is amended by adding at the end the following:

''330. Program for eliminating duplication of environmental reviews.''.

SEC. 1310. APPLICATION OF CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.

Section 304 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''operating authority that'' and inserting ''operating administration or secretarial office that has expertise but''; and

(ii) by inserting ''proposed multimodal'' after ''with respect to a''; and

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

''(2) LEAD AUTHORITY.—The term 'lead authority' means a Department of Transportation operating administration or secretarial office that has the lead responsibility for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a proposed multimodal project.'';

(2) in subsection (b) by inserting ''or title 23'' after ''under this title'';

(3) by striking subsection (c) and inserting the following:

''(c) APPLICATION OF CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.—In considering the environmental impacts of a proposed multimodal project, a lead authority may apply categorical exclusions designated under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in implementing regulations or procedures of a cooperating authority for a proposed multimodal project, subject to the conditions that—

''(1) the lead authority makes a determination, with the concurrence of the cooperating authority—

''(A) on the applicability of a categorical exclusion to a proposed multimodal project; and

''(B) that the project satisfies the conditions for a categorical exclusion under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and this section;

''(2) the lead authority follows the implementing regulations of the cooperating authority or procedures under that Act; and

''(3) the lead authority determines that—

''(A) the proposed multimodal project does not individually or cumulatively have a significant impact on the environment; and

''(B) extraordinary circumstances do not exist that merit additional analysis and documentation in an environmental impact statement or environmental assessment required under that Act.''; and

(4) by striking subsection (d) and inserting the following:

''(d) COOPERATING AUTHORITY EXPERTISE.—A cooperating authority shall provide expertise to the lead authority on aspects of the multimodal project in which the cooperating authority has expertise.''.

SEC. 1311. ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 304 the following:

''§ 304a. Accelerated decisionmaking in environmental reviews

''(a) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the lead agency modifies the statement in response to comments that are minor and are confined to factual corrections or explanations of why the comments do not warrant additional agency response, the lead agency may write on errata sheets attached to the statement, instead of rewriting the draft statement, subject to the condition that the errata sheets—

''(1) cite the sources, authorities, and reasons that support the position of the agency; and

''(2) if appropriate, indicate the circumstances that would trigger agency reappraisal or further response.

''(b) SINGLE DOCUMENT.—To the maximum extent practicable, the lead agency shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

''(1) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

''(2) there is a significant new circumstance or information relevant to environmental concerns that bears on the proposed action or the impacts of the proposed action.

''(c) ADOPTION AND INCORPORATION BY REFERENCE OF DOCUMENTS.—

''(1) AVOIDING DUPLICATION.—To prevent duplication of analyses and support expeditious and efficient decisions, the operating administrations of the Department of Transportation shall use adoption and incorporation by reference in accordance with this subsection.

''(2) ADOPTION OF DOCUMENTS OF OTHER OPERATING ADMINISTRATIONS.—An operating administration or a secretarial office within the Department of Transportation may adopt a draft environmental impact statement, an environmental assessment, or a final environmental impact statement of another operating administration for the use of the adopting operating administration when preparing an environmental assessment or final environmental impact statement for a project without recirculating the document for public review, if—

''(A) the adopting operating administration certifies that the proposed action is substantially the same as the project considered in the document to be adopted;

''(B) the other operating administration concurs with such decision; and

''(C) such actions are consistent with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(3) INCORPORATION BY REFERENCE.—An operating administration or secretarial office within the Department of Transportation may incorporate by reference all or portions of a draft environmental impact statement, an environmental assessment, or a final environmental impact statement for the use of the adopting operating administration when preparing an environmental assessment or final environmental impact statement for a project if—

''(A) the incorporated material is cited in the environmental assessment or final environmental impact statement and the contents of the incorporated material are briefly described;

''(B) the incorporated material is reasonably available for inspection by potentially interested persons within the time allowed for review and comment; and

''(C) the incorporated material does not include proprietary data that is not available for review and comment.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by inserting after the item relating to section 304 the following:

''304a. Accelerated decisionmaking in environmental reviews.''.

SEC. 1312. IMPROVING STATE AND FEDERAL AGENCY ENGAGEMENT IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 306 the following:

''§ 307. Improving State and Federal agency engagement in environmental reviews

''(a) IN GENERAL.—

''(1) REQUESTS TO PROVIDE FUNDS.—A public entity receiving financial assistance from the Department of Transportation for 1 or more projects, or for a program of projects, for a public purpose may request that the Secretary allow the public entity to provide funds to Federal agencies, including the Department, State agencies, and Indian tribes participating in the environmental planning and review process for the project, projects, or program.

''(2) USE OF FUNDS.—The funds may be provided only to support activities that directly and meaningfully contribute to expediting and improving permitting and review processes, including planning, approval, and consultation processes for the project, projects, or program.

''(b) ACTIVITIES ELIGIBLE FOR FUNDING.—Activities for which funds may be provided under subsection (a) include transportation planning activities that precede the initiation of the environmental review process, activities directly related to the environmental review process, dedicated staffing, training of agency personnel, information gathering and mapping, and development of programmatic agreements.

''(c) AMOUNTS.—A request under subsection (a) may be approved only for the additional amounts that the Secretary determines are necessary for the Federal agencies, State agencies, or Indian tribes participating in the environmental review process to timely conduct the review.

''(d) AGREEMENTS.—Prior to providing funds approved by the Secretary for dedicated staffing at an affected Federal agency under subsection (a), the affected Federal agency and the requesting public entity shall enter into an agreement that establishes a process to identify projects or priorities to be addressed by the use of the funds.

''(e) GUIDANCE.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall issue guidance to implement this section.

''(2) FACTORS.—As part of the guidance issued under paragraph (1), the Secretary shall ensure—

''(A) to the maximum extent practicable, that expediting and improving the process of environmental review and permitting through the use of funds accepted and expended under this section does not adversely affect the timeline for review and permitting by Federal agencies, State agencies, or Indian tribes of other entities that have not contributed funds under this section;

''(B) that the use of funds accepted under this section will not impact impartial decisionmaking with respect to environmental reviews or permits, either substantively or procedurally; and

''(C) that the Secretary maintains, and makes publicly available, including on the Internet, a list of projects or programs for which such review or permits have been carried out using funds authorized under this section.

''(f) EXISTING AUTHORITY.—Nothing in this section may be construed to conflict with section 139(j) of title 23.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by inserting after the item relating to section 306 the following:

''307. Improving State and Federal agency engagement in environmental reviews.''.

SEC. 1313. ALIGNING FEDERAL ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 309 the following:

''§ 310. Aligning Federal environmental reviews

''(a) COORDINATED AND CONCURRENT ENVIRONMENTAL REVIEWS.—Not later than 1 year after the date of enactment of this section, the Department of Transportation, in coordination with the heads of Federal agencies likely to have substantive review or approval responsibilities under Federal law, shall develop a coordinated and concurrent environmental review and permitting process for transportation projects when initiating an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) (in this section referred to as 'NEPA').

''(b) CONTENTS.—The coordinated and concurrent environmental review and permitting process developed under subsection (a) shall—

''(1) ensure that the Department of Transportation and agencies of jurisdiction possess sufficient information early in the review process to determine a statement of a transportation project's purpose and need and range of alternatives for analysis that the lead agency and agencies of jurisdiction will rely on for concurrent environmental reviews and permitting decisions required for the proposed project;

''(2) achieve early concurrence or issue resolution during the NEPA scoping process on the Department of Transportation's statement of a project's purpose and need, and during development of the environmental impact statement on the range of alternatives for analysis, that the lead agency and agencies of jurisdiction will rely on for concurrent environmental reviews and permitting decisions required for the proposed project absent circumstances that require reconsideration in order to meet an agency of jurisdiction's obligations under a statute or Executive order; and

''(3) achieve concurrence or issue resolution in an expedited manner if circumstances arise that require a reconsideration of the purpose and need or range of alternatives considered during any Federal agency's environmental or permitting review in order to meet an agency of jurisdiction's obligations under a statute or Executive order.

''(c) ENVIRONMENTAL CHECKLIST.—

''(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Secretary of Transportation and Federal agencies of jurisdiction likely to have substantive review or approval responsibilities on transportation projects shall jointly develop a checklist to help project sponsors identify potential natural, cultural, and historic resources in the area of a proposed project.

''(2) PURPOSE.—The purpose of the checklist shall be to—

''(A) identify agencies of jurisdiction and cooperating agencies;

''(B) develop the information needed for the purpose and need and alternatives for analysis; and

''(C) improve interagency collaboration to help expedite the permitting process for the lead agency and agencies of jurisdiction.

''(d) INTERAGENCY COLLABORATION.—

''(1) IN GENERAL.—Consistent with Federal environmental statutes, the Secretary of Transportation shall facilitate annual interagency collaboration sessions at the appropriate jurisdictional level to coordinate business plans and facilitate coordination of workload planning and workforce management.

''(2) PURPOSE OF COLLABORATION SESSIONS.—The interagency collaboration sessions shall ensure that agency staff is—

''(A) fully engaged;

''(B) utilizing the flexibility of existing regulations, policies, and guidance; and

''(C) identifying additional actions to facilitate high quality, efficient, and targeted environmental reviews and permitting decisions.

''(3) FOCUS OF COLLABORATION SESSIONS.—The interagency collaboration sessions, and the interagency collaborations generated by the sessions, shall focus on methods to—

''(A) work with State and local transportation entities to improve project planning, siting, and application quality; and

''(B) consult and coordinate with relevant stakeholders and Federal, tribal, State, and local representatives early in permitting processes.

''(4) CONSULTATION.—The interagency collaboration sessions shall include a consultation with groups or individuals representing State, tribal, and local governments that are engaged in the infrastructure permitting process.

''(e) PERFORMANCE MEASUREMENT.—Not later than 1 year after the date of enactment of this section, the Secretary of Transportation, in coordination with relevant Federal agencies, shall establish a program to measure and report on progress toward aligning Federal reviews and reducing permitting and project delivery time as outlined in this section.

''(f) REPORTS.—

''(1) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this section and biennially thereafter, the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

''(A) progress in aligning Federal environmental reviews under this section; and

''(B) the impact this section has had on accelerating the environmental review and permitting process.

''(2) INSPECTOR GENERAL REPORT.—Not later than 3 years after the date of enactment of this section, the Inspector General of the Department of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

''(A) progress in aligning Federal environmental reviews under this section; and

''(B) the impact this section has had on accelerating the environmental review and permitting process.

''(g) SAVINGS PROVISION.—This section shall not apply to any project subject to section 139 of title 23.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by inserting after the item relating to section 309 the following:

''310. Aligning Federal environmental reviews.''.

SEC. 1314. CATEGORICAL EXCLUSION FOR PROJECTS OF LIMITED FEDERAL ASSISTANCE.

(a) ADJUSTMENT FOR INFLATION.—Section 1317 of MAP–21 (23 U.S.C. 109 note; Public Law 112–141) is amended—

(1) in paragraph (1)(A) by inserting ''(as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor)'' after ''$5,000,000''; and

(2) in paragraph (1)(B) by inserting ''(as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor)'' after ''$30,000,000''.

(b) RETROACTIVE APPLICATION.—The first adjustment made pursuant to the amendments made by subsection (a) shall—

(1) be carried out not later than 60 days after the date of enactment of this Act; and

(2) reflect the increase in the Consumer Price Index since July 1, 2012.

SEC. 1315. PROGRAMMATIC AGREEMENT TEMPLATE.

(a) IN GENERAL.—Section 1318 of MAP–21 (23 U.S.C. 109 note; Public Law 112–141) is amended by adding at the end the following:

''(e) PROGRAMMATIC AGREEMENT TEMPLATE.—

''(1) IN GENERAL.—The Secretary shall develop a template programmatic agreement described in subsection (d) that provides for efficient and adequate procedures for evaluating Federal actions described in section 771.117(c) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

''(2) USE OF TEMPLATE.—The Secretary—

''(A) on receipt of a request from a State, shall use the template programmatic agreement developed under paragraph (1) in carrying out this section; and

''(B) on consent of the applicable State, may modify the template as necessary to address the unique needs and characteristics of the State.

''(3) OUTCOME MEASUREMENTS.—The Secretary shall establish a method to verify that actions described in section 771.117(c) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this subsection), are evaluated and documented in a consistent manner by the State that uses the template programmatic agreement under this subsection.''.

(b) CATEGORICAL EXCLUSION DETERMINATIONS.—Not later than 30 days after the date of enactment of this Act, the Secretary shall revise section 771.117(g) of title 23, Code of Federal Regulations, to allow a programmatic agreement under this section to include responsibility for making categorical exclusion determinations—

(1) for actions described in subsections (c) and (d) of section 771.117 of title 23, Code of Federal Regulations; and

(2) that meet the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act), and are identified in the programmatic agreement.

SEC. 1316. ASSUMPTION OF AUTHORITIES.

(a) IN GENERAL.—The Secretary shall use the authority under section 106(c) of title 23, United States Code, to the maximum extent practicable, to allow a State to assume the responsibilities of the Secretary for project design, plans, specifications, estimates, contract awards, and inspection of projects, on both a project-specific and programmatic basis.

(b) SUBMISSION OF RECOMMENDATIONS.—Not later than 18 months after the date of enactment of this Act, the Secretary, in cooperation with the States, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate recommendations for legislation to permit the assumption of additional authorities by States, including with respect to real estate acquisition and project design.

SEC. 1317. MODERNIZATION OF THE ENVIRONMENTAL REVIEW PROCESS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall examine ways to modernize, simplify, and improve the implementation of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by the Department.

(b) INCLUSIONS.—In carrying out subsection (a), the Secretary shall consider—

(1) the use of technology in the process, such as—

(A) searchable databases;

(B) geographic information system mapping tools;

(C) integration of those tools with fiscal management systems to provide more detailed data; and

(D) other innovative technologies;

(2) ways to prioritize use of programmatic environmental impact statements;

(3) methods to encourage cooperating agencies to present analyses in a concise format; and

(4) any other improvements that can be made to modernize process implementation.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the results of the review carried out under subsection (a).

SEC. 1318. ASSESSMENT OF PROGRESS ON ACCELERATING PROJECT DELIVERY.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall assess the progress made under this Act, MAP–21 (Public Law 112–141), and SAFETEA–LU (Public Law 109–59), including the amendments made by those Acts, to accelerate the delivery of Federal-aid highway and highway safety construction projects and public transportation capital projects by streamlining the environmental review and permitting process.

(b) CONTENTS.—The assessment required under subsection (a) shall evaluate—

(1) how often the various streamlining provisions have been used;

(2) which of the streamlining provisions have had the greatest impact on streamlining the environmental review and permitting process;

(3) what, if any, impact streamlining of the process has had on environmental protection;

(4) how, and the extent to which, streamlining provisions have improved and accelerated the process for permitting under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and other applicable Federal laws;

(5) what impact actions by the Council on Environmental Quality have had on accelerating Federal-aid highway and highway safety construction projects and public transportation capital projects;

(6) the number and percentage of projects that proceed under a traditional environmental assessment or environmental impact statement, and the number and percentage of projects that proceed under categorical exclusions;

(7) the extent to which the environmental review and permitting process remains a significant source of project delay and the sources of delays; and

(8) the costs of conducting environmental reviews and issuing permits or licenses for a project, including the cost of contractors and dedicated agency staff.

(c) RECOMMENDATIONS.—The assessment required under subsection (a) shall include recommendations with respect to—

(1) additional opportunities for streamlining the environmental review process, including regulatory or statutory changes to accelerate the processes of Federal agencies (other than the Department) with responsibility for reviewing Federal-aid highway and highway safety construction projects and public transportation capital projects without negatively impacting the environment; and

(2) best practices of other Federal agencies that should be considered for adoption by the Department.

(d) REPORT TO CONGRESS.—The Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing the assessment and recommendations required under this section.

Subtitle D—Miscellaneous

SEC. 1401. PROHIBITION ON THE USE OF FUNDS FOR AUTOMATED TRAFFIC ENFORCEMENT.

(a) PROHIBITION.—Except as provided in subsection (b), for fiscal years 2016 through 2020, funds apportioned to a State under section 104(b)(3) of title 23, United States Code, may not be used to purchase, operate, or maintain an automated traffic enforcement system.

(b) EXCEPTION.—Subsection (a) does not apply to an automated traffic enforcement system located in a school zone.

(c) AUTOMATED TRAFFIC ENFORCEMENT SYSTEM DEFINED.—In this section, the term ''automated traffic enforcement system'' means any camera that captures an image of a vehicle for the purposes of traffic law enforcement.

SEC. 1402. HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY.

(a) IN GENERAL.—Section 104 of title 23, United States Code, is amended by striking subsection (g) and inserting the following:

''(g) HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY REPORTS.—

''(1) COMPILATION OF DATA.—Not later than 180 days after the date of enactment of the FAST Act, the Secretary shall compile data in accordance with this subsection on the use of Federal-aid highway funds made available under this title.

''(2) REQUIREMENTS.—The Secretary shall ensure that the reports required under this subsection are made available in a user-friendly manner on the public Internet website of the Department of Transportation and can be searched and downloaded by users of the website.

''(3) CONTENTS OF REPORTS.—

''(A) APPORTIONED AND ALLOCATED PROGRAMS.—On a semiannual basis, the Secretary shall make available a report on funding apportioned and allocated to the States under this title that describes—

''(i) the amount of funding obligated by each State, year-to-date, for the current fiscal year;

''(ii) the amount of funds remaining available for obligation by each State;

''(iii) changes in the obligated, unexpended balance for each State, year-to-date, during the current fiscal year, including the obligated, unexpended balance at the end of the preceding fiscal year and current fiscal year expenditures;

''(iv) the amount and program category of unobligated funding, year-to-date, available for expenditure at the discretion of the Secretary;

''(v) the rates of obligation on and off the National Highway System, year-to-date, for the current fiscal year of funds apportioned, allocated, or set aside under this section, according to—

''(I) program;

''(II) funding category or subcategory;

''(III) type of improvement;

''(IV) State; and

''(V) sub-State geographical area, including urbanized and rural areas, on the basis of the population of each such area; and

''(vi) the amount of funds transferred by each State, year-to-date, for the current fiscal year between programs under section 126.

''(B) PROJECT DATA.—On an annual basis, the Secretary shall make available a report that provides, for any project funded under this title (excluding projects for which funds are transferred to agencies other than the Federal Highway Administration) with an estimated total cost as of the start of construction greater than $25,000,000, and to the maximum extent practicable, other projects funded under this title, project data describing—

''(i) the specific location of the project;

''(ii) the total cost of the project;

''(iii) the amount of Federal funding obligated for the project;

''(iv) the program or programs from which Federal funds have been obligated for the project;

''(v) the type of improvement being made, such as categorizing the project as—

''(I) a road reconstruction project;

''(II) a new road construction project;

''(III) a new bridge construction project;

''(IV) a bridge rehabilitation project; or

''(V) a bridge replacement project;

''(vi) the ownership of the highway or bridge;

''(vii) whether the project is located in an area of the State with a population of—

''(I) less than 5,000 individuals;

''(II) 5,000 or more individuals but less than 50,000 individuals;

''(III) 50,000 or more individuals but less than 200,000 individuals; or

''(IV) 200,000 or more individuals; and

''(viii) available information on the estimated cost of the project as of the start of project construction, or the revised cost estimate based on a description of revisions to the scope of work or other factors affecting project cost other than cost overruns.''.

(b) CONFORMING AMENDMENT.—Section 1503 of MAP–21 (23 U.S.C. 104 note; Public Law 112–141) is amended by striking subsection (c).

SEC. 1403. ADDITIONAL DEPOSITS INTO HIGHWAY TRUST FUND.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 104 the following:

''§ 105. Additional deposits into Highway Trust Fund

''(a) IN GENERAL.—If monies are deposited into the Highway Account or Mass Transit Account pursuant to a law enacted subsequent to the date of enactment of the FAST Act, the Secretary shall make available additional amounts of contract authority under subsections (b) and (c).

''(b) AMOUNT OF ADJUSTMENT.—If monies are deposited into the Highway Account or the Mass Transit Account as described in subsection (a), on October 1 of the fiscal year following the deposit of such monies, the Secretary shall—

''(1) make available for programs authorized from such account for such fiscal year a total amount equal to—

''(A) the amount otherwise authorized to be appropriated for such programs for such fiscal year; plus

''(B) an amount equal to such monies deposited into such account during the previous fiscal year as described in subsection (a); and

''(2) distribute the additional amount under paragraph (1)(B) to each of such programs in accordance with subsection (c).

''(c) DISTRIBUTION OF ADJUSTMENT AMONG PROGRAMS.—

''(1) IN GENERAL.—In making an adjustment for programs authorized to be appropriated from the Highway Account or the Mass Transit Account for a fiscal year under subsection (b), the Secretary shall—

''(A) determine the ratio that—

''(i) the amount authorized to be appropriated for a program from the account for the fiscal year; bears to

''(ii) the total amount authorized to be appropriated for such fiscal year for all programs under such account;

''(B) multiply the ratio determined under subparagraph (A) by the amount of the adjustment determined under subsection (b)(1)(B); and

''(C) adjust the amount that the Secretary would otherwise have allocated for the program for such fiscal year by the amount calculated under subparagraph (B).

''(2) FORMULA PROGRAMS.—For a program for which funds are distributed by formula, the Secretary shall add the adjustment to the amount authorized for the program but for this section and make available the adjusted program amount for such program in accordance with such formula.

''(3) AVAILABILITY FOR OBLIGATION.—Adjusted amounts under this subsection shall be available for obligation and administered in the same manner as other amounts made available for the program for which the amount is adjusted.

''(d) EXCLUSION OF EMERGENCY RELIEF PROGRAM AND COVERED ADMINISTRATIVE EXPENSES.—The Secretary shall exclude the emergency relief program under section 125 and covered administrative expenses from an adjustment of funding under subsection (c)(1).

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated from the appropriate account or accounts of the Highway Trust Fund an amount equal to the amount of an adjustment for a fiscal year under subsection (b) for any of fiscal years 2017 through 2020.

''(f) REVISION TO OBLIGATION LIMITATIONS.—

''(1) IN GENERAL.—If the Secretary makes an adjustment under subsection (b) for a fiscal year to an amount subject to a limitation on obligations imposed by section 1102 or 3018 of the FAST Act—

''(A) such limitation on obligations for such fiscal year shall be revised by an amount equal to such adjustment; and

''(B) the Secretary shall distribute such limitation on obligations, as revised under subparagraph (A), in accordance with such sections.

''(2) EXCLUSION OF COVERED ADMINISTRATIVE EXPENSES.—The Secretary shall exclude covered administrative expenses from—

''(A) any calculation relating to a revision of a limitation on obligations under paragraph (1)(A); and

''(B) any distribution of a revised limitation on obligations under paragraph (1)(B).

''(g) DEFINITIONS.—In this section, the following definitions apply:

''(1) COVERED ADMINISTRATIVE EXPENSES.—The term 'covered administrative expenses' means the administrative expenses of—

''(A) the Federal Highway Administration, as authorized under section 104(a);

''(B) the National Highway Traffic Safety Administration, as authorized under section 4001(a)(6) of the FAST Act; and

''(C) the Federal Motor Carrier Safety Administration, as authorized under section 31110 of title 49.

''(2) HIGHWAY ACCOUNT.—The term 'Highway Account' means the portion of the Highway Trust Fund that is not the Mass Transit Account.

''(3) MASS TRANSIT ACCOUNT.—The term 'Mass Transit Account' means the Mass Transit Account of the Highway Trust Fund established under section 9503(e)(1) of the Internal Revenue Code of 1986.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 104 the following:

''105. Additional deposits into Highway Trust Fund.''.

SEC. 1404. DESIGN STANDARDS.

(a) IN GENERAL.—Section 109 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking ''may take into account'' and inserting ''shall consider'';

(ii) in subparagraph (B) by striking ''and'' at the end;

(iii) by redesignating subparagraph (C) as subparagraph (D); and

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

''(C) cost savings by utilizing flexibility that exists in current design guidance and regulations; and''; and

(B) in paragraph (2)—

(i) in subparagraph (C) by striking ''and'' at the end;

(ii) by redesignating subparagraph (D) as subparagraph (F); and

(iii) by inserting after subparagraph (C) the following:

''(D) the publication entitled 'Highway Safety Manual' of the American Association of State Highway and Transportation Officials;

''(E) the publication entitled 'Urban Street Design Guide' of the National Association of City Transportation Officials; and''; and

(2) in subsection (f) by inserting ''pedestrian walkways,'' after ''bikeways,''.

(b) DESIGN STANDARD FLEXIBILITY.—Notwithstanding section 109(o) of title 23, United States Code, a State may allow a local jurisdiction to use a roadway design publication that is different from the roadway design publication used by the State in which the local jurisdiction is located for the design of a project on a roadway under the ownership of the local jurisdiction (other than a highway on the Interstate System) if—

(1) the local jurisdiction is a direct recipient of Federal funds for the project;

(2) the roadway design publication—

(A) is recognized by the Federal Highway Administration; and

(B) is adopted by the local jurisdiction; and

(3) the design complies with all other applicable Federal laws.

SEC. 1405. JUSTIFICATION REPORTS FOR ACCESS POINTS ON THE INTERSTATE SYSTEM.

Section 111(e) of title 23, United States Code, is amended by inserting ''(including new or modified freeway-to-crossroad interchanges inside a transportation management area)'' after ''the Interstate System''.

SEC. 1406. PERFORMANCE PERIOD ADJUSTMENT.

(a) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—Section 119 of title 23, United States Code, is amended—

(1) in subsection (e)(7), by striking ''for 2 consecutive reports submitted under this paragraph shall include in the next report submitted'' and inserting ''shall include as part of the performance target report under section 150(e)''; and

(2) in subsection (f)(1)(A) in the matter preceding clause (i) by striking ''If, during 2 consecutive reporting periods, the condition of the Interstate System, excluding bridges on the Interstate System, in a State falls'' and inserting ''If a State reports that the condition of the Interstate System, excluding bridges on the Interstate System, has fallen''.

(b) HIGHWAY SAFETY IMPROVEMENT PROGRAM.—Section 148(i) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''performance targets of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets'' and inserting ''safety performance targets of the State established under section 150(d)''; and

(2) in paragraphs (1) and (2), by inserting ''safety'' before ''performance targets'' each place it appears.

SEC. 1407. VEHICLE-TO-INFRASTRUCTURE EQUIPMENT.

(a) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—Section 119(d)(2)(L) of title 23, United States Code, is amended by inserting '', including the installation of vehicle-to-infrastructure communication equipment'' after ''capital improvements''.

(b) SURFACE TRANSPORTATION BLOCK GRANT PROGRAM.—Section 133(b)(1)(D) of title 23, United States Code, is amended by inserting '', including the installation of vehicle-to-infrastructure communication equipment'' after ''capital improvements''.

SEC. 1408. FEDERAL SHARE PAYABLE.

(a) INNOVATIVE PROJECT DELIVERY METHODS.—Section 120(c)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A)(ii)—

(A) by inserting ''engineering or design approaches,'' after ''technologies,''; and

(B) by inserting ''or project delivery'' after ''or contracting'';

(2) in subparagraph (B)—

(A) in clause (iii) by inserting ''and alternative bidding'' before the semicolon at the end;

(B) in clause (iv) by striking ''or'' at the end;

(C) by redesignating clause (v) as clause (vi); and

(D) by inserting after clause (iv) the following:

''(v) innovative pavement materials that have a demonstrated life cycle of 75 or more years, are manufactured with reduced greenhouse gas emissions, and reduce construction-related congestion by rapidly curing; or''; and

(b) EMERGENCY RELIEF.—Section 120(e)(2) of title 23, United States Code, is amended by striking ''Federal land access transportation facilities'' and inserting ''other Federally owned roads that are open to public travel''.

SEC. 1409. MILK PRODUCTS.

Section 127(a) of title 23, United States Code, is amended by adding at the end the following:

''(13) MILK PRODUCTS.—A vehicle carrying fluid milk products shall be considered a load that cannot be easily dismantled or divided.''.

SEC. 1410. INTERSTATE WEIGHT LIMITS.

Section 127 of title 23, United States Code, is amended by adding at the end the following:

''(m) COVERED HEAVY-DUTY TOW AND RECOVERY VEHICLES.—

''(1) IN GENERAL.—The vehicle weight limitations set forth in this section do not apply to a covered heavy-duty tow and recovery vehicle.

''(2) COVERED HEAVY-DUTY TOW AND RECOVERY VEHICLE DEFINED.—In this subsection, the term 'covered heavy-duty tow and recovery vehicle' means a vehicle that—

''(A) is transporting a disabled vehicle from the place where the vehicle became disabled to the nearest appropriate repair facility; and

''(B) has a gross vehicle weight that is equal to or exceeds the gross vehicle weight of the disabled vehicle being transported.

''(n) OPERATION OF VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF TEXAS.—If any segment in the State of Texas of United States Route 59, United States Route 77, United States Route 281, United States Route 84, Texas State Highway 44, or another roadway is designated as Interstate Route 69, a vehicle that could operate legally on that segment before the date of the designation may continue to operate on that segment, without regard to any requirement under this section.

''(o) CERTAIN LOGGING VEHICLES IN THE STATE OF WISCONSIN.—

''(1) IN GENERAL.—The Secretary shall waive, with respect to a covered logging vehicle, the application of any vehicle weight limit established under this section.

''(2) COVERED LOGGING VEHICLE DEFINED.—In this subsection, the term 'covered logging vehicle' means a vehicle that—

''(A) is transporting raw or unfinished forest products, including logs, pulpwood, biomass, or wood chips;

''(B) has a gross vehicle weight of not more than 98,000 pounds;

''(C) has not less than 6 axles; and

''(D) is operating on a segment of Interstate Route 39 in the State of Wisconsin from mile marker 175.8 to mile marker 189.

''(p) OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.—If any segment of United States Route 63 between the exits for highways 14 and 75 in the State of Arkansas is designated as part of the Interstate System, the single axle weight, tandem axle weight, gross vehicle weight, and bridge formula limits under subsection (a) and the width limitation under section 31113(a) of title 49 shall not apply to that segment with respect to the operation of any vehicle that could operate legally on that segment before the date of the designation.

''(q) CERTAIN LOGGING VEHICLES IN THE STATE OF MINNESOTA.—

''(1) IN GENERAL.—The Secretary shall waive, with respect to a covered logging vehicle, the application of any vehicle weight limit established under this section.

''(2) COVERED LOGGING VEHICLE DEFINED.—In this subsection, the term 'covered logging vehicle' means a vehicle that—

''(A) is transporting raw or unfinished forest products, including logs, pulpwood, biomass, or wood chips;

''(B) has a gross vehicle weight of not more than 99,000 pounds;

''(C) has not less than 6 axles; and

''(D) is operating on a segment of Interstate Route 35 in the State of Minnesota from mile marker 235.4 to mile marker 259.552.

''(r) EMERGENCY VEHICLES.—

''(1) IN GENERAL.—Notwithstanding subsection (a), a State shall not enforce against an emergency vehicle a vehicle weight limit (up to a maximum gross vehicle weight of 86,000 pounds) of less than—

''(A) 24,000 pounds on a single steering axle;

''(B) 33,500 pounds on a single drive axle;

''(C) 62,000 pounds on a tandem axle; or

''(D) 52,000 pounds on a tandem rear drive steer axle.

''(2) EMERGENCY VEHICLE DEFINED.—In this subsection, the term 'emergency vehicle' means a vehicle designed to be used under emergency conditions—

''(A) to transport personnel and equipment; and

''(B) to support the suppression of fires and mitigation of other hazardous situations.

''(s) NATURAL GAS VEHICLES.—A vehicle, if operated by an engine fueled primarily by natural gas, may exceed any vehicle weight limit (up to a maximum gross vehicle weight of 82,000 pounds) under this section by an amount that is equal to the difference between—

''(1) the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle; and

''(2) the weight of a comparable diesel tank and fueling system.''.

SEC. 1411. TOLLING; HOV FACILITIES; INTERSTATE RECONSTRUCTION AND REHABILITATION.

(a) TOLLING.—Section 129(a) of title 23, United States Code, is amended—

(1) in paragraph (3)(A), in the matter preceding clause (i)—

(A) by striking ''shall use'' and inserting ''shall ensure that''; and

(B) by inserting ''are used'' before ''only for'';

(2) by striking paragraph (4) and redesignating paragraphs (5) through (9) as paragraphs (4) through (8), respectively; and

(3) in subparagraph (B) of paragraph (4) (as so redesignated) by striking ''Federal-aid system'' and inserting ''Federal-aid highways'';

(4) by inserting after paragraph (8) (as so redesignated)—

''(9) EQUAL ACCESS FOR OVER-THE-ROAD BUSES.—An over-the-road bus that serves the public shall be provided access to a toll facility under the same rates, terms, and conditions as public transportation buses.''; and

(5) in paragraph (10)—

(A) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

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

''(C) OVER-THE-ROAD BUS.—The term 'over-the-road bus' has the meaning given the term in section 301 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181).''.

(b) HOV FACILITIES.—Section 166 of title 23, United States Code, is amended—

(1) by striking ''the agency'' each place it appears and inserting ''the authority'';

(2) in subsection (a)(1)—

*(A) by striking the paragraph heading and inserting ''**AUTHORITY OF PUBLIC AUTHORITIES**'';*

(B) by striking ''State agency'' and inserting ''public authority'';

(3) in subsection (b)—

(A) by striking ''State agency'' each place it appears and inserting ''public authority'';

(B) in paragraph (3)—

(i) in subparagraph (A) by striking ''and'' at the end;

(ii) in subparagraph (B) by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(C) provides equal access under the same rates, terms, and conditions for all public transportation vehicles and over-the-road buses serving the public.'';

(C) in paragraph (4)(C)—

(i) in clause (i) by striking ''and'' at the end;

(ii) in clause (ii) by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) ensure that over-the-road buses serving the public are provided access to the facility under the same rates, terms, and conditions as public transportation buses.''; and

(D) in paragraph (5)—

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

''(A) SPECIAL RULE.—Before September 30, 2025, if a public authority establishes procedures for enforcing the restrictions on the use of a HOV facility by vehicles described in clauses (i) and (ii), the public authority may allow the use of the HOV facility by—

''(i) alternative fuel vehicles; and

''(ii) any motor vehicle described in section 30D(d)(1) of the Internal Revenue Code of 1986.''; and

(ii) in subparagraph (B) by striking ''2017'' and inserting ''2019'';

(4) in subsection (c)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Notwithstanding section 301, tolls may be charged under paragraphs (4) and (5) of subsection (b), subject to the requirements of section 129.''; and

(B) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(5) in subsection (d)—

(A) by striking ''State agency'' each place it appears and inserting ''public authority'';

(B) in paragraph (1)—

(i) by striking subparagraphs (D) and (E); and

(ii) by inserting after subparagraph (C) the following:

''(D) MAINTENANCE OF OPERATING PERFORMANCE.—

''(i) SUBMISSION OF PLAN.—Not later than 180 days after the date on which a facility is degraded under paragraph (2), the public authority with jurisdiction over the facility shall submit to the Secretary for approval a plan that details the actions the public authority will take to make significant progress toward bringing the facility into compliance with the minimum average operating speed performance standard through changes to the operation of the facility, including—

''(I) increasing the occupancy requirement for HOV lanes;

''(II) varying the toll charged to vehicles allowed under subsection (b) to reduce demand;

''(III) discontinuing allowing non-HOV vehicles to use HOV lanes under subsection (b); or

''(IV) increasing the available capacity of the HOV facility.

''(ii) NOTICE OF APPROVAL OR DISAPPROVAL.—Not later than 60 days after the date of receipt of a plan under clause (i), the Secretary shall provide to the public authority a written notice indicating whether the Secretary has approved or disapproved the plan based on a determination of whether the implementation of the plan will make significant progress toward bringing the HOV facility into compliance with the minimum average operating speed performance standard.

''(iii) ANNUAL PROGRESS UPDATES.—Until the date on which the Secretary determines that the public authority has brought the HOV facility into compliance with this subsection, the public authority shall submit annual updates that describe—

''(I) the actions taken to bring the HOV facility into compliance; and

''(II) the progress made by those actions.

''(E) COMPLIANCE.—If the public authority fails to bring a facility into compliance under subparagraph (D), the Secretary shall subject the public authority to appropriate program sanctions under section 1.36 of title 23, Code of Federal Regulations (or successor regulations), until the performance is no longer degraded.

''(F) WAIVER.—

''(i) IN GENERAL.—Upon the request of a public authority, the Secretary may waive the compliance requirements of subparagraph (E), if the Secretary determines that—

''(I) the waiver is in the best interest of the traveling public;

''(II) the public authority is meeting the conditions under subparagraph (D); and

''(III) the public authority has made a good faith effort to improve the performance of the facility.

''(ii) CONDITION.—The Secretary may require, as a condition of providing a waiver under this subparagraph, that a public authority take additional actions, as determined by the Secretary, to maximize the operating speed performance of the facility, even if such performance is below the level set under paragraph (2).'';

(6) in subsection (f)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by inserting ''solely'' before ''operating'';

(B) in paragraph (4)(B)(iii) by striking ''State agency'' and inserting ''public authority'';

(C) by striking paragraph (5);

(D) by redesignating paragraph (4) as paragraph (6); and

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

''(4) OVER-THE-ROAD BUS.—The term 'over-the-road bus' has the meaning given the term in section 301 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181).

''(5) PUBLIC AUTHORITY.—The term 'public authority' as used with respect to a HOV facility, means a State, interstate compact of States, public entity designated by a State, or local government having jurisdiction over the operation of the facility.''; and

(7) by adding at the end the following:

''(g) CONSULTATION OF MPO.—If a HOV facility charging tolls under paragraph (4) or (5) of subsection (b) is on the Interstate System and located in a metropolitan planning area established in accordance with section 134, the public authority shall consult with the metropolitan planning organization for the area concerning the placement and amount of tolls on the facility.''.

(c) INTERSTATE SYSTEM RECONSTRUCTION AND REHABILITATION PILOT PROGRAM.—Section 1216(b) of the Transportation Equity Act for the 21st Century (Public Law 105–178) is amended—

(1) in paragraph (4)—

(A) in subparagraph (D) by striking ''and'' at the end;

(B) in subparagraph (E) by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(F) the State has the authority required for the project to proceed.'';

(2) by redesignating paragraphs (6) through (8) as paragraphs (8) through (10), respectively; and

(3) by inserting after paragraph (5) the following:

''(6) REQUIREMENTS FOR PROJECT COMPLETION.—

''(A) GENERAL TERM FOR EXPIRATION OF PROVISIONAL APPLICATION.—An application provisionally approved by the Secretary under this subsection shall expire 3 years after the date on which the application was provisionally approved if the State has not—

''(i) submitted a complete application to the Secretary that fully satisfies the eligibility criteria under paragraph (3) and the selection criteria under paragraph (4);

''(ii) completed the environmental review and permitting process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the pilot project; and

''(iii) executed a toll agreement with the Secretary.

''(B) EXCEPTIONS TO EXPIRATION.—Notwithstanding subparagraph (A), the Secretary may extend the provisional approval for not more than 1 additional year if the State demonstrates material progress toward implementation of the project as evidenced by—

''(i) substantial progress in completing the environmental review and permitting process for the pilot project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(ii) funding and financing commitments for the pilot project;

''(iii) expressions of support for the pilot project from State and local governments, community interests, and the public; and

''(iv) submission of a facility management plan pursuant to paragraph (3)(D).

''(C) CONDITIONS FOR PREVIOUSLY PROVISIONALLY APPROVED APPLICATIONS.—A State with a provisionally approved application for a pilot project as of the date of enactment of the FAST Act shall have 1 year after that date of enactment to meet the requirements of subparagraph (A) or receive an extension from the Secretary under subparagraph (B), or the application will expire.

''(7) DEFINITION.—In this subsection, the term 'provisional approval' or 'provisionally approved' means the approval by the Secretary of a partial application under this subsection, including the reservation of a slot in the pilot program.''.

(d) APPROVAL OF APPLICATIONS.—The Secretary may approve an application submitted under section 1604(c) of SAFETEA–LU (Public Law 109–59; 119 Stat. 1253) if the application, or any part of the application, was submitted before the deadline specified in section 1604(c)(8) of that Act.

SEC. 1412. PROJECTS FOR PUBLIC SAFETY RELATING TO IDLING TRAINS.

Section 130(a) of title 23, United States Code, is amended by striking ''and the relocation of highways to eliminate grade crossings'' and inserting ''the relocation of highways to eliminate grade crossings, and projects at grade crossings to eliminate hazards posed by blocked grade crossings due to idling trains''.

SEC. 1413. NATIONAL ELECTRIC VEHICLE CHARGING AND HYDROGEN, PROPANE, AND NATURAL GAS FUELING CORRIDORS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 150 the following:

''§ 151. National electric vehicle charging and hydrogen, propane, and natural gas fueling corridors

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the FAST Act, the Secretary shall designate national electric vehicle charging and hydrogen, propane, and natural gas fueling corridors that identify the near- and long-term need for, and location of, electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure at strategic locations along major national highways to improve the mobility of passenger and commercial vehicles that employ electric, hydrogen fuel cell, propane, and natural gas fueling technologies across the United States.

''(b) DESIGNATION OF CORRIDORS.—In designating the corridors under subsection (a), the Secretary shall—

''(1) solicit nominations from State and local officials for facilities to be included in the corridors;

''(2) incorporate existing electric vehicle charging, hydrogen fueling, propane fueling, and natural gas fueling corridors designated by a State or group of States; and

''(3) consider the demand for, and location of, existing electric vehicle charging stations, hydrogen fueling stations, propane fueling stations, and natural gas fueling infrastructure.

''(c) STAKEHOLDERS.—In designating corridors under subsection (a), the Secretary shall involve, on a voluntary basis, stakeholders that include—

''(1) the heads of other Federal agencies;

''(2) State and local officials;

''(3) representatives of—

''(A) energy utilities;

''(B) the electric, fuel cell electric, propane, and natural gas vehicle industries;

''(C) the freight and shipping industry;

''(D) clean technology firms;

''(E) the hospitality industry;

''(F) the restaurant industry;

''(G) highway rest stop vendors; and

''(H) industrial gas and hydrogen manufacturers; and

''(4) such other stakeholders as the Secretary determines to be necessary.

''(d) REDESIGNATION.—Not later than 5 years after the date of establishment of the corridors under subsection (a), and every 5 years thereafter, the Secretary shall update and redesignate the corridors.

''(e) REPORT.—During designation and redesignation of the corridors under this section, the Secretary shall issue a report that—

''(1) identifies electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure and standardization needs for electricity providers, industrial gas providers, natural gas providers, infrastructure providers, vehicle manufacturers, electricity purchasers, and natural gas purchasers; and

''(2) establishes an aspirational goal of achieving strategic deployment of electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, and natural gas fueling infrastructure in those corridors by the end of fiscal year 2020.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by inserting after the item relating to section 150 the following:

''151. National electric vehicle charging and hydrogen, propane, and natural gas fueling corridors.''.

(c) OPERATION OF BATTERY RECHARGING STATIONS IN PARKING AREAS USED BY FEDERAL EMPLOYEES.—

(1) AUTHORIZATION.—

(A) IN GENERAL.—The Administrator of General Services may install, construct, operate, and maintain on a reimbursable basis a battery recharging station (or allow, on a reimbursable basis, the use of a 120-volt electrical receptacle for battery recharging) in a parking area that is in the custody, control, or administrative jurisdiction of the General Services Administration for the use of only privately owned vehicles of employees of the General Services Administration, tenant Federal agencies, and others who are authorized to park in such area to the extent such use by only privately owned vehicles does not interfere with or impede access to the equipment by Federal fleet vehicles.

(B) AREAS UNDER OTHER FEDERAL AGENCIES.—The Administrator of General Services (on the request of a Federal agency) or the head of a Federal agency may install, construct, operate, and maintain on a reimbursable basis a battery recharging station (or allow, on a reimbursable basis, the use of a 120-volt electrical receptacle for battery recharging) in a parking area that is in the custody, control, or administrative jurisdiction of the requesting Federal agency, to the extent such use by only privately owned vehicles does not interfere with or impede access to the equipment by Federal fleet vehicles.

(C) USE OF VENDORS.—The Administrator of General Services, with respect to subparagraph (A) or (B), or the head of a Federal agency, with respect to subparagraph (B), may carry out such subparagraph through a contract with a vendor, under such terms and conditions (including terms relating to the allocation between the Federal agency and the vendor of the costs of carrying out the contract) as the Administrator or the head of the Federal agency, as the case may be, and the vendor may agree to.

(2) IMPOSITION OF FEES TO COVER COSTS.—

(A) FEES.—The Administrator of General Services or the head of the Federal agency under paragraph (1)(B) shall charge fees to the individuals who use the battery recharging station in such amount as is necessary to ensure that the respective agency recovers all of the costs such agency incurs in installing, constructing, operating, and maintaining the station.

(B) DEPOSIT AND AVAILABILITY OF FEES.—Any fees collected by the Administrator of General Services or the Federal agency, as the case may be, under this paragraph shall be—

(i) deposited monthly in the Treasury to the credit of the respective agency's appropriations account for the operations of the building where the battery recharging station is located; and

(ii) available for obligation without further appropriation during—

(I) the fiscal year collected; and

(II) the fiscal year following the fiscal year collected.

(3) NO EFFECT ON EXISTING PROGRAMS FOR HOUSE AND SENATE.—Nothing in this subsection affects the installation, construction, operation, or maintenance of battery recharging stations by the Architect of the Capitol—

(A) under Public Law 112–170 (2 U.S.C. 2171), relating to employees of the House of Representatives and individuals authorized to park in any parking area under the jurisdiction of the House of Representatives on the Capitol Grounds; or

(B) under Public Law 112–167 (2 U.S.C. 2170), relating to employees of the Senate and individuals authorized to park in any parking area under the jurisdiction of the Senate on the Capitol Grounds.

(4) NO EFFECT ON SIMILAR AUTHORITIES.—Nothing in this subsection—

(A) repeals or limits any existing authorities of a Federal agency to install, construct, operate, or maintain battery recharging stations; or

(B) requires a Federal agency to seek reimbursement for the costs of installing or constructing a battery recharging station—

(i) that has been installed or constructed prior to the date of enactment of this Act;

(ii) that is installed or constructed for Federal fleet vehicles, but that receives incidental use to recharge privately owned vehicles; or

(iii) that is otherwise installed or constructed pursuant to appropriations for that purpose.

(5) ANNUAL REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, and annually thereafter for 10 years, the Administrator of General Services shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing—

(A) the number of battery recharging stations installed by the Administrator on the Administrator's own initiative under this subsection;

(B) requests from other Federal agencies to install battery recharging stations; and

(C) the status and disposition of requests from other Federal agencies.

(6) FEDERAL AGENCY DEFINED.—In this subsection, the term ''Federal agency'' has the meaning given the term ''Executive agency'' in section 105 of title 5, United States Code, and includes—

(A) the United States Postal Service;

(B) the Executive Office of the President;

(C) the military departments (as defined in section 102 of title 5, United States Code); and

(D) the judicial branch.

(7) EFFECTIVE DATE.—This subsection shall apply with respect to fiscal year 2016 and each succeeding fiscal year.

SEC. 1414. REPEAT OFFENDER CRITERIA.

Section 164(a) of title 23, United States Code, is amended—

(1) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

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

''(1) 24-7 SOBRIETY PROGRAM.—The term '24-7 sobriety program' has the meaning given the term in section 405(d)(7)(A).'';

(3) in paragraph (5), as redesignated—

(A) in the matter preceding subparagraph (A), by inserting ''or combination of laws or programs'' after ''State law'';

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

''(A) receive, for a period of not less than 1 year—

''(i) a suspension of all driving privileges;

''(ii) a restriction on driving privileges that limits the individual to operating only motor vehicles with an ignition interlock device installed, unless a special exception applies;

''(iii) a restriction on driving privileges that limits the individual to operating motor vehicles only if participating in, and complying with, a 24-7 sobriety program; or

''(iv) any combination of clauses (i) through (iii);'';

(C) by striking subparagraph (B);

(D) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(E) in subparagraph (C), as redesignated—

(i) in clause (i)(II) by inserting before the semicolon the following: ''(unless the State certifies that the general practice is that such an individual will be incarcerated)''; and

(ii) in clause (ii)(II) by inserting before the period at the end the following: ''(unless the State certifies that the general practice is that such an individual will receive 10 days of incarceration)''; and

(4) by adding at the end the following:

''(6) SPECIAL EXCEPTION.—The term 'special exception' means an exception under a State alcohol-ignition interlock law for the following circumstances:

''(A) The individual is required to operate an employer's motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual.

''(B) The individual is certified by a medical doctor as being unable to provide a deep lung breath sample for analysis by an ignition interlock device.''.

SEC. 1415. ADMINISTRATIVE PROVISIONS TO ENCOURAGE POLLINATOR HABITAT AND FORAGE ON TRANSPORTATION RIGHTS-OF-WAY.

(a) IN GENERAL.—Section 319 of title 23, United States Code, is amended—

(1) in subsection (a) by inserting ''(including the enhancement of habitat and forage for pollinators)'' before ''adjacent''; and

(2) by adding at the end the following:

''(c) ENCOURAGEMENT OF POLLINATOR HABITAT AND FORAGE DEVELOPMENT AND PROTECTION ON TRANSPORTATION RIGHTS-OF-WAY.—In carrying out any program administered by the Secretary under this title, the Secretary shall, in conjunction with willing States, as appropriate—

''(1) encourage integrated vegetation management practices on roadsides and other transportation rights-of-way, including reduced mowing; and

''(2) encourage the development of habitat and forage for Monarch butterflies, other native pollinators, and honey bees through plantings of native forbs and grasses, including noninvasive, native milkweed species that can serve as migratory way stations for butterflies and facilitate migrations of other pollinators.''.

(b) PROVISION OF HABITAT, FORAGE, AND MIGRATORY WAY STATIONS FOR MONARCH BUTTERFLIES, OTHER NATIVE POLLINATORS, AND HONEY BEES.—Section 329(a)(1) of title 23, United States Code, is amended by inserting ''provision of habitat, forage, and migratory way stations for Monarch butterflies, other native pollinators, and honey bees,'' before ''and aesthetic enhancement''.

SEC. 1416. HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.

(a) IDENTIFICATION OF HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 112 Stat. 190; 119 Stat. 1213) is amended—

(1) by striking paragraph (13) and inserting the following:

''(13) Raleigh-Norfolk Corridor from Raleigh, North Carolina, through Rocky Mount, Williamston, and Elizabeth City, North Carolina, to Norfolk, Virginia.'';

(2) in paragraph (18)(D)—

(A) in clause (ii) by striking ''and'' at the end;

(B) in clause (iii) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(iv) include Texas State Highway 44 from United States Route 59 at Freer, Texas, to Texas State Highway 358.'';

(3) by striking paragraph (68) and inserting the following:

''(68) The Washoe County Corridor and the Intermountain West Corridor, which shall generally follow—

''(A) for the Washoe County Corridor, along Interstate Route 580/United States Route 95/United States Route 95A from Reno, Nevada, to Las Vegas, Nevada; and

''(B) for the Intermountain West Corridor, from the vicinity of Las Vegas, Nevada, north along United States Route 95 terminating at Interstate Route 80.''; and

(4) by adding at the end the following:

''(81) United States Route 117/Interstate Route 795 from United States Route 70 in Goldsboro, Wayne County, North Carolina, to Interstate Route 40 west of Faison, Sampson County, North Carolina.

''(82) United States Route 70 from its intersection with Interstate Route 40 in Garner, Wake County, North Carolina, to the Port at Morehead City, Carteret County, North Carolina.

''(83) The Sonoran Corridor along State Route 410 connecting Interstate Route 19 and Interstate Route 10 south of the Tucson International Airport.

''(84) The Central Texas Corridor commencing at the logical terminus of Interstate Route 10, generally following portions of United States Route 190 eastward, passing in the vicinity Fort Hood, Killeen, Belton, Temple, Bryan, College Station, Huntsville, Livingston, and Woodville, to the logical terminus of Texas Highway 63 at the Sabine River Bridge at Burrs Crossing.

''(85) Interstate Route 81 in New York from its intersection with Interstate Route 86 to the United States-Canadian border.

''(86) Interstate Route 70 from Denver, Colorado, to Salt Lake City, Utah.

''(87) The Oregon 99W Newberg-Dundee Bypass Route between Newberg, Oregon, and Dayton, Oregon.

''(88) Interstate Route 205 in Oregon from its intersection with Interstate Route 5 to the Columbia River.''.

(b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 (109 Stat. 597; 118 Stat. 293; 119 Stat. 1213) is amended in the first sentence—

(1) by inserting ''subsection (c)(13),'' after ''subsection (c)(9),'';

(2) by striking ''subsections (c)(18)'' and all that follows through ''subsection (c)(36)'' and inserting ''subsection (c)(18), subsection (c)(20), subparagraphs (A) and (B)(i) of subsection (c)(26), subsection (c)(36)''; and

(3) by striking ''and subsection (c)(57)'' and inserting ''subsection (c)(57), subsection (c)(68)(B), subsection (c)(81), subsection (c)(82), and subsection (c)(83)''.

(c) DESIGNATION.—Section 1105(e)(5)(C)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 (109 Stat. 598; 126 Stat. 427) is amended by striking the final sentence and inserting the following: ''The routes referred to in subparagraphs (A) and (B)(i) of subsection (c)(26) and in subsection (c)(68)(B) are designated as Interstate Route I–11. The route referred to in subsection (c)(84) is designated as Interstate Route I–14.''.

(d) FUTURE INTERSTATE DESIGNATION.—Section 119(a) of the SAFETEA–LU Technical Corrections Act of 2008 (122 Stat. 1608) is amended by striking ''and, as a future Interstate Route 66 Spur, the Natcher Parkway in Owensboro, Kentucky'' and inserting ''between Henderson, Kentucky, and Owensboro, Kentucky, and, as a future Interstate Route 65 and 66 Spur, the William H. Natcher Parkway between Bowling Green, Kentucky, and Owensboro, Kentucky''.

SEC. 1417. WORK ZONE AND GUARD RAIL SAFETY TRAINING.

(a) IN GENERAL.—Section 1409 of SAFETEA–LU (23 U.S.C. 401 note) is amended—

*(1) by striking the section heading and inserting ''**WORK ZONE AND GUARD RAIL SAFETY TRAINING**''; and*

(2) in subsection (b) by adding at the end the following:

''(4) Development, updating, and delivery of training courses on guard rail installation, maintenance, and inspection.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 1409 and inserting the following:

''Sec. 1409. Work zone and guard rail safety training.''.

SEC. 1418. CONSOLIDATION OF PROGRAMS.

Section 1519(a) of MAP–21 (126 Stat. 574) is amended by striking ''From administrative funds'' and all that follows through ''shall be made available'' and inserting ''For each of fiscal years 2016 through 2020, before making an apportionment under section 104(b)(3) of title 23, United States Code, the Secretary shall set aside, from amounts made available to carry out the highway safety improvement program under section 148 of such title for the fiscal year, $3,500,000''.

SEC. 1419. ELIMINATION OR MODIFICATION OF CERTAIN REPORTING REQUIREMENTS.

(a) FUNDAMENTAL PROPERTIES OF ASPHALTS REPORT.—Section 6016(e) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2183) is repealed.

(b) EXPRESS LANES DEMONSTRATION PROGRAM REPORTS.—Section 1604(b)(7)(B) of SAFETEA–LU (23 U.S.C. 129 note) is repealed.

SEC. 1420. FLEXIBILITY FOR PROJECTS.

(a) AUTHORITY.—With respect to projects eligible for funding under title 23, United States Code, subject to subsection (b) and on request by a State, the Secretary may—

(1) exercise all existing flexibilities under and exceptions to—

(A) the requirements of title 23, United States Code; and

(B) other requirements administered by the Secretary, in whole or part; and

(2) otherwise provide additional flexibility or expedited processing with respect to the requirements described in paragraph (1).

(b) MAINTAINING PROTECTIONS.—Nothing in this section—

(1) waives the requirements of section 113 or 138 of title 23, United States Code;

(2) supersedes, amends, or modifies—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or any other Federal environmental law; or

(B) any requirement of title 23 or title 49, United States Code; or

(3) affects the responsibility of any Federal officer to comply with or enforce any law or requirement described in this subsection.

SEC. 1421. PRODUCTIVE AND TIMELY EXPENDITURE OF FUNDS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop guidance that encourages the use of programmatic approaches to project delivery, expedited and prudent procurement techniques, and other best practices to facilitate productive, effective, and timely expenditure of funds for projects eligible for funding under title 23, United States Code.

(b) IMPLEMENTATION.—The Secretary shall work with States to ensure that any guidance developed under subsection (a) is consistently implemented by States and the Federal Highway Administration to—

(1) avoid unnecessary delays in completing projects;

(2) minimize cost overruns; and

(3) ensure the effective use of Federal funding.

SEC. 1422. STUDY ON PERFORMANCE OF BRIDGES.

(a) IN GENERAL.—Subject to subsection (c), the Administrator of the Federal Highway Administration (referred to in this section as the ''Administrator'') shall commission the Transportation Research Board of the National Academy of Sciences to conduct a study on the performance of bridges that received funding under the innovative bridge research and construction program (referred to in this section as the ''program'') under section 503(b) of title 23, United States Code (as in effect on the day before the date of enactment of SAFETEA–LU (Public Law 109–59; 119 Stat. 1144)) in meeting the goals of that program, which included—

(1) the development of new, cost-effective innovative material highway bridge applications;

(2) the reduction of maintenance costs and lifecycle costs of bridges, including the costs of new construction, replacement, or rehabilitation of deficient bridges;

(3) the development of construction techniques to increase safety and reduce construction time and traffic congestion;

(4) the development of engineering design criteria for innovative products and materials for use in highway bridges and structures;

(5) the development of cost-effective and innovative techniques to separate vehicle and pedestrian traffic from railroad traffic;

(6) the development of highway bridges and structures that will withstand natural disasters, including alternative processes for the seismic retrofit of bridges; and

(7) the development of new nondestructive bridge evaluation technologies and techniques.

(b) CONTENTS.—The study commissioned under subsection (a) shall include—

(1) an analysis of the performance of bridges that received funding under the program in meeting the goals described in paragraphs (1) through (7) of subsection (a);

(2) an analysis of the utility, compared to conventional materials and technologies, of each of the innovative materials and technologies used in projects for bridges under the program in meeting the needs of the United States in 2015 and in the future for a sustainable and low lifecycle cost transportation system;

(3) recommendations to Congress on how the installed and lifecycle costs of bridges could be reduced through the use of innovative materials and technologies, including, as appropriate, any changes in the design and construction of bridges needed to maximize the cost reductions; and

(4) a summary of any additional research that may be needed to further evaluate innovative approaches to reducing the installed and lifecycle costs of highway bridges.

(c) PUBLIC COMMENT.—Before commissioning the study under subsection (a), the Administrator shall provide an opportunity for public comment on the study proposal.

(d) DATA FROM STATES.—Each State that received funds under the program shall provide to the Transportation Research Board any relevant data needed to carry out the study commissioned under subsection (a).

(e) DEADLINE.—The Administrator shall submit to Congress the study commissioned under subsection (a) not later than 3 years after the date of enactment of this Act.

SEC. 1423. RELINQUISHMENT OF PARK-AND-RIDE LOT FACILITIES.

A State transportation agency may relinquish park-and-ride lot facilities or portions of park-and-ride lot facilities to a local government agency for highway purposes if authorized to do so under State law if the agreement providing for the relinquishment provides that—

(1) rights-of-way on the Interstate System will remain available for future highway improvements; and

(2) modifications to the facilities that could impair the highway or interfere with the free and safe flow of traffic are subject to the approval of the Secretary.

SEC. 1424. PILOT PROGRAM.

(a) IN GENERAL.—The Administrator of the Federal Highway Administration (referred to in this section as the ''Administrator'') may establish a pilot program that allows a State to utilize innovative approaches to maintain the right-of-way of Federal-aid highways within the State.

(b) LIMITATION.—A pilot program established under subsection (a) shall—

(1) terminate after not more than 4 years;

(2) include not more than 5 States; and

(3) be subject to guidelines published by the Administrator.

(c) REPORT.—If the Administrator establishes a pilot program under subsection (a), the Administrator shall, not more than 1 year after the completion of the pilot program, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the pilot program.

(d) SAVINGS PROVISION.—Nothing in this section may be construed to affect the requirements of section 111 of title 23, United States Code.

SEC. 1425. SERVICE CLUB, CHARITABLE ASSOCIATION, OR RELIGIOUS SERVICE SIGNS.

Notwithstanding section 131 of title 23, United States Code, and part 750 of title 23, Code of Federal Regulations (or successor regulations), if a State notifies the Federal Highway Administration, the State may allow the maintenance of a sign of a service club, charitable association, or religious service organization—

(1) that exists on the date of enactment of this Act (or was removed in the 3-year period ending on such date of enactment); and

(2) the area of which is less than or equal to 32 square feet.

SEC. 1426. MOTORCYCLIST ADVISORY COUNCIL.

The Secretary, acting through the Administrator of the Federal Highway Administration, shall appoint a Motorcyclist Advisory Council to coordinate with and advise the Administrator on infrastructure issues of concern to motorcyclists, including—

(1) barrier design;

(2) road design, construction, and maintenance practices; and

(3) the architecture and implementation of intelligent transportation system technologies.

SEC. 1427. HIGHWAY WORK ZONES.

It is the sense of Congress that the Federal Highway Administration should—

(1) do all within its power to protect workers in highway work zones; and

(2) move rapidly to finalize regulations, as directed in section 1405 of MAP–21 (126 Stat. 560), to protect the lives and safety of construction workers in highway work zones from vehicle intrusions.

SEC. 1428. USE OF DURABLE, RESILIENT, AND SUSTAINABLE MATERIALS AND PRACTICES.

To the extent practicable, the Secretary shall encourage the use of durable, resilient, and sustainable materials and practices, including the use of geosynthetic materials and other innovative technologies, in carrying out the activities of the Federal Highway Administration.

SEC. 1429. IDENTIFICATION OF ROADSIDE HIGHWAY SAFETY HARDWARE DEVICES.

(a) STUDY.—The Secretary shall conduct a study on methods for identifying roadside highway safety hardware devices to improve the data collected on the devices, as necessary for in-service evaluation of the devices.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate identification methods based on the ability of the method—

(1) to convey information on the devices, including manufacturing date, factory of origin, product brand, and model;

(2) to withstand roadside conditions; and

(3) to connect to State and regional inventories of similar devices.

(c) IDENTIFICATION METHODS.—The identification methods to be studied under this section include stamped serial numbers, radio-frequency identification, and such other methods as the Secretary determines appropriate.

(d) REPORT TO CONGRESS.—Not later than January 1, 2018, the Secretary shall submit to Congress a report on the results of the study under subsection (a).

SEC. 1430. USE OF MODELING AND SIMULATION TECHNOLOGY.

It is the sense of Congress that the Department should utilize, to the fullest and most economically feasible extent practicable, modeling and simulation technology to analyze highway and public transportation projects authorized by this Act to ensure that these projects—

(1) will increase transportation capacity and safety, alleviate congestion, and reduce travel time and environmental impacts; and

(2) are as cost effective as practicable.

SEC. 1431. NATIONAL ADVISORY COMMITTEE ON TRAVEL AND TOURISM INFRASTRUCTURE.

(a) FINDINGS.—Congress finds that—

(1) 1 out of every 9 jobs in the United States depends on travel and tourism, and the industry supports 15,000,000 jobs in the United States;

(2) the travel and tourism industry employs individuals in all 50 States, the District of Columbia, and all of the territories of the United States;

(3) international travel to the United States is the single largest export industry in the United States, generating a trade surplus balance of approximately $74,000,000,000;

(4) travel and tourism provide significant economic benefits to the United States by generating nearly $2,100,000,000,000 in annual economic output; and

(5) the United States intermodal transportation network facilitates the large-scale movement of business and leisure travelers, and is the most important asset of the travel industry.

(b) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish an advisory committee to be known as the National Advisory Committee on Travel and Tourism Infrastructure (referred to in this section as the ''Committee'') to provide information, advice, and recommendations to the Secretary on matters relating to the role of intermodal transportation in facilitating mobility related to travel and tourism activities.

(c) MEMBERSHIP.—The Committee shall—

(1) be composed of members appointed by the Secretary for terms of not more than 3 years; and

(2) include a representative cross-section of public and private sector stakeholders involved in the travel and tourism industry, including representatives of—

(A) the travel and tourism industry, product and service providers, and travel and tourism-related associations;

(B) travel, tourism, and destination marketing organizations;

(C) the travel and tourism-related workforce;

(D) State tourism offices;

(E) State departments of transportation;

(F) regional and metropolitan planning organizations; and

(G) local governments.

(d) ROLE OF COMMITTEE.—The Committee shall—

(1) advise the Secretary on current and emerging priorities, issues, projects, and funding needs related to the use of the intermodal transportation network of the United States to facilitate travel and tourism;

(2) serve as a forum for discussion for travel and tourism stakeholders on transportation issues affecting interstate and interregional mobility of passengers;

(3) promote the sharing of information between the private and public sectors on transportation issues impacting travel and tourism;

(4) gather information, develop technical advice, and make recommendations to the Secretary on policies that improve the condition and performance of an integrated national transportation system that—

(A) is safe, economical, and efficient; and

(B) maximizes the benefits to the United States generated through the travel and tourism industry;

(5) identify critical transportation facilities and corridors that facilitate and support the interstate and interregional transportation of passengers for tourism, commercial, and recreational activities;

(6) provide for development of measures of condition, safety, and performance for transportation related to travel and tourism;

(7) provide for development of transportation investment, data, and planning tools to assist Federal, State, and local officials in making investment decisions relating to transportation projects that improve travel and tourism; and

(8) address other issues of transportation policy and programs impacting the movement of travelers for tourism and recreational purposes, including by making legislative recommendations.

(e) NATIONAL TRAVEL AND TOURISM INFRASTRUCTURE STRATEGIC PLAN.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Committee, State departments of transportation, and other appropriate public and private transportation stakeholders, shall develop and post on the public Internet website of the Department a national travel and tourism infrastructure strategic plan that includes—

(1) an assessment of the condition and performance of the national transportation network;

(2) an identification of the issues on the national transportation network that create significant congestion problems and barriers to long-haul passenger travel and tourism,

(3) forecasts of long-haul passenger travel and tourism volumes for the 20-year period beginning in the year during which the plan is issued;

(4) an identification of the major transportation facilities and corridors for current and forecasted long-haul travel and tourism volumes, the identification of which shall be revised, as appropriate, in subsequent plans;

(5) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved long-haul passenger travel performance (including opportunities for overcoming the barriers);

(6) best practices for improving the performance of the national transportation network; and

(7) strategies to improve intermodal connectivity for long-haul passenger travel and tourism.

SEC. 1432. EMERGENCY EXEMPTIONS.

(a) IN GENERAL.—Any road, highway, railway, bridge, or transit facility that is damaged by an emergency that is declared by the Governor of the State, with the concurrence of the Secretary of Homeland Security, or declared as an emergency by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), and that is in operation or under construction on the date on which the emergency occurs may be reconstructed in the same location with the same capacity, dimensions, and design as before the emergency subject to the exemptions and expedited procedures under subsection (b).

(b) EXEMPTIONS AND EXPEDITED PROCEDURES.—

(1) ALTERNATIVE ARRANGEMENTS.—Alternative arrangements for an emergency under section 1506.11 of title 40, Code of Federal Regulations

(as in effect on the date of enactment of this Act) shall apply to reconstruction under subsection (a), and the reconstruction shall be considered necessary to control the immediate impacts of the emergency.

(2) STORMWATER DISCHARGE PERMITS.—A general permit for stormwater discharges from construction activities, if available, issued by the Administrator of the Environmental Protection Agency or the director of a State program under section 402(p) of the Federal Water Pollution Control Act (33 U.S.C. 1342(p)), as applicable, shall apply to reconstruction under subsection (a), on submission of a notice of intent to be subject to the permit.

(3) EMERGENCY PROCEDURES.—The emergency procedures for issuing permits in accordance with section 325.2(e)(4) of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act) shall apply to reconstruction under subsection (a), and the reconstruction shall be considered an emergency under that regulation.

(4) NATIONAL HISTORIC PRESERVATION ACT EXEMPTION.—Reconstruction under subsection (a) is eligible for an exemption from the requirements of the National Historic Preservation Act of 1966 pursuant to part 78 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(5) ENDANGERED SPECIES ACT EXEMPTION.—An exemption from the requirements of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) pursuant to section 7(p) of that Act (16 U.S.C. 1536(p)) shall apply to reconstruction under subsection (a) and, if the President makes the determination required under section 7(p) of that Act, the determinations required under subsections (g) and (h) of that section shall be deemed to be made.

(6) EXPEDITED CONSULTATION UNDER ENDANGERED SPECIES ACT.—Expedited consultation pursuant to section 402.05 of title 50, Code of Federal Regulations (as in effect on the date of enactment of this Act) shall apply to reconstruction under subsection (a).

(7) OTHER EXEMPTIONS.—Any reconstruction that is exempt under paragraph (5) shall also be exempt from requirements under—

(A) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(B) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.); and

(C) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.).

SEC. 1433. REPORT ON HIGHWAY TRUST FUND ADMINISTRATIVE EXPENDITURES.

(a) INITIAL REPORT.—Not later than 150 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report describing the administrative expenses of the Federal Highway Administration funded from the Highway Trust Fund during the 3 most recent fiscal years.

(b) UPDATES.—Not later than 5 years after the date on which the report is submitted under subsection (a) and every 5 years thereafter, the Comptroller General shall submit to Congress a report that updates the information provided in the report under that subsection for the preceding 5-year period.

(c) INCLUSIONS.—Each report submitted under subsection (a) or (b) shall include a description of—

(1) the types of administrative expenses of programs and offices funded by the Highway Trust Fund;

(2) the tracking and monitoring of administrative expenses;

(3) the controls in place to ensure that funding for administrative expenses is used as efficiently as practicable; and

(4) the flexibility of the Department to reallocate amounts from the Highway Trust Fund between full-time equivalent employees and other functions.

SEC. 1434. AVAILABILITY OF REPORTS.

(a) IN GENERAL.—The Secretary shall make available to the public on the website of the Department any report required to be submitted by the Secretary to Congress after the date of enactment of this Act.

(b) DEADLINE.—Each report described in subsection (a) shall be made available on the website not later than 30 days after the report is submitted to Congress.

SEC. 1435. APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.

Section 1528 of MAP–21 (40 U.S.C. 14501 note; Public Law 112–141) is amended—

(1) by striking ''2021'' each place it appears and inserting ''2050''; and

(2) by striking ''shall be 100 percent'' each place it appears and inserting ''shall be up to 100 percent, as determined by the State''.

SEC. 1436. APPALACHIAN REGIONAL DEVELOPMENT PROGRAM.

(a) HIGH-SPEED BROADBAND DEVELOPMENT INITIATIVE.—

(1) IN GENERAL.—Subchapter I of chapter 145 of subtitle IV of title 40, United States Code, is amended by adding at the end the following:

''§ 14509. High-speed broadband deployment initiative

''(a) IN GENERAL.—The Appalachian Regional Commission may provide technical assistance, make grants, enter into contracts, or otherwise provide amounts to individuals or entities in the Appalachian region for projects and activities—

''(1) to increase affordable access to broadband networks throughout the Appalachian region;

''(2) to conduct research, analysis, and training to increase broadband adoption efforts in the Appalachian region;

''(3) to provide technology assets, including computers, smartboards, and video projectors to educational systems throughout the Appalachian region;

''(4) to increase distance learning opportunities throughout the Appalachian region;

''(5) to increase the use of telehealth technologies in the Appalachian region; and

''(6) to promote e-commerce applications in the Appalachian region.

''(b) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section—

''(1) not more than 50 percent may be provided from amounts appropriated to carry out this section; and

''(2) notwithstanding paragraph (1)—

''(A) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, not more than 80 percent may be provided from amounts appropriated to carry out this section; and

''(B) in the case of a project to be carried out in a county for which an at-risk designation is in effect under section 14526, not more than 70 percent may be provided from amounts appropriated to carry out this section.

''(c) SOURCES OF ASSISTANCE.—Subject to subsection (b), a grant provided under this section may be provided from amounts made available to carry out this section in combination with amounts made available—

''(1) under any other Federal program; or

''(2) from any other source.

''(d) FEDERAL SHARE.—Notwithstanding any provision of law limiting the Federal share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Appalachian Regional Commission determines to be appropriate.''.

(2) CONFORMING AMENDMENT.—The analysis for chapter 145 of title 40, United States Code, is amended by inserting after the item relating to section 14508 the following:

''14509. High-speed broadband deployment initiative.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 14703 of title 40, United States Code, is amended—

(1) in subsection (a)(5), by striking ''fiscal year 2012'' and inserting ''each of fiscal years 2012 through 2020'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

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

''(c) HIGH-SPEED BROADBAND DEPLOYMENT INITIATIVE.—Of the amounts made available under subsection (a), $10,000,000 may be used to carry out section 14509 for each of fiscal years 2016 through 2020.''.

(c) TERMINATION.—Section 14704 of title 40, United States Code, is amended by striking ''2012'' and inserting ''2020''.

(d) EFFECTIVE DATE.—This section and the amendments made by this section take effect on October 1, 2015.

SEC. 1437. BORDER STATE INFRASTRUCTURE.

(a) IN GENERAL.—After consultation with relevant transportation planning organizations, the Governor of a State that shares a land border with Canada or Mexico may designate for each fiscal year not more than 5 percent of the funds made available to the State under section 133(d)(1)(B) of title 23, United States Code, for border infrastructure projects eligible under section 1303 of SAFETEA–LU (23 U.S.C. 101 note; 119 Stat. 1207).

(b) USE OF FUNDS.—Funds designated under this section shall be available under the requirements of section 1303 of SAFETEA–LU (23 U.S.C. 101 note; 119 Stat. 1207).

(c) CERTIFICATION.—Before making a designation under subsection (a), the Governor shall certify that the designation is consistent with transportation planning requirements under title 23, United States Code.

(d) NOTIFICATION.—Not later than 30 days after making a designation under subsection (a), the Governor shall submit to the relevant transportation planning organizations within the border region a written notification of any suballocated or distributed amount of funds available for obligation by jurisdiction.

(e) LIMITATION.—This section applies only to funds apportioned to a State after the date of enactment of this Act.

(f) DEADLINE FOR DESIGNATION.—A designation under subsection (a) shall—

(1) be submitted to the Secretary not later than 30 days before the first day of the fiscal year for which the designation is being made; and

(2) remain in effect for the funds designated under subsection (a) for a fiscal year until the Governor of the State notifies the Secretary of the termination of the designation.

(g) UNOBLIGATED FUNDS AFTER TERMINATION.—Effective beginning on the date of a termination under subsection (f)(2), all remaining unobligated funds that were designated under subsection (a) for the fiscal year for which the designation is being terminated shall be made available to the State for the purposes described in section 133(d)(1)(B) of title 23, United States Code.

SEC. 1438. ADJUSTMENTS.

(a) IN GENERAL.—On July 1, 2020, of the unobligated balances of funds apportioned among the States under chapter 1 of title 23, United States Code, a total of $7,569,000,000 is permanently rescinded.

(b) EXCLUSIONS FROM RESCISSION.—The rescission under subsection (a) shall not apply to funds distributed in accordance with—

(1) sections 104(b)(3) and 130(f) of title 23, United States Code;

(2) section 133(d)(1)(A) of such title;

(3) the first sentence of section 133(d)(3)(A) of such title, as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141);

(4) sections 133(d)(1) and 163 of such title, as in effect on the day before the date of enactment of SAFETEA–LU (Public Law 109–59); and

(5) section 104(b)(5) of such title, as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141).

(c) DISTRIBUTION AMONG STATES.—The amount to be rescinded under this section from a State shall be determined by multiplying the total amount of the rescission in subsection (a) by the ratio that—

(1) the unobligated balances subject to the rescission as of September 30, 2019, for the State; bears to

(2) the unobligated balances subject to the rescission as of September 30, 2019, for all States.

(d) DISTRIBUTION WITHIN EACH STATE.—The amount to be rescinded under this section from each program to which the rescission applies within a State shall be determined by multiplying the required rescission amount calculated under subsection (c) for such State by the ratio that—

(1) the unobligated balance as of September 30, 2019, for such program in such State; bears to

(2) the unobligated balances as of September 30, 2019, for all programs to which the rescission applies in such State.

SEC. 1439. ELIMINATION OF BARRIERS TO IMPROVE AT-RISK BRIDGES.

(a) TEMPORARY AUTHORIZATION.—

(1) IN GENERAL.—Until the Secretary of the Interior takes the action described in subsection (b), the take of nesting swallows to facilitate a construction project on a bridge eligible for funding under title 23, United States Code, with any component condition rating of 3 or less (as defined by the National Bridge Inventory General Condition Guidance issued by the Federal Highway Administration) is authorized under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) between April 1 and August 31.

(2) MEASURES TO MINIMIZE IMPACTS.—

(A) NOTIFICATION BEFORE TAKING.—Prior to the taking of nesting swallows authorized under paragraph (1), any person taking that action shall submit to the Secretary of the Interior a document that contains—

(i) the name of the person acting under the authority of paragraph (1) to take nesting swallows;

(ii) a list of practicable measures that will be undertaken to minimize or mitigate significant adverse impacts on the population of that species;

(iii) the time period during which activities will be carried out that will result in the taking of that species; and

(iv) an estimate of the number of birds, by species, to be taken in the proposed action.

(B) NOTIFICATION AFTER TAKING.—Not later than 60 days after the taking of nesting swallows authorized under paragraph (1), any person taking that action shall submit to the Secretary of the Interior a document that contains the number of birds, by species, taken in the action.

(b) AUTHORIZATION OF TAKE.—

(1) IN GENERAL.—The Secretary of the Interior, in consultation with the Secretary, shall promulgate a regulation under the authority of section 3 of the Migratory Bird Treaty Act (16 U.S.C. 704) authorizing the take of nesting swallows to facilitate bridge repair, maintenance, or construction—

(A) without individual permit requirements; and

(B) under terms and conditions determined to be consistent with treaties relating to migratory birds that protect swallow species occurring in the United States.

(2) TERMINATION.—On the effective date of a final rule under this subsection by the Secretary of the Interior, subsection (a) shall have no force or effect.

(c) SUSPENSION OR WITHDRAWAL OF TAKE AUTHORIZATION.—If the Secretary of the Interior, in consultation with the Secretary, determines that taking of nesting swallows carried out under the authority provided in subsection (a)(1) is having a significant adverse impact on swallow populations, the Secretary of the Interior may suspend that authority through publication in the Federal Register.

SEC. 1440. AT-RISK PROJECT PREAGREEMENT AUTHORITY.

(a) DEFINITION OF PRELIMINARY ENGINEERING.—In this section, the term ''preliminary engineering'' means allowable preconstruction project development and engineering costs.

(b) AT-RISK PROJECT PREAGREEMENT AUTHORITY.—A recipient or subrecipient of Federal-aid funds under title 23, United States Code, may—

(1) incur preliminary engineering costs for an eligible project under title 23, United States Code, before receiving project authorization from the State, in the case of a subrecipient, and the Secretary to proceed with the project; and

(2) request reimbursement of applicable Federal funds after the project authorization is received.

(c) ELIGIBILITY.—The Secretary may reimburse preliminary engineering costs incurred by a recipient or subrecipient under subsection (b)—

(1) if the costs meet all applicable requirements under title 23, United States Code, at the time the costs are incurred and the Secretary concurs that the requirements have been met;

(2) in the case of a project located within a designated nonattainment or maintenance area for air quality, if the conformity requirements of the Clean Air Act (42 U.S.C. 7401 et seq.) have been met; and

(3) if the costs would have been allowable if incurred after the date of the project authorization by the Department.

(d) AT-RISK.—A recipient or subrecipient that elects to use the authority provided under this section shall—

(1) assume all risk for preliminary engineering costs incurred prior to project authorization; and

(2) be responsible for ensuring and demonstrating to the Secretary that all applicable cost eligibility conditions are met after the authorization is received.

(e) RESTRICTIONS.—Nothing in this section—

(1) allows a recipient or subrecipient to use the authority under this section to advance a project beyond preliminary engineering prior to the completion of the environmental review process;

(2) waives the applicability of Federal requirements to a project other than the reimbursement of preliminary engineering costs incurred prior to an authorization to proceed in accordance with this section; or

(3) guarantees Federal funding of the project or the eligibility of the project for future Federal-aid highway funding.

SEC. 1441. REGIONAL INFRASTRUCTURE ACCELERATOR DEMONSTRATION PROGRAM.

(a) IN GENERAL.—The Secretary shall establish a regional infrastructure demonstration program (referred to in this section as the ''program'') to assist entities in developing improved infrastructure priorities and financing strategies for the accelerated development of a project that is eligible for funding under the TIFIA program under chapter 6 of title 23, United States Code.

(b) DESIGNATION OF REGIONAL INFRASTRUCTURE ACCELERATORS.—In carrying out the program, the Secretary may designate regional infrastructure accelerators that will—

(1) serve a defined geographic area; and

(2) act as a resource in the geographic area to qualified entities in accordance with this section.

(c) APPLICATION.—To be eligible for a designation under subsection (b), a proposed regional infrastructure accelerator shall submit to the Secretary a proposal at such time, in such manner, and containing such information as the Secretary may require.

(d) CRITERIA.—In evaluating a proposal submitted under subsection (c), the Secretary shall consider—

(1) the need for geographic diversity among regional infrastructure accelerators; and

(2) the ability of the proposal to promote investment in covered infrastructure projects, which shall include a plan—

(A) to evaluate and promote innovative financing methods for local projects, including the use of the TIFIA program under chapter 6 of title 23, United States Code;

(B) to build capacity of State, local, and tribal governments to evaluate and structure projects involving the investment of private capital;

(C) to provide technical assistance and information on best practices with respect to financing the projects;

(D) to increase transparency with respect to infrastructure project analysis and using innovative financing for public infrastructure projects;

(E) to deploy predevelopment capital programs designed to facilitate the creation of a pipeline of infrastructure projects available for investment;

(F) to bundle smaller-scale and rural projects into larger proposals that may be more attractive for investment; and

(G) to reduce transaction costs for public project sponsors.

(e) ANNUAL REPORT.—Not less frequently than once each year, the Secretary shall submit to Congress a report that describes the findings and effectiveness of the program.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program $12,000,000, of which the Secretary shall use—

(1) $11,750,000 for initial grants to regional infrastructure accelerators under subsection (b); and

(2) $250,000 for administrative costs of carrying out the program.

SEC. 1442. SAFETY FOR USERS.

(a) IN GENERAL.—The Secretary shall encourage each State and metropolitan planning organization to adopt standards for the design of Federal surface transportation projects that provide for the safe and adequate accommodation (as determined by the State) of all users of the surface transportation network, including motorized and nonmotorized users, in all phases of project planning, development, and operation.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall make available to the public a report cataloging examples of State law or State transportation policy that provide for the safe and adequate accommodation of all users of the surface transportation network, in all phases of project planning, development, and operation.

(c) BEST PRACTICES.—Based on the report under subsection (b), the Secretary shall identify and disseminate examples of best practices where States have adopted measures that have successfully provided for the safe and adequate

accommodation of all users of the surface transportation network in all phases of project planning, development, and operation.

SEC. 1443. SENSE OF CONGRESS.

It is the sense of Congress that the engineering industry of the United States continues to provide critical technical expertise, innovation, and local knowledge to Federal and State agencies in order to efficiently deliver surface transportation projects to the public, and Congress recognizes the valuable contributions made by the engineering industry of the United States and urges the Secretary to reinforce those partnerships by encouraging State and local agencies to take full advantage of engineering industry capabilities to strengthen project performance, improve domestic competitiveness, and create jobs.

SEC. 1444. EVERY DAY COUNTS INITIATIVE.

(a) IN GENERAL.—It is in the national interest for the Department, State departments of transportation, and all other recipients of Federal transportation funds—

(1) to identify, accelerate, and deploy innovation aimed at shortening project delivery, enhancing the safety of the roadways of the United States, and protecting the environment;

(2) to ensure that the planning, design, engineering, construction, and financing of transportation projects is done in an efficient and effective manner;

(3) to promote the rapid deployment of proven solutions that provide greater accountability for public investments and encourage greater private sector involvement; and

(4) to create a culture of innovation within the highway community.

(b) EVERY DAY COUNTS INITIATIVE.—To advance the policy described in subsection (a), the Administrator of the Federal Highway Administration shall continue the Every Day Counts initiative to work with States, local transportation agencies, and industry stakeholders to identify and deploy proven innovative practices and products that—

(1) accelerate innovation deployment;

(2) shorten the project delivery process;

(3) improve environmental sustainability;

(4) enhance roadway safety; and

(5) reduce congestion.

(c) INNOVATION DEPLOYMENT.—

(1) IN GENERAL.—At least every 2 years, the Administrator shall work collaboratively with stakeholders to identify a new collection of innovations, best practices, and data to be deployed to highway stakeholders through case studies, webinars, and demonstration projects.

(2) REQUIREMENTS.—In identifying a collection described in paragraph (1), the Secretary shall take into account market readiness, impacts, benefits, and ease of adoption of the innovation or practice.

(d) PUBLICATION.—Each collection identified under subsection (c) shall be published by the Administrator on a publicly available Web site.

SEC. 1445. WATER INFRASTRUCTURE FINANCE AND INNOVATION.

Section 5028(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3907(a)) is amended—

(1) by striking paragraph (5); and

(2) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively.

SEC. 1446. TECHNICAL CORRECTIONS.

(a) TITLE 23.—Title 23, United States Code, is amended as follows:

(1) Section 119(d)(1)(A) is amended by striking ''mobility,'' and inserting ''congestion reduction, system reliability,''.

(2) Section 126(b)(1) is amended by striking ''133(d)'' and inserting ''133(d)(1)(A)''.

(3) Section 127(a)(3) is amended by striking ''118(b)(2) of this title'' and inserting ''118(b)''.

(4) Section 150(b)(5) is amended by striking ''national freight network'' and inserting ''National Highway Freight Network''.

(5) Section 150(c)(3)(B) is amended by striking the semicolon at the end and inserting a period.

(6) Section 150(e)(4) is amended by striking ''National Freight Strategic Plan'' and inserting ''national freight strategic plan''.

(7) Section 153(h)(2) is amended by striking ''paragraphs (1) through (3)'' and inserting ''paragraphs (1), (2), and (4)''.

(8) Section 154(c) is amended—

(A) in paragraph (1) by striking ''paragraphs (1), (3), and (4)'' and inserting ''paragraphs (1), (2), and (4)'';

(B) in paragraph (3)(A) by striking ''transferred'' and inserting ''reserved''; and

(C) in paragraph (5)—

(i) in the matter preceding subparagraph (A) by inserting ''or released'' after ''transferred''; and

(ii) in subparagraph (A) by striking ''under section 104(b)(l)'' and inserting ''under section 104(b)(1)''.

(9) Section 163(f)(2) is amended by striking ''118(b)(2)'' and inserting ''118(b)''.

(10) Section 164(b) is amended—

(A) in paragraph (3)(A) by striking ''transferred'' and inserting ''reserved''; and

(B) in paragraph (5) by inserting ''or released'' after ''transferred''.

(11) Section 165(c)(7) is amended by striking ''paragraphs (2), (4), (7), (8), (14), and (19) of section 133(b)'' and inserting ''paragraphs (1) through (4) of section 133(c) and section 133(b)(12)''.

(12) Section 202(b)(3) is amended—

(A) in subparagraph (A)(i), in the matter preceding subclause (I), by inserting ''(a)(6),'' after ''subsections''; and

(B) in subparagraph (C)(ii)(IV), by striking ''(III).]'' and inserting ''(III).''.

(13) Section 217(a) is amended by striking ''104(b)(3)'' and inserting ''104(b)(4)''.

(14) Section 515 is amended by striking ''this chapter'' each place it appears and inserting ''sections 512 through 518''.

(b) TITLE 49.—Section 6302(b)(3)(B)(vi)(III) of title 49, United States Code, is amended by striking ''6310'' and inserting ''6309''.

(c) SAFETEA–LU.—Section 4407 of SAFETEA–LU (Public Law 109–59; 119 Stat. 1777) is amended by striking ''hereby enacted into law'' and inserting ''granted''.

(d) MAP–21.—Effective as of July 6, 2012, and as if included therein as enacted, MAP–21 (Public Law 112–141) is amended as follows:

(1) Section 1109(a)(2) (126 Stat. 444) is amended by striking ''fourth'' and inserting ''fifth''.

(2) Section 1203 (126 Stat. 524) is amended—

(A) in subsection (a) by striking ''Section 150 of title 23, United States Code, is amended to read as follows'' and inserting ''Title 23, United States Code, is amended by inserting after section 149 the following''; and

(B) in subsection (b) by striking ''by striking the item relating to section 150 and inserting'' and inserting ''by inserting after the item relating to section 149''.

(3) Section 1313(a)(1) (126 Stat. 545) is amended to read as follows:

''(1) in the section heading by striking '***pilot***'; and''.

(4) Section 1314(b) (126 Stat. 549) is amended—

(A) by inserting ''chapter 3 of'' after ''analysis for''; and

(B) by inserting a period at the end of the matter proposed to be inserted.

(5) Section 1519(c) (126 Stat. 575) is amended—

(A) by striking paragraph (3);

(B) by redesignating paragraphs (4) through (12) as paragraphs (3) through (11), respectively;

(C) in paragraph (7), as redesignated by subparagraph (B)—

(i) by striking the period at the end of the matter proposed to be struck; and

(ii) by adding a period at the end; and

(D) in paragraph (8)(A)(i)(I), as redesignated by subparagraph (B), by striking ''than rail'' in the matter proposed to be struck and inserting ''than on rail''.

(e) TRANSPORTATION RESEARCH AND INNOVATIVE TECHNOLOGY ACT OF 2012.—Section 51001(a)(1) of the Transportation Research and Innovative Technology Act of 2012 (126 Stat. 864) is amended by striking ''sections 503(b), 503(d), and 509'' and inserting ''section 503(b)''.

TITLE II—INNOVATIVE PROJECT FINANCE

SEC. 2001. TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS.

(a) DEFINITIONS.—Section 601(a) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''In this chapter, the'' and inserting ''The''; and

(B) by inserting ''to sections 601 through 609'' after ''apply'';

(2) in paragraph (2)—

(A) in subparagraph (B) by striking ''and'' at the end;

(B) in subparagraph (C) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) capitalizing a rural projects fund.'';

(3) in paragraph (3) by striking ''this chapter'' and inserting ''the TIFIA program'';

(4) in paragraph (10)—

(A) by striking ''(10) MASTER CREDIT AGREEMENT.—'' and all that follows before subparagraph (A) and inserting the following:

''(10) MASTER CREDIT AGREEMENT.—The term 'master credit agreement' means a conditional agreement to extend credit assistance for a program of related projects secured by a common security pledge covered under section 602(b)(2)(A) or for a single project covered under section 602(b)(2)(B) that does not provide for a current obligation of Federal funds, and that would—'';

(B) in subparagraph (A) by striking ''subject to the availability of future funds being made available to carry out this chapter;'' and inserting ''subject to—

''(i) the availability of future funds being made available to carry out the TIFIA program; and

''(ii) the satisfaction of all of the conditions for the provision of credit assistance under the TIFIA program, including section 603(b)(1);''; and

(C) in subparagraph (D)—

(i) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively;

(ii) by inserting after clause (i) the following:

''(ii) receiving an investment grade rating from a rating agency;'';

(iii) in clause (iii) (as so redesignated) by striking ''in section 602(c)'' and inserting ''under the TIFIA program, including sections 602(c) and 603(b)(1)''; and

(iv) in clause (iv) (as so redesignated) by striking ''this chapter'' and inserting ''the TIFIA program'';

(5) in paragraph (12)—

(A) in subparagraph (C) by striking ''and'' at the end;

(B) in subparagraph (D)(iv) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(E) a project to improve or construct public infrastructure that is located within walking distance of, and accessible to, a fixed guideway transit facility, passenger rail station, intercity bus station, or intermodal facility, including a transportation, public utility, or capital project described in section 5302(3)(G)(v) of title 49, and related infrastructure; and

''(F) the capitalization of a rural projects fund.'';

(6) in paragraph (15) by striking ''means'' and all that follows through the period at the end

and inserting ''means a surface transportation infrastructure project located in an area that is outside of an urbanized area with a population greater than 150,000 individuals, as determined by the Bureau of the Census.'';

(7) by redesignating paragraphs (16), (17), (18), (19), and (20) as paragraphs (17), (18), (20), (21), and (22), respectively;

(8) by inserting after paragraph (15) the following:

''(16) RURAL PROJECTS FUND.—The term 'rural projects fund' means a fund—

''(A) established by a State infrastructure bank in accordance with section 610(d)(4);

''(B) capitalized with the proceeds of a secured loan made to the bank in accordance with sections 602 and 603; and

''(C) for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.'';

(9) by inserting after paragraph (18) (as so redesignated) the following:

''(19) STATE INFRASTRUCTURE BANK.—The term 'State infrastructure bank' means an infrastructure bank established under section 610.''; and

(10) in paragraph (22) (as so redesignated), by inserting ''established under sections 602 through 609'' after ''Department''.

(b) DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.—Section 602 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1) in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program'';

(B) in paragraph (2)(A) by striking ''this chapter'' and inserting ''the TIFIA program'';

(C) in paragraph (3) by striking ''this chapter'' and inserting ''the TIFIA program'';

(D) in paragraph (5)—

(i) by striking the paragraph heading and inserting ''ELIGIBLE PROJECT COST PARAMETERS.—'';

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''subparagraph (B), to be eligible for assistance under this chapter, a project'' and inserting ''subparagraph (B), a project under the TIFIA program'';

(II) by striking clause (i) and inserting the following:

''(i) $50,000,000; and''; and

(III) in clause (ii) by striking ''assistance''; and

(iii) in subparagraph (B)—

(I) by striking the subparagraph designation and heading and all that follows through ''In the case'' and inserting the following:

''(B) EXCEPTIONS.—

''(i) INTELLIGENT TRANSPORTATION SYSTEMS.—In the case''; and

(II) by adding at the end the following:

''(ii) TRANSIT-ORIENTED DEVELOPMENT PROJECTS.—In the case of a project described in section 601(a)(12)(E), eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000.

''(iii) RURAL PROJECTS.—In the case of a rural infrastructure project or a project capitalizing a rural projects fund, eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000, but not to exceed $100,000,000.

''(iv) LOCAL INFRASTRUCTURE PROJECTS.—Eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000 in the case of a project or program of projects—

''(I) in which the applicant is a local government, public authority, or instrumentality of local government;

''(II) located on a facility owned by a local government; or

''(III) for which the Secretary determines that a local government is substantially involved in the development of the project.'';

(E) in paragraph (9), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program''; and

(F) in paragraph (10)—

(i) by striking ''To be eligible'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), to be eligible'';

(ii) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program'';

(iii) by striking ''not later than'' and inserting ''no later than''; and

(iv) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the State infrastructure bank shall demonstrate, not later than 2 years after the date on which a secured loan is obligated for the project under the TIFIA program, that the bank has executed a loan agreement with a borrower for a rural infrastructure project in accordance with section 610. After the demonstration is made, the bank may draw upon the secured loan. At the end of the 2-year period, to the extent the bank has not used the loan commitment, the Secretary may extend the term of the loan or withdraw the loan commitment.'';

(2) in subsection (b) by striking paragraph (2) and inserting the following:

''(2) MASTER CREDIT AGREEMENTS.—

''(A) PROGRAM OF RELATED PROJECTS.—The Secretary may enter into a master credit agreement for a program of related projects secured by a common security pledge on terms acceptable to the Secretary.

''(B) ADEQUATE FUNDING NOT AVAILABLE.—If the Secretary fully obligates funding to eligible projects for a fiscal year and adequate funding is not available to fund a credit instrument, a project sponsor of an eligible project may elect to enter into a master credit agreement and wait to execute a credit instrument until the fiscal year for which additional funds are available to receive credit assistance.'';

(3) in subsection (c)(1), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program''; and

(4) in subsection (e) by striking ''this chapter'' and inserting ''the TIFIA program''.

(c) SECURED LOAN TERMS AND LIMITATIONS.—Section 603 of title 23, United States Code, is amended—

(1) in subsection (a) by striking paragraph (2) and inserting the following:

''(2) LIMITATION ON REFINANCING OF INTERIM CONSTRUCTION FINANCING.—A loan under paragraph (1) shall not refinance interim construction financing under paragraph (1)(B)—

''(A) if the maturity of such interim construction financing is later than 1 year after the substantial completion of the project; and

''(B) later than 1 year after the date of substantial completion of the project.'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by striking ''The amount of'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the amount of''; and

(ii) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the maximum amount of a secured loan made to a State infrastructure bank shall be determined in accordance with section 602(a)(5)(B)(iii).'';

(B) in paragraph (3)(A)(i)—

(i) in subclause (III) by striking ''or'' at the end;

(ii) in subclause (IV) by striking ''and'' at the end and inserting ''or''; and

(iii) by adding at the end the following:

''(V) in the case of a secured loan for a project capitalizing a rural projects fund, any other dedicated revenue sources available to a State infrastructure bank, including repayments from loans made by the bank for rural infrastructure projects; and'';

(C) in paragraph (4)(B)—

(i) in clause (i) by striking ''under this chapter'' and inserting ''or a rural projects fund under the TIFIA program''; and

(ii) in clause (ii) by inserting ''and rural project funds'' after ''rural infrastructure projects'';

(D) in paragraph (5)—

(i) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(ii) in the matter preceding clause (i) (as so redesignated) by striking ''The final'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the final''; and

(iii) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the final maturity date of the secured loan shall not exceed 35 years after the date on which the secured loan is obligated.'';

(E) in paragraph (8) by striking ''this chapter'' and inserting ''the TIFIA program''; and

(F) in paragraph (9)—

(i) by striking ''The total Federal assistance provided on a project receiving a loan under this chapter'' and inserting the following:

''(A) IN GENERAL.—The total Federal assistance provided for a project receiving a loan under the TIFIA program''; and

(ii) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—A project capitalizing a rural projects fund shall satisfy subparagraph (A) through compliance with the Federal share requirement described in section 610(e)(3)(B).''; and

(3) by adding at the end the following:

''(f) STREAMLINED APPLICATION PROCESS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the FAST Act, the Secretary shall make available an expedited application process or processes available at the request of entities seeking secured loans under the TIFIA program that use a set or sets of conventional terms established pursuant to this section.

''(2) TERMS.—In establishing the streamlined application process required by this subsection, the Secretary may include terms commonly included in prior credit agreements and allow for an expedited application period, including—

''(A) the secured loan is in an amount of not greater than $100,000,000;

''(B) the secured loan is secured and payable from pledged revenues not affected by project performance, such as a tax-backed revenue pledge, tax increment financing, or a system-backed pledge of project revenues; and

''(C) repayment of the loan commences not later than 5 years after disbursement.''.

(d) PROGRAM ADMINISTRATION.—Section 605 of title 23, United States Code, is amended—

(1) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program''; and

(2) by adding at the end the following:

''(f) ASSISTANCE TO SMALL PROJECTS.—

''(1) RESERVATION OF FUNDS.—Of the funds made available to carry out the TIFIA program for each fiscal year, and after the set aside under section 608(a)(5), not less than $2,000,000 shall be made available for the Secretary to use in lieu of fees collected under subsection (b) for projects under the TIFIA program having eligible project costs that are reasonably anticipated not to equal or exceed $75,000,000.

''(2) RELEASE OF FUNDS.—Any funds not used under paragraph (1) in a fiscal year shall be made available on October 1 of the following fiscal year to provide credit assistance to any project under the TIFIA program.''.

(e) STATE AND LOCAL PERMITS.—Section 606 of title 23, United States Code, is amended in the matter preceding paragraph (1) by striking ''this chapter'' and inserting ''the TIFIA program''.

(f) REGULATIONS.—Section 607 of title 23, United States Code, is amended by striking ''this chapter'' and inserting ''the TIFIA program''.

(g) FUNDING.—Section 608 of title 23, United States Code, is amended—

(1) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program''; and

(2) in subsection (a)—

(A) in paragraph (2) by inserting ''of'' after ''504(f)'';

(B) in paragraph (3)—

(i) in subparagraph (A), by inserting ''or rural projects funds'' after ''rural infrastructure projects''; and

(ii) in subparagraph (B), by inserting ''or rural projects funds'' after ''rural infrastructure projects'';

(C) by striking paragraphs (4) and (6) and redesignating paragraph (5) as paragraph (4); and

(D) by inserting at the end the following:

''(5) ADMINISTRATIVE COSTS.—Of the amounts made available to carry out the TIFIA program, the Secretary may use not more than $6,875,000 for fiscal year 2016, $7,081,000 for fiscal year 2017, $7,559,000 for fiscal year 2018, $8,195,000 for fiscal year 2019, and $8,441,000 for fiscal year 2020 for the administration of the TIFIA program.''.

(h) REPORTS TO CONGRESS.—Section 609 of title 23, United States Code, is amended by striking ''this chapter (other than section 610)'' each place it appears and inserting ''the TIFIA program''.

(i) STATE INFRASTRUCTURE BANK PROGRAM.—Section 610 of title 23, United States Code, is amended—

(1) in subsection (a) by adding at the end the following:

''(11) RURAL INFRASTRUCTURE PROJECT.—The term 'rural infrastructure project' has the meaning given the term in section 601.

''(12) RURAL PROJECTS FUND.—The term 'rural projects fund' has the meaning given the term in section 601.'';

(2) in subsection (d)—

(A) in paragraph (1)(A) by striking ''each of fiscal years'' and all that follows through the end of subparagraph (A) and inserting ''each of fiscal years 2016 through 2020 under each of paragraphs (1), (2), and (5) of section 104(b); and'';

(B) in paragraph (2) by striking ''fiscal years 2005 through 2009'' and inserting ''fiscal years 2016 through 2020'';

(C) in paragraph (3) by striking ''fiscal years 2005 through 2009'' and inserting ''fiscal years 2016 through 2020'';

(D) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively;

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

''(4) RURAL PROJECTS FUND.—Subject to subsection (j), the Secretary may permit a State entering into a cooperative agreement under this section to establish a State infrastructure bank to deposit into the rural projects fund of the bank the proceeds of a secured loan made to the bank in accordance with sections 602 and 603.''; and

(F) in paragraph (6) (as so redesignated) by striking ''section 133(d)(3)'' and inserting ''section 133(d)(1)(A)(i)'';

(3) by striking subsection (e) and inserting the following:

''(e) FORMS OF ASSISTANCE FROM STATE INFRASTRUCTURE BANKS.—

''(1) IN GENERAL.—A State infrastructure bank established under this section may—

''(A) with funds deposited into the highway account, transit account, or rail account of the bank, make loans or provide other forms of credit assistance to a public or private entity to carry out a project eligible for assistance under this section; and

''(B) with funds deposited into the rural projects fund, make loans to a public or private entity to carry out a rural infrastructure project.

''(2) SUBORDINATION OF LOAN.—The amount of a loan or other form of credit assistance provided for a project described in paragraph (1) may be subordinated to any other debt financing for the project.

''(3) MAXIMUM AMOUNT OF ASSISTANCE.—A State infrastructure bank established under this section may—

''(A) with funds deposited into the highway account, transit account, or rail account of the bank, make loans or provide other forms of credit assistance to a public or private entity in an amount up to 100 percent of the cost of carrying out a project eligible for assistance under this section; and

''(B) with funds deposited into the rural projects fund, make loans to a public or private entity in an amount not to exceed 80 percent of the cost of carrying out a rural infrastructure project.

''(4) INITIAL ASSISTANCE.—Initial assistance provided with respect to a project from Federal funds deposited into a State infrastructure bank under this section may not be made in the form of a grant.'';

(4) in subsection (g)—

(A) in paragraph (1) by striking ''each account'' and inserting ''the highway account, the transit account, and the rail account''; and

(B) in paragraph (4) by inserting '', except that any loan funded from the rural projects fund of the bank shall bear interest at or below the interest rate charged for the TIFIA loan provided to the bank under section 603'' after ''feasible''; and

(5) in subsection (k) by striking ''fiscal years 2005 through 2009'' and inserting ''fiscal years 2016 through 2020''.

SEC. 2002. AVAILABILITY PAYMENT CONCESSION MODEL.

(a) PAYMENT TO STATES FOR CONSTRUCTION.—Section 121(a) of title 23, United States Code, is amended by inserting ''(including payments made pursuant to a long-term concession agreement, such as availability payments)'' after ''a project''.

(b) PROJECT APPROVAL AND OVERSIGHT.—Section 106(b)(1) of title 23, United States Code, is amended by inserting ''(including payments made pursuant to a long-term concession agreement, such as availability payments)'' after ''construction of the project''.

TITLE III—PUBLIC TRANSPORTATION

SEC. 3001. SHORT TITLE.

This title may be cited as the ''Federal Public Transportation Act of 2015''.

SEC. 3002. DEFINITIONS.

Section 5302 of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (C) by inserting ''functional'' before ''landscaping and''; and

(B) in subparagraph (E) by striking ''bicycle storage facilities and installing equipment'' and inserting ''bicycle storage shelters and parking facilities and the installation of equipment'';

(2) in paragraph (3)—

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

''(F) leasing equipment or a facility for use in public transportation;'';

(B) in subparagraph (G)—

(i) in clause (iv) by adding ''and'' at the end;

(ii) in clause (v) by striking ''and'' at the end; and

(iii) by striking clause (vi);

(C) by striking subparagraph (I) and inserting the following:

''(I) the provision of nonfixed route paratransit transportation services in accordance with section 223 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12143), but only for grant recipients that are in compliance with applicable requirements of that Act, including both fixed route and demand responsive service, and only for amounts—

''(i) not to exceed 10 percent of such recipient's annual formula apportionment under sections 5307 and 5311; or

''(ii) not to exceed 20 percent of such recipient's annual formula apportionment under sections 5307 and 5311, if, consistent with guidance issued by the Secretary, the recipient demonstrates that the recipient meets at least 2 of the following requirements:

''(I) Provides an active fixed route travel training program that is available for riders with disabilities.

''(II) Provides that all fixed route and paratransit operators participate in a passenger safety, disability awareness, and sensitivity training class on at least a biennial basis.

''(III) Has memoranda of understanding in place with employers and the American Job Center to increase access to employment opportunities for people with disabilities.'';

(D) in subparagraph (K) by striking ''or'' at the end;

(E) in subparagraph (L) by striking the period at the end and inserting a semicolon; and

(F) by adding at the end the following:

''(M) associated transit improvements; or

''(N) technological changes or innovations to modify low or no emission vehicles (as defined in section 5339(c)) or facilities.''; and

(3) by adding at the end the following:

''(24) VALUE CAPTURE.—The term 'value capture' means recovering the increased property value to property located near public transportation resulting from investments in public transportation.''.

SEC. 3003. METROPOLITAN AND STATEWIDE TRANSPORTATION PLANNING.

(a) IN GENERAL.—Section 5303 of title 49, United States Code, is amended—

(1) in subsection (a)(1) by inserting ''resilient'' after ''development of'';

(2) in subsection (c)(2) by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities and commuter vanpool providers'';

(3) in subsection (d)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(B) by inserting after paragraph (2) the following:

''(3) REPRESENTATION.—

''(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

''(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

''(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2).''; and

(C) in paragraph (5), as so redesignated, by striking ''paragraph (5)'' and inserting ''paragraph (6)'';

(4) in subsection (e)(4)(B) by striking ''subsection (d)(5)'' and inserting ''subsection (d)(6)'';

(5) in subsection (g)(3)(A) by inserting ''tourism, natural disaster risk reduction,'' after ''economic development,'';

(6) in subsection (h)(1)—

(A) in subparagraph (G) by striking ''and'' at the end;

(B) in subparagraph (H) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(I) improve the resiliency and reliability of the transportation system.'';

(7) in subsection (i)—

(A) in paragraph (2)—

(i) in subparagraph (A)(i) by striking ''transit'' and inserting ''public transportation facilities, intercity bus facilities'';

(ii) in subparagraph (G)—

(I) by striking ''and provide'' and inserting '', provide''; and

(II) by inserting before the period at the end the following: '', and reduce the vulnerability of the existing transportation infrastructure to natural disasters''; and

(iii) in subparagraph (H) by inserting before the period at the end the following: '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'';

(B) in paragraph (6)(A)—

(i) by inserting ''public ports,'' before ''freight shippers,''; and

(ii) by inserting ''(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)'' after ''private providers of transportation''; and

(C) in paragraph (8) by striking ''paragraph (2)(C)'' each place it appears and inserting ''paragraph (2)(E)'';

(8) in subsection (k)(3)—

(A) in subparagraph (A) by inserting ''(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), job access projects,'' after ''reduction''; and

(B) by adding at the end the following:

''(C) CONGESTION MANAGEMENT PLAN.—A metropolitan planning organization serving a transportation management area may develop a plan that includes projects and strategies that will be considered in the TIP of such metropolitan planning organization. Such plan shall—

''(i) develop regional goals to reduce vehicle miles traveled during peak commuting hours and improve transportation connections between areas with high job concentration and areas with high concentrations of low-income households;

''(ii) identify existing public transportation services, employer-based commuter programs, and other existing transportation services that support access to jobs in the region; and

''(iii) identify proposed projects and programs to reduce congestion and increase job access opportunities.

''(D) PARTICIPATION.—In developing the plan under subparagraph (C), a metropolitan planning organization shall consult with employers, private and non-profit providers of public transportation, transportation management organizations, and organizations that provide job access reverse commute projects or job-related services to low-income individuals.'';

(9) in subsection (l)—

(A) by adding a period at the end of paragraph (1); and

(B) in paragraph (2)(D) by striking ''of less than 200,000'' and inserting ''with a population of 200,000 or less'';

(10) in subsection (p) by striking ''Funds set aside under section 104(f)'' and inserting ''Funds apportioned under section 104(b)(5)''; and

(11) by adding at the end the following:

''(r) BI-STATE METROPOLITAN PLANNING ORGANIZATION.—

''(1) DEFINITION OF BI-STATE MPO REGION.—In this subsection, the term 'Bi-State Metropolitan Planning Organization' has the meaning given the term 'region' in subsection (a) of Article II of the Lake Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3234).

''(2) TREATMENT.—For the purpose of this title, the Bi-State Metropolitan Planning Organization shall be treated as—

''(A) a metropolitan planning organization;

''(B) a transportation management area under subsection (k); and

''(C) an urbanized area, which is comprised of a population of 145,000 in the State of California and a population of 65,000 in the State of Nevada.''.

(b) STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.—Section 5304 of title 49, United States Code, is amended—

(1) in subsection (a)(2) by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, and intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities and commuter vanpool providers'';

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (G) by striking ''and'' at the end;

(ii) in subparagraph (H) by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) improve the resiliency and reliability of the transportation system.''; and

(B) in paragraph (2)—

(i) in subparagraph (B)(ii) by striking ''urbanized''; and

(ii) in subparagraph (C) by striking ''urbanized''; and

(3) in subsection (f)(3)(A)(ii)—

(A) by inserting ''public ports,'' before ''freight shippers,''; and

(B) by inserting ''(including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)'' after ''private providers of transportation''.

SEC. 3004. URBANIZED AREA FORMULA GRANTS.

Section 5307 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2) by inserting ''or demand response service, excluding ADA complementary paratransit service,'' before ''during'' each place it appears; and

(B) by adding at the end the following:

''(3) EXCEPTION TO THE SPECIAL RULE.—Notwithstanding paragraph (2), if a public transportation system described in such paragraph executes a written agreement with 1 or more other public transportation systems within the urbanized area to allocate funds for the purposes described in the paragraph by a method other than by measuring vehicle revenue hours, each public transportation system that is a party to the written agreement may follow the terms of the written agreement without regard to measured vehicle revenue hours referred to in the paragraph.''; and

(2) in subsection (c)(1)—

(A) in subparagraph (C), by inserting ''in accordance with the recipient's transit asset management plan'' after ''equipment and facilities''; and

(B) in subparagraph (K), by striking ''Census—'' and all that follows through clause (ii) and inserting the following: ''Census, will submit an annual report listing projects carried out in the preceding fiscal year under this section for associated transit improvements as defined in section 5302; and''.

SEC. 3005. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS.

(a) IN GENERAL.—Section 5309 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''and weekend days'';

(B) in paragraph (6)—

(i) in subparagraph (A) by inserting '', small start projects,'' after ''new fixed guideway capital projects''; and

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

''(B) 2 or more projects that are any combination of new fixed guideway capital projects, small start projects, and core capacity improvement projects.''; and

(C) in paragraph (7)—

(i) in subparagraph (A), by striking ''$75,000,000'' and inserting ''$100,000,000''; and

(ii) in subparagraph (B), by striking ''$250,000,000'' and inserting ''$300,000,000'';

(2) in subsection (d)—

(A) in paragraph (1)(B) by striking '', policies and land use patterns that promote public transportation,''; and

(B) in paragraph (2)(A)—

(i) in clause (iii) by adding ''and'' after the semicolon;

(ii) by striking clause (iv); and

(iii) by redesignating clause (v) as clause (iv);

(3) in subsection (g)(2)(A)(i) by striking ''the policies and land use patterns that support public transportation,'';

(4) in subsection (h)(6)—

(A) by striking ''In carrying out'' and inserting the following:

''(A) IN GENERAL.—In carrying out''; and

(B) by adding at the end the following:

''(B) OPTIONAL EARLY RATING.—At the request of the project sponsor, the Secretary shall evaluate and rate the project in accordance with paragraphs (4) and (5) and subparagraph (A) of this paragraph upon completion of the analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).'';

(5) in subsection (i)—

(A) in paragraph (1) by striking ''subsection (d) or (e)'' and inserting ''subsection (d), (e), or (h)'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A) by inserting ''new fixed guideway capital project or core capacity improvement'' after ''federally funded'';

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

''(D) the program of interrelated projects, when evaluated as a whole—

''(i) meets the requirements of subsection (d)(2), subsection (e)(2), or paragraphs (3) and (4) of subsection (h), as applicable, if the program is comprised entirely of—

''(I) new fixed guideway capital projects;

''(II) core capacity improvement projects; or

''(III) small start projects; or

''(ii) meets the requirements of subsection (d)(2) if the program is comprised of any combination of new fixed guideway capital projects, small start projects, and core capacity improvement projects;''; and

(iii) in subparagraph (F), by inserting ''or subsection (h)(5), as applicable'' after ''subsection (f)''; and

(C) by striking paragraph (3)(A) and inserting the following:

''(A) PROJECT ADVANCEMENT.—A project receiving a grant under this section that is part of a program of interrelated projects may not advance—

''(i) in the case of a small start project, from the project development phase to the construction phase unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements; or

''(ii) in the case of a new fixed guideway capital project or a core capacity improvement project, from the project development phase to the engineering phase, or from the engineering phase to the construction phase, unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements.'';

(6) in subsection (l)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—

''(A) ESTIMATION OF NET CAPITAL PROJECT COST.—Based on engineering studies, studies of economic feasibility, and information on the expected use of equipment or facilities, the Secretary shall estimate the net capital project cost.

''(B) GRANTS.—

''(i) GRANT FOR NEW FIXED GUIDEWAY CAPITAL PROJECT.—A grant for a new fixed guideway capital project shall not exceed 80 percent of the net capital project cost.

''(ii) FULL FUNDING GRANT AGREEMENT FOR NEW FIXED GUIDEWAY CAPITAL PROJECT.—A full funding grant agreement for a new fixed guideway capital project shall not include a share of more than 60 percent from the funds made available under this section.

''(iii) GRANT FOR CORE CAPACITY IMPROVEMENT PROJECT.—A grant for a core capacity improvement project shall not exceed 80 percent of the net capital project cost of the incremental cost to increase the capacity in the corridor

''(iv) GRANT FOR SMALL START PROJECT.—. A grant for a small start project shall not exceed 80 percent of the net capital project costs.''; and

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

''(4) REMAINING COSTS.—The remainder of the net capital project costs shall be provided—

''(A) in cash from non-Government sources;

''(B) from revenues from the sale of advertising and concessions; or

''(C) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.'';

(7) by striking subsection (n) and inserting the following:

''(n) AVAILABILITY OF AMOUNTS.—

''(1) IN GENERAL.—An amount made available or appropriated for a new fixed guideway capital project or core capacity improvement project shall remain available to that project for 4 fiscal years, including the fiscal year in which the amount is made available or appropriated. Any amounts that are unobligated to the project at the end of the 4-fiscal-year period may be used by the Secretary for any purpose under this section.

''(2) USE OF DEOBLIGATED AMOUNTS.—An amount available under this section that is deobligated may be used for any purpose under this section.''; and

(8) by adding at the end the following:

''(p) SPECIAL RULE.—For the purposes of calculating the cost effectiveness of a project described in subsection (d) or (e), the Secretary shall not reduce or eliminate the capital costs of art and non-functional landscaping elements from the annualized capital cost calculation.

''(q) JOINT PUBLIC TRANSPORTATION AND INTERCITY PASSENGER RAIL PROJECTS.—

''(1) IN GENERAL.—The Secretary may make grants for new fixed guideway capital projects and core capacity improvement projects that provide both public transportation and intercity passenger rail service.

''(2) ELIGIBLE COSTS.—Eligible costs for a project under this subsection shall be limited to the net capital costs of the public transportation costs attributable to the project based on projected use of the new segment or expanded capacity of the project corridor, not including project elements designed to achieve or maintain a state of good repair, as determined by the Secretary under paragraph (4).

''(3) PROJECT JUSTIFICATION AND LOCAL FINANCIAL COMMITMENT.—A project under this subsection shall be evaluated for project justification and local financial commitment under subsections (d), (e), (f), and (h), as applicable to the project, based on—

''(A) the net capital costs of the public transportation costs attributable to the project as determined under paragraph (4); and

''(B) the share of funds dedicated to the project from sources other than this section included in the unified finance plan for the project.

''(4) CALCULATION OF NET CAPITAL PROJECT COST.—The Secretary shall estimate the net capital costs of a project under this subsection based on—

''(A) engineering studies;

''(B) studies of economic feasibility;

''(C) the expected use of equipment or facilities; and

''(D) the public transportation costs attributable to the project.

''(5) GOVERNMENT SHARE OF NET CAPITAL PROJECT COST.—

''(A) GOVERNMENT SHARE.—The Government share shall not exceed 80 percent of the net capital cost attributable to the public transportation costs of a project under this subsection as determined under paragraph (4).

''(B) NON-GOVERNMENT SHARE.—The remainder of the net capital cost attributable to the public transportation costs of a project under this subsection shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.''.

(b) EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.—

(1) DEFINITIONS.—In this subsection, the following definitions shall apply:

(A) APPLICANT.—The term ''applicant'' means a State or local governmental authority that applies for a grant under this subsection.

(B) CAPITAL PROJECT; FIXED GUIDEWAY; LOCAL GOVERNMENTAL AUTHORITY; PUBLIC TRANSPORTATION; STATE; STATE OF GOOD REPAIR.—The terms ''capital project'', ''fixed guideway'', ''local governmental authority'', ''public transportation'', ''State'', and ''state of good repair'' have the meanings given those terms in section 5302 of title 49, United States Code.

(C) CORE CAPACITY IMPROVEMENT PROJECT.—The term ''core capacity improvement project''—

(i) means a substantial corridor-based capital investment in an existing fixed guideway system that increases the capacity of a corridor by not less than 10 percent; and

(ii) may include project elements designed to aid the existing fixed guideway system in making substantial progress towards achieving a state of good repair.

(D) CORRIDOR-BASED BUS RAPID TRANSIT PROJECT.—The term ''corridor-based bus rapid transit project'' means a small start project utilizing buses in which the project represents a substantial investment in a defined corridor as demonstrated by features that emulate the services provided by rail fixed guideway public transportation systems—

(i) including—

(I) defined stations;

(II) traffic signal priority for public transportation vehicles;

(III) short headway bidirectional services for a substantial part of weekdays; and

(IV) any other features the Secretary may determine support a long-term corridor investment; and

(ii) the majority of which does not operate in a separated right-of-way dedicated for public transportation use during peak periods.

(E) ELIGIBLE PROJECT.—The term ''eligible project'' means a new fixed guideway capital project, a small start project, or a core capacity improvement project that has not entered into a full funding grant agreement with the Federal Transit Administration before the date of enactment of this Act.

(F) FIXED GUIDEWAY BUS RAPID TRANSIT PROJECT.—The term ''fixed guideway bus rapid transit project'' means a bus capital project—

(i) in which the majority of the project operates in a separated right-of-way dedicated for public transportation use during peak periods;

(ii) that represents a substantial investment in a single route in a defined corridor or subarea; and

(iii) that includes features that emulate the services provided by rail fixed guideway public transportation systems, including—

(I) defined stations;

(II) traffic signal priority for public transportation vehicles;

(III) short headway bidirectional services for a substantial part of weekdays and weekend days; and

(IV) any other features the Secretary may determine are necessary to produce high-quality public transportation services that emulate the services provided by rail fixed guideway public transportation systems.

(G) NEW FIXED GUIDEWAY CAPITAL PROJECT.—The term ''new fixed guideway capital project'' means—

(i) a fixed guideway capital project that is a minimum operable segment or extension to an existing fixed guideway system; or

(ii) a fixed guideway bus rapid transit project that is a minimum operable segment or an extension to an existing bus rapid transit system.

(H) RECIPIENT.—The term ''recipient'' means a recipient of funding under chapter 53 of title 49, United States Code.

(I) SMALL START PROJECT.—The term ''small start project'' means a new fixed guideway capital project, a fixed guideway bus rapid transit project, or a corridor-based bus rapid transit project for which—

(i) the Federal assistance provided or to be provided under this subsection is less than $75,000,000; and

(ii) the total estimated net capital cost is less than $300,000,000.

(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to States and local governmental authorities to assist in financing—

(A) new fixed guideway capital projects or small start projects, including the acquisition of real property, the initial acquisition of rolling stock for the system, the acquisition of rights-of-way, and relocation, for projects in the advanced stages of planning and design; and

(B) core capacity improvement projects, including the acquisition of real property, the acquisition of rights-of-way, double tracking, signalization improvements, electrification, expanding system platforms, acquisition of rolling stock associated with corridor improvements increasing capacity, construction of infill stations, and such other capacity improvement projects as the Secretary determines are appropriate to increase the capacity of an existing fixed guideway system corridor by not less than 10 percent. Core capacity improvement projects do not include elements to improve general station facilities or parking, or acquisition of rolling stock alone.

(3) GRANT REQUIREMENTS.—

(A) IN GENERAL.—The Secretary may make not more than 8 grants under this subsection for eligible projects if the Secretary determines that—

(i) the eligible project is part of an approved transportation plan required under sections 5303 and 5304 of title 49, United States Code;

(ii) the applicant has, or will have—

(I) the legal, financial, and technical capacity to carry out the eligible project, including the safety and security aspects of the eligible project;

(II) satisfactory continuing control over the use of the equipment or facilities;

(III) the technical and financial capacity to maintain new and existing equipment and facilities; and

(IV) advisors providing guidance to the applicant on the terms and structure of the project that are independent from investors in the project;

(iii) the eligible project is supported, or will be supported, in part, through a public-private partnership, provided such support is determined by local policies, criteria, and decision-making under section 5306(a) of title 49, United States Code;

(iv) the eligible project is justified based on findings presented by the project sponsor to the Secretary, including—

(I) mobility improvements attributable to the project;

(II) environmental benefits associated with the project;

(III) congestion relief associated with the project;

(IV) economic development effects derived as a result of the project; and

(V) estimated ridership projections;

(v) the eligible project is supported by an acceptable degree of local financial commitment (including evidence of stable and dependable financing sources); and

(vi) the eligible project will be operated and maintained by employees of an existing provider of fixed guideway or bus rapid transit public transportation in the service area of the project, or if none exists, by employees of an existing public transportation provider in the service area.

(B) CERTIFICATION.—An applicant that has submitted the certifications required under subparagraphs (A), (B), (C), and (H) of section 5307(c)(1) of title 49, United States Code, shall be deemed to have provided sufficient information upon which the Secretary may make the determinations required under this paragraph.

(C) TECHNICAL CAPACITY.—The Secretary shall use an expedited technical capacity review process for applicants that have recently and successfully completed not less than 1 new fixed guideway capital project, small start project, or core capacity improvement project, if—

(i) the applicant achieved budget, cost, and ridership outcomes for the project that are consistent with or better than projections; and

(ii) the applicant demonstrates that the applicant continues to have the staff expertise and other resources necessary to implement a new project.

(D) FINANCIAL COMMITMENT.—

(i) REQUIREMENTS.—In determining whether an eligible project is supported by an acceptable degree of local financial commitment and shows evidence of stable and dependable financing sources for purposes of subparagraph (A)(v), the Secretary shall require that—

(I) each proposed source of capital and operating financing is stable, reliable, and available within the proposed eligible project timetable; and

(II) resources are available to recapitalize, maintain, and operate the overall existing and proposed public transportation system, including essential feeder bus and other services necessary, without degradation to the existing level of public transportation services.

(ii) CONSIDERATIONS.—In assessing the stability, reliability, and availability of proposed sources of financing under clause (i), the Secretary shall consider—

(I) the reliability of the forecasting methods used to estimate costs and revenues made by the applicant and the contractors to the applicant;

(II) existing grant commitments;

(III) the degree to which financing sources are dedicated to the proposed eligible project;

(IV) any debt obligation that exists or is proposed by the applicant, for the proposed eligible project or other public transportation purpose; and

(V) private contributions to the eligible project, including cost-effective project delivery, management or transfer of project risks, expedited project schedule, financial partnering, and other public-private partnership strategies.

(E) LABOR STANDARDS.—The requirements under section 5333 of title 49, United States Code, shall apply to each recipient of a grant under this subsection.

(4) PROJECT ADVANCEMENT.—An applicant that desires a grant under this subsection and meets the requirements of paragraph (3) shall submit to the Secretary, and the Secretary shall approve for advancement, a grant request that contains—

(A) identification of an eligible project;

(B) a schedule and finance plan for the construction and operation of the eligible project;

(C) an analysis of the efficiencies of the proposed eligible project development and delivery methods and innovative financing arrangement for the eligible project, including any documents related to the—

(i) public-private partnership required under paragraph (3)(A)(iii); and

(ii) project justification required under paragraph (3)(A)(iv); and

(D) a certification that the existing public transportation system of the applicant or, in the event that the applicant does not operate a public transportation system, the public transportation system to which the proposed project will be attached, is in a state of good repair.

(5) WRITTEN NOTICE FROM THE SECRETARY.—

(A) IN GENERAL.—Not later than 120 days after the date on which the Secretary receives a grant request of an applicant under paragraph (4), the Secretary shall provide written notice to the applicant—

(i) of approval of the grant request; or

(ii) if the grant request does not meet the requirements under paragraph (4), of disapproval of the grant request, including a detailed explanation of the reasons for the disapproval.

(B) CONCURRENT NOTICE.—The Secretary shall provide concurrent notice of an approval or disapproval of a grant request under subparagraph (A) to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(6) WAIVER.—The Secretary may grant a waiver to an applicant that does not comply with paragraph (4)(D) if—

(A) the eligible project meets the definition of a core capacity improvement project; and

(B) the Secretary certifies that the eligible project will allow the applicant to make substantial progress in achieving a state of good repair.

(7) SELECTION CRITERIA.—The Secretary may enter into a full funding grant agreement with an applicant under this subsection for an eligible project for which an application has been submitted and approved for advancement by the Secretary under paragraph (4), only if the applicant has completed the planning and activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(8) LETTERS OF INTENT AND FULL FUNDING GRANT AGREEMENTS.—

(A) LETTERS OF INTENT.—

(i) AMOUNTS INTENDED TO BE OBLIGATED.—The Secretary may issue a letter of intent to an applicant announcing an intention to obligate, for an eligible project under this subsection, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the eligible project. When a letter is issued for an eligible project under this subsection, the amount shall be sufficient to complete at least an operable segment.

(ii) TREATMENT.—The issuance of a letter under clause (i) is deemed not to be an obligation under section 1108(c), 1501, or 1502(a) of title 31, United States Code, or an administrative commitment.

(B) FULL FUNDING GRANT AGREEMENTS.—

(i) IN GENERAL.—Except as provided in clause (v), an eligible project shall be carried out under this subsection through a full funding grant agreement.

(ii) CRITERIA.—The Secretary shall enter into a full funding grant agreement, based on the requirements of this subparagraph, with each applicant receiving assistance for an eligible project that has received a written notice of approval under paragraph (5)(A)(i).

(iii) TERMS.—A full funding grant agreement shall—

(I) establish the terms of participation by the Federal Government in the eligible project;

(II) establish the maximum amount of Federal financial assistance for the eligible project;

(III) include the period of time for completing construction of the eligible project, consistent with the terms of the public-private partnership agreement, even if that period extends beyond the period of an authorization; and

(IV) make timely and efficient management of the eligible project easier according to the law of the United States.

(iv) SPECIAL FINANCIAL RULES.—

(I) IN GENERAL.—A full funding grant agreement under this subparagraph obligates an amount of available budget authority specified in law and may include a commitment, contingent on amounts to be specified in law in advance for commitments under this subparagraph, to obligate an additional amount from future available budget authority specified in law.

(II) STATEMENT OF CONTINGENT COMMITMENT.—A full funding grant agreement shall state that the contingent commitment is not an obligation of the Federal Government.

(III) INTEREST AND OTHER FINANCING COSTS.—Interest and other financing costs of efficiently carrying out a part of the eligible project within a reasonable time are a cost of carrying out the eligible project under a full funding grant agreement, except that eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the eligible project at the time of borrowing. The applicant shall certify, in a way satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

(IV) COMPLETION OF OPERABLE SEGMENT.—The amount stipulated in an agreement under this subparagraph for a new fixed guideway capital project, core capacity improvement project, or small start project shall be sufficient to complete at least an operable segment.

(v) EXCEPTION.—

(I) IN GENERAL.—The Secretary, to the maximum extent practicable, shall provide Federal assistance under this subsection for a small start project in a single grant. If the Secretary cannot

provide such a single grant, the Secretary may execute an expedited grant agreement in order to include a commitment on the part of the Secretary to provide funding for the project in future fiscal years.

(II) TERMS OF EXPEDITED GRANT AGREEMENTS.—In executing an expedited grant agreement under this clause, the Secretary may include in the agreement terms similar to those established under clause (iii).

(C) LIMITATION ON AMOUNTS.—

(i) IN GENERAL.—The Secretary may enter into full funding grant agreements under this paragraph for eligible projects that contain contingent commitments to incur obligations in such amounts as the Secretary determines are appropriate.

(ii) APPROPRIATION REQUIRED.—An obligation may be made under this paragraph only when amounts are appropriated for obligation.

(D) NOTIFICATION TO CONGRESS.—

(i) IN GENERAL.—Not later than 30 days before the date on which the Secretary issues a letter of intent or enters into a full funding grant agreement for an eligible project under this paragraph, the Secretary shall notify, in writing, the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives of the proposed letter of intent or full funding grant agreement.

(ii) CONTENTS.—The written notification under clause (i) shall include a copy of the proposed letter of intent or full funding grant agreement for the eligible project.

(9) GOVERNMENT SHARE OF NET CAPITAL PROJECT COST.—

(A) IN GENERAL.—A grant for an eligible project shall not exceed 25 percent of the net capital project cost.

(B) REMAINDER OF NET CAPITAL PROJECT COST.—The remainder of the net capital project cost shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.

(C) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed as authorizing the Secretary to require a non-Federal financial commitment for a project that is more than 75 percent of the net capital project cost.

(D) SPECIAL RULE FOR ROLLING STOCK COSTS.—In addition to amounts allowed pursuant to subparagraph (A), a planned extension to a fixed guideway system may include the cost of rolling stock previously purchased if the applicant satisfies the Secretary that only amounts other than amounts provided by the Federal Government were used and that the purchase was made for use on the extension. A refund or reduction of the remainder may be made only if a refund of a proportional amount of the grant of the Federal Government is made at the same time.

(E) FAILURE TO CARRY OUT PROJECT.—If an applicant does not carry out an eligible project for reasons within the control of the applicant, the applicant shall repay all Federal funds awarded for the eligible project from all Federal funding sources, for all eligible project activities, facilities, and equipment, plus reasonable interest and penalty charges allowable by law.

(F) CREDITING OF FUNDS RECEIVED.—Any funds received by the Federal Government under this paragraph, other than interest and penalty charges, shall be credited to the appropriation account from which the funds were originally derived.

(10) AVAILABILITY OF AMOUNTS.—

(A) IN GENERAL.—An amount made available for an eligible project shall remain available to that eligible project for 4 fiscal years, including the fiscal year in which the amount is made available. Any amounts that are unobligated to the eligible project at the end of the 4-fiscal-year period may be used by the Secretary for any purpose under this subsection.

(B) USE OF DEOBLIGATED AMOUNTS.—An amount available under this subsection that is deobligated may be used for any purpose under this subsection.

(11) ANNUAL REPORT ON EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS.—Not later than the first Monday in February of each year, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report that includes a proposed amount to be available to finance grants for anticipated projects under this subsection.

(12) BEFORE AND AFTER STUDY AND REPORT.—

(A) STUDY REQUIRED.—Each recipient shall conduct a study that—

(i) describes and analyzes the impacts of the eligible project on public transportation services and public transportation ridership;

(ii) describes and analyzes the consistency of predicted and actual benefits and costs of the innovative project development and delivery methods or innovative financing for the eligible project; and

(iii) identifies reasons for any differences between predicted and actual outcomes for the eligible project.

(B) SUBMISSION OF REPORT.—Not later than 2 years after an eligible project that is selected under this subsection begins revenue operations, the recipient shall submit to the Secretary a report on the results of the study conducted under subparagraph (A).

(13) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

(A) require the privatization of the operation or maintenance of any project for which an applicant seeks funding under this subsection;

(B) revise the determinations by local policies, criteria, and decisionmaking under section 5306(a) of title 49, United States Code;

(C) alter the requirements for locally developed, coordinated, and implemented transportation plans under sections 5303 and 5304 of title 49, United States Code; or

(D) alter the eligibilities or priorities for assistance under this subsection or section 5309 of title 49, United States Code.

SEC. 3006. ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.

(a) IN GENERAL.—Section 5310 of title 49, United States Code, is amended—

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

''(1) RECIPIENT.—The term 'recipient' means—

''(A) a designated recipient or a State that receives a grant under this section directly; or

''(B) a State or local governmental entity that operates a public transportation service.''; and

(2) by adding at the end the following:

''(i) BEST PRACTICES.—The Secretary shall collect from, review, and disseminate to public transportation agencies—

''(1) innovative practices;

''(2) program models;

''(3) new service delivery options;

''(4) findings from activities under subsection (h); and

''(5) transit cooperative research program reports.''.

(b) PILOT PROGRAM FOR INNOVATIVE COORDINATED ACCESS AND MOBILITY.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''eligible project'' has the meaning given the term ''capital project'' in section 5302 of title 49, United States Code; and

(B) the term ''eligible recipient'' means a recipient or subrecipient, as those terms are defined in section 5310 of title 49, United States Code.

(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to eligible recipients to assist in financing innovative projects for the transportation disadvantaged that improve the coordination of transportation services and nonemergency medical transportation services, including—

(A) the deployment of coordination technology;

(B) projects that create or increase access to community One-Call/One-Click Centers; and

(C) such other projects as determined appropriate by the Secretary.

(3) APPLICATION.—An eligible recipient shall submit to the Secretary an application that, at a minimum, contains—

(A) a detailed description of the eligible project;

(B) an identification of all eligible project partners and their specific role in the eligible project, including—

(i) private entities engaged in the coordination of nonemergency medical transportation services for the transportation disadvantaged; or

(ii) nonprofit entities engaged in the coordination of nonemergency medical transportation services for the transportation disadvantaged;

(C) a description of how the eligible project would—

(i) improve local coordination or access to coordinated transportation services;

(ii) reduce duplication of service, if applicable; and

(iii) provide innovative solutions in the State or community; and

(D) specific performance measures the eligible project will use to quantify actual outcomes against expected outcomes.

(4) REPORT.—The Secretary shall make publicly available an annual report on the pilot program carried out under this subsection for each fiscal year, not later than December 31 of the calendar year in which that fiscal year ends. The report shall include a detailed description of the activities carried out under the pilot program, and an evaluation of the program, including an evaluation of the performance measures described in paragraph (3)(D).

(5) GOVERNMENT SHARE OF COSTS.—

(A) IN GENERAL.—The Government share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

(B) NON-GOVERNMENT SHARE.—The non-Government share of the cost of an eligible project carried out under this subsection may be derived from in-kind contributions.

(6) RULE OF CONSTRUCTION.—For purposes of this subsection, nonemergency medical transportation services shall be limited to services eligible under Federal programs other than programs authorized under chapter 53 of title 49, United States Code.

(c) COORDINATED MOBILITY.—

(1) DEFINITIONS.—In this subsection, the following definitions apply:

(A) ALLOCATED COST MODEL.—The term ''allocated cost model'' means a method of determining the cost of trips by allocating the cost to each trip purpose served by a transportation provider in a manner that is proportional to the level of transportation service that the transportation provider delivers for each trip purpose, to the extent permitted by applicable Federal laws.

(B) COUNCIL.—The term ''Council'' means the Interagency Transportation Coordinating Council on Access and Mobility established under Executive Order No. 13330 (49 U.S.C. 101 note).

(2) STRATEGIC PLAN.—Not later than 1 year after the date of enactment of this Act, the Council shall publish a strategic plan for the Council that—

(A) outlines the role and responsibilities of each Federal agency with respect to local transportation coordination, including nonemergency medical transportation;

(B) identifies a strategy to strengthen interagency collaboration;

(C) addresses any outstanding recommendations made by the Council in the 2005 Report to the President relating to the implementation of Executive Order No. 13330, including—

(i) a cost-sharing policy endorsed by the Council; and

(ii) recommendations to increase participation by recipients of Federal grants in locally developed, coordinated planning processes;

(D) to the extent feasible, addresses recommendations by the Comptroller General concerning local coordination of transportation services;

(E) examines and proposes changes to Federal regulations that will eliminate Federal barriers to local transportation coordination, including non-emergency medical transportation; and

(F) recommends to Congress changes to Federal laws, including chapter 7 of title 42, United States Code, that will eliminate Federal barriers to local transportation coordination, including nonemergency medical transportation.

(3) DEVELOPMENT OF COST-SHARING POLICY IN COMPLIANCE WITH APPLICABLE FEDERAL LAWS.—In establishing the cost-sharing policy required under paragraph (2), the Council may consider, to the extent practicable—

(A) the development of recommended strategies for grantees of programs funded by members of the Council, including strategies for grantees of programs that fund nonemergency medical transportation, to use the cost-sharing policy in a manner that does not violate applicable Federal laws; and

(B) incorporation of an allocated cost model to facilitate local coordination efforts that comply with applicable requirements of programs funded by members of the Council, such as—

(i) eligibility requirements;

(ii) service delivery requirements; and

(iii) reimbursement requirements.

(4) REPORT.—The Council shall, concurrently with submission to the President of a report containing final recommendations of the Council, transmit such report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SEC. 3007. FORMULA GRANTS FOR RURAL AREAS.

(a) IN GENERAL.—Section 5311 of title 49, United States Code, is amended—

(1) in subsection (c)(1), by striking subparagraphs (A) and (B) and inserting the following:

''(A) $5,000,000 for each fiscal year shall be distributed on a competitive basis by the Secretary.

''(B) $30,000,000 for each fiscal year shall be apportioned as formula grants, as provided in subsection (j).'';

(2) in subsection (g)(3)—

(A) by redesignating subparagraphs (A) through (D) as subparagraphs (C) through (F), respectively;

(B) by inserting before subparagraph (C) (as so redesignated) the following:

''(A) may be provided in cash from non-Government sources;

''(B) may be provided from revenues from the sale of advertising and concessions;'';

(C) in subparagraph (F) (as so redesignated) by inserting '', including all operating and capital costs of such service whether or not offset by revenue from such service,'' after ''the costs of a private operator for the unsubsidized segment of intercity bus service''; and

(3) in subsection (j)(1)—

(A) in subparagraph (A)(iii), by striking ''(as defined by the Bureau of the Census)'' and inserting ''(American Indian Areas, Alaska Native Areas, and Hawaiian Home Lands, as defined by the Bureau of the Census)''; and

(B) by adding at the end the following:

''(E) ALLOCATION BETWEEN MULTIPLE INDIAN TRIBES.—If more than 1 Indian tribe provides public transportation service on tribal lands in a single Tribal Statistical Area, and the Indian tribes do not determine how to allocate the funds apportioned under clause (iii) of subparagraph (A) between the Indian tribes, the Secretary shall allocate the funds so that each Indian tribe shall receive an amount equal to the total amount apportioned under such clause (iii) multiplied by the ratio of the number of annual unlinked passenger trips provided by each Indian tribe, as reported to the National Transit Database, to the total unlinked passenger trips provided by all Indian tribes in the Tribal Statistical Area.''.

(b) CONFORMING AMENDMENTS.—Section 5311 of such title is further amended—

(1) in subsection (b) by striking ''5338(a)(2)(E)'' and inserting ''5338(a)(2)(F)'';

(2) in subsection (c)–

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''5338(a)(2)(E)'' and inserting ''5338(a)(2)(F)'';

(B) in paragraph (2)(C), by striking ''5338(a)(2)(E)'' and inserting ''5338(a)(2)(F)''; and

(C) in paragraph (3)(A), by striking ''5338(a)(2)(E)'' and inserting ''5338(a)(2)(F)''.

SEC. 3008. PUBLIC TRANSPORTATION INNOVATION.

(a) CONSOLIDATION OF PROGRAMS.—Section 5312 of title 49, United States Code, is amended—

(1) by striking the section designation and heading and inserting the following:

''§ 5312. Public transportation innovation'';

(2) by redesignating subsections (a) through (f) as subsections (b) through (g), respectively;

(3) by inserting before subsection (b) (as so redesignated) the following:

''(a) IN GENERAL.—The Secretary shall provide assistance for projects and activities to advance innovative public transportation research and development in accordance with the requirements of this section.'';

(4) in subsection (e) (as so redesignated)—

(A) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by inserting ''demonstration, deployment, or evaluation'' before ''project that'';

(ii) in subparagraph (A), by striking ''and'' at the end;

(iii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iv) by adding at the end the following:

''(C) the deployment of low or no emission vehicles, zero emission vehicles, or associated advanced technology.''; and

(B) by striking paragraph (5) and inserting the following:

''(5) PROHIBITION.—The Secretary may not make grants under this subsection for the demonstration, deployment, or evaluation of a vehicle that is in revenue service unless the Secretary determines that the project makes significant technological advancements in the vehicle.

''(6) DEFINITIONS.—In this subsection—

''(A) the term 'direct carbon emissions' means the quantity of direct greenhouse gas emissions from a vehicle, as determined by the Administrator of the Environmental Protection Agency;

''(B) the term 'low or no emission vehicle' means—

''(i) a passenger vehicle used to provide public transportation that the Secretary determines sufficiently reduces energy consumption or harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or

''(ii) a zero emission vehicle used to provide public transportation; and

''(C) the term 'zero emission vehicle' means a low or no emission vehicle that produces no carbon or particulate matter.'';

(5) by adding at the end the following:

''(h) LOW OR NO EMISSION VEHICLE COMPONENT ASSESSMENT.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'covered institution of higher education' means an institution of higher education with which the Secretary enters into a contract or cooperative agreement, or to which the Secretary makes a grant, under paragraph (2)(B) to operate a facility selected under paragraph (2)(A);

''(B) the terms 'direct carbon emissions' and 'low or no emission vehicle' have the meanings given those terms in subsection (e)(6);

''(C) the term 'institution of higher education' has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and

''(D) the term 'low or no emission vehicle component' means an item that is separately installed in and removable from a low or no emission vehicle.

''(2) ASSESSING LOW OR NO EMISSION VEHICLE COMPONENTS.—

''(A) IN GENERAL.—The Secretary shall competitively select at least one facility to conduct testing, evaluation, and analysis of low or no emission vehicle components intended for use in low or no emission vehicles.

''(B) OPERATION AND MAINTENANCE.—

''(i) IN GENERAL.—The Secretary shall enter into a contract or cooperative agreement with, or make a grant to, at least one institution of higher education to operate and maintain a facility selected under subparagraph (A).

''(ii) REQUIREMENTS.—An institution of higher education described in clause (i) shall have—

''(I) capacity to carry out transportation-related advanced component and vehicle evaluation;

''(II) laboratories capable of testing and evaluation; and

''(III) direct access to or a partnership with a testing facility capable of emulating real-world circumstances in order to test low or no emission vehicle components installed on the intended vehicle.

''(C) FEES.—A covered institution of higher education shall establish and collect fees, which shall be approved by the Secretary, for the assessment of low or no emission vehicle components at the applicable facility selected under subparagraph (A).

''(D) AVAILABILITY OF AMOUNTS TO PAY FOR ASSESSMENT.—The Secretary shall enter into a contract or cooperative agreement with, or make a grant to an institution of higher education under which—

''(i) the Secretary shall pay 50 percent of the cost of assessing a low or no emission vehicle component at the applicable facility selected under subparagraph (A) from amounts made available to carry out this section; and

''(ii) the remaining 50 percent of such cost shall be paid from amounts recovered through the fees established and collected pursuant to subparagraph (C).

''(E) VOLUNTARY TESTING.—A manufacturer of a low or no emission vehicle component is not required to assess the low or no emission vehicle component at a facility selected under subparagraph (A).

''(F) COMPLIANCE WITH SECTION 5318.—Notwithstanding whether a low or no emission vehicle component is assessed at a facility selected under subparagraph (A), each new bus model shall comply with the requirements under section 5318.

''(G) SEPARATE FACILITY.—A facility selected under subparagraph (A) shall be separate and

distinct from the facility operated and maintained under section 5318.

''(3) LOW OR NO EMISSION VEHICLE COMPONENT PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of the Federal Public Transportation Act of 2015, and annually thereafter, the Secretary shall issue a report on low or no emission vehicle component assessments conducted at each facility selected under paragraph (2)(A), which shall include information related to the maintainability, reliability, performance, structural integrity, efficiency, and noise of those low or no emission vehicle components.

''(4) PUBLIC AVAILABILITY OF ASSESSMENTS.—Each assessment conducted at a facility selected under paragraph (2)(A) shall be made publicly available, including to affected industries.

''(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require—

''(A) a low or no emission vehicle component to be tested at a facility selected under paragraph (2)(A); or

''(B) the development or disclosure of a privately funded component assessment.''.

(6) in subsection (f) (as so redesignated)—

(A) by striking ''(f)'' and all that follows before paragraph (1) and inserting the following:

''(g) ANNUAL REPORT ON RESEARCH.—Not later than the first Monday in February of each year, the Secretary shall make available to the public on the Web site of the Department of Transportation, a report that includes—''; and

(B) in paragraph (1) by adding ''and'' at the end;

(C) in paragraph (2) by striking ''; and'' and inserting a period; and

(D) by striking paragraph (3); and

(7) by adding at the end the following:

''(i) TRANSIT COOPERATIVE RESEARCH PROGRAM.—

''(1) IN GENERAL.—The amounts made available under section 5338(a)(2)(G)(ii) are available for a public transportation cooperative research program.

''(2) INDEPENDENT GOVERNING BOARD.—

''(A) ESTABLISHMENT.—The Secretary shall establish an independent governing board for the program under this subsection.

''(B) RECOMMENDATIONS.—The board shall recommend public transportation research, development, and technology transfer activities the Secretary considers appropriate.

''(3) FEDERAL ASSISTANCE.—The Secretary may make grants to, and enter into cooperative agreements with, the National Academy of Sciences to carry out activities under this subsection that the Secretary considers appropriate.

''(4) GOVERNMENT SHARE OF COSTS.—If there would be a clear and direct financial benefit to an entity under a grant or contract financed under this subsection, the Secretary shall establish a Government share consistent with that benefit.

''(5) LIMITATION ON APPLICABILITY.—Subsections (f) and (g) shall not apply to activities carried out under this subsection.''.

(b) CONFORMING AMENDMENTS.—Section 5312 of such title (as amended by subsection (a) of this section) is further amended—

(1) in subsection (c)(1) by striking ''subsection (a)(2)'' and inserting ''subsection (b)(2)'';

(2) in subsection (d)—

(A) in paragraph (1) by striking ''subsection (a)(2)'' and inserting ''subsection (b)(2)''; and

(B) in paragraph (2)(A) by striking ''subsection (b)'' and inserting ''subsection (c)'';

(3) in subsection (e)(2) in each of subparagraphs (A) and (B) by striking ''subsection (a)(2)'' and inserting ''subsection (b)(2)''; and

(4) in subsection (f)(2) by striking ''subsection (d)(4)'' and inserting ''subsection (e)(4)''.

(c) CLERICAL AMENDMENT.—The analysis for chapter 53 of such title is amended by striking the item relating to section 5312 and inserting the following:

''5312. Public transportation innovation.''.

SEC. 3009. TECHNICAL ASSISTANCE AND WORKFORCE DEVELOPMENT.

(a) IN GENERAL.—Section 5314 of title 49, United States Code, is amended to read as follows:

''§ 5314. Technical assistance and workforce development

''(a) TECHNICAL ASSISTANCE AND STANDARDS.—

''(1) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—

''(A) IN GENERAL.—The Secretary may make grants and enter into contracts, cooperative agreements, and other agreements (including agreements with departments, agencies, and instrumentalities of the Government) to carry out activities that the Secretary determines will assist recipients of assistance under this chapter to—

''(i) more effectively and efficiently provide public transportation service;

''(ii) administer funds received under this chapter in compliance with Federal law; and

''(iii) improve public transportation.

''(B) ELIGIBLE ACTIVITIES.—The activities carried out under subparagraph (A) may include—

''(i) technical assistance; and

''(ii) the development of voluntary and consensus-based standards and best practices by the public transportation industry, including standards and best practices for safety, fare collection, intelligent transportation systems, accessibility, procurement, security, asset management to maintain a state of good repair, operations, maintenance, vehicle propulsion, communications, and vehicle electronics.

''(2) TECHNICAL ASSISTANCE.—The Secretary, through a competitive bid process, may enter into contracts, cooperative agreements, and other agreements with national nonprofit organizations that have the appropriate demonstrated capacity to provide public-transportation-related technical assistance under this subsection. The Secretary may enter into such contracts, cooperative agreements, and other agreements to assist providers of public transportation to—

''(A) comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) through technical assistance, demonstration programs, research, public education, and other activities related to complying with such Act;

''(B) comply with human services transportation coordination requirements and to enhance the coordination of Federal resources for human services transportation with those of the Department of Transportation through technical assistance, training, and support services related to complying with such requirements;

''(C) meet the transportation needs of elderly individuals;

''(D) increase transit ridership in coordination with metropolitan planning organizations and other entities through development around public transportation stations through technical assistance and the development of tools, guidance, and analysis related to market-based development around transit stations;

''(E) address transportation equity with regard to the effect that transportation planning, investment, and operations have for low-income and minority individuals;

''(F) facilitate best practices to promote bus driver safety;

''(G) meet the requirements of sections 5323(j) and 5323(m);

''(H) assist with the development and deployment of low or no emission vehicles (as defined in section 5339(c)(1)) or low or no emission vehicle components (as defined in section 5312(h)(1)); and

''(I) any other technical assistance activity that the Secretary determines is necessary to advance the interests of public transportation.

''(3) ANNUAL REPORT ON TECHNICAL ASSISTANCE.—Not later than the first Monday in February of each year, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives a report that includes—

''(A) a description of each project that received assistance under this subsection during the preceding fiscal year;

''(B) an evaluation of the activities carried out by each organization that received assistance under this subsection during the preceding fiscal year;

''(C) a proposal for allocations of amounts for assistance under this subsection for the subsequent fiscal year; and

''(D) measurable outcomes and impacts of the programs funded under subsections (b) and (c).

''(4) GOVERNMENT SHARE OF COSTS.—

''(A) IN GENERAL.—The Government share of the cost of an activity carried out using a grant under this subsection may not exceed 80 percent.

''(B) NON-GOVERNMENT SHARE.—The non-Government share of the cost of an activity carried out using a grant under this subsection may be derived from in-kind contributions.

''(b) HUMAN RESOURCES AND TRAINING.—

''(1) IN GENERAL.—The Secretary may undertake, or make grants and contracts for, programs that address human resource needs as they apply to public transportation activities. A program may include—

''(A) an employment training program;

''(B) an outreach program to increase employment for veterans, females, individuals with a disability, minorities (including American Indians or Alaska Natives, Asian, Black or African Americans, native Hawaiians or other Pacific Islanders, and Hispanics) in public transportation activities;

''(C) research on public transportation personnel and training needs;

''(D) training and assistance for veteran and minority business opportunities; and

''(E) consensus-based national training standards and certifications in partnership with industry stakeholders.

''(2) INNOVATIVE PUBLIC TRANSPORTATION FRONTLINE WORKFORCE DEVELOPMENT PROGRAM.—

''(A) IN GENERAL.—The Secretary shall establish a competitive grant program to assist the development of innovative activities eligible for assistance under paragraph (1).

''(B) ELIGIBLE PROGRAMS.—A program eligible for assistance under paragraph (1) shall—

''(i) develop apprenticeships, on-the-job training, and instructional training for public transportation maintenance and operations occupations;

''(ii) build local, regional, and statewide public transportation training partnerships with local public transportation operators, labor union organizations, workforce development boards, and State workforce agencies to identify and address workforce skill gaps;

''(iii) improve safety, security, and emergency preparedness in local public transportation systems through improved safety culture and workforce communication with first responders and the riding public; and

''(iv) address current or projected workforce shortages by developing partnerships with high schools, community colleges, and other community organizations.

''(C) SELECTION OF RECIPIENTS.—To the maximum extent feasible, the Secretary shall select recipients that—

''(i) are geographically diverse;

''(ii) address the workforce and human resources needs of large public transportation providers;

''(iii) address the workforce and human resources needs of small public transportation providers;

''(iv) address the workforce and human resources needs of urban public transportation providers;

''(v) address the workforce and human resources needs of rural public transportation providers;

''(vi) advance training related to maintenance of low or no emission vehicles and facilities used in public transportation;

''(vii) target areas with high rates of unemployment;

''(viii) advance opportunities for minorities, women, veterans, individuals with disabilities, low-income populations, and other underserved populations; and

''(ix) address in-demand industry sector or occupation, as such term is defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

''(D) PROGRAM OUTCOMES.—A recipient of assistance under this subsection shall demonstrate outcomes for any program that includes skills training, on-the-job training, and work-based learning, including—

''(i) the impact on reducing public transportation workforce shortages in the area served;

''(ii) the diversity of training participants;

''(iii) the number of participants obtaining certifications or credentials required for specific types of employment;

''(iv) employment outcomes, including job placement, job retention, and wages, using performance metrics established in consultation with the Secretary and the Secretary of Labor and consistent with metrics used by programs under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.); and

''(v) to the extent practical, evidence that the program did not preclude workers who are participating in skills training, on-the-job training, and work-based learning from being referred to, or hired on, projects funded under this chapter without regard to the length of time of their participation in the program.

''(E) REPORT TO CONGRESS.—The Secretary shall make publicly available a report on the Frontline Workforce Development Program for each fiscal year, not later than December 31 of the calendar year in which that fiscal year ends. The report shall include a detailed description of activities carried out under this paragraph, an evaluation of the program, and policy recommendations to improve program effectiveness.

''(3) GOVERNMENT'S SHARE OF COSTS.—The Government share of the cost of a project carried out using a grant under paragraph (1) or (2) shall be 50 percent.

''(4) AVAILABILITY OF AMOUNTS.—Not more than 0.5 percent of amounts made available to a recipient under sections 5307, 5337, and 5339 is available for expenditures by the recipient, with the approval of the Secretary, to pay not more than 80 percent of the cost of eligible activities under this subsection.

''(c) NATIONAL TRANSIT INSTITUTE.—

''(1) ESTABLISHMENT.—The Secretary shall establish a national transit institute and award grants to a public 4-year degree-granting institution of higher education, as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), in order to carry out the duties of the institute.

''(2) DUTIES.—

''(A) IN GENERAL.—In cooperation with the Federal Transit Administration, State transportation departments, public transportation authorities, and national and international entities, the institute established under paragraph (1) shall develop and conduct training and educational programs for Federal, State, and local transportation employees, United States citizens, and foreign nationals engaged or to be engaged in Government-aid public transportation work.

''(B) TRAINING AND EDUCATIONAL PROGRAMS.—The training and educational programs developed under subparagraph (A) may include courses in recent developments, techniques, and procedures related to—

''(i) intermodal and public transportation planning;

''(ii) management;

''(iii) environmental factors;

''(iv) acquisition and joint use rights-of-way;

''(v) engineering and architectural design;

''(vi) procurement strategies for public transportation systems;

''(vii) turnkey approaches to delivering public transportation systems;

''(viii) new technologies;

''(ix) emission reduction technologies;

''(x) ways to make public transportation accessible to individuals with disabilities;

''(xi) construction, construction management, insurance, and risk management;

''(xii) maintenance;

''(xiii) contract administration;

''(xiv) inspection;

''(xv) innovative finance;

''(xvi) workplace safety; and

''(xvii) public transportation security.

''(3) PROVISION FOR EDUCATION AND TRAINING.—Education and training of Government, State, and local transportation employees under this subsection shall be provided—

''(A) by the Secretary at no cost to the States and local governments for subjects that are a Government program responsibility; or

''(B) when the education and training are paid under paragraph (4), by the State, with the approval of the Secretary, through grants and contracts with public and private agencies, other institutions, individuals, and the institute.

''(4) AVAILABILITY OF AMOUNTS.—

''(A) IN GENERAL.—Not more than 0.5 percent of amounts made available to a recipient under sections 5307, 5337, and 5339 is available for expenditures by the recipient, with the approval of the Secretary, to pay not more than 80 percent of the cost of eligible activities under this subsection.

''(B) EXISTING PROGRAMS.—A recipient may use amounts made available under subparagraph (A) to carry out existing local education and training programs for public transportation employees supported by the Secretary, the Department of Labor, or the Department of Education.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 53 of such title is amended by striking the item relating to section 5314 and inserting the following:

''5314. Technical assistance and workforce development.''.

SEC. 3010. PRIVATE SECTOR PARTICIPATION.

(a) IN GENERAL.—Section 5315 of title 49, United States Code, is amended by adding at the end the following:

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter—

''(1) the eligibilities, requirements, or priorities for assistance provided under this chapter; or

''(2) the requirements of section 5306(a).''.

(b) MAP–21 TECHNICAL CORRECTION.—Section 20013(d) of MAP–21 (Public Law 112–141; 126 Stat. 694) is amended by striking ''5307(c)'' and inserting ''5307(b)''.

SEC. 3011. GENERAL PROVISIONS.

Section 5323 of title 49, United States Code, is amended—

(1) in subsection (h)—

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

(B) by redesignating paragraph (2) as paragraph (3); and

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

''(2) pay incremental costs of incorporating art or non-functional landscaping into facilities, including the costs of an artist on the design team; or'';

(2) in subsection (j)—

(A) in paragraph (2), by striking subparagraph (C) and inserting the following:

''(C) when procuring rolling stock (including train control, communication, traction power equipment, and rolling stock prototypes) under this chapter—

''(i) the cost of components and subcomponents produced in the United States—

''(I) for fiscal years 2016 and 2017, is more than 60 percent of the cost of all components of the rolling stock;

''(II) for fiscal years 2018 and 2019, is more than 65 percent of the cost of all components of the rolling stock; and

''(III) for fiscal year 2020 and each fiscal year thereafter, is more than 70 percent of the cost of all components of the rolling stock; and

''(ii) final assembly of the rolling stock has occurred in the United States; or'';

(B) by redesignating paragraphs (5) through (9) as paragraphs (7) through (11), respectively;

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

''(5) ROLLING STOCK FRAMES OR CAR SHELLS.—In carrying out paragraph (2)(C) in the case of a rolling stock procurement receiving assistance under this chapter in which the average cost of a rolling stock vehicle in the procurement is more than $300,000, if rolling stock frames or car shells are not produced in the United States, the Secretary shall include in the calculation of the domestic content of the rolling stock the cost of steel or iron that is produced in the United States and used in the rolling stock frames or car shells.

''(6) CERTIFICATION OF DOMESTIC SUPPLY AND DISCLOSURE.—

''(A) CERTIFICATION OF DOMESTIC SUPPLY.—If the Secretary denies an application for a waiver under paragraph (2), the Secretary shall provide to the applicant a written certification that—

''(i) the steel, iron, or manufactured goods, as applicable, (referred to in this subparagraph as the 'item') is produced in the United States in a sufficient and reasonably available amount;

''(ii) the item produced in the United States is of a satisfactory quality; and

''(iii) includes a list of known manufacturers in the United States from which the item can be obtained.

''(B) DISCLOSURE.—The Secretary shall disclose the waiver denial and the written certification to the public in an easily identifiable location on the website of the Department of Transportation.'';

(D) in paragraph (8), as so redesignated, by striking ''Federal Public Transportation Act of 2012'' and inserting ''Federal Public Transportation Act of 2015''; and

(E) by inserting after paragraph (11), as so redesignated, the following:

''(12) STEEL AND IRON.—For purposes of this subsection, steel and iron meeting the requirements of section 661.5(b) of title 49, Code of Federal Regulations may be considered produced in the United States.

''(13) DEFINITION OF SMALL PURCHASE.—For purposes of determining whether a purchase qualifies for a general public interest waiver under paragraph (2)(A) of this subsection, including under any regulation promulgated under that paragraph, the term 'small purchase' means a purchase of not more than $150,000.'';

(3) in subsection (q)(1), by striking the second sentence; and

(4) by adding at the end the following:

''(s) VALUE CAPTURE REVENUE ELIGIBLE FOR LOCAL SHARE.—Notwithstanding any other provision of law, a recipient of assistance under this chapter may use the revenue generated from value capture financing mechanisms as local matching funds for capital projects and operating costs eligible under this chapter.

''(t) SPECIAL CONDITION ON CHARTER BUS TRANSPORTATION SERVICE.—If, in a fiscal year, the Secretary is prohibited by law from enforcing regulations related to charter bus service under part 604 of title 49, Code of Federal Regulations, for any transit agency that during fiscal year 2008 was both initially granted a 60-day period to come into compliance with such part 604, and then was subsequently granted an exception from such part—

''(1) the transit agency shall be precluded from receiving its allocation of urbanized area formula grant funds for such fiscal year; and

''(2) any amounts withheld pursuant to paragraph (1) shall be added to the amount that the Secretary may apportion under section 5336 in the following fiscal year.''.

SEC. 3012. PROJECT MANAGEMENT OVERSIGHT.

Section 5327 of title 49, United States Code, is amended—

(1) in subsection (c) by striking ''section 5338(i)'' and inserting section ''5338(f)'' ; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''section 5338(i)'' and inserting section 5338(f); and

(ii) by striking ''and'' at the end; and

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

''(2) a requirement that oversight—

''(A) begin during the project development phase of a project, unless the Secretary finds it more appropriate to begin the oversight during another phase of the project, to maximize the transportation benefits and cost savings associated with project management oversight; and

''(B) be limited to quarterly reviews of compliance by the recipient with the project management plan approved under subsection (b) unless the Secretary finds that the recipient requires more frequent oversight because the recipient has failed to meet the requirements of such plan and the project may be at risk of going over budget or becoming behind schedule; and

''(3) a process for recipients that the Secretary has found require more frequent oversight to return to quarterly reviews for purposes of paragraph (2)(B).''.

SEC. 3013. PUBLIC TRANSPORTATION SAFETY PROGRAM.

Section 5329 of title 49, United States Code, is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (C) by striking ''and'' at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

''(D) minimum safety standards to ensure the safe operation of public transportation systems that—

''(i) are not related to performance standards for public transportation vehicles developed under subparagraph (C); and

''(ii) to the extent practicable, take into consideration—

''(I) relevant recommendations of the National Transportation Safety Board;

''(II) best practices standards developed by the public transportation industry;

''(III) any minimum safety standards or performance criteria being implemented across the public transportation industry;

''(IV) relevant recommendations from the report under section 3020 of the Federal Public Transportation Act of 2015; and

''(V) any additional information that the Secretary determines necessary and appropriate; and'';

(2) in subsection (e)—

(A) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(B) by inserting after paragraph (7) the following:

''(8) FEDERAL SAFETY MANAGEMENT.—

''(A) IN GENERAL.—If the Secretary determines that a State safety oversight program is not being carried out in accordance with this section, has become inadequate to ensure the enforcement of Federal safety regulation, or is incapable of providing adequate safety oversight consistent with the prevention of substantial risk of death, or personal injury, the Secretary shall administer the State safety oversight program until the eligible State develops a State safety oversight program certified by the Secretary in accordance with this subsection.

''(B) TEMPORARY FEDERAL OVERSIGHT.—In making a determination under subparagraph (A), the Secretary shall—

''(i) transmit to the eligible State and affected recipient or recipients, a written explanation of the determination or subsequent finding, including any intention to withhold funding under this section, the amount of funds proposed to be withheld, and if applicable, a formal notice of a withdrawal of State safety oversight program approval; and

''(ii) require the State to submit a State safety oversight program or modification for certification by the Secretary that meets the requirements of this subsection.

''(C) FAILURE TO CORRECT.—If the Secretary determines in accordance with subparagraph (A), that a State safety oversight program or modification required pursuant to subparagraph (B)(ii), submitted by a State is not sufficient, the Secretary may—

''(i) withhold funds available under paragraph (6) in an amount determined by the Secretary;

''(ii) beginning 1 year after the date of the determination, withhold not more than 5 percent of the amount required to be appropriated for use in a State or an urbanized area in the State under section 5307, until the State safety oversight program or modification has been certified; and

''(iii) use any other authorities authorized under this chapter considered necessary and appropriate.

''(D) ADMINISTRATIVE AND OVERSIGHT ACTIVITIES.—To carry out administrative and oversight activities authorized by this paragraph, the Secretary may use grant funds apportioned to an eligible State, under paragraph (6), to develop or carry out a State safety oversight program.'';

(3) in subsection (f)(2), by inserting ''or the public transportation industry generally'' after ''recipients'';

(4) in subsection (g)(1)—

(A) in the matter preceding subparagraph (A) by striking ''an eligible State, as defined in subsection (e),'' and inserting ''a recipient'';

(B) in subparagraph (C) by striking ''and'' at the end;

(C) in subparagraph (D) by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(E) withholding not more than 25 percent of financial assistance under section 5307.'';

(5) in subsection (g)(2)(A)—

(A) by inserting after ''funds'' the following: ''or withhold funds''; and

(B) by inserting ''or (1)(E)'' after ''paragraph (1)(D)''; and

(6) by striking subsection (h) and inserting the following:

''(h) RESTRICTIONS AND PROHIBITIONS.—

''(1) RESTRICTIONS AND PROHIBITIONS.—The Secretary shall issue restrictions and prohibitions by whatever means are determined necessary and appropriate, without regard to section 5334(c), if, through testing, inspection, investigation, audit, or research carried out under this chapter, the Secretary determines that an unsafe condition or practice, or a combination of unsafe conditions and practices, exist such that there is a substantial risk of death or personal injury.

''(2) NOTICE.—The notice of restriction or prohibition shall describe the condition or practice, the subsequent risk and the standards and procedures required to address the restriction or prohibition.

''(3) CONTINUED AUTHORITY.—Nothing in this subsection shall be construed as limiting the Secretary's authority to maintain a restriction or prohibition for as long as is necessary to ensure that the risk has been substantially addressed.''.

SEC. 3014. APPORTIONMENTS.

Section 5336 of title 49, United States Code, is amended—

(1) in subsection (a) in the matter preceding paragraph (1) by striking ''subsection (h)(4)'' and inserting ''subsection (h)(5)'';

(2) in subsection (b)(2)(E) by striking ''22.27 percent'' and inserting ''27 percent''; and

(3) in subsection (h)—

(A) by striking paragraph (1) and inserting the following:

''(1) $30,000,000 shall be set aside each fiscal year to carry out section 5307(h);''; and

(B) by striking paragraph (3) and inserting the following:

''(3) of amounts not apportioned under paragraphs (1) and (2)—

''(A) for fiscal years 2016 through 2018, 1.5 percent shall be apportioned to urbanized areas with populations of less than 200,000 in accordance with subsection (i); and

''(B) for fiscal years 2019 and 2020, 2 percent shall be apportioned to urbanized areas with populations of less than 200,000 in accordance with subsection (i);''.

SEC. 3015. STATE OF GOOD REPAIR GRANTS.

(a) IN GENERAL.—Section 5337 of title 49, United States Code, is amended—

(1) in subsection (c)(2)(B), by inserting ''the provisions of'' before ''section 5336(b)(1)'';

(2) in subsection (d)—

(A) in paragraph (2) by inserting ''vehicle'' after ''motorbus''; and

(B) by adding at the end the following:

''(5) USE OF FUNDS.—Amounts apportioned under this subsection may be used for any project that is an eligible project under subsection (b)(1).''; and

(3) by adding at the end the following:

''(e) GOVERNMENT SHARE OF COSTS.—

''(1) CAPITAL PROJECTS.—A grant for a capital project under this section shall be for 80 percent of the net project cost of the project. The recipient may provide additional local matching amounts.

''(2) REMAINING COSTS.—The remainder of the net project cost shall be provided—

''(A) in cash from non-Government sources;

''(B) from revenues derived from the sale of advertising and concessions; or

''(C) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.''.

(b) CONFORMING AMENDMENTS.—Section 5337 of such title is further amended—

(1) in subsection (c)(1) by striking ''5338(a)(2)(I)'' and inserting ''5338(a)(2)(K)''; and

(2) in subsection (d)(2) by striking ''5338(a)(2)(I)'' and inserting ''5338(a)(2)(K)''.

SEC. 3016. AUTHORIZATIONS.

Section 5338 of title 49, United States Code, is amended to read as follows:

''SEC. 5338. AUTHORIZATIONS.

''(a) GRANTS.—

''(1) IN GENERAL.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5335, 5337, 5339, and 5340, section 20005(b) of the Federal Public Transportation Act of 2012, and sections 3006(b) of the Federal Public Transportation Act of 2015—

''(A) $9,347,604,639 for fiscal year 2016;

''(B) $9,534,706,043 for fiscal year 2017;

''(C) $9,733,353,407 for fiscal year 2018;

''(D) $9,939,380,030 for fiscal year 2019; and

''(E) $10,150,348,462 for fiscal year 2020.

''(2) ALLOCATION OF FUNDS.—Of the amounts made available under paragraph (1)—

''(A) $130,732,000 for fiscal year 2016, $133,398,933 for fiscal year 2017, $136,200,310 for fiscal year 2018, $139,087,757 for fiscal year 2019, and $142,036,417 for fiscal year 2020, shall be available to carry out section 5305;

''(B) $10,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 20005(b) of the Federal Public Transportation Act of 2012;

''(C) $4,538,905,700 for fiscal year 2016, $4,629,683,814 for fiscal year 2017, $4,726,907,174 for fiscal year 2018, $4,827,117,606 for fiscal year 2019, and $4,929,452,499 for fiscal year 2020 shall be allocated in accordance with section 5336 to provide financial assistance for urbanized areas under section 5307;

''(D) $262,949,400 for fiscal year 2016, $268,208,388 for fiscal year 2017, $273,840,764 for fiscal year 2018, $279,646,188 for fiscal year 2019, and $285,574,688 for fiscal year 2020 shall be available to provide financial assistance for services for the enhanced mobility of seniors and individuals with disabilities under section 5310;

''(E) $2,000,000 for fiscal year 2016, $3,000,000 for fiscal year 2017, $3,250,000 for fiscal year 2018, $3,500,000 for fiscal year 2019 and $3,500,000 for fiscal year 2020 shall be available for the pilot program for innovative coordinated access and mobility under section 3006(b) of the Federal Public Transportation Act of 2015;

''(F) $619,956,000 for fiscal year 2016, $632,355,120 for fiscal year 2017, $645,634,578 for fiscal year 2018, $659,322,031 for fiscal year 2019, and $673,299,658 for fiscal year 2020 shall be available to provide financial assistance for rural areas under section 5311, of which not less than—

''(i) $35,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5311(c)(1); and

''(ii) $20,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5311(c)(2);

''(G) $28,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5312, of which—

''(i) $3,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5312(h); and

''(ii) $5,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5312(i);

''(H) $9,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5314; of which $5,000,000 shall be available for the national transit institute under section 5314(c);

''(I) $3,000,000 for each of fiscal years 2016 through 2020 shall be available for bus testing under section 5318;

''(J) $4,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5335;

''(K) $2,507,000,000 for fiscal year 2016, $2,549,670,000 for fiscal year 2017, $2,593,703,558 for fiscal year 2018, $2,638,366,859 for fiscal year 2019, and $2,683,798,369 for fiscal year 2020 shall be available to carry out section 5337;

''(L) $427,800,000 for fiscal year 2016, $436,356,000 for fiscal year 2017, $445,519,476 for fiscal year 2018, $454,964,489 for fiscal year 2019, and $464,609,736 for fiscal year 2020 shall be available for the bus and buses facilities program under section 5339(a);

''(M) $268,000,000 for fiscal year 2016, $283,600,000 for fiscal year 2017, $301,514,000 for fiscal year 2018, $322,059,980 for fiscal year 2019, and $344,044,179 for fiscal year 2020 shall be available for buses and bus facilities competitive grants under section 5339(b) and no or low emission grants under section 5339(c), of which $55,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5339(c); and

''(N) $536,261,539 for fiscal year 2016, $544,433,788 for fiscal year 2017, $552,783,547 for fiscal year 2018, $561,315,120 for fiscal year 2019 and $570,032,917 for fiscal year 2020, to carry out section 5340 to provide financial assistance for urbanized areas under section 5307 and rural areas under section 5311, of which—

''(i) $272,297,083 for fiscal year 2016, $279,129,510 for fiscal year 2017, $286,132,747 for fiscal year 2018, $293,311,066 for fiscal year 2019, $300,668,843 for fiscal year 2020 shall be for growing States under section 5340(c); and

''(ii) $263,964,457 for fiscal year 2016, $265,304,279 for fiscal year 2017, $266,650,800 for fiscal year 2018, $268,004,054 for fiscal year 2019, $269,364,074 for fiscal year 2020 shall be for high density States under section 5340(d).

''(b) RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROGRAM.—There are authorized to be appropriated to carry out section 5312, other than subsections (h) and (i) of that section, $20,000,000 for each of fiscal years 2016 through 2020.

''(c) TECHNICAL ASSISTANCE AND TRAINING.—There are authorized to be appropriated to carry out section 5314, $5,000,000 for each of fiscal years 2016 through 2020.

''(d) CAPITAL INVESTMENT GRANTS.—There are authorized to be appropriated to carry out section 5309 of this title and section 3005(b) of the Federal Public Transportation Act of 2015, $2,301,785,760 for each of fiscal years 2016 through 2020.

''(e) ADMINISTRATION.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out section 5334, $115,016,543 for each of fiscal years 2016 through 2020.

''(2) SECTION 5329.—Of the amounts authorized to be appropriated under paragraph (1), not less than $5,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5329.

''(3) SECTION 5326.—Of the amounts made available under paragraph (2), not less than $2,000,000 for each of fiscal years 2016 through 2020 shall be available to carry out section 5326.

''(f) OVERSIGHT.—

''(1) IN GENERAL.—Of the amounts made available to carry out this chapter for a fiscal year, the Secretary may use not more than the following amounts for the activities described in paragraph (2):

''(A) 0.5 percent of amounts made available to carry out section 5305.

''(B) 0.75 percent of amounts made available to carry out section 5307.

''(C) 1 percent of amounts made available to carry out section 5309.

''(D) 1 percent of amounts made available to carry out section 601 of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110-432; 126 Stat. 4968).

''(E) 0.5 percent of amounts made available to carry out section 5310.

''(F) 0.5 percent of amounts made available to carry out section 5311.

''(G) 1 percent of amounts made available to carry out section 5337, of which not less than 0.25 percent of amounts made available for this subparagraph shall be available to carry out section 5329.

''(H) 0.75 percent of amounts made available to carry out section 5339.

''(2) ACTIVITIES.—The activities described in this paragraph are as follows:

''(A) Activities to oversee the construction of a major capital project.

''(B) Activities to review and audit the safety and security, procurement, management, and financial compliance of a recipient or subrecipient of funds under this chapter.

''(C) Activities to provide technical assistance generally, and to provide technical assistance to correct deficiencies identified in compliance reviews and audits carried out under this section.

''(3) GOVERNMENT SHARE OF COSTS.—The Government shall pay the entire cost of carrying out a contract under this subsection.

''(4) AVAILABILITY OF CERTAIN FUNDS.—Funds made available under paragraph (1)(C) shall be made available to the Secretary before allocating the funds appropriated to carry out any project under a full funding grant agreement.

''(g) GRANTS AS CONTRACTUAL OBLIGATIONS.—

''(1) GRANTS FINANCED FROM HIGHWAY TRUST FUND.—A grant or contract that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project.

''(2) GRANTS FINANCED FROM GENERAL FUND.—A grant or contract that is approved by the Secretary and financed with amounts appropriated in advance from the General Fund of the Treasury pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project only to the extent that amounts are appropriated for such purpose by an Act of Congress.

''(h) AVAILABILITY OF AMOUNTS.—Amounts made available by or appropriated under this section shall remain available until expended.''.

SEC. 3017. GRANTS FOR BUSES AND BUS FACILITIES.

(a) IN GENERAL.—Section 5339 of title 49, United States Code, is amended to read as follows:

''§ 5339. Grants for buses and bus facilities

''(a) FORMULA GRANTS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'low or no emission vehicle' has the meaning given that term in subsection (c)(1);

''(B) the term 'State' means a State of the United States; and

''(C) the term 'territory' means the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the United States Virgin Islands.

''(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to assist eligible recipients described in paragraph (4)(A) in financing capital projects—

''(A) to replace, rehabilitate, and purchase buses and related equipment, including technological changes or innovations to modify low or no emission vehicles or facilities; and

''(B) to construct bus-related facilities.

''(3) GRANT REQUIREMENTS.—The requirements of—

''(A) section 5307 shall apply to recipients of grants made in urbanized areas under this subsection; and

''(B) section 5311 shall apply to recipients of grants made in rural areas under this subsection.

''(4) ELIGIBLE RECIPIENTS.—

''(A) RECIPIENTS.—Eligible recipients under this subsection are—

''(i) designated recipients that allocate funds to fixed route bus operators; or

''(ii) State or local governmental entities that operate fixed route bus service.

''(B) SUBRECIPIENTS.—A recipient that receives a grant under this subsection may allocate amounts of the grant to subrecipients that are public agencies or private nonprofit organizations engaged in public transportation.

''(5) DISTRIBUTION OF GRANT FUNDS.—Funds allocated under section 5338(a)(2)(L) shall be distributed as follows:

''(A) NATIONAL DISTRIBUTION.—$90,500,000 for each of fiscal years 2016 through 2020 shall be allocated to all States and territories, with each State receiving $1,750,000 for each such fiscal year and each territory receiving $500,000 for each such fiscal year.

''(B) DISTRIBUTION USING POPULATION AND SERVICE FACTORS.—The remainder of the funds not otherwise distributed under subparagraph (A) shall be allocated pursuant to the formula set forth in section 5336 other than subsection (b).

''(6) TRANSFERS OF APPORTIONMENTS.—

''(A) TRANSFER FLEXIBILITY FOR NATIONAL DISTRIBUTION FUNDS.—The Governor of a State may transfer any part of the State's apportionment under paragraph (5)(A) to supplement amounts apportioned to the State under section 5311(c) or amounts apportioned to urbanized areas under subsections (a) and (c) of section 5336.

''(B) TRANSFER FLEXIBILITY FOR POPULATION AND SERVICE FACTORS FUNDS.—The Governor of a State may expend in an urbanized area with a population of less than 200,000 any amounts apportioned under paragraph (5)(B) that are not allocated to designated recipients in urbanized areas with a population of 200,000 or more.

''(7) GOVERNMENT SHARE OF COSTS.—

''(A) CAPITAL PROJECTS.—A grant for a capital project under this subsection shall be for 80 percent of the net capital costs of the project. A recipient of a grant under this subsection may provide additional local matching amounts.

''(B) REMAINING COSTS.—The remainder of the net project cost shall be provided—

''(i) in cash from non-Government sources other than revenues from providing public transportation services;

''(ii) from revenues derived from the sale of advertising and concessions;

''(iii) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital;

''(iv) from amounts received under a service agreement with a State or local social service agency or private social service organization; or

''(v) from revenues generated from value capture financing mechanisms.

''(8) PERIOD OF AVAILABILITY TO RECIPIENTS.—Amounts made available under this subsection may be obligated by a recipient for 3 fiscal years after the fiscal year in which the amount is apportioned. Not later than 30 days after the end of the 3-fiscal-year period described in the preceding sentence, any amount that is not obligated on the last day of such period shall be added to the amount that may be apportioned under this subsection in the next fiscal year.

''(9) PILOT PROGRAM FOR COST-EFFECTIVE CAPITAL INVESTMENT.—

''(A) IN GENERAL.—For each of fiscal years 2016 through 2020, the Secretary shall carry out a pilot program under which an eligible recipient (as described in paragraph (4)) in an urbanized area with population of not less than 200,000 and not more than 999,999 may elect to participate in a State pool in accordance with this paragraph.

''(B) PURPOSE OF STATE POOLS.—The purpose of a State pool shall be to allow for transfers of formula grant funds made available under this subsection among the designated recipients participating in the State pool in a manner that supports the transit asset management plans of the designated recipients under section 5326.

''(C) REQUESTS FOR PARTICIPATION.—A State, and eligible recipients in the State described in subparagraph (A), may submit to the Secretary a request for participation in the program under procedures to be established by the Secretary. An eligible recipient for a multistate area may participate in only 1 State pool.

''(D) ALLOCATIONS TO PARTICIPATING STATES.—For each fiscal year, the Secretary shall allocate to each State participating in the program the total amount of funds that otherwise would be allocated to the urbanized areas of the eligible recipients participating in the State's pool for that fiscal year pursuant to the formulas referred to in paragraph (5).

''(E) ALLOCATIONS TO ELIGIBLE RECIPIENTS IN STATE POOLS.—A State shall distribute the amount that is allocated to the State for a fiscal year under subparagraph (D) among the eligible recipients participating in the State's pool in a manner that supports the transit asset management plans of the recipients under section 5326.

''(F) ALLOCATION PLANS.—A State participating in the program shall develop an allocation plan for the period of fiscal years 2016 through 2020 to ensure that an eligible recipient participating in the State's pool receives under the program an amount of funds that equals the amount of funds that would have otherwise been available to the eligible recipient for that period pursuant to the formulas referred to in paragraph (5).

''(G) GRANTS.—The Secretary shall make grants under this subsection for a fiscal year to an eligible recipient participating in a State pool following notification by the State of the allocation amount determined under subparagraph (E).

''(b) BUSES AND BUS FACILITIES COMPETITIVE GRANTS.—

''(1) IN GENERAL.—The Secretary may make grants under this subsection to eligible recipients (as described in subsection (a)(4)) to assist in the financing of buses and bus facilities capital projects, including—

''(A) replacing, rehabilitating, purchasing, or leasing buses or related equipment; and

''(B) rehabilitating, purchasing, constructing, or leasing bus-related facilities.

''(2) GRANT CONSIDERATIONS.—In making grants under this subsection, the Secretary shall consider the age and condition of buses, bus fleets, related equipment, and bus-related facilities.

''(3) STATEWIDE APPLICATIONS.—A State may submit a statewide application on behalf of a public agency or private nonprofit organization engaged in public transportation in rural areas or other areas for which the State allocates funds. The submission of a statewide application shall not preclude the submission and consideration of any application under this subsection from other eligible recipients (as described in subsection (a)(4)) in an urbanized area in a State.

''(4) REQUIREMENTS FOR THE SECRETARY.—The Secretary shall—

''(A) disclose all metrics and evaluation procedures to be used in considering grant applications under this subsection upon issuance of the notice of funding availability in the Federal Register; and

''(B) publish a summary of final scores for selected projects, metrics, and other evaluations used in awarding grants under this subsection in the Federal Register.

''(5) RURAL PROJECTS.—Not less than 10 percent of the amounts made available under this subsection in a fiscal year shall be distributed to projects in rural areas.

''(6) GRANT REQUIREMENTS.—

''(A) IN GENERAL.—A grant under this subsection shall be subject to the requirements of—

''(i) section 5307 for eligible recipients of grants made in urbanized areas; and

''(ii) section 5311 for eligible recipients of grants made in rural areas.

''(B) GOVERNMENT SHARE OF COSTS.—The Government share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

''(7) AVAILABILITY OF FUNDS.—Any amounts made available to carry out this subsection—

''(A) shall remain available for 3 fiscal years after the fiscal year for which the amount is made available; and

''(B) that remain unobligated at the end of the period described in subparagraph (A) shall be added to the amount made available to an eligible project in the following fiscal year.

''(8) LIMITATION.—Of the amounts made available under this subsection, not more than 10 percent may be awarded to a single grantee.

''(c) LOW OR NO EMISSION GRANTS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'direct carbon emissions' means the quantity of direct greenhouse gas emissions from a vehicle, as determined by the Administrator of the Environmental Protection Agency;

''(B) the term 'eligible project' means a project or program of projects in an eligible area for—

''(i) acquiring low or no emission vehicles;

''(ii) leasing low or no emission vehicles;

''(iii) acquiring low or no emission vehicles with a leased power source;

''(iv) constructing facilities and related equipment for low or no emission vehicles;

''(v) leasing facilities and related equipment for low or no emission vehicles;

''(vi) constructing new public transportation facilities to accommodate low or no emission vehicles; or

''(vii) rehabilitating or improving existing public transportation facilities to accommodate low or no emission vehicles;

''(C) the term 'leased power source' means a removable power source, as defined in subsection (c)(3) of section 3019 of the Federal Public Transportation Act of 2015 that is made available through a capital lease under such section;

''(D) the term 'low or no emission bus' means a bus that is a low or no emission vehicle;

''(E) the term 'low or no emission vehicle' means—

''(i) a passenger vehicle used to provide public transportation that the Secretary determines sufficiently reduces energy consumption or harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or

''(ii) a zero emission vehicle used to provide public transportation;

''(F) the term 'recipient' means a designated recipient, a local governmental authority, or a State that receives a grant under this subsection for an eligible project; and

''(G) the term 'zero emission vehicle' means a low or no emission vehicle that produces no carbon or particulate matter.

''(2) GENERAL AUTHORITY.—The Secretary may make grants to recipients to finance eligible projects under this subsection.

''(3) GRANT REQUIREMENTS.—

''(A) IN GENERAL.—A grant under this subsection shall be subject to the requirements of section 5307.

''(B) GOVERNMENT SHARE OF COSTS FOR CERTAIN PROJECTS.—Section 5323(i) applies to eligible projects carried out under this subsection, unless the recipient requests a lower grant percentage.

''(C) COMBINATION OF FUNDING SOURCES.—

''(i) COMBINATION PERMITTED.—An eligible project carried out under this subsection may receive funding under section 5307 or any other provision of law.

''(ii) GOVERNMENT SHARE.—Nothing in this subparagraph shall be construed to alter the Government share required under paragraph (7), section 5307, or any other provision of law.

''(4) COMPETITIVE PROCESS.—The Secretary shall—

''(A) not later than 30 days after the date on which amounts are made available for obligation under this subsection for a full fiscal year, solicit grant applications for eligible projects on a competitive basis; and

''(B) award a grant under this subsection based on the solicitation under subparagraph (A) not later than the earlier of—

''(i) 75 days after the date on which the solicitation expires; or

''(ii) the end of the fiscal year in which the Secretary solicited the grant applications.

''(5) CONSIDERATION.—In awarding grants under this subsection, the Secretary shall only consider eligible projects relating to the acquisition or leasing of low or no emission buses or bus facilities that—

''(A) make greater reductions in energy consumption and harmful emissions, including direct carbon emissions, than comparable standard buses or other low or no emission buses; and

''(B) are part of a long-term integrated fleet management plan for the recipient.

''(6) AVAILABILITY OF FUNDS.—Any amounts made available to carry out this subsection—

''(A) shall remain available to an eligible project for 3 fiscal years after the fiscal year for which the amount is made available; and

''(B) that remain unobligated at the end of the period described in subparagraph (A) shall be added to the amount made available to an eligible project in the following fiscal year.

''(7) GOVERNMENT SHARE OF COSTS.—

''(A) IN GENERAL.—The Federal share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

''(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of an eligible project carried out under this subsection may be derived from in-kind contributions.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The analysis for chapter 53 of title 49, United States Code, is amended by striking the item relating to section 5339 and inserting the following:

''5339. Grants for buses and bus facilities.''.

SEC. 3018. OBLIGATION CEILING.

Notwithstanding any other provision of law, the total of all obligations from amounts made available from the Mass Transit Account of the Highway Trust Fund by subsection (a) of section 5338 of title 49, United States Code, and section 3028 of the Federal Public Transportation Act of 2015 shall not exceed—

(1) $9,347,604,639 in fiscal year 2016;
(2) $9,733,706,043 in fiscal year 2017;
(3) $9,733,353,407 in fiscal year 2018;
(4) $9,939,380,030 in fiscal year 2019; and
(5) $10,150,348,462 in fiscal year 2020.

SEC. 3019. INNOVATIVE PROCUREMENT.

(a) DEFINITION.—In this section, the term ''grantee'' means a recipient or subrecipient of assistance under chapter 53 of title 49, United States Code.

(b) COOPERATIVE PROCUREMENT.—

(1) DEFINITIONS; GENERAL RULES.—

(A) DEFINITIONS.—In this subsection—

(i) the term ''cooperative procurement contract'' means a contract—

(I) entered into between a State government or eligible nonprofit entity and 1 or more vendors; and

(II) under which the vendors agree to provide an option to purchase rolling stock and related equipment to multiple participants;

(ii) the term ''eligible nonprofit entity'' means—

(I) a nonprofit cooperative purchasing organization that is not a grantee; or

(II) a consortium of entities described in subclause (I);

(iii) the terms ''lead nonprofit entity'' and ''lead procurement agency'' mean an eligible nonprofit entity or a State government, respectively, that acts in an administrative capacity on behalf of each participant in a cooperative procurement contract;

(iv) the term ''participant'' means a grantee that participates in a cooperative procurement contract; and

(v) the term ''participate'' means to purchase rolling stock and related equipment under a cooperative procurement contract using assistance provided under chapter 53 of title 49, United States Code.

(B) GENERAL RULES.—

(i) PROCUREMENT NOT LIMITED TO INTRASTATE PARTICIPANTS.—A grantee may participate in a cooperative procurement contract without regard to whether the grantee is located in the same State as the parties to the contract.

(ii) VOLUNTARY PARTICIPATION.—Participation by grantees in a cooperative procurement contract shall be voluntary.

(iii) CONTRACT TERMS.—The lead procurement agency or lead nonprofit entity for a cooperative procurement contract shall develop the terms of the contract.

(iv) DURATION.—A cooperative procurement contract—

(I) subject to subclauses (II) and (III), may be for an initial term of not more than 2 years;

(II) may include not more than 3 optional extensions for terms of not more than 1 year each; and

(III) may be in effect for a total period of not more than 5 years, including each extension authorized under subclause (II).

(v) ADMINISTRATIVE EXPENSES.—A lead procurement agency or lead nonprofit entity, as applicable, that enters into a cooperative procurement contract—

(I) may charge the participants in the contract for the cost of administering, planning, and providing technical assistance for the contract in an amount that is not more than 1 percent of the total value of the contract; and

(II) with respect to the cost described in subclause (I), may incorporate the cost into the price of the contract or directly charge the participants for the cost, but not both.

(2) STATE COOPERATIVE PROCUREMENT SCHEDULES.—

(A) AUTHORITY.—A State government may enter into a cooperative procurement contract with 1 or more vendors if—

(i) the vendors agree to provide an option to purchase rolling stock and related equipment to the State government and any other participant; and

(ii) the State government acts throughout the term of the contract as the lead procurement agency.

(B) APPLICABILITY OF POLICIES AND PROCEDURES.—In procuring rolling stock and related equipment under a cooperative procurement contract under this subsection, a State government shall comply with the policies and procedures that apply to procurement by the State government when using non-Federal funds, to the extent that the policies and procedures are in conformance with applicable Federal law.

(3) PILOT PROGRAM FOR NONPROFIT COOPERATIVE PROCUREMENTS.—

(A) ESTABLISHMENT.—The Secretary shall establish and carry out a pilot program to demonstrate the effectiveness of cooperative procurement contracts administered by eligible nonprofit entities.

(B) DESIGNATION.—In carrying out the program under this paragraph, the Secretary shall designate not less than 3 eligible nonprofit entities to enter into a cooperative procurement contract under which the eligible nonprofit entity acts throughout the term of the contract as the lead nonprofit entity.

(C) NOTICE OF INTENT TO PARTICIPATE.—At a time determined appropriate by the lead nonprofit entity, each participant in a cooperative procurement contract under this paragraph shall submit to the lead nonprofit entity a nonbinding notice of intent to participate.

(4) JOINT PROCUREMENT CLEARINGHOUSE.—

(A) IN GENERAL.—The Secretary shall establish a clearinghouse for the purpose of allowing grantees to aggregate planned rolling stock purchases and identify joint procurement participants.

(B) NONPROFIT CONSULTATION.—In establishing the clearinghouse under subparagraph (A), the Secretary may consult with nonprofit entities with expertise in public transportation or procurement, and other stakeholders as the Secretary determines appropriate.

(C) INFORMATION ON PROCUREMENTS.—The clearinghouse may include information on bus size, engine type, floor type, and any other attributes necessary to identify joint procurement participants.

(D) LIMITATIONS.—

(i) ACCESS.—The clearinghouse shall only be accessible to the Federal Transit Administration, a nonprofit entity coordinating for such clearinghouse with the Secretary, and grantees.

(ii) PARTICIPATION.—No grantee shall be required to submit procurement information to the database.

(c) LEASING ARRANGEMENTS.—

(1) CAPITAL LEASE DEFINED.—

(A) IN GENERAL.—In this subsection, the term ''capital lease'' means any agreement under which a grantee acquires the right to use rolling stock or related equipment for a specified period of time, in exchange for a periodic payment.

(B) MAINTENANCE.—A capital lease may require that the lessor provide maintenance of the rolling stock or related equipment covered by the lease.

(2) PROGRAM TO SUPPORT INNOVATIVE LEASING ARRANGEMENTS.—

(A) AUTHORITY.—A grantee may use assistance provided under chapter 53 of title 49, United States Code, to enter into a capital lease if—

(i) the rolling stock or related equipment covered under the lease is eligible for capital assistance under such chapter; and

(ii) there is or will be no Federal interest in the rolling stock or related equipment covered under the lease as of the date on which the lease takes effect.

(B) GRANTEE REQUIREMENTS.—A grantee that enters into a capital lease shall—

(i) maintain an inventory of the rolling stock or related equipment acquired under the lease; and

(ii) maintain on the accounting records of the grantee the liability of the grantee under the lease.

(C) ELIGIBLE LEASE COSTS.—The costs for which a grantee may use assistance under chapter 53 of title 49, United States Code, with respect to a capital lease, include—

(i) the cost of the rolling stock or related equipment;

(ii) associated financing costs, including interest, legal fees, and financial advisor fees;

(iii) ancillary costs such as delivery and installation charges; and

(iv) maintenance costs.

(D) TERMS.—A grantee shall negotiate the terms of any lease agreement that the grantee enters into.

(E) APPLICABILITY OF PROCUREMENT REQUIREMENTS.—

(i) LEASE REQUIREMENTS.—Part 639 of title 49, Code of Federal Regulations, or any successor

regulation, and implementing guidance applicable to leasing shall not apply to a capital lease.

(ii) BUY AMERICA.—The requirements under section 5323(j) of title 49, United States Code, shall apply to a capital lease.

(3) CAPITAL LEASING OF CERTAIN ZERO EMISSION VEHICLE COMPONENTS.—

(A) DEFINITIONS.—In this paragraph—

(i) the term ''removable power source''—

(I) means a power source that is separately installed in, and removable from, a zero emission vehicle; and

(II) may include a battery, a fuel cell, an ultra-capacitor, or other advanced power source used in a zero emission vehicle; and

(ii) the term ''zero emission vehicle'' has the meaning given the term in section 5339(c) of title 49, United States Code.

(B) LEASED POWER SOURCES.—Notwithstanding any other provision of law, for purposes of this subsection, the cost of a removable power source that is necessary for the operation of a zero emission vehicle shall not be treated as part of the cost of the vehicle if the removable power source is acquired using a capital lease.

(C) ELIGIBLE CAPITAL LEASE.—A grantee may acquire a removable power source by itself through a capital lease.

(D) PROCUREMENT REGULATIONS.—For purposes of this section, a removable power source shall be subject to section 200.88 of title 2, Code of Federal Regulations.

(4) REPORTING REQUIREMENT.—Not later than 3 years after the date on which a grantee enters into a capital lease under this subsection, the grantee shall submit to the Secretary a report that contains—

(A) an evaluation of the overall costs and benefits of leasing rolling stock; and

(B) a comparison of the expected short-term and long-term maintenance costs of leasing versus buying rolling stock.

(5) REPORT.—The Secretary shall make publicly available an annual report on this subsection for each fiscal year, not later than December 31 of the calendar year in which that fiscal year ends. The report shall include a detailed description of the activities carried out under this subsection, and evaluation of the program including the evaluation of the data reported in paragraph (4).

(d) BUY AMERICA.—The requirements of section 5323(j) of title 49, United States Code, shall apply to all procurements under this section.

SEC. 3020. REVIEW OF PUBLIC TRANSPORTATION SAFETY STANDARDS.

(a) REVIEW REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall begin a review of the safety standards and protocols used in public transportation systems in the United States that examines the efficacy of existing standards and protocols.

(2) CONTENTS OF REVIEW.—In conducting the review under this paragraph, the Secretary shall review—

(A) minimum safety performance standards developed by the public transportation industry;

(B) safety performance standards, practices, or protocols in use by rail fixed guideway public transportation systems, including—

(i) written emergency plans and procedures for passenger evacuations;

(ii) training programs to ensure public transportation personnel compliance and readiness in emergency situations;

(iii) coordination plans approved by recipients with local emergency responders having jurisdiction over a rail fixed guideway public transportation system, including—

(I) emergency preparedness training, drills, and familiarization programs for the first responders; and

(II) the scheduling of regular field exercises to ensure appropriate response and effective radio and public safety communications;

(iv) maintenance, testing, and inspection programs to ensure the proper functioning of—

(I) tunnel, station, and vehicle ventilation systems;

(II) signal and train control systems, track, mechanical systems, and other infrastructure; and

(III) other systems as necessary;

(v) certification requirements for train and bus operators and control center employees;

(vi) consensus-based standards, practices, or protocols available to the public transportation industry; and

(vii) any other standards, practices, or protocols the Secretary determines appropriate; and

(C) rail and bus safety standards, practices, or protocols in use by public transportation systems, regarding—

(i) rail and bus design and the workstation of rail and bus operators, as it relates to—

(I) the reduction of blindspots that contribute to accidents involving pedestrians; and

(II) protecting rail and bus operators from the risk of assault;

(ii) scheduling fixed route rail and bus service with adequate time and access for operators to use restroom facilities;

(iii) fatigue management; and

(iv) crash avoidance and worthiness.

(b) EVALUATION.—After conducting the review under subsection (a), the Secretary shall, in consultation with representatives of the public transportation industry, evaluate the need to establish additional Federal minimum public transportation safety standards.

(c) REPORT.—After completing the review and evaluation required under subsections (a) and (b), and not later than 1 year after the date of enactment of this Act, the Secretary shall make available on a publicly accessible Web site, a report that includes—

(1) findings based on the review conducted under subsection (a);

(2) the outcome of the evaluation conducted under subsection (b);

(3) a comprehensive set of recommendations to improve the safety of the public transportation industry, including recommendations for statutory changes if applicable; and

(4) actions that the Secretary will take to address the recommendations provided under paragraph (3), including, if necessary, the authorities under section 5329(b)(2)(D) of title 49, United States Code.

SEC. 3021. STUDY ON EVIDENTIARY PROTECTION FOR PUBLIC TRANSPORTATION SAFETY PROGRAM INFORMATION.

(a) STUDY.—The Secretary shall enter into an agreement with the Transportation Research Board of the National Academies of Sciences, Engineering, and Medicine, to conduct a study to evaluate whether it is in the public interest, including public safety and the legal rights of persons injured in public transportation accidents, to withhold from discovery or admission into evidence in a Federal or State court proceeding any plan, report, data, or other information or portion thereof, submitted to, developed, produced, collected, or obtained by the Secretary or the Secretary's representative for purposes of complying with the requirements under section 5329 of title 49, United States Code, including information related to a recipient's safety plan, safety risks, and mitigation measures.

(b) COORDINATION.—In conducting the study under subsection (a), the Transportation Research Board shall coordinate with the legal research entities of the National Academies of Sciences, Engineering, and Medicine, including the Committee on Law and Justice and the Committee on Science, Technology, and Law, and include members of those committees on the research committee established for the purposes of this section

(c) INPUT.—In conducting the study under subsection (a), the relevant entities of the National Academies of Sciences, Engineering, and Medicine shall solicit input from the public transportation recipients, public transportation nonprofit employee labor organizations, and impacted members of the general public.

(d) REPORT.—Not later than 18 months after the date of enactment of this Act, the National Academies of Sciences, Engineering, and Medicine shall issue a report, with the findings of the study under subsection (a), including any recommendations on statutory changes regarding evidentiary protections that will increase public transportation safety.

SEC. 3022. IMPROVED PUBLIC TRANSPORTATION SAFETY MEASURES.

(a) REQUIREMENTS.—Not later than 90 days after publication of the report required in section 3020, the Secretary shall issue a notice of proposed rulemaking on protecting public transportation operators from the risk of assault.

(b) CONSIDERATION.—In the proposed rulemaking, the Secretary shall consider—

(1) different safety needs of drivers of different modes;

(2) differences in operating environments;

(3) the use of technology to mitigate driver assault risks;

(4) existing experience, from both agencies and operators that already are using or testing driver assault mitigation infrastructure; and

(5) the impact of the rule on future rolling stock procurements and vehicles currently in revenue service.

(c) SAVINGS CLAUSE.—Nothing in this section may be construed as prohibiting the Secretary from issuing different comprehensive worker protections, including standards for mitigating assaults.

SEC. 3023. PARATRANSIT SYSTEM UNDER FTA APPROVED COORDINATED PLAN.

Notwithstanding the provisions of section 37.131(c) of title 49, Code of Federal Regulations, any paratransit system currently coordinating complementary paratransit service for more than 40 fixed route agencies shall be permitted to continue using an existing tiered, distance-based coordinated paratransit fare system, if the fare for the existing tiered, distance-based coordinated paratransit fare system is not increased by a greater percentage than any increase to the fixed route fare for the largest transit agency in the complementary paratransit service area.

SEC. 3024. REPORT ON POTENTIAL OF INTERNET OF THINGS.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report on the potential of the Internet of Things to improve transportation services in rural, suburban, and urban areas.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) a survey of the communities, cities, and States that are using innovative transportation systems to meet the needs of ageing populations;

(2) best practices to protect privacy and security, as determined as a result of such survey; and

(3) recommendations with respect to the potential of the Internet of Things to assist local, State, and Federal planners to develop more efficient and accurate projections of the transportation needs of rural, suburban, and urban communities.

SEC. 3025. REPORT ON PARKING SAFETY.

(a) STUDY.—The Secretary shall conduct a study on the safety of certain transportation facilities and locations, focusing on any property damage, injuries, deaths, and other incidents that occur or originate at locations intended to encourage public use of alternative transportation, including—

(1) carpool lots;
(2) mass transit lots;
(3) local, State, or regional rail stations;
(4) rest stops;
(5) college or university lots;
(6) bike paths or walking trails; and
(7) any other locations that the Secretary considers appropriate.

(b) REPORT.—Not later than 8 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the results of the study.

(c) RECOMMENDATIONS.—The Secretary shall include in the report recommendations to Congress on the best ways to use innovative technologies to increase safety and ensure a better response by transit security and local, State, and Federal law enforcement to address threats to public safety.

SEC. 3026. APPOINTMENT OF DIRECTORS OF WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) COMPACT.—The term ''Compact'' means the Washington Metropolitan Area Transit Authority Compact (Public Law 89–774; 80 Stat. 1324).

(2) FEDERAL DIRECTOR.—The term ''Federal Director'' means—

(A) a voting member of the Board of Directors of the Transit Authority who represents the Federal Government; and

(B) a nonvoting member of the Board of Directors of the Transit Authority who serves as an alternate for a member described in subparagraph (A).

(3) TRANSIT AUTHORITY.—The term ''Transit Authority'' means the Washington Metropolitan Area Transit Authority established under Article III of the Compact.

(b) APPOINTMENT BY SECRETARY OF TRANSPORTATION.—

(1) IN GENERAL.—For any appointment made on or after the date of enactment of this Act, the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Transit Authority.

(2) AMENDMENT TO COMPACT.—The signatory parties to the Compact shall amend the Compact as necessary in accordance with paragraph (1).

SEC. 3027. EFFECTIVENESS OF PUBLIC TRANSPORTATION CHANGES AND FUNDING.

Not later than 18 months after the date of enactment of this Act, the Comptroller General shall examine and evaluate the impact of the changes that MAP–21 had on public transportation, including—

(1) the ability and effectiveness of public transportation agencies to provide public transportation to low-income workers in accessing jobs and being able to use reverse commute services;

(2) whether services to low-income riders declined after MAP–21 was implemented; and

(3) if guidance provided by the Federal Transit Administration encouraged public transportation agencies to maintain and support services to low-income riders to allow them to access jobs, medical services, and other life necessities.

SEC. 3028. AUTHORIZATION OF GRANTS FOR POSITIVE TRAIN CONTROL.

(a) IN GENERAL.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out this section $199,000,000 for fiscal year 2017 to assist in financing the installation of positive train control systems required under section 20157 of title 49, United States Code.

(b) USES.—The amounts made available under subsection (a) of this section shall be awarded by the Secretary on a competitive basis, and grant funds awarded under this section shall not exceed 80 percent of the total cost of a project.

(c) CREDIT ASSISTANCE.—At the request of an eligible applicant under this section, the Secretary may use amounts awarded to the entity to pay the subsidy and administrative costs necessary to provide the entity Federal credit assistance under sections 502 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801 et seq.), with respect to the project for which the grant was awarded.

(d) ELIGIBLE RECIPIENTS.—The amounts made available under subsection (a) of this section may be used only to assist a recipient of funds under chapter 53 of title 49, United States Code.

(e) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the amounts made available under subsection (a) of this section for the costs of project management oversight of grants authorized under that subsection.

(f) SAVINGS CLAUSE.—Nothing in this section may be construed as authorizing the amounts appropriated under subsection (a) to be used for any purpose other than financing the installation of positive train control systems.

(g) GRANTS FINANCED FROM HIGHWAY TRUST FUND.—A grant that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund under this section is a contractual obligation of the Government to pay the Government share of the cost of the project.

(h) AVAILABILITY OF AMOUNTS.—Notwithstanding subsection (j), amounts made available under this section shall remain available until expended.

(i) OBLIGATION LIMITATION.—Funds made available under this section shall be subject to obligation limit of section 3018 of the Federal Public Transportation Act of 2015.

(j) SUNSET.—The Secretary of Transportation shall provide the grants, direct loans, and loan guarantees under subsections (b) and (c) by September 30, 2018.

SEC. 3029. AMENDMENT TO TITLE 5.

(a) IN GENERAL.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

''Federal Transit Administrator.''.

(b) CONFORMING AMENDMENT.—Section 5314 of title 5, United States Code, is amended by striking ''Federal Transit Administrator.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first pay period beginning on or after the first day of the first fiscal year beginning after the date of enactment of this Act.

SEC. 3030. TECHNICAL AND CONFORMING CHANGES.

(a) REPEAL.—Section 20008(b) of MAP-21 (49 U.S.C. 5309 note) is repealed.

(b) REPEAL SECTION 5313.—Section 5313 of title 49, United States Code, and the item relating to that section in the analysis for chapter 53 of such title, are repealed.

(c) REPEAL OF SECTION 5319.—Section 5319 of title 49, United States Code, and the item relating to that section in the analysis for chapter 53 of such title, are repealed.

(d) REPEAL OF SECTION 5322.—Section 5322 of title 49, United States Code, and the item relating to that section in the analysis for chapter 53 of such title, are repealed.

(e) SECTION 5325.—Section 5325 of title 49, United States Code is amended—

(1) in subsection (e)(2), by striking ''at least two''; and

(2) in subsection (h), by striking ''Federal Public Transportation Act of 2012'' and inserting ''Federal Public Transportation Act of 2015''.

(f) SECTION 5340.—Section 5340 of title 49, United States Code, is amended—

(1) by striking subsection (b); and

(2) by inserting the following:

''(b) ALLOCATION.—The Secretary shall apportion the amounts made available under section 5338(b)(2)(N) in accordance with subsection (c) and subsection (d).''.

(g) CHAPTER 105 OF TITLE 49, UNITED STATES CODE.—Section 10501(c) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(i), by striking ''section 5302(a)'' and inserting ''section 5302''; and

(B) in subparagraph (B)—

(i) by striking ''mass transportation'' and inserting ''public transportation''; and

(ii) by striking ''section 5302(a)'' and inserting ''section 5302''; and

(2) in paragraph (2)(A), by striking ''mass transportation'' and inserting ''public transportation''.

TITLE IV—HIGHWAY TRAFFIC SAFETY

SEC. 4001. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) HIGHWAY SAFETY PROGRAMS.—For carrying out section 402 of title 23, United States Code—
(A) $243,500,000 for fiscal year 2016;
(B) $252,300,000 for fiscal year 2017;
(C) $261,200,000 for fiscal year 2018;
(D) $270,400,000 for fiscal year 2019; and
(E) $279,800,000 for fiscal year 2020.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For carrying out section 403 of title 23, United States Code—
(A) $137,800,000 for fiscal year 2016;
(B) $140,700,000 for fiscal year 2017;
(C) $143,700,000 for fiscal year 2018;
(D) $146,700,000 for fiscal year 2019; and
(E) $149,800,000 for fiscal year 2020.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—For carrying out section 405 of title 23, United States Code—
(A) $274,700,000 for fiscal year 2016;
(B) $277,500,000 for fiscal year 2017;
(C) $280,200,000 for fiscal year 2018;
(D) $283,000,000 for fiscal year 2019; and
(E) $285,900,000 for fiscal year 2020.

(4) NATIONAL DRIVER REGISTER.—For the National Highway Traffic Safety Administration to carry out chapter 303 of title 49, United States Code—
(A) $5,100,000 for fiscal year 2016;
(B) $5,200,000 for fiscal year 2017;
(C) $5,300,000 for fiscal year 2018;
(D) $5,400,000 for fiscal year 2019; and
(E) $5,500,000 for fiscal year 2020.

(5) HIGH-VISIBILITY ENFORCEMENT PROGRAM.—For carrying out section 404 of title 23, United States Code—
(A) $29,300,000 for fiscal year 2016;
(B) $29,500,000 for fiscal year 2017;
(C) $29,900,000 for fiscal year 2018;
(D) $30,200,000 for fiscal year 2019; and
(E) $30,500,000 for fiscal year 2020.

(6) ADMINISTRATIVE EXPENSES.—For administrative and related operating expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code, and this title—
(A) $25,832,000 for fiscal year 2016;
(B) $26,072,000 for fiscal year 2017;
(C) $26,329,000 for fiscal year 2018;
(D) $26,608,000 for fiscal year 2019; and
(E) $26,817,000 for fiscal year 2020.

(b) PROHIBITION ON OTHER USES.—Except as otherwise provided in chapter 4 of title 23, United States Code, and chapter 303 of title 49, United States Code, the amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for a program under such chapters—

(1) shall only be used to carry out such program; and

(2) may not be used by States or local governments for construction purposes.

(c) APPLICABILITY OF TITLE 23.—Except as otherwise provided in chapter 4 of title 23, United States Code, and chapter 303 of title 49, United States Code, amounts made available under subsection (a) for fiscal years 2016 through 2020 shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

(d) REGULATORY AUTHORITY.—Grants awarded under this title shall be carried out in accordance with regulations issued by the Secretary.

(e) STATE MATCHING REQUIREMENTS.—If a grant awarded under chapter 4 of title 23, United States Code, requires a State to share in the cost, the aggregate of all expenditures for highway safety activities made during a fiscal year by the State and its political subdivisions (exclusive of Federal funds) for carrying out the grant (other than planning and administration) shall be available for the purpose of crediting the State during such fiscal year for the non-Federal share of the cost of any other project carried out under chapter 4 of title 23, United States Code (other than planning or administration), without regard to whether such expenditures were made in connection with such project.

(f) GRANT APPLICATION AND DEADLINE.—To receive a grant under chapter 4 of title 23, United States Code, a State shall submit an application, and the Secretary shall establish a single deadline for such applications to enable the award of grants early in the next fiscal year.

SEC. 4002. HIGHWAY SAFETY PROGRAMS.

Section 402 of title 23, United States Code, is amended—

(1) in subsection (a)(2)(A)—

(A) in clause (vi) by striking ''and'' at the end;

(B) in clause (vii) by inserting ''and'' after the semicolon; and

(C) by adding at the end the following:

''(viii) to increase driver awareness of commercial motor vehicles to prevent crashes and reduce injuries and fatalities;'';

(2) in subsection (c)(4), by adding at the end the following:

''(C) SURVEY.—A State in which an automated traffic enforcement system is installed shall expend funds apportioned to that State under this section to conduct a biennial survey that the Secretary shall make publicly available through the Internet Web site of the Department of Transportation that includes—

''(i) a list of automated traffic enforcement systems in the State;

''(ii) adequate data to measure the transparency, accountability, and safety attributes of each automated traffic enforcement system; and

''(iii) a comparison of each automated traffic enforcement system with—

''(I) Speed Enforcement Camera Systems Operational Guidelines (DOT HS 810 916, March 2008); and

''(II) Red Light Camera Systems Operational Guidelines (FHWA–SA–05–002, January 2005).'';

(3) by striking subsection (g) and inserting the following:

''(g) RESTRICTION.—Nothing in this section may be construed to authorize the appropriation or expenditure of funds for highway construction, maintenance, or design (other than design of safety features of highways to be incorporated into guidelines).'';

(4) in subsection (k)—

(A) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively;

(B) by inserting after paragraph (2) the following:

''(3) ELECTRONIC SUBMISSION.—The Secretary, in coordination with the Governors Highway Safety Association, shall develop procedures to allow States to submit highway safety plans under this subsection, including any attachments to the plans, in electronic form.''; and

(C) in paragraph (6)(A), as so redesignated, by striking ''60 days'' and inserting ''45 days''; and

(5) in subsection (m)(2)(B)—

(A) in clause (vii) by striking ''and'' at the end;

(B) in clause (viii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(ix) increase driver awareness of commercial motor vehicles to prevent crashes and reduce injuries and fatalities; and

''(x) support for school-based driver's education classes to improve teen knowledge about—

''(I) safe driving practices; and

''(II) State graduated driving license requirements, including behind-the-wheel training required to meet those requirements.''.

SEC. 4003. HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.

Section 403 of title 23, United States Code, is amended—

(1) in subsection (h)—

(A) in paragraph (1) by striking ''may'' and inserting ''shall'';

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

''(2) FUNDING.—The Secretary shall obligate from funds made available to carry out this section for the period covering fiscal years 2017 through 2020 not more than $21,248,000 to conduct the research described in paragraph (1).'';

(C) in paragraph (3) by striking ''If the Administrator utilizes the authority under paragraph (1), the'' and inserting ''The''; and

(D) in paragraph (4) by striking ''If the Administrator conducts the research authorized under paragraph (1), the'' and inserting ''The''; and

(2) by adding at the end the following:

''(i) LIMITATION ON DRUG AND ALCOHOL SURVEY DATA.—The Secretary shall establish procedures and guidelines to ensure that any person participating in a program or activity that collects data on drug or alcohol use by drivers of motor vehicles and is carried out under this section is informed that the program or activity is voluntary.

''(j) FEDERAL SHARE.—The Federal share of the cost of any project or activity carried out under this section may be not more than 100 percent.''.

SEC. 4004. HIGH-VISIBILITY ENFORCEMENT PROGRAM.

(a) IN GENERAL.—Section 404 of title 23, United States Code, is amended to read as follows:

''§ 404. High-visibility enforcement program

''(a) IN GENERAL.—The Secretary shall establish and administer a program under which not less than 3 campaigns will be carried out in each of fiscal years 2016 through 2020.

''(b) PURPOSE.—The purpose of each campaign carried out under this section shall be to achieve outcomes related to not less than 1 of the following objectives:

''(1) Reduce alcohol-impaired or drug-impaired operation of motor vehicles.

''(2) Increase use of seatbelts by occupants of motor vehicles.

''(c) ADVERTISING.—The Secretary may use, or authorize the use of, funds available to carry out this section to pay for the development, production, and use of broadcast and print media advertising and Internet-based outreach in carrying out campaigns under this section. In allocating such funds, consideration shall be given to advertising directed at non-English speaking populations, including those who listen to, read, or watch nontraditional media.

''(d) COORDINATION WITH STATES.—The Secretary shall coordinate with States in carrying out the campaigns under this section, including advertising funded under subsection (c), with consideration given to—

''(1) relying on States to provide law enforcement resources for the campaigns out of funding made available under sections 402 and 405; and

''(2) providing, out of National Highway Traffic Safety Administration resources, most of the means necessary for national advertising and education efforts associated with the campaigns.

''(e) USE OF FUNDS.—Funds made available to carry out this section may be used only for activities described in subsection (c).

''(f) DEFINITIONS.—In this section, the following definitions apply:

''(1) CAMPAIGN.—The term 'campaign' means a high-visibility traffic safety law enforcement campaign.

''(2) STATE.—The term 'State' has the meaning given that term in section 401.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 4 of title 23, United States Code, is amended by striking the item relating to section 404 and inserting the following:

''404. High-visibility enforcement program.''.

SEC. 4005. NATIONAL PRIORITY SAFETY PROGRAMS.

(a) GENERAL AUTHORITY.—Section 405(a) of title 23, United States Code, is amended to read as follows:

''(a) GENERAL AUTHORITY.—Subject to the requirements of this section, the Secretary shall manage programs to address national priorities for reducing highway deaths and injuries. Funds shall be allocated according to the following:

''(1) OCCUPANT PROTECTION.—In each fiscal year, 13 percent of the funds provided under this section shall be allocated among States that adopt and implement effective occupant protection programs to reduce highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles (as described in subsection (b)).

''(2) STATE TRAFFIC SAFETY INFORMATION SYSTEM IMPROVEMENTS.—In each fiscal year, 14.5 percent of the funds provided under this section shall be allocated among States that meet requirements with respect to State traffic safety information system improvements (as described in subsection (c)).

''(3) IMPAIRED DRIVING COUNTERMEASURES.—In each fiscal year, 52.5 percent of the funds provided under this section shall be allocated among States that meet requirements with respect to impaired driving countermeasures (as described in subsection (d)).

''(4) DISTRACTED DRIVING.—In each fiscal year, 8.5 percent of the funds provided under this section shall be allocated among States that adopt and implement effective laws to reduce distracted driving (as described in subsection (e)).

''(5) MOTORCYCLIST SAFETY.—In each fiscal year, 1.5 percent of the funds provided under this section shall be allocated among States that implement motorcyclist safety programs (as described in subsection (f)).

''(6) STATE GRADUATED DRIVER LICENSING LAWS.—In each fiscal year, 5 percent of the funds provided under this section shall be allocated among States that adopt and implement graduated driver licensing laws (as described in subsection (g)).

''(7) NONMOTORIZED SAFETY.—In each fiscal year, 5 percent of the funds provided under this section shall be allocated among States that meet requirements with respect to nonmotorized safety (as described in subsection (h)).

''(8) TRANSFERS.—Notwithstanding paragraphs (1) through (7), the Secretary shall reallocate, before the last day of any fiscal year,

any amounts remaining available to carry out any of the activities described in subsections (b) through (h) to increase the amount made available under section 402, in order to ensure, to the maximum extent possible, that all such amounts are obligated during such fiscal year.

''(9) MAINTENANCE OF EFFORT.—

''(A) CERTIFICATION.—As part of the grant application required in section 402(k)(3)(F), a State receiving a grant in any fiscal year under subsection (b), (c), or (d) of this section shall provide certification that the lead State agency responsible for programs described in any of those subsections is maintaining aggregate expenditures at or above the average level of such expenditures in the 2 fiscal years prior to the date of enactment of the FAST Act.

''(B) WAIVER.—Upon the request of a State, the Secretary may waive or modify the requirements under subparagraph (A) for not more than 1 fiscal year if the Secretary determines that such a waiver would be equitable due to exceptional or uncontrollable circumstances.

''(10) POLITICAL SUBDIVISIONS.—A State may provide the funds awarded under this section to a political subdivision of the State or an Indian tribal government.''.

(b) HIGH SEATBELT USE RATE.—Section 405(b)(4)(B) of title 23, United States Code, is amended by striking ''75 percent'' and inserting ''100 percent''.

(c) IMPAIRED DRIVING COUNTERMEASURES.—Section 405(d) of title 23, United States Code, is amended—

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

''(4) USE OF GRANT AMOUNTS.—

''(A) REQUIRED PROGRAMS.—High-range States shall use grant funds for—

''(i) high-visibility enforcement efforts; and

''(ii) any of the activities described in subparagraph (B) if—

''(I) the activity is described in the statewide plan; and

''(II) the Secretary approves the use of funding for such activity.

''(B) AUTHORIZED PROGRAMS.—Medium-range and low-range States may use grant funds for—

''(i) any of the purposes described in subparagraph (A);

''(ii) hiring a full-time or part-time impaired driving coordinator of the State's activities to address the enforcement and adjudication of laws regarding driving while impaired by alcohol, drugs, or the combination of alcohol and drugs;

''(iii) court support of high-visibility enforcement efforts, training and education of criminal justice professionals (including law enforcement, prosecutors, judges, and probation officers) to assist such professionals in handling impaired driving cases, hiring traffic safety resource prosecutors, hiring judicial outreach liaisons, and establishing driving while intoxicated courts;

''(iv) alcohol ignition interlock programs;

''(v) improving blood-alcohol concentration testing and reporting;

''(vi) paid and earned media in support of high-visibility enforcement efforts, conducting standardized field sobriety training, advanced roadside impaired driving evaluation training, and drug recognition expert training for law enforcement, and equipment and related expenditures used in connection with impaired driving enforcement in accordance with criteria established by the National Highway Traffic Safety Administration;

''(vii) training on the use of alcohol and drug screening and brief intervention;

''(viii) training for and implementation of impaired driving assessment programs or other tools designed to increase the probability of identifying the recidivism risk of a person convicted of driving under the influence of alcohol, drugs, or a combination of alcohol and drugs and to determine the most effective mental health or substance abuse treatment or sanction that will reduce such risk;

''(ix) developing impaired driving information systems; and

''(x) costs associated with a 24-7 sobriety program.

''(C) OTHER PROGRAMS.—Low-range States may use grant funds for any expenditure designed to reduce impaired driving based on problem identification and may use not more than 50 percent of funds made available under this subsection for any project or activity eligible for funding under section 402. Medium-range and high-range States may use funds for any expenditure designed to reduce impaired driving based on problem identification upon approval by the Secretary.'';

(2) in paragraph (6)—

(A) by amending the paragraph heading to read as follows: ''ADDITIONAL GRANTS.—'';

(B) in subparagraph (A) by amending the subparagraph heading to read as follows: ''GRANTS TO STATES WITH ALCOHOL-IGNITION INTERLOCK LAWS.—'';

(C) by redesignating subparagraphs (B) through (D) as subparagraphs (C) through (E), respectively;

(D) by inserting after subparagraph (A), the following:

''(B) GRANTS TO STATES WITH 24-7 SOBRIETY PROGRAMS.—The Secretary shall make a separate grant under this subsection to each State that—

''(i) adopts and is enforcing a law that requires all individuals convicted of driving under the influence of alcohol or of driving while intoxicated to receive a restriction on driving privileges; and

''(ii) provides a 24-7 sobriety program.'';

(E) in subparagraph (C), as redesignated, by inserting ''and subparagraph (B)'' after ''subparagraph (A)'';

(F) in subparagraph (D), as redesignated, by inserting ''and subparagraph (B)'' after ''subparagraph (A)'';

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

''(E) FUNDING.—

''(i) FUNDING FOR GRANTS TO STATES WITH ALCOHOL-IGNITION INTERLOCK LAWS.—Not more than 12 percent of the amounts made available to carry out this subsection in a fiscal year shall be made available by the Secretary for making grants under subparagraph (A).

''(ii) FUNDING FOR GRANTS TO STATES WITH 24-7 SOBRIETY PROGRAMS.—Not more than 3 percent of the amounts made available to carry out this subsection in a fiscal year shall be made available by the Secretary for making grants under subparagraph (B).''; and

(H) by adding at the end the following:

''(F) EXCEPTIONS.—A State alcohol-ignition interlock law under subparagraph (A) may include exceptions for the following circumstances:

''(i) The individual is required to operate an employer's motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual.

''(ii) The individual is certified by a medical doctor as being unable to provide a deep lung breath sample for analysis by an ignition interlock device.

''(iii) A State-certified ignition interlock provider is not available within 100 miles of the individual's residence.''; and

(3) in paragraph (7)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i)—

(I) by striking ''or a State agency'' and inserting ''or an agency with jurisdiction''; and

(II) by inserting ''bond,'' before ''sentence'';

(ii) in clause (i) by striking ''who plead guilty or'' and inserting ''who was arrested for, plead guilty to, or''; and

(iii) in clause (ii)(I) by inserting ''at a testing location'' after ''per day''; and

(B) in subparagraph (D) by striking the second period at the end.

(d) DISTRACTED DRIVING GRANTS.—Section 405(e) of title 23, United States Code, is amended to read as follows:

''(e) DISTRACTED DRIVING GRANTS.—

''(1) IN GENERAL.—The Secretary shall award a grant under this subsection to any State that includes distracted driving awareness as part of the State's driver's license examination, and enacts and enforces a law that meets the requirements set forth in paragraphs (2) and (3).

''(2) PROHIBITION ON TEXTING WHILE DRIVING.—A State law meets the requirements set forth in this paragraph if the law—

''(A) prohibits a driver from texting through a personal wireless communications device while driving;

''(B) makes violation of the law a primary offense;

''(C) establishes a minimum fine for a violation of the law; and

''(D) does not provide for an exemption that specifically allows a driver to text through a personal wireless communication device while stopped in traffic.

''(3) PROHIBITION ON YOUTH CELL PHONE USE WHILE DRIVING OR STOPPED IN TRAFFIC.—A State law meets the requirements set forth in this paragraph if the law—

''(A) prohibits a driver from using a personal wireless communications device while driving if the driver is—

''(i) younger than 18 years of age; or

''(ii) in the learner's permit or intermediate license stage set forth in subsection (g)(2)(B);

''(B) makes violation of the law a primary offense;

''(C) establishes a minimum fine for a violation of the law; and

''(D) does not provide for an exemption that specifically allows a driver to text through a personal wireless communication device while stopped in traffic.

''(4) PERMITTED EXCEPTIONS.—A law that meets the requirements set forth in paragraph (2) or (3) may provide exceptions for—

''(A) a driver who uses a personal wireless communications device to contact emergency services;

''(B) emergency services personnel who use a personal wireless communications device while—

''(i) operating an emergency services vehicle; and

''(ii) engaged in the performance of their duties as emergency services personnel;

''(C) an individual employed as a commercial motor vehicle driver or a school bus driver who uses a personal wireless communications device within the scope of such individual's employment if such use is permitted under the regulations promulgated pursuant to section 31136 of title 49; and

''(D) any additional exceptions determined by the Secretary through a rulemaking process.

''(5) USE OF GRANT FUNDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), amounts received by a State under this subsection shall be used—

''(i) to educate the public through advertising containing information about the dangers of texting or using a cell phone while driving;

''(ii) for traffic signs that notify drivers about the distracted driving law of the State; or

''(iii) for law enforcement costs related to the enforcement of the distracted driving law.

''(B) FLEXIBILITY.—

''(i) Not more than 50 percent of amounts received by a State under this subsection may be

used for any eligible project or activity under section 402.

''(ii) Not more than 75 percent of amounts received by a State under this subsection may be used for any eligible project or activity under section 402 if the State has conformed its distracted driving data to the most recent Model Minimum Uniform Crash Criteria published by the Secretary.

''(6) ADDITIONAL DISTRACTED DRIVING GRANTS.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), for each of fiscal years 2017 and 2018, the Secretary shall use up to 25 percent of the amounts available for grants under this subsection to award grants to any State that—

''(i) in fiscal year 2017—

''(I) certifies that it has enacted a basic text messaging statute that—

''(aa) is applicable to drivers of all ages; and

''(bb) makes violation of the basic text messaging statute a primary offense or secondary enforcement action as allowed by State statute; and

''(II) is otherwise ineligible for a grant under this subsection; and

''(ii) in fiscal year 2018—

''(I) certifies that it has enacted a basic text messaging statute that—

''(aa) is applicable to drivers of all ages; and

''(bb) makes violation of the basic text messaging statute a primary offense;

''(II) imposes fines for violations;

''(III) has a statute that prohibits drivers who are younger than 18 years of age from using a personal wireless communications device while driving; and

''(IV) is otherwise ineligible for a grant under this subsection.

''(B) USE OF GRANT FUNDS.—

''(i) IN GENERAL.—Notwithstanding paragraph (5) and subject to clauses (ii) and (iii) of this subparagraph, amounts received by a State under subparagraph (A) may be used for activities related to the enforcement of distracted driving laws, including for public information and awareness purposes.

''(ii) FISCAL YEAR 2017.—In fiscal year 2017, up to 15 percent of the amounts received by a State under subparagraph (A) may be used for any eligible project or activity under section 402.

''(iii) FISCAL YEAR 2018.—In fiscal year 2018, up to 25 percent of the amounts received by a State under subparagraph (A) may be used for any eligible project or activity under section 402.

''(7) ALLOCATION TO SUPPORT STATE DISTRACTED DRIVING LAWS.—Of the amounts available under this subsection in a fiscal year for distracted driving grants, the Secretary may expend not more than $5,000,000 for the development and placement of broadcast media to reduce distracted driving of motor vehicles.

''(8) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State's apportionment under section 402 for fiscal year 2009.

''(9) DEFINITIONS.—In this subsection, the following definitions apply:

''(A) DRIVING.—The term 'driving'—

''(i) means operating a motor vehicle on a public road; and

''(ii) does not include operating a motor vehicle when the vehicle has pulled over to the side of, or off, an active roadway and has stopped in a location where it can safely remain stationary.

''(B) PERSONAL WIRELESS COMMUNICATIONS DEVICE.—The term 'personal wireless communications device'—

''(i) means a device through which personal wireless services (as defined in section 332(c)(7)(C)(i) of the Communications Act of 1934 (47 U.S.C. 332(c)(7)(C)(i))) are transmitted; and

''(ii) does not include a global navigation satellite system receiver used for positioning, emergency notification, or navigation purposes.

''(C) PRIMARY OFFENSE.—The term 'primary offense' means an offense for which a law enforcement officer may stop a vehicle solely for the purpose of issuing a citation in the absence of evidence of another offense.

''(D) PUBLIC ROAD.—The term 'public road' has the meaning given such term in section 402(c).

''(E) TEXTING.—The term 'texting' means reading from or manually entering data into a personal wireless communications device, including doing so for the purpose of SMS texting, emailing, instant messaging, or engaging in any other form of electronic data retrieval or electronic data communication.''.

(e) MOTORCYCLIST SAFETY.—Section 405(f) of title 23, United States Code, is amended—

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

''(2) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State's apportionment under section 402 for fiscal year 2009, except that the amount of a grant awarded to a State for a fiscal year may not exceed 25 percent of the amount apportioned to the State under such section for fiscal year 2009.'';

(2) in paragraph (4) by adding at the end the following:

''(C) FLEXIBILITY.—Not more than 50 percent of grant funds received by a State under this subsection may be used for any eligible project or activity under section 402 if the State is in the lowest 25 percent of all States for motorcycle deaths per 10,000 motorcycle registrations based on the most recent data that conforms with criteria established by the Secretary.''; and

(3) by adding at the end the following:

''(6) SHARE-THE-ROAD MODEL LANGUAGE.—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall update and provide to the States model language, for use in traffic safety education courses, driver's manuals, and other driver training materials, that provides instruction for drivers of motor vehicles on the importance of sharing the road safely with motorcyclists.''.

(f) MINIMUM REQUIREMENTS FOR STATE GRADUATED DRIVER LICENSING INCENTIVE GRANT PROGRAM.—Section 405(g) of title 23, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (A) by striking ''21'' and inserting ''18''; and

(B) by amending subparagraph (B) to read as follows:

''(B) LICENSING PROCESS.—A State is in compliance with the 2-stage licensing process described in this subparagraph if the State's driver's license laws include—

''(i) a learner's permit stage that—

''(I) is at least 6 months in duration;

''(II) contains a prohibition on the driver using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under paragraph (4) of that subsection, and makes a violation of the prohibition a primary offense;

''(III) requires applicants to successfully pass a vision and knowledge assessment prior to receiving a learner's permit;

''(IV) requires that the driver be accompanied and supervised at all times while the driver is operating a motor vehicle by a licensed driver who is at least 21 years of age or is a State-certified driving instructor;

''(V) has a requirement that the driver—

''(aa) complete a State-certified driver education or training course; or

''(bb) obtain at least 50 hours of behind-the-wheel training, with at least 10 hours at night, with a licensed driver; and

''(VI) remains in effect until the driver—

''(aa) reaches 16 years of age and enters the intermediate stage; or

''(bb) reaches 18 years of age;

''(ii) an intermediate stage that—

''(I) commences immediately after the expiration of the learner's permit stage and successful completion of a driving skills assessment;

''(II) is at least 6 months in duration;

''(III) prohibits the driver from using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under paragraph (4) of that subsection, and makes a violation of the prohibition a primary offense;

''(IV) for the first 6 months of the intermediate stage, restricts driving at night between the hours of 10:00 p.m. and 5:00 a.m. when not supervised by a licensed driver 21 years of age or older, excluding transportation to work, school, religious activities, or emergencies;

''(V) prohibits the driver from operating a motor vehicle with more than 1 nonfamilial passenger younger than 21 years of age unless a licensed driver who is at least 21 years of age is in the motor vehicle; and

''(VI) remains in effect until the driver reaches 17 years of age; and

''(iii) learner's permit and intermediate stages that each require, in addition to any other penalties imposed by State law, that the granting of an unrestricted driver's license be automatically delayed for any individual who, during the learner's permit or intermediate stage, is convicted of a driving-related offense during the first 6 months, including—

''(I) driving while intoxicated;

''(II) misrepresentation of the individual's age;

''(III) reckless driving;

''(IV) driving without wearing a seat belt;

''(V) speeding; or

''(VI) any other driving-related offense, as determined by the Secretary.''; and

(2) by adding at the end the following:

''(6) SPECIAL RULE.—Notwithstanding paragraph (5), up to 100 percent of grant funds received by a State under this subsection may be used for any eligible project or activity under section 402, if the State is in the lowest 25 percent of all States for the number of drivers under age 18 involved in fatal crashes in the State per the total number of drivers under age 18 in the State based on the most recent data that conforms with criteria established by the Secretary.''.

(g) NONMOTORIZED SAFETY.—Section 405 of title 23, United States Code, is amended by adding at the end the following:

''(h) NONMOTORIZED SAFETY.—

''(1) GENERAL AUTHORITY.—Subject to the requirements under this subsection, the Secretary shall award grants to States for the purpose of decreasing pedestrian and bicycle fatalities and injuries that result from crashes involving a motor vehicle.

''(2) FEDERAL SHARE.—The Federal share of the cost of a project carried out by a State using amounts from a grant awarded under this subsection may not exceed 80 percent.

''(3) ELIGIBILITY.—A State shall receive a grant under this subsection in a fiscal year if the annual combined pedestrian and bicycle fatalities in the State exceed 15 percent of the total annual crash fatalities in the State, based on the most recently reported final data from the Fatality Analysis Reporting System.

''(4) USE OF GRANT AMOUNTS.—Grant funds received by a State under this subsection may be used for—

''(A) training of law enforcement officials on State laws applicable to pedestrian and bicycle safety;

''(B) enforcement mobilizations and campaigns designed to enforce State traffic laws applicable to pedestrian and bicycle safety; and

''(C) public education and awareness programs designed to inform motorists, pedestrians, and bicyclists of State traffic laws applicable to pedestrian and bicycle safety.

''(5) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State's apportionment under section 402 for fiscal year 2009.''.

SEC. 4006. TRACKING PROCESS.

Section 412 of title 23, United States Code, is amended by adding at the end the following:

''(f) TRACKING PROCESS.—The Secretary shall develop a process to identify and mitigate possible systemic issues across States and regional offices by reviewing oversight findings and recommended actions identified in triennial State management reviews.''.

SEC. 4007. STOP MOTORCYCLE CHECKPOINT FUNDING.

Notwithstanding section 153 of title 23, United States Code, the Secretary may not provide a grant or any funds to a State, county, town, township, Indian tribe, municipality, or other local government that may be used for any program—

(1) to check helmet usage; or

(2) to create checkpoints that specifically target motorcycle operators or motorcycle passengers.

SEC. 4008. MARIJUANA-IMPAIRED DRIVING.

(a) STUDY.—The Secretary, in consultation with the heads of other Federal agencies as appropriate, shall conduct a study on marijuana-impaired driving.

(b) ISSUES TO BE EXAMINED.—In conducting the study, the Secretary shall examine, at a minimum, the following:

(1) Methods to detect marijuana-impaired driving, including devices capable of measuring marijuana levels in motor vehicle operators.

(2) A review of impairment standard research for driving under the influence of marijuana.

(3) Methods to differentiate the cause of a driving impairment between alcohol and marijuana.

(4) State-based policies on marijuana-impaired driving.

(5) The role and extent of marijuana impairment in motor vehicle accidents.

(c) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in cooperation with other Federal agencies as appropriate, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

(2) CONTENTS.—The report shall include, at a minimum, the following:

(A) FINDINGS.—The findings of the Secretary based on the study, including, at a minimum, the following:

(i) An assessment of methodologies and technologies for measuring driver impairment resulting from the use of marijuana, including the use of marijuana in combination with alcohol.

(ii) A description and assessment of the role of marijuana as a causal factor in traffic crashes and the extent of the problem of marijuana-impaired driving.

(iii) A description and assessment of current State laws relating to marijuana-impaired driving.

(iv) A determination whether an impairment standard for drivers under the influence of marijuana is feasible and could reduce vehicle accidents and save lives.

(B) RECOMMENDATIONS.—The recommendations of the Secretary based on the study, including, at a minimum, the following:

(i) Effective and efficient methods for training law enforcement personnel, including drug recognition experts, to detect or measure the level of impairment of a motor vehicle operator who is under the influence of marijuana by the use of technology or otherwise.

(ii) If feasible, an impairment standard for driving under the influence of marijuana.

(iii) Methodologies for increased data collection regarding the prevalence and effects of marijuana-impaired driving.

(d) MARIJUANA DEFINED.—In this section, the term ''marijuana'' includes all substances containing tetrahydrocannabinol.

SEC. 4009. INCREASING PUBLIC AWARENESS OF THE DANGERS OF DRUG-IMPAIRED DRIVING.

(a) ADDITIONAL ACTIONS.—The Administrator of the National Highway Traffic Safety Administration, in consultation with the White House Office of National Drug Control Policy, the Secretary of Health and Human Services, State highway safety offices, and other interested parties, as determined by the Administrator, shall identify and carry out additional actions that should be undertaken by the Administration to assist States in their efforts to increase public awareness of the dangers of drug-impaired driving, including the dangers of driving while under the influence of heroin or prescription opioids.

(b) REPORT.—Not later than 60 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the additional actions undertaken by the Administration pursuant to subsection (a).

SEC. 4010. NATIONAL PRIORITY SAFETY PROGRAM GRANT ELIGIBILITY.

Not later than 60 days after the date on which the Secretary awards grants under section 405 of title 23, United States Code, the Secretary shall make available on a publicly available Internet Web site of the Department of Transportation—

(1) an identification of—

(A) the States that were awarded grants under such section;

(B) the States that applied and were not awarded grants under such section; and

(C) the States that did not apply for a grant under such section; and

(2) a list of deficiencies that made a State ineligible for a grant under such section for each State under paragraph (1)(B).

SEC. 4011. DATA COLLECTION.

Section 1906 of SAFETEA–LU (23 U.S.C. 402 note) is amended—

(1) in subsection (a)(1)—

(A) by striking ''(A) has enacted'' and all that follows through ''(B) is maintaining'' and inserting ''is maintaining''; and

(B) by striking ''and any passengers'';

(2) by striking subsection (b) and inserting the following:

''(b) USE OF GRANT FUNDS.—A grant received by a State under subsection (a) shall be used by the State for the costs of—

''(1) collecting and maintaining data on traffic stops; and

''(2) evaluating the results of the data.'';

(3) by striking subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively;

(4) in subsection (c)(2), as so redesignated, by striking ''A State'' and inserting ''On or after October 1, 2015, a State''; and

(5) in subsection (d), as so redesignated—

(A) in the subsection heading by striking ''AUTHORIZATION OF APPROPRIATIONS'' and inserting ''FUNDING'';

(B) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—From funds made available under section 403 of title 23, United States Code, the Secretary shall set aside $7,500,000 for each of fiscal years 2017 through 2020 to carry out this section.'';

(C) in paragraph (2)—

(i) by striking ''authorized by'' and inserting ''made available under''; and

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

(D) by adding at the end the following:

''(3) OTHER USES.—The Secretary may reallocate, before the last day of any fiscal year, amounts remaining available under paragraph (1) to increase the amounts made available to carry out any of other activities authorized under section 403 of title 23, United States Code, in order to ensure, to the maximum extent possible, that all such amounts are obligated during such fiscal year.''.

SEC. 4012. STUDY ON THE NATIONAL ROADSIDE SURVEY OF ALCOHOL AND DRUG USE BY DRIVERS.

Not later than 180 days after the date on which the Comptroller General of the United States reviews and reports on the overall value of the National Roadside Survey to researchers and other public safety stakeholders, the differences between a National Roadside Survey site and typical law enforcement checkpoints, and the effectiveness of the National Roadside Survey methodology at protecting the privacy of the driving public, as requested by the Committee on Appropriations of the Senate on June 5, 2014 (Senate Report 113–182), the Secretary shall report to Congress on the National Highway Traffic Safety Administration's progress toward reviewing that report and implementing any recommendations made in that report.

SEC. 4013. BARRIERS TO DATA COLLECTION REPORT.

Not later than 180 days after the date of enactment of this Act, the Administrator of the National Highway Traffic Safety Administration shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that—

(1) identifies any legal and technical barriers to capturing adequate data on the prevalence of the use of wireless communications devices while driving; and

(2) provides recommendations on how to address such barriers.

SEC. 4014. TECHNICAL CORRECTIONS.

Title 23, United States Code, is amended as follows:

(1) Section 402 is amended—

(A) in subsection (b)(1)—

(i) in subparagraph (C) by striking ''paragraph (3)'' and inserting ''paragraph (2)''; and

(ii) in subparagraph (E)—

(I) by striking ''in which'' and inserting ''for which''; and

(II) by striking ''under subsection (f)'' and inserting ''under subsection (k)''; and

(B) in subsection (k)(5), as redesignated by this Act, by striking ''under paragraph (2)(A)'' and inserting ''under paragraph (3)(A)''.

(2) Section 403(e) is amended by striking ''chapter 301'' and inserting ''chapter 301 of title 49''.

(3) Section 405 is amended—

(A) in subsection (d)—

(i) in paragraph (5) by striking ''under section 402(c)'' and inserting ''under section 402''; and

(ii) in paragraph (6)(D), as redesignated by this Act, by striking ''on the basis of the apportionment formula set forth in section 402(c)'' and inserting ''in proportion to the State's apportionment under section 402 for fiscal year 2009''; and

(B) in subsection (f)(4)(A)(iv)—

(i) by striking ''such as the'' and inserting ''including''; and

(ii) by striking ''developed under subsection (g)''.

SEC. 4015. EFFECTIVE DATE FOR CERTAIN PROGRAMS.

Notwithstanding any other provision of this Act, except for the technical corrections in section 4014, the amendments made by this Act to sections 164, 402, and 405 of title 23, United States Code, shall be effective on October 1, 2016.

TITLE V—MOTOR CARRIER SAFETY

Subtitle A—Motor Carrier Safety Grant Consolidation

SEC. 5101. GRANTS TO STATES.

(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Section 31102 of title 49, United States Code, is amended to read as follows:

''§ 31102. Motor carrier safety assistance program

''(a) IN GENERAL.—The Secretary of Transportation shall administer a motor carrier safety assistance program funded under section 31104.

''(b) GOAL.—The goal of the program is to ensure that the Secretary, States, local governments, other political jurisdictions, federally recognized Indian tribes, and other persons work in partnership to establish programs to improve motor carrier, commercial motor vehicle, and driver safety to support a safe and efficient surface transportation system by—

''(1) making targeted investments to promote safe commercial motor vehicle transportation, including the transportation of passengers and hazardous materials;

''(2) investing in activities likely to generate maximum reductions in the number and severity of commercial motor vehicle crashes and in fatalities resulting from such crashes;

''(3) adopting and enforcing effective motor carrier, commercial motor vehicle, and driver safety regulations and practices consistent with Federal requirements; and

''(4) assessing and improving statewide performance by setting program goals and meeting performance standards, measures, and benchmarks.

''(c) STATE PLANS.—

''(1) IN GENERAL.—In carrying out the program, the Secretary shall prescribe procedures for a State to submit a multiple-year plan, and annual updates thereto, under which the State agrees to assume responsibility for improving motor carrier safety by adopting and enforcing State regulations, standards, and orders that are compatible with the regulations, standards, and orders of the Federal Government on commercial motor vehicle safety and hazardous materials transportation safety.

''(2) CONTENTS.—The Secretary shall approve a State plan if the Secretary determines that the plan is adequate to comply with the requirements of this section, and the plan—

''(A) implements performance-based activities, including deployment and maintenance of technology to enhance the efficiency and effectiveness of commercial motor vehicle safety programs;

''(B) designates a lead State commercial motor vehicle safety agency responsible for administering the plan throughout the State;

''(C) contains satisfactory assurances that the lead State commercial motor vehicle safety agency has or will have the legal authority, resources, and qualified personnel necessary to enforce the regulations, standards, and orders;

''(D) contains satisfactory assurances that the State will devote adequate resources to the administration of the plan and enforcement of the regulations, standards, and orders;

''(E) provides a right of entry (or other method a State may use that the Secretary determines is adequate to obtain necessary information) and inspection to carry out the plan;

''(F) provides that all reports required under this section be available to the Secretary on request;

''(G) provides that the lead State commercial motor vehicle safety agency will adopt the reporting requirements and use the forms for recordkeeping, inspections, and investigations that the Secretary prescribes;

''(H) requires all registrants of commercial motor vehicles to demonstrate knowledge of applicable safety regulations, standards, and orders of the Federal Government and the State;

''(I) provides that the State will grant maximum reciprocity for inspections conducted under the North American Inspection Standards through the use of a nationally accepted system that allows ready identification of previously inspected commercial motor vehicles;

''(J) ensures that activities described in subsection (h), if financed through grants to the State made under this section, will not diminish the effectiveness of the development and implementation of the programs to improve motor carrier, commercial motor vehicle, and driver safety as described in subsection (b);

''(K) ensures that the lead State commercial motor vehicle safety agency will coordinate the plan, data collection, and information systems with the State highway safety improvement program required under section 148(c) of title 23;

''(L) ensures participation in appropriate Federal Motor Carrier Safety Administration information technology and data systems and other information systems by all appropriate jurisdictions receiving motor carrier safety assistance program funding;

''(M) ensures that information is exchanged among the States in a timely manner;

''(N) provides satisfactory assurances that the State will undertake efforts that will emphasize and improve enforcement of State and local traffic safety laws and regulations related to commercial motor vehicle safety;

''(O) provides satisfactory assurances that the State will address national priorities and performance goals, including—

''(i) activities aimed at removing impaired commercial motor vehicle drivers from the highways of the United States through adequate enforcement of regulations on the use of alcohol and controlled substances and by ensuring ready roadside access to alcohol detection and measuring equipment;

''(ii) activities aimed at providing an appropriate level of training to State motor carrier safety assistance program officers and employees on recognizing drivers impaired by alcohol or controlled substances; and

''(iii) when conducted with an appropriate commercial motor vehicle inspection, criminal interdiction activities, and appropriate strategies for carrying out those interdiction activities, including interdiction activities that affect the transportation of controlled substances (as defined in section 102 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 802) and listed in part 1308 of title 21, Code of Federal Regulations, as updated and republished from time to time) by any occupant of a commercial motor vehicle;

''(P) provides that the State has established and dedicated sufficient resources to a program to ensure that—

''(i) the State collects and reports to the Secretary accurate, complete, and timely motor carrier safety data; and

''(ii) the State participates in a national motor carrier safety data correction system prescribed by the Secretary;

''(Q) ensures that the State will cooperate in the enforcement of financial responsibility requirements under sections 13906, 31138, and 31139 and regulations issued under those sections;

''(R) ensures consistent, effective, and reasonable sanctions;

''(S) ensures that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel;

''(T) provides that the State will include in the training manuals for the licensing examination to drive noncommercial motor vehicles and commercial motor vehicles information on best practices for driving safely in the vicinity of noncommercial and commercial motor vehicles;

''(U) provides that the State will enforce the registration requirements of sections 13902 and 31134 by prohibiting the operation of any vehicle discovered to be operated by a motor carrier without a registration issued under those sections or to be operated beyond the scope of the motor carrier's registration;

''(V) provides that the State will conduct comprehensive and highly visible traffic enforcement and commercial motor vehicle safety inspection programs in high-risk locations and corridors;

''(W) except in the case of an imminent hazard or obvious safety hazard, ensures that an inspection of a vehicle transporting passengers for a motor carrier of passengers is conducted at a bus station, terminal, border crossing, maintenance facility, destination, or other location where a motor carrier may make a planned stop (excluding a weigh station);

''(X) ensures that the State will transmit to its roadside inspectors notice of each Federal exemption granted under section 31315(b) of this title and sections 390.23 and 390.25 of title 49, Code of Federal Regulations, and provided to the State by the Secretary, including the name of the person that received the exemption and any terms and conditions that apply to the exemption;

''(Y) except as provided in subsection (d), provides that the State—

''(i) will conduct safety audits of interstate and, at the State's discretion, intrastate new entrant motor carriers under section 31144(g); and

''(ii) if the State authorizes a third party to conduct safety audits under section 31144(g) on its behalf, the State verifies the quality of the work conducted and remains solely responsible for the management and oversight of the activities;

''(Z) provides that the State agrees to fully participate in the performance and registration information systems management under section 31106(b) not later than October 1, 2020, by complying with the conditions for participation under paragraph (3) of that section, or demonstrates to the Secretary an alternative approach for identifying and immobilizing a motor carrier with serious safety deficiencies in a manner that provides an equivalent level of safety;

''(AA) in the case of a State that shares a land border with another country, provides that the State—

''(i) will conduct a border commercial motor vehicle safety program focusing on international commerce that includes enforcement and related projects; or

''(ii) will forfeit all funds calculated by the Secretary based on border-related activities if the State declines to conduct the program described in clause (i) in its plan; and

''(BB) in the case of a State that meets the other requirements of this section and agrees to comply with the requirements established in subsection (l)(3), provides that the State may fund operation and maintenance costs associated with innovative technology deployment under subsection (l)(3) with motor carrier safety assistance program funds authorized under section 31104(a)(1).

''(3) PUBLICATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall publish each approved

State multiple-year plan, and each annual update thereto, on a publically accessible Internet Web site of the Department of Transportation not later than 30 days after the date the Secretary approves the plan or update.

''(B) LIMITATION.—Before publishing an approved State multiple-year plan or annual update under subparagraph (A), the Secretary shall redact any information identified by the State that, if disclosed—

''(i) would reasonably be expected to interfere with enforcement proceedings; or

''(ii) would reveal enforcement techniques or procedures that would reasonably be expected to risk circumvention of the law.

''(d) EXCLUSION OF U.S. TERRITORIES.—The requirement that a State conduct safety audits of new entrant motor carriers under subsection (c)(2)(Y) does not apply to a territory of the United States unless required by the Secretary.

''(e) INTRASTATE COMPATIBILITY.—The Secretary shall prescribe regulations specifying tolerance guidelines and standards for ensuring compatibility of intrastate commercial motor vehicle safety laws, including regulations, with Federal motor carrier safety regulations to be enforced under subsections (b) and (c). To the extent practicable, the guidelines and standards shall allow for maximum flexibility while ensuring a degree of uniformity that will not diminish motor vehicle safety.

''(f) MAINTENANCE OF EFFORT.—

''(1) BASELINE.—Except as provided under paragraphs (2) and (3) and in accordance with section 5107 of the FAST Act, a State plan under subsection (c) shall provide that the total expenditure of amounts of the lead State commercial motor vehicle safety agency responsible for administering the plan will be maintained at a level each fiscal year that is at least equal to—

''(A) the average level of that expenditure for fiscal years 2004 and 2005; or

''(B) the level of that expenditure for the year in which the Secretary implements a new allocation formula under section 5106 of the FAST Act.

''(2) ADJUSTED BASELINE AFTER FISCAL YEAR 2017.—At the request of a State, the Secretary may evaluate additional documentation related to the maintenance of effort and may make reasonable adjustments to the maintenance of effort baseline after the year in which the Secretary implements a new allocation formula under section 5106 of the FAST Act, and this adjusted baseline will replace the maintenance of effort requirement under paragraph (1).

''(3) WAIVERS.—At the request of a State, the Secretary may waive or modify the requirements of this subsection for a total of 1 fiscal year if the Secretary determines that the waiver or modification is reasonable, based on circumstances described by the State, to ensure the continuation of commercial motor vehicle enforcement activities in the State.

''(4) LEVEL OF STATE EXPENDITURES.—In estimating the average level of a State's expenditures under paragraph (1), the Secretary—

''(A) may allow the State to exclude State expenditures for federally sponsored demonstration and pilot programs and strike forces;

''(B) may allow the State to exclude expenditures for activities related to border enforcement and new entrant safety audits; and

''(C) shall require the State to exclude State matching amounts used to receive Federal financing under section 31104.

''(g) USE OF UNIFIED CARRIER REGISTRATION FEES AGREEMENT.—Amounts generated under section 14504a and received by a State and used for motor carrier safety purposes may be included as part of the State's match required under section 31104 or maintenance of effort required by subsection (f).

''(h) USE OF GRANTS TO ENFORCE OTHER LAWS.—When approved as part of a State's plan under subsection (c), the State may use motor carrier safety assistance program funds received under this section—

''(1) if the activities are carried out in conjunction with an appropriate inspection of a commercial motor vehicle to enforce Federal or State commercial motor vehicle safety regulations, for—

''(A) enforcement of commercial motor vehicle size and weight limitations at locations, excluding fixed-weight facilities, such as near steep grades or mountainous terrains, where the weight of a commercial motor vehicle can significantly affect the safe operation of the vehicle, or at ports where intermodal shipping containers enter and leave the United States; and

''(B) detection of and enforcement actions taken as a result of criminal activity, including the trafficking of human beings, in a commercial motor vehicle or by any occupant, including the operator, of the commercial motor vehicle; and

''(2) for documented enforcement of State traffic laws and regulations designed to promote the safe operation of commercial motor vehicles, including documented enforcement of such laws and regulations relating to noncommercial motor vehicles when necessary to promote the safe operation of commercial motor vehicles, if—

''(A) the number of motor carrier safety activities, including roadside safety inspections, conducted in the State is maintained at a level at least equal to the average level of such activities conducted in the State in fiscal years 2004 and 2005; and

''(B) the State does not use more than 10 percent of the basic amount the State receives under a grant awarded under section 31104(a)(1) for enforcement activities relating to noncommercial motor vehicles necessary to promote the safe operation of commercial motor vehicles unless the Secretary determines that a higher percentage will result in significant increases in commercial motor vehicle safety.

''(i) EVALUATION OF PLANS AND AWARD OF GRANTS.—

''(1) AWARDS.—The Secretary shall establish criteria for the application, evaluation, and approval of State plans under this section. Subject to subsection (j), the Secretary may allocate the amounts made available under section 31104(a)(1) among the States.

''(2) OPPORTUNITY TO CURE.—If the Secretary disapproves a plan under this section, the Secretary shall give the State a written explanation of the reasons for disapproval and allow the State to modify and resubmit the plan for approval.

''(j) ALLOCATION OF FUNDS.—

''(1) IN GENERAL.—The Secretary, by regulation, shall prescribe allocation criteria for funds made available under section 31104(a)(1).

''(2) ANNUAL ALLOCATIONS.—On October 1 of each fiscal year, or as soon as practicable thereafter, and after making a deduction under section 31104(c), the Secretary shall allocate amounts made available under section 31104(a)(1) to carry out this section for the fiscal year among the States with plans approved under this section in accordance with the criteria prescribed under paragraph (1).

''(3) ELECTIVE ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary to calculate the annual allocation amounts, after the creation of a new allocation formula under section 5106 of the FAST Act, the Secretary may not make elective adjustments to the allocation formula that decrease a State's Federal funding levels by more than 3 percent in a fiscal year. The 3 percent limit shall not apply to the withholding provisions of subsection (k).

''(k) PLAN MONITORING.—

''(1) IN GENERAL.—On the basis of reports submitted by the lead State agency responsible for administering a State plan approved under this section and an investigation by the Secretary, the Secretary shall periodically evaluate State implementation of and compliance with the State plan.

''(2) WITHHOLDING OF FUNDS.—

''(A) DISAPPROVAL.—If, after notice and an opportunity to be heard, the Secretary finds that a State plan previously approved under this section is not being followed or has become inadequate to ensure enforcement of State regulations, standards, or orders described in subsection (c)(1), or the State is otherwise not in compliance with the requirements of this section, the Secretary may withdraw approval of the State plan and notify the State. Upon the receipt of such notice, the State plan shall no longer be in effect and the Secretary shall withhold all funding to the State under this section.

''(B) NONCOMPLIANCE WITHHOLDING.—In lieu of withdrawing approval of a State plan under subparagraph (A), the Secretary may, after providing notice to the State and an opportunity to be heard, withhold funding from the State to which the State would otherwise be entitled under this section for the period of the State's noncompliance. In exercising this option, the Secretary may withhold—

''(i) up to 5 percent of funds during the fiscal year that the Secretary notifies the State of its noncompliance;

''(ii) up to 10 percent of funds for the first full fiscal year of noncompliance;

''(iii) up to 25 percent of funds for the second full fiscal year of noncompliance; and

''(iv) not more than 50 percent of funds for the third and any subsequent full fiscal year of noncompliance.

''(3) JUDICIAL REVIEW.—A State adversely affected by a determination under paragraph (2) may seek judicial review under chapter 7 of title 5. Notwithstanding the disapproval of a State plan under paragraph (2)(A) or the withholding of funds under paragraph (2)(B), the State may retain jurisdiction in an administrative or a judicial proceeding that commenced before the notice of disapproval or withholding if the issues involved are not related directly to the reasons for the disapproval or withholding.

''(l) HIGH PRIORITY PROGRAM.—

''(1) IN GENERAL.—The Secretary shall administer a high priority program funded under section 31104(a)(2) for the purposes described in paragraphs (2) and (3).

''(2) ACTIVITIES RELATED TO MOTOR CARRIER SAFETY.—The Secretary may make discretionary grants to and enter into cooperative agreements with States, local governments, federally recognized Indian tribes, other political jurisdictions as necessary, and any person to carry out high priority activities and projects that augment motor carrier safety activities and projects planned in accordance with subsections (b) and (c), including activities and projects that—

''(A) increase public awareness and education on commercial motor vehicle safety;

''(B) target unsafe driving of commercial motor vehicles and noncommercial motor vehicles in areas identified as high risk crash corridors;

''(C) improve the safe and secure movement of hazardous materials;

''(D) improve safe transportation of goods and persons in foreign commerce;

''(E) demonstrate new technologies to improve commercial motor vehicle safety;

''(F) support participation in performance and registration information systems management under section 31106(b)—

''(i) for entities not responsible for submitting the plan under subsection (c); or

''(ii) for entities responsible for submitting the plan under subsection (c)—

''(I) before October 1, 2020, to achieve compliance with the requirements of participation; and

''(II) beginning on October 1, 2020, or once compliance is achieved, whichever is sooner, for special initiatives or projects that exceed routine operations required for participation;

''(G) conduct safety data improvement projects—

''(i) that complete or exceed the requirements under subsection (c)(2)(P) for entities not responsible for submitting the plan under subsection (c); or

''(ii) that exceed the requirements under subsection (c)(2)(P) for entities responsible for submitting the plan under subsection (c); and

''(H) otherwise improve commercial motor vehicle safety and compliance with commercial motor vehicle safety regulations.

''(3) INNOVATIVE TECHNOLOGY DEPLOYMENT GRANT PROGRAM.—

''(A) IN GENERAL.—The Secretary shall establish an innovative technology deployment grant program to make discretionary grants to eligible States for the innovative technology deployment of commercial motor vehicle information systems and networks.

''(B) PURPOSES.—The purposes of the program shall be—

''(i) to advance the technological capability and promote the deployment of intelligent transportation system applications for commercial motor vehicle operations, including commercial motor vehicle, commercial driver, and carrier-specific information systems and networks; and

''(ii) to support and maintain commercial motor vehicle information systems and networks—

''(I) to link Federal motor carrier safety information systems with State commercial motor vehicle systems;

''(II) to improve the safety and productivity of commercial motor vehicles and drivers; and

''(III) to reduce costs associated with commercial motor vehicle operations and Federal and State commercial motor vehicle regulatory requirements.

''(C) ELIGIBILITY.—To be eligible for a grant under this paragraph, a State shall—

''(i) have a commercial motor vehicle information systems and networks program plan approved by the Secretary that describes the various systems and networks at the State level that need to be refined, revised, upgraded, or built to accomplish deployment of commercial motor vehicle information systems and networks capabilities;

''(ii) certify to the Secretary that its commercial motor vehicle information systems and networks deployment activities, including hardware procurement, software and system development, and infrastructure modifications—

''(I) are consistent with the national intelligent transportation systems and commercial motor vehicle information systems and networks architectures and available standards; and

''(II) promote interoperability and efficiency to the extent practicable; and

''(iii) agree to execute interoperability tests developed by the Federal Motor Carrier Safety Administration to verify that its systems conform with the national intelligent transportation systems architecture, applicable standards, and protocols for commercial motor vehicle information systems and networks.

''(D) USE OF FUNDS.—Grant funds received under this paragraph may be used—

''(i) for deployment activities and activities to develop new and innovative advanced technology solutions that support commercial motor vehicle information systems and networks;

''(ii) for planning activities, including the development or updating of program or top level design plans in order to become eligible or maintain eligibility under subparagraph (C); and

''(iii) for the operation and maintenance costs associated with innovative technology.

''(E) SECRETARY AUTHORIZATION.—The Secretary is authorized to award a State funding for the operation and maintenance costs associated with innovative technology deployment with funds made available under sections 31104(a)(1) and 31104(a)(2).''.

(b) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—Section 31103 of title 49, United States Code, is amended to read as follows:

''§ 31103. Commercial motor vehicle operators grant program

''(a) IN GENERAL.—The Secretary shall administer a commercial motor vehicle operators grant program funded under section 31104.

''(b) PURPOSE.—The purpose of the grant program is to train individuals in the safe operation of commercial motor vehicles (as defined in section 31301).

''(c) VETERANS.—In administering grants under this section, the Secretary shall award priority to grant applications for programs to train former members of the armed forces (as defined in section 101 of title 10) in the safe operation of such vehicles.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 31104 of title 49, United States Code, as amended by this Act, is further amended on the effective date set forth in subsection (f) to read as follows:

''§ 31104. Authorization of appropriations

''(a) FINANCIAL ASSISTANCE PROGRAMS.—The following sums are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account):

''(1) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Subject to paragraph (2) and subsection (c), to carry out section 31102 (except subsection (l))—

''(A) $292,600,000 for fiscal year 2017;

''(B) $298,900,000 for fiscal year 2018;

''(C) $304,300,000 for fiscal year 2019; and

''(D) $308,700,000 for fiscal year 2020.

''(2) HIGH PRIORITY ACTIVITIES PROGRAM.—Subject to subsection (c), to carry out section 31102(l)—

''(A) $42,200,000 for fiscal year 2017;

''(B) $43,100,000 for fiscal year 2018;

''(C) $44,000,000 for fiscal year 2019; and

''(D) $44,900,000 for fiscal year 2020.

''(3) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—To carry out section 31103—

''(A) $1,000,000 for fiscal year 2017;

''(B) $1,000,000 for fiscal year 2018;

''(C) $1,000,000 for fiscal year 2019; and

''(D) $1,000,000 for fiscal year 2020.

''(4) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION PROGRAM.—Subject to subsection (c), to carry out section 31313—

''(A) $31,200,000 for fiscal year 2017;

''(B) $31,800,000 for fiscal year 2018;

''(C) $32,500,000 for fiscal year 2019; and

''(D) $33,200,000 for fiscal year 2020.

''(b) REIMBURSEMENT AND PAYMENT TO RECIPIENTS FOR GOVERNMENT SHARE OF COSTS.—

''(1) IN GENERAL.—Amounts made available under subsection (a) shall be used to reimburse financial assistance recipients proportionally for the Federal Government's share of the costs incurred.

''(2) REIMBURSEMENT AMOUNTS.—The Secretary shall reimburse a recipient, in accordance with a financial assistance agreement made under section 31102, 31103, or 31313, an amount that is at least 85 percent of the costs incurred by the recipient in a fiscal year in developing and implementing programs under such sections. The Secretary shall pay the recipient an amount not more than the Federal Government share of the total costs approved by the Federal Government in the financial assistance agreement. The Secretary shall include a recipient's in-kind contributions in determining the reimbursement.

''(3) VOUCHERS.—Each recipient shall submit vouchers at least quarterly for costs the recipient incurs in developing and implementing programs under sections 31102, 31103, and 31313.

''(c) DEDUCTIONS FOR PARTNER TRAINING AND PROGRAM SUPPORT.—On October 1 of each fiscal year, or as soon after that date as practicable, the Secretary may deduct from amounts made available under paragraphs (1), (2), and (4) of subsection (a) for that fiscal year not more than 1.50 percent of those amounts for partner training and program support in that fiscal year. The Secretary shall use at least 75 percent of those deducted amounts to train non-Federal Government employees and to develop related training materials in carrying out such programs.

''(d) GRANTS AND COOPERATIVE AGREEMENTS AS CONTRACTUAL OBLIGATIONS.—The approval of a financial assistance agreement by the Secretary under section 31102, 31103, or 31313 is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs in carrying out the provisions of the grant or cooperative agreement.

''(e) ELIGIBLE ACTIVITIES.—The Secretary shall establish criteria for eligible activities to be funded with financial assistance agreements under this section and publish those criteria in a notice of funding availability before the financial assistance program application period.

''(f) PERIOD OF AVAILABILITY OF FINANCIAL ASSISTANCE AGREEMENT FUNDS FOR RECIPIENT EXPENDITURES.—The period of availability for a recipient to expend funds under a grant or cooperative agreement authorized under subsection (a) is as follows:

''(1) For grants made for carrying out section 31102, other than section 31102(l), for the fiscal year in which the Secretary approves the financial assistance agreement and for the next fiscal year.

''(2) For grants made or cooperative agreements entered into for carrying out section 31102(l)(2), for the fiscal year in which the Secretary approves the financial assistance agreement and for the next 2 fiscal years.

''(3) For grants made for carrying out section 31102(l)(3), for the fiscal year in which the Secretary approves the financial assistance agreement and for the next 4 fiscal years.

''(4) For grants made for carrying out section 31103, for the fiscal year in which the Secretary approves the financial assistance agreement and for the next fiscal year.

''(5) For grants made or cooperative agreements entered into for carrying out section 31313, for the fiscal year in which the Secretary approves the financial assistance agreement and for the next 4 fiscal years.

''(g) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund (other than the Mass Transit Account) by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

''(h) AVAILABILITY OF FUNDING.—Amounts made available under this section shall remain available until expended.

''(i) REALLOCATION.—Amounts not expended by a recipient during the period of availability shall be released back to the Secretary for reallocation for any purpose under section 31102, 31103, or 31313 or this section to ensure, to the maximum extent possible, that all such amounts are obligated.''.

(d) CLERICAL AMENDMENT.—The analysis for chapter 311 of title 49, United States Code, is amended by striking the items relating to sections 31102, 31103, and 31104 and inserting the following:

''31102. Motor carrier safety assistance program.

''31103. Commercial motor vehicle operators grant program.
''31104. Authorization of appropriations.''.

(e) CONFORMING AMENDMENTS.—

(1) SAFETY FITNESS OF OWNERS AND OPERATOR; SAFETY REVIEWS OF NEW OPERATORS.—Section 31144(g) of title 49, United States Code, is amended by striking paragraph (5).

(2) INFORMATION SYSTEMS; PERFORMANCE AND REGISTRATION INFORMATION PROGRAM.—Section 31106(b) of title 49, United States Code, is amended by striking paragraph (4).

(3) BORDER ENFORCEMENT GRANTS.—Section 31107 of title 49, United States Code, and the item relating to that section in the analysis for chapter 311 of that title, are repealed.

(4) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT.—Section 31109 of title 49, United States Code, and the item relating to that section in the analysis for chapter 311 of that title, are repealed.

(5) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—Section 4126 of SAFETEA–LU (49 U.S.C. 31106 note), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.

(6) SAFETY DATA IMPROVEMENT PROGRAM.—Section 4128 of SAFETEA–LU (49 U.S.C. 31100 note), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.

(7) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134 of SAFETEA–LU (49 U.S.C. 31301 note), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.

(8) MAINTENANCE OF EFFORT AS CONDITION ON GRANTS TO STATES.—Section 103(c) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.

(9) STATE COMPLIANCE WITH CDL REQUIREMENTS.—Section 103(e) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.

(10) BORDER STAFFING STANDARDS.—Section 218(d) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31133 note) is amended—

(A) in paragraph (1) by striking ''section 31104(f)(2)(B) of title 49, United States Code'' and inserting ''section 31104(a)(1) of title 49, United States Code''; and

(B) by striking paragraph (3).

(11) WINTER HOME HEATING OIL DELIVERY STATE FLEXIBILITY PROGRAM.—Section 346 of the National Highway System Designation Act of 1995 (49 U.S.C. 31166 note), and the item relating to that section in the table of contents in section 1(b) of that Act, are repealed.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

(g) TRANSITION.—Notwithstanding the amendments made by this section, the Secretary shall carry out sections 31102, 31103, and 31104 of title 49, United States Code, and any sections repealed under subsection (e), as necessary, as those sections were in effect on the day before October 1, 2016, with respect to applications for grants, cooperative agreements, or contracts under those sections submitted before October 1, 2016.

SEC. 5102. PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT.

Section 31106(b) of title 49, United States Code, is amended in the subsection heading by striking ''PROGRAM'' and inserting ''SYSTEMS MANAGEMENT''.

SEC. 5103. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subchapter I of chapter 311 of title 49, United States Code, is amended by adding at the end the following:

''§ 31110. Authorization of appropriations

''(a) ADMINISTRATIVE EXPENSES.—There is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) for the Secretary of Transportation to pay administrative expenses of the Federal Motor Carrier Safety Administration—

''(1) $267,400,000 for fiscal year 2016;
''(2) $277,200,000 for fiscal year 2017;
''(3) $283,000,000 for fiscal year 2018;
''(4) $284,000,000 for fiscal year 2019; and
''(5) $288,000,000 for fiscal year 2020.

''(b) USE OF FUNDS.—The funds authorized by this section shall be used for—

''(1) personnel costs;
''(2) administrative infrastructure;
''(3) rent;
''(4) information technology;
''(5) programs for research and technology, information management, regulatory development, and the administration of performance and registration information systems management under section 31106(b);
''(6) programs for outreach and education under subsection (c);
''(7) other operating expenses;
''(8) conducting safety reviews of new operators; and
''(9) such other expenses as may from time to time become necessary to implement statutory mandates of the Federal Motor Carrier Safety Administration not funded from other sources.

''(c) OUTREACH AND EDUCATION PROGRAM.—

''(1) IN GENERAL.—The Secretary may conduct, through any combination of grants, contracts, cooperative agreements, and other activities, an internal and external outreach and education program to be administered by the Administrator of the Federal Motor Carrier Safety Administration.

''(2) FEDERAL SHARE.—The Federal share of an outreach and education project for which a grant, contract, or cooperative agreement is made under this subsection may be up to 100 percent of the cost of the project.

''(3) FUNDING.—From amounts made available under subsection (a), the Secretary shall make available not more than $4,000,000 each fiscal year to carry out this subsection.

''(d) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund (other than the Mass Transit Account) by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

''(e) FUNDING AVAILABILITY.—Amounts made available under this section shall remain available until expended.

''(f) CONTRACTUAL OBLIGATION.—The approval of funds by the Secretary under this section is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 311 of title 49, United States Code, is amended by adding at the end of the items relating to subchapter I the following:

''31110. Authorization of appropriations.''.

(c) CONFORMING AMENDMENTS.—

(1) ADMINISTRATIVE EXPENSES; AUTHORIZATION OF APPROPRIATIONS.—Section 31104 of title 49, United States Code, is amended—

(A) by striking subsection (i); and

(B) by redesignating subsections (j) and (k) as subsections (i) and (j), respectively.

(2) USE OF AMOUNTS MADE AVAILABLE UNDER SUBSECTION (i).—Section 4116(d) of SAFETEA–LU (49 U.S.C. 31104 note) is amended by striking ''section 31104(i)'' and inserting ''section 31110''.

(3) INTERNATIONAL COOPERATION.—Section 31161 of title 49, United States Code, is amended by striking ''section 31104(i)'' and inserting ''section 31110''.

(4) SAFETEA–LU; OUTREACH AND EDUCATION.—Section 4127 of SAFETEA–LU (119 Stat. 1741; Public Law 109–59), and the item relating to that section in the table of contents contained in section 1(b) of that Act, are repealed.

SEC. 5104. COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION.

(a) IN GENERAL.—Section 31313 of title 49, United States Code, is amended to read as follows:

''§ 31313. Commercial driver's license program implementation financial assistance program

''(a) FINANCIAL ASSISTANCE PROGRAM.—

''(1) IN GENERAL.—The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation for the purposes described in paragraphs (2) and (3).

''(2) STATE COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION GRANTS.—In carrying out the program, the Secretary may make a grant to a State agency in a fiscal year—

''(A) to assist the State in complying with the requirements of section 31311; and

''(B) in the case of a State that is making a good faith effort toward substantial compliance with the requirements of section 31311, to improve the State's implementation of its commercial driver's license program, including expenses—

''(i) for computer hardware and software;
''(ii) for publications, testing, personnel, training, and quality control;
''(iii) for commercial driver's license program coordinators; and
''(iv) to implement or maintain a system to notify an employer of an operator of a commercial motor vehicle of the suspension or revocation of the operator's commercial driver's license consistent with the standards developed under section 32303(b) of the Commercial Motor Vehicle Safety Enhancement Act of 2012 (49 U.S.C. 31304 note).

''(3) PRIORITY ACTIVITIES.—The Secretary may make a grant to or enter into a cooperative agreement with a State agency, local government, or any person in a fiscal year for research, development and testing, demonstration projects, public education, and other special activities and projects relating to commercial drivers licensing and motor vehicle safety that—

''(A) benefit all jurisdictions of the United States;
''(B) address national safety concerns and circumstances;
''(C) address emerging issues relating to commercial driver's license improvements;
''(D) support innovative ideas and solutions to commercial driver's license program issues; or
''(E) address other commercial driver's license issues, as determined by the Secretary.

''(b) PROHIBITIONS.—A recipient may not use financial assistance funds awarded under this section to rent, lease, or buy land or buildings.

''(c) REPORT.—The Secretary shall issue an annual report on the activities carried out under this section.

''(d) APPORTIONMENT.—All amounts made available to carry out this section for a fiscal year shall be apportioned to a recipient described in subsection (a)(3) according to criteria prescribed by the Secretary.

''(e) FUNDING.—For fiscal years beginning after September 30, 2016, this section shall be funded under section 31104.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 313 of title 49, United States Code, is amended by striking the item relating to section 31313 and inserting the following:

''31313. Commercial driver's license program implementation financial assistance program.''.

SEC. 5105. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY PROGRAMS FOR FISCAL YEAR 2016.

(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM GRANT EXTENSION.—Section 31104(a) of title 49, United States Code, is amended by striking paragraphs (10) and (11) and inserting the following:

''(10) $218,000,000 for fiscal year 2015; and

''(11) $218,000,000 for fiscal year 2016.''.

(b) EXTENSION OF GRANT PROGRAMS.—Section 4101(c) of SAFETEA–LU (119 Stat. 1715; Public Law 109–59) is amended to read as follows:

''(c) AUTHORIZATION OF APPROPRIATIONS.—The following sums are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account):

''(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—For carrying out the commercial driver's license program improvement grants program under section 31313 of title 49, United States Code, $30,000,000 for fiscal year 2016.

''(2) BORDER ENFORCEMENT GRANTS.—For border enforcement grants under section 31107 of that title $32,000,000 for fiscal year 2016.

''(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT GRANT PROGRAM.—For the performance and registration information systems management grant program under section 31109 of that title $5,000,000 for fiscal year 2016.

''(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—For carrying out the commercial vehicle information systems and networks deployment program under section 4126 of this Act $25,000,000 for fiscal year 2016.

''(5) SAFETY DATA IMPROVEMENT GRANTS.—For safety data improvement grants under section 4128 of this Act $3,000,000 for fiscal year 2016.''.

(c) HIGH-PRIORITY ACTIVITIES.—Section 31104(j)(2) of title 49, United States Code, as redesignated by this subtitle, is amended by striking ''2015'' the first place it appears and all that follows through ''for States,'' and inserting ''2016 for States,''.

(d) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended to read as follows:

''(B) SET ASIDE.—The Secretary shall set aside from amounts made available under section 31104(a) up to $32,000,000 for fiscal year 2016 for audits of new entrant motor carriers conducted under this paragraph.''.

(e) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA–LU (49 U.S.C. 31301 note) is amended to read as follows:

''(c) FUNDING.—From amounts made available under section 31110 of title 49, United States Code, the Secretary shall make available, $1,000,000 for fiscal year 2016 to carry out this section.''.

(f) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—

(1) IN GENERAL.—Section 4126 of SAFETEA–LU (49 U.S.C. 31106 note; 119 Stat. 1738; Public Law 109–59) is amended—

(A) in subsection (c)—

(i) in paragraph (2) by adding at the end the following: ''Funds deobligated by the Secretary from previous year grants shall not be counted toward the $2,500,000 maximum aggregate amount for core deployment.''; and

(ii) in paragraph (3) by adding at the end the following: ''Funds may also be used for planning activities, including the development or updating of program or top level design plans.''; and

(B) in subsection (d)(4) by adding at the end the following: ''Funds may also be used for planning activities, including the development or updating of program or top level design plans.''.

(2) INNOVATIVE TECHNOLOGY DEPLOYMENT PROGRAM.—For fiscal year 2016, the commercial vehicle information systems and networks deployment program under section 4126 of SAFETEA–LU (119 Stat. 1738; Public Law 109–59) may also be referred to as the innovative technology deployment program.

SEC. 5106. MOTOR CARRIER SAFETY ASSISTANCE PROGRAM ALLOCATION.

(a) WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a motor carrier safety assistance program formula working group (in this section referred to as the ''working group'').

(2) MEMBERSHIP.—

(A) IN GENERAL.—Subject to subparagraph (B), the working group shall consist of representatives of the following:

(i) The Federal Motor Carrier Safety Administration.

(ii) The lead State commercial motor vehicle safety agencies responsible for administering the plan required by section 31102 of title 49, United States Code.

(iii) An organization representing State agencies responsible for enforcing a program for inspection of commercial motor vehicles.

(iv) Such other persons as the Secretary considers necessary.

(B) COMPOSITION.—Representatives of State commercial motor vehicle safety agencies shall comprise at least 51 percent of the membership.

(3) NEW ALLOCATION FORMULA.—The working group shall analyze requirements and factors for the establishment of a new allocation formula for the motor carrier safety assistance program under section 31102 of title 49, United States Code.

(4) RECOMMENDATION.—Not later than 1 year after the date the working group is established under paragraph (1), the working group shall make a recommendation to the Secretary regarding a new allocation formula for the motor carrier safety assistance program.

(5) EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this subsection.

(6) PUBLICATION.—The Administrator of the Federal Motor Carrier Safety Administration shall publish on a publicly accessible Internet Web site of the Federal Motor Carrier Safety Administration—

(A) detailed summaries of the meetings of the working group; and

(B) the final recommendation of the working group provided to the Secretary.

(b) NOTICE OF PROPOSED RULEMAKING.—After receiving the recommendation of the working group under subsection (a)(4), the Secretary shall publish in the Federal Register a notice seeking public comment on the establishment of a new allocation formula for the motor carrier safety assistance program.

(c) BASIS FOR FORMULA.—The Secretary shall ensure that the new allocation formula for the motor carrier safety assistance program is based on factors that reflect, at a minimum—

(1) the relative needs of the States to comply with section 31102 of title 49, United States Code;

(2) the relative administrative capacities of and challenges faced by States in complying with that section;

(3) the average of each State's new entrant motor carrier inventory for the 3-year period prior to the date of enactment of this Act;

(4) the number of international border inspection facilities and border crossings by commercial vehicles in each State; and

(5) any other factors the Secretary considers appropriate.

(d) FUNDING AMOUNTS PRIOR TO DEVELOPMENT OF NEW ALLOCATION FORMULA.—

(1) INTERIM FORMULA.—Prior to the development of the new allocation formula for the motor carrier safety assistance program, the Secretary may calculate the interim funding amounts for that program in fiscal year 2017 (and later fiscal years, as necessary) under section 31104(a)(1) of title 49, United States Code, as amended by this subtitle, by using the following methodology:

(A) The Secretary shall calculate the funding amount to a State using the allocation formula the Secretary used to award motor carrier safety assistance program funding in fiscal year 2016 under section 31102 of title 49, United States Code.

(B) The Secretary shall average the funding awarded or other equitable amounts to a State in fiscal years 2013, 2014, and 2015 for—

(i) border enforcement grants under section 31107 of title 49, United States Code; and

(ii) new entrant audit grants under section 31144(g)(5) of that title.

(C) The Secretary shall add the amounts calculated in subparagraphs (A) and (B).

(2) ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary, the initial amounts resulting from the calculation described in paragraph (1) shall be adjusted to ensure that, for each State, the amount shall not be less than 97 percent of the average amount of funding received or other equitable amounts in fiscal years 2013, 2014, and 2015 for—

(A) motor carrier safety assistance program funds awarded to the State under section 31102 of title 49, United States Code;

(B) border enforcement grants awarded to the State under section 31107 of title 49, United States Code; and

(C) new entrant audit grants awarded to the State under section 31144(g)(5) of title 49, United States Code.

(3) IMMEDIATE RELIEF.—On the date of enactment of this Act, and for the 3 fiscal years following the implementation of the new allocation formula, the Secretary shall terminate the withholding of motor carrier safety assistance program funds from a State if the State was subject to the withholding of such funds for matters of noncompliance immediately prior to the date of enactment of this Act.

(4) FUTURE WITHHOLDINGS.—Beginning on the date that the new allocation formula for the motor carrier safety assistance program is implemented, the Secretary shall impose all future withholdings in accordance with section 31102(k) of title 49, United States Code, as amended by this subtitle.

(e) TERMINATION OF WORKING GROUP.—The working group established under subsection (a) shall terminate on the date of the implementation of the new allocation formula for the motor carrier safety assistance program.

SEC. 5107. MAINTENANCE OF EFFORT CALCULATION.

(a) BEFORE NEW ALLOCATION FORMULA.—

(1) FISCAL YEAR 2017.—If a new allocation formula for the motor carrier safety assistance program has not been established under this subtitle for fiscal year 2017, the Secretary shall calculate for fiscal year 2017 the maintenance of effort baseline required under section 31102(f) of title 49, United States Code, as amended by this subtitle, by averaging the expenditures for fiscal years 2004 and 2005 required by section 31102(b)(4) of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.

(2) SUBSEQUENT FISCAL YEARS.—The Secretary may use the methodology for calculating the maintenance of effort baseline specified in paragraph (1) for fiscal year 2018 and subsequent fiscal years if a new allocation formula for the motor carrier safety assistance program has not been established for that fiscal year.

(b) BEGINNING WITH NEW ALLOCATION FORMATION.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3)(B), beginning on the date that a new allocation formula for the motor carrier safety assistance program is established under this subtitle, upon the request of a State, the Secretary may waive or modify the baseline maintenance of effort required of the State by section 31102(f) of title 49, United States Code, as amended by this subtitle, for the purpose of establishing a new baseline maintenance of effort if the Secretary determines that a waiver or modification—

(A) is equitable due to reasonable circumstances;

(B) will ensure the continuation of commercial motor vehicle enforcement activities in the State; and

(C) is necessary to ensure that the total amount of State maintenance of effort and matching expenditures required under sections 31102 and 31104 of title 49, United States Code, as amended by this subtitle, does not exceed a sum greater than the average of the total amount of State maintenance of effort and matching expenditures required under those sections for the 3 fiscal years prior to the date of enactment of this Act.

(2) ADJUSTMENT METHODOLOGY.—If requested by a State, the Secretary may modify the maintenance of effort baseline referred to in paragraph (1) for the State according to the following methodology:

(A) The Secretary shall establish the maintenance of effort baseline for the State using the average baseline of fiscal years 2004 and 2005, as required by section 31102(b)(4) of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.

(B) The Secretary shall calculate the average required match by a lead State commercial motor vehicle safety agency for fiscal years 2013, 2014, and 2015 for motor carrier safety assistance grants established at 20 percent by section 31103 of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.

(C) The Secretary shall calculate the estimated match required under section 31104(b) of title 49, United States Code, as amended by this subtitle.

(D) The Secretary shall subtract the amount in subparagraph (B) from the amount in subparagraph (C) and—

(i) if the number is greater than 0, the Secretary shall subtract the number from the amount in subparagraph (A); or

(ii) if the number is not greater than 0, the Secretary shall calculate the maintenance of effort using the methodology in subparagraph (A).

(3) MAINTENANCE OF EFFORT AMOUNT.—

(A) IN GENERAL.—The Secretary shall use the amount calculated under paragraph (2) as the baseline maintenance of effort required under section 31102(f) of title 49, United States Code, as amended by this subtitle.

(B) DEADLINE.—If a State does not request a waiver or modification under this subsection before September 30 during the first fiscal year that the Secretary implements a new allocation formula for the motor carrier safety assistance program under this subtitle, the Secretary shall calculate the maintenance of effort using the methodology described in paragraph (2)(A).

(4) MAINTENANCE OF EFFORT DESCRIBED.—The maintenance of effort calculated under this section is the amount required under section 31102(f) of title 49, United States Code, as amended by this subtitle.

(c) TERMINATION OF EFFECTIVENESS.—The authority of the Secretary under this section shall terminate effective on the date that a new maintenance of effort baseline is calculated based on a new allocation formula for the motor carrier safety assistance program implemented under section 31102 of title 49, United States Code.

Subtitle B—Federal Motor Carrier Safety Administration Reform

PART I—REGULATORY REFORM

SEC. 5201. NOTICE OF CANCELLATION OF INSURANCE.

Section 13906(e) of title 49, United States Code, is amended by inserting ''or suspend'' after ''revoke''.

SEC. 5202. REGULATIONS.

Section 31136 of title 49, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g) and transferring such subsection to appear at the end of section 31315 of such title; and

(2) by adding at the end the following:

''(f) REGULATORY IMPACT ANALYSIS.—

''(1) IN GENERAL.—Within each regulatory impact analysis of a proposed or final major rule issued by the Federal Motor Carrier Safety Administration, the Secretary shall, whenever practicable—

''(A) consider the effects of the proposed or final rule on different segments of the motor carrier industry; and

''(B) formulate estimates and findings based on the best available science.

''(2) SCOPE.—To the extent feasible and appropriate, and consistent with law, an analysis described in paragraph (1) shall—

''(A) use data that is representative of commercial motor vehicle operators or motor carriers, or both, that will be impacted by the proposed or final rule; and

''(B) consider the effects on commercial truck and bus carriers of various sizes and types.

''(g) PUBLIC PARTICIPATION.—

''(1) IN GENERAL.—If a proposed rule under this part is likely to lead to the promulgation of a major rule, the Secretary, before publishing such proposed rule, shall—

''(A) issue an advance notice of proposed rulemaking; or

''(B) proceed with a negotiated rulemaking.

''(2) REQUIREMENTS.—Each advance notice of proposed rulemaking issued under paragraph (1) shall—

''(A) identify the need for a potential regulatory action;

''(B) identify and request public comment on the best available science or technical information relevant to analyzing potential regulatory alternatives;

''(C) request public comment on the available data and costs with respect to regulatory alternatives reasonably likely to be considered as part of the rulemaking; and

''(D) request public comment on available alternatives to regulation.

''(3) WAIVER.—This subsection does not apply to a proposed rule if the Secretary, for good cause, finds (and incorporates the finding and a brief statement of reasons for such finding in the proposed or final rule) that an advance notice of proposed rulemaking is impracticable, unnecessary, or contrary to the public interest.

''(h) RULE OF CONSTRUCTION.—Nothing in subsection (f) or (g) may be construed to limit the contents of an advance notice of proposed rulemaking.''.

SEC. 5203. GUIDANCE.

(a) IN GENERAL.—

(1) DATE OF ISSUANCE AND POINT OF CONTACT.—Each guidance document issued by the Federal Motor Carrier Safety Administration shall have a date of issuance or a date of revision, as applicable, and shall include the name and contact information of a point of contact at the Administration who can respond to questions regarding the guidance.

(2) PUBLIC ACCESSIBILITY.—

(A) IN GENERAL.—Each guidance document issued or revised by the Federal Motor Carrier Safety Administration shall be published on a publicly accessible Internet Web site of the Department on the date of issuance or revision.

(B) REDACTION.—The Administrator of the Federal Motor Carrier Safety Administration may redact from a guidance document published under subparagraph (A) any information that would reveal investigative techniques that would compromise Administration enforcement efforts.

(3) INCORPORATION INTO REGULATIONS.—Not later than 5 years after the date on which a guidance document is published under paragraph (2) or during an applicable review under subsection (c), whichever is earlier, the Secretary shall revise regulations to incorporate the guidance document to the extent practicable.

(4) REISSUANCE.—If a guidance document is not incorporated into regulations in accordance with paragraph (3), the Administrator shall—

(A) reissue an updated version of the guidance document; and

(B) review and reissue an updated version of the guidance document every 5 years until the date on which the guidance document is removed or incorporated into applicable regulations.

(b) INITIAL REVIEW.—Not later than 1 year after the date of enactment of this Act, the Administrator shall review all guidance documents issued by the Federal Motor Carrier Safety Administration and in effect on such date of enactment to ensure that such documents are current, are readily accessible to the public, and meet the standards specified in subparagraphs (A), (B), and (C) of subsection (c)(1).

(c) REGULAR REVIEW.—

(1) IN GENERAL.—Subject to paragraph (2), not less than once every 5 years, the Administrator shall conduct a comprehensive review of the guidance documents issued by the Federal Motor Carrier Safety Administration to determine whether such documents are—

(A) consistent and clear;

(B) uniformly and consistently enforced; and

(C) still necessary.

(2) NOTICE AND COMMENT.—Prior to beginning a review under paragraph (1), the Administrator shall publish in the Federal Register a notice and request for comment that solicits input from stakeholders on which guidance documents should be updated or eliminated.

(3) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the date on which a review under paragraph (1) is completed, the Administrator shall publish on a publicly accessible Internet Web site of the Department a report detailing the review and a full inventory of the guidance documents of the Administration.

(B) CONTENTS.—A report under subparagraph (A) shall include a summary of the response of the Administration to comments received under paragraph (2).

(d) GUIDANCE DOCUMENT DEFINED.—In this section, the term ''guidance document'' means a document issued by the Federal Motor Carrier Safety Administration that—

(1) provides an interpretation of a regulation of the Administration; or

(2) includes an enforcement policy of the Administration available to the public.

SEC. 5204. PETITIONS.

(a) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration shall—

(1) publish on a publicly accessible Internet Web site of the Department a summary of all petitions for regulatory action submitted to the Administration;

(2) prioritize the petitions submitted based on the likelihood of safety improvements resulting from the regulatory action requested;

(3) not later than 180 days after the date a summary of a petition is published under paragraph (1), formally respond to such petition by indicating whether the Administrator will accept, deny, or further review the petition;

(4) prioritize responses to petitions consistent with a petition's potential to reduce crashes, improve enforcement, and reduce unnecessary burdens; and

(5) not later than 60 days after the date of receipt of a petition, publish on a publicly accessible Internet Web site of the Department an updated inventory of the petitions described in paragraph (1), including any applicable disposition information for those petitions.

(b) TREATMENT OF MULTIPLE PETITIONS.—The Administrator may treat multiple similar petitions as a single petition for the purposes of subsection (a).

(c) PETITION DEFINED.—In this section, the term ''petition'' means a request for—

(1) a new regulation;

(2) a regulatory interpretation or clarification; or

(3) a determination by the Administrator that a regulation should be modified or eliminated because it is—

(A) no longer—

(i) consistent and clear;

(ii) current with the operational realities of the motor carrier industry; or

(iii) uniformly enforced;

(B) ineffective; or

(C) overly burdensome.

SEC. 5205. INSPECTOR STANDARDS.

Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Motor Carrier Safety Administration shall revise the regulations under part 385 of title 49, Code of Federal Regulations, as necessary, to incorporate by reference the certification standards for roadside inspectors issued by the Commercial Vehicle Safety Alliance.

SEC. 5206. APPLICATIONS.

(a) REVIEW PROCESS.—Section 31315(b) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in the first sentence by striking ''paragraph (3)'' and inserting ''this subsection''; and

(B) by striking the second sentence;

(2) by redesignating paragraphs (2) through (7) as paragraphs (4) through (9), respectively; and

(3) by inserting after paragraph (1) the following:

''(2) LENGTH OF EXEMPTION AND RENEWAL.—An exemption may be granted under paragraph (1) for no longer than 5 years and may be renewed, upon request, for subsequent 5-year periods if the Secretary continues to make the finding under paragraph (1).

''(3) OPPORTUNITY FOR RESUBMISSION.—If the Secretary denies an application under paragraph (1) and the applicant can reasonably address the reason for the denial, the Secretary may allow the applicant to resubmit the application.''.

(b) ADMINISTRATIVE EXEMPTIONS.—

(1) IN GENERAL.—The Secretary shall make permanent the following limited exemptions:

(A) Perishable construction products, as published in the Federal Register on April 2, 2015 (80 Fed. Reg. 17819).

(B) Transport of commercial bee hives, as published in the Federal Register on June 19, 2015 (80 Fed. Reg. 35425).

(C) Safe transport of livestock, as published in the Federal Register on June 12, 2015 (80 Fed. Reg. 33584).

(2) ADDITIONAL ADMINISTRATIVE EXEMPTIONS.—Any exemption from any provision of the regulations under part 395 of title 49, Code of Federal Regulations, that is in effect on the date of enactment of this Act—

(A) except as otherwise provided in section 31315(b) of title 49, shall be valid for a period of 5 years from the date such exemption was granted; and

(B) may be subject to renewal under section 31315(b)(2) of title 49, United States Code.

PART II—COMPLIANCE, SAFETY, ACCOUNTABILITY REFORM

SEC. 5221. CORRELATION STUDY.

(a) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration (referred to in this part as the ''Administrator'') shall commission the National Research Council of the National Academies to conduct a study of—

(1) the Compliance, Safety, Accountability program of the Federal Motor Carrier Safety Administration (referred to in this part as the ''CSA program''); and

(2) the Safety Measurement System utilized by the CSA program (referred to in this part as the ''SMS'').

(b) SCOPE OF STUDY.—In carrying out the study commissioned pursuant to subsection (a), the National Research Council—

(1) shall analyze—

(A) the accuracy with which the Behavior Analysis and Safety Improvement Categories (referred to in this part as ''BASIC'')—

(i) identify high risk carriers; and

(ii) predict or are correlated with future crash risk, crash severity, or other safety indicators for motor carriers, including the highest risk carriers;

(B) the methodology used to calculate BASIC percentiles and identify carriers for enforcement, including the weights assigned to particular violations and the tie between crash risk and specific regulatory violations, with respect to accurately identifying and predicting future crash risk for motor carriers;

(C) the relative value of inspection information and roadside enforcement data;

(D) any data collection gaps or data sufficiency problems that may exist and the impact of those gaps and problems on the efficacy of the CSA program;

(E) the accuracy of safety data, including the use of crash data from crashes in which a motor carrier was free from fault;

(F) whether BASIC percentiles for motor carriers of passengers should be calculated separately from motor carriers of freight;

(G) the differences in the rates at which safety violations are reported to the Federal Motor Carrier Safety Administration for inclusion in the SMS by various enforcement authorities, including States, territories, and Federal inspectors; and

(H) how members of the public use the SMS and what effect making the SMS information public has had on reducing crashes and eliminating unsafe motor carriers from the industry; and

(2) shall consider—

(A) whether the SMS provides comparable precision and confidence, through SMS alerts and percentiles, for the relative crash risk of individual large and small motor carriers;

(B) whether alternatives to the SMS would identify high risk carriers more accurately; and

(C) the recommendations and findings of the Comptroller General of the United States and the Inspector General of the Department, and independent review team reports, issued before the date of enactment of this Act.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall—

(1) submit a report containing the results of the study commissioned pursuant to subsection (a) to—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Transportation and Infrastructure of the House of Representatives; and

(C) the Inspector General of the Department; and

(2) publish the report on a publicly accessible Internet Web site of the Department.

(d) CORRECTIVE ACTION PLAN.—

(1) IN GENERAL.—Not later than 120 days after the Administrator submits the report under subsection (c), if that report identifies a deficiency or opportunity for improvement in the CSA program or in any element of the SMS, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a corrective action plan that—

(A) responds to the deficiencies or opportunities identified by the report;

(B) identifies how the Federal Motor Carrier Safety Administration will address such deficiencies or opportunities; and

(C) provides an estimate of the cost, including with respect to changes in staffing, enforcement, and data collection, necessary to address such deficiencies or opportunities.

(2) PROGRAM REFORMS.—The corrective action plan submitted under paragraph (1) shall include an implementation plan that—

(A) includes benchmarks;

(B) includes programmatic reforms, revisions to regulations, or proposals for legislation; and

(C) shall be considered in any rulemaking by the Department that relates to the CSA program, including the SMS or data analysis under the SMS.

(e) INSPECTOR GENERAL REVIEW.—Not later than 120 days after the Administrator submits a corrective action plan under subsection (d), the Inspector General of the Department shall—

(1) review the extent to which such plan addresses—

(A) recommendations contained in the report submitted under subsection (c); and

(B) relevant recommendations issued by the Comptroller General or the Inspector General before the date of enactment of this Act; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the responsiveness of the corrective action plan to the recommendations described in paragraph (1).

SEC. 5222. BEYOND COMPLIANCE.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Administrator shall allow recognition, including credit or an improved SMS percentile, for a motor carrier that—

(1) installs advanced safety equipment;

(2) uses enhanced driver fitness measures;

(3) adopts fleet safety management tools, technologies, and programs; or

(4) satisfies other standards determined appropriate by the Administrator.

(b) IMPLEMENTATION.—The Administrator shall carry out subsection (a) by—

(1) incorporating a methodology into the CSA program; or

(2) establishing a safety BASIC in the SMS.

(c) PROCESS.—

(1) IN GENERAL.—The Administrator, after providing notice and an opportunity for comment, shall develop a process for identifying and reviewing advanced safety equipment, enhanced driver fitness measures, fleet safety management tools, technologies, and programs, and other standards for use by motor carriers to receive recognition, including credit or an improved SMS percentile, for purposes of subsection (a).

(2) CONTENTS.—A process developed under paragraph (1) shall—

(A) provide for a petition process for reviewing advanced safety equipment, enhanced driver fitness measures, fleet safety management tools, technologies, and programs, and other standards; and

(B) seek input and participation from industry stakeholders, including commercial motor vehicle drivers, technology manufacturers, vehicle manufacturers, motor carriers, law enforcement, safety advocates, and the Motor Carrier Safety Advisory Committee.

(d) QUALIFICATION.—The Administrator, after providing notice and an opportunity for comment, shall develop technical or other performance standards with respect to advanced safety equipment, enhanced driver fitness measures, fleet safety management tools, technologies, and programs, and other standards for purposes of subsection (a).

(e) MONITORING.—The Administrator may authorize qualified entities to monitor motor carriers that receive recognition, including credit or an improved SMS percentile, under this section through a no-cost contract structure.

(f) DISSEMINATION OF INFORMATION.—The Administrator shall maintain on a publicly accessible Internet Web site of the Department information on—

(1) the advanced safety equipment, enhanced driver fitness measures, fleet safety management tools, technologies, and programs, and other standards eligible for recognition, including credit or an improved SMS percentile;

(2) any petitions for review of advanced safety equipment, enhanced driver fitness measures, fleet safety management tools, technologies, and programs, and other standards; and

(3) any relevant statistics relating to the use of advanced safety equipment, enhanced driver fitness measures, fleet safety management tools, technologies, and programs, and other standards.

(g) REPORT.—Not later than 3 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the—

(1) number of motor carriers receiving recognition, including credit or an improved SMS percentile, under this section; and

(2) safety performance of such carriers.

SEC. 5223. DATA CERTIFICATION.

(a) IN GENERAL.—On and after the date that is 1 day after the date of enactment of this Act, no information regarding analysis of violations, crashes in which a determination is made that the motor carrier or the commercial motor vehicle driver is not at fault, alerts, or the relative percentile for each BASIC developed under the CSA program may be made available to the general public until the Inspector General of the Department certifies that—

(1) the report required under section 5221(c) has been submitted in accordance with that section;

(2) any deficiencies identified in the report required under section 5221(c) have been addressed;

(3) if applicable, the corrective action plan under section 5221(d) has been implemented;

(4) the Administrator of the Federal Motor Carrier Safety Administration has fully implemented or satisfactorily addressed the issues raised in the report titled ''Modifying the Compliance, Safety, Accountability Program Would Improve the Ability to Identify High Risk Carriers'' of the Government Accountability Office and dated February 2014 (GAO–14–114); and

(5) the Secretary has initiated modification of the CSA program in accordance with section 5222.

(b) LIMITATION ON THE USE OF CSA ANALYSIS.—Information regarding alerts and the relative percentile for each BASIC developed under the CSA program may not be used for safety fitness determinations until the Inspector General of the Department makes the certification under subsection (a).

(c) CONTINUED PUBLIC AVAILABILITY OF DATA.—Notwithstanding any other provision of this section, inspection and violation information submitted to the Federal Motor Carrier Safety Administration by commercial motor vehicle inspectors and qualified law enforcement officials, out-of-service rates, and absolute measures shall remain available to the public.

(d) EXCEPTIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of this section—

(A) the Federal Motor Carrier Safety Administration and State and local commercial motor vehicle enforcement agencies may use the information referred to in subsection (a) for purposes of investigation and enforcement prioritization;

(B) a motor carrier and a commercial motor vehicle driver may access information referred to in subsection (a) that relates directly to the motor carrier or driver, respectively; and

(C) a data analysis of motorcoach operators may be provided online with a notation indicating that the ratings or alerts listed are not intended to imply any Federal safety rating of the carrier.

(2) NOTATION.—The notation described in paragraph (1)(C) shall include the following: ''Readers should not draw conclusions about a carrier's overall safety condition simply based on the data displayed in this system. Unless a motor carrier has received an UNSATISFACTORY safety rating under part 385 of title 49, Code of Federal Regulations, or has otherwise been ordered to discontinue operations by the Federal Motor Carrier Safety Administration, it is authorized to operate on the Nation's roadways.''.

(3) RULE OF CONSTRUCTION.—Nothing in this section may be construed to restrict the official use by State enforcement agencies of the data collected by State enforcement personnel.

SEC. 5224. DATA IMPROVEMENT.

(a) FUNCTIONAL SPECIFICATIONS.—The Administrator shall develop functional specifications to ensure the consistent and accurate input of data into systems and databases relating to the CSA program.

(b) FUNCTIONALITY.—The functional specifications developed pursuant to subsection (a)—

(1) shall provide for the hardcoding and smart logic functionality for roadside inspection data collection systems and databases; and

(2) shall be made available to public and private sector developers.

(c) EFFECTIVE DATA MANAGEMENT.—The Administrator shall ensure that internal systems and databases accept and effectively manage data using uniform standards.

(d) CONSULTATION WITH THE STATES.—Before implementing the functional specifications developed pursuant to subsection (a) or the standards described in subsection (c), the Administrator shall seek input from the State agencies responsible for enforcing section 31102 of title 49, United States Code.

SEC. 5225. ACCIDENT REVIEW.

(a) IN GENERAL.—Not later than 1 year after a certification under section 5223, the Secretary shall task the Motor Carrier Safety Advisory Committee with reviewing the treatment of preventable crashes under the SMS.

(b) DUTIES.—Not later than 6 months after being tasked under subsection (a), the Motor Carrier Safety Advisory Committee shall make recommendations to the Secretary on a process to allow motor carriers and drivers to request that the Administrator make a determination with respect to the preventability of a crash, if such a process has not yet been established by the Secretary.

(c) REPORT.—The Secretary shall—

(1) review and consider the recommendations provided by the Motor Carrier Safety Advisory Committee; and

(2) report to Congress on how the Secretary intends to address the treatment of preventable crashes.

(d) PREVENTABLE DEFINED.—In this section, the term ''preventable'' has the meaning given that term in Appendix B of part 385 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this Act.

Subtitle C—Commercial Motor Vehicle Safety

SEC. 5301. WINDSHIELD TECHNOLOGY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall revise the regulations in section 393.60(e) of title 49, Code of Federal Regulations (relating to the prohibition on obstructions to the driver's field of view) to exempt from that section the voluntary mounting on a windshield of vehicle safety technology likely to achieve a level of safety that is equivalent to or greater than the level of safety that would be achieved absent the exemption.

(b) VEHICLE SAFETY TECHNOLOGY DEFINED.—In this section, the term ''vehicle safety technology'' includes a fleet-related incident management system, performance or behavior management system, speed management system, lane departure warning system, forward collision warning or mitigation system, and active cruise control system and any other technology that the Secretary considers applicable.

(c) RULE OF CONSTRUCTION.—For purposes of this section, any windshield mounted technology with a short term exemption under part 381 of title 49, Code of Federal Regulations, on the date of enactment of this Act, shall be considered likely to achieve a level of safety that is equivalent to or greater than the level of safety that would be achieved absent an exemption under subsection (a).

SEC. 5302. PRIORITIZING STATUTORY RULEMAKINGS.

The Administrator of the Federal Motor Carrier Safety Administration shall prioritize the completion of each outstanding rulemaking required by statute before beginning any other rulemaking, unless the Secretary determines that there is a significant need for such other rulemaking and notifies Congress of such determination.

SEC. 5303. SAFETY REPORTING SYSTEM.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the cost and feasibility of establishing a self-reporting system for commercial motor vehicle drivers or motor carriers with respect to en route equipment failures.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) an analysis of—

(A) alternatives for the reporting of equipment failures in real time, including an Internet Web site or telephone hotline;

(B) the ability of a commercial motor vehicle driver or a motor carrier to provide to the Federal Motor Carrier Safety Administration proof of repair of a self-reported equipment failure;

(C) the ability of the Federal Motor Carrier Safety Administration to ensure that self-reported equipment failures proven to be repaired are not used in the calculation of Behavior Analysis and Safety Improvement Category scores;

(D) the ability of roadside inspectors to access self-reported equipment failures;

(E) the cost to establish and administer a self-reporting system;

(F) the ability for a self-reporting system to track individual commercial motor vehicles through unique identifiers; and

(G) whether a self-reporting system would yield demonstrable safety benefits;

(2) an identification of any regulatory or statutory impediments to the implementation of a self-reporting system; and

(3) recommendations on implementing a self-reporting system.

SEC. 5304. NEW ENTRANT SAFETY REVIEW PROGRAM.

(a) IN GENERAL.—The Secretary shall conduct an assessment of the new operator safety review program under section 31144(g) of title 49, United States Code, including the program's effectiveness in reducing crashes, fatalities, and injuries involving commercial motor vehicles and improving commercial motor vehicle safety.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish on a publicly accessible Internet Web site of the Department and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the assessment conducted under subsection (a), including any recommendations for improving the effectiveness of the program (including recommendations for legislative changes).

SEC. 5305. HIGH RISK CARRIER REVIEWS.

(a) IN GENERAL.—The Secretary shall ensure that a review is completed on each motor carrier that demonstrates through performance data that it poses the highest safety risk. At a minimum, a review shall be conducted whenever a motor carrier is among the highest risk carriers for 4 consecutive months.

(b) REPORT.—The Secretary shall post on a public Web site a report on the actions the Secretary has taken to comply with this section, including the number of high risk carriers identified and the high risk carriers reviewed.

(c) CONFORMING AMENDMENT.—Section 4138 of SAFETEA–LU (49 U.S.C. 31144 note), and the item relating to that section in the table of contents in section 1(b) of that Act, are repealed.

SEC. 5306. POST-ACCIDENT REPORT REVIEW.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall convene a working group—

(1) to review the data elements of post-accident reports, for tow-away accidents involving commercial motor vehicles, that are reported to the Federal Government; and

(2) to report to the Secretary its findings and any recommendations, including best practices for State post-accident reports to achieve the data elements described in subsection (c).

(b) COMPOSITION.—Not less than 51 percent of the working group should be composed of individuals representing the States or State law enforcement officials. The remaining members of the working group shall represent industry, labor, safety advocates, and other interested parties.

(c) CONSIDERATIONS.—The working group shall consider requiring additional data elements, including—

(1) the primary cause of the accident, if the primary cause can be determined; and

(2) the physical characteristics of the commercial motor vehicle and any other vehicle involved in the accident, including—

(A) the vehicle configuration;

(B) the gross vehicle weight, if the weight can be readily determined;

(C) the number of axles; and

(D) the distance between axles, if the distance can be readily determined.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(1) review the findings of the working group;

(2) identify the best practices for State post-accident reports that are reported to the Federal Government, including identifying the data elements that should be collected following a tow-away commercial motor vehicle accident; and

(3) recommend to the States the adoption of new data elements to be collected following reportable commercial motor vehicle accidents.

(e) TERMINATION.—The working group shall terminate not more than 180 days after the date on which the Secretary makes recommendations under subsection (d)(3).

SEC. 5307. IMPLEMENTING SAFETY REQUIREMENTS.

(a) IN GENERAL.—For each rulemaking described in subsection (c), not later than 30 days after the date of enactment of this Act and every 180 days thereafter until the rulemaking is complete, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a written notification that includes—

(1) for a rulemaking with a statutory deadline—

(A) an explanation of why the deadline was not met; and

(B) an expected date of completion of the rulemaking; and

(2) for a rulemaking without a statutory deadline, an expected date of completion of the rulemaking.

(b) ADDITIONAL CONTENTS.—A notification submitted under subsection (a) shall include—

(1) an updated rulemaking timeline;

(2) a list of factors causing delays in the completion of the rulemaking; and

(3) any other details associated with the status of the rulemaking.

(c) RULEMAKINGS.—The Secretary shall submit a written notification under subsection (a) for each of the following rulemakings:

(1) The rulemaking required under section 31306a(a)(1) of title 49, United States Code.

(2) The rulemaking required under section 31137(a) of title 49, United States Code.

(3) The rulemaking required under section 31305(c) of title 49, United States Code.

(4) The rulemaking required under section 31601 of division C of MAP–21 (49 U.S.C. 30111 note).

(5) A rulemaking concerning motor carrier safety fitness determinations.

(6) A rulemaking concerning commercial motor vehicle safety required by an Act of Congress enacted on or after August 1, 2005, and incomplete for more than 2 years.

Subtitle D—Commercial Motor Vehicle Drivers

SEC. 5401. OPPORTUNITIES FOR VETERANS.

(a) STANDARDS FOR TRAINING AND TESTING OF VETERAN OPERATORS.—Section 31305 of title 49, United States Code, is amended by adding at the end the following:

''(d) STANDARDS FOR TRAINING AND TESTING OF VETERAN OPERATORS.—

''(1) IN GENERAL.—Not later than December 31, 2016, the Secretary shall modify the regulations prescribed under subsections (a) and (c) to—

''(A) exempt a covered individual from all or a portion of a driving test if the covered individual had experience in the armed forces or reserve components driving vehicles similar to a commercial motor vehicle;

''(B) ensure that a covered individual may apply for an exemption under subparagraph (A) during, at least, the 1-year period beginning on the date on which such individual separates from service in the armed forces or reserve components; and

''(C) credit the training and knowledge a covered individual received in the armed forces or reserve components driving vehicles similar to a commercial motor vehicle for purposes of satisfying minimum standards for training and knowledge.

''(2) DEFINITIONS.—In this subsection, the following definitions apply:

''(A) ARMED FORCES.—The term 'armed forces' has the meaning given that term in section 101(a) of title 10.

''(B) COVERED INDIVIDUAL.—The term 'covered individual' means an individual over the age of 21 years who is—

''(i) a former member of the armed forces; or

''(ii) a former member of the reserve components.

''(C) RESERVE COMPONENTS.—The term 'reserve components' means—

''(i) the Army National Guard of the United States;

''(ii) the Army Reserve;

''(iii) the Navy Reserve;

''(iv) the Marine Corps Reserve;

''(v) the Air National Guard of the United States;

''(vi) the Air Force Reserve; and

''(vii) the Coast Guard Reserve.''.

(b) IMPLEMENTATION OF ADMINISTRATIVE RECOMMENDATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Defense, shall implement the recommendations contained in the report submitted under section 32308 of MAP–21 (49 U.S.C. 31301 note) that are not implemented as a result of the amendment in subsection (a).

(c) IMPLEMENTATION OF THE MILITARY COMMERCIAL DRIVER'S LICENSE ACT.—Not later than December 31, 2015, the Secretary shall issue final regulations to implement the exemption to the domicile requirement under section 31311(a)(12)(C) of title 49, United States Code.

(d) CONFORMING AMENDMENT.—Section 31311(a)(12)(C)(ii) of title 49, United States Code, is amended to read as follows:

''(ii) is an active duty member of—

''(I) the armed forces (as that term is defined in section 101(a) of title 10); or

''(II) the reserve components (as that term is defined in section 31305(d)(2) of this title); and''.

SEC. 5402. DRUG-FREE COMMERCIAL DRIVERS.

(a) IN GENERAL.—Section 31306 of title 49, United States Code, is amended—

(1) in subsection (b)(1)—

(A) by redesignating subparagraph (B) as subparagraph (C);

(B) in subparagraph (A) by striking ''The regulations shall permit such motor carriers to conduct preemployment testing of such employees for the use of alcohol.''; and

(C) by inserting after subparagraph (A) the following:

''(B) The regulations prescribed under subparagraph (A) shall permit motor carriers—

''(i) to conduct preemployment testing of commercial motor vehicle operators for the use of alcohol; and

''(ii) to use hair testing as an acceptable alternative to urine testing—

''(I) in conducting preemployment testing for the use of a controlled substance; and

''(II) in conducting random testing for the use of a controlled substance if the operator was subject to hair testing for preemployment testing.'';

(2) in subsection (b)(2)—

(A) in subparagraph (A) by striking ''and'' at the end;

(B) in subparagraph (B) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(C) shall provide an exemption from hair testing for commercial motor vehicle operators with established religious beliefs that prohibit the cutting or removal of hair.''; and

(3) in subsection (c)(2)—

(A) in the matter preceding subparagraph (A) by inserting ''for urine testing, and technical guidelines for hair testing,'' before ''including mandatory guidelines'';

(B) in subparagraph (B) by striking ''and'' at the end;

(C) in subparagraph (C) by inserting ''and'' after the semicolon; and

(D) by adding at the end the following:

''(D) laboratory protocols and cut-off levels for hair testing to detect the use of a controlled substance;''.

(b) GUIDELINES.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall issue scientific and technical guidelines for hair testing as a method of detecting the use of a controlled substance for purposes of section 31306 of title 49, United States Code.

SEC. 5403. MEDICAL CERTIFICATION OF VETERANS FOR COMMERCIAL DRIVER'S LICENSES.

(a) IN GENERAL.—In the case of a physician-approved veteran operator, the qualified physician of such operator may, subject to the requirements of subsection (b), perform a medical examination and provide a medical certificate for purposes of compliance with the requirements of section 31149 of title 49, United States Code.

(b) CERTIFICATION.—The certification described under subsection (a) shall include—

(1) assurances that the physician performing the medical examination meets the requirements of a qualified physician under this section; and

(2) certification that the physical condition of the operator is adequate to enable such operator to operate a commercial motor vehicle safely.

(c) NATIONAL REGISTRY OF MEDICAL EXAMINERS.—The Secretary, in consultation with the Secretary of Veterans Affairs, shall develop a process for qualified physicians to perform a medical examination and provide a medical certificate under subsection (a) and include such physicians on the national registry of medical examiners established under section 31149(d) of title 49, United States Code.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) PHYSICIAN-APPROVED VETERAN OPERATOR.—The term ''physician-approved veteran operator'' means an operator of a commercial motor vehicle who—

(A) is a veteran who is enrolled in the health care system established under section 1705(a) of title 38, United States Code; and

(B) is required to have a current valid medical certificate pursuant to section 31149 of title 49, United States Code.

(2) QUALIFIED PHYSICIAN.—The term ''qualified physician'' means a physician who—

(A) is employed in the Department of Veterans Affairs;

(B) is familiar with the standards for, and physical requirements of, an operator certified pursuant to section 31149 of title 49, United States Code; and

(C) has never, with respect to such section, been found to have acted fraudulently, including by fraudulently awarding a medical certificate.

(3) VETERAN.—The term ''veteran'' has the meaning given the term in section 101 of title 38, United States Code.

(e) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to change any statutory penalty associated with fraud or abuse.

SEC. 5404. COMMERCIAL DRIVER PILOT PROGRAM.

(a) IN GENERAL.—The Secretary shall establish a pilot program under section 31315(c) of title 49, United States Code, to study the feasibility, benefits, and safety impacts of allowing a covered driver to operate a commercial motor vehicle in interstate commerce.

(b) DATA COLLECTION.—The Secretary shall collect and analyze data relating to accidents in which—

(1) a covered driver participating in the pilot program is involved; and

(2) a driver under the age of 21 operating a commercial motor vehicle in intrastate commerce is involved.

(c) LIMITATIONS.—A driver participating in the pilot program may not—

(1) transport—

(A) passengers; or

(B) hazardous cargo; or

(2) operate a vehicle in special configuration.

(d) WORKING GROUP.—

(1) ESTABLISHMENT.—The Secretary shall conduct, monitor, and evaluate the pilot program in consultation with a working group to be established by the Secretary consisting of representatives of the armed forces, industry, drivers, safety advocacy organizations, and State licensing and enforcement officials.

(2) DUTIES.—The working group shall review the data collected under subsection (b) and provide recommendations to the Secretary on the feasibility, benefits, and safety impacts of allowing a covered driver to operate a commercial motor vehicle in interstate commerce.

(e) REPORT.—Not later than 1 year after the date on which the pilot program is concluded, the Secretary shall submit to Congress a report describing the findings of the pilot program and the recommendations of the working group.

(f) DEFINITIONS.—In this section, the following definitions apply:

(1) ACCIDENT.—The term ''accident'' has the meaning given that term in section 390.5 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this Act.

(2) ARMED FORCES.—The term ''armed forces'' has the meaning given that term in section 101(a) of title 10, United States Code.

(3) COMMERCIAL MOTOR VEHICLE.—The term ''commercial motor vehicle'' has the meaning given that term in section 31301 of title 49, United States Code.

(4) COVERED DRIVER.—The term ''covered driver'' means an individual who is—

(A) between the ages of 18 and 21;

(B) a member or former member of the—

(i) armed forces; or

(ii) reserve components (as defined in section 31305(d)(2) of title 49, United States Code, as added by this Act); and

(C) qualified in a Military Occupational Specialty to operate a commercial motor vehicle or similar vehicle.

Subtitle E—General Provisions

SEC. 5501. DELAYS IN GOODS MOVEMENT.

(a) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Department shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the average length of time that operators of commercial motor vehicles are delayed before the loading and unloading of such vehicles and at other points in the pick-up and delivery process.

(2) CONTENTS.—The report under paragraph (1) shall include—

(A) an assessment of how delays impact—

(i) the economy;

(ii) the efficiency of the transportation system;

(iii) motor carrier safety, including the extent to which delays result in violations of motor carrier safety regulations; and

(iv) the livelihood of motor carrier drivers; and

(B) recommendations on how delays could be mitigated.

(b) COLLECTION OF DATA.—Not later than 2 years after the date of enactment of this Act, the Secretary shall establish by regulation a process to collect data on delays experienced by operators of commercial motor vehicles before the loading and unloading of such vehicles and at other points in the pick-up and delivery process.

SEC. 5502. EMERGENCY ROUTE WORKING GROUP.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a working group to determine best practices for expeditious State approval of special permits for vehicles involved in emergency response and recovery.

(2) MEMBERS.—The working group shall include representatives from—

(A) State highway transportation departments or agencies;

(B) relevant modal agencies within the Department;

(C) emergency response or recovery experts;

(D) relevant safety groups; and

(E) entities affected by special permit restrictions during emergency response and recovery efforts.

(b) CONSIDERATIONS.—In determining best practices under subsection (a), the working group shall consider whether—

(1) impediments currently exist that prevent expeditious State approval of special permits for vehicles involved in emergency response and recovery;

(2) it is possible to pre-identify and establish emergency routes between States through which infrastructure repair materials could be delivered following a natural disaster or emergency;

(3) a State could pre-designate an emergency route identified under paragraph (2) as a certified emergency route if a motor vehicle that exceeds the otherwise applicable Federal and State truck length or width limits may safely operate along such route during periods of declared emergency and recovery from such periods; and

(4) an online map could be created to identify each pre-designated emergency route under paragraph (3), including information on specific limitations, obligations, and notification requirements along that route.

(c) REPORT.—

(1) SUBMISSION.—Not later than 1 year after the date of enactment of this Act, the working group shall submit to the Secretary a report on its findings under this section and any recommendations for the implementation of best practices for expeditious State approval of special permits for vehicles involved in emergency response and recovery.

(2) PUBLICATION.—Not later than 30 days after the date the Secretary receives the report under paragraph (1), the Secretary shall publish the report on a publicly accessible Internet Web site of the Department.

(d) NOTIFICATION.—Not later than 6 months after the date the Secretary receives the report under subsection (c)(1), the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the actions the Secretary and the States have taken to implement the recommendations included in the report.

(e) TERMINATION.—The working group shall terminate 1 year after the date the Secretary receives the report under subsection (c)(1).

SEC. 5503. HOUSEHOLD GOODS CONSUMER PROTECTION WORKING GROUP.

(a) WORKING GROUP.—The Secretary shall establish a working group for the purpose of developing recommendations on how to best convey to consumers relevant information with respect to the Federal laws concerning the interstate transportation of household goods by motor carrier.

(b) MEMBERSHIP.—The Secretary shall ensure that the working group is comprised of individuals with expertise in consumer affairs, educators with expertise in how people learn most effectively, and representatives of the household goods moving industry.

(c) RECOMMENDATIONS.—

(1) CONTENTS.—The recommendations developed by the working group shall include recommendations on—

(A) condensing publication ESA 03005 of the Federal Motor Carrier Safety Administration into a format that is more easily used by consumers;

(B) using state-of-the-art education techniques and technologies, including optimizing the use of the Internet as an educational tool; and

(C) reducing and simplifying the paperwork required of motor carriers and shippers in interstate transportation.

(2) DEADLINE.—Not later than 1 year after the date of enactment of this Act—

(A) the working group shall make the recommendations described in paragraph (1); and

(B) the Secretary shall publish the recommendations on a publicly accessible Internet Web site of the Department.

(d) REPORT.—Not later than 1 year after the date on which the working group makes its recommendations under subsection (c)(2), the Secretary shall issue a report to Congress on the implementation of such recommendations.

(e) TERMINATION.—The working group shall terminate 1 year after the date the working group makes its recommendations under subsection (c)(2).

SEC. 5504. TECHNOLOGY IMPROVEMENTS.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a comprehensive analysis of the information technology and data collection and management systems of the Federal Motor Carrier Safety Administration.

(b) REQUIREMENTS.—The study conducted under subsection (a) shall—

(1) evaluate the efficacy of the existing information technology, data collection, processing systems, data correction procedures, and data management systems and programs, including their interaction with each other and their efficacy in meeting user needs;

(2) identify any redundancies among the systems, procedures, and programs described in paragraph (1);

(3) explore the feasibility of consolidating data collection and processing systems;

(4) evaluate the ability of the systems, procedures, and programs described in paragraph (1) to meet the needs of—

(A) the Federal Motor Carrier Safety Administration, at both the headquarters and State levels;

(B) the State agencies that implement the motor carrier safety assistance program under section 31102 of title 49, United States Code; and

(C) other users;

(5) evaluate the adaptability of the systems, procedures, and programs described in paragraph (1), in order to make necessary future changes to ensure user needs are met in an easier, timely, and more cost-efficient manner;

(6) investigate and make recommendations regarding—

(A) deficiencies in existing data sets impacting program effectiveness; and

(B) methods to improve user interfaces; and

(7) identify the appropriate role the Federal Motor Carrier Safety Administration should take with respect to software and information systems design, development, and maintenance for the purpose of improving the efficacy of the systems, procedures, and programs described in paragraph (1).

SEC. 5505. NOTIFICATION REGARDING MOTOR CARRIER REGISTRATION.

Not later than 30 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate written notification of the actions the Secretary is taking to ensure, to the greatest extent practicable, that each application for registration under section 13902 of title 49, United States Code, is processed not later than 30 days after the date on which the application is received by the Secretary.

SEC. 5506. REPORT ON COMMERCIAL DRIVER'S LICENSE SKILLS TEST DELAYS.

Not later than 18 months after the date of enactment of this Act, and each year thereafter, the Administrator of the Federal Motor Carrier Safety Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) describes, for each State, the status of skills testing for applicants for a commercial driver's license, including—

(A) the average wait time from the date an applicant requests to take a skills test to the date the applicant has the opportunity to complete such test;

(B) the average wait time from the date an applicant, upon failure of a skills test, requests a retest to the date the applicant has the opportunity to complete such retest;

(C) the actual number of qualified commercial driver's license examiners available to test applicants; and

(D) the number of testing sites available through the State department of motor vehicles and whether this number has increased or decreased from the previous year; and

(2) describes specific steps that the Administrator is taking to address skills testing delays in States that have average skills test or retest wait times of more than 7 days from the date an applicant requests to test or retest to the date the applicant has the opportunity to complete such test or retest.

SEC. 5507. ELECTRONIC LOGGING DEVICE REQUIREMENTS.

Section 31137(b) of title 49, United States Code, is amended—

(1) in paragraph (1)(C) by striking ''apply to'' and inserting ''except as provided in paragraph (3), apply to''; and

(2) by adding at the end the following:

''(3) EXCEPTION.—A motor carrier, when transporting a motor home or recreation vehicle trailer within the definition of the term 'driveaway-towaway operation' (as defined in section 390.5 of title 49, Code of Federal Regulations), may comply with the hours of service requirements by requiring each driver to use—

''(A) a paper record of duty status form; or

''(B) an electronic logging device.''.

SEC. 5508. TECHNICAL CORRECTIONS.

(a) TITLE 49.—Title 49, United States Code, is amended as follows:

(1) Section 13902(i)(2) is amended by inserting ''except as'' before ''described''.

(2) Section 13903(d) is amended by striking ''(d) REGISTRATION AS MOTOR CARRIER REQUIRED.—'' and all that follows through ''(1) IN GENERAL.—A freight forwarder'' and inserting ''(d) REGISTRATION AS MOTOR CARRIER REQUIRED.—A freight forwarder''.

(3) Section 13905(d)(2)(D) is amended—

(A) by striking ''the Secretary finds that—'' and all that follows through ''(i) the motor carrier,'' and inserting ''the Secretary finds that the motor carrier,''; and

(B) by adding a period at the end.

(4) Section 14901(h) is amended by striking ''HOUSEHOLD GOODS'' in the heading.

(5) Section 14916 is amended by striking the section designation and heading and inserting the following:

''§ 14916. Unlawful brokerage activities''.

(b) MAP–21.—Effective as of July 6, 2012, and as if included therein as enacted, MAP–21 (Public Law 112–141) is amended as follows:

(1) Section 32108(a)(4) (126 Stat. 782) is amended by inserting ''for'' before ''each additional day'' in the matter proposed to be struck.

(2) Section 32301(b)(3) (126 Stat. 786) is amended by striking ''by amending (a) to read as follows:'' and inserting ''by striking subsection (a) and inserting the following:''.

(3) Section 32302(c)(2)(B) (126 Stat. 789) is amended by striking ''section 32303(c)(1)'' and inserting ''section 32302(c)(1)''.

(4) Section 32921(b) (126 Stat. 828) is amended, in the matter to be inserted, by striking ''(A) In addition'' and inserting the following:

''(A) IN GENERAL.—In addition''.

(5) Section 32931(c) (126 Stat. 829) is amended—

(A) by striking ''Secretary'' and inserting ''Secretary of Transportation'' in the matter to be struck; and

(B) by striking ''Secretary'' and inserting ''Secretary of Transportation'' in the matter to be inserted.

(c) MOTOR CARRIER SAFETY IMPROVEMENT ACT OF 1999.—Section 229(a)(1) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note) is amended by inserting ''of title 49, United States Code,'' after ''sections 31136 and 31502''.

SEC. 5509. MINIMUM FINANCIAL RESPONSIBILITY.

(a) TRANSPORTING PROPERTY.—If the Secretary proceeds with a rulemaking to determine whether to increase the minimum levels of financial responsibility required under section 31139 of title 49, United States Code, the Secretary shall consider, prior to issuing a final rule—

(1) the rulemaking's potential impact on—

(A) the safety of motor vehicle transportation; and

(B) the motor carrier industry;

(2) the ability of the insurance industry to provide the required amount of insurance;

(3) the extent to which current minimum levels of financial responsibility adequately cover—

(A) medical care;

(B) compensation; and

(C) other identifiable costs;

(4) the frequency with which insurance claims exceed current minimum levels of financial responsibility in fatal accidents; and

(5) the impact of increased levels on motor carrier safety and accident reduction.

(b) TRANSPORTING PASSENGERS.—

(1) IN GENERAL.—Prior to initiating a rulemaking to change the minimum levels of financial responsibility under section 31138 of title 49, United States Code, the Secretary shall complete a study specific to the minimum financial responsibility requirements for motor carriers of passengers.

(2) STUDY CONTENTS.—A study under paragraph (1) shall include, to the extent practicable—

(A) a review of accidents, injuries, and fatalities in the over-the-road bus and school bus industries;

(B) a review of insurance held by over-the-road bus and public and private school bus companies, including companies of various sizes, and an analysis of whether such insurance is adequate to cover claims;

(C) an analysis of whether and how insurance affects the behavior and safety record of motor carriers of passengers, including with respect to crash reduction; and

(D) an analysis of the anticipated impacts of an increase in financial responsibility on insurance premiums for passenger carriers and service availability.

(3) CONSULTATION.—In conducting a study under paragraph (1), the Secretary shall consult with—

(A) representatives of the over-the-road bus and private school bus transportation industries, including representatives of bus drivers; and

(B) insurers of motor carriers of passengers.

(4) REPORT.—If the Secretary undertakes a study under paragraph (1), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

SEC. 5510. SAFETY STUDY REGARDING DOUBLE-DECKER MOTORCOACHES.

(a) STUDY.—The Secretary, in consultation with State transportation safety and law enforcement officials, shall conduct a study regarding the safety operations, fire suppression capability, tire loads, and pavement impacts of operating a double-decker motorcoach equipped with a device designed by the motorcoach manufacturer to attach to the rear of the motorcoach for use in transporting passenger baggage.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit a report containing the results of the study to—

(1) the Committee on Transportation and Infrastructure of the House of Representatives; and

(2) the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 5511. GAO REVIEW OF SCHOOL BUS SAFETY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a review of the following:

(1) Existing Federal and State rules and guidance, as of the date of the review, concerning school bus transportation of elementary school and secondary school students engaging in home-to-school transport or other transport determined by the Comptroller General to be a routine part of kindergarten through grade 12 education, including regulations and guidance regarding driver training programs, capacity requirements, programs for special needs students, inspection standards, vehicle age requirements, best practices, and public access to inspection results and crash records.

(2) Any correlation between public or private school bus fleet operators whose vehicles are involved in an accident as defined by section 390.5 of title 49, Code of Federal Regulations, and each of the following:

(A) A failure by those same operators of State or local safety inspections.

(B) The average age or odometer readings of the school buses in the fleets of such operators.

(C) Violations of Federal laws administered by the Department of Transportation, or of State law equivalents of such laws.

(D) Violations of State or local law relating to illegal passing of a school bus.

(3) A regulatory framework comparison of public and private school bus operations.

(4) Expert recommendations on best practices for safe and reliable school bus transportation, including driver training programs, inspection standards, school bus age and odometer reading maximums for retirement, the percentage of buses in a local bus fleet needed as spare buses, and capacity levels per school bus for different age groups.

SEC. 5512. ACCESS TO NATIONAL DRIVER REGISTER.

Section 30305(b) of title 49, United States Code, is amended by adding at the end the following:

''(13) The Administrator of the Federal Motor Carrier Safety Administration may request the chief driver licensing official of a State to provide information under subsection (a) of this section about an individual in connection with a safety investigation under the Administrator's jurisdiction.''.

SEC. 5513. REPORT ON DESIGN AND IMPLEMENTATION OF WIRELESS ROADSIDE INSPECTION SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report regarding the design, development, testing, and implementation of wireless roadside inspection systems.

(b) ELEMENTS.—The report required under subsection (a) shall include a determination as to whether Federal wireless roadside inspection systems—

(1) conflict with existing electronic screening systems, or create capabilities already available;

(2) require additional statutory authority to incorporate generated inspection data into the safety measurement system or the safety fitness determinations program; and

(3) provide appropriate restrictions to specifically address privacy concerns of affected motor carriers and operators.

SEC. 5514. REGULATION OF TOW TRUCK OPERATIONS.

Section 14501(c)(2)(C) of title 49, United States Code, is amended by striking ''the price of'' and all that follows through ''transportation is'' and inserting ''the regulation of tow truck operations''.

SEC. 5515. STUDY ON COMMERCIAL MOTOR VEHICLE DRIVER COMMUTING.

(a) EFFECTS OF COMMUTING.—The Administrator of the Federal Motor Carrier Safety Administration shall conduct a study on the safety effects of motor carrier operator commutes exceeding 150 minutes.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to Congress a report containing the findings under the study.

SEC. 5516. ADDITIONAL STATE AUTHORITY.

Notwithstanding any other provision of law, South Dakota shall be provided the opportunity to update and revise the routes designated as qualifying Federal-aid Primary System highways under section 31111(e) of title 49, United States Code, as long as the update shifts routes to divided highways or does not increase centerline miles by more than 5 percent and is expected to increase safety performance.

SEC. 5517. REPORT ON MOTOR CARRIER FINANCIAL RESPONSIBILITY.

(a) IN GENERAL.—Not later than January 1, 2017, the Secretary shall publish on a publicly accessible Internet Web site of the Department a report on the minimum levels of financial responsibility required under section 31139 of title 49, United States Code.

(b) CONTENTS.—The report required under subsection (a) shall include, to the extent practicable, an analysis of—

(1) the differences between State insurance requirements and Federal requirements;

(2) the extent to which current minimum levels of financial responsibility adequately cover—

(A) medical care;

(B) compensation; and

(C) other identifiable costs; and

(3) the frequency with which insurance claims exceed the current minimum levels of financial responsibility.

SEC. 5518. COVERED FARM VEHICLES.

Section 32934(b)(1) of MAP–21 (49 U.S.C. 31136 note) is amended by striking ''from'' and all that follows through the period at end and inserting the following: ''from—

''(A) a requirement described in subsection (a) or a compatible State requirement; or

''(B) any other minimum standard provided by a State relating to the operation of that vehicle.''.

SEC. 5519. OPERATORS OF HI-RAIL VEHICLES.

(a) IN GENERAL.—In the case of a commercial motor vehicle driver subject to the hours of service requirements in part 395 of title 49, Code of Federal Regulations, who is driving a hi-rail vehicle, the maximum on duty time under section 395.3 of such title for such driver shall not include time in transportation to or from a duty assignment if such time in transportation—

(1) does not exceed 2 hours per calendar day or a total of 30 hours per calendar month; and

(2) is fully and accurately accounted for in records to be maintained by the motor carrier and such records are made available upon request of the Federal Motor Carrier Safety Administration or the Federal Railroad Administration.

(b) HI-RAIL VEHICLE DEFINED.—In this section, the term ''hi-rail vehicle'' means an internal rail flaw detection vehicle equipped with flange hi-rails.

SEC. 5520. AUTOMOBILE TRANSPORTER.

(a) AUTOMOBILE TRANSPORTER DEFINED.—Section 31111(a)(1) of title 49, United States Code, is amended—

(1) by striking ''specifically''; and

(2) by adding at the end the following: ''An automobile transporter shall not be prohibited from the transport of cargo or general freight on a backhaul, so long as it complies with weight limitations for a truck tractor and semitrailer combination.''.

(b) TRUCK TRACTOR DEFINED.—Section 31111(a)(3)(B) of title 49, United States Code, is amended—

(1) by striking ''only''; and

(2) by inserting before the period at the end the following: ''or any other commodity, including cargo or general freight on a backhaul''.

(c) BACKHAUL DEFINED.—Section 31111(a) of title 49, United States Code, is amended by adding at the end the following:

''(5) BACKHAUL.—The term 'backhaul' means the return trip of a vehicle transporting cargo or general freight, especially when carrying goods back over all or part of the same route.''.

(d) STINGER-STEERED AUTOMOBILE TRANSPORTERS.—Section 31111(b)(1) of title 49, United States Code, is amended—

(1) in subparagraph (E) by striking ''or'' at the end;

(2) in subparagraph (F) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(G) imposes a vehicle length limitation of less than 80 feet on a stinger-steered automobile transporter with a front overhang of less than 4 feet and a rear overhang of less than 6 feet; or''.

SEC. 5521. READY MIX CONCRETE DELIVERY VEHICLES.

Section 31502 of title 49, United States Code, is amended by adding at the end the following:

''(f) READY MIXED CONCRETE DELIVERY VEHICLES.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, regulations issued under this section or section 31136 (including section 395.1(e)(1)(ii) of title 49, Code of Federal Regulations) regarding reporting, recordkeeping, or documentation of duty status shall not apply to any driver of a ready mixed concrete delivery vehicle if—

''(A) the driver operates within a 100 air-mile radius of the normal work reporting location;

''(B) the driver returns to the work reporting location and is released from work within 14 consecutive hours;

''(C) the driver has at least 10 consecutive hours off duty following each 14 hours on duty;

''(D) the driver does not exceed 11 hours maximum driving time following 10 consecutive hours off duty; and

''(E) the motor carrier that employs the driver maintains and retains for a period of 6 months accurate and true time records that show—

''(i) the time the driver reports for duty each day;

''(ii) the total number of hours the driver is on duty each day;

''(iii) the time the driver is released from duty each day; and

''(iv) the total time for the preceding driving week the driver is used for the first time or intermittently.

''(2) DEFINITION.—In this section, the term 'driver of a ready mixed concrete delivery vehicle' means a driver of a vehicle designed to deliver ready mixed concrete on a daily basis and is equipped with a mechanism under which the vehicle's propulsion engine provides the power to operate a mixer drum to agitate and mix the product en route to the delivery site.''.

SEC. 5522. TRANSPORTATION OF CONSTRUCTION MATERIALS AND EQUIPMENT.

Section 229(e)(4) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note) is amended—

(1) by striking ''50 air mile radius'' and inserting ''75 air mile radius''; and

(2) by striking ''the driver.'' and inserting ''the driver, except that a State, upon notice to the Secretary, may establish a different air mile radius limitation for purposes of this paragraph if such limitation is between 50 and 75 air miles and applies only to movements that take place entirely within the State.''.

SEC. 5523. COMMERCIAL DELIVERY OF LIGHT- AND MEDIUM-DUTY TRAILERS.

(a) DEFINITIONS.—Section 31111(a) of title 49, United States Code, is amended by adding at the end the following:

''(6) TRAILER TRANSPORTER TOWING UNIT.—The term 'trailer transporter towing unit' means a power unit that is not used to carry property when operating in a towaway trailer transporter combination.

''(7) TOWAWAY TRAILER TRANSPORTER COMBINATION.—The term 'towaway trailer transporter combination' means a combination of vehicles consisting of a trailer transporter towing unit and 2 trailers or semitrailers—

''(A) with a total weight that does not exceed 26,000 pounds; and

''(B) in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semitrailers.''.

(b) GENERAL LIMITATIONS.—Section 31111(b)(1) of such title is amended by adding at the end the following:

''(H) has the effect of imposing an overall length limitation of less than 82 feet on a towaway trailer transporter combination.''.

(c) CONFORMING AMENDMENTS.—

(1) PROPERTY-CARRYING UNIT LIMITATION.—Section 31112(a)(1) of such title is amended by inserting before the period at the end the following: '', but not including a trailer or a semitrailer transported as part of a towaway trailer transporter combination (as defined in section 31111(a))''.

(2) ACCESS TO INTERSTATE SYSTEM.—Section 31114(a)(2) of such title is amended by inserting ''any towaway trailer transporter combination (as defined in section 31111(a)),'' after ''passengers,''.

SEC. 5524. EXEMPTIONS FROM REQUIREMENTS FOR CERTAIN WELDING TRUCKS USED IN PIPELINE INDUSTRY.

(a) COVERED MOTOR VEHICLE DEFINED.—In this section, the term ''covered motor vehicle'' means a motor vehicle that—

(1) is traveling in the State in which the vehicle is registered or another State;

(2) is owned by a welder;

(3) is a pick-up style truck;

(4) is equipped with a welding rig that is used in the construction or maintenance of pipelines; and

(5) has a gross vehicle weight and combination weight rating and weight of 15,000 pounds or less.

(b) FEDERAL REQUIREMENTS.—A covered motor vehicle, including the individual operating such vehicle and the employer of such individual, shall be exempt from the following:

(1) Any requirement relating to registration as a motor carrier, including the requirement to obtain and display a Department of Transportation number, established under chapters 139 and 311 of title 49, United States Code.

(2) Any requirement relating to driver qualifications established under chapter 311 of title 49, United States Code.

(3) Any requirement relating to driving of commercial motor vehicles established under chapter 311 of title 49, United States Code.

(4) Any requirement relating to parts and accessories and inspection, repair, and maintenance of commercial motor vehicles established under chapter 311 of title 49, United States Code.

(5) Any requirement relating to hours of service of drivers, including maximum driving and on duty time, established under chapter 315 of title 49, United States Code.

SEC. 5525. REPORT.

(a) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the safety and enforcement impacts of sections 5520, 5521, 5522, 5523, 5524, and 7208 of this Act.

(b) CONSULTATION.—In preparing the report required under subsection (a), the Secretary shall consult with States, State law enforcement agencies, entities impacted by the sections described in subsection (a), and other entities the Secretary considers appropriate.

TITLE VI—INNOVATION

SEC. 6001. SHORT TITLE.

This title may be cited as the ''Transportation for Tomorrow Act of 2015''.

SEC. 6002. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following amounts are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—To carry out section 503(b) of title 23, United States Code, $125,000,000 for each of fiscal years 2016 through 2020.

(2) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—To carry out section 503(c) of title 23, United States Code—

(A) $67,000,000 for fiscal year 2016;

(B) $67,500,000 for fiscal year 2017;

(C) $67,500,000 for fiscal year 2018;

(D) $67,500,000 for fiscal year 2019; and

(E) $67,500,000 for fiscal year 2020.

(3) TRAINING AND EDUCATION.—To carry out section 504 of title 23, United States Code, $24,000,000 for each of fiscal years 2016 through 2020.

(4) INTELLIGENT TRANSPORTATION SYSTEMS PROGRAM.—To carry out sections 512 through 518 of title 23, United States Code, $100,000,000 for each of fiscal years 2016 through 2020.

(5) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—To carry out section 5505 of title 49, United States Code—

(A) $72,500,000 for fiscal year 2016;

(B) $75,000,000 for fiscal year 2017;

(C) $75,000,000 for fiscal year 2018;

(D) $77,500,000 for fiscal year 2019; and

(E) $77,500,000 for fiscal year 2020.

(6) BUREAU OF TRANSPORTATION STATISTICS.—To carry out chapter 63 of title 49, United States Code, $26,000,000 for each of fiscal years 2016 through 2020.

(b) ADMINISTRATION.—The Federal Highway Administration shall—

(1) administer the programs described in paragraphs (1), (2), and (3) of subsection (a); and

(2) in consultation with relevant modal administrations, administer the programs described in subsection (a)(4).

(c) APPLICABILITY OF TITLE 23, UNITED STATES CODE.—Funds authorized to be appropriated by subsection (a) shall—

(1) be available for obligation in the same manner as if those funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of a project or activity carried out using those funds shall be 80 percent, unless otherwise expressly provided by this Act (including the amendments by this Act) or otherwise determined by the Secretary; and

(2) remain available until expended and not be transferable, except as otherwise provided in this Act.

SEC. 6003. TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.

Section 503(c)(3) of title 23, United States Code, is amended—

(1) in subparagraph (C) by striking ''2013 through 2014'' and inserting ''2016 through 2020''; and

(2) by adding at the end the following:

''(D) PUBLICATION.—

''(i) IN GENERAL.—Not less frequently than annually, the Secretary shall issue and make available to the public on an Internet website a report on the cost and benefits from deployment of new technology and innovations that substantially and directly resulted from the program established under this paragraph.

''(ii) INCLUSIONS.—The report under clause (i) may include an analysis of—

''(I) Federal, State, and local cost savings;

''(II) project delivery time improvements;

''(III) reduced fatalities; and

''(IV) congestion impacts.''.

SEC. 6004. ADVANCED TRANSPORTATION AND CONGESTION MANAGEMENT TECHNOLOGIES DEPLOYMENT.

Section 503(c) of title 23, United States Code, is amended by adding at the end the following:

''(4) ADVANCED TRANSPORTATION TECHNOLOGIES DEPLOYMENT.—

''(A) IN GENERAL.—Not later than 6 months after the date of enactment of this paragraph, the Secretary shall establish an advanced transportation and congestion management technologies deployment initiative to provide grants to eligible entities to develop model deployment sites for large scale installation and operation of advanced transportation technologies to improve safety, efficiency, system performance, and infrastructure return on investment.

''(B) CRITERIA.—The Secretary shall develop criteria for selection of an eligible entity to receive a grant under this paragraph, including how the deployment of technology will—

''(i) reduce costs and improve return on investments, including through the enhanced use of existing transportation capacity;

''(ii) deliver environmental benefits that alleviate congestion and streamline traffic flow;

''(iii) measure and improve the operational performance of the applicable transportation network;

''(iv) reduce the number and severity of traffic crashes and increase driver, passenger, and pedestrian safety;

''(v) collect, disseminate, and use real-time traffic, transit, parking, and other transportation-related information to improve mobility, reduce congestion, and provide for more efficient and accessible transportation;

''(vi) monitor transportation assets to improve infrastructure management, reduce maintenance costs, prioritize investment decisions, and ensure a state of good repair;

''(vii) deliver economic benefits by reducing delays, improving system performance, and providing for the efficient and reliable movement of goods and services; or

''(viii) accelerate the deployment of vehicle-to-vehicle, vehicle-to-infrastructure, autonomous vehicles, and other technologies.

''(C) APPLICATIONS.—

''(i) REQUEST.—Not later than 6 months after the date of enactment of this paragraph, and for every fiscal year thereafter, the Secretary shall request applications in accordance with clause (ii).

''(ii) CONTENTS.—An application submitted under this subparagraph shall include the following:

''(I) PLAN.—A plan to deploy and provide for the long-term operation and maintenance of advanced transportation and congestion management technologies to improve safety, efficiency, system performance, and return on investment.

''(II) OBJECTIVES.—Quantifiable system performance improvements, such as—

''(aa) reducing traffic-related crashes, congestion, and costs;

''(bb) optimizing system efficiency; and

''(cc) improving access to transportation services.

''(III) RESULTS.—Quantifiable safety, mobility, and environmental benefit projections such as data-driven estimates of how the project will improve the region's transportation system efficiency and reduce traffic congestion.

''(IV) PARTNERSHIPS.—A plan for partnering with the private sector or public agencies, including multimodal and multijurisdictional entities, research institutions, organizations representing transportation and technology leaders, or other transportation stakeholders.

''(V) LEVERAGING.—A plan to leverage and optimize existing local and regional advanced transportation technology investments.

''(D) GRANT SELECTION.—

''(i) GRANT AWARDS.—Not later than 1 year after the date of enactment of this paragraph, and for every fiscal year thereafter, the Secretary shall award grants to not less than 5 and not more than 10 eligible entities.

''(ii) GEOGRAPHIC DIVERSITY.—In awarding a grant under this paragraph, the Secretary shall ensure, to the extent practicable, that grant recipients represent diverse geographic areas of the United States, including urban and rural areas.

''(iii) TECHNOLOGY DIVERSITY.—In awarding a grant under this paragraph, the Secretary shall ensure, to the extent practicable, that grant recipients represent diverse technology solutions.

''(E) USE OF GRANT FUNDS.—A grant recipient may use funds awarded under this paragraph to deploy advanced transportation and congestion management technologies, including—

''(i) advanced traveler information systems;

''(ii) advanced transportation management technologies;

''(iii) infrastructure maintenance, monitoring, and condition assessment;

''(iv) advanced public transportation systems;

''(v) transportation system performance data collection, analysis, and dissemination systems;

''(vi) advanced safety systems, including vehicle-to-vehicle and vehicle-to-infrastructure communications, technologies associated with autonomous vehicles, and other collision avoidance technologies, including systems using cellular technology;

''(vii) integration of intelligent transportation systems with the Smart Grid and other energy distribution and charging systems;

''(viii) electronic pricing and payment systems; or

''(ix) advanced mobility and access technologies, such as dynamic ridesharing and information systems to support human services for elderly and disabled individuals.

''(F) REPORT TO SECRETARY.—For each eligible entity that receives a grant under this paragraph, not later than 1 year after the entity receives the grant, and each year thereafter, the entity shall submit a report to the Secretary that describes—

''(i) deployment and operational costs of the project compared to the benefits and savings the project provides; and

''(ii) how the project has met the original expectations projected in the deployment plan submitted with the application, such as—

''(I) data on how the project has helped reduce traffic crashes, congestion, costs, and other benefits of the deployed systems;

''(II) data on the effect of measuring and improving transportation system performance through the deployment of advanced technologies;

''(III) the effectiveness of providing real-time integrated traffic, transit, and multimodal transportation information to the public to make informed travel decisions; and

''(IV) lessons learned and recommendations for future deployment strategies to optimize transportation efficiency and multimodal system performance.

''(G) REPORT.—Not later than 3 years after the date that the first grant is awarded under this paragraph, and each year thereafter, the Secretary shall make available to the public on an Internet website a report that describes the effectiveness of grant recipients in meeting their projected deployment plans, including data provided under subparagraph (F) on how the program has—

''(i) reduced traffic-related fatalities and injuries;

''(ii) reduced traffic congestion and improved travel time reliability;

''(iii) reduced transportation-related emissions;

''(iv) optimized multimodal system performance;

''(v) improved access to transportation alternatives;

''(vi) provided the public with access to real-time integrated traffic, transit, and multimodal transportation information to make informed travel decisions;

''(vii) provided cost savings to transportation agencies, businesses, and the traveling public; or

''(viii) provided other benefits to transportation users and the general public.

''(H) ADDITIONAL GRANTS.—The Secretary may cease to provide additional grant funds to a recipient of a grant under this paragraph if—

''(i) the Secretary determines from such recipient's report that the recipient is not carrying out the requirements of the grant; and

''(ii) the Secretary provides written notice 60 days prior to withholding funds to the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives and the Committees on Environment and Public Works and Commerce, Science, and Transportation of the Senate.

''(I) FUNDING.—

''(i) IN GENERAL.—From funds made available to carry out subsection (b), this subsection, and sections 512 through 518, the Secretary shall set aside for grants awarded under subparagraph (D) $60,000,000 for each of fiscal years 2016 through 2020.

''(ii) EXPENSES FOR THE SECRETARY.—Of the amounts set aside under clause (i), the Secretary may set aside $2,000,000 each fiscal year for program reporting, evaluation, and administrative costs related to this paragraph.

''(J) FEDERAL SHARE.—The Federal share of the cost of a project for which a grant is awarded under this subsection shall not exceed 50 percent of the cost of the project.

''(K) GRANT LIMITATION.—The Secretary may not award more than 20 percent of the amount described under subparagraph (I) in a fiscal year to a single grant recipient.

''(L) EXPENSES FOR GRANT RECIPIENTS.—A grant recipient under this paragraph may use not more than 5 percent of the funds awarded each fiscal year to carry out planning and reporting requirements.

''(M) GRANT FLEXIBILITY.—

''(i) IN GENERAL.—If, by August 1 of each fiscal year, the Secretary determines that there are not enough grant applications that meet the requirements described in subparagraph (C) to carry out this section for a fiscal year, the Secretary shall transfer to the programs specified in clause (ii)—

''(I) any of the funds reserved for the fiscal year under subparagraph (I) that the Secretary has not yet awarded under this paragraph; and

''(II) an amount of obligation limitation equal to the amount of funds that the Secretary transfers under subclause (I).

''(ii) PROGRAMS.—The programs referred to in clause (i) are—

''(I) the program under subsection (b);

''(II) the program under this subsection; and

''(III) the programs under sections 512 through 518.

''(iii) DISTRIBUTION.—Any transfer of funds and obligation limitation under clause (i) shall be divided among the programs referred to in that clause in the same proportions as the Secretary originally reserved funding from the programs for the fiscal year under subparagraph (I).

''(N) DEFINITIONS.—In this paragraph, the following definitions apply:

''(i) ELIGIBLE ENTITY.—The term 'eligible entity' means a State or local government, a transit agency, metropolitan planning organization representing a population of over 200,000, or other political subdivision of a State or local government or a multijurisdictional group or a consortia of research institutions or academic institutions.

''(ii) ADVANCED AND CONGESTION MANAGEMENT TRANSPORTATION TECHNOLOGIES.—The term 'advanced transportation and congestion management technologies' means technologies that improve the efficiency, safety, or state of good repair of surface transportation systems, including intelligent transportation systems.

''(iii) MULTIJURISDICTIONAL GROUP.—The term 'multijurisdictional group' means a any combination of State governments, local governments, metropolitan planning agencies, transit agencies, or other political subdivisions of a State for which each member of the group—

''(I) has signed a written agreement to implement the advanced transportation technologies deployment initiative across jurisdictional boundaries; and

''(II) is an eligible entity under this paragraph.''.

SEC. 6005. INTELLIGENT TRANSPORTATION SYSTEM GOALS.

Section 514(a) of title 23, United States Code, is amended—

(1) in paragraph (4) by striking ''and'' at the end;

(2) in paragraph (5) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(6) enhancement of the national freight system and support to national freight policy goals.''.

SEC. 6006. INTELLIGENT TRANSPORTATION SYSTEM PURPOSES.

Section 514(b) of title 23, United States Code, is amended—

(1) in paragraph (8) by striking ''and'' at the end;

(2) in paragraph (9) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(10) to assist in the development of cybersecurity research in cooperation with relevant modal administrations of the Department of Transportation and other Federal agencies to help prevent hacking, spoofing, and disruption of connected and automated transportation vehicles.''.

SEC. 6007. INTELLIGENT TRANSPORTATION SYSTEM PROGRAM REPORT.

Section 515(h)(4) of title 23, United States Code, is amended in the matter preceding subparagraph (A)—

(1) by striking ''February 1 of each year after the date of enactment of the Transportation Research and Innovative Technology Act of 2012'' and inserting ''May 1 of each year''; and

(2) by striking ''submit to Congress'' and inserting ''make available to the public on a Department of Transportation website''.

SEC. 6008. INTELLIGENT TRANSPORTATION SYSTEM NATIONAL ARCHITECTURE AND STANDARDS.

Section 517(a)(3) of title 23, United States Code, is amended by striking ''memberships are comprised of, and represent,'' and inserting ''memberships include representatives of''.

SEC. 6009. COMMUNICATION SYSTEMS DEPLOYMENT REPORT.

Section 518(a) of title 23, United States Code, is amended in the matter preceding paragraph (1) by striking ''Not later than 3'' and all that follows through ''House of Representatives'' and inserting ''Not later than July 6, 2016, the Secretary shall make available to the public on a Department of Transportation website a report''.

SEC. 6010. INFRASTRUCTURE DEVELOPMENT.

(a) IN GENERAL.—Chapter 5 of title 23, United States Code, is amended by adding at the end the following:

''§ 519. Infrastructure development

''Funds made available to carry out this chapter for operational tests of intelligent transportation systems—

''(1) shall be used primarily for the development of intelligent transportation system infrastructure, equipment, and systems; and

''(2) to the maximum extent practicable, shall not be used for the construction of physical surface transportation infrastructure unless the construction is incidental and critically necessary to the implementation of an intelligent transportation system project.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CLERICAL AMENDMENT.—The analysis for chapter 5 of title 23, United States Code, is amended by adding at the end the following:

''519. Infrastructure development.''.

(2) TECHNICAL AMENDMENT.—The item relating to section 512 in the analysis for chapter 5 of title 23, United States Code, is amended to read as follows:

''512. National ITS program plan.''.

SEC. 6011. DEPARTMENTAL RESEARCH PROGRAMS.

(a) ASSISTANT SECRETARY FOR RESEARCH AND TECHNOLOGY.—Section 102(e)(1) of title 49, United States Code, is amended—

(1) in the matter preceding subparagraph (A) by striking ''5'' and inserting ''6''; and

(2) in subparagraph (A) by inserting ''an Assistant Secretary for Research and Technology,'' after ''Governmental Affairs,''.

(b) RESEARCH ACTIVITIES.—Section 330 of title 49, United States Code, is amended—

(1) in the section heading by striking ''***contracts***'' and inserting ''***activities***'';

(2) in subsection (a) by striking ''The Secretary of'' and inserting ''IN GENERAL.—The Secretary of'';

(3) in subsection (b) by striking ''In carrying'' and inserting ''RESPONSIBILITIES.—In carrying'';

(4) in subsection (c) by striking ''The Secretary'' and inserting ''PUBLICATIONS.—The Secretary''; and

(5) by adding at the end the following:

''(d) DUTIES.—The Secretary shall provide for the following:

''(1) Coordination, facilitation, and review of Department of Transportation research and development programs and activities.

''(2) Advancement, and research and development, of innovative technologies, including intelligent transportation systems.

''(3) Comprehensive transportation statistics research, analysis, and reporting.

''(4) Education and training in transportation and transportation-related fields.

''(5) Activities of the Volpe National Transportation Systems Center.

''(6) Coordination in support of multimodal and multidisciplinary research activities.

''(e) ADDITIONAL AUTHORITIES.—The Secretary may—

''(1) enter into grants and cooperative agreements with Federal agencies, State and local government agencies, other public entities, private organizations, and other persons to conduct research into transportation service and infrastructure assurance and to carry out other research activities of the Department of Transportation;

''(2) carry out, on a cost-shared basis, collaborative research and development to encourage innovative solutions to multimodal transportation problems and stimulate the deployment of new technology with—

''(A) non-Federal entities, including State and local governments, foreign governments, institutions of higher education, corporations, institutions, partnerships, sole proprietorships, and trade associations that are incorporated or established under the laws of any State;

''(B) Federal laboratories; and

''(C) other Federal agencies; and

''(3) directly initiate contracts, grants, cooperative research and development agreements (as defined in section 12(d) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d))), and other agreements to fund, and accept funds from, the Transportation Research Board of the National Academies, State departments of transportation, cities, counties, institutions of higher education, associations, and the agents of those entities to carry out joint transportation research and technology efforts.

''(f) FEDERAL SHARE.—

''(1) IN GENERAL.—Subject to paragraph (2), the Federal share of the cost of an activity carried out under subsection (e)(3) shall not exceed 50 percent.

''(2) EXCEPTION.—If the Secretary determines that the activity is of substantial public interest or benefit, the Secretary may approve a greater Federal share.

''(3) NON-FEDERAL SHARE.—All costs directly incurred by the non-Federal partners, including personnel, travel, facility, and hardware development costs, shall be credited toward the non-Federal share of the cost of an activity described in subsection (e)(3).

''(g) PROGRAM EVALUATION AND OVERSIGHT.—For each of fiscal years 2016 through 2020, the Secretary is authorized to expend not more than 1 ½ percent of the amounts authorized to be appropriated for the coordination, evaluation, and oversight of the programs administered by the Office of the Assistant Secretary for Research and Technology.

''(h) USE OF TECHNOLOGY.—The research, development, or use of a technology under a contract, grant, cooperative research and development agreement, or other agreement entered into under this section, including the terms under which the technology may be licensed and the resulting royalties may be distributed, shall be subject to the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.).

''(i) WAIVER OF ADVERTISING REQUIREMENTS.—Section 6101 of title 41 shall not apply to a contract, grant, or other agreement entered into under this section.''.

(c) CLERICAL AMENDMENT.—The item relating to section 330 in the analysis of chapter 3 of title 49, United States Code, is amended to read as follows:

''330. Research activities.''.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE 5 AMENDMENTS.—

(A) POSITIONS AT LEVEL II.—Section 5313 of title 5, United States Code, is amended by striking ''The Under Secretary of Transportation for Security.''.

(B) POSITIONS AT LEVEL IV.—Section 5315 of title 5, United States Code, is amended in the undesignated item relating to Assistant Secretaries of Transportation by striking ''(4)'' and inserting ''(5)''.

(C) POSITIONS AT LEVEL V.—Section 5316 of title 5, United States Code, is amended by striking ''Associate Deputy Secretary, Department of Transportation.''.

(2) BUREAU OF TRANSPORTATION STATISTICS.—Section 6302 of title 49, United States Code, is amended by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—There shall be within the Department of Transportation the Bureau of Transportation Statistics.''.

SEC. 6012. RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION.

(a) REPEAL.—Section 112 of title 49, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 49, United States Code, is amended by striking the item relating to section 112.

SEC. 6013. WEB-BASED TRAINING FOR EMERGENCY RESPONDERS.

Section 5115(a) of title 49, United States Code, is amended in the first sentence by inserting '', including online curriculum as appropriate,'' after ''a current curriculum of courses''.

SEC. 6014. HAZARDOUS MATERIALS RESEARCH AND DEVELOPMENT.

Section 5118 of title 49, United States Code, is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A) by striking ''and'' at the end;

(B) in subparagraph (B) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(C) coordinate, as appropriate, with other Federal agencies.''; and

(2) by adding at the end the following:

''(c) COOPERATIVE RESEARCH.—

''(1) IN GENERAL.—As part of the program established under subsection (a), the Secretary may carry out cooperative research on hazardous materials transport.

''(2) NATIONAL ACADEMIES.—The Secretary may enter into an agreement with the National Academies to support research described in paragraph (1).

''(3) RESEARCH.—Research conducted under this subsection may include activities relating to—

''(A) emergency planning and response, including information and programs that can be

readily assessed and implemented in local jurisdictions;

''(B) risk analysis and perception and data assessment;

''(C) commodity flow data, including voluntary collaboration between shippers and first responders for secure data exchange of critical information;

''(D) integration of safety and security;

''(E) cargo packaging and handling;

''(F) hazmat release consequences; and

''(G) materials and equipment testing.''.

SEC. 6015. OFFICE OF INTERMODALISM.

(a) REPEAL.—Section 5503 of title 49, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is amended by striking the item relating to section 5503.

SEC. 6016. UNIVERSITY TRANSPORTATION CENTERS.

Section 5505 of title 49, United States Code, is amended to read as follows:

''§ 5505. University transportation centers program

''(a) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—

''(1) ESTABLISHMENT AND OPERATION.—The Secretary shall make grants under this section to eligible nonprofit institutions of higher education to establish and operate university transportation centers.

''(2) ROLE OF CENTERS.—The role of each university transportation center referred to in paragraph (1) shall be—

''(A) to advance transportation expertise and technology in the varied disciplines that comprise the field of transportation through education, research, and technology transfer activities;

''(B) to provide for a critical transportation knowledge base outside of the Department of Transportation; and

''(C) to address critical workforce needs and educate the next generation of transportation leaders.

''(b) COMPETITIVE SELECTION PROCESS.—

''(1) APPLICATIONS.—To receive a grant under this section, a consortium of nonprofit institutions of higher education shall submit to the Secretary an application that is in such form and contains such information as the Secretary may require.

''(2) RESTRICTION.—

''(A) LIMITATION.—A lead institution of a consortium of nonprofit institutions of higher education, as applicable, may only receive 1 grant per fiscal year for each of the transportation centers described under paragraphs (2), (3), and (4) of subsection (c).

''(B) EXCEPTION FOR CONSORTIUM MEMBERS THAT ARE NOT LEAD INSTITUTIONS.—Subparagraph (A) shall not apply to a nonprofit institution of higher education that is a member of a consortium of nonprofit institutions of higher education but not the lead institution of such consortium.

''(3) COORDINATION.—The Secretary shall solicit grant applications for national transportation centers, regional transportation centers, and Tier 1 university transportation centers with identical advertisement schedules and deadlines.

''(4) GENERAL SELECTION CRITERIA.—

''(A) IN GENERAL.—Except as otherwise provided by this section, the Secretary shall award grants under this section in nonexclusive candidate topic areas established by the Secretary that address the research priorities identified in chapter 65.

''(B) CRITERIA.—The Secretary, in consultation with the Assistant Secretary for Research and Technology and the Administrator of the Federal Highway Administration and other modal administrations as appropriate, shall select each recipient of a grant under this section through a competitive process based on the assessment of the Secretary relating to—

''(i) the demonstrated ability of the recipient to address each specific topic area described in the research and strategic plans of the recipient;

''(ii) the demonstrated research, technology transfer, and education resources available to the recipient to carry out this section;

''(iii) the ability of the recipient to provide leadership in solving immediate and long-range national and regional transportation problems;

''(iv) the ability of the recipient to carry out research, education, and technology transfer activities that are multimodal and multidisciplinary in scope;

''(v) the demonstrated commitment of the recipient to carry out transportation workforce development programs through—

''(I) degree-granting programs or programs that provide other industry-recognized credentials; and

''(II) outreach activities to attract new entrants into the transportation field, including women and underrepresented populations;

''(vi) the demonstrated ability of the recipient to disseminate results and spur the implementation of transportation research and education programs through national or statewide continuing education programs;

''(vii) the demonstrated commitment of the recipient to the use of peer review principles and other research best practices in the selection, management, and dissemination of research projects;

''(viii) the strategic plan submitted by the recipient describing the proposed research to be carried out by the recipient and the performance metrics to be used in assessing the performance of the recipient in meeting the stated research, technology transfer, education, and outreach goals; and

''(ix) the ability of the recipient to implement the proposed program in a cost-efficient manner, such as through cost sharing and overall reduced overhead, facilities, and administrative costs.

''(5) TRANSPARENCY.—

''(A) IN GENERAL.—The Secretary shall provide to each applicant, upon request, any materials, including copies of reviews (with any information that would identify a reviewer redacted), used in the evaluation process of the proposal of the applicant.

''(B) REPORTS.—The Secretary shall submit to the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the overall review process under paragraph (4) that includes—

''(i) specific criteria of evaluation used in the review;

''(ii) descriptions of the review process; and

''(iii) explanations of the selected awards.

''(6) OUTSIDE STAKEHOLDERS.—The Secretary shall, to the maximum extent practicable, consult external stakeholders, including the Transportation Research Board of the National Research Council of the National Academies, to evaluate and competitively review all proposals.

''(c) GRANTS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall select grant recipients under subsection (b) and make grant amounts available to the selected recipients.

''(2) NATIONAL TRANSPORTATION CENTERS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall provide grants to 5 consortia that the Secretary determines best meet the criteria described in subsection (b)(4).

''(B) RESTRICTIONS.—

''(i) IN GENERAL.—For each fiscal year, a grant made available under this paragraph shall be not greater than $4,000,000 and not less than $2,000,000 per recipient.

''(ii) FOCUSED RESEARCH.—A consortium receiving a grant under this paragraph shall focus research on 1 of the transportation issue areas specified in section 6503(c).

''(C) MATCHING REQUIREMENT.—

''(i) IN GENERAL.—As a condition of receiving a grant under this paragraph, a grant recipient shall match 100 percent of the amounts made available under the grant.

''(ii) SOURCES.—The matching amounts referred to in clause (i) may include amounts made available to the recipient under—

''(I) section 504(b) of title 23; or

''(II) section 505 of title 23.

''(3) REGIONAL UNIVERSITY TRANSPORTATION CENTERS.—

''(A) LOCATION OF REGIONAL CENTERS.—One regional university transportation center shall be located in each of the 10 Federal regions that comprise the Standard Federal Regions established by the Office of Management and Budget in the document entitled 'Standard Federal Regions' and dated April 1974 (circular A–105).

''(B) SELECTION CRITERIA.—In conducting a competition under subsection (b), the Secretary shall provide grants to 10 consortia on the basis of—

''(i) the criteria described in subsection (b)(4);

''(ii) the location of the lead center within the Federal region to be served; and

''(iii) whether the consortium of institutions demonstrates that the consortium has a well-established, nationally recognized program in transportation research and education, as evidenced by—

''(I) recent expenditures by the institution in highway or public transportation research;

''(II) a historical track record of awarding graduate degrees in professional fields closely related to highways and public transportation; and

''(III) an experienced faculty who specialize in professional fields closely related to highways and public transportation.

''(C) RESTRICTIONS.—For each fiscal year, a grant made available under this paragraph shall be not greater than $3,000,000 and not less than $1,500,000 per recipient.

''(D) MATCHING REQUIREMENTS.—

''(i) IN GENERAL.—As a condition of receiving a grant under this paragraph, a grant recipient shall match 100 percent of the amounts made available under the grant.

''(ii) SOURCES.—The matching amounts referred to in clause (i) may include amounts made available to the recipient under—

''(I) section 504(b) of title 23; or

''(II) section 505 of title 23.

''(E) FOCUSED RESEARCH.—The Secretary shall make a grant to 1 of the 10 regional university transportation centers established under this paragraph for the purpose of furthering the objectives described in subsection (a)(2) in the field of comprehensive transportation safety, congestion, connected vehicles, connected infrastructure, and autonomous vehicles.

''(4) TIER 1 UNIVERSITY TRANSPORTATION CENTERS.—

''(A) IN GENERAL.—The Secretary shall provide grants of not greater than $2,000,000 and not less than $1,000,000 to not more than 20 recipients to carry out this paragraph.

''(B) MATCHING REQUIREMENT.—

''(i) IN GENERAL.—As a condition of receiving a grant under this paragraph, a grant recipient shall match 50 percent of the amounts made available under the grant.

''(ii) SOURCES.—The matching amounts referred to in clause (i) may include amounts made available to the recipient under—

''(I) section 504(b) of title 23; or

''(II) section 505 of title 23.

''(C) FOCUSED RESEARCH.—In awarding grants under this section, consideration shall be given to minority institutions, as defined by section 365 of the Higher Education Act of 1965 (20 U.S.C. 1067k), or consortia that include such institutions that have demonstrated an ability in transportation-related research.

''(d) PROGRAM COORDINATION.—

''(1) IN GENERAL.—The Secretary shall—

''(A) coordinate the research, education, and technology transfer activities carried out by grant recipients under this section; and

''(B) disseminate the results of that research through the establishment and operation of a publicly accessible online information clearinghouse.

''(2) ANNUAL REVIEW AND EVALUATION.—Not less frequently than annually, and consistent with the plan developed under section 6503, the Secretary shall—

''(A) review and evaluate the programs carried out under this section by grant recipients; and

''(B) submit to the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives and the Committees on Environment and Public Works and Commerce, Science, and Transportation of the Senate a report describing that review and evaluation.

''(3) PROGRAM EVALUATION AND OVERSIGHT.—For each of fiscal years 2016 through 2020, the Secretary shall expend not more than 1 and a half percent of the amounts made available to the Secretary to carry out this section for any coordination, evaluation, and oversight activities of the Secretary under this section.

''(e) LIMITATION ON AVAILABILITY OF AMOUNTS.—Amounts made available to the Secretary to carry out this section shall remain available for obligation by the Secretary for a period of 3 years after the last day of the fiscal year for which the amounts are authorized.

''(f) INFORMATION COLLECTION.—Any survey, questionnaire, or interview that the Secretary determines to be necessary to carry out reporting requirements relating to any program assessment or evaluation activity under this section, including customer satisfaction assessments, shall not be subject to chapter 35 of title 44.''.

SEC. 6017. BUREAU OF TRANSPORTATION STATISTICS.

Section 6302 of title 49, United States Code, is amended by adding at the end the following:

''(d) INDEPENDENCE OF BUREAU.—

''(1) IN GENERAL.—The Director shall not be required—

''(A) to obtain the approval of any other officer or employee of the Department with respect to the collection or analysis of any information; or

''(B) prior to publication, to obtain the approval of any other officer or employee of the United States Government with respect to the substance of any statistical technical reports or press releases lawfully prepared by the Director.

''(2) BUDGET AUTHORITY.—The Director shall have a significant role in the disposition and allocation of the authorized budget of the Bureau, including—

''(A) all hiring, grants, cooperative agreements, and contracts awarded by the Bureau to carry out this section; and

''(B) the disposition and allocation of amounts paid to the Bureau for cost-reimbursable projects.

''(3) EXCEPTIONS.—The Secretary shall direct external support functions, such as the coordination of activities involving multiple modal administrations.

''(4) INFORMATION TECHNOLOGY.—The Department Chief Information Officer shall consult with the Director to ensure decisions related to information technology guarantee the protection of the confidentiality of information provided solely for statistical purposes, in accordance with the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note; Public Law 107–347).''.

SEC. 6018. PORT PERFORMANCE FREIGHT STATISTICS PROGRAM.

(a) IN GENERAL.—Chapter 63 of title 49, United States Code, is amended by adding at the end the following:

''§ 6314. Port performance freight statistics program

''(a) IN GENERAL.—The Director shall establish, on behalf of the Secretary, a port performance statistics program to provide nationally consistent measures of performance of, at a minimum—

''(1) the Nation's top 25 ports by tonnage;

''(2) the Nation's top 25 ports by 20-foot equivalent unit; and

''(3) the Nation's top 25 ports by dry bulk.

''(b) REPORTS.—

''(1) PORT CAPACITY AND THROUGHPUT.—Not later than January 15 of each year, the Director shall submit an annual report to Congress that includes statistics on capacity and throughput at the ports described in subsection (a).

''(2) PORT PERFORMANCE MEASURES.—The Director shall collect port performance measures for each of the United States ports referred to in subsection (a) that—

''(A) receives Federal assistance; or

''(B) is subject to Federal regulation to submit necessary information to the Bureau that includes statistics on capacity and throughput as applicable to the specific configuration of the port.

''(c) RECOMMENDATIONS.—

''(1) IN GENERAL.—The Director shall obtain recommendations for—

''(A) port performance measures, including specifications and data measurements to be used in the program established under subsection (a); and

''(B) a process for the Department to collect timely and consistent data, including identifying safeguards to protect proprietary information described in subsection (b)(2).

''(2) WORKING GROUP.—Not later than 60 days after the date of the enactment of the Transportation for Tomorrow Act of 2015, the Director shall commission a working group composed of—

''(A) operating administrations of the Department;

''(B) the Coast Guard;

''(C) the Federal Maritime Commission;

''(D) U.S. Customs and Border Protection;

''(E) the Marine Transportation System National Advisory Council;

''(F) the Army Corps of Engineers;

''(G) the Saint Lawrence Seaway Development Corporation;

''(H) the Bureau of Labor Statistics;

''(I) the Maritime Advisory Committee for Occupational Safety and Health;

''(J) the Advisory Committee on Supply Chain Competitiveness;

''(K) 1 representative from the rail industry;

''(L) 1 representative from the trucking industry;

''(M) 1 representative from the maritime shipping industry;

''(N) 1 representative from a labor organization for each industry described in subparagraphs (K) through (M);

''(O) 1 representative from the International Longshoremen's Association;

''(P) 1 representative from the International Longshore and Warehouse Union;

''(Q) 1 representative from a port authority;

''(R) 1 representative from a terminal operator;

''(S) representatives of the National Freight Advisory Committee of the Department; and

''(T) representatives of the Transportation Research Board of the National Academies of Sciences, Engineering, and Medicine.

''(3) RECOMMENDATIONS.—Not later than 1 year after the date of the enactment of the Transportation for Tomorrow Act of 2015, the working group commissioned under paragraph (2) shall submit its recommendations to the Director.

''(d) ACCESS TO DATA.—The Director shall ensure that—

''(1) the statistics compiled under this section—

''(A) are readily accessible to the public; and

''(B) are consistent with applicable security constraints and confidentiality interests; and

''(2) the data acquired, regardless of source, shall be protected in accordance with the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note; Public Law 107–347).''.

(b) PROHIBITION ON CERTAIN DISCLOSURES; COPIES OF REPORTS.—Section 6307(b) of such title is amended, by inserting ''or section 6314(b)'' after ''section 6302(b)(3)(B)'' each place it appears.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 63 of such title is amended by adding at the end the following:

''6314. Port performance freight statistics program.''.

SEC. 6019. RESEARCH PLANNING.

(a) FINDINGS.—Congress finds that—

(1) Federal transportation research planning—

(A) should be coordinated by the Office of the Secretary; and

(B) should be, to the extent practicable, multimodal and not occur solely within the subagencies of the Department;

(2) managing a multimodal research portfolio within the Office of the Secretary will—

(A) help identify opportunities in which research could be applied across modes; and

(B) prevent duplication of efforts and waste of limited Federal resources;

(3) the Assistant Secretary for Research and Technology at the Department of Transportation will—

(A) give stakeholders a formal opportunity to address concerns;

(B) ensure unbiased research; and

(C) improve the overall research products of the Department; and

(4) increasing transparency of transportation research and development efforts will—

(A) build stakeholder confidence in the final product; and

(B) lead to the improved implementation of research findings.

(b) RESEARCH PLANNING.—

(1) IN GENERAL.—Subtitle III of title 49, United States Code, is amended by inserting after chapter 63 the following:

''CHAPTER 65—RESEARCH PLANNING

''Sec.

''6501. Annual modal research plans.

''6502. Consolidated research database.

''6503. Transportation research and development 5-year strategic plan.

''SEC. 6501. ANNUAL MODAL RESEARCH PLANS.

''(a) MODAL PLANS REQUIRED.—

''(1) IN GENERAL.—Not later than May 1 of each year, the head of each modal administration and joint program office of the Department of Transportation shall submit to the Assistant Secretary for Research and Technology of the Department of Transportation (referred to in this chapter as the 'Assistant Secretary') a comprehensive annual modal research plan for the upcoming fiscal year and a detailed outlook for the following fiscal year.

''(2) RELATIONSHIP TO STRATEGIC PLAN.—Each plan submitted under paragraph (1), after the plan required in 2016, shall be consistent with the strategic plan developed under section 6503.

''(b) REVIEW.—

''(1) IN GENERAL.—Not later than September 1 of each year, the Assistant Secretary, for each plan and outlook submitted pursuant to subsection (a), shall—

''(A) review the scope of the research; and

''(B)(i) approve the plan and outlook; or

''(ii) request that the plan and outlook be revised and resubmitted for approval.

''(2) PUBLICATIONS.—Not later than January 30 of each year, the Secretary shall publish on a public website each plan and outlook that has been approved under paragraph (1)(B)(i).

''(3) REJECTION OF DUPLICATIVE RESEARCH EFFORTS.—The Assistant Secretary may not approve any plan submitted by the head of a modal administration or joint program office pursuant to subsection (a) if any of the projects described in the plan duplicate significant aspects of research efforts of any other modal administration.

''(c) FUNDING LIMITATIONS.—No funds may be expended by the Department of Transportation on research that has been determined by the Assistant Secretary under subsection (b)(3) to be duplicative unless—

''(1) the research is required by an Act of Congress;

''(2) the research was part of a contract that was funded before the date of enactment of this chapter;

''(3) the research updates previously commissioned research; or

''(4) the Assistant Secretary certifies to Congress that such research is necessary, and provides justification for such certification.

''(d) CERTIFICATION.—

''(1) IN GENERAL.—The Secretary shall annually certify to Congress that—

''(A) each modal research plan has been reviewed; and

''(B) there is no duplication of study for research directed, commissioned, or conducted by the Department of Transportation.

''(2) CORRECTIVE ACTION PLAN.—If the Secretary, after submitting a certification under paragraph (1), identifies duplication of research within the Department of Transportation, the Secretary shall—

''(A) notify Congress of the duplicative research; and

''(B) submit to Congress a corrective action plan to eliminate the duplicative research.

''SEC. 6502. CONSOLIDATED RESEARCH DATABASE.

''(a) RESEARCH ABSTRACT DATABASE.—

''(1) IN GENERAL.—The Secretary shall annually publish on a public website a comprehensive database of all research projects conducted by the Department of Transportation, including, to the extent practicable, research funded through University Transportation Centers.

''(2) CONTENTS.—The database published under paragraph (1) shall, to the extent practicable—

''(A) include the consolidated modal research plans approved under section 6501(b)(1)(B)(i);

''(B) describe the research objectives, progress, findings, and allocated funds for each research project;

''(C) identify research projects with multimodal applications;

''(D) specify how relevant modal administrations have assisted, will contribute to, or plan to use the findings from the research projects identified under paragraph (1);

''(E) identify areas in which more than 1 modal administration is conducting research on a similar subject or a subject that has a bearing on more than 1 mode;

''(F) indicate how the findings of research are being disseminated to improve the efficiency, effectiveness, and safety of transportation systems; and

''(G) describe the public and stakeholder input to the research plans submitted under section 6501(a)(1).

''(b) FUNDING REPORT.—In conjunction with each of the annual budget requests submitted by the President under section 1105 of title 31, the Secretary shall annually publish on a public website and submit to the appropriate committees of Congress a report that describes—

''(1) the amount spent in the last full fiscal year on transportation research and development with specific descriptions of projects funded at $5,000,000 or more; and

''(2) the amount proposed in the current budget for transportation research and development with specific descriptions of projects funded at $5,000,000 or more.

''(c) PERFORMANCE PLANS AND REPORTS.—In the plans and reports submitted under sections 1115 and 1116 of title 31, the Secretary shall include—

''(1) a summary of the Federal transportation research and development activities for the previous fiscal year in each topic area;

''(2) the amount spent in each topic area;

''(3) a description of the extent to which the research and development is meeting the expectations described in section 6503(c)(1); and

''(4) any amendments to the strategic plan developed under section 6503.

''SEC. 6503. TRANSPORTATION RESEARCH AND DEVELOPMENT 5-YEAR STRATEGIC PLAN.

''(a) IN GENERAL.—The Secretary shall develop a 5-year transportation research and development strategic plan to guide future Federal transportation research and development activities.

''(b) CONSISTENCY.—The strategic plan developed under subsection (a) shall be consistent with—

''(1) section 306 of title 5;

''(2) sections 1115 and 1116 of title 31; and

''(3) any other research and development plan within the Department of Transportation.

''(c) CONTENTS.—The strategic plan developed under subsection (a) shall—

''(1) describe how the plan furthers the primary purposes of the transportation research and development program, which shall include—

''(A) improving mobility of people and goods;

''(B) reducing congestion;

''(C) promoting safety;

''(D) improving the durability and extending the life of transportation infrastructure;

''(E) preserving the environment; and

''(F) preserving the existing transportation system;

''(2) for each of the purposes referred to in paragraph (1), list the primary proposed research and development activities that the Department of Transportation intends to pursue to accomplish that purpose, which may include—

''(A) fundamental research pertaining to the applied physical and natural sciences;

''(B) applied science and research;

''(C) technology development research; and

''(D) social science research; and

''(3) for each research and development activity—

''(A) identify the anticipated annual funding levels for the period covered by the strategic plan; and

''(B) describe the research findings the Department expects to discover at the end of the period covered by the strategic plan.

''(d) CONSIDERATIONS.—The Secretary shall ensure that the strategic plan developed under this section—

''(1) reflects input from a wide range of external stakeholders;

''(2) includes and integrates the research and development programs of all of the modal administrations of the Department of Transportation, including aviation, transit, rail, and maritime and joint programs;

''(3) takes into account research and development by other Federal, State, local, private sector, and nonprofit institutions;

''(4) not later than December 31, 2016, is published on a public website; and

''(5) takes into account how research and development by other Federal, State, private sector, and nonprofit institutions—

''(A) contributes to the achievement of the purposes identified under subsection (c)(1); and

''(B) avoids unnecessary duplication of those efforts.

''(e) INTERIM REPORT.—Not later than 2 ½ years after the date of enactment of this chapter, the Secretary may publish on a public website an interim report that—

''(1) provides an assessment of the 5-year research and development strategic plan of the Department of Transportation described in this section; and

''(2) includes a description of the extent to which the research and development is or is not successfully meeting the purposes described under subsection (c)(1).''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for subtitle III of title 49, United States Code, is amended by adding at the end the following:

''63. Bureau of Transportation Statistics 6301
''65. Research planning ..... 6501''.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CHAPTER 5 OF TITLE 23.—Chapter 5 of title 23, United States Code, is amended—

(A) by striking section 508;

(B) in the table of contents, by striking the item relating to section 508;

(C) in section 502—

(i) in subsection (a)(9), by striking ''transportation research and technology development strategic plan developed under section 508'' and inserting ''transportation research and development strategic plan under section 6503 of title 49''; and

(ii) in subsection (b)(4), by striking ''transportation research and development strategic plan of the Secretary developed under section 508'' and inserting ''transportation research and development strategic plan under section 6503 of title 49''; and

(D) in section 512(b), by striking ''as part of the transportation research and development strategic plan developed under section 508''.

(2) INTELLIGENT TRANSPORTATION SYSTEMS.—The Intelligent Transportation Systems Act of 1998 (23 U.S.C. 502 note; Public Law 105–178) is amended—

(A) in section 5205(b), by striking ''as part of the Surface Transportation Research and Development Strategic Plan developed under section 508 of title 23'' and inserting ''as part of the transportation research and development strategic plan under section 6503 of title 49''; and

(B) in section 5206(e)(2)(A), by striking ''or the Surface Transportation Research and Development Strategic Plan developed under section 508 of title 23'' and inserting ''or the transportation research and development strategic plan under section 6503 of title 49''.

(3) INTELLIGENT TRANSPORTATION SYSTEM RESEARCH.—Section 5305(h)(3)(A) of SAFETEA–LU (23 U.S.C. 512 note; Public Law 109–59) is amended by striking ''the strategic plan under section 508 of title 23, United States Code'' and inserting ''the 5-year strategic plan under 6503 of title 49, United States Code''.

SEC. 6020. SURFACE TRANSPORTATION SYSTEM FUNDING ALTERNATIVES.

(a) IN GENERAL.—The Secretary shall establish a program to provide grants to States to demonstrate user-based alternative revenue mechanisms that utilize a user fee structure to maintain the long-term solvency of the Highway Trust Fund.

(b) APPLICATION.—To be eligible for a grant under this section, a State or group of States shall submit to the Secretary an application in such form and containing such information as the Secretary may require.

(c) OBJECTIVES.—The Secretary shall ensure that the activities carried out using funds provided under this section meet the following objectives:

(1) To test the design, acceptance, and implementation of 2 or more future user-based alternative revenue mechanisms.

(2) To improve the functionality of such user-based alternative revenue mechanisms.

(3) To conduct outreach to increase public awareness regarding the need for alternative funding sources for surface transportation programs and to provide information on possible approaches.

(4) To provide recommendations regarding adoption and implementation of user-based alternative revenue mechanisms.

(5) To minimize the administrative cost of any potential user-based alternative revenue mechanisms.

(d) USE OF FUNDS.—A State or group of States receiving funds under this section to test the design, acceptance, and implementation of a user-based alternative revenue mechanism—

(1) shall address—

(A) the implementation, interoperability, public acceptance, and other potential hurdles to the adoption of the user-based alternative revenue mechanism;

(B) the protection of personal privacy;

(C) the use of independent and private third-party vendors to collect fees and operate the user-based alternative revenue mechanism;

(D) market-based congestion mitigation, if appropriate;

(E) equity concerns, including the impacts of the user-based alternative revenue mechanism on differing income groups, various geographic areas, and the relative burdens on rural and urban drivers;

(F) ease of compliance for different users of the transportation system; and

(G) the reliability and security of technology used to implement the user-based alternative revenue mechanism; and

(2) may address—

(A) the flexibility and choices of user-based alternative revenue mechanisms, including the ability of users to select from various technology and payment options;

(B) the cost of administering the user-based alternative revenue mechanism; and

(C) the ability of the administering entity to audit and enforce user compliance.

(e) CONSIDERATION.—The Secretary shall consider geographic diversity in awarding grants under this section.

(f) LIMITATIONS ON REVENUE COLLECTED.—Any revenue collected through a user-based alternative revenue mechanism established using funds provided under this section shall not be considered a toll under section 301 of title 23, United States Code.

(g) FEDERAL SHARE.—The Federal share of the cost of an activity carried out under this section may not exceed 50 percent of the total cost of the activity.

(h) REPORT TO SECRETARY.—Not later than 1 year after the date on which the first eligible entity receives a grant under this section, and each year thereafter, each recipient of a grant under this section shall submit to the Secretary a report that describes—

(1) how the demonstration activities carried out with grant funds meet the objectives described in subsection (c); and

(2) lessons learned for future deployment of alternative revenue mechanisms that utilize a user fee structure.

(i) BIENNIAL REPORTS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter until the completion of the demonstration activities under this section, the Secretary shall make available to the public on an Internet website a report describing the progress of the demonstration activities.

(j) FUNDING.—Of the funds authorized to carry out section 503(b) of title 23, United States Code—

(1) $15,000,000 shall be used to carry out this section for fiscal year 2016; and

(2) $20,000,000 shall be used to carry out this section for each of fiscal years 2017 through 2020.

(k) GRANT FLEXIBILITY.—If, by August 1 of each fiscal year, the Secretary determines that there are not enough grant applications that meet the requirements of this section for a fiscal year, Secretary shall transfer to the program under section 503(b) of title 23, United States Code—

(1) any of the funds reserved for the fiscal year under subsection (j) that the Secretary has not yet awarded under this section; and

(2) an amount of obligation limitation equal to the amount of funds that the Secretary transfers under paragraph (1).

SEC. 6021. FUTURE INTERSTATE STUDY.

(a) FUTURE INTERSTATE SYSTEM STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enter into an agreement with the Transportation Research Board of the National Academies to conduct a study on the actions needed to upgrade and restore the Dwight D. Eisenhower National System of Interstate and Defense Highways to its role as a premier system that meets the growing and shifting demands of the 21st century.

(b) METHODOLOGIES.—In conducting the study, the Transportation Research Board shall build on the methodologies examined and recommended in the report prepared for the American Association of State Highway and Transportation Officials titled ''National Cooperative Highway Research Program Project 20–24(79): Specifications for a National Study of the Future 3R, 4R, and Capacity Needs of the Interstate System'', dated December 2013.

(c) CONTENTS OF STUDY.—The study—

(1) shall include specific recommendations regarding the features, standards, capacity needs, application of technologies, and intergovernmental roles to upgrade the Interstate System, including any revisions to law (including regulations) that the Transportation Research Board determines appropriate; and

(2) is encouraged to build on the institutional knowledge in the highway industry in applying the techniques involved in implementing the study.

(d) CONSIDERATIONS.—In carrying out the study, the Transportation Research Board shall determine the need for reconstruction and improvement of the Interstate System by considering—

(1) future demands on transportation infrastructure determined for national planning purposes, including commercial and private traffic flows to serve future economic activity and growth;

(2) the expected condition of the current Interstate System over the period of 50 years beginning on the date of enactment of this Act, including long-term deterioration and reconstruction needs;

(3) features that would take advantage of technological capabilities to address modern standards of construction, maintenance, and operations, for purposes of safety, and system management, taking into further consideration system performance and cost;

(4) those National Highway System routes that should be added to the existing Interstate System to more efficiently serve national traffic flows; and

(5) the resources necessary to maintain and improve the Interstate System, including the resources required to upgrade the National Highway System routes identified in paragraph (4) to Interstate standards.

(e) CONSULTATION.—In carrying out the study, the Transportation Research Board—

(1) shall convene and consult with a panel of national experts, including operators and users of the Interstate System and private sector stakeholders; and

(2) is encouraged to consult with—

(A) the Federal Highway Administration;

(B) States;

(C) planning agencies at the metropolitan, State, and regional levels;

(D) the motor carrier industry;

(E) freight shippers;

(F) highway safety groups; and

(G) other appropriate entities.

(f) REPORT.—Not later than 3 years after the date of enactment of this Act, the Transportation Research Board shall submit to the Secretary, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study conducted under this section.

(g) FUNDING.—From amounts authorized to carry out the Highway Research and Development Program, the Secretary shall use to carry out this section not more than $5,000,000 for fiscal year 2016.

SEC. 6022. HIGHWAY EFFICIENCY.

(a) STUDY.—

(1) IN GENERAL.—The Secretary may examine the impact of pavement durability and sustainability on vehicle fuel consumption, vehicle wear and tear, road conditions, and road repairs.

(2) METHODOLOGY.—In carrying out the study, the Secretary shall—

(A) conduct a thorough review of relevant peer-reviewed research published during at least the past 5 years;

(B) analyze impacts of different types of pavement on all motor vehicle types, including commercial vehicles;

(C) specifically examine the impact of pavement deformation and deflection; and

(D) analyze impacts of different types of pavement on road conditions and road repairs.

(3) CONSULTATION.—In carrying out the study, the Secretary shall consult with—

(A) modal administrations of the Department and other Federal agencies, including the National Institute of Standards and Technology;

(B) State departments of transportation;

(C) industry stakeholders; and

(D) appropriate academic experts.

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish on a public website a report describing the results of the study.

(2) CONTENTS.—The report shall include—

(A) a summary of the different types of pavements analyzed in the study and the impacts of pavement durability and sustainability on safety, vehicle fuel consumption, vehicle wear and tear, road conditions, and road repairs; and

(B) recommendations for State and local governments on best practice methods for improving pavement durability and sustainability to maximize vehicle fuel economy, improve safety, ride quality, and road conditions, and to minimize the need for road and vehicle repairs.

SEC. 6023. TRANSPORTATION TECHNOLOGY POLICY WORKING GROUP.

To improve the scientific pursuit and research procedures concerning transportation, the Secretary may convene an interagency working group—

(1) to identify opportunities for coordination between the Department and universities and the private sector; and

(2) to identify and develop a plan to address related workforce development needs.

SEC. 6024. COLLABORATION AND SUPPORT.

The Secretary may solicit the support of, and identify opportunities to collaborate with, other Federal research agencies and national laboratories to assist in the effective and efficient pursuit and resolution of research challenges identified by the Secretary.

SEC. 6025. GAO REPORT.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) assesses the status of autonomous transportation technology policy developed by public entities in the United States;

(2) assesses the organizational readiness of the Department to address autonomous vehicle technology challenges, including consumer privacy protections; and

(3) recommends implementation paths for autonomous transportation technology, applications, and policies that are based on the assessment described in paragraph (2).

SEC. 6026. TRAFFIC CONGESTION.

(a) CONGESTION RESEARCH.—The Secretary may conduct research on the reduction of traffic congestion.

(b) CONSIDERATION.—The Secretary may—

(1) recommend research to accelerate the adoption of transportation management systems that allow traffic to flow in the safest and most efficient manner possible while alleviating current and future traffic congestion challenges;

(2) assess and analyze traffic, transit, and freight data from various sources relevant to efforts to reduce traffic congestion so as to maximize mobility, efficiency, and capacity while decreasing congestion and travel times;

(3) examine the use and integration of multiple data types from multiple sources and technologies, including road weather data, arterial and highway traffic conditions, transit vehicle arrival and departure times, real time navigation routing, construction zone information, and reports of incidents, to suggest improvements in effective communication of such data and information in real time;

(4) develop and disseminate suggested strategies and solutions to reduce congestion for high-density traffic regions and to provide mobility in the event of an emergency or natural disaster; and

(5) collaborate with other relevant Federal agencies, State and local agencies, industry and industry associations, and university research centers to fulfill goals and objectives under this section.

(c) IDENTIFYING INFORMATION.—The Secretary shall ensure that information used pursuant to this section does not contain identifying information of any individual.

(d) REPORT.—Not later than 1 year after the completion of research under this section, the Secretary may make available on a public website a report on any activities under this section.

SEC. 6027. SMART CITIES TRANSPORTATION PLANNING STUDY.

(a) IN GENERAL.—The Secretary may conduct a study of digital technologies and information technologies, including shared mobility, data, transportation network companies, and on-demand transportation services—

(1) to understand the degree to which cities are adopting those technologies;

(2) to assess future planning, infrastructure, and investment needs; and

(3) to provide best practices to plan for smart cities in which information and technology are used—

(A) to improve city operations;

(B) to grow the local economy;

(C) to improve response in times of emergencies and natural disasters; and

(D) to improve the lives of city residents.

(b) COMPONENTS.—The study conducted under subsection (a) shall—

(1) identify broad issues that influence the ability of the United States to plan for and invest in smart cities, including barriers to collaboration and access to scientific information; and

(2) review how the expanded use of digital technologies, mobile devices, and information may—

(A) enhance the efficiency and effectiveness of existing transportation networks;

(B) optimize demand management services;

(C) impact low-income and other disadvantaged communities;

(D) assess opportunities to share, collect, and use data;

(E) change current planning and investment strategies; and

(F) provide opportunities for enhanced coordination and planning.

(c) REPORTING.—Not later than 18 months after the date of enactment of this Act, the Secretary may publish the report containing the results of the study conducted under subsection (a) to a public website.

SEC. 6028. PERFORMANCE MANAGEMENT DATA SUPPORT PROGRAM.

(a) PERFORMANCE MANAGEMENT DATA SUPPORT.—The Administrator of the Federal Highway Administration shall develop, use, and maintain data sets and data analysis tools to assist metropolitan planning organizations, States, and the Federal Highway Administration in carrying out performance management analyses (including the performance management requirements under section 150 of title 23, United States Code).

(b) INCLUSIONS.—The data analysis activities authorized under subsection (a) may include—

(1) collecting and distributing vehicle probe data describing traffic on Federal-aid highways;

(2) collecting household travel behavior data to assess local and cross-jurisdictional travel, including to accommodate external and through travel;

(3) enhancing existing data collection and analysis tools to accommodate performance measures, targets, and related data, so as to better understand trip origin and destination, trip time, and mode;

(4) enhancing existing data analysis tools to improve performance predictions and travel models in reports described in section 150(e) of title 23, United States Code; and

(5) developing tools—

(A) to improve performance analysis; and

(B) to evaluate the effects of project investments on performance.

(c) FUNDING.—From amounts authorized to carry out the Highway Research and Development Program, the Administrator of the Federal Highway Administration may use up to $10,000,000 for each of fiscal years 2016 through 2020 to carry out this section.

TITLE VII—HAZARDOUS MATERIALS TRANSPORTATION

SEC. 7001. SHORT TITLE.

This title may be cited as the ''Hazardous Materials Transportation Safety Improvement Act of 2015''.

Subtitle A—Authorizations

SEC. 7101. AUTHORIZATION OF APPROPRIATIONS.

Section 5128 of title 49, United States Code, is amended to read as follows:

''§ 5128. Authorization of appropriations

''(a) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this chapter (except sections 5107(e), 5108(g)(2), 5113, 5115, 5116, and 5119)—

''(1) $53,000,000 for fiscal year 2016;

''(2) $55,000,000 for fiscal year 2017;

''(3) $57,000,000 for fiscal year 2018;

''(4) $58,000,000 for fiscal year 2019; and

''(5) $60,000,000 for fiscal year 2020.

''(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(h), the Secretary may expend, for each of fiscal years 2016 through 2020—

''(1) $21,988,000 to carry out section 5116(a);

''(2) $150,000 to carry out section 5116(e);

''(3) $625,000 to publish and distribute the Emergency Response Guidebook under section 5116(h)(3); and

''(4) $1,000,000 to carry out section 5116(i).

''(c) HAZARDOUS MATERIALS TRAINING GRANTS.—From the Hazardous Materials Emergency Preparedness Fund established pursuant to section 5116(h), the Secretary may expend $4,000,000 for each of fiscal years 2016 through 2020 to carry out section 5107(e).

''(d) COMMUNITY SAFETY GRANTS.—Of the amounts made available under subsection (a) to carry out this chapter, the Secretary shall withhold $1,000,000 for each of fiscal years 2016 through 2020 to carry out section 5107(i).

''(e) CREDITS TO APPROPRIATIONS.—

''(1) EXPENSES.—In addition to amounts otherwise made available to carry out this chapter, the Secretary may credit amounts received from a State, Indian tribe, or other public authority or private entity for expenses the Secretary incurs in providing training to the State, Indian tribe, authority, or entity.

''(2) AVAILABILITY OF AMOUNTS.—Amounts made available under this section shall remain available until expended.''.

Subtitle B—Hazardous Material Safety and Improvement

SEC. 7201. NATIONAL EMERGENCY AND DISASTER RESPONSE.

Section 5103 of title 49, United States Code, is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c) FEDERALLY DECLARED DISASTERS AND EMERGENCIES.—

''(1) IN GENERAL.—The Secretary may by order waive compliance with any part of an applicable standard prescribed under this chapter without prior notice and comment and on terms the Secretary considers appropriate if the Secretary determines that—

''(A) it is in the public interest to grant the waiver;

''(B) the waiver is not inconsistent with the safety of transporting hazardous materials; and

''(C) the waiver is necessary to facilitate the safe movement of hazardous materials into, from, and within an area of a major disaster or emergency that has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

''(2) PERIOD OF WAIVER.—A waiver under this subsection may be issued for a period of not more than 60 days and may be renewed upon application to the Secretary only after notice and an opportunity for a hearing on the waiver. The Secretary shall immediately revoke the waiver if continuation of the waiver would not

be consistent with the goals and objectives of this chapter.

''(3) STATEMENT OF REASONS.—The Secretary shall include in any order issued under this section the reasons for granting the waiver.''.

SEC. 7202. MOTOR CARRIER SAFETY PERMITS.

Section 5109(h) of title 49, United States Code, is amended to read as follows:

''(h) LIMITATION ON DENIAL.—The Secretary may not deny a non-temporary permit held by a motor carrier pursuant to this section based on a comprehensive review of that carrier triggered by safety management system scores or out-of-service disqualification standards, unless—

''(1) the carrier has the opportunity, prior to the denial of such permit, to submit a written description of corrective actions taken and other documentation the carrier wishes the Secretary to consider, including a corrective action plan; and

''(2) the Secretary determines the actions or plan is insufficient to address the safety concerns identified during the course of the comprehensive review.''.

SEC. 7203. IMPROVING THE EFFECTIVENESS OF PLANNING AND TRAINING GRANTS.

(a) PLANNING AND TRAINING GRANTS.—Section 5116 of title 49, United States Code, is amended—

(1) by redesignating subsections (c) through (k) as subsections (b) through (j), respectively,

(2) by striking subsection (b); and

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

''(a) PLANNING AND TRAINING GRANTS.—(1) The Secretary shall make grants to States and Indian tribes—

''(A) to develop, improve, and carry out emergency plans under the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11001 et seq.), including ascertaining flow patterns of hazardous material on lands under the jurisdiction of a State or Indian tribe, and between lands under the jurisdiction of a State or Indian tribe and lands of another State or Indian tribe;

''(B) to decide on the need for regional hazardous material emergency response teams; and

''(C) to train public sector employees to respond to accidents and incidents involving hazardous material.

''(2) To the extent that a grant is used to train emergency responders under paragraph (1)(C), the State or Indian tribe shall provide written certification to the Secretary that the emergency responders who receive training under the grant will have the ability to protect nearby persons, property, and the environment from the effects of accidents or incidents involving the transportation of hazardous material in accordance with existing regulations or National Fire Protection Association standards for competence of responders to accidents and incidents involving hazardous materials.

''(3) The Secretary may make a grant to a State or Indian tribe under paragraph (1) of this subsection only if—

''(A) the State or Indian tribe certifies that the total amount the State or Indian tribe expends (except amounts of the Federal Government) for the purpose of the grant will at least equal the average level of expenditure for the last 5 years; and

''(B) any emergency response training provided under the grant shall consist of—

''(i) a course developed or identified under section 5115 of this title; or

''(ii) any other course the Secretary determines is consistent with the objectives of this section.

''(4) A State or Indian tribe receiving a grant under this subsection shall ensure that planning and emergency response training under the grant is coordinated with adjacent States and Indian tribes.

''(5) A training grant under paragraph (1)(C) may be used—

''(A) to pay—

''(i) the tuition costs of public sector employees being trained;

''(ii) travel expenses of those employees to and from the training facility;

''(iii) room and board of those employees when at the training facility; and

''(iv) travel expenses of individuals providing the training;

''(B) by the State, political subdivision, or Indian tribe to provide the training; and

''(C) to make an agreement with a person (including an authority of a State, a political subdivision of a State or Indian tribe, or a local jurisdiction), subject to approval by the Secretary, to provide the training if—

''(i) the agreement allows the Secretary and the State or Indian tribe to conduct random examinations, inspections, and audits of the training without prior notice;

''(ii) the person agrees to have an auditable accounting system; and

''(iii) the State or Indian tribe conducts at least one on-site observation of the training each year.

''(6) The Secretary shall allocate amounts made available for grants under this subsection among eligible States and Indian tribes based on the needs of the States and Indian tribes for emergency response planning and training. In making a decision about those needs, the Secretary shall consider—

''(A) the number of hazardous material facilities in the State or on land under the jurisdiction of the Indian tribe;

''(B) the types and amounts of hazardous material transported in the State or on such land;

''(C) whether the State or Indian tribe imposes and collects a fee for transporting hazardous material;

''(D) whether such fee is used only to carry out a purpose related to transporting hazardous material;

''(E) the past record of the State or Indian tribe in effectively managing planning and training grants; and

''(F) any other factors the Secretary determines are appropriate to carry out this subsection.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 5108(g) of title 49, United States Code, is amended by striking ''5116(i)'' each place it appears and inserting ''5116(h)''.

(2) Section 5116 of such title is amended—

(A) in subsection (d), as so redesignated, by striking ''subsections (a)(2)(A) and (b)(2)(A)'' and inserting ''subsection (a)(3)(A)'';

(B) in subsection (h), as so redesignated—

(i) in paragraph (1) by inserting ''and section 5107(e)'' after ''section'';

(ii) in paragraph (2) by striking ''(f)'' and inserting ''(e)''; and

(iii) in paragraph (4) by striking ''5108(g)(2) and 5115'' and inserting ''5107(e) and 5108(g)(2)'';

(C) in subsection (i), as so redesignated, by striking ''subsection (b)'' and inserting ''subsection (a)''; and

(D) in subsection (j), as so redesignated—

(i) by striking ''planning grants allocated under subsection (a), training grants under subsection (b), and grants under subsection (j) of this section and under section 5107'' and inserting ''planning and training grants under subsection (a) and grants under subsection (i) of this section and under subsections (e) and (i) of section 5107''; and

(ii) by redesignating subparagraphs (A) through (D) as paragraphs (1) through (4), respectively.

(c) SAVINGS CLAUSE.—Nothing in this section may be construed to prohibit the Secretary from recovering and deobligating funds from grants that are not managed or expended in compliance with a grant agreement.

SEC. 7204. IMPROVING PUBLICATION OF SPECIAL PERMITS AND APPROVALS.

Section 5117 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) by striking ''an application for a special permit'' and inserting ''an application for a new special permit or a modification to an existing special permit''; and

(B) by inserting after the second sentence the following: ''The Secretary shall make available to the public on the Department of Transportation's Internet Web site any special permit other than a new special permit or a modification to an existing special permit and shall give the public an opportunity to inspect the safety analysis and comment on the application for a period of not more than 15 days.''; and

(2) in subsection (c)—

(A) by striking ''publish'' and inserting ''make available to the public'';

(B) by striking ''in the Federal Register'';

(C) by striking ''180'' and inserting ''120''; and

(D) by striking ''the special permit'' each place it appears and inserting ''a special permit or approval''; and

(3) by adding at the end the following:

''(g) DISCLOSURE OF FINAL ACTION.—The Secretary shall periodically, but at least every 120 days—

''(1) publish in the Federal Register notice of the final disposition of each application for a new special permit, modification to an existing special permit, or approval during the preceding quarter; and

''(2) make available to the public on the Department of Transportation's Internet Web site notice of the final disposition of any other special permit during the preceding quarter.''.

SEC. 7205. ENHANCED REPORTING.

Section 5121(h) of title 49, United States Code, is amended by striking ''transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate'' and inserting ''make available to the public on the Department of Transportation's Internet Web site''.

SEC. 7206. WETLINES.

(a) WITHDRAWAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall withdraw the proposed rule described in the notice of proposed rulemaking issued on January 27, 2011, entitled ''Safety Requirements for External Product Piping on Cargo Tanks Transporting Flammable Liquids'' (76 Fed. Reg. 4847).

(b) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from issuing standards or regulations regarding the safety of external product piping on cargo tanks transporting flammable liquids after the withdrawal is carried out pursuant to subsection (a).

SEC. 7207. GAO STUDY ON ACCEPTANCE OF CLASSIFICATION EXAMINATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall evaluate and transmit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate, a report on the standards, metrics, and protocols that the Secretary uses to regulate the performance of persons approved to recommend hazard classifications pursuant to section 173.56(b) of title 49, Code of Federal Regulations (commonly referred to as ''third-party labs'').

(b) EVALUATION.—The evaluation required under subsection (a) shall—

(1) identify what standards and protocols are used to approve such persons, assess the adequacy of such standards and protocols to ensure that persons seeking approval are qualified and capable of performing classifications, and make recommendations to address any deficiencies identified;

(2) assess the adequacy of the Secretary's oversight of persons approved to perform the classifications, including the qualification of individuals engaged in the oversight of approved persons, and make recommendations to enhance oversight sufficiently to ensure that classifications are issued as required;

(3) identify what standards and protocols exist to rescind, suspend, or deny approval of persons who perform such classifications, assess the adequacy of such standards and protocols, and make recommendations to enhance such standards and protocols if necessary; and

(4) include annual data for fiscal years 2005 through 2015 on the number of applications received for new classifications pursuant to section 173.56(b) of title 49, Code of Federal Regulations, of those applications how many classifications recommended by persons approved by the Secretary were changed to another classification and the reasons for the change, and how many hazardous materials incidents have been attributed to a classification recommended by such approved persons in the United States.

(c) ACTION PLAN.—Not later than 180 days after receiving the report required under subsection (a), the Secretary shall make available to the public a plan describing any actions the Secretary will take to establish standards, metrics, and protocols based on the findings and recommendations in the report to ensure that persons approved to perform classification examinations required under section 173.56(b) of title 49, Code of Federal Regulations, can sufficiently perform such examinations in a manner that meets the hazardous materials regulations.

(d) REGULATIONS.—If the report required under subsection (a) recommends new regulations in order for the Secretary to have confidence in the accuracy of classification recommendations rendered by persons approved to perform classification examinations required under section 173.56(b) of title 49, Code of Federal Regulations, the Secretary shall consider such recommendations, and if determined appropriate, issue regulations to address the recommendations not later than 18 months after the date of the publication of the plan under subsection (c).

SEC. 7208. HAZARDOUS MATERIALS ENDORSEMENT EXEMPTION.

The Secretary shall allow a State, at the discretion of the State, to waive the requirement for a holder of a Class A commercial driver's license to obtain a hazardous materials endorsement under part 383 of title 49, Code of Federal Regulations, if the license holder—

(1) is acting within the scope of the license holder's employment as an employee of a custom harvester operation, agrichemical business, farm retail outlet and supplier, or livestock feeder; and

(2) is operating a service vehicle that is—

(A) transporting diesel in a quantity of 3,785 liters (1,000 gallons) or less; and

(B) clearly marked with a ''flammable'' or ''combustible'' placard, as appropriate.

Subtitle C—Safe Transportation of Flammable Liquids by Rail

SEC. 7301. COMMUNITY SAFETY GRANTS.

Section 5107 of title 49, United States Code, is amended by adding at the end the following:

''(i) COMMUNITY SAFETY GRANTS.—The Secretary shall establish a competitive program for making grants to nonprofit organizations for—

''(1) conducting national outreach and training programs to assist communities in preparing for and responding to accidents and incidents involving the transportation of hazardous materials, including Class 3 flammable liquids by rail; and

''(2) training State and local personnel responsible for enforcing the safe transportation of hazardous materials, including Class 3 flammable liquids.''.

SEC. 7302. REAL-TIME EMERGENCY RESPONSE INFORMATION.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with appropriate Federal agencies, shall issue regulations that—

(1) require a Class I railroad transporting hazardous materials—

(A) to generate accurate, real-time, and electronic train consist information, including—

(i) the identity, quantity, and location of hazardous materials on a train;

(ii) the point of origin and destination of the train;

(iii) any emergency response information or resources required by the Secretary; and

(iv) an emergency response point of contact designated by the Class I railroad; and

(B) to enter into a memorandum of understanding with each applicable fusion center to provide the fusion center with secure and confidential access to the electronic train consist information described in subparagraph (A) for each train transporting hazardous materials in the jurisdiction of the fusion center;

(2) require each applicable fusion center to provide the electronic train consist information described in paragraph (1)(A) to State and local first responders, emergency response officials, and law enforcement personnel that are involved in the response to or investigation of an accident, incident, or public health or safety emergency involving the rail transportation of hazardous materials and that request such electronic train consist information;

(3) require each Class I railroad to provide advanced notification and information on high-hazard flammable trains to each State emergency response commission, consistent with the notification content requirements in Emergency Order Docket No. DOT–OST–2014–0067, including—

(A) a reasonable estimate of the number of implicated trains that are expected to travel, per week, through each county within the applicable State;

(B) updates to such estimate prior to making any material changes to any volumes or frequencies of trains traveling through a county;

(C) identification and a description of the Class 3 flammable liquid being transported on such trains;

(D) applicable emergency response information, as required by regulation;

(E) identification of the routes over which such liquid will be transported; and

(F) a point of contact at the Class I railroad responsible for serving as the point of contact for State emergency response centers and local emergency responders related to the Class I railroad's transportation of such liquid.

(4) require each applicable State emergency response commission to provide to a political subdivision of a State, or public agency responsible for emergency response or law enforcement, upon request of the political subdivision or public agency, the information the commission receives from a Class I railroad pursuant to paragraph (3), including, for any such political subdivision or public agency responsible for emergency response or law enforcement that makes an initial request for such information, any updates received by the State emergency response commission.

(5) prohibit any Class I railroad, employee, or agent from withholding, or causing to be withheld, the train consist information from first responders, emergency response officials, and law enforcement personnel described in paragraph (2) in the event of an incident, accident, or public health or safety emergency involving the rail transportation of hazardous materials;

(6) establish security and confidentiality protections, including protections from the public release of proprietary information or security-sensitive information, to prevent the release to unauthorized persons any electronic train consist information or advanced notification or information provided by Class I railroads under this section; and

(7) allow each Class I railroad to enter into a memorandum of understanding with any Class II railroad or Class III railroad that operates trains over the Class I railroad's line to incorporate the Class II railroad or Class III railroad's train consist information within the existing framework described in paragraph (1).

(b) DEFINITIONS.—In this section:

(1) APPLICABLE FUSION CENTER.—The term ''applicable fusion center'' means a fusion center with responsibility for a geographic area in which a Class I railroad operates.

(2) CLASS I RAILROAD; CLASS II RAILROAD; CLASS III RAILROAD.—The terms ''Class I railroad'', ''Class II railroad'', and ''Class III railroad'' have the meaning given those terms in section 20102 of title 49, United States Code.

(3) CLASS 3 FLAMMABLE LIQUID.—The term ''Class 3 flammable liquid'' has the meaning given the term flammable liquid in section 173.120(a) of title 49, Code of Federal Regulations.

(4) FUSION CENTER.—The term ''fusion center'' has the meaning given the term in section 210A(j) of the Homeland Security Act of 2002 (6 U.S.C. 124h(j)).

(5) HAZARDOUS MATERIAL.—The term ''hazardous material'' means a substance or material the Secretary designates as hazardous under section 5103 of title 49, United States Code.

(6) HIGH-HAZARD FLAMMABLE TRAIN.—The term ''high-hazard flammable train'' means a single train transporting 20 or more tank cars loaded with a Class 3 flammable liquid in a continuous block or a single train transporting 35 or more tank cars loaded with a Class 3 flammable liquid throughout the train consist.

(7) TRAIN CONSIST.—The term ''train consist'' includes, with regard to a specific train, the number of rail cars and the commodity transported by each rail car.

(c) SAVINGS CLAUSE.—Nothing in this section may be construed to prohibit a Class I railroad from voluntarily entering into a memorandum of understanding, as described in subsection (a)(1)(B), with a State emergency response commission or an entity representing or including first responders, emergency response officials, and law enforcement personnel.

SEC. 7303. EMERGENCY RESPONSE.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to determine whether limitations or weaknesses exist in the emergency response information carried by train crews transporting hazardous materials.

(b) CONTENTS.—In conducting the study under subsection (a), the Comptroller General shall evaluate the differences between the emergency response information carried by train crews transporting hazardous materials and the emergency response guidance provided in the Emergency Response Guidebook issued by the Department of Transportation.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings of the study under

subsection (a) and any recommendations for legislative action.

SEC. 7304. PHASE-OUT OF ALL TANK CARS USED TO TRANSPORT CLASS 3 FLAMMABLE LIQUIDS.

(a) IN GENERAL.—Except as provided for in subsection (b), beginning on the date of enactment of this Act, all DOT–111 specification railroad tank cars used to transport Class 3 flammable liquids shall meet the DOT–117, DOT–117P, or DOT–117R specifications in part 179 of title 49, Code of Federal Regulations, regardless of train composition.

(b) PHASE-OUT SCHEDULE.—Certain tank cars not meeting DOT–117, DOT–117P, or DOT–117R specifications on the date of enactment of this Act may be used, regardless of train composition, until the following end-dates:

(1) For transport of unrefined petroleum products in Class 3 flammable service, including crude oil—

(A) January 1, 2018, for non-jacketed DOT–111 tank cars;

(B) March 1, 2018, for jacketed DOT–111 tank cars;

(C) April 1, 2020, for non-jacketed CPC–1232 tank cars; and

(D) May 1, 2025, for jacketed CPC–1232 tank cars.

(2) For transport of ethanol—

(A) May 1, 2023, for non-jacketed and jacketed DOT–111 tank cars;

(B) July 1, 2023, for non-jacketed CPC–1232 tank cars; and

(C) May 1, 2025, for jacketed CPC–1232 tank cars.

(3) For transport of Class 3 flammable liquids in Packing Group I, other than Class 3 flammable liquids specified in paragraphs (1) and (2), May 1, 2025.

(4) For transport of Class 3 flammable liquids in Packing Groups II and III, other than Class 3 flammable liquids specified in paragraphs (1) and (2), May 1, 2029.

(c) RETROFITTING SHOP CAPACITY.—The Secretary may extend the deadlines established under paragraphs (3) and (4) of subsection (b) for a period not to exceed 2 years if the Secretary determines that insufficient retrofitting shop capacity will prevent the phase-out of tank cars not meeting the DOT–117, DOT–117P, or DOT–117R specifications by the deadlines set forth in such paragraphs.

(d) CONFORMING REGULATORY AMENDMENTS.—

(1) IN GENERAL.—Immediately after the date of enactment of this section, the Secretary—

(A) shall remove or revise the date-specific deadlines in any applicable regulations or orders to the extent necessary to conform with the requirements of this section; and

(B) may not enforce any such date-specific deadlines or requirements that are inconsistent with the requirements of this section.

(2) IMPLEMENTATION.—Nothing in this section shall be construed to require the Secretary to issue regulations, except as required under paragraph (1), to implement this section.

(e) SAVINGS CLAUSE.—Nothing in this section shall be construed to prohibit the Secretary from implementing the final rule issued on May 08, 2015, entitled ''Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains'' (80 Fed. Reg. 26643), other than the provisions of the final rule that are inconsistent with this section.

(f) CLASS 3 FLAMMABLE LIQUID DEFINED.—In this section, the term ''Class 3 flammable liquid'' has the meaning given the term flammable liquid in section 173.120(a) of title 49, Code of Federal Regulations.

SEC. 7305. THERMAL BLANKETS.

(a) REQUIREMENTS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall issue such regulations as are necessary to require that each tank car built to meet the DOT–117 specification and each non-jacketed tank car modified to meet the DOT–117R specification be equipped with an insulating blanket with at least ½-inch-thick material that has been approved by the Secretary pursuant to section 179.18(c) of title 49, Code of Federal Regulations.

(b) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from approving new or alternative technologies or materials as they become available that provide a level of safety at least equivalent to the level of safety provided for under subsection (a).

SEC. 7306. MINIMUM REQUIREMENTS FOR TOP FITTINGS PROTECTION FOR CLASS DOT–117R TANK CARS.

(a) PROTECTIVE HOUSING.—Except as provided in subsections (b) and (c), top fittings on DOT specification 117R tank cars shall be located inside a protective housing not less than ½-inch in thickness and constructed of a material having a tensile strength not less than 65 kilopound per square inch and conform to the following specifications:

(1) The protective housing shall be as tall as the tallest valve or fitting involved and the height of a valve or fitting within the protective housing must be kept to the minimum compatible with their proper operation.

(2) The protective housing or cover may not reduce the flow capacity of the pressure relief device below the minimum required.

(3) The protective housing shall provide a means of drainage with a minimum flow area equivalent to six 1-inch diameter holes.

(4) When connected to the nozzle or fittings cover plate and subject to a horizontal force applied perpendicular to and uniformly over the projected plane of the protective housing, the tensile connection strength of the protective housing shall be designed to be—

(A) no greater than 70 percent of the nozzle to tank tensile connection strength;

(B) no greater than 70 percent of the cover plate to nozzle connection strength; and

(C) no less than either 40 percent of the nozzle to tank tensile connection strength or the shear strength of twenty ½-inch bolts.

(b) PRESSURE RELIEF DEVICES.—

(1) The pressure relief device shall be located inside the protective housing, unless space does not permit. If multiple pressure relief devices are equipped, no more than 1 may be located outside of a protective housing.

(2) The highest point on any pressure relief device located outside of a protective housing may not be more than 12 inches above the tank jacket.

(3) The highest point on the closure of any unused pressure relief device nozzle may not be more than 6 inches above the tank jacket.

(c) ALTERNATIVE PROTECTION.—As an alternative to the protective housing requirements in subsection (a) of this section, the tank car may be equipped with a system that prevents the release of product from any top fitting in the case of an incident where any top fitting would be sheared off.

(d) IMPLEMENTATION.—Nothing in this section shall be construed to require the Secretary to issue regulations to implement this section.

(e) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from approving new technologies, methods or requirements that provide a level of safety equivalent to or greater than the level of safety provided for in this section.

SEC. 7307. RULEMAKING ON OIL SPILL RESPONSE PLANS.

The Secretary shall, not later than 30 days after the date of enactment of this Act and every 90 days thereafter until a final rule based on the advanced notice of proposed rulemaking issued on August 1, 2014, entitled ''Hazardous Materials: Oil Spill Response Plans for High-Hazard Flammable Trains'' (79 Fed. Reg. 45079) is promulgated, notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate in writing of—

(1) the status of such rulemaking;

(2) any reasons why such final rule has not been implemented;

(3) a plan for completing such final rule as soon as practicable; and

(4) the estimated date of completion of such final rule.

SEC. 7308. MODIFICATION REPORTING.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall implement a reporting requirement to monitor industry-wide progress toward modifying rail tank cars used to transport Class 3 flammable liquids by the applicable deadlines established in section 7304.

(b) TANK CAR DATA.—The Secretary shall collect data from shippers and rail tank car owners on—

(1) the total number of tank cars modified to meet the DOT–117R specification, or equivalent, specifying—

(A) the type or specification of each tank car before it was modified, including non-jacketed DOT–111, jacketed DOT–111, non-jacketed DOT–111 meeting the CPC–1232 standard, or jacketed DOT–111 meeting the CPC–1232 standard; and

(B) the identification number of each Class 3 flammable liquid carried by each tank car in the past year;

(2) the total number of tank cars built to meet the DOT–117 specification, or equivalent; and

(3) the total number of tank cars used or likely to be used to transport Class 3 flammable liquids that have not been modified, specifying—

(A) the type or specification of each tank car not modified, including the non-jacketed DOT–111, jacketed DOT–111, non-jacketed DOT–111 meeting the CPC–1232 standard, or jacketed DOT–111 meeting the CPC–1232 standard; and

(B) the identification number of each Class 3 flammable liquid carried by each tank car in the past year.

(c) TANK CAR SHOP DATA.—The Secretary shall conduct a survey of tank car facilities modifying tank cars to the DOT–117R specification, or equivalent, or building new tank cars to the DOT–117 specification, or equivalent, to generate statistically-valid estimates of the anticipated number of tank cars those facilities expect to modify to DOT–117R specification, or equivalent, or build to the DOT–117 specification, or equivalent.

(d) FREQUENCY.—The Secretary shall collect the data under subsection (b) and conduct the survey under subsection (c) annually until May 1, 2029.

(e) INFORMATION PROTECTIONS.—

(1) IN GENERAL.—The Secretary shall only report data in industry-wide totals and shall treat company-specific information as confidential business information.

(2) LEVEL OF CONFIDENTIALITY.—The Secretary shall ensure the data collected under subsection (b) and the survey data under subsection (c) have the same level of confidentiality as required by the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note), as administered by the Bureau of Transportation Statistics.

(3) DESIGNEE.—The Secretary may—

(A) designate the Director of the Bureau of Transportation Statistics to collect data under subsection (b) and the survey data under subsection (c); and

(B) direct the Director to ensure the confidentially of company-specific information to the maximum extent permitted by law.

(f) REPORT.—Each year, not later than 60 days after the date that both the collection of the data under subsection (b) and the survey under subsection (c) are complete, the Secretary shall submit a written report on the aggregate results, without company-specific information, to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(g) DEFINITION OF CLASS 3 FLAMMABLE LIQUID.—In this section, the term ''Class 3 flammable liquid'' has the meaning given the term flammable liquid in section 173.120 of title 49, Code of Federal Regulations.

SEC. 7309. REPORT ON CRUDE OIL CHARACTERISTICS RESEARCH STUDY.

Not later than 180 days after the research completion of the comprehensive Crude Oil Characteristics Research Sampling, Analysis, and Experiment Plan study at Sandia National Laboratories, the Secretary of Energy, in cooperation with the Secretary of Transportation, shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Energy and Natural Resources of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Energy and Commerce of the House of Representatives that contains—

(1) the results of the comprehensive Crude Oil Characteristics Research Sampling, Analysis, and Experiment Plan study; and

(2) recommendations, based on the findings of the study, for—

(A) regulations by the Secretary of Transportation or the Secretary of Energy to improve the safe transport of crude oil; and

(B) legislation to improve the safe transport of crude oil.

SEC. 7310. HAZARDOUS MATERIALS BY RAIL LIABILITY STUDY.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall initiate a study on the levels and structure of insurance for railroad carriers transporting hazardous materials.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the level and structure of insurance, including self-insurance, available in the private market against the full liability potential for damages arising from an accident or incident involving a train transporting hazardous materials;

(2) the level and structure of insurance that would be necessary and appropriate—

(A) to efficiently allocate risk and financial responsibility for claims; and

(B) to ensure that a railroad carrier transporting hazardous materials can continue to operate despite the risk of an accident or incident; and

(3) the potential applicability, for a train transporting hazardous materials, of an alternative insurance model, including—

(A) a secondary liability coverage pool or pools to supplement commercial insurance; and

(B) other models administered by the Federal Government.

(c) REPORT.—Not later than 1 year after the date the study under subsection (a) is initiated, the Secretary shall submit a report containing the results of the study and recommendations for addressing liability issues with rail transportation of hazardous materials to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(d) DEFINITIONS.—In this section:

(1) HAZARDOUS MATERIAL.—The term ''hazardous material'' means a substance or material the Secretary designates as hazardous under section 5103 of title 49, United States Code.

(2) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

SEC. 7311. STUDY AND TESTING OF ELECTRONICALLY CONTROLLED PNEUMATIC BRAKES.

(a) GOVERNMENT ACCOUNTABILITY OFFICE STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct an independent evaluation of ECP brake systems, pilot program data, and the Department's research and analysis on the costs, benefits, and effects of ECP brake systems.

(2) STUDY ELEMENTS.—In completing the independent evaluation under paragraph (1), the Comptroller General shall examine the following issues related to ECP brake systems:

(A) Data and modeling results on safety benefits relative to conventional brakes and to other braking technologies or systems, such as distributed power and 2-way end-of-train devices.

(B) Data and modeling results on business benefits, including the effects of dynamic braking.

(C) Data on costs, including up-front capital costs and on-going maintenance costs.

(D) Analysis of potential operational benefits and challenges, including the effects of potential locomotive and car segregation, technical reliability issues, and network disruptions.

(E) Analysis of potential implementation challenges, including installation time, positive train control integration complexities, component availability issues, and tank car shop capabilities.

(F) Analysis of international experiences with the use of advanced braking technologies.

(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the independent evaluation under paragraph (1).

(b) EMERGENCY BRAKING APPLICATION TESTING.—

(1) IN GENERAL.—The Secretary shall enter into an agreement with the National Academy of Sciences to—

(A) complete testing of ECP brake systems during emergency braking application, including more than 1 scenario involving the uncoupling of a train with 70 or more DOT–117 specification or DOT–117R specification tank cars; and

(B) transmit, not later than 18 months after the date of enactment of this Act, to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the testing.

(2) INDEPENDENT EXPERTS.—In completing the testing under paragraph (1)(A), the National Academy of Sciences may contract with 1 or more engineering or rail experts, as appropriate, that—

(A) are not railroad carriers, entities funded by such carriers, or entities directly impacted by the final rule issued on May 8, 2015, entitled ''Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains'' (80 Fed. Reg. 26643); and

(B) have relevant experience in conducting railroad safety technology tests or similar crash tests.

(3) TESTING FRAMEWORK.—In completing the testing under paragraph (1), the National Academy of Sciences and each contractor described in paragraph (2) shall ensure that the testing objectively, accurately, and reliably measures the performance of ECP brake systems relative to other braking technologies or systems, such as distributed power and 2-way end-of-train devices, including differences in—

(A) the number of cars derailed;

(B) the number of cars punctured;

(C) the measures of in-train forces; and

(D) the stopping distance.

(4) FUNDING.—The Secretary shall provide funding, as part of the agreement under paragraph (1), to the National Academy of Sciences for the testing required under this section—

(A) using sums made available to carry out sections 20108 and 5118 of title 49, United States Code; and

(B) to the extent funding under subparagraph (A) is insufficient or unavailable to fund the testing required under this section, using such sums as are necessary from the amounts appropriated to the Secretary, the Federal Railroad Administration, or the Pipeline and Hazardous Materials Safety Administration, or a combination thereof.

(5) EQUIPMENT.—

(A) RECEIPT.—The National Academy of Sciences and each contractor described in paragraph (2) may receive or use rolling stock, track, and other equipment or infrastructure from a railroad carrier or other private entity for the purposes of conducting the testing required under this section.

(B) CONTRACTED USE.—Notwithstanding paragraph (2)(A), to facilitate testing, the National Academy of Sciences and each contractor may contract with a railroad carrier or any other private entity for the use of such carrier or entity's rolling stock, track, or other equipment and receive technical assistance on their use.

(c) EVIDENCE-BASED APPROACH.—

(1) ANALYSIS.—The Secretary shall—

(A) not later than 90 days after the report date, fully incorporate the results of the evaluation under subsection (a) and the testing under subsection (b) and update the regulatory impact analysis of the final rule described in subsection (b)(2)(A) of the costs, benefits, and effects of the applicable ECP brake system requirements;

(B) as soon as practicable after completion of the updated analysis under subparagraph (A), solicit public comment in the Federal Register on the analysis for a period of not more than 30 days; and

(C) not later than 60 days after the end of the public comment period under subparagraph (B), post the final updated regulatory impact analysis on the Department of Transportation's Internet Web site.

(2) DETERMINATION.—Not later than 2 years after the date of enactment of this Act, the Secretary shall—

(A) determine, based on whether the final regulatory impact analysis described in paragraph (1)(C) demonstrates that the benefits, including safety benefits, of the applicable ECP brake system requirements exceed the costs of such requirements, whether the applicable ECP brake system requirements are justified;

(B) if the applicable ECP brake system requirements are justified, publish in the Federal Register the determination and reasons for such determination; and

(C) if the Secretary does not publish the determination under subparagraph (B), repeal the applicable ECP brake system requirements.

(3) SAVINGS CLAUSE.—Nothing in this section shall be construed to prohibit the Secretary from implementing the final rule described under subsection (b)(2)(A) prior to the determination required under subsection (c)(2) of this section, or require the Secretary to promulgate a new rule on the provisions of such final rule, other than on the applicable ECP brake system requirements, if the Secretary does not determine that the applicable ECP brake system requirements are justified pursuant to this subsection.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) APPLICABLE ECP BRAKE SYSTEM REQUIREMENTS.—The term ''applicable ECP brake system requirements'' means sections 174.310(a)(3)(ii), 174.310(a)(3)(iii), 174.310(a)(5)(v), 179.202–10, 179.202–12(g), and 179.202–13(i) of title 49, Code of Federal Regulations, and any other regulation in effect on the date of enactment of this Act requiring the installation of ECP brakes or operation in ECP brake mode.

(2) CLASS 3 FLAMMABLE LIQUID.—The term ''Class 3 flammable liquid'' has the meaning given the term flammable liquid in section 173.120(a) of title 49, Code of Federal Regulations.

(3) ECP.—The term ''ECP'' means electronically controlled pneumatic when applied to a brake or brakes.

(4) ECP BRAKE MODE.—The term ''ECP brake mode'' includes any operation of a rail car or an entire train using an ECP brake system.

(5) ECP BRAKE SYSTEM.—

(A) IN GENERAL.—The term ''ECP brake system'' means a train power braking system actuated by compressed air and controlled by electronic signals from the locomotive or an ECP–EOT to the cars in the consist for service and emergency applications in which the brake pipe is used to provide a constant supply of compressed air to the reservoirs on each car but does not convey braking signals to the car.

(B) INCLUSIONS.—The term ''ECP brake system'' includes dual mode and stand-alone ECP brake systems.

(6) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

(7) REPORT DATE.—The term ''report date'' means the date that the reports under subsections (a)(3) and (b)(1)(B) are required to be transmitted pursuant to those subsections.

TITLE VIII—MULTIMODAL FREIGHT TRANSPORTATION

SEC. 8001. MULTIMODAL FREIGHT TRANSPORTATION.

(a) IN GENERAL.—Subtitle IX of title 49, United States Code, is amended to read as follows:

''Subtitle IX—Multimodal Freight Transportation

''Chapter Sec.
''701. Multimodal freight policy 70101
''702. Multimodal freight transportation planning and information 70201

''CHAPTER 701—MULTIMODAL FREIGHT POLICY

''Sec.
''70101. National multimodal freight policy.
''70102. National freight strategic plan.
''70103. National Multimodal Freight Network.

''§ 70101. National multimodal freight policy

''(a) IN GENERAL.—It is the policy of the United States to maintain and improve the condition and performance of the National Multimodal Freight Network established under section 70103 to ensure that the Network provides a foundation for the United States to compete in the global economy and achieve the goals described in subsection (b).

''(b) GOALS.—The goals of the national multimodal freight policy are—

''(1) to identify infrastructure improvements, policies, and operational innovations that—

''(A) strengthen the contribution of the National Multimodal Freight Network to the economic competitiveness of the United States;

''(B) reduce congestion and eliminate bottlenecks on the National Multimodal Freight Network; and

''(C) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

''(2) to improve the safety, security, efficiency, and resiliency of multimodal freight transportation;

''(3) to achieve and maintain a state of good repair on the National Multimodal Freight Network;

''(4) to use innovation and advanced technology to improve the safety, efficiency, and reliability of the National Multimodal Freight Network;

''(5) to improve the economic efficiency and productivity of the National Multimodal Freight Network;

''(6) to improve the reliability of freight transportation;

''(7) to improve the short- and long-distance movement of goods that—

''(A) travel across rural areas between population centers;

''(B) travel between rural areas and population centers; and

''(C) travel from the Nation's ports, airports, and gateways to the National Multimodal Freight Network;

''(8) to improve the flexibility of States to support multi-State corridor planning and the creation of multi-State organizations to increase the ability of States to address multimodal freight connectivity;

''(9) to reduce the adverse environmental impacts of freight movement on the National Multimodal Freight Network; and

''(10) to pursue the goals described in this subsection in a manner that is not burdensome to State and local governments.

''(c) IMPLEMENTATION.—The Under Secretary of Transportation for Policy, who shall be responsible for the oversight and implementation of the national multimodal freight policy, shall—

''(1) carry out sections 70102 and 70103;

''(2) assist with the coordination of modal freight planning; and

''(3) identify interagency data sharing opportunities to promote freight planning and coordination.

''§ 70102. National freight strategic plan

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of this section, the Under Secretary of Transportation for Policy shall—

''(1) develop a national freight strategic plan in accordance with this section; and

''(2) publish the plan on the public Internet Web site of the Department of Transportation.

''(b) CONTENTS.—The national freight strategic plan shall include—

''(1) an assessment of the condition and performance of the National Multimodal Freight Network established under section 70103;

''(2) forecasts of freight volumes for the succeeding 5-, 10-, and 20-year periods;

''(3) an identification of major trade gateways and national freight corridors that connect major population centers, trade gateways, and other major freight generators;

''(4) an identification of bottlenecks on the National Multimodal Freight Network that create significant freight congestion, based on a quantitative methodology developed by the Under Secretary, which shall include, at a minimum—

''(A) information from the Freight Analysis Framework of the Federal Highway Administration; and

''(B) to the maximum extent practicable, an estimate of the cost of addressing each bottleneck and any operational improvements that could be implemented;

''(5) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved freight transportation performance, and a description of opportunities for overcoming the barriers;

''(6) a process for addressing multistate projects and encouraging jurisdictions to collaborate;

''(7) strategies to improve freight intermodal connectivity;

''(8) an identification of corridors providing access to energy exploration, development, installation, or production areas;

''(9) an identification of corridors providing access to major areas for manufacturing, agriculture, or natural resources;

''(10) an identification of best practices for improving the performance of the National Multimodal Freight Network, including critical commerce corridors and rural and urban access to critical freight corridors; and

''(11) an identification of best practices to mitigate the impacts of freight movement on communities.

''(c) UPDATES.—Not later than 5 years after the date of completion of the national freight strategic plan under subsection (a), and every 5 years thereafter, the Under Secretary shall update the plan and publish the updated plan on the public Internet Web site of the Department of Transportation.

''(d) CONSULTATION.—The Under Secretary shall develop and update the national freight strategic plan—

''(1) after providing notice and an opportunity for public comment; and

''(2) in consultation with State departments of transportation, metropolitan planning organizations, and other appropriate public and private transportation stakeholders.

''§ 70103. National Multimodal Freight Network

''(a) IN GENERAL.—The Under Secretary of Transportation for Policy shall establish a National Multimodal Freight Network in accordance with this section—

''(1) to assist States in strategically directing resources toward improved system performance for the efficient movement of freight on the Network;

''(2) to inform freight transportation planning;

''(3) to assist in the prioritization of Federal investment; and

''(4) to assess and support Federal investments to achieve the national multimodal freight policy goals described in section 70101(b) of this title and the national highway freight program goals described in section 167 of title 23.

''(b) INTERIM NETWORK.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Under Secretary shall establish an interim National Multimodal Freight Network in accordance with this subsection.

''(2) NETWORK COMPONENTS.—The interim National Multimodal Freight Network shall include—

''(A) the National Highway Freight Network, as established under section 167 of title 23;

''(B) the freight rail systems of Class I railroads, as designated by the Surface Transportation Board;

''(C) the public ports of the United States that have total annual foreign and domestic trade of at least 2,000,000 short tons, as identified by the Waterborne Commerce Statistics Center of the Army Corps of Engineers, using the data from the latest year for which such data is available;

''(D) the inland and intracoastal waterways of the United States, as described in section 206 of the Inland Waterways Revenue Act of 1978 (33 U.S.C. 1804);

''(E) the Great Lakes, the St. Lawrence Seaway, and coastal and ocean routes along which domestic freight is transported;

''(F) the 50 airports located in the United States with the highest annual landed weight, as identified by the Federal Aviation Administration; and

''(G) other strategic freight assets, including strategic intermodal facilities and freight rail lines of Class II and Class III railroads, designated by the Under Secretary as critical to interstate commerce.

''(c) FINAL NETWORK.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Under Secretary, after soliciting input from stakeholders, including multimodal freight system users, transportation providers, metropolitan planning organizations, local governments, ports, airports, railroads, and States, through a public process to identify critical freight facilities and corridors, including critical commerce corridors, that are vital to achieve the national multimodal freight policy goals described in section 70101(b) of this title and the national highway freight program goals described in section 167 of title 23, and after providing notice and an opportunity for comment on a draft system, shall designate a National Multimodal Freight Network with the goal of—

''(A) improving network and intermodal connectivity; and

''(B) using measurable data as part of the assessment of the significance of freight movement, including the consideration of points of origin, destinations, and linking components of domestic and international supply chains.

''(2) FACTORS.—In designating or redesignating the National Multimodal Freight Network, the Under Secretary shall consider—

''(A) origins and destinations of freight movement within, to, and from the United States;

''(B) volume, value, tonnage, and the strategic importance of freight;

''(C) access to border crossings, airports, seaports, and pipelines;

''(D) economic factors, including balance of trade;

''(E) access to major areas for manufacturing, agriculture, or natural resources;

''(F) access to energy exploration, development, installation, and production areas;

''(G) intermodal links and intersections that promote connectivity;

''(H) freight choke points and other impediments contributing to significant measurable congestion, delay in freight movement, or inefficient modal connections;

''(I) impacts on all freight transportation modes and modes that share significant freight infrastructure;

''(J) facilities and transportation corridors identified by a multi-State coalition, a State, a State freight advisory committee, or a metropolitan planning organization, using national or local data, as having critical freight importance to the region;

''(K) major distribution centers, inland intermodal facilities, and first- and last-mile facilities; and

''(L) the significance of goods movement, including consideration of global and domestic supply chains.

''(3) CONSIDERATIONS.—In designating or redesignating the National Multimodal Freight Network, the Under Secretary shall—

''(A) use, to the extent practicable, measurable data to assess the significance of goods movement, including the consideration of points of origin, destinations, and linking components of the United States global and domestic supply chains;

''(B) consider—

''(i) the factors described in paragraph (2); and

''(ii) any changes in the economy that affect freight transportation network demand; and

''(C) provide the States with an opportunity to submit proposed designations in accordance with paragraph (4).

''(4) STATE INPUT.—

''(A) IN GENERAL.—Each State that proposes additional designations for the National Multimodal Freight Network shall—

''(i) consider nominations for additional designations from metropolitan planning organizations and State freight advisory committees, as applicable, within the State;

''(ii) consider nominations for additional designations from owners and operators of port, rail, pipeline, and airport facilities; and

''(iii) ensure that additional designations are consistent with the State transportation improvement program or freight plan.

''(B) CRITICAL RURAL FREIGHT FACILITIES AND CORRIDORS.—As part of the designations under subparagraph (A), a State may designate a freight facility or corridor within the borders of the State as a critical rural freight facility or corridor if the facility or corridor—

''(i) is a rural principal arterial;

''(ii) provides access or service to energy exploration, development, installation, or production areas;

''(iii) provides access or service to—

''(I) a grain elevator;

''(II) an agricultural facility;

''(III) a mining facility;

''(IV) a forestry facility; or

''(V) an intermodal facility;

''(iv) connects to an international port of entry;

''(v) provides access to a significant air, rail, water, or other freight facility in the State; or

''(vi) has been determined by the State to be vital to improving the efficient movement of freight of importance to the economy of the State.

''(C) LIMITATION.—

''(i) IN GENERAL.—A State may propose additional designations to the National Multimodal Freight Network in the State in an amount that is not more than 20 percent of the total mileage designated by the Under Secretary in the State.

''(ii) DETERMINATION BY UNDER SECRETARY.—The Under Secretary shall determine how to apply the limitation under clause (i) to the components of the National Multimodal Freight Network.

''(D) SUBMISSION AND CERTIFICATION.—A State shall submit to the Under Secretary—

''(i) a list of any additional designations proposed to be added under this paragraph; and

''(ii) a certification that—

''(I) the State has satisfied the requirements of subparagraph (A); and

''(II) the designations referred to in clause (i) address the factors for designation described in this subsection.

''(d) REDESIGNATION OF NATIONAL MULTIMODAL FREIGHT NETWORK.—Not later than 5 years after the initial designation under subsection (c), and every 5 years thereafter, the Under Secretary, using the designation factors described in subsection (c), shall redesignate the National Multimodal Freight Network.

''CHAPTER 702—MULTIMODAL FREIGHT TRANSPORTATION PLANNING AND INFORMATION

''Sec.
''70201. State freight advisory committees.
''70202. State freight plans.
''70203. Transportation investment data and planning tools.
''70204. Savings provision.

''§ 70201. State freight advisory committees

''(a) IN GENERAL.—The Secretary of Transportation shall encourage each State to establish a freight advisory committee consisting of a representative cross-section of public and private sector freight stakeholders, including representatives of ports, freight railroads, shippers, carriers, freight-related associations, third-party logistics providers, the freight industry workforce, the transportation department of the State, and local governments.

''(b) ROLE OF COMMITTEE.—A freight advisory committee of a State described in subsection (a) shall—

''(1) advise the State on freight-related priorities, issues, projects, and funding needs;

''(2) serve as a forum for discussion for State transportation decisions affecting freight mobility;

''(3) communicate and coordinate regional priorities with other organizations;

''(4) promote the sharing of information between the private and public sectors on freight issues; and

''(5) participate in the development of the freight plan of the State described in section 70202.

''§ 70202. State freight plans

''(a) IN GENERAL.—Each State that receives funding under section 167 of title 23 shall develop a freight plan that provides a comprehensive plan for the immediate and long-range planning activities and investments of the State with respect to freight.

''(b) PLAN CONTENTS.—A State freight plan described in subsection (a) shall include, at a minimum—

''(1) an identification of significant freight system trends, needs, and issues with respect to the State;

''(2) a description of the freight policies, strategies, and performance measures that will guide the freight-related transportation investment decisions of the State;

''(3) when applicable, a listing of—

''(A) multimodal critical rural freight facilities and corridors designated within the State under section 70103 of this title; and

''(B) critical rural and urban freight corridors designated within the State under section 167 of title 23;

''(4) a description of how the plan will improve the ability of the State to meet the national multimodal freight policy goals described in section 70101(b) of this title and the national highway freight program goals described in section 167 of title 23;

''(5) a description of how innovative technologies and operational strategies, including freight intelligent transportation systems, that improve the safety and efficiency of freight movement, were considered;

''(6) in the case of roadways on which travel by heavy vehicles (including mining, agricultural, energy cargo or equipment, and timber vehicles) is projected to substantially deteriorate the condition of the roadways, a description of improvements that may be required to reduce or impede the deterioration;

''(7) an inventory of facilities with freight mobility issues, such as bottlenecks, within the State, and for those facilities that are State owned or operated, a description of the strategies the State is employing to address the freight mobility issues;

''(8) consideration of any significant congestion or delay caused by freight movements and any strategies to mitigate that congestion or delay;

''(9) a freight investment plan that, subject to subsection (c)(2), includes a list of priority projects and describes how funds made available to carry out section 167 of title 23 would be invested and matched; and

''(10) consultation with the State freight advisory committee, if applicable.

''(c) RELATIONSHIP TO LONG-RANGE PLAN.—

''(1) INCORPORATION.—A State freight plan described in subsection (a) may be developed separately from or incorporated into the statewide strategic long-range transportation plan required by section 135 of title 23.

''(2) FISCAL CONSTRAINT.—The freight investment plan component of a freight plan shall include a project, or an identified phase of a

project, only if funding for completion of the project can reasonably be anticipated to be available for the project within the time period identified in the freight investment plan.

''(d) PLANNING PERIOD.—A State freight plan described in subsection (a) shall address a 5-year forecast period.

''(e) UPDATES.—

''(1) IN GENERAL.—A State shall update a State freight plan described in subsection (a) not less frequently than once every 5 years.

''(2) FREIGHT INVESTMENT PLAN.—A State may update a freight investment plan described in subsection (b)(9) more frequently than is required under paragraph (1).

''§ 70203. Transportation investment data and planning tools

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary of Transportation shall—

''(1) begin development of new tools and improvement of existing tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects, including—

''(A) methodologies for systematic analysis of benefits and costs on a national or regional basis;

''(B) tools for ensuring that the evaluation of freight-related and other transportation projects could consider safety, economic competitiveness, urban and rural access, environmental sustainability, and system condition in the project selection process;

''(C) improved methods for data collection and trend analysis;

''(D) encouragement of public-private collaboration to carry out data sharing activities while maintaining the confidentiality of all proprietary data; and

''(E) other tools to assist in effective transportation planning;

''(2) identify transportation-related model data elements to support a broad range of evaluation methods and techniques to assist in making transportation investment decisions; and

''(3) at a minimum, in consultation with other relevant Federal agencies, consider any improvements to existing freight flow data collection efforts that could reduce identified freight data gaps and deficiencies and help improve forecasts of freight transportation demand.

''(b) CONSULTATION.—The Secretary shall consult with Federal, State, and other stakeholders to develop, improve, and implement the tools and collect the data described in subsection (a).

''§ 70204. Savings provision

''Nothing in this subtitle provides additional authority to regulate or direct private activity on freight networks designated under this subtitle.''.

(b) CLERICAL AMENDMENT.—The analysis of subtitles for title 49, United States Code, is amended by striking the item relating to subtitle IX and inserting the following:

''IX. Multimodal Freight Transportation ..... 70101''.

TITLE IX—NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

SEC. 9001. NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU.

(a) IN GENERAL.—Chapter 1 of title 49, United States Code, is amended by adding at the end the following:

''§ 116. National Surface Transportation and Innovative Finance Bureau

''(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a National Surface Transportation and Innovative Finance Bureau in the Department.

''(b) PURPOSES.—The purposes of the Bureau shall be—

''(1) to provide assistance and communicate best practices and financing and funding opportunities to eligible entities for the programs referred to in subsection (d)(1);

''(2) to administer the application processes for programs within the Department in accordance with subsection (d);

''(3) to promote innovative financing best practices in accordance with subsection (e);

''(4) to reduce uncertainty and delays with respect to environmental reviews and permitting in accordance with subsection (f); and

''(5) to reduce costs and risks to taxpayers in project delivery and procurement in accordance with subsection (g).

''(c) EXECUTIVE DIRECTOR.—

''(1) APPOINTMENT.—The Bureau shall be headed by an Executive Director, who shall be appointed in the competitive service by the Secretary, with the approval of the President.

''(2) DUTIES.—The Executive Director shall—

''(A) report to the Under Secretary of Transportation for Policy;

''(B) be responsible for the management and oversight of the daily activities, decisions, operations, and personnel of the Bureau;

''(C) support the Council on Credit and Finance established under section 117 in accordance with this section; and

''(D) carry out such additional duties as the Secretary may prescribe.

''(d) ADMINISTRATION OF CERTAIN APPLICATION PROCESSES.—

''(1) IN GENERAL.—The Bureau shall administer the application processes for the following programs:

''(A) The infrastructure finance programs authorized under chapter 6 of title 23.

''(B) The railroad rehabilitation and improvement financing program authorized under sections 501 through 503 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 821–823).

''(C) Amount allocations authorized under section 142(m) of the Internal Revenue Code of 1986.

''(D) The nationally significant freight and highway projects program under section 117 of title 23.

''(2) CONGRESSIONAL NOTIFICATION.—The Executive Director shall ensure that the congressional notification requirements for each program referred to in paragraph (1) are followed in accordance with the statutory provisions applicable to the program.

''(3) REPORTS.—The Executive Director shall ensure that the reporting requirements for each program referred to in paragraph (1) are followed in accordance with the statutory provisions applicable to the program.

''(4) COORDINATION.—In administering the application processes for the programs referred to in paragraph (1), the Executive Director shall coordinate with appropriate officials in the Department and its modal administrations responsible for administering such programs.

''(5) STREAMLINING APPROVAL PROCESSES.—Not later than 1 year after the date of enactment of this section, the Executive Director shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Environment and Public Works of the Senate a report that—

''(A) evaluates the application processes for the programs referred to in paragraph (1);

''(B) identifies administrative and legislative actions that would improve the efficiency of the application processes without diminishing Federal oversight; and

''(C) describes how the Executive Director will implement administrative actions identified under subparagraph (B) that do not require an Act of Congress.

''(6) PROCEDURES AND TRANSPARENCY.—

''(A) PROCEDURES.—With respect to the programs referred to in paragraph (1), the Executive Director shall—

''(i) establish procedures for analyzing and evaluating applications and for utilizing the recommendations of the Council on Credit and Finance;

''(ii) establish procedures for addressing late-arriving applications, as applicable, and communicating the Bureau's decisions for accepting or rejecting late applications to the applicant and the public; and

''(iii) document major decisions in the application evaluation process through a decision memorandum or similar mechanism that provides a clear rationale for such decisions.

''(B) REVIEW.—

''(i) IN GENERAL.—The Comptroller General of the United States shall review the compliance of the Executive Director with the requirements of this paragraph.

''(ii) RECOMMENDATIONS.—The Comptroller General may make recommendations to the Executive Director in order to improve compliance with the requirements of this paragraph.

''(iii) REPORT.—Not later than 3 years after the date of enactment of this section, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the review conducted under clause (i), including findings and recommendations for improvement.

''(e) INNOVATIVE FINANCING BEST PRACTICES.—

''(1) IN GENERAL.—The Bureau shall work with the modal administrations within the Department, eligible entities, and other public and private interests to develop and promote best practices for innovative financing and public-private partnerships.

''(2) ACTIVITIES.—The Bureau shall carry out paragraph (1)—

''(A) by making Federal credit assistance programs more accessible to eligible recipients;

''(B) by providing advice and expertise to eligible entities that seek to leverage public and private funding;

''(C) by sharing innovative financing best practices and case studies from eligible entities with other eligible entities that are interested in utilizing innovative financing methods; and

''(D) by developing and monitoring—

''(i) best practices with respect to standardized State public-private partnership authorities and practices, including best practices related to—

''(I) accurate and reliable assumptions for analyzing public-private partnership procurements;

''(II) procedures for the handling of unsolicited bids;

''(III) policies with respect to noncompete clauses; and

''(IV) other significant terms of public-private partnership procurements, as determined appropriate by the Bureau;

''(ii) standard contracts for the most common types of public-private partnerships for transportation facilities; and

''(iii) analytical tools and other techniques to aid eligible entities in determining the appropriate project delivery model, including a value for money analysis.

''(3) TRANSPARENCY.—The Bureau shall—

''(A) ensure the transparency of a project receiving credit assistance under a program referred to in subsection (d)(1) and procured as a public-private partnership by—

''(i) requiring the sponsor of the project to undergo a value for money analysis or a comparable analysis prior to deciding to advance the project as a public-private partnership;

''(ii) requiring the analysis required under subparagraph (A), and other key terms of the relevant public-private partnership agreement, to be made publicly available by the project sponsor at an appropriate time;

''(iii) not later than 3 years after the date of completion of the project, requiring the sponsor of the project to conduct a review regarding whether the private partner is meeting the terms of the relevant public-private partnership agreement; and

''(iv) providing a publicly available summary of the total level of Federal assistance in such project; and

''(B) develop guidance to implement this paragraph that takes into consideration variations in State and local laws and requirements related to public-private partnerships.

''(4) SUPPORT TO PROJECT SPONSORS.—At the request of an eligible entity, the Bureau shall provide technical assistance to the eligible entity regarding proposed public-private partnership agreements for transportation facilities, including assistance in performing a value for money analysis or comparable analysis.

''(f) ENVIRONMENTAL REVIEW AND PERMITTING.—

''(1) IN GENERAL.—The Bureau shall take actions that are appropriate and consistent with the Department's goals and policies to improve the delivery timelines for projects carried out under the programs referred to in subsection (d)(1).

''(2) ACTIVITIES.—The Bureau shall carry out paragraph (1)—

''(A) by serving as the Department's liaison to the Council on Environmental Quality;

''(B) by coordinating efforts to improve the efficiency and effectiveness of the environmental review and permitting process;

''(C) by providing technical assistance and training to field and headquarters staff of Federal agencies on policy changes and innovative approaches to the delivery of projects; and

''(D) by identifying, developing, and tracking metrics for permit reviews and decisions by Federal agencies for projects under the National Environmental Policy Act of 1969.

''(3) SUPPORT TO PROJECT SPONSORS.—At the request of an eligible entity that is carrying out a project under a program referred to in subsection (d)(1), the Bureau, in coordination with the appropriate modal administrations within the Department, shall provide technical assistance with regard to the compliance of the project with the requirements of the National Environmental Policy Act 1969 and relevant Federal environmental permits.

''(g) PROJECT PROCUREMENT.—

''(1) IN GENERAL.—The Bureau shall promote best practices in procurement for a project receiving assistance under a program referred to in subsection (d)(1) by developing, in coordination with modal administrations within the Department as appropriate, procurement benchmarks in order to ensure accountable expenditure of Federal assistance over the life cycle of the project.

''(2) PROCUREMENT BENCHMARKS.—To the maximum extent practicable, the procurement benchmarks developed under paragraph (1) shall—

''(A) establish maximum thresholds for acceptable project cost increases and delays in project delivery;

''(B) establish uniform methods for States to measure cost and delivery changes over the life cycle of a project; and

''(C) be tailored, as necessary, to various types of project procurements, including design-bid-build, design-build, and public-private partnerships.

''(3) DATA COLLECTION.—The Bureau shall—

''(A) collect information related to procurement benchmarks developed under paragraph (1), including project specific information detailed under paragraph (2); and

''(B) provide on a publicly accessible Internet Web site of the Department a report on the information collected under subparagraph (A).

''(h) ELIMINATION AND CONSOLIDATION OF DUPLICATIVE OFFICES.—

''(1) ELIMINATION OF OFFICES.—The Secretary may eliminate any office within the Department if the Secretary determines that—

''(A) the purposes of the office are duplicative of the purposes of the Bureau; and

''(B) the elimination of the office does not adversely affect the obligations of the Secretary under any Federal law.

''(2) CONSOLIDATION OF OFFICES AND OFFICE FUNCTIONS.—The Secretary may consolidate any office or office function within the Department into the Bureau that the Secretary determines has duties, responsibilities, resources, or expertise that support the purposes of the Bureau.

''(3) STAFFING AND BUDGETARY RESOURCES.—

''(A) IN GENERAL.—The Secretary shall ensure that the Bureau is adequately staffed and funded.

''(B) STAFFING.—The Secretary may transfer to the Bureau a position within the Department from any office that is eliminated or consolidated under this subsection if the Secretary determines that the position is necessary to carry out the purposes of the Bureau.

''(C) SAVINGS PROVISION.—If the Secretary transfers a position to the Bureau under subparagraph (B), the Secretary, in coordination with the appropriate modal administration, shall ensure that the transfer of the position does not adversely affect the obligations of the modal administration under any Federal law.

''(D) BUDGETARY RESOURCES.—

''(i) TRANSFER OF FUNDS FROM ELIMINATED OR CONSOLIDATED OFFICES.—During the 2-year period beginning on the date of enactment of this section, the Secretary may transfer to the Bureau funds allocated to any office or office function that is eliminated or consolidated under this subsection to carry out the purposes of the Bureau.

''(ii) TRANSFER OF FUNDS ALLOCATED TO ADMINISTRATIVE COSTS.—During the 2-year period beginning on the date of enactment of this section, the Secretary may transfer to the Bureau funds allocated to the administrative costs of processing applications for the programs referred to in subsection (d)(1).

''(4) NOTIFICATION.—Not later than 90 days after the date of enactment of this section, and every 90 days thereafter, the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Commerce, Science, and Transportation of the Senate of—

''(A) the offices eliminated under paragraph (1) and the rationale for elimination of the offices;

''(B) the offices and office functions consolidated under paragraph (2) and the rationale for consolidation of the offices and office functions;

''(C) the actions taken under paragraph (3) and the rationale for taking such actions; and

''(D) any additional legislative actions that may be needed.

''(i) SAVINGS PROVISIONS.—

''(1) LAWS AND REGULATIONS.—Nothing in this section may be construed to change a law or regulation with respect to a program referred to in subsection (d)(1).

''(2) RESPONSIBILITIES.—Nothing in this section may be construed to abrogate the responsibilities of an agency, operating administration, or office within the Department otherwise charged by a law or regulation with other aspects of program administration, oversight, or project approval or implementation for the programs and projects subject to this section.

''(3) APPLICABILITY.—Nothing in this section may be construed to affect any pending application under 1 or more of the programs referred to in subsection (d)(1) that was received by the Secretary on or before the date of enactment of this section.

''(j) DEFINITIONS.—In this section, the following definitions apply:

''(1) BUREAU.—The term 'Bureau' means the National Surface Transportation and Innovative Finance Bureau of the Department.

''(2) DEPARTMENT.—The term 'Department' means the Department of Transportation.

''(3) ELIGIBLE ENTITY.—The term 'eligible entity' means an eligible applicant receiving financial or credit assistance under 1 or more of the programs referred to in subsection (d)(1).

''(4) EXECUTIVE DIRECTOR.—The term 'Executive Director' means the Executive Director of the Bureau.

''(5) MULTIMODAL PROJECT.—The term 'multimodal project' means a project involving the participation of more than 1 modal administration or secretarial office within the Department.

''(6) PROJECT.—The term 'project' means a highway project, public transportation capital project, freight or passenger rail project, or multimodal project.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''116. National Surface Transportation and Innovative Finance Bureau.''.

SEC. 9002. COUNCIL ON CREDIT AND FINANCE.

(a) IN GENERAL.—Chapter 1 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

''§ 117. Council on Credit and Finance

''(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a Council on Credit and Finance in accordance with this section.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The Council shall be composed of the following members:

''(A) The Deputy Secretary of Transportation.

''(B) The Under Secretary of Transportation for Policy.

''(C) The Chief Financial Officer and Assistant Secretary for Budget and Programs.

''(D) The General Counsel of the Department of Transportation.

''(E) The Assistant Secretary for Transportation Policy.

''(F) The Administrator of the Federal Highway Administration.

''(G) The Administrator of the Federal Transit Administration.

''(H) The Administrator of the Federal Railroad Administration.

''(2) ADDITIONAL MEMBERS.—The Secretary may designate up to 3 additional officials of the Department to serve as at-large members of the Council.

''(3) CHAIRPERSON AND VICE CHAIRPERSON.—

''(A) CHAIRPERSON.—The Deputy Secretary of Transportation shall serve as the chairperson of the Council.

''(B) VICE CHAIRPERSON.—The Chief Financial Officer and Assistant Secretary for Budget and Programs shall serve as the vice chairperson of the Council.

''(4) EXECUTIVE DIRECTOR.—The Executive Director of the National Surface Transportation

and Innovative Finance Bureau shall serve as a nonvoting member of the Council.

''(c) DUTIES.—The Council shall—

''(1) review applications for assistance submitted under the programs referred to in subparagraphs (A), (B), and (C) of section 116(d)(1);

''(2) review applications for assistance submitted under the program referred to in section 116(d)(1)(D), as determined appropriate by the Secretary;

''(3) make recommendations to the Secretary regarding the selection of projects to receive assistance under such programs;

''(4) review, on a regular basis, projects that received assistance under such programs; and

''(5) carry out such additional duties as the Secretary may prescribe.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is further amended by adding at the end the following:

''117. Council on Credit and Finance.''.

TITLE X—SPORT FISH RESTORATION AND RECREATIONAL BOATING SAFETY

SEC. 10001. ALLOCATIONS.

(a) AUTHORIZATION.—Section 3 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777b) is amended by striking ''57 percent'' and inserting ''58.012 percent''.

(b) IN GENERAL.—Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a)—

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

(i) by striking ''For each'' and all that follows through ''the balance'' and inserting ''For each fiscal year through fiscal year 2021, the balance''; and

(ii) by striking ''multistate conservation grants under section 14'' and inserting ''activities under section 14(e)'';

(B) in paragraph (1), by striking ''18.5 percent'' and inserting ''18.673 percent'';

(C) in paragraph (2) by striking ''18.5 percent'' and inserting ''17.315 percent'';

(D) by striking paragraphs (3) and (4);

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

(F) by inserting after paragraph (2) the following:

''(3) BOATING INFRASTRUCTURE IMPROVEMENT.—

''(A) IN GENERAL.—An amount equal to 4 percent to the Secretary of the Interior for qualified projects under section 5604(c) of the Clean Vessel Act of 1992 (33 U.S.C. 1322 note) and section 7404(d) of the Sportfishing and Boating Safety Act of 1998 (16 U.S.C. 777g–1(d)).

''(B) LIMITATION.—Not more than 75 percent of the amount under subparagraph (A) shall be available for projects under either of the sections referred to in subparagraph (A).'';

(2) in subsection (b)—

(A) in paragraph (1)(A) by striking ''for each'' and all that follows through ''the Secretary'' and inserting ''for each fiscal year through fiscal year 2021, the Secretary'';

(B) by redesignating paragraph (2) as paragraph (3);

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

''(2) SET-ASIDE FOR COAST GUARD ADMINISTRATION.—

''(A) IN GENERAL.—From the annual appropriation made in accordance with section 3, for each of fiscal years 2016 through 2021, the Secretary of the department in which the Coast Guard is operating may use no more than the amount specified in subparagraph (B) for the fiscal year for the purposes set forth in section 13107(c) of title 46, United States Code. The amount specified in subparagraph (B) for a fiscal year may not be included in the amount of the annual appropriation distributed under subsection (a) for the fiscal year.

''(B) AVAILABLE AMOUNTS.—The available amount referred to in subparagraph (A) is—

''(i) for fiscal year 2016, $7,700,000; and

''(ii) for fiscal year 2017 and each fiscal year thereafter, the sum of—

''(I) the available amount for the preceding fiscal year; and

''(II) the amount determined by multiplying—

''(aa) the available amount for the preceding fiscal year; and

''(bb) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor.''; and

(D) in paragraph (3), as so redesignated—

(i) in subparagraph (A), by striking ''until the end of the fiscal year.'' and inserting ''until the end of the subsequent fiscal year.''; and

(ii) in subparagraph (B) by striking ''under subsection (e)'' and inserting ''under subsection (c)'';

(3) in subsection (c)—

(A) by striking ''(c) The Secretary'' and inserting ''(c)(1) The Secretary,'';

(B) by striking ''grants under section 14 of this title'' and inserting ''activities under section 14(e)'';

(C) by striking ''57 percent'' and inserting ''58.012 percent''; and

(D) by adding at the end the following:

''(2) The Secretary shall deduct from the amount to be apportioned under paragraph (1) the amounts used for grants under section 14(a).''; and

(4) in subsection (e)(1), by striking ''those subsections,'' and inserting ''those paragraphs,''.

(c) SUBMISSION AND APPROVAL OF PLANS AND PROJECTS.—Section 6(d) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777e(d)) is amended by striking ''for appropriations'' and inserting ''from appropriations''.

(d) UNEXPENDED OR UNOBLIGATED FUNDS.—Section 8(b)(2) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777g(b)(2)) is amended by striking ''57 percent'' and inserting ''58.012 percent''.

(e) COOPERATION.—Section 12 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777k) is amended—

(1) by striking ''57 percent'' and inserting ''58.012 percent''; and

(2) by striking ''under section 4(b)'' and inserting ''under section 4(c)''.

(f) OTHER ACTIVITIES.—Section 14 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777m) is amended—

(1) in subsection (a)(1), by striking ''of each annual appropriation made in accordance with the provisions of section 3''; and

(2) in subsection (e)—

(A) in the matter preceding paragraph (1) by striking ''Of amounts made available under section 4(b) for each fiscal year—'' and inserting ''Not more than $1,200,000 of each annual appropriation made in accordance with the provisions of section 3 shall be distributed to the Secretary of the Interior for use as follows:''; and

(B) in paragraph (1)(D) by striking ''; and'' and inserting a period.

(g) REPEAL.—The Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777 et seq.) is amended—

(1) by striking section 15; and

(2) by redesignating section 16 as section 15.

SEC. 10002. RECREATIONAL BOATING SAFETY.

Section 13107 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''(1) Subject to paragraph (2) and subsection (c),'' and inserting ''Subject to subsection (c),'';

(B) by striking ''the sum of (A) the amount made available from the Boat Safety Account for that fiscal year under section 15 of the Dingell-Johnson Sport Fish Restoration Act and (B)''; and

(C) by striking paragraph (2); and

(2) in subsection (c)—

(A) by striking the subsection designation and paragraph (1) and inserting the following:

''(c)(1)(A) The Secretary may use amounts made available each fiscal year under section 4(b)(2) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(b)(2)) for payment of expenses of the Coast Guard for investigations, personnel, and activities directly related to—

''(i) administering State recreational boating safety programs under this chapter; or

''(ii) coordinating or carrying out the national recreational boating safety program under this title.

''(B) Of the amounts used by the Secretary each fiscal year under subparagraph (A)—

''(i) not less than $2,100,000 is available to ensure compliance with chapter 43 of this title; and

''(ii) not more than $1,500,000 is available to conduct by grant or contract a survey of levels of recreational boating participation and related matters in the United States.''; and

(B) in paragraph (2)—

(i) by striking ''No funds'' and inserting ''On and after October 1, 2016, no funds''; and

(ii) by striking ''traditionally''.

TITLE XI—RAIL

SEC. 11001. SHORT TITLE.

This title may be cited as the ''Passenger Rail Reform and Investment Act of 2015''.

Subtitle A—Authorizations

SEC. 11101. AUTHORIZATION OF GRANTS TO AMTRAK.

(a) NORTHEAST CORRIDOR.—There are authorized to be appropriated to the Secretary for the use of Amtrak for activities associated with the Northeast Corridor the following amounts:

(1) For fiscal year 2016, $450,000,000.

(2) For fiscal year 2017, $474,000,000.

(3) For fiscal year 2018, $515,000,000.

(4) For fiscal year 2019, $557,000,000.

(5) For fiscal year 2020, $600,000,000.

(b) NATIONAL NETWORK.—There are authorized to be appropriated to the Secretary for the use of Amtrak for activities associated with the National Network the following amounts:

(1) For fiscal year 2016, $1,000,000,000.

(2) For fiscal year 2017, $1,026,000,000.

(3) For fiscal year 2018, $1,085,000,000.

(4) For fiscal year 2019, $1,143,000,000.

(5) For fiscal year 2020, $1,200,000,000.

(c) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to one half of 1 percent of the amount appropriated under subsections (a) and (b) for the costs of management oversight of Amtrak.

(d) GULF COAST WORKING GROUP.—Of the total amount made available to the Office of the Secretary of Transportation and the Federal Railroad Administration, for each of fiscal years 2016 and 2017, $500,000 shall be used to convene the Gulf Coast rail service working group established under section 11304 of this Act and carry out its responsibilities under such section.

(e) COMPETITION.—In administering grants to Amtrak under section 24319 of title 49, United States Code, the Secretary may withhold, from amounts that would otherwise be made available to Amtrak, such sums as are necessary from the amount appropriated under subsection (b) of this section to cover the operating subsidy described in section 24711(b)(1)(E)(ii) of title 49, United States Code.

(f) STATE-SUPPORTED ROUTE COMMITTEE.—The Secretary may withhold up to $2,000,000 from the amount appropriated in each fiscal year under subsection (b) of this section for the use of the State-Supported Route Committee established under section 24712 of title 49, United States Code.

(g) NORTHEAST CORRIDOR COMMISSION.—The Secretary may withhold up to $5,000,000 from the amount appropriated in each fiscal year under subsection (a) of this section for the use of the Northeast Corridor Commission established under section 24905 of title 49, United States Code.

(h) NORTHEAST CORRIDOR.—For purposes of this section, the term ''Northeast Corridor'' means the Northeast Corridor main line between Boston, Massachusetts, and the District of Columbia, and facilities and services used to operate and maintain that line.

(i) SMALL BUSINESS PARTICIPATION STUDY.—Of the total amount made available to the Office of the Secretary of Transportation and the Federal Railroad Administration, for each of fiscal years 2016 and 2017, $1,500,000 shall be used to implement the small business participation study authorized under section 11310 of this Act.

SEC. 11102. CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary for grants under section 24407 of title 49, United States Code, (as added by section 11301 of this Act), the following amounts:

(1) For fiscal year 2016, $98,000,000.
(2) For fiscal year 2017, $190,000,000.
(3) For fiscal year 2018, $230,000,000.
(4) For fiscal year 2019, $255,000,000.
(5) For fiscal year 2020, $330,000,000.

(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the amount appropriated under subsection (a) of this section for the costs of project management oversight of grants carried out under section 24407 of title 49, United States Code.

SEC. 11103. FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary for grants under section 24911 of title 49, United States Code, (as added by section 11302 of this Act), the following amounts:

(1) For fiscal year 2016, $82,000,000.
(2) For fiscal year 2017, $140,000,000.
(3) For fiscal year 2018, $175,000,000.
(4) For fiscal year 2019, $300,000,000.
(5) For fiscal year 2020, $300,000,000.

(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the amount appropriated under subsection (a) of this section for the costs of project management oversight of grants carried out under section 24911 of title 49, United States Code.

SEC. 11104. RESTORATION AND ENHANCEMENT GRANTS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary for grants under section 24408 of title 49, United States Code, (as added by section 11303 of this Act), $20,000,000 for each of fiscal years 2016 through 2020.

(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the amount appropriated under subsection (a) of this section for the costs of project management oversight of grants carried out under section 24408 of title 49, United States Code.

SEC. 11105. AUTHORIZATION OF APPROPRIATIONS FOR AMTRAK OFFICE OF INSPECTOR GENERAL.

There are authorized to be appropriated to the Office of Inspector General of Amtrak the following amounts:

(1) For fiscal year 2016, $20,000,000.
(2) For fiscal year 2017, $20,500,000.
(3) For fiscal year 2018, $21,000,000.
(4) For fiscal year 2019, $21,500,000.
(5) For fiscal year 2020, $22,000,000.

SEC. 11106. DEFINITIONS.

(a) TITLE 49 AMENDMENTS.—Section 24102 of title 49, United States Code, is amended—

(1) by redesignating paragraphs (5) through (9) as paragraphs (7) through (11), respectively;

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

''(5) 'long-distance route' means a route described in subparagraph (C) of paragraph (7).

''(6) 'National Network' includes long-distance routes and State-supported routes.''; and

(3) by adding at the end the following new paragraphs:

''(12) 'state-of-good-repair' means a condition in which physical assets, both individually and as a system, are—

''(A) performing at a level at least equal to that called for in their as-built or as-modified design specification during any period when the life cycle cost of maintaining the assets is lower than the cost of replacing them; and

''(B) sustained through regular maintenance and replacement programs.

''(13) 'State-supported route' means a route described in subparagraph (B) or (D) of paragraph (7), or in section 24702, that is operated by Amtrak, excluding those trains operated by Amtrak on the routes described in paragraph (7)(A).''.

(b) CONFORMING AMENDMENTS.—

(1) Section 217 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24702 note) is amended by striking ''24102(5)(D)'' and inserting ''24102(7)(D)''.

(2) Section 209(a) of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended by striking ''24102(5)(B) and (D)'' and inserting ''24102(7)(B) and (D)''.

Subtitle B—Amtrak Reforms

SEC. 11201. ACCOUNTS.

(a) IN GENERAL.—Chapter 243 of title 49, United States Code, is amended by adding at the end the following:

''§ 24317. Accounts

''(a) PURPOSE.—The purpose of this section is to—

''(1) promote the effective use and stewardship by Amtrak of Amtrak revenues, Federal, State, and third party investments, appropriations, grants and other forms of financial assistance, and other sources of funds; and

''(2) enhance the transparency of the assignment of revenues and costs among Amtrak business lines while ensuring the health of the Northeast Corridor and National Network.

''(b) ACCOUNT STRUCTURE.—Not later than 180 days after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary of Transportation, in consultation with Amtrak, shall define an account structure and improvements to accounting methodologies, as necessary, to support, at a minimum, the Northeast Corridor and the National Network.

''(c) FINANCIAL SOURCES.—In defining the account structure and improvements to accounting methodologies required under subsection (b), the Secretary shall ensure, to the greatest extent practicable, that Amtrak assigns the following:

''(1) For the Northeast Corridor account, all revenues, appropriations, grants and other forms of financial assistance, compensation, and other sources of funds associated with the Northeast Corridor, including—

''(A) grant funds appropriated for the Northeast Corridor pursuant to section 11101(a) of the Passenger Rail Reform and Investment Act of 2015 or any subsequent Act;

''(B) compensation received from commuter rail passenger transportation providers for such providers' share of capital and operating costs on the Northeast Corridor provided to Amtrak pursuant to section 24905(c); and

''(C) any operating surplus of the Northeast Corridor, as allocated pursuant to section 24318.

''(2) For the National Network account, all revenues, appropriations, grants and other forms of financial assistance, compensation, and other sources of funds associated with the National Network, including—

''(A) grant funds appropriated for the National Network pursuant to section 11101(b) of the Passenger Rail Reform and Investment Act of 2015 or any subsequent Act;

''(B) compensation received from States provided to Amtrak pursuant to section 209 of the Passenger Rail Investment and Improvement Act of 2008 (42 U.S.C. 24101 note); and

''(C) any operating surplus of the National Network, as allocated pursuant to section 24318.

''(d) FINANCIAL USES.—In defining the account structure and improvements to accounting methodologies required under subsection (b), the Secretary shall ensure, to the greatest extent practicable, that amounts assigned to the Northeast Corridor and National Network accounts shall be used by Amtrak for the following:

''(1) For the Northeast Corridor, all associated costs, including—

''(A) operating activities;

''(B) capital activities as described in section 24904(a)(2)(E);

''(C) acquiring, rehabilitating, manufacturing, remanufacturing, overhauling, or improving equipment and associated facilities used for intercity rail passenger transportation by Northeast Corridor train services;

''(D) payment of principal and interest on loans for capital projects described in this paragraph or for capital leases attributable to the Northeast Corridor;

''(E) other capital projects on the Northeast Corridor, determined appropriate by the Secretary, and consistent with section 24905(c)(1)(A)(i); and

''(F) if applicable, capital projects described in section 24904(b).

''(2) For the National Network, all associated costs, including—

''(A) operating activities;

''(B) capital activities; and

''(C) the payment of principal and interest on loans or capital leases attributable to the National Network.

''(e) IMPLEMENTATION AND REPORTING.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, Amtrak, in consultation with the Secretary, shall implement any account structures and improvements defined under subsection (b) so that Amtrak is able to produce profit and loss statements for each of the business lines described in section 24320(b)(1) and, as appropriate, each of the asset categories described in section 24320(c)(1) that identify sources and uses of—

''(A) revenues;

''(B) appropriations; and

''(C) transfers between business lines.

''(2) UPDATED PROFIT AND LOSS STATEMENTS.—Not later than 1 month after the implementation under paragraph (1), and monthly thereafter, Amtrak shall submit updated profit and loss statements for each of the business lines and asset categories to the Secretary.

''(f) ACCOUNT MANAGEMENT.—For the purposes of account management, Amtrak may transfer funds between the Northeast Corridor account and National Network account without prior notification and approval under subsection (g) if such transfers—

''(1) do not materially impact Amtrak's ability to achieve its anticipated financial, capital, and operating performance goals for the fiscal year; and

''(2) would not materially change any grant agreement entered into pursuant to section 24319(d), or other agreements made pursuant to applicable Federal law.

''(g) TRANSFER AUTHORITY.—

''(1) IN GENERAL.—If Amtrak determines that a transfer between the accounts defined under subsection (b) does not meet the account management standards established under subsection

(f), Amtrak may transfer funds between the Northeast Corridor and National Network accounts if—

''(A) Amtrak notifies the Amtrak Board of Directors, including the Secretary, at least 10 days prior to the expected date of transfer; and

''(B) solely for a transfer that will materially change a grant agreement, the Secretary approves.

''(2) REPORT.—Not later than 5 days after the Amtrak Board of Directors receives notification from Amtrak under paragraph (1)(A), the Board shall transmit to the Secretary, the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate, a report that includes—

''(A) the amount of the transfer; and

''(B) a detailed explanation of the reason for the transfer, including—

''(i) the effects on Amtrak services funded by the account from which the transfer is drawn, in comparison to a scenario in which no transfer was made; and

''(ii) the effects on Amtrak services funded by the account receiving the transfer, in comparison to a scenario in which no transfer was made.

''(3) NOTIFICATIONS.—Not later than 5 days after the date that Amtrak notifies the Amtrak Board of Directors of a transfer under paragraph (1) to or from an account, Amtrak shall transmit to the State-Supported Route Committee and Northeast Corridor Commission a letter that includes the information described under subparagraphs (A) and (B) of paragraph (2).

''(h) REPORT.—Not later than 2 years after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, Amtrak shall submit to the Secretary a report assessing the account and reporting structure established under this section and providing any recommendations for further action. Not later than 180 days after the date of receipt of such report, the Secretary shall provide an assessment that supplements Amtrak's report and submit the Amtrak report with the supplemental assessment to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(i) DEFINITION OF NORTHEAST CORRIDOR.—Notwithstanding section 24102, for purposes of this section, the term 'Northeast Corridor' means the Northeast Corridor main line between Boston, Massachusetts, and the District of Columbia, and facilities and services used to operate and maintain that line.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 243 is amended by adding at the end the following:

''24317. Accounts.''.

SEC. 11202. AMTRAK GRANT PROCESS.

(a) REQUIREMENTS AND PROCEDURES.—Chapter 243 of title 49, United States Code, is further amended by adding at the end the following:

''§ 24318. Costs and revenues

''(a) ALLOCATION.—Not later than 180 days after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, Amtrak shall establish and maintain internal controls to ensure Amtrak's costs, revenues, and other compensation are appropriately allocated to the Northeast Corridor, including train services or infrastructure, or the National Network, including proportional shares of common and fixed costs.

''(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of Amtrak to enter into an agreement with 1 or more States to allocate operating and capital costs under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(c) DEFINITION OF NORTHEAST CORRIDOR.—Notwithstanding section 24102, for purposes of this section, the term 'Northeast Corridor' means the Northeast Corridor main line between Boston, Massachusetts, and the District of Columbia, and facilities and services used to operate and maintain that line.

''§ 24319. Grant process

''(a) PROCEDURES FOR GRANT REQUESTS.—Not later than 90 days after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary of Transportation shall establish and transmit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives substantive and procedural requirements, including schedules, for grant requests under this section.

''(b) GRANT REQUESTS.—Amtrak shall transmit to the Secretary grant requests for Federal funds appropriated to the Secretary of Transportation for the use of Amtrak.

''(c) CONTENTS.—A grant request under subsection (b) shall, as applicable—

''(1) describe projected operating and capital costs for the upcoming fiscal year for Northeast Corridor activities, including train services and infrastructure, and National Network activities, including State-supported routes and long-distance routes, in comparison to prior fiscal year actual financial performance;

''(2) describe the capital projects to be funded, with cost estimates and an estimated timetable for completion of the projects covered by the request; and

''(3) assess Amtrak's financial condition.

''(d) REVIEW AND APPROVAL.—

''(1) THIRTY-DAY APPROVAL PROCESS.—

''(A) IN GENERAL.—Not later than 30 days after the date that Amtrak submits a grant request under this section, the Secretary of Transportation shall complete a review of the request and provide notice to Amtrak that—

''(i) the request is approved; or

''(ii) the request is disapproved, including the reason for the disapproval and an explanation of any incomplete or deficient items.

''(B) GRANT AGREEMENT.—If a grant request is approved, the Secretary shall enter into a grant agreement with Amtrak.

''(2) FIFTEEN-DAY MODIFICATION PERIOD.—Not later than 15 days after the date of a notice under paragraph (1)(A)(ii), Amtrak shall submit a modified request for the Secretary's review.

''(3) MODIFIED REQUESTS.—Not later than 15 days after the date that Amtrak submits a modified request under paragraph (2), the Secretary shall either approve the modified request, or, if the Secretary finds that the request is still incomplete or deficient, the Secretary shall identify in writing to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives the remaining deficiencies and recommend a process for resolving the outstanding portions of the request.

''(e) PAYMENTS TO AMTRAK.—

''(1) IN GENERAL.—A grant agreement entered into under subsection (d) shall specify the operations, services, and other activities to be funded by the grant. The grant agreement shall include provisions, consistent with the requirements of this chapter, to measure Amtrak's performance and ensure accountability in delivering the operations, services, or activities to be funded by the grant.

''(2) SCHEDULE.—Except as provided in paragraph (3), in each fiscal year for which amounts are appropriated to the Secretary for the use of Amtrak, and for which the Secretary and Amtrak have entered into a grant agreement under subsection (d), the Secretary shall disburse grant funds to Amtrak on the following schedule:

''(A) 50 percent on October 1.

''(B) 25 percent on January 1.

''(C) 25 percent on April 1.

''(3) EXCEPTIONS.—The Secretary may make a payment to Amtrak of appropriated funds—

''(A) more frequently than the schedule under paragraph (2) if Amtrak, for good cause, requests more frequent payment before the end of a payment period; or

''(B) with a different frequency or in different percentage allocations in the event of a continuing resolution or in the absence of an appropriations Act for the duration of a fiscal year.

''(f) AVAILABILITY OF AMOUNTS AND EARLY APPROPRIATIONS.—Amounts appropriated to the Secretary for the use of Amtrak shall remain available until expended. Amounts for capital acquisitions and improvements may be appropriated for a fiscal year before the fiscal year in which the amounts will be obligated.

''(g) LIMITATIONS ON USE.—Amounts appropriated to the Secretary for the use of Amtrak may not be used to cross-subsidize operating losses or capital costs of commuter rail passenger or freight rail transportation.

''(h) DEFINITION OF NORTHEAST CORRIDOR.—Notwithstanding section 24102, for purposes of this section, the term 'Northeast Corridor' means the Northeast Corridor main line between Boston, Massachusetts, and the District of Columbia, and facilities and services used to operate and maintain that line.''.

(b) CONFORMING AMENDMENTS.—The table of contents for chapter 243 is further amended by adding at the end the following:

''24318. Costs and revenues.

''24319. Grant process.''.

(c) REPEALS.—

(1) ESTABLISHMENT OF GRANT PROCESS.—Section 206 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) and the item relating to that section in the table of contents of that Act are repealed.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 24104 of title 49, United States Code, and the item relating to that section in the table of contents of chapter 241 are repealed.

SEC. 11203. 5-YEAR BUSINESS LINE AND ASSET PLANS.

(a) AMTRAK 5-YEAR BUSINESS LINE AND ASSET PLANS.—Chapter 243 of title 49, United States Code, is further amended by inserting after section 24319 the following:

''§ 24320. Amtrak 5-year business line and asset plans

''(a) IN GENERAL.—

''(1) FINAL PLANS.—Not later than February 15 of each year, Amtrak shall submit to Congress and the Secretary of Transportation final 5-year business line plans and 5-year asset plans prepared in accordance with this section. These final plans shall form the basis for Amtrak's general and legislative annual report to the President and Congress required by section 24315(b). Each plan shall cover a period of 5 fiscal years, beginning with the first fiscal year after the date on which the plan is completed.

''(2) FISCAL CONSTRAINT.—Each plan prepared under this section shall be based on funding levels authorized or otherwise available to Amtrak in a fiscal year. In the absence of an authorization or appropriation of funds for a fiscal year, the plans shall be based on the amount of funding available in the previous fiscal year, plus inflation. Amtrak may include an appendix to the

asset plan required in subsection (c) that describes any funding needs in excess of amounts authorized or otherwise available to Amtrak in a fiscal year.

''(b) AMTRAK 5-YEAR BUSINESS LINE PLANS.—

''(1) AMTRAK BUSINESS LINES.—Amtrak shall prepare a 5-year business line plan for each of the following business lines and services:

''(A) Northeast Corridor train services.

''(B) State-supported routes operated by Amtrak.

''(C) Long-distance routes operated by Amtrak.

''(D) Ancillary services operated by Amtrak, including commuter operations and other revenue generating activities as determined by the Secretary in coordination with Amtrak.

''(2) CONTENTS OF 5-YEAR BUSINESS LINE PLANS.—The 5-year business line plan for each business line shall include, at a minimum—

''(A) a statement of Amtrak's objectives, goals, and service plan for the business line, in consultation with any entities that are contributing capital or operating funding to support passenger rail services within those business lines, and aligned with Amtrak's Strategic Plan and 5-year asset plans under subsection (c);

''(B) all projected revenues and expenditures for the business line, including identification of revenues and expenditures incurred by—

''(i) passenger operations;

''(ii) non-passenger operations that are directly related to the business line; and

''(iii) governmental funding sources, including revenues and other funding received from States;

''(C) projected ridership levels for all passenger operations;

''(D) estimates of long-term and short-term debt and associated principal and interest payments (both current and forecasts);

''(E) annual profit and loss statements and forecasts and balance sheets;

''(F) annual cash flow forecasts;

''(G) a statement describing the methodologies and significant assumptions underlying estimates and forecasts;

''(H) specific performance measures that demonstrate year over year changes in the results of Amtrak's operations;

''(I) financial performance for each route within each business line, including descriptions of the cash operating loss or contribution and productivity for each route;

''(J) specific costs and savings estimates resulting from reform initiatives;

''(K) prior fiscal year and projected equipment reliability statistics; and

''(L) an identification and explanation of any major adjustments made from previously-approved plans.

''(3) 5-YEAR BUSINESS LINE PLANS PROCESS.—In meeting the requirements of this section, Amtrak shall—

''(A) consult with the Secretary in the development of the business line plans;

''(B) for the Northeast Corridor business line plan, consult with the Northeast Corridor Commission and transmit to the Commission the final plan under subsection (a)(1), and consult with other entities, as appropriate;

''(C) for the State-supported route business line plan, consult with the State-Supported Route Committee established under section 24712;

''(D) for the long-distance route business line plan, consult with any States or Interstate Compacts that provide funding for such routes, as appropriate;

''(E) ensure that Amtrak's general and legislative annual report, required under section 24315(b), to the President and Congress is consistent with the information in the 5-year business line plans; and

''(F) identify the appropriate Amtrak officials that are responsible for each business line.

''(4) DEFINITION OF NORTHEAST CORRIDOR.—Notwithstanding section 24102, for purposes of this section, the term 'Northeast Corridor' means the Northeast Corridor main line between Boston, Massachusetts, and the District of Columbia, and facilities and services used to operate and maintain that line.

''(c) AMTRAK 5-YEAR ASSET PLANS.—

''(1) ASSET CATEGORIES.—Amtrak shall prepare a 5-year asset plan for each of the following asset categories:

''(A) Infrastructure, including all Amtrak-controlled Northeast Corridor assets and other Amtrak-owned infrastructure, and the associated facilities that support the operation, maintenance, and improvement of those assets.

''(B) Passenger rail equipment, including all Amtrak-controlled rolling stock, locomotives, and mechanical shop facilities that are used to overhaul equipment.

''(C) Stations, including all Amtrak-controlled passenger rail stations and elements of other stations for which Amtrak has legal responsibility or intends to make capital investments.

''(D) National assets, including national reservations, security, training and training centers, and other assets associated with Amtrak's national rail passenger transportation system.

''(2) CONTENTS OF 5-YEAR ASSET PLANS.—Each asset plan shall include, at a minimum—

''(A) a summary of Amtrak's 5-year strategic plan for each asset category, including goals, objectives, any relevant performance metrics, and statutory or regulatory actions affecting the assets;

''(B) an inventory of existing Amtrak capital assets, to the extent practicable, including information regarding shared use or ownership, if applicable;

''(C) a prioritized list of proposed capital investments that—

''(i) categorizes each capital project as being primarily associated with—

''(I) normalized capital replacement;

''(II) backlog capital replacement;

''(III) improvements to support service enhancements or growth;

''(IV) strategic initiatives that will improve overall operational performance, lower costs, or otherwise improve Amtrak's corporate efficiency; or

''(V) statutory, regulatory, or other legal mandates;

''(ii) identifies each project or program that is associated with more than 1 category described in clause (i); and

''(iii) describes the anticipated business outcome of each project or program identified under this subparagraph, including an assessment of—

''(I) the potential effect on passenger operations, safety, reliability, and resilience;

''(II) the potential effect on Amtrak's ability to meet regulatory requirements if the project or program is not funded; and

''(III) the benefits and costs; and

''(D) annual profit and loss statements and forecasts and balance sheets for each asset category.

''(3) 5-YEAR ASSET PLAN PROCESS.—In meeting the requirements of this subsection, Amtrak shall—

''(A) consult with each business line described in subsection (b)(1) in the preparation of each 5-year asset plan and ensure integration of each 5-year asset plan with the 5-year business line plans;

''(B) as applicable, consult with the Northeast Corridor Commission, the State-Supported Route Committee, and owners of assets affected by 5-year asset plans; and

''(C) identify the appropriate Amtrak officials that are responsible for each asset category.

''(4) EVALUATION OF NATIONAL ASSETS COSTS.—The Secretary shall—

''(A) evaluate the costs and scope of all national assets; and

''(B) determine the activities and costs that are—

''(i) required in order to ensure the efficient operations of a national rail passenger system;

''(ii) appropriate for allocation to 1 of the other Amtrak business lines; and

''(iii) extraneous to providing an efficient national rail passenger system or are too costly relative to the benefits or performance outcomes they provide.

''(5) DEFINITION OF NATIONAL ASSETS.—In this section, the term 'national assets' means the Nation's core rail assets shared among Amtrak services, including national reservations, security, training and training centers, and other assets associated with Amtrak's national rail passenger transportation system.

''(6) RESTRUCTURING OF NATIONAL ASSETS.—Not later than 1 year after the date of completion of the evaluation under paragraph (4), the Administrator of the Federal Railroad Administration, in consultation with the Amtrak Board of Directors, the governors of each relevant State, and the Mayor of the District of Columbia, or their designees, shall restructure or reallocate, or both, the national assets costs in accordance with the determination under that section, including making appropriate updates to Amtrak's cost accounting methodology and system.

''(7) EXEMPTION.—

''(A) IN GENERAL.—Upon written request from the Amtrak Board of Directors, the Secretary may exempt Amtrak from including in a plan required under this subsection any information described in paragraphs (1) and (2).

''(B) PUBLIC AVAILABILITY.—The Secretary shall make available to the public on the Department's Internet Web site any exemption granted under subparagraph (A) and a detailed justification for granting such exemption.

''(C) INCLUSION IN PLAN.—Amtrak shall include in the plan required under this subsection any request granted under subparagraph (A) and justification under subparagraph (B).

''(d) STANDARDS TO PROMOTE FINANCIAL STABILITY.—In preparing plans under this section, Amtrak shall—

''(1) apply sound budgetary practices, including reducing costs and other expenditures, improving productivity, increasing revenues, or combinations of such practices; and

''(2) use the categories specified in the financial accounting and reporting system developed under section 203 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).''.

(b) EFFECTIVE DATES.—The requirement for Amtrak to submit 5-year business line plans under section 24320(a)(1) of title 49, United States Code, shall take effect on February 15, 2017, the due date of the first business line plans. The requirement for Amtrak to submit 5-year asset plans under section 24320(a)(1) of such title shall take effect on February 15, 2019, the due date of the first asset plans.

(c) CONFORMING AMENDMENTS.—The table of contents for chapter 243 of title 49, United States Code, is amended by adding at the end the following:

''24320. Amtrak 5-year business line and asset plans.''.

(d) REPEAL OF 5-YEAR FINANCIAL PLAN.—Section 204 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note), and the item relating to that section in the table of contents of that Act, are repealed.

SEC. 11204. STATE-SUPPORTED ROUTE COMMITTEE.

(a) AMENDMENT.—Chapter 247 of title 49, United States Code, is amended by adding at the end the following:

''§ 24712. State-supported routes operated by Amtrak

''(a) STATE-SUPPORTED ROUTE COMMITTEE.—

''(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary of Transportation shall establish the State-Supported Route Committee (referred to in this section as the 'Committee') to promote mutual cooperation and planning pertaining to the rail operations of Amtrak and related activities of trains operated by Amtrak on State-supported routes and to further implement section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The Committee shall consist of—

''(i) members representing Amtrak;

''(ii) members representing the Department of Transportation, including the Federal Railroad Administration; and

''(iii) members representing States.

''(B) NON-VOTING MEMBERS.—The Committee may invite and accept other non-voting members to participate in Committee activities, as appropriate.

''(3) DECISIONMAKING.—The Committee shall establish a bloc voting system under which, at a minimum—

''(A) there are 3 separate voting blocs to represent the Committee's voting members, including—

''(i) 1 voting bloc to represent the members described in paragraph (2)(A)(i);

''(ii) 1 voting bloc to represent the members described in paragraph (2)(A)(ii); and

''(iii) 1 voting bloc to represent the members described in paragraph (2)(A)(iii);

''(B) each voting bloc has 1 vote;

''(C) the vote of the voting bloc representing the members described in paragraph (2)(A)(iii) requires the support of at least two-thirds of that voting bloc's members; and

''(D) the Committee makes decisions by unanimous consent of the 3 voting blocs.

''(4) MEETINGS; RULES AND PROCEDURES.—The Committee shall convene a meeting and shall define and implement the rules and procedures governing the Committee's proceedings not later than 180 days after the date of establishment of the Committee by the Secretary. The rules and procedures shall—

''(A) incorporate and further describe the decisionmaking procedures to be used in accordance with paragraph (3); and

''(B) be adopted in accordance with such decisionmaking procedures.

''(5) COMMITTEE DECISIONS.—Decisions made by the Committee in accordance with the Committee's rules and procedures, once established, are binding on all Committee members.

''(6) COST ALLOCATION METHODOLOGY.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Committee may amend the cost allocation methodology required and previously approved under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(B) PROCEDURES FOR CHANGING METHODOLOGY.—The rules and procedures implemented under paragraph (4) shall include procedures for changing the cost allocation methodology.

''(C) REQUIREMENTS.—The cost allocation methodology shall—

''(i) ensure equal treatment in the provision of like services of all States and groups of States; and

''(ii) allocate to each route the costs incurred only for the benefit of that route and a proportionate share, based upon factors that reasonably reflect relative use, of costs incurred for the common benefit of more than 1 route.

''(b) INVOICES AND REPORTS.—Not later than April 15, 2016, and monthly thereafter, Amtrak shall provide to each State that sponsors a State-supported route a monthly invoice of the cost of operating such route, including fixed costs and third-party costs. The Committee shall determine the frequency and contents of financial and performance reports that Amtrak shall provide to the States, as well as the planning and demand reports that the States shall provide to Amtrak.

''(c) DISPUTE RESOLUTION.—

''(1) REQUEST FOR DISPUTE RESOLUTION.—If a dispute arises with respect to the rules and procedures implemented under subsection (a)(4), an invoice or a report provided under subsection (b), implementation or compliance with the cost allocation methodology developed under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) or amended under subsection (a)(6) of this section, either Amtrak or the State may request that the Surface Transportation Board conduct dispute resolution under this subsection.

''(2) PROCEDURES.—The Surface Transportation Board shall establish procedures for resolution of disputes brought before it under this subsection, which may include provision of professional mediation services.

''(3) BINDING EFFECT.—A decision of the Surface Transportation Board under this subsection shall be binding on the parties to the dispute.

''(4) OBLIGATION.—Nothing in this subsection shall affect the obligation of a State to pay an amount not in dispute.

''(d) ASSISTANCE.—

''(1) IN GENERAL.—The Secretary may provide assistance to the parties in the course of negotiations for a contract for operation of a State-supported route.

''(2) FINANCIAL ASSISTANCE.—From among available funds, the Secretary shall provide—

''(A) financial assistance to Amtrak or 1 or more States to perform requested independent technical analysis of issues before the Committee; and

''(B) administrative expenses that the Secretary determines necessary.

''(e) PERFORMANCE METRICS.—In negotiating a contract for operation of a State-supported route, Amtrak and the State or States that sponsor the route shall consider including provisions that provide penalties and incentives for performance.

''(f) STATEMENT OF GOALS AND OBJECTIVES.—

''(1) IN GENERAL.—The Committee shall develop a statement of goals, objectives, and associated recommendations concerning the future of State-supported routes operated by Amtrak. The statement shall identify the roles and responsibilities of Committee members and any other relevant entities, such as host railroads, in meeting the identified goals and objectives, or carrying out the recommendations. The Committee may consult with such relevant entities, as the Committee considers appropriate, when developing the statement.

''(2) TRANSMISSION OF STATEMENT OF GOALS AND OBJECTIVES.—Not later than 2 years after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Committee shall transmit the statement developed under paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(g) RULE OF CONSTRUCTION.—The decisions of the Committee—

''(1) shall pertain to the rail operations of Amtrak and related activities of trains operated by Amtrak on State-sponsored routes; and

''(2) shall not pertain to the rail operations or related activities of services operated by other rail carriers on State-supported routes.

''(h) DEFINITION OF STATE.—In this section, the term 'State' means any of the 50 States, including the District of Columbia, that sponsor the operation of trains by Amtrak on a State-supported route, or a public entity that sponsors such operation on such a route.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for chapter 247 of title 49, United States Code, is amended by adding at the end the following:

''24712. State-supported routes operated by Amtrak.''.

(2) PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT.—Section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended—

(A) by striking subsection (b); and

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

SEC. 11205. COMPOSITION OF AMTRAK'S BOARD OF DIRECTORS.

Section 24302 of title 49, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking ''9 directors'' and inserting ''10 directors'';

(B) in subparagraph (B) by inserting '', who shall serve as a nonvoting member of the Board'' after ''Amtrak''; and

(C) in subparagraph (C) by striking ''7'' and inserting ''8''; and

(2) in subsection (e), by inserting ''who are eligible to vote'' after ''serving''.

SEC. 11206. ROUTE AND SERVICE PLANNING DECISIONS.

Section 208 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended to read as follows:

''SEC. 208. METHODOLOGIES FOR AMTRAK ROUTE AND SERVICE PLANNING DECISIONS.

''(a) METHODOLOGY DEVELOPMENT.—Not later than 180 days after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, Amtrak shall obtain the services of an independent entity to develop and recommend objective methodologies for Amtrak to use in determining what intercity rail passenger transportation routes and services it should provide, including the establishment of new routes, the elimination of existing routes, and the contraction or expansion of services or frequencies over such routes.

''(b) CONSIDERATIONS.—Amtrak shall require the independent entity, in developing the methodologies described in subsection (a), to consider—

''(1) the current and expected performance and service quality of intercity rail passenger transportation operations, including cost recovery, on-time performance, ridership, on-board services, stations, facilities, equipment, and other services;

''(2) the connectivity of a route with other routes;

''(3) the transportation needs of communities and populations that are not well served by intercity rail passenger transportation service or by other forms of intercity transportation;

''(4) the methodologies of Amtrak and major intercity rail passenger transportation service providers in other countries for determining intercity passenger rail routes and services;

''(5) the financial and operational effects on the overall network, including the effects on direct and indirect costs;

''(6) the views of States, rail carriers that own infrastructure over which Amtrak operates, Interstate Compacts established by Congress and States, Amtrak employee representatives, stakeholder organizations, and other interested parties; and

''(7) the funding levels that will be available under authorization levels that have been enacted into law.

''(c) RECOMMENDATIONS.—Not later than 1 year after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the recommendations developed by the independent entity under subsection (a).

''(d) CONSIDERATION OF RECOMMENDATIONS.—Not later than 90 days after the date on which the recommendations are transmitted under subsection (c), the Amtrak Board of Directors shall consider the adoption of each recommendation and transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report explaining the reasons for adopting or not adopting each recommendation.''.

SEC. 11207. FOOD AND BEVERAGE REFORM.

(a) AMENDMENT.—Chapter 243 of title 49, United States Code, is further amended by adding at the end the following new section:

''§ 24321. Food and beverage reform

''(a) PLAN.—Not later than 90 days after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, Amtrak shall develop and begin implementing a plan to eliminate, within 5 years of such date of enactment, the operating loss associated with providing food and beverage service on board Amtrak trains.

''(b) CONSIDERATIONS.—In developing and implementing the plan, Amtrak shall consider a combination of cost management and revenue generation initiatives, including—

''(1) scheduling optimization;

''(2) on-board logistics;

''(3) product development and supply chain efficiency;

''(4) training, awards, and accountability;

''(5) technology enhancements and process improvements; and

''(6) ticket revenue allocation.

''(c) SAVINGS CLAUSE.—Amtrak shall ensure that no Amtrak employee holding a position as of the date of enactment of the Passenger Rail Reform and Investment Act of 2015 is involuntarily separated because of—

''(1) the development and implementation of the plan required under subsection (a); or

''(2) any other action taken by Amtrak to implement this section.

''(d) NO FEDERAL FUNDING FOR OPERATING LOSSES.—Beginning on the date that is 5 years after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, no Federal funds may be used to cover any operating loss associated with providing food and beverage service on a route operated by Amtrak or a rail carrier that operates a route in lieu of Amtrak pursuant to section 24711.

''(e) REPORT.—Not later than 120 days after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, and annually thereafter for 5 years, Amtrak shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the plan developed pursuant to subsection (a) and a description of progress in the implementation of the plan.''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 243 of title 49, United States Code, is further amended by adding at the end the following new item:

''24321. Food and beverage reform.''.

SEC. 11208. ROLLING STOCK PURCHASES.

(a) AMENDMENT.—Chapter 243 of title 49, United States Code, is further amended by adding at the end the following new section:

''§ 24322. Rolling stock purchases

''(a) IN GENERAL.—Prior to entering into any contract in excess of $100,000,000 for rolling stock and locomotive procurements Amtrak shall submit a business case analysis to the Secretary of Transportation, the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, on the utility of such procurements.

''(b) CONTENTS.—The business case analysis shall—

''(1) include a cost and benefit comparison that describes the total lifecycle costs and the anticipated benefits related to revenue, operational efficiency, reliability, and other factors;

''(2) set forth the total payments by fiscal year;

''(3) identify the specific source and amounts of funding for each payment, including Federal funds, State funds, Amtrak profits, Federal, State, or private loans or loan guarantees, and other funding;

''(4) include an explanation of whether any payment under the contract will increase Amtrak's funding request in its general and legislative annual report required under section 24315(b) in a particular fiscal year; and

''(5) describe how Amtrak will adjust the procurement if future funding is not available.

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as requiring Amtrak to disclose confidential information regarding a potential vendor's proposed pricing or other sensitive business information prior to contract execution or prohibiting Amtrak from entering into a contract after submission of a business case analysis under subsection (a).''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 243 of title 49, United States Code, is further amended by adding at the end the following new item:

''24322. Rolling stock purchases.''.

SEC. 11209. LOCAL PRODUCTS AND PROMOTIONAL EVENTS.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, Amtrak shall establish a pilot program for a State or States that sponsor a State-supported route operated by Amtrak to facilitate—

(1) onboard purchase and sale of local food and beverage products; and

(2) partnerships with local entities to hold promotional events on trains or in stations.

(b) PROGRAM DESIGN.—The pilot program under paragraph (1) shall—

(1) allow a State or States to nominate and select a local food and beverage products supplier or suppliers or local promotional event partner;

(2) allow a State or States to charge a reasonable price or fee for local food and beverage products or promotional events and related activities to help defray the costs of program administration and State-supported routes; and

(3) provide a mechanism to ensure that State products can effectively be handled and integrated into existing food and beverage services, including compliance with all applicable regulations and standards governing such services.

(c) PROGRAM ADMINISTRATION.—The pilot program shall—

(1) for local food and beverage products, ensure the products are integrated into existing food and beverage services, including compliance with all applicable regulations and standards;

(2) for promotional events, ensure the events are held in compliance with all applicable regulations and standards, including terms to address insurance requirements; and

(3) require an annual report that documents revenues and costs and indicates whether the products or events resulted in a reduction in the financial contribution of a State or States to the applicable State-supported route.

(d) REPORT.—Not later than 4 years after the date of enactment of this Act, Amtrak shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on which States have participated in the pilot programs under this section. The report shall summarize the financial and operational outcomes of the pilot programs and include any plan for future action.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting Amtrak's ability to operate special trains in accordance with section 216 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24308 note).

SEC. 11210. AMTRAK PILOT PROGRAM FOR PASSENGERS TRANSPORTING DOMESTICATED CATS AND DOGS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, Amtrak shall develop a pilot program that allows passengers to transport domesticated cats or dogs on certain trains operated by Amtrak.

(b) PET POLICY.—In developing the pilot program required under subsection (a), Amtrak shall—

(1) in the case of a passenger train that is comprised of more than 1 car, designate, where feasible, at least 1 car in which a ticketed passenger may transport a domesticated cat or dog in the same manner as carry-on baggage if—

(A) the cat or dog is contained in a pet kennel;

(B) the pet kennel complies with Amtrak size requirements for carriage of carry-on baggage;

(C) the passenger is traveling on a train operating on a route described in subparagraph (A), (B), or (D) of section 24102(7) of title 49, United States Code; and

(D) the passenger pays a fee described in paragraph (3);

(2) allow a ticketed passenger to transport a domesticated cat or dog on a train in the same manner as cargo if—

(A) the cat or dog is contained in a pet kennel;

(B) the pet kennel complies with Amtrak size requirements for carriage of carry-on baggage;

(C) the passenger is traveling on a train operating on a route described in subparagraph (A), (B), or (D) of section 24102(7) of title 49, United States Code;

(D) the cargo area is temperature controlled in a manner protective of cat and dog safety and health; and

(E) the passenger pays a fee described in paragraph (3); and

(3) collect fees for each cat or dog transported by a ticketed passenger in an amount that, in the aggregate and at a minimum, covers the full costs of the pilot program.

(c) REPORT.—Not later than 1 year after the pilot program required under subsection (a) is first implemented, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing an evaluation of the pilot program.

(d) LIMITATION ON STATUTORY CONSTRUCTION.—

(1) SERVICE ANIMALS.—The pilot program under subsection (a) shall be separate from and in addition to the policy governing Amtrak passengers traveling with service animals. Nothing in this section may be interpreted to limit or waive the rights of passengers to transport service animals.

(2) ADDITIONAL TRAIN CARS.—Nothing in this section may be interpreted to require Amtrak to

add additional train cars or modify existing train cars.

(3) FEDERAL FUNDS.—No Federal funds may be used to implement the pilot program required under this section.

SEC. 11211. RIGHT-OF-WAY LEVERAGING.

(a) REQUEST FOR PROPOSALS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, Amtrak shall issue a Request for Proposals seeking qualified persons or entities to utilize right-of-way and real estate owned, controlled, or managed by Amtrak for telecommunications systems, energy distribution systems, and other activities considered appropriate by Amtrak.

(2) CONTENTS.—The Request for Proposals shall provide sufficient information on the right-of-way and real estate assets to enable respondents to propose an arrangement that will monetize or generate additional revenue from such assets through revenue sharing or leasing agreements with Amtrak, to the extent possible.

(3) DEADLINE.—Amtrak shall set a deadline for the submission of proposals that is not later than 1 year after the issuance of the Request for Proposals under paragraph (1).

(b) CONSIDERATION OF PROPOSALS.—Not later than 180 days after the deadline for the receipt of proposals under subsection (a), the Amtrak Board of Directors shall review and consider each qualified proposal. Amtrak may enter into such agreements as are necessary to implement any qualified proposal.

(c) REPORT.—Not later than 1 year after the deadline for the receipt of proposals under subsection (a), Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Request for Proposals required by this section, including summary information of any proposals submitted to Amtrak and any proposals accepted by the Amtrak Board of Directors.

(d) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit Amtrak's ability to utilize right-of-way or real estate assets that it currently owns, controls, or manages or constrain Amtrak's ability to enter into agreements with other parties to utilize such assets.

SEC. 11212. STATION DEVELOPMENT.

(a) REPORT ON DEVELOPMENT OPTIONS.—Not later than 1 year after the date of enactment of this Act, Amtrak shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) options to enhance economic development and accessibility of and around Amtrak stations and terminals, for the purposes of—

(A) improving station condition, functionality, capacity, and customer amenities;

(B) generating additional investment capital and development-related revenue streams;

(C) increasing ridership and revenue; and

(D) strengthening multimodal connections, including transit, intercity buses, roll-on and roll-off bicycles, and airports, as appropriate; and

(2) options for additional Amtrak stops that would have a positive incremental financial impact to Amtrak, based on Amtrak feasibility studies that demonstrate a financial benefit to Amtrak by generating additional revenue that exceeds any incremental costs.

(b) REQUEST FOR INFORMATION.—Not later than 90 days after the date the report is submitted under subsection (a), Amtrak shall issue a Request for Information for 1 or more owners of stations served by Amtrak to formally express an interest in completing the requirements of this section.

(c) PROPOSALS.—

(1) REQUEST FOR PROPOSALS.—Not later than 180 days after the date the Request for Information is issued under subsection (b), Amtrak shall issue a Request for Proposals from qualified persons, including small business concerns owned and controlled by socially and economically disadvantaged individuals and veteran-owned small businesses, to lead, participate, or partner with Amtrak, a station owner that responded under subsection (b), and other entities in enhancing development in and around such stations and terminals using applicable options identified under subsection (a) at facilities selected by Amtrak.

(2) CONSIDERATION OF PROPOSALS.—Not later than 1 year after the date the Request for Proposals is issued under paragraph (1), the Amtrak Board of Directors shall review and consider qualified proposals submitted under paragraph (1). Amtrak or a station owner that responded under subsection (b) may enter into such agreements as are necessary to implement any qualified proposal.

(d) REPORT.—Not later than 4 years after the date of enactment of this Act, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Request for Proposals process required under this section, including summary information of any qualified proposals submitted to Amtrak and any proposals acted upon by Amtrak or a station owner that responded under subsection (b).

(e) DEFINITIONS.—In this section, the terms ''small business concern'', ''socially and economically disadvantaged individual'', and ''veteran-owned small business'' have the meanings given the terms in section 11310(c) of this Act.

(f) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit Amtrak's ability to develop its stations, terminals, or other assets, to constrain Amtrak's ability to enter into and carry out agreements with other parties to enhance development at or around Amtrak stations or terminals, or to affect any station development initiatives ongoing as of the date of enactment of this Act.

SEC. 11213. AMTRAK BOARDING PROCEDURES.

(a) REPORT.—Not later than 9 months after the date of enactment of this Act, the Amtrak Office of Inspector General shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that—

(1) evaluates Amtrak's boarding procedures for passengers, including passengers using or transporting nonmotorized transportation, such as bicycles, at its 15 stations through which the most people pass;

(2) compares Amtrak's boarding procedures to—

(A) boarding procedures of providers of commuter railroad passenger transportation at stations shared with Amtrak;

(B) international intercity passenger rail boarding procedures; and

(C) fixed guideway transit boarding procedures; and

(3) makes recommendations, as appropriate, to improve Amtrak's boarding procedures, including recommendations regarding the queuing of passengers and free-flow of all station users and facility improvements needed to achieve the recommendations.

(b) CONSIDERATION OF RECOMMENDATIONS.—Not later than 6 months after the report is submitted under subsection (a), the Amtrak Board of Directors shall consider each recommendation provided under subsection (a)(3) for implementation at appropriate locations across the Amtrak system.

SEC. 11214. AMTRAK DEBT.

Section 205 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended—

(1) by striking ''as of the date of enactment of this Act'' each place it appears;

(2) in subsection (a)—

(A) by inserting '', to the extent provided in advance in appropriations Acts'' after ''Amtrak's indebtedness''; and

(B) by striking the second sentence;

(3) in subsection (b) by striking ''The Secretary of the Treasury, in consultation'' and inserting ''To the extent amounts are provided in advance in appropriations Acts, the Secretary of the Treasury, in consultation'';

(4) in subsection (d), by inserting '', to the extent provided in advance in appropriations Acts'' after ''as appropriate'';

(5) in subsection (e)—

(A) in paragraph (1) by striking ''by section 102 of this division''; and

(B) in paragraph (2) by striking ''by section 102'' and inserting ''for Amtrak'';

(6) in subsection (g) by inserting '', unless that debt receives credit assistance, including direct loans and loan guarantees, under chapter 6 of title 23, United States Code or title V of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 821 et seq.)'' after ''Secretary''; and

(7) by striking subsection (h).

SEC. 11215. ELIMINATION OF DUPLICATIVE REPORTING.

Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(1) review existing Amtrak reporting requirements and identify where the existing requirements are duplicative with the business line and asset plans required by section 24320 of title 49, United States Code, or any other planning or reporting requirements under Federal law or regulation;

(2) if the duplicative requirements identified under paragraph (1) are administrative, eliminate such requirements; and

(3) submit to Congress a report with any recommendations for repealing any other duplicative requirements.

Subtitle C—Intercity Passenger Rail Policy

SEC. 11301. CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS.

(a) IN GENERAL.—Chapter 244 of title 49, United States Code, is amended by adding at the end the following:

''§ 24407. Consolidated rail infrastructure and safety improvements

''(a) GENERAL AUTHORITY.—The Secretary may make grants under this section to an eligible recipient to assist in financing the cost of improving passenger and freight rail transportation systems in terms of safety, efficiency, or reliability.

''(b) ELIGIBLE RECIPIENTS.—The following entities are eligible to receive a grant under this section:

''(1) A State.

''(2) A group of States.

''(3) An Interstate Compact.

''(4) A public agency or publicly chartered authority established by 1 or more States.

''(5) A political subdivision of a State.

''(6) Amtrak or another rail carrier that provides intercity rail passenger transportation (as defined in section 24102).

''(7) A Class II railroad or Class III railroad (as those terms are defined in section 20102).

''(8) Any rail carrier or rail equipment manufacturer in partnership with at least 1 of the entities described in paragraphs (1) through (5).

''(9) The Transportation Research Board and any entity with which it contracts in the development of rail-related research, including cooperative research programs.

''(10) A University transportation center engaged in rail-related research.

''(11) A non-profit labor organization representing a class or craft of employees of rail carriers or rail carrier contractors.

''(c) ELIGIBLE PROJECTS.—The following projects are eligible to receive grants under this section:

''(1) Deployment of railroad safety technology, including positive train control and rail integrity inspection systems.

''(2) A capital project as defined in section 24401(2), except that a project shall not be required to be in a State rail plan developed under chapter 227.

''(3) A capital project identified by the Secretary as being necessary to address congestion challenges affecting rail service.

''(4) A capital project identified by the Secretary as being necessary to reduce congestion and facilitate ridership growth in intercity passenger rail transportation along heavily traveled rail corridors.

''(5) A highway-rail grade crossing improvement project, including installation, repair, or improvement of grade separations, railroad crossing signals, gates, and related technologies, highway traffic signalization, highway lighting and crossing approach signage, roadway improvements such as medians or other barriers, railroad crossing panels and surfaces, and safety engineering improvements to reduce risk in quiet zones or potential quiet zones.

''(6) A rail line relocation and improvement project.

''(7) A capital project to improve short-line or regional railroad infrastructure.

''(8) The preparation of regional rail and corridor service development plans and corresponding environmental analyses.

''(9) Any project that the Secretary considers necessary to enhance multimodal connections or facilitate service integration between rail service and other modes, including between intercity rail passenger transportation and intercity bus service or commercial air service.

''(10) The development and implementation of a safety program or institute designed to improve rail safety.

''(11) Any research that the Secretary considers necessary to advance any particular aspect of rail-related capital, operations, or safety improvements.

''(12) Workforce development and training activities, coordinated to the extent practicable with the existing local training programs supported by the Department of Transportation, the Department of Labor, and the Department of Education.

''(d) APPLICATION PROCESS.—The Secretary shall prescribe the form and manner of filing an application under this section.

''(e) PROJECT SELECTION CRITERIA.—

''(1) IN GENERAL.—In selecting a recipient of a grant for an eligible project, the Secretary shall—

''(A) give preference to a proposed project for which the proposed Federal share of total project costs does not exceed 50 percent; and

''(B) after factoring in preference to projects under subparagraph (A), select projects that will maximize the net benefits of the funds appropriated for use under this section, considering the cost-benefit analysis of the proposed project, including anticipated private and public benefits relative to the costs of the proposed project and factoring in the other considerations described in paragraph (2).

''(2) OTHER CONSIDERATIONS.—The Secretary shall also consider the following:

''(A) The degree to which the proposed project's business plan considers potential private sector participation in the financing, construction, or operation of the project.

''(B) The recipient's past performance in developing and delivering similar projects, and previous financial contributions.

''(C) Whether the recipient has or will have the legal, financial, and technical capacity to carry out the proposed project, satisfactory continuing control over the use of the equipment or facilities, and the capability and willingness to maintain the equipment or facilities.

''(D) If applicable, the consistency of the proposed project with planning guidance and documents set forth by the Secretary or required by law or State rail plans developed under chapter 227.

''(E) If applicable, any technical evaluation ratings the proposed project received under previous competitive grant programs administered by the Secretary.

''(F) Such other factors as the Secretary considers relevant to the successful delivery of the project.

''(3) BENEFITS.—The benefits described in paragraph (1)(B) may include the effects on system and service performance, including measures such as improved safety, competitiveness, reliability, trip or transit time, resilience, efficiencies from improved integration with other modes, the ability to meet existing or anticipated demand, and any other benefits.

''(f) PERFORMANCE MEASURES.—The Secretary shall establish performance measures for each grant recipient to assess progress in achieving strategic goals and objectives. The Secretary may require a grant recipient to periodically report information related to such performance measures.

''(g) RURAL AREAS.—

''(1) IN GENERAL.—Of the amounts appropriated under this section, at least 25 percent shall be available for projects in rural areas. The Secretary shall consider a project to be in a rural area if all or the majority of the project (determined by the geographic location or locations where the majority of the project funds will be spent) is located in a rural area.

''(2) DEFINITION OF RURAL AREA.—In this subsection, the term 'rural area' means any area not in an urbanized area, as defined by the Bureau of the Census.

''(h) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

''(1) TOTAL PROJECT COSTS.—The Secretary shall estimate the total costs of a project under this section based on the best available information, including any available engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

''(2) FEDERAL SHARE.—The Federal share of total project costs under this section shall not exceed 80 percent.

''(3) TREATMENT OF PASSENGER RAIL REVENUE.—If Amtrak or another rail carrier is an applicant under this section, Amtrak or the other rail carrier, as applicable, may use ticket and other revenues generated from its operations and other sources to satisfy the non-Federal share requirements.

''(i) APPLICABILITY.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements of this chapter.

''(j) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.

''(k) LIMITATION.—The requirements of sections 24402, 24403, and 24404 and the definition contained in 24401(1) shall not apply to this section.

''(l) SPECIAL TRANSPORTATION CIRCUMSTANCES.—

''(1) IN GENERAL.—In carrying out this chapter, the Secretary shall allocate an appropriate portion of the amounts available to programs in this chapter to provide grants to States—

''(A) in which there is no intercity passenger rail service, for the purpose of funding freight rail capital projects that are on a State rail plan developed under chapter 227 that provide public benefits (as defined in chapter 227), as determined by the Secretary; or

''(B) in which the rail transportation system is not physically connected to rail systems in the continental United States or may not otherwise qualify for a grant under this section due to the unique characteristics of the geography of that State or other relevant considerations, for the purpose of funding transportation-related capital projects.

''(2) DEFINITION.—For the purposes of this subsection, the term 'appropriate portion' means a share, for each State subject to paragraph (1), not less than the share of the total railroad route miles in such State of the total railroad route miles in the United States, excluding from all totals the route miles exclusively used for tourist, scenic, and excursion railroad operations.''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 244 of title 49, United States Code, is amended by adding after the item relating to section 24406 the following:

''24407. Consolidated rail infrastructure and safety improvements.''.

(c) REPEALS.—

(1) Sections 20154 and 20167 of chapter 201 of title 49, United States Code, and the items relating to such sections in the table of contents of such chapter, are repealed.

(2) Section 24105 of chapter 241 of title 49, United States Code, and the item relating to such section in the table of contents of such chapter, is repealed.

(3) Chapter 225 of title 49, United States Code, and the item relating to such chapter in the table of contents of subtitle V of such title, is repealed.

(4) Section 22108 of chapter 221 of title 49, United States Code, and the item relating to such section in the table of contents of such chapter, are repealed.

SEC. 11302. FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR.

(a) AMENDMENT.—Chapter 249 of title 49, United States Code, is amended by inserting after section 24910 the following:

''§ 24911. Federal-State partnership for state of good repair

''(a) DEFINITIONS.—In this section:

''(1) APPLICANT.—The term 'applicant' means—

''(A) a State (including the District of Columbia);

''(B) a group of States;

''(C) an Interstate Compact;

''(D) a public agency or publicly chartered authority established by 1 or more States;

''(E) a political subdivision of a State;

''(F) Amtrak, acting on its own behalf or under a cooperative agreement with 1 or more States; or

''(G) any combination of the entities described in subparagraphs (A) through (F).

''(2) CAPITAL PROJECT.—The term 'capital project' means—

''(A) a project primarily intended to replace, rehabilitate, or repair major infrastructure assets utilized for providing intercity rail passenger service, including tunnels, bridges, stations, and other assets, as determined by the Secretary; or

''(B) a project primarily intended to improve intercity passenger rail performance, including reduced trip times, increased train frequencies, higher operating speeds, and other improvements, as determined by the Secretary.

''(3) INTERCITY RAIL PASSENGER TRANSPORTATION.—The term 'intercity rail passenger transportation' has the meaning given the term in section 24102.

''(4) NORTHEAST CORRIDOR.—The term 'Northeast Corridor' means—

''(A) the main rail line between Boston, Massachusetts and the District of Columbia;

''(B) the branch rail lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York; and

''(C) facilities and services used to operate and maintain lines described in subparagraphs (A) and (B).

''(5) QUALIFIED RAILROAD ASSET.—The term 'qualified railroad asset' means infrastructure, equipment, or a facility that—

''(A) is owned or controlled by an eligible applicant;

''(B) is contained in the planning document developed under section 24904 and for which a cost-allocation policy has been developed under section 24905(c), or is contained in an equivalent planning document and for which a similar cost-allocation policy has been developed; and

''(C) was not in a state of good repair on the date of enactment of the Passenger Rail Reform and Investment Act of 2015.

''(b) GRANT PROGRAM AUTHORIZED.—The Secretary of Transportation shall develop and implement a program for issuing grants to applicants, on a competitive basis, to fund capital projects that reduce the state of good repair backlog with respect to qualified railroad assets.

''(c) ELIGIBLE PROJECTS.—Projects eligible for grants under this section include capital projects to replace or rehabilitate qualified railroad assets, including—

''(1) capital projects to replace existing assets in-kind;

''(2) capital projects to replace existing assets with assets that increase capacity or provide a higher level of service;

''(3) capital projects to ensure that service can be maintained while existing assets are brought to a state of good repair; and

''(4) capital projects to bring existing assets into a state of good repair.

''(d) PROJECT SELECTION CRITERIA.—In selecting an applicant for a grant under this section, the Secretary shall—

''(1) give preference to eligible projects for which—

''(A) Amtrak is not the sole applicant;

''(B) applications were submitted jointly by multiple applicants; and

''(C) the proposed Federal share of total project costs does not exceed 50 percent; and

''(2) take into account—

''(A) the cost-benefit analysis of the proposed project, including anticipated private and public benefits relative to the costs of the proposed project, including—

''(i) effects on system and service performance;

''(ii) effects on safety, competitiveness, reliability, trip or transit time, and resilience;

''(iii) efficiencies from improved integration with other modes; and

''(iv) ability to meet existing or anticipated demand;

''(B) the degree to which the proposed project's business plan considers potential private sector participation in the financing, construction, or operation of the proposed project;

''(C) the applicant's past performance in developing and delivering similar projects, and previous financial contributions;

''(D) whether the applicant has, or will have—

''(i) the legal, financial, and technical capacity to carry out the project;

''(ii) satisfactory continuing control over the use of the equipment or facilities; and

''(iii) the capability and willingness to maintain the equipment or facilities;

''(E) if applicable, the consistency of the project with planning guidance and documents set forth by the Secretary or required by law; and

''(F) any other relevant factors, as determined by the Secretary.

''(e) NORTHEAST CORRIDOR PROJECTS.—

''(1) COMPLIANCE WITH USAGE AGREEMENTS.—Grant funds may not be provided under this section to an eligible recipient for an eligible project located on the Northeast Corridor unless Amtrak and the public authorities providing commuter rail passenger transportation on the Northeast Corridor are in compliance with section 24905(c)(2).

''(2) CAPITAL INVESTMENT PLAN.—When selecting projects located on the Northeast Corridor, the Secretary shall consider the appropriate sequence and phasing of projects as contained in the Northeast Corridor capital investment plan developed pursuant to section 24904(a).

''(f) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

''(1) TOTAL PROJECT COST.—The Secretary shall estimate the total cost of a project under this section based on the best available information, including engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

''(2) FEDERAL SHARE.—The Federal share of total costs for a project under this section shall not exceed 80 percent.

''(3) TREATMENT OF AMTRAK REVENUE.—If Amtrak is an applicant under this section, Amtrak may use ticket and other revenues generated from its operations and other sources to satisfy the non-Federal share requirements.

''(g) LETTERS OF INTENT.—

''(1) IN GENERAL.—The Secretary shall, to the maximum extent practicable, issue a letter of intent to a grantee under this section that—

''(A) announces an intention to obligate, for a major capital project under this section, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the project; and

''(B) states that the contingent commitment—

''(i) is not an obligation of the Federal Government; and

''(ii) is subject to the availability of appropriations for grants under this section and subject to Federal laws in force or enacted after the date of the contingent commitment.

''(2) CONGRESSIONAL NOTIFICATION.—

''(A) IN GENERAL.—Not later than 30 days before issuing a letter under paragraph (1), the Secretary shall submit written notification to—

''(i) the Committee on Commerce, Science, and Transportation of the Senate;

''(ii) the Committee on Appropriations of the Senate;

''(iii) the Committee on Transportation and Infrastructure of the House of Representatives; and

''(iv) the Committee on Appropriations of the House of Representatives.

''(B) CONTENTS.—The notification submitted pursuant to subparagraph (A) shall include—

''(i) a copy of the proposed letter;

''(ii) the criteria used under subsection (d) for selecting the project for a grant award; and

''(iii) a description of how the project meets such criteria.

''(3) APPROPRIATIONS REQUIRED.—An obligation or administrative commitment may be made under this section only when amounts are appropriated for such purpose.

''(h) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.

''(i) GRANT CONDITIONS.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the grant conditions under section 24405.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 249 is amended by inserting after the item relating to section 24910 the following:

''24911. Federal-State partnership for state of good repair.''.

SEC. 11303. RESTORATION AND ENHANCEMENT GRANTS.

(a) IN GENERAL.—Chapter 244 of title 49, United States Code, is further amended by adding at the end the following:

''§ 24408. Restoration and enhancement grants

''(a) APPLICANT DEFINED.—Notwithstanding section 24401(1), in this section, the term 'applicant' means—

''(1) a State, including the District of Columbia;

''(2) a group of States;

''(3) an Interstate Compact;

''(4) a public agency or publicly chartered authority established by 1 or more States;

''(5) a political subdivision of a State;

''(6) Amtrak or another rail carrier that provides intercity rail passenger transportation;

''(7) Any rail carrier in partnership with at least 1 of the entities described in paragraphs (1) through (5); and

''(8) any combination of the entities described in paragraphs (1) through (7).

''(b) GRANTS AUTHORIZED.—The Secretary of Transportation shall develop and implement a program for issuing operating assistance grants to applicants, on a competitive basis, for the purpose of initiating, restoring, or enhancing intercity rail passenger transportation.

''(c) APPLICATION.—An applicant for a grant under this section shall submit to the Secretary—

''(1) a capital and mobilization plan that—

''(A) describes any capital investments, service planning actions (such as environmental reviews), and mobilization actions (such as qualification of train crews) required for initiation of intercity rail passenger transportation; and

''(B) includes the timeline for undertaking and completing each of the investments and actions referred to in subparagraph (A);

''(2) an operating plan that describes the planned operation of the service, including—

''(A) the identity and qualifications of the train operator;

''(B) the identity and qualifications of any other service providers;

''(C) service frequency;

''(D) the planned routes and schedules;

''(E) the station facilities that will be utilized;

''(F) projected ridership, revenues, and costs;

''(G) descriptions of how the projections under subparagraph (F) were developed;

''(H) the equipment that will be utilized, how such equipment will be acquired or refurbished, and where such equipment will be maintained; and

''(I) a plan for ensuring safe operations and compliance with applicable safety regulations;

''(3) a funding plan that—

''(A) describes the funding of initial capital costs and operating costs for the first 3 years of operation;

''(B) includes a commitment by the applicant to provide the funds described in subparagraph (A) to the extent not covered by Federal grants and revenues; and

''(C) describes the funding of operating costs and capital costs, to the extent necessary, after the first 3 years of operation; and

''(4) a description of the status of negotiations and agreements with—

''(A) each of the railroads or regional transportation authorities whose tracks or facilities would be utilized by the service;

''(B) the anticipated railroad carrier, if such entity is not part of the applicant group; and

''(C) any other service providers or entities expected to provide services or facilities that will be used by the service, including any required

access to Amtrak systems, stations, and facilities if Amtrak is not part of the applicant group.

''(d) PRIORITIES.—In awarding grants under this section, the Secretary shall give priority to applications—

''(1) for which planning, design, any environmental reviews, negotiation of agreements, acquisition of equipment, construction, and other actions necessary for initiation of service have been completed or nearly completed;

''(2) that would restore service over routes formerly operated by Amtrak, including routes described in section 11304 of the Passenger Rail Reform and Investment Act of 2015;

''(3) that would provide daily or daytime service over routes where such service did not previously exist;

''(4) that include funding (including funding from railroads), or other significant participation by State, local, and regional governmental and private entities;

''(5) that include a funding plan that demonstrates the intercity rail passenger service will be financially sustainable beyond the 3-year grant period;

''(6) that would provide service to regions and communities that are underserved or not served by other intercity public transportation;

''(7) that would foster economic development, particularly in rural communities and for disadvantaged populations;

''(8) that would provide other non-transportation benefits; and

''(9) that would enhance connectivity and geographic coverage of the existing national network of intercity rail passenger service.

''(e) LIMITATIONS.—

''(1) DURATION.—Federal operating assistance grants authorized under this section for any individual intercity rail passenger transportation route may not provide funding for more than 3 years and may not be renewed.

''(2) LIMITATION.—Not more than 6 of the operating assistance grants awarded pursuant to subsection (b) may be simultaneously active.

''(3) MAXIMUM FUNDING.—Grants described in paragraph (1) may not exceed—

''(A) 80 percent of the projected net operating costs for the first year of service;

''(B) 60 percent of the projected net operating costs for the second year of service; and

''(C) 40 percent of the projected net operating costs for the third year of service.

''(f) USE WITH CAPITAL GRANTS AND OTHER FEDERAL FUNDING.—A recipient of an operating assistance grant under subsection (b) may use that grant in combination with other Federal grants awarded that would benefit the applicable service.

''(g) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.

''(h) COORDINATION WITH AMTRAK.—If the Secretary awards a grant under this section to a rail carrier other than Amtrak, Amtrak may be required consistent with section 24711(c)(1) of this title to provide access to its reservation system, stations, and facilities that are directly related to operations to such carrier, to the extent necessary to carry out the purposes of this section. The Secretary may award an appropriate portion of the grant to Amtrak as compensation for this access.

''(i) CONDITIONS.—

''(1) GRANT AGREEMENT.—The Secretary shall require a grant recipient under this section to enter into a grant agreement that requires such recipient to provide similar information regarding the route performance, financial, and ridership projections, and capital and business plans that Amtrak is required to provide, and such other data and information as the Secretary considers necessary.

''(2) INSTALLMENTS; TERMINATION.—The Secretary may—

''(A) award grants under this section in installments, as the Secretary considers appropriate; and

''(B) terminate any grant agreement upon—

''(i) the cessation of service; or

''(ii) the violation of any other term of the grant agreement.

''(3) GRANT CONDITIONS.—The Secretary shall require each recipient of a grant under this section to comply with the grant requirements of section 24405.

''(j) REPORT.—Not later than 4 years after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary, after consultation with grant recipients under this section, shall submit to Congress a report that describes—

''(1) the implementation of this section;

''(2) the status of the investments and operations funded by such grants;

''(3) the performance of the routes funded by such grants;

''(4) the plans of grant recipients for continued operation and funding of such routes; and

''(5) any legislative recommendations.''.

(b) CONFORMING AMENDMENTS.—

(1) CHAPTER 244.—Chapter 244 of title 49, United States Code, is further amended—

(A) in the table of contents by adding at the end the following:

''24408. Restoration and enhancement grants.'';

*(B) in the chapter heading by striking ''**INTERCITY PASSENGER RAIL SERVICE CORRIDOR CAPITAL ASSISTANCE**'' and inserting ''**RAIL IMPROVEMENT GRANTS**'';*

(C) in section 24402 by striking subsection (j); and

(D) in section 24405—

(i) in subsection (b)(2) by striking ''(43'' and inserting ''(45'';

(ii) in subsection (c)(2)(B) by striking ''protective arrangements established'' and inserting ''protective arrangements that are equivalent to the protective arrangements established'';

(iii) in subsection (d)(1), in the matter preceding subparagraph (A), by inserting ''or unless Amtrak ceased providing intercity passenger railroad transportation over the affected route more than 3 years before the commencement of new service'' after ''unless such service was provided solely by Amtrak to another entity''; and

(iv) in subsection (f) by striking ''under this chapter for commuter rail passenger transportation, as defined in section 24102(4) of this title.'' and inserting ''under this chapter for commuter rail passenger transportation (as defined in section 24102(3)).''; and

(2) TABLE OF CHAPTERS AMENDMENT.—The item relating to chapter 244 in the table of chapters of subtitle V of title 49, United States Code, is amended by striking ''Intercity passenger rail service corridor capital assistance'' and inserting ''Rail improvement grants''.

SEC. 11304. GULF COAST RAIL SERVICE WORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall convene a working group to evaluate the restoration of intercity rail passenger service in the Gulf Coast region between New Orleans, Louisiana, and Orlando, Florida.

(b) MEMBERSHIP.—The working group convened pursuant to subsection (a) shall consist of representatives of—

(1) the Federal Railroad Administration, which shall serve as chair of the working group;

(2) Amtrak;

(3) the States along the proposed route or routes;

(4) regional transportation planning organizations and metropolitan planning organizations, municipalities, and communities along the proposed route or routes, which shall be selected by the Administrator;

(5) the Southern Rail Commission;

(6) railroad carriers whose tracks may be used for such service; and

(7) other entities determined appropriate by the Secretary, which may include other railroad carriers that express an interest in Gulf Coast service.

(c) RESPONSIBILITIES.—The working group shall—

(1) evaluate all options for restoring intercity rail passenger service in the Gulf Coast region, including options outlined in the report transmitted to Congress pursuant to section 226 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432);

(2) select a preferred option for restoring such service;

(3) develop a prioritized inventory of capital projects and other actions required to restore such service and cost estimates for such projects or actions; and

(4) identify Federal and non-Federal funding sources required to restore such service, including options for entering into public-private partnerships to restore such service.

(d) REPORT.—Not later than 9 months after the date of enactment of this Act, the working group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

(1) the preferred option selected under subsection (c)(2) and the reasons for selecting such option;

(2) the information described in subsection (c)(3);

(3) the funding sources identified under subsection (c)(4);

(4) the costs and benefits of restoring intercity rail passenger transportation in the region; and

(5) any other information the working group determines appropriate.

(e) FUNDING.—From funds made available under section 11101(d), the Secretary shall provide—

(1) financial assistance to the working group to perform requested independent technical analysis of issues before the working group; and

(2) administrative expenses that the Secretary determines necessary.

SEC. 11305. NORTHEAST CORRIDOR COMMISSION.

(a) COMPOSITION.—Section 24905(a) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A) by inserting '', infrastructure investments,'' after ''rail operations'';

(B) by striking subparagraph (B) and inserting the following:

''(B) members representing the Department of Transportation, including the Office of the Secretary, the Federal Railroad Administration, and the Federal Transit Administration;''; and

(C) in subparagraph (D) by inserting ''and commuter'' after ''freight''; and

(2) by amending paragraph (6) to read as follows:

''(6) The members of the Commission shall elect co-chairs consisting of 1 member described in paragraph (1)(B) and 1 member described in paragraph (1)(C).''.

(b) STATEMENT OF GOALS AND RECOMMENDATIONS.—Section 24905(b) of title 49, United States Code, is amended—

(1) in paragraph (1) by inserting ''and periodically update'' after ''develop'';

(2) in paragraph (2)(A) by striking ''beyond those specified in the state-of-good-repair plan under section 211 of the Passenger Rail Investment and Improvement Act of 2008''; and

(3) by adding at the end the following:

''(3) SUBMISSION OF STATEMENT OF GOALS, RECOMMENDATIONS, AND PERFORMANCE REPORTS.—The Commission shall submit to the

Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

''(A) any updates made to the statement of goals developed under paragraph (1) not later than 60 days after such updates are made; and

''(B) annual performance reports and recommendations for improvements, as appropriate, issued not later than March 31 of each year, for the prior fiscal year, which summarize—

''(i) the operations and performance of commuter, intercity, and freight rail transportation along the Northeast Corridor; and

''(ii) the delivery of the capital investment plan described in section 24904.''.

(c) COST ALLOCATION POLICY.—Section 24905(c) of title 49, United States Code, is amended—

(1) in the subsection heading by striking ''ACCESS COSTS'' and inserting ''ALLOCATION OF COSTS'';

(2) in paragraph (1)—

(A) in the paragraph heading by striking ''FORMULA'' and inserting ''POLICY'';

(B) in the matter preceding subparagraph (A) by striking ''Within 2 years after the date of enactment of the Passenger Rail Investment and Improvement Act of 2008, the Commission'' and inserting ''The Commission'';

(C) in subparagraph (A) by striking ''formula'' and inserting ''policy''; and

(D) by striking subparagraphs (B) through (D) and inserting the following:

''(B) develop a proposed timetable for implementing the policy;

''(C) submit the policy and the timetable developed under subparagraph (B) to the Surface Transportation Board, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives;

''(D) not later than October 1, 2015, adopt and implement the policy in accordance with the timetable; and

''(E) with the consent of a majority of its members, petition the Surface Transportation Board to appoint a mediator to assist the Commission members through nonbinding mediation to reach an agreement under this section.'';

(3) in paragraph (2)—

(A) by striking ''formula proposed in'' and inserting ''policy developed under''; and

(B) in the second sentence—

(i) by striking ''the timetable, the Commission shall petition the Surface Transportation Board to'' and inserting ''paragraph (1)(D) or fail to comply with the policy thereafter, the Surface Transportation Board shall''; and

(ii) by striking ''amounts for such services in accordance with section 24904(c) of this title'' and inserting ''for such usage in accordance with the procedures and procedural schedule applicable to a proceeding under section 24903(c), after taking into consideration the policy developed under paragraph (1)(A), as applicable'';

(4) in paragraph (3), by striking ''formula'' and inserting ''policy''; and

(5) by adding at the end the following:

''(4) REQUEST FOR DISPUTE RESOLUTION.—If a dispute arises with the implementation of, or compliance with, the policy developed under paragraph (1), the Commission, Amtrak, or public authorities providing commuter rail passenger transportation on the Northeast Corridor may request that the Surface Transportation Board conduct dispute resolution. The Surface Transportation Board shall establish procedures for resolution of disputes brought before it under this paragraph, which may include the provision of professional mediation services.''.

(d) CONFORMING AMENDMENTS.—

(1) TITLE 49.—Section 24905 of title 49, United States Code, is amended—

*(A) in the section heading by striking ''**INFRASTRUCTURE AND OPERATIONS ADVISORY**'';*

(B) in subsection (a)—

(i) in the heading by striking ''INFRASTRUCTURE AND OPERATIONS ADVISORY''; and

(ii) by striking ''Infrastructure and Operations Advisory'';

(C) by striking subsection (d);

(D) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively;

(E) in subsection (d), as so redesignated—

(i) by striking ''to the Commission'' and inserting ''to the Secretary for the use of the Commission and the Northeast Corridor Safety Committee''; and

(ii) by striking ''for the period encompassing fiscal years 2009 through 2013 to carry out this section'' and inserting ''to carry out this section during fiscal years 2016 through 2020, in addition to any amounts withheld under section 11101(g) of the Passenger Rail Reform and Investment Act of 2015''; and

(F) in subsection (e)(2), as so redesignated, by striking ''on the main line.'' and inserting ''on the main line and meet annually with the Commission on the topic of Northeast Corridor safety and security.''.

(2) TABLE OF CONTENTS.—The table of contents for chapter 249 of title 49, United States Code, is amended by striking the item relating to section 24905 and inserting the following:

''24905. Northeast Corridor Commission.''.

SEC. 11306. NORTHEAST CORRIDOR PLANNING.

(a) AMENDMENT.—Chapter 249 of title 49, United States Code, is amended—

(1) by redesignating section 24904 as section 24903; and

(2) by inserting after section 24903, as so redesignated, the following:

''§ 24904. Northeast Corridor planning

''(a) NORTHEAST CORRIDOR CAPITAL INVESTMENT PLAN.—

''(1) REQUIREMENT.—Not later than May 1 of each year, the Northeast Corridor Commission established under section 24905 (referred to in this section as the 'Commission') shall—

''(A) develop a capital investment plan for the Northeast Corridor; and

''(B) submit the capital investment plan to the Secretary of Transportation and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(2) CONTENTS.—The capital investment plan shall—

''(A) reflect coordination and network optimization across the entire Northeast Corridor;

''(B) integrate the individual capital and service plans developed by each operator using the methods described in the cost allocation policy developed under section 24905(c);

''(C) cover a period of 5 fiscal years, beginning with the first fiscal year after the date on which the plan is completed;

''(D) notwithstanding section 24902(b), identify, prioritize, and phase the implementation of projects and programs to achieve the service outcomes identified in the Northeast Corridor service development plan and the asset condition needs identified in the Northeast Corridor asset management plans, once available, and consider—

''(i) the benefits and costs of capital investments in the plan;

''(ii) project and program readiness;

''(iii) the operational impacts; and

''(iv) Federal and non-Federal funding availability;

''(E) categorize capital projects and programs as primarily associated with—

''(i) normalized capital replacement and basic infrastructure renewals;

''(ii) replacement or rehabilitation of major Northeast Corridor infrastructure assets, including tunnels, bridges, stations, and other assets;

''(iii) statutory, regulatory, or other legal mandates;

''(iv) improvements to support service enhancements or growth; or

''(v) strategic initiatives that will improve overall operational performance or lower costs;

''(F) identify capital projects and programs that are associated with more than 1 category described in subparagraph (E);

''(G) describe the anticipated outcomes of each project or program, including an assessment of—

''(i) the potential effect on passenger accessibility, operations, safety, reliability, and resiliency;

''(ii) the ability of infrastructure owners and operators to meet regulatory requirements if the project or program is not funded; and

''(iii) the benefits and costs; and

''(H) include a financial plan.

''(3) FINANCIAL PLAN.—The financial plan under paragraph (2)(H) shall—

''(A) identify funding sources and financing methods;

''(B) identify the expected allocated shares of costs pursuant to the cost allocation policy developed under section 24905(c);

''(C) identify the projects and programs that the Commission expects will receive Federal financial assistance; and

''(D) identify the eligible entity or entities that the Commission expects will receive the Federal financial assistance described under subparagraph (C) and implement each capital project.

''(b) FAILURE TO DEVELOP A CAPITAL INVESTMENT PLAN.—If a capital investment plan has not been developed by the Commission for a given fiscal year, then the funds assigned to the Northeast Corridor account established under section 24317(b) for that fiscal year may be spent only on—

''(1) capital projects described in clause (i) or (iii) of subsection (a)(2)(E) of this section; or

''(2) capital projects described in subsection (a)(2)(E)(iv) or (v) of this section that are for the sole benefit of Amtrak.

''(c) NORTHEAST CORRIDOR ASSET MANAGEMENT.—

''(1) CONTENTS.—With regard to its infrastructure, Amtrak and each State and public transportation entity that owns infrastructure that supports or provides for intercity rail passenger transportation on the Northeast Corridor shall develop an asset management system and develop and update, as necessary, a Northeast Corridor asset management plan for each service territory described in subsection (a) that—

''(A) is consistent with the Federal Transit Administration process, as authorized under section 5326, when implemented; and

''(B) includes, at a minimum—

''(i) an inventory of all capital assets owned by the developer of the asset management plan;

''(ii) an assessment of asset condition;

''(iii) a description of the resources and processes necessary to bring or maintain those assets in a state of good repair, including decision-support tools and investment prioritization methods; and

''(iv) a description of changes in asset condition since the previous version of the plan.

''(2) TRANSMITTAL.—Each entity described in paragraph (1) shall transmit to the Commission—

''(A) not later than 2 years after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, a Northeast Corridor asset management plan developed under paragraph (1); and

''(B) at least biennially thereafter, an update to such plan.

''(d) NORTHEAST CORRIDOR SERVICE DEVELOPMENT PLAN UPDATES.—Not less frequently than once every 10 years, the Commission shall update the Northeast Corridor service development plan.

''(e) DEFINITION OF NORTHEAST CORRIDOR.—In this section, the term 'Northeast Corridor' means the main line between Boston, Massachusetts, and the District of Columbia, and the Northeast Corridor branch lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York, including the facilities and services used to operate and maintain those lines.''.

(b) CONFORMING AMENDMENTS.—

(1) NOTE AND MORTGAGE.—Section 24907(a) of title 49, United States Code, is amended by striking ''section 24904 of this title'' and inserting ''section 24903''.

(2) TABLE OF CONTENTS.—The table of contents for chapter 249 of title 49, United States Code, is amended—

(A) by redesignating the item relating to section 24904 as relating to section 24903; and

(B) by inserting after the item relating to section 24903, as so redesignated, the following:

''24904. Northeast Corridor planning.''.

(3) REPEAL.—Section 211 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24902 note) is repealed.

SEC. 11307. COMPETITION.

(a) COMPETITIVE PASSENGER RAIL SERVICE PILOT PROGRAM.—Section 24711 of title 49, United States Code, is amended to read as follows:

''§ 24711. Competitive passenger rail service pilot program

''(a) IN GENERAL.—Not later than 18 months after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary of Transportation shall promulgate a rule to implement a pilot program for competitive selection of eligible petitioners described in subsection (b)(3) in lieu of Amtrak to operate not more than 3 long-distance routes (as defined in section 24102) operated by Amtrak on the date of enactment of such Act.

''(b) PILOT PROGRAM REQUIREMENTS.—

''(1) IN GENERAL.—The pilot program shall—

''(A) allow a petitioner described in paragraph (3) to petition the Secretary to provide intercity rail passenger transportation over a long-distance route described in subsection (a) for an operation period of 4 years from the date of commencement of service by the winning bidder and, at the option of the Secretary, consistent with the rule promulgated under subsection (a), allow the contract to be renewed for 1 additional operation period of 4 years;

''(B) require the Secretary to—

''(i) notify the petitioner and Amtrak of receipt of the petition under subparagraph (A) and to publish in the Federal Register a notice of receipt not later than 30 days after the date of receipt;

''(ii) establish a deadline, of not more than 120 days after the notice of receipt is published in the Federal Register under clause (i), by which both the petitioner and Amtrak, if Amtrak chooses to do so, would be required to submit a complete bid to provide intercity rail passenger transportation over the applicable route; and

''(iii) upon selecting a winning bid, publish in the Federal Register the identity of the winning bidder, the long distance route that the bidder will operate, a detailed justification of the reasons why the Secretary selected the bid, and any other information the Secretary determines appropriate for public comment for a reasonable period of time not to exceed 30 days after the date on which the Secretary selects the bid;

''(C) require that each bid—

''(i) describe the capital needs, financial projections, and operational plans, including staffing plans, for the service, and such other factors as the Secretary considers appropriate; and

''(ii) be made available by the winning bidder to the public after the bid award with any appropriate redactions for confidential or proprietary information;

''(D) for a route that receives funding from a State or States, require that for each bid received from a petitioner described in paragraph (3), other than such State or States, the Secretary have the concurrence of the State or States that provide funding for that route; and

''(E) for a winning bidder that is not or does not include Amtrak, require the Secretary to execute a contract not later than 270 days after the deadline established under subparagraph (B)(ii) and award to the winning bidder—

''(i) subject to paragraphs (4) and (5), the right and obligation to provide intercity rail passenger transportation over that route subject to such performance standards as the Secretary may require; and

''(ii) an operating subsidy, as determined by the Secretary, for—

''(I) the first year at a level that does not exceed 90 percent of the level in effect for that specific route during the fiscal year preceding the fiscal year in which the petition was received, adjusted for inflation; and

''(II) any subsequent years at the level calculated under subclause (I), adjusted for inflation.

''(2) LIMITATION.—The requirements under paragraph (1)(E), including the amounts of operating subsidies in the first and any subsequent years under paragraph (1)(E)(ii), shall not apply to a winning bidder that is or includes Amtrak.

''(3) ELIGIBLE PETITIONERS.—The following parties are eligible to submit petitions under paragraph (1):

''(A) A rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route, or another rail carrier that has a written agreement with a rail carrier or rail carriers that own such infrastructure.

''(B) A State, group of States, or State-supported joint powers authority or other sub-State governance entity responsible for provision of intercity rail passenger transportation with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

''(C) A State, group of States, or State-supported joint powers authority or other sub-State governance entity responsible for provision of intercity rail passenger transportation and a rail carrier with a written agreement with another rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

''(4) PERFORMANCE STANDARDS.—The performance standards required under paragraph (1)(E)(i) shall meet or exceed the performance required of or achieved by Amtrak on the applicable route during the last fiscal year.

''(5) AGREEMENT GOVERNING ACCESS ISSUES.—Unless the winning bidder already has applicable access rights or agreements in place or includes a rail carrier that owns the infrastructure used in the operation of the route, a winning bidder that is not or does not include Amtrak shall enter into a written agreement governing access issues between the winning bidder and the rail carrier or rail carriers that own the infrastructure over which the winning bidder would operate and that host or would host the intercity rail passenger transportation.

''(c) ACCESS TO FACILITIES; EMPLOYEES.—If the Secretary awards the right and obligation to provide intercity rail passenger transportation over a route described in this section to an eligible petitioner—

''(1) the Secretary shall, if necessary to carry out the purposes of this section, require Amtrak to provide access to the Amtrak-owned reservation system, stations, and facilities directly related to operations of the awarded routes to the eligible petitioner awarded a contract under this section, in accordance with subsection (g);

''(2) an employee of any person, except as provided in a collective bargaining agreement, used by such eligible petitioner in the operation of a route under this section shall be considered an employee of that eligible petitioner and subject to the applicable Federal laws and regulations governing similar crafts or classes of employees of Amtrak; and

''(3) the winning bidder shall provide hiring preference to qualified Amtrak employees displaced by the award of the bid, consistent with the staffing plan submitted by the bidder, and shall be subject to the grant conditions under section 24405.

''(d) CESSATION OF SERVICE.—If an eligible petitioner awarded a route under this section ceases to operate the service or fails to fulfill an obligation under a contract required under subsection (b)(1)(E), the Secretary, in collaboration with the Surface Transportation Board, shall take any necessary action consistent with this title to enforce the contract and ensure the continued provision of service, including—

''(1) the installment of an interim rail carrier;

''(2) providing to the interim rail carrier under paragraph (1) an operating subsidy necessary to provide service; and

''(3) rebidding the contract to operate the intercity rail passenger transportation.

''(e) BUDGET AUTHORITY.—

''(1) IN GENERAL.—The Secretary shall provide to a winning bidder that is not or does not include Amtrak and that is selected under this section any appropriations withheld under section 11101(e) of the Passenger Rail Reform and Investment Act of 2015, or any subsequent appropriation for the same purpose, necessary to cover the operating subsidy described in subsection (b)(1)(E)(ii).

''(2) ATTRIBUTABLE COSTS.—If the Secretary selects a winning bidder that is not or does not include Amtrak, the Secretary shall provide to Amtrak an appropriate portion of the appropriations under section 11101(b) of the Passenger Rail Reform and Investment Act of 2015, or any subsequent appropriation for the same purpose, to cover any cost directly attributable to the termination of Amtrak service on the route and any indirect costs to Amtrak imposed on other Amtrak routes as a result of losing service on the route operated by the winning bidder. Any amount provided by the Secretary to Amtrak under this paragraph shall not be deducted from or have any effect on the operating subsidy described in subsection (b)(1)(E)(ii).

''(f) REPORTING.—If the Secretary does not promulgate the final rule before the deadline under subsection (a), the Secretary shall, not later than 19 months after the date of enactment of the Passenger Rail Reform and Investment Act of 2015 and every 90 days thereafter until the rule is complete, notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives in writing—

''(1) the reasons why the rule has not been issued;

''(2) a plan for completing the rule as soon as reasonably practicable; and

''(3) the estimated date of completion of the rule.

''(g) DISPUTES.—

''(1) PETITIONING SURFACE TRANSPORTATION BOARD.—If Amtrak and the eligible petitioner

awarded a route under this section cannot agree upon terms to carry out subsection (c)(1), either party may petition the Surface Transportation Board for a determination as to—

''(A) whether access to Amtrak's facility or equipment, or the provisions of services by Amtrak, is necessary under subsection (c)(1); and

''(B) whether the operation of Amtrak's other services will not be unreasonably impaired by such access.

''(2) SURFACE TRANSPORTATION BOARD DETERMINATION.—If the Surface Transportation Board determines access to Amtrak's facilities or equipment, or the provision of services by Amtrak, is necessary under paragraph (1)(A) and the operation of Amtrak's other services will not be unreasonably impaired under paragraph (1)(B), the Board shall issue an order that—

''(A) requires Amtrak to provide the applicable facilities, equipment, and services; and

''(B) determines reasonable compensation, liability, and other terms for the use of the facilities and equipment and the provision of the services.

''(h) LIMITATION.—Not more than 3 long-distance routes may be selected under this section for operation by a winning bidder that is not or does not include Amtrak.

''(i) PRESERVATION OF RIGHT TO COMPETITION ON STATE-SUPPORTED ROUTES.—Nothing in this section shall be construed as prohibiting a State from introducing competition for intercity rail passenger transportation or services on its State-supported route or routes.

''(j) SAVINGS CLAUSE.—Nothing in this section shall affect Amtrak's access rights to railroad rights-of-way and facilities.''.

(b) CONFORMING AMENDMENT.—The table of contents for section 24711 of title 49, United States Code, is amended to read as follows:

''24711. Competitive passenger rail service pilot program.''.

(c) REPORT.—Not later than 4 years after the date of implementation of the pilot program under section 24711 of title 49, United States Code, and quadrennially thereafter until the pilot program is discontinued, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the pilot program to date and any recommendations for further action.

SEC. 11308. PERFORMANCE-BASED PROPOSALS.

(a) SOLICITATION OF PROPOSALS.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall issue a request for proposals for projects for the financing, design, construction, operation, and maintenance of a high-speed passenger rail system operating within a high-speed rail corridor, including—

(A) the Northeast Corridor;

(B) the California Corridor;

(C) the Empire Corridor;

(D) the Pacific Northwest Corridor;

(E) the South Central Corridor;

(F) the Gulf Coast Corridor;

(G) the Chicago Hub Network;

(H) the Florida Corridor;

(I) the Keystone Corridor;

(J) the Northern New England Corridor; and

(K) the Southeast Corridor.

(2) SUBMISSION.—Proposals shall be submitted to the Secretary not later than 180 days after the publication of the request for proposals under paragraph (1).

(3) PERFORMANCE STANDARD.—Proposals submitted under paragraph (2) shall meet any standards established by the Secretary. For corridors with existing intercity passenger rail service, proposals shall also be designed to achieve a reduction of existing minimum intercity rail service trip times between the main corridor city pairs by a minimum of 25 percent. In the case of a proposal submitted with respect to paragraph (1)(A), the proposal shall be designed to achieve a 2-hour or less express service between Washington, District of Columbia, and New York City, New York.

(4) CONTENTS.—A proposal submitted under this subsection shall include—

(A) the names and qualifications of the persons submitting the proposal and the entities proposed to finance, design, construct, operate, and maintain the railroad, railroad equipment, and related facilities, stations, and infrastructure;

(B) a detailed description of the proposed rail service, including possible routes, required infrastructure investments and improvements, equipment needs and type, train frequencies, peak and average operating speeds, and trip times;

(C) a description of how the project would comply with all applicable Federal rail safety and security laws, orders, and regulations;

(D) the locations of proposed stations, which maximize the usage of existing infrastructure to the extent possible, and the populations such stations are intended to serve;

(E) the type of equipment to be used, including any technologies, to achieve trip time goals;

(F) a description of any proposed legislation needed to facilitate all aspects of the project;

(G) a financing plan identifying—

(i) projected revenue, and sources thereof;

(ii) the amount of any requested public contribution toward the project, and proposed sources;

(iii) projected annual ridership projections for the first 10 years of operations;

(iv) annual operations and capital costs;

(v) the projected levels of capital investments required both initially and in subsequent years to maintain a state-of-good-repair necessary to provide the initially proposed level of service or higher levels of service;

(vi) projected levels of private investment and sources thereof, including the identity of any person or entity that has made or is expected to make a commitment to provide or secure funding and the amount of such commitment; and

(vii) projected funding for the full fair market compensation for any asset, property right or interest, or service acquired from, owned, or held by a private person or Federal entity that would be acquired, impaired, or diminished in value as a result of a project, except as otherwise agreed to by the private person or entity;

(H) a description of how the project would contribute to the development of a national high-speed passenger rail system and an intermodal plan describing how the system will facilitate convenient travel connections with other transportation services;

(I) a description of how the project will ensure compliance with Federal laws governing the rights and status of employees associated with the route and service, including those specified in section 24405 of title 49, United States Code;

(J) a description of how the design, construction, implementation, and operation of the project will accommodate and allow for future growth of existing and projected intercity, commuter, and freight rail service;

(K) a description of how the project would comply with Federal and State environmental laws and regulations, of what environmental impacts would result from the project, and of how any adverse impacts would be mitigated; and

(L) a description of the project's impacts on highway and aviation congestion, energy consumption, land use, and economic development in the service area.

(b) DETERMINATION AND ESTABLISHMENT OF COMMISSIONS.—Not later than 90 days after receipt of the proposals under subsection (a), the Secretary shall—

(1) make a determination as to whether any such proposals—

(A) contain the information required under paragraphs (3) and (4) of subsection (a);

(B) are sufficiently credible to warrant further consideration;

(C) are likely to result in a positive impact on the Nation's transportation system; and

(D) are cost-effective and in the public interest;

(2) establish a commission for each corridor with 1 or more proposals that the Secretary determines satisfy the requirements of paragraph (1); and

(3) forward to each commission established under paragraph (2) the applicable proposals for review and consideration.

(c) COMMISSIONS.—

(1) MEMBERS.—Each commission established under subsection (b)(2) shall include—

(A) the Governors of the affected States, or their respective designees;

(B) mayors of appropriate municipalities with stops along the proposed corridor, or their respective designees;

(C) a representative from each freight railroad carrier using the relevant corridor, if applicable;

(D) a representative from each transit authority using the relevant corridor, if applicable;

(E) representatives of nonprofit employee labor organizations representing affected railroad employees; and

(F) the President of Amtrak or his or her designee.

(2) APPOINTMENT AND SELECTION.—The Secretary shall appoint the members under paragraph (1). In selecting each commission's members to fulfill the requirements under subparagraphs (B) and (E) of paragraph (1), the Secretary shall consult with the Chairperson and Ranking Member of the Committee on Commerce, Science, and Transportation of the Senate and of the Committee on Transportation and Infrastructure of the House of Representatives.

(3) CHAIRPERSON AND VICE-CHAIRPERSON SELECTION.—The Chairperson and Vice-Chairperson shall be elected from among members of each commission.

(4) QUORUM AND VACANCY.—

(A) QUORUM.—A majority of the members of each commission shall constitute a quorum.

(B) VACANCY.—Any vacancy in each commission shall not affect its powers and shall be filled in the same manner in which the original appointment was made.

(d) COMMISSION CONSIDERATION.—

(1) IN GENERAL.—Each commission established under subsection (b)(2) shall be responsible for reviewing the proposal or proposals forwarded to it under that subsection and, not later than 90 days after the establishment of the commission, shall transmit to the Secretary a report, including—

(A) a summary of each proposal received;

(B) services to be provided under each proposal, including projected ridership, revenues, and costs;

(C) proposed public and private contributions for each proposal;

(D) the advantages offered by the proposal over existing intercity passenger rail services;

(E) public operating subsidies or assets needed for the proposed project;

(F) possible risks to the public associated with the proposal, including risks associated with project financing, implementation, completion, safety, and security;

(G) a ranked list of the proposals recommended for further consideration under subsection (e) in accordance with each proposal's projected positive impact on the Nation's transportation system;

(H) an identification of any proposed Federal legislation that would facilitate implementation of the projects and Federal legislation that would be required to implement the projects; and

(I) any other recommendations by the commission concerning the proposed projects.

(2) VERBAL PRESENTATION.—Proposers shall be given an opportunity to make a verbal presentation to the commission to explain their proposals.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary for the use of each commission established under subsection (b)(2) such sums as are necessary to carry out this section.

(e) SELECTION BY SECRETARY.—

(1) IN GENERAL.—Not later than 60 days after receiving the recommended proposals of the commissions established under subsection (b)(2), the Secretary shall—

(A) review such proposals and select any proposal that provides substantial benefits to the public and the national transportation system, is cost-effective, offers significant advantages over existing services, and meets other relevant factors determined appropriate by the Secretary; and

(B) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing any proposal with respect to subsection (a)(1)(A) that is selected by the Secretary under subparagraph (A) of this paragraph, all the information regarding the proposal provided to the Secretary under subsection (d), and any other information the Secretary considers relevant.

(2) SUBSEQUENT REPORT.—Following the submission of the report under paragraph (1)(B), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing any proposal with respect to subparagraphs (B) through (K) of subsection (a)(1) that are selected by the Secretary under paragraph (1) of this subsection, all the information regarding the proposal provided to the Secretary under subsection (d), and any other information the Secretary considers relevant.

(3) LIMITATION ON REPORT SUBMISSION.—The report required under paragraph (2) shall not be submitted by the Secretary until the report submitted under paragraph (1)(B) has been considered through a hearing by the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the report submitted under paragraph (1)(B).

(f) NO ACTIONS WITHOUT ADDITIONAL AUTHORITY.—No Federal agency may take any action to implement, establish, facilitate, or otherwise act upon any proposal submitted under this section, other than those actions specifically authorized by this section, without explicit statutory authority enacted after the date of enactment of this Act.

(g) ADEQUATE RESOURCES.—Before taking any action authorized under this section the Secretary shall certify to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that the Secretary has sufficient resources that are adequate to undertake the program established under this section.

(h) DEFINITIONS.—In this section:

(1) INTERCITY PASSENGER RAIL.—The term ''intercity passenger rail'' has the meaning given the term in section 24102 of title 49, United States Code.

(2) STATE.—The term ''State'' means any of the 50 States or the District of Columbia.

SEC. 11309. LARGE CAPITAL PROJECT REQUIREMENTS.

Section 24402 of title 49, United States Code, is amended by inserting after subsection (i) the following:

''(j) LARGE CAPITAL PROJECT REQUIREMENTS.—

''(1) IN GENERAL.—For a grant awarded under this chapter for an amount in excess of $1,000,000,000, the following conditions shall apply:

''(A) The Secretary may not obligate any funding unless the applicant demonstrates, to the satisfaction of the Secretary, that the applicant has committed, and will be able to fulfill, the non-Federal share required for the grant within the applicant's proposed project completion timetable.

''(B) The Secretary may not obligate any funding for work activities that occur after the completion of final design unless—

''(i) the applicant submits a financial plan to the Secretary that generally identifies the sources of the non-Federal funding required for any subsequent segments or phases of the corridor service development program covering the project for which the grant is awarded;

''(ii) the grant will result in a useable segment, a transportation facility, or equipment, that has operational independence; and

''(iii) the intercity passenger rail benefits anticipated to result from the grant, such as increased speed, improved on-time performance, reduced trip time, increased frequencies, new service, safety improvements, improved accessibility, or other significant enhancements, are detailed by the grantee and approved by the Secretary.

''(C)(i) The Secretary shall ensure that the project is maintained to the level of utility that is necessary to support the benefits approved under subparagraph (B)(iii) for a period of 20 years from the date on which the useable segment, transportation facility, or equipment described in subparagraph (B)(ii) is placed in service.

''(ii) If the project property is not maintained as required under clause (i) for a 12-month period, the grant recipient shall refund a pro-rata share of the Federal contribution, based upon the percentage remaining of the 20-year period that commenced when the project property was placed in service.

''(2) EARLY WORK.—The Secretary may allow a grantee subject to this subsection to engage in at-risk work activities subsequent to the conclusion of final design if the Secretary determines that such work activities are reasonable and necessary.''.

SEC. 11310. SMALL BUSINESS PARTICIPATION STUDY.

(a) STUDY.—The Secretary shall conduct a nationwide disparity and availability study on the availability and use of small business concerns owned and controlled by socially and economically disadvantaged individuals and veteran-owned small businesses in publicly funded intercity rail passenger transportation projects.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit a report containing the results of the study conducted under subsection (a) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(c) DEFINITIONS.—In this section:

(1) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given such term in section 3 of the Small Business Act (15 U.S.C. 632), except that the term does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of $22,410,000, as adjusted annually by the Secretary for inflation.

(2) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUAL.—The term ''socially and economically disadvantaged individual'' has the meaning given such term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to such Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this section.

(3) VETERAN-OWNED SMALL BUSINESS.—The term ''veteran-owned small business'' has the meaning given the term ''small business concern owned and controlled by veterans'' in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)), except that the term does not include any concern or group of concerns controlled by the same veterans that have average annual gross receipts during the preceding 3 fiscal years in excess of $22,410,000, as adjusted annually by the Secretary for inflation.

SEC. 11311. SHARED-USE STUDY.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with Amtrak, commuter rail passenger transportation authorities, other railroad carriers, railroad carriers that own rail infrastructure over which both passenger and freight trains operate, States, the Surface Transportation Board, the Northeast Corridor Commission established under section 24905 of title 49, United States Code, the State-Supported Route Committee established under section 24712 of such title, and groups representing rail passengers and customers, as appropriate, shall complete a study that evaluates—

(1) the shared use of right-of-way by passenger and freight rail systems; and

(2) the operational, institutional, and legal structures that would best support improvements to the systems referred to in paragraph (1).

(b) AREAS OF STUDY.—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the access and use of railroad right-of-way by a rail carrier that does not own the right-of-way, such as passenger rail services that operate over privately-owned right-of-way, including an analysis of—

(A) access agreements;

(B) costs of access; and

(C) the resolution of disputes relating to such access or costs;

(2) the effectiveness of existing contractual, statutory, and regulatory mechanisms for establishing, measuring, and enforcing train performance standards, including—

(A) the manner in which passenger train delays are recorded;

(B) the assignment of responsibility for such delays; and

(C) the use of incentives and penalties for performance;

(3) the strengths and weaknesses of the existing mechanisms described in paragraph (2) and possible approaches to address the weaknesses;

(4) mechanisms for measuring and maintaining public benefits resulting from publicly funded freight or passenger rail improvements, including improvements directed towards shared-use right-of-way by passenger and freight rail;

(5) approaches to operations, capacity, and cost estimation modeling that—

(A) allow for transparent decisionmaking; and

(B) protect the proprietary interests of all parties;

(6) liability requirements and arrangements, including—

(A) whether to expand statutory liability limits to additional parties;

(B) whether to revise the current statutory liability limits;

(C) whether current insurance levels of passenger rail operators are adequate and whether to establish minimum insurance requirements for such passenger rail operators; and

(D) whether to establish alternative insurance models, including other models administered by the Federal Government;

(7) the effect on rail passenger services, operations, liability limits, and insurance levels of the assertion of sovereign immunity by a State; and

(8) other issues identified by the Secretary.

(c) REPORT.—Not later than 60 days after the study under subsection (a) is complete, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) the results of the study; and

(2) any recommendations for further action, including any legislative proposals consistent with such recommendations.

(d) IMPLEMENTATION.—The Secretary shall integrate, as appropriate, the recommendations submitted under subsection (c) into the financial assistance programs under subtitle V of title 49, United States Code, and section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822).

SEC. 11312. NORTHEAST CORRIDOR THROUGH-TICKETING AND PROCUREMENT EFFICIENCIES.

(a) THROUGH-TICKETING STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Northeast Corridor Commission established under section 24905(a) of title 49, United States Code (referred to in this section as the ''Commission''), in consultation with Amtrak and the commuter rail passenger transportation providers along the Northeast Corridor, shall complete a study on the feasibility of and options for permitting through-ticketing between Amtrak service and commuter rail services on the Northeast Corridor.

(2) CONTENTS.—In completing the study under paragraph (1), the Northeast Corridor Commission shall—

(A) examine the current state of intercity and commuter rail ticketing technologies, policies, and other relevant aspects on the Northeast Corridor;

(B) consider and recommend technology, process, policy, or other options that would permit through-ticketing to allow intercity and commuter rail passengers to purchase, in a single transaction, travel that utilizes Amtrak and connecting commuter rail services;

(C) consider options to expand through-ticketing to include local transit services;

(D) summarize costs, benefits, opportunities, and impediments to developing such through-ticketing options; and

(E) develop a proposed methodology, including cost and schedule estimates, for carrying out a pilot program on through-ticketing on the Northeast Corridor.

(3) REPORT.—Not later than 60 days after the date the study under paragraph (1) is complete, the Commission shall submit to the Secretary, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(A) the results of the study; and

(B) any recommendations for further action.

(4) REVIEW.—Not later than 180 days after receipt of the report under paragraph (3), the Secretary shall review the report and recommend best practices in developing through ticketing for other areas outside of the Northeast Corridor. The Secretary shall transmit the best practices to the State-Supported Route Committee established under section 24712 of title 49, United States Code.

(b) JOINT PROCUREMENT STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in cooperation with the Commission, Amtrak, and commuter rail transportation authorities on the Northeast Corridor, shall complete a study of the potential benefits resulting from Amtrak and such authorities undertaking select joint procurements for common materials, assets, and equipment when expending Federal funds for such joint procurements.

(2) CONTENTS.—In completing the study under paragraph (1), the Secretary shall consider—

(A) the types of materials, assets, and equipment that are regularly purchased by Amtrak and such authorities that are similar and could be jointly procured;

(B) the potential benefits of such joint procurements, including lower procurement costs, better pricing, greater market relevancy, and other efficiencies;

(C) the potential costs of such joint procurements;

(D) any significant impediments to undertaking joint procurements, including any necessary harmonization and reconciliation of Federal and State procurement or safety regulations or standards and other requirements; and

(E) whether to create Federal incentives or requirements relating to considering or carrying out joint procurements when expending Federal funds.

(3) TRANSMISSION.—Not later than 60 days after completing the study required under this subsection, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(A) the results of the study; and

(B) any recommendations for further action.

(c) NORTHEAST CORRIDOR.—In this section, the term ''Northeast Corridor'' means the Northeast Corridor main line between Boston, Massachusetts, and the District of Columbia, and the Northeast Corridor branch lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York, including the facilities and services used to operate and maintain those lines.

SEC. 11313. DATA AND ANALYSIS.

(a) DATA.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Surface Transportation Board, Amtrak, freight railroads, State and local governments, and regional business, tourism, and economic development agencies shall conduct a data needs assessment to—

(1) support the development of an efficient and effective intercity passenger rail network;

(2) identify the data needed to conduct cost-effective modeling and analysis for intercity passenger rail development programs;

(3) determine limitations to the data used for inputs;

(4) develop a strategy to address such limitations;

(5) identify barriers to accessing existing data;

(6) develop recommendations regarding whether the authorization of additional data collection for intercity passenger rail travel is warranted; and

(7) determine which entities should be responsible for generating or collecting needed data.

(b) BENEFIT-COST ANALYSIS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enhance the usefulness of assessments of benefits and costs for intercity passenger rail and freight rail projects by—

(1) providing ongoing guidance and training on developing benefit and cost information for rail projects;

(2) providing more direct and consistent requirements for assessing benefits and costs across transportation funding programs, including the appropriate use of discount rates;

(3) requiring applicants to clearly communicate the methodology used to calculate the project benefits and costs, including non-proprietary information on—

(A) assumptions underlying calculations;

(B) strengths and limitations of data used; and

(C) the level of uncertainty in estimates of project benefits and costs; and

(4) ensuring that applicants receive clear and consistent guidance on values to apply for key assumptions used to estimate potential project benefits and costs.

(c) CONFIDENTIAL DATA.—The Secretary shall protect all sensitive and confidential information to the greatest extent permitted by law. Nothing in this section shall require any entity to provide information to the Secretary in the absence of a voluntary agreement.

SEC. 11314. AMTRAK INSPECTOR GENERAL.

(a) AUTHORITY.—

(1) IN GENERAL.—The Inspector General of Amtrak shall have the authority available to other Inspectors General, as necessary in carrying out the duties specified in the Inspector General Act of 1978 (5 U.S.C. App.), to investigate any alleged violation of sections 286, 287, 371, 641, 1001, 1002 and 1516 of title 18, United States Code.

(2) AGENCY.—For purposes of sections 286, 287, 371, 641, 1001, 1002, and 1516 of title 18, United States Code, Amtrak and the Amtrak Office of Inspector General, shall be considered a corporation in which the United States has a proprietary interest as set forth in section 6 of such title.

(b) ASSESSMENT.—The Inspector General of Amtrak shall—

(1) not later than 60 days after the date of enactment of this Act, initiate an assessment to determine whether current expenditures or procurements involving Amtrak's fulfillment of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) utilize competitive, market-driven provisions that are applicable throughout the entire term of such related expenditures or procurements; and

(2) not later than 6 months after the date of enactment of this Act, transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the assessment under paragraph (1).

(c) LIMITATION.—The authority provided by subsection (a) shall be effective only with respect to a fiscal year for which Amtrak receives a Federal subsidy.

SEC. 11315. MISCELLANEOUS PROVISIONS.

(a) TITLE 49 AMENDMENTS.—

(1) AUTHORITY.—Section 22702(b)(4) of title 49, United States Code, is amended by striking ''5 years for reapproval by the Secretary'' and inserting ''4 years for acceptance by the Secretary''.

(2) CONTENTS OF STATE RAIL PLANS.—Section 22705(a) of title 49, United States Code, is amended by striking paragraph (12).

(b) PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT AMENDMENTS.—Section 305 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended—

(1) in subsection (a) by inserting after ''equipment manufacturers,'' the following: ''nonprofit organizations representing employees who perform overhaul and maintenance of passenger railroad equipment,'';

(2) in subsection (c) by striking '', and may establish a corporation, which may be owned or jointly-owned by Amtrak, participating States, or other entities, to perform these functions''; and

(3) in subsection (e) by striking ''and establishing a jointly-owned corporation to manage that equipment''.

(c) CERTAIN PROJECTS.—A project described in 1307(a)(3) of SAFETEA–LU (Public Law 109–59) may be eligible for the Railroad Rehabilitation and Improvement Financing program if the Secretary determines such project meets the requirements of sections 502 and 503 of the Railroad Revitalization and Regulatory Reform Act of 1976.

(d) CLARIFICATION.—

(1) AMENDMENT.—Section 20157(g) of title 49, United States Code, is amended by adding at the end the following new paragraph:

''(4) CLARIFICATION.—

''(A) PROHIBITIONS.—The Secretary is prohibited from—

''(i) approving or disapproving a revised plan submitted under subsection (a)(1);

''(ii) considering a revised plan under subsection (a)(1) as a request for amendment under section 236.1021 of title 49, Code of Federal Regulations; or

''(iii) requiring the submission, as part of the revised plan under subsection (a)(1), of—

''(I) only a schedule and sequence under subsection (a)(2)(A)(iii)(VII); or

''(II) both a schedule and sequence under subsection (a)(2)(A)(iii)(VII) and an alternative schedule and sequence under subsection (a)(2)(B).

''(B) CIVIL PENALTY AUTHORITY.—Except as provided in paragraph (2) and this paragraph, nothing in this subsection shall be construed to limit the Secretary's authority to assess civil penalties pursuant to subsection (e), consistent with the requirements of this section.

''(C) RETAINED REVIEW AUTHORITY.—The Secretary retains the authority to review revised plans submitted under subsection (a)(1) and is authorized to require modifications of those plans to the extent necessary to ensure that such plans include the descriptions under subsection (a)(2)(A)(i), the contents under subsection (a)(2)(A)(ii), and the year or years, totals, and summary under subsection (a)(2)(A)(iii)(I) through (VI).''.

(2) CONFORMING AMENDMENT.—Section 20157(g)(3) of title 49, United States Code, is amended by striking ''by paragraph (2) and subsection (k)'' and inserting ''to conform with this section''.

SEC. 11316. TECHNICAL AND CONFORMING AMENDMENTS.

(a) ASSISTANCE TO FAMILIES OF PASSENGERS INVOLVED IN RAIL PASSENGER ACCIDENTS.—Section 1139 of title 49, United States Code, is amended—

(1) in subsection (a)(1), by striking ''phone number'' and inserting ''telephone number'';

(2) in subsection (a)(2), by striking ''post trauma communication with families'' and inserting ''post-trauma communication with families''; and

(3) in subsection (j), by striking ''railroad passenger accident'' each place it appears and inserting ''rail passenger accident''.

(b) SOLID WASTE RAIL TRANSFER FACILITY LAND-USE EXEMPTION.—Section 10909 of title 49, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking ''Clean Railroad Act of 2008'' and inserting ''Clean Railroads Act of 2008''; and

(2) in subsection (e), by striking ''Upon the granting of petition from the State'' and inserting ''Upon the granting of a petition from the State''.

(c) RULEMAKING PROCESS.—Section 20116 of title 49, United States Code, is amended—

(1) by inserting ''(2)'' before ''the code, rule, standard, requirement, or practice has been subject to notice and comment under a rule or order issued under this part.'' and indenting accordingly;

(2) by inserting ''(1)'' after ''unless'' and indenting accordingly;

(3) in paragraph (1), as redesignated, by striking ''order, or'' and inserting ''order; or''; and

(4) in the matter preceding paragraph (1), as redesignated, by striking ''unless'' and inserting ''unless—''.

(d) ENFORCEMENT REPORT.—Section 20120(a) of title 49, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''website'' and inserting ''Web site'';

(2) in paragraph (1), by striking ''accident and incidence reporting'' and inserting ''accident and incident reporting'';

(3) in paragraph (2)(G), by inserting ''and'' at the end; and

(4) in paragraph (5)(B), by striking ''Administrative Hearing Officer or Administrative Law Judge'' and inserting ''administrative hearing officer or administrative law judge''.

(e) RAILROAD SAFETY RISK REDUCTION PROGRAM.—Section 20156 of title 49, United States Code, is amended—

(1) in subsection (c), by inserting a comma after ''In developing its railroad safety risk reduction program''; and

(2) in subsection (g)(1)—

(A) by inserting a comma after ''good faith''; and

(B) by striking ''non-profit'' and inserting ''nonprofit''.

(f) ROADWAY USER SIGHT DISTANCE AT HIGHWAY-RAIL GRADE CROSSINGS.—Section 20159 of title 49, United States Code, is amended by striking ''the Secretary'' and inserting ''the Secretary of Transportation''.

(g) NATIONAL CROSSING INVENTORY.—Section 20160 of title 49, United States Code, is amended—

(1) in subsection (a)(1), by striking ''concerning each previously unreported crossing through which it operates or with respect to the trackage over which it operates'' and inserting ''concerning each previously unreported crossing through which it operates with respect to the trackage over which it operates''; and

(2) in subsection (b)(1)(A), by striking ''concerning each crossing through which it operates or with respect to the trackage over which it operates'' and inserting ''concerning each crossing through which it operates with respect to the trackage over which it operates''.

(h) MINIMUM TRAINING STANDARDS AND PLANS.—Section 20162(a)(3) of title 49, United States Code, is amended by striking ''railroad compliance with Federal standards'' and inserting ''railroad carrier compliance with Federal standards''.

(i) DEVELOPMENT AND USE OF RAIL SAFETY TECHNOLOGY.—Section 20164(a) of title 49, United States Code, is amended by striking ''after enactment of the Railroad Safety Enhancement Act of 2008'' and inserting ''after the date of enactment of the Rail Safety Improvement Act of 2008''.

(j) RAIL SAFETY IMPROVEMENT ACT OF 2008.—

(1) TABLE OF CONTENTS.—Section 1(b) of division A of the Rail Safety Improvement Act of 2008 (Public Law 110–432; 122 Stat. 4848) is amended—

(A) in the item relating to section 307 by striking ''website'' and inserting ''Web site'';

(B) in the item relating to title VI by striking ''solid waste facilities'' and inserting ''solid waste rail transfer facilities''; and

(C) in the item relating to section 602 by striking ''solid waste transfer facilities'' and inserting ''solid waste rail transfer facilities''.

(2) DEFINITIONS.—Section 2(a)(1) of division A of the Rail Safety Improvement Act of 2008 (Public Law 110–432; 122 Stat. 4849) is amended in the matter preceding subparagraph (A), by inserting a comma after ''at grade''.

(3) RAILROAD SAFETY STRATEGY.—Section 102(a)(6) of title I of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20101 note) is amended by striking ''Improving the safety of railroad bridges, tunnels, and related infrastructure to prevent accidents, incidents, injuries, and fatalities caused by catastrophic failures and other bridge and tunnel failures.'' and inserting ''Improving the safety of railroad bridges, tunnels, and related infrastructure to prevent accidents, incidents, injuries, and fatalities caused by catastrophic and other failures of such infrastructure.''.

(4) OPERATION LIFESAVER.—Section 206(a) of title II of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note) is amended by striking ''Public Service Announcements'' and inserting ''public service announcements''.

(5) UPDATE OF FEDERAL RAILROAD ADMINISTRATION'S WEB SITE.—Section 307 of title III of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 103 note) is amended—

*(A) in the heading by striking ''***FEDERAL RAILROAD ADMINISTRATION'S WEBSITE***'' and inserting ''***FEDERAL RAILROAD ADMINISTRATION WEB SITE***'';*

(B) by striking ''website'' each place it appears and inserting ''Web site''; and

(C) by striking ''website's'' and inserting ''Web site's''.

(6) ALCOHOL AND CONTROLLED SUBSTANCE TESTING FOR MAINTENANCE-OF-WAY EMPLOYEES.—Section 412 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20140 note) is amended by striking ''Secretary of Transportation'' and inserting ''Secretary''.

(7) TUNNEL INFORMATION.—Section 414 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20103 note) is amended—

(A) by striking ''parts 171.8, 173.115'' and inserting ''sections 171.8, 173.115''; and

(B) by striking ''part 1520.5'' and inserting ''section 1520.5''.

(8) SAFETY INSPECTIONS IN MEXICO.—Section 416 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20107 note) is amended—

(A) in the matter preceding paragraph (1), by striking ''Secretary of Transportation'' and inserting ''Secretary''; and

(B) in paragraph (4), by striking ''subsection'' and inserting ''section''.

*(9) HEADING OF TITLE VI.—The heading of title VI of division A of the Rail Safety Improvement Act of 2008 (122 Stat. 4900) is amended by striking ''***SOLID WASTE FACILITIES***'' and inserting ''***SOLID WASTE RAIL TRANSFER FACILITIES***''.*

*(10) HEADING OF SECTION 602.—The heading of section 602 of title VI of division A of the Rail Safety Improvement Act of 2008 (122 Stat. 4900) is amended by striking ''***SOLID WASTE TRANSFER FACILITIES***'' and inserting ''***SOLID WASTE RAIL TRANSFER FACILITIES***''.*

(k) CONTINGENT INTEREST RECOVERIES.—Section 22106(b) of title 49, United States Code, is amended by striking ''interest thereof'' and inserting ''interest thereon''.

(l) MISSION.—Section 24101(b) of title 49, United States Code, is amended by striking ''of subsection (d)'' and inserting ''set forth in subsection (c)''.

(m) TABLE OF CONTENTS AMENDMENT.—The table of contents for chapter 243 of title 49, United States Code, is amended by striking the item relating to section 24316 and inserting the following:

''24316. Plans to address the needs of families of passengers involved in rail passenger accidents.''.

(n) AMTRAK.—Chapter 247 of title 49, United States Code, is amended—

(1) in section 24706—

(A) in subsection (a)—

(i) in paragraph (1) by striking ''a discontinuance under section 24704 or or''; and

(ii) in paragraph (2) by striking ''section 24704 or''; and

(B) in subsection (b) by striking ''section 24704 or''; and

(2) in section 24709 by striking ''The Secretary of the Treasury and the Attorney General,'' and inserting ''The Secretary of Homeland Security,''.

(o) RAIL COOPERATIVE RESEARCH PROGRAM.—Section 24910(b) of title 49, United States Code, is amended—

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

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

(3) by adding at the end the following:

''(14) to improve overall safety of intercity passenger and freight rail operations.''.

(p) SECRETARIAL OVERSIGHT.—Section 24403 of title 49, United States Code, is amended by striking subsection (b).

Subtitle D—Safety

SEC. 11401. HIGHWAY-RAIL GRADE CROSSING SAFETY.

(a) MODEL STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Railroad Administration shall develop a model of a State-specific highway-rail grade crossing action plan and distribute the plan to each State.

(2) CONTENTS.—The plan developed under paragraph (1) shall include—

(A) methodologies, tools, and data sources for identifying and evaluating highway-rail grade crossing safety risks, including the public safety risks posed by blocked highway-rail grade crossings due to idling trains;

(B) best practices to reduce the risk of highway-rail grade crossing accidents or incidents and to alleviate the blockage of highway-rail grade crossings due to idling trains, including strategies for—

(i) education, including model stakeholder engagement plans or tools;

(ii) engineering, including the benefits and costs of different designs and technologies used to mitigate highway-rail grade crossing safety risks; and

(iii) enforcement, including the strengths and weaknesses associated with different enforcement methods;

(C) for each State, a customized list and data set of the highway-rail grade crossing accidents or incidents in that State over the past 3 years, including the location, number of deaths, and number of injuries for each accident or incident, and a list of highway-rail grade crossings in that State that have experienced multiple accidents or incidents over the past 3 years; and

(D) contact information of a Department of Transportation safety official available to assist the State in adapting the model plan to satisfy the requirements under subsection (b).

(b) STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLANS.—

(1) REQUIREMENTS.—Not later than 18 months after the Administrator develops and distributes the model plan under subsection (a), the Administrator shall promulgate a rule that requires—

(A) each State, except the 10 States identified under section 202 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note), to develop and implement a State highway-rail grade crossing action plan; and

(B) each State identified under section 202 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note) to—

(i) update the State action plan under such section; and

(ii) submit to the Administrator—

(I) the updated State action plan; and

(II) a report describing what the State did to implement its previous State action plan under such section and how the State will continue to reduce highway-rail grade crossing safety risks.

(2) CONTENTS.—Each State plan required under this subsection shall—

(A) identify highway-rail grade crossings that have experienced recent highway-rail grade crossing accidents or incidents or multiple highway-rail grade crossing accidents or incidents, or are at high-risk for accidents or incidents;

(B) identify specific strategies for improving safety at highway-rail grade crossings, including highway-rail grade crossing closures or grade separations; and

(C) designate a State official responsible for managing implementation of the State action plan under subparagraph (A) or (B) of paragraph (1), as applicable.

(3) ASSISTANCE.—The Administrator shall provide assistance to each State in developing and carrying out, as appropriate, the State action plan under this subsection.

(4) PUBLIC AVAILABILITY.—Each State shall submit a final State plan under this subsection to the Administrator for publication. The Administrator shall make each approved State plan publicly available on an official Internet Web site.

(5) CONDITIONS.—The Secretary may condition the awarding of a grant to a State under chapter 244 of title 49, United States Code, on that State submitting an acceptable State action plan under this subsection.

(6) REVIEW OF ACTION PLANS.—Not later than 60 days after the date of receipt of a State action plan under this subsection, the Administrator shall—

(A) if the State action plan is approved, notify the State and publish the State action plan under paragraph (4); and

(B) if the State action plan is incomplete or deficient, notify the State of the specific areas in which the plan is deficient and allow the State to complete the plan or correct the deficiencies and resubmit the plan under paragraph (1).

(7) DEADLINE.—Not later than 60 days after the date of a notice under paragraph (6)(B), a State shall complete the plan or correct the deficiencies and resubmit the plan.

(8) FAILURE TO COMPLETE OR CORRECT PLAN.—If a State fails to meet the deadline under paragraph (7), the Administrator shall post on the Web site under paragraph (4) a notice that the State has an incomplete or deficient highway-rail grade crossing action plan.

(c) REPORT.—Not later than the date that is 3 years after the Administrator publishes the final rule under subsection (b)(1), the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(1) the specific strategies identified by States to improve safety at highway-rail grade crossings, including crossings with multiple accidents or incidents; and

(2) the progress each State described under subsection (b)(1)(B) has made in implementing its action plan.

(d) RAILWAY-HIGHWAY CROSSINGS FUNDS.—The Secretary may use funds made available to carry out section 130 of title 23, United States Code, to provide States with funds to develop a State highway-rail grade crossing action plan under subsection (b)(1)(A) or to update a State action plan under subsection (b)(1)(B).

(e) DEFINITIONS.—In this section:

(1) HIGHWAY-RAIL GRADE CROSSING.—The term ''highway-rail grade crossing'' means a location within a State, other than a location where 1 or more railroad tracks cross 1 or more railroad tracks at grade, where—

(A) a public highway, road, or street, or a private roadway, including associated sidewalks and pathways, crosses 1 or more railroad tracks either at grade or grade-separated; or

(B) a pathway explicitly authorized by a public authority or a railroad carrier that is dedicated for the use of non-vehicular traffic, including pedestrians, bicyclists, and others, that is not associated with a public highway, road, or street, or a private roadway, crosses 1 or more railroad tracks either at grade or grade-separated.

(2) STATE.—The term ''State'' means a State of the United States or the District of Columbia.

SEC. 11402. PRIVATE HIGHWAY-RAIL GRADE CROSSINGS.

(a) IN GENERAL.—The Secretary, in consultation with railroad carriers, shall conduct a study to—

(1) determine whether limitations or weaknesses exist regarding the availability and usefulness for safety purposes of data on private highway-rail grade crossings; and

(2) evaluate existing engineering practices on private highway-rail grade crossings.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall make recommendations as necessary to improve—

(1) the utility of the data on private highway-rail grade crossings; and

(2) the implementation of private highway-rail crossing safety measures, including signage and warning systems.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings of the study and any recommendations for further action.

SEC. 11403. STUDY ON USE OF LOCOMOTIVE HORNS AT HIGHWAY-RAIL GRADE CROSSINGS.

(a) STUDY.—The Comptroller General of the United States shall submit a report to Congress containing the results of a study evaluating the final rule issued on August 17, 2006, entitled ''Use of Locomotive Horns at Highway-Rail Grade Crossings'' (71 Fed. Reg. 47614), including—

(1) the effectiveness of such final rule;

(2) the benefits and costs of establishing quiet zones; and

(3) any barriers to establishing quiet zones.

(b) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit or preclude any planned retrospective review by the Secretary of the final rule described in subsection (a).

SEC. 11404. POSITIVE TRAIN CONTROL AT GRADE CROSSINGS EFFECTIVENESS STUDY.

After the Secretary certifies that each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation is in compliance with the positive train control requirements under section 20157(a) of title 49, United States Code, the Secretary shall—

(1) conduct a study of the possible effectiveness of positive train control and related technologies on reducing collisions at highway-rail grade crossings; and

(2) submit a report containing the results of the study conducted under paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 11405. BRIDGE INSPECTION REPORTS.

Section 417(d) of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20103 note) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) AVAILABILITY OF BRIDGE CONDITION.—

''(A) IN GENERAL.—A State or political subdivision of a State may file a request with the Secretary for a public version of a bridge inspection report generated under subsection (b)(5) for a bridge located in such State or political subdivision's jurisdiction.

''(B) PUBLIC VERSION OF REPORT.—If the Secretary determines that the request is reasonable, the Secretary shall require a railroad to submit a public version of the most recent bridge inspection report, such as a summary form, for a bridge subject to a request under subparagraph (A). The public version of a bridge inspection report shall include the date of last inspection, length of bridge, location of bridge, type of bridge, type of structure, feature crossed by bridge, and railroad contact information, along with a general statement on the condition of the bridge.

''(C) PROVISION OF REPORT.—The Secretary shall provide to a State or political subdivision of a State a public version of a bridge inspection report submitted under subparagraph (B).

''(D) TECHNICAL ASSISTANCE.—The Secretary, upon the reasonable request of State or political subdivision of a State, shall provide technical assistance to such State or political subdivision of a State to facilitate the understanding of a bridge inspection report.''.

SEC. 11406. SPEED LIMIT ACTION PLANS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, each railroad carrier providing intercity rail passenger transportation or commuter rail passenger transportation, in consultation with any applicable host railroad carrier, shall survey its entire system and identify each main track location where there is a reduction of more than 20 miles per hour from the approach speed to a curve, bridge, or tunnel and the maximum authorized operating speed for passenger trains at that curve, bridge, or tunnel.

(b) ACTION PLANS.—Not later than 120 days after the date that the survey under subsection (a) is complete, a railroad carrier described in subsection (a) shall submit to the Secretary an action plan that—

(1) identifies each main track location where there is a reduction of more than 20 miles per hour from the approach speed to a curve, bridge, or tunnel and the maximum authorized operating speed for passenger trains at that curve, bridge, or tunnel;

(2) describes appropriate actions to enable warning and enforcement of the maximum authorized speed for passenger trains at each location identified under paragraph (1), including—

(A) modification to automatic train control systems, if applicable, or other signal systems;

(B) increased crew size;

(C) installation of signage alerting train crews of the maximum authorized speed for passenger trains in each location identified under paragraph (1);

(D) installation of alerters;

(E) increased crew communication; and

(F) other practices;

(3) contains milestones and target dates for implementing each appropriate action described under paragraph (2); and

(4) ensures compliance with the maximum authorized speed at each location identified under paragraph (1).

(c) APPROVAL.—Not later than 90 days after the date on which an action plan is submitted under subsection (b), the Secretary shall approve, approve with conditions, or disapprove the action plan.

(d) ALTERNATIVE SAFETY MEASURES.—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in reducing derailment risk.

(e) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

(1) the actions railroad carriers have taken in response to Safety Advisory 2013–08, entitled ''Operational Tests and Inspections for Compliance With Maximum Authorized Train Speeds and Other Speed Restrictions'';

(2) the actions railroad carriers have taken in response to Safety Advisory 2015–03, entitled ''Operational and Signal Modifications for Compliance with Maximum Authorized Passenger Train Speeds and Other Speed Restrictions''; and

(3) the actions the Federal Railroad Administration has taken to evaluate or incorporate the information and findings arising from the safety advisories referred to in paragraphs (1) and (2) into the development of regulatory action and oversight activities.

(f) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from applying the requirements of this section to other segments of track at high risk of overspeed derailment.

SEC. 11407. ALERTERS.

(a) IN GENERAL.—The Secretary shall promulgate a rule to require a working alerter in the controlling locomotive of each passenger train in intercity rail passenger transportation (as defined in section 24102 of title 49, United States Code) or commuter rail passenger transportation (as defined in section 24102 of title 49, United States Code).

(b) RULEMAKING.—

(1) IN GENERAL.—The Secretary may promulgate a rule to specify the essential functionalities of a working alerter, including the manner in which the alerter can be reset.

(2) ALTERNATE PRACTICE OR TECHNOLOGY.—The Secretary may require or allow a technology or practice in lieu of a working alerter if the Secretary determines that the technology or practice would achieve an equivalent or greater level of safety in enhancing or ensuring appropriate locomotive control.

SEC. 11408. SIGNAL PROTECTION.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall initiate a rulemaking to require that on-track safety regulations, whenever practicable and consistent with other safety requirements and operational considerations, include requiring implementation of redundant signal protection for maintenance-of-way work crews who depend on a train dispatcher to provide signal protection.

(b) ALTERNATIVE SAFETY MEASURES.—The Secretary shall consider exempting from any final requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in providing additional signal protection.

SEC. 11409. COMMUTER RAIL TRACK INSPECTIONS.

(a) IN GENERAL.—The Secretary shall evaluate track inspection regulations to determine if a railroad carrier providing commuter rail passenger transportation on high density commuter railroad lines should be required to inspect the lines in the same manner as is required for other commuter railroad lines.

(b) RULEMAKING.—Considering safety, including railroad carrier employee and contractor safety, system capacity, and other relevant factors, the Secretary may promulgate a rule for high density commuter railroad lines. If, after the evaluation under subsection (a), the Secretary determines that it is necessary to promulgate a rule, the Secretary shall specifically consider the following regulatory requirements for high density commuter railroad lines:

(1) At least once every 2 weeks—

(A) traverse each main line by vehicle; or

(B) inspect each main line on foot.

(2) At least once each month, traverse and inspect each siding by vehicle or by foot.

(c) REPORT.—If, after the evaluation under subsection (a), the Secretary determines it is not necessary to revise the regulations under this section, the Secretary, not later than 18 months after the date of enactment of this Act, shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report explaining the reasons for not revising the regulations.

(d) CONSTRUCTION.—Nothing in this section may be construed to limit the authority of the Secretary to promulgate regulations or issue orders under any other law.

SEC. 11410. POST-ACCIDENT ASSESSMENT.

(a) IN GENERAL.—The Secretary, in cooperation with the National Transportation Safety Board and Amtrak, shall conduct a post-accident assessment of the Amtrak Northeast Regional Train #188 crash on May 12, 2015.

(b) ELEMENTS.—The assessment conducted pursuant to subsection (a) shall include—

(1) a review of Amtrak's compliance with the plan for addressing the needs of the families of passengers involved in any rail passenger accident, which was submitted pursuant to section 24316 of title 49, United States Code;

(2) a review of Amtrak's compliance with the emergency preparedness plan required under section 239.101(a) of title 49, Code of Federal Regulations;

(3) a determination of any additional action items that should be included in the plans referred to in paragraphs (1) and (2) to meet the needs of the passengers involved in the crash and their families, including—

(A) notification of emergency contacts;

(B) dedicated and trained staff to manage family assistance;

(C) the establishment of a family assistance center at the accident locale or other appropriate location;

(D) a system for identifying and recovering items belonging to passengers that were lost in the crash; and

(E) the establishment of a single customer service entity within Amtrak to coordinate the response to the needs of the passengers involved in the crash and their families; and

(4) recommendations for any additional training needed by Amtrak staff to better implement the plans referred to in paragraphs (1) and (2), including the establishment of a regular schedule for training drills and exercises.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, Amtrak shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

(1) Amtrak's plan to achieve the recommendations referred to in subsection (b)(4); and

(2) any steps that have been taken to address any deficiencies identified through the assessment.

SEC. 11411. RECORDING DEVICES.

(a) IN GENERAL.—Subchapter II of chapter 201 of title 49, United States Code, is amended by adding at the end the following:

''§ 20168. Installation of audio and image recording devices

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary of Transportation shall promulgate regulations to require each railroad carrier that provides regularly scheduled intercity rail passenger or commuter rail passenger transportation to the public to install inward- and outward-facing image recording devices in all controlling locomotive cabs and cab car operating compartments in such passenger trains.

''(b) DEVICE STANDARDS.—Each inward- and outward-facing image recording device shall—

''(1) have a minimum 12-hour continuous recording capability;

''(2) have crash and fire protections for any in-cab image recordings that are stored only within a controlling locomotive cab or cab car operating compartment; and

''(3) have recordings accessible for review during an accident or incident investigation.

''(c) REVIEW.—The Secretary shall establish a process to review and approve or disapprove an inward- or outward-facing image recording device for compliance with the standards described in subsection (b).

''(d) USES.—A railroad carrier subject to the requirements of subsection (a) that has installed an inward- or outward-facing image recording device approved under subsection (c) may use recordings from that inward- or outward-facing image recording device for the following purposes:

''(1) Verifying that train crew actions are in accordance with applicable safety laws and the railroad carrier's operating rules and procedures, including a system-wide program for such verification.

''(2) Assisting in an investigation into the causation of a reportable accident or incident.

''(3) Documenting a criminal act or monitoring unauthorized occupancy of the controlling locomotive cab or car operating compartment.

''(4) Other purposes that the Secretary considers appropriate.

''(e) DISCRETION.—

''(1) IN GENERAL.—The Secretary may—

''(A) require in-cab audio recording devices for the purposes described in subsection (d); and

''(B) define in appropriate technical detail the essential features of the devices required under subparagraph (A).

''(2) EXEMPTIONS.—The Secretary may exempt any railroad carrier subject to the requirements of subsection (a) or any part of the carrier's operations from the requirements under subsection (a) if the Secretary determines that the carrier has implemented an alternative technology or practice that provides an equivalent or greater safety benefit or that is better suited to the risks of the operation.

''(f) TAMPERING.—A railroad carrier subject to the requirements of subsection (a) may take appropriate enforcement or administrative action against any employee that tampers with or disables an audio or inward- or outward-facing image recording device installed by the railroad carrier.

''(g) PRESERVATION OF DATA.—Each railroad carrier subject to the requirements of subsection (a) shall preserve recording device data for 1 year after the date of a reportable accident or incident.

''(h) INFORMATION PROTECTIONS.—The Secretary may not disclose publicly any part of an in-cab audio or image recording or transcript of oral communications by or among train employees or other operating employees responsible for the movement and direction of the train, or between such operating employees and company communication centers, related to an accident or incident investigated by the Secretary. The Secretary may make public any part of a transcript or any written depiction of visual information that the Secretary determines is relevant to the accident at the time a majority of the other factual reports on the accident or incident are released to the public.

''(i) PROHIBITED USE.—An in-cab audio or image recording obtained by a railroad carrier under this section may not be used to retaliate against an employee.

''(j) SAVINGS CLAUSE.—Nothing in this section may be construed as requiring a railroad carrier to cease or restrict operations upon a technical failure of an inward- or outward-facing image recording device or in-cab audio device. Such railroad carrier shall repair or replace the failed inward- or outward-facing image recording device as soon as practicable.''.

(b) CONFORMING AMENDMENT.—The table of contents for subchapter II of chapter 201 of title 49, United States Code, is amended by adding at the end the following:

''20168. Installation of audio and image recording devices.''.

SEC. 11412. RAILROAD POLICE OFFICERS.

(a) IN GENERAL.—Section 28101 of title 49, United States Code, is amended—

(1) by striking ''employed by'' each place it appears and inserting ''directly employed by or contracted by'';

(2) in subsection (b), by inserting ''or agent, as applicable,'' after ''an employee''; and

(3) by adding at the end the following:

''(c) TRANSFERS.—

''(1) IN GENERAL.—If a railroad police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State transfers primary employment or residence from the certifying or commissioning State to another State or jurisdiction, the railroad police officer, not later than 1 year after the date of transfer, shall apply to be certified or commissioned as a police office under the laws of the State of new primary employment or residence.

''(2) INTERIM PERIOD.—During the period beginning on the date of transfer and ending 1 year after the date of transfer, a railroad police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State may enforce the laws of the new jurisdiction in which the railroad police officer resides, to the same extent as provided in subsection (a).

''(d) TRAINING.—

''(1) IN GENERAL.—A State may recognize as meeting that State's basic police officer certification or commissioning requirements for qualification as a rail police officer under this section any individual who successfully completes a program at a State-recognized police training academy in another State or at a Federal law enforcement training center and who is certified or commissioned as a police officer by that other State.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as superseding or affecting any State training requirements related to criminal law, criminal procedure, motor vehicle code, any other State law, or State-mandated comparative or annual in-service training academy or Federal law enforcement training center.''.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the regulations in part 207 of title 49, Code of Federal Regulations (relating to railroad police officers), to permit a railroad to designate an individual, who is commissioned in the individual's State of legal residence or State of primary employment and directly employed by or contracted by a railroad to enforce State laws for the protection of railroad property, personnel, passengers, and cargo, to serve in the States in which the railroad owns property.

(c) CONFORMING AMENDMENTS.—

(1) AMTRAK RAIL POLICE.—Section 24305(e) of title 49, United States Code, is amended—

(A) by striking ''may employ'' and inserting ''may directly employ or contract with'';

(B) by striking ''employed by'' and inserting ''directly employed by or contracted by''; and

(C) by striking ''employed without'' and inserting ''directly employed or contracted without''.

(2) EXCEPTIONS.—Section 922(z)(2)(B) of title 18, United States Code, is amended by striking ''employed by'' and inserting ''directly employed by or contracted by''.

SEC. 11413. REPAIR AND REPLACEMENT OF DAMAGED TRACK INSPECTION EQUIPMENT.

(a) IN GENERAL.—Subchapter I of chapter 201 of title 49, United States Code, is amended by adding at the end the following:

''§ 20121. Repair and replacement of damaged track inspection equipment

''The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government-owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Railroad Safety and Operations account of the Federal Railroad Administration and shall remain available until expended for the repair, operation, and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.''.

(b) CONFORMING AMENDMENT.—The table of contents for subchapter I of chapter 201 of title 49, United States Code, is amended by adding at the end the following:

''20121. Repair and replacement of damaged track inspection equipment.''.

SEC. 11414. REPORT ON VERTICAL TRACK DEFLECTION.

(a) REPORT.—Not later than 9 months after the date of enactment of this Act, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing research conducted or procured by the Federal Railroad Administration on developing a system that measures vertical track deflection (in this section referred to as ''VTD'') from a moving rail car, including the ability of such system to identify poor track support from fouled ballast, deteriorated cross ties, or other conditions.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) the findings and results of testing of VTD instrumentation during field trials on revenue service track;

(2) the findings and results of subsequent testing of VTD instrumentation on a Federal Railroad Administration automated track inspection program geometry car;

(3) if considered appropriate by the Secretary based on the report and related research, a plan for developing quantitative inspection criteria for poor track support using existing VTD instrumentation on Federal Railroad Administration automated track inspection program geometry cars; and

(4) if considered appropriate by the Secretary based on the report and related research, a plan for installing VTD instrumentation on all remaining Federal Railroad Administration automated track inspection program geometry cars not later than 3 years after the date of enactment of this Act.

SEC. 11415. RAIL PASSENGER LIABILITY.

(a) AMTRAK INCIDENT.—Notwithstanding any other provision of law, the aggregate allowable awards to all rail passengers, against all defendants, for all claims, including claims for punitive damages, arising from a single accident or incident involving Amtrak occurring on May 12, 2015, shall not exceed $295,000,000.

(b) ADJUSTMENT BASED ON CONSUMER PRICE INDEX.—The liability cap under section 28103(a)(2) of title 49, United States Code, shall be adjusted on the date of enactment of this Act to reflect the change in the Consumer Price Index-All Urban Consumers between such date and December 2, 1997, and the Secretary shall provide appropriate public notice of such adjustment. The adjustment of the liability cap shall be effective 30 days after such notice. Every fifth year after the date of enactment of this Act, the Secretary shall adjust such liability cap to reflect the change in the Consumer Price Index-All Urban Consumers since the last adjustment. The Secretary shall provide appropriate public notice of each such adjustment, and the adjustment shall become effective 30 days after such notice.

Subtitle E—Project Delivery

SEC. 11501. SHORT TITLE.

This subtitle may be cited as the ''Track, Railroad, and Infrastructure Network Act'' or the ''TRAIN Act''.

SEC. 11502. TREATMENT OF IMPROVEMENTS TO RAIL AND TRANSIT UNDER PRESERVATION REQUIREMENTS.

(a) TITLE 23 AMENDMENT.—Section 138 of title 23, United States Code, is further amended by adding at the end the following:

''(f) RAIL AND TRANSIT.—

''(1) IN GENERAL.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements thereof that are in use or were historically used for the transportation of goods or passengers shall not be considered a use of a historic site under subsection (a), regardless of whether the railroad or rail transit line or element thereof is listed on, or eligible for listing on, the National Register of Historic Places.

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to—

''(i) stations; or

''(ii) bridges or tunnels located on—

''(I) railroad lines that have been abandoned; or

''(II) transit lines that are not in use.

''(B) CLARIFICATION WITH RESPECT TO CERTAIN BRIDGES AND TUNNELS.—The bridges and tunnels referred to in subparagraph (A)(ii) do not include bridges or tunnels located on railroad or transit lines—

''(i) over which service has been discontinued; or

''(ii) that have been railbanked or otherwise reserved for the transportation of goods or passengers.''.

(b) TITLE 49 AMENDMENT.—Section 303 of title 49, United States Code, is further amended—

(1) in subsection (c), in the matter preceding paragraph (1), by striking ''subsection (d)'' and inserting ''subsections (d) and (h)''; and

(2) by adding at the end the following:

''(h) RAIL AND TRANSIT.—

''(1) IN GENERAL.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements thereof that are in use or were historically used for the transportation of goods or passengers shall not be considered a use of a historic site under subsection (c), regardless of whether the railroad or rail transit line or element thereof is listed on, or eligible for listing on, the National Register of Historic Places.

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to—

''(i) stations; or

''(ii) bridges or tunnels located on—

''(I) railroad lines that have been abandoned; or

''(II) transit lines that are not in use.

''(B) CLARIFICATION WITH RESPECT TO CERTAIN BRIDGES AND TUNNELS.—The bridges and tunnels referred to in subparagraph (A)(ii) do not include bridges or tunnels located on railroad or transit lines—

''(i) over which service has been discontinued; or

''(ii) that have been railbanked or otherwise reserved for the transportation of goods or passengers.''.

SEC. 11503. EFFICIENT ENVIRONMENTAL REVIEWS.

(a) AMENDMENT.—Title 49, United States Code, is amended by inserting after chapter 241 the following new chapter:

''CHAPTER 242—PROJECT DELIVERY

''Sec.

''24201. Efficient environmental reviews.

''§ 24201. Efficient environmental reviews

''(a) EFFICIENT ENVIRONMENTAL REVIEWS.—

''(1) IN GENERAL.—The Secretary of Transportation shall apply the project development procedures, to the greatest extent feasible, described in section 139 of title 23 to any railroad project that requires the approval of the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) REGULATIONS AND PROCEDURES.—In carrying out paragraph (1), the Secretary shall incorporate into agency regulations and procedures pertaining to railroad projects described in paragraph (1) aspects of such project development procedures, or portions thereof, determined appropriate by the Secretary in a manner consistent with this section, that increase the efficiency of the review of railroad projects.

''(3) DISCRETION.—The Secretary may choose not to incorporate into agency regulations and procedures pertaining to railroad projects described in paragraph (1) such project development procedures that could only feasibly apply to highway projects, public transportation capital projects, and multimodal projects.

''(4) APPLICABILITY.—Subsection (l) of section 139 of title 23 shall apply to railroad projects described in paragraph (1), except that the limitation on claims of 150 days shall be 2 years.

''(b) ADDITIONAL CATEGORICAL EXCLUSIONS.—Not later than 6 months after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary shall—

''(1) survey the use by the Federal Railroad Administration of categorical exclusions in transportation projects since 2005; and

''(2) publish in the Federal Register for notice and public comment a review of the survey that includes a description of—

''(A) the types of actions categorically excluded; and

''(B) any actions the Secretary is considering for new categorical exclusions, including those that would conform to those of other modal administrations.

''(c) NEW CATEGORICAL EXCLUSIONS.—Not later than 1 year after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary shall publish a notice of proposed rulemaking to propose new and existing categorical exclusions for railroad projects that require the approval of the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including those identified under subsection (b), and develop a process for considering new categorical exclusions to the extent that the categorical exclusions meet the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations.

''(d) TRANSPARENCY.—The Secretary shall maintain and make publicly available, including on the Internet, a database that identifies project-specific information on the use of a categorical exclusion on any railroad project carried out under this title.

''(e) PROTECTIONS FOR EXISTING AGREEMENTS AND NEPA.—Nothing in subtitle E of the Passenger Rail Reform and Investment Act of 2015, or any amendment made by such subtitle, shall affect any existing environmental review process, program, agreement, or funding arrangement approved by the Secretary under title 49, as that title was in effect on the day preceding the date of enactment of such subtitle.''.

(b) SAVINGS CLAUSE.—Except as expressly provided in section 41003(f) and subsection (o) of section 139 of title 23, United States Code, the requirements and other provisions of title 41 of this Act shall not apply to—

(1) programs administered now and in the future by the Department of Transportation or its operating administrations under title 23, 46, or 49, United States Code, including direct loan and loan guarantee programs, or other Federal statutes or programs or projects administered by an agency pursuant to their authority under title 49, United States Code; or

(2) any project subject to section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348).

(c) TABLE OF CHAPTERS AMENDMENT.—The table of chapters of subtitle V of title 49, United States Code, is amended by inserting after the item relating to chapter 241 the following:

''242. Project delivery ..... 24201''.

SEC. 11504. RAILROAD RIGHTS-OF-WAY.

(a) AMENDMENT.—Chapter 242 of title 49, United States Code, (as added by this Act) is amended by adding at the end the following:

''§ 24202. Railroad rights-of-way

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary shall submit a proposed exemption of railroad rights-of-way from the review under section 306108 of title 54 to the Advisory Council on Historic Preservation for consideration, consistent with the exemption for interstate highways approved on March 10, 2005 (70 Fed. Reg. 11,928).

''(b) FINAL EXEMPTION.—Not later than 180 days after the date on which the Secretary submits the proposed exemption under subsection (a) to the Council, the Council shall issue a final exemption of railroad rights-of-way from review under chapter 3061 of title 54 consistent with the exemption for interstate highways approved on March 10, 2005 (70 Fed. Reg. 11,928).''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 242 of title 49, United States Code, (as added by this Act) is amended by adding at the end the following:

''24202. Railroad rights-of-way.''.

Subtitle F—Financing

SEC. 11601. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This subtitle may be cited as the ''Railroad Infrastructure Financing Improvement Act''.

(b) REFERENCES TO THE RAILROAD REVITALIZATION AND REGULATORY REFORM ACT OF 1976.—Except as otherwise expressly provided, wherever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801 et seq.).

SEC. 11602. DEFINITIONS.

Section 501 (45 U.S.C. 821) is amended—

(1) by redesignating paragraph (8) as paragraph (10);

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

(3) by inserting after paragraph (5) the following:

''(6) The term 'investment-grade rating' means a rating of BBB minus, Baa 3, bbb minus, BBB(low), or higher assigned by a rating agency.'';

(4) by inserting after paragraph (8), as redesignated, the following:

''(9) The term 'master credit agreement' means an agreement to make 1 or more direct loans or loan guarantees at future dates for a program of related projects on terms acceptable to the Secretary.''; and

(5) by adding at the end the following:

''(11) The term 'project obligation' means a note, bond, debenture, or other debt obligation issued by a borrower in connection with the financing of a project, other than a direct loan or loan guarantee under this title.

''(12) The term 'railroad' has the meaning given the term 'railroad carrier' in section 20102 of title 49, United States Code.

''(13) The term 'rating agency' means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

''(14) The term 'substantial completion' means—

''(A) the opening of a project to passenger or freight traffic; or

''(B) a comparable event, as determined by the Secretary and specified in the terms of the direct loan or loan guarantee provided by the Secretary.''.

SEC. 11603. ELIGIBLE APPLICANTS.

Section 502(a) (45 U.S.C. 822(a)) is amended—

(1) in paragraph (5), by striking ''one railroad'' and inserting ''1 of the entities described in paragraph (1), (2), (3), (4), or (6)''; and

(2) by amending paragraph (6) to read as follows:

''(6) solely for the purpose of constructing a rail connection between a plant or facility and a railroad, limited option freight shippers that own or operate a plant or other facility.''.

SEC. 11604. ELIGIBLE PURPOSES.

(a) IN GENERAL.—Section 502(b)(1) (45 U.S.C. 822(b)(1)) is amended—

(1) in subparagraph (A), by inserting '', and costs related to these activities, including preconstruction costs'' after ''shops'';

(2) in subparagraph (B), by striking ''subparagraph (A); or'' and inserting ''subparagraph (A) or (C);'';

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(D) reimburse planning and design expenses relating to activities described in subparagraph (A) or (C); or

''(E) finance economic development, including commercial and residential development, and related infrastructure and activities, that—

''(i) incorporates private investment;

''(ii) is physically or functionally related to a passenger rail station or multimodal station that includes rail service;

''(iii) has a high probability of the applicant commencing the contracting process for construction not later than 90 days after the date on which the direct loan or loan guarantee is obligated for the project under this title; and

''(iv) has a high probability of reducing the need for financial assistance under any other Federal program for the relevant passenger rail station or service by increasing ridership, tenant lease payments, or other activities that generate revenue exceeding costs.''.

(b) REQUIRED NON-FEDERAL MATCH FOR TRANSIT-ORIENTED DEVELOPMENT PROJECTS.—Section 502(h) (45 U.S.C. 822(h)) is amended by adding at the end the following:

''(4) The Secretary shall require each recipient of a direct loan or loan guarantee under this section for a project described in subsection (b)(1)(E) to provide a non-Federal match of not less than 25 percent of the total amount expended by the recipient for such project.''.

(c) SUNSET.—Section 502(b) (45 U.S.C. 822(b)) is amended by adding at the end the following:

''(3) SUNSET.—The Secretary may provide a direct loan or loan guarantee under this section for a project described in paragraph (1)(E) only during the 4-year period beginning on the date of enactment of the Passenger Rail Reform and Investment Act of 2015.''.

SEC. 11605. PROGRAM ADMINISTRATION.

(a) APPLICATION PROCESSING PROCEDURES.—Section 502(i) (45 U.S.C. 822(i)) is amended to read as follows:

''(i) APPLICATION PROCESSING PROCEDURES.—

''(1) APPLICATION STATUS NOTICES.—Not later than 30 days after the date that the Secretary receives an application under this section, or additional information and material under paragraph (2)(B), the Secretary shall provide the applicant written notice as to whether the application is complete or incomplete.

''(2) INCOMPLETE APPLICATIONS.—If the Secretary determines that an application is incomplete, the Secretary shall—

''(A) provide the applicant with a description of all of the specific information or material that is needed to complete the application, including any information required by an independent financial analyst; and

''(B) allow the applicant to resubmit the application with the information and material described under subparagraph (A) to complete the application.

''(3) APPLICATION APPROVALS AND DISAPPROVALS.—

''(A) IN GENERAL.—Not later than 60 days after the date the Secretary notifies an applicant that an application is complete under paragraph (1), the Secretary shall provide the applicant written notice as to whether the Secretary has approved or disapproved the application.

''(B) ACTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—In order to enable compliance with the time limit under subparagraph (A), the Office of Management and Budget shall take any action required with respect to the application within that 60-day period.

''(4) EXPEDITED PROCESSING.—The Secretary shall implement procedures and measures to economize the time and cost involved in obtaining an approval or a disapproval of an application for a direct loan or loan guarantee under this title.

''(5) DASHBOARD.—The Secretary shall post on the Department of Transportation's Internet Web site a monthly report that includes, for each application—

''(A) the applicant type;

''(B) the location of the project;

''(C) a brief description of the project, including its purpose;

''(D) the requested direct loan or loan guarantee amount;

''(E) the date on which the Secretary provided application status notice under paragraph (1); and

''(F) the date that the Secretary provided notice of approval or disapproval under paragraph (3).''.

(b) ADMINISTRATION OF DIRECT LOANS AND LOAN GUARANTEES.—Section 503 (45 U.S.C. 823) is amended—

(1) in subsection (a) by striking the period at the end and inserting '', including a program guide, a standard term sheet, and specific timetables.'';

(2) by redesignating subsections (c) through (l) as subsections (d) through (m), respectively;

(3) by striking ''(b) ASSIGNMENT OF LOAN GUARANTEES.—'' and inserting ''(c) ASSIGNMENT OF LOAN GUARANTEES.—'';

(4) in subsection (d), as so redesignated—

(A) in paragraph (1) by striking ''; and'' and inserting a semicolon;

(B) in paragraph (2) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) the modification cost has been covered under section 502(f).''; and

(5) by striking subsection (l), as so redesignated, and inserting the following:

''(l) CHARGES AND LOAN SERVICING.—

''(1) PURPOSES.—The Secretary may collect from each applicant, obligor, or loan party a reasonable charge for—

''(A) the cost of evaluating the application, amendments, modifications, and waivers, including for evaluating project viability, applicant creditworthiness, and the appraisal of the value of the equipment or facilities for which the direct loan or loan guarantee is sought, and for making necessary determinations and findings;

''(B) the cost of award management and project management oversight;

''(C) the cost of services from expert firms, including counsel, and independent financial advisors to assist in the underwriting, auditing, servicing, and exercise of rights with respect to direct loans and loan guarantees; and

''(D) the cost of all other expenses incurred as a result of a breach of any term or condition or any event of default on a direct loan or loan guarantee.

''(2) STANDARDS.—The Secretary may charge different amounts under this subsection based on the different costs incurred under paragraph (1).

''(3) SERVICER.—

''(A) IN GENERAL.—The Secretary may appoint a financial entity to assist the Secretary in servicing a direct loan or loan guarantee under this title.

''(B) DUTIES.—A servicer appointed under subparagraph (A) shall act as the agent of the Secretary in serving a direct loan or loan guarantee under this title.

''(C) FEES.—A servicer appointed under subparagraph (A) shall receive a servicing fee from the obligor or other loan party, subject to approval by the Secretary.

''(4) SAFETY AND OPERATIONS ACCOUNT.—Amounts collected under this subsection shall—

''(A) be credited directly to the Safety and Operations account of the Federal Railroad Administration; and

''(B) remain available until expended to pay for the costs described in this subsection.''.

SEC. 11606. LOAN TERMS AND REPAYMENT.

(a) PREREQUISITES FOR ASSISTANCE.—Section 502(g)(1) (45 U.S.C. 822(g)(1)) is amended by striking ''35 years from the date of its execution'' and inserting the following: ''the lesser of—

''(A) 35 years after the date of substantial completion of the project; or

''(B) the estimated useful life of the rail equipment or facilities to be acquired, rehabilitated, improved, developed, or established''.

(b) REPAYMENT SCHEDULES.—Section 502(j) (45 U.S.C. 822(j)) is amended—

(1) in paragraph (1) by striking ''the sixth anniversary date of the original loan disbursement'' and inserting ''5 years after the date of substantial completion''; and

(2) by adding at the end the following:

''(3) DEFERRED PAYMENTS.—

''(A) IN GENERAL.—If at any time after the date of substantial completion the obligor is unable to pay the scheduled loan repayments of

principal and interest on a direct loan provided under this section, the Secretary, subject to subparagraph (B), may allow, for a maximum aggregate time of 1 year over the duration of the direct loan, the obligor to add unpaid principal and interest to the outstanding balance of the direct loan.

''(B) INTEREST.—A payment deferred under subparagraph (A) shall—

''(i) continue to accrue interest under paragraph (2) until the loan is fully repaid; and

''(ii) be scheduled to be amortized over the remaining term of the loan.

''(4) PREPAYMENTS.—

''(A) USE OF EXCESS REVENUES.—With respect to a direct loan provided by the Secretary under this section, any excess revenues that remain after satisfying scheduled debt service requirements on the project obligations and direct loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations may be applied annually to prepay the direct loan without penalty.

''(B) USE OF PROCEEDS OF REFINANCING.—The direct loan may be prepaid at any time without penalty from the proceeds of refinancing from non-Federal funding sources.''.

(c) SALE OF DIRECT LOANS.—Section 502 (45 U.S.C. 822) is amended by adding at the end the following:

''(k) SALE OF DIRECT LOANS.—

''(1) IN GENERAL.—Subject to paragraph (2) and as soon as practicable after substantial completion of a project, the Secretary, after notifying the obligor, may sell to another entity or reoffer into the capital markets a direct loan for the project if the Secretary determines that the sale or reoffering has a high probability of being made on favorable terms.

''(2) CONSENT OF OBLIGOR.—In making a sale or reoffering under paragraph (1), the Secretary may not change the original terms and conditions of the secured loan without the prior written consent of the obligor.''.

(d) NONSUBORDINATION.—Section 502 (45 U.S.C. 822) is further amended by adding at the end the following:

''(l) NONSUBORDINATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), a direct loan provided by the Secretary under this section shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.

''(2) PREEXISTING INDENTURES.—

''(A) IN GENERAL.—The Secretary may waive the requirement under paragraph (1) for a public agency borrower that is financing ongoing capital programs and has outstanding senior bonds under a preexisting indenture if—

''(i) the direct loan is rated in the A category or higher;

''(ii) the direct loan is secured and payable from pledged revenues not affected by project performance, such as a tax-based revenue pledge or a system-backed pledge of project revenues; and

''(iii) the program share, under this title, of eligible project costs is 50 percent or less.

''(B) LIMITATION.—The Secretary may impose limitations for the waiver of the nonsubordination requirement under this paragraph if the Secretary determines that such limitations would be in the financial interest of the Federal Government.''.

SEC. 11607. CREDIT RISK PREMIUMS.

(a) INFRASTRUCTURE PARTNERS.—Section 502(f) (45 U.S.C. 822(f)) is amended—

(1) in paragraph (1) by striking the first sentence and inserting the following: ''In lieu of or in combination with appropriations of budget authority to cover the costs of direct loans and loan guarantees as required under section 504(b)(1) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)(1)), including the cost of a modification thereof, the Secretary may accept on behalf of an applicant for assistance under this section a commitment from a non-Federal source, including a State or local government or agency or public benefit corporation or public authority thereof, to fund in whole or in part credit risk premiums and modification costs with respect to the loan that is the subject of the application or modification.'';

(2) in paragraph (2)—

(A) in subparagraph (D), by adding ''and'' after the semicolon;

(B) by striking subparagraph (E); and

(C) by redesignating subparagraph (F) as subparagraph (E);

(3) by striking paragraph (4);

(4) by redesignating paragraph (3) as paragraph (4);

(5) by inserting after paragraph (2) the following:

''(3) CREDITWORTHINESS.—An applicant may propose and the Secretary shall accept as a basis for determining the amount of the credit risk premium under paragraph (2) any of the following in addition to the value of any tangible asset:

''(A) The net present value of a future stream of State or local subsidy income or other dedicated revenues to secure the direct loan or loan guarantee.

''(B) Adequate coverage requirements to ensure repayment, on a non-recourse basis, from cash flows generated by the project or any other dedicated revenue source, including—

''(i) tolls;

''(ii) user fees; or

''(iii) payments owing to the obligor under a public-private partnership.

''(C) An investment-grade rating on the direct loan or loan guarantee, as applicable, except that if the total amount of the direct loan or loan guarantee is greater than $75,000,000, the applicant shall have an investment-grade rating from at least 2 rating agencies on the direct loan or loan guarantee.''; and

(6) in paragraph (4), as redesignated, by striking ''amounts'' and inserting ''amounts (and in the case of a modification, before the modification is executed), to the extent appropriations are not available to the Secretary to meet the costs of direct loans and loan guarantees, including costs of modifications thereof''.

(b) SAVINGS CLAUSE.—All provisions under sections 502 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801 et seq.) as they existed on the day before enactment of this Act shall apply to direct loans provided by the Secretary prior to the date of enactment of this Act, and nothing in this title may be construed to limit the payback of a credit risk premium, with interest accrued thereon, if a direct loan provided by the Secretary under such sections has been paid back in full, prior to the date of enactment of this Act.

SEC. 11608. MASTER CREDIT AGREEMENTS.

Section 502 (45 U.S.C. 822) is further amended by adding at the end the following:

''(m) MASTER CREDIT AGREEMENTS.—

''(1) IN GENERAL.—Subject to subsection (d) and paragraph (2) of this subsection, the Secretary may enter into a master credit agreement that is contingent on all of the conditions for the provision of a direct loan or loan guarantee, as applicable, under this title and other applicable requirements being satisfied prior to the issuance of the direct loan or loan guarantee.

''(2) CONDITIONS.—Each master credit agreement shall—

''(A) establish the maximum amount and general terms and conditions of each applicable direct loan or loan guarantee;

''(B) identify 1 or more dedicated non-Federal revenue sources that will secure the repayment of each applicable direct loan or loan guarantee;

''(C) provide for the obligation of funds for the direct loans or loan guarantees contingent on and after all requirements have been met for the projects subject to the master credit agreement; and

''(D) provide 1 or more dates, as determined by the Secretary, before which the master credit agreement results in each of the direct loans or loan guarantees or in the release of the master credit agreement.''.

SEC. 11609. PRIORITIES AND CONDITIONS.

(a) PRIORITY PROJECTS.—Section 502(c) (45 U.S.C. 822(c)) is amended—

(1) in paragraph (1), by inserting '', including projects for the installation of a positive train control system (as defined in section 20157(i) of title 49, United States Code)'' after ''public safety'';

(2) by moving paragraph (3) to appear before paragraph (2), and redesignating those paragraphs accordingly;

(3) in paragraph (5), by inserting ''or chapter 227 of title 49'' after ''section 135 of title 23'';

(4) by redesignating paragraphs (6) through (8) as paragraphs (7) through (9), respectively; and

(5) by inserting after paragraph (5) the following:

''(6) improve railroad stations and passenger facilities and increase transit-oriented development;''.

(b) CONDITIONS OF ASSISTANCE.—Section 502(h)(2) (45 U.S.C. 822(h)(2)) is amended by inserting '', if applicable'' after ''project''.

SEC. 11610. SAVINGS PROVISIONS.

(a) IN GENERAL.—Except as provided in subsection (b) and section 11607(b), this subtitle, and the amendments made by this subtitle, shall not affect any direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) that was in effect prior to the date of enactment of this Act. Any such transaction entered into before the date of enactment of this Act shall be administered until completion under its terms as if this Act were not enacted.

(b) MODIFICATION COSTS.—At the discretion of the Secretary, the authority to accept modification costs on behalf of an applicant under section 502(f) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(f)), as amended by section 11607 of this Act, may apply with respect to any direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) that was in effect prior to the date of enactment of this Act.

SEC. 11611. REPORT ON LEVERAGING RRIF.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that analyzes how the Railroad Rehabilitation and Improvement Financing Program can be used to improve passenger rail infrastructure.

(b) REPORT CONTENTS.—The report required under subsection (a) shall include—

(1) illustrative examples of projects that could be financed under such Program;

(2) potential repayment sources for such projects, including tax-increment financing, user fees, tolls, and other dedicated revenue sources; and

(3) estimated costs and benefits of using the Program relative to other options, including a comparison of the length of time such projects would likely be completed without Federal credit assistance.

DIVISION B—COMPREHENSIVE TRANSPORTATION AND CONSUMER PROTECTION ACT OF 2015

TITLE XXIV—MOTOR VEHICLE SAFETY

Subtitle A—Vehicle Safety

SEC. 24101. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subject to subsection (b), there is authorized to be appropriated to the Secretary to carry out chapter 301 of title 49, and part C of subtitle VI of title 49, United States Code, amounts as follows:

(1) $132,730,000 for fiscal year 2016.

(2) $135,517,330 for fiscal year 2017.

(3) $138,363,194 for fiscal year 2018.

(4) $141,268,821 for fiscal year 2019.

(5) $144,235,466 for fiscal year 2020.

(b) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS IF A CERTIFICATION IS MADE.—

(1) IN GENERAL.—In addition to the amounts authorized to be appropriated under subsection (a) to carry out chapter 301 of title 49, and part C of subtitle VI of title 49, United States Code, if the certification described in paragraph (2) is made during a fiscal year there is authorized to be appropriated to the Secretary for that purpose for that fiscal year and subsequent fiscal years an additional amount as follows:

(A) $46,270,000 for fiscal year 2016.

(B) $51,537,670 for fiscal year 2017.

(C) $57,296,336 for fiscal year 2018.

(D) $62,999,728 for fiscal year 2019.

(E) $69,837,974 for fiscal year 2020.

(2) CERTIFICATION DESCRIBED.—The certification described in this paragraph is a certification made by the Secretary and submitted to Congress that the National Highway Traffic Safety Administration has implemented all of the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST–2015–063). As part of the certification, the Secretary shall review the actions the National Highway Traffic Safety Administration has taken to implement the recommendations and issue a report to Congress detailing how the recommendations were implemented. The Secretary shall not delegate or assign the responsibility under this paragraph.

SEC. 24102. INSPECTOR GENERAL RECOMMENDATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and periodically thereafter until the completion date, the Department of Transportation Inspector General shall report to the appropriate committees of Congress on whether and what progress has been made to implement the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST–2015–063).

(b) IMPLEMENTATION PROGRESS.—The Administrator of the National Highway Traffic Safety Administration shall—

(1) not later than 90 days after the date of enactment of this Act, and periodically thereafter until the completion date, provide a briefing to the appropriate committees of Congress on the actions the Administrator has taken to implement the recommendations in the audit report described in subsection (a), including a plan for implementing any remaining recommendations; and

(2) not later than 1 year after the date of enactment of this Act, issue a final report to the appropriate committees of Congress on the implementation of all of the recommendations in the audit report described in subsection (a).

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(2) COMPLETION DATE.—The term ''completion date'' means the date that the National Highway Traffic Safety Administration has implemented all of the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST–2015–063).

SEC. 24103. IMPROVEMENTS IN AVAILABILITY OF RECALL INFORMATION.

(a) VEHICLE RECALL INFORMATION.—Not later than 2 years after the date of enactment of this Act, the Secretary shall implement current information technology, web design trends, and best practices that will help ensure that motor vehicle safety recall information available to the public on the Federal website is readily accessible and easy to use, including—

(1) by improving the organization, availability, readability, and functionality of the website;

(2) by accommodating high-traffic volume; and

(3) by establishing best practices for scheduling routine website maintenance.

(b) GOVERNMENT ACCOUNTABILITY OFFICE PUBLIC AWARENESS REPORT.—

(1) IN GENERAL.—The Comptroller General shall study the current use by consumers, dealers, and manufacturers of the safety recall information made available to the public, including the usability and content of the Federal and manufacturers' websites and the National Highway Traffic Safety Administration's efforts to publicize and educate consumers about safety recall information.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall issue a report with the findings of the study under paragraph (1), including recommending any actions the Secretary can take to improve public awareness and use of the websites for safety recall information.

(c) PROMOTION OF PUBLIC AWARENESS.—Section 31301(c) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note) is amended to read as follows:

''(c) PROMOTION OF PUBLIC AWARENESS.—The Secretary shall improve public awareness of safety recall information made publicly available by periodically updating the method of conveying that information to consumers, dealers, and manufacturers, such as through public service announcements.''.

(d) CONSUMER GUIDANCE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall make available to the public on the Internet detailed guidance for consumers submitting safety complaints, including—

(1) a detailed explanation of what information a consumer should include in a complaint; and

(2) a detailed explanation of the possible actions the National Highway Traffic Safety Administration can take to address a complaint and respond to the consumer, including information on—

(A) the consumer records, such as photographs and police reports, that could assist with an investigation; and

(B) the length of time a consumer should retain the records described in subparagraph (A).

(e) VIN SEARCH.—

(1) IN GENERAL.—The Secretary, in coordination with industry, including manufacturers and dealers, shall study—

(A) the feasibility of searching multiple vehicle identification numbers at a time to retrieve motor vehicle safety recall information; and

(B) the feasibility of making the search mechanism described under subparagraph (A) publicly available.

(2) CONSIDERATIONS.—In conducting the study under paragraph (1), the Secretary shall consider the potential costs, and potential risks to privacy and security in implementing such a search mechanism.

SEC. 24104. RECALL PROCESS.

(a) NOTIFICATION IMPROVEMENT.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary shall prescribe a final rule revising the regulations under section 577.7 of title 49, Code of Federal Regulations, to include notification by electronic means in addition to notification by first class mail.

(2) DEFINITION OF ELECTRONIC MEANS.—In this subsection, the term ''electronic means'' includes electronic mail and may include such other means of electronic notification, such as social media or targeted online campaigns, as determined by the Secretary.

(b) NOTIFICATION BY MANUFACTURER.—Section 30118(c) of title 49, United States Code, is amended by inserting ''or electronic mail'' after ''certified mail''.

(c) RECALL COMPLETION RATES REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter for 4 years, the Secretary shall—

(A) conduct an analysis of vehicle safety recall completion rates to assess potential actions by the National Highway Traffic Safety Administration to improve vehicle safety recall completion rates; and

(B) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the results of the analysis.

(2) CONTENTS.—Each report shall include—

(A) the annual recall completion rate by manufacturer, model year, component (such as brakes, fuel systems, and air bags), and vehicle type (passenger car, sport utility vehicle, passenger van, and pick-up truck) for each of the 5 years before the year the report is submitted;

(B) the methods by which the Secretary has conducted analyses of these recall completion rates to determine trends and identify risk factors associated with lower recall rates; and

(C) the actions the Secretary has planned to improve recall completion rates based on the results of this data analysis.

(d) INSPECTOR GENERAL AUDIT OF VEHICLE RECALLS.—

(1) IN GENERAL.—The Department of Transportation Inspector General shall conduct an audit of the National Highway Traffic Safety Administration's management of vehicle safety recalls.

(2) CONTENTS.—The audit shall include a determination of whether the National Highway Traffic Safety Administration—

(A) appropriately monitors recalls to ensure the appropriateness of scope and adequacy of recall completion rates and remedies;

(B) ensures manufacturers provide safe remedies, at no cost to consumers;

(C) is capable of coordinating recall remedies and processes; and

(D) can improve its policy on consumer notice to combat effects of recall fatigue.

SEC. 24105. PILOT GRANT PROGRAM FOR STATE NOTIFICATION TO CONSUMERS OF MOTOR VEHICLE RECALL STATUS.

(a) IN GENERAL.—Not later than October 1, 2016, the Secretary shall implement a 2-year pilot program to evaluate the feasibility and effectiveness of a State process for informing consumers of open motor vehicle recalls at the time of motor vehicle registration in the State.

(b) GRANTS.—To carry out this program, the Secretary may make a grant to each eligible State, but not more than 6 eligible States in total, that agrees to comply with the requirements under subsection (c). Funds made available to a State under this section shall be used by the State for the pilot program described in subsection (a).

(c) ELIGIBILITY.—To be eligible for a grant, a State shall—

(1) submit an application in such form and manner as the Secretary prescribes;

(2) agree to notify, at the time of registration, each owner or lessee of a motor vehicle presented for registration in the State of any open recall on that vehicle;

(3) provide the open motor vehicle recall information at no cost to each owner or lessee of a motor vehicle presented for registration in the State; and

(4) provide such other information as the Secretary may require.

(d) AWARDS.—In selecting an applicant for an award under this section, the Secretary shall consider the State's methodology for determining open recalls on a motor vehicle, for informing consumers of the open recalls, and for determining performance.

(e) PERFORMANCE PERIOD.—Each grant awarded under this section shall require a 2-year performance period.

(f) REPORT.—Not later than 90 days after the completion of the performance period under subsection (e), a grantee shall provide to the Secretary a report of performance containing such information as the Secretary considers necessary to evaluate the extent to which open recalls have been remedied.

(g) EVALUATION.—Not later than 180 days after the completion of the pilot program, the Secretary shall evaluate the extent to which open recalls identified have been remedied.

(h) DEFINITIONS.—In this section:

(1) CONSUMER.—The term ''consumer'' includes owner and lessee.

(2) MOTOR VEHICLE.—The term ''motor vehicle'' has the meaning given the term under section 30102(a) of title 49, United States Code.

(3) OPEN RECALL.—The term ''open recall'' means a recall for which a notification by a manufacturer has been provided under section 30119 of title 49, United States Code, and that has not been remedied under section 30120 of that title.

(4) REGISTRATION.—The term ''registration'' means the process for registering motor vehicles in the State.

(5) STATE.—The term ''State'' has the meaning given the term under section 101(a) of title 23, United States Code.

SEC. 24106. RECALL OBLIGATIONS UNDER BANKRUPTCY.

Section 30120A of title 49, United States Code, is amended by striking ''chapter 11 of title 11,'' and inserting ''chapter 7 or chapter 11 of title 11''.

SEC. 24107. DEALER REQUIREMENT TO CHECK FOR OPEN RECALL.

Section 30120(f) of title 49, United States Code, is amended—

(1) by inserting ''(1) IN GENERAL. A manufacturer'' and indenting appropriately;

(2) in paragraph (1), as redesignated, by striking the period at the end and inserting the following: ''if—

''(A) at the time of providing service for each of the manufacturer's motor vehicles it services, the dealer notifies the owner or the individual requesting the service of any open recall; and

''(B) the notification requirement under subparagraph (A) is specified in a franchise, operating, or other agreement between the dealer and the manufacturer.''; and

(3) by adding at the end the following:

''(2) DEFINITION OF OPEN RECALL.—In this subsection, the term 'open recall' means a recall for which a notification by a manufacturer has been provided under section 30119 and that has not been remedied under this section.''.

SEC. 24108. EXTENSION OF TIME PERIOD FOR REMEDY OF TIRE DEFECTS.

Section 30120(b) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''60 days'' and inserting ''180 days''; and

(2) in paragraph (2), by striking ''60-day'' each place it appears and inserting ''180-day''.

SEC. 24109. RENTAL CAR SAFETY.

(a) SHORT TITLE.—This section may be cited as the ''Raechel and Jacqueline Houck Safe Rental Car Act of 2015''.

(b) DEFINITIONS.—Section 30102(a) of title 49, United States Code, is amended—

(1) by redesignating paragraphs (10) and (11) as paragraphs (12) and (13), respectively;

(2) by redesignating paragraphs (1) through (9) as paragraphs (2) through (10), respectively;

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

''(1) 'covered rental vehicle' means a motor vehicle that—

''(A) has a gross vehicle weight rating of 10,000 pounds or less;

''(B) is rented without a driver for an initial term of less than 4 months; and

''(C) is part of a motor vehicle fleet of 35 or more motor vehicles that are used for rental purposes by a rental company.''; and

(4) by inserting after paragraph (10), as redesignated, the following:

''(11) 'rental company' means a person who—

''(A) is engaged in the business of renting covered rental vehicles; and

''(B) uses for rental purposes a motor vehicle fleet of 35 or more covered rental vehicles, on average, during the calendar year.''.

(c) REMEDIES FOR DEFECTS AND NONCOMPLIANCE.—Section 30120(i) of title 49, United States Code, is amended—

(1) in the subsection heading, by adding '', OR RENTAL'' at the end;

(2) in paragraph (1)—

(A) by striking ''(1) If notification'' and inserting the following:

''(1) IN GENERAL.—If notification'';

(B) by indenting subparagraphs (A) and (B) four ems from the left margin;

(C) by inserting ''or the manufacturer has provided to a rental company notification about a covered rental vehicle in the company's possession at the time of notification'' after ''time of notification'';

(D) by striking ''the dealer may sell or lease,'' and inserting ''the dealer or rental company may sell, lease, or rent''; and

(E) in subparagraph (A), by striking ''sale or lease'' and inserting ''sale, lease, or rental agreement'';

(3) by amending paragraph (2) to read as follows:

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to prohibit a dealer or rental company from offering the vehicle or equipment for sale, lease, or rent.''; and

(4) by adding at the end the following:

''(3) SPECIFIC RULES FOR RENTAL COMPANIES.—

''(A) IN GENERAL.—Except as otherwise provided under this paragraph, a rental company shall comply with the limitations on sale, lease, or rental set forth in subparagraph (C) and paragraph (1) as soon as practicable, but not later than 24 hours after the earliest receipt of the notice to owner under subsection (b) or (c) of section 30118 (including the vehicle identification number for the covered vehicle) by the rental company, whether by electronic means or first class mail.

''(B) SPECIAL RULE FOR LARGE VEHICLE FLEETS.—Notwithstanding subparagraph (A), if a rental company receives a notice to owner covering more than 5,000 motor vehicles in its fleet, the rental company shall comply with the limitations on sale, lease, or rental set forth in subparagraph (C) and paragraph (1) as soon as practicable, but not later than 48 hours after the earliest receipt of the notice to owner under subsection (b) or (c) of section 30118 (including the vehicle identification number for the covered vehicle) by the rental company, whether by electronic means or first class mail.

''(C) SPECIAL RULE FOR WHEN REMEDIES NOT IMMEDIATELY AVAILABLE.—If a notification required under subsection (b) or (c) of section 30118 indicates that the remedy for the defect or noncompliance is not immediately available and specifies actions to temporarily alter the vehicle that eliminate the safety risk posed by the defect or noncompliance, the rental company, after causing the specified actions to be performed, may rent (but may not sell or lease) the motor vehicle. Once the remedy for the rental vehicle becomes available to the rental company, the rental company may not rent the vehicle until the vehicle has been remedied, as provided in subsection (a).

''(D) INAPPLICABILITY TO JUNK AUTOMOBILES.—Notwithstanding paragraph (1), this subsection does not prohibit a rental company from selling a covered rental vehicle if such vehicle—

''(i) meets the definition of a junk automobile under section 201 of the Anti-Car Theft Act of 1992 (49 U.S.C. 30501);

''(ii) is retitled as a junk automobile pursuant to applicable State law; and

''(iii) is reported to the National Motor Vehicle Information System, if required under section 204 of such Act (49 U.S.C. 30504).''.

(d) MAKING SAFETY DEVICES AND ELEMENTS INOPERATIVE.—Section 30122(b) of title 49, United States Code, is amended by inserting ''rental company,'' after ''dealer,'' each place such term appears.

(e) INSPECTIONS, INVESTIGATIONS, AND RECORDS.—Section 30166 of title 49, United States Code, is amended—

(1) in subsection (c)(2), by striking ''or dealer'' each place such term appears and inserting ''dealer, or rental company'';

(2) in subsection (e), by striking ''or dealer'' each place such term appears and inserting ''dealer, or rental company''; and

(3) in subsection (f), by striking ''or to owners'' and inserting '', rental companies, or other owners''.

(f) RESEARCH AUTHORITY.—The Secretary of Transportation may conduct a study of—

(1) the effectiveness of the amendments made by this section; and

(2) other activities of rental companies (as defined in section 30102(a)(11) of title 49, United States Code) related to their use and disposition of motor vehicles that are the subject of a notification required under section 30118 of title 49, United States Code.

(g) STUDY.—

(1) ADDITIONAL REQUIREMENT.—Section 32206(b)(2) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141; 126 Stat. 785) is amended—

(A) in subparagraph (E), by striking ''and'' at the end;

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following:

''(F) evaluate the completion of safety recall remedies on rental trucks; and''.

(2) REPORT.—Section 32206(c) of such Act is amended—

(A) in paragraph (1), by striking ''subsection (b)'' and inserting ''subparagraphs (A) through (E) and (G) of subsection (b)(2)'';

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(C) by striking ''REPORT. Not later'' and inserting the following:

''(c) REPORTS.—

''(1) INITIAL REPORT.—Not later''; and

(D) by adding at the end the following:

''(2) SAFETY RECALL REMEDY REPORT.—Not later than 1 year after the date of the enactment of the 'Raechel and Jacqueline Houck Safe Rental Car Act of 2015', the Secretary shall submit a report to the congressional committees set forth in paragraph (1) that contains—

''(A) the findings of the study conducted pursuant to subsection (b)(2)(F); and

''(B) any recommendations for legislation that the Secretary determines to be appropriate.''.

(h) PUBLIC COMMENTS.—The Secretary shall solicit comments regarding the implementation of this section from members of the public, including rental companies, consumer organizations, automobile manufacturers, and automobile dealers.

(i) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section—

(1) may be construed to create or increase any liability, including for loss of use, for a manufacturer as a result of having manufactured or imported a motor vehicle subject to a notification of defect or noncompliance under subsection (b) or (c) of section 30118 of title 49, United States Code; or

(2) shall supersede or otherwise affect the contractual obligations, if any, between such a manufacturer and a rental company (as defined in section 30102(a) of title 49, United States Code).

(j) RULEMAKING.—The Secretary may promulgate rules, as appropriate, to implement this section and the amendments made by this section.

(k) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 180 days after the date of enactment of this Act.

SEC. 24110. INCREASE IN CIVIL PENALTIES FOR VIOLATIONS OF MOTOR VEHICLE SAFETY.

(a) INCREASE IN CIVIL PENALTIES.—Section 30165(a) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''$5,000'' and inserting ''$21,000''; and

(B) by striking ''$35,000,000'' and inserting ''$105,000,000''; and

(2) in paragraph (3)—

(A) by striking ''$5,000'' and inserting ''$21,000''; and

(B) by striking ''$35,000,000'' and inserting ''$105,000,000''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) of this section take effect on the date that the Secretary certifies to Congress that the National Highway Traffic Safety Administration has issued the final rule required by section 31203(b) of the Moving Ahead for Progress In the 21st Century Act (Public Law 112–141; 126 Stat. 758; 49 U.S.C. 30165 note).

(c) PUBLICATION OF EFFECTIVE DATE.—The Secretary shall publish notice of the effective date under subsection (b) of this section in the Federal Register.

SEC. 24111. ELECTRONIC ODOMETER DISCLOSURES.

Section 32705(g) of title 49, United States Code, is amended—

(1) by inserting ''(1)'' before ''Not later than'' and indenting appropriately; and

(2) by adding at the end the following:

''(2) Notwithstanding paragraph (1) and subject to paragraph (3), a State, without approval from the Secretary under subsection (d), may allow for written disclosures or notices and related matters to be provided electronically if—

''(A) in compliance with—

''(i) the requirements of subchapter 1 of chapter 96 of title 15; or

''(ii) the requirements of a State law under section 7002(a) of title 15; and

''(B) the disclosures or notices otherwise meet the requirements under this section, including appropriate authentication and security measures.

''(3) Paragraph (2) ceases to be effective on the date the regulations under paragraph (1) become effective.''.

SEC. 24112. CORPORATE RESPONSIBILITY FOR NHTSA REPORTS.

Section 30166(o) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''may'' and inserting ''shall''; and

(2) by adding at the end the following:

''(3) DEADLINE.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary shall issue a final rule under paragraph (1).''.

SEC. 24113. DIRECT VEHICLE NOTIFICATION OF RECALLS.

(a) RECALL NOTIFICATION REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue a report on the feasibility of a technical system that would operate in each new motor vehicle to indicate when the vehicle is subject to an open recall.

(b) DEFINITION OF OPEN RECALL.—In this section the term ''open recall'' means a recall for which a notification by a manufacturer has been provided under section 30119 of title 49, United States Code, and that has not been remedied under section 30120 of that title.

SEC. 24114. UNATTENDED CHILDREN WARNING.

Section 31504(a) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30111 note) is amended by striking ''may'' and inserting ''shall''.

SEC. 24115. TIRE PRESSURE MONITORING SYSTEM.

(a) PROPOSED RULE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish a proposed rule that—

(1) updates the standards pertaining to tire pressure monitoring systems to ensure that a tire pressure monitoring system that is installed in a new motor vehicle after the effective date of such updated standards cannot be overridden, reset, or recalibrated in such a way that the system will no longer detect when the inflation pressure in one or more of the vehicle's tires has fallen to or below a significantly underinflated pressure level; and

(2) does not contain any provision that has the effect of prohibiting the availability of direct or indirect tire pressure monitoring systems that meet the requirements of the standards updated pursuant to paragraph (1).

(b) FINAL RULE.—Not later than 2 years after the date of enactment of this Act, after providing the public with sufficient opportunity for notice and comment on the proposed rule published pursuant to subsection (a), the Secretary shall issue a final rule based on the proposed rule described in subsection (a) that—

(1) allows a manufacturer to install a tire pressure monitoring system that can be reset or recalibrated to accommodate—

(A) the repositioning of tire sensor locations on vehicles with split inflation pressure recommendations;

(B) tire rotation; or

(C) replacement tires or wheels of a different size than the original equipment tires or wheels; and

(2) to address the accommodations described in subparagraphs (A), (B), and (C) of paragraph (1), ensures that a tire pressure monitoring system that is reset or recalibrated according to the manufacturer's instructions would illuminate the low tire pressure warning telltale when a tire is significantly underinflated until the tire is no longer significantly underinflated.

(c) SIGNIFICANTLY UNDERINFLATED PRESSURE LEVEL DEFINED.—In this section, the term ''significantly underinflated pressure level'' means a pressure level that is—

(1) below the level at which the low tire pressure warning telltale must illuminate, consistent with the TPMS detection requirements contained in S4.2(a) of section 571.138 of title 49, Code of Federal Regulations, or any corresponding similar or successor regulation or ruling (as determined by the Secretary); and

(2) in the case of a replacement wheel or tire, below the recommended cold inflation pressure of the wheel or tire manufacturer.

SEC. 24116. INFORMATION REGARDING COMPONENTS INVOLVED IN RECALL.

Section 30119 of title 49, United States Code, is amended by adding at the end the following:

''(g) INFORMATION REGARDING COMPONENTS INVOLVED IN RECALL.—A manufacturer that is required to furnish a report under section 573.6 of title 49, Code of Federal Regulations (or any successor regulation) for a defect or noncompliance in a motor vehicle or in an item of original or replacement equipment shall, if such defect or noncompliance involves a specific component or components, include in such report, with respect to such component or components, the following information:

''(1) The name of the component or components.

''(2) A description of the component or components.

''(3) The part number of the component or components, if any.''.

Subtitle B—Research And Development And Vehicle Electronics

SEC. 24201. REPORT ON OPERATIONS OF THE COUNCIL FOR VEHICLE ELECTRONICS, VEHICLE SOFTWARE, AND EMERGING TECHNOLOGIES.

Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report regarding the operations of the Council for Vehicle Electronics, Vehicle Software, and Emerging Technologies established under section 31401 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 105 note). The report shall include information about the accomplishments of the Council, the role of the Council in integrating and aggregating electronic and emerging technologies expertise across the National Highway Traffic Safety Administration, the role of the Council in coordinating with other Federal agencies, and the priorities of the Council over the next 5 years.

SEC. 24202. COOPERATION WITH FOREIGN GOVERNMENTS.

(a) TITLE 49 AMENDMENT.—Section 30182(b) of title 49, United States Code, is amended—

(1) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (5) the following:

''(6) in coordination with Department of State, enter into cooperative agreements and collaborative research and development agreements with foreign governments.''.

(b) TITLE 23 AMENDMENT.—Section 403 of title 23, United States Code, is amended—

(1) in subsection (b)(2)(C), by inserting ''foreign government (in coordination with the Department of State)'' after ''institution,''; and

(2) in subsection (c)(1)(A), by inserting ''foreign governments,'' after ''local governments,''.

(c) AUDIT.—The Department of Transportation Inspector General shall conduct an audit of the Secretary of Transportation's management and oversight of cooperative agreements and collaborative research and development agreements, including any cooperative agreements between the Secretary of Transportation and foreign governments under section 30182(b)(6) of title 49, United States Code, and subsections (b)(2)(C) and (c)(1)(A) of title 23, United States Code.

Subtitle C—Miscellaneous Provisions

PART I—DRIVER PRIVACY ACT OF 2015

SEC. 24301. SHORT TITLE.

This part may be cited as the ''Driver Privacy Act of 2015''.

SEC. 24302. LIMITATIONS ON DATA RETRIEVAL FROM VEHICLE EVENT DATA RECORDERS.

(a) OWNERSHIP OF DATA.—Any data retained by an event data recorder (as defined in section 563.5 of title 49, Code of Federal Regulations), regardless of when the motor vehicle in which it is installed was manufactured, is the property of the owner, or, in the case of a leased vehicle, the lessee of the motor vehicle in which the event data recorder is installed.

(b) PRIVACY.—Data recorded or transmitted by an event data recorder described in subsection (a) may not be accessed by a person other than an owner or a lessee of the motor vehicle in which the event data recorder is installed unless—

(1) a court or other judicial or administrative authority having jurisdiction—

(A) authorizes the retrieval of the data; and

(B) to the extent that there is retrieved data, the data is subject to the standards for admission into evidence required by that court or other administrative authority;

(2) an owner or a lessee of the motor vehicle provides written, electronic, or recorded audio consent to the retrieval of the data for any purpose, including the purpose of diagnosing, servicing, or repairing the motor vehicle, or by agreeing to a subscription that describes how data will be retrieved and used;

(3) the data is retrieved pursuant to an investigation or inspection authorized under section 1131(a) or 30166 of title 49, United States Code, and the personally identifiable information of an owner or a lessee of the vehicle and the vehicle identification number is not disclosed in connection with the retrieved data, except that the vehicle identification number may be disclosed to the certifying manufacturer;

(4) the data is retrieved for the purpose of determining the need for, or facilitating, emergency medical response in response to a motor vehicle crash; or

(5) the data is retrieved for traffic safety research, and the personally identifiable information of an owner or a lessee of the vehicle and the vehicle identification number is not disclosed in connection with the retrieved data.

SEC. 24303. VEHICLE EVENT DATA RECORDER STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the National Highway Traffic Safety Administration shall submit to Congress a report that contains the results of a study conducted by the Administrator to determine the amount of time event data recorders installed in passenger motor vehicles should capture and record for retrieval vehicle-related data in conjunction with an event in order to provide sufficient information to investigate the cause of motor vehicle crashes.

(b) RULEMAKING.—Not later than 2 years after submitting the report required under subsection (a), the Administrator of the National Highway Traffic Safety Administration shall promulgate regulations to establish the appropriate period during which event data recorders installed in passenger motor vehicles may capture and record for retrieval vehicle-related data to the time necessary to provide accident investigators with vehicle-related information pertinent to crashes involving such motor vehicles.

PART II—SAFETY THROUGH INFORMED CONSUMERS ACT OF 2015

SEC. 24321. SHORT TITLE.

This part may be cited as the ''Safety Through Informed Consumers Act of 2015''.

SEC. 24322. PASSENGER MOTOR VEHICLE INFORMATION.

Section 32302 of title 49, United States Code, is amended by inserting after subsection (b) the following:

''(c) CRASH AVOIDANCE.—Not later than 1 year after the date of enactment of the Safety Through Informed Consumers Act of 2015, the Secretary shall promulgate a rule to ensure that crash avoidance information is indicated next to crashworthiness information on stickers placed on motor vehicles by their manufacturers.''.

PART III—TIRE EFFICIENCY, SAFETY, AND REGISTRATION ACT OF 2015

SEC. 24331. SHORT TITLE.

This part may be cited as the ''Tire Efficiency, Safety, and Registration Act of 2015'' or the ''TESR Act''.

SEC. 24332. TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.

Section 32304A of title 49, United States Code, is amended—

(1) in the section heading, by inserting ''AND STANDARDS'' after ''CONSUMER TIRE INFORMATION'';

(2) in subsection (a)—

(A) in the heading, by striking ''Rulemaking'' and inserting ''Consumer Tire Information''; and

(B) in paragraph (1), by inserting ''(referred to in this section as the 'Secretary')'' after ''Secretary of Transportation'';

(3) by redesignating subsections (b) through (e) as subsections (e) though (h), respectively; and

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

''(b) PROMULGATION OF REGULATIONS FOR TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.—

''(1) IN GENERAL.—The Secretary, after consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall promulgate regulations for tire fuel efficiency minimum performance standards for—

''(A) passenger car tires with a maximum speed capability equal to or less than 149 miles per hour or 240 kilometers per hour; and

''(B) passenger car tires with a maximum speed capability greater than 149 miles per hour or 240 kilometers per hour.

''(2) TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.—

''(A) STANDARD BASIS AND TEST PROCEDURES.—The minimum performance standards promulgated under paragraph (1) shall be expressed in terms of the rolling resistance coefficient measured using the test procedure specified in section 575.106 of title 49, Code of Federal Regulations (as in effect on the date of enactment of this Act).

''(B) NO DISPARATE EFFECT ON HIGH PERFORMANCE TIRES.—The Secretary shall ensure that the minimum performance standards promulgated under paragraph (1) will not have a disproportionate effect on passenger car high performance tires with a maximum speed capability greater than 149 miles per hour or 240 kilometers per hour.

''(C) APPLICABILITY.—

''(i) IN GENERAL.—This subsection applies to new pneumatic tires for use on passenger cars.

''(ii) EXCEPTIONS.—This subsection does not apply to light truck tires, deep tread tires, winter-type snow tires, space-saver or temporary use spare tires, or tires with nominal rim diameters of 12 inches or less.

''(c) PROMULGATION OF REGULATIONS FOR TIRE WET TRACTION MINIMUM PERFORMANCE STANDARDS.—

''(1) IN GENERAL.—The Secretary shall promulgate regulations for tire wet traction minimum performance standards to ensure that passenger tire wet traction capability is not reduced to achieve improved tire fuel efficiency.

''(2) TIRE WET TRACTION MINIMUM PERFORMANCE STANDARDS.—

''(A) BASIS OF STANDARD.—The minimum performance standards promulgated under paragraph (1) shall be expressed in terms of peak coefficient of friction.

''(B) TEST PROCEDURES.—Any test procedure promulgated under this subsection shall be consistent with any test procedure promulgated under subsection (a).

''(C) BENCHMARKING.—The Secretary shall conduct testing to benchmark the wet traction performance of tire models available for sale in the United States as of the date of enactment of this Act to ensure that the minimum performance standards promulgated under paragraph (1) are tailored to—

''(i) tires sold in the United States; and

''(ii) the needs of consumers in the United States.

''(D) APPLICABILITY.—

''(i) IN GENERAL.—This subsection applies to new pneumatic tires for use on passenger cars.

''(ii) EXCEPTIONS.—This subsection does not apply to light truck tires, deep tread tires, winter-type snow tires, space-saver or temporary use spare tires, or tires with nominal rim diameters of 12 inches or less.

''(d) COORDINATION AMONG REGULATIONS.—

''(1) COMPATIBILITY.—The Secretary shall ensure that the test procedures and requirements promulgated under subsections (a), (b), and (c) are compatible and consistent.

''(2) COMBINED EFFECT OF RULES.—The Secretary shall evaluate the regulations promulgated under subsections (b) and (c) to ensure that compliance with the minimum performance standards promulgated under subsection (b) will not diminish wet traction performance of affected tires.

''(3) RULEMAKING DEADLINES.—The Secretary shall promulgate—

''(A) the regulations under subsections (b) and (c) not later than 24 months after the date of enactment of this Act; and

''(B) the regulations under subsection (c) not later than the date of promulgation of the regulations under subsection (b).''.

SEC. 24333. TIRE REGISTRATION BY INDEPENDENT SELLERS.

Paragraph (3) of section 30117(b) of title 49, United States Code, is amended to read as follows:

''(3) RULEMAKING.—

''(A) IN GENERAL.—The Secretary shall initiate a rulemaking to require a distributor or dealer of tires that is not owned or controlled by a manufacturer of tires to maintain records of—

''(i) the name and address of tire purchasers and lessors;

''(ii) information identifying the tire that was purchased or leased; and

''(iii) any additional records the Secretary considers appropriate.

''(B) ELECTRONIC TRANSMISSION.—The rulemaking carried out under subparagraph (A) shall require a distributor or dealer of tires that is not owned or controlled by a manufacturer of tires to electronically transmit the records described in clauses (i), (ii), and (iii) of subparagraph (A) to the manufacturer of the tires or the designee of the manufacturer by secure means at no cost to tire purchasers or lessors.

''(C) SATISFACTION OF REQUIREMENTS.—A regulation promulgated under subparagraph (A) may be considered to satisfy the requirements of paragraph (2)(B).''.

SEC. 24334. TIRE IDENTIFICATION STUDY AND REPORT.

(a) STUDY.—The Secretary shall conduct a study to examine the feasibility of requiring all manufacturers of tires subject to section 30117(b) of title 49, United States Code, to—

(1) include electronic identification on every tire that reflects all of the information currently required in the tire identification number; and

(2) ensure that the same type and format of electronic information technology is used on all tires.

(b) REPORT.—The Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the results of the study required by paragraph (1).

SEC. 24335. TIRE RECALL DATABASE.

(a) IN GENERAL.—The Secretary shall establish a publicly available and searchable electronic database of tire recall information that is reported to the Administrator of the National Highway Traffic Safety Administration.

(b) TIRE IDENTIFICATION NUMBER.—The database established under subsection (a) shall be searchable by Tire Identification Number (TIN) and any other criteria that assists consumers in determining whether a tire is subject to a recall.

PART IV—ALTERNATIVE FUEL VEHICLES

SEC. 24341. REGULATORY PARITY FOR NATURAL GAS VEHICLES.

The Administrator of the Environmental Protection Agency shall revise the regulations issued in sections 600.510-12(c)(2)(vi) and 600.510-12(c)(2) (vii)(A) of title 40, Code of Federal Regulations, to replace references to the year ''2019'' with the year ''2016''.

PART V—MOTOR VEHICLE SAFETY WHISTLEBLOWER ACT

SEC. 24351. SHORT TITLE.

This part may be cited as the ''Motor Vehicle Safety Whistleblower Act''.

SEC. 24352. MOTOR VEHICLE SAFETY WHISTLEBLOWER INCENTIVES AND PROTECTIONS.

(a) IN GENERAL.—Subchapter IV of chapter 301 of title 49, United States Code, is amended by adding at the end the following:

''§ 30172. Whistleblower incentives and protections

''(a) DEFINITIONS.—In this section:

''(1) COVERED ACTION.—The term 'covered action' means any administrative or judicial action, including any related administrative or judicial action, brought by the Secretary or the Attorney General under this chapter that in the aggregate results in monetary sanctions exceeding $1,000,000.

''(2) MONETARY SANCTIONS.—The term 'monetary sanctions' means monies, including penalties and interest, ordered or agreed to be paid.

''(3) ORIGINAL INFORMATION.—The term 'original information' means information that—

''(A) is derived from the independent knowledge or analysis of an individual;

''(B) is not known to the Secretary from any other source, unless the individual is the original source of the information; and

''(C) is not exclusively derived from an allegation made in a judicial or an administrative action, in a governmental report, a hearing, an audit, or an investigation, or from the news media, unless the individual is a source of the information.

''(4) PART SUPPLIER.—The term 'part supplier' means a manufacturer of motor vehicle equipment.

''(5) SUCCESSFUL RESOLUTION.—The term 'successful resolution', with respect to a covered action, includes any settlement or adjudication of the covered action.

''(6) WHISTLEBLOWER.—The term 'whistleblower' means any employee or contractor of a motor vehicle manufacturer, part supplier, or dealership who voluntarily provides to the Secretary original information relating to any motor vehicle defect, noncompliance, or any violation or alleged violation of any notification or reporting requirement of this chapter, which is likely to cause unreasonable risk of death or serious physical injury.

''(b) AWARDS.—

''(1) IN GENERAL.—If the original information that a whistleblower provided to the Secretary leads to the successful resolution of a covered action, the Secretary, subject to subsection (c), may pay an award or awards to one or more whistleblowers in an aggregate amount of—

''(A) not less than 10 percent, in total, of collected monetary sanctions; and

''(B) not more than 30 percent, in total, of collected monetary sanctions.

''(2) PAYMENT OF AWARDS.—Any amount payable under paragraph (1) shall be paid from the monetary sanctions collected, and any monetary sanctions so collected shall be available for such payment.

''(c) DETERMINATION OF AWARDS; DENIAL OF AWARDS.—

''(1) DETERMINATION OF AWARDS.—

''(A) DISCRETION.—The determination of whether, to whom, or in what amount to make an award shall be in the discretion of the Secretary subject to the provisions in subsection (b)(1).

''(B) CRITERIA.—In determining an award made under subsection (b), the Secretary shall take into consideration—

''(i) if appropriate, whether a whistleblower reported or attempted to report the information internally to an applicable motor vehicle manufacturer, part supplier, or dealership;

''(ii) the significance of the original information provided by the whistleblower to the successful resolution of the covered action;

''(iii) the degree of assistance provided by the whistleblower and any legal representative of the whistleblower in the covered action; and

''(iv) such additional factors as the Secretary considers relevant.

''(2) DENIAL OF AWARDS.—No award under subsection (b) shall be made—

''(A) to any whistleblower who is convicted of a criminal violation related to the covered action for which the whistleblower otherwise could receive an award under this section;

''(B) to any whistleblower who, acting without direction from an applicable motor vehicle manufacturer, part supplier, or dealership, or agent thereof, deliberately causes or substantially contributes to the alleged violation of a requirement of this chapter;

''(C) to any whistleblower who submits information to the Secretary that is based on the facts underlying the covered action submitted previously by another whistleblower;

''(D) to any whistleblower who fails to provide the original information to the Secretary in such form as the Secretary may require by regulation; or

''(E) if the applicable motor vehicle manufacturer, parts supplier, or dealership has an internal reporting mechanism in place to protect employees from retaliation, to any whistleblower who fails to report or attempt to report the information internally through such mechanism, unless—

''(i) the whistleblower reasonably believed that such an internal report would have resulted in retaliation, notwithstanding section 30171(a);

''(ii) the whistleblower reasonably believed that the information—

''(I) was already internally reported;

''(II) was already subject to or part of an internal inquiry or investigation; or

''(III) was otherwise already known to the motor vehicle manufacturer, part supplier, or dealership; or

''(iii) the Secretary has good cause to waive this requirement.

''(d) REPRESENTATION.—A whistleblower may be represented by counsel.

''(e) NO CONTRACT NECESSARY.—No contract with the Secretary is necessary for any whistleblower to receive an award under subsection (b).

''(f) PROTECTION OF WHISTLEBLOWERS; CONFIDENTIALITY.—

''(1) IN GENERAL.—Notwithstanding section 30167, and except as provided in paragraphs (4) and (5) of this subsection, the Secretary, and any officer or employee of the Department of Transportation, shall not disclose any information, including information provided by a whistleblower to the Secretary, which could reasonably be expected to reveal the identity of a whistleblower, except in accordance with the provisions of section 552a of title 5, unless—

''(A) required to be disclosed to a defendant or respondent in connection with a public proceeding instituted by the Secretary or any entity described in paragraph (5);

''(B) the whistleblower provides prior written consent for the information to be disclosed; or

''(C) the Secretary, or other officer or employee of the Department of Transportation, receives the information through another source, such as during an inspection or investigation under section 30166, and has authority under other law to release the information.

''(2) REDACTION.—The Secretary, and any officer or employee of the Department of Transportation, shall take reasonable measures to not reveal the identity of the whistleblower when disclosing any information under paragraph (1).

''(3) SECTION 552(B)(3)(B).—For purposes of section 552 of title 5, paragraph (1) of this subsection shall be considered a statute described in subsection (b)(3)(B) of that section.

''(4) EFFECT.—Nothing in this subsection is intended to limit the ability of the Attorney General to present such evidence to a grand jury or to share such evidence with potential witnesses or defendants in the course of an ongoing criminal investigation.

''(5) AVAILABILITY TO GOVERNMENT AGENCIES.—

''(A) IN GENERAL.—Without the loss of its status as confidential in the hands of the Secretary, all information referred to in paragraph (1) may, in the discretion of the Secretary, when determined by the Secretary to be necessary or appropriate to accomplish the purposes of this chapter and in accordance with subparagraph (B), be made available to the following:

''(i) The Department of Justice.

''(ii) An appropriate department or agency of the Federal Government, acting within the scope of its jurisdiction.

''(B) MAINTENANCE OF INFORMATION.—Each entity described in subparagraph (A) shall maintain information described in that subparagraph as confidential, in accordance with the requirements in paragraph (1).

''(g) PROVISION OF FALSE INFORMATION.—A whistleblower who knowingly and intentionally makes any false, fictitious, or fraudulent statement or representation, or who makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall not be entitled to an award under this section and shall be subject to prosecution under section 1001 of title 18.

''(h) APPEALS.—

''(1) IN GENERAL.—Any determination made under this section, including whether, to whom, or in what amount to make an award, shall be in the discretion of the Secretary.

''(2) APPEALS.—Any determination made by the Secretary under this section may be appealed by a whistleblower to the appropriate court of appeals of the United States not later than 30 days after the determination is issued by the Secretary.

''(3) REVIEW.—The court shall review the determination made by the Secretary in accordance with section 706 of title 5.

''(i) REGULATION.—Not later than 18 months after the date of enactment of this section, the Secretary shall promulgate regulations on the requirements of this section, consistent with this section.''.

(b) RULE OF CONSTRUCTION.—

(1) ORIGINAL INFORMATION.—Information submitted to the Secretary of Transportation by a whistleblower in accordance with the requirements of section 30172 of title 49, United States Code, shall not lose its status as original information solely because the whistleblower submitted the information prior to the effective date of the regulations issued under subsection (i) of that section if that information was submitted after the date of enactment of this Act.

(2) AWARDS.—A whistleblower may receive an award under section 30172 of title 49, United States Code, regardless of whether the violation underlying the covered action occurred prior to the date of enactment of this Act, and may receive an award prior to the Secretary of Transportation promulgating the regulations under subsection (i) of that section.

(c) CONFORMING AMENDMENTS.—The table of contents of subchapter IV of chapter 301 of title 49, United States Code, is amended by adding at the end the following:

''30172. Whistleblower incentives and protections.''.

Subtitle D—Additional Motor Vehicle Provisions

SEC. 24401. REQUIRED REPORTING OF NHTSA AGENDA.

Not later than December 1 of the year beginning after the date of enactment of this Act, and each year thereafter, the Administrator of the National Highway Traffic Safety Administration shall publish on the public website of the Administration, and file with the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual plan for the following calendar year detailing the Administration's projected activities, including—

(1) the Administrator's policy priorities;

(2) any rulemakings projected to be commenced;

(3) any plans to develop guidelines;

(4) any plans to restructure the Administration or to establish or alter working groups;

(5) any planned projects or initiatives of the Administration, including the working groups and advisory committees of the Administration; and

(6) any projected dates or timetables associated with any of the items described in paragraphs (1) through (5).

SEC. 24402. APPLICATION OF REMEDIES FOR DEFECTS AND NONCOMPLIANCE.

Section 30120(g)(1) of title 49, United States Code, is amended by striking ''10 calendar years'' and inserting ''15 calendar years''.

SEC. 24403. RETENTION OF SAFETY RECORDS BY MANUFACTURERS.

(a) RULE.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule pursuant to section 30117 of title 49, United States Code, requiring each manufacturer of motor vehicles or motor vehicle equipment to retain all motor vehicle safety records required to be maintained by manufacturers under section 576.6 of title 49, Code of Federal Regulations, for a period of not less than 10 calendar years from the date on which they were generated or acquired by the manufacturer.

(b) APPLICATION.—The rule required by subsection (a) shall apply with respect to any record described in such subsection that is in the possession of a manufacturer on the effective date of such rule.

SEC. 24404. NONAPPLICATION OF PROHIBITIONS RELATING TO NONCOMPLYING MOTOR VEHICLES TO VEHICLES USED FOR TESTING OR EVALUATION.

Section 30112(b) of title 49, United States Code, is amended—

(1) in paragraph (8), by striking ''; or'' and inserting a semicolon;

(2) in paragraph (9), by striking the period at the end and inserting ''; or''; and

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

''(10) the introduction of a motor vehicle in interstate commerce solely for purposes of testing or evaluation by a manufacturer that agrees not to sell or offer for sale the motor vehicle at the conclusion of the testing or evaluation and that prior to the date of enactment of this paragraph—

''(A) has manufactured and distributed motor vehicles into the United States that are certified to comply with all applicable Federal motor vehicle safety standards;

''(B) has submitted to the Secretary appropriate manufacturer identification information under part 566 of title 49, Code of Federal Regulations; and

''(C) if applicable, has identified an agent for service of process in accordance with part 551 of such title.''.

SEC. 24405. TREATMENT OF LOW-VOLUME MANUFACTURERS.

(a) EXEMPTION FROM VEHICLE SAFETY STANDARDS FOR LOW-VOLUME MANUFACTURERS.—Section 30114 of title 49, United States Code, is amended—

(1) by striking ''The'' and inserting ''(a) VEHICLES USED FOR PARTICULAR PURPOSES. The''; and

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

''(b) EXEMPTION FOR LOW-VOLUME MANUFACTURERS.—

''(1) IN GENERAL.—The Secretary shall—

''(A) exempt from section 30112(a) of this title not more than 325 replica motor vehicles per year that are manufactured or imported by a low-volume manufacturer; and

''(B) except as provided in paragraph (4) of this subsection, limit any such exemption to the Federal Motor Vehicle Safety Standards applicable to motor vehicles and not motor vehicle equipment.

''(2) REGISTRATION REQUIREMENT.—To qualify for an exemption under paragraph (1), a low-volume manufacturer shall register with the Secretary at such time, in such manner, and under such terms that the Secretary determines appropriate. The Secretary shall establish terms that ensure that no person may register as a low-volume manufacturer if the person is registered as an importer under section 30141 of this title.

''(3) PERMANENT LABEL REQUIREMENT.—

''(A) IN GENERAL.—The Secretary shall require a low-volume manufacturer to affix a permanent label to a motor vehicle exempted under paragraph (1) that identifies the specified standards and regulations for which such vehicle is exempt from section 30112(a), states that the vehicle is a replica, and designates the model year such vehicle replicates.

''(B) WRITTEN NOTICE.—The Secretary may require a low-volume manufacturer of a motor vehicle exempted under paragraph (1) to deliver written notice of the exemption to—

''(i) the dealer; and

''(ii) the first purchaser of the motor vehicle, if the first purchaser is not an individual that purchases the motor vehicle for resale.

''(C) REPORTING REQUIREMENT.—A low-volume manufacturer shall annually submit a report to the Secretary including the number and description of the motor vehicles exempted under paragraph (1) and a list of the exemptions described on the label affixed under subparagraph (A).

''(4) EFFECT ON OTHER PROVISIONS.—Any motor vehicle exempted under this subsection shall also be exempted from sections 32304, 32502, and 32902 of this title and from section 3 of the Automobile Information Disclosure Act (15 U.S.C. 1232).

''(5) LIMITATION AND PUBLIC NOTICE.—The Secretary shall have 90 days to review and approve or deny a registration submitted under paragraph (2). If the Secretary determines that any such registration submitted is incomplete, the Secretary shall have an additional 30 days for review. Any registration not approved or denied within 90 days after initial submission, or 120 days if the registration submitted is incomplete, shall be deemed approved. The Secretary shall have the authority to revoke an existing registration based on a failure to comply with requirements set forth in this subsection or a finding by the Secretary of a safety-related defect or unlawful conduct under this chapter that poses a significant safety risk. The registrant shall be provided a reasonable opportunity to correct all deficiencies, if such are correctable based on the sole discretion of the Secretary. An exemption granted by the Secretary to a low-volume manufacturer under this subsection may not be transferred to any other person, and shall expire at the end of the calendar year for which it was granted with respect to any volume authorized by the exemption that was not applied by the low-volume manufacturer to vehicles built during that calendar year. The Secretary shall maintain an up-to-date list of registrants and a list of the make and model of motor vehicles exempted under paragraph (1) on at least an annual basis and publish such list in the Federal Register or on a website operated by the Secretary.

''(6) LIMITATION OF LIABILITY FOR ORIGINAL MANUFACTURERS, LICENSORS OR OWNERS OF PRODUCT CONFIGURATION, TRADE DRESS, OR DESIGN PATENTS.—The original manufacturer, its successor or assignee, or current owner, who grants a license or otherwise transfers rights to a low-volume manufacturer shall incur no liability to any person or entity under Federal or State statute, regulation, local ordinance, or under any Federal or State common law for such license or assignment to a low-volume manufacturer.

''(7) DEFINITIONS.—In this subsection:

''(A) LOW-VOLUME MANUFACTURER.—The term 'low-volume manufacturer' means a motor vehicle manufacturer, other than a person who is registered as an importer under section 30141 of this title, whose annual worldwide production, including by a parent or subsidiary of the manufacturer, if applicable, is not more than 5,000 motor vehicles.

''(B) REPLICA MOTOR VEHICLE.—The term 'replica motor vehicle' means a motor vehicle produced by a low-volume manufacturer and that—

''(i) is intended to resemble the body of another motor vehicle that was manufactured not less than 25 years before the manufacture of the replica motor vehicle; and

''(ii) is manufactured under a license for the product configuration, trade dress, trademark, or patent, for the motor vehicle that is intended to be replicated from the original manufacturer, its successors or assignees, or current owner of such product configuration, trade dress, trademark, or patent rights.

''(8) CONSTRUCTION.—Except as provided in paragraphs (1) and (4), a registrant shall be considered a motor vehicle manufacturer for purposes of parts A and C of subtitle VI of this title. Nothing shall be construed to exempt a registrant from complying with the requirements under sections 30116 through 30120A of this title if the motor vehicle excepted under paragraph (1) contains a defect related to motor vehicle safety.

''(9) STATE REGISTRATION.—Nothing in this subsection shall be construed to preempt, affect, or supersede any State titling or registration law or regulation for a replica motor vehicle, or exempt a person from complying with such law or regulation.''.

(b) VEHICLE EMISSION COMPLIANCE STANDARDS FOR LOW-VOLUME MOTOR VEHICLE MANUFACTURERS.—Section 206(a) of the Clean Air Act (42 U.S.C. 7525(a)) is amended by adding at the end the following new paragraph:

''(5)(A) A motor vehicle engine (including all engine emission controls) may be installed in an exempted specially produced motor vehicle if the motor vehicle engine is from a motor vehicle that is covered by a certificate of conformity issued by the Administrator for the model year in which the exempted specially produced motor vehicle is produced, or the motor vehicle engine is covered by an Executive order subject to regulations promulgated by the California Air Resources Board for the model year in which the exempted specially produced motor vehicle is produced, and—

''(i) the manufacturer of the engine supplies written instructions to the Administrator and the manufacturer of the exempted specially produced motor vehicle explaining how to install the engine and maintain functionality of the engine's emission control system and the on-board diagnostic system (commonly known as 'OBD'), except with respect to evaporative emissions;

''(ii) the manufacturer of the exempted specially produced motor vehicle installs the engine in accordance with such instructions and certifies such installation in accordance with subparagraph (E);

''(iii) the installation instructions include emission control warranty information from the engine manufacturer in compliance with section 207, including where warranty repairs can be made, emission control labels to be affixed to the vehicle, and the certificate of conformity number for the applicable vehicle in which the engine was originally intended or the applicable Executive order number for the engine; and

''(iv) the manufacturer of the exempted specially produced motor vehicle does not produce more than 325 such vehicles in the calendar year in which the vehicle is produced.

''(B) A motor vehicle containing an engine compliant with the requirements of subparagraph (A) shall be treated as meeting the requirements of section 202 applicable to new vehicles produced or imported in the model year in which the exempted specially produced motor vehicle is produced or imported.

''(C) Engine installations that are not performed in accordance with installation instructions provided by the manufacturer and alterations to the engine not in accordance with the installation instructions shall—

''(i) be treated as prohibited acts by the installer under section 203 and any applicable regulations; and

''(ii) subject to civil penalties under section 205(a), civil actions under section 205(b), and administrative assessment of penalties under section 205(c).

''(D) The manufacturer of an exempted specially produced motor vehicle that has an engine compliant with the requirements of subparagraph (A) shall provide to the purchaser of such vehicle all information received by the manufacturer from the engine manufacturer, including information regarding emissions warranties from the engine manufacturer and all emissions-related recalls by the engine manufacturer.

''(E) To qualify to install an engine under this paragraph, and sell, offer for sale, introduce into commerce, deliver for introduction into commerce or import an exempted specially produced motor vehicle, a manufacturer of exempted specially produced motor vehicles shall register with the Administrator at such time and in such manner as the Administrator determines appropriate. The manufacturer shall submit an annual report to the Administrator that includes—

''(i) a description of the exempted specially produced motor vehicles and engines installed in such vehicles;

''(ii) the certificate of conformity number issued to the motor vehicle in which the engine was originally intended or the applicable Executive order number for the engine; and

''(iii) a certification that it produced all exempted specially produced motor vehicles according to the written instructions from the engine manufacturer, and otherwise that the engine conforms in all material respects to the description in the application for the applicable certificate of conformity or Executive order.

''(F) Exempted specially produced motor vehicles compliant with this paragraph shall be exempted from—

''(i) motor vehicle certification testing under this section; and

''(ii) vehicle emission control inspection and maintenance programs required under section 110.

''(G)(i) Except as provided in subparagraphs (A) through (F), a person engaged in the manufacturing or assembling of exempted specially produced motor vehicles shall be considered a manufacturer for purposes of this Act.

''(ii) Nothing in this paragraph shall be construed to exempt any person from the prohibitions in section 203(a)(3) or the requirements in sections 208, 206(c), or 202(m)(5).

''(H) In this paragraph:

''(i) The term 'exempted specially produced motor vehicle' means a light-duty vehicle or light-duty truck produced by a low-volume manufacturer and that—

''(I) is intended to resemble the body of another motor vehicle that was manufactured not less than 25 years before the manufacture of the exempted specially produced motor vehicle; and

''(II) is manufactured under a license for the product configuration, trade dress, trademark, or patent, for the motor vehicle that is intended to be replicated from the original manufacturer, its successors or assignees, or current owner of such product configuration, trade dress, trademark, or patent rights.

''(ii) The term 'low-volume manufacturer' means a motor vehicle manufacturer, other than a person who is registered as an importer under section 30141 of title 49, United States Code, whose annual worldwide production, including by a parent or subsidiary of the manufacturer, if applicable, is not more than 5,000 motor vehicles.''.

(c) IMPLEMENTATION.—Not later than 12 months after the date of enactment of this Act, the Secretary of Transportation and the Administrator of the Environmental Protection Agency shall issue such regulations as may be necessary to implement the amendments made by subsections (a) and (b), respectively.

SEC. 24406. MOTOR VEHICLE SAFETY GUIDELINES.

Section 30111 of title 49, United States Code, is amended by adding at the end the following new subsection:

''(f) MOTOR VEHICLE SAFETY GUIDELINES.—

''(1) IN GENERAL.—No guidelines issued by the Secretary with respect to motor vehicle safety shall confer any rights on any person, State, or locality, nor shall operate to bind the Secretary or any person to the approach recommended in such guidelines. In any enforcement action with respect to motor vehicle safety, the Secretary shall allege a violation of a provision of this subtitle, a motor vehicle safety standard issued under this subtitle, or another relevant statute or regulation. The Secretary may not base an enforcement action on, or execute a consent order based on, practices that are alleged to be inconsistent with any such guidelines, unless the practices allegedly violate a provision of this subtitle, a motor vehicle safety standard issued under this subtitle, or another relevant statute or regulation.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to confer any authority upon or negate any authority of the Secretary to issue guidelines under this chapter.''.

SEC. 24407. IMPROVEMENT OF DATA COLLECTION ON CHILD OCCUPANTS IN VEHICLE CRASHES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the crash investigation data collection system of the National Highway Traffic Safety Administration to include the collection of the following data in connection with vehicle crashes whenever a child restraint system was in use in a vehicle involved in a crash:

(1) The type or types of child restraint systems in use during the crash in any vehicle involved in the crash, including whether a five-point harness or belt-positioning booster.

(2) If a five-point harness child restraint system was in use during the crash, whether the child restraint system was forward-facing or rear-facing in the vehicle concerned.

(b) CONSULTATION.—In implementing subsection (a), the Secretary shall work with law enforcement officials, safety advocates, the medical community, and research organizations to improve the recordation of data described in subsection (a) in police and other applicable incident reports.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on child occupant crash data collection in the crash investigation data collection system of the National Highway Traffic Safety Administration pursuant to the revision required by subsection (a).

DIVISION C—FINANCE

TITLE XXXI—HIGHWAY TRUST FUND AND RELATED TAXES

Subtitle A—Extension of Trust Fund Expenditure Authority and Related Taxes

SEC. 31101. EXTENSION OF HIGHWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''December 5, 2015'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2020'', and

(2) by striking ''Surface Transportation Extension Act of 2015, Part II'' in subsections (c)(1) and (e)(3) and inserting ''FAST Act''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of such Code is amended—

(1) by striking ''Surface Transportation Extension Act of 2015, Part II'' each place it appears in subsection (b)(2) and inserting ''FAST Act'', and

(2) by striking ''December 5, 2015'' in subsection (d)(2) and inserting ''October 1, 2020''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Section 9508(e)(2) of such Code is amended by striking ''December 5, 2015'' and inserting ''October 1, 2020''.

SEC. 31102. EXTENSION OF HIGHWAY-RELATED TAXES.

(a) IN GENERAL.—

(1) Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking ''September 30, 2016'' and inserting ''September 30, 2022'':

(A) Section 4041(a)(1)(C)(iii)(I).
(B) Section 4041(m)(1)(B).
(C) Section 4081(d)(1).

(2) Each of the following provisions of such Code is amended by striking ''October 1, 2016'' and inserting ''October 1, 2022'':

(A) Section 4041(m)(1)(A).
(B) Section 4051(c).
(C) Section 4071(d).
(D) Section 4081(d)(3).

(b) EXTENSION OF TAX, ETC., ON USE OF CERTAIN HEAVY VEHICLES.—Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking ''2017'' each place it appears and inserting ''2023'':

(1) Section 4481(f).
(2) Subsections (c)(4) and (d) of section 4482.

(c) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''October 1, 2016'' each place it appears and inserting ''October 1, 2022'';
(2) by striking ''March 31, 2017'' each place it appears and inserting ''March 31, 2023''; and
(3) by striking ''January 1, 2017'' and inserting ''January 1, 2023''.

(d) EXTENSION OF CERTAIN EXEMPTIONS.—

(1) Section 4221(a) of the Internal Revenue Code of 1986 is amended by striking ''October 1, 2016'' and inserting ''October 1, 2022''.

(2) Section 4483(i) of such Code is amended by striking ''October 1, 2017'' and inserting ''October 1, 2023''.

(e) EXTENSION OF TRANSFERS OF CERTAIN TAXES.—

(1) IN GENERAL.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(A) in subsection (b)—

(i) by striking ''October 1, 2016'' each place it appears in paragraphs (1) and (2) and inserting ''October 1, 2022'';

(ii) by striking ''OCTOBER 1, 2016'' in the heading of paragraph (2) and inserting ''OCTOBER 1, 2022'';

(iii) by striking ''September 30, 2016'' in paragraph (2) and inserting ''September 30, 2022''; and

(iv) by striking ''July 1, 2017'' in paragraph (2) and inserting ''July 1, 2023''; and

(B) in subsection (c)(2), by striking ''July 1, 2017'' and inserting ''July 1, 2023''.

(2) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—

(A) IN GENERAL.—Paragraphs (3)(A)(i) and (4)(A) of section 9503(c) of such Code are each amended by striking ''October 1, 2016'' and inserting ''October 1, 2022''.

(B) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 200310 of title 54, United States Code, is amended—

(i) by striking ''October 1, 2017'' each place it appears and inserting ''October 1, 2023''; and

(ii) by striking ''October 1, 2016'' and inserting ''October 1, 2022''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

Subtitle B—Additional Transfers to Highway Trust Fund

SEC. 31201. FURTHER ADDITIONAL TRANSFERS TO TRUST FUND.

Subsection (f) of section 9503 of the Internal Revenue Code of 1986 is amended by redesignating paragraph (8) as paragraph (10) and inserting after paragraph (7) the following new paragraphs:

''(8) FURTHER TRANSFERS TO TRUST FUND.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

''(A) $51,900,000,000 to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund; and

''(B) $18,100,000,000 to the Mass Transit Account in the Highway Trust Fund.

''(9) ADDITIONAL INCREASE IN FUND BALANCE.—There is hereby transferred to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund amounts appropriated from the Leaking Underground Storage Tank Trust Fund under section 9508(c)(4).''.

SEC. 31202. TRANSFER TO HIGHWAY TRUST FUND OF CERTAIN MOTOR VEHICLE SAFETY PENALTIES.

(a) IN GENERAL.—Paragraph (5) of section 9503(b) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''There are hereby'' and inserting the following:

''(A) IN GENERAL.—There are hereby'', and

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

''(B) PENALTIES RELATED TO MOTOR VEHICLE SAFETY.—

''(i) IN GENERAL.—There are hereby appropriated to the Highway Trust Fund amounts equivalent to covered motor vehicle safety penalty collections.

''(ii) COVERED MOTOR VEHICLE SAFETY PENALTY COLLECTIONS.—For purposes of this subparagraph, the term 'covered motor vehicle safety penalty collections' means any amount collected in connection with a civil penalty under section 30165 of title 49, United States Code, reduced by any award authorized by the Secretary of Transportation to be paid to any person in connection with information provided by such person related to a violation of chapter 301 of such title which is a predicate to such civil penalty.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts collected after the date of the enactment of this Act.

SEC. 31203. APPROPRIATION FROM LEAKING UNDERGROUND STORAGE TANK TRUST FUND.

(a) IN GENERAL.—Subsection (c) of section 9508 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(4) ADDITIONAL TRANSFER TO HIGHWAY TRUST FUND.—Out of amounts in the Leaking Underground Storage Tank Trust Fund there is hereby appropriated—

''(A) on the date of the enactment of the FAST Act, $100,000,000,
''(B) on October 1, 2016, $100,000,000, and
''(C) on October 1, 2017, $100,000,000,

to be transferred under section 9503(f)(9) to the Highway Account (as defined in section 9503(e)(5)(B)) in the Highway Trust Fund.''.

(b) CONFORMING AMENDMENT.—Section 9508(c)(1) of the Internal Revenue Code of 1986 is amended by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (2), (3), and (4)''.

TITLE XXXII—OFFSETS

Subtitle A—Tax Provisions

SEC. 32101. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN UNPAID TAXES.

(a) IN GENERAL.—Subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 7345. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN TAX DELINQUENCIES.

''(a) IN GENERAL.—If the Secretary receives certification by the Commissioner of Internal Revenue that an individual has a seriously delinquent tax debt, the Secretary shall transmit such certification to the Secretary of State for action with respect to denial, revocation, or limitation of a passport pursuant to section 32101 of the FAST Act.

''(b) SERIOUSLY DELINQUENT TAX DEBT.—

''(1) IN GENERAL.—For purposes of this section, the term 'seriously delinquent tax debt' means an unpaid, legally enforceable Federal tax liability of an individual—

''(A) which has been assessed,
''(B) which is greater than $50,000, and
''(C) with respect to which—

''(i) a notice of lien has been filed pursuant to section 6323 and the administrative rights under section 6320 with respect to such filing have been exhausted or have lapsed, or

''(ii) a levy is made pursuant to section 6331.

''(2) EXCEPTIONS.—Such term shall not include—

''(A) a debt that is being paid in a timely manner pursuant to an agreement to which the individual is party under section 6159 or 7122, and

''(B) a debt with respect to which collection is suspended with respect to the individual—

''(i) because a due process hearing under section 6330 is requested or pending, or

''(ii) because an election under subsection (b) or (c) of section 6015 is made or relief under subsection (f) of such section is requested.

''(c) REVERSAL OF CERTIFICATION.—

''(1) IN GENERAL.—In the case of an individual with respect to whom the Commissioner makes a certification under subsection (a), the Commissioner shall notify the Secretary (and the Secretary shall subsequently notify the Secretary of State) if such certification is found to be erroneous or if the debt with respect to such certification is fully satisfied or ceases to be a seriously delinquent tax debt by reason of subsection (b)(2).

''(2) TIMING OF NOTICE.—

''(A) FULL SATISFACTION OF DEBT.—In the case of a debt that has been fully satisfied or has become legally unenforceable, such notification shall be made not later than the date required for issuing the certificate of release of lien with respect to such debt under section 6325(a).

''(B) INNOCENT SPOUSE RELIEF.—In the case of an individual who makes an election under subsection (b) or (c) of section 6015, or requests relief under subsection (f) of such section, such notification shall be made not later than 30 days after any such election or request.

''(C) INSTALLMENT AGREEMENT OR OFFER-IN-COMPROMISE.—In the case of an installment agreement under section 6159 or an offer-in-compromise under section 7122, such notification shall be made not later than 30 days after such agreement is entered into or such offer is accepted by the Secretary.

''(D) ERRONEOUS CERTIFICATION.—In the case of a certification found to be erroneous, such notification shall be made as soon as practicable after such finding.

''(d) CONTEMPORANEOUS NOTICE TO INDIVIDUAL.—The Commissioner shall contemporaneously notify an individual of any certification under subsection (a), or any reversal of certification under subsection (c), with respect to such individual. Such notice shall include a description in simple and nontechnical terms of the right to bring a civil action under subsection (e).

''(e) JUDICIAL REVIEW OF CERTIFICATION.—

''(1) IN GENERAL.—After the Commissioner notifies an individual under subsection (d), the taxpayer may bring a civil action against the United States in a district court of the United States or the Tax Court to determine whether the certification was erroneous or whether the Commissioner has failed to reverse the certification.

''(2) DETERMINATION.—If the court determines that such certification was erroneous, then the court may order the Secretary to notify the Secretary of State that such certification was erroneous.

''(f) ADJUSTMENT FOR INFLATION.—In the case of a calendar year beginning after 2016, the dollar amount in subsection (a) shall be increased by an amount equal to—

''(1) such dollar amount, multiplied by

''(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2015' for

'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $1,000, such amount shall be rounded to the nearest multiple of $1,000.

''(g) DELEGATION OF CERTIFICATION.—A certification under subsection (a) or reversal of certification under subsection (c) may only be delegated by the Commissioner of Internal Revenue to the Deputy Commissioner for Services and Enforcement, or the Commissioner of an operating division, of the Internal Revenue Service.''.

(b) INFORMATION INCLUDED IN NOTICE OF LIEN AND LEVY.—

(1) NOTICE OF LIEN.—Section 6320(a)(3) of such Code is amended by striking ''and'' at the end of subparagraph (C), by striking the period at the end of subparagraph (D) and inserting ''; and'', and by adding at the end the following new subparagraph:

''(E) the provisions of section 7345 relating to the certification of seriously delinquent tax debts and the denial, revocation, or limitation of passports of individuals with such debts pursuant to section 32101 of the FAST Act.''.

(2) NOTICE OF LEVY.—Section 6331(d)(4) of such Code is amended by striking ''and'' at the end of subparagraph (E), by striking the period at the end of subparagraph (F) and inserting '', and'', and by adding at the end the following new subparagraph:

''(G) the provisions of section 7345 relating to the certification of seriously delinquent tax debts and the denial, revocation, or limitation of passports of individuals with such debts pursuant to section 32101 of the FAST Act.''.

(c) AUTHORITY FOR INFORMATION SHARING.—

(1) IN GENERAL.—Section 6103(k) of such Code is amended by adding at the end the following new paragraph:

''(11) DISCLOSURE OF RETURN INFORMATION TO DEPARTMENT OF STATE FOR PURPOSES OF PASSPORT REVOCATION UNDER SECTION 7345.—

''(A) IN GENERAL.—The Secretary shall, upon receiving a certification described in section 7345, disclose to the Secretary of State return information with respect to a taxpayer who has a seriously delinquent tax debt described in such section. Such return information shall be limited to—

''(i) the taxpayer identity information with respect to such taxpayer, and

''(ii) the amount of such seriously delinquent tax debt.

''(B) RESTRICTION ON DISCLOSURE.—Return information disclosed under subparagraph (A) may be used by officers and employees of the Department of State for the purposes of, and to the extent necessary in, carrying out the requirements of section 32101 of the FAST Act.''.

(2) CONFORMING AMENDMENT.—Paragraph (4) of section 6103(p) of such Code is amended by striking ''or (10)'' each place it appears in subparagraph (F)(ii) and in the matter preceding subparagraph (A) and inserting '', (10), or (11)''.

(d) TIME FOR CERTIFICATION OF SERIOUSLY DELINQUENT TAX DEBT POSTPONED BY REASON OF SERVICE IN COMBAT ZONE.—Section 7508(a) of such Code is amended by striking the period at the end of paragraph (2) and inserting ''; and'' and by adding at the end the following new paragraph:

''(3) Any certification of a seriously delinquent tax debt under section 7345.''.

(e) AUTHORITY TO DENY OR REVOKE PASSPORT.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving a certification described in section 7345 of the Internal Revenue Code of 1986 from the Secretary of the Treasury, the Secretary of State shall not issue a passport to any individual who has a seriously delinquent tax debt described in such section.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in such subparagraph.

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(3) HOLD HARMLESS.—The Secretary of the Treasury, the Secretary of State, and any of their designees shall not be liable to an individual for any action with respect to a certification by the Commissioner of Internal Revenue under section 7345 of the Internal Revenue Code of 1986.

(f) REVOCATION OR DENIAL OF PASSPORT IN CASE OF INDIVIDUAL WITHOUT SOCIAL SECURITY ACCOUNT NUMBER.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving an application for a passport from an individual that either—

(i) does not include the social security account number issued to that individual, or

(ii) includes an incorrect or invalid social security number willfully, intentionally, negligently, or recklessly provided by such individual,

the Secretary of State is authorized to deny such application and is authorized to not issue a passport to the individual.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(g) REMOVAL OF CERTIFICATION FROM RECORD WHEN DEBT CEASES TO BE SERIOUSLY DELINQUENT.—If pursuant to subsection (c) or (e) of section 7345 of the Internal Revenue Code of 1986 the Secretary of State receives from the Secretary of the Treasury a notice that an individual ceases to have a seriously delinquent tax debt, the Secretary of State shall remove from the individual's record the certification with respect to such debt.

(h) CLERICAL AMENDMENT.—The table of sections for subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 7345. Revocation or denial of passport in case of certain tax delinquencies.''.

(i) EFFECTIVE DATE.—The provisions of, and amendments made by, this section shall take effect on the date of the enactment of this Act.

SEC. 32102. REFORM OF RULES RELATING TO QUALIFIED TAX COLLECTION CONTRACTS.

(a) REQUIREMENT TO COLLECT CERTAIN INACTIVE TAX RECEIVABLES UNDER QUALIFIED TAX COLLECTION CONTRACTS.—Section 6306 of the Internal Revenue Code of 1986 is amended by redesignating subsections (c) through (f) as subsections (d) through (g), respectively, and by inserting after subsection (b) the following new subsection:

''(c) COLLECTION OF INACTIVE TAX RECEIVABLES.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall enter into one or more qualified tax collection contracts for the collection of all outstanding inactive tax receivables.

''(2) INACTIVE TAX RECEIVABLES.—For purposes of this section—

''(A) IN GENERAL.—The term 'inactive tax receivable' means any tax receivable if—

''(i) at any time after assessment, the Internal Revenue Service removes such receivable from the active inventory for lack of resources or inability to locate the taxpayer,

''(ii) more than ⅓ of the period of the applicable statute of limitation has lapsed and such receivable has not been assigned for collection to any employee of the Internal Revenue Service, or

''(iii) in the case of a receivable which has been assigned for collection, more than 365 days have passed without interaction with the taxpayer or a third party for purposes of furthering the collection of such receivable.

''(B) TAX RECEIVABLE.—The term 'tax receivable' means any outstanding assessment which the Internal Revenue Service includes in potentially collectible inventory.''.

(b) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER QUALIFIED TAX COLLECTION CONTRACTS.—Section 6306 of the Internal Revenue Code of 1986, as amended by subsection (a), is amended by redesignating subsections (d) through (g) as subsections (e) through (h), respectively, and by inserting after subsection (c) the following new subsection:

''(d) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER QUALIFIED TAX COLLECTIONS CONTRACTS.—A tax receivable shall not be eligible for collection pursuant to a qualified tax collection contract if such receivable—

''(1) is subject to a pending or active offer-in-compromise or installment agreement,

''(2) is classified as an innocent spouse case,

''(3) involves a taxpayer identified by the Secretary as being—

''(A) deceased,

''(B) under the age of 18,

''(C) in a designated combat zone, or

''(D) a victim of tax-related identity theft,

''(4) is currently under examination, litigation, criminal investigation, or levy, or

''(5) is currently subject to a proper exercise of a right of appeal under this title.''.

(c) CONTRACTING PRIORITY.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (h) as subsection (i) and by inserting after subsection (g) the following new subsection:

''(h) CONTRACTING PRIORITY.—In contracting for the services of any person under this section, the Secretary shall utilize private collection contractors and debt collection centers on the schedule required under section 3711(g) of title 31, United States Code, including the technology and communications infrastructure established therein, to the extent such private collection contractors and debt collection centers are appropriate to carry out the purposes of this section.''.

(d) DISCLOSURE OF RETURN INFORMATION.—Section 6103(k) of the Internal Revenue Code of

1986, as amended by section 32101, is amended by adding at the end the following new paragraph:

''(12) QUALIFIED TAX COLLECTION CONTRACTORS.—Persons providing services pursuant to a qualified tax collection contract under section 6306 may, if speaking to a person who has identified himself or herself as having the name of the taxpayer to which a tax receivable (within the meaning of such section) relates, identify themselves as contractors of the Internal Revenue Service and disclose the business name of the contractor, and the nature, subject, and reason for the contact. Disclosures under this paragraph shall be made only in such situations and under such conditions as have been approved by the Secretary.''.

(e) TAXPAYERS AFFECTED BY FEDERALLY DECLARED DISASTERS.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (i) as subsection (j) and by inserting after subsection (h) the following new subsection:

''(i) TAXPAYERS IN PRESIDENTIALLY DECLARED DISASTER AREAS.—The Secretary may prescribe procedures under which a taxpayer determined to be affected by a Federally declared disaster (as defined by section 165(i)(5)) may request—

''(1) relief from immediate collection measures by contractors under this section, and

''(2) a return of the inactive tax receivable to the inventory of the Internal Revenue Service to be collected by an employee thereof.''.

(f) REPORT TO CONGRESS.—

(1) IN GENERAL.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (i) the following new subsection:

''(j) REPORT TO CONGRESS.—Not later than 90 days after the last day of each fiscal year (beginning with the first such fiscal year ending after the date of the enactment of this subsection), the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report with respect to qualified tax collection contracts under this section which shall include—

''(1) annually, with respect to such fiscal year—

''(A) the total number and amount of tax receivables provided to each contractor for collection under this section,

''(B) the total amounts collected (and amounts of installment agreements entered into under subsection (b)(1)(B)) with respect to each contractor and the collection costs incurred (directly and indirectly) by the Internal Revenue Service with respect to such amounts,

''(C) the impact of such contracts on the total number and amount of unpaid assessments, and on the number and amount of assessments collected by Internal Revenue Service personnel after initial contact by a contractor,

''(D) the amount of fees retained by the Secretary under subsection (e) and a description of the use of such funds, and

''(E) a disclosure safeguard report in a form similar to that required under section 6103(p)(5), and

''(2) biannually (beginning with the second report submitted under this subsection)—

''(A) an independent evaluation of contractor performance, and

''(B) a measurement plan that includes a comparison of the best practices used by the private collectors to the collection techniques used by the Internal Revenue Service and mechanisms to identify and capture information on successful collection techniques used by the contractors that could be adopted by the Internal Revenue Service.''.

(2) REPEAL OF EXISTING REPORTING REQUIREMENTS WITH RESPECT TO QUALIFIED TAX COLLECTION CONTRACTS.—Section 881 of the American Jobs Creation Act of 2004 is amended by striking subsection (e).

(g) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall apply to tax receivables identified by the Secretary after the date of the enactment of this Act.

(2) CONTRACTING PRIORITY.—The Secretary shall begin entering into contracts and agreements as described in the amendment made by subsection (c) within 3 months after the date of the enactment of this Act.

(3) DISCLOSURES.—The amendment made by subsection (d) shall apply to disclosures made after the date of the enactment of this Act.

(4) PROCEDURES; REPORT TO CONGRESS.—The amendments made by subsections (e) and (f) shall take effect on the date of the enactment of this Act.

SEC. 32103. SPECIAL COMPLIANCE PERSONNEL PROGRAM.

(a) IN GENERAL.—Subsection (e) of section 6306 of the Internal Revenue Code of 1986, as redesignated by section 52106, is amended by striking ''for collection enforcement activities of the Internal Revenue Service'' in paragraph (2) and inserting ''to fund the special compliance personnel program account under section 6307''.

(b) SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—Subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 6307. SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.

''(a) ESTABLISHMENT OF A SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—The Secretary shall establish an account within the Department for carrying out a program consisting of the hiring, training, and employment of special compliance personnel, and shall transfer to such account from time to time amounts retained by the Secretary under section 6306(e)(2).

''(b) RESTRICTIONS.—The program described in subsection (a) shall be subject to the following restrictions:

''(1) No funds shall be transferred to such account except as described in subsection (a).

''(2) No other funds from any other source shall be expended for special compliance personnel employed under such program, and no funds from such account shall be expended for the hiring of any personnel other than special compliance personnel.

''(3) Notwithstanding any other authority, the Secretary is prohibited from spending funds out of such account for any purpose other than for costs under such program associated with the employment of special compliance personnel and the retraining and reassignment of current noncollections personnel as special compliance personnel, and to reimburse the Internal Revenue Service or other government agencies for the cost of administering qualified tax collection contracts under section 6306.

''(c) REPORTING.—Not later than March of each year, the Commissioner of Internal Revenue shall submit a report to the Committees on Finance and Appropriations of the Senate and the Committees on Ways and Means and Appropriations of the House of Representatives consisting of the following:

''(1) For the preceding fiscal year, all funds received in the account established under subsection (a), administrative and program costs for the program described in such subsection, the number of special compliance personnel hired and employed under the program, and the amount of revenue actually collected by such personnel.

''(2) For the current fiscal year, all actual and estimated funds received or to be received in the account, all actual and estimated administrative and program costs, the number of all actual and estimated special compliance personnel hired and employed under the program, and the actual and estimated revenue actually collected or to be collected by such personnel.

''(3) For the following fiscal year, an estimate of all funds to be received in the account, all estimated administrative and program costs, the estimated number of special compliance personnel hired and employed under the program, and the estimated revenue to be collected by such personnel.

''(d) DEFINITIONS.—For purposes of this section—

''(1) SPECIAL COMPLIANCE PERSONNEL.—The term 'special compliance personnel' means individuals employed by the Internal Revenue Service as field function collection officers or in a similar position, or employed to collect taxes using the automated collection system or an equivalent replacement system.

''(2) PROGRAM COSTS.—The term 'program costs' means—

''(A) total salaries (including locality pay and bonuses), benefits, and employment taxes for special compliance personnel employed or trained under the program described in subsection (a), and

''(B) direct overhead costs, salaries, benefits, and employment taxes relating to support staff, rental payments, office equipment and furniture, travel, data processing services, vehicle costs, utilities, telecommunications, postage, printing and reproduction, supplies and materials, lands and structures, insurance claims, and indemnities for special compliance personnel hired and employed under this section.

For purposes of subparagraph (B), the cost of management and supervision of special compliance personnel shall be taken into account as direct overhead costs to the extent such costs, when included in total program costs under this paragraph, do not represent more than 10 percent of such total costs.''.

(c) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 6306 the following new item:

''Sec. 6307. Special compliance personnel program account.''.

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts collected and retained by the Secretary after the date of the enactment of this Act.

SEC. 32104. REPEAL OF MODIFICATION OF AUTOMATIC EXTENSION OF RETURN DUE DATE FOR CERTAIN EMPLOYEE BENEFIT PLANS.

(a) IN GENERAL.—Section 2006(b) of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 is amended by striking paragraph (3).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to returns for taxable years beginning after December 31, 2015.

Subtitle B—Fees and Receipts

SEC. 32201. ADJUSTMENT FOR INFLATION OF FEES FOR CERTAIN CUSTOMS SERVICES.

(a) IN GENERAL.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) is amended by adding at the end the following:

''(l) ADJUSTMENT OF FEES FOR INFLATION.—

''(1) IN GENERAL.—The Secretary of the Treasury shall adjust the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), on April 1, 2016, and at the beginning of each fiscal year thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2014.

''(2) SPECIAL RULES FOR CALCULATION OF ADJUSTMENT.—In adjusting under paragraph (1) the amount of the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), the Secretary—

''(A) shall round the amount of any increase in the Consumer Price Index to the nearest dollar; and

''(B) may ignore any such increase of less than 1 percent.

''(3) CONSUMER PRICE INDEX DEFINED.—For purposes of this subsection, the term 'Consumer Price Index' means the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

(b) USE OF FEES.—The fees collected as a result of the amendments made by this section shall be deposited in the Customs User Fee Account, shall be available for reimbursement of customs services and inspections costs, and shall be available only to the extent provided in appropriations Acts.

(c) CONFORMING AMENDMENTS.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c), as amended by subsections (a) and (b), is further amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ''(subject to adjustment under subsection (l))'' after ''following fees''; and

(2) in subsection (b)—

(A) in paragraph (2), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(B) in paragraph (3), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(C) in paragraph (5)(A), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(D) in paragraph (6), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(E) in paragraph (8)(A)—

(i) in clause (i), by inserting ''or (l)'' after ''subsection (a)(9)(B)''; and

(ii) in clause (ii), by inserting ''(subject to adjustment under subsection (l))'' after ''$3''; and

(F) in paragraph (9)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''and subject to adjustment under subsection (l)'' after ''Tariff Act of 1930''; and

(II) in clause (ii)(I), by inserting ''(subject to adjustment under subsection (l))'' after ''bill of lading''; and

(ii) in subparagraph (B)(i), by inserting ''(subject to adjustment under subsection (l))'' after ''bill of lading''.

SEC. 32202. LIMITATION ON SURPLUS FUNDS OF FEDERAL RESERVE BANKS.

Section 7(a) of the Federal Reserve Act (12 U.S.C. 289(a)) is amended by adding at the end the following:

''(3) LIMITATION ON SURPLUS FUNDS.—

''(A) IN GENERAL.—The aggregate amount of the surplus funds of the Federal reserve banks may not exceed $10,000,000,000.

''(B) TRANSFER TO THE GENERAL FUND.—Any amounts of the surplus funds of the Federal reserve banks that exceed, or would exceed, the limitation under subparagraph (A) shall be transferred to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury.''.

SEC. 32203. DIVIDENDS OF FEDERAL RESERVE BANKS.

(a) IN GENERAL.—Section 7(a)(1) of the Federal Reserve Act (12 15 U.S.C. 289(a)(1)) is amended—

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

''(A) DIVIDEND AMOUNT.—After all necessary expenses of a Federal reserve bank have been paid or provided for, the stockholders of the bank shall be entitled to receive an annual dividend on paid-in capital stock of—

''(i) in the case of a stockholder with total consolidated assets of more than $10,000,000,000, the smaller of—

''(I) the rate equal to the high yield of the 10-year Treasury note auctioned at the last auction held prior to the payment of such dividend; and

''(II) 6 percent; and

''(ii) in the case of a stockholder with total consolidated assets of $10,000,000,000 or less, 6 percent.''; and

(2) by adding at the end the following:

''(C) INFLATION ADJUSTMENT.—The Board of Governors of the Federal Reserve System shall annually adjust the dollar amounts of total consolidated assets specified under subparagraph (A) to reflect the change in the Gross Domestic Product Price Index, published by the Bureau of Economic Analysis.''.

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

SEC. 32204. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.

(a) DRAWDOWN AND SALE.—

(1) IN GENERAL.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsections (b) and (c), the Secretary of Energy shall drawdown and sell from the Strategic Petroleum Reserve—

(A) the quantity of barrels of crude oil that the Secretary of Energy determines to be appropriate to maximize the financial return to United States taxpayers for each of fiscal years 2016 and 2017;

(B) 16,000,000 barrels of crude oil during fiscal year 2023;

(C) 25,000,000 barrels of crude oil during fiscal year 2024; and

(D) 25,000,000 barrels of crude oil during fiscal year 2025.

(2) DEPOSIT OF AMOUNTS RECEIVED FROM SALE.—Amounts received from a sale under paragraph (1) shall be deposited in the general fund of the Treasury during the fiscal year in which the sale occurs.

(b) EMERGENCY PROTECTION.—The Secretary shall not draw down and sell crude oil under this section in quantities that would limit the authority to sell petroleum products under section 161(h) of the Energy Policy and Conservation Act (42 U.S.C. 6241(h)) in the full quantity authorized by that subsection.

(c) INCREASE; LIMITATION.—

(1) INCREASE.—The Secretary of Energy may increase the drawdown and sales under subparagraphs (A) through (I) of subsection (a)(1) as the Secretary of Energy determines to be appropriate to maximize the financial return to United States taxpayers.

(2) LIMITATION.—The Secretary of Energy shall not drawdown or conduct sales of crude oil under this section after the date on which a total of $6,200,000,000 has been deposited in the general fund of the Treasury from sales authorized under this section.

SEC. 32205. REPEAL.

Effective as of November 2, 2015, the date of the enactment of the Bipartisan Budget Act of 2015 (Public Law 114–74), section 201 of such Act and the amendments made by such section are repealed, and the provisions of law amended by such section are hereby restored to appear as if such section had not been enacted into law.

Subtitle C—Outlays

SEC. 32301. INTEREST ON OVERPAYMENT.

Section 111 of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1721) is amended—

(1) by striking subsections (h) and (i);

(2) by redesignating subsections (j) through (l) as subsections (h) through (j), respectively; and

(3) in subsection (h) (as so redesignated), by striking the fourth sentence.

Subtitle D—Budgetary Effects

SEC. 32401. BUDGETARY EFFECTS.

The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

DIVISION D—MISCELLANEOUS

TITLE XLI—FEDERAL PERMITTING IMPROVEMENT

SEC. 41001. DEFINITIONS.

In this title:

(1) AGENCY.—The term ''agency'' has the meaning given the term in section 551 of title 5, United States Code.

(2) AGENCY CERPO.—The term ''agency CERPO'' means the chief environmental review and permitting officer of an agency, as designated by the head of the agency under section 41002(b)(2)(A)(iii)(I).

(3) AUTHORIZATION.—The term ''authorization'' means any license, permit, approval, finding, determination, or other administrative decision issued by an agency that is required or authorized under Federal law in order to site, construct, reconstruct, or commence operations of a covered project administered by a Federal agency or, in the case of a State that chooses to participate in the environmental review and authorization process in accordance with section 41003(c)(3)(A), a State agency.

(4) COOPERATING AGENCY.—The term ''cooperating agency'' means any agency with—

(A) jurisdiction under Federal law; or

(B) special expertise as described in section 1501.6 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(5) COUNCIL.—The term ''Council'' means the Federal Infrastructure Permitting Improvement Steering Council established under section 41002(a).

(6) COVERED PROJECT.—

(A) IN GENERAL.—The term ''covered project'' means any activity in the United States that requires authorization or environmental review by a Federal agency involving construction of infrastructure for renewable or conventional energy production, electricity transmission, surface transportation, aviation, ports and waterways, water resource projects, broadband, pipelines, manufacturing, or any other sector as determined by a majority vote of the Council that—

(i)(I) is subject to NEPA;

(II) is likely to require a total investment of more than $200,000,000; and

(III) does not qualify for abbreviated authorization or environmental review processes under any applicable law; or

(ii) is subject to NEPA and the size and complexity of which, in the opinion of the Council, make the project likely to benefit from enhanced oversight and coordination, including a project likely to require—

(I) authorization from or environmental review involving more than 2 Federal agencies; or

(II) the preparation of an environmental impact statement under NEPA.

(B) EXCLUSION.—The term ''covered project'' does not include—

(i) any project subject to section 139 of title 23, United States Code; or

(ii) any project subject to section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348).

(7) DASHBOARD.—The term ''Dashboard'' means the Permitting Dashboard required under section 41003(b).

(8) ENVIRONMENTAL ASSESSMENT.—The term ''environmental assessment'' means a concise public document for which a Federal agency is responsible under section 1508.9 of title 40, Code of Federal Regulations (or successor regulations).

(9) ENVIRONMENTAL DOCUMENT.—

(A) IN GENERAL.—The term ''environmental document'' means an environmental assessment, finding of no significant impact, notice of intent, environmental impact statement, or record of decision.

(B) INCLUSIONS.—The term ''environmental document'' includes—

(i) any document that is a supplement to a document described in subparagraph (A); and

(ii) a document prepared pursuant to a court order.

(10) ENVIRONMENTAL IMPACT STATEMENT.—The term ''environmental impact statement'' means the detailed written statement required under section 102(2)(C) of NEPA.

(11) ENVIRONMENTAL REVIEW.—The term ''environmental review'' means the agency procedures and processes for applying a categorical exclusion or for preparing an environmental assessment, an environmental impact statement, or other document required under NEPA.

(12) EXECUTIVE DIRECTOR.—The term ''Executive Director'' means the Executive Director appointed by the President under section 41002(b)(1)(A).

(13) FACILITATING AGENCY.—The term ''facilitating agency'' means the agency that receives the initial notification from the project sponsor required under section 41003(a).

(14) INVENTORY.—The term ''inventory'' means the inventory of covered projects established by the Executive Director under section 41002(c)(1)(A).

(15) LEAD AGENCY.—The term ''lead agency'' means the agency with principal responsibility for an environmental review of a covered project under NEPA and parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

(16) NEPA.—The term ''NEPA'' means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(17) PARTICIPATING AGENCY.—The term ''participating agency'' means an agency participating in an environmental review or authorization for a covered project in accordance with section 41003.

(18) PROJECT SPONSOR.—The term ''project sponsor'' means an entity, including any private, public, or public-private entity, seeking an authorization for a covered project.

SEC. 41002. FEDERAL PERMITTING IMPROVEMENT COUNCIL.

(a) ESTABLISHMENT.—There is established the Federal Permitting Improvement Steering Council.

(b) COMPOSITION.—

(1) CHAIR.—The Executive Director shall—

(A) be appointed by the President; and

(B) serve as Chair of the Council.

(2) COUNCIL MEMBERS.—

(A) IN GENERAL.—

(i) DESIGNATION BY HEAD OF AGENCY.—Each individual listed in subparagraph (B) shall designate a member of the agency in which the individual serves to serve on the Council.

(ii) QUALIFICATIONS.—A councilmem-ber described in clause (i) shall hold a position in the agency of deputy secretary (or the equivalent) or higher.

(iii) SUPPORT.—

(I) IN GENERAL.—Consistent with guidance provided by the Director of the Office of Management and Budget, each individual listed in subparagraph (B) shall designate 1 or more appropriate members of the agency in which the individual serves to serve as an agency CERPO.

(II) REPORTING.—In carrying out the duties of the agency CERPO under this title, an agency CERPO shall report directly to a deputy secretary (or the equivalent) or higher.

(B) HEADS OF AGENCIES.—The individuals that shall each designate a councilmember under this subparagraph are as follows:

(i) The Secretary of Agriculture.

(ii) The Secretary of the Army.

(iii) The Secretary of Commerce.

(iv) The Secretary of the Interior.

(v) The Secretary of Energy.

(vi) The Secretary of Transportation.

(vii) The Secretary of Defense.

(viii) The Administrator of the Environmental Protection Agency.

(ix) The Chairman of the Federal Energy Regulatory Commission.

(x) The Chairman of the Nuclear Regulatory Commission.

(xi) The Secretary of Homeland Security.

(xii) The Secretary of Housing and Urban Development.

(xiii) The Chairman of the Advisory Council on Historic Preservation.

(xiv) Any other head of a Federal agency that the Executive Director may invite to participate as a member of the Council.

(3) ADDITIONAL MEMBERS.—In addition to the members listed in paragraphs (1) and (2), the Chairman of the Council on Environmental Quality and the Director of the Office of Management and Budget shall also be members of the Council.

(c) DUTIES.—

(1) EXECUTIVE DIRECTOR.—

(A) INVENTORY DEVELOPMENT.—The Executive Director, in consultation with the Council, shall—

(i) not later than 180 days after the date of enactment of this Act, establish an inventory of covered projects that are pending the environmental review or authorization of the head of any Federal agency;

(ii)(I) categorize the projects in the inventory as appropriate, based on sector and project type; and

(II) for each category, identify the types of environmental reviews and authorizations most commonly involved; and

(iii) add a covered project to the inventory after receiving a notice described in section 41003(a)(1).

(B) FACILITATING AGENCY DESIGNATION.—The Executive Director, in consultation with the Council, shall—

(i) designate a facilitating agency for each category of covered projects described in subparagraph (A)(ii); and

(ii) publish the list of designated facilitating agencies for each category of projects in the inventory on the Dashboard in an easily accessible format.

(C) PERFORMANCE SCHEDULES.—

(i) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Executive Director, in consultation with the Council, shall develop recommended performance schedules, including intermediate and final completion dates, for environmental reviews and authorizations most commonly required for each category of covered projects described in subparagraph (A)(ii).

(ii) REQUIREMENTS.—

(I) IN GENERAL.—The performance schedules shall reflect employment of the use of the most efficient applicable processes, including the alignment of Federal reviews of projects and reduction of permitting and project delivery time.

(II) LIMIT.—

(aa) IN GENERAL.—The final completion dates in any performance schedule for the completion of an environmental review or authorization under clause (i) shall not exceed the average time to complete an environmental review or authorization for a project within that category.

(bb) CALCULATION OF AVERAGE TIME.—The average time referred to in item (aa) shall be calculated on the basis of data from the preceding 2 calendar years and shall run from the period beginning on the date on which the Executive Director must make a specific entry for the project on the Dashboard under section 41003(b)(2) (except that, for projects initiated before that duty takes effect, the period beginning on the date of filing of a completed application), and ending on the date of the issuance of a record of decision or other final agency action on the review or authorization.

(cc) COMPLETION DATE.—Each performance schedule shall specify that any decision by an agency on an environmental review or authorization must be issued not later than 180 days after the date on which all information needed to complete the review or authorization (including any hearing that an agency holds on the matter) is in the possession of the agency.

(iii) REVIEW AND REVISION.—Not later than 2 years after the date on which the performance schedules are established under this subparagraph, and not less frequently than once every 2 years thereafter, the Executive Director, in consultation with the Council, shall review and revise the performance schedules.

(D) GUIDANCE.—The Executive Director, in consultation with the Council, may recommend to the Director of the Office of Management and Budget or to the Council on Environmental Quality, as appropriate, that guidance be issued as necessary for agencies—

(i) to carry out responsibilities under this title; and

(ii) to effectuate the adoption by agencies of the best practices and recommendations of the Council described in paragraph (2).

(2) COUNCIL.—

(A) RECOMMENDATIONS.—

(i) IN GENERAL.—The Council shall make recommendations to the Executive Director with respect to the designations under paragraph (1)(B) and the performance schedules under paragraph (1)(C).

(ii) UPDATE.—The Council may update the recommendations described in clause (i).

(B) BEST PRACTICES.—Not later than 1 year after the date of enactment of this Act, and not less frequently than annually thereafter, the Council shall issue recommendations on the best practices for—

(i) enhancing early stakeholder engagement, including fully considering and, as appropriate, incorporating recommendations provided in public comments on any proposed covered project;

(ii) ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics;

(iii) improving coordination between Federal and non-Federal governmental entities, including through the development of common data standards and terminology across agencies;

(iv) increasing transparency;

(v) reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties;

(vi) developing and making available to applicants appropriate geographic information systems and other tools;

(vii) creating and distributing training materials useful to Federal, State, tribal, and local permitting officials; and

(viii) addressing other aspects of infrastructure permitting, as determined by the Council.

(C) MEETINGS.—The Council shall meet not less frequently than annually with groups or individuals representing State, tribal, and local governments that are engaged in the infrastructure permitting process.

(3) AGENCY CERPOS.—An agency CERPO shall—

(A) advise the respective agency councilmember on matters related to environmental reviews and authorizations;

(B) provide technical support, when requested to facilitate efficient and timely processes for environmental reviews and authorizations for covered projects under the jurisdictional responsibility of the agency, including supporting timely identification and resolution of potential disputes within the agency or between the agency and other Federal agencies;

(C) analyze agency environmental review and authorization processes, policies, and authorities and make recommendations to the respective agency councilmember for ways to standardize, simplify, and improve the efficiency of the processes, policies, and authorities, including by implementing guidance issued under paragraph (1)(D) and other best practices, including the use of information technology and geographic information system tools within the agency and across agencies, to the extent consistent with existing law; and

(D) review and develop training programs for agency staff that support and conduct environmental reviews or authorizations.

(d) ADMINISTRATIVE SUPPORT.—The Director of the Office of Management and Budget shall designate a Federal agency, other than an agency that carries out or provides support only for projects that are not covered projects, to provide administrative support for the Executive Director, and the designated agency shall, as reasonably necessary, provide support and staff to enable the Executive Director to fulfill the duties of the Executive Director under this title.

SEC. 41003. PERMITTING PROCESS IMPROVEMENT.

(a) PROJECT INITIATION AND DESIGNATION OF PARTICIPATING AGENCIES.—

(1) NOTICE.—

(A) IN GENERAL.—A project sponsor of a covered project shall submit to the Executive Director and the facilitating agency notice of the initiation of a proposed covered project.

(B) DEFAULT DESIGNATION.—If, at the time of submission of the notice under subparagraph (A), the Executive Director has not designated a facilitating agency under section 41002(c)(1)(B) for the categories of projects noticed, the agency that receives the notice under subparagraph (A) shall be designated as the facilitating agency.

(C) CONTENTS.—Each notice described in subparagraph (A) shall include—

(i) a statement of the purposes and objectives of the proposed project;

(ii) a concise description, including the general location of the proposed project and a summary of geospatial information, if available, illustrating the project area and the locations, if any, of environmental, cultural, and historic resources;

(iii) a statement regarding the technical and financial ability of the project sponsor to construct the proposed project;

(iv) a statement of any Federal financing, environmental reviews, and authorizations anticipated to be required to complete the proposed project; and

(v) an assessment that the proposed project meets the definition of a covered project under section 41001 and a statement of reasons supporting the assessment.

(2) INVITATION.—

(A) IN GENERAL.—Not later than 45 days after the date on which the Executive Director must make a specific entry for the project on the Dashboard under subsection (b)(2)(A), the facilitating agency or lead agency, as applicable, shall—

(i) identify all Federal and non-Federal agencies and governmental entities likely to have financing, environmental review, authorization, or other responsibilities with respect to the proposed project; and

(ii) invite all Federal agencies identified under clause (i) to become a participating agency or a cooperating agency, as appropriate, in the environmental review and authorization management process described in section 41005.

(B) DEADLINES.—Each invitation made under subparagraph (A) shall include a deadline for a response to be submitted to the facilitating or lead agency, as applicable.

(3) PARTICIPATING AND COOPERATING AGENCIES.—

(A) IN GENERAL.—An agency invited under paragraph (2) shall be designated as a participating or cooperating agency for a covered project, unless the agency informs the facilitating or lead agency, as applicable, in writing before the deadline under paragraph (2)(B) that the agency—

(i) has no jurisdiction or authority with respect to the proposed project; or

(ii) does not intend to exercise authority related to, or submit comments on, the proposed project.

(B) CHANGED CIRCUMSTANCES.—On request and a showing of changed circumstances, the Executive Director may designate an agency that has opted out under subparagraph (A)(ii) to be a participating or cooperating agency, as appropriate.

(4) EFFECT OF DESIGNATION.—The designation described in paragraph (3) shall not—

(A) give the participating agency authority or jurisdiction over the covered project; or

(B) expand any jurisdiction or authority a cooperating agency may have over the proposed project.

(5) LEAD AGENCY DESIGNATION.—

(A) IN GENERAL.—On establishment of the lead agency, the lead agency shall assume the responsibilities of the facilitating agency under this title.

(B) REDESIGNATION OF FACILITATING AGENCY.—If the lead agency assumes the responsibilities of the facilitating agency under subparagraph (A), the facilitating agency may be designated as a cooperative or participating agency.

(6) CHANGE OF FACILITATING OR LEAD AGENCY.—

(A) IN GENERAL.—On the request of a participating agency or project sponsor, the Executive Director may designate a different agency as the facilitating or lead agency, as applicable, for a covered project, if the facilitating or lead agency or the Executive Director receives new information regarding the scope or nature of a covered project that indicates that the project should be placed in a different category under section 41002(c)(1)(B).

(B) RESOLUTION OF DISPUTE.—The Chairman of the Council on Environmental Quality shall resolve any dispute over designation of a facilitating or lead agency for a particular covered project.

(b) PERMITTING DASHBOARD.—

(1) REQUIREMENT TO MAINTAIN.—

(A) IN GENERAL.—The Executive Director, in coordination with the Administrator of General Services, shall maintain an online database to be known as the ''Permitting Dashboard'' to track the status of Federal environmental reviews and authorizations for any covered project in the inventory described in section 41002(c)(1)(A).

(B) SPECIFIC AND SEARCHABLE ENTRY.—The Dashboard shall include a specific and searchable entry for each covered project.

(2) ADDITIONS.—

(A) IN GENERAL.—

(i) EXISTING PROJECTS.—Not later than 14 days after the date on which the Executive Director adds a project to the inventory under section 41002(c)(1)(A), the Executive Director shall create a specific entry on the Dashboard for the covered project.

(ii) NEW PROJECTS.—Not later than 14 days after the date on which the Executive Director receives a notice under subsection (a)(1), the Executive Director shall create a specific entry on the Dashboard for the covered project, unless the Executive Director, facilitating agency, or lead agency, as applicable, determines that the project is not a covered project.

(B) EXPLANATION.—If the facilitating agency or lead agency, as applicable, determines that the project is not a covered project, the project sponsor may submit a further explanation as to why the project is a covered project not later than 14 days after the date of the determination under subparagraph (A).

(C) FINAL DETERMINATION.—Not later than 14 days after receiving an explanation described in subparagraph (B), the Executive Director shall—

(i) make a final and conclusive determination as to whether the project is a covered project; and

(ii) if the Executive Director determines that the project is a covered project, create a specific entry on the Dashboard for the covered project.

(3) POSTINGS BY AGENCIES.—

(A) IN GENERAL.—For each covered project added to the Dashboard under paragraph (2), the facilitating or lead agency, as applicable, and each cooperating and participating agency shall post to the Dashboard—

(i) a hyperlink that directs to a website that contains, to the extent consistent with applicable law—

(I) the notification submitted under subsection (a)(1);

(II)(aa) where practicable, the application and supporting documents, if applicable, that have been submitted by a project sponsor for any required environmental review or authorization; or

(bb) a notice explaining how the public may obtain access to such documents;

(III) a description of any Federal agency action taken or decision made that materially affects the status of a covered project;

(IV) any significant document that supports the action or decision described in subclause (III); and

(V) a description of the status of any litigation to which the agency is a party that is directly related to the project, including, if practicable, any judicial document made available on an electronic docket maintained by a Federal, State, or local court; and

(ii) any document described in clause (i) that is not available by hyperlink on another website.

(B) DEADLINE.—The information described in subparagraph (A) shall be posted to the website made available by hyperlink on the Dashboard not later than 5 business days after the date on which the Federal agency receives the information.

(4) POSTINGS BY THE EXECUTIVE DIRECTOR.—The Executive Director shall publish to the Dashboard—

(A) the permitting timetable established under subparagraph (A) or (C) of subsection (c)(2);

(B) the status of the compliance of each agency with the permitting timetable;

(C) any modifications of the permitting timetable;

(D) an explanation of each modification described in subparagraph (C); and

(E) any memorandum of understanding established under subsection (c)(3)(B).

(c) COORDINATION AND TIMETABLES.—

(1) COORDINATED PROJECT PLAN.—

(A) IN GENERAL.—Not later than 60 days after the date on which the Executive Director must

make a specific entry for the project on the Dashboard under subsection (b)(2)(A), the facilitating or lead agency, as applicable, in consultation with each coordinating and participating agency, shall establish a concise plan for coordinating public and agency participation in, and completion of, any required Federal environmental review and authorization for the project.

(B) REQUIRED INFORMATION.—The Coordinated Project Plan shall include the following information and be updated by the facilitating or lead agency, as applicable, at least once per quarter:

(i) A list of, and roles and responsibilities for, all entities with environmental review or authorization responsibility for the project.

(ii) A permitting timetable, as described in paragraph (2), setting forth a comprehensive schedule of dates by which all environmental reviews and authorizations, and to the maximum extent practicable, State permits, reviews and approvals must be made.

(iii) A discussion of potential avoidance, minimization, and mitigation strategies, if required by applicable law and known.

(iv) Plans and a schedule for public and tribal outreach and coordination, to the extent required by applicable law.

(C) MEMORANDUM OF UNDERSTANDING.—The coordinated project plan described in subparagraph (A) may be incorporated into a memorandum of understanding.

(2) PERMITTING TIMETABLE.—

(A) ESTABLISHMENT.—As part of the coordination project plan under paragraph (1), the facilitating or lead agency, as applicable, in consultation with each cooperating and participating agency, the project sponsor, and any State in which the project is located, and, subject to subparagraph (C), with the concurrence of each cooperating agency, shall establish a permitting timetable that includes intermediate and final completion dates for action by each participating agency on any Federal environmental review or authorization required for the project.

(B) FACTORS FOR CONSIDERATION.—In establishing the permitting timetable under subparagraph (A), the facilitating or lead agency shall follow the performance schedules established under section 41002(c)(1)(C), but may vary the timetable based on relevant factors, including—

(i) the size and complexity of the covered project;

(ii) the resources available to each participating agency;

(iii) the regional or national economic significance of the project;

(iv) the sensitivity of the natural or historic resources that may be affected by the project;

(v) the financing plan for the project; and

(vi) the extent to which similar projects in geographic proximity to the project were recently subject to environmental review or similar procedures under State law.

(C) DISPUTE RESOLUTION.—

(i) IN GENERAL.—The Executive Director, in consultation with appropriate agency CERPOs and the project sponsor, shall, as necessary, mediate any disputes regarding the permitting timetable referred to under subparagraph (A).

(ii) DISPUTES.—If a dispute remains unresolved 30 days after the date on which the dispute was submitted to the Executive Director, the Director of the Office of Management and Budget, in consultation with the Chairman of the Council on Environmental Quality, shall facilitate a resolution of the dispute and direct the agencies party to the dispute to resolve the dispute by the end of the 60-day period beginning on the date of submission of the dispute to the Executive Director.

(iii) FINAL RESOLUTION.—Any action taken by the Director of the Office of Management and Budget in the resolution of a dispute under clause (ii) shall—

(I) be final and conclusive; and

(II) not be subject to judicial review.

(D) MODIFICATION AFTER APPROVAL.—

(i) IN GENERAL.—The facilitating or lead agency, as applicable, may modify a permitting timetable established under subparagraph (A) only if—

(I) the facilitating or lead agency, as applicable, and the affected cooperating agencies, after consultation with the participating agencies and the project sponsor, agree to a different completion date;

(II) the facilitating agency or lead agency, as applicable, or the affected cooperating agency provides a written justification for the modification; and

(III) in the case of a modification that would necessitate an extension of a final completion date under a permitting timetable established under subparagraph (A) to a date more than 30 days after the final completion date originally established under subparagraph (A), the facilitating or lead agency submits a request to modify the permitting timetable to the Executive Director, who shall consult with the project sponsor and make a determination on the record, based on consideration of the relevant factors described under subparagraph (B), whether to grant the facilitating or lead agency, as applicable, authority to make such modification.

(ii) COMPLETION DATE.—A completion date in the permitting timetable may not be modified within 30 days of the completion date.

(iii) LIMITATION ON LENGTH OF MODIFICATIONS.—

(I) IN GENERAL.—Except as provided in subclause (II), the total length of all modifications to a permitting timetable authorized or made under this subparagraph, other than for reasons outside the control of Federal, State, local, or tribal governments, may not extend the permitting timetable for a period of time greater than half of the amount of time from the establishment of the permitting timetable under subparagraph (A) to the last final completion date originally established under subparagraph (A).

(II) ADDITIONAL EXTENSIONS.—The Director of the Office of Management and Budget, after consultation with the project sponsor, may permit the Executive Director to authorize additional extensions of a permitting timetable beyond the limit prescribed by subclause (I). In such a case, the Director of the Office of Management and Budget shall transmit, not later than 5 days after making a determination to permit an authorization of extension under this subclause, a report to Congress explaining why such modification is required. Such report shall explain to Congress with specificity why the original permitting timetable and the modifications authorized by the Executive Director failed to be adequate. The lead or facilitating agency, as applicable, shall transmit to Congress, the Director of the Office of Management and Budget, and the Executive Director a supplemental report on progress toward the final completion date each year thereafter, until the permit review is completed or the project sponsor withdraws its notice or application or other request to which this title applies under section 41010.

(iv) LIMITATION ON JUDICIAL REVIEW.—The following shall not be subject to judicial review:

(I) A determination by the Executive Director under clause (i)(III).

(II) A determination under clause (iii)(II) by the Director of the Office of Management and Budget to permit the Executive Director to authorize extensions of a permitting timetable.

(E) CONSISTENCY WITH OTHER TIME PERIODS.—A permitting timetable established under subparagraph (A) shall be consistent with any other relevant time periods established under Federal law and shall not prevent any cooperating or participating agency from discharging any obligation under Federal law in connection with the project.

(F) CONFORMING TO PERMITTING TIMETABLES.—

(i) IN GENERAL.—Each Federal agency shall conform to the completion dates set forth in the permitting timetable established under subparagraph (A), or with any completion date modified under subparagraph (D).

(ii) FAILURE TO CONFORM.—If a Federal agency fails to conform with a completion date for agency action on a covered project or is at significant risk of failing to conform with such a completion date, the agency shall—

(I) promptly submit to the Executive Director for publication on the Dashboard an explanation of the specific reasons for failing or significantly risking failing to conform to the completion date and a proposal for an alternative completion date;

(II) in consultation with the facilitating or lead agency, as applicable, establish an alternative completion date; and

(III) each month thereafter until the agency has taken final action on the delayed authorization or review, submit to the Executive Director for posting on the Dashboard a status report describing any agency activity related to the project.

(G) ABANDONMENT OF COVERED PROJECT.—

(i) IN GENERAL.—If the facilitating or lead agency, as applicable, has a reasonable basis to doubt the continuing technical or financial ability of the project sponsor to construct the covered project, the facilitating or lead agency may request the project sponsor provide an updated statement regarding the ability of the project sponsor to complete the project.

(ii) FAILURE TO RESPOND.—If the project sponsor fails to respond to a request described in clause (i) by the date that is 30 days after receiving the request, the lead or facilitating agency, as applicable, shall notify the Executive Director, who shall publish an appropriate notice on the Dashboard.

(iii) PUBLICATION TO DASHBOARD.—On publication of a notice under clause (ii), the completion dates in the permitting timetable shall be tolled and agencies shall be relieved of the obligation to comply with subparagraph (F) until such time as the project sponsor submits to the facilitating or lead agency, as applicable, an updated statement regarding the technical and financial ability of the project sponsor to construct the project.

(3) COOPERATING STATE, LOCAL, OR TRIBAL GOVERNMENTS.—

(A) STATE AUTHORITY.—If the Federal environmental review is being implemented within the boundaries of a State, the State, consistent with State law, may choose to participate in the environmental review and authorization process under this subsection and to make subject to the process all State agencies that—

(i) have jurisdiction over the covered project;

(ii) are required to conduct or issue a review, analysis, opinion, or statement for the covered project; or

(iii) are required to make a determination on issuing a permit, license, or other approval or decision for the covered project.

(B) COORDINATION.—To the maximum extent practicable under applicable law, the facilitating or lead agency, as applicable, shall coordinate the Federal environmental review and authorization processes under this subsection with any State, local, or tribal agency responsible for conducting any separate review or authorization of the covered project to ensure timely and efficient completion of environmental reviews and authorizations.

(C) MEMORANDUM OF UNDERSTANDING.—

(i) IN GENERAL.—Any coordination plan between the facilitating or lead agency, as applicable, and any State, local, or tribal agency shall, to the maximum extent practicable, be included in a memorandum of understanding.

(ii) SUBMISSION TO EXECUTIVE DIRECTOR.—The facilitating or lead agency, as applicable, shall submit to the Executive Director each memorandum of understanding described in clause (i).

(D) APPLICABILITY.—The requirements under this title shall only apply to a State or an authorization issued by a State if the State has chosen to participate in the environmental review and authorization process pursuant to this paragraph.

(d) EARLY CONSULTATION.—The facilitating or lead agency, as applicable, shall provide an expeditious process for project sponsors to confer with each cooperating and participating agency involved and, not later than 60 days after the date on which the project sponsor submits a request under this subsection, to have each such agency provide to the project sponsor information concerning—

(1) the availability of information and tools, including pre-application toolkits, to facilitate early planning efforts;

(2) key issues of concern to each agency and to the public; and

(3) issues that must be addressed before an environmental review or authorization can be completed.

(e) COOPERATING AGENCY.—

(1) IN GENERAL.—A lead agency may designate a participating agency as a cooperating agency in accordance with part 1501 of title 40, Code of Federal Regulations (or successor regulations).

(2) EFFECT ON OTHER DESIGNATION.—The designation described in paragraph (1) shall not affect any designation under subsection (a)(3).

(3) LIMITATION ON DESIGNATION.—Any agency not designated as a participating agency under subsection (a)(3) shall not be designated as a cooperating agency under paragraph (1).

(f) REPORTING STATUS OF OTHER PROJECTS ON DASHBOARD.—

(1) IN GENERAL.—On request of the Executive Director, the Secretary and the Secretary of the Army shall use best efforts to provide information for inclusion on the Dashboard on projects subject to section 139 of title 23, United States Code, and section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) likely to require—

(A) a total investment of more than $200,000,000; and

(B) an environmental impact statement under NEPA.

(2) EFFECT OF INCLUSION ON DASHBOARD.—Inclusion on the Dashboard of information regarding projects subject to section 139 of title 23, United States Code, or section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) shall not subject those projects to any requirements of this title.

SEC. 41004. INTERSTATE COMPACTS.

(a) IN GENERAL.—The consent of Congress is given for 3 or more contiguous States to enter into an interstate compact establishing regional infrastructure development agencies to facilitate authorization and review of covered projects, under State law or in the exercise of delegated permitting authority described under section 41006, that will advance infrastructure development, production, and generation within the States that are parties to the compact.

(b) REGIONAL INFRASTRUCTURE.—For the purpose of this title, a regional infrastructure development agency referred to in subsection (a) shall have the same authorities and responsibilities of a State agency.

SEC. 41005. COORDINATION OF REQUIRED REVIEWS.

(a) CONCURRENT REVIEWS.—To integrate environmental reviews and authorizations, each agency shall, to the maximum extent practicable—

(1) carry out the obligations of the agency with respect to a covered project under any other applicable law concurrently, and in conjunction with, other environmental reviews and authorizations being conducted by other cooperating or participating agencies, including environmental reviews and authorizations required under NEPA, unless the agency determines that doing so would impair the ability of the agency to carry out the statutory obligations of the agency; and

(2) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

(b) ADOPTION, INCORPORATION BY REFERENCE, AND USE OF DOCUMENTS.—

(1) STATE ENVIRONMENTAL DOCUMENTS; SUPPLEMENTAL DOCUMENTS.—

(A) USE OF EXISTING DOCUMENTS.—

(i) IN GENERAL.—On the request of a project sponsor, a lead agency shall consider and, as appropriate, adopt or incorporate by reference, the analysis and documentation that has been prepared for a covered project under State laws and procedures as the documentation, or part of the documentation, required to complete an environmental review for the covered project, if the analysis and documentation were, as determined by the lead agency in consultation with the Council on Environmental Quality, prepared under circumstances that allowed for opportunities for public participation and consideration of alternatives, environmental consequences, and other required analyses that are substantially equivalent to what would have been available had the documents and analysis been prepared by a Federal agency pursuant to NEPA.

(ii) GUIDANCE BY CEQ.—The Council on Environmental Quality may issue guidance to carry out this subsection.

(B) NEPA OBLIGATIONS.—An environmental document adopted under subparagraph (A) or a document that includes documentation incorporated under subparagraph (A) may serve as the documentation required for an environmental review or a supplemental environmental review required to be prepared by a lead agency under NEPA.

(C) SUPPLEMENTATION OF STATE DOCUMENTS.—If the lead agency adopts or incorporates analysis and documentation described in subparagraph (A), the lead agency shall prepare and publish a supplemental document if the lead agency determines that during the period after preparation of the analysis and documentation and before the adoption or incorporation—

(i) a significant change has been made to the covered project that is relevant for purposes of environmental review of the project; or

(ii) there has been a significant circumstance or new information has emerged that is relevant to the environmental review for the covered project.

(D) COMMENTS.—If a lead agency prepares and publishes a supplemental document under subparagraph (C), the lead agency shall solicit comments from other agencies and the public on the supplemental document for a period of not more than 45 days, beginning on the date on which the supplemental document is published, unless—

(i) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(ii) the lead agency extends the deadline for good cause.

(E) NOTICE OF OUTCOME OF ENVIRONMENTAL REVIEW.—A lead agency shall issue a record of decision or finding of no significant impact, as appropriate, based on the document adopted under subparagraph (A) and any supplemental document prepared under subparagraph (C).

(c) ALTERNATIVES ANALYSIS.—

(1) PARTICIPATION.—

(A) IN GENERAL.—As early as practicable during the environmental review, but not later than the commencement of scoping for a project requiring the preparation of an environmental impact statement, the lead agency shall engage the cooperating agencies and the public to determine the range of reasonable alternatives to be considered for a covered project.

(B) DETERMINATION.—The determination under subparagraph (A) shall be completed not later than the completion of scoping.

(2) RANGE OF ALTERNATIVES.—

(A) IN GENERAL.—Following participation under paragraph (1) and subject to subparagraph (B), the lead agency shall determine the range of reasonable alternatives for consideration in any document that the lead agency is responsible for preparing for the covered project.

(B) ALTERNATIVES REQUIRED BY LAW.—In determining the range of alternatives under subparagraph (A), the lead agency shall include all alternatives required to be considered by law.

(3) METHODOLOGIES.—

(A) IN GENERAL.—The lead agency shall determine, in collaboration with each cooperating agency at appropriate times during the environmental review, the methodologies to be used and the level of detail required in the analysis of each alternative for a covered project.

(B) ENVIRONMENTAL REVIEW.—A cooperating agency shall use the methodologies referred to in subparagraph (A) when conducting any required environmental review, to the extent consistent with existing law.

(4) PREFERRED ALTERNATIVE.—With the concurrence of the cooperating agencies with jurisdiction under Federal law and at the discretion of the lead agency, the preferred alternative for a project, after being identified, may be developed to a higher level of detail than other alternatives to facilitate the development of mitigation measures or concurrent compliance with other applicable laws if the lead agency determines that the development of the higher level of detail will not prevent—

(A) the lead agency from making an impartial decision as to whether to accept another alternative that is being considered in the environmental review; and

(B) the public from commenting on the preferred and other alternatives.

(d) ENVIRONMENTAL REVIEW COMMENTS.—

(1) COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT.—For comments by an agency or the public on a draft environmental impact statement, the lead agency shall establish a comment period of not less than 45 days and not more than 60 days after the date on which a notice announcing availability of the environmental impact statement is published in the Federal Register, unless—

(A) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(B) the lead agency, in consultation with each cooperating agency, extends the deadline for good cause.

(2) OTHER REVIEW AND COMMENT PERIODS.—For all other review or comment periods in the environmental review process described in parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations), the lead agency shall establish a comment period of not more than 45 days after the date on which the materials on which comment is requested are made available, unless—

(A) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(B) the lead agency extends the deadline for good cause.

(e) ISSUE IDENTIFICATION AND RESOLUTION.—

(1) COOPERATION.—The lead agency and each cooperating and participating agency shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of an environmental review or an authorization required for the project under applicable law or result in the denial of any approval under applicable law.

(2) LEAD AGENCY RESPONSIBILITIES.—

(A) IN GENERAL.—The lead agency shall make information available to each cooperating and participating agency and project sponsor as early as practicable in the environmental review regarding the environmental, historic, and socioeconomic resources located within the project area and the general locations of the alternatives under consideration.

(B) SOURCES OF INFORMATION.—The information described in subparagraph (A) may be based on existing data sources, including geographic information systems mapping.

(3) COOPERATING AND PARTICIPATING AGENCY RESPONSIBILITIES.—Each cooperating and participating agency shall—

(A) identify, as early as practicable, any issues of concern regarding any potential environmental impacts of the covered project, including any issues that could substantially delay or prevent an agency from completing any environmental review or authorization required for the project; and

(B) communicate any issues described in subparagraph (A) to the project sponsor.

(f) CATEGORIES OF PROJECTS.—The authorities granted under this section may be exercised for an individual covered project or a category of covered projects.

SEC. 41006. DELEGATED STATE PERMITTING PROGRAMS.

(a) IN GENERAL.—If a Federal statute permits a Federal agency to delegate to or otherwise authorize a State to issue or otherwise administer a permit program in lieu of the Federal agency, the Federal agency with authority to carry out the statute shall—

(1) on publication by the Council of best practices under section 41002(c)(2)(B), initiate a national process, with public participation, to determine whether and the extent to which any of the best practices are generally applicable on a delegation- or authorization-wide basis to permitting under the statute; and

(2) not later than 2 years after the date of enactment of this Act, make model recommendations for State modifications of the applicable permit program to reflect the best practices described in section 41002(c)(2)(B), as appropriate.

(b) BEST PRACTICES.—Lead and cooperating agencies may share with State, tribal, and local authorities best practices involved in review of covered projects and invite input from State, tribal, and local authorities regarding best practices.

SEC. 41007. LITIGATION, JUDICIAL REVIEW, AND SAVINGS PROVISION.

(a) LIMITATIONS ON CLAIMS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of any authorization issued by a Federal agency for a covered project shall be barred unless—

(A) the action is filed not later than 2 years after the date of publication in the Federal Register of the final record of decision or approval or denial of a permit, unless a shorter time is specified in the Federal law under which judicial review is allowed; and

(B) in the case of an action pertaining to an environmental review conducted under NEPA—

(i) the action is filed by a party that submitted a comment during the environmental review; and

(ii) any commenter filed a sufficiently detailed comment so as to put the lead agency on notice of the issue on which the party seeks judicial review, or the lead agency did not provide a reasonable opportunity for such a comment on that issue.

(2) NEW INFORMATION.—

(A) IN GENERAL.—The head of a lead agency or participating agency shall consider new information received after the close of a comment period if the information satisfies the requirements under regulations implementing NEPA.

(B) SEPARATE ACTION.—If Federal law requires the preparation of a supplemental environmental impact statement or other supplemental environmental document, the preparation of such document shall be considered a separate final agency action and the deadline for filing a claim for judicial review of the agency action shall be 2 years after the date on which a notice announcing the final agency action is published in the Federal Register, unless a shorter time is specified in the Federal law under which judicial review is allowed.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection creates a right to judicial review or places any limit on filing a claim that a person has violated the terms of an authorization.

(b) PRELIMINARY INJUNCTIVE RELIEF.—In addition to considering any other applicable equitable factors, in any action seeking a temporary restraining order or preliminary injunction against an agency or a project sponsor in connection with review or authorization of a covered project, the court shall—

(1) consider the potential effects on public health, safety, and the environment, and the potential for significant negative effects on jobs resulting from an order or injunction; and

(2) not presume that the harms described in paragraph (1) are reparable.

(c) JUDICIAL REVIEW.—Except as provided in subsection (a), nothing in this title affects the reviewability of any final Federal agency action in a court of competent jurisdiction.

(d) SAVINGS CLAUSE.—Nothing in this title—

(1) supersedes, amends, or modifies any Federal statute or affects the responsibility of any Federal officer to comply with or enforce any statute; or

(2) creates a presumption that a covered project will be approved or favorably reviewed by any agency.

(e) LIMITATIONS.—Nothing in this section preempts, limits, or interferes with—

(1) any practice of seeking, considering, or responding to public comment; or

(2) any power, jurisdiction, responsibility, or authority that a Federal, State, or local governmental agency, metropolitan planning organization, Indian tribe, or project sponsor has with respect to carrying out a project or any other provisions of law applicable to any project, plan, or program.

SEC. 41008. REPORTS.

(a) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than April 15 of each year for 10 years beginning on the date of enactment of this Act, the Executive Director shall submit to Congress a report detailing the progress accomplished under this title during the previous fiscal year.

(2) CONTENTS.—The report described in paragraph (1) shall assess the performance of each participating agency and lead agency based on the best practices described in section 41002(c)(2)(B), including—

(A) agency progress in making improvements consistent with those best practices; and

(B) agency compliance with the performance schedules established under section 41002(c)(1)(C).

(3) OPPORTUNITY TO INCLUDE COMMENTS.—Each councilmember, with input from the respective agency CERPO, shall have the opportunity to include comments concerning the performance of the agency in the report described in paragraph (1).

(b) COMPTROLLER GENERAL REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that describes—

(1) agency progress in making improvements consistent with the best practices issued under section 41002(c)(2)(B); and

(2) agency compliance with the performance schedules established under section 41002(c)(1)(C).

SEC. 41009. FUNDING FOR GOVERNANCE, OVERSIGHT, AND PROCESSING OF ENVIRONMENTAL REVIEWS AND PERMITS.

(a) IN GENERAL.—The heads of agencies listed in section 41002(b)(2)(B), with the guidance of the Director of the Office of Management and Budget and in consultation with the Executive Director, may, after public notice and opportunity for comment, issue regulations establishing a fee structure for project proponents to reimburse the United States for reasonable costs incurred in conducting environmental reviews and authorizations for covered projects.

(b) REASONABLE COSTS.—As used in this section, the term ''reasonable costs'' shall include costs to implement the requirements and authorities required under sections 41002 and 41003, including the costs to agencies and the costs of operating the Council.

(c) FEE STRUCTURE.—The fee structure established under subsection (a) shall—

(1) be developed in consultation with affected project proponents, industries, and other stakeholders;

(2) exclude parties for which the fee would impose an undue financial burden or is otherwise determined to be inappropriate; and

(3) be established in a manner that ensures that the aggregate amount of fees collected for a fiscal year is estimated not to exceed 20 percent of the total estimated costs for the fiscal year for the resources allocated for the conduct of the environmental reviews and authorizations covered by this title, as determined by the Director of the Office of Management and Budget.

(d) ENVIRONMENTAL REVIEW AND PERMITTING IMPROVEMENT FUND.—

(1) IN GENERAL.—All amounts collected pursuant to this section shall be deposited into a separate fund in the Treasury of the United States to be known as the ''Environmental Review Improvement Fund'' (referred to in this section as the ''Fund'').

(2) AVAILABILITY.—Amounts in the Fund shall be available to the Executive Director, without appropriation or fiscal year limitation, solely for the purposes of administering, implementing, and enforcing this title, including the expenses of the Council.

(3) TRANSFER.—The Executive Director, with the approval of the Director of the Office of Management and Budget, may transfer amounts in the Fund to other agencies to facilitate timely and efficient environmental reviews and authorizations for proposed covered projects.

(e) EFFECT ON PERMITTING.—The regulations adopted pursuant to subsection (a) shall ensure that the use of funds accepted under subsection (d) will not impact impartial decision-making with respect to environmental reviews or authorizations, either substantively or procedurally.

(f) TRANSFER OF APPROPRIATED FUNDS.—

(1) IN GENERAL.—The heads of agencies listed in section 41002(b)(2)(B) shall have the authority to transfer, in accordance with section 1535

of title 31, United States Code, funds appropriated to those agencies and not otherwise obligated to other affected Federal agencies for the purpose of implementing the provisions of this title.

(2) LIMITATION.—Appropriations under title 23, United States Code and appropriations for the civil works program of the Army Corps of Engineers shall not be available for transfer under paragraph (1).

SEC. 41010. APPLICATION.

This title applies to any covered project for which—

(1) a notice is filed under section 41003(a)(1); or

(2) an application or other request for a Federal authorization is pending before a Federal agency 90 days after the date of enactment of this Act.

SEC. 41011. GAO REPORT.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that includes an analysis of whether the provisions of this title could be adapted to streamline the Federal permitting process for smaller projects that are not covered projects.

SEC. 41012. SAVINGS PROVISION.

Nothing in this title amends the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 41013. SUNSET.

This title shall terminate 7 years after the date of enactment of this Act.

SEC. 41014. PLACEMENT.

The Office of the Law Revision Counsel is directed to place sections 41001 through 41013 of this title in chapter 55 of title 42, United States Code, as subchapter IV.

TITLE XLII—ADDITIONAL PROVISIONS

SEC. 42001. GAO REPORT ON REFUNDS TO REGISTERED VENDORS OF KEROSENE USED IN NONCOMMERCIAL AVIATION.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study regarding payments made to vendors of kerosene used in noncommercial aviation under section 6427(l)(4)(C)(ii) of the Internal Revenue Code of 1986; and

(2) submit to the appropriate committees of Congress a report describing the results of such study, which shall include estimates of—

(A) the number of vendors of kerosene used in noncommercial aviation who are registered under section 4101 of such Code;

(B) the number of vendors of kerosene used in noncommercial aviation who are not so registered;

(C) the number of vendors described in subparagraph (A) who receive payments under section 6427(l)(4)(C)(ii) of such Code;

(D) the excess of—

(i) the amount of payments which would be made under section 6427(l)(4)(C)(ii) of such Code if all vendors of kerosene used in noncommercial aviation were registered and filed claims for such payments, over

(ii) the amount of payments actually made under such section; and

(E) the number of cases of diesel truck operators fraudulently using kerosene taxed for use in aviation.

TITLE XLIII—PAYMENTS TO CERTIFIED STATES AND INDIAN TRIBES

SEC. 43001. PAYMENTS FROM ABANDONED MINE RECLAMATION FUND.

Section 411(h) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1240a(h)) is amended—

(1) in paragraph (1)(C)—

(A) by striking ''Payments'' and inserting the following:

''(i) IN GENERAL.—Payments''; and

(B) by adding at the end the following:

''(ii) CERTAIN PAYMENTS REQUIRED.—Not withstanding any other provision of this Act, as soon as practicable, but not later than December 10, 2015, of the 7 equal installments referred to in clause (i), the Secretary shall pay to any certified State or Indian tribe to which the total annual payment under this subsection was limited to $15,000,000 in 2013 and $28,000,000 in fiscal year 2014—

''(I) the final 2 installments in 2 separate payments of $82,700,000 each; and

''(II) 2 separate payments of $38,250,000 each.''; and

(2) by striking paragraphs (5) and (6).

DIVISION E—EXPORT-IMPORT BANK OF THE UNITED STATES

SEC. 50001. SHORT TITLE.

This division may be cited as the ''Export-Import Bank Reform and Reauthorization Act of 2015''.

TITLE LI—TAXPAYER PROTECTION PROVISIONS AND INCREASED ACCOUNTABILITY

SEC. 51001. REDUCTION IN AUTHORIZED AMOUNT OF OUTSTANDING LOANS, GUARANTEES, AND INSURANCE.

Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

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

''(2) APPLICABLE AMOUNT DEFINED.—In this subsection, the term 'applicable amount', for each of fiscal years 2015 through 2019, means $135,000,000,000.

''(3) FREEZING OF LENDING CAP IF DEFAULT RATE IS 2 PERCENT OR MORE.—If the rate calculated under section 8(g)(1) is 2 percent or more for a quarter, the Bank may not exceed the amount of loans, guarantees, and insurance outstanding on the last day of that quarter until the rate calculated under section 8(g)(1) is less than 2 percent.''.

SEC. 51002. INCREASE IN LOSS RESERVES.

(a) IN GENERAL.—Section 6 of the Export-Import Bank Act of 1945 (12 U.S.C. 635e) is amended—

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

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

''(b) RESERVE REQUIREMENT.—The Bank shall build to and hold in reserve, to protect against future losses, an amount that is not less than 5 percent of the aggregate amount of disbursed and outstanding loans, guarantees, and insurance of the Bank.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 51003. REVIEW OF FRAUD CONTROLS.

Section 17(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–6(b)) is amended to read as follows:

''(b) REVIEW OF FRAUD CONTROLS.—Not later than 4 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and every 4 years thereafter, the Comptroller General of the United States shall—

''(1) review the adequacy of the design and effectiveness of the controls used by the Export-Import Bank of the United States to prevent, detect, and investigate fraudulent applications for loans and guarantees and the compliance by the Bank with the controls, including by auditing a sample of Bank transactions; and

''(2) submit a written report regarding the findings of the review and providing such recommendations with respect to the controls described in paragraph (1) as the Comptroller General deems appropriate to—

''(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate; and

''(B) the Committee on Financial Services and the Committee on Appropriations of the House of Representatives.''.

SEC. 51004. OFFICE OF ETHICS.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a) is amended by adding at the end the following:

''(k) OFFICE OF ETHICS.—

''(1) ESTABLISHMENT.—There is established an Office of Ethics within the Bank, which shall oversee all ethics issues within the Bank.

''(2) HEAD OF OFFICE.—

''(A) IN GENERAL.—The head of the Office of Ethics shall be the Chief Ethics Officer, who shall report to the Board of Directors.

''(B) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Ethics Officer shall be—

''(i) appointed by the President of the Bank from among persons—

''(I) with a background in law who have experience in the fields of law and ethics; and

''(II) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Ethics Officer; and

''(ii) approved by the Board.

''(C) DESIGNATED AGENCY ETHICS OFFICIAL.—The Chief Ethics Officer shall serve as the designated agency ethics official for the Bank pursuant to the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.).

''(3) DUTIES.—The Office of Ethics has jurisdiction over all employees of, and ethics matters relating to, the Bank. With respect to employees of the Bank, the Office of Ethics shall—

''(A) recommend administrative actions to establish or enforce standards of official conduct;

''(B) refer to the Office of the Inspector General of the Bank alleged violations of—

''(i) the standards of ethical conduct applicable to employees of the Bank under parts 2635 and 6201 of title 5, Code of Federal Regulations;

''(ii) the standards of ethical conduct established by the Chief Ethics Officer; and

''(iii) any other laws, rules, or regulations governing the performance of official duties or the discharge of official responsibilities that are applicable to employees of the Bank;

''(C) report to appropriate Federal or State authorities substantial evidence of a violation of any law applicable to the performance of official duties that may have been disclosed to the Office of Ethics; and

''(D) render advisory opinions regarding the propriety of any current or proposed conduct of an employee or contractor of the Bank, and issue general guidance on such matters as necessary.''.

SEC. 51005. CHIEF RISK OFFICER.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by section 91004, is further amended by adding at the end the following:

''(l) CHIEF RISK OFFICER.—

''(1) IN GENERAL.—There shall be a Chief Risk Officer of the Bank, who shall—

''(A) oversee all issues relating to risk within the Bank; and

''(B) report to the President of the Bank.

''(2) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Risk Officer shall be—

''(A) appointed by the President of the Bank from among persons—

''(i) with a demonstrated ability in the general management of, and knowledge of and extensive practical experience in, financial risk evaluation practices in large governmental or business entities; and

''(ii) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Risk Officer; and

''(B) approved by the Board.

''(3) DUTIES.—The duties of the Chief Risk Officer are—

''(A) to be responsible for all matters related to managing and mitigating all risk to which the Bank is exposed, including the programs and operations of the Bank;

''(B) to establish policies and processes for risk oversight, the monitoring of management compliance with risk limits, and the management of risk exposures and risk controls across the Bank;

''(C) to be responsible for the planning and execution of all Bank risk management activities, including policies, reporting, and systems to achieve strategic risk objectives;

''(D) to develop an integrated risk management program that includes identifying, prioritizing, measuring, monitoring, and managing internal control and operating risks and other identified risks;

''(E) to ensure that the process for risk assessment and underwriting for individual transactions considers how each such transaction considers the effect of the transaction on the concentration of exposure in the overall portfolio of the Bank, taking into account fees, collateralization, and historic default rates; and

''(F) to review the adequacy of the use by the Bank of qualitative metrics to assess the risk of default under various scenarios.''.

SEC. 51006. RISK MANAGEMENT COMMITTEE.

(a) IN GENERAL.—Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by sections 91004 and 91005, is further amended by adding at the end the following:

''(m) RISK MANAGEMENT COMMITTEE.—

''(1) ESTABLISHMENT.—There is established a management committee to be known as the 'Risk Management Committee'.

''(2) MEMBERSHIP.—The membership of the Risk Management Committee shall be the members of the Board of Directors, with the President and First Vice President of the Bank serving as ex officio members.

''(3) DUTIES.—The duties of the Risk Management Committee shall be—

''(A) to oversee, in conjunction with the Office of the Chief Financial Officer of the Bank—

''(i) periodic stress testing on the entire Bank portfolio, reflecting different market, industry, and macroeconomic scenarios, and consistent with common practices of commercial and multilateral development banks; and

''(ii) the monitoring of industry, geographic, and obligor exposure levels; and

''(B) to review all required reports on the default rate of the Bank before submission to Congress under section 8(g).''.

(b) TERMINATION OF AUDIT COMMITTEE.—Not later than 180 days after the date of the enactment of this Act, the Board of Directors of the Export-Import Bank of the United States shall revise the bylaws of the Bank to terminate the Audit Committee established by section 7 of the bylaws.

SEC. 51007. INDEPENDENT AUDIT OF BANK PORTFOLIO.

(a) AUDIT.—The Inspector General of the Export-Import Bank of the United States shall conduct an audit or evaluation of the portfolio risk management procedures of the Bank, including a review of the implementation by the Bank of the duties assigned to the Chief Risk Officer under section 3(l) of the Export-Import Bank Act of 1945, as amended by section 51005.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, and not less frequently than every 3 years thereafter, the Inspector General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a written report containing all findings and determinations made in carrying out subsection (a).

SEC. 51008. PILOT PROGRAM FOR REINSURANCE.

(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.), the Export-Import Bank of the United States (in this section referred to as the ''Bank'') may establish a pilot program under which the Bank may enter into contracts and other arrangements to share risks associated with the provision of guarantees, insurance, or credit, or the participation in the extension of credit, by the Bank under that Act.

(b) LIMITATIONS ON AMOUNT OF RISK-SHARING.—

(1) PER CONTRACT OR OTHER ARRANGEMENT.—The aggregate amount of liability the Bank may transfer through risk-sharing pursuant to a contract or other arrangement entered into under subsection (a) may not exceed $1,000,000,000.

(2) PER YEAR.—The aggregate amount of liability the Bank may transfer through risk-sharing during a fiscal year pursuant to contracts or other arrangements entered into under subsection (a) during that fiscal year may not exceed $10,000,000,000.

(c) ANNUAL REPORTS.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter through 2019, the Bank shall submit to Congress a written report that contains a detailed analysis of the use of the pilot program carried out under subsection (a) during the year preceding the submission of the report.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect, impede, or revoke any authority of the Bank.

(e) TERMINATION.—The pilot program carried out under subsection (a) shall terminate on September 30, 2019.

TITLE LII—PROMOTION OF SMALL BUSINESS EXPORTS

SEC. 52001. INCREASE IN SMALL BUSINESS LENDING REQUIREMENTS.

(a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended by striking ''20 percent'' and inserting ''25 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

SEC. 52002. REPORT ON PROGRAMS FOR SMALL- AND MEDIUM-SIZED BUSINESSES.

(a) IN GENERAL.—Section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) is amended by adding at the end the following:

''(k) REPORT ON PROGRAMS FOR SMALL- AND MEDIUM-SIZED BUSINESSES.—The Bank shall include in its annual report to Congress under subsection (a) a report on the programs of the Bank for United States businesses with less than $250,000,000 in annual sales.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the report of the Export-Import Bank of the United States submitted to Congress under section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) for the first year that begins after the date of the enactment of this Act.

TITLE LIII—MODERNIZATION OF OPERATIONS

SEC. 53001. ELECTRONIC PAYMENTS AND DOCUMENTS.

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)) is amended by adding at the end the following:

''(M) Not later than 2 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Bank shall implement policies—

''(i) to accept electronic documents with respect to transactions whenever possible, including copies of bills of lading, certifications, and compliance documents, in such manner so as not to undermine any potential civil or criminal enforcement related to the transactions; and

''(ii) to accept electronic payments in all of its programs.''.

SEC. 53002. REAUTHORIZATION OF INFORMATION TECHNOLOGY UPDATING.

Section 3(j) of the Export-Import Act of 1945 (12 U.S.C. 635a(j)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019'';

(2) in paragraph (2)(B), by striking ''(I) the funds'' and inserting ''(i) the funds''; and

(3) in paragraph (3), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019''.

TITLE LIV—GENERAL PROVISIONS

SEC. 54001. EXTENSION OF AUTHORITY.

(a) IN GENERAL.—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking ''2014'' and inserting ''2019''.

(b) DUAL-USE EXPORTS.—Section 1(c) of Public Law 103–428 (12 U.S.C. 635 note) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Export-Import Bank of the United States expires under section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f)''.

(c) SUB-SAHARAN AFRICA ADVISORY COMMITTEE.—Section 2(b)(9)(B)(iii) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9)(B)(iii)) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Bank expires under section 7''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the earlier of the date of the enactment of this Act or June 30, 2015.

SEC. 54002. CERTAIN UPDATED LOAN TERMS AND AMOUNTS.

(a) LOAN TERMS FOR MEDIUM-TERM FINANCING.—Section 2(a)(2)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(a)(2)(A)) is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon; and

(2) by adding at the end the following:

''(iii) with principal amounts of not more than $25,000,000; and''.

(b) COMPETITIVE OPPORTUNITIES RELATING TO INSURANCE.—Section 2(d)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(d)(2)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(c) EXPORT AMOUNTS FOR SMALL BUSINESS LOANS.—Section 3(g)(3) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(g)(3)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(d) CONSIDERATION OF ENVIRONMENTAL EFFECTS.—Section 11(a)(1)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i–5(a)(1)(A)) is amended by striking ''$10,000,000 or more'' and inserting the following: ''$25,000,000 (or, if less than $25,000,000, the threshold established pursuant to international agreements, including the Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence, as adopted by the Organisation for Economic Co-operation and Development Council on June 28, 2012, and the risk-management framework adopted by financial institutions for determining, assessing, and managing environmental and social risk in projects (commonly referred to as the 'Equator Principles')) or more''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

TITLE LV—OTHER MATTERS

SEC. 55001. PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.

Section 2 of the Export-Import Bank Act of 1945 (6 U.S.C. 635 et seq.) is amended by adding at the end the following:

''(k) PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.—

''(1) IN GENERAL.—Except as provided in this Act, the Bank may not—

''(A) deny an application for financing based solely on the industry, sector, or business that the application concerns; or

''(B) promulgate or implement policies that discriminate against an application based solely on the industry, sector, or business that the application concerns.

''(2) APPLICABILITY.—The prohibitions under paragraph (1) apply only to applications for financing by the Bank for projects concerning the exploration, development, production, or export of energy sources and the generation or transmission of electrical power, or combined heat and power, regardless of the energy source involved.''.

SEC. 55002. NEGOTIATIONS TO END EXPORT CREDIT FINANCING.

(a) IN GENERAL.—Section 11 of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Treasury (in this section referred to as the 'Secretary')'' and inserting ''President''; and

(B) in paragraph (1)—

(i) by striking ''(OECD)'' and inserting ''(in this section referred to as the 'OECD')''; and

(ii) by striking ''ultimate goal of eliminating'' and inserting ''possible goal of eliminating, before the date that is 10 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015,'';

(2) in subsection (b), by striking ''Secretary'' each place it appears and inserting ''President''; and

(3) by adding at the end the following:

''(c) REPORT ON STRATEGY.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the President shall submit to Congress a proposal, and a strategy for achieving the proposal, that the United States Government will pursue with other major exporting countries, including OECD members and non-OECD members, to eliminate over a period of not more than 10 years subsidized export-financing programs, tied aid, export credits, and all other forms of government-supported export subsidies.

''(d) NEGOTIATIONS WITH NON-OECD MEMBERS.—The President shall initiate and pursue negotiations with countries that are not OECD members to bring those countries into a multilateral agreement establishing rules and limitations on officially supported export credits.

''(e) ANNUAL REPORTS ON PROGRESS OF NEGOTIATIONS.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and annually thereafter through calendar year 2019, the President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the progress of any negotiations described in subsection (d).''.

(b) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) of subsection (a) shall apply with respect to reports required to be submitted under section 11(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5(b)) after the date of the enactment of this Act.

SEC. 55003. STUDY OF FINANCING FOR INFORMATION AND COMMUNICATIONS TECHNOLOGY SYSTEMS.

(a) ANALYSIS OF INFORMATION AND COMMUNICATIONS TECHNOLOGY INDUSTRY USE OF BANK PRODUCTS.—The Export-Import Bank of the United States (in this section referred to as the ''Bank'') shall conduct a study of the extent to which the products offered by the Bank are available and used by companies that export information and communications technology services and related goods.

(b) ELEMENTS.—In conducting the study required by subsection (a), the Bank shall examine the following:

(1) The number of jobs in the United States that are supported by the export of information and communications technology services and related goods, and the degree to which access to financing will increase exports of such services and related goods.

(2) The reduction in the financing by the Bank of exports of information and communications technology services from 2003 through 2014.

(3) The activities of foreign export credit agencies to facilitate the export of information and communications technology services and related goods.

(4) Specific proposals for how the Bank could provide additional financing for the exportation of information and communications technology services and related goods through risk-sharing with other export credit agencies and other third parties.

(5) Proposals for new products the Bank could offer to provide financing for exports of information and communications technology services and related goods, including—

(A) the extent to which the Bank is authorized to offer new products;

(B) the extent to which the Bank would need additional authority to offer new products to meet the needs of the information and communications technology industry;

(C) specific proposals for changes in law that would enable the Bank to provide increased financing for exports of information and communications technology services and related goods in compliance with the credit and risk standards of the Bank;

(D) specific proposals that would enable the Bank to provide increased outreach to the information and communications technology industry about the products the Bank offers; and

(E) specific proposals for changes in law that would enable the Bank to provide the financing to build information and communications technology infrastructure, in compliance with the credit and risk standards of the Bank, to allow for market access opportunities for United States information and communications technology companies to provide services on the infrastructure being financed by the Bank.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Bank shall submit to Congress a report that contains the results of the study required by subsection (a).

DIVISION F—ENERGY SECURITY

SEC. 61001. EMERGENCY PREPAREDNESS FOR ENERGY SUPPLY DISRUPTIONS.

(a) FINDING.—Congress finds that recent natural disasters have underscored the importance of having resilient oil and natural gas infrastructure and effective ways for industry and government to communicate to address energy supply disruptions.

(b) AUTHORIZATION FOR ACTIVITIES TO ENHANCE EMERGENCY PREPAREDNESS FOR NATURAL DISASTERS.—The Secretary of Energy shall develop and adopt procedures to—

(1) improve communication and coordination between the Department of Energy's energy response team, Federal partners, and industry;

(2) leverage the Energy Information Administration's subject matter expertise within the Department's energy response team to improve supply chain situation assessments;

(3) establish company liaisons and direct communication with the Department's energy response team to improve situation assessments;

(4) streamline and enhance processes for obtaining temporary regulatory relief to speed up emergency response and recovery;

(5) facilitate and increase engagement among States, the oil and natural gas industry, and the Department in developing State and local energy assurance plans;

(6) establish routine education and training programs for key government emergency response positions with the Department and States; and

(7) involve States and the oil and natural gas industry in comprehensive drill and exercise programs.

(c) COOPERATION.—The activities carried out under subsection (b) shall include collaborative efforts with State and local government officials and the private sector.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report describing the effectiveness of the activities authorized under this section.

SEC. 61002. RESOLVING ENVIRONMENTAL AND GRID RELIABILITY CONFLICTS.

(a) COMPLIANCE WITH OR VIOLATION OF ENVIRONMENTAL LAWS WHILE UNDER EMERGENCY ORDER.—Section 202(c) of the Federal Power Act (16 U.S.C. 824a(c)) is amended—

(1) by inserting ''(1)'' after ''(c)''; and

(2) by adding at the end the following:

''(2) With respect to an order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation, the Commission shall ensure that such order requires generation, delivery, interchange, or transmission of electric energy only during hours necessary to meet the emergency and serve the public interest, and, to the maximum extent practicable, is consistent with any applicable Federal, State, or local environmental law or regulation and minimizes any adverse environmental impacts.

''(3) To the extent any omission or action taken by a party, that is necessary to comply with an order issued under this subsection, including any omission or action taken to voluntarily comply with such order, results in noncompliance with, or causes such party to not comply with, any Federal, State, or local environmental law or regulation, such omission or action shall not be considered a violation of such environmental law or regulation, or subject such party to any requirement, civil or criminal liability, or a citizen suit under such environmental law or regulation.

''(4)(A) An order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation shall expire not later than 90 days after it is issued. The Commission may renew or reissue such order pursuant to paragraphs (1) and (2) for subsequent periods, not to exceed 90 days for each period, as the Commission determines necessary to meet the emergency and serve the public interest.

''(B) In renewing or reissuing an order under subparagraph (A), the Commission shall consult with the primary Federal agency with expertise in the environmental interest protected by such law or regulation, and shall include in any such renewed or reissued order such conditions as such Federal agency determines necessary to minimize any adverse environmental impacts to

the extent practicable. The conditions, if any, submitted by such Federal agency shall be made available to the public. The Commission may exclude such a condition from the renewed or reissued order if it determines that such condition would prevent the order from adequately addressing the emergency necessitating such order and provides in the order, or otherwise makes publicly available, an explanation of such determination.

''(5) If an order issued under this subsection is subsequently stayed, modified, or set aside by a court pursuant to section 313 or any other provision of law, any omission or action previously taken by a party that was necessary to comply with the order while the order was in effect, including any omission or action taken to voluntarily comply with the order, shall remain subject to paragraph (3).''.

(b) TEMPORARY CONNECTION OR CONSTRUCTION BY MUNICIPALITIES.—Section 202(d) of the Federal Power Act (16 U.S.C. 824a(d)) is amended by inserting ''or municipality'' before ''engaged in the transmission or sale of electric energy''.

SEC. 61003. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.

(a) CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.—Part II of the Federal Power Act (16 U.S.C. 824 et seq.) is amended by adding after section 215 the following new section:

''SEC. 215A. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.

''(a) DEFINITIONS.—For purposes of this section:

''(1) BULK-POWER SYSTEM; ELECTRIC RELIABILITY ORGANIZATION; REGIONAL ENTITY.—The terms 'bulk-power system', 'Electric Reliability Organization', and 'regional entity' have the meanings given such terms in paragraphs (1), (2), and (7) of section 215(a), respectively.

''(2) CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'critical electric infrastructure' means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of such matters.

''(3) CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—The term 'critical electric infrastructure information' means information related to critical electric infrastructure, or proposed critical electrical infrastructure, generated by or provided to the Commission or other Federal agency, other than classified national security information, that is designated as critical electric infrastructure information by the Commission or the Secretary pursuant to subsection (d). Such term includes information that qualifies as critical energy infrastructure information under the Commission's regulations.

''(4) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'defense critical electric infrastructure' means any electric infrastructure located in any of the 48 contiguous States or the District of Columbia that serves a facility designated by the Secretary pursuant to subsection (c), but is not owned or operated by the owner or operator of such facility.

''(5) ELECTROMAGNETIC PULSE.—The term 'electromagnetic pulse' means 1 or more pulses of electromagnetic energy emitted by a device capable of disabling or disrupting operation of, or destroying, electronic devices or communications networks, including hardware, software, and data, by means of such a pulse.

''(6) GEOMAGNETIC STORM.—The term 'geomagnetic storm' means a temporary disturbance of the Earth's magnetic field resulting from solar activity.

''(7) GRID SECURITY EMERGENCY.—The term 'grid security emergency' means the occurrence or imminent danger of—

''(A)(i) a malicious act using electronic communication or an electromagnetic pulse, or a geomagnetic storm event, that could disrupt the operation of those electronic devices or communications networks, including hardware, software, and data, that are essential to the reliability of critical electric infrastructure or of defense critical electric infrastructure; and

''(ii) disruption of the operation of such devices or networks, with significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure, as a result of such act or event; or

''(B)(i) a direct physical attack on critical electric infrastructure or on defense critical electric infrastructure; and

''(ii) significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure as a result of such physical attack.

''(8) SECRETARY.—The term 'Secretary' means the Secretary of Energy.

''(b) AUTHORITY TO ADDRESS GRID SECURITY EMERGENCY.—

''(1) AUTHORITY.—Whenever the President issues and provides to the Secretary a written directive or determination identifying a grid security emergency, the Secretary may, with or without notice, hearing, or report, issue such orders for emergency measures as are necessary in the judgment of the Secretary to protect or restore the reliability of critical electric infrastructure or of defense critical electric infrastructure during such emergency. As soon as practicable but not later than 180 days after the date of enactment of this section, the Secretary shall, after notice and opportunity for comment, establish rules of procedure that ensure that such authority can be exercised expeditiously.

''(2) NOTIFICATION OF CONGRESS.—Whenever the President issues and provides to the Secretary a written directive or determination under paragraph (1), the President shall promptly notify congressional committees of relevant jurisdiction, including the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, of the contents of, and justification for, such directive or determination.

''(3) CONSULTATION.—Before issuing an order for emergency measures under paragraph (1), the Secretary shall, to the extent practicable in light of the nature of the grid security emergency and the urgency of the need for action, consult with appropriate governmental authorities in Canada and Mexico, entities described in paragraph (4), the Electricity Sub-sector Coordinating Council, the Commission, and other appropriate Federal agencies regarding implementation of such emergency measures.

''(4) APPLICATION.—An order for emergency measures under this subsection may apply to—

''(A) the Electric Reliability Organization;

''(B) a regional entity; or

''(C) any owner, user, or operator of critical electric infrastructure or of defense critical electric infrastructure within the United States.

''(5) EXPIRATION AND REISSUANCE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an order for emergency measures issued under paragraph (1) shall expire no later than 15 days after its issuance.

''(B) EXTENSIONS.—The Secretary may reissue an order for emergency measures issued under paragraph (1) for subsequent periods, not to exceed 15 days for each such period, provided that the President, for each such period, issues and provides to the Secretary a written directive or determination that the grid security emergency identified under paragraph (1) continues to exist or that the emergency measure continues to be required.

''(6) COST RECOVERY.—

''(A) CRITICAL ELECTRIC INFRASTRUCTURE.—If the Commission determines that owners, operators, or users of critical electric infrastructure have incurred substantial costs to comply with an order for emergency measures issued under this subsection and that such costs were prudently incurred and cannot reasonably be recovered through regulated rates or market prices for the electric energy or services sold by such owners, operators, or users, the Commission shall, consistent with the requirements of section 205, after notice and an opportunity for comment, establish a mechanism that permits such owners, operators, or users to recover such costs.

''(B) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—To the extent the owner or operator of defense critical electric infrastructure is required to take emergency measures pursuant to an order issued under this subsection, the owners or operators of a critical defense facility or facilities designated by the Secretary pursuant to subsection (c) that rely upon such infrastructure shall bear the full incremental costs of the measures.

''(7) TEMPORARY ACCESS TO CLASSIFIED INFORMATION.—The Secretary, and other appropriate Federal agencies, shall, to the extent practicable and consistent with their obligations to protect classified information, provide temporary access to classified information related to a grid security emergency for which emergency measures are issued under paragraph (1) to key personnel of any entity subject to such emergency measures to enable optimum communication between the entity and the Secretary and other appropriate Federal agencies regarding the grid security emergency.

''(c) DESIGNATION OF CRITICAL DEFENSE FACILITIES.—Not later than 180 days after the date of enactment of this section, the Secretary, in consultation with other appropriate Federal agencies and appropriate owners, users, or operators of infrastructure that may be defense critical electric infrastructure, shall identify and designate facilities located in the 48 contiguous States and the District of Columbia that are—

''(1) critical to the defense of the United States; and

''(2) vulnerable to a disruption of the supply of electric energy provided to such facility by an external provider.

The Secretary may, in consultation with appropriate Federal agencies and appropriate owners, users, or operators of defense critical electric infrastructure, periodically revise the list of designated facilities as necessary.

''(d) PROTECTION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—

''(1) PROTECTION OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Critical electric infrastructure information—

''(A) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code; and

''(B) shall not be made available by any Federal, State, political subdivision or tribal authority pursuant to any Federal, State, political subdivision or tribal law requiring public disclosure of information or records.

''(2) DESIGNATION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Not later than one year after the date of enactment of this section, the Commission, after consultation with the Secretary, shall promulgate such regulations as necessary to—

''(A) establish criteria and procedures to designate information as critical electric infrastructure information;

''(B) prohibit the unauthorized disclosure of critical electric infrastructure information;

''(C) ensure there are appropriate sanctions in place for Commissioners, officers, employees, or agents of the Commission or the Department of

Energy who knowingly and willfully disclose critical electric infrastructure information in a manner that is not authorized under this section; and

''(D) taking into account standards of the Electric Reliability Organization, facilitate voluntary sharing of critical electric infrastructure information with, between, and by—

''(i) Federal, State, political subdivision, and tribal authorities;

''(ii) the Electric Reliability Organization;

''(iii) regional entities;

''(iv) information sharing and analysis centers established pursuant to Presidential Decision Directive 63;

''(v) owners, operators, and users of critical electric infrastructure in the United States; and

''(vi) other entities determined appropriate by the Commission.

''(3) AUTHORITY TO DESIGNATE.—Information may be designated by the Commission or the Secretary as critical electric infrastructure information pursuant to the criteria and procedures established by the Commission under paragraph (2)(A).

''(4) CONSIDERATIONS.—In exercising their respective authorities under this subsection, the Commission and the Secretary shall take into consideration the role of State commissions in reviewing the prudence and cost of investments, determining the rates and terms of conditions for electric services, and ensuring the safety and reliability of the bulk-power system and distribution facilities within their respective jurisdictions.

''(5) PROTOCOLS.—The Commission and the Secretary shall, in consultation with Canadian and Mexican authorities, develop protocols for the voluntary sharing of critical electric infrastructure information with Canadian and Mexican authorities and owners, operators, and users of the bulk-power system outside the United States.

''(6) NO REQUIRED SHARING OF INFORMATION.—Nothing in this section shall require a person or entity in possession of critical electric infrastructure information to share such information with Federal, State, political subdivision, or tribal authorities, or any other person or entity.

''(7) SUBMISSION OF INFORMATION TO CONGRESS.—Nothing in this section shall permit or authorize the withholding of information from Congress, any committee or subcommittee thereof, or the Comptroller General.

''(8) DISCLOSURE OF NONPROTECTED INFORMATION.—In implementing this section, the Commission and the Secretary shall segregate critical electric infrastructure information or information that reasonably could be expected to lead to the disclosure of the critical electric infrastructure information within documents and electronic communications, wherever feasible, to facilitate disclosure of information that is not designated as critical electric infrastructure information.

''(9) DURATION OF DESIGNATION.—Information may not be designated as critical electric infrastructure information for longer than 5 years, unless specifically re-designated by the Commission or the Secretary, as appropriate.

''(10) REMOVAL OF DESIGNATION.—The Commission or the Secretary, as appropriate, shall remove the designation of critical electric infrastructure information, in whole or in part, from a document or electronic communication if the Commission or the Secretary, as appropriate, determines that the unauthorized disclosure of such information could no longer be used to impair the security or reliability of the bulk-power system or distribution facilities.

''(11) JUDICIAL REVIEW OF DESIGNATIONS.—Notwithstanding section 313(b), with respect to a petition filed by a person to which an order under this section applies, any determination by the Commission or the Secretary concerning the designation of critical electric infrastructure information under this subsection shall be subject to review under chapter 7 of title 5, United States Code, except that such review shall be brought in the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in the District of Columbia. In such a case the court shall examine in camera the contents of documents or electronic communications that are the subject of the determination under review to determine whether such documents or any part thereof were improperly designated or not designated as critical electric infrastructure information.

''(e) SECURITY CLEARANCES.—The Secretary shall facilitate and, to the extent practicable, expedite the acquisition of adequate security clearances by key personnel of any entity subject to the requirements of this section, to enable optimum communication with Federal agencies regarding threats to the security of the critical electric infrastructure. The Secretary, the Commission, and other appropriate Federal agencies shall, to the extent practicable and consistent with their obligations to protect classified and critical electric infrastructure information, share timely actionable information regarding grid security with appropriate key personnel of owners, operators, and users of the critical electric infrastructure.

''(f) CLARIFICATIONS OF LIABILITY.—

''(1) COMPLIANCE WITH OR VIOLATION OF THIS ACT.—Except as provided in paragraph (4), to the extent any action or omission taken by an entity that is necessary to comply with an order for emergency measures issued under subsection (b)(1), including any action or omission taken to voluntarily comply with such order, results in noncompliance with, or causes such entity not to comply with any rule, order, regulation, or provision of this Act, including any reliability standard approved by the Commission pursuant to section 215, such action or omission shall not be considered a violation of such rule, order, regulation, or provision.

''(2) RELATION TO SECTION 202(c).—Except as provided in paragraph (4), an action or omission taken by an owner, operator, or user of critical electric infrastructure or of defense critical electric infrastructure to comply with an order for emergency measures issued under subsection (b)(1) shall be treated as an action or omission taken to comply with an order issued under section 202(c) for purposes of such section.

''(3) SHARING OR RECEIPT OF INFORMATION.—No cause of action shall lie or be maintained in any Federal or State court for the sharing or receipt of information under, and that is conducted in accordance with, subsection (d).

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require dismissal of a cause of action against an entity that, in the course of complying with an order for emergency measures issued under subsection (b)(1) by taking an action or omission for which they would be liable but for paragraph (1) or (2), takes such action or omission in a grossly negligent manner.''.

(b) CONFORMING AMENDMENTS.—

(1) JURISDICTION.—Section 201(b)(2) of the Federal Power Act (16 U.S.C. 824(b)(2)) is amended by inserting ''215A,'' after ''215,'' each place it appears.

(2) PUBLIC UTILITY.—Section 201(e) of the Federal Power Act (16 U.S.C. 824(e)) is amended by inserting ''215A,'' after ''215,''.

(c) ENHANCED GRID SECURITY.—

(1) DEFINITIONS.—In this subsection:

(A) CRITICAL ELECTRIC INFRASTRUCTURE; CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—The terms ''critical electric infrastructure'' and ''critical electric infrastructure information'' have the meanings given those terms in section 215A of the Federal Power Act.

(B) SECTOR-SPECIFIC AGENCY.—The term ''Sector-Specific Agency'' has the meaning given that term in the Presidential Policy Directive entitled ''Critical Infrastructure Security and Resilience'', numbered 21, and dated February 12, 2013.

(2) SECTOR-SPECIFIC AGENCY FOR CYBERSECURITY FOR THE ENERGY SECTOR.—

(A) IN GENERAL.—The Department of Energy shall be the lead Sector-Specific Agency for cybersecurity for the energy sector.

(B) DUTIES.—As head of the designated Sector-Specific Agency for cybersecurity, the duties of the Secretary of Energy shall include—

(i) coordinating with the Department of Homeland Security and other relevant Federal departments and agencies;

(ii) collaborating with—

(I) critical electric infrastructure owners and operators; and

(II) as appropriate—

(aa) independent regulatory agencies; and

(bb) State, local, tribal, and territorial entities;

(cc) serving as a day-to-day Federal interface for the dynamic prioritization and coordination of sector-specific activities;

(dd) carrying out incident management responsibilities consistent with applicable law (including regulations) and other appropriate policies or directives;

(ee) providing, supporting, or facilitating technical assistance and consultations for the energy sector to identify vulnerabilities and help mitigate incidents, as appropriate; and

(ff) supporting the reporting requirements of the Department of Homeland Security under applicable law by providing, on an annual basis, sector-specific critical electric infrastructure information.

SEC. 61004. STRATEGIC TRANSFORMER RESERVE.

(a) FINDING.—Congress finds that the storage of strategically located spare large power transformers and emergency mobile substations will reduce the vulnerability of the United States to multiple risks facing electric grid reliability, including physical attack, cyber attack, electromagnetic pulse, geomagnetic disturbances, severe weather, and seismic events.

(b) DEFINITIONS.—In this section:

(1) BULK-POWER SYSTEM.—The term ''bulk-power system'' has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(2) CRITICALLY DAMAGED LARGE POWER TRANSFORMER.—The term ''critically damaged large power transformer'' means a large power transformer that—

(A) has sustained extensive damage such that—

(i) repair or refurbishment is not economically viable; or

(ii) the extensive time to repair or refurbish the large power transformer would create an extended period of instability in the bulk-power system; and

(B) prior to sustaining such damage, was part of the bulk-power system.

(3) CRITICAL ELECTRIC INFRASTRUCTURE.—The term ''critical electric infrastructure'' has the meaning given that term in section 215A of the Federal Power Act.

(4) ELECTRIC RELIABILITY ORGANIZATION.—The term ''Electric Reliability Organization'' has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(5) EMERGENCY MOBILE SUBSTATION.—The term ''emergency mobile substation'' means a mobile substation or mobile transformer that is—

(A) assembled and permanently mounted on a trailer that is capable of highway travel and meets relevant Department of Transportation regulations; and

(B) intended for express deployment and capable of being rapidly placed into service.

(6) LARGE POWER TRANSFORMER.—The term ''large power transformer'' means a power transformer with a maximum nameplate rating of 100 megavolt-amperes or higher, including related critical equipment, that is, or is intended to be, a part of the bulk-power system.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(8) SPARE LARGE POWER TRANSFORMER.—The term ''spare large power transformer'' means a large power transformer that is stored within the Strategic Transformer Reserve to be available to temporarily replace a critically damaged large power transformer.

(c) STRATEGIC TRANSFORMER RESERVE PLAN.—

(1) PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Office of Electricity Delivery and Energy Reliability, shall, in consultation with the Federal Energy Regulatory Commission, the Electricity Sub-sector Coordinating Council, the Electric Reliability Organization, and owners and operators of critical electric infrastructure and defense and military installations, prepare and submit to Congress a plan to establish a Strategic Transformer Reserve for the storage, in strategically located facilities, of spare large power transformers and emergency mobile substations in sufficient numbers to temporarily replace critically damaged large power transformers and substations that are critical electric infrastructure or serve defense and military installations.

(2) INCLUSIONS.—The Strategic Transformer Reserve plan shall include a description of—

(A) the appropriate number and type of spare large power transformers necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations to mitigate significant impacts to the electric grid resulting from—

(i) physical attack;

(ii) cyber attack;

(iii) electromagnetic pulse attack;

(iv) geomagnetic disturbances;

(v) severe weather; or

(vi) seismic events;

(B) other critical electric grid equipment for which an inventory of spare equipment, including emergency mobile substations, is necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations;

(C) the degree to which utility sector actions or initiatives, including individual utility ownership of spare equipment, joint ownership of spare equipment inventory, sharing agreements, or other spare equipment reserves or arrangements, satisfy the needs identified under subparagraphs (A) and (B);

(D) the potential locations for, and feasibility and appropriate number of, strategic storage locations for reserve equipment, including consideration of—

(i) the physical security of such locations;

(ii) the protection of the confidentiality of such locations; and

(iii) the proximity of such locations to sites of potentially critically damaged large power transformers and substations that are critical electric infrastructure or serve defense and military installations, so as to enable efficient delivery of equipment to such sites;

(E) the necessary degree of flexibility of spare large power transformers to be included in the Strategic Transformer Reserve to conform to different substation configurations, including consideration of transformer—

(i) power and voltage rating for each winding;

(ii) overload requirements;

(iii) impedance between windings;

(iv) configuration of windings; and

(v) tap requirements;

(F) an estimate of the direct cost of the Strategic Transformer Reserve, as proposed, including—

(i) the cost of storage facilities;

(ii) the cost of the equipment; and

(iii) management, maintenance, and operation costs;

(G) the funding options available to establish, stock, manage, and maintain the Strategic Transformer Reserve, including consideration of fees on owners and operators of bulk-power system facilities, critical electric infrastructure, and defense and military installations relying on the Strategic Transformer Reserve, use of Federal appropriations, and public-private cost-sharing options;

(H) the ease and speed of transportation, installation, and energization of spare large power transformers to be included in the Strategic Transformer Reserve, including consideration of factors such as—

(i) transformer transportation weight;

(ii) transformer size;

(iii) topology of critical substations;

(iv) availability of appropriate transformer mounting pads;

(v) flexibility of the spare large power transformers as described in subparagraph (E); and

(vi) ability to rapidly transition a spare large power transformer from storage to energization;

(I) eligibility criteria for withdrawal of equipment from the Strategic Transformer Reserve;

(J) the process by which owners or operators of critically damaged large power transformers or substations that are critical electric infrastructure or serve defense and military installations may apply for a withdrawal from the Strategic Transformer Reserve;

(K) the process by which equipment withdrawn from the Strategic Transformer Reserve is returned to the Strategic Transformer Reserve or is replaced;

(L) possible fees to be paid by users of equipment withdrawn from the Strategic Transformer Reserve;

(M) possible fees to be paid by owners and operators of large power transformers and substations that are critical electric infrastructure or serve defense and military installations to cover operating costs of the Strategic Transformer Reserve;

(N) the domestic and international large power transformer supply chain;

(O) the potential reliability, cost, and operational benefits of including emergency mobile substations in any Strategic Transformer Reserve established under this section; and

(P) other considerations for designing, constructing, stocking, funding, and managing the Strategic Transformer Reserve.

(d) DISCLOSURE OF INFORMATION.—Any information included in the Strategic Transformer Reserve plan, or shared in the preparation and development of such plan, the disclosure of which could cause harm to critical electric infrastructure, shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code, and any State, tribal, or local law requiring disclosure of information or records.

SEC. 61005. ENERGY SECURITY VALUATION.

(a) ESTABLISHMENT OF ENERGY SECURITY VALUATION METHODS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Secretary of State, shall develop and transmit, after public notice and comment, to the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate a report that includes recommended United States energy security valuation methods. In developing the report, the Secretaries may consider the recommendations of the Administration's Quadrennial Energy Review released on April 21, 2015. The report shall—

(1) evaluate and define United States energy security to reflect modern domestic and global energy markets and the collective needs of the United States and its allies and partners;

(2) identify transparent and uniform or coordinated procedures and criteria to ensure that energy-related actions that significantly affect the supply, distribution, or use of energy are evaluated with respect to their potential impact on energy security, including their impact on—

(A) consumers and the economy;

(B) energy supply diversity and resiliency;

(C) well-functioning and competitive energy markets;

(D) United States trade balance; and

(E) national security objectives; and

(3) include a recommended implementation strategy that identifies and aims to ensure that the procedures and criteria referred to in paragraph (2) are—

(A) evaluated consistently across the Federal Government; and

(B) weighed appropriately and balanced with environmental considerations required by Federal law.

(b) PARTICIPATION.—In developing the report referred to in subsection (a), the Secretaries may consult with relevant Federal, State, private sector, and international participants, as appropriate and consistent with applicable law.

DIVISION G—FINANCIAL SERVICES

TITLE LXXI—IMPROVING ACCESS TO CAPITAL FOR EMERGING GROWTH COMPANIES

SEC. 71001. FILING REQUIREMENT FOR PUBLIC FILING PRIOR TO PUBLIC OFFERING.

Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is amended by striking ''21 days'' and inserting ''15 days''.

SEC. 71002. GRACE PERIOD FOR CHANGE OF STATUS OF EMERGING GROWTH COMPANIES.

Section 6(e)(1) of the Securities Act of 1933 (15 U.S.C. 77f(e)(1)) is further amended by adding at the end the following: ''An issuer that was an emerging growth company at the time it submitted a confidential registration statement or, in lieu thereof, a publicly filed registration statement for review under this subsection but ceases to be an emerging growth company thereafter shall continue to be treated as an emerging market growth company for the purposes of this subsection through the earlier of the date on which the issuer consummates its initial public offering pursuant to such registrations statement or the end of the 1-year period beginning on the date the company ceases to be an emerging growth company.''.

SEC. 71003. SIMPLIFIED DISCLOSURE REQUIREMENTS FOR EMERGING GROWTH COMPANIES.

Section 102 of the Jumpstart Our Business Startups Act (Public Law 112–106) is amended by adding at the end the following:

''(d) SIMPLIFIED DISCLOSURE REQUIREMENTS.—With respect to an emerging growth company (as such term is defined under section 2 of the Securities Act of 1933):

''(1) REQUIREMENT TO INCLUDE NOTICE ON FORMS S–1 AND F–1.—Not later than 30 days after the date of enactment of this subsection, the Securities and Exchange Commission shall revise its general instructions on Forms S–1 and F–1 to indicate that a registration statement filed (or submitted for confidential review) by an issuer prior to an initial public offering may omit financial information for historical periods otherwise required by regulation S–X (17 CFR 210.1–01 et seq.) as of the time of filing (or confidential

submission) of such registration statement, provided that—

''(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S–1 or F–1 at the time of the contemplated offering; and

''(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S–X at the date of such amendment.

''(2) RELIANCE BY ISSUERS.—Effective 30 days after the date of enactment of this subsection, an issuer filing a registration statement (or submitting the statement for confidential review) on Form S–1 or Form F–1 may omit financial information for historical periods otherwise required by regulation S–X (17 CFR 210.1–01 et seq.) as of the time of filing (or confidential submission) of such registration statement, provided that—

''(A) the omitted financial information relates to a historical period that the issuer reasonably believes will not be required to be included in the Form S–1 or Form F–1 at the time of the contemplated offering; and

''(B) prior to the issuer distributing a preliminary prospectus to investors, such registration statement is amended to include all financial information required by such regulation S–X at the date of such amendment.''.

TITLE LXXII—DISCLOSURE MODERNIZATION AND SIMPLIFICATION

SEC. 72001. SUMMARY PAGE FOR FORM 10–K.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall issue regulations to permit issuers to submit a summary page on form 10–K (17 CFR 249.310), but only if each item on such summary page includes a cross-reference (by electronic link or otherwise) to the material contained in form 10–K to which such item relates.

SEC. 72002. IMPROVEMENT OF REGULATION S–K.

Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Securities and Exchange Commission shall take all such actions to revise regulation S–K (17 CFR 229.10 et seq.)—

(1) to further scale or eliminate requirements of regulation S–K, in order to reduce the burden on emerging growth companies, accelerated filers, smaller reporting companies, and other smaller issuers, while still providing all material information to investors;

(2) to eliminate provisions of regulation S–K, required for all issuers, that are duplicative, overlapping, outdated, or unnecessary; and

(3) for which the Commission determines that no further study under section 72203 is necessary to determine the efficacy of such revisions to regulation S–K.

SEC. 72003. STUDY ON MODERNIZATION AND SIMPLIFICATION OF REGULATION S–K.

(a) STUDY.—The Securities and Exchange Commission shall carry out a study of the requirements contained in regulation S–K (17 CFR 229.10 et seq.). Such study shall—

(1) determine how best to modernize and simplify such requirements in a manner that reduces the costs and burdens on issuers while still providing all material information;

(2) emphasize a company by company approach that allows relevant and material information to be disseminated to investors without boilerplate language or static requirements while preserving completeness and comparability of information across registrants; and

(3) evaluate methods of information delivery and presentation and explore methods for discouraging repetition and the disclosure of immaterial information.

(b) CONSULTATION.—In conducting the study required under subsection (a), the Commission shall consult with the Investor Advisory Committee and the Advisory Committee on Small and Emerging Companies.

(c) REPORT.—Not later than the end of the 360-day period beginning on the date of enactment of this Act, the Commission shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a);

(2) specific and detailed recommendations on modernizing and simplifying the requirements in regulation S–K in a manner that reduces the costs and burdens on companies while still providing all material information; and

(3) specific and detailed recommendations on ways to improve the readability and navigability of disclosure documents and to discourage repetition and the disclosure of immaterial information.

(d) RULEMAKING.—Not later than the end of the 360-day period beginning on the date that the report is issued to the Congress under subsection (c), the Commission shall issue a proposed rule to implement the recommendations of the report issued under subsection (c).

(e) RULE OF CONSTRUCTION.—Revisions made to regulation S–K by the Commission under section 202 shall not be construed as satisfying the rulemaking requirements under this section.

TITLE LXXIII—BULLION AND COLLECTIBLE COIN PRODUCTION EFFICIENCY AND COST SAVINGS

SEC. 73001. TECHNICAL CORRECTIONS.

Title 31, United States Code, is amended—

(1) in section 5112—

(A) in subsection (q)—

(i) by striking paragraphs (3) and (8); and

(ii) by redesignating paragraphs (4), (5), (6), and (7) as paragraphs (3), (4), (5), and (6), respectively;

(B) in subsection (t)(6)(B), by striking ''90 percent silver and 10 percent copper'' and inserting ''not less than 90 percent silver''; and

(C) in subsection (v)—

(i) in paragraph (1), by striking ''Subject to'' and all that follows through ''the Secretary shall'' and inserting ''The Secretary shall'';

(ii) in paragraph (2)(A), by striking ''The Secretary'' and inserting ''To the greatest extent possible, the Secretary'';

(iii) in paragraph (5), by inserting after ''may issue'' the following: ''collectible versions of''; and

(iv) by striking paragraph (8); and

(2) in section 5132(a)(2)(B)(i), by striking ''90 percent silver and 10 percent copper'' and inserting ''not less than 90 percent silver''.

SEC. 73002. AMERICAN EAGLE SILVER BULLION 30TH ANNIVERSARY.

Proof and uncirculated versions of coins issued by the Secretary of the Treasury pursuant to subsection (e) of section 5112 of title 31, United States Code, during calendar year 2016 shall have a smooth edge incused with a designation that notes the 30th anniversary of the first issue of coins under such subsection.

TITLE LXXIV—SBIC ADVISERS RELIEF

SEC. 74001. ADVISERS OF SBICS AND VENTURE CAPITAL FUNDS.

Section 203(l) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(l)) is amended—

(1) by striking ''No investment adviser'' and inserting the following:

''(1) IN GENERAL.—No investment adviser''; and

(2) by adding at the end the following:

''(2) ADVISERS OF SBICS.—For purposes of this subsection, a venture capital fund includes an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940).''.

SEC. 74002. ADVISERS OF SBICS AND PRIVATE FUNDS.

Section 203(m) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(m)) is amended by adding at the end the following:

''(3) ADVISERS OF SBICS.—For purposes of this subsection, the assets under management of a private fund that is an entity described in subparagraph (A), (B), or (C) of subsection (b)(7) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940) shall be excluded from the limit set forth in paragraph (1).''.

SEC. 74003. RELATIONSHIP TO STATE LAW.

Section 203A(b)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3a(b)(1)) is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

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

(3) by adding at the end the following:

''(C) that is not registered under section 203 because that person is exempt from registration as provided in subsection (b)(7) of such section, or is a supervised person of such person.''.

TITLE LXXV—ELIMINATE PRIVACY NOTICE CONFUSION

SEC. 75001. EXCEPTION TO ANNUAL PRIVACY NOTICE REQUIREMENT UNDER THE GRAMM-LEACH-BLILEY ACT.

Section 503 of the Gramm-Leach-Bliley Act (15 U.S.C. 6803) is amended by adding at the end the following:

''(f) EXCEPTION TO ANNUAL NOTICE REQUIREMENT.—A financial institution that—

''(1) provides nonpublic personal information only in accordance with the provisions of subsection (b)(2) or (e) of section 502 or regulations prescribed under section 504(b), and

''(2) has not changed its policies and practices with regard to disclosing nonpublic personal information from the policies and practices that were disclosed in the most recent disclosure sent to consumers in accordance with this section,

shall not be required to provide an annual disclosure under this section until such time as the financial institution fails to comply with any criteria described in paragraph (1) or (2).''.

TITLE LXXVI—REFORMING ACCESS FOR INVESTMENTS IN STARTUP ENTERPRISES

SEC. 76001. EXEMPTED TRANSACTIONS.

(a) EXEMPTED TRANSACTIONS.—Section 4 of the Securities Act of 1933 (15 U.S.C. 77d) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(7) transactions meeting the requirements of subsection (d).'';

(2) by redesignating the second subsection (b) (relating to securities offered and sold in compliance with Rule 506 of Regulation D) as subsection (c); and

(3) by adding at the end the following:

''(d) CERTAIN ACCREDITED INVESTOR TRANSACTIONS.—The transactions referred to in subsection (a)(7) are transactions meeting the following requirements:

''(1) ACCREDITED INVESTOR REQUIREMENT.—Each purchaser is an accredited investor, as that term is defined in section 230.501(a) of title 17, Code of Federal Regulations (or any successor regulation).

''(2) PROHIBITION ON GENERAL SOLICITATION OR ADVERTISING.—Neither the seller, nor any person acting on the seller's behalf, offers or sells securities by any form of general solicitation or general advertising.

''(3) INFORMATION REQUIREMENT.—In the case of a transaction involving the securities of an issuer that is neither subject to section 13 or

15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m; 78o(d)), nor exempt from reporting pursuant to section 240.12g3–2(b) of title 17, Code of Federal Regulations, nor a foreign government (as defined in section 230.405 of title 17, Code of Federal Regulations) eligible to register securities under Schedule B, the seller and a prospective purchaser designated by the seller obtain from the issuer, upon request of the seller, and the seller in all cases makes available to a prospective purchaser, the following information (which shall be reasonably current in relation to the date of resale under this section):

''(A) The exact name of the issuer and the issuer's predecessor (if any).

''(B) The address of the issuer's principal executive offices.

''(C) The exact title and class of the security.

''(D) The par or stated value of the security.

''(E) The number of shares or total amount of the securities outstanding as of the end of the issuer's most recent fiscal year.

''(F) The name and address of the transfer agent, corporate secretary, or other person responsible for transferring shares and stock certificates.

''(G) A statement of the nature of the business of the issuer and the products and services it offers, which shall be presumed reasonably current if the statement is as of 12 months before the transaction date.

''(H) The names of the officers and directors of the issuer.

''(I) The names of any persons registered as a broker, dealer, or agent that shall be paid or given, directly or indirectly, any commission or remuneration for such person's participation in the offer or sale of the securities.

''(J) The issuer's most recent balance sheet and profit and loss statement and similar financial statements, which shall—

''(i) be for such part of the 2 preceding fiscal years as the issuer has been in operation;

''(ii) be prepared in accordance with generally accepted accounting principles or, in the case of a foreign private issuer, be prepared in accordance with generally accepted accounting principles or the International Financial Reporting Standards issued by the International Accounting Standards Board;

''(iii) be presumed reasonably current if—

''(I) with respect to the balance sheet, the balance sheet is as of a date less than 16 months before the transaction date; and

''(II) with respect to the profit and loss statement, such statement is for the 12 months preceding the date of the issuer's balance sheet; and

''(iv) if the balance sheet is not as of a date less than 6 months before the transaction date, be accompanied by additional statements of profit and loss for the period from the date of such balance sheet to a date less than 6 months before the transaction date.

''(K) To the extent that the seller is a control person with respect to the issuer, a brief statement regarding the nature of the affiliation, and a statement certified by such seller that they have no reasonable grounds to believe that the issuer is in violation of the securities laws or regulations.

''(4) ISSUERS DISQUALIFIED.—The transaction is not for the sale of a security where the seller is an issuer or a subsidiary, either directly or indirectly, of the issuer.

''(5) BAD ACTOR PROHIBITION.—Neither the seller, nor any person that has been or will be paid (directly or indirectly) remuneration or a commission for their participation in the offer or sale of the securities, including solicitation of purchasers for the seller is subject to an event that would disqualify an issuer or other covered person under Rule 506(d)(1) of Regulation D (17 CFR 230.506(d)(1)) or is subject to a statutory disqualification described under section 3(a)(39) of the Securities Exchange Act of 1934.

''(6) BUSINESS REQUIREMENT.—The issuer is engaged in business, is not in the organizational stage or in bankruptcy or receivership, and is not a blank check, blind pool, or shell company that has no specific business plan or purpose or has indicated that the issuer's primary business plan is to engage in a merger or combination of the business with, or an acquisition of, an unidentified person.

''(7) UNDERWRITER PROHIBITION.—The transaction is not with respect to a security that constitutes the whole or part of an unsold allotment to, or a subscription or participation by, a broker or dealer as an underwriter of the security or a redistribution.

''(8) OUTSTANDING CLASS REQUIREMENT.—The transaction is with respect to a security of a class that has been authorized and outstanding for at least 90 days prior to the date of the transaction.

''(e) ADDITIONAL REQUIREMENTS.—

''(1) IN GENERAL.—With respect to an exempted transaction described under subsection (a)(7):

''(A) Securities acquired in such transaction shall be deemed to have been acquired in a transaction not involving any public offering.

''(B) Such transaction shall be deemed not to be a distribution for purposes of section 2(a)(11).

''(C) Securities involved in such transaction shall be deemed to be restricted securities within the meaning of Rule 144 (17 CFR 230.144).

''(2) RULE OF CONSTRUCTION.—The exemption provided by subsection (a)(7) shall not be the exclusive means for establishing an exemption from the registration requirements of section 5.''.

(b) EXEMPTION IN CONNECTION WITH CERTAIN EXEMPT OFFERINGS.—Section 18(b)(4) of the Securities Act of 1933 (15 U.S.C. 77r(b)(4)) is amended—

(1) by redesignating the second subparagraph (D) and subparagraph (E) as subparagraphs (E) and (F), respectively;

(2) in subparagraph (E), as so redesignated, by striking ''; or'' and inserting a semicolon;

(3) in subparagraph (F), as so redesignated, by striking the period and inserting ''; or''; and

(4) by adding at the end the following new subparagraph:

''(G) section 4(a)(7).''.

TITLE LXXVII—PRESERVATION ENHANCEMENT AND SAVINGS OPPORTUNITY

SEC. 77001. DISTRIBUTIONS AND RESIDUAL RECEIPTS.

Section 222 of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4112) is amended by adding at the end the following new subsection:

''(e) DISTRIBUTION AND RESIDUAL RECEIPTS.—

''(1) AUTHORITY.—After the date of the enactment of this subsection, the owner of a property subject to a plan of action or use agreement pursuant to this section shall be entitled to distribute—

''(A) annually, all surplus cash generated by the property, but only if the owner is in material compliance with such use agreement including compliance with prevailing physical condition standards established by the Secretary; and

''(B) notwithstanding any conflicting provision in such use agreement, any funds accumulated in a residual receipts account, but only if the owner is in material compliance with such use agreement and has completed, or set aside sufficient funds for completion of, any capital repairs identified by the most recent third party capital needs assessment.

''(2) OPERATION OF PROPERTY.—An owner that distributes any amounts pursuant to paragraph (1) shall—

''(A) continue to operate the property in accordance with the affordability provisions of the use agreement for the property for the remaining useful life of the property;

''(B) as required by the plan of action for the property, continue to renew or extend any project-based rental assistance contract for a term of not less than 20 years; and

''(C) if the owner has an existing multi-year project-based rental assistance contract for less than 20 years, have the option to extend the contract to a 20-year term.''.

SEC. 77002. FUTURE REFINANCINGS.

Section 214 of the Low-Income Housing Preservation and Resident Homeownership Act of 1990 (12 U.S.C. 4104) is amended by adding at the end the following new subsection:

''(c) FUTURE FINANCING.—Neither this section, nor any plan of action or use agreement implementing this section, shall restrict an owner from obtaining a new loan or refinancing an existing loan secured by the project, or from distributing the proceeds of such a loan; except that, in conjunction with such refinancing—

''(1) the owner shall provide for adequate rehabilitation pursuant to a capital needs assessment to ensure long-term sustainability of the property satisfactory to the lender or bond issuance agency;

''(2) any resulting budget-based rent increase shall include debt service on the new financing, commercially reasonable debt service coverage, and replacement reserves as required by the lender; and

''(3) for tenants of dwelling units not covered by a project- or tenant-based rental subsidy, any rent increases resulting from the refinancing transaction may not exceed 10 percent per year, except that—

''(A) any tenant occupying a dwelling unit as of time of the refinancing may not be required to pay for rent and utilities, for the duration of such tenancy, an amount that exceeds the greater of—

''(i) 30 percent of the tenant's income; or

''(ii) the amount paid by the tenant for rent and utilities immediately before such refinancing; and

''(B) this paragraph shall not apply to any tenant who does not provide the owner with proof of income.

Paragraph (3) may not be construed to limit any rent increases resulting from increased operating costs for a project.''.

SEC. 77003. IMPLEMENTATION.

The Secretary of Housing and Urban Development shall issue any guidance that the Secretary considers necessary to carry out the provisions added by the amendments made by this title not later than the expiration of the 120-day period beginning on the date of the enactment of this Act.

TITLE LXXVIII—TENANT INCOME VERIFICATION RELIEF

SEC. 78001. REVIEWS OF FAMILY INCOMES.

(a) IN GENERAL.—The second sentence of paragraph (1) of section 3(a) of the United States Housing Act of 1937 (42 U.S.C. 1437a(a)(1)) is amended by inserting before the period at the end the following: ''; except that, in the case of any family with a fixed income, as defined by the Secretary, after the initial review of the family's income, the public housing agency or owner shall not be required to conduct a review of the family's income for any year for which such family certifies, in accordance with such requirements as the Secretary shall establish, which shall include policies to adjust for inflation-based income changes, that 90 percent or more of the income of the family consists of fixed income, and that the sources of such income have not changed since the previous year, except that the public housing agency or owner shall conduct a review of each such family's income not less than once every 3 years''.

(b) HOUSING CHOICE VOUCHER PROGRAM.—Subparagraph (A) of section 8(o)(5) of the

United States Housing Act of 1937 (42 U.S.C. 1437f(o)(5)(A)) is amended by striking ''not less than annually'' and inserting ''as required by section 3(a)(1) of this Act''.

TITLE LXXIX—HOUSING ASSISTANCE EFFICIENCY

SEC. 79001. AUTHORITY TO ADMINISTER RENTAL ASSISTANCE.

Subsection (g) of section 423 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11383(g)) is amended by inserting ''private nonprofit organization,'' after ''unit of general local government,''.

SEC. 79002. REALLOCATION OF FUNDS.

Paragraph (1) of section 414(d) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11373(d)(1)) is amended by striking ''twice'' and inserting ''once''.

TITLE LXXX—CHILD SUPPORT ASSISTANCE

SEC. 80001. REQUESTS FOR CONSUMER REPORTS BY STATE OR LOCAL CHILD SUPPORT ENFORCEMENT AGENCIES.

Paragraph (4) of section 604(a) of the Fair Credit Reporting Act (15 U.S.C. 1681b(a)(4)) is amended—

(1) in subparagraph (A), by striking ''or determining the appropriate level of such payments'' and inserting '', determining the appropriate level of such payments, or enforcing a child support order, award, agreement, or judgment'';

(2) in subparagraph (B)—

(A) by striking ''paternity'' and inserting ''parentage''; and

(B) by adding ''and'' at the end;

(3) by striking subparagraph (C); and

(4) by redesignating subparagraph (D) as subparagraph (C).

TITLE LXXXI—PRIVATE INVESTMENT IN HOUSING

SEC. 81001. BUDGET-NEUTRAL DEMONSTRATION PROGRAM FOR ENERGY AND WATER CONSERVATION IMPROVEMENTS AT MULTIFAMILY RESIDENTIAL UNITS.

(a) ESTABLISHMENT.—The Secretary of Housing and Urban Development (in this section referred to as the ''Secretary'') shall establish a demonstration program under which the Secretary may execute budget-neutral, performance-based agreements in fiscal years 2016 through 2019 that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at not more than 20,000 residential units in multifamily buildings participating in—

(1) the project-based rental assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

(3) the supportive housing for persons with disabilities program under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)).

(b) REQUIREMENTS.—

(1) PAYMENTS CONTINGENT ON SAVINGS.—

(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) PAYMENT METHODOLOGY.—

(i) IN GENERAL.—Each agreement under this section shall include a pay-for-success provision that—

(I) shall serve as a payment threshold for the term of the agreement; and

(II) requires that payments shall be contingent on realized cost savings associated with reduced utility consumption in the participating properties.

(ii) LIMITATIONS.—A payment made by the Secretary under an agreement under this section—

(I) shall be contingent on documented utility savings; and

(II) shall not exceed the utility savings achieved by the date of the payment, and not previously paid, as a result of the improvements made under the agreement.

(C) THIRD-PARTY VERIFICATION.—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established pre-retrofit;

(ii) annual third-party confirmation of actual utility consumption and cost for utilities;

(iii) annual third-party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third-party determination of savings to the Secretary.

An agreement under this section with an entity shall provide that the entity shall cover costs associated with third-party verification under this subparagraph.

(2) TERMS OF PERFORMANCE-BASED AGREEMENTS.—A performance-based agreement under this section shall include—

(A) the period that the agreement will be in effect and during which payments may be made, which may not be longer than 12 years;

(B) the performance measures that will serve as payment thresholds during the term of the agreement;

(C) an audit protocol for the properties covered by the agreement;

(D) a requirement that payments shall be contingent on realized cost savings associated with reduced utility consumption in the participating properties; and

(E) such other requirements and terms as determined to be appropriate by the Secretary.

(3) ENTITY ELIGIBILITY.—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that, either jointly or individually, demonstrate significant experience relating to—

(i) financing or operating properties receiving assistance under a program identified in subsection (a);

(ii) oversight of energy or water conservation programs, including oversight of contractors; and

(iii) raising capital for energy or water conservation improvements from charitable organizations or private investors.

(4) GEOGRAPHICAL DIVERSITY.—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(5) PROPERTIES.—A property may only be included in the demonstration under this section only if the property is subject to affordability restrictions for at least 15 years after the date of the completion of any conservation improvements made to the property under the demonstration program. Such restrictions may be made through an extended affordability agreement for the property under a new housing assistance payments contract with the Secretary of Housing and Urban Development or through an enforceable covenant with the owner of the property.

(c) PLAN AND REPORTS.—

(1) PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations and Financial Services of the House of Representatives and the Committees on Appropriations and Banking, Housing, and Urban Affairs of the Senate a detailed plan for the implementation of this section.

(2) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(A) conduct an evaluation of the program under this section; and

(B) submit to Congress a report describing each evaluation conducted under subparagraph (A).

(d) FUNDING.—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated to the Secretary for the renewal of contracts under a program described in subsection (a).

TITLE LXXXII—CAPITAL ACCESS FOR SMALL COMMUNITY FINANCIAL INSTITUTIONS

SEC. 82001. PRIVATELY INSURED CREDIT UNIONS AUTHORIZED TO BECOME MEMBERS OF A FEDERAL HOME LOAN BANK.

(a) IN GENERAL.—Section 4(a) of the Federal Home Loan Bank Act (12 U.S.C. 1424(a)) is amended by adding at the end the following new paragraph:

''(5) CERTAIN PRIVATELY INSURED CREDIT UNIONS.—

''(A) IN GENERAL.—Subject to the requirements of subparagraph (B), a credit union shall be treated as an insured depository institution for purposes of determining the eligibility of such credit union for membership in a Federal home loan bank under paragraphs (1), (2), and (3).

''(B) CERTIFICATION BY APPROPRIATE SUPERVISOR.—

''(i) IN GENERAL.—For purposes of this paragraph and subject to clause (ii), a credit union which lacks Federal deposit insurance and which has applied for membership in a Federal home loan bank may be treated as meeting all the eligibility requirements for Federal deposit insurance only if the appropriate supervisor of the State in which the credit union is chartered has determined that the credit union meets all the eligibility requirements for Federal deposit insurance as of the date of the application for membership.

''(ii) CERTIFICATION DEEMED VALID.—If, in the case of any credit union to which clause (i) applies, the appropriate supervisor of the State in which such credit union is chartered fails to make a determination pursuant to such clause by the end of the 6-month period beginning on the date of the application, the credit union shall be deemed to have met the requirements of clause (i).

''(C) SECURITY INTERESTS OF FEDERAL HOME LOAN BANK NOT AVOIDABLE.—Notwithstanding any provision of State law authorizing a conservator or liquidating agent of a credit union to repudiate contracts, no such provision shall apply with respect to—

''(i) any extension of credit from any Federal home loan bank to any credit union which is a member of any such bank pursuant to this paragraph; or

''(ii) any security interest in the assets of such credit union securing any such extension of credit.

''(D) PROTECTION FOR CERTAIN FEDERAL HOME LOAN BANK ADVANCES.—Notwithstanding any State law to the contrary, if a Bank makes an advance under section 10 to a State-chartered credit union that is not federally insured—

''(i) the Bank's interest in any collateral securing such advance has the same priority and is afforded the same standing and rights that the security interest would have had if the advance had been made to a federally insured credit union; and

''(ii) the Bank has the same right to access such collateral that the Bank would have had if the advance had been made to a federally insured credit union.''.

(b) COPIES OF AUDITS OF PRIVATE INSURERS OF CERTAIN DEPOSITORY INSTITUTIONS REQUIRED TO BE PROVIDED TO SUPERVISORY AGENCIES.—Section 43(a)(2)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1831t(a)(2)(A)) is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking the period at the end and inserting ''; and''; and

(3) by inserting at the end the following new clause:

''(iii) in the case of depository institutions described in subsection (e)(2)(A) the deposits of which are insured by the private insurer which are members of a Federal home loan bank, to the Federal Housing Finance Agency, not later than 7 days after the audit is completed.''.

SEC. 82002. GAO REPORT.

Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit a report to Congress—

(1) on the adequacy of insurance reserves held by a private deposit insurer that insures deposits in an entity described in section 43(e)(2)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1831t(e)(2)(A)); and

(2) for an entity described in paragraph (1) the deposits of which are insured by a private deposit insurer, information on the level of compliance with Federal regulations relating to the disclosure of a lack of Federal deposit insurance.

TITLE LXXXIII—SMALL BANK EXAM CYCLE REFORM

SEC. 83001. SMALLER INSTITUTIONS QUALIFYING FOR 18-MONTH EXAMINATION CYCLE.

Section 10(d) of the Federal Deposit Insurance Act (12 U.S.C. 1820(d)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking ''$500,000,000'' and inserting ''$1,000,000,000''; and

(B) in subparagraph (C)(ii), by striking ''$100,000,000'' and inserting ''$200,000,000''; and

(2) in paragraph (10)—

(A) by striking ''$100,000,000'' and inserting ''$200,000,000''; and

(B) by striking ''$500,000,000'' and inserting ''$1,000,000,000''.

TITLE LXXXIV—SMALL COMPANY SIMPLE REGISTRATION

SEC. 84001. FORWARD INCORPORATION BY REFERENCE FOR FORM S–1.

Not later than 45 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise Form S–1 so as to permit a smaller reporting company (as defined in section 230.405 of title 17, Code of Federal Regulations) to incorporate by reference in a registration statement filed on such form any documents that such company files with the Commission after the effective date of such registration statement.

TITLE LXXXV—HOLDING COMPANY REGISTRATION THRESHOLD EQUALIZATION

SEC. 85001. REGISTRATION THRESHOLD FOR SAVINGS AND LOAN HOLDING COMPANIES.

The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended—

(1) in section 12(g)—

(A) in paragraph (1)(B), by inserting after ''is a bank'' the following: '', a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''; and

(B) in paragraph (4), by inserting after ''case of a bank'' the following: '', a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''; and

(2) in section 15(d), by striking ''case of bank'' and inserting the following: ''case of a bank, a savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act),''.

TITLE LXXXVI—REPEAL OF INDEMNIFICATION REQUIREMENTS

SEC. 86001. REPEAL.

(a) DERIVATIVES CLEARING ORGANIZATIONS.—Section 5b(k)(5) of the Commodity Exchange Act (7 U.S.C. 7a–1(k)(5)) is amended to read as follows:

''(5) CONFIDENTIALITY AGREEMENT.—Before the Commission may share information with any entity described in paragraph (4), the Commission shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.''.

(b) SWAP DATA REPOSITORIES.—Section 21 of the Commodity Exchange Act (7 U.S.C. 24a(d)) is amended—

(1) in subsection (c)(7)—

(A) in the matter preceding subparagraph (A), by striking ''all'' and inserting ''swap''; and

(B) in subparagraph (E)—

(i) in clause (ii), by striking ''and'' at the end; and

(ii) by adding at the end the following:

''(iv) other foreign authorities; and''; and

(2) by striking subsection (d) and inserting the following:

''(d) CONFIDENTIALITY AGREEMENT.—Before the swap data repository may share information with any entity described in subsection (c)(7), the swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.''.

(c) SECURITY-BASED SWAP DATA REPOSITORIES.—Section 13(n)(5) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(n)(5)) is amended—

(1) in subparagraph (G)—

(A) in the matter preceding clause (i), by striking ''all'' and inserting ''security-based swap''; and

(B) in clause (v)—

(i) in subclause (II), by striking ''; and'' and inserting a semicolon;

(ii) in subclause (III), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(IV) other foreign authorities.''; and

(2) by striking subparagraph (H) and inserting the following:

''(H) CONFIDENTIALITY AGREEMENT.—Before the security-based swap data repository may share information with any entity described in subparagraph (G), the security-based swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 24 relating to the information on security-based swap transactions that is provided.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if enacted as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203).

TITLE LXXXVII—TREATMENT OF DEBT OR EQUITY INSTRUMENTS OF SMALLER INSTITUTIONS

SEC. 87001. DATE FOR DETERMINING CONSOLIDATED ASSETS.

Section 171(b)(4)(C) of the Financial Stability Act of 2010 (12 U.S.C. 5371(b)(4)(C)) is amended by inserting ''or March 31, 2010,'' after ''December 31, 2009,''.

TITLE LXXXVIII—STATE LICENSING EFFICIENCY

SECTION 88001. SHORT TITLE.

This title may be cited as the ''State Licensing Efficiency Act of 2015''.

SEC. 88002. BACKGROUND CHECKS.

Section 1511(a) of the S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5110(a)) is amended—

(1) by inserting ''and other financial service providers'' after ''State-licensed loan originators''; and

(2) by inserting ''or other financial service providers'' before the period at the end.

TITLE LXXXIX—HELPING EXPAND LENDING PRACTICES IN RURAL COMMUNITIES

SEC. 89001. SHORT TITLE.

This title may be cited as the ''Helping Expand Lending Practices in Rural Communities Act of 2015'' or the ''HELP Rural Communities Act of 2015''.

SEC. 89002. DESIGNATION OF RURAL AREA.

(a) APPLICATION.—Not later than 90 days after the date of the enactment of this Act, the Bureau of Consumer Financial Protection shall establish an application process under which a person who lives or does business in a State may, with respect to an area identified by the person in such State that has not been designated by the Bureau as a rural area for purposes of a Federal consumer financial law (as defined under section 1002 of the Consumer Financial Protection Act of 2010), apply for such area to be so designated.

(b) EVALUATION CRITERIA.—When evaluating an application submitted under subsection (a), the Bureau shall take into consideration the following factors:

(1) Criteria used by the Director of the Bureau of the Census for classifying geographical areas as rural or urban.

(2) Criteria used by the Director of the Office of Management and Budget to designate counties as metropolitan or micropolitan or neither.

(3) Criteria used by the Secretary of Agriculture to determine property eligibility for rural development programs.

(4) The Department of Agriculture rural-urban commuting area codes.

(5) A written opinion provided by the State's bank supervisor, as defined under section 3(r) of the Federal Deposit Insurance Act (12 U.S.C. 1813(r)).

(6) Population density.

(c) RULE OF CONSTRUCTION.—If, at any time prior to the submission of an application under subsection (a), the area subject to review has been designated as nonrural by any Federal agency described under subsection (b) using any of the criteria described under subsection (b), the Bureau shall not be required to consider such designation in its evaluation.

(d) PUBLIC COMMENT PERIOD.—

(1) IN GENERAL.—Not later than 60 days after receiving an application submitted under subsection (a), the Bureau shall—

(A) publish such application in the Federal Register; and

(B) make such application available for public comment for not fewer than 90 days.

(2) LIMITATION ON ADDITIONAL APPLICATIONS.—Nothing in this section shall be construed to require the Bureau, during the public comment period with respect to an application submitted under subsection (a), to accept an additional application with respect to the area that is the subject of the initial application.

(e) DECISION ON DESIGNATION.—Not later than 90 days after the end of the public comment period under subsection (d)(1) for an application, the Bureau shall—

(1) grant or deny such application, in whole or in part; and

(2) publish such grant or denial in the Federal Register, along with an explanation of what factors the Bureau relied on in making such determination.

(f) SUBSEQUENT APPLICATIONS.—A decision by the Bureau under subsection (e) to deny an application for an area to be designated as a rural area shall not preclude the Bureau from accepting a subsequent application submitted under subsection (a) for such area to be so designated, so long as such subsequent application is made after the end of the 90-day period beginning on the date that the Bureau denies the application under subsection (e).

(g) SUNSET.—This section shall cease to have any force or effect after the end of the 2-year period beginning on the date of the enactment of this Act.

SEC. 89003. OPERATIONS IN RURAL AREAS.

The Truth in Lending Act (15 U.S.C. 1601 et seq.) is amended—

(1) in section 129C(b)(2)(E)(iv)(I), by striking ''predominantly''; and

(2) in section 129D(c)(1), by striking ''predominantly''.

And the House agree to the same.

From the Committee on Transportation and Infrastructure, for consideration of the House amendment and the Senate amendment, and modifications committed to conference:

BILL SHUSTER,
JOHN J. DUNCAN, Jr.,
SAM GRAVES,
CANDICE S. MILLER,
ERIC A. ''RICK'' CRAWFORD,
LOU BARLETTA,
BLAKE FARENTHOLD,
BOB GIBBS,
JEFF DENHAM,
REID J. RIBBLE,
SCOTT PERRY,
ROB WOODALL,
JOHN KATKO,
BRIAN BABIN,
CRESENT HARDY,
GARRET GRAVES,
PETER A. DEFAZIO,
ELEANOR HOLMES NORTON,
JERROLD NADLER,
CORRINE BROWN,
EDDIE BERNICE JOHNSON,
ELIJAH E. CUMMINGS,
RICK LARSEN,
MICHAEL E. CAPUANO,
GRACE F. NAPOLITANO,
DANIEL LIPINSKI,
STEVE COHEN,
ALBIO SIRES,

As additional conferees from the Committee on Armed Services, for consideration of sec. 1111 of the House amendment, and modifications committed to conference:

MAC THORNBERRY,
LORETTA SANCHEZ,

As additional conferees from the Committee on Energy and Commerce, for consideration of secs. 1109, 1201, 1202, 3003, Division B, secs. 31101, 31201, and Division F of the House amendment and secs. 11005, 11006, 11013, 21003, 21004, subtitles B and D of title XXXIV, secs. 51101 and 51201 of the Senate amendment, and modifications committed to conference:

FRED UPTON,
MARKWAYNE MULLIN,
FRANK PALLONE, Jr.,

As additional conferees from the Committee on Financial Services, for consideration of sec. 32202 and Division G of the House amendment and secs. 52203 and 52205 of the Senate amendment, and modifications committed to conference:

MAXINE WATERS,

As additional conferees from the Committee on the Judiciary, for consideration of secs. 1313, 24406, and 43001 of the House amendment and secs. 32502 and 35437 of the Senate amendment, and modifications committed to conference:

BOB GOODLATTE,
TOM MARINO,
ZOE LOFGREN,

As additional conferees from the Committee on Natural Resources, for consideration of secs. 1114–16, 1120, 1301, 1302, 1304, 1305, 1307, 1308, 1310–13, 1316, 1317, 10001, and 10002 of the House amendment and secs. 11024–27, 11101–13, 11116–18, 15006, 31103–05, and 73103 of the Senate amendment and modifications committed to conference:

GLENN THOMPSON,
DARIN LAHOOD,

As additional conferees from the Committee on Oversight and Government Reform, for consideration of secs. 5106, 5223, 5504, 5505, 61003, and 61004 of the House amendment and secs. 12004, 21019, 31203, 32401, 32508, 32606, 35203, 35311, and 35312 of the Senate amendment, and modifications committed to conference:

JOHN L. MICA,
WILL HURD,
GERALD E. CONNOLLY,

As additional conferees from the Committee on Science, Space, and Technology, for consideration of secs. 3008, 3015, 4003, and title VI of the House amendment and secs. 11001, 12001, 12002, 12004, 12102, 21009, 21017, subtitle B of title XXXI, secs. 35105 and 72003 of the Senate amendment, and modifications committed to conference:

LAMAR SMITH,
BARBARA COMSTOCK,
DONNA F. EDWARDS,

As additional conferees from the Committee on Ways and Means, for consideration of secs. 31101, 31201, and 31203 of the House amendment, and secs. 51101, 51201, 51203, 52101, 52103–05, 52108, 62001, and 74001 of the Senate amendment, and modifications committed to conference:

KEVIN BRADY,
DAVID G. REICHERT,
SANDER LEVIN,

Managers on the Part of the House.

JAMES M. INHOFE,
JOHN THUNE,
ORRIN G. HATCH,
LISA MURKOWSKI,
DEB FISCHER,
JOHN BARRASSO,
JOHN CORNYN,
BARBARA BOXER,
BILL NELSON,
RICHARD J. DURBIN,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 22), to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck all of the House bill after the enacting clause and inserted a substitute text.

The House amendment struck out that matter proposed to be inserted by the Senate amendment and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment that is a substitute for the House bill, the Senate amendment, and the House amendment. The differences between the House bill, the Senate amendment, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

Joint Explanatory Statement of the Committee of the Conference

H.R. 22, Fixing America's Surface Transportation Act (FAST Act) authorizes federal surface transportation programs through fiscal year (FY) 2020. The FAST Act improves our Nation's infrastructure, reforms federal surface transportation programs, refocuses those programs on addressing national priorities, and encourages innovation to make the surface transportation system safer and more efficient.

DIVISION A—SURFACE TRANSPORTATION

TITLE I—FEDERAL-AID HIGHWAYS

Title I of the FAST Act reauthorizes the Federal-aid Highway and highway safety construction programs through FY 2020, establishes new programs to promote the efficient movement of freight and support large-scale projects of national or regional significance, and makes other policy changes and reforms.

Refocuses on National Priorities

The FAST Act focuses on the importance of goods movement to the U.S. economy by establishing a new formula program for highway freight projects, and emphasizes the need to address large-scale projects of national or regional importance by establishing a new competitive grant program, the Nationally Significant Freight and Highway Projects (NSFHP) program. Both programs provide limited eligibility for intermodal and freight rail projects. The Act also modifies the National Highway Freight Network created by the Moving Ahead for Progress in the 21st Century Act (MAP–21), and requires the redesignation of the Network every five years to reflect changes in freight flows, including emerging freight corridors and critical commerce corridors.

The NSFHP program will facilitate the construction of infrastructure projects that are difficult to complete solely using existing federal, state, local, and private funds. Among other purposes, projects supported by this program will reduce the impact of congestion, generate national and regional economic benefits, and facilitate the efficient movement of freight. This program emphasizes the importance of addressing transportation impediments, which significantly slow interstate commerce. Across the country there are significant bottlenecks that could benefit from this program, which would provide substantial grant funding for infrastructure projects.

To address deficient bridges, the FAST Act continues the set-aside for off-system bridges, and expands funding available for on-system bridges located off the National Highway System.

Increases Flexibility

The FAST Act converts the Surface Transportation Program (STP) to a block grant program, maximizing the flexibility of STP for states and local governments. It also increases the amount of STP funding that is distributed to local governments from 50 percent to 55 percent over the life of the bill. The Act provides states and local governments with increased flexibility by rolling

the Transportation Alternatives Program into STP, and allowing 50 percent of certain transportation alternatives funding suballocated to local areas to be used on any STP-eligible project.

The FAST Act expands eligibility for the Transportation Infrastructure Finance and Innovation Act (TIFIA) program by allowing states to use National Highway Performance Program, STP block grant, and NSFHP funds to pay the subsidy and administrative costs associated with providing TIFIA credit assistance.

Streamlines Reviews, Reduces Bureaucracy, & Increases Transparency

The FAST Act streamlines the environmental review and permitting process to accelerate project approvals. The Act includes important reforms to align environmental reviews for historic properties. In addition, it establishes a new pilot program to allow up to five states to substitute their own environmental laws and regulations for the National Environmental Policy Act (NEPA) if the state's laws and regulations are at least as stringent as NEPA. The Act also requires an assessment of previous efforts to accelerate the environmental review process, as well as recommendations on additional means of accelerating the project delivery process in a responsible manner.

The FAST Act increases the transparency of the Federal-aid Highway Program by requiring Federal Highway Administration (FHWA) to provide project-level information to Congress and the public. This information permits monitoring of projects for cost overruns and assists Congress in understanding how states are using their Federal-aid Highway funds.

Promotes Innovative Technologies

The FAST Act provides for the deployment of transportation technologies and congestion management tools that support an efficient and safe surface transportation system. It encourages the installation of vehicle-to-infrastructure equipment to reduce congestion and improve safety.

Focus on Highway Safety

The FAST Act increases the focus on roadway safety infrastructure and on the safety needs of pedestrians. In addition, there is an increase in funding to improve the safety of railway-highway grade crossings.

Additional Provisions

The FAST Act removes a requirement which would have required states to collect superfluous data on unpaved and gravel roads. It also bans the use of funding for automated traffic enforcement systems.

Additional Explanatory Language

The conferees intend that a wide range of freight projects be eligible under the new formula and competitive grant programs, including projects that eliminate freight bottlenecks, use new technologies to improve the efficiency of freight movement, and modify highways to provide additional freight capacity, including by physically separating passenger vehicles from commercial trucks.

The conference report expands the flexibility for the use of Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds for rural states and for the use of CMAQ funds for port-related freight operations and vehicle-infrastructure communications equipment.

The conferees intend that none of the amendments made by section 1308 affect the authority of the U.S. Department of Justice related to an approved state's implementation of NEPA that existed prior to the date of enactment of this Act.

Pursuant to section 1403 of the conference report, conferees intend that additional monies deposited into the Highway Trust Fund by subsequent Acts shall automatically be made available for obligation to states, without further action by Congress. These adjustments to contract authority, which will be distributed among authorized programs in the same manner as set forth in the FAST Act, will ensure that any funding that flows into the Highway Trust Fund can immediately be used to fund necessary surface transportation investments.

TITLE II—INNOVATIVE PROJECT FINANCE

Title II of the FAST Act makes additional modifications to improve access to the TIFIA program and expand leveraging opportunities. Specifically, it updates the TIFIA program to enable it to be better utilized by rural areas and more accessible for small projects. This is accomplished by using the leveraging ability of TIFIA to support state infrastructure banks and allowing the U.S. Department of Transportation (USDOT) to set-aside TIFIA funding in order to replace the fees typically collected from TIFIA borrowers to pay for independent financial analysis and outside counsel for rural projects.

The conference report also directs USDOT to establish a streamlined application process for use by an eligible applicant under certain circumstances. It also makes transit-oriented development projects eligible to apply for TIFIA loans and reinstates the ability of a state to capitalize their state infrastructure bank with their federal-aid highway funds for fiscal years 2016 through 2020.

Lastly, the conference report codifies an existing USDOT practice of allowing costs related to highway projects delivered by a public-private partnership that uses an advance construction authorization coupled with the availability payment concession model to be eligible for federal-aid reimbursement.

TITLE III—PUBLIC TRANSPORTATION

Title III of the FAST Act reauthorizes the programs of the Federal Transit Administration (FTA) through FY 2020 and includes a number of reforms to improve mobility, streamline capital project construction and acquisition, and increase the safety of public transportation systems across the country.

Invests in Public Transportation

The FAST Act provides stable, robust funding for FTA's state and local partners. The five years of predictable formula funding provided by this Act will enable recipients to better manage their long-term capital assets and address the backlog of state of good repair needs. It also includes funding for new competitive grant programs for buses and bus facilities, innovative transportation coordination, frontline workforce training, and public transportation research activities. Overall, the investments made by this Act will promote greater mobility and access to public transportation services throughout the Nation.

Improves Safety

The FAST Act clarifies FTA's safety authority with respect to the oversight of, and responsibilities for, the safe operation of rail fixed guideway public transportation systems. It also requires the Secretary of Transportation (Secretary) to undertake a review of safety standards and protocols and evaluate the need to establish federal minimum public transportation safety standards. Finally, the Act requires the Secretary to promote workforce safety through a rulemaking process.

Promotes Wise Investments

The FAST Act includes a number of reforms to the rolling stock procurement process in an effort to facilitate more cost-effective investments by public transportation agencies. The conferees are aware that one of the biggest challenges to capital asset acquisition, particularly for small and rural public transportation providers, is the high purchasing costs attributable to the relatively small size of the procurement. The Act addresses current purchasing power issues for smaller public transportation providers by supporting cooperative procurements and leasing.

Additional Explanatory Language

The conference report includes language clarifying the program of interrelated projects under the Capital Investment Grant program. The conferees intend to ensure that project sponsors have the option to seek funding for a program that blends new fixed guideway capital projects, core capacity improvement projects, and small start projects as well as a program of projects that are only new fixed guideway capital projects, core capacity improvement projects, or small start projects.

The conferees note the ongoing efforts of the USDOT in coordination with the U.S. Department of Treasury to advance the Build America Investment Initiative (Initiative). This Initiative is intended to increase infrastructure investment and economic growth by engaging with state and local governments and private sector investors to encourage collaboration, expand the market for public-private partnerships and put federal credit programs to greater use. The conferees encourage the USDOT to utilize all available tools, including the National Surface Transportation and Innovative Finance Bureau and the Expedited Project Delivery for Capital Investment Grants Pilot Program established in section 3005(b) for public transportation infrastructure projects.

Section 3005(b) establishes a program for the expedited project delivery of projects utilizing public-private partnerships. The program streamlines the project delivery process for up to eight grants for new fixed guideway capital projects, core capacity improvement projects, or small start projects. The conferees seek to expedite projects that have a federal interest of less than 25 percent. The conferees intend state and local governments, as well as private investors to complete their due diligence for a project prior to their agreement to commit to the project. This pilot program maintains the Secretary's discretion to determine that the eligible project is a part of an approved transportation plan; that the applicant has the legal, financial, and technical capacity to carry out the project; that the project will be supported by a public-private partnership; that the project is supported by an acceptable degree of local financial commitment; and that the project will be operated by existing public transportation providers. The conferees do not intend for public-private partnerships to be a means to privatization, rather the pilot program is intended to ensure that the FTA has all of the tools necessary to allow public transportation infrastructure projects to more effectively leverage public dollars and encourage private investment through an innovative expedited project delivery method.

The conferees expect that all projects receiving funding through this expedited process enter into revenue service. Therefore, the conference report includes a provision specifying that an applicant must repay all federal funds awarded for the project from all

federal funding sources, for all eligible project activities, facilities, and equipment, plus interest and penalty charges allowed by law if a project is not completed. This provision is intended to ensure that all federal interest is protected and returned plus interest if a public-private partnership fails to deliver a project.

Section 3005(b) requires the Secretary to deliver an annual report on expedited project delivery for capital grants. As with full funding grant agreements under section 5309, this pilot program requires each recipient to conduct a before and after study report, with an additional description and analysis of predicted and actual benefits and costs of the innovative project delivery and financing methods.

The conference report includes a provision to promote the local coordination of all transportation services in an area. The purpose of this provision is to ensure that all transportation providers receiving federal assistance coordinate the provision of service to improve mobility for the transportation disadvantaged, achieve service efficiencies, and reduce or eliminate the duplication of transportation services. Section 3006(b) establishes the ''Pilot Program for Innovative Coordinated Access and Mobility'' to provide grants for innovative projects that improve the coordination of transportation services and non-emergency medical transportation, including the deployment of technology. In section 3006(c), the conferees direct the members of the Interagency Transportation Coordinating Council on Access and Mobility (Council) to undertake action to improve local coordination, establish a cost-sharing policy, provide recommendations to Congress on eliminating federal barriers to local coordination, and address recommendations made previously to the Council by the Government Accountability Office (GAO) for member federal agencies.

Section 3011 of the conference report includes a provision to allow rolling stock manufacturers that procure iron and steel produced in the United States, as defined in 49 CFR 661.5(b), to include the cost of that iron and steel in the domestic content calculation made pursuant to section 5323(j)(2)(C), when such iron or steel is used in rolling stock frames and car shells. The conferees intend for this provision to apply to rolling stock frames or car shells, regardless of where they are produced, provided the iron or steel is produced in the United States.

To increase accountability, section 3011 requires the Secretary, upon denial of a Buy America waiver, to issue a written certification that the item is produced in the United States in a sufficient and reasonably available amount, the item is of satisfactory quality, and includes a list of known manufacturers in the United States from which the item can be obtained. This section subsequently requires the Secretary to disclose any waiver denial and subsequent written certification on the website of the USDOT.

The conference report includes a definition of a small purchase to mean a purchase of not more than $150,000 for the application of Buy America requirements in section 5323(j).

Section 3013 provides the Secretary with increased authority to assist public transportation systems with severe safety needs. MAP–21 granted the Secretary permission to take enforcement actions against recipients that are noncompliant with federal transit safety law. The conferees expect the Secretary to utilize this authority to issue directives, require more frequent oversight, impose more frequent reporting requirements, require that formula grant funds be spent to correct safety deficiencies before funds are spent on other projects, withdraw funds from a recipient, and provide direct safety oversight when deemed necessary. In addition, the conferees intend to provide clarification that the FTA's authority extends to each of the states in which a multistate fixed guideway public transportation system operates.

Section 3017 amends FTA's Buses and Bus Facilities grant program to reflect a number of changes. This section allows recipients in a state to pool formula funds to accommodate larger scale procurements. Subsection (b) reinstitutes a competitive grant bus program to address the capital investment needs of public transportation systems across the country. This competitive grant program includes a 10 percent rural set-aside and a limitation that not more than 10 percent of all grant amounts be awarded to a single grantee. States may also submit a statewide application for bus needs to allow the state, rather than the federal government to distribute competitively awarded grant funds.

The conference report also incorporates grants for low or no emission buses and bus facilities, previously included in the research program, into the competitive bus program. The conferees note that these grants are appropriately situated in the bus program and have included language to ensure that any vehicles or facilities financed under this program are ready for full integration into a public transportation system. Additionally, the new low or no emissions buses and bus facilities grant program includes project eligibility for rehabilitating or improving existing public transportation facilities to accommodate low or no emission vehicles to account for such things as retrofitting to include charging stations.

The conferees are aware that one of the biggest challenges to capital asset acquisition, particularly for small and rural public transportation providers, is the high purchasing costs attributable to the relatively small size of the procurement. The conferees intend to address current purchasing power issues for smaller public transportation providers in a variety of ways. First, the conference report includes a provision allowing multiple states and providers to purchase capital assets through cooperative procurements. These procurements allow one state to act as a lead procurement agency in an administrative capacity on behalf of each participant to the contract. These voluntary cooperative procurements will enable providers purchasing similar capital assets to pool their procurement requests, which will increase the size of the request and result in the procurement receiving a more competitive bid from the manufacturers. This provision will not only support the needs of small and rural public transportation providers, but also provide additional purchasing opportunities for large and medium-sized public transportation providers.

In addition, the conference report creates a pilot program to allow up to three geographically diverse nonprofits to host cooperative procurement contracts. These are intended to be separate from the state cooperative purchasing contracts and provide another opportunity for public transportation systems of all sizes to enhance their purchasing options.

Section 3019 of the conference report reduces the barriers for transit agencies to develop and enter into leasing arrangements for public transportation equipment or facilities by removing existing regulatory requirements that have impeded the authority of transit agencies seeking to reduce long-term capital costs. The conference report ensures that the terms of a lease agreement are negotiated by the grantee to best suit their short- and long-term needs.

TITLE IV—HIGHWAY TRAFFIC SAFETY

Title IV of the FAST Act reauthorizes highway traffic safety programs administered by the National Highway Traffic Safety Administration (NHTSA) through FY 2020 and makes several reforms to existing law to help keep drivers, pedestrians, and our roads safer.

Prioritizes Emerging Safety Needs

The FAST Act enables states to spend more funds on the pressing safety needs unique to their states by reallocating unspent National Priority Safety Program funds and increasing the percentage of such funds that can be flexed to each state's traditional safety programs. It also requires the Secretary to study the feasibility of establishing an impairment standard for drivers under the influence of marijuana and provide recommendations on how to implement such a standard. Finally, the Act requires NHTSA to take additional actions to improve awareness of the dangers of drug impaired driving.

Improves Safety

The FAST Act reforms the Impaired Driving Countermeasures, Distracted Driving, and State Graduated Driver License incentive grants to reduce unreasonable barriers to state eligibility, while strengthening incentives for states to adopt laws and regulations to improve highway safety. It encourages states to increase driver awareness of commercial motor vehicles. Finally, the Act creates a state grant to enhance safety for bicyclists, pedestrians, and other non-motorized users.

Additional Explanatory Language

The conferees are concerned about the dangers posed by unsecured loads on non-commercial vehicles. Federal grant funds for state-run safety campaigns raising awareness about the dangers posed by unsecured loads are currently eligible for funding under State Highway Safety Programs (23 U.S.C. 402). Therefore, the conferees encourage states to address unsecured loads the next time they submit their State Highway Safety Program for approval by the Secretary or through other state initiatives.

The conferees are concerned with the number of deaths due to impaired driving. The conference report includes Senate language to create an incentive grant for states that provide a 24–7 sobriety program available for use within a state.

As a condition of receiving grant funds, NHTSA currently requires states to sign certifications and assurances that they comply with applicable statutes and regulations with regard to maintenance of effort requirements. The conference report provides additional flexibility to allow states to certify compliance with maintenance of effort requirements. Therefore, the conferees expect that NHTSA should reasonably defer to state interpretations and analyses that underpin such certifications.

TITLE V—MOTOR CARRIERS

Title V of the FAST Act reauthorizes the programs of the Federal Motor Carrier Safety Administration (FMCSA) through FY 2020 and includes several reforms to improve truck and bus safety, while reducing regulatory burdens.

Improves Safety

The FAST Act incentivizes the adoption of innovative truck and bus safety technologies and accelerates the implementation of safety regulations required by law. The Act also authorizes a new testing method to detect the use of drugs and alcohol by commercial motor vehicle drivers.

Reduces Regulatory Burdens

The FAST Act reforms the regulatory process by requiring FMCSA to use the best available science and data on various segments of the trucking industry when developing rulemakings and by establishing a process under which the public or the motor carrier industry can petition FMCSA to revise or repeal regulations if they are no longer current, consistent, and uniformly enforced. The Act also consolidates nine existing FMCSA grant programs into four and streamlines program requirements to reduce administrative costs and regulatory burdens on states.

Provides Opportunities for Veterans

The FAST Act awards grant priority to programs that train veterans for careers in the trucking industry and reduces regulatory barriers faced by veterans seeking employment as commercial truck and bus drivers. It also establishes a pilot program for younger veterans and reserve members that received training during their service in the military to drive certain commercial motor vehicles in interstate commerce.

Reform of Compliance, Safety, Accountability Program

The FAST Act requires a thorough review and reform of the current enforcement prioritization program to ensure that FMCSA's Compliance, Safety, Accountability analysis is the most reliable possible for the public and for enforcement purposes. Following reviews by the GAO, the U.S. Department of Transportation Inspector General and various law enforcement organizations, the Act requires that FMCSA *analysis* of enforcement data be temporarily removed from public websites on the day after enactment, until the agency has completed reforms required by this Act. Enforcement and inspection data reported by states and enforcement agencies will remain available for public view.

Additional Explanatory Language

Section 5101 requires that states grant maximum reciprocity for inspections conducted using a nationally accepted system that allows ready identification of previously inspected commercial motor vehicles. The conferees believe that decals used to meet this requirement should adhere to design and functional requirements as specified by the Secretary. Section 5101 also provides additional flexibility for states to exercise the ''Right of Entry'' requirement provided by the Motor Carrier Safety Assistance Program to ensure that alternate methods for gaining access to motor carriers can be used to satisfy inspection or enforcement requirements.

The FMCSA has informed the conferees and the conferees agree that nothing in section 5402 authorizes the use of hair testing as an alternative to urine tests until the U.S. Department of Health and Human Services establishes federal standards for hair testing.

The conferees intend section 5501 to be carried out to identify delays experienced by commercial motor vehicle drivers, including during the loading and unloading of goods at shipper and receiver facilities. The conferees do not intend this provision to measure productivity at ports.

Section 5515 requires the Administrator of the FMCSA to conduct a study on the safety effects of a motor carrier operator commuting more than 150 minutes. On June 17, 2014, a tractor-trailer struck a van near Cranbury, New Jersey, killing one person and injuring several others. According to the National Transportation Safety Board, the truck driver had been awake more than 24 hours at the time of the crash. In addition, the Georgia-based driver had driven 12 hours overnight to his job in Delaware before starting his shift. The study shall address the prevalence of long commutes in the industry and the impact on safety.

Conferees expect that the implementation of section 5516 will provide the maximum flexibility possible to re-route longer combination vehicles in the affected state to divided highways, highway facilities designed for freight transportation, or along routes that will enhance overall highway safety.

In implementing section 32934 of MAP–21, FMCSA determined that the language in subsection (b), which ensures that federal transportation funds to a state would ''not be terminated, limited, or otherwise interfered with,'' only applied with respect to the exemptions enumerated in subsection (a) and not with respect to any further exemption or other minimum standard imposed by state law or regulation. Section 5518 clarifies that states which enact laws or regulations that exempt or impose other minimum standards beyond those enumerated in subsection (a) for farm vehicles and the drivers of such vehicles will not lose federal transportation funds. FMCSA reviewed this section and informed the conferees that it will be implemented in the manner described above.

TITLE VI—INNOVATION

Title VI of the FAST Act reauthorizes the programs for the research activities of the USDOT through FY 2020 and includes several provisions to promote innovation and the use and deployment of transportation technologies to address various surface transportation needs.

Invests in Innovation

The FAST Act provides dedicated Highway Trust Fund authorizations to carry out research and development, technology deployment, training and education, intelligent transportation systems activities, grants to University Transportation Centers, and to administer the Bureau of Transportation Statistics (BTS).

Emphasizes Technology

The FAST Act ensures that these programs are implemented and Intelligent Transportation Systems (ITS) are deployed in a technology neutral manner.The Act promotes technology neutral policies that accelerate vehicle and transportation safety research, development and deployment by promoting innovation and competitive market-based outcomes, while using federal funds efficiently and leveraging private sector investment across the automotive, transportation and technology sectors.

Promotes Safety

The FAST Act encourages FHWA and other federal agencies, states, local governments, and stakeholders to examine additional ways that they can safely and expediently drive the adoption, deployment, and delivery of innovative technology and techniques that would enhance the safety and efficiency of the Nation's roadways.

Establishes a Competitive Deployment Program

The FAST Act establishes a competitive advanced transportation and congestion management technologies deployment grant program to promote the use of innovative transportation solutions. The deployment of these technologies will provide Congress and USDOT with valuable real life data and feedback to inform future decision making.

Updates Federal Regulations

The use of transportation technologies by state and local partners is growing, and the FAST Act makes several changes to ensure that federal regulations promote innovation, not stand in its way.

Additional Explanatory Language

The conference report provides for the collection of statistics on port capacity and throughput for the 25 largest ports to be reported annually by the BTS.

The conference report focuses on research for user based alternative revenue mechanisms that preserve a user fee structure to maintain the long-term solvency of the Highway Trust Fund. It is essential that the federal government properly invest in our infrastructure by looking to alternative revenue sources.

The conferees believe that federal, state, and local agencies must be prepared for the future growth and adoption of innovative technologies such as autonomous vehicles and that the ITS program should support research initiatives that are engaged in the research, development, testing, and validation of autonomous vehicle technologies.

Subtitle C of Title V of the Water Resources Reform and Development Act of 2014 (128 Stat. 1332–1345) established the ''Water Infrastructure Finance and Innovation Act'' (WIFIA), a program designed to assist a wide array of water resources infrastructure projects intended to attract private capital, along with state and local public capital, alongside federal investment.Section 1445 of the conference report modifies the WIFIA program to ensure both public and private capital have an equal opportunity to participate, thereby ensuring financing is adequately leveraged. Some have expressed concerns that modifying the prohibition on the use of tax exempt debt financing may inadvertently disadvantage private capital being used in financing projects.The conferees would request that as the Environmental Protection Agency and the US Army Corps of Engineers continue to implement the WIFIA program, the agencies include specifications that will ensure private capital has an equal opportunity to engage in the financing of these projects.

TITLE VII—HAZARDOUS MATERIAL TRANSPORTATION

Title VII of the FAST Act strengthens and advances the safe and efficient movement of hazardous materials through a number of reforms and safety improvements. It also authorizes hazardous materials safety and grant programs for fiscal years 2016 through 2020.

Enhances Emergency Preparedness and Response

The FAST Act reforms an underutilized grant program to get more resources to states and Indian tribes for emergency response, while also granting states more power to decide how to spend their planning and training grants to improve emergency response. It helps better leverage training funding for hazardous materials employees and those enforcing hazardous material regulations.

Streamlines Processes and Creates Certainty and Transparency for Industry

The FAST Act accelerates the administrative process and reduces inefficiencies to create certainty for the hazardous materials industry with special permits and approvals. The Act requires a full review of third-party classification labs to ensure the labs can perform such examinations in a manner that meets the hazardous materials regulations. Furthermore, it allows the Pipelines and Hazardous Materials Safety Administration (PHMSA) to respond more effectively during national emergencies. Finally, it requires PHMSA to withdraw a rulemaking on ''wetlines'' consistent with a GAO study recommending that PHMSA collect more data before proceeding further.

Enhances Information Available to First Responders

The FAST Act requires Class I railroads to generate accurate, real-time, electronic train composition information for first responders through agreements with fusion centers and to provide information about certain flammable liquid shipments to State Emergency Response Commissions (SERCs). It prohibits the withholding of train composition information from first responders in the event of an accident, incident, or emergency. The Act requires the USDOT to establish security and confidentiality protections for the release of any information intended for fusion centers, SERCs, or other authorized persons. It also requires a GAO study on the quality of emergency response information carried by train crews

Improves Tank Car Safety Requirements

The FAST Act enhances safety by requiring new tank cars to be equipped with ''thermal blankets,'' mandating all legacy DOT–111 tank cars in flammable liquids service are upgraded to new retrofit standards regardless of the product shipped, and setting minimum requirements for the protection of certain valves. Further, it requires reporting on the industry-wide progress and capacity to modify DOT–111 tank cars. Finally, the Act requires a derailment test and an independent evaluation to investigate braking technology requirements for the movement of trains carrying certain hazardous materials, and it requires the Secretary to determine, fully incorporating the results of the testing and evaluation, whether recent electronically-controlled pneumatic braking system requirements are justified.

TITLE VIII—MULTIMODAL FREIGHT TRANSPORTATION

Title VIII of the FAST Act focuses attention on the importance of multimodal freight transportation as a foundation for the United States to compete in the global economy. The Act establishes a multimodal freight policy and a national multimodal freight strategic plan and designates a National Multimodal Freight Network to assist states in strategically directing resources and informing freight transportation planning.

The FAST Act encourages each state to establish a freight advisory committee comprised of freight stakeholders to provide input on freight projects and funding needs. Further, states will be required to develop a fiscally-constrained freight plan, either independently or incorporated into the broader transportation planning process.

Additional Explanatory Language

The conferees intend for states to solicit input from a broad range of freight stakeholders in adding mileage to the National Multimodal Freight Network, including critical rural freight corridors. The conferees intend for states to take a strong lead in designating facilities for inclusion in the final National Multimodal Freight Network.

The conferees emphasize the importance of the national strategic freight plan, which will now be multimodal in scope, and, among other things, will assess the conditions and performance of the National Multimodal Freight Network, and develop best practices for improving the performance of the Network, including critical commerce corridors and critical urban and rural access to critical freight corridors.

TITLE IX—NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

Title IX of the FAST Act establishes the National Surface Transportation and Innovative Finance Bureau (Bureau) within USDOT. The Bureau will serves as a one-stop-shop for states and local governments to receive federal financing or funding assistance, as well as technical assistance, in order to move forward with complex surface transportation projects. The Act directs the Bureau to administer the application process for various credit assistance programs and the NSFHP program; promote innovative financing best practices; reduce uncertainty and delays with environmental reviews and permitting; reduce costs and risks to taxpayers in project delivery; and procurement. The Act also gives the Secretary the authority to consolidate or eliminate different offices within USDOT. These targeted improvements are based on previous congressionally initiated reforms, oversight, and USDOT led pilot projects that seek to reduce project delays and maximize taxpayer funding.

Finally, the FAST Act establishes a Council on Credit and Finance (Council) within USDOT. It requires the Council to review applications for various credit assistance programs and the NSFHP program, as appropriate, and then make recommendations to the Secretary about which applications should receive federal financing or funding assistance.

TITLE X—SPORT FISH RESTORATION AND RECREATIONAL BOATING SAFETY

Title X of the FAST Act reauthorizes expenditure authority for the Dingell-Johnson Sport Fish Restoration Act through FY 2020 and reforms grant programs to reduce administrative costs and increase flexibility for states. The Act also provides parity for the Coast Guard by establishing a set-aside for the Service's administrative expenses.

Additional Explanatory Language

The conferees understand that funds provided under section 10001 are sufficient to pay the salaries and expenses of some, but not all, of the personnel whose duties exclusively involve boating safety, but who are currently funded out of the Service's Operating Expenses account. Under the authority provided by section 10002, the conferees expect the Coast Guard to use any additional funds provided under section 10001 to pay only the salaries and expenses of personnel whose duties exclusively involve boating safety.

The majority of the U.S. Fish and Wildlife Service's (USFWS) grants management work with state fish and wildlife agencies occurs at the regional level. As a result, the conferees direct the USFWS to prioritize the use of administrative funds by regional offices to improve grant administration timeliness and responsiveness to state fish and wildlife agencies.

TITLE XI—RAIL

Title XI of the FAST Act reforms Amtrak to improve its business operations and planning; improves rail infrastructure; strengthens freight and passenger rail safety; accelerates project delivery; and leverages innovative rail financing, including potential private sector capital, by reforming an underutilized loan program.

Authorizations

The FAST Act authorizes fiscally-responsible levels for Amtrak, under a new structure that provides separate funding authorizations for the Northeast Corridor and the National Network. It also authorizes three grant programs to help improve the Nation's rail infrastructure to meet the future needs of freight and passenger movement.

Amtrak Reforms

The FAST Act makes significant reforms to the way Amtrak structures its financial reporting and planning functions. This Act aligns these critical functions along Amtrak's core operating business lines. All of Amtrak's financial, business, and asset activities are required to be organized in a way that supports the corporation's major business lines. These provisions will allow Northeast Corridor net operating revenues to be re-invested into the Corridor's substantial capital investment needs, while ensuring Amtrak has the tools and resources needed to efficiently operate its National Network. The Act also creates a State-Supported Route Committee to encourage a more collaborative relationship between states, Amtrak, and USDOT regarding state-supported routes for which states provide financial resources. Finally, the Act encourages non-federal participation in certain elements of Amtrak's system by creating station development opportunities for the private sector; exploring the potential for new revenue streams through right-of-way development; and facilitating the use of local products on Amtrak routes.

Intercity Passenger Rail Policy

The FAST Act includes provisions to improve the Nation's rail infrastructure and its intercity passenger rail service, while ensuring sound use of taxpayer investments in passenger rail projects. The subtitle authorizes a new Consolidated Rail Infrastructure and Safety Improvements grant program to support a broad array of rail projects and activities, using cost-benefit analysis principles for project selection, and repeals duplicative grant programs. It authorizes a Federal-State Partnership for State of Good Repair grant program designed to improve critical rail assets with a backlog of deferred maintenance, such as Northeast Corridor infrastructure. It also authorizes a Restoration and Enhancement Grant program to assist with, on a competitive basis, the initiation or restoration of routes formerly operated by Amtrak, including the rail service discontinued in the wake of Hurricane Katrina. This program is paired with funding for a Gulf Coast Working Group to study the return of this service.

The Act also includes provisions to enhance collaborative capital planning efforts amongst all Northeast Corridor users. The Act creates competitive opportunities for intercity passenger rail routes and strengthens requirements for large capital projects funded with federal dollars. All grant programs are subject to the grant conditions contained in section 24405 of title 49, United States Code.

Rail Safety

The safe movement of goods and people by rail remains the top rail policy priority of

both the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate. The Federal Railroad Administration (FRA) recently reported that fiscal year 2014 was one of the safest years on record, and the agency noted that, since fiscal year 2005, total train accidents have declined by 46 percent, total derailments have declined by 47 percent, and total highway-rail grade crossing incidents have declined by 24 percent. The FAST Act aims to further increase safety.

The FAST Act includes several provisions to improve the safety of highway-rail grade crossings, including grade crossing safety action plans, a private grade crossing study, and an evaluation on the use of locomotive horns at grade crossings. Additionally, the Act includes requirements to strengthen the safety of passenger rail, including locomotive recording devices, speed limit action plans, and locomotive alerters. It also includes a post-accident assessment for the Amtrak accident on May 12, 2015, in Philadelphia, Pennsylvania.

The FAST Act also establishes a process for obtaining a public version of a bridge inspection report, such as a summary form. However, it does not require a railroad to provide, or authorize the FRA to provide, any copy of any bridge inspection report prepared in accordance with section 417 of the Rail Safety Improvement Act of 2008 to any state, political subdivision of a state, or other unauthorized persons.

Project Delivery

Moving projects through the federal review process can be challenging given the number of agencies and entities involved. Subtitle E of this title, the Train, Railroad, and Infrastructure Network Act, streamlines the process for approving rail projects without compromising our historic and natural resources. It does so by applying important provisions already in law for other modes of transportation to rail projects. It directs the Secretary to apply to rail—to the greatest extent feasible—the expedited environmental review procedures already used for highways and transit. It also requires the Secretary to engage in a process to identify additional categorical exclusions used in transportation projects and to propose new and existing exclusions for rail. With respect to historic sites, it preserves existing requirements for important historic sites, such as historic stations, while ensuring expedited delivery of critical improvements to rail infrastructure. It ensures that improvements to certain bridges and tunnels over which common-carrier service has been discontinued or railbanked, but not those bridges and tunnels abandoned from the interstate rail network, are not considered a use of a historic site. This will create an improved and more equitable way for the USDOT to manage federal permitting and reviews for all surface transportation programs, regardless of mode.

Financing

Innovative financing programs are a method to advance major infrastructure. The Railroad Rehabilitation Improvement and Financing (RRIF) program is authorized to provide loans and loan guarantees to railroad projects, ranging from short-line railroad equipment to passenger rail facilities. While this program provides attractive low-interest, long-term financing, it has not been extensively utilized, and its inflexible terms and limited consideration of project-finance style lending features limit its utility to large-scale infrastructure projects. Subtitle F of this title, the Railroad Infrastructure Financing Improvement Act (RIFIA), includes several provisions designed to unlock this program by streamlining USDOT's approval processes; mirroring programmatic features similar to the successful TIFIA program to make RRIF a more flexible lender; and making it easier to develop partnerships that combine RRIF loans with other types of financing, including private financing. It also requires the Secretary to pay back the credit risk premium, with interest, to a borrower that has repaid its RRIF loan, regardless of whether the loan is or was included in a cohort. The intent of this provision is for the Secretary to pay back such credit risk premium, with interest, as soon as feasible but not later than three months after the date of enactment. Finally, subtitle F includes language that modifies general authority to provide direct loans under RRIF to include at least one of the eligible applicants in a joint venture.

H.R. 22, FIXING AMERICA'S SURFACE TRANSPORTATION ACT (FAST ACT)

H.R. 22 EAH	H.R. 22 EAS	Titles	Conference Agreement
		DIVISION A—SURFACE TRANSPORTATION	
1	1	Short title; table of contents	Senate recedes with modifications.
	2		
2	3	Definitions	Senate recedes.
3	4	Effective date	Senate recedes.
4	.....	References	Senate recedes.
		TITLE I—FEDERAL-AID HIGHWAYS	
		Subtitle A—Authorizations and Programs	
1101	11001	Authorization of appropriations	Senate recedes with modifications.
1102	11002	Obligation ceiling	Senate recedes with modifications.
1103	.....	Definitions	Senate recedes.
1104	11003	Apportionment	Senate recedes with modifications.
1105	.....	National highway performance program	Senate recedes.
1106	11004	Surface transportation block grant program	Senate recedes with modifications.
	11014		
1107	35401	Railway-highway grade crossings	Senate recedes.
1108	11011	Highway safety improvement program	Senate recedes with modifications.
	11012		
1109	11013	Congestion mitigation and air quality improvement program	House recedes with modifications.
1110	43001	National highway freight policy	Senate recedes with modifications.
1111	44001	Nationally significant freight and highway projects	Senate recedes with modifications.
	44002		
1112	.....	Territorial and Puerto Rico highway program	Senate recedes.
1113	12101	Federal lands and tribal transportation program	Senate recedes with modifications.
1114	11024	Tribal transportation program amendment	House recedes.
1115	11027	Federal lands transportation program	Senate recedes with modifications.
1116	.....	Tribal transportation self-governance program	Senate recedes.
1117	11020	Emergency relief for federally owned roads	House recedes.
1118	11007	Highway use tax evasion projects	Senate recedes with modifications.
1119	11008	Bundling of bridge projects	Senate recedes.
1120	.....	Tribal High Priority Projects program	House recedes.
1121	11010	Construction of ferry boats and ferry terminal facilities	House recedes.
		Subtitle B—Planning and Performance Management	
1201	11005	Metropolitan transportation planning	House recedes with modifications.
1202	11006	Statewide and nonmetropolitan transportation planning	House recedes with modifications.
		Subtitle C—Acceleration of Project Delivery	
1301	11116	Satisfaction of requirements for certain historic sites	Senate recedes.
1302	.....	Treatment of improvements to rail and transit under preservation requirements	Senate recedes.
1303	.....	Clarification of transportation environmental authorities	Senate recedes.
1304	11117	Bridge exemption from consideration under certain provisions	House recedes.
1305	11103	Efficient environmental reviews for project decisionmaking	Senate recedes with modifications.
	11104		
	11105		
	11106		
1306	11107	Improving transparency in environmental reviews	Senate recedes with modifications.
1307	11108	Integration of planning and environmental review	House recedes with modifications.
	31106		
1308	11109	Development of programmatic mitigation plans	Senate recedes with modifications.
1309	.....	Delegation of authorities	Senate recedes with modifications.
1310	11101	Categorical exclusion for projects of limited Federal assistance	Senate recedes.

H.R. 22, FIXING AMERICA'S SURFACE TRANSPORTATION ACT (FAST ACT)—Continued

H.R. 22 EAH	H.R. 22 EAS	Titles	Conference Agreement
1311	11113 31105	Application of categorical exclusions for multimodal projects	Senate recedes.
1312	11112	Surface transportation project delivery program	Senate recedes with modifications.
1313	.....	Program for eliminating duplication of environmental reviews	Senate recedes with modifications.
1314	12202	Assessment of progress on accelerating project delivery	Senate recedes.
1315	.....	Improving State and Federal agency engagement in environmental reviews	Senate recedes with modifications.
1316	31103 11110	Accelerated decisionmaking in environmental reviews	Senate recedes.
1317	31104	Aligning Federal environmental reviews	Senate recedes with modifications.
.....	31101	Delegation of authority	Senate recedes.
.....	31102	Infrastructure Permitting Improvement Center	Senate recedes.
		Subtitle D—Miscellaneous	
1401	11017 11018 11019	Tolling; HOV facilities; Interstate reconstruction and rehabilitation	Senate recedes with modifications.
1402	.....	Prohibition on the use of funds for automated traffic enforcement	Senate recedes.
1403	11205 34104	Repeat offender criteria	House recedes with modifications.
1404	12204	Highway Trust Fund transparency and accountability	Senate recedes with modifications.
1405	11204	High priority corridors on National Highway System	Senate recedes.
1406	11009	Flexibility for projects	Senate recedes.
1407	11009	Productive and timely expenditure of funds	Senate recedes.
1408	11015	Consolidation of programs	Senate recedes.
1409	11028	Federal share payable	Senate recedes with modifications.
1410	.....	Elimination or modification of certain reporting requirements	Senate recedes.
1411	14001	Technical corrections	Senate recedes with modifications.
1412	12208 14001	Safety for users	Senate recedes.
1413	12208	Design standards	Senate recedes.
1414	.....	Reserve fund	Senate recedes with modifications.
1415	.....	Adjustments	Senate recedes with modifications.
1416	11022	National electric vehicle charging, hydrogen, propane, and natural gas fueling corridors	Senate recedes with modifications.
1417	.....	Ferries	House recedes.
1418	15005	Study on performance of bridges	House recedes.
1419	11207	Relinquishment of park-and-ride lot facilities	Senate recedes.
1420	.....	Pilot program	Senate recedes with modifications.
1421	.....	Innovative project delivery examples	Senate recedes.
1422	15004	Administrative provisions to encourage pollinator habitat and forage on transportation rights-of-way	Senate recedes.
1423	.....	Milk products	Senate recedes.
1424	11203	Interstate weight limits for emergency vehicles	House recedes.
1425	11203	Vehicle weight limitations—Interstate System	Senate recedes with modifications.
1426	.....	New national goal, performance measure, and performance target	House recedes.
1427	11115	Service club, charitable association, or religious service signs	Senate recedes.
1428	.....	Work zone and guard rail safety training	Senate recedes.
1429	.....	Motorcyclist advisory council	Senate recedes with modification.
1431	.....	Highway work zones	Senate recedes with modifications.
1432	.....	Study on State procurement of culvert and storm sewer materials	House recedes.
1433	.....	Use of durable, resilient, and sustainable materials and practices	Senate recedes.
1434	.....	Strategy to address structurally deficient bridges	House recedes.
1435	.....	Sense of Congress	Senate recedes.
1436	.....	Identification of roadside highway safety hardware devices	Senate recedes.
1437	.....	Use of modeling and simulation technology	Senate recedes.
1438	.....	National Advisory Committee on Travel and Tourism Infrastructure	Senate recedes.
1439	.....	Regulation of motor carriers of property	Senate recedes.
1440	.....	Emergency exemptions	Senate recedes with modifications.
1441	.....	Program to assist veterans to acquire commercial driver's licenses	Senate recedes with modifications.
1442	.....	Operation of certain specialized vehicles on certain highways in the State of Arkansas	Senate recedes.
1444	.....	Exemptions from requirements for certain welding trucks used in pipeline industry	Senate recedes.
1443	.....	Projects for public safety relating to idling trains	Senate recedes with modifications.
1445	.....	Waiver	Senate recedes.
1446	.....	Federal authority.	House recedes.
.....	11016	State flexibility for National Highway System modifications	House recedes.
.....	11021	Bridges requiring closure or load restrictions	Senate recedes.
.....	11023	Asset management	House recedes with modifications.
.....	11025	Nationally significant Federal lands and Tribal projects program	House recedes with modifications.
.....	11026	Federal lands programmatic activities	House recedes.
.....	11029	Obligation and release of funds	Senate recedes.
.....	11102	Programmatic agreement template	House recedes.
.....	11110	Adopting of Departmental environmental documents	Senate recedes.
.....	11111	Technical assistance for States	House recedes.
.....	11114	Modernization of the environmental review process	House recedes.
.....	11118	Elimination of barriers to improve at-risk bridges	House recedes.
.....	11119	At-risk project preagreement authority	House recedes.
.....	11201	Credits for untaxed transportation fuels	Senate recedes.
.....	11202	Justification reports for access points on the Interstate System	House recedes.
.....	11206	Vehicle-to-infrastructure equipment	House recedes with modifications.
.....	11208	Transfer and sale of toll credits	Senate recedes.
.....	11209	Regional infrastructure accelerator demonstration program	House recedes.
.....	11210	Sonoran Corridor Interstate development	Senate recedes.
.....	12102	Performance management data support program	House recedes.
.....	12201	Every Day Counts initiative	Senate recedes.
.....	12203	Grant program for achievement in transportation for performance and innovation	Senate recedes.
.....	12205	Report on highway trust fund administrative expenditures	House recedes.
.....	12206	Availability of reports	House recedes.
.....	12207	Performance period adjustment	House recedes.
.....	15001	Appalachian regional development highway system	House recedes.
.....	15002	Appalachian regional development program	House recedes.
.....	15003	Water infrastructure finance and innovation	House recedes.
		TITLE II—INNOVATIVE PROJECT FINANCE	
2001	13001	Transportation Infrastructure Finance and Innovation Act of 1998 amendments	House recedes with modifications.
2002	13001	State infrastructure bank program	House recedes with modifications.
2003	.....	Availability payment concession model	Senate recedes.
2004	.....	Streamlined application process	House recedes with modifications.
		TITLE III—PUBLIC TRANSPORTATION	
3001	21001	Short title	Senate recedes.
3002	21002	Definitions	Senate recedes with modifications.
3003	21003 21004	Metropolitan and statewide transportation planning	House recedes with modifications.
3004	21005	Urbanized area formula grants	Senate recedes with modifications.
3005	21006	Fixed guideway capital investment grants	House recedes with modifications.

H.R. 22, FIXING AMERICA'S SURFACE TRANSPORTATION ACT (FAST ACT)—Continued

H.R. 22 EAH	H.R. 22 EAS	Titles	Conference Agreement
3006	.....	Formula grants for enhanced mobility of seniors and individuals with disabilities	Senate recedes.
3007	21008	Formula grants for rural areas	House recedes with modifications.
3008	21009	Research, development, demonstration, and deployment program	House recedes with modifications.
3009	21012	Human resources and training	House recedes with modifications.
3010	21020	Bicycle facilities	House recedes with modifications.
3011	21013	General provisions	Senate recedes with modifications.
3012	21015	Public transportation safety program	Senate recedes with modifications.
3013	.....	Apportionments	Senate recedes with modifications.
3014	21016	State of good repair grants	Senate recedes with modifications.
3015	21017	Authorizations	House recedes with modifications.
3016	21018	Bus and bus facility grants	Senate recedes with modifications.
3017	.....	Obligation ceiling	Senate recedes with modifications.
3018	21011	Innovative procurement	Senate recedes with modifications.
3019	.....	Review of public transportation safety standards	Senate recedes.
3020	.....	Study on evidentiary protection for public transportation safety program information	Senate recedes with modifications.
3021	21007	Mobility of seniors and individuals with disabilities	Senate recedes with modifications.
3022	.....	Improved transit safety measures	Senate recedes.
3023	.....	Paratransit system under FTA approved coordinated plan	Senate recedes with modifications.
3024	.....	Report on potential of Internet of Things	Senate recedes.
3025	.....	Report on parking safety	Senate recedes with modifications.
3026	.....	Appointment of directors of the Washington Metropolitan Area Transit Authority	Senate recedes.
3027	.....	Effectiveness of public transportation changes and funding	Senate recedes.
3028	.....	Increase support for Growing States	House recedes.
.....	21010	Private sector participation	House recedes.
.....	21014	Project management oversight	House recedes with modifications.
.....	21019	Salary of Federal Transit Administrator	House recedes with modifications.
.....	21020	Technical and conforming amendments	House recedes with modifications.
.....	31108	Authorization of grants for positive train control	House recedes with modifications.
		TITLE IV—HIGHWAY TRAFFIC SAFETY	
4001	34101	Authorization of appropriations	House recedes with modifications.
4002	34102	Highway safety programs	Senate recedes with modifications.
4003	.....	Highway safety research and development	Senate recedes with modifications.
4004	.....	High-visibility enforcement program	Senate recedes with modifications.
4005	34102 34103 34132 34134	National priority safety programs	Senate recedes with modifications.
4006	34122	Stop motorcycle checkpoint funding	House recedes.
4007	.....	Marijuana-impaired driving	Senate recedes.
.....	34106	Increasing public awareness of the dangers of drug-impaired driving	House recedes.
4008	.....	National priority safety program grant eligibility	Senate recedes.
4009	.....	Data collection	Senate recedes with modifications
4010	34141	Technical corrections	Senate recedes.
.....	34105	Study on the national roadside survey of alcohol and drug use by drivers	House recedes.
.....	34121	Short title	Senate recedes.
.....	34131 34133	Barriers to Data Collection Report	House recedes with modifications.
		TITLE V—MOTOR CARRIER SAFETY	
		Subtitle A—Motor Carrier Safety Grant Consolidation	
5101	32502	Grants to States	Senate recedes with modifications.
5102	32504	Performance and registration information systems management	Senate recedes.
5103	32505	Authorization of appropriations	Senate recedes with modifications.
5104	32506	Commercial driver's license program implementation	Senate recedes.
5105	32507	Extension of Federal motor carrier safety programs for fiscal year 2016	Senate recedes with modifications.
5106	32508	Motor carrier safety assistance program allocation	Senate recedes with modifications.
5107	32509	Maintenance of effort calculation	Senate recedes.
.....	32501	Definitions	Senate recedes.
		Subtitle B—Federal Motor Carrier Safety Administration Reform *Part I—Regulatory Reform*	
5201	32603	Notice of cancellation of insurance	Senate recedes.
5202	32305	Regulations	Senate recedes with modifications.
5203	32303	Guidance	Senate recedes with modifications.
5204	32304	Petitions	Senate recedes with modifications.
.....	32201	Petitions for regulatory relief	House recedes with modifications.
.....	32202	Inspector standards	House recedes.
		Part II—Compliance, Safety, Accountability Reform	
5221	32001	Correlation study	Senate recedes with modifications.
5222	32002	Beyond compliance	Senate recedes with modifications.
5223	32003	Data certification	Senate recedes with modifications.
5224	.....	Interim hiring standard	House recedes.
.....	32004	Data improvement	House recedes.
.....	32005	Accident report information	House recedes with modifications.
		Subtitle C—Commercial Motor Vehicle Safety	
5301	32301	Update on statutory requirements	House recedes with modifications.
5302	32601	Windshield technology	House recedes.
5303	32302	Prioritizing statutory rulemakings	Senate recedes with modifications.
5304	.....	Safety reporting system	Senate recedes.
5305	32503	New entrant safety review program	Senate recedes.
5306	32201	Ready mixed concrete trucks	House recedes.
.....	32006	Post-accident report review	House recedes with modifications
.....	32007	Recognizing excellence in safety	Senate recedes.
.....	32008	High risk carrier reviews	House recedes.
		Subtitle D—Commercial Motor Vehicle Drivers	
5401	.....	Opportunities for veterans	Senate recedes with modification.
5402	32611	Drug-free commercial drivers	Senate recedes.
5403	.....	Certified medical examiners	House recedes.
5404	32403	Commercial driver access	House recedes with modifications.
5405	.....	Veterans expanded trucking opportunities	Senate recedes with modifications.
		Subtitle E—General Provisions	
5501	.....	Minimum financial responsibility	Senate recedes with modifications.
5502	.....	Delays in goods movement	Senate recedes.
5503	.....	Report on motor carrier financial responsibility	Senate recedes with modifications.

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H.R. 22 EAH	H.R. 22 EAS	Titles	Conference Agreement
5504	32401	Emergency route working group	Senate recedes.
5505	32606	Household goods consumer protection working group	Senate recedes with modifications.
5506	32203	Technology improvements	Senate recedes with modifications.
5507	.....	Notification regarding motor carrier registration	Senate recedes.
5508	.....	Report on commercial driver's license skills test delays	Senate recedes with modifications.
5509	.....	Covered farm vehicles	Senate recedes.
5510	.....	Operators of hi-rail vehicles	Senate recedes with modifications.
5511	32602	Electronic logging device requirements	Senate recedes.
5512	.....	Technical corrections	Senate recedes.
5513	.....	Automobile transporter	Senate recedes.
5514	.....	Ready mix concrete delivery vehicles	Senate recedes.
5515	.....	Safety study regarding double-decker motorcoaches	Senate recedes with modifications.
5516	.....	Transportation of construction materials and equipment.	Senate recedes.
5517	.....	Commercial delivery of light- and medium-duty trailers	Senate recedes.
5518	32610	GAO Review of school bus safety	Senate recedes.
.....	32402	Additional State Authority	House recedes with modifications.
.....	32604	Access to National Driver Register	House recedes.
.....	32605	Study on Commercial Motor Vehicle Driver Commuting	House recedes with modifications.
.....	32607	Interstate Van Operations	Senate recedes.
.....	32608	Report on Design and Implementation of Wireless Roadside Inspection Systems	House recedes with modifications.
.....	32609	Motorcoach Hours of Service Study	Senate recedes.
		TITLE VI—INNOVATION	
6001	.....	Short title	Senate recedes.
6002	.....	Authorization of appropriations	Senate recedes with modifications.
6003	12002	Advanced transportation and congestion management technologies deployment	Senate recedes with modifications.
6004	.....	Technology and innovation deployment program	Senate recedes with modifications.
6005	.....	Intelligent transportation system goals	Senate recedes with modifications.
6006	.....	Intelligent transportation system program report	Senate recedes.
6007	.....	Intelligent transportation system national architecture and standards	Senate recedes.
6008	.....	Communication systems deployment report	Senate recedes.
6009	.....	Infrastructure development	Senate recedes with modifications.
6010	31207	Departmental research programs	Senate recedes.
6011	31207	Research and Innovative Technology Administration	Senate recedes.
6012	31208	Office of Intermodalism	Senate recedes.
6013	.....	University transportation centers	Senate recedes.
6014	31206	Bureau of Transportation Statistics independence	House recedes.
6015	12004	Surface transportation system funding alternatives	Senate recedes.
6016	12003	Future interstate study	Senate recedes with modifications.
6017	.....	Highway efficiency	Senate recedes with modifications.
6018	.....	Motorcycle safety	House recedes.
6019	.....	Hazardous materials research and development	Senate recedes.
6020	.....	Web-based training for emergency responders	Senate recedes.
6021	.....	Transportation technology policy working group	Senate recedes with modifications.
6022	.....	Collaboration and support	Senate recedes.
6023	.....	Prize competitions	House recedes.
6024	.....	GAO report	Senate recedes.
6025	.....	Intelligent transportation system purposes	Senate recedes.
6026	12001	Infrastructure integrity	No agreement.
6027	31203	Consolidated research prospectus and strategic plan	House recedes with modifications.
6028	.....	Traffic congestion	Senate recedes with modifications.
6029	.....	Rail safety	House recedes.
6030	.....	Study and report on reducing the amount of vehicles owned by certain Federal departments and increasing the use of commercial ride-sharing by those departments.	House recedes.
.....	12001	Research, technology, and education	Senate recedes.
.....	31201	Findings	House recedes with modifications.
.....	31202	Modal research plans	House recedes with modifications.
.....	31204	Research Ombudsman	Senate recedes.
.....	31205	Smart cities transportation planning study	House recedes with modifications.
.....	31301	Short title	Senate recedes.
.....	31302	Findings	Senate recedes.
.....	31303	Port performance freight statistics program	House recedes with modifications.
		TITLE VII—HAZARDOUS MATERIALS TRANSPORTATION	
7001	.....	Short title: Hazardous Materials Safety and Improvement Act of 2015	Senate recedes.
		Subtitle A—Authorizations	
7002	33105	Authorization of appropriations	Senate recedes with modifications.
		Subtitle B—Hazardous Material Safety and Improvement	
7003	33104	National emergency and disaster response	Senate recedes.
7009	.....	Motor carrier safety permits	Senate recedes.
7008	.....	Improving the effectiveness of planning and training grants	Senate recedes with modifications.
7006	.....	Improving publication of special permits and approvals	Senate recedes with modifications.
7004	33102	Enhanced reporting	Senate recedes.
7005	.....	Wetlines	Senate recedes.
7007	.....	GAO study on acceptance of classification examinations	Senate recedes with modifications.
7018	33101	Hazardous materials endorsement exemption	Senate recedes.
		Subtitle C—Safe Transportation of Class 3 Flammable Liquids By Rail	
.....	.....	Community Safety Grants	Senate recedes with modifications
7012	35431	Real-time emergency response information	House recedes with modifications.
.....	35408	Emergency response	House recedes with modifications.
7015	.....	Phase-out of all tank cars used to transport Class 3 flammable liquids	Senate recedes with modifications.
7010	35432	Thermal blankets	Senate recedes.
7017	.....	Minimum requirements for top fittings protection for class DOT–117R tank cars	Senate recedes.
7011	35433	Rulemaking oil spill response plans	Senate recedes with modifications.
.....	35438	Modification reporting	House recedes with modifications.
.....	35439	Report on crude oil characteristics research study	House recedes with modifications.
7019	35434	Hazardous materials by rail liability study	House recedes with modifications.
7013	35435	Study and testing of electronically controlled pneumatic brakes	Senate recedes with modifications.
7014	.....	Study on the efficacy and implementation of the European Train Control System	House recedes.
.....	33103	Hazardous material information	Senate recedes.

H.R. 22, FIXING AMERICA'S SURFACE TRANSPORTATION ACT (FAST ACT)—Continued

H.R. 22 EAH	H.R. 22 EAS	Titles	Conference Agreement
		TITLE VIII—MULTIMODAL FREIGHT TRANSPORTATION	
8001	41001 41002 41003 42001 42002 42003 42004	Mulitmodal freight transportation	Senate recedes with modifications.
.....	42005	Savings provision	House recedes with modifications.
		TITLE IX—NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU	
9001	.....	National Surface Transportation and Innovative Finance Bureau	Senate recedes with modifications.
9002	.....	Council on Credit and Finance	Senate recedes with modifications.
		TITLE X—SPORT FISH RESTORATION AND RECREATIONAL BOATING SAFETY	
10001	15006	Allocations	Senate recedes with modifications.
10002	.....	Recreational boating safety	Senate recedes with modifications.
		TITLE XI—RAIL	
1*	35001 35501 35601	Short Titles and table of contents	Senate recedes with modifications.
		Subtitle A—Authorizations	
101	35101	Authorization of grants to Amtrak	Senate recedes with modifications.
102	35104	Authorization of appropriations for Amtrak Office of Inspector General	House recedes with modifications.
104	35002	Definitions	Senate recedes with modifications.
501			
502			
103	.....	National infrastructure investments	House recedes.
.....	35103	Authorization of appropriations for National Transportation Safety Board rail investigations	Senate recedes.
.....	35102	National Infrastructure Investments	Senate recedes.
.....	35105	National cooperative rail research programs	Senate recedes.
		Subtitle B—Amtrak Reforms	
201	35201	Accounts	Senate recedes with modifications.
201	35201	Amtrak Grant Process	House recedes with modifications.
202	35202	5-year business line and assets plans	House recedes with modifications.
203	35203	State-supported route committee	House recedes with modifications.
.....	35213	Amtrak board of directors	House recedes with modifications.
204	35204	Route and Service Planning Decisions	Senate recedes with modifications.
206	35207	Food and beverage reform	Senate recedes.
201	35206	Rolling stock purchases	House recedes with modifications.
.....	35208	Local products and promotional events	House recedes.
210	35212	Amtrak pilot program for passengers transporting domesticated cats and dogs	Senate recedes with modifications.
207	35209	Right-of-way leveraging	Senate recedes with modifications.
208	35210	Station Development	House recedes with modifications.
211	35214	Amtrak boarding procedures	Senate recedes with modifications.
209	35211	Amtrak debt	House recedes.
202	35202	Elimination of duplicative reporting	Senate recedes.
		Subtitle C—Intercity Passenger Rail Policy	
.....	35421	Consolidated rail infrastructure and safety improvements	House recedes with modifications.
301	35302	Federal-state partnership for state of good repair	Senate recedes with modifications.
.....	35301	Restoration and Enhancement Grants	House recedes with modifications.
306	35305	Gulf coast rail service working group	House recedes with modifications.
201	35308	Northeast Corridor Commission	House recedes with modifications.
205	35205	Competition	House recedes with modifications.
.....	35311	Performance-based proposals	House recedes with modifications.
304	35303	Large capital project requirements	Senate recedes with modifications.
305	35304	Small business participation study	Senate recedes with modifications.
.....	35307	Shared-use study	House recedes with modifications.
.....	35309	Northeast Corridor through-ticketing and procurement efficiencies	House recedes with modifications.
.....	35310	Data and analysis	House recedes with modifications.
.....	35312	Amtrak Inspector General	House recedes with modifications.
307	36313	Miscellaneous Provisions	Senate recedes with modifications.
.....	35414	Technical and conforming amendments	House recedes with modifications.
302	.....	RRIF Improvements	House recedes.
303	.....	NEC Fast Forward	House recedes.
.....	35306	Integrated passenger rail study	Senate recedes.
		Subtitle D—Rail Safety	
503	35401	Highway-rail grade crossing safety	House recedes with modifications.
.....	35409	Private highway-rail grade crossings	House recedes with modifications.
504	35415	GAO study on use of locomotive horns at highway-rail grade crossings	House recedes with modifications.
.....	35444	Positive Train Control at grade crossings effectiveness study	House recedes with modifications.
.....	35416	Bridge inspection reports	House recedes with modifications.
.....	35402	Speed limit action plans	House recedes with modifications.
.....	35404	Alerters	House recedes.
.....	35405	Signal protection	House recedes with modifications.
.....	35407	Commuter rail track inspections	House recedes with modifications.
.....	35413	Post-accident assessment	House recedes.
.....	35436	Recording devices	House recedes with modifications.
.....	35411	Railroad police officers	House recedes with modifications.
.....	35410	Repair and replacement of damaged track	House recedes with modifications.
7016	.....	Track safety: Vertical Track Deflection	Senate recedes with modifications.
.....	35437	Rail passengers liability	House recedes with modifications.
.....	35403	Signage	Senate recedes.
.....	35406	Technology implementation plans	Senate recedes.
.....	35412	Operation Deep Dive	Senate recedes.
		Senate Part IV—Positive Train Control	
.....	35441	Coordination of Spectrum	Senate recedes.
.....	35442	Updated plans	Senate recedes.
.....	35443	Early adoption and interoperability	Senate recedes.

H.R. 22, FIXING AMERICA'S SURFACE TRANSPORTATION ACT (FAST ACT)—Continued

H.R. 22 EAH	H.R. 22 EAS	Titles	Conference Agreement
		Subtitle E—Project Delivery	
.....	35501	Short title: Train, Railroad and Infrastructure Network (TRAIN) Act	House recedes.
1302	35502	Treatment of improvements to rail under preservation requirements	Senate recedes.
401	35503	Efficient environmental reviews	House recedes with modifications.
402	35505	Railroad rights-of-way	House recedes with modifications.
.....	35507	Protections for existing agreements and NEPA	House recedes.
402	35502	Preservation of public lands	Senate recedes.
.....	35504	Advance acquisition	Senate recedes.
.....	35506	Savings clause	Senate recedes.
		Subtitle F—Finance	
.....	35601	Short Title, References	House recedes with modifications.
.....	35602	Definitions	House recedes with modifications.
.....	35603	Eligible applicants	House recedes with modifications.
.....	35604	Eligible purposes	House recedes with modifications.
.....	35605	Program administration	House recedes with modifications.
.....	35606	Loan terms and repayment	House recedes with modifications.
.....	35607	Credit risk premiums	House recedes with modifications.
.....	35608	Master credit agreements	House recedes with modifications.
.....	35609	Priorities and conditions	House recedes with modifications.
.....	35610	Savings provision	House recedes with modifications.
303	.....	Reporting on leveraging RRIF	Senate recedes with modifications.

*House section numbers for Title XI correspond to H.R. 749, Passenger Rail Reform and Investment Act (EH).

DIVISION B—COMPREHENSIVE TRANSPORTATION AND CONSUMER PROTECTION ACT OF 2015

The Motor Vehicle Safety Title of the conference report includes numerous provisions intended to improve vehicle and roadway safety over the next five years and into the future. The incorporated provisions establish a means of reducing fatalities, injuries, and the associated economic and societal costs resulting from motor vehicle defects and roadway accidents. Specifically, the Title would modernize and improve the National Highway Traffic Safety Administration (NHTSA) by improving the vehicle safety recall processes, enhancing agency transparency, and increasing efficiency in current regulatory processes. The Title would also increase accountability among automakers and other stakeholders in the automotive industry, promote entrepreneurship and innovation within the automotive industry, and foster greater attention to vehicle safety issues from both automakers and regulators.

To modernize and enhance transparency at NHTSA, the Title includes good-government provisions that would require the agency to submit an annual agenda to Congress on its activities for the upcoming year and authorizes additional funding for NHTSA's vehicle safety program if the agency implements recommendations made by the Department of Transportation Inspector General to improve the agency's efficacy.

The Title also incentivizes the development and utilization of new crash avoidance technologies that can help reduce the severity of accidents, or prevent accidents altogether. It also directs a study on unattended children warning systems. One section directs NHTSA to update standards related to Tire Pressure Monitoring Systems. This section should not be interpreted as precluding the use of indirect tire pressure monitoring systems or technologies. Both the House and the Senate have been informed that NHTSA has not identified any safety concerns with the indirect systems currently in use in the United States. The Title also requires NHTSA to promulgate a rule for registration of tires sold by independent retailers.

To improve the motor vehicle safety recall process, the Title expands the availability and accessibility of vehicle safety recall information to consumers and establishes a pilot grant program for States to notify consumers of vehicle recalls. These provisions are intended to help improve recall awareness among motorists and encourage quick repair of defective vehicles. In addition to these provisions, the Safety Title incentivizes dealers to check for open recalls at the time of service for all patrons and requires rental car companies to ground vehicles that are subject to an open safety recall until they are fixed. The rental car safety provision contains a rule of construction stating that this section should not be construed to create or increase liability under State and local law for damages related to the commercial loss of use of a recalled rental vehicle pending completion of the recall remedy. To encourage future adoption of direct vehicle notification of open recalls, the Title also includes a study on the feasibility of such technology.

The Safety Title includes a provision addressing regulatory parity between electric and natural gas vehicles. This provision would modify the manner in which the fuel economy of natural gas dual-fueled vehicles is calculated, beginning in 2016, so as to more closely match the way it is done for electric vehicles.

An essential part of improving vehicle and roadway safety is increasing accountability among automotive companies. To that end, the Safety Title extends the time period for automakers to pay for defect remedies from 10 years to 15 years; it extends the period companies must retain safety records from 5 years to 10 years; and increases the maximum cap on civil penalties for violations of motor vehicle safety standards and laws from $35 million to $105 million upon NHTSA's certification that its final rule on civil penalty factors has been completed. These provisions reflect the greater longevity of cars on the road and will prompt NHTSA and automakers to identify safety issues earlier so that recalls can be issued to ensure that motor vehicle owners can have the necessary repairs made as quickly as possible. The Title also broadens a company's recall obligations in the event of bankruptcy and increases corporate responsibility for documents submitted to NHTSA. It also incentivizes industry employees to come forward with original information about possible motor vehicle safety violations by allowing the Secretary of Transportation to pay awards from a portion of recovered sanctions.

Entrepreneurship and experimentation within the manufacturing sector are also essential components to the automotive industry's development. To promote sustained growth and ingenuity within the low-volume manufacturing industry, the Safety Title includes a section that creates a framework for low-volume manufacturers to produce replica vehicles. One section directs the manufacturer of the engine installed within replica vehicles to provide instructions to the EPA Administrator and the vehicle manufacturer explaining how to install the engine and maintain its functionality such that it complies with certain environmental laws and regulations. While the instructions must be submitted to the Administrator, nothing in the legislative language contemplates an approval process by the EPA Administrator. Further, this provision explicitly preserves state registration and licensing authorities over the use of such vehicles.

DIVISION C—FINANCE

Tax Complexity Analysis

Section 4022(b) of the Internal Revenue Service Restructuring and Reform Act of 1998 (the 'IRS Reform Act') requires the staff of the Joint Committee on Taxation (in consultation with the Internal Revenue Service and the Treasury Department) to provide a tax complexity analysis. The complexity analysis is required for all legislation reported by the Senate Committee on Finance, the House Committee on Ways and Means, or any committee of conference if the legislation includes a provision that directly or indirectly amends the Internal Revenue Code and has widespread applicability to individuals or small businesses.

Pursuant to clause 11(a) of rule XXII of the Rules of the House of Representatives, the staff of the Joint Committee on Taxation has determined that a complexity analysis is not required under section 4022(b) of the IRS Reform Act because the bill contains no provisions that amend the Code and that have 'widespread applicability' to individuals or small businesses, within the meaning of the rule.

TITLE XXXI—HIGHWAY TRUST FUND AND RELATED TAXES

Extension of Highway Trust Fund Expenditure Authority (sec. 51101 of the Senate amendment, sec. 31101 of the House amendment, sec. 31101 of the conference agreement, and secs. 9503, 9504, and 9508 of the Code)[1]

Present Law Highway Trust Fund Expenditure Provisions In general

Under present law, revenues from the highway excise taxes, as imposed through October 1, 2016, generally are dedicated to the Highway Trust Fund. Dedication of excise tax revenues to the Highway Trust Fund and expenditures from the Highway Trust Fund are governed by the Code.[2] The Code authorizes expenditures (subject to appropriations) from the Highway Trust Fund through December 4, 2015, for the purposes provided in authorizing legislation, as such legislation was in effect on the date of enactment of the Surface Transportation Extension Act of 2015, Part II.

Highway Trust Fund expenditure purposes

The Highway Trust Fund has a separate account for mass transit, the Mass Transit Account.[3] The Highway Trust Fund and the Mass Transit Account are funding sources for specific programs.

Highway Trust Fund expenditure purposes have been revised with each authorization Act enacted since establishment of the Highway Trust Fund in 1956. In general, expenditures authorized under those Acts (as the Acts were in effect on the date of enactment of the most recent such authorizing Act) are specified by the Code as Highway Trust Fund expenditure purposes. The Code provides that the authority to make expenditures from the Highway Trust Fund expires after December 4, 2015. Thus, no Highway Trust Fund expenditures may occur after December 4, 2015, without an amendment to the Code.

Section 9503 of the Code appropriates to the Highway Trust Fund amounts equivalent to the taxes received from the following: the taxes on diesel, gasoline, kerosene and special motor fuel, the tax on tires, the annual heavy vehicle use tax, and the tax on the retail sale of heavy trucks and trailers.[4] Section 9601 provides that amounts appropriated to a trust fund pursuant to sections 9501 through 9511, are to be transferred at least monthly from the General Fund of the Treasury to such trust fund on the basis of estimates made by the Secretary of the Treasury of the amounts referred to in the Code section appropriating the amounts to such trust fund. The Code requires that proper adjustments be made in amounts subsequently transferred to the extent prior estimates were in excess of, or less than, the amounts required to be transferred.

SENATE AMENDMENT

The expenditure authority for the Highway Trust Fund is extended through September 30, 2021. The Code provisions governing the purposes for which monies in the Highway Trust Fund may be spent are updated to include the reauthorization bill, the DRIVE Act.[5]

Effective date.—The provision is effective on August 1, 2015.

HOUSE AMENDMENT

The expenditure authority for the Highway Trust Fund is extended through September 30, 2021. The Code provisions governing the purposes for which monies in the Highway Trust Fund may be spent are updated to include the reauthorization bill, the Surface Transportation and Reauthorization and Reform Act of 2015.[6]

Effective date.—The provision is effective November 21, 2015.

CONFERENCE AGREEMENT

The conference agreement provides for expenditure authority through September 30, 2020.[7] The Code provisions governing the purposes for which monies in the Highway Trust Fund may be spent are updated to include the conference agreement bill, the FAST Act.

Extension of Highway-Related Taxes (sec. 51102 of the Senate amendment, sec. 31102 of the House amendment, sec. 31102 of the conference agreement, and secs. 4041, 4051, 4071, 4081, 4221, 4481, 4483, and 6412 of the Code)

Present Law Highway Trust Fund Excise Taxes In general

Six separate excise taxes are imposed to finance the Federal Highway Trust Fund program. Three of these taxes are imposed on highway motor fuels. The remaining three are a retail sales tax on heavy highway vehicles, a manufacturers' excise tax on heavy vehicle tires, and an annual use tax on heavy vehicles. A substantial majority of the revenues produced by the Highway Trust Fund excise taxes are derived from the taxes on motor fuels. The annual use tax on heavy vehicles expires October 1, 2017. Except for 4.3 cents per gallon of the Highway Trust Fund fuels tax rates, the remaining taxes are scheduled to expire after October 1, 2016. The 4.3-cents-per-gallon portion of the fuels tax rates is permanent.[8] The six taxes are summarized below.

Highway motor fuels taxes

The Highway Trust Fund motor fuels tax rates are as follows:[9]

Gasoline	18.3 cents per gallon.
Diesel fuel and kerosene	24.3 cents per gallon.
Alternative fuels	18.3 or 24.3 cents per gallon generally.[10]

Non-fuel Highway Trust Fund excise taxes

In addition to the highway motor fuels excise tax revenues, the Highway Trust Fund receives revenues produced by three excise taxes imposed exclusively on heavy highway vehicles or tires. These taxes are:

A 12-percent excise tax imposed on the first retail sale of heavy highway vehicles, tractors, and trailers (generally, trucks having a gross vehicle weight in excess of 33,000 pounds and trailers having such a weight in excess of 26,000 pounds);[11]

An excise tax imposed on highway tires with a rated load capacity exceeding 3,500 pounds, generally at a rate of 0.945 cents per 10 pounds of excess;[12] and

An annual use tax imposed on highway vehicles having a taxable gross weight of 55,000 pounds or more.[13] (The maximum rate for this tax is $550 per year, imposed on vehicles having a taxable gross weight over 75,000 pounds.)

The taxable year for the annual use tax is from July 1st through June 30th of the following year. For the period July 1, 2016, through September 30, 2016, the amount of the annual use tax is reduced by 75 percent.[14]

SENATE AMENDMENT

Present-law taxes are generally extended through September 30, 2023. The heavy vehicle use tax is extended through September 30, 2024.

Effective date.—The provision is effective on October 1, 2016.

HOUSE AMENDMENT

Present-law taxes are generally extended through September 30, 2023. The heavy vehicle use tax is extended through September 30, 2024.

Effective date.—The provision is effective October 1, 2016.

CONFERENCE AGREEMENT

The conference agreement generally extends present-law taxes through September 30, 2022. The heavy vehicle use tax is extended through September 30, 2023.

Effective date.—The provision is effective October 1, 2016.

Additional Transfers to the Highway Trust Fund (sec. 31201 of the House amendment, sec. 51201 of the Senate amendment, sec. 31201 of the conference agreement, and sec. 9503 of the Code)

PRESENT LAW

Public Law No. 110–318, ''an Act to amend the Internal Revenue Code of 1986 to restore the Highway Trust Fund balance'' transferred, out of money in the Treasury not otherwise appropriated, $8,017,000,000 to the Highway Trust Fund effective September 15, 2008. Public Law No. 111–46, ''an Act to restore sums to the Highway Trust Fund and for other purposes,'' transferred, out of money in the Treasury not otherwise appropriated, $7 billion to the Highway Trust Fund effective August 7, 2009. The Hiring Incentives to Restore Employment Act transferred, out of money in the Treasury not otherwise appropriated, $14,700,000,000 to the Highway Trust Fund and $4,800,000,000 to the Mass Transit Account in the Highway Trust Fund.[15] The HIRE Act provisions generally were effective as of March 18, 2010. Moving Ahead for Progress in the 21st Century

[1] Except where otherwise stated, all section references are to the Internal Revenue Code of 1986, as amended (the ''Code''). All references to the House amendment refer to the House Amendment to the Senate Amendment to H.R. 22 (the ''DRIVE Act''), the Surface Transportation Reauthorization and Reform Act of 2015, as passed by the House of Representatives on November 5, 2015.

[2] Sec. 9503. The Highway Trust Fund statutory provisions were placed in the Internal Revenue Code in 1982.

[3] Sec. 9503(e)(1).

[4] Sec. 9503(b)(1).

[5] The provision also updates the Code provisions governing the Leaking Underground Storage Tank Trust Fund, and the Sport Fish Restoration and Boating Trust Fund.

[6] The provision also updates the Code provisions governing the Leaking Underground Storage Tank Trust Fund, and the Sport Fish Restoration and Boating Trust Fund.

[7] Cross-references to the reauthorization bill in the Code provisions governing the Sport Fish Restoration and Boating Trust Fund are also updated to include the conference agreement bill. In addition the date references in the Code provisions governing the Leaking Underground Storage Tank Trust Fund, and the Sport Fish Restoration and Boating Trust Fund are also updated.

[8] This portion of the tax rates was enacted as a deficit reduction measure in 1993. Receipts from it were retained in the General Fund until 1997 legislation provided for their transfer to the Highway Trust Fund.

[9] Secs. 4081(a)(2)(A)(i), 4081(a)(2)(A)(iii), 4041(a)(2), 4041(a)(3), and 4041(m). Some of these fuels also are subject to an additional 0.1-cent-per-gallon excise tax to fund the Leaking Underground Storage Tank Trust Fund (secs. 4041(d) and 4081(a)(2)(B)).

[10] See secs. 4041(a)(2), 4041(a)(3), and 4041(m).

[11] Sec. 4051.

[12] Sec. 4071.

[13] Sec. 4481.

[14] Sec. 4482(c)(4) and (d).

[15] The Hiring Incentives to Restore Employment Act (the ''HIRE'' Act), Pub. L. No. 111–147, sec. 442.

(''MAP–21'')[16] provided that, out of money in the Treasury not otherwise appropriated, the following transfers were to be made from the General Fund to the Highway Trust Fund:

	FY 2013	FY 2014
Highway Account	$6.2 billion	$10.4 billion
Mass Transit Account		$2.2 billion

MAP–21 also transferred $2.4 billion from the Leaking Underground Storage Tank Trust Fund to the Highway Account in the Highway Trust Fund. The Highway and Transportation Funding Act of 2014 transferred $7.765 billion from the General Fund to the Highway Account of the Highway Trust Fund, $2 billion from the General Fund to the Mass Transit Account of the Highway Trust Fund, and $1 billion from the Leaking Underground Storage Tank Trust Fund to the Highway Account of the Highway Trust Fund.[17] Signed into law on July 30, 2015, the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 transferred $6.068 billion from the General Fund to the Highway Account of the Highway Trust Fund and $2 billion from the General Fund to the Mass Transit Account of the Highway Trust Fund.

SENATE AMENDMENT

The Senate amendment provides that out of money in the Treasury not otherwise appropriated, the following transfers are to be made from the General Fund to the Highway Trust Fund: $34,401,000,000 to the Highway Account and $11,214,000,000 to the Mass Transit account.

Effective date.—The provision is effective on the date of enactment.

HOUSE AMENDMENT

The House amendment provides that out of money in the Treasury not otherwise appropriated, the following transfers are to be made from the General Fund to the Highway Trust Fund: $25,976,000,000 to the Highway Account and $9 billion to the Mass Transit account.

Effective date.—The provision is effective on the date of enactment.

CONFERENCE AGREEMENT

The conference agreement provides that out of money in the Treasury not otherwise appropriated, the following transfers are to be made from the General Fund to the Highway Trust Fund: $51,900,000,000 to the Highway Account and $18,100,000,000 to the Mass Transit account.

Effective date.—The provision is effective on the date of enactment.

Transfer to Highway Trust Fund of Certain Motor Vehicle Safety Penalties (sec. 51202 of the Senate amendment, sec. 31202 of the House amendment, sec. 31202 of the conference agreement, and section 9503 of the Code)

PRESENT LAW

Present law imposes certain civil penalties related to violations of motor vehicle safety.

SENATE AMENDMENT

The provision deposits the civil penalties related to motor vehicle safety in the Highway Trust Fund instead of in the Treasury's General Fund.

Effective date.—The provision is effective for amounts collected after the date of enactment.

HOUSE AMENDMENT

The House amendment is the same as the Senate amendment.

CONFERENCE AGREEMENT

The conference agreement follows the House amendment and Senate amendment.

Appropriation From Leaking Underground Storage Tank Trust Fund (sec. 51203 of the Senate amendment, sec. 31203 of the House amendment, sec. 31203 of the conference agreement, and secs. 9503 and 9508 of the Code)

PRESENT LAW

Fuels of a type subject to other trust fund excise taxes generally are subject to an add-on excise tax of 0.1-cent-per-gallon to fund the Leaking Underground Storage Tank (''LUST'') Trust Fund.[18] For example, the LUST excise tax applies to gasoline, diesel fuel, kerosene, and most alternative fuels subject to highway and aviation fuels excise taxes, and to fuels subject to the inland waterways fuel excise tax. This excise tax is imposed on both uses and parties subject to the other taxes, and to situations (other than export) in which the fuel otherwise is tax-exempt. For example, off-highway business use of gasoline and off-highway use of diesel fuel and kerosene generally are exempt from highway motor fuels excise tax. Similarly, States and local governments and certain other parties are exempt from such tax. Nonetheless, all such uses and parties are subject to the 0.1-cent-per-gallon LUST excise tax.

Liquefied natural gas, compressed natural gas, and liquefied petroleum gas are exempt from the LUST tax. Additionally, methanol and ethanol fuels produced from coal (including peat) are taxed at a reduced rate of 0.05 cents per gallon.

SENATE AMENDMENT

The provision transfers $100 million on the date of enactment, $100 million on October 1, 2016 and an additional $100 million on October 1, 2017, from the LUST Trust Fund to the Highway Account of the Highway Trust Fund.

Effective date.—The provision is effective on the date of enactment.

HOUSE AMENDMENT

The House amendment is the same as the Senate amendment.

CONFERENCE AGREEMENT

The conference agreement follows the House amendment and Senate amendment.

Effective date.—The provision is effective on the date of enactment.

TITLE XXXII—OFFSETS

A. Revocation or denial of passport in case of certain unpaid taxes (sec. 52101 of the Senate amendment, sec. 32102 of the House amendment, sec. 32101 of the conference agreement and secs. 6320 and 6331 and new secs. 7345 and 6103(k)(11) of the Internal Revenue Code)

PRESENT LAW

The administration of passports is the responsibility of the Department of State.[19] The Secretary of State may refuse to issue or renew a passport if the applicant owes child support in excess of $2,500 or owes certain types of Federal debts. The scope of this authority does not extend to rejection or revocation of a passport on the basis of delinquent Federal taxes. Although issuance of a passport does not require a social security number or taxpayer identification number (''TIN''), the applicant is required under the Code to provide such number. Failure to provide a TIN is reported by the State Department to the Internal Revenue Service (''IRS'') and may result in a $500 fine.[20]

Returns and return information are confidential and may not be disclosed by the IRS, other Federal employees, State employees, and certain other individuals having access to such information except as provided in the Code.[21] There are a number of exceptions to the general rule of nondisclosure that authorize disclosure in specifically identified circumstances, including disclosure of information about Federal tax debts for purposes of reviewing an application for a Federal loan[22] and for purposes of enhancing the integrity of the Medicare program.[23]

SENATE AMENDMENT

Under the Senate Amendment, the Secretary of State is required to deny a passport (or renewal of a passport) to a seriously delinquent taxpayer and is permitted to revoke any passport previously issued to such person. In addition to the revocation or denial of passports to delinquent taxpayers, the Secretary of State is authorized to deny an application for a passport if the applicant fails to provide a social security number or provides an incorrect or invalid social security number. With respect to an incorrect or invalid number, the inclusion of an erroneous number is a basis for rejection of the application only if the erroneous number was provided willfully, intentionally, recklessly or negligently. Exceptions to these rules are permitted for emergency or humanitarian circumstances, including the issuance of a passport for short-term use to return to the United States by the delinquent taxpayer.

The provision authorizes limited sharing of information between the Secretary of State and Secretary of the Treasury. If the Commissioner of Internal Revenue certifies to the Secretary of the Treasury the identity of persons who have seriously delinquent Federal tax debts as defined in this provision, the Secretary of the Treasury or his delegate is authorized to transmit such certification to the Secretary of State for use in determining whether to issue, renew, or revoke a passport. Applicants whose names are included on the certifications provided to the Secretary of State are ineligible for a passport. The Secretary of State and Secretary of the Treasury are held harmless with respect to any certification issued pursuant to this provision.

A seriously delinquent tax debt generally includes any outstanding debt for Federal taxes in excess of $50,000, including interest and any penalties, for which a notice of lien or a notice of levy has been filed. This amount is to be adjusted for inflation annually, using calendar year 2014 as a base year, and a cost-of-living adjustment. Even if a tax debt otherwise meets the statutory threshold, it may not be considered seriously delinquent if (1) the debt is being paid in a timely manner pursuant to an installment agreement or offer-in-compromise, or (2) collection action with respect to the debt is suspended because a collection due process hearing or innocent spouse relief has been requested or is pending.

Effective date.—The provision is effective on January 1, 2015.

[16] Moving Ahead for Progress in the 21st Century Act (''MAP–21''), Pub. L. No. 112–141, sec. 40201(a)(2), and sec. 40251.

[17] Highway and Transportation Funding Act of 2014, Pub. L. No. 113–159, sec. 2002.

[18] Secs. 4041, 4042, and 4081.

[19] ''Passport Act of 1926,'' 22 U.S.C. sec. 211a et seq.

[20] Sec. 6039E.

[21] Sec. 6103.

[22] Sec. 6103(l)(3).

[23] Sec. 6103(l)(22).

HOUSE AMENDMENT

The House amendment is the same as the Senate amendment.

CONFERENCE AGREEMENT

The following changes are included in the conference agreement to ensure that there is a mechanism allowing the IRS to correct errors and to take into account actions taken by a taxpayer to come into compliance after procedures has been initiated to inform the Secretary of State that the taxpayer is seriously delinquent. As explained below, these measures include clarification of the definition of a seriously delinquent tax debt, notification requirements, standards under which the Commissioner may reverse the certification of serious delinquency, and limits on authority to delegate the certification process. A limited right to seek injunctive relief by a taxpayer who is wrongly certified as seriously delinquent is also provided.

The provision clarifies the definition of ''seriously delinquent tax debt'' to permit revocation of a passport only after the IRS has followed its examination and collection procedures under current law and the taxpayer's administrative and judicial rights have been exhausted or lapsed.

The provision requires notice to taxpayers regarding the procedures. First, the provision adds the possible loss of a passport to the list of matters required to be included in notices to taxpayer of potential collection activity under sections 6320 or 6331. Second, the provision requires that the Commissioner provide contemporaneous notice to the taxpayer(s) when the Commissioner sends a certification of serious delinquency to the Secretary of the Treasury. Finally, in instances in which the Commissioner decertifies the taxpayer's status as a delinquent taxpayer, he is required to provide notice to the taxpayer contemporaneous with the notice to the Secretary of the Treasury.

The decertification process included in the conference agreement provides a mechanism under which the Commissioner can correct an erroneous certification or end the certification because the debt is no longer seriously delinquent, due to certain events subsequent to the certification. If after certifying the delinquency to the Secretary of the Treasury, (1) the IRS receives full payment of the seriously delinquent tax debt, (2) the taxpayer enters into an installment agreement under section 6159, (3) the IRS accepts an offer in compromise under section 7122, or (4) a spouse files for relief from joint liability, the Commissioner must notify the Secretary that the taxpayer is not seriously delinquent. In each instance, the ''decertification'' is limited to the taxpayer who is the subject of one of the above actions. In the case of a claim for innocent spouse relief, the decertification is only with respect to the spouse claiming relief, not both. The Commissioner must generally decertify within 30 days of the event that requires decertification. The Commissioner must provide the notice of decertification to the Secretary of the Treasury, who must in turn promptly notify the Secretary of State of the decertification. The Secretary of State must delete the certification from the records regarding that taxpayer.

The provision as amended limits the Commissioner's authority to delegate duties under this section. As amended, the authority to certify or decertify a seriously delinquent tax debt is delegable only to the Deputy Commissioner for Services and Enforcement, or to a Division Commissioner (the head of an IRS operating division).

Finally, the amendments to the provision permit limited judicial review of the certification or a failure to reverse a certification.

EFFECTIVE DATE.—The provision as amended is effective upon date of enactment.

B. Reform of rules related to qualified tax collection contracts, and special compliance personnel program (secs. 52102 and 52103 of the Senate amendment, secs. 32106 and 32107 of the House amendment, secs. 32102 and 32103 of the conference agreement, and sec. 6306 of the Code)

PRESENT LAW

Code section 6306 permits the IRS to use private debt collection companies to locate and contact taxpayers owing outstanding tax liabilities of any type[24] and to arrange payment of those taxes by the taxpayers. There must be an assessment pursuant to section 6201 in order for there to be an outstanding tax liability. An assessment is the formal recording of the taxpayer's tax liability that fixes the amount payable. An assessment must be made before the IRS is permitted to commence enforcement actions to collect the amount payable. In general, an assessment is made at the conclusion of all examination and appeals processes within the IRS.[25]

Several steps are involved in the deployment of private debt collection companies. First, the private debt collection company contacts the taxpayer by letter.[26] If the taxpayer's last known address is incorrect, the private debt collection company searches for the correct address. Second, the private debt collection company telephones the taxpayer to request full payment.[27] If the taxpayer cannot pay in full immediately, the private debt collection company offers the taxpayer an installment agreement providing for full payment of the taxes over a period of as long as five years. If the taxpayer is unable to pay the outstanding tax liability in full over a five-year period, the private debt collection company obtains financial information from the taxpayer and will provide this information to the IRS for further processing and action by the IRS. The Code specifies several procedural conditions under which the provision would operate. First, provisions of the Fair Debt Collection Practices Act apply to the private debt collection company. Second, taxpayer protections that are statutorily applicable to the IRS are also made statutorily applicable to the private sector debt collection companies. In addition, taxpayer protections that are statutorily applicable to employees of the IRS are made statutorily applicable to employees of private sector debt collection companies. Third, subcontractors are prohibited from having contact with taxpayers, providing quality assurance services, and composing debt collection notices; any other service provided by a subcontractor must receive prior approval from the IRS.

The Code creates a revolving fund from the amounts collected by the private debt collection companies. The private debt collection companies are paid out of this fund. The Code prohibits the payment of fees for all services in excess of 25 percent of the amount collected under a tax collection contract.

The Code provides that up to 25 percent of the amount collected may be used for IRS collection enforcement activities. The law also requires the Treasury Department to provide a biennial report to the Committee on Finance and the Committee on Ways and Means. The report is to include, among other items, a cost benefit analysis, the impact of the debt collection contracts on collection enforcement staff levels in the IRS, and an evaluation of contractor performance. The Omnibus Appropriations Act of 2009 (the ''Act''), which made appropriations for the fiscal year ending September 30, 2009, included a provision stating that none of the funds made available in the Act could be used to fund or administer section 6306.[28] Around the same time, the IRS announced that the IRS would not renew its contracts with private debt collection agencies.[29]

SENATE AMENDMENT

Qualified tax collection contracts

The provision requires the Secretary to enter into qualified tax collection contracts for the collection of inactive tax receivables. Inactive tax receivables are defined as any tax receivable (1) removed from the active inventory for lack of resources or inability to locate the taxpayer, (2) for which more than 1/3 of the applicable limitations period has lapsed and no IRS employee has been assigned to collect the receivable; or (3) for which, a receivable has been assigned for collection but more than 365 days have passed without interaction with the taxpayer or a third party for purposes of furthering the collection. Tax receivables are defined as any outstanding assessment that the IRS includes in potentially collectible inventory.

The provision designates certain tax receivables as not eligible for collection under qualified tax collection contracts, specifically a contract that: (1) is subject to a pending or active offer-in-compromise or installment agreement; (2) is classified as an innocent spouse case; (3) involves a taxpayer identified by the Secretary as being (a) deceased, (b) under the age of 18, (c) in a designated combat zone, or (d) a victim of identity theft; (4) is currently under examination, litigation, criminal investigation, or levy; or (5) is currently subject to a proper exercise of a right of appeal. The provision grants authority to the Secretary to prescribe procedures for taxpayers in presidentially declared disaster areas to request relief from immediate collection measures under the provision.

The provision requires the Secretary to give priority to private collection contractors and debt collection centers currently approved by the Treasury Department's Bureau of the Fiscal Service (previously the Financial Management Service) on the schedule required under section 3711(g) of title 31 of the United States Code, to the extent appropriate to carry out the purposes of the provision.

The provision adds an additional exception to section 6103 to allow contractors to identify themselves as such and disclose the nature, subject, and reason for the contact. Disclosures are permitted only in situations and under conditions approved by the Secretary.

The provision requires the Secretary to prepare two reports for the House Committee

[24] This provision generally applies to any type of tax imposed under the Internal Revenue Code.

[25] An amount of tax reported as due on the taxpayer's tax return is considered to be self-assessed. If the IRS determines that the assessment or collection of tax will be jeopardized by delay, it has the authority to assess the amount immediately (sec. 6861), subject to several procedural safeguards.

[26] The provision requires that the IRS disclose confidential taxpayer information to the private debt collection company. Section 6103(n) permits disclosure of returns and return information for ''the providing of other services . . . for purposes of tax administration.''

[27] The private debt collection company is not permitted to accept payment directly. Payments are required to be processed by IRS employees.

[28] Pub. L. No. 111–8, March 11, 2009.

[29] IR–2009–19, March 5, 2009.

on Ways and Means and the Senate Committee on Finance. The first report is required annually and due not later than 90 days after each fiscal year and is required to include: (1) the total number and amount of tax receivables provided to each contractor for collection under this section, (2) the total amounts collected by and installment agreements resulting from the collection efforts of each contractor and the collection costs incurred by the IRS; (3) the impact of such contacts on the total number and amount of unpaid assessments, and on the number and amount of assessments collected by IRS personnel after initial contact by a contractor, (4) the amount of fees retained by the Secretary under subsection (e) and a description of the use of such funds; and (5) a disclosure safeguard report in a form similar to that required under section 6103(p)(5).

The second report is required biannually and is required to include: (i) an independent evaluation of contactor performance; and (ii) a measurement plan that includes a comparison of the best practices used by private debt collectors to the collection techniques used by the IRS and mechanisms to identify and capture information on successful collection techniques used by the contractors that could be adopted by the IRS.

Special compliance personnel program

The provision requires that the amount that, under current law, is to be retained and used by the IRS for collection enforcement activities under section 6306 of the Code be instead used to fund a newly created special compliance personnel program. The provision also requires the Secretary to establish an account for the hiring, training, and employment of special compliance personnel. No other source of funding for the program is permitted, and funds deposited in the special account are restricted to use for the program, including reimbursement of the IRS and other agencies for the cost of administering the qualified debt collection program and all costs associated with employment of special compliance personnel and the retraining and reassignment of other personnel as special compliance personnel. Special compliance personnel are individuals employed by the IRS to serve either as revenue officers performing field collection functions or as persons operating the automated collection system.

The provision requires the Secretary to prepare annually a report for the House Committee on Ways and Means and the Senate Committee on Finance, to be submitted no later than March of each year. In the report, the Secretary is to describe for the preceding fiscal year accounting of all funds received in the account, administrative and program costs, number of special compliance personnel hired and employed as well as actual revenue collected by such personnel. Similar information for the current and following fiscal year, using both actual and estimated amounts, is required

Effective date.—The provision relating to qualified tax collection contracts applies to tax receivables identified by the Secretary after the date of enactment. The requirement to give priority to certain private collection contractors and debt collection centers applies to contracts and agreements entered into within three months after the date of enactment, and the new exception to section 6103 applies to disclosures made after the date of enactment. The requirement of the reports to Congress is effective on the date of enactment.

The provision relating to the special compliance personnel program applies to amounts collected and retained by the Secretary after date of enactment.

HOUSE AMENDMENT

The House amendment is the same as the Senate amendment.

CONFERENCE AGREEMENT

The conference agreement follows the House amendment and the Senate amendment provision. It is intended that the IRS will implement the proposal without delay to facilitate the collection of taxes, which are owed to the Government but are not being actively pursued by the IRS for collection, while protecting taxpayer rights and privacy. To carry out these goals of expeditious tax collection and taxpayer rights, it is intended that the IRS will make it a priority to use collection contractors and debt collection centers currently approved by the Treasury Department.

C. Repeal of Modification of Automatic Extension of Return Due Date for Certain Employee Benefit Plans (sec. 52105(b)(3) of the Senate amendment, sec. 32104 of the conference agreement and secs. 6058 and 6059 of the Code)

PRESENT LAW

An employer that maintains a pension, annuity, stock bonus, profit-sharing or other funded deferred compensation plan (or the plan administrator of the plan) is required to file an annual return containing information required under regulations with respect to the qualification, financial condition, and operation of the plan.[30] The plan administrator of a defined benefit plan subject to the minimum funding requirements[31] is required to file an annual actuarial report.[32] These filing requirements are met by filing an Annual Return/Report of Employee Benefit Plan, Form 5500, and providing the information as required on the form and related instructions.[33] Similarly, the Employee Retirement Income Security Act of 1974 (''ERISA'') requires the administrator of certain pension and welfare benefit plans to file annual reports disclosing certain information to the Department of Labor (''DOL'') and, with respect to some defined benefit plans, to the Pension Benefit Guaranty Corporation (''PBGC'').[34] Plan administrators also comply with these ERISA filing requirements by filing Form 5500.

Forms 5500 are filed with DOL, and information from Forms 5500 is shared with the IRS and PBGC.[35] Form 5500 is due by the last day of the seventh month following the close of the plan year.[36] DOL and IRS rules allow the due date to be automatically extended by 2½ months if a request for extension is filed.[37] Thus, in the case of a plan that uses the calendar year as the plan year, the extended due date for Form 5500 is October 15.

Under the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015, in the case of returns for taxable years beginning after December 31, 2015, the Secretary of the Treasury is directed to modify appropriate regulations to provide that the maximum extension for the returns of employee benefit plans filing Form 5500 is an automatic 3½-month period ending on November 15 for calendar-year plans.[38]

SENATE AMENDMENT

Under the provision, in the case of returns for any taxable period beginning after December 31, 2015, the Secretary of the Treasury or the Secretary's delegate is directed to modify appropriate regulations to provide that the maximum extension for the returns of employee benefit plans filing Form 5500 is an automatic 3½-month period beginning on the due date for filing the return, without regard to any extensions.[39]

Effective date.—The provision in the Senate amendment is effective on the date of enactment.

HOUSE AMENDMENT

No provision.

CONFERENCE AGREEMENT

The conference agreement does not include the Senate amendment provision. The conference agreement repeals the provision in the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 that provides for an automatic 3½-month extension of the due date for filing Form 5500. Thus, the extended due date for Form 5500 is determined under DOL and IRS rules as in effect before enactment of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015.

Effective date.—The provision in the conference agreement is effective for returns for taxable years beginning after December 31, 2015.

[30] Sec. 6058.

[31] Sec. 412. Most governmental plans (defined in section 414(d)) and church plans (defined in section 414(e)) are exempt from the minimum funding requirements.

[32] Sec. 6059.

[33] Treas. Reg. secs. 301.6058–1(a) and 301.6059–1. Form 5500 consists of a main form and various schedules, some of which require additional information to be included. The schedules that must be filed and the additional information that must be included with Form 5500 depend on the type and size of plan. A simplified annual reporting form, Annual Return/Report of Small Employee Benefit Plan, Form 5500–SF, is available to certain plans (covering fewer than 100 employees) that are subject to reporting requirements under ERISA and the Code. References herein to Form 5500 include Form 5500–SF.

[34] ERISA secs. 103, 104, and 4065. Most governmental plans and church plans are exempt from ERISA, including the ERISA reporting requirements. ERISA section 3004 requires that, when the IRS and DOL carry out provisions relating to the same subject matter, they must consult with each other and develop rules, regulations, practices and forms designed to reduce duplication of effort, duplication of reporting, and the burden of compliance by plan administrators and employers. Under ERISA section 4065, the PBGC is required to work with the IRS and DOL to combine the annual report to PBGC with reports required to be made to those agencies.

[35] Form 5500 filings are also publicly released in accordance with sec. 6104(b) and Treas. Reg. sec. 301.6104(b)–1 and ERISA secs. 104(a)(1) and 106(a).

[36] Under ERISA section 104(a)(1), the annual report is due within 210 days after the close of the plan year or within such time as provided by regulations to reduce duplicative filings. DOL and IRS regulations provide for filing at the time required by the forms and instructions issued by the agencies. 29 C.F.R. sec. 2520.104a–5(a)(2) and Treas. Reg. secs. 301.6058–1(a)(4) and 301.6059–1(a).

[37] Treas. Reg. sec. 1.6081–11(a). Instructions for Form 5500 also provide for an automatic extension of time to file the Form 5500 until the due date of the Federal income tax return of the employer maintaining the plan if (1) the plan year and the employer's tax year are the same; (2) the employer has been granted an extension of time to file its federal income tax return to a date later than the normal due date for filing the Form 5500; and (3) a copy of the application for extension of time to file the Federal income tax return is maintained with the records of the Form 5500 filer. An extension granted by using this automatic extension procedure cannot be extended beyond a total of 9½ months beyond the close of the plan year.

[38] Section 2006(b)(3) of Pub. L. No. 114–41 (July 31, 2015).

[39] The provision in the Senate amendment is similar to section 2006(b)(3) of Pub. L. No. 114–41, which was enacted after the Senate amendment was passed by the Senate.

Section 32201—Adjustment for Inflation of Fees for Certain Customs Services

PRESENT LAW

Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 establishes certain fees for customs services. These fees are not currently adjusted for inflation.

HOUSE BILL

The House bill provides that the Secretary of Treasury shall annually adjust the fees collected under Section 13031(a) of the Consolidated Omnibus Budget Reconciliation Act of 1985 and the limitations on fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), on, to reflect any increase in the average of the Consumer Price Index.

Effective date.—The provision is effective on October 1, 2015.

SENATE AMENDMENT

The Senate amendment is the same as the House bill.

Effective date.—The provision is effective on October 1, 2015.

CONFERENCE AGREEMENT

The conference agreement follows the House bill and the Senate amendment provision with two changes. First, changes to subsection (b) reaffirm Congressional intent that revenue from the adjustments are to be deposited into the Customs User Fee Account, subject to appropriations acts. Second, it sets the first adjustment on April 1, 2016 instead of October 1, 2015.

Effective date.—The provision is effective on April 1, 2016.

Extension of Enterprise Guarantee Fees

SENATE AMENDMENT

Section 52205 of the Senate amendment to H.R. 22 modifies Section 1327(f) of the Housing and Community Development Act of 1992 to extend enterprise guarantee fees from October 1, 2021 to October 1, 2025.

HOUSE AMENDMENT

The House amendment to the Senate amendment to H.R. 22 contains no provisions comparable to the Senate position.

CONFERENCE AGREEMENT

The Senate recedes from its position and concurs in the House position.

Section 32202—Limitation on Surplus Funds of Federal Reserve Banks

HOUSE AMENDMENT

Section 32202 of the House amendment to the Senate amendment to H.R. 22 modifies Section 7 of the Federal Reserve Act (12 U.S.C. 289) to execute a liquidation of the Federal Reserve surplus account and a remittance of funds to the U.S. Treasury. Section 32202 also dissolves the existence of the surplus account on a go-forward basis. Finally, Section 32202 ensures future net earnings of the Federal Reserve, in excess of dividend paid, are remitted to the U.S. Treasury.

SENATE AMENDMENT

The Senate amendment to H.R. 22 contains no provisions comparable to the House position.

CONFERENCE SUBSTITUTE

The Senate recedes from its position and concurs in the House position with certain modifications. Specifically, the conference substitute retains the Federal Reserve surplus account, but caps it at $10,000,000,000. Any amounts which exceed the cap are remitted to the U.S. Treasury.

Section 32203—Dividends of the Federal Reserve Bank

SENATE AMENDMENT

Section 52203 of the Senate amendment to H.R. 22 modified Section 7(a)(1)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(1)(A)) by reducing the interest rate from 6 percent to 1.5 percent on capital paid into the Federal Reserve System by member banks with consolidated assets over $1,000,000,000.

HOUSE AMENDMENT

The House amendment to the Senate amendment to H.R. 22 contains no provisions comparable to the Senate position.

CONFERENCE SUBSTITUTE

The House recedes from its position and concurs in the Senate position with certain modifications. Specifically, the conference substitute retains the 6 percent dividend in current law for Federal Reserve System member banks with consolidated assets of $10,000,000,000 or less, indexed to inflation. For member banks with consolidated assets greater than that amount, the conference substitute replaces the 1.5 percent interest rate with the smaller of: the rate equal to the high yield of the 10-year Treasury note auctioned at the last auction held prior to the payment of a dividend, and 6 percent. Finally, the conference substitute delays the effective date of the modification to January 1, 2016.

Section 32204—Strategic Petroleum Reserve Drawdown and Sale

Drawdown and Sale. Subsection (a) would direct the Department of Energy to draw down and sell 66 million barrels of crude oil from the Strategic Petroleum Reserve (SPR).

Emergency Protection. Subsection (b) would provide that Secretary shall not draw down and sell crude oil under this section in quantities that would limit the authority to sell petroleum products under section 161(h) of the Energy Policy and Conservation Act. This subsection conditions the 66 million barrels of oil authorized to be sold in a) upon the maintenance of a 530 million barrel floor generally in the Reserve. Forthcoming drawdowns previously authorized by the Bipartisan Budget Act of 2015 would take precedence.

Increase; Limitation. Subsection (c) would authorize the increase of drawdown and sales under subsection (b) in order to maximize the financial return to the United States taxpayers, but limits the drawdown and sales under this section to a maximum of $6,200,000,000 of revenue to the Treasury.

Sec. 32205—Repeal

Section 32205 would repeal Section 201 of the Bipartisan Budget Act of 2015. Section 201 of the Bipartisan Budget Act of 2015 required the U.S. Department of Agriculture to renegotiate the Standard Reinsurance Agreement by December 31, 2016, and would have placed a cap on the overall rate of return such that the target rate of return did not exceed 8.9 percent of the retained premium.

Sec. 32301—Interest Overpayments

Section 32301 strikes the requirement that the Office of National Resources Revenue (ONRR) pay interest on overpayments. ONRR, which is part of the Department of the Interior, believes that some lessees overpay deliberately in order to engage in ''banking with ONRR'' and that the ONRR interest rate is in some cases greater than that offered by other interest earning mechanisms. This provision is part of the President's FY 2016 budget. Offset estimate: $300 million.

Section 32401—Budgetary Effects

HOUSE AMENDMENT

The House amendment to the Senate amendment to H.R. 22 contains no provisions compared to the Senate position.

SENATE AMENDMENT

Section 80001 of the Senate amendment to H.R. 22 provides the budgetary effects to be entered into the PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139) shall be determined by the submission printed for the Congressional Record by the Chairman of the Senate Budget Committee.

CONFERENCE SUBSTITUTE

The conference substituteprovides that the budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139).

DIVISION D—MISCELLANEOUS

TITLE XLI—FEDERAL PERMITTING IMPROVEMENTS

Title XLI of the conference report seeks to make more efficient the process for federal approval for major infrastructure projects. It creates a council composed of the relevant permitting agencies to establish best practices and model timelines for review, designate individuals within agencies with primary responsibility for coordinating reviews and agency decisions, and shorten the time in which challenges can be made to final decisions.

The Senate recedes with an amendment.

TITLE XLII—ADDITIONAL PROVISIONS

Title XLII directs the GAO to study the payments made to vendors of kerosene that is used in noncommercial aviation and submit the results of that study in a report to Congress.

TITLE XLIII—REQUIREMENTS REGARDING RULE MAKINGS

The House amendment includes a provision requiring that for any publication in the Federal Register pertaining to a rule required pursuant to this Act, the agency making the rule shall include the information that the rule is based upon, including data and studies, and indicate how the public can access that information online.

The Senate amendment contains no similar provision.

The Senate recedes.

TITLE XLIV—PAYMENTS TO CERTIFIED STATES AND INDIAN TRIBES

In the Moving Ahead for Progress in the 21st Century Act (MAP–21), payments based upon Abandoned Mine Land (AML) funds set forth in the Surface Mining Control and Reclamation Act of 1977 due to certified states were capped at $15,000,000.00 annually, regardless of the amounts actually due to those certified states. The amounts due the certified states in excess of the $15,000,000.00 were used as offsets for different purposes. In certain instances, the $15,000,000.00 payments were insufficient to meet the amounts certified states were owed by the Federal government. This provision requires payment of those excess funds owed by the Federal government to those certified states, but not paid.

DIVISION E—EXPORT-IMPORT BANK OF THE UNITED STATES

Division E reauthorizes and reforms the Export-Import Bank of the United States. There was no disagreement between the Senate amendment and the House amendment.

DIVISION F—ENERGY SECURITY

Sec. 61001—Emergency Preparedness for Energy Supply Disruptions

Section 61001 would include the finding that recent natural disasters have underscored the importance of having resilient oil

and natural gas infrastructure and effective ways for industry and government to communicate to address energy supply disruptions. This section also would direct the Secretary of Energy to develop and adopt procedures to enhance communication and coordination between the Department of Energy (DOE), Federal partners, State and local government, and the private sector to improve emergency response and recovery.

Sec. 61002—Resolving Environmental and Grid Reliability Conflicts

Section 61002 would resolve conflicts between orders issued pursuant to the Federal Power Act and compliance with environmental laws and regulations. Administration of section 202(c) has led owners of electric generating units (EGUs) to conclude that they can be forced to choose between complying with an emergency order from DOE under that section or violating an obligation imposed by environmental laws or regulations. Left unresolved, therefore, the current statutory structure presents the potential for conflicting legal mandates that could threaten the reliability of the grid.

To ensure that EGUs and other facilities critical to electric reliability are available for service as needed and to remove the potential for conflict between obligations imposed by law, section 61002 would amend section 202(c) of the FPA to clarify that when a party is under an emergency directive to operate pursuant to section 202(c), it would not be deemed in violation of environmental laws or regulations or subject to civil or criminal liability, or citizen enforcement actions, as a result of actions taken that are necessary to comply with a DOE-issued emergency order. The section further provides that after an initial order, not to exceed 90 days duration, DOE may renew or reissue an order for subsequent 90-day periods as it determines necessary. However, in renewing or reissuing any such order, DOE must consult with the primary federal agency with expertise in the environmental interest protected by a potentially conflicting environmental law and include in such order conditions determined by such agency to be necessary to minimize any adverse environmental impacts that may result from such order, to the extent practicable. DOE may exclude such a condition from the renewed or reissued order if it determines that such condition would prevent the order from adequately addressing the emergency necessitating such order and provides in the order, or otherwise makes publicly available, an explanation of such determination.

Sec. 61003—Critical Electric Infrastructure Security

Section 61003 would establish a new section 215A of the Federal Power Act that would provide the Secretary of Energy with the authority to address grid security emergencies if the President provides a written directive or determination identifying a grid security emergency. The Secretary would be authorized to take emergency measures to protect the bulk power system or defense critical electric infrastructure located in the contiguous 48 States and the District of Columbia, including ordering critical electric infrastructure owners and operators to take appropriate actions, with such measures to expire no later than fifteen days from issuance. The new section 215A would also facilitate the protection and voluntary sharing of critical electric infrastructure information between private sector asset owners and the Federal government by: (1) exempting designated Critical Electric Infrastructure Information from certain Federal and State disclosure laws for a period up to 5 years; (2) requiring FERC to facilitate voluntary information sharing between Federal, State, local and tribal authorities, the Electric Reliability Organization, regional entities, and owners, operators and users of the bulk-power system in the U.S.; and (3) establishing sanctions for the unauthorized disclosure of shared information.

Section 61003 would also codify DOE as the Sector-Specific Agency for cyber security for the energy sector and specify DOE's duties with regard to that role.

Sec. 61004—Strategic Transformer Reserve

Section 61004 would require DOE to submit a plan to Congress evaluating the feasibility of establishing a Strategic Transformer Reserve for the storage, in strategically-located facilities, of spare large power transformers and emergency mobile substations in sufficient numbers to temporarily replace critically damaged large power transformers and substations. Strategically-located spare large power transformers and emergency mobile substations would diminish the vulnerability of the United States to multiple risks facing electric grid reliability, including physical attack, cyber-attack, electromagnetic pulse, geomagnetic disturbances, severe weather, and seismic events.

Sec. 61005—Energy Security Evaluation

Section 61005 would direct the Secretary of Energy, in collaboration with the Secretary of State, to establish U.S. energy security valuation methods to ensure that energy-related actions that significantly affect the supply, distribution, or use of energy are evaluated with respect to their potential impact on energy security, including their impact on consumers and the economy; energy supply, diversity and resiliency; well-functioning and competitive energy markets; United States trade balance; and national security objectives.

DIVISION G—FINANCIAL SERVICES

HOUSE AMENDMENT

Division G (Financial Services) of the House amendment to the Senate amendment to H.R. 22 is comprised of 15 titles that provide regulatory relief to facilitate capital formation, ensure greater consumer access to financial products and services, and provide for certain reforms relating to mint operations and housing. The titles within Division G are derived from measures passed by the House on a bipartisan basis in the 114th Congress.

Title LXXI—Improving Access to Capital for Emerging Growth Companies

Title LXXI makes changes related to the treatment of Emerging Growth Companies (EGCs), as defined by the Jumpstart Our Business Startups Act (JOBS Act). Specifically, this title reduces the number of days an EGC must have a confidential registration statement on file with the Securities and Exchange Commission (SEC) before it may conduct a ''road show'' from 21 days to 15 days. Title LXXI also clarifies that an issuer that was an EGC at the time it filed a confidential registration statement but is no longer an EGC will continue to be treated as an EGC through the date of its IPO. Finally, Title LXXI requires the SEC to revise its general instructions on Form S–1 regarding the financial information an issuer must disclose prior to its IPO. The House passed legislation identical to the provisions contained in Title LXXI by voice vote on July 14, 2015.

Title LXXII—Disclosure Modernization and Simplification

Title LXXII directs the SEC to simplify its disclosure regime for issuers and investors by permitting issuers to submit a summary page on Form 10–K with cross-references to the content of the report. This title also directs the SEC to revise Regulation S–K to scale disclosure rules for EGCs and smaller issuers, and to eliminate duplicative, outdated, or unnecessary Regulation S–K disclosure requirements for all issuers. Finally, Title LXXII directs the SEC to further study Reg. S–K and engage in rulemaking to implement additional reforms to simplify and modernize Regulation S–K disclosure rules within 360 days of enactment of this title. The House passed legislation identical to the provisions contained in Title LXXII by voice vote on October 6, 2015.

Title LXXIII—Bullion and Collectible Coin Production Efficiency and Cost Savings

Title LXXIII eliminates a requirement for special packaging of gold investment-grade coins made by the United States Mint, allows the Mint to purchase blanks for silver coins made of standard coinage silver instead of a custom silver alloy, and removes the requirement for an already-completed study leading to the Mint issuing investment-grade coins of palladium. This title also allows for the collector version of the 30th anniversary American Eagle Siler Bullion Coin to be edge-lettered to denote such anniversary. The House passed legislation identical to the provisions contained in Title LXXIII by voice vote on June 24, 2015.

Title LXXIV—SBIC Advisers Relief

Title LXXIV amends the Investment Advisers Act of 1940 to reduce unnecessary regulatory costs and eliminate duplicative regulation of advisers to Small Business Investment Companies (SBICs). This title preempts state registration requirements of advisers solely advising SBIC funds, allows advisers to venture capital funds to continue to be ''exempt reporting advisers'' if they also advise an SBIC fund, and prevents the inclusion of the assets of an SBIC fund in the SEC registration calculation of assets under management for those advisers that advise private funds in addition to SBIC funds. The House passed legislation identical to the provisions contained in Title LXXIV by voice vote on July 14, 2015.

Title LXXV—Eliminate Privacy Notice Confusion

Title LXXV amends the Gramm-Leach-Bliley Act to reduce confusion among consumers that can occur when they receive annual privacy notices by clarifying that annual privacy notices are only required when disclosure policies change after the relationship begins, and to the extent an institution shares sensitive personal information with third parties for marketing purposes. The House passed legislation identical to the provisions contained in Title LXXV by voice vote on April 13, 2015.

Title LXXVI—Reforming Access for Investments in Startup Enterprises

Title LXXVI amends Section 4 of the Securities Act of 1933 to facilitate the sale of company-issued securities by employees of private companies. Under current law, a holder of securities issued in a private placement may resell the securities on a public market after a holding period. However, there is not a legal framework providing for the private resale of such securities. Accordingly, this title establishes a legal framework for such transactions. The House passed legislation identical to the provisions contained in Title LXXVI by a vote of 404–0 on October 6, 2015.

Title LXXVII—Preservation Enhancement and Savings Opportunity

Title LXXVII amends the Low Income Housing Preservation and Resident Homeownership Act of 1990 (LIHPRHA) to permit property owners (including nonprofits) of multifamily developments subsidized by the Department of Housing and Urban Development (HUD) to access income derived from such developments provided that the owners adhere to HUD's affordability and compliance standards. This title also provides for certain reforms under LIHPRHA relating to obtaining or refinancing a loan secured by a low-income housing project. The House passed legislation identical to the provisions contained in Title LXXVII by voice vote on July 14, 2015.

Title LXXVIII—Tenant Income Verification Relief

Title LXXVIII permits HUD to allow public and assisted housing administrators to verify income once every three years—instead of annually—for low-income tenants that have fixed incomes, such as incomes derived from social security payments. The House passed legislation identical to the provisions contained in Title LXXVIII by voice vote on March 24, 2015.

Title LXXVIX—Housing Assistance Efficiency

Title LXXVIX amends the McKinney-Vento Homeless Assistance Act to allow a private nonprofit organization to administer permanent housing rental assistance provided through the Continuum of Care Program under the Act. This title also requires that the HUD Secretary reallocate, at least once during each fiscal year, any housing assistance provided from the Emergency Solutions Grants Program that is unused or returned, or that becomes available after the minimum allocation requirements under the Act. The House passed legislation identical to the provisions contained in Title LXXVIX by voice vote on July 14, 2015.

Title LXXX—Child Support Assistance

Title LXXX amends the Fair Credit Reporting Act to eliminate the requirement that state and local child support agencies and courts notify an obligor ten days before retrieving a consumer report for purposes of determining the appropriate level of child support payments, or enforcing a child support order, award, agreement, or judgment. The House passed legislation identical to the provisions contained in Title LXXX by voice vote on October 6, 2015.

Title LXXXI—Private Investment in Housing

Title LXXXI authorizes the HUD Secretary to establish a demonstration program under which the Secretary may enter into budget-neutral, performance-based agreements (for up to 12 years each) that result in a reduction in energy or water costs with appropriate entities. Specifically, such agreements shall facilitate energy or water conservation improvements at up to 20,000 residential units in multifamily buildings participating in Section 8 rental assistance programs, supportive housing for the elderly, or supportive housing for people with disabilities. This title mirrors a request by the Administration in its 2015 Budget proposal. The House passed legislation identical to the provisions contained in Title LXXXI by voice vote on July 14, 2015.

Title LXXXII—Capital Access for Small Community Financial Institutions

Title LXXXII amends the Federal Home Loan Bank Act to allow privately insured credit unions to be eligible for membership in the Federal Home Loan Bank (FHLB) System. In order to be eligible for membership, a privately insured credit union must receive a certification from its state supervisor stating that it is eligible to apply for Federal deposit insurance. Additionally, the private insurer of the credit union must provide a copy of the credit union's annual audit report to the National Credit Union Administration (NCUA) and the Federal Housing Finance Agency. Further, a state supervisor must provide to the NCUA, upon request, the results of any examination and reports concerning a private insurer of credit unions licensed in that state. The House passed legislation identical to the provisions contained in Title LXXXII by voice vote on April 13, 2015.

Title LXXXIII—Small Bank Exam Cycle Reform

Title LXXXIII amends the Federal Deposit Insurance Act to increase the qualifying asset threshold for insured depository institutions eligible for 18-month on-site examination cycles from $500 million to $1 billion. The House passed legislation identical to the provisions contained in Title LXXXIII by a vote of 411–0 on October 6, 2015.

Title LXXXIV—Small Company Simple Registration

Title LXXXIV simplifies the registration process by amending the SEC's Form S–1 registration statement, which is the basic registration form for new securities offerings, to allow smaller reporting companies to incorporate by reference any documents filed with the SEC after the effective date of the Form S–1. The House passed legislation identical to the provisions contained in Title LXXXIV by a vote of 426–0 on July 14, 2015.

Title LXXXV—Holding Company Registration Threshold Equalization

Title LXXXV amends Title VI of the JOBS Act to raise the threshold for mandatory SEC registration of savings and loan companies from 500 shareholders of record to 2,000 shareholders of record (with no limitation on the number of non-accredited investors) and to raise the threshold for a savings and loan company to terminate its registration from 300 to 1,200 shareholders of record. The House passed legislation identical to the provisions contained in Title LXXXV by voice vote on July 14, 2015.

SENATE AMENDMENT

The Senate amendment to H.R. 22 contains no provisions comparable to the House position.

CONFERENCE SUBSTITUTE

The Senate recedes from its position and concurs in the House position with certain modifications. Specifically, the conference substitute consists of the above-described fifteen titles, as adopted by the House without further modification, and five additional titles providing for regulatory relief and related financial services reforms. These five titles are the following:

Title LXXXVI—Repeal of Indemnification Requirements

Title LXXXVI amends the Securities Exchange Act of 1934 and the Commodity Exchange Act to repeal the indemnification requirements added by the Dodd-Frank Wall Street Reform and Consumer Protection Act for regulatory authorities to obtain access to swap data. Foreign regulators and regulatory entities have indicated concerns regarding the indemnification requirements of Dodd-Frank. The title removes such requirements so data can be shared with foreign authorities. The title would still require the regulatory agencies requesting the information to agree to certain confidentiality requirements prior to receiving the data. The House passed legislation identical to the provisions contained in Title LXXXVI by voice vote on July 14, 2015.

Title LXXXVII—Treatment of Debt or Equity Instruments of Smaller Institutions

Title LXXXVII amends the Financial Stability Act of 2010 to adjust the date on which consolidated assets are determined for purposes of exempting certain instruments of smaller institutions from capital deductions. The purpose of this title is to provide regulatory relief from the requirements of Section 171 of the Dodd-Frank Wall Street Reform and Consumer Protection Act to certain bank holding companies with less than $15 billion in assets. The title permits bank holding companies to continue counting hybrid capital instruments issued before May 19, 2010, as Tier 1 capital so long as the company held less than $15 billion in assets as of either December 31, 2009 or March 31, 2010.

Title LXXXIII—State Licensing Efficiency

Title LXXXIII amends the Secure and Fair Mortgage Licensing Act of 2008 (SAFE Act) by directing the Attorney General to provide appropriate state officials responsible for regulating financial service providers with access to criminal history information to the extent that criminal history background checks are required under state law for the licensing of such parties. In 2006, the states, under the auspices of the Conference of State Bank Supervisors (CSBS), developed the Nationwide Mortgage Licensing System and Registry (NMLS). According to CSBS, the NMLS platform was designed to provide ''improved coordination and information sharing among regulators, increased efficiencies for industry, and enhanced consumer protection.'' Congress codified the NMLS in 2008 through the SAFE Act. Title LXXXIII is intended to authorize the NMLS to process criminal background checks for non-depository licensees beyond mortgage loan originators. The House passed legislation identical to the provisions contained in Title LXXXIII by voice vote on October 28, 2015.

Title LXXXIX—Helping Expand Lending Practices in Rural Communities

Title LXXXIX amends the Dodd-Frank Wall Street Reform and Consumer Protection Act to require the Bureau of Consumer Financial Protection (Bureau) to create a petition process for interested parties to apply for an area not designated by the Bureau as rural for purposes of federal consumer financial law to be so designated. Under this title, the Bureau is required to publish applications in the Federal Register within 60 days and make them available for public comment for no fewer than 90 days. When evaluating the application, the Bureau would be required to take into consideration:

Criteria used by the U.S. Census Bureau when classifying geographical areas as rural or urban;

Criteria used by the Office of Management and Budget when designating counties as metropolitan or micropolitan or neither;

Criteria used by the Department of Agriculture when determining property eligibility for rural development programs;

The Department of Agriculture rural-urban commuting area codes;

A written opinion of the State banking regulator; and

Population density.

Title LXXXIX further requires the Bureau to grant or deny any application within 90 days following the expiration of the comment period. The grant or denial must be

published in the Federal Register, along with an explanation of what factors the Bureau relied upon in making the decision.

Title LXXXIX contains a rule of construction providing that the Bureau is not required to consider, in connection with the above-described evaluation, any previous designation of the area as non-rural by certain other Federal agencies. Title LXXXIX also includes a sunset provision providing that the designation review process established under such title shall cease to have force or effect after the end of the two-year period beginning on the date of the title's enactment. In addition, Title LXXXIX amends the Truth in Lending Act to provide the Bureau with authority to treat a balloon loan as a ''qualified mortgage'' if such loan was extended by any creditor operating in rural or underserved areas, even if the creditor does not operate predominantly in such areas. Finally, Title LXXXIX provides expanded authority for the Bureau to exempt creditors serving rural or underserved areas from requirements applicable to escrow and impound accounts relating to certain consumer credit transactions. The House passed legislation substantially similar to the provisions contained in Title LXXXIX by a vote of 401–1 on April 13, 2015.

ADVISORY OF EARMARKS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, it shall not be in order to consider in the House of Representative a conference report to accompany a bill or joint resolution unless the joint explanatory statement includes a list of congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits. No provision in the conference report accompanying H.R. 22 includes an earmark, limited tax benefit, or limited tariff benefit under clause 9(e), 9(f), or 9(g) of rule XXI.

From the Committee on Transportation and Infrastructure, for consideration of the House amendment and the Senate amendment, and modifications committed to conference.

BILL SHUSTER,
JOHN J. DUNCAN, Jr.,
SAM GRAVES,
CANDICE S. MILLER,
ERIC A. ''RICK'' CRAWFORD,
LOU BARLETTA,
BLAKE FARENTHOLD,
BOB GIBBS,
JEFF DENHAM,
REID J. RIBBLE,
SCOTT PERRY,
ROB WOODALL,
JOHN KATKO,
BRIAN BABIN,
CRESENT HARDY,
GARRET GRAVES,
PETER A. DEFAZIO,
ELEANOR HOLMES NORTON,
JERROLD NADLER,
CORRINE BROWN,
EDDIE BERNICE JOHNSON,
ELIJAH E. CUMMINGS,
RICK LARSEN,
MICHAEL E. CAPUANO,
GRACE F. NAPOLITANO,
DANIEL LIPINSKI,
STEVE COHEN,
ALBIO SIRES,

As additional conferees from the Committee on Armed Services, for consideration of sec. 1111 of the House amendment, and modifications committed to conference:

MAC THORNBERRY,
LORETTA SANCHEZ,

As additional conferees from the Committee on Energy and Commerce, for consideration of secs. 1109, 1201, 1202, 3003, Division B, secs. 31101, 31201, and Division F of the House amendment and secs. 11005, 11006, 11013, 21003, 21004, subtitles B and D of title XXXIV, secs. 51101 and 51201 of the Senate amendment, and modifications committed to conference:

FRED UPTON,
MARKWAYNE MULLIN,
FRANK PALLONE, Jr.,

As additional conferees from the Committee on Financial Services, for consideration of sec. 32202 and Division G of the House amendment and secs. 52203 and 52205 of the Senate amendment, and modifications committed to conference:

MAXINE WATERS,

As additional conferees from the Committee on the Judiciary, for consideration of secs. 1313, 24406, and 43001 of the House amendment and secs. 32502 and 35437 of the Senate amendment, and modifications committed to conference:

BOB GOODLATTE,
TOM MARINO,
ZOE LOFGREN,

As additional conferees from the Committee on Natural Resources, for consideration of secs. 1114–16, 1120, 1301, 1302, 1304, 1305, 1307, 1308, 1310–13, 1316, 1317, 10001, and 10002 of the House amendment and secs. 11024–27, 11101–13, 11116–18, 15006, 31103–05, and 73103 of the Senate amendment and modifications committed to conference:

GLENN THOMPSON,
DARIN LAHOOD,

As additional conferees from the Committee on Oversight and Government Reform, for consideration of secs. 5106, 5223, 5504, 5505, 61003, and 61004 of the House amendment and secs. 12004, 21019, 31203, 32401, 32508, 32606, 35203, 35311, and 35312 of the Senate amendment, and modifications committed to conference:

JOHN L. MICA,
WILL HURD,
GERALD E. CONNOLLY,

As additional conferees from the Committee on Science, Space, and Technology, for consideration of secs. 3008, 3015, 4003, and title VI of the House amendment and secs. 11001, 12001, 12002, 12004, 12102, 21009, 21017, subtitle B of title XXXI, secs. 35105 and 72003 of the Senate amendment, and modifications committed to conference:

LAMAR SMITH,
BARBARA COMSTOCK,
DONNA F. EDWARDS,

As additional conferees from the Committee on Ways and Means, for consideration of secs. 31101, 31201, and 31203 of the House amendment and secs. 51101, 51201, 51203, 52101, 52103–05, 52108, 62001, and 74001 of the Senate amendment, and modifications committed to conference:

KEVIN BRADY,
DAVID G. REICHERT,
SANDER LEVIN,

Managers on the Part of the House.

JAMES M. INHOFE,
JOHN THUNE,
ORRIN G. HATCH,
LISA MURKOWSKI,
DEB FISCHER,
JOHN BARRASSO,
JOHN CORNYN,
BARBARA BOXER,
BILL NELSON,
RICHARD J. DURBIN,

Managers on the Part of the Senate.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY

Mr. WHITFIELD. Mr. Speaker, pursuant to House Resolution 539, I call up the joint resolution (S.J. Res. 23) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units'', and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 539, the joint resolution is considered read.

The text of the joint resolution is as follows:

S.J. RES. 23

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units'' (published at 80 Fed. Reg. 64510 (October 23, 2015)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The joint resolution shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.

The gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from New Jersey (Mr. PALLONE) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on S.J. Res. 23.

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

There was no objection.

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

Today, we will debate resolutions of disapproval under the Congressional Review Act for the two EPA rules regulating greenhouse gas emissions from new and existing electric generating units.

I might say that it is appropriate that we are debating these resolutions today. As we know, the President and other leaders are meeting in France as we speak. They are speaking in generalities; they are not being detailed in their plans. Yet, in America, we are becoming aware more each day of exactly

the impact the EPA's regulations are having on the American people.

I remind everyone that Congress was not a part of any of this. The White House did not talk to us about any of this. The clean energy plan comes from the White House and is being implemented by the EPA.

Mr. Speaker, I yield 2½ minutes to the gentleman from Oklahoma (Mr. MULLIN).

Mr. MULLIN. I thank the chairman.

Mr. Speaker, I rise today to encourage Members to support these resolutions.

In 1996, Congress passed and the President signed into law an important tool for ensuring our three branches of government stay true to the vision of our Founding Fathers that was set over 200 years ago. Today, we are here to use this tool to rein in a President who has forgotten that the legislative branch makes the laws and that the executive branch enforces them.

The final rules regarding emissions from new and existing power plants are a clear executive overreach. In issuing these rules, the EPA has acted outside the authority it was granted by Congress in the Clean Air Act.

Electricity generation has always been the responsibility of States, but with these rules the President is threatening communities, businesses, and families by attempting to put the Federal Government in charge. These rules are unworkable, and they put the reliability of our electric grid at risk.

I ask my colleagues to seriously consider the consequences of allowing such clear executive overreach to stand, and I urge them to support this resolution of disapproval.

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

I rise in strong opposition to this resolution, and I oppose the other resolution that we will also consider this afternoon.

Once again, Republicans are attempting to stop any action by this administration to reduce carbon emissions, and, once again, the opponents of the EPA's regulations have no constructive alternative to offer that would improve the environmental performance of the electricity sector.

In fact, this week, the House of Representatives will not only consider these two unnecessary, ill-conceived resolutions, but it will also consider an energy bill that is dedicated to rolling back gains that have been made in energy efficiency, grid modernization, and renewable energy.

Mr. Speaker, governments and many of the world's largest private sector companies are gathered in Paris this week. They are putting forward innovative ideas, and they are making commitments to forge a different energy path—one that will prevent us from further overheating the Earth and causing major disruptions to people's lives, their property, and the global economy.

We know that climate change is harming us today through droughts, fires, floods, and storms, and we know that it will endanger our children's future if we don't act now.

Some of the opposition to these resolutions is based on the assertion that they will not solve the world's carbon emissions problems or ensure that we will avoid increased warming and catastrophic climate change, but that is not true. Reducing carbon pollution from the power sector through the implementation of performance standards for new power plants and improving the overall environmental performance of our grid will reduce carbon emissions here in the United States.

By making a commitment to this effort and demonstrating that reducing pollution is consistent with maintaining a reliable, resilient electricity supply, the United States exercises its leadership, giving assurance to other nations to follow our example.

This resolution and its companion will block the EPA and this administration from taking prudent steps to reduce carbon pollution from one of the highest emitting sectors, the power sector.

That is not all. The Congressional Review Act stipulates that the passage of a resolution to block a final rule also bars the Agency from issuing any rules that are substantially similar. So these resolutions prevent any future administration from developing similar rules to control carbon emissions from power plants.

The irony is that this sector already is poised to make many of the changes that are contained within these EPA rules. These changes are being driven by a combination of factors, only one of which is Federal regulation. State policies, changes in the relative price of natural gas and coal, smart grid technologies, consumer demand, and the further expansion of wind and solar generation all are factors that are reshaping the grid and redefining relationships within the electricity sector.

Instead of trying to hold back these forces, we should be helping States, local governments, consumers, grid operators, utilities, and displaced workers to make this transition easier.

Every significant effort to improve air quality through the Clean Air Act regulations has met the same tired, old arguments from the GOP—that it will cost too much, that it will jeopardize the reliability of our electricity system, that we don't have the technology to meet these new standards. Every time these dire predictions by my Republican colleagues are put forward, they have failed to materialize.

We have already had delayed action on climate change, Mr. Speaker, for too long. The EPA's rules to set greenhouse gas emissions standards for new and reconstructed generating units is an essential first step toward a more sustainable energy future. This rule sends a strong signal to the market in favor of technologies that provide improved environmental performance.

These EPA rules—this one and the one that will be mentioned later today—should move forward, and this joint resolution should be defeated. I urge a ''no'' vote on the resolution.

I reserve the balance of my time.

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

We are taking this action today to protect the American people. The American people do not expect unelected bureaucrats, acting at the discretion and the direction of the President of the United States, to unilaterally adopt regulations that are questionably illegal.

We have 23 States that are filing lawsuits on the new coal plant rules, and we have 27 States that have already filed lawsuits on the existing electric generating rules. I might add that, in the last 5 years, this administration has spent a total of $77 billion on climate change.

People ask why we have not taken action. This administration has been so extreme, so aggressive—and view this as the number one priority facing mankind—that we don't have enough money to act. Also, there are 61 separate Federal programs under the Obama administration that address climate change.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Indiana (Mrs. BROOKS).

□ 1445

Mrs. BROOKS of Indiana. Mr. Speaker, back in October I had the opportunity to attend the Indiana Industrial Energy Consumers annual conference in Indianapolis. There I heard from stakeholders across the energy supply chain about the serious economic and reliability issues emanating from the EPA Clean Power Plan.

For instance, John Hughes with the Electricity Consumers Resource Council presented findings showing that Indiana alone stands to lose 12,500 jobs because of these rules. This comes on top of the previous Obama administration regulations that have severely restricted my State's economic competitiveness and has dramatically increased electricity bills for Hoosiers.

In fact, Indiana's electric rates have gone from the fifth lowest in the Nation in 2003 to the twenty-sixth lowest in 2014. When these rules take effect, electricity rates in my State will continue to climb to the tune of up to 20 percent each year.

As a result, Hoosier manufacturers, who drive more than 30 percent of our economy, will be forced to shutter assembly lines and lay off employees simply to pay their utility bills.

Congress needs to think about the very real consequences of this, even if the EPA and the Obama administration are not thinking about this. The EPA Clean Power Plan means lost jobs, lost economic growth, and higher utility costs for both individuals and businesses.

That is why I strongly support both of the bills before us, which put an end to the executive overreach, protect the American ratepayer, and allow us to truly pursue an all-of-the-above energy strategy that will transform our economy and lay that strong foundation for our energy future.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Mr. Speaker, this week something historic is happening. Leaders from 195 countries are meeting in Paris to discuss a global solution to a global problem: climate change.

There is no denying it anymore. Climate change is real. Human activity is contributing to it. Without action, the results will be catastrophic.

Yet, while the nations of the world gather in agreement and concern, what are the House Republicans doing? They are rejecting science and reversing what progress we have made.

These disapproval resolutions effectively gut EPA's Clean Power Plan and carbon pollution standards for power plants. By attacking the EPA, Republicans are opening the smokestacks to release more of the dangerous emissions we know contribute to global warming. This is reckless.

Not only do these resolutions ignore the warnings of the scientific community by reversing progress, they also block the EPA from issuing any standards in the future that are substantially similar. Republicans must accept that our country is evolving.

In fact, many States are already running on an increasing amount of renewable energy, reducing energy waste, and decreasing carbon pollution. My own State of California has set a goal of 50 percent renewable energy by 2030, and others are developing their own plans to meet pollution reduction targets.

Each new goal towards a cleaner environment only encourages the investments and innovations that will help get us there. That is a benefit to our economy and our world, which is why two-thirds of Americans support a climate change pact.

It is time we listen to our constituents, to the vast majority of scientists and experts, and to the tens of thousands of world leaders, experts, and advocates who are seeking a path toward a sustainable future for our children and grandchildren.

I oppose these resolutions and these reckless attacks on our environment.

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

I might say that no one on our side of the aisle has denied climate change. I think we still live in a country where we all can express our views and we simply disagree with the President on the urgency of the issue. The President has even told the world that climate change is a more pressing issue to mankind than terrorism.

When we talk to people in the developing world, when we talk to people in Europe and around the globe, representatives come here and they stress to us that they are more concerned about clean water, a job, electricity, health, hygiene, issues like that, than they are about climate change.

Even in the polls here in America, only about 5 percent of the American people view climate change as one of the most pressing issues facing mankind. So that is why we have over 180 separate groups around the country that support these joint resolutions to turn back what President Obama is doing in an extreme and unprecedented way.

I would also just like to read that the Partnership for a Better Energy Future, which is a 181-member coalition, including national as well as State and local organizations in 36 States, writes of EPA's rule for new plants, which is precisely what we are discussing today: The EPA set a regulation so strict that the only technology that meets the requirement for a coal-fired power plant, carbon capture and sequestration is not commercially available.

There is no technology available to meet the stringent emissions standard set by EPA. Yet, China, India, and every other country in the world can build a new coal plant if they decide to do so.

We are not mandating that a plant be built, but we are recognizing the increased need for electricity in America and that it must be affordable and it must be abundant. For us to compete in the global marketplace, we simply want that option, and that is what this is about.

I yield 2 minutes to the distinguished gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of S.J. Res. 23, which disapproves of the EPA's carbon standard rules for power plants.

Our country is blessed with an abundance of energy sources. Reliable, affordable, and secured energy is critical to our national security, and a diverse energy portfolio adds to our strength.

While new technologies have allowed us to tap into sustainable sources of energy, we lack the infrastructure to use that energy nationwide. Clean coal, natural gas, and nuclear produce the bulk of America's energy for a reason. They are affordable, reliable, and the most available.

The carbon capture and storage technologies mandated by this rule are not commercially viable. Make no mistake. The EPA is seeking to ban the construction of any new fossil fuel power plants and severely limit the production of the others. With its companion rule on greenhouse gases, the EPA will simultaneously force the closure of many existing power plants.

Until alternative sources of energy are affordable and available from coast to coast, we must ensure that Americans can continue to affordably light and heat their homes. Under this rule, we will be unable to achieve this.

I urge my colleagues to protect families and the economy by supporting this bill.

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

I just have to say, I listened to my colleague from Kentucky (Mr. WHITFIELD), who I respect a great deal. I think he is suggesting that somehow the Republicans on our committee or maybe the leadership in the House do want to address climate change.

Every time that I have tried in the committee to bring up the issue of climate change, nothing has happened. We haven't had a hearing. We haven't had a bill. We haven't had any initiative since I have been on the committee, let alone served as the ranking member, in the last year—any initiative—that would address the issue of climate change.

So when my colleague from Kentucky says, ''Well, we are not denying that this exists. We just don't think it is a priority,'' well, it is not only not a priority. It is not something we have addressed at all in any way anytime the Democrats or myself have tried to raise this issue.

To suggest that it shouldn't be a priority—and maybe that is not what he is saying, but it sounded that way—well, I come from a district where we had Hurricane Sandy that devastated our district. We have droughts in California—we were just discussing it with my California colleagues who will be speaking soon—and all kinds of weather extremes that are causing all kinds of problems—loss of jobs, destruction around the country that has to be made up for later by FEMA and other Federal agencies that come in and spend billions of dollars to try to correct these problems. To suggest that this is not a priority I think is wrong. To suggest that somehow maybe the Republicans are dealing with it is simply not the case.

Again, I know you don't particularly like the President's power plan, but at least he is trying to do something. I don't see the GOP addressing this at all.

I yield 2 minutes to the gentleman from California (Mr. TED LIEU).

Mr. TED LIEU of California. Mr. Speaker, I am Congressman TED LIEU from California. I rise in opposition to the Republican resolution opposing the Clean Power Plan.

This is just another example of the Republican majority denying the urgency and severity of carbon pollution. At a time when the entire world is meeting in Paris to address carbon pollution, you now have the Republican majority doing exactly the opposite.

Now, America is an exceptional country, the best in the world. One reason we got here is because we believe in science. We believe in facts.

So if 9 out of 10 doctors said that your child is showing the symptoms of diabetes, would you ignore that and keep feeding your child doughnuts? No. You would go seek treatment.

So listen to 9 out of 10 scientists that are saying carbon pollution is real and it is going to kill us as a species if we don't do anything about it.

If you don't want to listen to those scientists, listen to some of the most conservative companies and organizations in America. Listen to ExxonMobil today. They say carbon pollution is real, it is being caused by humankind, and they support putting a price on carbon emissions.

Listen to the U.S. military. I served in Active Duty, and I am still in the Reserves. I am very proud of our military. They take the world as it is, not as they think it should be, not as they hope it will be, but as it is. They rely on facts and science.

They are telling us carbon pollution is a national security threat and it is going to flood our bases, it is going to cause more extreme weather events, and it is going to make it much worse for humanity if we don't do something about it.

At the end of the day, America is going to lead and the history books are going to say we led the way in saving humanity and dealing with carbon pollution or there will be no history books.

Mr. WHITFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Speaker, I wish President Obama took the threat of radical Islamic jihadists as seriously as he takes the pseudo science behind the manmade climate change threat.

Folks, these EPA rules affect jobs and they affect the amount of money in the pockets of moms and dads all across this great country. Now, transportation fuel costs are down for moms and dads, but the power to heat and cool their homes, the power to run the engines of the economy—the cost of that power has gone up because of the EPA regulations and rule writing that we have seen.

What does that mean? Well, wholesale electricity prices in South Carolina will spike as high as 13.9 percent. Households will pay as much as $84.19 more a year. Industrial customers will pay as much as $40,200 more a year just in South Carolina. It will cause 11,700 manufacturing jobs to be impacted.

Since 2012, 27 coal mining companies with core operations in West Virginia have filed for bankruptcy protection. But you know what? The TPP trade deal will allow West Virginia coal and Wyoming coal to be shipped to China to be burned. Now, where is the hypocrisy in that?

Let me tell you this: We rely on 24/7, always on, baseload power to run the engines of our society to heat and cool our homes. We can't do that with intermittent solar and wind. You can do that with nuclear, hydro, and fossil-fuel-fired power plants.

Think about the morality of 24/7 baseload power. That means the incubators in the hospitals are there to provide the incubation for the preemie children. That means that you can keep food from spoiling. That means you can heat your homes with some sort of source that doesn't cause pollution inside your home like it does, say, in Latin America or Africa, where they are burning wood or coal.

We have the ability through nuclear, hydro, and through fossil-fuel-fired power plants to provide that 24/7 baseload power. You can't do it with regulations that continue to kill the industry. You can't do it with intermittent energy sources like wind and solar. These regulations and these rules, written because of those regulations, are killing job creation in this country.

□ 1500

The SPEAKER pro tempore (Mr. HULTGREN). Without objection, the gentleman from New York (Mr. TONKO) will control the time on behalf of the gentleman from New Jersey (Mr. PALLONE).

There was no objection.

Mr. TONKO. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Mrs. CAPPS). She serves as a member of the Subcommittee on Environment and the Economy. She is an outspoken voice for defending the environment and calling for our sound stewardship of the environment.

Mrs. CAPPS. Mr. Speaker, I rise in unwavering opposition to these resolutions which deny the real effects of climate change and express opposition to our Nation's effort to address it.

These resolutions are particularly embarrassing because they come at a time when the rest of the world is coming together in Paris to identify solutions to climate change. There is overwhelming consensus around the globe that climate change is one of the most critical issues facing our world, not just for the environment, but for human health and for our local economies.

Our climate is changing. Our actions are emitting the greenhouse gasses that are contributing to this problem. Climate change is threatening public health, people's livelihoods, and the very environment that we live in.

While we should be determining a course forward to protect our constituents and safeguard our planet for generations to come, we are instead sending a signal to the rest of the world of willful negligence and disregard. Instead of arguing about whether the climate is changing, which it is, or if we are responsible, which we are, it is high time that we work together to determine solutions.

The new source carbon pollution standards and the Clean Power Plan will not solve all of the problems associated with greenhouse gasses, but it is a necessary step in the right direction. In addition to enacting meaningful change to curb emissions from the power sector, which is the largest source of greenhouse gas emissions in this country, these regulations also send a signal to people across America and across the world that we are working to address this broader issue.

Curbing carbon emissions from new and existing power plants in the country signifies that we are serious about working toward a cleaner, healthier future.

In addition to providing for a healthier environment for current and future generations, these regulations are important for both our public health and our business community alike. EPA's carbon regulations will lead to billions of dollars of public health benefits, potentially averting thousands of premature deaths and tens of thousands of asthma attacks in children.

The private sector has also stressed the need to take action because they understand the long-term costs and benefits. Businesses understand the economic consequences of inaction, that they are severe, and that we need to prepare for climate change today. They know the regulations are projected to create over 300,000 new clean energy jobs.

On the central coast of California, my congressional district, we have seen firsthand how important the jobs associated with the clean energy technologies are. Renewable energy projects in my district have created hundreds of new jobs, and provide enough energy for over 100,000 homes.

Instead, here we are today, debating and voting on resolutions of disapproval that deny these facts and show again the willingness of the majority to bury its head in the sand when faced with the need for action on climate change.

Just a few months ago, we all sat in this Chamber together as the Pope spoke of our world's most pressing challenges. In that speech, he reminded us that it is our moral obligation to respond to climate change. I couldn't agree more. We must band together to enact meaningful and lasting change for our people and our planet. I urge my colleagues to oppose these resolutions.

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

One of the great things about having a debate in this body is that we all get to express our different views, and the world benefits when different views can be expressed.

One of the reasons that we brought these resolutions to the House floor today is because of the climate change conference in France going on today. We want the world to know that there is disagreement with the President on this issue, not about the fact that the climate is changing, but about the priority that is being placed on it.

Why should this President penalize America and put us in jeopardy compared to other countries of the world and require us to do more than other countries of the world are doing just so that he can go to France and claim to be the world leader on climate change?

According to the Energy Information Administration, energy-related CO_2 emissions in America will remain below 2005 levels through 2040. Our CO_2 emissions today are roughly the same as they were 20 years ago. America does not have to take a backseat to anyone on addressing climate change. That is the point that we want the world to understand. We are doing a lot. We would like to help other countries do more, but why should we be penalized?

At this time, I yield 1½ minutes to the distinguished gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, you have heard the facts from the gentleman from Kentucky just now. What we are dealing with here on the other side is an ideology.

Today I rise in support of the two resolutions that work to keep electricity affordable and reliable for Americans. S.J. Res. 23 and S.J. Res. 24 are a response to harmful regulations established by the EPA under the President's Clean Power Plan. The EPA's regulations implement the first-ever caps on carbon emissions, which will result in higher energy costs for American families, businesses, and consumers. Some experts have said that the Clean Power Plan could be the most expensive regulation ever imposed on Americans.

Congress must protect Americans from legacy-driven agendas that trample the rights of our citizens, hurt our economy, and hinder job growth. These two resolutions work to provide protection for existing and future American power plants and safeguard Americans from higher energy costs.

The Senate has already passed this legislation. As the people's House, it is imperative that we vote to protect Americans from these destructive regulations.

I will continue to fight against the EPA's power grab. That is why I strongly support these two pieces of legislation.

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

Mr. Speaker, I have great respect for our colleague from Kentucky. However, when he talks about being in disagreement with the President of the United States, I should point out also that he is in disagreement with 97 percent of the scientist community that professes that we need to do something tremendously strong in response to climate change.

In regard to our role in this whole arena, putting ourselves at a competitive disadvantage, one of the responsibilities that befalls the leading nation like the United States is that, in fact, we must be that inspiration that inspires the international community. We have been able to bring some 150 countries to the fold to speak to their efforts of climate change, and we have inspired efforts from major nations like that of China, Brazil, and Mexico so as to begin that process.

When I met in my office with representatives from the EU—I think there were 13 nations represented—they all wanted to know where the giant was on this issue. The world is looking to the United States for its leadership, and that is a role that we should not take lightly, and it is one that we should move forward with in bold fashion.

With that being said, I now yield 3 minutes to the gentleman from California (Mr. MCNERNEY), who has been an outstanding voice on the Subcommittee on Environment and the Economy.

Mr. MCNERNEY. Mr. Speaker, I rise to oppose S.J. Res. 23 and S.J. Res. 24.

Frankly, this effort to deny climate change reminds me of the 50-plus votes we have taken to try to eliminate the Affordable Care Act.

As a global leader, we must reduce carbon emissions. To simply ignore our responsibility is misguided and will harm generations to come. We can't solve climate change by ourselves, but we must lead and be part of a larger effort.

I know that fossil fuels—and in particular, liquid fuels—will be needed in the years ahead, but we can still move toward a more efficient and sustainable energy system.

For example, I have actually had coal plants in my region shut down, shift to biomass, and become very successful while also benefiting the climate. I would also note that California is again leading the world in efforts to promote cleaner energy with a 50 percent renewable energy goal by 2050.

I represent part of the Central Valley, which has some of the worst air quality in the Nation. While this comes from a variety of sources, it impacts everyone. In an area that is already hurt economically, dirty air affects school- and workdays and disproportionately hurts children and other adults. This makes me more determined than ever to develop green energy.

This vote will again show that most or all House Republicans deny the obvious: climate change is taking place as a result of human activity. I expect that many of my Republican colleagues know and believe that climate change is real and is a long-term threat, and yet we are voting on these two resolutions today.

Lastly, one argument we hear is that the Clean Power Plan is administrative overreach and that it was never authorized by Congress. But this is exactly what the Clean Air Act does. The Supreme Court has ruled that carbon emissions can be regulated by the Clean Air Act.

I urge my colleagues to support our future, reject efforts that increase pollution, and oppose this measure.

Mr. WHITFIELD. Mr. Speaker, may I inquire how much time is remaining on both sides.

The SPEAKER pro tempore. The gentleman from Kentucky has 16½ minutes remaining. The gentleman from New York has 14½ minutes remaining.

Mr. WHITFIELD. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. RATCLIFFE).

Mr. RATCLIFFE. I thank the gentleman from Kentucky for his leadership on this important issue.

Mr. Speaker, every day Washington hits the American people with more regulations that hurt families, but very few will hurt these families more than President Obama's so-called Clean Power Plan because, according to the U.S. Energy Information Agency, the average electricity cost for a Texas household each year is $1,800, which is already 26 percent higher than the national average. To put this in perspective, almost half of all Texans spend more than 15 percent of their annual household budget on energy costs alone.

To stand up for middle-income families, we have an obligation to fight for policies that will keep energy costs down. Unfortunately, the administration's new regulations do exactly the opposite, which is why I introduced resolutions to combat these regulations immediately after they were announced and garnered the support of cosponsors from 15 different States. Americans across every corner of this country are impacted by this administration's overregulatory zeal, and we have got to do everything we can to stop it.

The facts are clear. These regulations will shut down vital power plants across the country, costing thousands of hardworking Americans their jobs, and in the process driving up electricity costs for every American. To

that point, the Electric Reliability Council of Texas anticipates that these regulations will increase retail power prices in Texas by up to 16 percent; and when family budgets are already stretched so thin, they simply can't afford this increase. In developing these regulations, the Obama administration once again has ignored everyday Americans and instead doubled down on its extreme ideological agenda.

Making matters worse, the EPA itself admits that these regulations come at a cost of anywhere between $5.1 billion and $8.4 billion in year 2030 alone.

What are the benefits of these regulations, you may ask? In exchange for crushing American families, losing American jobs at a cost of billions and billions of dollars, what profound effect will these regulations have on our environment?

Well, the scientific experts estimate that these regulations would only reduce the global temperature by one one-hundredth of a degree Fahrenheit and reduce sea levels by a mere two-tenths of 1 millimeter. Mr. Speaker, we simply can't let the Obama administration force Americans to sacrifice so much when even the most optimistic of calculations predict that the return would be negligible at best.

I urge my colleagues to support both pieces of legislation which are so critical to stopping these regulations dead in their tracks.

□ 1515

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

Mr. Speaker, there is much talk of the impact the President has on this issue and that it is a one-person force driving this country in a given direction, but a memo has been brought to my attention from Cassandra Carmichael, Executive Director of the National Religious Partnership for the Environment, and the faith-based community, which incorporates several faiths, who have written very strongly about their belief that we need to move forward with climate change action. They are disappointed in the lack of foresight and leadership reflected in these two resolutions. They make it abundantly clear that their communities are on the front lines of issues like health care, disaster relief, refugee resettlement, and development work. These are all issues that are somewhat connected in the external measurements of the fight on climate change.

They also talk about their beliefs that the Clean Power Plan is a solution that they have been advocating for over the course of many years, and that they believe that we can do this by assignment to the individual States, not imposing heavy economic pressure on some of our poorest neighborhoods, and that there is a way to be sound stewards of the environment and at the same time grow our economy.

I believe that it is a very powerful statement that should motivate all of us to think twice about our actions here, that we should move forward in a progressive fashion. They indicate God's creation is sacred and that we are called on to be responsible stewards of the gifts of creation while protecting our vulnerable neighbors. It doesn't get stronger than that.

So with that, I just think it needs to be brought into the discussion that it is not a one-person operation, a one-person show that is drawing us down this certain route of response to climate change but, rather, a large universe of support there that speaks to the wisdom of sound stewardship.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. JOHNSON), who is a passionate voice on behalf of the environment and economic recovery.

Mr. JOHNSON of Georgia. I thank the gentleman for yielding the time.

Mr. Speaker, I rise today to oppose S.J. Res. 23 and 24, which constitute the latest salvo by my friends on the other side of the aisle attacking our Nation's commitment to cut carbon pollution and slow climate change.

Now, I do realize that some of us really don't care whether or not mankind's actions contribute to climate change. Some of us really don't care.

Some of us don't care to consider that 95 percent of scientists recognize that it is man's activities that are contributing to the astronomical rate of climate change that is occurring that has the potential to render our planet uninhabitable by human beings. You can laugh, you can smile, you can joke, but 95 percent of the scientists agree that if we continue along the same path that we are continuing along, it is the demise of humankind itself that is the end result.

Now, some say you can adapt. Well, what we should be adapting to is the reality of the fact that we can change this. We can make things better for our children. That is why 195 progressive-thinking leaders of 195 countries represented in Paris today—right now, as we speak—are working on this very profound issue that affects humankind.

And what are we here in Congress doing? We are trying to scuttle the plans that have been made by this country to try to reduce carbon pollution. We are trying to scuttle it. We are using the argument that it is too costly to the big businesses that are already making billions.

Don't you know that, regardless of the cost to the big businesses, they are going to transfer those costs on down to you and me? Well, I think the health of our babies, the health of our elderly, and our own health is something that most Americans are willing to pay for.

We have got to have leadership in this Congress. We can't allow ourselves to put our heads in the sand and let climate change just rape and pillage the world. 195 world leaders say that we can't do that. That is what they are working on now, today, and we should be supporting that effort.

Unfortunately, we are going in the wrong direction here in this particular body by trying to kill it. I don't know whether or not that is because President Obama represents this country. He has been the most mistreated President during my lifetime, certainly. I don't know whether or not it is the hatred for him that causes people to deny science. But whatever it is, let's get off of it. Let's do the right thing, and let's oppose these two resolutions.

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

Mr. Speaker, I might say that this is really not a debate about science today. I have said repeatedly and most people have said, yes, we agree the climate is changing, but this is a debate about the solution and about the policies being advanced by this administration. That is why for both rules you have a total of 50 States and a multitude of other entities that have filed lawsuits—because we believe it is illegal. In fact, on the existing rule, which we will discuss in the next hour, EPA changed 30 years of its legal opinions, saying that they could not regulate under 111(d) the way they intend to do it now.

So I have the greatest respect for every Member of this body, and certainly those on the Energy and Power Subcommittee and the Energy and Commerce Committee, but I think it is important that we be able to have the debate. And that is what we are doing: showing how we disagree with the President's policies and his solutions.

I yield 2 minutes to the distinguished gentleman from Texas (Mr. HURD), who has been involved on this issue.

Mr. HURD of Texas. Mr. Speaker, I rise in support of the two disapproval resolutions that the House will consider today.

Mr. Speaker, many of our bellies are still full from Thanksgiving and now we are thinking about what we are going to buy our loved ones and family for Christmas. Let me tell you what families in Texas do not want for Christmas, and that is higher energy bills. But that is what we are going to get if EPA's proposed rules for new and existing power plants go into effect.

Many families in Texas are already living paycheck to paycheck. They are looking for ways to put a little extra aside so they can have a nice Christmas. But the EPA's rule for power plants will do more than just raise their electricity rates. Higher rates increase the cost of many other products and services that families need to buy.

During this weak economic recovery, families struggling to pay bills or still looking for good-paying jobs simply

can't afford for their cost of living to go up. Folks in my district have had enough of this kind of executive overreach by the White House. They have had enough of the excessive red tape that just seems to keep on coming from Federal bureaucracies like the EPA. They know it destroys jobs and economic growth; and in this case, it also puts our national security at risk. This new red tape by the EPA will hamper American energy security, and American energy security is a critical component of American national security.

The EPA's plan is an unnecessary attempt to eliminate reliable and affordable energy. Let's help make sure our families, our veterans, and our senior citizens don't face higher energy bills. I encourage my colleagues to support S.J. Res. 23 and 24.

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

Mr. Speaker, when it comes to the policies, I believe that the many, many hearings on the many issues, in a way, provide for a doable, workable plan. But opposition to a policy or just saying ''no'' isn't public policy. It isn't a strong response. It isn't a substantive response. To just disagree with what is being offered here without having viable solutions, without addressing carbon emissions, without speaking to the nuances of greening up our power supplies and growing energy independence, we are failing to respond in an effective manner.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Massachusetts (Ms. TSONGAS), a very strong voice and progressive voice for the environment, who is strong in her beliefs about climate change.

Ms. TSONGAS. I thank my colleague for yielding.

Mr. Speaker, I rise in strong opposition to the misguided resolutions before the House that seek to block the Clean Power Plan and undermine United States global leadership on climate change.

Climate change is no longer an academic question for scientists to ponder. It is a very real crisis that, if left untouched, will cause irreparable harm to current and future generations.

Should the resolutions we are considering today become law, our country would be prevented from taking necessary steps to safeguard our future.

The Clean Power Plan calls for a 32 percent reduction in carbon dioxide emissions below 2005 levels by 2030 and sets individual goals for each State in order to meet this national standard. It is a reasonable, commonsense approach that gives States the flexibility to reduce carbon pollution with strategies that work best in their State while bolstering clean energy investments and economic development.

Efforts to block the Clean Power Plan not only ignore overwhelming scientific consensus—we only have to turn on the radio today to hear it time after time, moment after moment—but they ignore the global consensus that we must take action to address climate change.

Right now, leaders from over 190 countries are gathered in Paris to outline long-term strategies to reduce greenhouse gas emissions and stave off the worst impacts of climate change. While at the summit, President Obama personally met with other heads of state, including the leaders of China and India, to reaffirm their commitment to reducing carbon emissions.

America must be at the forefront and lead by example. We must embrace modern policies that cut emissions, increase the use of renewable energy, reduce our dependence on foreign oil, and encourage the development of innovative green technologies. If we are successful, the economic, security, and environmental benefits to our Nation will be widespread, long-lasting, and significant.

I urge my colleagues to reject these harmful resolutions. The cost of inaction on the critical generational challenge is simply unacceptable and the price of delay too high.

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

Mr. Speaker, it raises the question once again. As I said, we have been very successful in America under the Clean Air Act. Our CO_2 emissions are as low as they were 20 years ago, and they are projected to be below 2005 levels through 2040. We are making great progress.

So why is the President committing America to being a country that cannot build a new coal-powered plant? We are not saying you should build one, but the President said he is for an all-of-the-above energy policy; yet he is prohibiting, through regulation, the building of a new coal-powered plant because the technology is not available to meet the emissions standards.

You don't think the Chinese would agree to not build a coal plant, do you? They are providing money for Pakistan to build coal plants. They are providing money for India to build coal plants. And even in Europe, with the natural gas prices from Russia so high, they are building new coal plants as they close down some gas plants.

So that is the kind of policy that we are discussing here today.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from North Dakota (Mr. CRAMER), who has been focused on this issue for his entire congressional career.

Mr. CRAMER. Mr. Speaker, I thank the chairman for yielding the time and for his leadership.

I might add that, prior to being in Congress, I was focused on the issue for nearly 10 years as a regulator of the energy industry in North Dakota. I served nearly 10 years on the North Dakota Public Service Commission, where I regulated not only the siting of coal plants, the reclamation of coal mines, but the cost of electricity to consumers.

□ 1530

I have to address some of the comments made by the gentleman from Georgia. I am sure they were sincere. I am sure they were well-intentioned.

But to stand here, Mr. Speaker, and lecture us that we are somehow motivated by hatred for the President of the United States is so beneath the dignity of this Chamber, and I am embarrassed for him.

Let me tell you that Barack Obama has the right to his opinion, and he is entitled to have it be different than mine. He perfectly has the right to be wrong even, if he wants to be.

But he doesn't have the right to break the law because he couldn't get a law changed when he had a Democratic House and a Democratic Senate. And that is what we are here to talk about, the violation of the law, as the chairman has pointed to earlier.

I don't even want to deal with the merits of climate change or global warming. I want to deal with the solution.

We have heard today that Republicans don't have a solution. Well, let me tell you about my little rectangular spot in the middle of the North American continent, North Dakota, best known now, of course, for producing a whole bunch of oil.

But long before we produced oil, we produced coal, 30 million tons a year, as a matter of fact. Seventy-nine percent of our electricity is generated by coal. We generate coal-generated electricity for many States in our region.

But we also are one of the seven States that meet all ambient air quality standards as prescribed by the EPA. We have a grade A, perfect, year after year after year for our air by the American Lung Association. The counties that have the greatest concentration of coal-fired power plants get an A grade.

Our utilities have been investing hundreds of millions of dollars over the years in clean coal technologies and scrubbers and everything that we can do to make our environment cleaner.

We live there. We love it. No bureaucrat in Washington, D.C., is going to love the air that we breathe in North Dakota more than those of us who live in North Dakota.

We also enjoy, like other coal-producing States, some of the lowest-priced electricity in the country.

I also would like to point out that, long before it was cool, we were siting wind farms. I sited over 1,000 megawatts of wind farms when I was on the Commission. Now there are

nearly 2,000 megawatts of installed wind in North Dakota.

We don't even have a mandate. We don't need to be lectured to by people who don't know a thing about where we live, a thing about our economy. We will do the right thing because it is the right thing. We will do the right thing because it is good for our families.

And, by the way, the rule that we are disapproving, the two rules we are disapproving, disproportionately hurt the poor and the middle income. Do you think it is the poor people that can afford to buy an Energy Star refrigerator at the end of the month? Is it the poor people that can afford to wrap their house in new insulation? Of course not.

We need to pass these resolutions and reject these rules.

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

The whole effort to make certain that we move forward with carbon emission reduction and the claims that we have dropped since 2005 levels—well, there was a drop in 2008 and 2009 because of the recession, a wind-down of activity, of less use of electricity. But then, again, we had climbed in 2012 and 2013, the last measurements on record.

So we need to be real about this effort. We know that if we do nothing we will see drops by 2040 of only 9 percent, when efforts here to make certain that we can reduce that carbon emission by 80 percent by 2050 are a strong contrast, and the goals here are laudable and noble.

I would also make mention that we have it within our power to provide for issues that, with technology, enable us to respond to these goals. We need to do that. I think we need to set the standards in a way that pronounce our stewardship as very noble for the environment.

Mr. Speaker, I again encourage us to reject these resolutions. I think they set us back. It would nullify opportunities to policy standards that would require stronger response.

We would allow for build-out that provides for additional construction, additional pollution that would accompany that opportunity that would be dangerous to our environment.

It would nullify our efforts to address carbon pollution, so that this is a dangerous thing, and I think it is why the President has indicated that, should they come to his desk, he would veto these measures, and why we are having this debate today while we should be championing the cause in a bipartisan, bicameral way to show the world that we care significantly about carbon emission reduction and that we want to stand as a world leader. That is where we should place ourselves and posit ourselves in that noble dimension.

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

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

Mr. Speaker, I want to thank Mr. TONKO, who does a great job on our committee, and I certainly respect his views.

I wanted to just touch previously on and reiterate why we are here today. The Senate has already passed both of these resolutions by a vote of 52–46 of disapproval of the President's clean energy plan and his regulation relating to new coal-fired plants.

We wanted this on the floor today because we want to send a message to the climate change conference in Paris that in America there is serious disagreement with the extreme policies of this President.

I would like to just point out briefly one of the reasons why we are so upset with this particular resolution about the emission standards for new coal-fired plants if one is going to be built.

EPA went to great detail of setting an emission standard, and they based that standard on four plants. And guess what? None of the three plants in America are even in operation.

In fact, the one in Texas, it looks like it is not going to be built at all. The one in California, DOE has suspended funding for it. The one in Mississippi has already experienced a $4.2 billion cost overrun. And it is close to an oil field for enhanced oil recovery to make it work, but it is not in operation.

The only plant that is operating, on which EPA set this emission standard, is a very small project in Canada that would not have been built without the Canadian Government funding. And it looks like it will never achieve a technical readiness level that would show it is available for commercial demonstration.

So here you have EPA taking this drastic step based on emissions of plants that really are not even in operation.

Why should America be the only country where you cannot build a new coal plant because EPA has set an emission standard that commercially and technically is not feasible?

That is what we are talking about here, just the policy, just the disagreement on the solution. I would urge our Members to support this resolution, and let's send a message to the White House and to those conferees in Paris.

I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, this week, world leaders are meeting in Paris to address the serious threat of climate change. Across the globe and here at home, there is broad recognition of the need to act decisively to curb the climate crisis that threatens our communities. And yet today we are considering legislation that would allow continued carbon pollution, jeopardizing public health and the environment.

The President's Clean Power Plan limits carbon pollution from new and existing power plants for the first time ever. It is a flexible, meaningful plan that will help states transition to clean energy sources and greater efficiency. It was developed with extensive stakeholder outreach. And it will create jobs, reduce the toxic pollution that is a leading contributor to climate change, and protect public health.

The resolutions on the Floor today would stop this common sense plan and prohibit any similar measure. And Congressional Republicans are not offering any plan to replace it. They continue to deny the problem of climate change, even in the face of overwhelming scientific evidence and the damaging storms, increased flooding, and drought that are already impacting our communities. They are ignoring the warnings from our Department of Defense, who call climate change a threat multiplier throughout the world.

We have the opportunity to lead, to expand opportunities in 21st century energy, and to protect our environment for future generations. The world is watching. We must reject these shameful, regressive resolutions and act to prevent climate change.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the rule, the previous question is ordered on the joint resolution.

The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

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

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY

Mr. WHITFIELD. Mr. Speaker, pursuant to House Resolution 539, I call up the joint resolution (S.J. Res. 24) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units'' and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 539, the joint resolution is considered read.

The text of the joint resolution is as follows:

S.J. RES. 24

Resolved by the Senate and House of Representatives of the United States of America in

Congress assembled, That Congress disapproves the rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units'' (published at 80 Fed. Reg. 64662 (October 23, 2015)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The joint resolution shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.

The gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from New York (Mr. TONKO) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on S.J. Res. 24.

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

There was no objection.

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

Mr. Speaker, even more sweeping than EPA's new source performance standard for power plant greenhouse gas emissions is the rule governing existing sources. And that is what S.J. Res. 24 is about, and the impact that this rule is going to have on every existing coal plant in America and the impact that it could have on the electricity rates and the impediments that it could establish for future economic growth in America.

I yield 3 minutes to the distinguished gentleman from Texas (Mr. OLSON), who is vice chair of the Energy and Power Subcommittee.

Mr. OLSON. I thank the chair and my good friend from Kentucky for the time to speak on this important resolution.

Mr. Speaker, today is a sad day for America when our administration harms our country without a valid reason, and yet that is exactly what President Obama's EPA has done with their clean power rules.

Without input from Congress and with only small, limited public meetings, EPA rammed through new rules to limit CO_2. These rules destroy new coal power in America.

In my home State of Texas, our grid is regulated by ERCOT, 90 percent. They say they lose 4,000 megawatts of power, at a minimum, with the early retirements of coal plants because of the Clean Power Plan. Energy costs for customers may be up by 60 percent by 2030 due to the CPP.

EPA's actions violate the words and the intent of the Clean Air Act, and that is why a majority of States have sued in Federal court to stop its implementation.

EPA's actions have Texans scratching their heads and saying, ''What the heck?'' Why is EPA's CPP tougher on newer coal plants than older ones?

□ 1545

Newer is always cleaner than upgraded, retrofitted older plants. What the heck?

This is all done in the name of climate change. Climate change has happened since God created our Earth. Over 66 million years ago my home State of Texas was under water. Texas, as an ocean, is huge climate change unlikely due to human campfires set at that time.

In September 2014, a high ranking former Obama administration member, the under secretary for science at the Department of Education, Dr. Steven Koonin, wrote this in The Wall Street Journal: ''The climate has always changed and always will.''

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WHITFIELD. Mr. Speaker, I yield the gentleman from Texas an additional 30 seconds.

Mr. OLSON. Mr. Speaker, I will quote from Dr. Koonin: ''There isn't a useful consensus at the level of detail relevant to assess human influence on climate change.''

Yet, here we are, fighting for American jobs and commonsense regulations while world leaders are in Paris making promises they can't keep. Enough of the Band-Aids from EPA.

Mr. Speaker, I urge my colleagues to vote for S.J. Res. 24 and S.J. Res. 23 and for American jobs.

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

Mr. Speaker, it is unfortunate that we are considering two resolutions today that are designed to prevent the Environmental Protection Agency from moving forward with critical regulations to reduce carbon emissions from existing and new power plants.

That previous resolution that was just aired in the House and now this resolution should be called exactly what they are, that being an attack on EPA's Clean Air Act authority. These resolutions would block this administration or any future administration from taking meaningful action to curb carbon emissions from our power plants.

We have ample evidence from more than four decades' worth of clean air regulation that shows that a strong economy and strong environmental and public health protections do indeed go hand in hand. So let's stop promoting this false notion that we cannot improve the air we breathe while simultaneously growing our economy and, yes, creating jobs.

The EPA's Clean Power Plan will promote public health. The EPA estimates that the Clean Power Plan will reduce carbon pollution from the power sector by 32 percent—32 percent—below 2005 levels. There will also be significant reductions in sulfur dioxide and NO_X emissions.

This is a tremendous public health victory. It will avoid thousands of premature deaths and an estimated 90,000 asthma attacks in children in 2030 alone.

Mr. Speaker, I understand the concerns of the individuals, families, and communities that may have their jobs lost or displaced due to this energy transition. We share those concerns.

I agree that these people who have dedicated their lives to providing us with reliable power deserve a lot more than a pink slip, but we do these people no favors by promising job security that the economy will no longer deliver.

Instead of working together to find ways to ease the transition for States and communities that already are challenged by the many changes that are happening in the electric utility sector, we are spending time trying to turn back the clock. It cannot be done.

EPA is a convenient scapegoat here, but the transition that is occurring is driven by much more than EPA regulations. Natural gas—its abundance and low price—is out-competing coal within the utility sector. Power plants are aging.

Even more important, the economy has changed. Many of the older plants are located in areas that once had far more demand for electricity, demand from large manufacturing plants and heavy industry. Those factories have closed or modernized, both resulting in far less electricity use.

There are new technologies. Wind and solar generation is growing, and those renewable energy sources have strong, broad-based, public support.

Other technologies that enable the electric grid to be smarter, more flexible, and more resilient are being deployed now, and more are in development. State policies to encourage energy efficiency and to diversify energy sources are also driving this transition.

As I have said before, Mr. Speaker, was the transition from wire to wireless communication a war on copper? Was the transition to the automobile a war on horses? No, of course not.

EPA's regulations are playing some role in driving the changes we see. That is true. But the Agency is doing what Congress directed it to do on behalf of all Americans: to act in defense of public health and to act in defense of our environment.

Let's put aside the EPA scapegoating and have a real dialogue on our changing power sector and what can be done to support those working in impacted industries. Meanwhile, we are debating these resolutions as our negotiators are in Paris working on an international climate agreement.

The bottom line is there is an overwhelming scientific consensus that climate change is happening and is primarily caused by human activity, particularly the burning of fossil fuels.

Climate change is no longer a problem for future generations. We are already feeling its effects in every corner of our Nation and across the globe, which threaten our economic and our national security.

The Clean Power Plan will play a significant role in the fight against climate change. The United States' action alone won't stop climate change, but action by the rest of the world without the United States' action also will not succeed.

Other countries will have an excuse to delay action as long as the giant, the United States, does as well. This is the dynamic that has prevented us from action in the past. But now we have seen major commitments from the world's largest developed and developing nations.

Mr. Speaker, the Clean Power Plan demonstrates United States leadership and is key to our effort to secure an ambitious and lasting international climate agreement.

We cannot fool ourselves that the Clean Power Plan, an agreement in Paris, or any one action alone will solve all of our climate crises. But these rules will deliver substantial benefits to our society, and they will move us in the right direction.

Mr. Speaker, I urge my colleagues to reject these resolutions. Let's work together in a meaningful strategy to address the problems that are emerging from the transition in our own electricity sector while promoting a cleaner, more sustainable Nation and growing significant jobs that are not yet on the radar screen.

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

Mr. WHITFIELD. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. BUCSHON). He is a member of the Energy and Commerce Committee.

Mr. BUCSHON. Mr. Speaker, I rise in support of S.J. Res. 24, which expresses congressional disapproval under the Congressional Review Act of the EPA's rule on existing power plants. I also support S.J. Res. 23 that was just debated.

According to the EPA's own cost-benefit analysis, these regulations would do very little to impact global temperatures, but these regulations will, without a doubt, be devastating for Hoosier businesses and families that rely on affordable energy. Those hurt the most will be the poor and seniors on a fixed income.

Mr. Speaker, advances in how we produce energy should be achieved through innovation, technology, and efficient business practices, not by unobtainable Federal Government mandates from the EPA.

Mr. Speaker, Indiana disapproves of the EPA's attack on our State's economy and our State's jobs.

Mr. Speaker, I urge my colleagues to reject this overreach by supporting S.J. Res. 23 and 24.

Mr. TONKO. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY), my colleague and friend. He is the cochair of the SEEC Coalition in the House, the Sustainable Energy and Environment Coalition. He is an outstanding leader with SEEC, and he is an outstanding leader for his district and the Commonwealth of Virginia.

Mr. CONNOLLY. Mr. Speaker, I thank my dear friend from New York, who is the cochair of the Sustainable Energy and Environment Coalition and does such a superlative job.

I rise to support him in opposing this legislative effort which argues overreach, but what it is really all about is making sure that the government does not protect the public, that we live in a Darwinian world where you apparently take your chances, whether it is asthma, other respiratory illnesses, cancer, and all kinds of other ailments that can affect communities that suffer from this pollution. We, as a country, can do better. We can create jobs, not lose them.

The arguments on the other side have always been that the Clean Air Act costs jobs and raises costs, neither of which are true. We have gotten lots of experience since 1970 with the Clean Air Act. I can tell you that, in my home State of Virginia, electric costs came down. They didn't go up. Jobs got created, not lost.

I end, Mr. Speaker, by reminding us of what His Holiness Pope Francis has argued. When Pope Francis came to the White House, before he spoke to this body, he personally thanked the President for these rules in protecting clean air.

His first encyclical is on climate change, which he believes is one of the most important and imperative moral issues facing mankind today. That is what the Pope has to say about this subject. We ought to heed his words and his moral warning as we debate this subject.

Mr. Speaker, I oppose the legislation and support the amendments with respect to the Clean Air Act.

Mr. WHITFIELD. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. BOST).

Mr. BOST. Mr. Speaker, I thank the gentleman from Kentucky and my neighbor across the river.

Mr. Speaker, the Obama administration's Clean Power Plan rule is a dagger aimed at the heart of the coal industry and affordable, American-made energy.

According to recent studies, the regulation will increase electric costs in my home State of Illinois by 27 percent. That is an unbearable burden on working families, seniors, and those people who are on set incomes.

On top of that, Mr. Speaker, the mining industry employs thousands of workers in southern Illinois and supports thousands more in union retirees.

I have heard here today on this floor that it doesn't affect jobs. Well, tell that to the people of my district who have watched the coal mines close and who have watched the suffering. These people don't have the opportunity to keep their children working near their own homes. They have to move away.

Mr. Speaker, if this regulation takes effect, the local coal mines that are left and coal generation plants will close down. Our priority must be affordable energy and American jobs.

For this reason, I ask, I beg, and I plead: Vote for S.J. Res. 24.

Mr. TONKO. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. CASTOR). She is a member of the Subcommittee on Energy and Power, and that reports to the greater Committee on Energy and Commerce that we both serve. I have witnessed her straightforward thinking and her very strong, passionate response on behalf of climate change.

Ms. CASTOR of Florida. I thank the gentleman from New York for his kind words and his leadership on this issue.

Mr. Speaker, I rise in opposition to this resolution that seeks to hamstring America's ability to combat carbon pollution and the impacts of the changing climate.

In Paris today, 195 nations from around the world are meeting to tackle the challenges of the changing climate. I am proud to see that America is leading this effort.

America's willingness to tackle the economic and environmental impacts of climate change is a reflection of our values. We do not cower in the face of difficult circumstances. That is the essence of the United States of America.

□ 1600

Yet that is what this Republican majority in the Congress would have us do—ignore the problem, pretend it doesn't exist, hope it goes away.

Well, we cannot do that. Scientific consensus is clear: The Earth's climate is changing, temperatures are getting warmer, and it is the greenhouse gases that are the primary drivers. Over the long term, the consequences will be very serious and the costs will be very high, indeed, unless we take action.

My neighbors back home in Florida are particularly vulnerable. Florida has more private property at risk from flooding linked to climate change than any other State, an amount that could double in the next 4 years.

Already, local governments and taxpayers are being asked to pay more for stormwater drainage, drinking water initiatives, and beach renourishment.

Extreme weather events will likely cause increases in property insurance and flood insurance.

We just experienced, colleagues, one of the warmest Novembers on record in central Florida. Because of the heat, we had to run our air conditioners a lot longer than we are used to. We are used to turning them off in November, so we are paying more on our electric bills.

For my friends in agriculture, the tomato crop was harvested earlier this year because of the heat, and while the yield was comparable to past years, the size was affected. The increase in the number of days with extreme heat is sure to impact other crops in Florida's economy.

We are not alone. We are going to continue to see the impacts all across America. So we have a challenge before us. We cannot shirk our responsibility to this great country or to future generations.

We must unleash American ingenuity to reduce carbon pollution. So much is already happening. Technology today helps consumers conserve energy and save on their electric bills. Smartphones and smart meters can help you control your thermostat.

Renewable energy, such as solar and wind power, hold great promise and are growing by leaps and bounds. I have seen it at home, where local businesses like IKEA and the big beer distributorship have put solar panels on the roofs of their huge buildings to save on their electric bills.

Roughly 20,000 megawatts of solar capacity is forecasted to come on line over the next 2 years, doubling the country's existing solar capacity.

And industrial energy and heat that was once wasted is being turned into fuel.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. TONKO. I yield the gentlewoman an additional 1 minute.

Ms. CASTOR of Florida. Mr. Speaker, I thank the gentleman.

All of these efforts are creating the jobs of tomorrow in clean energy, in engineering, in energy efficiency and green building.

So, colleagues, I urge you to defeat this resolution. It is largely a symbolic vote. A ''yes'' vote is one to ignore the costs and consequences of the changing climate, but if it passes, it will also be another low point for this Congress, a Congress that has demonstrated time and again an inability to deal with the complicated and thorny problems that face America. I predict that many will come to regret that legacy.

Mr. WHITFIELD. Mr. Speaker, I respectfully disagree with the distinguished gentlewoman from Florida who says this is a symbolic vote.

We want this vote to be held because the Senate has already adopted this resolution. We want the House to adopt this resolution while the climate change conference is going on in France so that the world will know that in America there is a disagreement about the extreme power grab that this President is initiating under his clean energy plan.

At this time, I yield 3 minutes to the gentleman from Ohio (Mr. JOHNSON), who has been a real leader for Ohio in this issue and in the Congress.

Mr. JOHNSON of Ohio. Mr. Speaker, I thank the chairman, and I couldn't agree with my chairman more on his comments.

I rise today in strong support of S.J. Res. 24, a joint resolution disapproving of the EPA's regulations targeting existing power plants.

If the administration allows the Clean Power Plan to move forward, countless coal and coal-related jobs across the country will be eliminated, families and small businesses will be forced to pay higher electricity prices, and grid reliability will be seriously jeopardized.

It is estimated that, to comply with the EPA's existing power plant regulations, energy sector expenditures would increase from $220 billion to $292 billion, with retail electricity prices doubling in 40 States. In fact, by 2030, one study predicts Ohio's wholesale electricity prices will increase by 31.2 percent due to this regulation. The regulation will force consumers to absorb a $64 billion cost just to replace the power plants shut down by the rule.

This resolution of disapproval sends a clear message to the President that a majority of the Senate, the House, and America do not approve of higher electricity prices and an unreliable electric grid.

At least 27 States, including Ohio, are now challenging the regulations in court. Ohio EPA Director Craig Butler is correct; it would be irresponsible for the U.S. EPA to force immediate compliance until the legal issues are resolved.

America faces real challenges. ISIS and other terrorist groups are plotting to attack us. We have a staggering national debt that our children and grandchildren will be buried under if we don't address it. We have a Tax Code and regulatory framework that are stifling and strangling innovation and job creation. And our education system isn't keeping pace with those of our rivals.

These are real problems. America's air and water have never been cleaner. For the President to continue his crusade to shut down the coal industry and all the jobs that go with it is shortsighted, foolish, and wrong.

And it won't just be the coal miners who pay for the President's policy on coal, Mr. Speaker. It will be every family and small business who end up paying more for their electricity as a result.

I strongly urge my colleagues to support S.J. Res. 24.

Mr. TONKO. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. MCDERMOTT), a member of the Ways and Means Committee and, more important to this discussion, an outstanding, passionate voice concerning climate change and carbon emission.

Mr. MCDERMOTT. Mr. Speaker, Members of Congress, the Republican propaganda machine is out here pushing a false choice: You either have no regulations or you have no economy. That is what it is. You have to get rid of all the regulations, or you won't have an economy.

Now, that simply is not true. The facts are piling up worldwide that we cannot continue what we are doing.

Now, on the front page of today's Washington Post is a picture of a Chinese city where you can't see a guy riding a bicycle in the street. That is true in Delhi. That is true in Beijing. It is all over the world.

And, unfortunately, climate is all over the world. We can't just have it clean in our neighborhood and have it awful in the rest of the world. We have to think about a larger issue than our own.

I have heard the same arguments that I am hearing today when we said, ''You've got to stop smoking on the airplanes.'' Why, we heard the tobacco boys running in here saying, ''Oh, this is the end of the Earth. There will be nobody smoking tobacco.''

And look what has happened. The air is cleaned up on planes, it is cleaned up in restaurants, it is cleaned up on this floor because we had rules and regulations.

This is a public health problem as much as it is an economic problem. Since I got out of the military in 1968, 76,000 miners have died of black lung disease—76,000. We have appropriated in this House $45 billion in money to those miners because of their problems.

Our ravenous appetite for fossil fuels continues to be a real problem, and it is getting worse. And yet, with all the reckless bills, the Republicans are once again turning a blind eye to these costs. ''They don't mean anything. We want the mine owners to have freedom to do whatever they want and the power companies to do whatever they want. We don't want anybody to tell them you have to clean it up.''

In Seattle, we have a steel plant right in the middle of town. It is run by Nucor. The Nucor Steel rebar plant is right in the middle of the city. It has been cleaned up, and you can do it.

But the coal boys and the power boys, they don't want to spend any money cleaning anything up. They don't want anybody telling them, with regulations, you have to reduce the amount of particulates in the air. So we have this problem that is going on and on and on.

Now, as industry and the industry-bought Republicans fight tooth and

nail against any effort to reduce dependence on fossil fuels, they are not just condemning future generations to a world battered by increasing extreme and erratic weather patterns—we are seeing them all over the world.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TONKO. I yield the gentleman an additional 1 minute.

Mr. McDERMOTT. They are really betraying a generation of Americans who are already reeling from the impact of all of this. Coal miners and the communities they live in are bearing the brunt of this irresponsible action by the coal owners.

We had the same thing in Washington State with the forests. People said, ''You have to keep cutting trees. Cut every tree you can see that is standing anywhere.'' And we said, ''If you do that, you destroy the environment.'' So we stopped, and we helped the loggers find another way to make a living, and they are doing just fine.

Now, if we keep this up and keep resisting and keep exposing the American public, both in the mines and in the cities, to this kind of environment, we are going to pay for it.

It is like that FRAM commercial when I was a kid. The FRAM commercial was you either clean your air filter on your car now or you are going to pay me later by having to have the motor redone.

That is what this is about. We are talking about a President who says, let's put some new FRAM filters in here and see if we can't cut down the pollution and save both the people and the economy.

Mr. WHITFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), the distinguished majority whip.

Mr. SCALISE. Mr. Speaker, I want to thank the gentleman from Kentucky for yielding and for bringing this legislation to the floor.

I rise in strong support of S.J. Res. 24.

Mr. Speaker, what we are talking about is rejecting this radical plan by President Obama's EPA that is going to actually impact every power plant in this country.

The President has a war on coal. He declared a war on coal years ago, and we are seeing the results of it. The results of it here in America are thousands of good jobs lost, thousands of middle class families that are now unemployed and trying to fight to get back in the middle class. And even more than that, Mr. Speaker, what you see is millions of people across this country paying more for electricity costs because of these regulations.

So what is President Obama's answer? It is to go to Paris and say that the biggest threat to national security is global warming. For goodness' sake, doesn't he see what is going on across the world?

We are here focusing on national security, Mr. Speaker. We are also focusing on energy security, and we are standing up against a radical regulation that is going to increase costs on the most needy in this country.

When you look at the impact, this proposal by President Obama's EPA would have a $29-billion-per-year cost on middle class families. The people that are going to be hit the hardest are low-income families, Mr. Speaker. In Louisiana alone, nearly 1 million middle-and low-income families will be hit by this radical regulation.

At Christmas season, I think families would much rather be spending their hard-earned dollars going and buying Christmas presents for their families instead of seeing a 13-percent increase in their utility bills for a regulation that is not going to do anything to clean the air.

We are already seeing a reduction in carbon emissions because of the American innovation. When some of these European countries signed Kyoto and some of these other accords that are wrecking their economies, we didn't do it. Because we are actually doing better than them without signing an accord because we used great American innovation.

And, instead, the President wants to come behind and bring a regulation that is going to strangle small businesses, it is going to strangle families, and it is going to increase electricity costs on those that can least afford to pay it.

Again, let them keep the money in their own pockets. Let's innovate, let's create jobs in this economy, not use radical regulations to strangle our economy and our middle class. Let's pass this resolution.

Mr. TONKO. Mr. Speaker, I ask unanimous consent to yield the balance of my time to the gentleman from New Jersey (Mr. PALLONE), our distinguished ranking member of the Energy and Commerce Committee, who has led a fight for carbon emission and climate change on behalf of the Democrats in the House, and that he may control that time.

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

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey.

□ 1615

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. I thank the chairman.

Mr. Speaker, my colleague Congressman MCDERMOTT pointed to this picture in today's edition of The Washington Post. This is during the daylight. It is outside. It is in China.

I have been over there about four times, and I can relate to this picture in case nobody has been over there. Anybody who has been over there knows how the environment, the air quality, and people's health are impacted by the lack of regulations that have existed over in China. They have an acute air pollution problem.

The fact is we don't have air pollution like that here in America because we have had regulations promulgated by agencies like the EPA, particularly the EPA, that have resulted in, yes, some increased costs to Americans, but the result of that cost is air quality that does not look like this.

This is worth paying for, and the people will continue to pay. We will continue to pay. I mean, life is not free. It is true, though, that, with companies making so much money these days due to the misbalance in the economy, people are being squeezed.

I hate to ask people to pay more, but I myself cannot live just based on the price that businesses have to pay to make sure that they are not polluting our environment. They should pay, and we have to pay our fair share, too.

The question is: Are we going to be able to save our planet from countries that don't have regulations?

We are going in the opposite direction here. We are talking about doing away with the EPA. Why is it that the first thing my friends on the other side of the aisle and all of their Presidential candidates talk about is getting rid of the EPA?

There is a reason for that. The reason is that they want to protect the ability of polluters to just pollute at will and to continue to make all of the money at the expense of people's health, with our paying them exorbitant amounts for the energy that they are creating.

When are we going to do something about this? If not now, then when? If it is not America that is leading, then who?

They talk about President Obama going to Paris. There are 185 nations being represented in Paris that are working on this problem, which is a profound problem not just for America, but for the world. We all live in this same ship together, and we have got to take care of it.

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

I will reiterate and make sure that everyone understands that S.J. Res. 24 does not eliminate the EPA. It refers only to the President's existing coal plant rule.

Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. WOMACK), who has been very involved in this issue in his career in Congress.

Mr. WOMACK. I thank the distinguished gentleman from Kentucky for his leadership on the issue.

Mr. Speaker, I rise today in support of S.J. Res. 24 and to echo the sentiments of my colleagues.

There is no question that we are all searching for a brighter future for generations to come. We disagree, however, on how to get there and, in this case, on the effects that our decisions could have on the environment and on the American family in the process.

Frankly, the EPA's Clean Power Plan will result in little to no environmental benefit at the expense of thousands of jobs and countless dollars and hours spent on compliance, all for the sake of an unrelenting government agency's agenda and the desired environmental legacy of this administration. It is as simple as that.

Not only will the Clean Power Plan fail to achieve the results intended, but the administration's very authority to implement it is questionable at best. The letter of the law itself denies the EPA this authority to regulate power plants under section 111(d), something specifically cited under section 112. Twenty-seven States' attorneys general, including our very own Leslie Rutledge in Arkansas, agree and have filed suit in response.

The Constitution clearly states that legislative powers are vested in the Congress. The Clean Power Plan is a clear attempt to take policymaking out of the hands of Congress. That is unacceptable. President Obama's never-ending regulatory overreach has to be stopped.

If the EPA will not halt, Congress must act to prevent this egregious power grab. This resolution will stop the EPA in its tracks and return the power to where it rightfully exists. Maybe then we can all get back to this Nation's historic, all-of-the-above energy policy.

Mr. Speaker, if we want to leave our successors a better future, supporting the two resolutions that have been debated here on the floor today is a really good first step.

Mr. PALLONE. Mr. Speaker, may I inquire as to the time that remains on both sides?

The SPEAKER pro tempore. The gentleman from New Jersey has 10½ minutes remaining. The gentleman from Kentucky has 16½ minutes remaining.

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

Mr. WHITFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. I thank the gentleman.

Mr. Speaker, I rise today in strong support of both joint resolutions, which will block the Obama administration's so-called Clean Power Plan, a regulation, I will add, that was never authorized by Congress, that will hurt our economy, lower our standard of living, and have absolutely no impact on the climate.

Mr. Speaker, I often say the things that make America great are the things that America makes. Now, how do we do that? We do that with an affordable, dependable, reliable energy supply.

According to the Electric Reliability Council of Texas, which operates my State's electric grid, energy costs would increase protections by up to 16 percent due to this Clean Power Plan. This will have a disproportionate impact on the poor and on those on fixed incomes. Sadly, most of those folks don't even see it coming.

According to testimony we heard today, Mr. Speaker, in the Science, Space, and Technology Committee, the Clean Power Plan will reduce global temperatures by just .023 degrees Fahrenheit by the year 2100.

Furthermore, the EPA's claimed public health benefits from this regulation are due solely to reductions in air pollutants that are already regulated by the Agency under existing standards. The reduction of carbon dioxide on its own has no public health benefits.

I mentioned that the things that make America great are the way that we have a reliable, affordable power supply. I guess we could say that the EPA stands for an ''energy and power assault.''

Mr. Speaker, the facts are clear. This regulation will hurt our economy, and it will have none of the stated benefits the administration claims. I often say that the EPA seems to stand for ''eventually paralyzing America.''

We must adopt these resolutions of disapproval and hold this administration accountable for its regulatory assault on our economy and on our low-income families. That is how I see it here in America.

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

I have heard my Republican colleagues say over and over again that the President's Clean Power Plan won't have any impact on air quality and that it won't do anything to improve the environment. Nothing could be further from the truth.

The rule that we are discussing in this joint resolution and that the joint resolution would seek to disapprove establishes State-by-State targets for lowering carbon emissions. When it is implemented, the rule will reduce emissions from the power sector by 32 percent over the next 15 years as compared to emissions in 2005.

The final rule has public health and other benefits of up to $54 billion per year by 2030, and this includes thousands of fewer premature deaths from air pollution and tens of thousands of fewer childhood asthma attacks each year—emphasizing again, thousands of fewer premature deaths from air pollution and tens of thousands of fewer childhood asthma attacks each year.

I keep hearing from my GOP colleagues about the costs. What are the costs to society of air pollution and of people suffering from asthma and of premature deaths and of hospitalizations and of all of the costs? None of these things are calculated by the Republicans in their speeches. They just assume that somehow none of this matters.

Some of my Democratic colleagues have said over and over again that this is sort of a wasted debate because we know that the President has said he is going to veto the bill and that there wouldn't be enough votes in the House or in the Senate to overcome the President's veto.

The theme that you are getting from the Republicans is somehow a clean environment and a good economy don't go together. In fact, the opposite is true.

The fact of the matter is that, ever since the Clean Air Act was implemented years ago, we have seen reductions in air pollution. We have seen people's lives saved. We have seen fewer people suffer from asthma attacks and the other consequences of pollution. At the same time, the economy has improved.

In the Statement of Administration Policy, in which the President says that he will veto this resolution, he specifically says that, since it was enacted in 1970 and amended in 1977 and 1990, each time with strong bipartisan support, the Clean Air Act has improved the Nation's air quality and has protected public health.

Over that same period of time, the economy has tripled in size while emissions of key pollutants have decreased by more than 70 percent. Forty-five years of clean air regulation have shown that a strong economy and strong environmental and public health protections go hand in hand.

I just keep hearing these negative comments from the other side of the aisle. The fact of the matter is, when you reduce air pollution, you eliminate the consequences of people having bad health, of dying, of getting sick.

At the same time, the economy has improved because we have come up with alternatives to the awful pollution that has resulted which this Clean Power Plan is designed to thwart.

Again, I keep hearing my colleagues saying all of these things, but the fact of the matter is you can have clean air, you can have a good environment, and you can have a good economy and grow jobs. That is exactly what this rule that the President has put forward is designed to achieve.

I reserve the balance of my time.

Mr. WHITFIELD. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Mr. YOHO).

Mr. YOHO. I thank my good friend from Kentucky for allowing me to speak.

Mr. Speaker, we are as concerned about our environment and jobs and the economy as anybody else is, and there was a point in time when we

needed this. We saw those pictures of China with the red glow and where you couldn't see the bicycle rider. China has got a problem, and they need to address that.

We have addressed that in this country, but it gets to a point at which you cross a line and you can't squeeze any more out of the rock. Back 40 years ago the mercury coming out of the smokestacks of the coal-fired power plants was about 50 pounds of mercury a year. Now it is less than 2 pounds of mercury a year. So how much more can you increase that?

Mr. Speaker, this administration has proven that it is no friend to the hardworking American families across our country or to the power-producing companies that supply power to all Americans.

Instead, this administration is placing added requirements on our Nation's energy producers, requirements that will increase costs to all Americans, affecting those most who can least afford it. It will increase costs, it will decrease the grid's reliability, and it will jeopardize our national security.

As we speak, nations across the world are meeting in Paris to discuss further restrictions on energy producers. As Americans, we do not bow to foreign pressure or influence. America needs to do what is best for America, especially when it is a foreign country that is putting out more than 50 percent of the carbon emitted into the atmosphere.

Instead of limiting our energy production, which, again, hits hardworking Americans especially at the lower economic scales, why don't we use all of the resources that America has been blessed with and take a commonsense approach in making our economy stronger and more competitive rather than in crippling it?

□ 1630

The issue is near and dear to my heart as a Member from Florida who represents five co-ops in my district, and it is what we see.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WHITFIELD. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. YOHO. The EPA's own report says that their new emissions standards will not reduce the CO_2 emissions or improve air quality or human health, but they are going ahead with it anyway to the detriment of American manufacturing jobs and costs to the American taxpayers.

I stand in strong support of S.J. Res. 24.

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

Again, I listened to the previous speaker. House Republicans keep telling us that greenhouse gas emissions are falling in the United States. The previous speaker suggested that the United States doesn't need to do much more about climate change. That couldn't be more wrong.

U.S. greenhouse gas emissions did fall in 2008 and 2009 during the economic recession. Since that time, our overall emissions have grown. Cumulatively, U.S. emissions grew, not fell, in 2012 and 2013, the two most recent years for which data is available.

What matters really is whether U.S. emissions are on track to decline in the future by the amount needed to prevent dangerous climate change. Scientists say we need to reduce carbon pollution by 80 percent by 2050 to avoid catastrophic climate change. The EPA already predicts that, without any new policies to control carbon pollution, policies like the Clean Power Plan, the U.S. will only see a 2 percent drop in CO_2 emissions by 2040 compared to 2005 levels.

So this data highlights the importance of the Clean Power Plan and the Obama administration's overall push to cut greenhouse gas emissions. To suggest the United States doesn't need to do any more, that is just not the case. We need to do a lot more, and that is what the Clean Power Plan is designed to do.

I reserve the balance of my time.

Mr. WHITFIELD. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Mr. BILIRAKIS), a member of the Energy and Commerce Committee.

Mr. BILIRAKIS. Mr. Speaker, I rise in support of S.J. Res. 23 and 24, resolutions that would protect my constituents from egregious EPA overreach. This burdensome regulation is projected to raise electric rates in Florida annually between 11 and 15 percent for over 10 years while providing virtually no environmental benefits.

The regulations for existing power plants, commonly called the Clean Power Plan, could have disastrous consequences for the safety, affordability, and reliability of my constituents' electricity. In my district, there are over 200,000 residents who get their electricity from rural electric cooperatives, utilities formed during the Great Depression to serve rural, traditionally underserved areas with electricity.

If the Clean Power Plan continues without serious alterations, it has the potential to negatively affect these underserved areas the most. The Clean Power Plan could close down power plants in rural areas that provide jobs and economic activity.

In Florida, the Seminole Electric Cooperative operates two power plants whose baseload generating units do not meet the emission rate requirements. Their Seminole generating station employs over 300 individuals. If the EPA forces the plant to close prematurely, these jobs are at risk, and rural electric cooperative members, like my constituents, will still have to pay for the closed plant in their rates through 2042 while also paying for a new electricity source.

The Congressional Review Act was created for a reason: to give this body the authority to check the executive branch when it oversteps its bounds and enacts policy against the will of the people.

I urge my colleagues to support these resolutions, both of them, to protect my constituents from needless rate increases and to protect the powers of this institution.

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

Mr. WHITFIELD. May I inquire as to the time remaining.

The SPEAKER pro tempore. The gentleman from Kentucky has 10 minutes remaining, and the gentleman from New Jersey has 5½ minutes remaining.

Mr. WHITFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of S.J. Res. 24, which expresses Congress' disapproval of the EPA's carbon emission rule for existing power plants. The administration's unprecedented rule would inhibit our ability to produce affordable and reliable electricity.

A robust energy supply is essential to national security, public health, and the economy, yet the administration continues to wage war on the source of 85 percent of America's energy. Until our energy infrastructure can support widespread use of alternate energy sources, we cannot arbitrarily force the closure of plants that are keeping lights on for millions of Americans.

Implementing this rule would result in the loss of over 125,000 jobs, as well as significantly higher electric bills in 48 States. Forty of these States would see double-digit electricity price increases.

Our Nation is still in a period of economic recovery. Low- and middle-income American families already spend 17 percent of their household budget on electric bills. These families cannot afford to have another costly mandate forced upon them.

Our economy cannot recover, much less compete on a global level, with this many jobs lost. This resolution would prevent this rule from having any effect and would prohibit the EPA from reissuing this rule in a similar form.

I urge my colleagues to support this bill so we can assure Americans are not disadvantaged by another costly regulation.

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

In closing, I just want to comment on two issues that keep coming up on the Republican side. One is this notion, which I think the GOP Whip SCALISE talked about, of the President's war on

coal. Nothing could be further from the truth.

I agree that the transition away from coal is contributing to job losses in the coal industry, but setting aside these rules will not alter this trend. There are too many other changes occurring in the power sector that are impacting these workers.

Technologies—including distributed generation, smart grid, energy storage, energy efficiency, microgrids, and combined heat and power systems—are maturing and being incorporated at a faster pace. In some areas, they call into question the old grid model that was dominated by large, centralized generation.

Concern for these displaced energy workers should be motivating us to do something to help these people and their communities to transition to other good-paying jobs in new industries. Setting aside this rule is not going to replace the job security that they had in the past.

Instead of wasting time trying to hold back progress and ignore climate change, we should be working together to address this challenge. This rule moves us forward, and it represents our Nation's commitment to addressing a serious global problem that we helped to create.

I constantly hear this about job losses. The fact is that job losses are occurring regardless of anything that the Clean Power Plan would do. Instead of saying job losses, the Republicans should be thinking about ways of trying to help these workers.

The other thing I would mention is I kept hearing from the other side this whole notion that electricity rates, prices, and bills are going to go up.

I include in the RECORD a letter from Public Citizen and a number of other consumers groups.

PUBLIC CITIZEN—CENTER FOR ACCESSIBLE TECHNOLOGY—CITIZENS ACTION COALITION—CITIZENS COALITION—CONSUMERS UNION—ENERGY COORDINATING AGENCY OF PHILADELPHIA—FRIENDSHIP FOUNDATION—GREENLINING INSTITUTE—LOW-INCOME ENERGY AFFORDABILITY NETWORK—NATIONAL CONSUMER LAW CENTER—NW ENERGY COALITION—NUCLEAR INFORMATION AND RESOURCE SERVICE—OHIO PARTNERS FOR AFFORDABLE ENERGY—PUBLIC UTILITY LAW PROJECT OF NEW YORK—TURN THE UTILITY REFORM NETWORK—VERMONT ENERGY INVESTMENT CORPORATION—VIRGINIA CITIZENS CONSUMER COUNCIL—WA STATE COMMUNITY ACTION PARTNERSHIP—A WORLD INSTITUTE FOR A SUSTAINABLE HUMANITY (A W.I.S.H),

November 24, 2015.

Re: Consumer Groups Oppose S.J. Res. 23 and S.J. Res. 24.

DEAR REPRESENTATIVE: We urge you to oppose S.J. Res. 23 and S.J. Res. 24. These resolutions would effectively repeal the EPA Clean Power Plan, which curbs carbon pollution from power plants. Opponents of the Clean Power Plan often argue that they are protecting consumers, but they are mistaken. The Clean Power Plan is good for consumers because it will mitigate climate change and can lower household electricity costs.

The Clean Power Plan will benefit consumers. Climate change poses a severe threat to American consumers and in particular to vulnerable populations. A few of the most salient risks include: higher taxes and market prices to cover the costs of widespread damage to property and infrastructure from extreme weather; diminished quality and higher prices for food and water, heightening food insecurity for America's most vulnerable populations; and increased illness and disease from extreme heat events, reduced air quality, increased food-borne, waterborne, and insect-borne pathogens.

By curbing carbon pollution, the Clean Power Plan will benefit consumers by mitigating these harms.

The Clean Power Plan should lower consumer electricity bills. The Clean Power Plan is likely to lower consumer costs, not raise them, because it will spur improvements in energy efficiency. Although electricity prices may rise modestly under the Plan, consumers will use less electricity. This should result in lower bills overall. The EPA projects that the rule will lower consumer bills by 7.0 to 7.7 percent by 2030. A Public Citizen analysis of the proposed rule found that the EPA's projection of bill reductions was conservative because it overestimated the cost of efficiency programs and underestimated how much progress the states can make on efficiency. These points remain valid with respect to the final rule, for which the EPA's analysis is similar. Consumer costs are likely to decline by more than the agency projects.

We strongly encourage members to support the Clean Power Plan and to oppose the resolutions disapproving it. Thank you for considering our views, and please feel free to contact David Arkush for further information at darkush@citizen.org or (202) 454–5132.

Sincerely,

David Arkush, Managing Director; Public Citizen's Climate Program; Dmitri Belser, Executive Director; Center for Accessible Technology; Kerwin Olson, Executive Director; Citizens Action Coalition; Joseph Patrick Meissner, Legal Counsel; Citizens Coalition; Friendship Foundation; Shannon Baker-Branstetter, Policy Counsel, Energy and Environment; Consumers Union; Liz Robinson, Executive Director; Energy Coordinating Agency of Philadelphia; Stephanie Chen, Energy and Telecommunications Policy Director; The Greenlining Institute; Elliott Jacobson, Chair; Low-Income Energy Affordability Network; Charlie Harak, Attorney; National Consumer Law Center, on behalf of its low-income clients; Michael Mariotte, President; Nuclear Information and Resource Service; Wendy Gerlitz, Policy Director; NW Energy Coalition; David C. Rinebolt, Executive Director and Counsel; Ohio Partners for Affordable Energy; Richard A. Berkley, Esq., Executive Director; Public Utility Law Project of New York; Mark W. Toney, Ph.D., Executive Director; TURN—The Utility Reform Network; Beth Sachs, Founder; Vermont Energy Investment Corporation; Irene E. Leech, President; Virginia Citizens Consumer Council; Merritt Mount, Executive Director; WA State Community Action Partnership; Michael Karp, President & CEO; A World Institute for a Sustainable Humanity (A W.I.S.H).

Mr. PALLONE. I would like to just read some sections from the letter. The letter is from Public Citizen and a number of other consumers groups.

They say in the letter that ''the Clean Power Plan will benefit consumers. Climate change poses a severe threat to American consumers and in particular to vulnerable populations . . . The Clean Power Plan should lower consumer electricity bills. The Clean Power Plan is likely to lower consumer costs, not raise them, because it will spur improvements in energy efficiency. Although electricity prices may rise modestly under the Plan, consumers will use less electricity. This should result in lower bills overall. The EPA projects that the rule will lower consumer bills by 7.0 to 7.7 percent by 2030. A Public Citizen analysis of the proposed rule found that the EPA's projection of bill reductions was conservative because it overestimated the cost of efficiency programs and underestimated how much progress the states can make on efficiency. These points remain valid with respect to the final rule, for which the EPA's analysis is similar. Consumers costs are likely to decline by more than the agency projects.''

Again, we keep hearing from the other side of the aisle, oh, electricity bills are going to go up. They are not. They are going to go down. We keep hearing we are going to lose jobs. Well, a lot of those jobs are going to be lost anyway because of the change in the types of generation of electricity. We should be thinking of ways to try to deal with that rather than saying that somehow we are going to stop it, because we are not going to be able to.

I also want to say that I heard the national security argument. We had, in the Energy and Commerce Committee, a minority hearing a couple of months ago at Annapolis. One of the reasons we went there is we know that our military is seriously concerned about the impacts of climate change and sea level rise. When we were there, the superintendent of the Naval Academy was talking about hundreds of millions of dollars that were being spent just at Annapolis to deal with sea level rise at the academy and went on to talk about the impact of climate change on naval operations and so many other things.

Again, I don't want to emphasize the impact on our national security, but it is there. To suggest that somehow there is no impact is simply not true. Climate change is very much in the minds of the admirals and the generals at the Pentagon. They are very worried about the impact and what it is going to mean in terms of our national security and what we have to do to address those concerns over the next few years.

The main thing I wanted to stress, Mr. Speaker, if I could, is that this rule that the Republicans are trying to get rid of provides States with a lot of flexibility to find the best path forward to meet their emission reduction goals. In fact, many States are already implementing policies that are consistent with these regulations.

The fact of the matter is that the EPA spent several years talking to States, talking to stakeholders, and talking to consumers. They have not put together some kind of straightjacket here that says that the States have to implement these reductions in carbon emissions in a certain way. They are giving States a tremendous amount of flexibility. They had a lot of public hearings. They had millions of people who commented on the rule.

Somehow, when you listen to my colleagues here today, they suggest that this rule came out of nowhere without considering all of the economic impacts, without considering the costs. None of that is true. In fact, there were a lot of discussions about the costs and about the economic impact.

The bottom line is that there is every reason to believe that this rule will improve the public health, will improve the lives of Americans in terms of the negative impact that air pollution has on their health, and, in the long run, will improve the economy and lower costs for the consumer.

I yield back the balance of my time.

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

I certainly want to thank Mr. PALLONE and the great job he does as ranking member of the Energy and Commerce Committee. I am delighted that we have the opportunity to come to the House floor to debate things like S.J. Res. 24.

The Congressional Review Act is an instrument that is available to Congress to try to stop the President when we believe that the President has exceeded his legal authority, and that is precisely why we are here today on S.J. Res. 23 as well as S.J. Res. 24. We believe the President has exceeded his legal authority.

Now, the President in 2013 went to Georgetown University and gave a speech on climate change, and he set out his clean energy plan. I might say that he never consulted with Congress. He never talked to Congress. He never asked for any input from Congress on this issue. That is his prerogative. But the EPA took him at his word, and then they started the process of adopting these final regulations.

□ 1645

We have already talked about the regulation relating to new coal power plants so that America finds itself to be one of the only countries in the world today where you cannot build a new plant.

But right now we are talking about the regulation on existing plants. The reason we have such concern about it is that, first of all, EPA's own legal team, their lawyers, reversed 20 years of legal opinion when they said that they could regulate under 111(d) of the Clean Air Act. Prior to that, they had always made the decision that, on this type of scale, they could not do it under 111(d).

I might also add that Professor Larry Tribe of Harvard Law School, who taught Barack Obama while Barack Obama was a student at Harvard, came to Congress and testified on this clean energy plan that, in his view, it was like tearing up the Constitution. In other words, the President exceeded his legal authority. In other words, it was a power grab.

Now, some people say, well, the end justifies the means. There are a lot of people who feel that way. But we are still a nation of laws. We believe—and not only we believe—every time the EPA has testified about this existing coal plant rule, they have stressed how they have met with the States, they give the States maximum flexibility to try to address this regulation. If that is the case, why have 27 States already filed lawsuits against the EPA and a multitude of other entities as well?

This is even a violation of the Federal Power Act because States, generally speaking, have jurisdiction over electric generation and intrastate distribution. But under this regulation of existing coal plants, EPA will have that authority.

Guess what. Normally, when EPA has a major rule like this, they will give the States 3 years to come up with their State implementation plan. But, in this instance, the rule came out and was finalized in September or October of this year. The States have until September, basically 1 year, to come up with a State implementation plan.

They wanted to finalize this rule so that the President could go and tell the world leaders in France that America was doing more than anyone else, and we already were doing more than anyone else.

With all due great respect to everyone, whether you agree with our position or not, we have the right to express that view. We decided explicitly to bring these resolutions to the floor as the climate change conference is taking place in Paris because we want the world to know that there are differences of opinion between the Congress and the President on this issue and on his clean energy plan.

I would respectfully ask every Member of Congress to vote for this resolution. As we said earlier, the U.S. Senate has already passed both of these resolutions because they are concerned about the President exceeding his legal authority, his power grab, his extreme plan. Even Democrats in the Senate supported these resolutions.

That is all we are trying to do today. We are not debating climate change. We are not debating the science of climate change. But we are debating the President's view on the way you address it and the fact that he is jeopardizing America because he is making us jump through more severe obstacles and hoops than any other country is being asked to do. That is why we are here today.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the rule, the previous question is ordered on the joint resolution.

The question is on third reading of the joint resolution.

The joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the passage of S.J. Res. 24 will be followed by a 5-minute vote on the passage of S.J. Res. 23.

The vote was taken by electronic device, and there were—yeas 242, nays 180, not voting 11, as follows:

[Roll No. 650]

YEAS—242

Abraham	Conaway	Graves (MO)
Aderholt	Cook	Griffith
Allen	Costello (PA)	Grothman
Amash	Cramer	Guinta
Amodei	Crawford	Guthrie
Ashford	Crenshaw	Hardy
Babin	Cuellar	Harper
Barletta	Culberson	Harris
Barr	Curbelo (FL)	Hartzler
Barton	Davis, Rodney	Heck (NV)
Benishek	Denham	Hensarling
Bilirakis	Dent	Hice, Jody B.
Bishop (GA)	DeSantis	Hill
Bishop (MI)	DesJarlais	Holding
Bishop (UT)	Diaz-Balart	Hudson
Black	Donovan	Huelskamp
Blackburn	Duffy	Huizenga (MI)
Blum	Duncan (SC)	Hultgren
Bost	Duncan (TN)	Hunter
Boustany	Ellmers (NC)	Hurd (TX)
Brady (TX)	Emmer (MN)	Hurt (VA)
Brat	Farenthold	Issa
Bridenstine	Fincher	Jenkins (KS)
Brooks (AL)	Fitzpatrick	Jenkins (WV)
Brooks (IN)	Fleischmann	Johnson (OH)
Buchanan	Fleming	Johnson, Sam
Buck	Flores	Jolly
Bucshon	Forbes	Jones
Burgess	Fortenberry	Jordan
Byrne	Foxx	Joyce
Calvert	Franks (AZ)	Katko
Carter (GA)	Frelinghuysen	Kelly (MS)
Carter (TX)	Garrett	Kelly (PA)
Chabot	Gibbs	King (IA)
Chaffetz	Gibson	King (NY)
Clawson (FL)	Gohmert	Kinzinger (IL)
Coffman	Goodlatte	Kline
Cole	Gosar	Knight
Collins (GA)	Gowdy	Labrador
Collins (NY)	Granger	LaHood
Comstock	Graves (LA)	LaMalfa

Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stivers
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—180

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Graves (GA)
Herrera Beutler
Kirkpatrick
Ruppersberger
Rush
Sewell (AL)
Slaughter
Stewart
Stutzman
Takai
Williams

□ 1716

Mr. HANNA changed his vote from ''yea'' to ''nay.''

Mr. MEEHAN changed his vote from ''nay'' to ''yea.''

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY

The SPEAKER pro tempore. The unfinished business is the vote on passage of the joint resolution (S.J. Res. 23) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units'', on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the joint resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 188, not voting 10, as follows:

[Roll No. 651]

YEAS—235

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Crawford
Crenshaw
Cuellar
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—188

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean

Matsui	Pocan	Smith (WA)
McCollum	Polis	Speier
McDermott	Price (NC)	Swalwell (CA)
McGovern	Quigley	Takano
McNerney	Rangel	Thompson (CA)
Meehan	Rice (NY)	Thompson (MS)
Meeks	Richmond	Titus
Meng	Ros-Lehtinen	Tonko
Moore	Roybal-Allard	Torres
Moulton	Ruiz	Tsongas
Murphy (FL)	Ryan (OH)	Van Hollen
Nadler	Sánchez, Linda T.	Vargas
Napolitano	Sanchez, Loretta	Veasey
Neal	Sarbanes	Vela
Nolan	Schakowsky	Velázquez
Norcross	Schiff	Visclosky
O'Rourke	Schrader	Walz
Pallone	Scott (VA)	Wasserman Schultz
Pascrell	Scott, David	Waters, Maxine
Payne	Serrano	Watson Coleman
Pelosi	Sherman	Welch
Perlmutter	Sinema	Wilson (FL)
Peters	Sires	Yarmuth
Pingree		

NOT VOTING—10

Cramer	Rush	Takai
Herrera Beutler	Sewell (AL)	Williams
Kirkpatrick	Slaughter	
Ruppersberger	Stutzman	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1724

Mr. KATKO changed his vote from ''yea'' to ''nay.''

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO GO TO CONFERENCE ON H.R. 644, TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015

Mr. BRADY of Texas. Mr. Speaker, pursuant to clause 1, rule XXII, and by direction of the Committee on Ways and Means, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Brady of Texas moves to take from the Speaker's table the bill H.R. 644, with the House amendment to the Senate amendment thereto, insist on the House amendment, and agree to the conference requested by the Senate.

PARLIAMENTARY INQUIRIES

Mr. DOGGETT. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. DOGGETT. Mr. Speaker, is this motion, which makes changes in the fast-track procedures that the House voted on earlier in the year, debatable?

The SPEAKER pro tempore. The Chair was about to recognize the gentleman from Texas (Mr. BRADY) for 1 hour of debate.

Mr. DOGGETT. Mr. Speaker, I have a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. DOGGETT. Mr. Speaker, is that time divided equally, as is normally done on proposals under our rules?

The SPEAKER pro tempore. It is debatable under the hour rule.

Mr. DOGGETT. So it can be debated without yielding any time to those of us who are opposed to this motion under the rules of the House?

The SPEAKER pro tempore. The gentleman from Texas (Mr. BRADY) will be recognized for 1 hour.

Mr. DOGGETT. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. DOGGETT. Under the new, open, inclusive policies that Speaker RYAN has announced, when was notice of this conference report coming up for a vote tonight first provided to all the Members of the House?

The SPEAKER pro tempore. The gentleman has not presented a valid parliamentary inquiry. The Chair will not respond to matters of scheduling.

Mr. DOGGETT. Well, wasn't it about 30 minutes ago?

The SPEAKER pro tempore. The gentleman from Texas (Mr. BRADY) is recognized for 1 hour.

Mr. BRADY of Texas. Mr. Speaker, we need to go to conference and move the Customs bill forward. We will have a motion to instruct and a full hour of debate later this evening.

I yield back the balance of my time, and I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BRADY).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 252, noes 170, not voting 11, as follows:

[Roll No. 652]

AYES—252

Abraham	Brooks (AL)	Cramer
Aderholt	Brooks (IN)	Crawford
Allen	Buchanan	Crenshaw
Amodei	Buck	Cuellar
Ashford	Bucshon	Culberson
Babin	Burgess	Curbelo (FL)
Barletta	Byrne	Davis, Rodney
Barr	Calvert	Denham
Barton	Carter (GA)	Dent
Benishek	Carter (TX)	DeSantis
Bera	Chabot	DesJarlais
Beyer	Chaffetz	Diaz-Balart
Bilirakis	Clawson (FL)	Dold
Bishop (MI)	Coffman	Donovan
Bishop (UT)	Cole	Duffy
Blackburn	Collins (GA)	Duncan (SC)
Blum	Collins (NY)	Duncan (TN)
Blumenauer	Comstock	Ellmers (NC)
Bonamici	Conaway	Emmer (MN)
Bost	Cook	Farenthold
Boustany	Cooper	Farr
Brady (TX)	Costa	Fincher
Bridenstine	Costello (PA)	Fitzpatrick
Fleischmann	LoBiondo	Rokita
Fleming	Long	Rooney (FL)
Flores	Loudermilk	Ros-Lehtinen
Forbes	Love	Roskam
Foxx	Lucas	Ross
Franks (AZ)	Luetkemeyer	Rothfus
Frelinghuysen	Lummis	Rouzer
Garrett	MacArthur	Royce
Gibbs	Marchant	Russell
Gibson	Marino	Salmon
Gohmert	Massie	Sanford
Goodlatte	McCarthy	Scalise
Gowdy	McCaul	Schrader
Granger	McClintock	Schweikert
Graves (GA)	McHenry	Scott, Austin
Graves (LA)	McKinley	Sensenbrenner
Graves (MO)	McMorris Rodgers	Sessions
Griffith	McSally	Shimkus
Grothman	Meadows	Shuster
Guinta	Meehan	Simpson
Guthrie	Messer	Sinema
Hanna	Mica	Smith (MO)
Hardy	Miller (FL)	Smith (NE)
Harper	Miller (MI)	Smith (NJ)
Hartzler	Moolenaar	Smith (TX)
Heck (NV)	Mooney (WV)	Stefanik
Hensarling	Mullin	Stewart
Hice, Jody B.	Mulvaney	Stivers
Hill	Murphy (PA)	Thompson (PA)
Holding	Neugebauer	Thornberry
Hudson	Newhouse	Tiberi
Huelskamp	Noem	Tipton
Huizenga (MI)	Nugent	Trott
Hultgren	Nunes	Turner
Hunter	Olson	Upton
Hurd (TX)	Palazzo	Valadao
Hurt (VA)	Palmer	Wagner
Issa	Paulsen	Walberg
Jenkins (KS)	Pearce	Walden
Jenkins (WV)	Perry	Walker
Johnson (OH)	Pittenger	Walorski
Johnson, E. B.	Pitts	Walters, Mimi
Johnson, Sam	Poe (TX)	Wasserman Schultz
Jolly	Poliquin	Weber (TX)
Jordan	Polis	Webster (FL)
Joyce	Pompeo	Wenstrup
Katko	Price, Tom	Westerman
Kelly (MS)	Quigley	Westmoreland
Kelly (PA)	Ratcliffe	Whitfield
Kind	Reed	Wilson (SC)
King (IA)	Reichert	Wittman
King (NY)	Renacci	Womack
Kinzinger (IL)	Ribble	Woodall
Kline	Rice (NY)	Yoder
Knight	Rice (SC)	Yoho
Labrador	Rigell	Young (AK)
LaHood	Roby	Young (IA)
LaMalfa	Roe (TN)	Young (IN)
Lamborn	Rogers (AL)	Zeldin
Lance	Rogers (KY)	Zinke
Larsen (WA)	Rohrabacher	
Latta		

NOES—170

Adams	Connolly	Gosar
Aguilar	Conyers	Graham
Amash	Courtney	Grayson
Bass	Crowley	Green, Al
Beatty	Cummings	Green, Gene
Becerra	Davis (CA)	Grijalva
Bishop (GA)	Davis, Danny	Gutiérrez
Boyle, Brendan F.	DeFazio	Hahn
Brady (PA)	DeGette	Harris
Brat	Delaney	Hastings
Brown (FL)	DeLauro	Heck (WA)
Brownley (CA)	DelBene	Higgins
Bustos	DeSaulnier	Himes
Butterfield	Deutch	Hinojosa
Capps	Dingell	Honda
Capuano	Doggett	Hoyer
Cárdenas	Doyle, Michael F.	Huffman
Carney	Duckworth	Israel
Carson (IN)	Edwards	Jackson Lee
Cartwright	Ellison	Jeffries
Castor (FL)	Engel	Johnson (GA)
Castro (TX)	Eshoo	Jones
Chu, Judy	Esty	Kaptur
Cicilline	Fattah	Keating
Clark (MA)	Foster	Kelly (IL)
Clarke (NY)	Frankel (FL)	Kennedy
Clay	Fudge	Kildee
Cleaver	Gabbard	Kilmer
Clyburn	Gallego	Kuster
Cohen	Garamendi	Langevin
		Larson (CT)

Lawrence	Nadler	Scott (VA)
Lee	Napolitano	Scott, David
Levin	Neal	Serrano
Lewis	Nolan	Sherman
Lieu, Ted	Norcross	Sires
Lipinski	O'Rourke	Smith (WA)
Loebsack	Pallone	Speier
Lofgren	Pascrell	Swalwell (CA)
Lowenthal	Payne	Takano
Lowey	Pelosi	Thompson (CA)
Lujan Grisham (NM)	Perlmutter	Thompson (MS)
Luján, Ben Ray (NM)	Peters	Titus
Lynch	Peterson	Tonko
Maloney, Carolyn	Pingree	Torres
Maloney, Sean	Pocan	Tsongas
Matsui	Posey	Van Hollen
McCollum	Price (NC)	Vargas
McDermott	Rangel	Veasey
McGovern	Richmond	Vela
McNerney	Roybal-Allard	Velázquez
Meeks	Ruiz	Visclosky
Meng	Ryan (OH)	Walz
Moore	Sánchez, Linda T.	Waters, Maxine
Moulton	Sanchez, Loretta	Watson Coleman
Murphy (FL)	Sarbanes	Welch
	Schakowsky	Wilson (FL)
	Schiff	Yarmuth

NOT VOTING—11

Black	Ruppersberger	Stutzman
Fortenberry	Rush	Takai
Herrera Beutler	Sewell (AL)	Williams
Kirkpatrick	Slaughter	

□ 1748

Mr. BEYER changed his vote from ''no'' to ''aye.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. SEWELL of Alabama. Mr. Speaker, during the votes held on December 1st, 2015, I was inescapably detained and away handling important matters related to my District and the State of Alabama. If I had been present, I would have voted "no" on Passage of S.J. Res. 24 and "no" on S.J. Res. 23. Also, I would have voted "yes" on the Motion to go to Conference on H.R. 644.

PERSONAL EXPLANATION

Mr. RUPPERSBERGER. Mr. Speaker, I was not able to vote today for medical reasons.

Had I been present on rollcall vote 646, I would have voted "no."

Had I been present on rollcall vote 647, I would have voted "no."

Had I been present on rollcall vote 648, I would have voted "yes."

Had I been present on rollcall vote 649, I would have voted "yes."

Had I been present on rollcall vote 650, I would have voted "no."

Had I been present on rollcall vote 651, I would have voted "no."

Had I been present on rollcall vote 652, I would have voted "no."

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 8, NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT ON S. 1177, STUDENT SUCCESS ACT

Mr. BURGESS, from the Committee on Rules, submitted a privileged report (Rept. No. 114–359) on the resolution (H. Res. 542) providing for further consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes, and providing for consideration of the conference report to accompany the bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, which was referred to the House Calendar and ordered to be printed.

NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2015

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill, H.R. 8.

The SPEAKER pro tempore (Mr. ALLEN). Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 539 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 8.

The Chair appoints the gentleman from West Virginia (Mr. JENKINS) to preside over the Committee of the Whole.

□ 1751

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes, with Mr. JENKINS of West Virginia in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.

The gentleman from Michigan (Mr. UPTON) and the gentleman from New Jersey (Mr. PALLONE) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today we commence debate on H.R. 8, the North American Energy Security and Infrastructure Act of 2015. This bill culminates a multiyear, multi-Congress effort to ensure that folks in Michigan and every corner of the country have access to affordable and reliable energy. It has been nearly a decade since we last considered a broad energy package and a lot—a lot—has changed.

Back then, the energy situation looked downright dire: declining domestic oil and natural gas output, increasing reliance on imports, and energy prices that seemed like they had nowhere to go but up. Remember 7 years ago they were $3.84 a gallon. Manufacturers were leaving and fleeing overseas in pursuit of cheaper energy.

But thankfully, because of breakthrough innovation, a little American ingenuity, and a lot of hard work, we are now experiencing game-changing energy abundance that has, in fact, redefined America's standing at home, as well as around the globe. Now Michigan and many parts of the country are enjoying a welcome manufacturing renaissance thanks to reliable and affordable energy. It is well past time that our laws rooted in energy scarcity caught up to our newfound 21st century reality.

The first order of business is to allow the private sector to expand the Nation's energy infrastructure. The Keystone XL pipeline is certainly one of the most well-known examples of energy infrastructure projects being delayed and ultimately denied, but it is far from the only one.

We have a Federal permitting process that is not designed to expeditiously handle the many projects necessary to bring online the Nation's growing energy output and to meet energy needs of homeowners and businesses. How can it be that in this century we can't get energy to consumers in some parts of the country? We need to fix that problem. This bill does that.

H.R. 8 has several useful provisions to make the approval process more timely for projects such as interstate natural gas pipelines, LNG export facilities, and new hydropower, which we discussed during a hearing with the FERC, the Federal Energy Regulatory Commission, just today. And I would add that these streamlining provisions were done so in a manner that keeps the environmental and safety protections intact.

Perhaps the biggest changes brought on by our energy abundance are geopolitical. Where we once feared rising dependence on the likes of OPEC, now we can, in fact, control our energy destiny and use our new standing as an energy superpower to help our allies and friends around the world and engage in energy diplomacy. However, this is a new role for the U.S., and we don't have in place the means to act globally on energy policy yet. This bill changes that.

Using the Department of Energy's Quadrennial Energy Review as a guide, this bill begins the process of incorporating energy security and diplomacy considerations into the decision-making process. It also creates forums through which we can coordinate with our North American neighbors, as well as our allies and trading partners around the world, on energy policy.

Unfortunately, the energy news over the last decade hasn't been all that good. Cyber threats and electromagnetic pulses pose a growing and more sophisticated risk to the Nation's electricity system. We need new measures to better address these and other threats to the grid, and this bill, H.R. 8, has a number of important provisions.

I would add that while our energy abundance is a real blessing, it does not in any way reduce the importance of energy efficiency. H.R. 8 again includes a number of updates to energy efficiency policy, including measures to help the Federal Government use energy more wisely, as well as improvements to existing energy efficiency programs that have proven problematic.

A decade ago, no one, no one here, could have imagined where we would be in 2015 and how much the energy script would be flipped in our favor. It is a new day, but now that we are here, it is time to bring our energy policy in line with those new realities. It is time that we put the scarcity mindset in the rearview mirror and say yes to energy and yes to jobs.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, November 16, 2015.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I write regarding H.R. 8, the North American Energy Security and Infrastructure Act of 2015. This bill contains provisions under the jurisdiction of the Committee on Natural Resources.

I recognize and appreciate your desire to bring this bill before the House of Representatives in an expeditious manner, and accordingly, I will agree that the Committee on Natural Resources will not seek a referral of the bill. I do so with the understanding that this action does not affect the jurisdiction of the Committee on Natural Resources, and that the Committee expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this, or any similar legislation. I ask that you support any such request.

Finally, I also ask that a copy of this letter and your response be inserted in the Congressional Record during consideration of H.R. 8 on the House floor.

Thank you for your work on this bill, and for your cooperation and consideration on this and many other matters shared by our committees. I look forward to H.R. 8's enactment.

Sincerely,

ROB BISHOP,
Chairman,
Committee on Natural Resources.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, November 16, 2015.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I write regarding H.R. 8, the North American Energy Security and Infrastructure Act of 2015. As you noted, this bill contains provisions under the jurisdiction of the Committee on Natural Resources.

I appreciate your willingness to agree that the Committee on Natural Resources be discharged from further consideration of the bill. I agree that this action does not affect the jurisdiction of the Committee on Natural Resources, and that the Committee expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this, or any similar legislation. I will support any such request.

Finally, I will include a copy of your letter and this response in the Congressional Record during consideration of H.R. 8 on the House floor.

Thank you for your work and cooperation on H.R. 8.

Sincerely,

FRED UPTON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, November 18, 2015.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs regarding H.R. 8, the North American Energy Security and Infrastructure Act of 2015. As a result of those consultations and text edits related to the role that the Foreign Affairs Committee and the Department of State play in energy diplomacy, I agree that the Foreign Affairs Committee may be discharged from further consideration of that bill, so that it may proceed expeditiously to the House floor.

I am writing to confirm our mutual understanding that, by forgoing consideration of H.R. 8, the Foreign Affairs Committee does not waive jurisdiction over the subject matter contained in this, or any other, legislation. I also would appreciate your support for a request by the Foreign Affairs Committee for an appropriate number of conferees to any House-Senate conference involving this bill, should one occur.

I ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 8. Thank you again for your collaborative leadership on this important legislation.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, November 20, 2015.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE: Thank you for your assistance regarding H.R. 8, North American Energy Security and Infrastructure Act of 2015.

I appreciate your willingness to discharge the Committee on Foreign Affairs from further consideration of H.R. 8 so that it can proceed expeditiously to the House floor. I agree that the Committee on Foreign Affairs does not waive jurisdiction over the subject matter contained in this or any other legislation. In addition, I agree to support a request by the Committee on Foreign Affairs for an appropriate number of conferees to any House-Senate conference involving this bill.

I will place a copy of our exchange of letters on this matter in the Congressional Record during floor consideration of H.R. 8.

Thank you for your work and cooperation on H.R. 8.

Sincerely,

FRED UPTON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, November 19, 2015.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 8, the North American Energy Security and Infrastructure Act of 2015. As you know, the Committee on Energy and Commerce received an original referral and the Committee on Oversight and Government Reform a secondary referral when the bill was introduced on September 16, 2015. I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Oversight and Government Reform will forego committee action on the bill.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 8 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation. Specifically, the Oversight Committee's jurisdiction is primarily triggered by provisions in the bill related to 5 U.S.C. 552, known as the Freedom of Information Act (FOIA). I appreciate that our committees have had fruitful discussions regarding these provisions and have come to an agreement related to section 4122 of the reported bill. Negotiations regarding sections 1104, 1105, and 1106, the application of FOIA as it relates to critical electric infrastructure security, the Strategic Transformer Reserve and Cyber Sense, are currently ongoing. I have full confidence that our committees will arrive at a mutually agreeable compromise, which respects the Oversight Committee's interest in narrowing FOIA exemptions, prior to floor consideration of the bill.

I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation. Finally, I would ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Committee on Energy and Commerce, as well as in the Congressional Record during

floor consideration, to memorialize our understanding

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, December 1, 2015.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: Thank you for your assistance regarding H.R. 8, North American Energy Security and Infrastructure Act of 2015. I appreciate your willingness to forego action on the bill in the Committee on Oversight and Government Reform.

I agree that by foregoing consideration of H.R. 8 at this time, the Committee on Oversight and Government Reform does not waive any jurisdiction over the subject matter contained in this or similar legislation. I am confident that our committees will arrive at a mutually agreeable compromise on the ongoing negotiations between our committees prior to floor consideration of the bill.

I will support your request for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation. In addition, I will include a copy of our exchange of letters on this matter in the Congressional Record during floor consideration of H.R. 8

Sincerely,

FRED UPTON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, November 24, 2015.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 8, the North American Energy Security and Infrastructure Act of 2015, as ordered reported by the Committee on Energy and Commerce. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite this legislation for Floor consideration, the Committee will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not alter or diminish the jurisdiction of the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record during consideration of the measure on the House Floor.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, November 24, 2015.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter concerning H.R. 8, North American Energy Security and Infrastructure Act of 2015, as ordered reported by the Committee on Energy and Commerce. As you noted, there are certain provision in the legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

I appreciate your willingness to forgo action on this bill in order to expedite this legislation for Floor consideration. I agree that forgoing consideration of the bill does not alter or diminish the jurisdiction of the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation. In addition, I will support your request for the Speaker to name members of the Committee to any conference committee named to consider such provisions.

I will place a copy of your letter and this response into the Congressional Record during consideration of the measure on the House Floor.

Sincerely,

FRED UPTON,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
Washington, DC, December 1, 2015.

Hon. FRED UPTON
Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 8, the ''North American Energy Security and Infrastructure Act of 2015,'' which your Committee reported on November 19, 2015.

H.R. 8 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, December 1, 2015.

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

DEAR CHAIRMAN SMITH: Thank you for your letter concerning H.R. 8, North American Energy Security and Infrastructure Act of 2015.

As you noted, H.R. 8 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. I appreciate your willingness to forego action on the bill in order to expedite this bill for floor consideration. I agree that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I will place a copy of your letter and this response into the Congressional during the Floor consideration of this bill.

Sincerely,

FRED UPTON,
Chairman.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, when Chairman UPTON and I first talked about energy legislation, I was encouraged that we would be working together to develop a consensus, bipartisan bill. In the tradition of the Committee on Energy and Commerce, that is what we started to do, spending months negotiating over language and finally reporting a bill from subcommittee on a voice vote in July. That bill was modest but bipartisan and was the result of good faith cooperation.

Unfortunately, that effort fell apart. H.R. 8 is not a bipartisan consensus bill. Instead, the House is taking up a backward-looking piece of energy legislation at a time when we need to move forward. H.R. 8 undermines the progress we have made in deploying the sustainable clean energy economy of the future.

Although the title for H.R. 8 suggests we are authorizing improvements in energy infrastructure, the bill provides no funding or initiatives to address some of the significant energy infrastructure issues we are facing.

Meanwhile, the bill has only gotten worse since it left the committee. It was in Upton's manager's amendment that strips out the few good provisions that remained from the committee markup. This so-called energy bill now does nothing for solar, wind, or any other clean energy technology.

On top of that, the Republicans deleted a whole title of the bill written primarily by the subcommittee ranking member, BOBBY RUSH, the 21st Century Workforce Initiative. That title created a new program at DOE to help minorities, women, and veterans find work and build careers in the energy industry. This was something that Republicans praised throughout the committee process. In fact, the Energy Subcommittee chairman even praised the title last night during testimony before the Rules Committee. Yet, Mr. Chairman, the bill before us doesn't have that provision.

What does that say about Republicans' so-called commitment to expanding job opportunities in the energy sector for minorities, women, and those who served our country? Unfortunately, it says all too much, and none of it is good.

□ 1800

H.R. 8 has one central theme binding its titles: an unerring devotion to the energy of the past. Provision after provision favors an energy policy that is

dominated by fossil fuels and unnecessary energy use. It is the Republican Party's 19th-century vision for the future of U.S. energy policy in the 21st century.

Needless to say, the administration opposes this bill. If it reaches the President's desk, it will be vetoed. I, too, oppose H.R. 8, and I urge my colleagues to reject this attempt to roll back progress in energy efficiency and clean energy.

I have to say I don't usually pay much attention to comments that come from the media, but I was actually asked a couple of minutes ago to comment on the fact that some of the Republicans have said that this bill is actually something they can take to the Paris conference and talk about in a positive way. Nothing could be further from the truth.

The Paris conference is seeking to address climate change and is seeking to move us towards less reliance on greenhouse gases, less reliance on fossil fuels, and more on renewables. Nothing in this bill accomplishes that goal, and it is hard for me to believe that my colleagues on the Republican side could even suggest that, somehow, this is something that they would want to bring up or talk about at the Paris conference.

Again, I can't say anything positive about this bill, and it is unfortunate that we have gotten to the point now at which there is no effort, really, to reach any of the Democrats' concerns.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. BARTON), the chairman emeritus of the Energy and Commerce Committee.

Mr. BARTON. Mr. Chairman, I thank Chairman UPTON for yielding me the time.

I want to commend him for his leadership on this initiative and for getting it to the floor. This has been a long process, and the gentleman is to be commended for going through the regular order of the subcommittee, of the full committee, and now to floor consideration.

I support H.R. 8, as reported out of committee and as amended in the manager's amendment that the gentleman presented to the Rules Committee.

I have requested—and I think it will be made in order—an amendment to that bill to include a provision that we passed as a stand-alone bill several months ago, H.R. 702, which would repeal the current ban on crude oil exports.

My amendment, if made in order by the Rules Committee—and I hope that it will be—takes what the floor passed with amendments—and we had a number of Republican and Democrat amendments that were added dealing with terrorism, national security, and things of this sort. I am asking that the Rules Committee make in order H.R. 702, as amended, and put it on the floor tomorrow as an amendment.

Mr. Chairman, in the United States, we currently produce a little over 9 million barrels of oil per day. That makes us number 3 in the world in terms of daily crude oil production, but we are not allowed to export any of that crude oil. We can export refined products and we do export up to 3 or 4 million barrels per day of refined products, but we cannot export crude oil.

If my amendment is accepted by the Rules Committee, made in order, voted on in a positive way by the House, sent to the Senate, and the Senate passes H.R. 8, and it is signed by the President, we could then begin to export our crude oil.

We have the capability to easily produce 15 million barrels a day, and some experts say we could go up to 20. That would be a strategic asset vis-a-vis OPEC, vis-a-vis ISIS, vis-a-vis the Russians, in that we could use our oil in the international oil markets.

It would help our economy, would literally create hundreds of thousands of jobs, and would, surprisingly, minimize or lower gasoline prices here in the United States because more U.S. oil in the world market would lower the world price, which would lower gasoline prices at the pump.

Mr. Chairman, I appreciate your support. I ask that the Rules Committee make my bipartisan amendment in order, which is cosponsored by Mr. CUELLAR, Mr. CONAWAY, Mr. FLORES, and Mr. MCCAUL, and that we add it to your excellent bill on the floor tomorrow.

Mr. PALLONE. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. I thank the gentleman from New Jersey for yielding.

Mr. Chairman, there is strong—certainly bipartisan—consensus that we need to update and modernize our energy infrastructure. Unfortunately, this bill fails to make meaningful advances in this arena.

It does not advance clean energy. The ''energy efficiency'' title would actually be a setback in reducing consumption and carbon emissions, and climate change is not addressed at all. Whenever possible, this legislation favors suppliers over consumers, consumption over efficiency, and the fossil fuels over renewable energy.

Most disappointingly, this bill could have been bipartisan. The Senate's energy bill, while far from perfect, at least acknowledges that we need to invest real dollars into upgrading our Nation's energy systems.

This bill has no shortage of flaws. I have offered two amendments to address some of these shortcomings. The first would reauthorize the Weatherization Assistance Program and the State Energy Program. These are two existing programs that have operated successfully for years.

The Weatherization Assistance Program supports State-based programs to improve the energy efficiency of the homes of low-income families. The Department of Energy provides grants to the States to deliver these services through local weatherization agencies.

The Weatherization Assistance Program helps those in our communities who do not have the financial resources to make energy efficiency investments on their own: the elderly, the disabled, and other low-income families amongst them who are struggling to make ends meet.

The second amendment would strike section 1101, an unnecessary change to FERC's natural gas pipeline approval process. Nothing has been done to cast FERC's role as the lead agency for siting gas pipelines in doubt, but the majority has used this pretense to make it easier for pipeline companies to have projects approved without extensive public consultation, requiring FERC to make a decision within 90 days regardless of the complexity of the application.

It would also allow for remote surveying instead of on-site inspections. This would allow companies to circumvent property owners' rights when surveying land. My amendment would strike this section to ensure Federal and State regulators have the time necessary to review any and all applications, but these issues are far from my only concerns with this bill.

Energy efficiency has a long history of bipartisanship, but, sadly, this has not continued in this bill.

According to the American Council for an Energy-Efficient Economy, this bill would actually net cost consumers and cause additional emissions.

Furthermore, the DOE is prevented from providing assistance if it finds that a proposed code does not meet a payback period of 10 years or less. That is a return on investment that does not jibe with reality where 30-year mortgages are often the norm.

The bill repeals a section of the Energy Independence and Security Act which has been used to improve the efficiency of new Federal buildings.

There was an extensive hydropower section included during the full committee markup that was not subject to a hearing despite significantly changing the FERC licensing process.

It does nothing to address the public health and safety hazards created by old, leaky natural gas pipelines.

It does nothing to assist States' efforts to upgrade and modernize their electric grids.

It is silent on the infrastructure maintenance issues associated with the Strategic Petroleum Reserve that the administration identified in the Quadrennial Energy Review.

It has totally failed to recognize the growth in distributed renewable energy, such as wind and solar, and it

should come as no surprise that this bill ignores the impact of climate change, which remains a major threat to our energy security, our economy, and human health.

These are just a handful of the serious issues with this bill.

I believe all of us started with the intention of continuing the Energy and Commerce Committee's long tradition of working on comprehensive energy legislation in a bipartisan fashion, but this bill is a far cry from the discussion drafts we actually held hearings on earlier this year. I understand we may not agree on everything, but this legislation fails to capitalize on those areas of agreement in any meaningful way.

This bill's focus is on the past, not on the future. It fails to make the necessary investments in our energy infrastructure to improve safety, public health, and reliability.

It rolls back efforts to improve energy efficiency, does nothing to encourage the expansion of renewable energy, and ignores climate change, as I indicated, altogether. It promotes a future that is economically and environmentally unsustainable.

I then urge my colleagues to reject this bill. We need to go back to the drawing board and craft a bill that actually makes investments and looks forward to America's energy future.

Mr. UPTON. Mr. Chairman, I yield 4 minutes to the gentleman from Utah (Mr. BISHOP), the chairman of the Natural Resources Committee.

Mr. BISHOP of Utah. I thank the chairman.

Mr. Chairman, the United States has become a leader in the area of energy production. But if we are going to maintain that leadership and be a true support for our allies, it requires certain actions that Chairman UPTON and his committee have recognized and have presented to us in this North American Energy Security and Infrastructure Act.

This bill actually contains two provisions that were bipartisan provisions that passed in my Natural Resources Committee, both of which will ensure that the flow of energy to our Nation will be facilitated and will continue on in the future.

One, by Mr. MACARTHUR of New Jersey, illustrates the archaic provisions that will never be used to prohibit and use Federal land as a hindrance to pipeline production even if those pipelines are underground and if they are already in established corridors for energy production, especially those going into the northeast of this country. It is an extremely important position and point of view.

Mr. ZINKE of Montana and Mr. SCHRADER of Oregon also have a bipartisan bill that deals with the Electricity Reliability and Forest Protection Act, which would minimize the potential of wildfire risk in the over 100,000 miles of power lines we have going through national forest and Bureau of Land Management properties.

The provisions would require the agencies to actually work to come up with constructive policies and to make timely decisions so that the utilities have the ability to take out hazardous elements, like trees, and so that ratepayers are not going to be on the hook for the liability of a freak forest fire that would come because of Federal inaction.

American energy production has literally changed in less than a decade. There is no reason Federal lands should blockade any kind of pragmatic approach from having these resources moved from the places they are developed to where people can actually benefit from them.

This bill helps people, and it will move our country forward. I appreciate Chairman UPTON's and his committee's leadership. This is an essential one if we are actually going to forge a better future for the United States. I am proud to be down here to support it, and I appreciate adding these two important, bipartisan provisions as part of the overall package.

Mr. PALLONE. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. I thank the chairman.

Mr. Chairman, it is well past time that Congress update our national energy policy with a framework that includes clean energy technologies, reduces fossil fuel consumption, boosts energy efficiency in residential, commercial, and Federal buildings, and provides the funding necessary to advance our workforce and technological innovation, but, unfortunately, H.R. 8 does not meet these goals.

I do want to thank Chairman UPTON for working with me on several provisions that are intended to improve responses to physical and cyberattacks on the grid, that encourage the development and use of water and energy-efficient technology, that streamline hydropower permitting, and that generally improve the modernization of our electric grid.

Unfortunately, the funding was removed for the electric grid grant program and for carbon capture sequestration, a provision promoting the next generation energy workforce is gone, and language that weakens energy efficiency in buildings has not been fixed.

This is a big disappointment, Mr. Chairman, because throughout most of the process there was real bipartisan cooperation, but in the final stages, the majority fell into partisanship and changed the bill to something most Democrats can't support.

So it is with great disappointment that I oppose H.R. 8, and I urge my colleagues to do the same.

□ 1815

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Chair, I rise today in support of H.R. 8, a bill that will help our Nation rise to meet growing energy demands and challenges.

Our energy policy is incompatible with the current state of domestic energy supply and production. The United States is now the world's largest energy producer, but our energy infrastructure is woefully inadequate. We have the innovation and technology to safely expand the electric grid and pipeline systems, but administrative red tape has severely hindered these projects.

As long as natural gas, hydroelectric, and nuclear energy projects continue to languish for years in drawn-out Federal permitting processes, nobody can benefit from the cleaner and more affordable energy these sources can provide.

Not only do we desperately need to expand our energy infrastructure to ensure reliable and affordable energy, but our national security depends on secured energy sources and updated infrastructure to protect against real threats.

Cyber attacks on electric utility systems and electromagnetic pulses are no longer things you only see in movies. These threats are very real and possible, and we need to be prepared. We need to improve energy infrastructure security now, not later.

I urge my colleagues to support this bill so Americans can continue to have access to an affordable, reliable, and secure energy supply.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

Mrs. WATSON COLEMAN. Mr. Chairman, I rise today in adamant opposition to H.R. 8.

I don't have much time, so I can't go into all the terrible provisions included in this legislation. To be clear, there are many.

I do want to address language that would give the Federal Energy Regulatory Commission, or FERC, what amounts to fast-tracking power for pipeline approvals.

Setting arbitrary deadlines for the studies, research, and public comment periods for dangerous and volatile pipeline projects, regardless of how complicated the proposal or how sensitive the land these projects cuts through, doesn't give us what my colleagues across the aisle call energy security.

What it will do is put private, public, and protected land, clean water, and our environment at risk.

In my district, where we are already fighting just such a project, my constituents will be the first to tell you just how preposterous a provision of this nature is.

This bill deserves a resounding and unilateral ''no,'' and I hope my colleagues will join me in defeating it.

Mr. UPTON. Mr. Chairman, may I inquire how much time is remaining on both sides?

The CHAIR. The gentleman from Michigan has 18½ minutes remaining, and the gentleman from New Jersey has 19 minutes remaining.

Mr. UPTON. Mr. Chair, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. Mr. Chair, I rise today to speak about the North American Energy Security and Infrastructure Act.

With new technology and innovations, the energy industry is growing rapidly, and this important legislation works to maximize America's energy potential.

The United States leads the world in energy production, but, sadly, due to Washington's bureaucratic red tape, projects like updating our pipelines and electric grid have fallen way behind.

This legislation will modernize our energy infrastructure, protect our electricity system, strengthen energy security and diplomacy, and improve energy efficiency.

Bolstering our energy security and making our infrastructure more resilient will, in turn, strengthen our national security and our economy. I support this important legislation because it is the next step in becoming energy-independent. Now is the time to dramatically increase our investment in homegrown American energy.

When I came to Congress, my top priority was growing the economy and creating jobs. Mr. Chairman, this bill will do exactly that. It makes no sense to place restrictions on the abundance of energy potential in America. The United States is an energy superpower, and it is time to step up and lead.

Mr. PALLONE. Mr. Chairman, I yield 3 minutes to the gentlewoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. Mr. Chair, I rise in strong opposition to this legislation and, in particular, a section of the bill that would create an opening to cause irreparable damage to our national parks.

H.R. 8 would establish national energy security corridors to short circuit the approval process for natural gas pipelines that cross our Nation's public lands. In doing so, it eliminates longstanding protections afforded to our national parks and other historically significant areas that were set aside for the very distinct purpose of preserving our Nation's cultural and natural heritage.

This legislation also blocks the public from providing any input on where these natural gas pipeline corridors should be located.

My home State of Massachusetts, like many areas around the country, faces real energy challenges. In my district, a company is proposing to build a new 250-mile natural gas pipeline that crosses three States. I have heard from hundreds of my constituents expressing their concerns with the project, particularly with regard to its route.

Thanks to extensive public review and input, the pipeline route has already been adjusted to minimize some of the environmental impacts, but there are still many outstanding concerns that deserve careful scrutiny to be sure that the route does not adversely impact local farmland, State forests, parks, wildlife management areas, and wetlands.

The significant amount of interest in this proposed pipeline reflects the Commonwealth's longstanding history of preserving natural habitats and protecting open spaces for the public benefit, and we have invested enormous public resources toward these goals. This is also true of the investments that American taxpayers have made in our national parks.

By expediting approval of natural gas pipelines, H.R. 8 would directly erode the National Park Service's ability to meet its core mission of preserving and protecting our Nation's natural, cultural, and historic resources, unimpaired for the use and enjoyment of future generations.

I offered an amendment with my colleague from Virginia (Mr. BEYER) to remove this section from the bill. However, the majority blocked this simple amendment from coming to the floor and receiving an up-or-down vote.

Our national parks belong to all Americans and have been famously called ''America's best idea.'' National parks protect, celebrate, and give access to the many places that have shaped and defined who we are as a people and a country.

Members should have been given the opportunity to vote on whether or not we should protect our national parks from natural gas pipelines.

I urge my colleagues to oppose this legislation.

Mr. BILIRAKIS. Mr. Chair, I yield 3 minutes to the gentleman from New Jersey (Mr. MACARTHUR).

Mr. MACARTHUR. Mr. Chair, the North American Energy Security and Infrastructure Act does some important things to move us into the 21st century with our energy policy. It advances modernization, reliability, security, and efficiency in our energy infrastructure.

I want to focus on one section of that bill, title 5, that ''national energy security corridors'' portion. I originally proposed this as a separate bill, and I am pleased to see it as part of this energy act. Simply put, it allows us to move natural gas from the western to the eastern United States.

Let me give you an example of why this matters. A couple of weeks ago, I visited Winteringham Village in Toms River in my district. It is a village comprised almost entirely of seniors, and their average income is slightly over $12,000 a year.

These people are not getting a cost-of-living increase under Social Security, but they most certainly are facing higher energy costs. The reason is simple. While other States, western States, enjoy lower energy costs, States like mine are facing higher energy costs, and the reason is simple. We don't have the energy infrastructure to move gas from the West to the East.

Last winter, on one particular day, the cost of natural gas in New Jersey was $22.35 for a million BTUs. It was $1.50 at the same time in Pennsylvania, one State away from me.

The solution is this ''energy security corridors'' portion of the bill. It requires and empowers the Secretary of the Interior to designate 10 natural gas corridors across Federal lands.

Now, I just heard that it is across national parks. Nothing could be further from the truth. The Federal Government owns much land that is not park land, and this would allow the Secretary of the Interior to designate corridors so we can properly plan our energy needs.

It does a few things for us. It lowers energy costs. It protects the most vulnerable of our citizens. It would require thoughtful planning of where to put pipelines. It would be subject to a full environmental review under NEPA.

It would create jobs. The President of the North American Building Trades Union testified at our hearing that it would not only create jobs in building these corridors, but it would create jobs because of lower energy costs. Lastly, it would increase our security because energy security and national security are inextricably linked.

Mr. Chairman, I am proud to have this portion of the bill included, the ''national energy security corridors'' portion. I urge my colleagues to support this entire bill and move our energy policy into the 21st century.

Mr. PALLONE. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chairman, I was disappointed to see the Rules Committee decided to add H.R. 2295, the National Energy Security Corridors Act, to H.R. 8.

There is no doubt that getting natural gas to where it is needed and to lowering electric and heating bills are worthy accomplishments, but we shouldn't accomplish these by steamrolling the concerns of residents who would see new pipelines built in their backyards.

Right now, there are multiple proposals to run natural gas pipelines from West Virginia through the Commonwealth of Virginia to the eastern

seaboard. There is the Atlantic coast pipeline, the Mountain Valley pipeline, and more being considered.

Understandably, people who live along the proposed route of these pipelines are concerned. Once a pipeline route is approved by FERC, land can be taken by eminent domain. The companies involved, of course, want to draw the straightest, cheapest route they can. The communities in the way of these routes face huge impacts, environmentally and financially. They deserve a say.

Unfortunately, the legislation provides absolutely no method for the public to have their voice heard when it comes to the location of these corridors. It completely waives the Natural Environmental Policy Act for the corridor designation, shutting out the community's opportunity for public input.

Local governments are only allowed to speak to the extent that they can help identify the most commercially viable, cost-effective acreage. Individual resident concerns or environmental factors don't even come into play.

This is not a productive way forward. This doesn't simplify getting natural gas to the people who need it. This is a way that will lead to more opposition, more lawsuits, and an atmosphere of distrust and resentment

I have another concern. H.R. 8 now contains a provision which will allow pipelines to be permitted across national parks without congressional approval. This is contrary to longstanding U.S. law. Every time we put a pipeline across a park, Congress has been involved.

My many friends in the Appalachian Trail community and the national parks conservation community are deeply worried about Congress abrogating its responsibility to approve such pipeline crossings.

We can't ignore the people and the parks that will be impacted by this bill. I encourage my colleagues to oppose H.R. 8.

Mr. BILIRAKIS. I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

This energy bill does nothing for solar, wind, or any other clean energy technology. It does nothing for energy infrastructure either since all funding in the bill was stripped by the GOP.

The bill contains an energy efficiency title that actually results in more energy consumption.

The bill contains provisions that will drive up electricity prices in the Northeast and mid-Atlantic by rigging the markets to prop up old and uneconomical coal and nuclear plants that are losing out in the market to cost-effective natural gas and renewables.

□ 1830

It also has provisions to help gas pipeline companies and hydroelectric licenses that will roll over environmental laws—like the Clean Water Act, the Endangered Species Act, the NEPA—and undermine the rights of consumers, tribes, and States.

Of course, the version that will be on the floor will have a couple of bad additions from the Committee on Natural Resources, including the MacArthur ''pipeline through parks'' legislation that would make it easy to run pipelines through Yellowstone, Yosemite, and every other national park.

Mr. Chairman, this is a terrible bill that demonstrates that the Republican Party is solely focused on the energy policies of the past and is committed to throwing up barriers to the development of a clean and sustainable energy future.

Every Democrat should join us and the Obama administration in opposing the bill's passage.

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

Mr. BILIRAKIS. Mr. Chairman, I yield myself the balance of my time.

My Committee on Energy and Commerce colleagues and I worked to create this broad energy bill and modernize our policies.

A generation ago, policymakers were concerned with managing a scarcity of energy resources, but times have changed. We are in the middle of a resurgence of American energy manufacturing. We should manage our surplus of energy resources with clear, straightforward policies that maximize our energy potential.

This bill is a necessary legislative step to ensure our energy infrastructure is robust and continues to create jobs in the years to come. Modern energy challenges demand modern energy policies. We must cut outdated red tape and ensure the energy markets remain nimble and secure.

With H.R. 8, America can continue to take advantage of recent technology advancements and encourage a growing market that yields jobs at home and more influence abroad. The world doesn't want to deal with unstable exporters, such as Russia or Iran, if they don't have to. We should be the secure and reliable trading partner that they can trust and they do trust.

H.R. 8 strengthens international partnerships and reforms processes for energy exports that will pay important dividends for generations to come.

I would like to thank my colleagues on the committee, especially Chairman UPTON, for their work on this very important bill.

This bill will keep energy affordable and ensure reliable electricity for consumers and families across the nation.

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

Ms. ESHOO. Mr. Speaker, let me begin by saying I'm pleased that this bill includes several measures I have championed, including bills I've offered relating to energy efficiency and electric vehicles. However, I have to oppose this legislation because H.R. 8 fails to address climate change. In fact, the bill includes several controversial provisions that shift our nation's energy policy into reverse.

I'm very grateful to Chairman UPTON and Subcommittee Chairman WHITFIELD for including my legislation, the Energy Efficient Government Technology Act, in the base text of H.R. 8. This bipartisan, noncontroversial bill which I introduced with Rep. KINZINGER, received 375 votes on the House floor last year. This measure would save taxpayers millions of dollars and would make the federal government a leader in reducing energy use at data centers which can be highly inefficient.

I also appreciate that two amendments I offered at the Energy and Commerce Committee markup of this bill were agreed to by voice vote and are included in the Manager's Amendment. The first would allow federal agencies to offer electric vehicle charging stations to guests and employees, a practice that is not currently allowed. The second would add transparency requirements to ensure that only critical infrastructure information is protected from FOIA requests, and that this designation is periodically reviewed to ensure this authority is not abused. These provisions are incremental but important steps toward promoting innovation and deployment of clean and energy-saving technologies.

Unfortunately, the same cannot be said about the rest of H.R. 8. With historic international climate negotiations currently underway in Paris, this so-called ''comprehensive'' energy bill does not include a single reference to climate change or promotion of renewable resources. This represents the squandering of an opportunity to put in place a 21st century energy policy for our country that promotes clean energy and reduces our dependence on the fossil fuel resources that cause climate change.

H.R. 8 includes several controversial provisions that my colleagues and I opposed at Committee and that are also opposed by the Administration. For example, the bill contains unnecessary provisions to short-circuit the review process for exports of liquefied natural gas (LNG). The current process, which requires the Department of Energy to ensure that all exports are in the public interest of the United States, is working and already has us on track to be the largest LNG exporter in the world within a decade. H.R. 8 also includes provisions that would require a short-sighted view of energy efficiency investments in building codes, and it would repeal the requirement that all new and remodeled federal buildings phase out fossil fuel use by 2030. Lastly, the Manager's Amendment includes a highly controversial bill from the Natural Resources Committee that would limit public review and direct more natural gas pipelines to be built on public lands, including National Parks.

Again, I appreciate the Chairman's willingness to accept my bipartisan additions to this bill, but I cannot support this legislation and I urge my colleagues to oppose it.

The CHAIR. All time for debate has expired.

Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MACARTHUR) having assumed the chair, Mr.

JENKINS of West Virginia, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes, had come to no resolution thereon.

MOTION TO INSTRUCT CONFEREES ON H.R. 644, TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015

Ms. KUSTER. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore (Mr. JENKINS of West Virginia). The Clerk will report the motion.

The Clerk read as follows:

Ms. Kuster moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to the bill, H.R. 644 be instructed to agree to the provisions contained in subtitle A of title VII of the Senate amendment relating to currency manipulation.

The SPEAKER pro tempore. Pursuant to clause 2 of rule XXII, the gentlewoman from New Hampshire (Ms. KUSTER) and the gentleman from Texas (Mr. BRADY) each will control 30 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

Ms. KUSTER. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of my motion that will instruct conferees to include in the conference report language to combat currency manipulation from the Senate-passed version of H.R. 644.

Currency manipulation by foreign governments is one of the greatest challenges we face to creating the type of free and fair trade that will benefit all Americans from top to bottom and help us create more jobs right here at home.

I, like so many others, am highly focused on helping our domestic manufacturers grow and create good, strong, middle class jobs. Since taking office, I have made supporting job creation and economic opportunity my number one priority, and our State's manufacturers play an integral role in that conversation.

Unfortunately, U.S. manufacturers already face so many challenges that make it more difficult to compete with foreign companies. From the lower cost of labor to limited environmental protections, our manufacturers must compete with foreign policies that lead to an uneven playing field.

Unfair currency manipulation makes that competition even more difficult. Currency manipulation is when governments use monetary policy to devalue their currency, which makes their exports cheaper and foreign imports more expensive.

The good news is that we have the most talented workers and the most innovative companies in the world, and we can compete and win despite these challenges.

For example, right in my district in New Hampshire, I visited dozens of new manufacturing companies that are harnessing cutting-edge technologies, like precision manufacturing and healthcare technology, to revitalize the industry and create modern, 21st century jobs for our workers. We must support these American manufacturers by cracking down on unfair advantages overseas that hinder their success.

This motion will help to level the playing field for manufacturers in New Hampshire and across the country by directing the Department of Commerce to slap duties on goods that have unfairly benefited from undervalued currency. This is the only provision in either customs bill that will effectively deter currency manipulation by our trading partners.

Working to address currency devaluation has long enjoyed bipartisan support. In 2010, the House overwhelmingly passed legislation restricting currency manipulation by a vote of 348–79. Earlier this year, the Senate version of this legislation passed 78–20, in large part because of the critical language restricting currency manipulation.

However, the version of this legislation passed by the House does not include the bipartisan provision that so many agree is crucial for limiting the ability of U.S. workers and businesses to compete more fairly with foreign companies and workers.

I strongly support fair and open trade that will spur job creation back here in the United States. When 95 percent of global consumers exist outside the United States, we have to find new markets for our manufacturers and other producers to grow and create more jobs here at home.

But when U.S. manufacturers are already disadvantaged by foreign products that are subsidized by their home currency, it is difficult for them to compete both at home and abroad.

And the impacts of this unfair manipulation are real. The Peterson Institute estimates that, over the past decade, at least 1 million and as many as 5 million jobs have been lost due to currency manipulation.

Additionally, an analysis by the Economic Policy Institute estimates that by eliminating currency manipulation we can reduce our trade deficit by as much as $500 billion, leading to a substantial increase in GDP growth and helping our American economy thrive.

Specifically, New Hampshire could expect to see roughly 13,000 new jobs as a result of an effective policy against currency manipulation.

The status quo is simply not good enough for U.S. workers, and that is why I am offering this motion today.

Our workers are already competing with foreign companies that pay their employees a fraction of what U.S. workers make. We should do whatever we can to help make it less difficult for U.S. companies to compete globally. Adding this currency manipulation language to the bill before us today will give us the best chance to do that.

Please join me in supporting my motion in support of American manufacturers.

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

GENERAL LEAVE

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the motion to instruct conferees on H.R. 644.

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

There was no objection.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise in opposition to the motion to instruct conferees.

There is no question currency manipulation is a real problem, and I and many other Republicans are committed to fighting it. The bill that we are going to conference on includes strong currency provisions, thanks to the hard work of Representative MILLER and members of the Michigan delegation.

In addition, earlier this year, we passed a trade promotion authority legislation that, for the very first time, raised fighting manipulation to a primary negotiating objective and provides the administration more tools to tackle the practice.

However, if the United States begins unilaterally levying tariffs, our trading partners will no doubt do the same, leading to a very dangerous cycle. This would undermine the very purpose of trade agreements: to break down barriers and to open economic freedom. More importantly, this would hurt American competitiveness and hurt our jobs.

I am also concerned that pursuing a unilateral approach could cause the United States to be a target for retaliation by countries like China, harming our businesses and their employees, and risk putting the United States in violation of international obligations and out of WTO compliance.

And the administration agrees.

□ 1845

Earlier this year, Secretary Lew sent a letter to Congress stating that the administration would oppose legislation that would use the countervailing

duty process to address currency undervaluation because it would raise questions about consistency with our international obligations and that it would be counterproductive to our ongoing bilateral and multilateral engagement as well as to our efforts to promote greater accountability on currency policies in the context of the Trans-Pacific Partnership.

Mr. Speaker, the United States has a unique responsibility as a world reserve currency. This type of measure puts our standing at risk.

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

Ms. KUSTER. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, this motion is the next step in fast-track consideration of Asian trade agreements and perhaps other trade agreements.

The fast-trackers know that the only way they can sell this agreement to the American people is to rely on stealth as much as possible to hide the agreement, as they have, for as long as possible; and then, even at the present time, not to give full information about all aspects of this agreement, such as the alleged $18,000 tax cuts being provided foreigners, without indicating what tax cuts are available for Americans or what the effect of these tax cuts might be. And now, today, under this new, more inclusive House that we have heard so much about with the new Speaker, we are provided less than an hour's notice for the fast-trackers to strike again.

In moving to go to conference on a bill to attempt to fix a defective fast-track proposal, they have done so under a procedure that cut off all debate. We were not permitted to say a word about the customs bill as a whole, and the only way that we are able to comment about what is happening here at all is thanks to the gentlewoman from New Hampshire who has offered a nonbinding motion about one of the many questionable provisions in this customs bill. It is a very important provision concerning currency manipulation that allows some foreign trading partners to use their currencies and adjust them to get what they cannot do through normal trade procedures and greatly disadvantage American manufacturers and hurt American jobs.

I applaud the gentlewoman's consideration and offering of that amendment. Even though it will not bind the conference committee, it is a way for the House to speak out about that issue.

But this is not the only flaw that exists in the customs bill. Indeed, the first provision included in this customs bill as passed by the House—ironically, brought up today, as countries with good will are struggling with the issue of how we address climate change in Paris—instructs that no trade agreements can obligate the United States with respect to global warming or climate change.

So the bill that is being sent to conference, as approved in the House, is designed to prevent our acting concerning climate change, which is the great threat—perhaps one of the major national security threats, and certainly the greatest environmental threat of our time. We can see the effects all around us when we are not surrounded by climate change deniers, of which there are many in this House who refuse to accept science and prefer mythology and ideology to science. Hence, this provision in a bill in a trade negotiation that began considering ways to address climate change now has a prohibition against doing it.

A second problem—I am all for trade. I voted for trade or supported trade with most of the countries that are in the Trans-Pacific Partnership. One of those countries, however, believes in turning a blind eye to trading women, trading children, trading indentured workers, and that country is Malaysia.

Until the last couple of months, Malaysia was in a category with North Korea and a handful of other countries as a country that was doing the least and had the worst record when it comes to human trafficking. So the United States Senate approved a provision to address that concern with Malaysia. And when that provision was in the Ways and Means Committee in markup, I specifically asked then-Chairman RYAN to ensure that we had any human trafficking amendment language from the Senate committee in this customs bill or in his TPP bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. KUSTER. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. DOGGETT. He told me in the course of that hearing that he would oppose truly conforming the House bill with the Senate bill because ''it would make it more difficult to negotiate TPP,'' this Asian trade agreement.

So we put the desire for trade over our principles. I think it is possible to have more trade and support a 21st century trade policy without sacrificing our values as Americans.

What has happened in the meantime is a reclassification of Malaysia, all designed to get the trade there without getting Malaysia to do what it should about human trafficking, which I think is really tragic.

Then there is the third issue addressed in this customs bill, and that is the question of enforcement. Of course, when it comes to protection of the environment, when it comes to standards so that we are not in a race to the bottom with our American workers versus foreign workers, say in Vietnam working for 60 cents an hour, this United States Trade Representative's office has been asleep at the wheel. That is the name of a great Texas swing band, but it is not a very good policy when it comes to enforcing the law. Unfortunately, these enforcement provisions which are part of this customs bill leave it to USTR to proceed as it has in the past.

I think, instead of going to conference, what we should be doing is going back to the drawing board in the committee, looking at the enforcement provisions, and asking why it is that, though it has had responsibility to enforce environmental and labor guarantees, it has not brought successful actions to accomplish either.

And specifically with regard to the environment, in addition to the climate change provisions, one of the most troubling developments as far as both climate and the environment is the question of logging in the Amazon region and other sensitive areas. USTR was charged with seeking audits of that logging and seeing that we acted under agreements that were approved during the Bush administration. It has failed to do so.

So, for one reason after another, going to conference is a mistake. I applaud the motion. I hope it is adopted, but it is tragic that we are moving in this direction.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

People often ask: How do you end the gridlock in Washington? The answer is found in the Constitution. The House of Representatives passes its best idea on how to solve a problem, the Senate does the same, and then you go to a conference committee to try to find common ground and to try to find solutions that advance the principles of both parties to try to solve big problems.

The motion we passed earlier tonight was to start that open and transparent process of going to a conference committee and having representatives of the House and Senate, Republicans and Democrats, come together to try to work out these issues. The underlying bill passed the House and the Senate earlier this summer. There have been a lot of, I think, very healthy discussions between both Chambers and both parties in how we find common ground.

So this motion is to instruct those conferees; but in truth, what we are seeking is that open, transparent, I think, constitutional process where we listen to the ideas of, for example, the gentleman from Michigan (Mr. LEVIN), a member of the Ways and Means Committee whom I respect, where we listen to the ideas of Senate Republicans and Democrats and we, again, try to find common ground on a couple of things: one, how do we streamline the time and the cost and efficiency of America trading its goods as we work to sell America throughout the world, working through issues that were raised in

trade promotion authority by both parties.

These are legitimate, sincere issues. We have got an opportunity at conference to discuss them. Then, hopefully, we will find common ground and bring that solution back to the House and to the Senate for final approval. This is simply what we are trying to do.

Again, this motion to instruct goes after an issue we all agree on: currency manipulation. The key is to do it the right way so that it doesn't boomerang on America but actually gets to this issue. We are going to have this discussion in the conference committee.

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

Ms. KUSTER. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. I thank the gentlewoman for yielding, and congratulations on your motion to instruct.

First, let me just say, in terms of process, I do think it is important that, before there is a motion to go to conference, there be some notification to the minority; because there have been discussions underway about the customs bill for a long time, and no one on our side, including our leadership, was given any notice of the motion to go to conference today. I think that is a mistake, and I hope it won't be repeated. I say that in good faith and with some good cheer. It is a bad precedent, and I hope it won't be followed.

Let me just say a word about currency. We have been working on this for years. We passed several bills through this House directly relating to currency, and it never became law. Instead, there has been interminable talk about doing something. So, finally, there was placed in the Senate bill the proposal of CHUCK SCHUMER. We have an almost similar bill in the House. What is happening here is, I think, that the House bill is going to eliminate the Schumer amendment.

So for all the talk on currency, we are essentially going to be back to where we were and have been for years. There are no teeth in the amendment that was proposed by my colleague from Michigan (Mrs. MILLER). There are no teeth in it. It is kind of all gums. The same is true of the other language in the Senate bill on currency, with all due respect. It just doesn't face up to the issue.

We have proposed some ideas to try to add strength to what has been a weak structure, and essentially what happens now is, instead of further discussions, we are going to conference. I think it is now preordained that the Schumer amendment will be eliminated. It will be left with essentially empty language in terms of real strength to it.

So I congratulate my very distinguished colleague from New Hampshire for not only bringing this up, but for your eloquence. We lost millions of jobs because of currency manipulation by Japan in the nineties and by China thereafter. The estimate is 2, 3, 4 million jobs. What more does this institution want?

Let me just say a couple of words about two other provisions.

The House bill essentially added language to TPA that said that there must be assurance that trade agreements do not require changes to U.S. law or obligate the United States with respect to global warming or climate change.

□ 1900

So here we are going to conference one of the days of the Paris conference, and we face the language in the House that eliminates any meaningful opportunity in trade agreements to address climate change.

It may take me a little longer. I may have to ask for a minute, but I want to say something about our previous action.

We put in May 10 provisions relating to Peru and the Amazon. Why? In part, because it was displacing people who were living there, but also because the Amazon conditions affect the climate throughout the Americas.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. KUSTER. I yield an additional 2 minutes to the gentleman from Michigan.

Mr. LEVIN. And if this language were in place when we did May 10, we would not have been able to have that provision that is part of American law proudly. So we are headed in the wrong direction.

Let me just say a last word about human trafficking. The State Department reports on human trafficking in Malaysia are very clear. The ink could not be darker. That is that there has been massive human trafficking and, essentially, what the House language did was to weaken the proposal of Senator MENENDEZ.

Then the State Department, I think, essentially did not face up to the realities within their own reports and moved Malaysia from tier 3 to tier 2 so that they could continue to be part of the negotiations.

I don't see how people can look in the mirror and not say to themselves that we have to take into account human trafficking.

So I finish with this. There are some positive provisions within the Customs bill, but there are also these very difficult and I think, in some respects, dangerous, in the case of currency, worse-than-innocuous provisions because, in currency, it retreats from the little step of meaning that we were going to take.

So I congratulate the gentlewoman who is such a noble warrior on so many issues for bringing up this motion to instruct, and I urge strong support.

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

Ms. KUSTER. Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, Customs bills in the past have been positive. They have been useful in trade enforcement packages.

However, the majority in this body has baked into this legislation harmful provisions that make the fast-track law even worse.

It fails to protect Dodd-Frank and financial regulations, consumer safeguards. It stops our trade agreements from doing anything to address immigration. It strips out provisions tackling currency manipulation, an abuse that is costing millions of Americans their jobs.

Don't take my word for it. Listen to the Peterson Institute. Listen to what they have to say, no left-leaning organization. It says that, as a result of currency manipulation, the United States has lost up to 5 million jobs.

Why would we go down this road again? Why wouldn't we make currency manipulation prohibitive, instead of using language that is not even in the bill, but in a forum that they have put together around the TPP that says that countries should refrain from currency manipulation, they should avoid currency manipulation?

Avoid? Refrain? What kind of tough enforcement language is that? It is not.

What do countries do when they manipulate their currency? They drop the cost of their currency. Their goods become cheaper. Our goods are more expensive. We don't sell them abroad.

You know what happened in Mexico with NAFTA. They talked about all the beautiful provisions, all the tariffs dropping, et cetera. When they devalued the peso, it was all gone.

This is without strong, tough—and it won't be strong and tough because of the Senate language. But this is a good faith effort to deal with currency.

But, in fact, the lack of currency enforcement here is going to cause ruination in terms of American jobs and it is going to lower their wages. And already Malaysia has devalued its currency, as has Vietnam.

This agreement bans the United States from making commitments on climate change in trade agreements. My colleagues have spoken about this, provisions that are necessary to ensure that our trade policy does not negate our climate goals.

You have got—what is it?—I don't know—200 countries assembled in Paris to look at how we bring some sanity to climate control and what we do. We have the President there. These efforts are more important now than ever, and we will be able to do nothing about dealing with the issue of climate.

This is a massive step backward for the already weak environmental obligation in our trade agreements. This bill contains no funding support for the enforcement and monitoring of our trade agreements. Lack of enforcement has plagued our trade deals for decades.

Despite environmental rules in the U.S.-Peru free trade agreement, the overwhelming majority of timber from Peru is illegally logged. Despite the labor rules in the Colombia free trade agreement, over 118 Colombian trade unionists have been murdered.

The SPEAKER pro tempore (Mr. BABIN). The time of the gentlewoman has expired.

Ms. KUSTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut.

Ms. DELAURO. Within the last week, Vietnam, one of the partners in this agreement, arrested labor activists. 118 Colombian trade unionists were murdered. Vietnam will not allow organized labor, and in the agreement they get a free pass for 5 years while our jobs are just being drained away.

Now the Congress is reviewing the TPP, the largest free trade agreement of its kind in history. It does include countries like Vietnam and Malaysia, where labor and human rights abuses are rampant.

My colleagues have talked about Malaysia and trafficking and forced labor. Where are the values of this Nation when we can take Malaysia that traffics in young girls and say that they have gotten better and they go from a tier 3 country to a tier 2 country just so that they can be part of this agreement?

Where are the values of the United States of America? They are not present here. We can't afford more free trade agreements without adequate enforcement.

Worst of all, this bill weakens protection in so many areas. We are dealing, as I said, in trafficking. It is modern slavery. That is what that is all about.

Democrats have been clamoring for years and years for our government to include enforceable labor standards and enforceable environmental provisions, and it has fallen on deaf ears.

This motion to instruct—and I say to my colleague thank you for doing this—should pass. It will pass tonight or tomorrow, but it really should not go to conference. There are so many flaws in the underlying bill and in the Trans-Pacific Partnership agreement as well, and this should not go to conference.

In fact, put a gloss on a piece of legislation that is one of the worst pieces of legislation that has hit this floor of the United States House of Representatives.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume, and I am prepared to close if the gentlewoman from New Hampshire is prepared to do so as well.

The value of a country's currency is a complex issue. It is determined by a number of factors: how much a country saves, how much it invests, the strength of its economy, its trade flows in and out. It is a complex issue.

Where Republicans and Democrats and the White House find common ground is the desire that countries don't manipulate their currency in order to give themselves an unfair trade advantage.

The difference is how best to go about it. And because it is a complex issue, there are some very good ideas on all parties' sides on how best to do that.

This motion essentially says to forget those discussions and don't have Republicans and Democrats from the House and Senate work together through this complex issue and find a common solution. This motion simply says to forget all that. There is only one solution, and we insist upon it. End the discussion.

I don't think that is the right way to go about it. I think, frankly, there are real serious concerns not just from Republicans, but from the White House on insisting on this one solution.

I think our country is better served and those who want to stop currency manipulation are better served by bringing our best ideas together in this conference committee.

That is what I am determined to do. That is what the American public wants us to do, an open, transparent, regular process that brings about the very best solution for America.

That is why I urge a ''no'' vote on this motion to instruct.

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

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

I want to say to my colleague, the gentleman from Texas, I think that we do agree to part of this about the danger of currency manipulation and the millions of jobs that are lost here in our country.

That is why I rise this evening to offer this motion to instruct the conferees to include in the conference report language to combat currency manipulation from the Senate-passed version of this bill.

I also want to associate myself with the comments of my colleagues because these are bipartisan issues. I have worked with my colleagues across the aisle on human trafficking, and I know that my colleagues share my values and are appalled at the egregious efforts that have gone down in Malaysia to traffic in young girls.

These are not American values that are being expressed at this historic moment, as countries across the world gather in Paris to protect our society, our whole humankind, from the ravages of climate change.

So, Mr. Speaker, I rise this evening to support my motion. I will be asking for a recorded vote.

I yield back the balance of my time.

Mr. KIND. Mr. Speaker, America's trade laws only work as well as they are enforced—which is why the Trade Facilitation and Trade Enforcement Act is of such vital importance. Both versions of the bill include vital provisions to modernize our customs process and increase enforcement of our trade laws—including my bill to finally end the importation of goods made by child, slave and forced labor after 75 years. It has been five months since H.R. 644 passed both the House and Senate and it is long past time the two versions of the bill be conferenced. In addition to the provision of the Senate bill which was used in the Democratic Motion to Instruct; there exists another, noncontroversial provision to combat currency manipulation in the legislation. Senator BENNET's amendment, which passed the Senate Finance Committee unanimously, has real teeth. The amendment creates enhanced oversight of international exchange rate policy, authorizes specific remedial actions for the U.S. government to pursue against trading partners that fail to adopt appropriate exchange rate policies, and provides the U.S. government with additional tools for strengthening trade enforcement. The language referenced in the Democratic Motion to Instruct is considered a poison pill by many and could threaten the underlying legislation which is vital to updating our trade enforcement laws for the 21st century.

There are a number of vital differences between the House and Senate versions which will meaningfully impact the United States' ability to enforce our trade laws that must be a priority as we move into the conference process. Differences such as the ENFORCE Act, which helps to enforce duty evasion; creating an enforcement and capacity building fund using a portion of penalties paid by foreign trade cheats; holding our trading partners accountable for this uneven enforcement of environmental regulations; and codifying the Interagency Trade Enforcement Center are issues vital and cannot be bogged down. In light of the existence of the Bennet language which I believe substantively moves the ball forward on currency manipulation, while I support the spirit of the Motion to Instruct I believe it is more important that the customs bill not be bogged down by a controversial provision which could potentially lead to retaliation which would hurt Wisconsin's farmers, workers and businesses. Many of these other provisions will ultimately determine my support for the Trade Facilitation and Trade Enforcement Act and I hope rather than falling into partisan foxholes we can help move this vital piece of legislation forward in a bipartisan manner.

The SPEAKER pro tempore. All time for debate has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

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

The yeas and nays were ordered.

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

□ 1915

CLIMATE CHANGE DEBATE NOT SETTLED

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

Mr. LAMALFA. Mr. Speaker, recently, President Obama declared climate change to be the number one adversary of the United States.

He has proposed wide-ranging regulations to fight this supposed enemy, regulations that not only drastically increase the scope of government but could only irreparably damage our economy. Today, we voted to reject those policies.

While he concentrates on crony capitalism disguised as feel-good policies, our true enemy has grown in strength and struck one of our oldest allies. We know this enemy: a radical form of Islam that has sworn to destroy Western civilization, that abuses and enslaves women, that seeks victory through suicide attacks and terrorizing civilians.

From manufacturing fake data to fit computer temperature models, to manipulated actual temperatures being rounded up to fit the narrative, and the resistance by government entities to reveal their methodology and internal biases show that, indeed, the debate on climate change is far from settled.

Mr. Speaker, it is time for the President to wake up, recognize that no nation should willingly choose to damage its own economy, as he proposes. It is time he recognized the United States' responsibility to the free world and end the self-destructive cycle that his policies would initiate.

RADICAL ISLAMIC TERROR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, just to follow up on the eloquent 1-minute speech by my friend, DOUG LAMALFA, that it is extraordinary to think that the President of the United States—some say he is the leader of the free world—would actually say publicly and, even worse, at a conference of world leaders that, in effect, the worst blow we could hit ISIS with is for the leaders to come together on climate change?

It is hard to believe the leader of the free world would make such a statement. Maybe it was just something that was given to him to read and he read, maybe it was in a teleprompter, or maybe he didn't have time to think about what he was saying. Because I have talked to too many people in all parts of the world who have dealt directly with radical Islamist terrorists, and they make clear that radical Islamist terrorists know nothing and respect nothing but power. Incredible. Just incredible.

Growing up, it would have been akin to bullies beating up and taking from smaller students on the playground and the teacher gathering all the students and other teachers together and saying, ''I am going to teach the bullies a lesson by just ignoring them and reading you a lovely story from our library.'' Who wouldn't understand that the next day the bullies would be beating people up again and robbing again? It is incredible.

Such insanity followed a terrible event, a shooting in Colorado Springs. As a judge, a former judge, a former prosecutor, the man that did this needs to be punished. It is wrong, and no one should use any excuse to go in and shoot other people, whether it is an Islamic terrorist or whether it is a deranged, mentally unstable person thinking they have some kind of score to even with people they don't even know, shooting people about whom they know nothing.

This story from November 30, Fox News, about the three people killed in Colorado, FoxNews.com:

''The two civilians killed in Friday's shooting at a Colorado Planned Parenthood clinic were identified by authorities and family members on Sunday.

''Jennifer Markovsky, 35, was accompanying a friend to the Colorado Springs Planned Parenthood clinic when she was killed in the shooting rampage, her father told The Denver Post.

''John Ah-King said she grew up in Hawaii and met her husband, Paul, before the couple moved to Colorado when he was stationed here for the military.

''Ah-King told the Post from his home in Hawaii that Markovsky was a kind-hearted, lovable person with two children.

''The second civilian killed was identified as Ke'Arre Stewart, 29, Amburh Butler, a lifelong friend and family spokeswoman told the Associated Press.

''Butler said that Stewart was accompanying someone to the clinic, and leaves behind two girls, 11 and 5, who live in Texas.

''Stewart served in the Army's Fourth Infantry Division and was deployed to Iraq, where Butler said he would often send her letters describing the horrors he saw on the front lines.

'' 'He would tell me how terrible it was, how many guys he watched die. It was terrible for him,' Butler told the Associated Press. The Army stationed Stewart at Fort Carson in Colorado Springs in 2013 before he was discharged from the military the following year. 'He went someplace where people expect to die, only to come back . . . and be killed.' ''

She also said, ''He was just a standup guy, he would take a bullet for you. He was the most sincere person I'd ever met.''

''Markovsky and Stewart's identities were confirmed by officials, who said a full identification would be provided once autopsies were completed Monday.

''The third victim was Garrett Swasey, who worked as a police officer at the University of Colorado, Colorado Springs, and was called to assist with an active shooter at the nearby clinic.

''Swasey was married with two children and a co-pastor at Hope Chapel, where he was remembered Sunday by parishioners who watched a video of him ice skating.

'' 'We are learning that eyewitnesses confirm that the man who will be charged with the tragic and senseless shooting that resulted in the deaths of three people and injuries to nine others at Planned Parenthood's health center in Colorado Springs was motivated by opposition to safe and legal abortion,' Planned Parenthood Rocky Mountain CEO Vicki Cowart said.''

Well, that is from Vicki Cowart. That does not appear to be official. And it always seems if it works better—for example, I would hope that the President has learned by now that he shouldn't give opinions about shootings until he knows more about them. Don't condemn a policeman when it turns out the policeman was entirely justified because, by doing so, you help stir up and divide this Nation that needs to come together.

So there are so many questions. When I was a prosecutor, when I was a judge, I wanted to know motive. I wanted to know what caused people to do what they did.

We know why Islamic terrorists do what they do. They think that that is contributing to the caliphate. If they happen to die, just as Thomas Jefferson was told—it was reported that Jefferson asked why the Barbary pirates kept attacking American ships when they weren't a threat to that Muslim area. He was reportedly told, ''We believe we go to paradise if we are killed while we are fighting infidels like you.''

So we know what motivates most Islamic terrorists. Either they think they are going to go to paradise—what a surprise they are going to get—or they think they are contributing to bringing the world under a totalitarian domination by one theocrat, like the Ayatollah Khamenei or al-Baghdadi, who is head of ISIS.

So, with that tragedy just in our rearview mirror, unfortunately, once

again, the President, in front of a massive group, spoke without thinking about what he was saying.

I don't know whether it was on a teleprompter again and he just hadn't thought about what he was reading to the public, maybe somebody put something in front of him, or maybe he was talking off the cuff and hadn't really thought about what he was saying.

But this article from Alex Griswold, dated today, says, ''While giving a press conference in Paris, President Barack Obama told reporters that the mass shootings that plague the United States just never happen in other countries. 'With respect to Planned Parenthood, obviously, my heart goes out to the families of those impacted,' Obama said in response to a reporter's question. 'I mean, I say this every time we've got one of these mass shootings; this just doesn't happen in other countries.' ''

He is in Paris, France, where they have just buried one of the 130 people, mostly from mass shootings. I mean, they probably just finished the funeral services for the victims of the Islamic terrorists, and the President says in front of the world so insensitively that these shootings, like the three people in Colorado Springs, never happens in any other countries, as he is standing in a country where it just had 130 people killed, mainly in mass shootings.

In fact, the article says that ''the majority of the 130 deaths were in mass shooting attacks, where the ISIS-affiliated terrorists attacked public places with automatic rifles. Nearly one hundred people alone were killed in just one mass shooting at the Bataclan Theater.''

''Earlier this year, Paris was also the victim of a terrorist attack targeting the satirical magazine Charlie Hebdo. The Al Qaeda-affiliated terrorists wielded assault rifles, killing 11 innocent people.'' That was in Paris.

□ 1930

Now, I do realize this article says the 11 people with Charlie Hebdo, the publisher of the magazine, that those 11 people, it says here, were innocent. But, obviously, again, a leader of the United States, our Secretary of State, John Kerry, addressed on video for the world to see this issue and basically was saying we can understand why the Charlie Hebdo people were killed.

I mean, for goodness' sake, those people used the idea that they had the freedom to speak any way they wanted to; and, apparently, radical Islamic terrorists were insulted, even though the President has said repeatedly and John Kerry has said repeatedly and Hillary Clinton has said repeatedly, and continues to say, that these terrorist attacks by radical Islamic terrorists have nothing to do with Islam.

Well, that is a head-scratcher, because if the terrorist attacks on Charlie Hebdo had nothing to do with Islam, then why did John Kerry think there may have been some justification for Islamic terrorists to kill these satirists, these magazine employees, because they said something offensive about Islam? If it wasn't about Islam, then why were the terrorists killing these magazine employees because they said something about Islam? That is a head-scratcher.

And then when we look at what the media is saying about the Colorado Springs shooting and we look at what people in the mainstream media, whether it is ''The View'' or other places, talk about, yeah, Hitler was a Christian. No, he wasn't. And, yeah, McVeigh, was a Christian. Well, I am sure that would be a surprise to him. He seemed to brag late in life about being agnostic. Hitler certainly wasn't a Christian.

So if the President, Hillary Clinton, and John Kerry are right that, gee, we need to worry as much about Christians—actually, our State Department seems to think, in their reports, that we need to worry more about Christians than we do about Islamic terrorists, even though there is no indication that the Colorado Springs shooter was a Christian.

I can absolutely assure you, Mr. Speaker, no matter what he says his religious affiliation is, he certainly was not a Christian, because he certainly was not following the teachings of Christ. The Bible makes clear that we are known by our fruits, and if he has gone in and killed other people in this way, illegally, then he is certainly not following the teachings of Christ. He is not part of the government. There is no justification. There has been no trial.

But it does also raise issues about the effects of the lawlessness of this administration, having had whistleblowers come to me, law-abiding, moral, ethical people you want to know. We have seen that the Justice Department will go after and destroy any honest, moral, ethical whistleblower that may reflect poorly on the administration. We have seen reports of the acting inspector general at Homeland Security changing IG reports. We get word that in the intelligence community reports have been changed from truth to something that would not make the administration look bad, reports now coming out about, and apparently former intelligence leader Flynn talking about this, how the truth that was coming from intelligence in 2012 did not match up with this administration's reelection campaign so they just changed the reports.

I mean, what effect does an administration lying and being lawless have on what traditionally has been a majority law-abiding country? Can it create helplessness, a feeling, or a need that perhaps we need to take the law into our own hands? I would tell anyone that is never justified. You do it through lawful means, through the government. Of course, Thomas Jefferson might say otherwise.

But what effect does it have when the law of the land, the Federal administration governing, ruling over the country, required by the Constitution to follow the laws that have been passed by Congress and signed by other Presidents, this President may not agree with and he just disregards the laws, say, on amnesty, disregards the laws about governing the EPA, so they just make up new regulations, and you just create 79,000 pages of new regulations as if you are a dictator in chief? I mean, if, hypothetically, that were happening, what effect would it have on people who believed in having a law-abiding country when the administration over the country becomes so lawless? It seems surely it would create a feeling of desperation.

What do you do? I have talked to whistleblowers who had that feeling. What do you do? I can't go to the Justice Department with the truth about what is going on because they will prosecute me. They will destroy my family. I will never be able to make a living again. I have seen what they do to whistleblowers who just want the administration to be honest and follow the law. What do you do? Where do you go?

I would submit that the place you go is not to Russia to give away our utmost secrets because that is treason, but it is bound to be mitigating when an administration makes it so tough to just come forward and state the truth.

We found out that this administration had known about General Petraeus' affair for most of a year, but they waited until General Petraeus was in a position to destroy the election possibilities, reelection possibilities for President Obama, and they flowed out about the affair they have known about for most of the year, and he is destroyed. They prosecute him because apparently, as I understand it, he provided a calendar to his biographer and searched as they might for anything that they could hang around his neck of being a lawless activity. As I understand it, they found something in his calendar that could have been said to be classified, so he agreed to plead to that.

And we find out yesterday there apparently have been 1,000, around 1,000 Hillary Clinton emails so far that contain classified information. If Chuck Colson gets a year and a half for having information he is not supposed to, Petraeus' life, his livelihood, is ruined because they are finally able to find something that might have been classified that he pleads guilty to having turned over to his biographer. How long do you get for doing that a thousand times? I am just asking, Mr. Speaker.

But if, let's say, hypothetically, it were true what President Obama, John Kerry, and Hillary Clinton keep saying, that you should not say anything negative about the terrorists who claim to be Islamic and who say, Praise be to Allah, ''Allahu Akbar,'' and then they kill innocent people, you can't say anything that that is related to radical Islam because that only makes matters worse. Well, if they really believe those things they have been saying, and if it were even true, and if Homeland Security is right that we need to worry about evangelical Christians or people that belong in the authority of the United States Constitution, then shouldn't the President, Hillary Clinton, and John Kerry, be worried that they are going to stir up another crusade by besmirching and maligning Christianity and Christians as routinely as they do, saying these Christian terrorists are so bad or pointing out we have got bad Christians, we have got the Crusades?

Well, if Christianity is as big a threat to commit violence as people who say they are Islamic terrorists or jihadists, then I am just asking, Mr. Speaker, wouldn't that indicate that the President, Hillary Clinton, and John Kerry are actually going to be responsible if a Christian goes and does something violent? I mean, using their own logic, if they are out there running down Christians as a threat to violence while saying you can't say anything negative about radical Islam and a Christian has done something wrong, well, if you are saying we stir up radical Islamic terrorists by talking about them, then wouldn't you be responsible if you—generic indefinite ''you''—be responsible for saying bad things about a Christian if a Christian then does something violent? I am just asking, applying the President's own logic or lack thereof.

There is an article from 4 months ago by Kyle Becker that said, after the tragic Charleston shooting that left nine Americans dead, President Obama said the following: ''But let's be clear: At some point, we as a country will have to reckon with the fact that this type of mass violence does not happen in other advanced countries. It doesn't happen in other places with this kind of frequency.''

□ 1945

The President said that 4 months or so ago, and he says it again now, while he is in Paris, where 130 people were just killed in a mass attack.

But this article was written 4 months ago, and it actually charts it. And it reads, ''Since most statistics on mass shootings in the world compare apples and oranges by not correcting for population, let's get a chart that makes sense, shall we?'' Between 2009 and 2013, the author goes through and charts.

The loss of even one life should not be occurring. As someone who has looked a defendant in the eye and has ordered him to be taken and held by the Texas Department of Criminal Justice until he is put to death and has signed the order requiring a multiple-murderer or a kidnapping murderer-torturer be put to death, I know every life matters. Every life matters. Every little baby who is cut up and sold for parts matters.

How about the lawlessness of seeing the Planned Parenthood videos and not only not be offended or finding those grotesque and inhumane but actually having the Department of Justice stand ready to be the criminal defense firm for Planned Parenthood and stand by Planned Parenthood in these alleged horribly egregious violations of humanity? Would that invoke helplessness? It shouldn't invoke anybody to violence, but could it?

According to this article by Kyle Becker, between 2009 through 2013—these are rampage shooting fatalities per 1 million people—Norway had 15.3, Finland had 1.85, Slovakia had 1.47, Israel had 1.38, Switzerland had .75, and the United States had .72.

Even one is too many, and the perpetrator should and must be punished. But if someone has committed crimes in Planned Parenthood, shouldn't we have an administration that believes in enforcing the laws and in at least doing a proper investigation on whether what was said in the videos were true, which certainly indicated orally that there were apparent crimes committed?

Since every life matters, every Black life matters, not just the Black lives that are needlessly taken by a White person, but every Black life matters no matter who takes the life.

This article from the Chicago Tribune reports, ''Holiday toll: 8 killed, 20 wounded over Thanksgiving weekend.'' It seems rather callous.

The article reads, ''Eight people were killed, including a 16-year-old boy, and at least 20 others were wounded in shootings over the Thanksgiving weekend in Chicago, an increase over last year as the number of gunshot victims rose above 2,700 for the year.''

There were 2,700 gunshot victims in Chicago, when Chicago has such strong gun control laws in place? How could that be? Is it possible that having the toughest gun control laws, like Washington, D.C., has had, doesn't stop violent murders?

In fact, is it possible that places that have the strictest gun control have become murder capitals? It certainly appears so in Chicago and in Washington, D.C.

This article from the Chicago Tribune reads:

''Mysean Dunnin, 16, was among the first victims of the long holiday weekend. He was shot in the head a few minutes before midnight just west of Kedzie Avenue on Van Buren Street in East Garfield Park, about a block from his home.

''Police said two people walked up and fired at Dunnin. He was pronounced dead at the scene.

''Four other people were wounded between 3 p.m. Wednesday and 2:30 a.m. Thursday.

''Two men were killed and four others were wounded from 1:20 p.m. on Thanksgiving Day to 3:15 a.m. Friday.

''A 36-year-old man was killed and two people, including a 14-year-old boy, were wounded between Friday afternoon and early Saturday morning.

''The most violent stretch occurred Saturday into Sunday, when three men were fatally shot and at least four other people were wounded.

''Father of three, home for the holidays, dies in Back of the Yards shooting.

''Between Sunday afternoon and early Monday, an eighth person was killed and six other people were wounded.

''The toll during last year's Thanksgiving weekend'' in Chicago ''was 5 killed and 14 wounded. That included a fatal shooting inside the Nordstrom's store on North Michigan Avenue.''

With the President's precious ideas on gun control that certainly his former chief of staff, Rahm Emanuel, would have in place in Chicago since he has such power to effectuate the passage through the city leaders of ordinances for tough gun control, how could this be?

The number of homicides is 444. ''So far this year, there have been at least 2,740 shootings in Chicago, up more than 400 from the same time last year. The number of homicides is 444, an increase of 42 from last year.'' That is tragic.

An article by Charles C.W. Cooke on November 23, 2015, reads, ''Anyone who would use terror as an excuse to subvert the Second Amendment should be tarred and feathered.'' A rather interesting position.

An article from Charlie Spiering of 30 November 2015 reads, ''In his inaugural speech at the COP21 climate change summit in Paris, President Obama acknowledged the terrorist attacks that occurred in the city earlier this month, but warned his fellow leaders not to be distracted from focusing on the looming threat of global warming.''

The President was quoted as saying, ''What greater rejection of those who would tear down our world than marshaling our best efforts to save it.''

Ignoring the violent terrorism that the Islamic jihadists are infecting upon the world and talking about climate change—and, obviously, I mean, most thinking people know it is called ''climate change'' now because ''global warming'' hasn't really been supported for many years now, and, certainly, it is not provable that it was manmade.

I do believe in climate change. We have it four times a year in east Texas, where I live, so I know climate change

is a fact. We know that the weather normally works in cycles.

We had a witness before our Natural Resources Committee who knows a great deal about the climate, and I asked him, is it true that planet Earth had to have been warmer during the days of Leif Eriksson's crossing the North Atlantic when the Norse came to Greenland? Is it true that planet Earth was warmer then? It turns out, according to his testimony, the planet was much warmer then.

Now, we don't know what kind of fuel, what kind of carbon emissions those Norse boats were putting into the atmosphere, but I guess you would have to figure those Norse must have really been putting out some pollution from those ships with the sails on them to have created a warmer planet back then than we have now.

Apparently, they were growing crops in places on Greenland where you can't anymore.

My friend Ben Shapiro has an article in the Daily Wire entitled, ''Five Reasons Obama's Climate Change Agenda is Dangerous—'', and part of the words are blacked out after that.

One reason he has highlighted is because ''we have no idea to what extent the Earth is warming.'' And he sets out some data and facts there, resources there or other.

Two, ''We have no clue how much human activity causes climate change,'' and I would add ''if any.''

Of course, we call it ''climate change'' now because the data did not support the ''global warming'' that was being used in a fear-mongering fashion to scare people. By changing from ''global warming'' to ''climate change,'' that would allow them to say in the seventies, as they did, that we are at the beginning of a new ice age and then 30 years later say that we are heading toward cataclysmic global warming that will destroy all life on planet Earth.

Now, after the long pause in warming that seems to be inexplicable to scientists and after the release of private emails and information from the University of East Anglia some years back, it indicated data was being manipulated so that it reflected things that weren't true about so-called global warming or climate change.

Ben Shapiro's third point: ''We have no idea how much climate change impacts human life.'' It has discussions and references there.

Then, the fourth: ''We have no idea what level of de-development would be necessary to maintain our current climate.''

The fifth: ''The solution—destroying carbon-based fuels and capitalism—is the problem.'' He writes, ''The left is in an all-out war with the two greatest forces for fighting poverty in history: cheap, carbon-based energy and capitalism.

□ 2000

''The same people celebrating the end of the Industrial Revolution economic model seem to forget that that economic model, boosted by carbon-based fuels, have led to a massive drop in global poverty; in 1990, 1.9 billion people lived under $1.25 per day, as opposed to 836 million in 2015. That's because of the dominance of capitalism and the increased efficiency of technology. It's certainly not because of governmental environmental regulations.

''Some on the left seem eager to try out their theory that we can maintain our current standard of living while hopping in a time machine back to less usage of carbon, without reference to market efficiencies. This is foolishness. We have time machines; they're called airplanes. Folks on the left ought to fly to countries where people don't have coal or oil or natural gas or free markets, and watch them burn cow chips for heat to see how lovely and natural that lifestyle actually is.

''But President Obama has his goals. How many people will have to suffer or die globally because of them isn't really the issue. After all, to question him would make us 'cynical,' he assures us. If cynicism means saving lives, then perhaps we all ought to be cynical of his world-conquering, unscientific, redistributionist nonsense.''

Going back to February 7, 2015, an article from Christopher Booker from The Telegraph titled ''The fiddling with temperature data is the biggest science scandal ever,'' he said: ''Two weeks ago, under the headline 'How we are being tricked by flawed data on global warming,' I wrote about Paul Homewood, who, on his Notalotof peopleknowthat blog, had checked the published temperature graphs for three weather stations in Paraguay against the temperatures that had originally been recorded. In each instance, the actual trend of 60 years of data had been dramatically reversed, so that a cooling trend was changed to one that showed a marked warming.

''This was only the latest of many examples of a practice long recognised by expert observers around the world—one that raises an ever larger question mark over the entire official surface-temperature record.

''Following my last article, Homewood checked a swathe of other South American weather stations around the original three. In each case he found the same suspicious one-way 'adjustments.' First these were made by the U.S. government's Global Historical Climate Network (GHCN). They were then amplified by two of the main official service records, the Goddard Institute for Space Studies (Giss) and the National Climate Data Center (NCDC), which use the warming trends to estimate temperatures across the vast regions of the Earth where no measurements are taken. Yet these are the very records on which scientists and politicians rely for their belief in 'global warming.'

''Homewood has now turned his attention to the weather stations across much of the Arctic, between Canada (51 degrees W) and the heart of Siberia (87 degrees E). Again, in nearly every case, the same one-way adjustments have been made, to show warming up to 1 degree C or more higher than was indicated by the data that was actually recorded. This has surprised no one more than Traust Jonsson, who was long in charge of climate research for the Iceland met office (and with whom Homewood has been in touch). Jonsson was amazed to see how the new version completely 'disappears' Iceland's 'sea ice years' around 1970, when a period of extreme cooling almost devastated his country's economy.

''One of the first examples of these 'adjustments' was exposed in 2007 by the statistician Steve McIntyre, when he discovered a paper published in 1987 by James Hansen, the scientist (later turned fanatical climate activist) who for many years ran Giss''—or the Goddard Institute for Space Studies—''Hansen's original graph showed temperatures in the Arctic as having been much higher around 1940 than at any time since. But as Homewood reveals in his blog post, 'Temperature adjustments transform Arctic history.''

Wow, Mr. Speaker, I need to read that again. I had not seen that.

''Hansen's original graph showed temperatures in the Arctic as having been much higher around 1940 than at any time since.''

''Homewood's interest in the Arctic is partly because the 'vanishing' of its polar ice (and the polar bears) has become such a poster-child for those trying to persuade us that we are threatened by runaway warming. But he chose that particular stretch of the Arctic because it is where ice is affected by warmer water brought in by cyclical shifts in a major Atlantic current—this last peaked at just the time 75 years ago when Arctic ice retreated even further than it has done recently. The ice-melt is not caused by rising global temperatures at all.

''Of much more serious significance, however, is the way this wholesale manipulation of the official temperature record—for reasons GHCN and Giss have never plausibly explained—has become the real elephant in the room of the greatest and most costly scare the world has known. This really does begin to look like one of the greatest scientific scandals of all time.''

Mr. Speaker, I am wondering if it might be possible that there is a mainstream media reporter out there—with the New York Times, Washington Post, ABC, NBC, CBS, CNN, one of those that have lost so many of their viewers and readers—that might someday, against all of the criticism like Galileo got and

others received, pick up that mantle and do a true investigation from a mainstream media outlet, facing the belittling and the criticism of all of the Chicken Littles that are in the mainstream media currently and actually gather accurate data, show the fraud, show the wasted money, show the lost lives, show the suffering by running up the price of energy so high, and show just what Christopher Booker talks about as he finished his article. This really does begin to look like one of the greatest scientific scandals of all time.

As the great philosopher Rush Limbaugh once said, ''Follow the money.'' Many others have said it. If you hear someone saying, ''Let's bring Syrian refugees in'' when we know there is no adequate data to be assured of who they are, where they are really from, follow the money. See if they are part of those dividing up the 1 billion-plus dollars being paid to people to bring refugees into the United States.

Well, Mr. Speaker, when this administration goes about driving up the prices of energy as it has, despite its best efforts, gasoline prices came down. The last I saw, they had dropped their approval of production from Federal land to about 40 percent of grants that had been approved during the Bush administration's 8 years.

Less production is being authorized by this administration. They are siccing the EPA now with these new regulations on the oil and gas industry, which will ultimately—if they are successful and Congress isn't able to stop them as we should, the price of gasoline will skyrocket as the President said he wanted coal-produced power to skyrocket.

As one of my senior citizen constituents had told me—I think she said she was 80—she was born in a home that only had a wood-burning stove. Because of the way the cost of energy has gone up, she is worried that she may leave this world in a home that only has a wood-burning stove. The trouble for her is, if this administration has its way, she can't have a wood-burning stove even.

You see the cost of home energy going up as dramatically as this administration has forced it and you realize that doesn't really hurt the rich in America to have higher prices for energy. It does hurt business. It absolutely does. It means they can't give raises because they are spending that money on higher bills. So people are not keeping up with what they should.

Then we found out during this administration the unthinkable occurred, and the President even admitted it on camera. For the first time in the history of this country ever, after this President's policies had been fully implemented for 5 years, 95 percent of the Nation's income went to the top 1 percent.

The President, who had talked so much about helping the middle class and helping the poor, has presided over policies that have made the rich—put them in a position where 95 percent of income is going to the top 1 percent. It had never happened before this President's policies, which have made life difficult for people in America.

I mean not for the people that have all the cronyism, crony capitalism, General Electric and all those friends of the President. I am talking about the distance between the rich and the poor has gotten farther with fewer people in between. That is tragic.

So countries swarm to the global warming conferences. Just watch. Follow the money. They hope to leave with an agreement by the United States that will punish American residents and cause them to have to pay more taxes that will be paid to countries around the world.

Of course, they flock to these global warming climate change conferences because they think the President is going to do what he is hoping to do and start sending checks from the American taxpayers to all of these other countries, places where their policies have stifled growth or they don't have the energy we do. How about sending them some energy? Send them some coal. They will be far better off.

In closing, Mr. Speaker, let me just remind that you don't have to pay people to hate you. They will do it for free. We don't have to be sending that money overseas.

I yield back the balance of my time.

□ 2015

UKRAINE UNDER SIEGE

The SPEAKER pro tempore (Mr. ABRAHAM). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 60 minutes as the designee of the minority leader.

Ms. KAPTUR. Mr. Speaker, as Western Europe strains with more than 1 million refugees fleeing war in the Middle East and enduring terrible conditions, I rise tonight to address another growing humanitarian crisis in Eastern Europe, in Ukraine.

The free world has experienced time and again what happens when it fails to support innocents caught by fate under the brutal grip of war and oppression. Today that reality looms largely over Europe and surely over Ukraine, a nation of freedom-seeking people under siege outnumbered and outgunned due to Russia's invasion on Ukraine's eastern front. So Europe in the western end as well as the eastern faces major displacement and humanitarian needs not seen since World War II.

Ukrainians are fighting to choose their own path, and surely America, with our moral leadership, can find a way to help the beleaguered people of Ukraine survive the siege and the onset of a bitter winter, with climates that can be unforgiving, with temperatures falling as low or more than 25 degrees below zero.

To not attend to Ukraine now risks Ukraine accessing to the free world. If one looks at the size of Ukraine in Europe, imagine if Ukraine could access to be part of greater Europe. That is all held in abeyance now and also risks millions more potential refugees fleeing from Ukraine to Western Europe for sustenance and more.

I call on the Obama administration to address the growing humanitarian crisis in Europe, not just on the western end, but on the eastern end in Ukraine. This is a challenge that can be met. America has done this before. The humanitarian need in Ukraine is immediate and growing.

I include in the RECORD evidence of this growing crisis by the major religious leaders of Ukraine from all confessions, representing, imagine, nearly 90 percent of the faithful of Ukraine. These denominations include Baptist, Pentecostals, Muslims, Reformed Church, the Lutheran Church, Jewish religious organizations, Evangelicals, the Autocephalous Orthodox Church of Ukraine, the Ukrainian Bible Society, the Ukrainian Greek Catholic Church, the Armenian Apostolic Church, the Seventh-Day Adventists, the Christian Evangelical Church. It is a very, very long list.

I am going to read this in the RECORD as well as place it in the RECORD. This was sent to President Obama. A delegation, over this last month, from Ukraine, of its top religious leaders presented the Obama administration with a request. Let me read it.

''We, the undersigned of the All Ukrainian Council of Churches and religious organizations and representing Ukraine's diverse religious community, appeal to you on behalf of the people of Ukraine to help address the humanitarian catastrophe, Mr. President, gripping our country. The needs are enormous, ranging from medical supplies to everyday items, such as food, water, and clothing.''

They don't even ask for new clothing. They are willing to take used shoes from the United States of America.

''While the global news media regularly reports on Russia's war against Ukraine, government reforms and financial challenges, there is rarely any mention of the extraordinary dimensions of the human suffering caused by Moscow's aggression. While Ukraine certainly needs greater military, financial, and political assistance, our focus here, as religious leaders, must be on the humanitarian aspect.

''As you know, according to the United Nations, over 5 million people''—5 million—''including 1.7 million

children, are in desperate need of humanitarian assistance.''

I brought a chart to the floor that shows pictures of just a few of these children.

''8,000 people have died and over 17,000 have been injured and wounded. There are over 1,390,000 displaced people, including 174,000 children.''

Here is one child whose only dwelling has been in a bomb shelter since the time of his birth.

''The challenges of this human tragedy are overwhelming. Even the most conservative estimates show that over 65 percent of projected needs have yet to be met—even on the level of pledges.

''As representatives of the interfaith community, we witness on a daily basis the challenges and needs of people suffering because of this war. And with the onset of winter, an already dire situation will only get worse. We pray for their lives and for the future of our country.

''While we are grateful for the assistance provided by the United States Government to date, we know that the need is so much greater. Thus, we appeal to you,'' President Obama, ''to increase assistance and to activate the full potential of the National Guard State Partnership Program and the Partnership for Peace as instruments for alleviating the humanitarian catastrophe. One of the stated goals of the Partnership for Peace is to 'provide a framework for enhanced political and military cooperation for joint multilateral crisis management activities, such as humanitarian assistance and peacekeeping.' Ukraine was the first post-Soviet country to join the Partnership for Peace in 1993.

''In addition to the assistance provided by the US government, we, during our travels throughout the United States, have come to personally witness the great generosity of the American people expressed through numerous spontaneous initiatives to ship medical and humanitarian supplies to Ukraine.

''Time is of the essence, Mr. President.''

They are begging.

''The people of Ukraine need to know that they are not forgotten in their time for need. The instruments anticipated by the National Guard State Partnership and Partnership for Peace programs will allow the American people to more effectively and rapidly access and deliver already available medical and humanitarian supplies to Ukraine—literally within days. We each represent distribution networks''—through their various religious confessions—''that cooperate with each other; we now ask for the resources to meet the growing human needs.

''We pray that God grant you guidance, wisdom and bless you and the great American nation. God bless the United States and Ukraine. Sincerely.''

And I place all their names in the RECORD.

The people of the world must meet this moral imperative. The United Nations has reported that 2.6 million Ukrainians have been displaced by the current conflict in eastern Ukraine—so unnecessary—because of Russia's invasion. A staggering 5 million Ukrainians currently need humanitarian survival assistance.

I met with one religious leader who came to Washington. I said: What are you finding?

He said: Congresswoman, we are in Kharkiv. We need shoes, even used shoes, for the children.

Currently, less than half of those in need receive any assistance at all. If Russian aggression were to trigger a flight of these Ukrainians westward, it would also add to the dangerous, destabilizing stress to Europe's already-stretched refugee services as a result of what is happening with the immigration and refugee resettlement from the Middle East.

The situation in Ukraine is far from contained. According to a recent report by Refugees International, approximately 2 million Ukrainians live close to the cease-fire lines separating Ukrainian and Russian-backed forces.

It is hard to see some of these pictures that are on this chart, but what they basically show are bombed-out buildings, bridges that are completely destroyed, old women living in buildings where there are no roofs or windows in eastern Ukraine, children living in bomb shelters, and people just, unfortunately, killed because of Russian shelling.

A Ukrainian and Russian peace settlement likely will take a while, but another 2 million people are living under control of Russian-backed forces. The basic needs of these civilians go unmet daily. Shockingly, most international aid work has been suspended there, and there are hardly any news stories about this. Aid workers have been ejected from regions that are called Luhansk and Donetsk by the Russian-backed fighters.

Some refugees, torn from their villages and towns, have managed to stay in Ukraine and survive even after being driven from their homes by violence. How they are doing this, I simply don't know. But these internally displaced are overwhelming the already limited resources of Ukraine's local governments, which are already stretched thin by Russia's invasion. These 1.5 million internally displaced Ukrainians lack durable housing or jobs to pay for food or support their families.

Don't forget, with Russia's invasion, the value of their currency has just plummeted. Everything is so much more expensive. How people are making it, I simply don't know.

We often talk about refugees in abstract numbers. But inside these numbers are the stories and faces of individuals. I just wish people could see the eyes of these parents looking into the future that is so uncertain and so daunting.

Ukrainian children in these conflict zones are being born under conditions that most Americans couldn't even imagine, never having lived without the imminent threat of death or loss. Many risk becoming stateless, as they have been unable to receive birth certificates, passports, and school certificates. In looking into the eyes of children, I am again reminded of the urgency of this crisis.

As freedom-loving nations grapple with the Ukrainian crisis, let us recall the nations of the European continent remain America's most enduring allies in liberty. To not measure up to meet the current internal challenge for Europe is to walk away from liberty's call at freedom's edge in our time.

Existing efforts to assist Ukraine's eastern regions face a daunting set of challenges. Roads leading to Ukrainians trapped in separatist-held areas are difficult to navigate. There is a photo here. I mean, they are walking across rubble, down very steep embankments.

Making matters worse, many of these routes are now scarred by the ravages of war. Roads and bridges have been completely destroyed. On roads running through conflict areas, Russian-backed fighters require registration by any humanitarian group seeking access to the region. Can you imagine? Can you imagine what life is like there?

The United Nations is the only aid group allowed to even enter the Russian-controlled areas of Ukraine. Even the U.N. was prevented from delivering aid to eastern Ukraine for 3 months as people suffered. And then on November 9, just a couple weeks ago, the U.N. was finally able to deliver a convoy of nine trucks carrying vital aid to the city of Luhansk, including 10,000 blankets, 10,000 towels, 5,000 buckets, and a similar number of jerricans and plastic sheets, cement and timber for shelter repairs, and other winterization need and domestic items. That was to one town, and it did not completely serve their enormous needs.

As the U.N. agency head for Ukraine said: ''This is a small drop in the ocean of needs . . . in these conflict-affected areas.''

Can you imagine, millions of people displaced but only 10,000 blankets? Millions of people, 10,000 blankets.

Delivery of basic medical supplies also faces obstacles. There is a shortage of medications that treat critical and common diseases.

After his organization was forced out of Donetsk by Russian operatives, Dr. Bart Janssens, director of operations at Doctors Without Borders, said the

following: ''We are almost the only organization providing treatment for tuberculosis in prisons, insulin for diabetic patients, and hemodialysis products to treat kidney failure. Thousands of patients suffering from chronic, potentially fatal diseases will now be left with little or no assistance.''

□ 2030

This is the situation Ukraine faces in real time. What will the world do? What will the United States do with so many storehouses of used clothing, used blankets, or anything to help sustain life there?

As temperatures fall across that region, shelter assistance has to be delivered quickly to people living in buildings without windows, without doors, without roofs, and, most often, without heat. Thousands of displaced people need warm blankets, winter clothing, and shoes, as well as coal and heating fuels.

If the free world fails to act, it must prepare for the reality that, come spring, we will discover more elderly who are dead, more who are ill, more children who have fallen into illness and have probably died, simply cut off from assistance, who succumbed to starvation and the cold, needlessly adding to the over 8,000 who have already lost their lives in this Russian-directed invasion.

America, as a nation, has long been one of supporting freedom and economic stability across our world. Let me remind you that in a 1947 speech laying out what would become the Marshall Plan for Europe following World War II's devastation, war-weary America stood the test of liberty.

And one of our greatest Americans, a statesman, a general, and then Secretary of State, General George C. Marshall, observed the dire post-war economic conditions in Europe. And despite America's exhaustion from World War II, he urged American involvement and support of European recovery, noting that:

''It is logical that the United States should do whatever it is able to do to assist in the return of normal economic health in the world, without which there can be no political stability and no assured peace.''

Those words apply to Ukraine today, as they did to Western Europe after World War II.

General Marshall continued, saying, ''Our policy is directed not against any country or doctrine but against hunger, poverty, desperation, and chaos. Its purpose should be the revival of a working economy in the world so as to permit the emergence of political and social conditions in which free institutions can exist.''

He added that struggling nations must take the lead in their own rebuilding and that America's role should be a supporting one.

It was really remarkable to go back and look at the films of the brilliant airlift from World War II and see what this country did. This crisis is not commensurate with what happens after World War II, but we have a model. We know what to do; we know how to do it. Why aren't we doing it?

I include in the RECORD separate statements from three religious leaders who are begging the United States of America and its President to pay particular attention to the humanitarian needs of Ukraine: remarks by Patriarch Filaret, Ukraine Orthodox Church; the Archbishop of Ukraine, Sviatoslav Shevchuk, the Ukrainian Greek Catholic Church; and also Rabbi Yaakov Dov Bleich, head of the Jewish faiths that have presence in that country.

TRANSCRIPT OF THE SPEECH BY PATRIARCH FILARET AT THE NATIONAL PRESS CLUB ON NOVEMBER 9, 2015

(Translated live from Ukrainian)

Dear Friends, we just met with the staff of President Obama. We have handed him a letter signed by leaders of All-Ukrainian Council of Churches and International Organizations of Ukraine leaders of different religious denominations of Ukraine. First of all, I want to emphasize that the All-Ukrainian Council of Churches represents 85% of Ukraine's residence. So our statement is on behalf of all those people.

What is that letter about? We are discussing how the humanitarian aid that has been collected for the Ukrainian people here in the United States can be delivered to Ukraine. And we are asking President Obama to implement certain provisions of the Partnership for Peace program.

Why are we asking that? Because, today, Ukraine is defending democracy and freedom for the whole world. If Ukraine had accepted Russia's offer and desired to pull it into the Eurasian Union, there would be no war, but Ukraine would have lost its democracy and freedom—it would have become a totalitarian state.

The United States is the leader of democracy and freedom in the world. And, today, Ukrainians are giving their lives for this democracy and freedom. So do Ukrainians deserve such support from the United States and Europe in standing against Russian invasion and totalitarianism? I think Ukraine does deserve that.

This is why we are making this request for help. We are asking to help deliver the humanitarian aid that the people of the United States have already collected. And we are also asking to increase the levels of assistance of multi-sided assistance.

At this time, the war in Eastern Ukraine has not stopped—it only went down in intensity. Putin has diverted the world's attention by going into Syria—this does not mean that he has given up on Ukraine and military warfare may erupt in Ukraine with new strength anytime. So we are asking—please, help. We are giving away our live and you give us the resources, including the humanitarian assistance.

Thank you.

TRANSCRIPT OF THE SPEECH BY MAJOR ARCHBISHOP SVIATOSLAV SHEVCHUK AT THE NATIONAL PRESS CLUB ON NOVEMBER 9TH 2015

Dear Friends, I speak on behalf of Ukrainian Greek Catholic Church, which is present in Ukraine and worldwide. I would like to convey to you good news from Ukraine.

First good news is that Ukrainian nation is united as never before in its history. You see that righteous society of Ukraine, The Council of Churches and Religious Organizations, which represent 85% of the citizens of Ukraine, are united. Different religions, different churches, religious denominations, but we are the heart of Ukrainian civil society, and we are together.

The second good news is that we did not have a civil war in Ukraine. We are facing the foreign aggression against Ukraine. And again, that aggression is a catalyst of Ukrainian unity. Seventy percent of the soldiers who are defending free and independent Ukraine are Russian-speakers. And I think this very important sign, that even those who are in the occupied territories, as Rabbi Bleich mentioned, are not supporting war. Even people in Russia will not support a war. It is why Putin is trying to be silent about that the Russian troop and its presence on Ukrainian territory.

The third good news from Ukraine is outstanding solidarity. Today, we have more than two million refugees in Ukraine. But international society, until now, could only help four hundred thousand refugees. But what is happening to the rest? Their Ukrainian fellows are helping them. But our resources are short because economic crisis is striking us in Ukraine. Nevertheless, we are united in our desire to rebuild, to transform Ukraine.

The next good news from Ukraine, we all together are fighting against corruption, because corruption it not only political issue, is a deep moral issue. It is a part of the post-Soviet mentality. But we all together are trying to reform and transform the very heart of Ukraine. To transform the interpersonal relationships, because corruptions strike those kinds of relationships between person in Ukraine. But, nevertheless, we are here to be a voice of the millions who are suffering the biggest humanitarian crisis in Europe after the Second World War.

It is a pity that Ukrainian politicians until now did not declare the state of the humanitarian emergency in Ukraine. Until now we've received an answer that this is a political quest. Nevertheless, Ukraine needs worldwide international support, especially in order to solve the humanitarian situation in our country. So it is why we are here—to speak on behalf of those millions who will suffer terrible winter in few months.

But we have a hope in Ukraine. You know, politicians will come and go, presidents will come and go, all political visions will change, but Ukraine will remain, churches will remain. And today we are building our future fostering the reconciliation and cooperation between the nations.

Thank you very much.

TRANSCRIPT OF THE SPEECH BY RABBI YAAKOV DOV BLEICH AT THE NATIONAL PRESS CLUB ON NOVEMBER 9TH 2015

Thanks for coming and for showing some interest in what's going on in Ukraine. It is important for us in Ukraine to know that it's not only politicians that get together and talk about Ukraine, but that it interests civil society too.

First of all, the message comes from a coalition called the Council of Churches and Religious Organizations of Ukraine, which is a very unique organization anywhere in the world probably, where the Heads of all religions in the country get together and work for the benefit of all of the people of the country.

Our message is from civil society, from people to people. We spoke today with politicians because they can do things we can't do. But we can do a lot more than they can. We feel that civil society has an obligation to try help and do what they can. We come together with other NGOs in the United States trying to make things happen, change things. And I want to point something out: the help that we may get paying for transportation of containers of aid that was collected here to send to Ukraine is very very symbolic. The money is not the most important thing.

What is much more symbolic is that the people in the United States care about what's happening in Ukraine, they understand the war.

The need for help in Ukraine is a direct result of a democratic choice, a choice that the people of Ukraine made. They want to be a part of the western family of nations. They want democracy, they want to be free, they want to be a part of Europe, they want to live like people in the West live. Because of that they are suffering, and it's important for people in the United States to know that the front of the war between democracy, democratic life and brutality, communism, putinism, that front is taking place now in Eastern Ukraine. That fight, which is a fight of entire world for democracy, is taking place right there. It's not only a fight for Ukraine, not only a fight for Ukraine's freedom, it's a fight of freedom over putinism. This is our message.

You could see people who are willing to sacrifice themselves for their freedom. People who are sacrificing their lives on the front are not sacrificing for their freedom, they are sacrificing for the freedom of their country, for freedom of their people, for freedom of all peoples throughout the world to have that democratic choice, to choose how they want to live, and to be able to live the way we take for granted here, in the United States.

Today, actually, President Poroshenko signed a decree for organizing a committee for the 75th anniversary of Babij Yar. This is important! We don't have to talk about this now, but a year and a half ago we were still trying to counteract the propaganda that was coming out of Russia about the fascism in Ukraine and the anti-Semitism, which is a bunch of baloney. Basically, we won that war.

People, most people, understand that Ukrainian Government and Ukrainian people today are not fascists and anti-Semites, they are just people who want to live free, democratically, but part of that is that Ukrainian Government also coming through and showing time and again, proving as much as possible, as many times as possible that Ukrainian people are united no matter what ethnicity, no matter what their background, what their religion is. They want to be free, they want to be democratic. Even the Russian-speaking people want to be free. That was part of the failure of Putin in the east that he didn't have the support. He doesn't have the support of the people in Donbas to become a part of Russia. They are not interested in becoming a part of Russia. They want to be free as well. Everyone wants to be free.

Thank you.

Ms. KAPTUR. The United States has more than just a moral and strategic duty to the sovereign people of Ukraine. Twenty years ago, the United States, Ukraine, the Russian Federation, and the United Kingdom came together to sign the Budapest Memorandum.

This agreement reaffirmed the common commitment of those signatory nations ''to respect the independence and sovereignty and the existing borders of Ukraine.'' And in return for that promise of protecting those borders, Ukraine dismantled its vast nuclear weapons complex, the third largest in the world.

With that memorandum in hand, Ukraine did what it promised, but what about the other signatories to that agreement?

Today, the Budapest Memorandum appears to be a hollow promise. It comes as little surprise that Russia would break that promise, but it disappoints me to no end that the free world, led by the United States of America, seems reluctant to honor its promises to take a more effective role as a coalition of nations and civil society organizations to help Ukraine stand on its own in the face of internal carnage perpetrated by Russia.

NATO's Supreme Allied Commander in Europe, General Philip Breedlove, a man who knows an enormous amount about that continent, recently expressed his deep concern that our focus has been pulled away from Russia's proxy invasion of Ukraine. ''Folks have taken their eye off of Ukraine a little bit because of Syria,'' he said.

According to him, the situation is similar to how the world lost focus on the Russian invasion of Crimea, which the United States still considers Ukrainian territory, after Russia invaded eastern Ukraine and triggered the current war.

Fighting in the Donbass region of Ukraine has fluctuated, but skirmishes continue and Ukrainian territory remains under Russian occupation, with no withdrawal in sight.

Congress took initial steps to address Ukraine's need last year, just about a year ago, with the Ukraine Freedom Support Act—legislation we fought hard to pass and which most of our colleagues voted to support. However, conditions continue to worsen.

A report done by the Commissioner for Human Rights of the Council of Europe acknowledges that the fighting in the east, which began in the spring of 2014, has resulted in extensive damage to schools and medical facilities, leaving the local population increasingly dependent on outside aid. Assistance is needed to meet basic needs and access to clean water, which is a problem already for 1.3 million Ukrainians at a minimum.

Two weeks ago, I sent a letter to Assistant Secretary of State Victoria Nuland to call for the United States to work with the Ukrainian Government and Russia to restore access to humanitarian workers and to allow aid to proceed.

In particular, I identified a need for access to—and this is in working with the religious leaders of Ukraine across confessions for these items—winterization activities, including blankets, quilts, kerosene, heating stoves; direct financial assistance to these religious groups to help them help others; water pumping station equipment to prevent freezing; electrical repair kits and tools; coal; batteries; clothing; and everyday necessities, including medical equipment, basic and specialized medicines, emergency medical kits, shoes, socks, long underwear, coats, mittens, hats; redevelopment assistance, including economic aid and tools as well as equipment to repair homes, bridges, and roads.

They don't even request new material. They just request help. I just think to myself, how much is thrown away in landfills across this country, items that still have good wear and good possibility? How much is thrown away at construction sites? And what we can do to help the people of Ukraine? These items are more than just objects to the people of Ukraine. They are life itself right now.

The people of Ukraine want desperately to stand on their own, access to the European continent, and to govern themselves in the light of liberty. I have seen it in their eyes. Let us help them weather this terrible storm now when they need it most.

My heavens, if the United States of America could lead the Berlin airlift after World War II in those old, tired planes, sending goods to the people of Europe, to the people of Western Europe, and to give them hope and sustenance, you mean to tell me that the America of the 21st century can't figure this out, especially when Congress has put money in the budget of the Department of Defense and the Department of State to carry this out, working in cooperation with organizations across this great land?

Last month, the All-Ukrainian Council of Churches and Religious Organizations, a globally unique coming-together of diverse religious faiths which represent 85 percent of the Ukrainian population, presented President Obama with a letter I referenced earlier, appealing on behalf of the people of Ukraine to help address the humanitarian catastrophe gripping that Nation.

Each is a daily witness to the challenges and needs of the people suffering because of this unnecessary, brutal war, where over 8,000 have already been killed; 17,610 wounded—that was a figure as of October—2.6 million people internally displaced; 5 million in need of aid, including 1.7 million children, and one in five homes of displaced families damaged or destroyed. Surely, the free world can figure this out.

I do have to say a word about this. A few weeks ago, I stood here in Washington with many distinguished Ukrainian leaders, including the First

Lady of Ukraine, Maryna Poroshenko; His Holiness, the Patriarch of Kyiv and All Rus'-Ukraine Filaret; and my dear friend and fellow Ukraine Caucus co-chair, Congressman SANDER LEVIN of Michigan, to dedicate a memorial here in our Nation's capital to the 1932–1933 Soviet Union's forced starvation of between 2.5 million and 7.5 million Ukrainians whose names are lost to history forever.

I think America should also consider doing this humanitarian lift to Ukraine because, frankly, no place on Earth suffered more in the last century from brutal tyranny than did Ukraine. Perhaps something is owed to those sacrificial people for what they endured and for the spark of liberty that still breathes so strongly in their hearts and minds.

In marking the brutal tragedy of the forced famine, called the Holodomor, I am reminded of the importance of teaching about the cost of liberty, the need to fight for it, and the legacy of that sacrificial people.

Through this memorial, we seek to better guard against any oppressive regime that would seek to rule over any people, for, at that time, our Nation failed to reveal and respond to that ongoing brutality of forced starvation in Ukraine. Had the free world acted then, we might have changed the fate of millions, but that did not happen.

Let us not repeat the blindness of the past. America must act with dispatch to support the freedom-loving people of Ukraine. Time and again, in moments when the world has found itself at a crossroads, American leadership and action has made the difference.

We must be prepared to join with others in this effort to save the children, to save the families, to save the people of Ukraine, and, in doing so, to let liberty march forward. We must do the right thing for our brothers and sisters in liberty. America must act, and we must act as leaders. Ukraine is waiting. The world is waiting.

I call upon the President of the United States and the Obama administration to do what is necessary and achievable to meet the growing humanitarian crisis in Ukraine, to relieve the unnecessary suffering of their people, and to prevent a gigantic refugee crisis from spilling over and impacting European stability.

Mr. Speaker, the gentleman from Pennsylvania (Mr. COSTELLO), who could not be here tonight for this Special Order, supports these efforts. His formal statement includes the important role that the people of southeastern Pennsylvania have played in keeping a focus on Ukraine and this ongoing tragedy and what the United States of America can do at very little cost to the people here by the mobilization of the hearts of the American people to provide humanitarian assistance to help save Ukraine in our own time and day.

President BARACK OBAMA,

The White House, 1600 Pennsylvania Avenue NW., Washington, DC.

DEAR MR. PRESIDENT: We, the undersigned of the All Ukrainian Council of Churches and religious organizations, and representing Ukraine's diverse religious community appeal to you on behalf of the people of Ukraine to help address the humanitarian catastrophe gripping our country. The needs are enormous, ranging from medical supplies to everyday items such as food, water, and clothing.

While the global news media regularly reports on Russia's war against Ukraine, government reforms and financial challenges, there is rarely any mention of the extraordinary dimensions of the human suffering caused by Moscow's aggression. While Ukraine certainly needs greater military, financial and political assistance, our focus here must be on the humanitarian aspect.

As you know, according to the UN, over 5 million people, including 1.7 million children are in desperate need of humanitarian assistance. 8,000 people have died and over 17,000 have been injured and wounded. There are over 1,390,000 displaced people, including 174,000 children. The challenges of this human tragedy are overwhelming. Even the most conservative estimates show that over 65% of projected needs have yet to be met—even on the level of pledges.

As representatives of the interfaith community, we witness on a daily basis the challenges and the needs of people suffering because of this war. And with the onset of winter, an already dire situation will only get worse. We pray for their lives and for the future of our country.

While we are grateful for the assistance provided by the United States government to date, we know that the need is so much greater. Thus, we appeal to you to increase assistance and to activate the full potential of the National Guard State Partnership Program and the Partnership for Peace (PfP) as instruments for alleviating the humanitarian catastrophe. One of the stated goals of the PfP is to ''provide a framework for enhanced political and military cooperation for joint multilateral crisis management activities, such as humanitarian assistance and peacekeeping.'' Ukraine was the first post-Soviet country to join the PfP in 1993.

In addition to the assistance provided by the US government, we, during our travels throughout the United States, have come to personally witness the great generosity of the American people expressed through numerous spontaneous initiatives to ship medical and humanitarian supplies to Ukraine.

Time is of the essence, Mr. President. The people of Ukraine need to know that they are not forgotten in their time for need! The instruments anticipated by the National Guard State Partnership and Partnership for Peace programs will allow the American people to more effectively and rapidly access and deliver already available medical and humanitarian supplies to Ukraine—literally within days. We each represent distribution networks that cooperate with each other; we now ask for the resources to meet the growing human needs.

We pray that God grant you guidance, wisdom and bless you and the great American nation. God bless the United States and Ukraine!

Sincerely,

Antoniuk Valery Stepanovich—Chairman of the Union, Senior Bishop, All-Ukrainian Union of Churches of Evangelical Christians—Baptists; Panochko Michael Stepanovich—President of the Union, Senior Bishop, All-Ukrainian Union of Christians of the Evangelical Faith—Pentecostals; Ablaev Emirali—Chairman of the Spiritual Administration of Muslims of Ukraine, Mufti Spiritual Administration of Muslims of Crimea; Ahmad Tamim—Head of the Spiritual Administration of Muslims of Ukraine, Mufti of Zan-Fabian Alexander—Head of the Consistory of the SCRC, Bishop, Transcarpathian Reformed Church; Sergey Mashevskyy—Bishop, German Evangelical Lutheran Church of Ukraine; Yaakov Dov Bleich—President of the Association, Chief Rabbi of Kyiv and Ukraine, Association of Jewish Religious Organizations of Ukraine; Peter Malchuk—Head of the Commission on the Relationship Between State and Church; Raichynets Vasiliy Fedorovich—Senior Pastor, Union of Free Churches of Christians of Evangelical Faith of Ukraine; Macarius (Maletich)—Primate of the Ukrainian Autocephalous Orthodox Church Metropolitan The Ukrainian Autocephalous Orthodox Church; Commandant Grigory Ivanovich—President, Ukrainian Bible Society; Sviatoslav (Shevchuk)—Archbishop, The Ukrainian Greek Catholic Church; Marcos (Oganesyan)—Bishop, Ukrainian Diocese of the Armenian Apostolic Church; Vyacheslav Horpynchuk—Bishop, Ukrainian Lutheran Church; Onufry (Berezovsky)—Metropolitan Ukrainian Orthodox Church; Filaret (Denisenko)—Patriarch Filaret, Patriarch of Kyiv and All Rus-Ukraine, Ukrainian Orthodox Church Kiev Patriarchate; Nosov Stanislav Viktorovich—President, The Ukrainian Union Conference of Seventh-Day Adventists; Padun Leonid Nikolaevich—Senior Bishop, Ukrainian Christian Evangelical Church.

The SPEAKER pro tempore. Without objection, all Members will have 5 legislative days within which to revise and extend their remarks and insert extraneous material into the RECORD on the topic of this Special Order.

There was no objection.

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

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I want to thank the gentlewoman from Ohio, Ms. KAPTUR, for organizing this Special Order this evening and bringing this important alliance with Ukraine to the forefront.

The Ukrainian heritage, and its people, play a critical role in the cultural fabric of Southeastern Pennsylvania.

Just this morning, I had the privilege to meet with Ukrainian Ambassador to the United States Valeriy Chaly and reaffirm our support for the sovereignty, territorial integrity, and freedom of Ukraine.

Mr. Speaker, our relationship with Ukraine is vital to our national security interest and we must continue to foster strong bilateral relations as Ukraine continues to face threats to its status as a sovereign nation.

So long as Russia continues to pose a destabilizing force at Ukraine's borders and supports rebel groups in Eastern Ukraine, Congress and the Administration must remain steadfast in our support for the Ukrainian people and their freedom.

The Administration must follow through on the commitment set forth in the Ukraine Freedom Support Act of 2014 to provide Ukraine with much-needed military aid, both lethal and non-lethal.

Reportedly, not even half the aid authorized last December has been delivered. Further, a recent article in the Washington Post noted that the quality of the U.S. supplied gear, including Humvees, is ''little more than junk''—there is barely any protection on the windows and doors—while the non-lethal military aid provided to protect Ukraine military forces is obsolete.

Mr. Speaker, this is unacceptable and our allies deserve better.

In an effort to keep our nation safe and to provide assistance to our allies, the National Defense Authorization Act was recently signed into law. This includes an authorization for $300 million in military aid, including lethal, to support Ukraine.

And currently stalled in the House is bill H.R. 955, that would authorize the Secretary of Defense to provide assistance (including training, equipment, lethal weapons of a defensive nature, logistics support, supplies and services) to the military and national security forces of Ukraine through the end of the next fiscal year.

Mr. Speaker, I call on my colleagues to act on this legislation in an expeditious manner and bring it to the Floor for a vote.

We cannot let our Ukrainian allies on the frontlines defend their freedom and sovereignty without meaningful support. The Administration must follow through on our word.

Again, I thank Congresswoman KAPTUR for organizing tonight's special order and her unwavering dedication to Ukraine and the Ukrainian-American community.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 611. An act to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes.

ADJOURNMENT

Ms. KAPTUR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 45 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, December 2, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3576. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Nondiscrimination on the Basis of Disability Minority and Women Outreach Program Contracting (RIN: 3064-AE35) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3577. A letter from the Director, Office of Legislative Affairs, Legal, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Removal of Transferred OTS Regulations Regarding Safety and Soundness Guidelines and Compliance Procedures; Rules on Safety and Soundness (RIN: 3064-AE28) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3578. A letter from the Director, Office of Legislative Affairs, Legal, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Filing Requirements and Processing Procedures for Changes in Control With Respect to State Nonmember Banks and State Savings Associations (RIN: 3064-AE24) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3579. A letter from the Director, Office of Legislative Affairs, Legal, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Temporary Liquidity Guarantee Program; Unlimited Deposit Insurance Coverage for Noninterest-Bearing Transaction Accounts (RIN: 3064-AE34) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3580. A letter from the Director, Office of Legislative Affairs, Legal, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Removal of Transferred OTS Regulations Regarding Fair Credit Reporting and Amendments; Amendment to the ''Creditor'' Definition in Identity Theft Red Flags Rule; Removal of FDIC Regulations Regarding Fair Credit Reporting Transferred to the Consumer Financial Protection Bureau (RIN: 3064-AE29) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3581. A letter from the Secretary, Department of Education, transmitting the Department's final regulations — Program Integrity Issues [Docket ID: ED-2010-OPE-0004] (RIN: 1840-AD02) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

3582. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — General Schedule Locality Pay Areas (RIN: 3206-AM88) received November 25, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

3583. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Federal Long Term Care Insurance Program Eligibility Changes (RIN: 3206-AN05) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

3584. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 150121066-5717-02] (RIN: 0648-XE242) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3585. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; 2015 Management Area 1A Seasonal Annual Catch Limit Harvested [Docket No.: 130919816-4205-02] (RIN: 0648-XE292) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3586. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Snapper-Grouper Fishery of the South Atlantic; 2015 Commercial Accountability Measure and Closure for South Atlantic Yellowtail Snapper [Docket No.: 100812345-2142-03] (RIN: 0648-XE216) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3587. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE269) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3588. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2015 Gulf of Alaska Pollock Seasonal Apportionments [Docket No.: 140918791-4999-02] (RIN: 0648-XE293) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3589. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Georges Bank Haddock Catch Cap Harvested [Docket No.: 130919816-4205-02] (RIN: 0648-XE266) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KLINE: Committee on Education and the Workforce. H.R. 3459. A bill to clarify the treatment of two or more employers as joint employers under the National Labor Relations Act; with an amendment (Rept. 114–355). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 189. A bill to extend

foreclosure and eviction protections for servicemembers, and for other purposes (Rept. 114–356). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee of Conference. Conference report on H.R. 22. A bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act (Rept. 114–357). Ordered to be printed.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 3016. A bill to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs; with amendments (Rept. 114–358). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURGESS: Committee on Rules. House Resolution 542. Resolution providing for further consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes, and providing for consideration of the conference report to accompany the bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves (Rept. 114–359). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MILLER of Florida (for himself, Mr. BRIDENSTINE, and Mr. COSTELLO of Pennsylvania):

H.R. 4138. A bill to authorize the Secretary of Veterans Affairs to recoup relocation expenses paid to or on behalf of employees of the Department of Veterans Affairs; to the Committee on Veterans' Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SINEMA (for herself and Mr. FITZPATRICK):

H.R. 4139. A bill to amend the Sarbanes-Oxley Act of 2002 to provide a temporary exemption for low-revenue issuers from certain auditor attestation requirements; to the Committee on Financial Services.

By Mr. GUINTA (for himself and Ms. SINEMA):

H.R. 4140. A bill to provide for a one-time supplementary payment to beneficiaries of Social Security and Veterans benefits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Veterans' Affairs, Transportation and Infrastructure, Appropriations, Energy and Commerce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK (for herself and Mr. MEEHAN):

H.R. 4141. A bill to ensure that tax return preparers demonstrate minimum standards of competency; to the Committee on Ways and Means.

By Mr. AGUILAR:

H.R. 4142. A bill to amend the Trade Act of 1974 to increase the authorization of funds for trade adjustment assistance for firms; to the Committee on Ways and Means.

By Mr. DESANTIS:

H.R. 4143. A bill to temporarily restrict the admission to the United States of refugees from countries containing terrorist-controlled territory; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DUCKWORTH (for herself, Mr. MURPHY of Florida, Mr. JOHNSON of Georgia, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CONYERS, Ms. WASSERMAN SCHULTZ, Mr. GRIJALVA, Mr. ASHFORD, Ms. SCHAKOWSKY, and Mr. ELLISON):

H.R. 4144. A bill to provide for a supplementary payment to Social Security beneficiaries, supplemental security income beneficiaries, and recipients of veterans benefits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL:

H.R. 4145. A bill to require the Comptroller General of the United States to conduct a study of, and report to the Congress on, secure gun storage or safety devices; to the Committee on the Judiciary.

By Ms. LOFGREN:

H.R. 4146. A bill to authorize the Secretary of Education to provide grants for education programs on the history of the treatment of Italian Americans during World War II; to the Committee on Education and the Workforce.

By Ms. LOFGREN:

H.R. 4147. A bill to apologize for the treatment of Italian Americans during World War II; to the Committee on the Judiciary.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Ms. MOORE, and Mr. CONYERS):

H.R. 4148. A bill to authorize assistance to aid in the prevention and treatment of obstetric fistula in foreign countries, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RICE of South Carolina:

H.R. 4149. A bill to amend the Federal Water Pollution Control Act with respect to citizen suits and the specification of disposal sites, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RUIZ (for himself and Mr. WENSTRUP):

H.R. 4150. A bill to amend title 38, United States Code, to allow the Secretary of Veterans Affairs to modify the hours of employment of physicians and physician assistants employed on a full-time basis by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. SIMPSON:

H.R. 4151. A bill to amend chapter 2003 of title 54, United States Code, to fund the Land and Water Conservation Fund and provide for the use of such funds, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSKAM (for himself, Mr. DEUTCH, Mr. LIPINSKI, Mr. POMPEO, Mr. SHERMAN, and Mr. ZELDIN):

H. Con. Res. 100. Concurrent resolution expressing the sense of the Congress regarding the right of States and local governments to maintain economic sanctions against Iran; to the Committee on Foreign Affairs.

By Mr. TURNER (for himself, Ms. LORETTA SANCHEZ of California, Mr. MILLER of Florida, Mrs. WALORSKI, Mr. ROGERS of Alabama, Mr. DUNCAN of Tennessee, Mr. SHUSTER, Mr. KING of Iowa, Mr. YOUNG of Indiana, and Mr. ADERHOLT):

H. Res. 543. A resolution celebrating 135 years of diplomatic relations between the United States and Romania; to the Committee on Foreign Affairs.

By Mr. YOHO (for himself, Mr. GOSAR, Mr. WALKER, Mr. BENISHEK, and Mr. FITZPATRICK):

H. Res. 544. A resolution expressing the sense of the House of Representatives that the President should submit any binding and universal agreement on climate change adopted at the Conference of the Parties (''COP21'') of the United Nations Framework Convention on Climate Change to the Senate as a treaty under article II, section 2, clause 2 of the Constitution; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII,

157. The SPEAKER presented a memorial of the Legislature of the State of Tennessee, relative to House Joint Resolution No. 548, requesting the Congress of the United States call a convention of the States to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MILLER of Florida:

H.R. 4138.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Ms. SINEMA:

H.R. 4139.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3; Article I, Section 8, Clause 18

By Mr. GUINTA:

H.R. 4140.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—The Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this constitution in the government of the United States or in any department or officer thereof.

By Mrs. BLACK:
H.R. 4141.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the United States Constitution.
By Mr. AGUILAR:
H.R. 4142.
Congress has the power to enact this legislation pursuant to the following:
Article 1, section 8, clause 18 of the United States Constitution.
By Mr. DESANTIS:
H.R. 4143.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution.
By Ms. DUCKWORTH:
H.R. 4144.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8, Clause 18 of the United States Constitution which gives Congress the authority to ''make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Office thereof.''
By Mr. ENGEL:
H.R. 4145.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to:
U.S. Const. Art. I §1.
By Ms. LOFGREN:
H.R. 4146.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18: To make all laws that shall be necessary and proper for carrying into execution the foregoing powers, and all powers vested by this Constitution in the government of the United States, or in any department or officer thereof.
By Ms. LOFGREN:
H.R. 4147.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 5, Clause 2: Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two thirds, expel a member.
By Mrs. CAROLYN B. MALONEY of New York:
H.R. 4148.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3, which reads: To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes
By Mr. RICE of South Carolina:
H.R. 4149.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause I
By Mr. RUIZ:
H.R. 4150.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution.
By Mr. SIMPSON:
H.R. 4151.
Congress has the power to enact this legislation pursuant to the following:
''The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 158: Mr. LOUDERMILK and Mrs. KIRKPATRICK.
H.R. 188: Mr. DANNY K. DAVIS of Illinois.
H.R. 472: Mr. TAKANO.
H.R. 503: Mr. SAM JOHNSON of Texas.
H.R. 540: Mr. BEYER.
H.R. 551: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 646: Mr. HIMES.
H.R. 686: Mr. ROSS.
H.R. 775: Mr. RIBBLE, Mr. KENNEDY, and Mr. SHUSTER.
H.R. 800: Mr. YOUNG of Indiana.
H.R. 816: Mr. NEWHOUSE.
H.R. 855: Mr. BILIRAKIS.
H.R. 865: Mrs. LOVE.
H.R. 879: Mrs. LOVE and Mrs. BROOKS of Indiana.
H.R. 911: Mr. DAVID SCOTT of Georgia.
H.R. 986: Ms. MCSALLY.
H.R. 999: Mr. SCHRADER and Mr. SESSIONS.
H.R. 1061: Mr. LOWENTHAL, Mr. AGUILAR, and Mr. LEVIN.
H.R. 1076: Mr. DOLD, Mr. LARSON of Connecticut, Ms. MCCOLLUM, Mr. DESAULNIER, Mr. COHEN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. NADLER, Mr. SCHIFF, Mr. PAYNE, Mr. PRICE of North Carolina, Mr. PASCRELL, Mr. COURTNEY, Ms. ESTY, Mr. NORCROSS, Ms. BONAMICI, and Mr. KENNEDY.
H.R. 1145: Mr. PETERSON and Mr. NOLAN.
H.R. 1197: Mr. RUPPERSBERGER and Mr. TAKAI.
H.R. 1220: Mr. REICHERT.
H.R. 1282: Mr. CUMMINGS.
H.R. 1283: Mrs. NAPOLITANO.
H.R. 1288: Ms. BROWNLEY of California, Mr. MCCAUL, Mr. PASCRELL, Mr. LEWIS, and Mr. MURPHY of Florida.
H.R. 1454: Ms. BONAMICI.
H.R. 1519: Mr. DEFAZIO.
H.R. 1559: Mr. BLUM.
H.R. 1571: Mrs. BEATTY and Ms. DUCKWORTH.
H.R. 1591: Mr. GROTHMAN.
H.R. 1608: Mr. SCHRADER, Mrs. BLACK, Ms. KAPTUR, and Mr. MCHENRY.
H.R. 1671: Mr. KING of Iowa and Mr. GARRETT.
H.R. 1714: Ms. SCHAKOWSKY.
H.R. 1763: Mrs. KIRKPATRICK, Mr. TONKO, and Mr. FITZPATRICK.
H.R. 1786: Mrs. NOEM.
H.R. 1814: Mr. EMMER of Minnesota.
H.R. 1818: Mr. FRELINGHUYSEN.
H.R. 1942: Mr. HIGGINS, Ms. KELLY of Illinois, and Mr. COURTNEY.
H.R. 1945: Miss RICE of New York.
H.R. 1988: Mr. JOYCE.
H.R. 2050: Mr. ENGEL and Mr. COFFMAN.
H.R. 2058: Mr. NEUGEBAUER and Mr. SANFORD.
H.R. 2063: Ms. SCHAKOWSKY.
H.R. 2095: Mr. GRAYSON.
H.R. 2215: Mr. LABRADOR.
H.R. 2218: Mr. KATKO.
H.R. 2302: Mr. DANNY K. DAVIS of Illinois and Ms. SCHAKOWSKY.
H.R. 2460: Mr. DONOVAN and Mr. MEEKS.
H.R. 2513: Mr. CRAWFORD and Mr. BRIDENSTINE.
H.R. 2515: Mr. ROTHFUS, Ms. KUSTER, and Mrs. KIRKPATRICK.
H.R. 2540: Mrs. MCMORRIS RODGERS and Mr. RUSH.
H.R. 2568: Mr. ROYCE.
H.R. 2612: Ms. MATSUI and Ms. BONAMICI.
H.R. 2640: Ms. LINDA T. SÁNCHEZ of California.
H.R. 2641: Ms. DELAURO.
H.R. 2671: Mr. RYAN of Ohio.
H.R. 2672: Mr. RYAN of Ohio.
H.R. 2673: Mr. RYAN of Ohio.
H.R. 2674: Mr. RYAN of Ohio.
H.R. 2698: Mr. DUFFY.
H.R. 2715: Ms. ADAMS and Mr. DELANEY.
H.R. 2716: Mr. WILLIAMS.
H.R. 2739: Mr. CARTER of Georgia and Mr. KILDEE.
H.R. 2775: Mr. CAPUANO.
H.R. 2805: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 2811: Ms. DEGETTE.
H.R. 2858: Mr. GIBSON.
H.R. 2880: Mr. CLYBURN, Mr. LOUDERMILK, and Mr. VEASEY.
H.R. 2894: Ms. LOFGREN.
H.R. 2896: Mr. ASHFORD.
H.R. 2900: Mr. MCDERMOTT.
H.R. 2903: Mrs. TORRES and Mr. DOLD.
H.R. 2911: Mr. RUPPERSBERGER, Mr. YOUNG of Indiana, Ms. ESHOO, and Mr. RIBBLE.
H.R. 2980: Mr. KILMER.
H.R. 2982: Mr. LANGEVIN.
H.R. 3026: Mr. VALADAO.
H.R. 3036: Mrs. MIMI WALTERS of California, Mr. ROHRABACHER, Mr. VELA, Mr. KNIGHT, Mr. SARBANES, and Mr. RANGEL.
H.R. 3046: Mr. HUFFMAN.
H.R. 3061: Mr. GARAMENDI.
H.R. 3222: Mr. HOLDING, Mr. PALMER, Mr. WILLIAMS, Mr. GOODLATTE, and Mr. RIGELL.
H.R. 3225: Mr. HUFFMAN.
H.R. 3229: Mr. PAULSEN, Mr. TONKO, Mr. DOGGETT, and Mr. DOLD.
H.R. 3238: Mr. WEBER of Texas.
H.R. 3314: Mr. HURT of Virginia.
H.R. 3316: Mr. AGUILAR, Mr. MEEHAN, and Mr. BEYER.
H.R. 3326: Mr. GRAVES of Georgia and Mr. TROTT.
H.R. 3339: Mr. FATTAH and Mrs. NOEM.
H.R. 3355: Mr. DOLD.
H.R. 3399: Ms. MCCOLLUM and Mr. WELCH.
H.R. 3426: Mr. FATTAH.
H.R. 3459: Mrs. LOVE and Mr. NEWHOUSE.
H.R. 3539: Ms. LINDA T. SÁNCHEZ of California.
H.R. 3556: Mr. DESAULNIER.
H.R. 3565: Ms. LOFGREN.
H.R. 3569: Ms. DUCKWORTH.
H.R. 3591: Mr. DOLD and Mr. JOHNSON of Georgia.
H.R. 3626: Mr. GOODLATTE.
H.R. 3632: Ms. ESHOO and Mr. SIRES.
H.R. 3638: Mr. DOLD.
H.R. 3640: Mr. KATKO.
H.R. 3666: Ms. KUSTER.
H.R. 3706: Mrs. MCMORRIS RODGERS and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 3722: Mr. AUSTIN SCOTT of Georgia.
H.R. 3741: Mr. MOULTON.
H.R. 3742: Mr. WITTMAN, Mr. STIVERS, Ms. KAPTUR, and Mrs. KIRKPATRICK.
H.R. 3764: Mr. GOODLATTE.
H.R. 3765: Mr. SCHWEIKERT.
H.R. 3784: Mr. FINCHER.
H.R. 3802: Mr. SCHWEIKERT.
H.R. 3808: Mr. WESTMORELAND, Mr. BUCK, Mr. BARR, Mr. TIPTON, Mr. MULVANEY, Mr.

LUCAS, Mr. PITTENGER, Mr. PEARCE, Mr. DAVID SCOTT of Georgia, Mr. HULTGREN, Mr. LAMBORN, Mr. COFFMAN, Mr. MARCHANT, Mr. EMMER of Minnesota, Mr. BRIDENSTINE, Mr. KILDEE, Ms. JENKINS of Kansas, and Mr. POMPEO.

H.R. 3841: Ms. TITUS and Mr. SCOTT of Virginia.

H.R. 3845: Mrs. HARTZLER, Mr. ABRAHAM, and Mr. STIVERS.

H.R. 3848: Mr. UPTON.

H.R. 3863: Mr. SANFORD and Ms. LOFGREN.

H.R. 3878: Mr. RICHMOND and Mr. LOWENTHAL.

H.R. 3917: Ms. FRANKEL of Florida, Mr. PEARCE, Mr. OLSON, and Mr. HUDSON.

H.R. 3919: Mr. MCGOVERN.

H.R. 3940: Mr. HUELSKAMP, Mrs. NOEM, Mr. GUTHRIE, and Mr. BISHOP of Utah.

H.R. 4000: Mr. SHIMKUS, Mr. GUTHRIE, and Mr. COLLINS of New York.

H.R. 4007: Mr. BROOKS of Alabama.

H.R. 4008: Mr. GRIJALVA.

H.R. 4018: Mr. DIAZ-BALART and Mrs. BLACKBURN.

H.R. 4029: Mr. BRADY of Pennsylvania and Mr. GARAMENDI.

H.R. 4032: Mr. JODY B. HICE of Georgia, Mr. ROUZER, Mr. SAM JOHNSON of Texas, Mr. POSEY, and Mr. DESJARLAIS.

H.R. 4055: Ms. MATSUI, Ms. MOORE, Mr. MCDERMOTT, Mr. SERRANO, and Mr. PASCRELL.

H.R. 4062: Mr. PASCRELL.

H.R. 4068: Mr. RYAN of Ohio and Ms. JACKSON LEE.

H.R. 4078: Mr. MILLER of Florida.

H.R. 4085: Mr. HARPER, Mr. JOYCE, Mr. RANGEL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. COHEN, and Mr. AUSTIN SCOTT of Georgia.

H.R. 4087: Mr. HONDA and Mr. WILSON of South Carolina.

H.R. 4126: Mr. SMITH of Missouri.

H.R. 4135: Mr. FOSTER, Mr. NADLER, Mr. MURPHY of Florida, Mr. PERLMUTTER, and Mr. SWALWELL of California.

H.J. Res. 22: Mr. PAYNE and Mr. DESAULNIER.

H.J. Res. 47: Mr. HUFFMAN.

H.J. Res. 74: Mr. ROE of Tennessee.

H. Con. Res. 97: Mr. LOUDERMILK and Mrs. MIMI WALTERS of California.

H. Res. 12: Mrs. LOVE.

H. Res. 32: Ms. ESTY.

H. Res. 54: Mr. ROYCE, Mrs. LOVE, and Ms. SEWELL of Alabama.

H. Res. 318: Mr. DELANEY.

H. Res. 398: Mr. HUELSKAMP.

H. Res. 467: Mr. DAVID SCOTT of Georgia and Ms. VELÁZQUEZ.

H. Res. 508: Ms. LOFGREN.

H. Res. 534: Mr. GOSAR, Mr. SCHRADER, Ms. DELAURO, Mr. DUNCAN of Tennessee, Mr. BEYER, Ms. SLAUGHTER, Mr. GRAVES of Louisiana, and Ms. HERRERA BEUTLER.

H. Res. 535: Mr. HONDA.

H. Res. 537: Mr. HUELSKAMP.

H. Res. 540: Mr. MCDERMOTT, Mr. SERRANO, and Ms. JUDY CHU of California.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. UPTON

The Manager's amendment to be offered to H.R. 8, North American Energy Security and Infrastructure Act of 2015, by Representative Upton of Michigan, or a designee, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. KLINE

The Conference Report to the bill S. 1177 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. JAIME HERRERA BEUTLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Ms. HERRERA BEUTLER. Mr. Speaker, the evening of November 30th, I am not recorded on two votes because I was absent due to illness.

If I had been present, I would have voted: Yes, on rollcall 644, to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes; and Yes on rollcall 645, the Billy Frank Jr. Tell Your Story Act.

HONORING THE JOHNSON–PHELPS VFW POST ON THEIR 80TH ANNIVERSARY

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. LIPINSKI. Mr. Speaker, I rise today to honor the Johnson-Phelps Veterans of Foreign Wars Post 5220 of Oak Lawn, Illinois, on its 80th anniversary. Through the work of its members, the Johnson-Phelps VFW has made a difference in the lives of countless people and has had a tremendous positive impact on the community. The post is an exemplary organization in the Third District and its members exemplify the unyielding bravery, courage, and perseverance of America's Armed Forces.

In 1945 a group of veterans returning from the Second World War formed the post and named it for Mr. Raymond Johnson and Mr. Leslie Phelps, both killed in action during WWII. Mr. Johnson's and Mr. Phelps' names were chosen from a hat that included the names of all 23 men from the Oak Lawn area that were killed in the war. The current post building was completed in 1951, built in large part by the post's own members. Johnson-Phelps later merged with six other posts in Southwest Chicagoland, the oldest of which was chartered in 1935.

Johnson-Phelps VFW Post 5220 is led today by Commander Richard Bukowski, Sr. Vice Commander Thomas Krone, and Jr. Vice Commander Bryant Reed. Their dedication to serving the community is shown through programs such as the well-known Voice of Democracy and Patriots Pen Scholarship Competitions. They also provide for the public by hosting and sponsoring important events in the community such as Memorial Day and Veterans Day services.

Mr. Speaker, I ask my colleagues to join me in recognizing the members of the Johnson-Phelps VFW Post of Oak Lawn, Illinois, for all they have done for our nation and the community over the past 80 years.

HONORING THE 90TH ANNIVERSARY OF THE ZONTA CLUB OF KENMORE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. HIGGINS. Mr. Speaker, I stand before you today to honor the Zonta Club of Kenmore on the occasion of their 90th anniversary. Their service and advocacy is deserving of recognition and gratitude.

Nine decades ago, several Kenmore women met with Marian DeForest; past Chairman of the Confederation of Zonta Clubs, Ellen Bixby; then Vice-President of the Zonta Club of Buffalo, and Florence Fuchs, at the home of Jessie E. Webster on LaSalle Avenue in Kenmore. The Club was formally organized on December 2, 1925 at the home of Mrs. Aurelia Opperman.

On December 7, 1925 the Zonta Club of Kenmore received its charter—Charter #38, with fifteen members. Their first weekly luncheon meeting was held on Wednesday, December 9, 1925 at the Kenmore YWCA. Since its inception, the Zonta Club of Kenmore has dedicated itself to service work and commitment to the community.

In their first year of service work, the members decided to help further the education of a girl or woman in need, to provide her an opportunity to earn a living. Fundraising projects, such as Monster Theater parties at the Kenmore Theater, Annual Stunt Days, book reviews, card parties, bake sales, and rummage sales all helped to accomplish this noble objective.

On April 19, 1975, the Club celebrated their 50th Anniversary at a dinner held at the Packet Inn, in Tonawanda, New York. Some of the organizations that have benefitted from the good efforts of the Zonta Club over the years are the Girl Scouts of America, The American Red Cross, Kenmore Mercy Hospital, and many more.

Today, with a membership of 20 dedicated women, the motto of the Zonta Club of Kenmore is "Small but Mighty."

Mr. Speaker, thank you for allowing me a few moments to honor and recognize the Zonta Club of Kenmore. I ask that my colleagues join me in congratulating the Zonta Club on these accomplishments and their continuous contributions to the community.

HONORING MARY ELLEN ORMOND ON THE OCCASION OF HER RETIREMENT AFTER 33 YEARS IN THE NEW HAMPSHIRE PUBLIC SCHOOL SYSTEM

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. GUINTA. Mr. Speaker, I would like to express my congratulations to Ms. Mary Ellen Ormond on her retirement after 33 years in the New Hampshire Public School System, and thank her for the outstanding work she did during her career.

Ms. Ormond's continuous progression within the education community from her time at Grinnell Elementary School, to her most recent position as superintendent of the Inter-Lakes School District, exemplifies her dedication and professionalism.

The creativity, knowledge, and experience Ms. Ormond brought to classrooms throughout the Granite State has been invaluable, and it's clear she leaves an example of strong leadership for others to emulate in her wake.

It is with great admiration that I congratulate Ms. Ormond on her retirement, and wish her the best on all future endeavors.

IN REMEMBRANCE OF DR. H. GILBERT MILLER

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mrs. COMSTOCK. Mr. Speaker, on behalf of myself and Congressman ROBERT HURT, I submit these remarks in remembrance of Dr. H. Gilbert Miller, an enthusiastic innovator, a champion of technology, and a good man. We join the Miller family to mourn his loss, which is felt by all who knew him, and celebrate his life, which has left an indelible impact on many in our districts and the Commonwealth of Virginia.

Dr. Miller was a visionary—a gifted engineer who spent his career supporting the development and innovation of cutting edge technology into our federal government programs most recently as Chief Technology Officer of Noblis, Inc., a non-profit science, technology, and strategy organization. At Noblis, he was the champion behind the development of the Noblis Innovation and Collaboration Center—the NICC—a place where great minds had room to grow and an incubator for transformative collaborations that yielded innovations and discoveries. Dr. Miller's mission was to help solve the world's toughest big data and analytic challenges by seeding and developing the nation's best minds and supporting their

efforts with the power of technology. His leadership brought one of the world's largest and most dynamic supercomputers to Danville, Virginia, for private sector use.

But Dr. Miller's love for technology and innovation went far beyond the walls of Noblis. He was a passionate supporter of STEM educations. Dr. Miller chaired and served on numerous volunteer, educational advisory boards, including most recently as Vice Chairman of the Dean's Advisory Board for the Volgenau School of Engineering at George Mason University and on the advisory board for the Data Analytics Engineering Program at George Mason University. In recognition of his many accomplishments, his leadership role in advancing science and technology at Noblis and in support of Noblis' federal government clients as well as advancing the public-private partnership with the Commonwealth of Virginia, in 2011 Dr. Miller received the CTO Innovator Award from the Northern Virginia Technology Council.

But more than his extensive list of professional accomplishments, Dr. Miller was a loving husband, a caring father and a devoted grandfather. His greatest joy was in spending time with his family. We extend our deepest sympathies to Gil's wife, Dot, and three children Ryan, Matthew, and Kristen, his grandchildren, and the entire Miller family. We hope that they can take comfort in the love they share and the knowledge that they do not walk alone in their grief. We have lost Gil far too soon, but his legacy lives on. Thank you for sharing him and his talents with us. We are forever grateful.

IN SUPPORT OF H.R. 2967 THE VOTING RIGHTS ADVANCEMENT ACT

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Ms. SEWELL of Alabama. Mr. Speaker, today I rise in support of H.R. 2967 the Voting Rights Advancement Act and to recognize today as Restoration Tuesday.

Our sacred right to vote has come under attack in numerous states across the country in the aftermath of the Supreme Court's ruling in Shelby County v. Holder. Many states, including my home state of Alabama, have enacted pernicious and burdensome voter ID laws that have the practical effect of restricting access to the polls for low income and minority voters.

Recently, Alabama closed 31 DMVs, leaving 29 Alabama counties without a DMV. Fifteen of those counties are located in rural Black Belt communities. Driver's licenses are the most popular form of photo identification used to vote. The heart of the problem lies with access. How can Alabama require a photo ID to vote, and then limit access to the most popular form of ID used? It is unconscionable that my constituents will be denied their constitutionally protected right to vote because they do not have access to a valid photo ID.

Despite the Governor's recent decision to reopen these DMVs once a month, critical access to these commonly used forms of photo IDs is still an issue for far too many minorities, senior citizens, and those living in rural communities. The reality is that opening these offices for once a month provides only bare minimum access, and that is unacceptable. Had the preclearance requirements of the Voting Rights Act of 1965 still been in place, Alabama's decision to close these DMVs would have likely had to have been reviewed by the Department of Justice.

In Alabama, the DMV closures occurred under the guise of budgetary concerns. Any budgetary savings are far outweighed by the discriminatory impact these closures will have on my constituents' ability to access the polls. But these types of discriminatory decisions are not exclusive to Alabama. These DMV closures are indicative of a broader and systematic effort that threatens to undermine our most basic right as Americans—the right to vote.

Protecting the right to vote for all Americans, especially those traditionally excluded from the democratic process should be top priority for us all. Every eligible voter must be allowed to cast his or her ballot unhindered by laws that deter participation in our democracy.

As Members of Congress, we must speak up for the voices of the excluded. If we do not act then we risk silencing these voices forever. We must fight to restore the critical protections of the Voting Rights Act of 1965 that were struck down in the Shelby vs Holder case. Now is the time to restore the vote.

CONGRATULATING THE ELDON HIGH SCHOOL CHEERLEADING SQUAD FOR THEIR 2015 MISSOURI CHEERLEADING COACHES ASSOCIATION CLASS 3 STATE CHAMPIONSHIP

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Eldon Mustangs for their first place win in the 2015 Missouri Cheerleading Coaches Association Class 3, Large Division, State Championship.

This cheerleading squad and their coach should be commended for all of their hard work throughout this past year and for bringing home this first place state championship to their school and community.

I ask you to join me in recognizing the Eldon Mustangs for a job well done.

IN OBSERVANCE OF NATIONAL IBD AWARENESS WEEK

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. CRENSHAW. Mr. Speaker, I rise today in observance of National IBD Awareness Week, which brings attention to over 1.6 million Americans affected by Crohn's disease and ulcerative colitis, collectively known as inflammatory bowel disease, or IBD.

These disorders impact the gastrointestinal tract, the area of the body where digestion takes place. They cause inflammation of the intestine, which leads to ongoing symptoms and complications. There is currently no known cause or cure for IBD, and individuals with IBD may suffer from various symptoms from mild to severe abdominal pain, diarrhea, fever, and intestinal bleeding. The impacts are devastating to both patients and their families.

Unfortunately, IBD can affect anyone, though it is most commonly diagnosed in adolescents and young adults between 15 and 25 years old. And though we still do not have all the answers, there is hope. An increasing number of genes have been identified—over 100 today—that may cause an increase in the risk of developing IBD, confirming that IBD has a strong genetic component. With these discoveries and new technological advances, researchers are working furiously to find cures. Despite this, the unpredictable nature of these painful and debilitating digestive diseases creates a significant burden on the community and economy. Every year, there is more than $1.26 billion in direct and indirect costs to the United States healthcare system due to surgeries and hospitalizations as a result of IBD complications.

This week, patient advocates from the Crohn's and Colitis Foundation of America (CCFA) are marching on Washington to meet with their Representatives and ask them to be a part of the movement and join the bipartisan Crohn's and Colitis Congressional Caucus. I would like to extend a warm welcome to Mr. Michael Osso, as CCFA celebrates the foundation's newest President and CEO. Mr. Osso is taking over from recently retired Mr. Richard Geswell, who in his turn has dedicated 10 years of remarkable leadership and service for patients with IBD. I am confident that Mr. Osso will continue Mr. Geswell's legacy of remarkable vision and drive on the journey forward towards a cure.

As co-chair of the bipartisan Crohn's and Colitis Congressional Caucus, a group of dedicated Members educating the public and other Members of Congress on IBD, I am grateful for the opportunity to raise awareness for IBD as well as improve patients' access to treatments. Let us use this week, IBD Awareness Week, as a call to action for all Americans. Together, with the help of researchers, educators, medical professionals, patients, and families, we can find a cure and end this devastating disease for millions of people around the world. Mr. Speaker, I congratulate CCFA on their efforts to bring awareness to this awful disease and I urge my colleagues to recognize Crohn's and Colitis Awareness Week as a way to build upon our efforts for the IBD patient community and to join the Crohn's and Colitis Congressional Caucus.

HONORING THE LIFE AND LEGACY OF GENERAL JOHN ROGERS GALVIN

HON. SETH MOULTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. MOULTON. Mr. Speaker, I rise today to honor the memory of General John Rogers

Galvin, who died on September 25 of this year at the age of 86.

Born in Wakefield, Massachusetts, General Galvin committed his life and career to defending and serving our country. As a child, he created the Pleasant Street Army to protect his neighborhood during World War II, served four years as an enlisted soldier in the Massachusetts Army National Guard, graduated from the United States Military Academy in 1954, and served two tours in Vietnam as a brigade operations officer and battalion commander.

General Galvin's forty-four year military career culminated in his service as the Supreme Allied Commander in Chief of U.S. European Command and NATO Commander in 1987 during the collapse of the Soviet Union and the end of the Cold War. During his tenure, General Galvin confronted the breakup of Yugoslavia, provided vital protection to Kurds in northern Iraq during the regime of Saddam Hussein, and transitioned NATO's military strategy from large-scale containment to small-conflict peacekeeping and counterinsurgency.

Following his retirement from the military, General Galvin transitioned to academia, serving as the sixth dean of the Fletcher School of Law and Diplomacy at Tufts University from 1995 to 2000.

He was considered a mentor to many of our country's leading national security and military experts, including a personal mentor of mine, General David Petraeus. General Galvin liked to say the word ''impossible'' does not exist and often advised, ''it doesn't do any good to study all the books on leadership if you haven't studied yourself and know who you are.''

I join the Wakefield community in recognizing General Galvin's achievements that will continue to inspire the next generation of leaders. His legacy lives on through his wife Virginia, his four daughters, and five grandchildren.

HONORING BRUCE C. DOERING

HON. JUDY CHU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Ms. JUDY CHU of California. Mr. Speaker, I rise today to recognize a dedicated leader in the labor movement and entertainment industry, Bruce C. Doering, on his retirement as the Executive Director of the International Cinematographer's Guild, IATSE Local 600. His retirement marks the end of a remarkable three decades of improving the lives and working conditions for thousands of entertainment industry union members across the United States.

Bruce Doering has been actively involved in the union movement from an early age. As a young steel worker in Chicago, Bruce helped start a union newspaper to expose poor working conditions. He was instrumental in a Chicago Sun Times exposé that led to stronger safety regulations and increased incentive bonuses for employees. In 1985, he went to work for the International Alliance of Theatrical Stage Employees (IATSE) to begin a career that would have a significant influence on a rapidly expanding creative industry.

After initially serving as the Executive Director of Local 659, in Hollywood, Bruce oversaw the merger of three camera unions into a powerful national Cinematographers Guild in 1996. Members are now able to work around the country on projects and still receive their health and retirement benefits. While retirement funds were being slashed around the country, Bruce pushed hard to maintain member eligibility and helped to grow a retirement fund based on a percentage of members' hourly earnings. As a member of the Board of Directors at the Motion Picture Pension and Health Plans since 1986, Bruce has served on numerous committees protecting and enhancing the benefits workers and their families receive.

Bruce's tenacity has helped create more job opportunities for members, and ensured them a path into the middle class. During his tenure, Local 600 expanded its reach considerably into reality television. In 2001, he was in the vanguard of the industry's rapidly changing technology, helping recognize the Digital Imaging Technician classification. After a decade-long fight, unit publicists this year finally won the ability to earn their health and pension benefits across the United States. The Local's political presence has been particularly felt in California, where Bruce led Local 600 campaigns supporting time and a half overtime pay, the doubling of unemployment benefits, and supporting union member voices in politics.

Bruce's success in guiding IATSE Local 600, and his exceptional career as leader in the union movement is a true inspiration for all of us. We thank him for his service, his leadership in the community, and for being a role model for so many.

RECOGNIZING THE 40TH ANNIVERSARY OF THE LACONIA CHRISTMAS VILLAGE

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. GUINTA. Mr. Speaker, I rise today to recognize the 40th anniversary of the Laconia Christmas Village in Laconia, New Hampshire. I am pleased to join with the City of Laconia and its residents in commemorating this wonderful event and holiday tradition for Granite Staters in the Lakes Region of New Hampshire.

This is a great achievement as the annual Christmas Village is organized and run by local volunteers in Laconia, who not only help build the actual village and attractions, but work together to provide all the resources needed to put on this yearly event. The event is free to the public and sees roughly 2,500 children come through to see Santa Claus and receive a Christmas present, and for some children this is their only holiday celebration. Volunteers not only help in the preparation of the event, but help with entertainment, providing refreshments and welcoming families from across the region to the city.

With the goal of providing a family friendly event to usher in the holiday season, these volunteers and the community have come together beautifully to highlight the wonder and merriment of the Christmas season. Joined with the efforts of local volunteers who give their time and resources to make the village a success, this is a testament to the strong sense of community and support this event has had in Laconia over the last 40 years.

I am proud to join with my fellow Granite Staters in recognizing the 40th anniversary of the Laconia Christmas Village, and wish them all the best in their future years.

IN RECOGNITION OF DIONNE WARWICK

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. PAYNE. Mr. Speaker, I rise today to honor New Jersey-native and music marvel, Ms. Dionne Warwick. The legendary Ms. Warwick is world renowned not only for her incredible music career, but also for her humanitarian and philanthropic work.

Ms. Warwick is a pillar of American pop music and culture. She began singing in East Orange, New Jersey during her childhood years. Her gospel roots marry well with R&B and pop in a way that transcends culture and race. Ms. Warwick is a five-time Grammy Award-winning singer and the second most-charted female vocalist of all time, with 69 singles on the Billboard Hot 100 charts. She became a superstar with early hits like ''Walk on By'' and ''I Say a Little Prayer,'' and followed them up for decades with hits including ''Do You Know the Way to San Jose,'' ''I'll Never Love This Way Again,'' and ''That's What Friends Are For.''

As a performer, Ms. Warwick delighted audiences all around the world. Her talents received a star on Hollywood's ''Walk of Fame.'' She was also honored by Oprah Winfrey at the 2005 Legends Ball. As an activist, Ms. Warwick has devoted countless hours and supported a number of charities and causes.

Always one to aid those in need, Ms. Warwick advocates on behalf of music education, world hunger, disaster relief, and children's hospitals. She has used her stardom over five decades to raise awareness about major health issues, including AIDS and senior citizen health. For her commitment, President Ronald Reagan and the U.S. Department of Health & Human Services appointed her U.S. Ambassador of Health in 1987. In 2002, she served as Global Ambassador for Health and Ambassador for the United Nations' Food & Agriculture Organization. She is currently working to ensure Medicare covers the best method of administering FDA approved drugs in cataract surgery, a procedure she herself has undergone.

I join all of Dionne Warwick's friends and loved ones in celebrating her many achievements and contributions, and I wish Ms. Warwick—the jewel of New Jersey's 10th Congressional District—a very happy 75th birthday. I have no doubt that Ms. Warwick will

continue to use her voice to captivate international audiences, through her music and her dedication to the human condition.

COMMEMORATING WORLD AIDS DAY 2015

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. McDERMOTT. Mr. Speaker, December 1st is World AIDS Day. This past weekend Americans celebrated the Thanksgiving holiday. It is a time of reflection and appreciation. Similarly, World AIDS Day is a moment for us to reflect on our past challenges, appreciate the great strides we have made, and acknowledge that serious work remains to eradicate the disease. Congress has played a vital role, and our future success requires continued Congressional action and vigilance.

Today, we can take heart in the knowledge that new HIV infections worldwide have decreased by 35% since 2000. The President's Emergency Plan for AIDS Relief (PEPFAR) has been a vanguard effort through which rates of infection have dropped in areas of the world hit the hardest by the epidemic. Its initiatives are critical to saving lives and preventing new infections.

Our efforts abroad are not just about where the disease is located, but also who it impacts. From decreasing mother-to-child transmission and addressing the nuances of co-infections and co-morbidities to confronting the stigmas that undermine prevention and hinder access to life-saving healthcare, we are better positioned to confront the disease in all its stages and improve the quality of life for those living with the disease.

Complementing this effort is our continued march forward on the scientific front. While we have made great strides in drug development, this effort has been hampered by Congress' reluctance to fully support basic research in the sciences through the National Institutes of Health. Furthermore, we must work hard to ensure that treatment is accessible to everyone across the socio-economic spectrum, both domestically and internationally.

I served as a medical officer with the U.S. State Department in sub-Saharan Africa just as the full force of the AIDS epidemic became readily apparent. Infection was, by and large, a death sentence. Today, with anti-viral treatments we can talk about people living with AIDS, but this also reminds us that confronting the disease is more than just biology, but also public health and the social impact of the disease. One of my first accomplishments as a Member of Congress was to work with my colleagues to pass legislation that ensures those with AIDS have access to housing. Today, the Housing Opportunities for People with AIDS program (HOPWA) continues to help ensure that those living with AIDS affordable housing and contributes to the stability needed to promote adherence to treatment regimens.

Today, we see overall declines in infection rates, but we must acknowledge that in some communities, this is not the case. While most sub-Saharan countries of Africa have seen decreases in rates of infection, this has not been the case in Angola and Uganda. Similarly, in the United States we see a geographical shift in rates of infection with the southeastern United States showing higher rates than other parts of the country. If past is precedent, meeting these challenges must start with a strong commitment to education, based in science, and dedicated to empowering communities through knowledge to confront the disease.

As we commemorate World AIDS Day this year, we can draw inspiration from our international response to the AIDS epidemic. Rather than a fearful reaction, ill-equipped because of ignorance, and disengaged because of empty rhetoric, the United States is rising to meet the challenge of an AIDS-free generation; motivated by compassion and the pursuit of wellbeing, armed with science, and committed through the dedication of resources. We can take pride in how far we have come, but our success must not breed a false sense of security. Our work is not done and Congress must provide the resources needed to ensure the United States government maintains its leadership role, both at home and abroad, in the effort to make an AIDS-free generation a reality.

HONORING THE NATIONAL BAR ASSOCIATION'S CIVIL RIGHTS COMMEMORATION TOUR

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Ms. SEWELL of Alabama. Mr. Speaker, I rise today in honor of the National Bar Association's Civil Rights Commemoration Tour during the 60th Commemoration of the Montgomery Bus Boycott. Today, we honor the pivotal role that black lawyers played during the Montgomery Bus Boycott and the Civil Rights Movement.

Sixty years ago, demonstrators in Montgomery boldly challenged the segregated bus system with the help of talented black attorneys who were committed to eradicating social injustices across the State of Alabama. Gifted lawyers like Thurgood Marshall, Fred Gray, Constance Baker Motley, U.W. Clemon and countless other African American attorneys argued and won some of the most pivotal cases of the Civil Rights and Voting Rights Movement. Yet so often we overlook the courageous men and women who bravely defeated the government sanctioned oppression that was Jim Crow in the courtroom. Each of their stories is embedded in the fabric of this nation for they contributed to making America a more fair and just society.

The State of Alabama was home to some of the key black lawyers in the civil rights movement. One of the most impactful lawyers of the Movement was Alabama native, Fred Gray. Attorney Fred Gray came to prominence representing key figures in the Montgomery Bus Boycott including Dr. Martin Luther King, Jr., Claudette Colvin, and Rosa Parks. He represented Rosa Parks on appeal for her conviction for violating Montgomery's public transit segregation law which ultimately led to the desegregation of buses throughout the City of Montgomery. Attorney Fred Gray later secured a victory in Williams v. Wallace (1963) which protected the Selma to Montgomery marchers. Attorney Fred Gray continues today to provide legal counsel to so many in the fight for social and economic justice. Attorney Fred Gray's indelible legacy paved the way for many other black lawyers including Judge U.W. Clemon, Alabama's first black federal judge and Judge Oscar Adams who was the first African-American Alabama Supreme Court Justice.

Likewise, the National Bar Association has consistently been recognized for its commitment to spearheading efforts to uplift those that are oppressed and disenfranchised. Since its inception in 1924, the National Bar Association has fostered and supported the important role of black lawyers in the fight for equal justice. Today, that legacy continues under the leadership of its President Attorney Benjamin Crump who is a modern-day example of what it means to fight for equality and justice in the courtroom.

As a Member of Congress and a former member of the National Bar Association, I am honored to welcome the association to my district during the 60th commemoration of the Montgomery Bus Boycott. During this special commemoration, we thank the National Bar Association for all of the work it has done and continues to do, and we salute its individual members who are working to make a difference in the lives of everyday Americans.

I ask my colleagues to join me in saluting the significant contributions and achievements to this nation of black lawyers and the National Bar Association during this 60th commemoration of the Montgomery Bus Boycott.

IN HONOR OF BONNIE CARROLL, RECIPIENT OF THE PRESIDENTIAL MEDAL OF FREEDOM FOR HER COMMITMENT TO HEALING FAMILIES OF FALLEN MEMBERS OF THE ARMED SERVICES

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mrs. COMSTOCK. Mr. Speaker, I rise today to recognize my constituent, Bonnie Carroll, of Loudoun County, Virginia, who received the Presidential Medal of Freedom on November 24th. The Presidential Medal of Freedom is our nation's highest civilian honor, and I am humbled to recognize Mrs. Carroll today.

Mrs. Carroll is a retired major in the United States Air Force Reserve who has dedicated her career to aiding family members of our nation's veterans and service members. Following the death of her husband—Brig. Gen. Tom Charles Carroll, who died in an Army C–12 plane crash in Alaska in 1992—she founded the Tragedy Assistance Program for Survivors (TAPS), which seeks to support families who have lost loved ones in the military.

Mrs. Carroll utilized the resources given to her following her husband's death to start this fantastic organization that offers help to so

many families who are grieving. As Founder and President, Mrs. Carroll has made it her priority to provide resources to families of fallen service members in their time of need. TAPS runs a peer support network that connects families with others who are grieving across the United States. Since its founding, TAPS has assisted over 50,000 family members.

Mrs. Carroll, we thank you for your stewardship in our community and your lifelong commitment to public service. You have made your nation and the 10th District of Virginia proud. I wish you the best of success in the years to come.

RECOGNIZING MAJOR MATTHEW R. KELLEY

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. ISRAEL. Mr. Speaker, I rise to pay tribute to Major Matthew R. Kelley for his dedication to duty and service as an Army Congressional Fellow and Congressional Budget Liaison for the Assistant Secretary of the Army (Financial Management and Comptroller). Major Kelley will be transitioning from his present assignment to serve in the 3rd Infantry Division at Fort Stewart, Georgia.

A native of Ekron, Kentucky, Major Kelley was commissioned as an Armor officer after his graduation from the United States Military Academy with a Bachelor of Science degree in Electrical Engineering. He has subsequently earned a Master's degree in Legislative Affairs from the George Washington University.

Matt has served in a broad range of assignments during his Army career. Major Kelley's assignments include Armor Officer Student, United States Army Armor School, Fort Knox; Tank Platoon Leader, Troop Executive Officer, and Task Force Scout Platoon Leader, 1st Squadron, 11th Armored Cavalry Regiment, Fort Irwin; Instructor, Army Reserve Officer Training Corps at the University of Oregon; Reconnaissance Troop Commander and Headquarters Troop Commander, 4th Squadron, 2d Cavalry Regiment, Vilseck, Germany. Additionally, Major Kelley was deployed in direct support of combat operations in Iraq, from 2005–2006, and Regional Command—South, Afghanistan, from 2010–2011.

In 2013, Matt was selected to be an Army Congressional Fellow for one year, working in a Congressional office on Capitol Hill. Next, in his role as a Congressional Budget Liaison, working closely with the House and Senate Appropriations Committees, Matt ensured the Army's budget positions were well represented and articulated to the Appropriations Committees.

Throughout his career, Major Kelley has positively impacted his soldiers, peers, and superiors. Our country has been enriched by his extraordinary leadership, thoughtful judgment, and exemplary work. I join my colleagues today in honoring his dedication to our nation and invaluable service to the United States Congress as an Army Congressional Budget Liaison.

Mr. Speaker, it has been a genuine pleasure to have worked with Major Matt Kelley over the last two years. On behalf of a grateful nation, I join my colleagues today in recognizing and commending Matt for his service to his country and we wish him, his wife Erin, and children, Grace, Samuel, Jack, and Tommy all the best as they continue their journey in the United States Army.

IN HONOR OF MR. CLAYBON J. EDWARDS

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to an outstanding public servant, respected businessman, and loving husband, father, and friend, Mr. Claybon J. Edwards. Sadly, Mr. Edwards passed away on Tuesday, November 3, 2015. A funeral service was held on Sunday, November 8, 2015 at 3:00 p.m. at the Peach County High School Auditorium in Fort Valley, Georgia.

Often affectionately referred to as ''Clay,'' Mr. Edwards was born in Fort Valley to Martin and Julia Edwards. In 1950, Mr. Edwards earned a Bachelor of Science degree in Business Administration from Morris Brown College in Atlanta, Georgia. Upon graduation, he represented Morris Brown College in a Chicago-based Life Insurance Program sponsored by Supreme Life Insurance Company. The program was established for business administration graduates from Historically Black Colleges and Universities (HBCUs). Mr. Edwards then went on to serve our nation honorably in the military for two years.

In 1963, Mr. Edwards joined his father and his brother, A.J., in the family business at Edwards Funeral Home. He attended Worsham College of Mortuary Science of Chicago and then relocated to Fort Valley, where he became a licensed embalmer and funeral director of Georgia.

Later, Edwards Funeral Home was renamed to C.J. Edwards Funeral Home, Inc. and Mr. Edwards became President and CEO. The foundational values of the funeral home did not change, however, and it remained very much a family business. Mr. Edwards' wife, Mary, their daughter, Denise, and son-in-law Anthony, along with Mr. Edwards' sister, Mary Julia, and her daughter Karen, are all involved in the operation of the funeral home. In addition, Mr. Edwards founded Edwards Insurance Agency to add to the business structure.

Mr. Edwards put as much love into serving his community as he did into his businesses. He served numerous organizations, including the NAACP, Alpha Phi Alpha and Sigma Pi Phi fraternities, and various funeral service trade associations. He was also a Deacon at Trinity Baptist Church in Fort Valley, Georgia.

In 1970, Mr. Edwards became the first African American to be elected to serve on the City Council in Fort Valley. He served four terms and served as Mayor Pro Tem for two years.

Claybon Edwards accomplished much in his life but none of this would have been possible without the grace of God and the love and support of his wife of forty-five years, Mary; daughter, Denise; three grandchildren, Sabastian, Samantha, Courtney, and Caitlin; and one great-grandchild, Saniya.

Mr. Speaker, my wife Vivian and I, along with the more than 730,000 people of the Second Congressional District, salute Claybon J. Edwards for his dedicated service to his community. I ask my colleagues in the House of Representatives to join us in extending our deepest sympathies to his family, friends and loved ones during this difficult time. We pray that they will be consoled and comforted by an abiding faith and the Holy Spirit in the days, weeks and months ahead.

PERSONAL EXPLANATION

HON. MARK TAKAI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. TAKAI. Mr. Speaker, on Monday, November 30, I was absent from the House due to illness. Due to my absence, I am not recorded on any legislative measures for the day.

Had I been present, I would have voted ''yea'' on Roll Call 644, to remove the use restrictions on certain land transferred to Rockingham County, Virginia.

I would have voted ''yea'' on Roll Call 645, the Billy Frank Jr. Tell Your Story Act.

RECOGNIZING GOEUN CHOI, CHRISTIAN HAILE, JASMINE MARTINEZ, CHRISTINA RIMBEY, AND EITAN WOLF

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. COFFMAN. Mr. Speaker, I rise today to recognize Goeun Choi, Christian Haile, Jasmine Martinez, Christina Rimbey and Eitan Wolf for their hard work and dedication to the people of Colorado's Sixth District as interns in my Washington, D.C. office for the autumn of the 114th Congress, First Session.

The work of these young men and women has been exemplary and I know they all have bright futures. They served as tour guides, interacted with constituents, and learned a great deal about our nation's legislative process. I was glad to be able to offer this educational opportunity to these five and look forward to seeing them build their careers in public service.

All five of our interns have made plans to continue their education and professional occupations in Washington, D.C. and throughout the United States. I am certain they will succeed in their new roles and wish them all the best in their future endeavors. Mr. Speaker, it is an honor to recognize Goeun Choi, Christian Haile, Jasmine Martinez, Christina Rimbey and Eitan Wolf for their service this autumn.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote numbers 644 and 645. Had I been present, I would have voted aye on Roll Call vote numbers 644 and 645.

HONORING ROSA PARKS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor beloved civil rights activist and ''mother of the Civil Rights Movement,'' Rosa Parks. Sixty years ago today, Rosa Parks was arrested after refusing to give up her seat to a white passenger on a public bus in Montgomery, Alabama.

This single act of civil disobedience unwittingly helped build the foundation for a nationwide movement to end the discriminatory policies of segregation. She empowered thousands of African Americans to come together and launch a boycott of Montgomery buses that lasted 381 days. Thousands of members from the African American community rallied together to carpool, use African American-operated cabs, or even going as far to walk many miles to work. It was a huge success that sent a strong message to those who would choose to discriminate against others.

Rosa Parks endured great personal hardship following her protest. She was fired from her job at a local department store and her husband was retaliated against in his own place of work, losing his job in the process as well. Rosa Parks was ultimately forced to leave Montgomery for Detroit, Michigan where she could begin a new life. However, her suffering would not be in vain and in 1956, the United States Supreme Court upheld a lower court ruling that Jim Crow laws were unconstitutional.

Rosa Parks channeled discrimination against her into positive action. She founded the Rosa and Raymond Parks Institute for Self-Development, which is aimed at providing youth with life skills, character development, and education on civil rights history. Her contributions have been widely recognized thereafter. Rosa Parks is the recipient of the National Association for the Advancement of Colored People's (NAACP) highest award, the Spingarn Medal. She was also awarded the Presidential Medal of Freedom by President Bill Clinton, and was awarded the Congressional Gold Medal, which is the highest award that United States Congress can bestow on a civilian.

Mr. Speaker, Rosa Parks serves as an inspiration to us all. Her story teaches us how the brave actions of one individual can inspire the actions of an entire generation. Individuals like Rosa Parks light the way and show us exactly how we can achieve the change we so greatly desire. Her actions changed the course of history and her legacy will be remembered far and wide.

RECOGNIZING THE 106TH CHRISTMAS TREE LIGHTING IN PERKASIE BOROUGH

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. FITZPATRICK. Mr. Speaker, three years before the lights on the famous Christmas tree in New York City's Rockefeller Center were flipped on, a small town in my district of Pennsylvania began a tradition that has spanned generations and leads the nation.

Since 1909, residents of Perkasie Borough have been gathering together in early December to light the community Christmas tree—a tradition that stands as America's oldest continuous tree lighting.

A town of under 3,000 at the time of its first Christmas celebration, Perkasie has grown steadily while community leaders, elected officials and local residents have kept its unique small town charm and timeless Christmas ritual.

Today, I recognize December 5th as what will be Perkasie's 106th consecutive community Christmas tree lighting and join in the celebration of this enduring holiday tradition.

TRIBUTE TO DUANE HARTE

HON. STEPHEN KNIGHT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. KNIGHT. Mr. Speaker, I rise today in recognition of a man who dedicated his life to serving his family and his community: Duane Harte, who passed away on Monday, November 23rd, at the age of 68.

Harte was born in 1947 and moved to the Santa Clarita Valley in 1974, where he and his wife Pauline raised their two daughters. He retired in 1990 as Senior Chief Petty Officer from the U.S. Naval Reserve after 23 years of service and owned a small business called Academy Addressing and Mailing.

Harte's contributions to the Santa Clarita Valley were numerous. He was president of the Santa Clarita Valley Veteran's Memorial Committee and founding president of the SCV Senior Center Charitable Foundation. He was also active in the Friends of Mentryville, SCV Historical Society, was the President of the SCV Veterans Memorial Committee, past chairman of the SCV Chamber of Commerce, SCV Committee on Aging, Newhall Redevelopment Committee, Friends of the Libraries of the SCV, Canyon Theatre Guild Board of Directors, and the Vice-Chairman of the Santa Clarita Parade Committee.

In 2008, Harte was selected to serve as a Parks, Recreation and Community Services Commissioner, where he served until he passed away due to a massive heart attack in his Santa Clarita home.

Harte is survived by his wife of 43 years, Pauline, their two daughters, Donna and Denise, and grandson Evan Alexander.

TRIBUTE TO CARL KLUVER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mr. Carl Kluver of Shenandoah, Iowa, for receiving his high school diploma.

Two years after leaving the Charter Oak High School in 1942, Carl joined the military to serve his country. It wasn't until October 10th, 2015 that Carl was able to attain his diploma. Carl served our country honorably during World War II aboard the USS *Richmond* during his time in the U.S. Navy. He never regretted joining the military, but always wished he had finished high school. Carl made it known to his family that he wished he had received his high school diploma, and with the support and encouragement of his grandson he decided it wasn't too late to graduate. Carl's grandson John Olson contacted the Charter Oak-Ute Community School District and inquired about getting a diploma for his grandfather. After explaining the situation to school officials and once the Charter Oak School District verified that Carl had indeed been a student there, a diploma was granted. Surrounded by family, Carl received his diploma, saying, ''It was a great day and one I'll never forget.''

Mr. Speaker, I commend and congratulate Carl for his accomplishments and receiving his high school diploma. I am proud to represent him in the United States Congress for his distinguished service to our country. I ask that my colleagues in the United States House of Representatives join me in congratulating Carl and wishing him nothing but the best moving forward.

RECOGNIZING MR. GEORGE JOSEPH PARNESS

HON. TOM RICE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. RICE of South Carolina. Mr. Speaker, I rise today to recognize the life of Mr. George Joseph Parness, a distinguished American hero, who spent his life improving the lives of others.

George joined the United States Navy just days after Pearl Harbor was bombed. He was ordered to report to the USS *Nicholson*, and also served aboard the USS *LeHardy*, the USS *President Hayes*, the USS *Phelps*, and the USS *Randall*. After WWII, George returned home only to eventually reenlist during the Korean Conflict. He served aboard many ships including the USS *Achernar*.

After returning from war George met his wife, June, and on February 12, 1954, they married. George then went on to work in the

newspaper business, served as Mayor of Suffern, New York, and served as Rockland County Legislature. George and his wife then retired to Myrtle Beach, South Carolina.

George will be greatly missed and I ask that we keep his family in our thoughts and prayers.

INTRODUCTION OF THE OBSTETRIC FISTULA PREVENTION, TREATMENT, HOPE, AND DIGNITY RESTORATION ACT OF 2015

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today I am reintroducing comprehensive legislation that both prevents new obstetric fistulas and helps to treat existing ones, helping millions of women around the world regain control of their health and dignity. The Fistula Prevention, Treatment, Hope and Dignity Restoration Act will support a cooperative effort to eradicate a heartbreaking, preventable condition that has been largely eliminated in the developed world.

Childbirth should not leave a woman disabled or ostracized by her family and community. Congress must commit to expanding access to treatment for the more than two million women worldwide who suffer from obstetric fistula and preventing new cases.

Obstetric fistula is a devastating condition that results from prolonged, obstructed labor without proper medical attention. During delivery, the infant's head presses against the woman's pelvis for so long that it creates a hole between the woman's vagina and rectum, leaving her without control of her bladder and/or bowels for the rest of her life if untreated. It also often results in a stillbirth. Mothers with fistulas are abandoned by their husbands and shunned by their families. According to the World Health Organization, there are between 50,000 and 100,000 new cases each year.

Fortunately, obstetric fistula is both treatable and preventable. Ninety percent of cases can be treated with a surgery costing an average of $400. This legislation allows for a comprehensive, three pronged approach of prevention, treatment and reintegration which involves: increasing access to prenatal care, emergency obstetric care, postnatal care, and voluntary family planning; building local capacity and improving national health systems; addressing underlying social and economic inequities, reducing the incidence of child marriage, and increasing access to education; and supporting reintegration and training programs to help women who have undergone treatment return to full and productive lives. These essential investments create a multiplier effect of benefits for women and their communities.

It is also imperative that Congress supports ongoing efforts in the fight to end fistula. Organizations such as UNFPA (the United Nations Population Fund) and USAID are working with partners in a global campaign to prevent and treat fistula with the goal of making the condition rare in areas of the developing world, such as sub-Saharan Africa and South Asia. The legislation also supports coordination through the International Obstetric Fistula Working Group. Support for monitoring, evaluation, and research to measure the impacts of such programs throughout their planning and implementation phases will ensure the most efficient and effective allocation of U.S. foreign assistance dollars.

We are already well aware that promoting women's health is fundamental to ensuring the health of their children and families. With this bill, we can give women around the world hope for a healthy future. I urge my colleagues to join me in support of the Obstetric Fistula Prevention, Treatment, Hope, and Dignity Restoration Act.

RECOGNIZING MAYOR BETSY PATERSON UPON HER RETIREMENT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. COURTNEY. Mr. Speaker, today I rise to honor Mansfield, Connecticut's 16-year mayor, Betsy Paterson upon her retirement. For nearly two decades, Betsy has provided rock-solid leadership for her town and her community, serving the residents of Mansfield with her know-how and forward-thinking initiatives.

Starting in 2007, Betsy led her town through a landmark reinvestment campaign. Working with the Mansfield Downtown Partnership to secure millions in state and federal funding. Betsy and the town embarked on an historic downtown improvement project that delivered to Mansfield residents and to the flagship University of Connecticut located in Storrs, additional open space, economic development and improved transportation. Betsy's leadership leveraged federal infrastructure investment with outstanding private sector development to leave a long-lasting impact on the town's business development and livability and a huge enhancement to UConn's ability to draw the ''best and brightest'' to its mission. Today, Storrs Center serves as an important transportation and economic hub that fuels a lively community and reflects Betsy's vision and determination.

In addition to her Mayoral duties, Betsy has served on the board of the Mansfield Downtown Partnership, as a member of the Presidential Search Committee at the University of Connecticut, and on the Mansfield Democratic Town Committee and the Mansfield Historical Society.

Betsy has been a terrific friend and colleague during her time as Mayor. Although her leadership will be missed in the Mayor's office, I am confident that her deep involvement in the future of Mansfield will not end with her retirement. I ask my colleagues to please join me in thanking Betsy for her lifetime of service to Mansfield and eastern Connecticut.

REMARKS AT AMERICAN ARCHITECTURAL FOUNDATION'S OCULUS AWARD CEREMONY

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Ms. McCOLLUM. Mr. Speaker, today I had the honor of addressing the American Architectural Foundation's Oculus award ceremony to celebrate leadership in cultural heritage and highlight organizations whose preservation initiatives promote vibrant, sustainable communities. This year's Oculus award was presented to Wiss, Janney, Elstner Associates for their national leadership in historic preservation.

I want to applaud the work of the American Architectural Foundation (AAF) and its president and CEO Ron Bogle. AAF's efforts to make restoration, preservation and protection of our nation's vulnerable historic buildings, collections, artifacts and works of art a national priority is commendable and it's an agenda I fully support.

Mr. Speaker, I submit my remarks from today's Oculus award.

Good afternoon.

Thank you, Mr. Ayers, for the kind introduction. I appreciate all that you and your staff are doing to keep Congress working while you are restoring our beautiful Capitol dome. Thank you for your leadership.

I am thrilled to be here today.

The American Architectural Foundation is playing an important role in driving an agenda that places cultural heritage, historic preservation, and architectural restoration at its forefront.

I want to commend the vision and tremendous work of AAF President and CEO Ron Bogle, along with Mr. Thom Minner, Director of AAF's Center for Design and Cultural Heritage. Ron and Thom are working with me to get Congress re-engaged as a partner in protecting and restoring our country's historic treasures, treasures that unite communities and connect the past to the future.

We are here today to honor a company for more than 50 years of accomplishments in historic preservation. Congratulations to Wiss, Janney, Elstner Associates on receiving the 2015 Oculus award.

WJE has a long record of contributing to projects across the U.S. and around the world. They have an office in Minnesota, but I was surprised to learn how often we worked at the same places.

In the early 1970s my first full-time job was in downtown St. Paul in the First National Bank building. Later, WJE worked on the First National Bank building. As a Minnesota state legislator, I spent eight years working in our beautiful Cass Gilbert designed state capitol building. WJE has worked on the capitol. And, one of my proudest accomplishments in Congress has been to help secure the funding for the renovation of St. Paul's historic 1920's era train station—Union Depot. The Depot's $250 million restoration was completed in 2013 and, again, WJE worked on the project.

Again, congratulations WJE on your tremendous record of success.

At the beginning of this year I became the lead Democrat on the Interior-Environment Appropriations Subcommittee. Each year our subcommittee produces a bill that provides over $30 billion to fund the Environmental Protection Agency, the Department

of the Interior, the U.S. Forest Service, the National Endowments for the Arts and Humanities, the Smithsonian museums, and a number of other federal agencies. It is an important portfolio that funds hundreds of millions of acres of federal land, our national parks, tribal nations, and many of America's most important historic sites.

Over the past months my office has been engaged with federal stakeholders and AAF to review the federal government's role in historic preservation. It is absolutely clear that without leadership from Congress and the Obama Administration our nation's most vulnerable treasures are at risk of being lost to time, decay, or neglect. Unfortunately, Congress and the Administration are neglecting our nation's treasures and this political apathy is costing the American people our cultural heritage.

In the 2016 House and Senate Interior-Environment appropriations bills, approximately $61 million is allocated to the Historic Preservation Fund—primarily to support historic preservation offices in states, territories and tribal nations. This amount represents less than half of the $150 million authorized funding level and it is nearly $20 million less than was spent on historic preservation in 2010.

This abandonment of historic preservation runs counter to the desires of our constituents. States, local communities, non-profits, the foundation community, and the private sector want the federal government to be a real partner. All across our country communities come together and identify endangered historic and cultural assets that uniquely reflect local character and identity. It may be a historic building, a church, an archeological site, or a collection representing a moment in a community's history that exemplifies a unique piece of our American history. And, communities are asking for help—both technical and financial—because they want their valued asset to be preserved, protected, and restored for the next generation.

From 1999 to 2010 help was available. During those years, Congress provided modest, but critical funding for a program called Save America's Treasures. $318 million in federal funding was appropriated for SAT grants over twelve years—that is less than $1 per American for a decade of investments. Those grants required a dollar-for-dollar match which leveraged over $400 million in additional funds.

But, since 2011, Congress has not provided a single dollar to Save America's Treasures.

During SAT's twelve years, more than 1,200 grants were awarded to restore 327 historic properties; 247 projects to restore collections, artifacts, artistic works, and documents were funded; and, 341 National Historic Landmarks were preserved.

The treasures saved include: the restoration of Rosa Parks' bus; restoring Little Rock's Central High School; saving Ansel Adam's prints, negatives and equipment; restoring an 18th century South Carolina plantation house; preserving the ruins at Colorado's Mesa Verde National Park; and repairing and preserving the 1812 flag that flew over Fort McHenry that inspired the Star Spangled Banner.

In my Minnesota congressional district, a $150,000 SAT grant matched by community contributions helped to fund a sprinkler system in the longest serving Czech-Slovak Hall in the U.S. built in 1879. This grant saved the Sokol Hall while other ethnic halls have been lost to fire. On Saturday I'll be attending an event at the Sokol Hall and it is a wonderful center of community activity.

SAT has been an example of a public-private partnership that keeps history, culture, identity, and democracy vibrant and sustainable in towns and cities all across America.

In my view SAT grants have acted as venture capital that sparks a community into action. It is an investment that inspires a community and donors to invest time, money, volunteer support—all to the benefit of the project. A good project with an SAT grant becomes a great project. Without that federal support many projects will never get done and national treasures are now being lost forever.

I am passionate about restoring federal funding for SAT because I have a partner that shares my enthusiasm. That partner is the American Architectural Foundation. The National Park Service is SAT's lead federal agency while AAF is SAT's official non-profit partner.

Other federal partners include the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum and Library Services. They all have valuable technical capacity to contribute—if federal funds are made available.

In 2016 our nation will celebrate the 50th anniversary of the National Historic Preservation Act of 1966. Next year also marks the 100th anniversary of our National Parks. As citizens who care about historic preservation, now is the time to get organized and energized. Working together, we need to get Congress investing once again in Saving America's Treasures.

I am thrilled to be working with AAF and other partners who share the vision that preserving America's past helps to build America's future.

It has been wonderful being here with you. Thank you AAF for the invitation to be here today.

Thank you.

MANNINGTON MILLS ONE HUNDRED YEARS OF BUSINESS IN SOUTH JERSEY

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. LoBIONDO. Mr. Speaker, I come to the floor today to celebrate the One Hundredth Anniversary of Mannington Mills, Inc. Located in my district in Salem, New Jersey, Mannington Mills is a leader in the manufacturing of residential and commercial flooring.

Mannington Mills has expanded significantly since its founding in 1915, growing from a small roots family business in South Jersey to a global industry leader today. This organization has been very successful in extending their services outside of New Jersey, recently expanding into Georgia, Alabama, North Carolina, and Florida where they invested in new facilities that helped to create several hundred new jobs in each state.

The company's many years of success has allowed them to expand internationally as well. In 2012 Mannington Mills acquired Amtico International, a producer of luxury vinyl flooring headquartered in England. This new location provided many more business opportunities and allowed the company to bring its hometown brand overseas.

Mannington Mills' commitment to social responsibility makes this company stand out among others. Chairman of the Board, Keith Campbell is a firm believer in the "Do the Right Thing" philosophy that the company and family has kept with them since they first opened. This has ensured a strong community connection, and only adds to their success.

Over the last century, Mannington Mills has built a reputation of quality products in southern New Jersey and the United States. Ignoring pressure to move out of state, Mannington Mills' unwavering support to the local economy and its employees is a testament to the organization's founding principles that has spanned four generations. The company, family, and employees can take great pride in this remarkable milestone.

My sincere congratulations and best wishes for many more years of success.

IN OPPOSITION TO S.J. RES. 23 AND S.J. RES. 24

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Ms. ESHOO. Mr. Speaker, I rise in strong opposition to both resolutions before us today. Congress has a constitutional duty to conduct oversight of the Executive Branch, and the Congressional Review Act is an important tool in our toolbox. However, these resolutions are nothing more than partisan attempts to nullify the EPA's Clean Power Plan, sending a message to countries around the world of political discord in the United States as global climate change negotiations are taking place in Paris.

Climate change is real and it is a threat to the entire world. The first nine months of 2015 were the warmest on record and these higher temperatures have contributed to the drought and wildfires that have ravaged my home state of California over the past five years.

It's also a fact that the costs of failing to address climate change—both human and economic—grow with every year we fail to take action. A recently released United Nations report revealed that in the past two decades weather-related disasters have killed more than 600,000 people and cost trillions of dollars in economic losses. The report cited rising ocean temperatures and melting glaciers as two main drivers of extreme weather events which have increased at an alarming rate. The White House Council on Economic Advisers also calculated that failing to meet our climate goals will cost the U.S. $150 billion per year in reduced economic output. For each decade we ignore climate change, the costs of mitigation increase by 40 percent, which works out to approximately a $500 tax on every American each year, increasing by 40 percent every ten years.

With Congress failing to act on climate change, the Administration is taking strong action which I support. As we speak, representatives from over 190 countries are working to produce a landmark agreement in Paris to cut greenhouse gas (GHG) emissions on a global scale and invest in clean energy technologies. Even before the negotiations began, countries that make up nearly 90 percent of global GHG output submitted pledges to cut their emissions, including major polluters such as China,

India, and the United States. In the U.S., the Clean Power Plan is projected to reduce GHG emissions by 32 percent by 2030.

There is global recognition of the threat of climate change and the two resolutions before the House today would invalidate a key part of our nation's responsibility to reduce global GHG emissions by preventing any future EPA regulation of carbon emissions from power plants. This is a blatantly transparent attempt to influence the Paris negotiations on behalf of the status quo and the special interests in the fossil fuel industry. I believe the mere consideration of these resolutions diminishes U.S. leadership and this institution in the eyes of the world community, and it condemns us to a future of even higher risks.

I urge my colleagues to oppose these resolutions of disapproval.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,782,451,267,806.04. We've added $8,155,574,218,892.96 to our debt in 6 years. This is over $8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING THE RETIREMENT OF DR. CHARLES MOJOCK, PRESIDENT OF LAKE-SUMTER STATE COLLEGE

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. WEBSTER of Florida. Mr. Speaker, it is my pleasure to recognize a close friend and highly accomplished leader in education, Dr. Charles Mojock, on his upcoming retirement. On December 31, 2015, Dr. Mojock will retire as President of Lake-Sumter State College.

Under Dr. Mojock's leadership, Lake-Sumter State College has transitioned from a community college to a state college, undergone a name change, joined the Central Florida Higher Education Consortium and DirectConnect to UCF, and launched Associate of Science degree programs in Health Information Technology, Computer Information Technology and Environmental Science. During his tenure, Dr. Mojock witnessed the growth and expansion of LSSC with enrollment increasing by 79% from 2002 to 2012. LSSC was recognized among the Top 10% of Community Colleges by the Aspen Institute and was listed as a ''Best Places to Work'' in Lake and Sumter Counties.

Dr. Mojock has served on many boards including the Florida College System Council of Presidents and The Southern Association of Colleges and Schools Commission on Colleges. Dr. Mojock's remarkable service has also been recognized on the national and state levels. He was honored with the Phi Theta Kappa Shirley B. Gordon Award of Distinction and the Lake County Community Service Award.

I am honored to recognize Dr. Mojock, and thank him for his hard work and many contributions to the Central Florida community. After four decades as an educator, his commitment to excellence, leadership and service is to be admired. My sincerest wishes and congratulations to Dr. Mojock and his family on his retirement.

NATIONAL IBD AWARENESS WEEK

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mrs. LOWEY. Mr. Speaker, I rise today on behalf of those affected by Crohn's disease and Ulcerative Colitis, or Inflammatory Bowel Diseases (IBD), in observance of National IBD awareness week.

IBD affects over 1.6 million Americans, and there is no known cause or cure. The unpredictable nature of these painful and debilitating diseases creates a significant burden on the community and the economy with more than $2.2 billion in direct and indirect healthcare costs.

As co-chair of the Crohn's and Colitis Caucus, I am dedicated to educating the American public and other Members on awareness of IBD. We must do all we can to assist research dedicated to finding cures for IBD and improve the quality of life for those affected by these diseases.

Mr. Speaker, I rise today to recognize IBD Awareness Week and the millions of Americans suffering from these diseases. I urge my colleagues to join me in observance of National IBD Awareness Week.

HONORING THE LIFE OF LOUIS PARDINI, M.D.

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Dr. Louis Pardini of Fresno, California, who recently passed away on November 3, 2015, at the age of 91. He leaves behind his loving family, including Alice, his wife of 65 years, their six sons, 21 grandchildren, and two great-grandchildren.

Louis Pardini was born in Daly City, California in 1924 to his parents Louis G. and Caroline Payne Pardini. Lou, as many called him, was a man dedicated to medicine and to helping others. He graduated from Saint Ignatius High School in the San Francisco bay area and went on to join the United States Army during World War II, serving as a Medical Corpsman from 1942 to 1946. After his service, Lou attended San Jose State College from 1946 to 1947, and then attended the University of San Francisco from 1947 to 1950, where he earned his Bachelor of Science degree in Biology. From 1950 to 1954, Lou attended Creighton University Medical School in Omaha, Nebraska, where he earned his medical degree.

While attending medical school, Lou married Alice Martin in Santa Cruz, California in 1950, and together they had two sons, Louis and Patrick. After graduating, the family moved to Fresno, California where Lou participated in an internship at Fresno General Hospital from 1954 to 1955, and also served as Chief Resident. On July 1, 1958 Lou began his Internal Medicine practice where he worked until his retirement in October 2013.

Among his many accomplishments, Lou was honored with the Knighthood of Saint Gregory 1965 Conferral of Pontifical Honors. Lou also served on numerous medical organizations throughout his practice and was President of the Fresno County Medical Society Review Board in 1984, and Medical Director of ValuCare Health Plan from 1985 to 1988. Further, he served as President of the medical staff for Saint Agnes Medical Center from, 1981 to 1982, and as a member of the Board of Trustees from 1987 to 1992. He was also a Quality Assurance Committee Member from 1987 to 1996 and Chairman of the Utilization Committee for five years.

It goes without saying that Dr. Louis Pardini was an honorable man with a strong commitment to his family and his patients for whom he served so graciously. He helped many lives through his practice of medicine, and touched many more through his kindness and wisdom. I am honored and humbled to join his family in celebrating the life of this amazing man, who will never be forgotten.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to join me in honoring the life of Louis Pardini. His memory will live on through his family and be remembered by our entire community. We are all better for having known Louis Pardini, a remarkable Californian and Central Valley native.

27TH WORLD AIDS DAY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in recognition of the 27th World AIDS Day. Each year on December 1, we support those living with HIV/AIDS, commemorate those who have died from HIV/AIDS, and encourage the scientific advances being made in the field.

Globally, there are 36 million people living with HIV and 35 million people have died from HIV and AIDS-related causes since the beginning of the epidemic since the first cases were reported in 1981. Since 70% of HIV cases are reported in sub-Saharan Africa, countries that are hit the hardest by this pandemic often face other infectious diseases, food insecurity, and

other problems. While the number of newly infected individuals has declined, and the number of individuals receiving treatment has increased, we must remain vigilant with targeted funding and treatment in these vulnerable regions.

Various Presidential Administrations have responded to the HIV/AIDS epidemic by focusing on specific countries and increasing funding levels. For example, the creation of the President's Emergency Plan for AIDS Relief (PEPFAR) in 2003, which began during the Bush Administration and continued through the Obama Administration, brought new attention to address AIDS, as well as tuberculosis and malaria.

While the global HIV/AIDS pandemic continues to receive steady funding through a robust U.S. and international response, the reaction in Texas for African Americans has been slower. In Dallas County, 43% of those living with HIV are black while only 33% are white. Of newly diagnosed HIV cases, 51% are black while only 22% are white. As for black females in Dallas County, one in 144 black women are already living with HIV and are eight times more likely be become infected than their white or Hispanic counterparts.

Funding to reach and educate individuals on a grassroots level is extremely necessary to fight the types of battles we face with the HIV/AIDS in South Dallas. That is why I have been a strong supporter of the Ryan White CARE Act extension packages each time they reached the House floor. We must place our resources where they will be the most effective. On this World AIDS Day, we need to commit ourselves to eradicating AIDS here at home and globally.

IN RECOGNITION OF WORLD AIDS DAY 2015

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Ms. JACKSON LEE. Mr. Speaker, World AIDS Day affords us an opportunity to reflect on our progress in the fight against the global AIDS pandemic and to rededicate ourselves to ending the disease once and for all.

We have come a long way since the first World AIDS Day in 1988 by dramatically expanding investments in HIV/AIDS prevention, care, treatment, and research.

Strong advocacy has paved the way for the Ryan White Act, the Housing Opportunities for People with AIDS Initiative, growing investments in NIH research, and an end to the ban on federal funds for syringe exchange.

Beyond our borders, our efforts have extended care to millions in the developing world, through increased resources for PEPFAR and the Global Fund.

Our investments have saved lives—preventing millions of new HIV cases, expanding access to improved treatments, and enabling medical advances that help HIV/AIDS patients live longer and healthier.

Here and across the globe, AIDS deaths are on the decline, and studies are pointing the way to new approaches to limit the spread of the disease, with treatment as prevention.

While our efforts have grown, we still only reach half of all people eligible for HIV treatment; and more must be done.

Working together, we must continue to strengthen—not weaken—our national and international efforts to combat AIDS and other infectious diseases.

We must work to achieve the Obama Administration's goal of an AIDS-free generation.

We must honor the memory of those we have lost and act on our hope, optimism, and determination to end the HIV/AIDS pandemic.

We must continue to work with programs and clinics, like the Harris County Hospital District (HCHD), who are treating and caring for patients with HIV/AIDS.

In 1989, HCHD opened Thomas Street Health Center, the first free-standing facility dedicated to outpatient HIV/AIDS care in the nation. The center has become the cornerstone of all HIV/AIDS care available to Harris County residents.

The Thomas Street Health Center has dedicated their services to about 25 percent of Harris County's HIV/AIDS.

Annually, the health center, along with HCHD, serves 4,463 unique patients for about 37,000 patients' visits.

We will continue to fight a tough fight against HIV and AIDS. We will continue to strengthen and support centers like Thomas Street Health Center who work diligently with HIV/AIDS patients.

Our focus on HIV/AIDS prevention and awareness will be to ensure all of our friends, relatives and children live healthy and full lives.

PERSONAL EXPLANATION

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on Monday, November 30, 2015, I was absent from the House because I was unavoidably detained. Due to my absence, I did not record my vote on the first vote of the day. I would like to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted ''aye'' on Roll Call 644.

TRIBUTE TO CARIBOU COFFEE AND EINSTEIN BROS. BAGELS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize Caribou Coffee and Einstein Bros. Bagels for the opening of their new coffee and bagel shop in West Des Moines, Iowa.

Founded in 1992, Caribou Coffee is the second largest company-operated premium coffeehouse in the United States with more than 272 company owned stores. Caribou Coffee provides high quality, handcrafted beverages and food options. Einstein Bros. Bagels is part of the Einstein Noah Restaurant Group, Inc. family, and is a neighborhood bagel shop that's always cooking up new, innovative ways to serve its customers with more than 600 locations in 40 states.

Mr. Speaker, I commend this new business and their staff for the services they provide to the West Des Moines community. I ask that my colleagues in the United States House of Representatives join me in congratulating Caribou Coffee and Einstein Bros. Bagels for their new location. I wish them and their staff nothing but the best moving forward.

RECOGNIZING STEVE GABEL

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. BUCK. Mr. Speaker, I rise today to recognize Mr. Steve Gabel on being selected for induction into the Farm Credit Colorado Agriculture Hall of Fame. This honor is reserved for those who have made a significant contribution to the agricultural industry of Colorado and the United States.

Currently, Mr. Gabel owns Magnum Feedyard, a 22,500-head feedlot in Wiggins, Colorado. He also manages Gabel Cattle, his family-owned cow-calf business. In addition, he is currently a member of the National Cattlemen's Beef Association and president of the Colorado Livestock Association. He previously served for fifteen years as chairman of the Colorado Beef Council.

Mr. Gabel also understands the importance of giving back to his community. He prides himself on volunteering as a Weld County Livestock volunteer judging coach, where he mentors youth on the importance of agriculture. Mr. Gabel has shown true leadership in his industry and community.

On behalf of the 4th Congressional District of Colorado, I extend my best wishes as Mr. Gabel pursues his future endeavors. His passion and dedication to the agricultural industry makes him more than worthy of this distinct recognition. Mr. Speaker, it is an honor to recognize Mr. Steve Gabel for his accomplishments.

HONORING MAYOR JIM HAGGERTON OF TUKWILA, WASHINGTON

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Jim Haggerton, Mayor of Tukwila, Washington, on his retirement.

There have been few greater champions for the City of Tukwila than Jim Haggerton. For over four decades, Jim has dedicated himself to bettering his community in many ways. After concluding his service in the U.S. Marine Corps, Jim and his wife, Carol, purchased their home in the McMicken Heights neighborhood in 1972. There, they raised their two children, Terri and Care.

Despite the rigors of a hectic schedule with a young family and a burgeoning career, Jim found time to devote to his city. He served nine years on Tukwila's Planning Commission, helping to guide the city through a period of tremendous growth. He built on this service when he was elected to serve as a Councilmember; a position that he held for thirteen years. Then, in 2007, he was elected as Tukwila's Mayor.

As Mayor, Jim led the successful effort to develop and implement the city's first Strategic Plan, which was notable for its creation of the award-winning Community Connectors program. He also led the negotiations for dozens of major development and public infrastructure projects that have benefited the entire region. These include Jim's efforts to bring transit options to Tukwila, including light and heavy rail. Expanded transit access has accompanied and supported the development of commercial projects that attract commerce from surrounding communities.

In addition to his work at City Hall, Jim has been a tireless advocate for Tukwila in a long list of regional organizations. He has served on the Board of Directors for the Association of Washington Cities, Sound Cities Association, and the Cascade Water Alliance. He also served as the President of the Southcenter Rotary Club and is a member of the American Legion Post 235 in Tukwila.

As Jim passes the baton following his decades of service, he leaves the city on strong footing. Tukwila today has a AA rating from Standard and Poors, despite the challenges posed by the recession and ongoing recovery. Engagement with the community has never been stronger, either. This past year, Tukwila was recognized for its efforts to engage the city's diverse communities in the update of Tukwila's Comprehensive Plan.

Mr. Speaker, it is with great honor that I recognize Mr. Jim Haggerton for his years of service and his tremendous impact on the City of Tukwila and King County.

RECOGNIZING THE 60TH ANNIVERSARY OF ROSA PARKS' ACT OF CIVIL DISOBEDIENCE

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Mr. CONYERS. Mr. Speaker, sixty years ago today, Rosa Parks refused to give up her seat on a bus in Montgomery, Alabama. Through a simple act of civil disobedience, she inspired a movement, gained worldwide acclaim, and secured a place in American history.

However, on that cold morning in Montgomery, Mrs. Parks was not creating a legacy—she simply saw a wrong and wanted to right it. She showed us that any person can make a difference if they have the strength of their convictions. By simply sitting down on the bus, she turned an ordinary act into something extraordinary, and inspired thousands in Montgomery—and later across America—to do the same.

But Mrs. Parks is more than just a figure to be revered—she is an example to be upheld. And on days like today, we must ask ourselves whether we honor her with our actions as well as our words.

Because of the work of Mrs. Parks and her contemporaries, our nation is an undeniably different place than it was sixty years ago. Jim Crow is no longer the law of the South. Segregation is no longer legally mandated. An African-American is President and the Congressional Black Caucus counts 43 members.

But there are still too many wrongs that need righting. The current African-American unemployment rate, 9.2%, is twice that of white workers, 4.4%. During the first half of this year, black Americans killed by the police were more than twice as likely to be unarmed as white Americans killed by police. Black children are suspended and expelled from school at three times the rate of white children. Black churches—a longtime refuge for our community—are still the target of violent extremists.

In the face of such injustice, we must be compelled—as Rosa Parks and countless others were in their time—to act.

We know that this will not be an easy fight. We know we must prepare for great sacrifice. There will be violence visited upon us—like the shooting of Black Lives Matter protesters in Minneapolis this past week.

But the price we pay will bring about change—painfully slow at times—that we can pass on to the next generation. We are seeing this in places like South Carolina, where Walter Scott's killer is facing trial. We are seeing it in Chicago, where the police chief is out and Laquan McDonald's killer is being prosecuted. We are seeing it at the U.S. Department of Justice where troubling police practices are receiving deserved scrutiny. We are even seeing it here in Congress, where bipartisan reforms are underway that will address some of the racial disparities in our criminal justice system.

I am humbled to have worked with Mrs. Parks for more than 20 years, and I am fortunate to have been her friend for many more. Today, as we honor the actions that brought her global recognition, I hope we do so in kind—with actions worthy of her memory.

SUPPORTING AID FOR MENTAL HEALTH SERVICES IN UKRAINE

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 1, 2015

Ms. DELAURO. Mr. Speaker, I rise in support of the people of Ukraine, and to highlight the need for additional aid to address post-traumatic stress among the most vulnerable populations. Today, we mark the 24th anniversary of Ukraine's referendum on the Act of Declaration of Independence. That vote was supported by 92% of Ukraine's citizens, and was a monumental event that made the Soviet era history. Now, in 2015, Ukraine and its people are under threat, and the U.S. must do more to support the people of Ukraine during this critical time.

In August, I traveled to Kyiv, which is a magnificent city in a beautiful country. Before my visit, I met with some of the leaders of the Ukrainian community in my district to learn what they had been hearing from friends and relatives in Ukraine and what their concerns were. While in Ukraine, I spoke with Ukrainian President Petro Poroshenko, Prime Minister Arseniy Yatsenyuk, and Kyiv Mayor Vitali Klitschko. I also met the Secretary of the National Security Defense Council Oleksandr Valentynovych as well as several nongovernment organizations and members of civil society.

Through these discussions, it became clear to me that we must do more to address the trauma and stress that is caused by the ongoing attacks from Russian-backed separatists in Eastern Ukraine. This year, through USAID, the United States is providing $71 million in aid for economic recovery, humanitarian coordination and logistics, nutrition, sanitation and water, and shelter. This funding has gone to support emergency needs in Ukraine, especially for the protection of refugees, internally displaced persons, and conflict victims. While the United States has been and will continue to be a critical ally to the Ukrainian people, more needs to be done.

According to the Internal Displacement Monitoring Centre there are an estimated 1.4 million internally displaced persons, most from Eastern Ukraine, and 12.6 percent are children. The long term effect of the violence in Eastern Ukraine, especially on mental health for displaced children, can be devastating. I am proud to be working with researchers from Yale University in my district, as well as nongovernmental organizations on the ground in Ukraine to find ways to support and expand training for mental health professionals in Ukraine. As one Ukrainian doctor who participated in a Yale training session last year put it: ''The effects of this violence, if left untreated, are like landmines that will cause damage in our country for decades to come.''

That is why I am calling upon Congress to support the people of Ukraine, particularly those forced from their communities, with professional mental health training and support services in Ukraine. We must do everything in our power to ensure that the most vulnerable Ukrainians are not forgotten.

HOUSE OF REPRESENTATIVES—*Wednesday, December 2, 2015*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PALAZZO).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 2, 2015.

I hereby appoint the Honorable STEVEN M. PALAZZO to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

PERU AND ILLEGAL LOGGING

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

Mr. BLUMENAUER. Mr. Speaker, I have long championed the concept that trade done right requires strong environmental protections as well as enforcement of those commitments.

Many of our most serious environmental challenges, from climate change to deforestation to protecting the oceans from being strip-mined with industrial fishing practices, can only succeed in the context of enforceable international agreements.

Democrats reached an accord with the Bush administration through the May 10 Agreement, which is one tool. The 2008 Lacey Act amendments are another. There are now a host of trade-related tools to fight some of the most egregious environmental challenges.

In the Peru Free Trade Agreement, we were able to include an entire Forest Annex that requires Peru to sustainably manage its forest resources and protect their forests, under penalty of law. The impact of those tools, however, is dependent on our willingness to use things like the Peru Free Trade Agreement.

Recent events present a chance to put those tools to work to fight against illegal logging in Peru, a country where 60 percent of its land is in the Amazon rainforest, and estimates on the rate of illegal logging in that area are as high as 80 percent.

Last week, over 70 shipping containers of what is suspected to be illegally harvested timber from Peru was stopped at the Port of Houston. This action was taken after we received compelling information from OSINFOR, Peru's independent body tasked with oversight of their forests and wildlife resources.

Troublingly, this shipment is linked to a company whose logging practices are already suspect, having been one of 10 companies whose export documents were found fraudulent during Operation Amazonas 2014, an operation carried out in coordination with INTERPOL to investigate illegal logging in Peru.

While it appears as though the timber is under American control, the same bad actor is once again conveying illegally harvested timber out of Peru's Amazon rainforest and to its borders for export.

Thanks to the courageous action of a handful of individuals at OSINFOR—again, Peru's independent agency tasked with overseeing that their timber laws are followed—a shipment of timber likely of illegal origin has been stopped at the border in Peru. As a result, unfortunately, these brave people are being threatened with bodily damage or death.

Given the savage history of these criminals, no doubt lives are in jeopardy. One only has to look last fall at how serious these threats were when Edwin Chota, an environmental activist trying to end the practice of illegal logging, was murdered by criminals that lead such illegal activity. Just 3 days ago, OSINFOR's office was firebombed. Thugs are threatening to storm government offices if OSINFOR does not ease up and go quietly into the night.

Mr. Speaker, this morning, I urge my colleagues to insist that the administration stand up to these criminals, these murderers, and that we will not turn our back on the courageous individuals, but support them in their efforts. We have the tools to do exactly that, thanks to the Peru Free Trade Agreement, as well as the Lacey Act.

The shipment held in Houston should be thoroughly investigated and, if evidence permits, we should bring to bear the full weight of the 2008 Lacey Act amendments by pursuing civil fines, forfeiture of timber and equipment, and criminal penalties, if supported by the evidence. And, frankly, also pushing back on Peru. The shipment held in Peru must also be investigated and the bad actors brought to justice. The Peruvian Government should immediately make clear they stand behind OSINFOR as an independent oversight agency.

At a time when we will be considering the Trans-Pacific Partnership, which has promising protections, it is more important than ever that the administration make sure that they are not merely protections on paper, but protections backed by action. It is time to step up with robust enforcement.

If we are serious about combating climate change, we must not only hold ourselves accountable for following our carbon-cutting commitments, but other countries as well. Peru, for example, has made protection of the Amazon rainforest the centerpiece of its proposed climate proposal.

When unsustainable logging practices contribute to 17 percent of total global carbon emissions annually, it is clear that progress cannot be made on this front and many others if we do not stand up and empower people in Peru and elsewhere who want to do the right thing and fight the illegal trade in timber. The administration has a perfect opportunity to show good faith by acting now.

HONORING CHEF TOM PRITCHARD

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

Mr. JOLLY. Mr. Speaker, I rise today to remember a veteran, a legendary chef, and a man known as the godfather of the Tampa Bay hospitality industry.

Mr. Speaker, I rise today to honor a dear friend to so many in the Pinellas County and Tampa Bay community, Mr. Tom Pritchard, executive chef of the Bay Star Restaurant Group. Tom passed away this past week following surgery to ease the effects of Parkinson's disease. He was 74 years old.

Anyone who knew Tom will tell you that he was a storyteller who was larger than life. He had his own unique sense of style and had a way of making anyone he met feel like they had known each other for decades.

Born in Rochester, New York, Tom's first restaurant job came at the age of

14, when he started work shucking oysters for the legendary Guy Lombardo at his East Point House restaurant on Long Island.

After high school, Tom left home for college in Iowa before being drafted by the U.S. Army in 1964. Tom was stationed in Germany for several years before being honorably discharged in 1967.

After serving his country, Tom continued to spend time abroad, living in London, Mexico, Morocco, Scotland, and owning restaurants in France and Spain. Eventually, he moved to Florida, and in the 1990s he partnered with Frank Chivas, a seafood broker who would become a dear and lasting friend of Tom's. The two would open Salt Rock Grill in Indian Shores. Under Tom's guidance and tutelage, Salt Rock's kitchen became a training ground for up-and-coming chefs.

Always quick to help others and share recipes, and with his inventive approach to cooking, Tom became a Florida food legend. One longtime food critic wrote of Tom's generosity: ''`Mentor' is too trite a word for what Tom Pritchard did for literally hundreds of people, young and old, in the kitchen.''

Tom would go on to oversee the kitchens at Island Way Grill and Rumba Island Bar and Grill in Clearwater and Marlin Darlin in Belleair Bluffs—along the way, always helping others. You see, it was Tom's generosity outside the kitchen that defined the man he was.

As one director of a Florida charity wrote this week, Tom set the platinum standard for community support, underwriting substantial food and labor costs annually at benefits for numerous nonprofit organizations, like the Abilities Foundation, Clearwater for Youth, and the Ryan Wells Foundation.

The Abilities Foundation alone raised $3.7 million from 25 years of wine and food tastings thanks to the help of Tom Pritchard and Frank Chivas. Tom and Frank's mere presence at a fundraiser influenced the participation of countless sponsors and attendees.

Tom was always quick to lend his time and talents to benefit programs that helped disabled and other individuals find jobs and live independently. Mr. Speaker, let it be known to all that Tom Pritchard gave more than he took.

Tom was preceded in death by his father, Thomas Alden Pritchard, Sr.; mother, Ruth McCarthy Pritchard; brother, Jeffery Lloyd; and son, Adam D. Ostfeld, who also served his country in the Armed Forces. He is survived by his loving wife of 24 years, Jody D. Hale; her husband, Daniel Hale; sisters, Cynthia A. Tischer, Laurie N. Pritchard; and brother, John C. Pritchard.

Mr. Speaker, the Pinellas County community, the Tampa Bay community, and our culinary and charitable communities throughout Florida lost a treasure with the passing of chef Tom Pritchard.

I urge my colleagues to join me in remembering his contributions and his legacy of helping others and serving our Nation.

HONORING WENDELL PHILLIPS ACADEMY HIGH SCHOOL FOOTBALL PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DANNY K. DAVIS) for 5 minutes.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise today to salute the remarkable young men of Chicago's Wendell Phillips Academy High School football program, their parents, administrators, coaches, and teachers.

Last Friday, in a stunning 51–7 win against Belleville's Althoff High School, the Wildcats won the 4A title for Public League's first football State crown since the playoffs began in 1974, completing an amazing 13–0 season. The 51 points scored by Phillips set a State title game record.

The game featured record-shattering performances by a host of Wildcat players, including senior quarterback Quayvon Skanes, who rushed for 141 yards and four touchdowns on 13 carries, passed for an additional 44 yards and another touchdown—just to prove that he could throw the ball. Quayvon is headed to the University of Connecticut next year.

Other thrilling performances included Kamari Mosby, who ran for 151 yards and a score; Qadeer Weatherly, who pulled in Quayvon's pass for a 36-yard touchdown; Amir Watts, who returned an Althoff fumble for a 19-yard score; and a 21-yard field goal by Isaac Osei to demonstrate the Wildcats' comprehensive offense.

The Phillips football program, the second largest in the Chicago Public Schools, is a study of the potential and the problems of urban education. With more than 90 student athletes, the varsity team is led by 19 seniors, all of whom are on track to graduate.

In an after-game interview with the Chicago Tribune, Phillips' Coach Troy McAllister noted: ''When we go to practice, we go with footballs. There are no sleds, no chutes, no kicking nets, nothing like that. It goes to what our coaches have done and what these young men can do.

''We have five stipends for coaches. Everywhere else it is 10 to 14. That makes a huge difference, but these young men have bought into what we are trying to accomplish, and they have done something that nobody else has done.''

These young men are not just athletes. They are also proud scholars and are members of a school which last year saw 100 percent of its seniors accepted to college, with more than $5 million in scholarships.

In his after-game interview, Principal Matt Sullivan summed it all up. He said: ''It is fantastic. We want to be the beacon, the shining beacon in the Bronzeville community.''

Mr. Speaker, all of Chicago is thrilled and delighted by the performance of this team. I offer my congratulations to their parents, administrators, coaches, and teachers for going above and beyond the call of duty. I extend my congratulations to each and every one of those young men and wish for them continued success in everything they set out to do in the years to come.

□ 1015

REAFFIRMING STATES' RIGHTS TO IMPOSE ECONOMIC SANCTIONS AGAINST IRAN

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

Mr. ROSKAM. Mr. Speaker, yesterday, I introduced H. Con. Res. 100, a bipartisan resolution that reaffirms the rights of the 50 States to maintain economic sanctions against Iran.

The Iran Sanctions Act of 2010 encourages and authorizes States to maintain such sanctions, which play a powerful role in preventing U.S. dollars from funding Iran's illicit activity, including its support for terrorism, human rights violations, and imprisonment of innocent Americans.

Thirty States, to date, Mr. Speaker, have imposed sanctions against Iran. Both Democrats and Republicans have worked at the State and local level to enact laws to ensure that State assets are not invested in and State contracts are not awarded to companies that do business with Iran.

As long as Iran continues its outrageous activity abroad, it is our right and it is our duty to make sure that we are not complicit in funding its terrorism, its human rights abuses, and its other activity that is contrary to the U.S. national interests and global stability.

Now, there is some ambiguity and some confusion about State sanctions that are authorized under the so-called Iran deal of this year. This legislation clarifies, it puts an exclamation point, and it reaffirms the legal right of States to maintain these sanctions as enacted into law under the 2010 statute until Iran ends its support of terrorism and reverses its abhorrent human rights violations.

Please join my colleagues Representative TED DEUTCH of Florida, Representative DAN LIPINSKI of Illinois, Representative MIKE POMPEO of Kansas, Representative BRAD SHERMAN of California, and Representative LEE

ZELDIN of New York, along with me, in this effort to ensure that the right of States to maintain these important sanctions against Iran prevails.

We can ensure that States have this right and this authority from preventing their resources from funding Iranian terrorism and human rights abuses.

END HUNGER NOW—MONTE'S MARCH

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

Mr. MCGOVERN. Mr. Speaker, last week, I had the pleasure of taking part in Monte's March, an annual hunger walk in western Massachusetts. The march started in 2010 and is named after its founder, Monte Belmonte, a local activist and WRSI The River radio host in Northampton.

Over the course of 2 days, we walked 43 miles across western Massachusetts, from Springfield to Northampton to Greenfield, to raise awareness about the very real problem of hunger in our communities and help families in need this holiday season.

We had a great group walking with us this year, led by Monte, and including Andrew Morehouse, the executive director of the Food Bank of Western Massachusetts, University of Massachusetts Amherst Chancellor Kumble Subbaswamy, Northwestern District Attorney David Sullivan, and a host of other local officials and community members.

I want to say a special thanks to my colleagues Congressmen RICHIE NEAL and JOE KENNEDY for joining us along the way and helping to support those in need.

Also joining us on that march were Sean Barry of Four Seasons Liquor in Hadley, Erika Cooper of Tea Guys in Whately, Ben Clark of Clarkdale Fruit Farm in Deerfield, Natalie Blais of UMass Amherst, Steve Fendel from Gill, Marty Dagoberto, Dan Finn from Pioneer Valley Local First, Chia Collins from Northampton, Kristen Elechko, Georgian and Rick Kristek, and many, many, many more.

This year's walk was extra special for me because my son, Patrick, walked the entire route with us both days.

Mr. Speaker, every day, 48 million Americans struggle with hunger, including 15.3 million children. We live in the richest country on Earth and have greater access to food than any previous generation, so the fact that hunger continues to be so widespread in America is absolutely stunning.

Monte's March was started in 2010 to do something about it. This year's walk was the longest and biggest effort yet.

Bright and early last Monday morning, our group of walkers began our march in the Mason Square neighborhood of Springfield. The Mason Square neighborhood is one of those communities in western Massachusetts most in need, with so many families living in poverty and facing food hardship. In fact, childhood poverty rates have been as high as 59 percent in this area alone.

For these families, overcoming hunger is especially challenging because the neighborhood is a ''food desert,'' an area where affordable and healthy food, like fresh fruits and vegetables, are hard to come by. With no full-line supermarket within walking distance for residents to purchase food at affordable prices, we wanted to make sure that the Mason Square neighborhood was front and center in this year's march.

It also gave us the opportunity to thank the Mason Square Health Task Force for their tireless efforts to address hunger and to show our deep appreciation to local feeding programs like St. John's Congregation Church.

We then marched through Springfield, Chicopee, and Holyoke before finishing day one in Northampton. Seventeen miles were behind us, with day two still to go.

We started on Tuesday morning walking through Northampton, then Hadley, and then Amherst, where we stopped at the Amherst Survival Center.

The Amherst Survival Center is an amazing place. Since 1976, they have welcomed everyone who has come through their doors with open arms and a kind word. They help those who are struggling to meet their basic needs. All of their services are free. They run a food pantry, community meal program, drop-in health clinic, job-readiness workshops and job fairs, and a host of other important programs.

After our brief visit, it was back to the pavement, through Sunderland and Deerfield, before finally ending in Greenfield.

We walked a total of 26 miles on day two. Along the way, we felt the incredible support of the western Massachusetts community. People stopped us along the way to add canned food and other donations to our shopping cart. They came out of their homes and their businesses and schools, or they stopped their cars along the side of the road to offer words of encouragement.

Along the way, we helped raise more than $150,000 for The Food Bank of Western Massachusetts, which distributes hundreds of thousands of pounds of food throughout the emergency feeding network in the region.

Mr. Speaker, by the end, we were sore and tired, but we were exhilarated by people's generosity and support. When you add it all up, the outpouring of donations and support from our community will help provide more than 450,000 meals to families in need.

The good news is that hunger is a solvable problem. We just need to muster the political will to help more communities like these in Massachusetts and across the country.

There is not a single congressional district in the United States where hunger isn't an issue affecting the daily lives of kids, families, seniors, or veterans. We all have a stake in this, and with strong grassroots support from communities in all 50 States, just like the ones we visited over 2 days, we have the power to make a real difference and help the 48 million Americans struggling with hunger.

Mr. Speaker, during this holiday season, I urge my colleagues and all Americans to remember those who are struggling with hunger. They are our neighbors or colleagues and our friends.

I want to thank everyone who supported this year's Monte's March and especially want to thank the incredible community partners on the ground for their tireless efforts day in and day out. You inspire us, and we thank you for your service.

FIXING AMERICA'S SURFACE TRANSPORTATION ACT

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

Mr. CURBELO of Florida. Mr. Speaker, I rise today in support of the Fixing America's Surface Transportation Act, or FAST Act. This critical legislation will provide 5 years of fully paid-for transportation projects across the Nation to repair our aging infrastructure.

The FAST Act makes important reforms to highway and vehicle safety and expands public transportation to make Federal investment more cost-effective. It also expands funding available for bridges and roads.

And, most importantly, Mr. Speaker, this bill was done through the regular order process, with transparent amendments considered and all Members having their say.

I would like to highlight several initiatives that are important to my south Florida congressional district included in the FAST Act.

Language was included in this bill that I offered with Representative TITUS to protect our seniors and pedestrians in congested traffic areas. While total traffic crash fatalities are down nearly 25 percent in the last decade, pedestrian deaths are up, hurting children and the elderly most.

This language will encourage States to adopt safe and adequate accommodation standards for roadways and sidewalks when developing future Federal projects.

Also included in the FAST Act is robust funding levels for University Transportation Center programs, with much-welcomed increases over the next 5 years.

One hundred twenty-five universities across the country participate in the

UTC program, conducting critical research to develop future transportation technologies. Florida International University, in my district, is a world-recognized leader in accelerated bridge construction, and I am proud to advocate for them and all the UTCs here in Congress.

I also introduced a bill earlier this month with Representative LIPINSKI that was similar to this language and appreciate all the bipartisan support UTCs have received.

Lastly, I would like to thank Chairman GIBBS and Ranking Member NAPOLITANO for their work in the creation of the Water Infrastructure Finance and Innovation Act, or WIFIA, in last year's WRRDA legislation. This is a perfect example of good government and will be truly revolutionary in addressing the dire water infrastructure needs throughout the country.

I represent Miami-Dade County, one of the 10 largest water and sewer departments in the Nation, that services 2.3 million people daily. The 14,000 miles of pipeline date back more than 40 years, and repairs are much-needed.

Included in the FAST Act was a fix to the WIFIA program to allow for the use of tax-exempt municipal bonds in these infrastructure projects. Earlier in the year, I introduced a bill with bipartisan support that proposed this fix, and I am grateful it was included in the FAST Act to allow local governments the tools necessary to repair our water systems.

Lastly, I would like to thank Chairman SHUSTER and Ranking Member DEFAZIO and their Senate counterparts for all of their hard work in crafting this important legislation. This final product embodies the essence of bipartisanship, and I am proud to serve on the Transportation and Infrastructure Committee.

I urge the House and Senate to pass the FAST Act to strengthen our Nation's transportation networks. I know my neighbors in south Florida, especially those living in Kendall and South Dade, will be very grateful.

SEVENTH ANNUAL SOUTHEAST FLORIDA REGIONAL CLIMATE LEADERSHIP SUMMIT

Mr. CURBELO of Florida. Mr. Speaker, I rise today to give accolades to Monroe County and the city of Key West for holding their Seventh Annual Southeast Florida Regional Climate Leadership Summit.

For 7 years, they have created a forum for people to come together and discuss the importance of mitigating the effects of climate change. I thank them for their continued efforts and for being leaders on this critical issue that warrants serious attention.

Like me, they believe that humans are a contributing factor to climate change and that our years of living irresponsibly have caught up with us, leaving a blemish on our planet. They have dedicated time to making a positive impact on our world, and I applaud them for their valiant and enduring efforts to see this task through.

To all the attendees of the climate summit in beautiful Key West, thank you for your efforts to make the world a better place. I am confident that if we work together we can do right by future generations and leave them a cleaner, more beautiful planet.

NELSON SOBRINO, STUDENT COUNCIL PRESIDENT

Mr. CURBELO of Florida. Mr. Speaker, I rise to recognize a student in Homestead, Florida, Mr. Nelson Sobrino, and congratulate him on his recent election as student council president of Somerset City Arts Conservatory.

President Nelson, who is 13 years old, ran on a platform of adding additional school spirit days and helping the less fortunate with food during the holiday season.

The story of President Nelson's path to success at such a young age has a lot to admire. In first grade, he was diagnosed with autism. However, Nelson has overcome difficult odds and has not only been a very successful student academically, winning awards like ''Reading Plus'' for Web-based comprehension program, but has excelled socially as well.

His teachers, parents, and fellow students have been a tremendous support network and have greatly contributed to President Nelson's success.

So, President Nelson, I proudly recognize your leadership of the student body of Somerset City Arts and look forward to visiting with you soon.

CLIMATE CHANGE

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

Mr. GARAMENDI. Mr. Speaker, today, the world leaders, more than 100, are gathered in Paris to talk about an existential threat to all of us. This is not just the Syria issue, it is not just Iraq, it is not just terrorism, but it is about this planet's ability to continue to sustain life as we know it. It is about climate change.

Here in Washington, it is as though it is a different universe, not the universe in which we live, but a completely different one.

What I want to do is to basically cover this issue today of climate change. Let's start with the underlying problem, the emission of carbon into our atmosphere.

□ 1030

For thousands and thousands of years, the atmospheric carbon has remained below 300 parts per million. This little spike here at the end—this year we reached 400 parts per million, and the consensus of scientists around the world is that this level of carbon will significantly increase the ambient air temperature of the world and the temperatures of the ocean, having a profound effect on the world's ability to sustain itself, like the production of food.

The last 2 years—2014 and this year—are going to be the hottest ever recorded in recent centuries. What does that mean? Well, it means that the ice in Greenland is rapidly melting, as it is in the Arctic Ocean as well as Antarctic. Sea levels are rising and will continue to rise both because of the melting ice and the warmer temperature of the ocean, which causes the water to expand.

All of this is a serious problem for us if we care about the production of food and if we care about our ability to survive. Here in Washington, yesterday, on the floor of this House of Representatives, it was a different universe.

It was not the universe in which we live. It was not the planet on which we live. It was some very, very strange place, because yesterday the majority in the House of Representatives passed two pieces of legislation that would wipe out the Clean Power Act, an effort by the administration to reduce the production of coal energy here in the United States.

Now, there is a problem in the rest of the world with the use of coal, and we still have that problem here in the United States.

In The Washington Post yesterday there was a picture of Beijing, China. You couldn't even see across the street. The article goes on to say that it is principally from the production of coal.

So while we have a chance here in the United States—and we have been at this for many years, reducing the effect of coal and the production of coal both in terms of pollution as well as in terms of its carbon emissions—the House of Representatives, the majority party, yesterday voted to take not a step, but to take a whole mile backwards and eliminate the ability and the effort of this Nation to continue to reduce our consumption of coal and the pollution that is caused from there.

Not only that, Mr. Speaker, but today, maybe tomorrow, we will be taking up H.R. 8, a bill that would again turn us away from the world problem and the solutions to it and to take a mighty step back into the last century. H.R. 8 is said to be energy security. Well, it is the security of the coal and oil industry to be sure, but not the security of our Nation's ability to survive in a climate-changed environment.

It does, in fact, increase the production and the use of coal. It does, in fact, allow for the export of oil. We want to be energy independent, but this legislation would allow the export of oil without any regulation at all and without any consideration for the

American economy or the American automobile user.

We are going in the wrong direction here. We ought to recognize, as 120 leaders in Paris are recognizing today, that we have a serious climate problem. We must address it not with the policies that we are seeing here on the floor of the House of Representatives this week, in complete denial of what is happening around the world.

Mr. Speaker, it is time for us to wake up. It is time for us to be aware of what is happening.

RECOGNIZING AND HONORING THE 35TH ANNIVERSARY OF THE MARTYRDOM OF SR. DOROTHY KAZEL, JEAN DONOVAN, SR. ITA FORD, AND SR. MAURA CLARKE

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

Mr. FORTENBERRY. Mr. Speaker, with great solemnity and gratitude, today I wish to honor four grace-filled women. Each of them were called to live their faith in the nation that bears their Savior's name. Each worked tirelessly to bring hope, healing, and joy to the poor of El Salvador. Each were bound together in tragedy on December 2, 1980.

Maryknoll Sisters Ita Ford and Maura Clarke, Ursuline Sister Dorothy Kazel, and a young woman named Jean Donovan each traveled different paths to El Salvador. In the words of Sister Dorothy, they were united by a powerful sense of responsibility to ''spread the Gospel to people who needed help.''

They sought to bring peace and comfort to vulnerable persons caught in a maelstrom of political turmoil on the cusp of a brutal 12-year civil war that followed the 1980 murder of newly beatified Archbishop Oscar Romero, who was killed by an assassin's bullet as he said Mass.

Mr. Speaker, Sister Dorothy and Jean had each joined a mission team from the diocese of Cleveland, Ohio. Together they worked to ferry food and medical supplies to the sick and wounded, in whom they saw the face of Christ.

Sister Dorothy had been engaged, but postponed her marriage to test a call to religious life. Jean Donovan wanted to get closer to Christ in the poor, though her friends hoped that she would leave El Salvador.

Reunited with her fiance briefly to attend a friend's wedding in Ireland, Jean actually chose to stay in El Salvador a little bit longer. She was drawn by the beauty and warmth of the Salvadoran people.

Sister Ita and Sister Maura, both from New York and born nearly 10 years apart, had each sought a life of service through the Maryknoll religious sisters. Their paths led through Chile and Nicaragua, respectively, and ultimately to El Salvador, where they each responded to Archbishop Romero's call, a plea for help.

It has been said of Sister Ita that ''her twinkling eyes and her elfin grin would surface irrepressibly, even in the midst of poverty and sorrow.'' Sister Maura, for her part, ''was outstanding in her generosity, always saw the good in others, and could always make those whose lives she touched feel loved.''

Mr. Speaker, all of these women could have left. Instead, they remained in El Salvador to be faithful. Sister Maura said, ''There is a real peace here in spite of many frustrations and the terror around us. God is very present in His seeming absence.''

They gave all that they had to the poor and homeless, whose difficulties were compounded by the counterinsurgency that indiscriminately leveled many innocent lives in its crossfire.

Mr. Speaker, while in college myself, pondering the essence and meaning of things, trying to figure out my own pathway, I heard the news of these women's deaths. The rape and murder of these selfless women greatly disturbed me. I remember going to Mass and, overcoming my own hesitancy, offered a prayer for them during the community's Prayer of the Faithful.

The love that moved these four women to fly into the eye of the hurricane—because they could not bear to see vulnerable people suffer without recourse, without help—profoundly affected me and remains a part of my life today.

As a Member of the United States House of Representatives, I am honored to laud the example of these exceptional heroines. Having met with members of El Salvador's congress, I have witnessed firsthand now the work of reconciliation that is going on, the healing of lives haunted by painful memories.

When I first learned about the decades-long outpouring of love in service, vigils, prayers, and charitable programs that were inspired by the example of these courageous women, I felt moved to actually take some small part in these celebrations, thus this talk today.

In recalling their noble sacrifice, it is my fervent hope that responsible nations throughout this hemisphere will see in the lives of these martyrs of El Salvador a path to genuine prosperity. We can honor them fittingly by embracing the truly needy with integrity, peace, and justice, in genuine mutual solidarity as they live their lives.

HONORING KENTUCKY GOVERNOR STEVE BESHEAR

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

Mr. YARMUTH. Mr. Speaker, I rise today to honor the 61st Governor of the Commonwealth of Kentucky, Steve Beshear, whose tenure as Governor comes to a close this week.

Of his many significant accomplishments, none came easily or by happenstance. In fact, national basketball championships for both the Universities of Louisville and Kentucky notwithstanding, it is tough to think of a less enviable time to walk into the Governor's mansion.

Within a year of his taking office, the global economy imploded, creating the worst economic crisis in our lifetimes and leading to unemployment as high as 10.7 percent. The health of our State was dismal, with one in five Kentucky adults carrying no health insurance. Mother Nature didn't do him any favors either. During one 11-month span, three presidential disaster declarations were issued for Louisville alone.

To say you wouldn't want to be the Governor to face those challenges is an understatement. To say you want Steve Beshear to be your Governor addressing those challenges, well, that is just common sense.

Our recovery didn't just happen during the tenure of Steve Beshear. It happened because of Steve Beshear. Because we had a Governor who wasn't concerned with what was popular or politically savvy, he was committed to doing what needed to be done.

He said no to the calls for European-style austerity and instead invested in our Commonwealth—in our people, our infrastructure, and our education—giving Kentucky's economy an immediate jolt and keeping our communities and workforce competitive for the long haul.

The results speak for themselves. Today unemployment is half of what it was during the Great Recession, under 5 percent for the first time since 2001. Site Selection magazine says there is no better State in the Nation for economic development.

Companies are investing in Kentucky like never before, $3.7 billion in investment announced just last year. Kentucky is doing business like never before, with exports of $27.5 billion last year, four times the national average.

Mr. Speaker, we are building like we haven't done in a long time. When I say our infrastructure was crumbling, it is not hyperbole. Bridges were literally falling down. Now they are going up. Leaders have been talking about the need for a new Ohio River bridge in Louisville for nearly 50 years.

But Governor Beshear doesn't talk the talk. He walks the walk. I will be proud to walk with him across the first of two new Ohio River bridges for the first time this weekend.

But it is his stands that he will be most remembered for. If you asked him, Steve will tell you he is just doing what is right. But that takes courage.

Thankfully, Kentucky's Governor has had no shortage of that.

He reinstated an executive order prohibiting LGBT discrimination against government workers, made Kentucky the first State in the Nation to adopt Common Core and the second to adopt New Generation Science Standards.

When it came to medical care, he absolutely refused to play politics with the health of his State. He expanded Medicaid and led the creation of the Nation's most successful health exchange, Kynect, and reduced the number of Kentuckians without health insurance from 20.4 percent to 9 percent, the best improvement in the Nation.

In my district alone, the uninsured rate dropped 81 percent. For the first time, quality, affordable health insurance is a reality for hundreds of thousands of Kentuckians. It is thanks to Steve Beshear.

Of course, he has been working for the people of Kentucky since long before he was a Governor, and he never did it alone. Throughout his decades of public service, he has depended on the strength of another great Kentucky leader, his wife and our first lady, Jane Beshear.

Mr. Speaker, I have been honored to be Steve and Jane's ally these past 8 years and I have been lucky to have them as mine as we worked to revitalize Louisville's manufacturing sector, address our community's infrastructure needs, and make sure Kentucky children, veterans, and working families are taken care of.

Over the past 30 years, Mr. Speaker, I have had the honor of calling Steve Beshear my Attorney General, my Lieutenant Governor, and now my Governor. But, above all, I have been most proud to call him my friend.

In his first inaugural address in 2007, Governor Beshear noted that the path of progress in Kentucky ''will involve new thinking and new ideas. It will require cooperation and patience. And it will demand courage.''

Steve, you successfully embraced those new ideas, you promoted cooperation and patience, and you had the courage not only to serve, but to serve us well. I wish you the very best as you leave public service.

I want to thank you, First Lady Jane Beshear, and your devoted staff for doing the right thing on behalf of the people of the Commonwealth of Kentucky.

Mr. Speaker, Kentucky is a stronger, more prosperous, and a far healthier place because of the dedication and the work of our Governor Steve Beshear.

THE ELEMENTARY AND SECONDARY EDUCATION ACT MUST BE REAUTHORIZED

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

Mr. DOLD. Mr. Speaker, I rise today to urge my colleagues to vote ''yes'' on the Every Student Succeeds Act, which will reauthorize the Elementary and Secondary Education Act.

Mr. Speaker, this bill goes a long way to rectifying the problems that were created by No Child Left Behind. We have seen 14 years now of Federal encroachment on local schools, one-size-fits-all testing, and local school districts that are not allowed to apply local solutions to local problems.

Mr. Speaker, the version of ESEA that is coming to the floor later today will fix these problems. The bill will streamline the annual assessment process and will ensure that our teachers are not required to teach only the material that will be on these tests. It will remove the high stakes from these assessments and will ensure that school districts have the local control over the assessment process.

More importantly, the bill will allow States to develop their own academic content and achievement standards that are designed to suit the needs of their students. Teachers and administrators will be given the freedom to truly educate their students and will be able to innovate and develop real solutions to their problems without fear of a bureaucrat in Washington looking over their shoulder.

Mr. Speaker, though I rise in support of this bill, I must say that I am disappointed that the final version to come out of conference did not include the text of an amendment that I offered that was adopted in H.R. 5, the Student Success Act.

□ 1045

My amendment would have forbidden States from requiring school districts to divert Federal education dollars away from the classroom and into State pension funds to pay off unfunded liabilities of the past.

In my home State of Illinois, the State government is presently requiring school districts that choose to use Federal education dollars to pay teacher salaries to divert over one-third of their Federal education dollars to the State's Teachers' Retirement System to cover past financial mismanagement. This amounts to a Federal bailout of State pension programs at the expense of schools and education. Mr. Speaker, this only happens in Illinois.

So what does this mean for the 10th District of Illinois? In 2014, Wheeling Community Consolidated School District 21 had to send over $140,000 to the State to cover past pension obligations. That is 35 percent of the $400,000 of total Federal dollars that came to Wheeling that Wheeling spent on teachers. If Wheeling had only had to pay the normal pension cost, the current pension obligation, it would have had to have contributed $32,000. That means that Wheeling was forced to divert over $100,000 to the pension system to cover past pension obligations at the expense of teachers in the classroom. At $40,000 per year, this would have enabled them to hire an additional 2½ teachers that could have been educating our children, reducing classroom sizes, and making each of our students receive the individual attention that they need to succeed.

In Waukegan, Illinois, this problem is even worse. Waukegan spent $2.6 million in Federal education dollars on teachers and was forced to divert over $900,000 annually to the State to cover past pension obligations. If the Dold amendment had been law, Waukegan would have had an additional $700,000 to hire more teachers, or in the case of District 60, they would have been able to offer full-day kindergarten. That makes an enormous difference in children's lives—and parents' lives for that matter.

More tragically, because Illinois does not require the same kind of contribution when teacher salaries are paid with State or local dollars, this policy is taking away Federal education dollars from our neediest and most vulnerable children, precisely the students that the ESEA was intended to help.

Mr. Speaker, my amendment would have fixed this problem once and for all and would have ensured that education dollars intended for the students of Wheeling and Waukegan and everywhere else where Federal dollars can make a real difference in our children's lives would have actually gone to help these students.

I will continue to fight on this issue and will continue to work with my colleagues to make sure that the Federal dollars that are given to school districts are not diverted away from the neediest to cover up financial mistakes of the past.

Mr. Speaker, Every Student Succeeds Act is by no means a perfect bill, but it is a significant upgrade and a step forward that goes a long way toward fixing the problems posed by No Child Left Behind.

I urge my colleagues to vote for this bill and ensure that our children's getting the education they deserve is something that we can all count on.

WAR ON COAL

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

Mr. SHIMKUS. Mr. Speaker, as we hear talk of bills on the floor and international climate meetings with the world community, I want to bring to my colleagues' attention and to you, Mr. Speaker, the real destruction that is going on in the fossil fuel areas of our Nation, one that I represent, the Illinois coal basin.

I want to start by quoting the mayor of a town named Galatia in two articles from the paper called The Southern. In a November 5 article, he basically says: ''Without the coal mines, we are going to be in dire straits. That's all there is to it.''

The mayor is referring to what we have come to the floor numerous times to talk about, and you actually heard it from my colleague today, the war on coal, the intent by this administration to take coal out of the portfolio of electricity generation—and, really, any other fossil fuel they can get their hands on, whether it be crude oil or whether they will then move to natural gas.

Later on, the mayor, in another article from the same paper, on November 12, says because the New Era Mine in Galatia is now going to close, this closure, '''It impacts everybody,' said David Harrawood, the village's mayor. 'It doesn't just impact coal miners. It impacts trucking businesses, the stores, all their vendors. It's not just one segment. Down here, we're all tied together.' ''

So that is the human toll of the war on coal. The human toll is lost jobs, lost benefits, bankruptcies, which then creates a risk to the promised pension payments to the retirees. It becomes a loss of revenue to the taxing districts, to the counties, to the villages, to the first line responders, support for our schools. It dries up the ability for the local grocery store to operate, the local hardware store, and it is, as the mayor has said, devastating to southern Illinois.

Now, when you hear the debate internationally, it is carbon dioxide, CO_2. In fact, I always talk in the committee about then-Senator Obama and his quote to the San Francisco Chronicle, when he was interviewed by the editorial board, when he was asked about climate and his plan, and here is his quote. You can YouTube it. It is easily accessible. ''So if somebody wants to build a coal-powered plant, they can; it's just that it will bankrupt them.''

That has been the plan since 2008. That has been the plan in the first 4 years of his administration, and that is what he is striving to do, pushing with all his force to not only do here in the United States, but do in an international venue. He is being successful, as we find out in the announcement of the closure of the mine in Galatia.

The total number of coal mines opening each year has fallen to its lowest point in at least a decade. The total number of operating coal mines has hit its lowest point on record, according to the Energy Information Administration, which has records back to 1923. At the beginning of the Obama administration, over half the Nation's electricity came from coal. That number is down to 38 percent as of 2014.

Now remember, coal is the most efficient, the cheapest source of electricity generation and creates a baseload capacity that is very critical to keep the lights on. If you lose the baseload generation and you rely on renewables, you really do risk keeping the lights on, and you assure the Nation of higher costs of electricity.

So that is the war on coal, and that is kind of where we are right now with the administration.

So what has been the response on the floor of the House? What have we done? Well, fortunately, yesterday we took a parliamentary procedure and a process called the Congressional Review Act to address the ability of the administration to try to promulgate regulations without the authority of Congress.

RECESS

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

Accordingly (at 10 o'clock and 54 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

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

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

Once again, we come to You to ask wisdom, patience, peace, and understanding for the Members of this people's House.

Give them the generosity of heart and the courage of true leadership to work toward a common solution to the many issues facing our Nation.

As true statesmen and -women, may they find the fortitude to make judgments to benefit all Americans at this time and those generations to come.

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

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. QUIGLEY) come forward and lead the House in the Pledge of Allegiance.

Mr. QUIGLEY led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

BORDER SECURITY AND SYRIAN REFUGEES

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, I share the concerns of the majority of Americans regarding allowing Syrian refugees into this country. Most important, I am worried that a terrorist could slip through, just like one of the terrorists involved in Paris.

But we also can't lose sight of another vulnerability, a geographical vulnerability, our southern border, because our border is not secure. This President refuses to secure it.

Yesterday, I spoke with the director of the Texas Department of Public Safety, Steve McCraw, and he made it very clear that we are seeing another surge at the border. We are seeing folks from Syria come across. This is troubling and wrong.

The President must secure our border and protect our national security. If he refuses, we in this Congress must stop him by any means possible.

NO POLICY RIDERS

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

Mr. QUIGLEY. Mr. Speaker, weeks ago, this body avoided a government shutdown by passing the Bipartisan Budget Act. Now we have to pass an omnibus.

Unfortunately, many of our appropriations bills contain divisive policy riders that threaten to create another partisan standoff. There is an appropriate time and place to debate these provisions: in the authorizing committees.

It seems that some Members have learned nothing from the brinksmanship that almost led to a government shutdown. It is hard enough to pass these measures without these divisive, controversial riders. We need to put the unnecessary fighting behind us.

The Bipartisan Budget Act represents a chance for us to return to reasonable compromises and regular order. I call upon my colleagues to follow up on that accomplishment and pass a clean omnibus package.

SMALL BUSINESS SATURDAY

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

Mr. WILSON of South Carolina. Mr. Speaker, last Saturday marked the fifth annual Small Business Saturday, a day when we recognize the importance of local businesses by shopping at these community businesses.

Saturday's event was particularly meaningful to small businesses in South Carolina, many of which were recovering from the tragic thousand-year flood in October.

In South Carolina, over half of our State's workforce is employed by a small business. Congress must do more to protect these vital job creators from excessive taxes and regulations.

I am grateful to the National Federation of Independent Business, NFIB, along with the U.S. Chamber of Commerce, encouraged by the South Carolina Chamber of Commerce, led by Ted Pitts, as well as local Chambers of Blythewood, Chapin, Greater Columbia, Greater Irmo, Cayce-West Columbia, Lake Murray, Lexington, Batesburg-Leesville, Greater Aiken, Barnwell, Orangeburg, Midland Valley, and North Augusta, for their support of small business across the Second District of South Carolina.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

VETERANS PROOF OF SERVICE RECORDS SHOULD BE PROVIDED FREE OF CHARGE

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

Mr. HIGGINS. Mr. Speaker, the Department of Defense transfers a veteran's service record to the National Archives 62 years after they are discharged from the military.

100,000 archived records per year are requested—to determine eligibility for a medal, to research one's medical history, or to request a change in discharge status.

The Department of Defense provides records to veterans for free, but once the records are sent to the Archives, veterans are charged $25 to $75 for a copy of their file.

Mr. Speaker, this is unacceptable that a veteran should have to pay the government for proof of their sacrifice and service. What is more, this fee is levied on veterans who are most likely living on a fixed income.

This fee is unnecessary and inexcusable, and I ask my colleagues to support legislation that I am introducing today to eliminate it.

REMEMBERING EZRA SCHWARTZ

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, it is with great sadness and a heavy heart that I rise today to honor and remember 18-year-old Ezra Schwartz, a Massachusetts teenager whose life was tragically taken in Israel last month. Ezra was spending his gap year studying at a yeshiva in Israel and was one of the three people shot and killed last week by a Palestinian terrorist.

The continued violent attacks targeting Israeli civilians are, without qualification or exception, acts of terror and deserve full condemnation. Attacks on innocent civilians, whether they are American, Israeli, or Palestinian, have zero justification, and our response to such terrorism cannot be silence.

My heart and prayers go out to the friends and family of Ezra, and we honor those whose lives have been lost by such hateful actions.

Mr. Speaker, please join me in remembering the young life of Ezra Schwartz.

THE RECENT ATTACK IN COLORADO SPRINGS

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

Mr. CICILLINE. Mr. Speaker, last Friday, a Planned Parenthood clinic in Colorado Springs became the target of the 351st mass shooting in the United States this year.

Three people were killed: an Iraq war veteran, a mother of two, and a local police officer. They are now among the more than 12,000 Americans who have died in gun-related incidents since the start of the year.

The shooter in Colorado Springs is reported to have used a semiautomatic, AK–47-style firearm, an assault weapon that has its origins in Stalin's Soviet Army.

This firearm and others like it are weapons of war, not tools for self-defense. They serve no purpose other than to kill. And we can no longer permit the proliferation of and easy access to these weapons in the United States.

That is why, in the coming weeks, I will be introducing legislation that reauthorizes the Assault Weapons Ban. During the 10 years this ban was in effect, localities reported as much as a 72-percent decline in gun crimes involving assault weapons.

Today, 59 percent of American voters support a ban on the purchase of semiautomatic and assault weapons. The only thing that stands in the way is Congress' failure to act. The time for action is now.

HONORING THE LIFE OF JOHN J. PIAZZA, SR., FOUNDER, ARMED FORCES MILITARY MUSEUM

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

Mr. JOLLY. Mr. Speaker, I rise today to honor and recognize a Floridian who has spent the last two decades making sure our veterans and their heroic acts are never forgotten.

I rise today to commend John J. Piazza, Sr., the founder and president of the Armed Forces Military Museum in Largo, Florida.

A veteran himself, Mr. Piazza served from 1955 to 1960 in the U.S. Marine Corps and the Marine Corps Reserve.

In 1998, he founded the Armed Forces Military Museum, exhibiting a personal collection assembled into a mobile museum, with heavy equipment displayed at schools, community events, and the Florida State Fair.

But, in 2008, he was able to fulfill his dream of opening a permanent home for great military memorabilia, vehicles, and equipment, both his own and those donated by those who have served.

Mr. Speaker, today, Mr. Piazza celebrates his birthday, and I urge my colleagues to not only join me in sending him very best wishes but to thank John for his lifelong dedication to honoring the American heroes who have served our Nation and for helping educate the young men and women who today have the opportunity to learn about valor and sacrifice and our Armed Forces in Largo, Florida.

THE DISPLACED JOBS RELIEF ACT OF 2015

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

Mr. AGUILAR. Mr. Speaker, today I rise to urge my colleagues to support the Displaced Jobs Relief Act of 2015, a bill I introduced yesterday to help small businesses that have been hurt by foreign competition.

As the Inland Empire of California fights back from the Great Recession, we need to make sure that we use every tool available to help our small businesses recover.

Small businesses were dealt heavy blows in the past decade, both from our weakened economy and from our flawed trade agreements. International trade plays an important role in our economy, but history has taught us that not all agreements are fair. Sometimes they take a toll on local businesses that don't have the ability to handle unfair foreign competition.

That is why I introduced this bill. Trade Adjustment Assistance has played a crucial role in retraining and placing Americans in good-paying jobs for generations. If we increase the availability of funds, we can help protect hardworking Americans from losing business to unfair competition overseas.

My bill would increase the authorization for TAA for businesses up to $50

million for each fiscal year, beginning in 2016 and running through 2021.

Historically, these programs have always authorized $50 million a year, and, in fiscal year 2011, House Republicans cut the levels to $16 million, barely 30 percent of what funding was.

This is an important program that can help businesses in the Inland Empire and across the Nation, and I urge my colleagues to support me and the Displaced Jobs Relief Act for 2015 for the sake of American workers and businesses.

HONORING THE LIFE OF SHERIFF AL ST. LAWRENCE

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember Chatham County Sheriff Al St. Lawrence.

Last Tuesday, Sheriff St. Lawrence died after a long fight with cancer. He was 81 years old. He was a dedicated law enforcement professional for Chatham County for over 50 years, 23 of those years spent as sheriff.

A U.S. Air Force veteran, he joined the Chatham County Police Department in 1959, after leaving the service. He was appointed to the State Peace Officers Standards and Training Council twice. He was named Police Chief of the Year three times during his tenure.

In 1992, he ran for sheriff and won, being reelected five times. In his 20 years as sheriff, he oversaw numerous changes to the department, including the construction of a new jail.

He was a gentleman, a professional, and a mentor. He was a man of few words and believed in personal responsibility. He loved the Sheriff's Department, and he loved the people that worked there.

I commend Sheriff Al St. Lawrence for years of service to his country and to the Chatham County Sheriff Department. We should all strive to achieve the success and admiration that Sheriff St. Lawrence achieved through his years of service.

INJUSTICE FOR LAQUAN McDONALD

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

Mr. FOSTER. Mr. Speaker, we have seen an uproar over the death of Laquan McDonald, and rightfully so. But, sadly, the injustice for Laquan goes much deeper.

Laquan McDonald suffered more tragedy in his short life than anyone should have to bear. As a child, Laquan was abused at home. He was then handed over to the Department of Children and Family Services, where he was sexually molested, not just once but in two different foster homes.

At 17 years old, Laquan was shot 16 times by an on-duty police officer. Even after death, the injustice continued. It took 400 days before the officer who shot Laquan faced charges.

We should all be ashamed at how our society failed Laquan McDonald.

Mr. Speaker, I rise today to remind my colleagues that Black lives matter, that Laquan McDonald's life matters, and justice matters. We should all be working to ensure that Laquan gets the justice that he has been denied for so long and to end the cycle of poverty, abuse, and injustice that shaped his life.

□ 1215

MEDICAL DEVICE TAX

(Ms. STEFANIK asked and was given permission to address the House for 1 minute.)

Ms. STEFANIK. Mr. Speaker, I rise today to continue to lead the fight to repeal the medical device tax. This is a tax on revenue rather than profit. It leads to some of the highest corporate tax rates in the world and creates undue harm to an industry that not only creates jobs, but also improves our health and well-being.

A company located in my district, NuMed, employs over 80 people and produces stents and other vascular equipment. The medical device tax prevents NuMed from increasing their budget on research and development by 15 percent.

AngioDynamics, another company in my district, employs 950 people and creates more than 100 different medical devices, including the AngioVac System used to treat blood clots. Recently, one of their executives said, ''The $1 million that AngioDynamics pays in Federal excise taxes on medical device company revenues could instead be used to employ another 10 to 15 people.''

We must repeal this burdensome tax to help create jobs and improve patient outcomes.

THE FEDERAL BUDGET

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

Mr. KILDEE. Mr. Speaker, the bipartisan budget agreement signed into law last month helped to avert another manufactured political crisis here in Washington. But our work is not done. If we don't pass a spending bill before December 11, working Americans and seniors will face another dangerous government shutdown.

Sadly, Mr. Speaker, Republican leadership continues to threaten this process over radical policy riders like defunding Planned Parenthood. Unfortunately, in his first press conference, the new Speaker could not rule out another Republican government shutdown.

As we face tremendous threats to our national security, we need to set politics aside. Some things in this House have to be exempt from political gamesmanship, and we would certainly think that keeping government open and functioning would be one of the things that we take out of the political conversation.

Mr. Speaker, the American people want us to do our job. Our job is to make sure that this government runs, and we can't do that if we continue to use politics and the threat of a government shutdown to achieve what can't be achieved through the normal legislative process.

Mr. Speaker, we need to do our job.

HONORING JIM HOFFMAN OF WAYNE COUNTY, NEW YORK

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

Mr. KATKO. Mr. Speaker, I rise today to honor one of Wayne County, New York's most dedicated public servants, Jim Hoffman, and to send him off on a well-deserved retirement.

Jim's esteemed career in public service began when he enlisted in the U.S. Navy as a young man. It continued with his 30 years with the New York State Police, five terms serving as town supervisor in Williamson and 10 years as chairman of the Wayne County Board of Supervisors.

Jim has faithfully served the constituents in the Town of Williamson and all of Wayne County. Under his leadership, Wayne County is certainly a better place to live. He has lowered taxes in Williamson, kept taxes stable across the county, supported our region's vast community of growers and farmers, emerged as a leader in the fight against Plan 2014, and made the Town of Williamson the first in all of New York State to function 100 percent on solar power.

There is no question that Jim's lifetime of service deserves recognition. He has been a great friend, mentor, and confidant throughout my time representing the people of the 24th Congressional District in the House of Representatives. I am so very appreciative for all that he has done for me and for our community.

Jim, congratulations to you on a long and distinguished career. Enjoy your retirement with your children and grandchildren. God bless you.

THE AFGHANISTAN CODEL

(Ms. KUSTER asked and was given permission to address the House for 1 minute.)

Ms. KUSTER. Mr. Speaker, today I rise to discuss our country's ongoing efforts in Afghanistan.

Over Thanksgiving, I had the honor to join five of our other colleagues from the House Veterans' Affairs Committee for a trip to spend the holiday with our outstanding service men and women in Kabul, Kandahar, and Bagram Air Force base.

Additionally, we received numerous briefings from senior military, State Department, and intelligence officials. We heard about the multitude of challenges facing the young democracy in Afghanistan, ranging from hard security challenges emanating from the Taliban, al Qaeda, and even ISIL, to societal challenges in a country with 92 percent illiteracy.

This is now primarily an Afghan fight with just over 9,800 American troops remaining in the country. However, the threat of international terrorism and the need to ensure that the country never again becomes a haven for those seeking to target the United States means that we will need to have a presence in Afghanistan for some time to come.

Mr. Speaker, I was encouraged by the dedication of the men and women in uniform who continue to demonstrate their commitment to our mission. I was also encouraged by the resolve demonstrated by Afghan President Ashraf Ghani to reduce corruption and rebuild the economy.

Make no mistake, Afghanistan faces many challenges in the years ahead. But with the help of the United States of America, the international community, the tenacity of the Afghan leaders, and some good luck, the Afghan people can hope for peace and greater prosperity in the future.

RULES OF ENGAGEMENT: NO CLIMATE CASUALTIES

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

Mr. POE of Texas. Mr. Speaker, bullet holes are still visible in the walls of cafes, and the graves are fresh for those lives that were stolen by ISIS fighters in the streets of Paris. Meanwhile, the President is in Paris talking about his priority—the real threat—climate change.

While America has been unable or unwilling to defeat ISIS, it has been front and center in the war on climate change. Former CIA Director Mike Morrell said: ''And we didn't go after oil wells—actually hitting oil wells that ISIS controls because we didn't want to do environmental damage. . . .''

The President has decided that the threat to the environment is more serious to him than the threat of ISIS terrorism.

Mr. Speaker, oil funds ISIS' murderous reign of terror, but the President's new limited war doctrine has one rule of engagement: no climate casualties.

Mr. Speaker, it is time for bombs to rain down over the ISIS war chest. Stop the flow of the blood oil. Not one more life should be lost because of a negligent and backwards strategy of a limited war based on climate change, an environmental-waged war that promotes not harming the environment over harming people.

And that is just the way it is.

GUN VIOLENCE

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

Ms. ESTY. Mr. Speaker, yesterday this House rose once again to observe a moment of silence for victims of gun violence, this time for the police officer, the veteran, and the mother of two who were gunned down in Colorado Springs nearly 3 years after 20 schoolchildren and 6 brave educators were shot to death at Sandy Hook Elementary School in my district. It is time for moments of silence to end. It is time for action.

Gun violence is a public health crisis that deserves this House to take action now. That is why we should establish a select committee on gun violence prevention.

We are all understandably concerned about terrorism; yet, this House just yesterday blocked action to prevent terrorists, those on the Terrorist Watchlist, from acquiring deadly weapons to kill Americans.

Mr. Speaker, it is time for this House to truly honor victims of gun violence. I invite my colleagues to join us next week for the 3rd Annual National Vigil to Prevent Gun Violence on Wednesday, December 9. The vigil will be held at St. Mark's Church on Capitol Hill.

Please come and join me. Stand with the families and the victims of gun violence from my district and across the country.

RECIPROCAL DEPOSITS

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

Mr. EMMER of Minnesota. Mr. Speaker, to realize their American Dream, many Minnesotans rely on access to financial products like business loans and mortgages. Not only do these financial instruments benefit individuals and families, but they help build healthy communities.

Unfortunately, in some rural and urban areas, outdated regulations threaten the ability of our community banks to offer these important financial products.

Together with Congresswoman GWEN MOORE, I have introduced legislation that will address this problem. H.R. 4116 allows certain community banks to trade large bank deposits over a secure network.

This will enable depositors to do business with local community banks while still maintaining FDIC insurance instead of seeing important and necessary financial capital that could be used for local projects, purchases, and investment leave local communities.

Mr. Speaker, this legislation is good for Minnesota. And please forgive my bias, but I happen to believe what is good for Minnesota is good for our country.

FIGHTING FOR WORKING AMERICANS

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

Mr. ELLISON. Mr. Speaker, Republicans are willing to shut down government in a battle to protect riders that hurt working-class Americans.

During these budget and appropriation debates, Republicans have fought tooth and nail to cut investments in important programs for working families, yet they are willing to spend billions on tax expenditures for wealthy corporations.

On top of that, Mr. Speaker, they want to add riders that gut consumer protections, labor rights, environmental protections, and a woman's right to choose.

A recent poll found that nearly seven in ten Americans agree with the following statement: ''I feel angry because our political system seems to only be working for the insiders with money and power.''

As Members of Congress, I urge colleagues on all sides to come together and heed the American people's wishes and to put their interests up front. We need to make sure that we can pass a budget bill that isn't loaded up with policy riders and more things that would confuse the basic issues.

Mr. Speaker, we cannot abide proposals attacking the National Labor Relations Board and a worker's right to organize. We cannot abide efforts to undermine the Consumer Financial Protection Bureau, which is helping Americans meet their financial needs.

Mr. Speaker, we must stand up for the American consumer. I urge all parties to come together to reach these important goals.

RETIREMENT OF CHARLOTTE DIETRICH, POTTER COUNTY PLANNING DIRECTOR

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate Charlotte Dietrich on her upcoming retirement as planning director of Potter County, located in Pennsylvania's Fifth Congressional District.

Charlotte was promoted to that position in April of 2001 and had previously served as a secretary for Potter County.

In her more than 14 years as planning director, Potter County became the only county in Pennsylvania to have a Wellhead Protection Plan in place for each water authority in the county, mapping each source of water, which is perhaps our most important natural resource.

Additionally, under Charlotte's leadership, the county's planning department worked to address issues surrounding the development of wind power in the county, along with a huge expansion of gas drilling in the Marcellus Shale formation.

A Potter County commissioner recently called Charlotte a born planner. I know those skills have been a great asset for the county in the past decade with so many big changes.

Mr. Speaker, I wish Charlotte the best of luck in retirement.

CONGRATULATING THE UNIVERSITY OF HOUSTON

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to congratulate the University of Houston, one of our Nation's leading public research universities, on its recent string of success inside and outside the classroom.

The University of Houston was designated as a tier 1 research university by the Carnegie Foundation, making it only one of three tier 1 public universities in Texas and one of only three Hispanic-serving institutions that are also tier 1 in the entire country.

For over 90 years, Mr. Speaker, the University of Houston has been providing affordable, world-class education to the people of Houston and Harris County and students throughout the country who come to U of H for its renowned academic programs and professional training.

Our Chancellor Khator is here today in Washington. Thanks to her team and our board of regents for their leadership.

The University of Houston Cougars is one of the top college football teams this season with an 11–1 record, ranked number 17 in the country, and can win the American Athletic Conference and go to a New Year's Day bowl game with a win this weekend.

Mr. Speaker, as a native Houstonian and a graduate of the University of Houston, it makes me proud to see our university succeed and continue to be one of the most important institutions serving our State, city, and our country. Go Cougars.

□ 1230

LET'S GET OUR PRIORITIES STRAIGHT

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

Mr. WENSTRUP. Mr. Speaker, let's get our priorities straight when it comes to American leadership. Rather than showing leadership in the fight against ISIS or reassuring our allies in this fight, our current administration is still claiming that our greatest threat to national security is, believe it or not, climate change.

I am all about science, but we need to be realistic as well. The biggest threat, according to them, isn't radical Islam, Russia, Iran, or North Korea. It is a couple of degrees Fahrenheit over the next century or so.

And the remedy is costly. At a cost to whom? At a cost to hardworking Americans. Their government mandates mean higher energy costs for families, less energy reliability, higher manufacturing costs, and smaller take-home paychecks.

I know that most Ohio families can't afford this, Mr. Speaker. Coal plants are already shutting down up and down the Ohio River, costing us jobs and reliable energy. We need American leadership that is willing to lead the fight and defeat ISIS.

This week, the House voted to protect American families and consumers from the administration's price hikes. Let's get our priorities straight, Mr. Speaker, and bring the fight to ISIS, not burden Ohio families.

PROTECT AMERICAN FAMILIES

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

Mr. DEUTCH. Mr. Speaker, the terrorist attacks in Paris reminded us that ISIS recruits fighters from across the globe and even here at home. Already, the FBI has arrested over 60 Americans connected with ISIS.

The terrorists who attacked Paris got their guns from the black market. But here in the United States, even suspected terrorists are allowed, under Federal law, to freely and legally buy assault weapons, buy guns, and buy explosives.

The GAO reports that, in the last decade, suspects on the FBI's terrorist watch list attempted to buy guns and explosives over 2,200 times. And guess what; 91 percent of the time they succeeded.

Now, I know that the gun lobby opposes any effort to toughen background checks; but can we not, at the very least, agree that this is a matter of national security, that when the FBI has reasonable suspicion that someone is connected to terror, we should stop him from buying weapons of mass murder?

To any of my colleagues on the floor today, is there anyone in Congress who actually believes that you should be able to buy a gun while on the terrorist watch list? Is there anyone in America who believes that?

If you are on the terrorist watch list, you shouldn't buy a gun. Can this body please take this meaningful step to protect American families. Let's put it to a vote, and let's do it before we leave here for the holidays.

HONORING OFFICER LLOYD REED

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

Mr. ROTHFUS. Mr. Speaker, I rise today to honor the life, legacy, and work of Officer Lloyd Reed, Jr., who will be remembered for his kind and helpful nature. Officer Reed, a St. Clair Township, Pennsylvania, police officer, was tragically shot and killed last Saturday, November 28, while responding to a domestic dispute.

A graduate of Conemaugh Township High School, he was an avid trout fisherman and a NASCAR and, of course, a Steelers fan.

Officer Reed courageously served his community as a law enforcement officer for 25 years before his life was taken. I offer my prayers and deepest condolences to his loved ones: his friends, his colleagues, and his wife.

All men and women who serve to protect us from harm deserve our deepest gratitude and respect. They choose to risk their lives so that the rest of us can lead peaceful, productive, and meaningful lives.

Officer Reed's life and death are a testament to all those who serve honorably as law enforcement officers.

COMMEMORATING THE LIFE AND LEGACY OF CONGRESSWOMAN SHIRLEY CHISHOLM

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, I rise today to commemorate the life and legacy of Congresswoman Shirley Chisolm.

Last week, she posthumously received the Presidential Medal of Freedom, our Nation's highest civilian honor. Congresswoman Chisholm is truly deserving of this honor.

In 1969, she became the first African American woman to serve in Congress. She was the first majority party African American candidate and the first Democratic woman to run for President. She was also a founding member of the Congressional Black Caucus.

Congresswoman Chisholm—or Mrs. C, as we called her—was my mentor and

role model. The course of my life changed, when I met Congresswoman Shirley Chisholm, as a student in Mills College. At that time, I was the Black Student Union president, and I had invited her to speak her eloquent speech focused on the power of women and people of color to change the world. As she said: If you don't have a seat at the table, bring a folding chair. She explained why it was important for everyone to get involved in the policymaking process, because too often the voices of women and people of color are unheard.

I know that today many of us, including myself, would not be here. We would not have the privilege to serve in this great body had it not been for Shirley Chisolm. She is truly deserving of our Nation's highest honor.

I would also want to wish Mrs. C a very happy belated birthday. She would have turned 91 on the 20th of November.

ENVIRONMENTAL PROTECTION AGENCY'S FINALIZED RENEWABLE FUEL STANDARD

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

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to discuss the Environmental Protection Agency's finalized Renewable Fuel Standard, otherwise known as the RFS.

The biofuels industry has created good-paying, technical jobs in rural economies, helped lower gas prices for consumers, protected the environment, and reduced reliance on foreign oil.

On Monday of this week, the EPA finalized RFS levels for 2014, 2015, and 2016. While they are a slight improvement from the proposed rule, they still fall short of congressional intent put into law in 2007. Unfortunately, this decision raises questions about the administration's commitment to rural America and domestic biofuels. Despite public assurances to support the biofuels economy, the EPA has done just the opposite.

The disconnect is startling. A reduction in RFS levels increases uncertainty and stifles investment in the advanced biofuels sector. We should all be concerned by the precedent this decision sets for other renewable energy sources. It allows the administration to ignore the facts and the law in order to set a standard of its choosing.

The RFS is working. It is time the EPA started listening to the people impacted by their rules and regulations.

I am committed to supporting the biofuels industry, its producers, its farmers, and its consumers, and to continue fighting against any attempts to undermine it.

EVERY CHILD SUCCEEDS ACT

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I want to speak today about what the House will face on educational changes in bringing forward S. 1177, the Every Child Succeeds Act, which takes us away from No Child Left Behind.

I am very delighted that the Jackson Lee amendment offered during the House consideration of the bill dealing with bullying is now in this bill. It is now the law of the land once we pass it. It supports accountability-based programs and activities that are designed to enhance school safety, which may include research-based bullying prevention, cyberbullying prevention, disruption of recruitment activity by groups or individuals involved in violent extremism, and gang prevention programs as well as intervention programs.

CNN had a report just last night, I believe, that talked about the extensiveness of cyberbullying. One in seven students in grades K–12 is either a bully or a victim of it; 90 percent of fourth to eighth grade students report being victims of bullying; 56 percent of students have personally witnessed some type of bullying; 71 percent of students report incidents of bullying as a problem; 15 percent of all students who don't show up for school report they have been bullied; 1 out of 20 students has seen a student with a gun at a school; and 282,000 students are physically attacked in secondary schools each month. This is something that is a key part of education. To be in an education environment where you want to learn and where you are protected is key.

Let me ask everyone to support this legislation. I am delighted that we have been able to come together in particular around this issue of preventing bullying and cyberbullying in our schools.

RECOGNIZING BEST BUDDIES INTERNATIONAL

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to give recognition to Best Buddies International, an organization that assists individuals with developmental and intellectual disabilities to become thriving members of our society. Founded in 1989, Best Buddies International has positively improved the lives of nearly 900,000 individuals.

I am particularly proud of the success of this organization in my home State of Florida, where there are programs like Best Buddies Colleges in which schools like my alma mater of Florida International University and the University of Miami participate.

This program nurtures one-to-one friendships between college students and adults with IDD so that they can be involved in campus life beyond the classroom.

Through this and other worthwhile programs, participants create a bond that can truly last a lifetime while becoming inspirational leaders and living a more independent life.

I would like to extend my best wishes to Best Buddies International as it continues on this noble endeavor and encourages all to get involved and support people with special needs and their families.

AFL–CIO 60TH ANNIVERSARY

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Mr. Speaker, this week marks the 60th anniversary of the AFL–CIO.

The AFL–CIO serves as the voice for more than 12 million working Americans throughout our Nation. Through negotiating with employers, the AFL–CIO has fought and won better wages, fair hours, and more friendly family policies for millions of Americans. I fought alongside AFL–CIO for decades, and I will continue to stand with them and our workers.

Thank you to the president of the North Carolina AFL–CIO, James Andrews, to Timothy Rorie with the Central Labor Council, Charlie Hines with the International Association of Machinists and Aerospace Workers, Essie Hogue with the Union for Government Employees, and more than 30 other members of the North Carolina AFL–CIO executive board. Thank you.

These leaders pour everything they have into fighting for workers in our communities.

For more than 60 years, the AFL–CIO has represented the best in our unions and has given our workers the support they need to stand up for themselves. On this 60th anniversary of the AFL–CIO, let's continue to support our workers by making sure that they have wages that they can live on, fair hours, retirement protections they deserve, and access to health care they need.

TRIBUTE TO THE LIFE OF HOWARD HENDERSON

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

Ms. MCSALLY. Mr. Speaker, I rise today to pay tribute to the life of Howard Henderson, a man who was cherished by many throughout southern Arizona.

Howard moved to Douglas, Arizona, in 1984, when he became the owner and president of KDAP–FM and KAPR–AM radio stations. He wasted no time making his mark, both on the air and in the community.

Howard hosted ''The Trading Post'' morning show, one of the most popular and listened-to shows in the area. He broadcasted over 1,000 high school games and supported community events, including serving on the local fair board. His on-air personality and active presence in Douglas earned him the nickname, Mr. Wonderful.

I got to know Howard over recent years. Like many, I was touched by his professionalism, his grace, and his dedication to the community.

On November 20, Howard passed away, after battling cancer, at the age of 65. We will miss hearing his voice on the airwaves and seeing his smiling face around Douglas, but we will never forget his impact on southern Arizona.

HONORING JEFFERSON COUNTY SHERIFF'S DEPUTY JERROD RIGDON

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, today I rise to honor Jefferson County Sheriff's Deputy Jerrod Rigdon, whose heroic actions saved the life of a Florida State University student in my district.

When Deputy Rigdon arrived at the crash scene on the morning of October 31, the scene was horrific. The car was mangled, and the freshman student inside had life-threatening injuries. His neck was severed, and he was quickly losing blood.

The deputy quickly assessed the scene, worked to stop the bleeding, and called for a helicopter to airlift the victim. Because of his fast response and heroic actions, Billy Fowler, the 18-year-old freshman in the car, is alive today.

I want to thank Deputy Rigdon and all of the north Florida first responders. Thank you for risking your lives to save ours.

□ 1245

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 8, NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT ON S. 1177, STUDENT SUCCESS ACT

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 542 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 542

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes. No further general debate shall be in order. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-36. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The gentleman from Texas is recognized for 1 hour.

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 542 provides for a rule to continue consideration of the comprehensive energy legislation on which the House began its work yesterday.

The rule makes in order 38 amendments to be considered on the House floor, 22 of which are sponsored by Democratic Members of the House, 12 of which are sponsored by Republicans, and 4 of which were submitted as bipartisan amendments.

Further, the minority will be afforded the standard motion to recommit—a final opportunity to amend the bill prior to its passage.

H. Res. 542 further provides for a rule to consider the conference report to S. 1177, the Student Success Act, which will move the country's education system beyond No Child Left Behind and return the responsibility of educating our children to local and State authorities, where it appropriately belongs.

As with all conference reports brought before the House, the rule provides that debate on the measure will be conducted under the standing rules of the House and will further provide for a motion to recommit, allowing the minority yet another opportunity to amend the legislation before its final passage.

The amendments that the Rules Committee made in order allow the House to weigh in on a number of important issues within the sphere of energy policy, from crude oil exports, to the Federal Government's policy on fossil fuel usage, to siting and regulatory reforms at the Department of Energy and the Federal Energy Regulatory Commission.

I do wish to highlight an amendment that unfortunately was not made in order, one that I submitted to the Rules Committee, as well, during the markup of H.R. 8 in Energy and Commerce.

It has become clear to me, having worked on the Energy and Commerce Committee over the past 10 years, that the authority given to the Department of Energy to regulate and mandate efficiency standards in consumer products was both initially misguided and ultimately has proven to be cumbersome and unworkable.

Mr. Speaker, I have always been a strong believer in energy efficiency. However, government-mandated efficiency standards have proven to be the wrong approach.

For this reason, I submitted an amendment to repeal the Federal energy conservation standards, which dictate how energy efficient consumer products must be before they can be sold in the United States.

These mandates cover products from light bulbs—and, on this, we have successfully blocked it due to overwhelming public outrage—to ceiling fans, to air conditioners, to heaters, to furnaces. The list goes on and on.

The Federal Government should not be setting these standards. Companies and, more importantly, their customers should be the driving force in this decision. This is about letting the free market drive innovation and technological advances. The government should trust the people to make the right decisions when it comes to the products that they buy.

When the government sets the efficiency standard for a product, that often becomes the ceiling. When the market drives the standard, there is no limit to how fast and how aggressive manufacturers will ultimately be when consumers demand more efficient and better products.

Mr. Speaker, government standards have proven to be unworkable. Every single time the Department of Energy proposes to set a new efficiency standard for any product, manufacturers run to their Members of Congress, asking us to sign letters to the Department of Energy to implore them not to set unworkable standards. It is a predictable occurrence for every rule.

Even in H.R. 8, we are conceding that the Department of Energy is moving in the wrong direction with furnace standards, and Congress has to step in and mitigate. In fact, Congress should be getting out of the way of the relationship between companies and their customers.

How many times during the appropriations process are we asked to vote on amendments blocking the Department of Energy from regulating consumer products because the Federal Government does not understand how to run a business? Instead of that approach, we should be removing the Department of Energy's authority altogether.

The Commerce Clause of the United States Constitution was meant as a limitation on Federal power. The Framers intended that clause to be used to ensure that commerce could flow freely among the several States. It was never intended to allow the Federal Government to micromanage everyday consumer products.

If the clause were truly meant to be that expansive, then the 10th Amendment would be meaningless. There would be no authority left to reserve to the States. This view of the Commerce Clause was reaffirmed most recently by the Supreme Court in the National Federation of Independent Business v. Sebelius.

The Commerce Clause does not and cannot extend so far as to allow the Federal Government to regulate products that do not pose a risk to health or safety. There is a place for the FDA to regulate safe food and drugs and for the National Highway Traffic Safety Administration to regulate the safety of cars on the roads, but to give the Federal Government the authority to regulate how efficient a product should be really seems to cross a constitutional line.

Congress has already stepped in to block the Department of Energy from setting efficiency standards for light bulbs—not because Congress gained wisdom. It was because the American people understood clearly that this was government overreach at its worst, and they demanded it be fixed.

But the same can and should be said about every consumer product that the Department of Energy has been given the authority to regulate in the efficiency space. From light bulbs, to furnaces, to air conditioners, to ceiling fans, the Department of Energy should not be telling manufacturers how to make their products.

I also want to say one thing about the amendment to H.R. 8 that was submitted by the Representative from Wyoming (Mrs. LUMMIS), which was also, unfortunately, not made in order.

This amendment was based, in part, on a series of GAO studies that I and Senator MARKEY had commissioned to study the Department of Energy's management of uranium issues and its impact on the domestic uranium mining industry.

It is a critical issue for those of us from Western States. And it is my hope, as this body continues to work to protect that industry from further legally suspect actions by the Department of Energy, that Mrs. LUMMIS' wishes will be achieved.

The education conference report, known as the Every Student Succeeds Act, is a bipartisan compromise to reauthorize and reform our education system.

For the past 13 years, our students and our schools have been struggling to meet the rigorous and often unrealistic demands of No Child Left Behind.

No Child Left Behind attempted to improve school accountability by conditioning increased funding on annual testing requirements and pass rates. One hundred percent of students were supposed to be proficient by 2014, with failing schools being required to restructure under Federal guidelines.

A vote against the Every Student Succeeds Act today is a vote to keep No Child Left Behind in place, to keep the onerous average yearly progress standards in place, and to keep the high-stakes testing in place that so many of our constituents deplore.

This compromise, which was worked out in committee, is a vast improvement. It is not a perfect bill by any stretch, but it is a vast improvement. And, really, for the first time, it moves control back into the hands of States and local districts, where it belongs.

It eliminates the waiver process by repealing the adequate yearly progress Federal accountability system. For years, school boards in my district have been requesting relief from having to obtain waivers from the Department of Education.

This bill will allow local districts to set their own testing requirements and standards to determine whether a student or a school is struggling as well as how to improve.

Common Core incentives are eliminated. Let me repeat that. Common Core incentives are eliminated.

The Federal Government created the Federal education regulations and mandated their adoption by withholding funds from schools. This intervention is another example of the Federal Government's prescribing its best practices over those schools and teachers who, every day, get up and go to work to do their best. They know their students. They know how best to teach them. Under the Every Student Succeeds Act, this stops.

This bill also provides States with new funding flexibility by allowing States to determine how to spend their Federal dollars—on average, 7 percent per year. In my State, this is more than $225 million annually that the State will be able to allocate in the most effective and the most efficient way possible.

This bill is a 4-year authorization. That is an important point. Regardless of how you feel about the current administration, it will not be the current administration in 4 years' time. That will allow the next administration, whoever he or she may be, the opportunity to better evaluate education programs and, my hope is, to continue to reduce the Federal role for our students, schools, and teachers in Texas and throughout the country.

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

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

I am glad the gentleman got to education. We heard 9 or 10 minutes about this corporate welfare energy bill, which is not going anywhere, and it is the reason that I don't think there will be any Democrats supporting this rule. But, yes, in this rule is also a wonderful education bill that we are very excited about, and I think we have many Democrats who will want to tell you about it here today. It is exciting to reach this point.

I share the frustration of teachers, of parents, of students across the country with No Child Left Behind. I was on the State Board of Education in Colorado from 2001 to 2007 when we implemented No Child Left Behind. We saw many of the flaws at that time.

We knew the fallacy of the formula for adequate yearly progress, and it was set up in such a way that all schools would eventually fail. We saw the rigid structure that could even inhibit State and district innovation.

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I am proud to say today that the bill under this rule is a major step forward. For those who are thinking of opposing

it, realize that, in opposing it, you are ensuring that No Child Left Behind will continue exactly as it is.

There is never a perfect alternative. I am sure, if each of us had the opportunity to write our own education bill, we would have 435 different bills.

What we have before us is a good, realistic compromise that can replace No Child Left Behind with a new Federal education law. It is something that is long overdue for the kids of this country, something that will be a boost in morale to teachers and educators in this country, and something that will encourage innovation at the State and district level. I will talk about some of those provisions that do just that.

Just a few weeks ago I met with some teachers and students at Rocky Mountain High School in Fort Collins, Colorado. They expressed their frustration with what has become everyday challenges in K–12 schools and how detached our No Child Left Behind law from 15 years ago is with the realities of education today.

Teachers are spending less time teaching and more time administering high-stakes test or teaching of the test. Students are spending less time learning. As a result, schools have less time to focus on teaching real skills that students need to be ready for college or to be ready for careers in technical education after high school.

Unfortunately, schools across my district and the country have been experiencing the same frustrations as the teachers and students at Rocky Mountain High who I met with a couple weeks ago.

These frustrations are in many ways the result of the outdated education law, No Child Left Behind, which passed in 2001, which was well intentioned, but imposed a one-size-fits-all accountability system, a flawed one at that, on a diverse set of States and districts across our country.

That is why I am so excited to be here on the floor of the House with the opportunity to speak about the new conference report, the new bipartisan, bicameral ESEA Reauthorization, the Every Student Succeeds Act, which passed 39–1 in our conference committee.

I encourage my colleagues on both sides of the aisle to join me and the other conferees in replacing No Child Left Behind with Every Student Succeeds Act.

The Every Student Succeeds Act is the result of years of work by both Chambers. Former Ranking Member and former Chair George Miller, former Ranking Member and Chair Buck McKeon, current Chair Mr. KLINE, and Mr. SCOTT have worked tirelessly, along with their staffs, over years to be able to put together something that both Democrats and Republicans can feel good about. Because guess what. We both care about kids. We both care about education. It is not a partisan issue.

Now, we might have our differences about how to improve our schools. Let's put all those good ideas on the table. And they were. And they were voiced. We were able to build and improve deeply upon the highly flawed first version of this bill that the House passed, which would have taken Federal dollars away from the poorest schools and given it to wealthier schools.

The House-passed bill would have completely failed students with disabilities by allowing unlimited students to have no accountability by classifying them as students with disabilities for alternative assessments, sweeping under the rug the tremendous amount of progress that students with disabilities have made since No Child Left Behind.

The first version of the bill didn't establish any accountability for graduation or proficiency rates or any parameters for interventions to ensure that we could improve struggling schools.

Now, when the Every Student Succeeds Act finally passed the House, it barely passed. It passed in a purely partisan manner. No Democrats supported the bill, and many Republicans didn't support the bill.

Now, the silver lining of that is that it allowed the process to move forward. I am proud to say, after months of hard work by the staff and the chair and ranking member, the conference committee has succeeded in reporting out a bill that I believe is better than the Senate bill, better than the House bill, and certainly better than No Child Left Behind.

When the conferees met, several Members offered thoughtful amendments that built upon and improved the conference framework even more. For example, Mr. MESSER offered an amendment that would allow funds to be used to educate teachers about best practices for student data privacy.

I offered a successful amendment that increases dual and concurrent enrollment opportunities for English language learners, something near and dear to my heart as the founder of the New America School charter school network.

The conference committee took the framework and turned it into a robust bill that replaces No Child Left Behind with a system that works better for students, for educators, for families, and for schools.

When ESEA was first passed in 1965, first and foremost, it was seen properly as a critical piece of civil rights legislation. For the first time, the Federal Government was making a commitment that every child, regardless of race, background, or ZIP Code, deserved a great education to prepare them for success.

Any reauthorization of ESEA needs to uphold that same commitment to civil rights that was established in 1965. While the Every Student Succeeds Act isn't perfect, I believe that it upholds that commitment to civil rights that is such an important role for the Federal Government to play.

Most importantly, the Every Student Succeeds Act includes strong accountability provisions that ensure that underimproving schools are identified and improved.

Now, title I in Every Student Succeeds Act has come a long way from the original House bill. The number of Members in the House, including those in the new Democratic coalition and the Tri-Caucus, demanded stronger accountability provisions in the conference report. I am very happy to see that the conference report has delivered.

Specifically, the Every Student Succeeds Act maintains annual statewide assessments, which gives States, districts, teachers, and parents valuable information about how students are performing and the tools they need to improve student performance. This data will be broken down by subgroup, by race, by socioeconomic status, to ensure that no students are swept under the rug.

This bill includes a clear framework for identifying consistently low-performing schools and provides resources and ensures that States intervene to improve them. It fully maintains our promise to parents of students with disabilities, the promise that schools will be accountable to ensure that their child is learning and that the unique learning needs of their children are met.

To be clear, these requirements are not the same top-down, one-size-fits-all accountability provisions of No Child Left Behind. The one-size-fits-all formula of adequate yearly progress is rightfully gone. The accountability provisions in Every Student Succeeds Act creates a framework for States as they create their own meaningful accountability plans.

This means that States can be flexible and innovative to create specific policies that work for them. It is a challenge to States to rise to the occasion in meeting the learning needs of all students while maintaining those Federal rails to ensure that no child is left out.

This bill provides additional flexibility around testing by allowing high-quality, Federally recognized tests to also meet the annual testing requirements in high school. In my district, high schoolers take the Colorado State test, the ACT, and, if necessary, AP or IB exams. That is a lot of testing in the final years of high school.

This new flexibility would mean that a pending application that Colorado has for the ACT to stand in place of the Colorado State test would be specifically allowed in statute under this bill,

and I couldn't be more proud of that provision.

This bill also maintains strong support for high-quality charter schools, something that I have made a hallmark of my time here in Congress and have been a coauthor of bills that have passed this body overwhelmingly. That charter school language is reflected in this bill.

The language would improve charter school access and service for all students, give new and innovative charter schools those tools they need to meet their goal of serving at-risk and diverse students that ensure that our limited Federal investment supports the replication and expansion of high-quality, innovative charter schools.

Before I came to Congress, I founded two public charter school networks. I know the freedom to innovate and the flexibility to pursue a unique mission within public education can help charter schools succeed at the highest levels.

This bill also contains a commitment to education technology and innovation. The Investing in Innovation program has also been one of my top priorities in this bill.

In Colorado, the St. Vrain Valley School District, which I represent a good portion of, received a $3.6 million innovation grant to expand programs for at-risk kids in seven schools.

Because of that grant, St. Vrain was able to extend the school year at four elementary schools that serve at-risk kids, target math students at risk of failing at two middle schools that implement the STEM Academy at Skyline High School. I couldn't be more proud of this provision.

Now, this rule also has a corporate welfare giveaway to the oil and gas industry. Thankfully, they are two separate votes. So my colleagues can vote against corporate welfare for the oil and gas industry, one of the most profitable industries on the face of the planet, and vote for kids.

I do encourage my colleagues to vote against the rule, which has the oil and gas corporate welfare bill. If it simply was a straight-up vote on ESEA, I think my Democratic colleagues would join me in supporting the rule. Unfortunately, it is not.

They stuck another bill in there that is an enormous multibillion-dollar giveaway to the most profitable industry on the face of the planet, trying to preserve the fossil fuel industry rather than find a pathway forward to transition toward a lower carbon emission future.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield 3 minutes to the gentlewoman from North Carolina (Ms. FOXX), a valuable senior member of the Committee on Education and the Workforce.

Ms. FOXX. Mr. Speaker, I thank my colleague, Dr. BURGESS, for yielding time.

Mr. Speaker, as a child, my family's home didn't have electricity or running water. My parents, while dedicated and hardworking, were poor, with little formal education.

Fortunately, I was pushed by the right people, teachers and administrators, who wouldn't let me settle for less than my best. In the mountains of North Carolina, I learned firsthand the power of education and its vital role in the success of individual Americans.

Unfortunately, today's K–12 education system is failing our students. Decades of Washington's counterproductive mandates and the No Child Left Behind law have resulted in stagnant student achievement, disappointing graduation rates, and high school graduates entering college and the workforce without the knowledge and resources they need to succeed.

Parents and education leaders have lost much of their decisionmaking authority to Washington bureaucrats, and the Secretary of Education has bullied States into adopting the Obama administration's pet policies.

The rule we are debating now would provide for consideration of a conference committee agreement, the Every Student Succeeds Act, reauthorizing and reforming the Elementary and Secondary Education Act that would allow Congress finally to replace the No Child Left Behind.

As a grandmother, educator, and former school board member, I know students are best served when teachers, parents, and administrators are the driving force behind improving education. This agreement does just that by reducing the Federal footprint in the Nation's classrooms and restoring control to the people who know their students best.

The compromise Every Student Succeeds Act gets Washington out of the business of running schools. It protects State and local autonomy by prohibiting the Secretary of Education from coercing States into adopting Common Core or punishing them for abandoning it.

It also would place unprecedented restrictions on the authority of the Secretary of Education, preventing the Secretary from imposing new requirements on States and school districts through executive fiat, as President Obama's Department of Education has done repeatedly over the past 3 years.

The proposal eliminates the burdensome one-size-fits-all accountability system that has done more to tie up States and school districts in red tape than to support local efforts to educate children. It also reduces the size of the Federal education bureaucracy by eliminating ineffective and duplicative Federal programs and requiring the Secretary of Education to reduce the Department's workforce accordingly.

If Congress were to fail to act, States would be forced to choose between the fundamentally flawed policies of No Child Left Behind, which double down on Federal programs, mandates, and spending, and the Obama administration's controversial temporary conditional waiver scheme, which has imposed the administration's preferred policies and heightened the level of uncertainty shared by States and school districts. America's students deserve better.

That is why I am so pleased today's agreement gives States a better chance to succeed by getting Washington out of their way. Our work has been validated by The Wall Street Journal, which stated that the bill would represent the largest devolution of Federal control to the States in a quarter century. It is far better than the status quo that would continue if nothing passes.

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). The time of the gentlewoman has expired.

Mr. BURGESS. I yield an additional 15 seconds to the gentlewoman from North Carolina.

Ms. FOXX. By reversing No Child Left Behind, one-size-fits-all micromanagement of classrooms, Congress is giving parents, teachers, and local education leaders the tools they need to repair a broken education system and help all children reach their potential. It is time to get Washington out of the way.

I encourage my colleagues to support this rule and the underlying conference committee agreement, the Every Student Succeeds Act.

Mr. POLIS. Mr. Speaker, I yield 2½ minutes to the gentleman from Massachusetts (Mr. KENNEDY), a member of the Energy and Commerce Committee.

Mr. KENNEDY. Mr. Speaker, I want to thank my colleague for yielding and for all of the work that he has put in on an important and necessary advancement in our education system.

As he mentioned, the rule we are debating today also incorporates a rule for an energy bill that I wanted to address today because nowhere is the need for a comprehensive energy policy more critical than in my home State of Massachusetts and the entire region of New England.

With recent announced closures of two plants in our region, one coal and one nuclear, we are facing the loss of over 2,000 megawatts of an already antiquated, already overtaxed electric grid. That loss of capacity is already causing the bills of our consumers to skyrocket through a quadrupling of our capacity rates, from $1 billion to over $4 billion.

Those closures and subsequent rate increases underscore our need for a roadmap that puts us on a path toward renewable energy while balancing the reliability and affordability.

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The bill before us today does exactly the opposite. It reverses course and renews our investment in outdated energy resources while putting up roadblocks that will halt the innovation our energy infrastructure so desperately needs.

In particular, I am very concerned with section 1110 of the bill, which would require regional grid operators to conduct a reliability analysis each time a rate change is filed with the Federal Energy Regulatory Commission.

Unfortunately, reliability comes at a cost, and the analysis required by section 1110 fails to even consider its impact on ratepayers. It ignores the concerns that I hear across my district every single day. Rate increases mean families can't save, businesses can't grow, local towns can't plan for the future.

That is why I introduced an amendment which would simply add ''at the lowest possible cost'' to the reliability analysis in section 1110. Unfortunately, it was not made in order. It was a simple amendment that would have given much-needed direction and flexibility to each regional operator to determine what its reliability needs are and how much it is going to cost local ratepayers.

The reliability analysis is a clear benefit to fuel types that can be stored and ignores the realities and benefits of other sources of energy, including renewables. The criteria required in this analysis fails to consider regional disparities, such as natural gas resources, local policies, and infrastructure.

If the majority is going to insist on a reliability analysis, at the very least we should consider the impact the analysis would have on energy costs to our constituents.

To say I am disappointed about what this bill has become would be a tremendous understatement. I hope today's vote will send a signal to the majority that this version does not have a viable pathway forward and that our Caucus remains committed to working with them on a bill that does.

Mr. BURGESS. Mr. Speaker, at this time, I yield 4 minutes to the gentleman from Alabama (Mr. BYRNE).

Mr. BYRNE. I thank the gentleman for yielding.

Mr. Speaker, as a former member of the Alabama State school board, former chancellor of postsecondary education for the State of Alabama, and as a member of the Committee on Education and the Workforce, I am proud to support this rule and the underlying legislation.

For too long, our Nation's education system has failed under a heavy, top-down system of mandates and requirements set by Washington bureaucrats and special interest groups.

The Every Student Succeeds Act changes that by getting Washington out of the way and empowering our local teachers, principals, and administrators. This legislation achieves these goals by reducing the Federal Government's role in K–12 education and restoring control over education back to the States and local school districts, where it belongs.

The Wall Street Journal editorial board calls this legislation the largest devolution of Federal control to the States in a quarter-century. National Journal notes that the bill marks a rollback of Federal power, while Politico points out that the bill cuts down on the number of education programs.

I hear concerns often from my constituents in southwest Alabama about the Common Core standards. Well, this bill expressly prohibits the Secretary of Education from influencing or coercing States into adopting Common Core. This bill makes clear that it is solely a State's responsibility to set academic standards and pick assessments.

These restrictions on the Federal Secretary of Education are unprecedented and will end the Secretary's ability to influence education policy through executive fiat and conditional waivers.

Some may wonder what the alternative is to this legislation, so let me tell you.

Without this bill, we will continue to allow the Obama administration and the Federal Government to dictate education policy to the States.

Without this bill, the Secretary of Education will continue to use Federal grants and money to coerce States into adopting certain academic standards, like Common Core.

Without this bill, the Federal Department of Education will continue to operate more than 80 programs which are ineffective, duplicative, and unnecessary.

Without this bill, teachers will continue to have their hands tied by policies and assessments put forward by bureaucrats in Washington, D.C.

Washington has no business telling our States and local school districts how to best run their schools. So let's pass the Every Student Succeeds Act. Let's get Washington out of the way, and let's empower our local teachers, parents, and students.

I urge my colleagues to support this rule and to support the Every Student Succeeds Act.

Mr. POLIS. Mr. Speaker, I yield 2½ minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I have a great deal of respect for the ranking member's intellect and integrity, as well as the chairman, in working through this rule.

But it is simply disgraceful that while the President of the United States, our President, was in Paris this week to unite the world against the growing threat of climate change, this House chose to take up this particular legislation that would undermine the transition to cleaner power sources.

These irresponsible bills put the American people at risk by exposing them to the dangers of carbon pollution, further exacerbating the negative impacts of climate change and putting our natural resources in jeopardy.

While some of my friends choose to deny solid scientific evidence, more than 12,000 peer-reviewed scientific studies are in agreement: Climate change is real, and humans are largely responsible by releasing large amounts of carbon dioxide and other greenhouse gasses into the atmosphere from burning fossil fuels to produce energy.

But this is the most embarrassing part for our country: that this House is ignoring the scientific and national security community, which has long recognized the national security threat climate change poses for future generations.

The longer term consequences of failing to act to address climate change may add further instability in regions that are already teetering on the edge of crisis. This could impair future access to food and water, damage infrastructure or interrupt commercial activity, and increase competition and tension between countries vying for limited resources.

Now, as this body chooses to ignore our military leaders, we are faced with a choice. We can reject the continued calls to pull fossil fuels from the ground, or we can put our heads in the sand and pretend everything is fine, hunky-dory.

While I may not be a scientist or a military expert, I don't think it is difficult to walk and chew gum at the same time. We can listen to the experts by investing our time and efforts in both short-term and long-term policies to keep the public safe.

Mr. BURGESS. Mr. Speaker, at this time, I yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. Mr. Speaker, I rise in support of this rule and in support of both bills that this rule will bring to the floor.

I thank the gentleman from Texas for yielding me this time. I find myself in very strong agreement with him on every point that he raised in his outstanding opening statement.

In regard to the energy efficiency bill, Mr. Speaker, unemployment is a serious problem in this country, but we have much more underemployment. We have ended up with the best educated waiters and waitresses in the world, as many thousands of college graduates can't find good jobs.

Our environmental rules and regulations and red tape have caused several million good jobs to go to other countries over the last 40 or 50 years. We need more good jobs in this country, Mr. Speaker, and this energy bill will

help reduce this movement of jobs to other countries.

But, Mr. Speaker, I rise primarily today to speak in favor of the Every Student Succeeds legislation.

In 2001, I was one of just 45 Members of the House who voted against the No Child Left Behind Federal education law. Just 10 of those 45 remain in the House today: Republican Congressmen SAM JOHNSON, WALTER JONES, JOE PITTS, DANA ROHRABACHER, JIM SENSENBRENNER, PETE SESSIONS, and myself; and Democrats JOHN CONYERS, BOBBY SCOTT, and MAXINE WATERS.

This turned out to be one of the most popular votes I ever cast, especially with teachers.

I have spoken well over a thousand times in schools through the years, and I voted against the bill in 2001 because I felt the teachers, principals, and parents in east Tennessee had enough common sense and intelligence to run their own schools and classrooms and didn't need Washington bureaucrats telling them what to do.

The No Child Left Behind law was a great overreaction to failed schools in some of our Nation's biggest cities, and it needs to be replaced. Today, I rise in support of the Every Student Succeeds Act so we can leave behind the No Child Left Behind law.

As a previous speaker mentioned, the Wall Street Journal on Monday published an editorial calling this bill ''a bipartisan compromise'' that would be ''the largest devolution of Federal control . . . in a quarter-century.''

The paper pointed out that ''it's far better than the status quo which would continue if nothing passes,'' and described the bill as ''a rare opportunity for real reform.''

This bill should please many conservatives because it does away with the Common Core mandate.

This legislation is an example of great work by my own Senator, constituent, and friend, Senator LAMAR ALEXANDER. This bill is just one of many reasons why Senator ALEXANDER is one of the most respected Members of the other body, and I commend him for his efforts to improve our Nation's schools.

I urge all of my colleagues to support these two bills that this rule brings to the floor.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Vermont (Mr. WELCH), a member of the Committee on Energy and Commerce.

Mr. WELCH. Mr. Speaker, this bill is missing a great opportunity where we have common ground on energy efficiency. Mr. UPTON and Mr. WHITFIELD are great chairmen of the subcommittee and the standing committee and made an honest effort to try to include all of the possible things that we could do on energy efficiency, but we came up short.

The American Council for an Energy-Efficient Economy—and that is made up of a lot of private sector companies that are trying to meet the demand that their consumers, corporate consumers, and individuals have to get more bang for their energy dollar by using less and saving more—has said that this bill will not reduce energy consumption in the United States. It will increase it, at a cost of about $20 billion through 2040.

Why are we doing that? Energy efficiency is the area where we agree. There is a lot of contentious debate about climate change; we are not going to resolve that today. But we have bipartisan agreement that we should use less energy. It is good for our customers, and it is good for the economy, and it is good for the environment. We came up short.

Many of the costs in energy efficiency could be saved with building codes language, which Mr. MCKINLEY, an engineer on the Republican side, introduced along with me. That is not in this bill.

There was a number of other bipartisan amendments that could have been offered. One by Mr. KINZINGER, the Smart Building Acceleration Act, should be in the bill. One by Mr. REED, the Smart Manufacturing Leadership Act, should be in the bill.

So energy efficiency, that is the place we can work together, and it is the place where we save money by using less energy and improving our economy and improving the environment as well.

The second area is the renewable fuel standards.

We have a huge debate in this Congress. If you are a corn farmer and you are from that district, the renewable fuel standards work for you because it increases what you get for producing corn.

Everywhere else, you are getting hammered. The cost to farmers who have to pay grain bills is higher. The cost to consumers who have to buy food is higher. The cost to small engine owners who have to get more repairs is higher. And it is bad for the environment.

That has been determined, I think, to be a well-intended flop.

Many of us had amendments that were going to let this Congress vote on the renewable fuel standard. It was denied by the Committee on Rules because the Congressional Budget Office has said that if we actually passed an amendment eliminating the renewable fuel standards, drivers of pickup trucks and cars would get higher gas mileage, and, therefore, there would be less revenue in the transportation bill from the gas tax, and we might have to pay more to farmers as a subsidy.

Now, what is going on here when we can't take a vote on a proposal that would have the effect of saving the driving public money on gas?

You know, I am willing to take that vote. I am willing to take the heat for saving drivers in this country money because they can get better mileage without ethanol in the fuel.

Mr. Speaker, there has been a real effort here on the committee to make progress. My goal is that we keep at it and try to improve this bill as it goes along the legislative path.

□ 1330

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

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Mr. Speaker, I rise in opposition to the rule, but I would like to speak on some of the positive benefits I see in the education portion of this bill coming down the pike later on today.

First and foremost, I think we are learning a lot, Mr. Speaker, about what it really means to prepare young kids for an education today. And I believe the brain science that is unfolding in our country and the world is helping us better understand exactly how young minds work and how our own brains work. I think it is smart for us to send more power back to the local districts and then support programming that can help kids learn better.

A component of this bill, the Student Support and Academic Enrichment grant program, allows for helping to educate well-rounded kids, allows us to focus on well-rounded education, focus on safe and healthy kids, and gives local school districts an opportunity to invest in programs like the social and emotional learning programs that are going on around this country.

It is an interesting study. A meta-analysis done of about 213 programs with 270,000 kids participating in social and emotional learning programs saw an 11 percentile point increase in test scores. That closes the achievement gap. We have seen a 10 percent increase in prosocial behavior, a 10 percent decrease in antisocial behavior, and a 20 percent swing in the behavior of the kids.

We have great programs, like the MindUP program that Goldie Hawn started, having a tremendous impact around the country.

In my own congressional district, in Warren City Schools, we have the Inner Resilience Social and Emotional Learning program. In one of our schools, we have seen a 60 percent reduction in out-of-school suspensions. That is a 60 percent reduction.

And these programs are having significant benefits. If you look at the qualities that a young person needs, I believe this bill helps us get back to redefining what the common core is. In my estimation, the common core is: Are we teaching kids mental discipline? the ability to be aware? the ability to be focused? the ability to cultivate one of the key components to

a successful life, and that is the ability to regulate your own emotional state?

This comes well before science, technology, engineering, and math. Teaching these key, fundamental characteristics—mental discipline, physical discipline, focus, concentration, self-regulation—are key components before you even get to the academic side of things.

The other component in here is creating healthy schools. This gets into the school lunches. This gets into the food that these kids eat. If the student is not getting healthy foods, they are not going to be able to concentrate, they are not going to be able to have a high energy level, they are not going to be able to do well academically.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. RYAN of Ohio. To me, self-regulation, awareness, attention, healthy foods, and healthy environment are the building blocks before we even get to the academic component of what happens in the classroom.

I want to thank the committees and the conference committee for putting this together and just recognize that I believe there is a new way of educating our kids emerging here. There is a new common core developing, and that is the mental discipline and the physical health of our young people.

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

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

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up bipartisan legislation that would close a loophole allowing suspected terrorists to legally buy guns. This bill would bar the sale of firearms and explosives to those on the terrorist watch list.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. POLIS. Mr. Speaker, we have before us today an education bill that is a vast improvement over the status quo. I am proud to say it is a result of the work product between Democrats and Republicans working together to finally replace an outdated educational law with one that makes a lot more sense.

It maintains the original goal of ESEA from 1965—that is, to protect the civil rights of all Americans, to ensure that no school district can sweep under the rug or deny a quality education to any student because of their ethnicity or race or income status—and it allows States and districts the flexibility to meet those needs. It allows States and districts the flexibility to do something, but not the flexibility to do nothing. That is the fine line that Democrats and Republicans have worked together to seek and have accomplished with this bill.

Beginning in 2011, the Department of Education embarked on an unprecedented process of granting annual ESEA waivers to States and some districts. Now, you have heard that waiver process blasted from the other side. Absent that waiver process, under the formula of adequate yearly progress, nearly every State and district would have been labeled a failure. So I hope that my colleagues are grateful for a waiver process that has succeeded in granting waivers not only to my home State of Colorado, but to most States and districts across the country.

Now, of course, the waiver process opened up a Pandora's box. We can all agree it gave too much power to a single Federal agency. Not knowing who the next President is going to be, that should be something that Democrats and Republicans are concerned about.

While President Obama and Secretary Duncan's use of the waiver process allowed States to get out from under a flawed law, we can't necessarily count on the next President to be as generous with the waiver process in the No Child Left Behind, which is why it is completely appropriate and why you see so many Democrats, Republicans, educators, and school board members lining up to say: You know what? We need better statutory guidance, and we need to eliminate the one flawed Federal measurement of adequate yearly progress and replace it with an accountability system that works at the State and district level and maintains the Federal commitment to civil rights for all students.

Now, I personally agree with some of the reforms that resulted from the ESEA waivers, but a complex annual waiver process is at the whim of whoever the chief executive is at a certain time. It is not sound policy over time to improve our public schools.

I am proud to say this bill, ESEA, has broad support from a diverse coalition of stakeholders. It has support from superintendents, teachers, the Chamber of Commerce, the Business Roundtable, the National Center for Learning Disabilities, the National Council of La Raza, Third Way, the STEM Education Coalition, the National Governors Association, and many others who are very well-regarded organizations that support the bill. And just over the past few days, I have heard from constituents who support the Every Student Succeeds Act.

I have spent most of my public career in education. I believe that education is the single most powerful tool for creating opportunity, for ending poverty, for lifting people into the middle class and beyond.

I have served as chairman of the State Board of Education of Colorado. I founded two charter schools. I served as superintendent of a charter school, the New America School. During my time in Congress, I have sat on the House Education and the Workforce Committee. And on a personal note, I have a preschool-age son.

Nothing could be more important for the future of our country than improving our public schools. Education is important to me, just as it is important to thousands of families in my district and parents everywhere. The Every Student Succeeds Act is a good bill that will move our education system forward.

I am proud to support the conference report, though, again, I am opposed to the rule and H.R. 8, the corporate welfare for the oil and gas industry bill, which was, unfortunately, put under the same rule as an education bill that I think many of us can agree on.

I want to talk about some of the specific language around charter schools that I worked hard to include in this bill.

I am proud to say that this version of the bill maintains strong Federal support for new and innovative charter schools as well as allowing for the replication and expansion of public charter school models that we know work for at-risk kids.

It is one of the great things about education. For every challenge we face, for every problem we see in public education, we also see an example of what works: a great teacher in a classroom defying the odds by helping at-risk students achieve; a great school; a great principal; a great site leader who has turned around a low-performing school, improved graduation rates, and made sure that more kids have access to college.

These stories are a reality in districts like Denver Public Schools, Jefferson County Public Schools, Boulder Valley School District, Poudre School District; and in districts across the country, there are examples of what works and what doesn't work.

The truth is that the Federal Government and States need to ensure that districts change what doesn't work, and one of the best ways to do that is to take proven models of success and expand and replicate them. One of those models that can work is public charter schools.

I am proud to say the public charter schools have been embraced in my home State of Colorado. Denver Public Schools, which serves a high percentage of at-risk kids, has over 20 percent of their children choosing to attend public charter schools. Our State also enjoys strong school choice across all public schools and even between districts.

This bill improves upon the charter school language by allowing the grants

to be used for expanding and replicating successful models and upping the bar on authorizing practices and ensuring that quality public charter schools are meeting the needs of learners across the country.

Many of these charter schools wouldn't get off the ground without these Federal startup grants because they don't receive any public funds or State funds—in my home State of Colorado, until June of the year they open; in other States, it might be a little bit different. But generally speaking, all of those planning costs and operating costs for that year, until they open, are not compensated because they have no student enrollment at that point.

Believe me, it takes money to get public charter schools off the ground. They raise money from philanthropy. Some school districts who want more public charter schools help seed them, too. And the Federal investment, along with that, will help ensure that these great educators and great ideas have a chance to actually start a public charter school that meets a real learning need in the community.

I couldn't be more proud that those priorities of the All-STAR Act and the charter school bill passed overwhelmingly by this body in two different legislative sessions are reflected in this final bill.

I encourage my colleagues to vote ''no'' and defeat the previous question, to vote ''no'' on the rule, to vote ''yes'' on the education bill, and to vote ''no'' on the corporate welfare for the oil and gas industry bill.

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

Mr. BURGESS. Mr. Speaker, may I inquire as to the amount of time remaining.

The SPEAKER pro tempore. The gentleman from Texas has 11¾ minutes remaining.

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

Mr. Speaker, today's rule provides for further consideration of two important bills affecting the future of this country: the country's energy future and the future of education. They are important bills.

I urge my colleagues to vote ''yes'' on the previous question, vote ''yes'' on the rule, and vote ''yes'' on the underlying bills.

Ms. JACKSON LEE. Mr. Speaker, I rise in support to S. 1177, which is a sea change that moves the nation's education system away from "No Child Left Behind."

I thank Chairman KLINE, Ranking Member SCOTT, and all the members of the House and Senate Conference Committee for their work in bringing the Every Child Succeeds Act.

As the founding member and Chair of the Congressional Children's Caucus, I am in support of this bill because it places the education of our nation's children first.

I am pleased that the Jackson Lee Amendment offered during the House consideration of this bill intended to fight bullying in education settings is included in S. 1177.

The Jackson Lee Amendment supports accountability-based programs and activities that are designed to enhance school safety, which may include research-based bullying prevention, cyberbullying prevention, and disruption of recruitment activity by groups or individuals involved in violent extremism, and gang prevention programs as well as intervention programs regarding bullying.

Statistics on Bully:

Consider the daily reality for too many of our children who are threatened and hurt daily and will not tell adults about their pain or shame: 1 in 7 Students in Grades K–12 is either a bully or a victim of bullying. 90 percent of 4th to 8th Grade Students report being victims of bullying of some type. 56 percent of students have personally witnessed some type of bullying at school. 71 percent of students report incidents of bullying as a problem at their school. 15 percent of all students who don't show up for school reported being out of fear of being bullied while at school. 1 out of 20 students has seen a student with a gun at school. 282,000 students are physically attacked in secondary schools each month.

Consequences of bullying: 15 percent of all school absenteeism is directly related to fears of being bullied at school. According to bullying statistics, 1 out of every 10 students who drops out of school does so because of repeated bullying. Suicides linked to bullying are the saddest statistic.

The Jackson Lee Amendment also addresses growing concerns regarding violent extremism and student social media use.

As the Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, as well as a Senior Member of the Homeland Security Committee, I believe that we must address emerging threats where they are, and do so as early as possible.

The Every Student Succeeds Act reflects the core principles for what today's children need to be prepared to succeed.

The bill includes support for students and schools in state accountability plans to create an opportunity for great transparency in making sure the classroom experiences of students will prepare them for higher education or employment opportunities by: (1.) reducing the amount of standardized testing in schools and decoupling high-stakes decision making and statewide standardized tests; and, (2.) ensuring that educators' voices are part of decision making at the federal, state and local levels.

This year marks the 50th anniversary of Congress passing the landmark Elementary and Secondary Education Act (ESEA).

It is appropriate that Congress is taking this important bipartisan step in education reform that is drawing broad support from leading organizations, including the following: (1.) National Education Association; (2.) Leadership Conference on Civil Rights; (3.) National Council of La Raza; (4.) Teach for America; (5.) U.S. Chamber of Commerce; and (6.) Business Roundtable.

The bill before the House will move the nation toward an education policy built for success from the classrooms to the workplace.

In 2011, the number of children enrolled in elementary, middle schools and high schools nationally is 54,876,000, which included 38,716,000 in elementary schools and 16,160,000 in high schools.

Access to a great education is the best medicine for our nation's disparities in our economic system and social justice challenges.

A major reason for the Elementary and Secondary Education Act was the unanimous, landmark ruling of the United States Supreme Court in Brown v. Board of Education, in which the Supreme Court held that education ''is a right which must be made available to all on equal terms.''

A great education lifts all aspirations and opens doors of opportunity for every student in communities across the nation.

Today lifelong learning is an imperative for workers to remain current and viable in the employment market place.

A great education today yield benefits far into the future as it produces inventors, thinkers, artists, and leaders.

It is well past time to correct flaws in the ''No Child Left Behind'' law and focus on facilitating this growth and laying the foundation for student success.

According to a 2011 report by the Brookings Institution's Metropolitan Policy Program, ''The Hidden STEM Economy,'' 26 million jobs, or 20 percent of all occupations, required knowledge in one or more STEM areas.

The same report stressed that fully half of all STEM jobs available to workers without a 4 year degree and these jobs pay on average $53,000 a year, which is 10 percent higher than jobs with similar education requirements.

The economy is changing rapidly and our education system needs the guidance and support provided by H.R. 1177.

I urge all members to join with me in voting in support of H.R. 1177.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 542 OFFERED BY MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on

the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BURGESS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on the adoption of the resolution, if ordered, and the motion to instruct on H.R. 644.

The vote was taken by electronic device, and there were—yeas 243, nays 177, not voting 13, as follows:

[Roll No. 653]

YEAS—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—177

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Bucshon
Cleaver
Cuellar
Huffman
Meeks
Nadler
Payne

Ruppersberger
Sanchez, Loretta
Speier
Takai
Webster (FL)
Williams

□ 1410

Mr. ASHFORD changed his vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 181, not voting 12, as follows:

[Roll No. 654]

AYES—240

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—181

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—12

Bishop (MI)
Black
Cuellar
Marchant
McCollum
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Webster (FL)
Williams

□ 1420

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 644, TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct conferees on the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, offered by the gentlewoman from New Hampshire (Ms. KUSTER) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 193, nays 232, not voting 8, as follows:

[Roll No. 655]

YEAS—193

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Bishop (GA)
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Cohen
Collins (NY)
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Griffith
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hunter
Israel
Jackson Lee
Jeffries
Johnson (GA)
Jones
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meng
Mooney (WV)
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)

Speier	Tsongas	Wasserman Schultz
Swalwell (CA)	Van Hollen	Waters, Maxine
Takano	Vargas	Watson Coleman
Thompson (CA)	Veasey	Welch
Thompson (MS)	Vela	Wilson (FL)
Titus	Velázquez	Yarmuth
Tonko	Visclosky	
Torres	Walz	

NAYS—232

Abraham	Guinta	Perry
Aderholt	Guthrie	Pittenger
Allen	Hanna	Pitts
Amash	Hardy	Poe (TX)
Amodei	Harper	Poliquin
Babin	Harris	Pompeo
Barletta	Hartzler	Posey
Barr	Heck (NV)	Price, Tom
Barton	Hensarling	Ratcliffe
Benishek	Herrera Beutler	Reed
Beyer	Hice, Jody B.	Reichert
Bilirakis	Hill	Renacci
Bishop (MI)	Holding	Ribble
Bishop (UT)	Hudson	Rice (NY)
Black	Huelskamp	Rice (SC)
Blackburn	Huizenga (MI)	Rigell
Blum	Hultgren	Roby
Boustany	Hurd (TX)	Roe (TN)
Brady (TX)	Hurt (VA)	Rogers (AL)
Brat	Issa	Rogers (KY)
Bridenstine	Jenkins (KS)	Rohrabacher
Brooks (AL)	Jenkins (WV)	Rokita
Brooks (IN)	Johnson (OH)	Rooney (FL)
Buchanan	Johnson, E. B.	Ros-Lehtinen
Buck	Johnson, Sam	Roskam
Bucshon	Jolly	Ross
Burgess	Jordan	Rothfus
Byrne	Joyce	Rouzer
Calvert	Kelly (MS)	Royce
Carter (GA)	Kelly (PA)	Russell
Carter (TX)	Kind	Salmon
Chabot	King (IA)	Sanford
Chaffetz	King (NY)	Scalise
Coffman	Kinzinger (IL)	Schweikert
Cole	Kline	Scott, Austin
Collins (GA)	Knight	Sensenbrenner
Comstock	Labrador	Sessions
Conaway	LaHood	Shimkus
Cook	LaMalfa	Shuster
Costello (PA)	Lamborn	Simpson
Cramer	Lance	Smith (MO)
Crawford	Latta	Smith (NE)
Crenshaw	Long	Smith (TX)
Culberson	Loudermilk	Stefanik
Curbelo (FL)	Love	Stewart
Davis, Rodney	Lucas	Stivers
Denham	Luetkemeyer	Stutzman
Dent	Lummis	Thompson (PA)
DeSantis	MacArthur	Thornberry
DesJarlais	Marchant	Tiberi
Diaz-Balart	Marino	Tipton
Dold	Massie	Trott
Donovan	McCarthy	Turner
Duffy	McCaul	Upton
Duncan (SC)	McClintock	Valadao
Ellmers (NC)	McHenry	Wagner
Emmer (MN)	McMorris Rodgers	Walberg
Farenthold	McSally	Walden
Fincher	Meadows	Walker
Fleischmann	Meehan	Walorski
Fleming	Messer	Walters, Mimi
Flores	Mica	Weber (TX)
Forbes	Miller (FL)	Wenstrup
Foxx	Miller (MI)	Westerman
Franks (AZ)	Moolenaar	Westmoreland
Frelinghuysen	Mullin	Whitfield
Garrett	Mulvaney	Wilson (SC)
Gibbs	Neugebauer	Wittman
Gohmert	Newhouse	Womack
Goodlatte	Noem	Woodall
Gosar	Nugent	Yoder
Gowdy	Nunes	Yoho
Granger	O'Rourke	Young (AK)
Graves (GA)	Olson	Young (IA)
Graves (LA)	Palazzo	Young (IN)
Graves (MO)	Palmer	Zeldin
Grijalva	Paulsen	Zinke
Grothman		

NOT VOTING—8

Cuellar	Ruppersberger	Webster (FL)
Meeks	Sanchez, Loretta	Williams
Payne	Takai	

□ 1430

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. FLEISCHMANN). Without objection, the Chair appoints the following conferees on H.R. 644:

Messrs. BRADY of Texas, REICHERT, TIBERI, LEVIN, and Ms. LINDA T. SÁNCHEZ of California.

There was no objection.

CONFERENCE REPORT ON S. 1177, STUDENT SUCCESS ACT

Mr. KLINE. Mr. Speaker, pursuant to House Resolution 542, I call up the conference report on the bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 542, the conference report is considered read.

(For conference report and statement, see proceedings of the House of November 30, 2015, at page 18686.)

The SPEAKER pro tempore. Pursuant to House Resolution 542, the gentleman from Minnesota (Mr. KLINE) and the gentleman from Virginia (Mr. SCOTT) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. KLINE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the conference report to accompany S. 1177.

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

There was no objection.

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

I rise today in strong support of the conference report to accompany S. 1177, to be known as the Every Student Succeeds Act.

After years of congressional delay and executive overreach, Congress is finally replacing No Child Left Behind. More importantly, we are replacing the old approach to education with a new approach that will help every child in every school receive an excellent education.

For more than a decade, Washington has been micromanaging our classrooms. Federal rules now dictate how States and local communities measure student achievement, fix broken schools, spend taxpayer resources, and hire and fire their teachers.

No Child Left Behind was based on good intentions, but it was also based on the flawed premise that Washington knows what students need to succeed in school.

And what do we have to show for it? Less than half of all fourth and eighth graders are proficient in reading and math. An achievement gap continues to separate poor and minority students from their more affluent peers. In some neighborhoods, children are far more likely to drop out of high school than earn a diploma.

Parents, teachers, superintendents, and other education leaders have been telling us for years that the top-down approach to education is not working. Yet some still believe that more programs, more mandates, and more bureaucrats will help get this right. Well, those days will soon be over.

Today, we turn the page on the failed status quo and turn over to our Nation's parents and our State and local leaders the authority, flexibility, and certainty they need to deliver children an excellent education.

We reached this moment because replacing No Child Left Behind has long been a leading priority for House Republicans. For years, we have fought to improve K–12 education with three basic principles: reducing the Federal role, restoring local control, and empowering parents. The final bill by the House and Senate conference committee reflects these principles.

The bill reduces the Federal role in K–12 education by repealing dozens of ineffective programs which place unprecedented restrictions on the Secretary of Education; eliminating one-size-fits-all schemes around accountability and school improvement, ending the era of high-stakes testing; and preventing this administration and future administrations from coercing or incentivizing States to adopt Common Core.

The bill restores local control by protecting the right of States to opt out of Federal education programs and by delivering new funding flexibility so taxpayer resources are better spent on local priorities.

The conference agreement also returns to States and school districts the responsibility for accountability and school improvement. A set of broad parameters will help taxpayers know that their money is being well spent while ensuring State and local leaders have the authority necessary to run their schools.

The bill also empowers parents by providing moms and dads with the information they need to hold their schools accountable. The conference agreement strengthens school choice by reforming programs that affect charter schools and magnet schools, and it prevents any Federal interference with our Nation's private schools and home schools.

Reducing the Federal role, restoring local control, empowering parents—these are the principles we have fought for because these are the principles that will help give every child a shot at a quality education.

Now, let me be clear. This is not a perfect bill. To make progress, you find common ground. But make no mistake, we compromised on the detail, but we did not compromise on the principles.

Mr. Speaker, the American people are tired of waiting for us to replace a flawed education law. They are tired of the Federal intrusion, of the conditional waivers, and of the Federal coercion. Most importantly, they are tired of seeing their kids being trapped in failing schools.

Let's do the job we were sent here to do. Let's replace No Child Left Behind with new policies that are based on principles we believe in.

For these reasons, I strongly urge my colleagues to support this conference agreement.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

I am honored to endorse the conference report on S. 1177, the Every Student Succeeds Act.

We have certainly come a long way since we were on the floor debating H.R. 5, the Student Success Act, earlier this year. I had sincere objections to much that was found in H.R. 5, but thanks to the commitment to work together to try to fashion a decent bill with Chairman KLINE and our counterparts in the Senate, Senator ALEXANDER and Senator MURRAY, along with the many long nights from our respective staffs, we found a way to produce a conference report that balances the desire for more localized decisionmaking with the need for Federal oversight to ensure equity for underserved students.

This conference report is the embodiment of what we can do when we work together in Washington—a workable compromise that does not force either side to desert its core beliefs.

Mr. Speaker, the modern Federal role in elementary and secondary education began with the promise in Brown v. Board of Education when a unanimous Supreme Court held that, in 1954, ''it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education'' and that ''such an opportunity is a right which must be made available to all on equal terms.''

Yet, despite the Brown decision, our education system has remained fundamentally unequal. That inequality is virtually guaranteed by the fact that we fund education basically by the real estate tax, guaranteeing that wealthier areas will have more funds than low-income areas.

Across the Nation, gaps in equity persist. These gaps made it impossible to realize the opportunity of an education to all on equal terms because too many schools lacked the basic resources necessary for success. Too many schools failed children year after year.

And these gaps disproportionately affected the politically disconnected: those in poverty, racial minorities, students with disabilities, and English language learners. This was unacceptable.

In 1965, Congress addressed the inequality by passing the first Elementary and Secondary Education Act, ESEA, which provided Federal money to address—and I quote from the original bill—''the special educational needs of children of low-income families and the impact that concentrations of low-income families have on the ability of local educational agencies to support adequate educational programs.''

Simply put, Congress acknowledged that the right to an education is a civil right that knows no State boundaries and that the Federal Government has a role to ensure that all States are fulfilling their promises for all of America's children.

The current iteration of the ESEA, No Child Left Behind, has run its course. It is so broken that the administration currently offers over 40 States waivers from its most unworkable provisions. This has not only created a great amount of uncertainty for students, parents, educators, and communities, but it has also resulted in uneven protections for underserved students and a lack of transparency for our communities.

This conference report improves upon both the current law and the waivers, lives up to the promises of Brown and the intent of the original ESEA, and addresses the key challenges of No Child Left Behind.

First, the Every Student Succeeds Act maintains high standards for all children but allows States to determine those standards in a way that requires those standards to be aligned with college readiness.

The Every Student Succeeds Act requires States to put in place assessment, accountability, and improvement policies that will close the achievement gap but with locally designed, evidence-based strategies that meet the unique needs of students and schools.

The conference report requires the transparent reporting of data to ensure that schools are responsible for not only the achievement of all of their students but also for the equitable allocation of resources to support student learning.

The conference report helps States and school districts reduce the overuse of exclusionary policies by allowing the existing funding to be used for the Youth PROMISE plans, which is an issue I have been working on for many years.

Youth PROMISE plans are comprehensive, evidence-based plans that are designed to address neighborhoods with significant crime, teen pregnancy, and other problems, and they are designed to reinvest savings generated by those plans to keep the plans working in the future.

The conference report recognizes the importance of early learning, a priority of both red and blue States alike, by authorizing a program to assist States in improving the coordination, quality, improvement, and access to pre-K.

Most importantly, while many of these new systems will be created by the States, under the conference report, the Federal Government maintains the ability to make sure that States and localities are living up to their commitments—that all students are being counted and that schools are being held accountable for their achievement.

While this conference report is not the bill that I would have written alone—or that any Member would have written alone, for that matter—I have no doubt that this bipartisan conference report will make a positive difference in the lives of our Nation's children and will live up to the goal of the original ESEA: making an opportunity for an education available to all on equal terms. Therefore, I urge my colleagues to vote ''yes.''

I reserve the balance of my time.

Mr. KLINE. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. ROKITA), the chairman of the Early Childhood, Elementary, and Secondary Education Subcommittee.

Mr. ROKITA. Mr. Speaker, I recognize Chairman KLINE especially for the work he has done over a long period of time, 7 years or so, bringing this House, this Congress, to where we are today. It truly is leadership at its best.

Mr. Speaker, let's face it. No Child Left Behind's high-stakes testing, which requires every child to be caught up to grade level within 1 year, is simply unworkable, as well-intentioned as it may have been.

Currently, the Secretary of Education, through waivers, can run schools by executive fiat, imposing requirements on State testing standards and conditioning receipt of Federal funds on adopting Common Core standards.

□ 1445

It's time for a positive change, and that change is the Every Student Succeeds Act. This bill, as pointed out here, as The Wall Street Journal puts it, is the largest transfer of Federal control, Mr. Speaker, to the States in 25 years, where this authority and opportunity frankly belongs.

This bill empowers States, and it ends the federally mandated high-stakes testing, which is the core, which is the heart of No Child Left Behind,

which is causing all the stress that we see from our teachers, our school administrators, our parents, and especially our students. If it produced the results that we intended, maybe that is one thing. But all it is producing is stress and an unworkable situation.

The people who best know how to test, how long to test, what to test, et cetera, et cetera, are our parents, our teachers, our voters, our taxpayers, our local school administrators. Let them have this responsibility back.

It provides flexibility so voters and taxpayers, through their locally elected officials, can decide for themselves what success looks like. It recognizes that, when it comes to determining academic standards, States, school administrators, and parents know what is best.

It is time we put our children first so we can compete in a global, 21st-century world and win again. It is time we trust parents, teachers, and local education leaders more than we trust Federal bureaucrats in Washington, D.C. This bill is a huge step in that direction.

I urge all of my colleagues, Republican and Democrat, to support it.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Ohio (Ms. FUDGE), who is the ranking member of the subcommittee that reported this bill.

Ms. FUDGE. Mr. Speaker, I thank the gentleman for yielding.

I thank both the chair and ranking member for their leadership. It has been a privilege to work on this with both of you.

Mr. Speaker, today I rise to express my strong support for the reauthorization of the Elementary and Secondary Education Act. It is long overdue. For years, our Nation's students, their parents, and teachers have implored Congress to address the flaws in No Child Left Behind.

Today we finally have a bill that addresses many of the most difficult issues. Though not perfect, this bill is a significant improvement over No Child Left Behind.

Education is our Nation's great equalizer. Education opens the doors of opportunity to all of our Nation's children. This year we commemorated the 50th anniversary of President Johnson signing the original ESEA.

Fifty years ago, as part of the Great Society legislation, we passed ESEA as a civil rights law that affirmed the right of every child to a quality education. It further underscored the belief that poverty should not be an obstacle to student success.

The bill before us protects title I funding, ensures equitable allocation of resources to schools. It recognizes the importance of afterschool education and maintains subgroup disaggregation of data for reporting.

Further, the Student Support and Academic Enrichment Grants program is formula based and distributes dollars that fill resource and opportunity gaps based on the need and population.

While ESSA does give States and local districts more flexibility, it does not absolve the Federal Government of its responsibility to protect the civil rights of underserved students. Make no mistake. The Department of Education maintains its authority to oversee implementation of the law and take action against States and districts that aren't honoring the civil rights legacy of the ESEA.

It was my goal that the final bill provide equal educational opportunities for all children, regardless of race, ethnicity, income, language, or disability. I believe the Every Student Succeeds Act achieves this goal by striking a balance in the best interest of all of our Nation's students.

I urge my colleagues to support this legislation.

Mr. KLINE. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. THOMPSON), a member of the Early Childhood, Elementary, and Secondary Education Subcommittee of the Committee on Education and the Workforce.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I thank Chairman KLINE for the opportunity to voice my support for this comprehensive overhaul of No Child Left Behind, which has been a long time in the making.

As a member of the House Education and the Workforce Committee, I can attest to this conference report being the product of many years of hard work. I am happy to have been a conferee for the Every Student Succeeds Act, which, through a bipartisan agreement, provides more flexibility for our States, school districts, educators, parents, and students.

The Every Student Succeeds Act will establish a more appropriate Federal role in education by ending the era of mandated high-stakes testing, limiting the power of the Secretary of Education to dictate cookie-cutter standards, repealing dozens of ineffective and duplicative programs, and ensuring resources are delivered to where they are most effective and necessary.

I am especially grateful to the conferees for their adoption of an amendment that will instruct the Department of Education to finally study the fairness of the current title I formulas used to offset the effects of poverty upon young learners.

ESEA, which is celebrating its 50th anniversary, was created to provide each student an equal opportunity under the law. But, unfortunately, we are still not targeting those areas with the highest concentration of poverty.

I am hopeful that we can continue to embrace the spirit of ESEA and ensure that we are always working in the direction of providing great educational opportunities for all children.

I want to thank my friend, my colleague, and my chairman, JOHN KLINE, for his leadership to accomplish this historical education reform.

I urge my colleagues to support the conference report.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, I rise in strong support of this legislation. It has been 13 long years since ESEA was rewritten. As we have heard from prior speakers, there are many problems that have been identified with No Child Left Behind, which we have heard from across the board in terms of parents, educators, administrators, and in terms of the need to update and revise this legislation.

What we also know is that the American economy has changed over the last 13 years and so has the world economy. One of the biggest problems that employers have today is the lack of individuals with degrees in science, technology, engineering, and math, STEM technology.

The good news is that this bill upgrades the K–12 system to give kids the tools that they are going to need to succeed with these jobs, which now are growing three times as fast as non-STEM jobs. The good news is it provides incomes twice as large as non-STEM jobs.

So what the bill does is it creates a STEM master teacher core, provides professional development training to STEM educators, greater access for thousands of school districts to Federal funding to support STEM programs, including partnerships with nonprofits.

It encourages alternative certification programs to allow more STEM teachers to come from industry and will retain and provide promising STEM teachers with differential pay. This is what our school systems need and this is what our kids need to have the tools to succeed in the future.

It is a great achievement that the chairman and the ranking member defied all the conventional wisdom to get this bill to move forward. It is almost like Pope Francis created some aura that you capitalized on. I mean that sincerely.

This is an incredible achievement to break through the barriers that have prevented us from coming together as an institution to really fix what in many respects is the most important issue, which is creating a future for the kids and our grandchildren.

I urge strong support of this legislation.

Mr. KLINE. Mr. Speaker, I want to commend the gentleman from Connecticut for mentioning Pope Francis and not mentioning ladies basketball.

I yield 2 minutes to the gentleman from Tennessee (Mr. ROE), the chair of

the Health, Employment, Labor, and Pensions Subcommittee of the Committee on Education and the Workforce.

Mr. ROE of Tennessee. Mr. Speaker, I thank the chairman and ranking member for doing the Herculean work on this bill, Every Student Succeeds Act, and the conference report. Many, many, many hours and many Congresses could not make this happen. They did. My hat is off to them.

When I go home to Tennessee and talk to the teachers, students, administrators, and the parents, what do I hear? There is too much Federal control, too many forms to fill out, we are teaching to the test, the students are frustrated, the teachers are frustrated.

Just go sit in front of a group of teachers and ask them: Would you be a teacher again? I promise you that over half of them will hold up their hand and say: No. I wouldn't be a teacher again.

That is terrible. We have to make an environment where the educators are enjoying what they do.

For the most part, I think teachers have one of the most important jobs in this country. I am a product of the public education system, 23 years. If I hadn't had great teachers, I would not have had the opportunity to be a doctor and I wouldn't have had the opportunity to serve in the U.S. Congress. So I am forever grateful.

What do we do? What do they say? They say: Look, this adequate yearly progress we are being judged on, these tests, as far as our students moving along, the Common Core—I hear that all the time at home—we don't need a national school board telling us what to teach in our community.

We heard them. Both sides of the aisle heard them and said: Okay. What we will do is we will push that control back down to the local level and you decide what is your curriculum, but you are going to be held accountable for how your student outcomes are. If you have students and minorities, we will be able to ferret those out and improve those students' outcomes.

We have eliminated or altered 49 different programs into a flexibility grant that will make it easier for the administrators to run their school systems. I think the main thing we want to do at the end of the day is that we want to create an environment where our students have the best opportunity in the world to achieve because they are now competing on a world basis.

For that reason, I think this bill does that. I encourage my colleagues to vote for this.

I am proud to stand on the House floor today in support of the Every Student Succeeds Act. Everywhere I go in my district, I hear from teachers, parents, administrators and students, who all tell me that we need to return control to the local level. Just as a one-size-fits-all approach doesn't work for health care reform, it will not work for education. Each state, school district and student are different, and local administrators, teachers and parents—not the federal government—should make decisions based on what's best for their students.

There are a lot of good reasons for conservatives to support this bill, because on virtually every account it reduces the federal government's ability to control state and local education. This bill replaces the national accountability system with a state-led one, ensuring local leaders' voice is heard. It also eliminates duplicative, expensive and unnecessary programs and replaces them with a Local Academic Flexible Grant, providing funding for school systems to better serve and support their students.

Perhaps most importantly, conservatives can feel good about supporting this because of how far it goes in stopping the federal government's intrusion into academic standards and curriculum, and in particular the adoption of the Common Core State Standards Initiative. While these standards were developed in a process that began as a state-led initiative, in recent years concern has increased as the Department of Education has been coercing states into adopting these standards as a condition of getting education waivers and grants. The bill would take away the Department's ability to require Common Core as a condition of federal grants, which ensures the decision on whether or not to adopt Common Core will truly be left up to the states—as it should be. If you claim to be concerned about or opposed to Common Core, then you must support this bill.

Mr. Chairman, a lot of people ask me, why does it matter whether we agree on education policy? Well, on my way home after work just the other evening, I met a boy at the grocery stow who was looking for some items on the shelves. He asked me for help in locating crushed pineapples because he told me he couldn't read the words. So I helped him and we found the crushed pineapples. But it hit me—this is why we want to invest in education. We have to have a system that ensures that boy and thousands of other kids just like him are given the opportunity to succeed in life, and that starts with a good education. We have a great opportunity to start helping that child by agreeing to this bill, and I look forward to working with my colleagues to make that happen.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. WILSON), a former educator herself.

Ms. WILSON of Florida. Mr. Speaker, I stand in support of the Every Student Succeeds Act. I want to thank Chairmen ALEXANDER and KLINE and Ranking Members MURRAY and SCOTT for their yearlong work on this bill.

At its heart, the Elementary and Secondary Education Act is a civil rights law based on a simple, yet powerful, promise made to all American children. It is a promise that, no matter where you live, what you look like, or what resources you have, you deserve a quality education.

Unfortunately, No Child Left Behind's one-size-fits-all approach derailed the fulfillment of this promise by creating an untenable environment of excessive, high-stakes testing that undermines educators' ability to serve their students.

While not perfect, the Every Student Succeeds Act is a substantial improvement that takes us one step closer to delivering on the promise of a quality education.

ESSA will provide schools with the resources and guidelines they need to deliver on this promise by directing resources to the children most in need and allowing school districts the flexibility to use title IV funds in a way that best works for their students.

As someone who has dedicated my life to dropout prevention, I am overjoyed to see this bill includes my amendment allowing title IV funds to be used for dropout prevention and reentry programs. But this is just the first step for our children.

It is the champions of our children's education—the teachers, the parents, the principals, and the mentors—who will create an environment of learning. That environment will ensure that our children's hearts and minds are positively shaped by our collective wisdom, our support, and our love.

I want to thank the teachers and parents across our Nation and especially in Florida for their work and commitment.

I urge my colleagues to support this conference report and stand united for a single purpose: our children.

Mr. KLINE. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. GUTHRIE), a member of the Committee on Education and the Workforce.

Mr. GUTHRIE. Mr. Speaker, I rise today in support of the Every Student Succeeds Act.

As a father of three children who have attended public schools, I know the importance of allowing those who know our students best to be the decisionmakers.

I want to thank everybody who is involved in educating our children. My wife and I certainly appreciate those who have sacrificed so much time to take care of our children.

Since coming to Congress, I have heard from parents, teachers, school board members, and school leaders that No Child Left Behind is not producing the results our children need.

□ 1500

States and local school districts need flexibility to deliver a quality education to our students. This agreement does just that. It gets the Federal Government out of our classrooms and puts the decisionmaking back in the hands of our State and local leaders.

This agreement prevents the Secretary from legislating through executive fiat. It prohibits the Secretary from adding new requirements through

regulations and from adding new requirements as a condition of approval of a State plan.

As a Member of the House Committee on Education and the Workforce and a conferee on this agreement, I am pleased with the determination of my colleagues in this Congress to move beyond the failed policies of No Child Left Behind. Our children deserve a quality education, and this bill is a step in the right direction.

Mr. Speaker, I do want to thank the chairman and the ranking member and those in the Senate for all their hard work. I know the staff from both sides, people that we get to work with every day who work hard for the people of this country and who have worked hard for our children. I appreciate the hard work they have done in bringing this agreement to where we are today.

I urge my colleagues to support this conference agreement.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. I thank the gentleman from Virginia for yielding time.

Mr. Speaker, as a former public schoolteacher for 24 years, I am proud to rise in support of this bill, which will improve our schools, offer more support to teachers, and, most importantly, provide more students the education they deserve.

Having served in the classroom during the implementation of No Child Left Behind, I can say without hesitation that our current education system needs a reset.

While well-intentioned, No Child Left Behind created a punitive approach to education policy that punishes underperforming schools instead of helping them to improve. That rigid, test-driven approach to accountability, combined with heavyhanded intervention from the Federal Government, has failed to close the achievement gaps in our country.

This reauthorization replaces our test-and-punish system with a more flexible test-and-reveal approach that returns decisionmaking to States and school districts. It will empower educators who best understand their students' needs to develop new ways to meet local challenges.

I am also pleased this bill increases overall education funding and ensures States are maintaining their investments in schools.

As a teacher, I might not give this bill an A-plus, but it is a solid bipartisan compromise, and it is an overdue replacement for a status quo that we all know is unacceptable. For that reason, I give this bill a passing grade.

Mr. KLINE. Mr. Speaker, I now yield 2 minutes to the gentleman from Indiana (Mr. MESSER), another member of the committee.

Mr. MESSER. Mr. Speaker, I have not heard from one parent, student, or teacher who likes No Child Left Behind. Despite what may have been the best of intentions, its one-size-fits-all mandates led to Federal Government micromanagement in the classroom, overtested kids, and anxiety-ridden teachers, but, sadly, no significant improvement in student outcomes.

That is why virtually everyone wants to repeal No Child Left Behind. Today we have an opportunity to do just that by supporting the Every Student Succeeds Act. It is a new approach to the Federal role in education. If you read it, there is a lot to like in the bill.

By voting for this bill, we can end Federal Common Core mandates and stop the march towards a Federal curriculum. We can end high-stakes testing and abolish the unworkable adequate yearly progress metrics. Best of all, we can give power over education back to the people we trust: the parents, the teachers, and the local school administrators who are best positioned to make good decisions for our kids.

Access to a quality education is the gateway to opportunity in modern America. We still have a long way to go before we can make sure every child has that kind of access, but the Every Student Succeeds Act is a big step in the right direction.

I urge my colleagues for their support.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. I thank Mr. SCOTT for yielding. I want to thank Mr. KLINE, the chairman of the committee, and Ranking Member SCOTT for their work on this bill.

Mr. Speaker, Frederick Douglass was born a slave on the Eastern Shore of Maryland. He became one of the great leaders in our country. Obviously, he worked hard with Abraham Lincoln to see the issuing of the Emancipation Proclamation. He said this: ''It is easier to build strong children than to repair broken men.''

This bill is about investment in the future, investment in children. Investing in elementary and secondary education is one of the most consequential acts we will undertake in this House. The impact of our investments in education will be felt long after we are gone. It will have a significant bearing on the future well-being of our economy and our democracy.

I want to thank Chairman KLINE and Ranking Member SCOTT, as well as Senators LAMAR ALEXANDER and PATTY MURRAY, the chair and ranking member of the Senate HELP Committee, for their extraordinary efforts on this bill.

This is a bipartisan bill. We worked together. Frankly, we had a little trouble working together here, but they worked together there, and then we worked together here. It is turning out well.

My friend indicated that he would not give this bill an A-plus. I was trying to reflect on any bill that I have ever voted on that I would give an A-plus to. It is not a perfect bill, but it represents a reasonable compromise that will strengthen elementary and secondary education in this country, provide certainty going forward, and help prepare the next generation of students—no matter who they are, how they learn, or where they live—for success in college, in their careers, in their vocations, and as future innovators and entrepreneurs in our economy.

I am particularly proud—and I thank Mr. SCOTT, and I thank also the two Senate leaders, as well as Mr. KLINE—that this conference report includes the Full-Service Community Schools program, which I have championed for several years.

My wife, Judy, was an early childhood educator and administrator in Prince George's County, Maryland. She died over 18 years ago. It is from her, however, that I first learned of the potential of full-service community schools, and our State has very successfully created a network of schools using this integrated approach named in her memory.

There will be 52 Judy Centers around our State for 3- and 4-year-olds. Some of them are privately funded, they are so popular, some publicly funded, and some in partnership. These Judy Centers enable low-income families with very young children to access a range of critical services all in one place. When starting kindergarten, children whose families participated in Judy Center programs performed better than those whose families did not.

The SPEAKER pro tempore (Mr. DOLD). The time of the gentleman has expired.

Mr. SCOTT of Virginia. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. HOYER. Judy Centers are helping to close that gap.

In closing, I urge my colleagues to vote for this bill because it is a step forward. It is an indication, as well, that we can work in a bipartisan fashion to the benefit of the people we represent. I urge my colleagues to vote for this conference report.

Mr. KLINE. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. CURBELO), a member of the committee.

Mr. CURBELO of Florida. Mr. Speaker, I rise today in strong support of the Every Student Succeeds Act. I want to thank my colleagues on the Committee on Education and the Workforce for their tireless efforts to improve K–12 education for all students, especially Chairman KLINE, Chairman ROKITA, and Ranking Members SCOTT and FUDGE.

Throughout this process, we have identified the successes and failures of

No Child Left Behind. This agreement allows us to capture the spirit of that last ESEA reauthorization: education is the great civil rights issue of our time, and every child in this country can learn, no matter the color of their skin, the ZIP Code they live in, the language their parents speak, or their income level.

We also learned from the failures of No Child Left Behind that led to an overly rigid, one-size-fits-all accountability system, inevitably giving the Federal Government an outsized role in public education. That is why the legislation before us today returns decisionmaking authority to States and local school districts, empowering communities and giving America's teachers the respect they deserve.

I am especially pleased that the bill we are considering today includes my amendment, which will ensure that children learning English are counted without being counted out, and that the teachers and schools who serve them are given more time to help these students succeed.

As a former member of the Miami-Dade County School Board, I am proud to have been a part of this process as a conferee. I urge my colleagues to vote in favor of this bipartisan compromise. This agreement promotes school choice, empowers local leaders, and, most importantly, puts children, not Washington bureaucrats, at the center of America's education system.

Mr. SCOTT of Virginia. Mr. Speaker, could you advise us how much time is still available on both sides.

The SPEAKER pro tempore. The gentleman from Virginia has 13½ minutes remaining. The gentleman from Minnesota has 14½ minutes remaining.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentlewoman from Oregon (Ms. BONAMICI).

Ms. BONAMICI. Mr. Speaker, the students, educators, parents, and school board members I have spoken with over the years have been waiting for this day, and I am glad we are finally reaching agreement on a new education law, and we are going to leave behind No Child Left Behind.

It was a well-intentioned law. Its goal was to create more equitable education for children across the country, but it resulted in too much emphasis on one-size-fits-all mandates and interventions, and the adequate yearly progress requirements caused too much focus on high-stakes testing. Change is long overdue.

The Every Student Succeeds Act returns flexibility to States and school districts to design interventions that address the specific needs of their schools. Importantly, it has States use multiple measures of academic progress in their accountability systems so no schools will be punished for the performance of students on a single exam. They can focus on addressing resource inequalities and improving school climate and delivering access to advanced coursework and rich curricula.

After hearing frequent concerns from students and teachers about the need for fewer, better assessments, I am pleased that the Every Student Succeeds Act includes a bipartisan provision I authored with Congressman RYAN COSTELLO to help school districts eliminate unnecessary testing.

The bill also improves STEM learning by encouraging the incorporation of art, music, and design. A well-rounded education that teaches our students to think creatively is good for their futures and good for the innovation economy.

The Every Student Succeeds Act has States set high standards for students. It requires States and school districts to intervene in schools where students have poor academic outcomes and where subgroups of students, such as English learners, low-income students, or students of color, lag behind their peers.

The law we are voting on today is true to the legacy of the original Elementary and Secondary Education Act and its goal of closing achievement gaps and promoting equitable opportunities and outcomes for students.

Mr. Speaker, I commend Chairman KLINE and Chairman ALEXANDER and Ranking Members SCOTT and MURRAY and their very hardworking staffs for their commitment to this bipartisan accomplishment.

I support the Every Student Succeeds Act and urge my colleagues to do the same.

Mr. KLINE. Mr. Speaker, in an effort to balance the speakers on each side, I will reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. POCAN).

Mr. POCAN. Mr. Speaker, I would like to thank the gentleman not only for yielding, but for his and Chairman KLINE's hard work on this bill.

I rise today in support of the Every Student Succeeds Act. Defending public education is one of the reasons that I came to Congress. For years, we have witnessed a negative impact on public education, from underfunding our schools to stripping teachers of their rights to collectively bargain for fair pay and conditions, like in my home State of Wisconsin.

□ 1515

At the same time, punitive policies which limit teachers' and administrators' abilities to manage their classrooms have further hampered student achievement. It is past time we renew the promise of an ESEA which has students' best interests at heart.

I meet with teachers and administrators from Wisconsin's Second Congressional District regularly and was stunned when I was told that one-third of a school's staff turned over last year because schools lack the financial support and autonomy they need to give students the educational experience they deserve. Teachers are being asked to do more with less, and it is coming at the expense of our kids' education.

While this bill is not perfect, I am pleased that we are finally discussing a bill today that aims to put students first and trusts our teachers, who dedicate their careers to education. This bill trusts and empowers teachers to ensure their voices are heard on the Federal, State, and local level, while increasing teacher quality and professional development and reducing the burden of testing in schools.

These are good improvements, Mr. Speaker, good for our Nation's children. And that is why I support this bill.

Mr. KLINE. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. BISHOP), another member of the committee.

Mr. BISHOP of Michigan. Mr. Speaker, I would too like to voice my appreciation to Chairman KLINE and the ranking member for their hard work on this legislation.

I am a father of three children in the K–12 education system in my hometown. And I think all of us would agree here that we have a moral obligation to ensure the best possible educational environment for our children.

Unfortunately, the past 25 years have seen student achievement actually go down. We can blame that on a lot of things. There is plenty of blame to go around. But the best question that we can ask today is: What is Congress going to do about it?

And the answer, I believe, begins with the Every Student Succeeds Act. It is a bipartisan bill that helps to limit the role of Federal bureaucrats, restore local control, and empower parents.

The Wall Street Journal has called this ''the largest shift of Federal control to the States in a quarter-century.'' And they are precisely correct. It gives more flexibility back to local school districts and gives States the right to set their own standards. So if a State wants out of Common Core, they would have the option to do that.

What is more, parents can get information on local school performance so they can do what is best for their children. And when it comes to holding schools accountable, State and local leaders will get that responsibility back, as they should.

But, above all, this bill replaces the No Child Left Behind Act. I think we can all agree that our current system is broken.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. KLINE. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. BISHOP of Michigan. So let's make a difference here today and adopt a smart public policy. Do it for our children. Make sure that they have an excellent education.

I urge my colleagues to vote ''yes'' on the Every Student Succeeds Act.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentlewoman from Massachusetts (Ms. CLARK).

Ms. CLARK of Massachusetts. Mr. Speaker, I thank Chairman KLINE and Ranking Member SCOTT for their leadership on this bill and for proving that Congress can listen to our educators, administrators, and communities and put the needs of our students first.

We all know that a great country deserves great schools. And I am pleased to join champions of education in both Chambers, both sides of the aisle, in supporting this blueprint for schools that invites every child to participate, no matter a child's income, race, ZIP Code, or disability.

This bill helps fulfill the unrealized promise of No Child Left Behind by protecting resources for schools in underserved communities. It provides accountability and equality of access while reducing reliance on high-stakes tests. It creates opportunities for our most vulnerable students—homeless and foster youth—who have suffered abuse and those who have experienced trauma. And, for the first time, we have a bill that invests in early learning through Preschool Development Grants.

This legislation brings us closer to ensuring that every child gets a fair shot at their dream.

I thank my colleagues for their work and commitment to our country's children and to our economic future.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Ms. ADAMS).

Ms. ADAMS. I thank the gentleman from Virginia for yielding.

Mr. Speaker, the Elementary and Secondary Education Act of 1965 played a major role in ensuring all students have access to quality education. Because of this legislation, over the past 50 years, we have made remarkable progress in closing the achievement gap that plagues many low-income students. However, we still have a lot of work to do.

The last reauthorization, No Child Left Behind, was signed into law in 2002 and hasn't been updated since. In that time, we have seen many changes in our education system and the needs of our students and educators, in addition to the unintended consequences of No Child Left Behind.

So I am proud today that we are finally moving forward with a bipartisan bill that keeps the best interests of American students and educators in mind. The Every Student Succeeds Act is a true embodiment of what a stronger reauthorized Elementary and Secondary Education Act should look like.

This legislation upholds the key principles of equal access to education for all, rich or poor, and upholds accountability systems that ensure success. From promoting access to early education to supporting our neediest students and our teachers and investing in STEM education, this legislation puts our students first and helps to close achievement gaps.

Our children are our future. Educating them shouldn't be a Democrat or a Republican issue. So I urge all of my colleagues to support our students by supporting this critical bipartisan legislation.

Mr. KLINE. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. I thank the chairman as well as the ranking member for their hard work on this bill. Thank you for getting us to this important day.

Today, I rise in support of the Every Student Succeeds Act. This bicameral legislation improves K–12 education by repealing No Child Left Behind and scales back Washington's role in education by restoring authority to those who know our students best.

As we have seen, the current top-down approach is not working. The arms of Washington have extended far too long into the classroom. We need a change; American students deserve a change. And the Every Student Succeeds Act is a powerful step forward in reforming our educational system.

This legislation stops Federal micromanagement of local schools, gets rid of unnecessary programs, downsizes the Federal education bureaucracy, places new restrictions on the authority of the Secretary of Education, and, most importantly, restores control back to the local level, letting States and school districts address the needs of our students.

Teachers, school officials, and parents have an ear to the ground each day. They know what our schoolchildren need to succeed. This is what I hear every time I am in the district. Washington bureaucrats do not belong in the classroom.

I am proud to support this legislation that gives students the tools they need for a successful future. I urge my colleagues to vote ''yes'' on the conference report.

Mr. SCOTT of Virginia. Mr. Speaker, may I inquire how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Virginia has 7 minutes remaining, and the gentleman from Minnesota has 11½ minutes remaining.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. DESAULNIER).

Mr. DESAULNIER. I thank the gentleman for yielding.

Mr. Speaker, I want to say what a pleasure it is to be here to support the Every Student Succeeds Act, having spent much of my first year in the district going to school districts and schools.

And I will be able to go back in the coming weeks and say that we have this bipartisan compromise through the hard work of Chairman KLINE and Ranking Member SCOTT and Chairman ALEXANDER and Ranking Member MURRAY. So I congratulate and thank them for their hard work.

I am also pleased to see that a number of priorities I share with my Democratic and Republican colleagues were included in the final version of the landmark bill.

The conference report for Every Student Succeeds Act sets national education standards that ensure all American students, regardless of geography, socioeconomic status, race, or gender, receive a quality education.

Included in the bill are several measures that I am proud to have worked on with colleagues which are meant to protect students. I am pleased that a number of them, such as promoting efficient and effective Head Start programs, protecting student athletes from concussions, and providing students with academic and extracurricular support beyond the normal school day, which we know is important, were included.

While the concussion-related provisions of the bill are an important first step, it does not go far enough to combat the devastating physical and neurological impacts of brain injuries like those we recently heard about sustained by Hall of Fame football player Frank Gifford. There is a demonstrated need for increased vigilance and improved education on this important topic, and I look forward to working with my colleagues on this and other issues.

Again, I want to thank the chairman and the ranking member, and I urge all my colleagues to support this very important piece of legislation.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Speaker, when ESEA was first signed in 1965, it was a critical piece of civil rights legislation. In fact, when President Lyndon Johnson signed the bill, he said it bridges the gap between helplessness and hope for millions of students affected by it.

The bill before us today maintains President Johnson's commitment to the achievement of every child, regardless of race, socioeconomic background, or ZIP Code.

Many of my colleagues have talked about the new flexibility provided in the bill. Well, that is true, but it is flexibility to meet the learning needs of every kid, not the flexibility to fail.

Flexibility does not mean freedom from responsibility. States are accountable for the achievement of each and every child under this bill, and I am confident that President Obama wouldn't sign any bill that doesn't maintain strong civil rights protections. And I would never support a bill that would allow students to be swept under the rug.

This bill upholds the spirit of the original Elementary and Secondary Education Act. I am proud to support it today and support innovative solutions to improve the opportunities for learning that every child in our country has.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, a lot has been said about the work being done in this committee. I think it is important to point out that the chair and I didn't do all this work. His staff, Senator MURRAY's staff, and Senator ALEXANDER's staff worked hard.

I would like to read the names of some of the members of my staff that worked on this legislation, starting with Denise Forte, Brian Kennedy, Jacque Chevalier, Helen Pajcic, Christian Haines, Kevin McDermott, Alex Payne, Kiara Pesante, Arika Trim, Rayna Reid, Michael Taylor, Austin Barbera, and Veronique Pluviose.

Also, House Legislation Council staff Anna Shpak, Susan Fleishman, and Brendan Gallagher worked hard on this legislation; and Congressional Research Service staff Becky Skinner and Jody Feder.

I would like to mention those names as hardworking members that have brought about all of this bipartisan cooperation.

I reserve the balance of my time.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished Democratic leader.

Ms. PELOSI. I thank the gentleman for yielding and for his extraordinary leadership as the new ranking member on the Education and the Workforce Committee, bringing with him all of his commitment to education in our country as well as his knowledge of the connection of young people to our justice system and how to provide opportunities for them in the safest possible way. I thank Mr. SCOTT for his great leadership.

We are all very, very proud of you. I know your predecessor in this role, Mr. George Miller, would be as well.

□ 1530

I thank you, Chairman KLINE, for your leadership as well and for enabling this bipartisan legislation to come to the floor. I salute the chairman and ranking member in the Senate as well.

Fifty years ago our Nation took a bold and historic step forward for educational opportunity, for the strength of our economy, and for the health of our democracy, which is based on an informed electorate, enacting the ESEA.

Today the Elementary and Secondary Education Act stands as one of the landmark victories in both the struggle for civil rights and the War on Poverty.

At the bill signing in 1965, President Lyndon B. Johnson, himself a former teacher, explained: ''No law I have signed or will ever sign means more to the future of America.'' President Johnson added: ''Education is the only valid passport from poverty.''

In addition to what it returns to the individual and enables that person to reach his or her aspirations, education brings much to our economy. In fact, nothing brings more to the Treasury of our country than investments in education, from early childhood education, K–12, which we are addressing today, higher education, postsecondary education, lifetime learning.

Indeed, the ESEA's commitment to expanding education access, especially to our most vulnerable students, has proven essential to bridging the gap between poverty and possibility for generations of Americans.

Yet, for the first time in our Nation's history, more than half of the students attending public school live in poverty. To close the opportunity gap, we must close the education gap that limits the future of so many children and communities.

Today we are thankful to be passing a bipartisan agreement that will strengthen the education of all of our children. It helps States to improve low-performing schools and empowers teachers and administrators with better training and support.

It targets funding to the most at-risk and needy students, with enhanced title I investments. It provides vital resources for English language learners and homeless youth.

It amplifies the voices of educators and parents, what we have always wanted, schools, a place where children can learn, teachers can teach, and parents can participate. It replaces high-stakes testing with State and local district flexibility.

We are bolstering our commitment to strong STEM, arts, and early education for children in every ZIP code.

In our area and other parts of the country, we call STEM STEAM, Science, Technology, Engineering, Arts, and Mathematics, all of that reinforced in this legislation.

With these improvements in the ESEA authorization before us, it is no wonder that this agreement is supported by a far-ranging coalition, including the U.S. Chamber of Commerce, the Business Roundtable, the National Governors Association, the Leadership Conference of Civil and Human Rights, AFT and NEA, two leading teachers unions, the National Center for Learning Disabilities, and many more.

We all agree that education is a national security issue. President Eisenhower taught us that. It is also an economic issue. It is one of the most pressing civil rights issues of our time.

With this legislation, we help ensure that access to high-quality education is the right of every student.

I urge my colleagues to join me in passing this strong bipartisan reauthorization of the historic ESEA, the Every Student Succeeds Act.

Once again I thank the distinguished chairman, Mr. KLINE, and our ranking member, of whom we are very, very, proud as well, Mr. SCOTT.

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

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

As has already been pointed out, this bill does not include everything everybody wanted. But the civil rights and education community both support the legislation because of the significant civil rights implications in the bill. This will go a long way in giving equal opportunity in education.

Mr. Speaker, I include in the RECORD a long list of education and civil rights organizations that have endorsed the bill.

ESSA ENDORSEMENT MASTER LIST

Alliance for Excellent Education (AEE), American Federation of School Administrators (AFSA), American Federation of Teachers (AFT), American Library Association (ALA), Association for Career and Technical Education (ACTE), Association of University Centers on Disabilities (AUCD), Business Roundtable (BRT), Business Civil Rights Coalition, California Children's Advocacy Coalition, Chiefs for Change (C4C), Communities in Schools (CIS), Consortium for Citizens with Disabilities (CCD), Cooperative Council for Oklahoma School Administration (CCOSA), Council for Exceptional Children (CEC), Council of Chief State School Officers (CCSSO), Council of Parent Attorneys and Advocates (COPAA), Council of the Great City Schools (CGCS), Democrats for Education Reform (DFER), Easter Seals, Education Trust.

Grantmakers in the Arts (GIRTS), Interstate Migrant Education Council (IMEC), Knowledge Alliance (KA), Los Angeles Unified School District (LAUSD), Magnet Schools of America (MSA), National Alliance for Public Charter Schools (NAPCS), National Association of Charter School Authorizers (NACSA), National Association of Councils on Developmental Disabilities (NACDD), National Association of Elementary School Principals (NAESP), National Association of Federally Impacted Schools (NAFIS), National Association of School Psychologists (NASP), National Association of Secondary School Principals (NASSP), National Association of State Boards of Education (NASBE), National Center for Learning Disabilities (NCLD), National Center for

Special Education in Charter Schools (NCSECS), National Center for Technological Literacy (NCTL), National Council of La Raza (NCLR), National Council of State Legislatures (NCSL), National Disability Rights Network (NDRN), National Education Association (NEA).

National Governors Association (NGA), National PTA, National School Boards Association (NSBA), PACER Center, Software & Information Industry Association (SIIA), STEM Education Coalition, Teach For America (TFA), The Leadership Conference on Civil and Human Rights (LCCHR), The School Superintendents Association (AASA), Union of Orthodox Jewish Congregations of America (OU), US Chamber of Commerce, United Way Worldwide.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the chair for his cooperation and hard work, and I urge our Members to support the bill.

I yield back the balance of my time.

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

I want to start by thanking my colleagues on the committee in the House and in the Senate, particularly the Ranking Member, Mr. SCOTT, Senators ALEXANDER and MURRAY, and their staffs. We would absolutely not be here today without their hard work.

Today is a big day. We have an important opportunity to approve a bill that will replace No Child Left Behind with new policies that reduce the Federal role, restore local control, and empower parents, three principles that will help every child in every school receive a quality education.

This effort began in earnest almost 5 years ago. It was February 10, 2011, when the Education and the Workforce Committee held its first hearing under the new Republican majority to examine the challenges and opportunities facing K–12 classrooms.

Since that first hearing, we have held dozens of hearings and multiple markups and spent many hours on the floor considering amendments and debating competing ideas for improving education. All of those efforts are reflected in the final bill we have today.

Behind all of that hard work was a team of dedicated staff. They put in long hours and sacrificed a great deal to draft the House and Senate proposals, move them through our respective committees and chambers, and then went to work developing this bipartisan, bicameral bill we are discussing today.

My friend and colleague, the ranking member, Mr. SCOTT, talked about members of his staff and what a fantastic job they have done, and I know from many reports that they put in an awful lot of hours.

In fact, Mr. Speaker, this process has been underway for so long that some staff who started this journey with us have now moved on to other endeavors: former staffers, including James Bergeron, Alex Sollberger, Casey Buboltz, Heather Couri, Dan Shorts, Matt Frame, Angelyn Shapiro, and Barrett Karr.

And then there are those who are with us today and many who have been a part of this effort from the beginning. I wish I had time to recognize everybody, but I have a few minutes and am going to recognize quite a few of them: Republican staff members on our committee, including Janelle Belland, Krisann Pearce, Lauren Aronson, Dominique McKay, Lauren Reddington, Sheariah Yousefi, James Forester, Kathlyn Ehl, Leslie Tatum, Mandy Schaumburg, Brian Newell.

Of course, I would like to recognize the Republican Staff Director, Juliane Sullivan, who always leads the team with patience, skill, and determination; Amy Jones, our education policy staff director, who was a firm, yet fair, negotiator throughout the entire process.

And last, but certainly not least, our senior education policy advisor is Brad Thomas, sitting here patiently beside me today. According to our most recent estimates, Brad has spent more than 60 straight days here at the office working out the details of this final bill. We could not have done it without his knowledge, expertise, and dedication.

Brad, we are grateful for your service.

Again, because of the hard work of both Republican and Democrat staff on the Education and the Workforce Committee, as well as the staff of Senators MURRAY and ALEXANDER, we will soon have a new education law that helps every child in every school receive an excellent education.

I would remind all of my colleagues that, when we come in to vote a little later this afternoon, it is a binary choice. You can vote for this new direction, give our children a better opportunity, or you can vote to keep No Child Left Behind the law of the land. It is an either-or choice.

I urge my colleagues to vote ''yes'' on the conference report to accompany S. 1177.

I yield back the balance of my time.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I support the Every Student Succeeds Act. It preserves critical civil rights protections for students, maintains the historic commitment to low-income children and communities, and strikes a delicate balance between federal accountability and state flexibility to meet local needs. I thank Ranking Member BOBBY SCOTT and Chairman KLINE—as well as the former Committee leaders George Miller and Buck McKeon—for their leadership. This is not a perfect bill, but it is a good bill. It represents an improvement over the current waiver process and over the outdated, one-size-fits-all, punitive No Child Left Behind law. I especially am proud that the bill includes multiple provisions that I have championed for years.

Foremost, the bill maintains federal accountability in public education. The Elementary and Secondary Education Act at its heart is a civil rights law, and, as such, it is essential that the federal government provide oversight to ensure equal educational opportunity under the law. Although the bill transfers considerable power to the states to oversee their improvement and limits some Secretarial authority, it requires states to take action in every school in which any group of students is consistently underperforming under the state's accountability system, in all high school dropout factories where one-third or more of students fail to graduate, and in the lowest-performing 5 percent of schools.

The bill enhances transparency into the educational success of vulnerable students. Many years ago, I wanted to know how African American boys were doing in school only to learn that we did not know because we did not collect student data in a way to answer that question. I have fought to change this because we cannot develop educational interventions to help students—especially vulnerable students—if we lack a clear understanding of how various groups of students are learning. This bill requires reporting of outcomes and indicators by important student characteristics to inform our understanding of student learning and direct interventions.

Further, the bill adds to the our understanding of student experiences by including critical information about discipline practices, including rate of suspensions, expulsions, referrals to law enforcement, and school-related arrests. Given that African Americans—especially African-American boys—disproportionately experience harsh discipline that contributes to the school-to-prison pipeline, clear information about actual practice is key. Importantly, the bill also discourages the overuse of exclusionary and dangerous discipline practices by requiring state plans to describe how they will improve learning by decreasing such practices. Similarly, the Every Student Succeeds Act promises to improve the school environment for students by decreasing bullying. For over a decade I have led a bill to direct greater federal resources to promote bullying-free learning environments. In addition to requiring states and districts to report incidents of discipline, bullying, and harassment, the bill provides funding for states and localities to implement evidenced-based positive behavioral interventions and supports and other successful approaches that improve behavior, reduce harsh discipline, and decrease bullying and harassment so that teachers can teach and students can learn.

The bill addresses key educational challenges for foster youth for which I have advocated, including: ensuring that foster youth can remain in their current school when they enter care or change placements when doing so is in their best interest; allowing immediate enrollment in a new school, prompt access to educational records, and assistance in transferring and recovering credits to remain on track for graduation; assuring a point of contact for foster youth within the education system when such a contact exists in the corresponding child welfare agency; requiring school districts and child welfare agencies to work together to ensure funding for transportation exists to allow students to remain in their schools of origin and to remove negative effects of unreliable transportation; and mandating that the Department of Education and Health and Human Services report on the

progress made in and remaining barriers to addressing educational stability. Further, the bill requires states and localities to report on the student outcomes of foster youth and homeless youth to better understand their educational attainment.

The bill provides critical protections for students with disabilities that I have promoted, such as advancing high learning standards for students with the most significant disabilities. It caps the use of alternative, less-rigorous tests for students with the most significant cognitive disabilities at one percent of all students and prohibits states from counting lesser credentials as a regular high school diploma.

The bill does many additional important things. It invests in teachers by improving professional supports, recognizing that states and localities are better-suited to implement teacher evaluations than federal officials, and requiring collaboration with teachers and the prohibition on overturning existing collective bargaining agreements if states voluntarily develop teacher evaluation programs. It helps improve equitable distribution of resources among school districts, promotes responsible testing policies that reduce over-testing and discourage the use of tests for high-stakes decisions, expands early childhood education, increases federal investment in education, and maintains the historic and necessary state financial commitment to education.

This bill does raise concerns and the need for vigilance. With the greater responsibility given to states, there is a heightened need for monitoring by the federal government, advocates, and the civil rights community to ensure that critical supports go to the schools and students in need to close achievement gaps and improve learning.

This is not a perfect bill, but it is a good bill that advances educational opportunity. I urge my colleagues to join me in supporting its passage.

Mr. BARLETTA. Mr. Speaker, I am honored today to support the Every Student Succeeds Act.

This bipartisan bill will end the unworkable, one-size-fits all No Child Left Behind Act and give control of our kids' education back to our states, local school districts, teachers, and parents. I have always believed that educational decisions are best left to the people who are closest to the students, and that means moving power out of Washington, D.C. and back into our own communities.

It restores state and local control by allowing states to opt out of federal education programs, protecting states' abilities to control their own standards and assessments, and providing school districts with more funding flexibility.

It empowers parents by preventing federal interference in private and home schools, promoting school choice by strengthening charter and magnet schools, and allowing funds in eligible school districts to follow students to the schools they actually attend.

And, it includes unprecedented restrictions on the Secretary of Education's authority, and prevents the federal government from requiring or coercing states to adopt the Common Core curriculum.

Most importantly, it reauthorizes the 21st Century Community Learning Centers (21st CCLC) program as a separate and directed federal funding stream under Title IV.

The 21st CCLC program is the only federal funding source for our nation's afterschool programs, which students and working families across America rely on each and every day. In my district in Pennsylvania, the program provides 49 percent of total funding for SHINE, or ''Schools and Homes In Education,'' a successful afterschool educational program in Carbon and Luzerne counties.

I have worked on SHINE for many years back home with my friend, state Senator John Yudichak—a Democrat—because helping our kids succeed should always be a bipartisan cause. And, we have succeeded in making it one today.

Afterschool programs like SHINE are known to improve academic achievement, increase school attendance, and engage families in education. They also keep our kids safe resulting in lower incidences of drug-use and violence.

Where I'm from in Pennsylvania, this is extremely important. Gangs have become a big and persistent problem in some of our neighborhoods.

In the end, this is truly a banner day for the school children of northeastern Pennsylvania and across the country. SHINE and countless other afterschool programs have touched so many families and given kids education opportunities they otherwise would not have had.

I know these programs help families and I can assure my constituents that I will continue to advocate and support afterschool programs here in Congress both now and in the future.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to express my support for the Every Student Succeeds Act. This bill is a much-needed improvement to No Child Left Behind (NCLB). The fundamental purpose of the Elementary and Secondary Education Act (ESEA) was created to ensure that disadvantaged children are provided a high-quality education that allows them to compete on a level playing field with their more-advantaged peers. I believe this bill is a step in the right direction.

I believe No Child Left Behind (NCLB) is flawed and must be reformed. Reauthorization presents a tremendous opportunity to make much-needed improvements and brings our education system into the 21st century.

For too many years, Congress has stalled in updating the standards for our nation's students. I applaud the efforts of this body for working across the aisle to make sure that every student has the tools they need to succeed.

The Every Student Succeeds Act strengthens critical programs and uses funds for the promotion of innovation, increased access to STEM education, arts education, literacy, community involvement in schools, teacher quality, and other important programs.

This conference authorizes the Preschool Development Grants program that will supplement existing funds to improve coordination, quality and access for early childhood education.

I urge my colleagues to vote for the Every Student Succeeds Act and support reauthorization that restores our nation's commitment to providing equal opportunity for all students regardless of their background and protect our country's students including the most vulnerable, which was the intention of this landmark civil rights law.

Mr. VAN HOLLEN. Mr. Speaker, I rise in support of the Every Student Succeeds Act to finally address serious flaws in federal education law and reject the old ''one-size-fits-all'' approach while continuing to hold states and schools accountable for the learning of every child. I thank Ranking Member BOBBY SCOTT for his tireless efforts to support students in underserved communities and close the achievement gap.

Today's bill provides needed flexibility in the classroom while maintaining ''guardrails'' to make sure that all students have the opportunity to succeed. It scales back the singular focus on high-stakes testing with a broader and more representative accountability system that will help identify and address gaps. It includes evidence-based interventions for schools where students aren't learning or aren't graduating. And it targets resources to the students who need them most.

The bill allows for funding for critical supports, including mental health, drug and violence prevention, and Youth PROMISE plans. There are resources for a well-rounded education, including arts, geography, history, and foreign language. Dedicated funding is preserved for Promise Neighborhoods and Full-Service Community Schools to coordinate services for children and families, and for afterschool programs to provide out-of-school time opportunities. It will be critical to provide adequate funding for these priorities through the appropriations process.

The Every Student Succeeds Act includes important funding for early childhood education programs that help provide a strong start for children. I strongly support efforts to provide universal pre-K, and today's bill is a good step to improving coordination of early learning opportunities. Today's bill is not perfect, but it is a strong compromise and a critical improvement over current law. As Congress has worked to rewrite this law, I am grateful to the teachers, parents, administrators, school board members, students, and many others in Maryland schools who have shared their experiences and input with me. I look forward to continuing to work with them to ensure that this legislation is implemented and funded in a way that works for our schools and students.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in support of the Every Student Succeeds Act (ESSA), a reauthorization of the Elementary and Secondary Education Act (ESEA) of 1965. The ESEA was a landmark civil rights bill that boosted the academic achievement of low-income and minority students, and I am pleased to see its much-needed reauthorization, following its previous reauthorization in the 2001 No Child Left Behind Act. I must acknowledge, however, that the ESSA is not a perfect bill. For example, this bill does not require student data to be disaggregated for Asian American and Pacific Islander subgroups, and does not require states to act if federal resources are given inequitably to schools.

However, the bill is a significant improvement over the No Child Left Behind Act and the ESEA reauthorization that passed out of the House earlier this year. For example, I

was heartened to see that the bill includes academic standards that will prepare students for college and careers, requirements for states to intervene in schools in need of government support, removal of No Child Left Behind's most punitive provisions, and increased monitoring, regulation, and focus on the unique needs of English Language Learners. These provisions are critical to helping underserved students achieve academic and lifelong success.

I was also pleased to see that the ESSA includes strong language to address violence in our schools and communities. For example, it maintains dedicated funding for afterschool programs and makes violence prevention and trauma support efforts eligible for federal funds, provisions which Congresswoman KAREN BASS and I urged in a letter to education leaders last month.

For these reasons, I am proud to stand in support of this bipartisan legislation in order to improve the quality of education received by our country's most vulnerable students.

Mr. ROKITA. Mr. Speaker, I am pleased to offer the following Joint Statement of Legislative Intent on the Conference Report to accompany S. 1177, the Every Student Succeeds Act, on behalf of myself and Mr. JOHN KLINE, Chairman of the Education and the Workforce Committee.

JOINT STATEMENT OF LEGISLATIVE INTENT ON CONFERENCE REPORT TO ACCOMPANY S. 1177, THE EVERY STUDENT SUCCEEDS ACT

Like our colleagues, we support this conference report because we believe states and school districts should be left to set their own education priorities. The House-passed bill included strong prohibitions that clearly did just that. The conference report maintains strong, unprecedented prohibitions on the Secretary of Education. For example,

Section 1111(e) clearly states the Secretary may not add any requirements or criteria outside the scope of this act, and further says the Secretary may not ''be in excess of statutory authority given to the Secretary.'' This section goes on to lay out specific terms the Secretary cannot prescribe, sets clear limits on the guidance the Secretary may offer, and also clearly states that the Secretary is prohibited from defining terms that are inconsistent with or outside the scope of this Act.

Then there are provisions in Titles I and VIII that ensure standards and curriculum are left to the discretion of states without federal control or mandates, and the same is true for assessments.

Finally, the conference report also includes a Sense of Congress that states and local educational agencies retain the right and responsibility of determining educational curriculum, programs of instruction, and assessments.

The conference report makes it clear the Secretary is not to put any undue limits on the ability of states to determine their accountability systems, their standards, or what tests they give their students. The clear intent and legislative language of this report devolves authority over education decisions back to the states and severely limits the Secretary's ability to interfere in any way.

Ensuring a limited role for the U.S. Secretary of Education was a critically important priority throughout the reauthorization process and this agreement meets that priority.

For example, the Secretary may not limit the ability of states to determine how the measures of student performance are weighted within state accountability systems. The Secretary also cannot prescribe school support and improvement strategies, or any aspect of a state's teacher evaluation system, or the methodology used to differentiate schools in a state.

Also, the Secretary may not create new policy by creatively defining terms in the law. Let us say definitively, as the Chairman of the Education and the Workforce Committee and Subcommittee Chairman of the subcommittee of jurisdiction, this new law reins in the Secretary and ensures state and local education officials make the decisions about their schools under this new law.

Over the past few years, the Secretary has exceeded his authority by placing conditions on waivers to states and local educational agencies. The conference report prevents the Secretary from applying any new conditions on waivers or the state plans required in the law by including language that clearly states the Secretary may not add any new conditions for the approval of waivers or state plans that are outside the scope of the law. In plain English, this means if the law does not give the Secretary the authority to require something, then he may not unilaterally create an ability to do that.

We are glad to be able to support a bill that will return control to states, where it should always be, and appreciate the strong support of colleagues as well.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to speak about the Every Student Succeeds Act (ESSA), which seeks to replace the broken No Child Left Behind law. While I still have concerns with some provisions in this legislation, I believe this bill will serve our children better than the status quo. For example, the current waiver system has allowed states to ignore schools that are failing students. That is unacceptable and cannot continue.

I am concerned by the lack of federal oversight in implementing and enforcing many provisions of this bill. For example, states are left to determine how and when to intervene in schools that are failing children. We must guarantee that there is substantial federal role in ensuring states meet their obligations. Further, we must guarantee state and district implementation boards are inclusive, diverse, and adequately represent students of all needs and circumstances.

Despite shortcomings in the bill, I was pleased to see that states will now be required to collect and report data on incidences of bullying and harassment in school—an issue I have been working on for many years. It is a small, but powerful step in ensuring all children feel safe at school.

I voted for this bill because No Child Left Behind is simply not working. In four years, I look forward to revisiting reauthorization of the Elementary and Secondary Education Act to achieve an even more effective long-term policy.

Ms. BONAMICI. Mr. Speaker, I rise today in support of the Every Student Succeeds Act. This legislation represents a significant bipartisan achievement and one that is long overdue.

For 14 years, our nation's public schools have operated under a well-intentioned but flawed education law, the No Child Left Behind Act. This law set aspirational goals for student learning, and it helped call attention to persistent achievement gaps between groups of students. But No Child Left Behind's rigid measure of academic achievement—that is, the requirement that schools demonstrate adequately yearly progress—and the law's one-size-fits-all interventions for low-performing schools proved to be unworkable.

The unfortunate consequences of No Child Left Behind's inflexible requirements have plagued schools in northwest Oregon and in communities across the country. As states were forced to demonstrate leaps in student achievement, an era of high-stakes testing took much of the joy out of teaching and learning. The drive for higher test scores pressured many schools to narrow their curricular offerings. Schools shifted resources away from arts and music, history, and foreign languages to bolster the tested subjects.

This is the day that students, teachers, school board members, and families across the country have been waiting for—Congress has finally reached an agreement to leave behind No Child Left Behind.

The Every Student Succeeds Act is not perfect legislation, but reaching a bipartisan agreement requires compromise. For example, the bill eliminates or consolidates nearly 50 education programs. Although some of these programs were unfunded, merging the others creates genuine concerns about some states disinvesting in current priorities, like physical education, and spending the money elsewhere. The bill maintains the Secretary of Education's authority to hold states accountable to the law, but it also places new restrictions on the Secretary that raise questions about the federal government's ability to act.

The Every Student Succeeds Act provides a great deal of discretion to states and school districts to improve schools where students are underperforming. Certainly returning control to states and school districts is welcome. Local school boards, superintendents, and educators are best equipped to design school improvement activities that will be effective in their communities. Yet the bill could have done more to make sure that schools make timely improvements when subgroups of students, such as English learners, students of color, low-income students, and students of disabilities, continue to lag behind their peers.

Despite these concerns, the Every Student Succeeds Act represents a significant improvement for our nation's students and schools. The bill authorizes increased funding, which is especially important because more than half of our country's public school students now come from low-income households. The bill rejects a proposal to make Title I funding ''portable,'' which would have diverted funding from communities with high concentrations of poverty to affluent school districts. And the bill includes a maintenance-of-effort requirement to help make sure states are adequately funding their schools.

The Every Student Succeeds Act also eliminates No Child Left Behind's federal accountability system and directs states to design systems for identifying schools in need of additional support. Importantly, the bill puts in

place meaningful requirements for the accountability systems designed by states, including a requirement that state systems give substantial consideration to academic achievement and trigger action in any school where subgroups of students are underperforming. In this way, the Every Student Succeeds Act remains true to the civil rights legacy of the original Elementary and Secondary Education Act. The law will continue to require states to identify achievement gaps between groups of students and target resources to schools that need more support to close achievement gaps.

Importantly, the bill also reduces testing and the high stakes associated with statewide exams. The bill requires states to evaluate schools using multiple measures of student learning, so schools will not be held accountable for test scores alone. Additionally, the Every Student Succeeds Act establishes a pilot program for some states to develop alternative assessment systems. I am particularly pleased that the bill includes language from the Support Making Assessments Reliable and Timely (SMART) Act, bipartisan legislation I authored to help reduce testing. This provision gives resources to districts to eliminate the unnecessary or duplicative assessments that proliferated under No Child Left Behind. This provision also helps districts make better use of assessments by speeding the delivery of assessment results to educators, students, and families and by giving educators more time to plan in response to assessment data.

The Every Student Succeeds Act includes support for well-rounded education. I worked to include a provision in this section to make clear that schools can use federal resources to integrate arts and music into STEM courses. STEAM education, which combines arts and music with STEM subjects, educates both halves of students' brains; it teaches them to think creatively while they develop technical skills. Highly-skilled students who are also able to develop one-of-a-kind solutions to problems will excel in an economy that values innovation.

Overall, the Every Student Succeeds Act strengthens our nation's system of public education. The bill correctly recognizes that teachers and principals are skilled professionals who know what is best for their students. At the same time, the bill puts in place commonsense requirements to improve achievement among students who have historically been underserved by public education. In other words, the bill strikes the appropriate balance of returning decision making to states and local communities without diluting the federal government's role in upholding our country's promise to deliver equal educational opportunities and outcomes to all students.

I would like to thank Chairman KLINE, Ranking Member SCOTT, Chairman ALEXANDER, and Ranking Member MURRAY for their tremendous leadership on this bill. The Every Student Succeeds Act is moving forward with strong bipartisan, bicameral support because these leaders were willing to find common ground for the good of our country's students and educators.

I have visited schools throughout my district and spoken with educators and students in urban and rural communities. In each community I visit, I am reminded of the urgency of efforts to end the test-and-punish culture created by No Child Left Behind. It is a great honor to be able to support the Every Student Succeeds Act to chart a better path forward for our country's educators and students. I encourage all of my colleagues to join me in supporting the bill.

Ms. JUDY CHU of California. Mr. Speaker, I rise today to express my concerns with S. 1177—the Every Student Succeeds Act. I cast my vote in favor of the Every Student Succeeds Act because I believe it is an improvement from No Child Left Behind (NCLB), our nation's current law. However, I strongly believe this legislation falls short in many areas—specifically resource equity, federal authority, and data disaggregation for Asian American and Pacific Islander (AAPI) students.

While I am pleased that S. 1177 requires schools where students are consistently struggling to report on resource inequities, it does not hold states accountable for these inequities. States with dramatic investment disparities will be required only to identify gaps, not necessarily to close them.

Additionally, this legislation significantly limits its secretarial authority by relinquishing much of the responsibility for monitoring and enforcing protections for vulnerable students from the federal government to the states. History shows us that strong federal oversight compelled states to identify and address achievement gaps faced by minority and low-income students. Without this strong oversight, I am concerned that these vulnerable groups will once again fall through the cracks.

Finally, I am very disappointed that S. 1177 does not require that data collected and reported on AAPI students be disaggregated by ethnic subgroups. As the Chair of the Congressional Asian Pacific American Caucus (CAPAC), I have worked to combat the so-called ''model minority myth,'' which leads people to believe that AAPI students are all high-achieving and successful. In reality, the AAPI population includes over 40 distinct ethnic groups who speak over 100 different languages. However, this diversity in experience and success is often masked when data is not disaggregated by AAPI subgroups. As a result, many AAPI students fail to receive resources that would help them succeed academically.

I believe that S. 1177 is an improvement over the patchwork system our country is currently operating under in the wake of NCLB, but it falls short on the promise to serve all of our children. I will continue to work to ensure that every child, regardless of economic background, race, gender, sexual orientation, family history, or ability receives a free, high-quality education that enables them to achieve the American Dream.

Mrs. WATSON COLEMAN. Mr. Speaker, I rise in support of the Every Student Succeeds Act (ESSA). It has been 14 years since the last reauthorization of the Elementary and Secondary Education Act, and we have desperately needed an update to this critical law. The 2001 No Child Left Behind Act included unworkable provisions and led to the proliferation of high-stakes testing. In order to manage the impact of the law's strict provisions, the federal government has granted waivers to 40 states, resulting in unpredictability and unequal application of the law. The ESSA will correct our previous mistakes by maintaining high standards while giving states and local school districts greater flexibility in achieving them with evidence-based strategies.

At its core, the Elementary and Secondary Education Act is a civil rights law that reflects our society's consensus that every state and school district must provide a quality education to all children. In order to fulfill this promise, we must have sufficient information to measure inequities in educational achievement for all groups, and we must ensure states and local governments are taking the steps necessary to close those achievement gaps. For that reason, I am very concerned that the ESSA lacks data disaggregation for Asian American and Pacific Islander (AAPI) students. The AAPI community is extremely diverse with over 48 distinct ethnic groups that face varying challenges in educational achievement. The lack of data disaggregation will prevent us from determining what gaps exist and how best to address them.

Additionally, I am concerned by the lack of key provisions from the Safe Schools Improvement Act and the Student Non-Discrimination Act. I have cosponsored these important pieces of legislation because more must be done to address the harmful effects of bullying and discrimination, particularly for LGBT students. No child should be denied a quality education due to his or her race, ethnicity, sex, sexual orientation, gender identity, or socioeconomic status. This bill takes important steps in the right direction, but the lack of AAPI data disaggregation and important LGBT protections shows there is much work to be done to achieve this goal. I look forward to working with my colleagues to address these flaws.

Mr. SCOTT of Virginia. Mr. Speaker, as I've stated before, this conference report is not the bill I would have written on my own. It is a product of compromise, but a product that did not require either side to compromise on our core beliefs. A core belief of mine—and a core belief of my caucus—is that Congress deems authority to the executive branch to interpret, implement, and enforce federal law. That is the foundational tenet of administrative law.

Although some provisions included in the conference report seek to limit the regulatory power of the Department of Education, nothing in this conference report will inhibit or impede the Secretary's authority—as granted by the Constitution—to interpret, implement, and enforce compliance with the Federal law, including the Secretary's authority to promulgate regulations that clarify and interpret vague statutory terms. Those provisions were carefully negotiated between the Chair and me.

The Every Student Succeeds Act provides states with new flexibility to design systems that hold schools accountable for improving student outcomes, but the Federal government is ultimately responsible for protecting the civil rights of all students. To fulfill that responsibility, the Secretary of Education will maintain regulatory, oversight, and enforcement authority sufficient to fully implement this new law.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 542, the previous question is ordered.

The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 22, SURFACE TRANSPORTATION REAUTHORIZATION AND REFORM ACT OF 2015

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 114–360) on the resolution (H. Res. 546) providing for consideration of the conference report to accompany the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, which was referred to the House Calendar and ordered to be printed.

NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2015

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill, H.R. 8.

The SPEAKER pro tempore (Mr. POLIQUIN). Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 542 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 8.

Will the gentleman from Illinois (Mr. DOLD) kindly take the chair.

□ 1541

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes, with Mr. DOLD (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, December 1, 2015, all time for general debate pursuant to House Resolution 539 had expired.

Pursuant to House Resolution 542, no further general debate shall be in order.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–36. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 8

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''North American Energy Security and Infrastructure Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—MODERNIZING AND PROTECTING INFRASTRUCTURE

Subtitle A—Energy Delivery, Reliability, and Security

Sec. 1101. FERC process coordination.
Sec. 1102. Resolving environmental and grid reliability conflicts.
Sec. 1103. Emergency preparedness for energy supply disruptions.
Sec. 1104. Critical electric infrastructure security.
Sec. 1105. Strategic Transformer Reserve.
Sec. 1106. Cyber Sense.
Sec. 1107. State coverage and consideration of PURPA standards for electric utilities.
Sec. 1108. Reliability analysis for certain rules that affect electric generating facilities.
Sec. 1109. Carbon capture, utilization, and sequestration technologies.
Sec. 1110. Reliability and performance assurance in Regional Transmission Organizations.

Subtitle B—Energy Security and Infrastructure Modernization

Sec. 1201. Energy Security and Infrastructure Modernization Fund.

Subtitle C—Hydropower Regulatory Modernization

Sec. 1301. Hydroelectric production and efficiency incentives.
Sec. 1302. Protection of private property rights in hydropower licensing.
Sec. 1303. Extension of time for FERC project involving W. Kerr Scott Dam.
Sec. 1304. Hydropower licensing and process improvements.
Sec. 1305. Judicial review of delayed Federal authorizations.
Sec. 1306. Licensing study improvements.
Sec. 1307. Closed-loop pumped storage projects.
Sec. 1308. License amendment improvements.
Sec. 1309. Promoting hydropower development at existing nonpowered dams.

TITLE II—21ST CENTURY WORKFORCE

Sec. 2001. Energy and manufacturing workforce development.

TITLE III—ENERGY SECURITY AND DIPLOMACY

Sec. 3001. Sense of Congress.
Sec. 3002. Energy security valuation.
Sec. 3003. North American energy security plan.
Sec. 3004. Collective energy security.
Sec. 3005. Strategic Petroleum Reserve mission readiness plan.
Sec. 3006. Authorization to export natural gas.

TITLE IV—ENERGY EFFICIENCY AND ACCOUNTABILITY

Subtitle A—Energy Efficiency

CHAPTER 1—FEDERAL AGENCY ENERGY EFFICIENCY

Sec. 4111. Energy-efficient and energy-saving information technologies.
Sec. 4112. Energy efficient data centers.
Sec. 4113. Report on energy and water savings potential from thermal insulation.
Sec. 4114. Federal purchase requirement.
Sec. 4115. Energy performance requirement for Federal buildings.
Sec. 4116. Federal building energy efficiency performance standards; certification system and level for Federal buildings.
Sec. 4117. Operation of battery recharging stations in parking areas used by Federal employees.

CHAPTER 2—ENERGY EFFICIENT TECHNOLOGY AND MANUFACTURING

Sec. 4121. Inclusion of Smart Grid capability on Energy Guide labels.
Sec. 4122. Voluntary verification programs for air conditioning, furnace, boiler, heat pump, and water heater products.
Sec. 4123. Facilitating consensus furnace standards.
Sec. 4124. Future of Industry program.
Sec. 4125. No warranty for certain certified Energy Star products.
Sec. 4126. Clarification to effective date for regional standards.
Sec. 4127. Internet of Things report.

CHAPTER 3—ENERGY PERFORMANCE CONTRACTING

Sec. 4131. Use of energy and water efficiency measures in Federal buildings.

CHAPTER 4—SCHOOL BUILDINGS

Sec. 4141. Coordination of energy retrofitting assistance for schools.

CHAPTER 5—BUILDING ENERGY CODES

Sec. 4151. Greater energy efficiency in building codes.
Sec. 4152. Voluntary nature of building asset rating program.

CHAPTER 6—EPCA TECHNICAL CORRECTIONS AND CLARIFICATIONS

Sec. 4161. Modifying product definitions.
Sec. 4162. Clarifying rulemaking procedures.

CHAPTER 7—ENERGY AND WATER EFFICIENCY

Sec. 4171. Smart energy and water efficiency pilot program.
Sec. 4172. WaterSense.

Subtitle B—Accountability

CHAPTER 1—MARKET MANIPULATION, ENFORCEMENT, AND COMPLIANCE

Sec. 4211. FERC Office of Compliance Assistance and Public Participation.

CHAPTER 2—MARKET REFORMS

Sec. 4221. GAO study on wholesale electricity markets.
Sec. 4222. Clarification of facility merger authorization.

CHAPTER 3—CODE MAINTENANCE

Sec. 4231. Repeal of off-highway motor vehicles study.
Sec. 4232. Repeal of methanol study.
Sec. 4233. Repeal of residential energy efficiency standards study.
Sec. 4234. Repeal of weatherization study.

Sec. 4235. Repeal of report to Congress.
Sec. 4236. Repeal of report by General Services Administration.
Sec. 4237. Repeal of intergovernmental energy management planning and coordination workshops.
Sec. 4238. Repeal of Inspector General audit survey and President's Council on Integrity and Efficiency report to Congress.
Sec. 4239. Repeal of procurement and identification of energy efficient products program.
Sec. 4240. Repeal of national action plan for demand response.
Sec. 4241. Repeal of national coal policy study.
Sec. 4242. Repeal of study on compliance problem of small electric utility systems.
Sec. 4243. Repeal of study of socioeconomic impacts of increased coal production and other energy development.
Sec. 4244. Repeal of study of the use of petroleum and natural gas in combustors.
Sec. 4245. Repeal of submission of reports.
Sec. 4246. Repeal of electric utility conservation plan.
Sec. 4247. Technical amendment to Powerplant and Industrial Fuel Use Act of 1978.
Sec. 4248. Emergency energy conservation repeals.
Sec. 4249. Repeal of State utility regulatory assistance.
Sec. 4250. Repeal of survey of energy saving potential.
Sec. 4251. Repeal of photovoltaic energy program.
Sec. 4252. Repeal of energy auditor training and certification.

CHAPTER 4—USE OF EXISTING FUNDS

Sec. 4261. Use of existing funds.

TITLE V—NATIONAL ENERGY SECURITY CORRIDORS

Sec. 5001. Short title.
Sec. 5002. Designation of National Energy Security Corridors on Federal lands.
Sec. 5003. Notification requirement.

TITLE VI—ELECTRICITY RELIABILITY AND FOREST PROTECTION

Sec. 6001. Short title.
Sec. 6002. Vegetation management, facility inspection, and operation and maintenance on Federal lands containing electric transmission and distribution facilities.

TITLE I—MODERNIZING AND PROTECTING INFRASTRUCTURE

Subtitle A—Energy Delivery, Reliability, and Security

SEC. 1101. FERC PROCESS COORDINATION.

Section 15 of the Natural Gas Act (15 U.S.C. 717n) is amended—

(1) by amending subsection (b)(2) to read as follows:

''(2) OTHER AGENCIES.—

''(A) IN GENERAL.—Each Federal and State agency considering an aspect of an application for Federal authorization shall cooperate with the Commission and comply with the deadlines established by the Commission.

''(B) IDENTIFICATION.—The Commission shall identify, as early as practicable after it is notified by a prospective applicant of a potential project requiring Commission authorization, any Federal or State agency, local government, or Indian tribe that may consider an aspect of an application for that Federal authorization.

''(C) NOTIFICATION.—

''(i) IN GENERAL.—The Commission shall notify any agency identified under subparagraph (B) of the opportunity to cooperate or participate in the review process.

''(ii) DEADLINE.—A notification issued under clause (i) shall establish a deadline by which a response to the notification shall be submitted, which may be extended by the Commission for good cause.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''and'' at the end of subparagraph (A);

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A) the following new subparagraph:

''(B) set deadlines for all such Federal authorizations; and'';

(B) by striking paragraph (2); and

(C) by adding at the end the following new paragraphs:

''(2) DEADLINE FOR FEDERAL AUTHORIZATIONS.—A final decision on a Federal authorization is due no later than 90 days after the Commission issues its final environmental document, unless a schedule is otherwise established by Federal law.

''(3) CONCURRENT REVIEWS.—Each Federal and State agency considering an aspect of an application for a Federal authorization shall—

''(A) carry out the obligations of that agency under applicable law concurrently, and in conjunction, with the review required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), unless doing so would impair the ability of the agency to conduct needed analysis or otherwise carry out those obligations;

''(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of required Federal authorizations no later than 90 days after the Commission issues its final environmental document; and

''(C) transmit to the Commission a statement—

''(i) acknowledging receipt of the schedule established under paragraph (1); and

''(ii) setting forth the plan formulated under subparagraph (B) of this paragraph.

''(4) ISSUE IDENTIFICATION AND RESOLUTION.—

''(A) IDENTIFICATION.—Federal and State agencies that may consider an aspect of an application for Federal authorization shall identify, as early as possible, any issues of concern that may delay or prevent an agency from working with the Commission to resolve such issues and granting such authorization.

''(B) ISSUE RESOLUTION.—The Commission may forward any issue of concern identified under subparagraph (A) to the heads of the relevant agencies (including, in the case of a failure by the State agency, the Federal agency overseeing the delegated authority) for resolution.

''(5) FAILURE TO MEET SCHEDULE.—If a Federal or State agency does not complete a proceeding for an approval that is required for a Federal authorization in accordance with the schedule established by the Commission under paragraph (1)—

''(A) the applicant may pursue remedies under section 19(d); and

''(B) the head of the relevant Federal agency (including, in the case of a failure by a State agency, the Federal agency overseeing the delegated authority) shall notify Congress and the Commission of such failure and set forth a recommended implementation plan to ensure completion of the proceeding for an approval.'';

(3) by redesignating subsections (d) through (f) as subsections (g) through (i), respectively; and

(4) by inserting after subsection (c) the following new subsections:

''(d) REMOTE SURVEYS.—If a Federal or State agency considering an aspect of an application for Federal authorization requires the applicant to submit environmental data, the agency shall consider any such data gathered by aerial or other remote means that the applicant submits. The agency may grant a conditional approval for Federal authorization, conditioned on the verification of such data by subsequent onsite inspection.

''(e) APPLICATION PROCESSING.—The Commission, and Federal and State agencies, may allow an applicant seeking Federal authorization to fund a third-party contractor to assist in reviewing the application.

''(f) ACCOUNTABILITY, TRANSPARENCY, EFFICIENCY.—For applications requiring multiple Federal authorizations, the Commission, with input from any Federal or State agency considering an aspect of an application, shall track and make available to the public on the Commission's website information related to the actions required to complete permitting, reviews, and other actions required. Such information shall include the following:

''(1) The schedule established by the Commission under subsection (c)(1).

''(2) A list of all the actions required by each applicable agency to complete permitting, reviews, and other actions necessary to obtain a final decision on the Federal authorization.

''(3) The expected completion date for each such action.

''(4) A point of contact at the agency accountable for each such action.

''(5) In the event that an action is still pending as of the expected date of completion, a brief explanation of the reasons for the delay.''.

SEC. 1102. RESOLVING ENVIRONMENTAL AND GRID RELIABILITY CONFLICTS.

(a) COMPLIANCE WITH OR VIOLATION OF ENVIRONMENTAL LAWS WHILE UNDER EMERGENCY ORDER.—Section 202(c) of the Federal Power Act (16 U.S.C. 824a(c)) is amended—

(1) by inserting ''(1)'' after ''(c)''; and

(2) by adding at the end the following:

''(2) With respect to an order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation, the Commission shall ensure that such order requires generation, delivery, interchange, or transmission of electric energy only during hours necessary to meet the emergency and serve the public interest, and, to the maximum extent practicable, is consistent with any applicable Federal, State, or local environmental law or regulation and minimizes any adverse environmental impacts.

''(3) To the extent any omission or action taken by a party, that is necessary to comply with an order issued under this subsection, including any omission or action taken to voluntarily comply with such order, results in noncompliance with, or causes such party to not comply with, any Federal, State, or local environmental law or regulation, such omission or action shall not be considered a violation of such environmental law or regulation, or subject such party to any requirement, civil or criminal liability, or a citizen suit under such environmental law or regulation.

''(4)(A) An order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation shall expire not later than 90 days after it is issued. The Commission may renew or reissue such order pursuant to paragraphs (1) and (2) for subsequent periods, not to exceed 90 days for each period, as the Commission determines necessary to meet the emergency and serve the public interest.

''(B) In renewing or reissuing an order under subparagraph (A), the Commission shall consult with the primary Federal agency with expertise in the environmental interest protected by such law or regulation, and shall include in any such

renewed or reissued order such conditions as such Federal agency determines necessary to minimize any adverse environmental impacts to the extent practicable. The conditions, if any, submitted by such Federal agency shall be made available to the public. The Commission may exclude such a condition from the renewed or reissued order if it determines that such condition would prevent the order from adequately addressing the emergency necessitating such order and provides in the order, or otherwise makes publicly available, an explanation of such determination.

''(5) If an order issued under this subsection is subsequently stayed, modified, or set aside by a court pursuant to section 313 or any other provision of law, any omission or action previously taken by a party that was necessary to comply with the order while the order was in effect, including any omission or action taken to voluntarily comply with the order, shall remain subject to paragraph (3).''.

(b) TEMPORARY CONNECTION OR CONSTRUCTION BY MUNICIPALITIES.—Section 202(d) of the Federal Power Act (16 U.S.C. 824a(d)) is amended by inserting ''or municipality'' before ''engaged in the transmission or sale of electric energy''.

SEC. 1103. EMERGENCY PREPAREDNESS FOR ENERGY SUPPLY DISRUPTIONS.

(a) FINDING.—Congress finds that recent natural disasters have underscored the importance of having resilient oil and natural gas infrastructure and effective ways for industry and government to communicate to address energy supply disruptions.

(b) AUTHORIZATION FOR ACTIVITIES TO ENHANCE EMERGENCY PREPAREDNESS FOR NATURAL DISASTERS.—The Secretary of Energy shall develop and adopt procedures to—

(1) improve communication and coordination between the Department of Energy's energy response team, Federal partners, and industry;

(2) leverage the Energy Information Administration's subject matter expertise within the Department's energy response team to improve supply chain situation assessments;

(3) establish company liaisons and direct communication with the Department's energy response team to improve situation assessments;

(4) streamline and enhance processes for obtaining temporary regulatory relief to speed up emergency response and recovery;

(5) facilitate and increase engagement among States, the oil and natural gas industry, and the Department in developing State and local energy assurance plans;

(6) establish routine education and training programs for key government emergency response positions with the Department and States; and

(7) involve States and the oil and natural gas industry in comprehensive drill and exercise programs.

(c) COOPERATION.—The activities carried out under subsection (b) shall include collaborative efforts with State and local government officials and the private sector.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report describing the effectiveness of the activities authorized under this section.

SEC. 1104. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.

(a) CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.—Part II of the Federal Power Act (16 U.S.C. 824 et seq.) is amended by adding after section 215 the following new section:

''SEC. 215A. CRITICAL ELECTRIC INFRASTRUCTURE SECURITY.

''(a) DEFINITIONS.—For purposes of this section:

''(1) BULK-POWER SYSTEM; ELECTRIC RELIABILITY ORGANIZATION; REGIONAL ENTITY.—The terms 'bulk-power system', 'Electric Reliability Organization', and 'regional entity' have the meanings given such terms in paragraphs (1), (2), and (7) of section 215(a), respectively.

''(2) CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'critical electric infrastructure' means a system or asset of the bulk-power system, whether physical or virtual, the incapacity or destruction of which would negatively affect national security, economic security, public health or safety, or any combination of such matters.

''(3) CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—The term 'critical electric infrastructure information' means information related to critical electric infrastructure, or proposed critical electrical infrastructure, generated by or provided to the Commission or other Federal agency, other than classified national security information, that is designated as critical electric infrastructure information by the Commission under subsection (d)(2). Such term includes information that qualifies as critical energy infrastructure information under the Commission's regulations.

''(4) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—The term 'defense critical electric infrastructure' means any electric infrastructure located in the United States (including the territories) that serves a facility designated by the Secretary pursuant to subsection (c), but is not owned or operated by the owner or operator of such facility.

''(5) ELECTROMAGNETIC PULSE.—The term 'electromagnetic pulse' means 1 or more pulses of electromagnetic energy emitted by a device capable of disabling or disrupting operation of, or destroying, electronic devices or communications networks, including hardware, software, and data, by means of such a pulse.

''(6) GEOMAGNETIC STORM.—The term 'geomagnetic storm' means a temporary disturbance of the Earth's magnetic field resulting from solar activity.

''(7) GRID SECURITY EMERGENCY.—The term 'grid security emergency' means the occurrence or imminent danger of—

''(A)(i) a malicious act using electronic communication or an electromagnetic pulse, or a geomagnetic storm event, that could disrupt the operation of those electronic devices or communications networks, including hardware, software, and data, that are essential to the reliability of critical electric infrastructure or of defense critical electric infrastructure; and

''(ii) disruption of the operation of such devices or networks, with significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure, as a result of such act or event; or

''(B)(i) a direct physical attack on critical electric infrastructure or on defense critical electric infrastructure; and

''(ii) significant adverse effects on the reliability of critical electric infrastructure or of defense critical electric infrastructure as a result of such physical attack.

''(8) SECRETARY.—The term 'Secretary' means the Secretary of Energy.

''(b) AUTHORITY TO ADDRESS GRID SECURITY EMERGENCY.—

''(1) AUTHORITY.—Whenever the President issues and provides to the Secretary a written directive or determination identifying a grid security emergency, the Secretary may, with or without notice, hearing, or report, issue such orders for emergency measures as are necessary in the judgment of the Secretary to protect or restore the reliability of critical electric infrastructure or of defense critical electric infrastructure during such emergency. As soon as practicable but not later than 180 days after the date of enactment of this section, the Secretary shall, after notice and opportunity for comment, establish rules of procedure that ensure that such authority can be exercised expeditiously.

''(2) NOTIFICATION OF CONGRESS.—Whenever the President issues and provides to the Secretary a written directive or determination under paragraph (1), the President shall promptly notify congressional committees of relevant jurisdiction, including the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, of the contents of, and justification for, such directive or determination.

''(3) CONSULTATION.—Before issuing an order for emergency measures under paragraph (1), the Secretary shall, to the extent practicable in light of the nature of the grid security emergency and the urgency of the need for action, consult with appropriate governmental authorities in Canada and Mexico, entities described in paragraph (4), the Electricity Sub-sector Coordinating Council, the Commission, and other appropriate Federal agencies regarding implementation of such emergency measures.

''(4) APPLICATION.—An order for emergency measures under this subsection may apply to—

''(A) the Electric Reliability Organization;

''(B) a regional entity; or

''(C) any owner, user, or operator of critical electric infrastructure or of defense critical electric infrastructure within the United States.

''(5) EXPIRATION AND REISSUANCE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an order for emergency measures issued under paragraph (1) shall expire no later than 15 days after its issuance.

''(B) EXTENSIONS.—The Secretary may reissue an order for emergency measures issued under paragraph (1) for subsequent periods, not to exceed 15 days for each such period, provided that the President, for each such period, issues and provides to the Secretary a written directive or determination that the grid security emergency identified under paragraph (1) continues to exist or that the emergency measure continues to be required.

''(6) COST RECOVERY.—

''(A) CRITICAL ELECTRIC INFRASTRUCTURE.—If the Commission determines that owners, operators, or users of critical electric infrastructure have incurred substantial costs to comply with an order for emergency measures issued under this subsection and that such costs were prudently incurred and cannot reasonably be recovered through regulated rates or market prices for the electric energy or services sold by such owners, operators, or users, the Commission shall, consistent with the requirements of section 205, after notice and an opportunity for comment, establish a mechanism that permits such owners, operators, or users to recover such costs.

''(B) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—To the extent the owner or operator of defense critical electric infrastructure is required to take emergency measures pursuant to an order issued under this subsection, the owners or operators of a critical defense facility or facilities designated by the Secretary pursuant to subsection (c) that rely upon such infrastructure shall bear the full incremental costs of the measures.

''(7) TEMPORARY ACCESS TO CLASSIFIED INFORMATION.—The Secretary, and other appropriate Federal agencies, shall, to the extent practicable and consistent with their obligations to protect classified information, provide temporary access to classified information related to a grid security emergency for which emergency measures are issued under paragraph (1) to key personnel of any entity subject to such emergency measures to enable optimum communication between the entity and the Secretary and other appropriate Federal agencies regarding the grid security emergency.

''(c) DESIGNATION OF CRITICAL DEFENSE FACILITIES.—Not later than 180 days after the date of enactment of this section, the Secretary, in consultation with other appropriate Federal agencies and appropriate owners, users, or operators of infrastructure that may be defense critical electric infrastructure, shall identify and designate facilities located in the United States (including the territories) that are—

''(1) critical to the defense of the United States; and

''(2) vulnerable to a disruption of the supply of electric energy provided to such facility by an external provider.

The Secretary may, in consultation with appropriate Federal agencies and appropriate owners, users, or operators of defense critical electric infrastructure, periodically revise the list of designated facilities as necessary.

''(d) PROTECTION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—

''(1) PROTECTION OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Critical electric infrastructure information—

''(A) shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code; and

''(B) shall not be made available by any Federal, State, political subdivision or tribal authority pursuant to any Federal, State, political subdivision or tribal law requiring public disclosure of information or records.

''(2) DESIGNATION AND SHARING OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION.—Not later than one year after the date of enactment of this section, the Commission, in consultation with the Secretary of Energy, shall promulgate such regulations and issue such orders as necessary to—

''(A) designate information as critical electric infrastructure information;

''(B) prohibit the unauthorized disclosure of critical electric infrastructure information;

''(C) ensure there are appropriate sanctions in place for Commissioners, officers, employees, or agents of the Commission who knowingly and willfully disclose critical electric infrastructure information in a manner that is not authorized under this section; and

''(D) taking into account standards of the Electric Reliability Organization, facilitate voluntary sharing of critical electric infrastructure information with, between, and by—

''(i) Federal, State, political subdivision, and tribal authorities;

''(ii) the Electric Reliability Organization;

''(iii) regional entities;

''(iv) information sharing and analysis centers established pursuant to Presidential Decision Directive 63;

''(v) owners, operators, and users of critical electric infrastructure in the United States; and

''(vi) other entities determined appropriate by the Commission.

''(3) CONSIDERATIONS.—In promulgating regulations and issuing orders under paragraph (2), the Commission shall take into consideration the role of State commissions in reviewing the prudence and cost of investments, determining the rates and terms of conditions for electric services, and ensuring the safety and reliability of the bulk-power system and distribution facilities within their respective jurisdictions.

''(4) PROTOCOLS.—The Commission shall, in consultation with Canadian and Mexican authorities, develop protocols for the voluntary sharing of critical electric infrastructure information with Canadian and Mexican authorities and owners, operators, and users of the bulk-power system outside the United States.

''(5) NO REQUIRED SHARING OF INFORMATION.—Nothing in this section shall require a person or entity in possession of critical electric infrastructure information to share such information with Federal, State, political subdivision, or tribal authorities, or any other person or entity.

''(6) SUBMISSION OF INFORMATION TO CONGRESS.—Nothing in this section shall permit or authorize the withholding of information from Congress, any committee or subcommittee thereof, or the Comptroller General.

''(7) DISCLOSURE OF NONPROTECTED INFORMATION.—In implementing this section, the Commission shall protect from disclosure only the minimum amount of information necessary to protect the security and reliability of the bulk-power system and distribution facilities. The Commission shall segregate critical electric infrastructure information within documents and electronic communications, wherever feasible, to facilitate disclosure of information that is not designated as critical electric infrastructure information.

''(8) DURATION OF DESIGNATION.—Information may not be designated as critical electric infrastructure information for longer than 5 years, unless specifically re-designated by the Commission.

''(9) REMOVAL OF DESIGNATION.—The Commission shall remove the designation of critical electric infrastructure information, in whole or in part, from a document or electronic communication if the Commission determines that the unauthorized disclosure of such information could no longer be used to impair the security or reliability of the bulk-power system or distribution facilities.

''(10) JUDICIAL REVIEW OF DESIGNATIONS.—Notwithstanding section 313(b), any determination by the Commission concerning the designation of critical electric infrastructure information under this subsection shall be subject to review under chapter 7 of title 5, United States Code, except that such review shall be brought in the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in the District of Columbia. In such a case the court shall examine in camera the contents of documents or electronic communications that are the subject of the determination under review to determine whether such documents or any part thereof were improperly designated or not designated as critical electric infrastructure information.

''(e) SECURITY CLEARANCES.—The Secretary shall facilitate and, to the extent practicable, expedite the acquisition of adequate security clearances by key personnel of any entity subject to the requirements of this section, to enable optimum communication with Federal agencies regarding threats to the security of the critical electric infrastructure. The Secretary, the Commission, and other appropriate Federal agencies shall, to the extent practicable and consistent with their obligations to protect classified and critical electric infrastructure information, share timely actionable information regarding grid security with appropriate key personnel of owners, operators, and users of the critical electric infrastructure.

''(f) CLARIFICATIONS OF LIABILITY.—

''(1) COMPLIANCE WITH OR VIOLATION OF THIS ACT.—Except as provided in paragraph (4), to the extent any action or omission taken by an entity that is necessary to comply with an order for emergency measures issued under subsection (b)(1), including any action or omission taken to voluntarily comply with such order, results in noncompliance with, or causes such entity not to comply with any rule, order, regulation, or provision of this Act, including any reliability standard approved by the Commission pursuant to section 215, such action or omission shall not be considered a violation of such rule, order, regulation, or provision.

''(2) RELATION TO SECTION 202(c).—Except as provided in paragraph (4), an action or omission taken by an owner, operator, or user of critical electric infrastructure or of defense critical electric infrastructure to comply with an order for emergency measures issued under subsection (b)(1) shall be treated as an action or omission taken to comply with an order issued under section 202(c) for purposes of such section.

''(3) SHARING OR RECEIPT OF INFORMATION.—No cause of action shall lie or be maintained in any Federal or State court for the sharing or receipt of information under, and that is conducted in accordance with, subsection (d).

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require dismissal of a cause of action against an entity that, in the course of complying with an order for emergency measures issued under subsection (b)(1) by taking an action or omission for which they would be liable but for paragraph (1) or (2), takes such action or omission in a grossly negligent manner.''.

(b) CONFORMING AMENDMENTS.—

(1) JURISDICTION.—Section 201(b)(2) of the Federal Power Act (16 U.S.C. 824(b)(2)) is amended by inserting ''215A,'' after ''215,'' each place it appears.

(2) PUBLIC UTILITY.—Section 201(e) of the Federal Power Act (16 U.S.C. 824(e)) is amended by inserting ''215A,'' after ''215,''.

SEC. 1105. STRATEGIC TRANSFORMER RESERVE.

(a) FINDING.—Congress finds that the storage of strategically located spare large power transformers and emergency mobile substations will reduce the vulnerability of the United States to multiple risks facing electric grid reliability, including physical attack, cyber attack, electromagnetic pulse, geomagnetic disturbances, severe weather, and seismic events.

(b) DEFINITIONS.—In this section:

(1) BULK-POWER SYSTEM.—The term ''bulk-power system'' has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(2) CRITICALLY DAMAGED LARGE POWER TRANSFORMER.—The term ''critically damaged large power transformer'' means a large power transformer that—

(A) has sustained extensive damage such that—

(i) repair or refurbishment is not economically viable; or

(ii) the extensive time to repair or refurbish the large power transformer would create an extended period of instability in the bulk-power system; and

(B) prior to sustaining such damage, was part of the bulk-power system.

(3) CRITICAL ELECTRIC INFRASTRUCTURE.—The term ''critical electric infrastructure'' has the meaning given that term in section 215A of the Federal Power Act.

(4) ELECTRIC RELIABILITY ORGANIZATION.—The term ''Electric Reliability Organization'' has the meaning given such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(5) EMERGENCY MOBILE SUBSTATION.—The term ''emergency mobile substation'' means a mobile substation or mobile transformer that is—

(A) assembled and permanently mounted on a trailer that is capable of highway travel and meets relevant Department of Transportation regulations; and

(B) intended for express deployment and capable of being rapidly placed into service.

(6) LARGE POWER TRANSFORMER.—The term ''large power transformer'' means a power transformer with a maximum nameplate rating of 100 megavolt-amperes or higher, including related critical equipment, that is, or is intended to be, a part of the bulk-power system.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(8) SPARE LARGE POWER TRANSFORMER.—The term ''spare large power transformer'' means a large power transformer that is stored within

the Strategic Transformer Reserve to be available to temporarily replace a critically damaged large power transformer.

(c) STRATEGIC TRANSFORMER RESERVE PLAN.—

(1) PLAN.—Not later than one year after the date of enactment of this Act, the Secretary, acting through the Office of Electricity Delivery and Energy Reliability, shall, in consultation with the Federal Energy Regulatory Commission, the Electricity Sub-sector Coordinating Council, the Electric Reliability Organization, and owners and operators of critical electric infrastructure and defense and military installations, prepare and submit to Congress a plan to establish a Strategic Transformer Reserve for the storage, in strategically located facilities, of spare large power transformers and emergency mobile substations in sufficient numbers to temporarily replace critically damaged large power transformers and substations that are critical electric infrastructure or serve defense and military installations.

(2) INCLUSIONS.—The Strategic Transformer Reserve plan shall include a description of—

(A) the appropriate number and type of spare large power transformers necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations to mitigate significant impacts to the electric grid resulting from—

(i) physical attack;

(ii) cyber attack;

(iii) electromagnetic pulse attack;

(iv) geomagnetic disturbances;

(v) severe weather; or

(vi) seismic events;

(B) other critical electric grid equipment for which an inventory of spare equipment, including emergency mobile substations, is necessary to provide or restore sufficient resiliency to the bulk-power system, critical electric infrastructure, and defense and military installations;

(C) the degree to which utility sector actions or initiatives, including individual utility ownership of spare equipment, joint ownership of spare equipment inventory, sharing agreements, or other spare equipment reserves or arrangements, satisfy the needs identified under subparagraphs (A) and (B);

(D) the potential locations for, and feasibility and appropriate number of, strategic storage locations for reserve equipment, including consideration of—

(i) the physical security of such locations;

(ii) the protection of the confidentiality of such locations; and

(iii) the proximity of such locations to sites of potentially critically damaged large power transformers and substations that are critical electric infrastructure or serve defense and military installations, so as to enable efficient delivery of equipment to such sites;

(E) the necessary degree of flexibility of spare large power transformers to be included in the Strategic Transformer Reserve to conform to different substation configurations, including consideration of transformer—

(i) power and voltage rating for each winding;

(ii) overload requirements;

(iii) impedance between windings;

(iv) configuration of windings; and

(v) tap requirements;

(F) an estimate of the direct cost of the Strategic Transformer Reserve, as proposed, including—

(i) the cost of storage facilities;

(ii) the cost of the equipment; and

(iii) management, maintenance, and operation costs;

(G) the funding options available to establish, stock, manage, and maintain the Strategic Transformer Reserve, including consideration of fees on owners and operators of bulk-power system facilities, critical electric infrastructure, and defense and military installations relying on the Strategic Transformer Reserve, use of Federal appropriations, and public-private cost-sharing options;

(H) the ease and speed of transportation, installation, and energization of spare large power transformers to be included in the Strategic Transformer Reserve, including consideration of factors such as—

(i) transformer transportation weight;

(ii) transformer size;

(iii) topology of critical substations;

(iv) availability of appropriate transformer mounting pads;

(v) flexibility of the spare large power transformers as described in subparagraph (E); and

(vi) ability to rapidly transition a spare large power transformer from storage to energization;

(I) eligibility criteria for withdrawal of equipment from the Strategic Transformer Reserve;

(J) the process by which owners or operators of critically damaged large power transformers or substations that are critical electric infrastructure or serve defense and military installations may apply for a withdrawal from the Strategic Transformer Reserve;

(K) the process by which equipment withdrawn from the Strategic Transformer Reserve is returned to the Strategic Transformer Reserve or is replaced;

(L) possible fees to be paid by users of equipment withdrawn from the Strategic Transformer Reserve;

(M) possible fees to be paid by owners and operators of large power transformers and substations that are critical electric infrastructure or serve defense and military installations to cover operating costs of the Strategic Transformer Reserve;

(N) the domestic and international large power transformer supply chain;

(O) the potential reliability, cost, and operational benefits of including emergency mobile substations in any Strategic Transformer Reserve established under this section; and

(P) other considerations for designing, constructing, stocking, funding, and managing the Strategic Transformer Reserve.

(d) ESTABLISHMENT.—The Secretary may establish a Strategic Transformer Reserve in accordance with the plan prepared pursuant to subsection (c) after the date that is 6 months after the date on which such plan is submitted to Congress.

(e) DISCLOSURE OF INFORMATION.—Any information included in the Strategic Transformer Reserve plan, or shared in the preparation and development of such plan, the disclosure of which could cause harm to critical electric infrastructure, shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code, and any State, tribal, or local law requiring disclosure of information or records.

SEC. 1106. CYBER SENSE.

(a) IN GENERAL.—The Secretary of Energy shall establish a voluntary Cyber Sense program to identify and promote cyber-secure products intended for use in the bulk-power system, as defined in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(b) PROGRAM REQUIREMENTS.—In carrying out subsection (a), the Secretary of Energy shall—

(1) establish a Cyber Sense testing process to identify products and technologies intended for use in the bulk-power system, including products relating to industrial control systems, such as supervisory control and data acquisition systems;

(2) for products tested and identified under the Cyber Sense program, establish and maintain cybersecurity vulnerability reporting processes and a related database;

(3) promulgate regulations regarding vulnerability reporting processes for products tested and identified under the Cyber Sense program;

(4) provide technical assistance to utilities, product manufacturers, and other electric sector stakeholders to develop solutions to mitigate identified vulnerabilities in products tested and identified under the Cyber Sense program;

(5) biennially review products tested and identified under the Cyber Sense program for vulnerabilities and provide analysis with respect to how such products respond to and mitigate cyber threats;

(6) develop procurement guidance for utilities for products tested and identified under the Cyber Sense program;

(7) provide reasonable notice to the public, and solicit comments from the public, prior to establishing or revising the Cyber Sense testing process;

(8) oversee Cyber Sense testing carried out by third parties; and

(9) consider incentives to encourage the use in the bulk-power system of products tested and identified under the Cyber Sense program.

(c) DISCLOSURE OF INFORMATION.—Any vulnerability reported pursuant to regulations promulgated under subsection (b)(3), the disclosure of which could cause harm to critical electric infrastructure (as defined in section 215A of the Federal Power Act), shall be exempt from disclosure under section 552(b)(3) of title 5, United States Code, and any State, tribal, or local law requiring disclosure of information or records.

(d) FEDERAL GOVERNMENT LIABILITY.—Consistent with other voluntary Federal Government certification programs, nothing in this section shall be construed to authorize the commencement of an action against the United States Government with respect to the testing and identification of a product under the Cyber Sense program.

SEC. 1107. STATE COVERAGE AND CONSIDERATION OF PURPA STANDARDS FOR ELECTRIC UTILITIES.

(a) STATE CONSIDERATION OF RESILIENCY AND ADVANCED ENERGY ANALYTICS TECHNOLOGIES AND RELIABLE GENERATION.—

(1) CONSIDERATION.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding the following at the end:

''(20) IMPROVING THE RESILIENCE OF ELECTRIC INFRASTRUCTURE.—

''(A) IN GENERAL.—Each electric utility shall develop a plan to use resiliency-related technologies, upgrades, measures, and other approaches designed to improve the resilience of electric infrastructure, mitigate power outages, continue delivery of vital services, and maintain the flow of power to facilities critical to public health, safety, and welfare, to the extent practicable using the most current data, metrics, and frameworks related to current and future threats, including physical and cyber attacks, electromagnetic pulse attacks, geomagnetic disturbances, seismic events, and severe weather and other environmental stressors.

''(B) RESILIENCY-RELATED TECHNOLOGIES.—For purposes of this paragraph, examples of resiliency-related technologies, upgrades, measures, and other approaches include—

''(i) hardening, or other enhanced protection, of utility poles, wiring, cabling, and other distribution components, facilities, or structures;

''(ii) advanced grid technologies capable of isolating or repairing problems remotely, such as advanced metering infrastructure, high-tech sensors, grid monitoring and control systems, and remote reconfiguration and redundancy systems;

''(iii) cybersecurity products and components;

''(iv) distributed generation, including back-up generation to power critical facilities and essential services, and related integration components, such as advanced inverter technology;

''(v) microgrid systems, including hybrid microgrid systems for isolated communities;

''(vi) combined heat and power;

''(vii) waste heat resources;

''(viii) non-grid-scale energy storage technologies;

''(ix) wiring, cabling, and other distribution components, including submersible distribution components, and enclosures;

''(x) electronically controlled reclosers and similar technologies for power restoration, including emergency mobile substations, as defined in section 1105 of the North American Energy Security and Infrastructure Act of 2015;

''(xi) advanced energy analytics technology, such as Internet-based and cloud-based computing solutions and subscription licensing models;

''(xii) measures that enhance resilience through planning, preparation, response, and recovery activities;

''(xiii) operational capabilities to enhance resilience through rapid response recovery; and

''(xiv) measures to ensure availability of key critical components through contracts, cooperative agreements, stockpiling and prepositioning, or other measures.

''(C) RATE RECOVERY.—Each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) shall consider authorizing each such electric utility to recover any capital, operating expenditure, or other costs of the electric utility related to the procurement, deployment, or use of resiliency-related technologies, including a reasonable rate of return on the capital expenditures of the electric utility for the procurement, deployment, or use of resiliency-related technologies.

''(21) PROMOTING INVESTMENTS IN ADVANCED ENERGY ANALYTICS TECHNOLOGY.—

''(A) IN GENERAL.—Each electric utility shall develop and implement a plan for deploying advanced energy analytics technology.

''(B) RATE RECOVERY.—Each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) shall consider confirming and clarifying, if necessary, that each such electric utility is authorized to recover the costs of the electric utility relating to the procurement, deployment, or use of advanced energy analytics technology, including a reasonable rate of return on all such costs incurred by the electric utility for the procurement, deployment, or use of advanced energy analytics technology, provided such technology is used by the electric utility for purposes of realizing operational efficiencies, cost savings, enhanced energy management and customer engagement, improvements in system reliability, safety, and cybersecurity, or other benefits to ratepayers.

''(C) ADVANCED ENERGY ANALYTICS TECHNOLOGY.—For purposes of this paragraph, examples of advanced energy analytics technology include Internet-based and cloud-based computing solutions and subscription licensing models, including software as a service that uses cyber-physical systems to allow the correlation of data aggregated from appropriate data sources and smart grid sensor networks, employs analytics and machine learning, or employs other advanced computing solutions and models.

''(22) ASSURING ELECTRIC RELIABILITY WITH RELIABLE GENERATION.—

''(A) ASSURANCE OF ELECTRIC RELIABILITY.—Each electric utility shall adopt or modify policies to ensure that such electric utility incorporates reliable generation into its integrated resource plan to assure the availability of electric energy over a 10-year planning period.

''(B) RELIABLE GENERATION.—For purposes of this paragraph, 'reliable generation' means electric generation facilities with reliability attributes that include—

''(i)(I) possession of adequate fuel on-site to enable operation for an extended period of time;

''(II) the operational ability to generate electric energy from more than one source; or

''(III) fuel certainty, through firm contractual obligations, that ensures adequate fuel supply to enable operation, for an extended period of time, for the duration of an emergency or severe weather conditions;

''(ii) operational characteristics that enable the generation of electric energy for the duration of an emergency or severe weather conditions; and

''(iii) unless procured through other procurement mechanisms, essential reliability services, including frequency support and regulation services.

''(23) SUBSIDIZATION OF CUSTOMER-SIDE TECHNOLOGY.—

''(A) CONSIDERATION.—To the extent that a State regulatory authority may require or allow rates charged by any electric utility for which it has ratemaking authority to electric consumers that do not use a customer-side technology to include any cost, fee, or charge that directly or indirectly cross-subsidizes the deployment, construction, maintenance, or operation of that customer-side technology, such authority shall evaluate whether subsidizing the deployment, construction, maintenance, or operation of a customer-side technology would—

''(i) result in benefits predominately enjoyed by only the users of that customer-side technology;

''(ii) shift costs of a customer-side technology to electricity consumers that do not use that customer-side technology, particularly where disparate economic or resource conditions exist among the electricity consumers cross-subsidizing the costumer-side technology;

''(iii) negatively affect resource utilization, fuel diversity, or grid security;

''(iv) provide any unfair competitive advantage to market the customer-side technology; and

''(v) be necessary to fulfill an obligation to serve electric consumers.

''(B) PUBLIC NOTICE.—Each State regulatory authority shall make available to the public the evaluation completed under subparagraph (A) at least 90 days prior to any proceedings in which such authority considers the cross-subsidization of a customer-side technology.

''(C) CUSTOMER-SIDE TECHNOLOGY.—For purposes of this paragraph, the term 'customer-side technology' means a device connected to the electricity distribution system—

''(i) at, or on the customer side of, the meter; or

''(ii) that, if owned or operated by or on behalf of an electric utility, would otherwise be at, or on the customer side of, the meter.''.

(2) COMPLIANCE.—

(A) TIME LIMITATIONS.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

''(7)(A) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility, as applicable, shall commence the consideration referred to in section 111, or set a hearing date for consideration, with respect to the standards established by paragraphs (20), (22), and (23) of section 111(d).

''(B) Not later than 2 years after the date of the enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility, as applicable, shall complete the consideration, and shall make the determination, referred to in section 111 with respect to each standard established by paragraphs (20), (22), and (23) of section 111(d).

''(8)(A) Not later than 6 months after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility shall commence the consideration referred to in section 111, or set a hearing date for consideration, with respect to the standard established by paragraph (21) of section 111(d).

''(B) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility shall complete the consideration, and shall make the determination, referred to in section 111 with respect to the standard established by paragraph (21) of section 111(d).''.

(B) FAILURE TO COMPLY.—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) is amended by adding the following at the end: ''In the case of the standards established by paragraphs (20) through (23) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of such paragraphs.''.

(C) PRIOR STATE ACTIONS.—Section 112 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622) is amended by adding at the end the following new subsection:

''(g) PRIOR STATE ACTIONS.—Subsections (b) and (c) of this section shall not apply to a standard established by paragraph (20), (21), (22), or (23) of section 111(d) in the case of any electric utility in a State if—

''(1) before the date of enactment of this subsection, the State has implemented for such utility the standard concerned (or a comparable standard);

''(2) the State regulatory authority for such State or relevant nonregulated electric utility has conducted a proceeding to consider implementation of the standard concerned (or a comparable standard) for such utility during the 3-year period ending on the date of enactment of this subsection; or

''(3) the State legislature has voted on the implementation of the standard concerned (or a comparable standard) for such utility during the 3-year period ending on the date of enactment of this subsection.''.

(b) COVERAGE FOR COMPETITIVE MARKETS.—Section 102 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2612) is amended by adding at the end the following:

''(d) COVERAGE FOR COMPETITIVE MARKETS.—The requirements of this title do not apply to the operations of an electric utility, or to proceedings respecting such operations, to the extent that such operations or proceedings, or any portion thereof, relate to the competitive sale of retail electric energy that is unbundled or separated from the regulated provision or sale of distribution service.''.

SEC. 1108. RELIABILITY ANALYSIS FOR CERTAIN RULES THAT AFFECT ELECTRIC GENERATING FACILITIES.

(a) APPLICABILITY.—This section shall apply with respect to any proposed or final covered rule issued by a Federal agency for which compliance with the rule may impact an electric utility generating unit or units, including by resulting in closure or interruption to operations of such a unit or units.

(b) RELIABILITY ANALYSIS.—

(1) ANALYSIS OF RULES.—The Federal Energy Regulatory Commission, in consultation with the Electric Reliability Organization, shall conduct an independent reliability analysis of a proposed or final covered rule under this section to evaluate the anticipated effects of implementation and enforcement of the rule on—

(A) electric reliability and resource adequacy;
(B) the electricity generation portfolio of the United States;
(C) the operation of wholesale electricity markets; and
(D) energy delivery and infrastructure, including electric transmission facilities and natural gas pipelines.

(2) RELEVANT INFORMATION.—

(A) MATERIALS FROM FEDERAL AGENCIES.—A Federal agency shall provide to the Commission materials and information relevant to the analysis required under paragraph (1) for a rule, including relevant data, modeling, and resource adequacy and reliability assessments, prepared or relied upon by such agency in developing the rule.

(B) ANALYSES FROM OTHER ENTITIES.—The Electric Reliability Organization, regional entities, regional transmission organizations, independent system operators, and other reliability coordinators and planning authorities shall timely conduct analyses and provide such information as may be reasonably requested by the Commission.

(3) NOTICE.—A Federal agency shall provide to the Commission notice of the issuance of any proposed or final covered rule not later than 15 days after the date of such issuance.

(c) PROPOSED RULES.—Not later than 150 days after the date of publication in the Federal Register of a proposed rule described in subsection (a), the Federal Energy Regulatory Commission shall make available to the public an analysis of the proposed rule conducted in accordance with subsection (b), and any relevant special assessment or seasonal or long-term reliability assessment completed by the Electric Reliability Organization.

(d) FINAL RULES.—

(1) INCLUSION.—A final rule described in subsection (a) shall include, if available at the time of issuance, a copy of the analysis conducted pursuant to subsection (c) of the rule as proposed.

(2) ANALYSIS.—Not later than 120 days after the date of publication in the Federal Register of a final rule described in subsection (a), the Federal Energy Regulatory Commission shall make available to the public an analysis of the final rule conducted in accordance with subsection (b), and any relevant special assessment or seasonal or long-term reliability assessment completed by the Electric Reliability Organization.

(e) DEFINITIONS.—In this section:

(1) ELECTRIC RELIABILITY ORGANIZATION.—The term ''Electric Reliability Organization'' has the meaning given to such term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(2) FEDERAL AGENCY.—The term ''Federal agency'' means an agency, as that term is defined in section 551 of title 5, United States Code.

(3) COVERED RULE.—The term ''covered rule'' means a proposed or final rule that is estimated by the Federal agency issuing the rule, or the Director of the Office of Management and Budget, to result in an annual effect on the economy of $1,000,000,000 or more.

SEC. 1109. CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION TECHNOLOGIES.

(a) AMENDMENTS TO THE ENERGY POLICY ACT OF 2005.—

(1) FOSSIL ENERGY.—Section 961(a) of the Energy Policy Act of 2005 (42 U.S.C. 16291(a)) is amended by adding at the end the following:

''(8) Improving the conversion, use, and storage of carbon dioxide produced from fossil fuels.''.

(2) COAL AND RELATED TECHNOLOGIES PROGRAM.—Section 962(b)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16292(b)(1)) is amended—

(A) by striking ''during each of calendar years 2008, 2010, 2012, and 2016, and during each fiscal year beginning after September 30, 2021,'' and inserting ''during each fiscal year beginning after September 30, 2016,'';

(B) by inserting ''allow for large-scale demonstration and'' after ''technologies that would''; and

(C) by inserting ''commercial use,'' after ''use of coal for''.

(b) INCREASED ACCOUNTABILITY WITH RESPECT TO CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION PROJECTS.—

(1) DOE EVALUATION.—

(A) IN GENERAL.—The Secretary of Energy (in this subsection referred to as the ''Secretary'') shall, in accordance with this subsection, annually conduct an evaluation, and make recommendations, with respect to each project conducted by the Secretary for research, development, demonstration, or deployment of carbon capture, utilization, and sequestration technologies (also known as carbon capture and storage and utilization technologies).

(B) SCOPE.—For purposes of this subsection, a project includes any contract, lease, cooperative agreement, or other similar transaction with a public agency or private organization or person, entered into or performed, or any payment made, by the Secretary for research, development, demonstration, or deployment of carbon capture, utilization, and sequestration technologies.

(2) REQUIREMENTS FOR EVALUATION.—In conducting an evaluation of a project under this subsection, the Secretary shall—

(A) examine if the project has made advancements toward achieving any specific goal of the project with respect to a carbon capture, utilization, and sequestration technology; and

(B) evaluate and determine if the project has made significant progress in advancing a carbon capture, utilization, and sequestration technology.

(3) RECOMMENDATIONS.—For each evaluation of a project conducted under this subsection, if the Secretary determines that—

(A) significant progress in advancing a carbon capture, utilization, and sequestration technology has been made, the Secretary shall assess the funding of the project and make a recommendation as to whether increased funding is necessary to advance the project; or

(B) significant progress in advancing a carbon capture, utilization, and sequestration technology has not been made, the Secretary shall—

(i) assess the funding of the project and make a recommendation as to whether increased funding is necessary to advance the project;

(ii) assess and determine if the project has reached its full potential; and

(iii) make a recommendation as to whether the project should continue.

(4) REPORTS.—

(A) REPORT ON EVALUATIONS AND RECOMMENDATIONS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Secretary shall—

(i) issue a report on the evaluations conducted and recommendations made during the previous year pursuant to this subsection; and

(ii) make each such report available on the Internet website of the Department of Energy.

(B) REPORT.—Not later than 2 years after the date of enactment of this Act, and every 3 years thereafter, the Secretary shall submit to the Subcommittee on Energy and Power of the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on—

(i) the evaluations conducted and recommendations made during the previous 3 years pursuant to this subsection; and

(ii) the progress of the Department of Energy in advancing carbon capture, utilization, and sequestration technologies, including progress in achieving the Department of Energy's goal of having an array of advanced carbon capture and sequestration technologies ready by 2020 for large-scale demonstration.

SEC. 1110. RELIABILITY AND PERFORMANCE ASSURANCE IN REGIONAL TRANSMISSION ORGANIZATIONS.

Part II of the Federal Power Act (16 U.S.C. 824 et seq.), as amended by section 1104, is further amended by adding after section 215A the following new section:

''SEC. 215B. RELIABILITY AND PERFORMANCE ASSURANCE IN REGIONAL TRANSMISSION ORGANIZATIONS.

''(a) EXISTING CAPACITY MARKETS.—

''(1) ANALYSIS CONCERNING CAPACITY MARKET DESIGN.—Not later than 180 days after the date of enactment of this section, each Regional Transmission Organization, and each Independent System Operator, that operates a capacity market, or a comparable market intended to ensure the procurement and availability of sufficient future electric energy resources, that is subject to the jurisdiction of the Commission, shall provide to the Commission an analysis of how the structure of such market meets the following criteria:

''(A) The structure of such market utilizes competitive market forces to the extent practicable in procuring capacity resources.

''(B) Consistent with subparagraph (A), the structure of such market includes resource-neutral performance criteria that ensure the procurement of sufficient capacity from physical generation facilities that have reliability attributes that include—

''(i)(I) possession of adequate fuel on-site to enable operation for an extended period of time;

''(II) the operational ability to generate electric energy from more than one fuel source; or

''(III) fuel certainty, through firm contractual obligations, that ensures adequate fuel supply to enable operation, for an extended period of time, for the duration of an emergency or severe weather conditions;

''(ii) operational characteristics that enable the generation of electric energy for the duration of an emergency or severe weather conditions; and

''(iii) unless procured through other markets or procurement mechanisms, essential reliability services, including frequency support and regulation services.

''(2) COMMISSION EVALUATION AND REPORT.—Not later than 1 year after the date of enactment of this section, the Commission shall make publicly available, and submit to the Committee on Energy and Commerce in the House of Representatives and the Committee on Energy and Natural Resources in the Senate, a report containing—

''(A) evaluation of whether the structure of each market addressed in an analysis submitted pursuant to paragraph (1) meets the criteria under such paragraph, based on the analysis; and

''(B) to the extent a market so addressed does not meet such criteria, any recommendations with respect to the procurement of sufficient capacity, as described in paragraph (1)(B).

''(b) COMMISSION EVALUATION AND REPORT FOR NEW SCHEDULES.—

''(1) INCLUSION OF ANALYSIS IN FILING.—Except as provided in subsection (a)(2), whenever a Regional Transmission Organization or Independent System Operator files a new schedule under section 205 to establish a market described in subsection (a)(1), or that substantially modifies the capacity market design of a market described in subsection (a)(1), the Regional Transmission Organization or Independent System Operator shall include in any such filing the analysis required by subsection (a)(1).

''(2) EVALUATION AND REPORT.—Not later than 180 days of receiving an analysis under paragraph (1), the Commission shall make publicly available, and submit to the Committee on Energy and Commerce in the House of Representatives and the Committee on Energy and Natural Resources in the Senate, a report containing—

''(A) an evaluation of whether the structure of the market addressed in the analysis meets the criteria under subsection (a)(1), based on the analysis; and

''(B) to the extent the market does not meet such criteria, any recommendations with respect to the procurement of sufficient capacity, as described in subsection (a)(1)(B).

''(c) EFFECT ON EXISTING APPROVALS.—Nothing in this section shall be considered to—

''(1) require a modification of the Commission's approval of the capacity market design approved pursuant to docket numbers ER15–623–000, EL15–29–000, EL14–52–000, and ER14–2419–000; or

''(2) provide grounds for the Commission to grant rehearing or otherwise modify orders issued in those dockets.''.

Subtitle B—Energy Security and Infrastructure Modernization

SEC. 1201. ENERGY SECURITY AND INFRASTRUCTURE MODERNIZATION FUND.

(a) ESTABLISHMENT.—There is hereby established in the Treasury of the United States a fund to be known as the Energy Security and Infrastructure Modernization Fund (referred to in this section as the ''Fund''), consisting of—

(1) collections deposited in the Fund under subsection (c); and

(2) amounts otherwise appropriated to the Fund.

(b) PURPOSE.—The purpose of the Fund is—

(1) to provide for the construction, maintenance, repair, and replacement of Strategic Petroleum Reserve facilities; and

(2) for carrying out non-Strategic Petroleum Reserve projects needed to enhance the energy security of the United States by increasing the resilience, reliability, safety, and security of energy supply, transmission, storage, or distribution infrastructure.

(c) COLLECTION AND DEPOSIT OF SALE PROCEEDS IN FUND.—

(1) DRAWDOWN AND SALE.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), to the extent provided in advance in appropriation Acts, the Secretary of Energy shall draw down and sell crude oil from the Strategic Petroleum Reserve in amounts as authorized under subsection (e), except as provided in paragraphs (2) and (3). Amounts received for a sale under this subsection shall be deposited into the Fund during the fiscal year in which the sale occurs. Such amounts shall remain available in the Fund without fiscal year limitation.

(2) EMERGENCY PROTECTION.—The Secretary shall not draw down and sell crude oil under this subsection in amounts that would limit the authority to sell petroleum products under section 161(h) of the Energy Policy and Conservation Act (42 U.S.C. 6241(h)) in the full amount authorized by that subsection.

(3) INVESTMENT PROTECTION.—The Secretary shall not draw down and sell crude oil under this subsection at a price lower than the average price paid for oil in the Strategic Petroleum Reserve.

(d) AUTHORIZED USES OF FUND.—

(1) IN GENERAL.—Amounts in the Fund may be used for, or may be credited as offsetting collections for amounts used for, carrying out the programs described in paragraphs (2), (3), and (4), to the extent provided in advance in appropriation Acts.

(2) PROGRAM TO MODERNIZE THE STRATEGIC PETROLEUM RESERVE.—

(A) FINDINGS.—Congress finds the following:

(i) The Strategic Petroleum Reserve is one of the Nation's most valuable energy security assets.

(ii) The age and condition of the Strategic Petroleum Reserve have diminished its value as a Federal energy security asset.

(iii) Global oil markets and the location and amount of United States oil production and refining capacity have dramatically changed in the 40 years since the establishment of the Strategic Petroleum Reserve.

(iv) Maximizing the energy security value of the Strategic Petroleum Reserve requires a modernized infrastructure that meets the drawdown and distribution needs of changed domestic and international oil and refining market conditions.

(B) REAFFIRMATION OF POLICY.—Congress reaffirms the continuing strategic importance and need for the Strategic Petroleum Reserve as found and declared in section 151 of the Energy Policy and Conservation Act (42 U.S.C. 6231).

(C) PROGRAM.—The Secretary of Energy shall establish a Strategic Petroleum Reserve modernization program to protect the United States economy from the impacts of emergency petroleum product supply disruptions. The program shall include—

(i) operational improvements to extend the useful life of surface and subsurface infrastructure;

(ii) maintenance of cavern storage integrity; and

(iii) addition of infrastructure and facilities to maximize the drawdown and incremental distribution capacity of the Strategic Petroleum Reserve.

(3) PROGRAM TO ENHANCE SAFETY, PERFORMANCE, AND RESILIENCE OF NATURAL GAS DISTRIBUTION SYSTEMS.—

(A) PROGRAM.—The Secretary of Energy shall establish a grant program to provide financial assistance to States to offset the incremental rate increases paid by eligible households resulting from the implementation of State-approved infrastructure replacement, repair, and maintenance programs designed to accelerate the necessary replacement, repair, or maintenance of natural gas distribution systems.

(B) DATE OF ELIGIBILITY.—Awards may be provided under this paragraph to offset rate increases described in subsection (a) occurring on or after July 1, 2015.

(C) PRIORITIZATION.—The Secretary shall collaborate with States to prioritize the distribution of grants made under this paragraph. At a minimum, the Secretary shall consider prioritizing the distribution of grants to States which have—

(i) authorized or adopted enhanced infrastructure replacement programs or innovative rate recovery mechanisms, such as infrastructure cost trackers and riders, infrastructure base rate surcharges, deferred regulatory asset programs, and earnings stability mechanisms; and

(ii) a viable means for delivering financial assistance to eligible households.

(D) DEFINITION.—In this paragraph, the term ''eligible household'' means a household that is eligible to receive payments under section 8624(b)(2) of title 42, United States Code.

(4) PROGRAM TO ENHANCE ELECTRIC INFRASTRUCTURE RESILIENCE, RELIABILITY, AND ENERGY SECURITY.—

(A) PROGRAM.—The Secretary shall establish a competitive grant program to provide grants to States, units of local government, and Indian tribe economic development entities to enhance energy security through measures for electricity delivery infrastructure hardening and enhanced resilience and reliability.

(B) PURPOSE OF GRANTS.—The Secretary may make grants on a competitive basis to enable broader use of resiliency-related technologies, upgrades, and institutional measures and practices designed to—

(i) improve the resilience, reliability, and security of electricity delivery infrastructure;

(ii) improve preparedness and restoration time to mitigate power disturbances resulting from physical and cyber attacks, electromagnetic pulse attacks, geomagnetic disturbances, seismic events, and severe weather and other environmental stressors;

(iii) continue delivery of power to facilities critical to public health, safety, and welfare, including hospitals, assisted living facilities, and schools;

(iv) continue delivery of power to electricity-dependent essential services, including fueling stations and pumps, wastewater and sewage treatment facilities, gas pipeline infrastructure, communications systems, transportation services and systems, and services provided by emergency first responders; and

(v) enhance regional grid resilience and the resilience of electricity-dependent regional infrastructure.

(C) EXAMPLES.—Resiliency-related technologies, upgrades, and measures with respect to which grants may be made under this paragraph include—

(i) hardening, or other enhanced protection, of utility poles, wiring, cabling, and other distribution components, facilities, or structures;

(ii) advanced grid technologies capable of isolating or repairing problems remotely, such as advanced metering infrastructure, high-tech sensors, grid monitoring and control systems, and remote reconfiguration and redundancy systems;

(iii) cybersecurity products and components;

(iv) distributed generation, including back-up generation to power critical facilities and essential services, and related integration components, such as advanced inverter technology;

(v) microgrid systems, including hybrid microgrid systems for isolated communities;

(vi) combined heat and power;

(vii) waste heat resources;

(viii) non-grid-scale energy storage technologies;

(ix) wiring, cabling, and other distribution components, including submersible distribution components, and enclosures;

(x) electronically controlled reclosers and similar technologies for power restoration, including emergency mobile substations, as defined in section 1105 of the North American Energy Security and Infrastructure Act of 2015;

(xi) advanced energy analytics technology, such as Internet-based and cloud-based computing solutions and subscription licensing models;

(xii) measures that enhance resilience through planning, preparation, response, and recovery activities;

(xiii) operational capabilities to enhance resilience through rapid response recovery; and

(xiv) measures to ensure availability of key critical components through contracts, cooperative agreements, stockpiling and prepositioning, or other measures.

(D) IMPLEMENTATION.—Specific projects or programs established, or to be established, pursuant to awards provided under this paragraph shall be implemented through the States by public and publicly regulated entities on a cost-shared basis.

(E) COOPERATION.—In carrying out projects or programs established, or to be established, pursuant to awards provided under this paragraph, award recipients shall cooperate, as applicable, with—

(i) State public utility commissions;

(ii) State energy offices;

(iii) electric infrastructure owners and operators; and

(iv) other entities responsible for maintaining electric reliability.

(F) DATA AND METRICS.—

(i) IN GENERAL.—To the extent practicable, award recipients shall utilize the most current data, metrics, and frameworks related to—

(I) electricity delivery infrastructure hardening and enhancing resilience and reliability; and

(II) current and future threats, including physical and cyber attacks, electromagnetic pulse, geomagnetic disturbances, seismic events, and severe weather and other environmental stressors.

(ii) METRICS.—Award recipients shall demonstrate to the Secretary with measurable and verifiable data how the deployment of resiliency-related technologies, upgrades, and technologies achieve improvements in the resiliency and recovery of electricity delivery infrastructure and related services, including a comparison of data collected before and after deployment. Metrics for demonstrating improvements in resiliency and recovery may include—

(I) power quality during power disturbances when delivered power does not meet power quality requirements of the customer;

(II) duration of customer interruptions;

(III) number of customers impacted;

(IV) cost impacts, including business and other economic losses;

(V) impacts on electricity-dependent essential services and critical facilities; and

(VI) societal impacts.

(iii) FURTHERING ENERGY ASSURANCE PLANS.—Award recipients shall demonstrate to the Secretary how projects or programs established, or to be established, pursuant to awards provided under this paragraph further applicable State and local energy assurance plans.

(G) MATCHING CONTRIBUTIONS.—The Secretary may not make a grant under this paragraph unless the applicant agrees to make available non-Federal contributions (which may include in-kind contributions) in an amount not less than 50 percent of the Federal contribution.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated (and drawdowns and sales under subsection (c) in an equal amount are authorized)—

(1) for carrying out subsection (d)(2), $500,000,000 for the period encompassing fiscal years 2017 through 2020;

(2) for carrying out subsection (d)(3), $100,000,000 for the period encompassing fiscal years 2017 through 2020, of which not more than 5 percent may be used for administrative expenses; and

(3) for carrying out subsection (d)(4), $250,000,000 for the period encompassing fiscal years 2017 through 2020, of which not more than 5 percent may be used for administrative expenses.

(f) TRANSMISSION OF DEPARTMENT BUDGET REQUESTS.—The Secretary of Energy shall prepare and submit in the Department's annual budget request to Congress—

(1) an itemization of the amounts of funds necessary to carry out subsection (d); and

(2) a designation of any activities thereunder for which a multiyear budget authority would be appropriate.

(g) SUNSET.—The authority of the Secretary to drawdown and sell crude oil from the Strategic Petroleum Reserve under this section shall expire at the end of fiscal year 2020.

Subtitle C—Hydropower Regulatory Modernization

SEC. 1301. HYDROELECTRIC PRODUCTION AND EFFICIENCY INCENTIVES.

(a) HYDROELECTRIC PRODUCTION INCENTIVES.—Section 242 of the Energy Policy Act of 2005 (42 U.S.C.15881) is amended—

(1) in subsection (c), by striking ''10'' and inserting ''20'';

(2) in subsection (f), by striking ''20'' and inserting ''30''; and

(3) in subsection (g), by striking ''each of the fiscal years 2006 through 2015'' and inserting ''each of fiscal years 2016 through 2025''.

(b) HYDROELECTRIC EFFICIENCY IMPROVEMENT.—Section 243(c) of the Energy Policy Act of 2005 (42 U.S.C. 15882(c)) is amended by striking ''each of the fiscal years 2006 through 2015'' and inserting ''each of fiscal years 2016 through 2025''.

SEC. 1302. PROTECTION OF PRIVATE PROPERTY RIGHTS IN HYDROPOWER LICENSING.

(a) LICENCES.—Section 4(e) of the Federal Power Act (16 U.S.C. 797(e)) is amended—

(1) by striking ''and'' after ''recreational opportunities,''; and

(2) by inserting '', and minimizing infringement on the useful exercise and enjoyment of property rights held by nonlicensees'' after ''aspects of environmental quality''.

(b) PRIVATE LANDOWNERSHIP.—Section 10 of the Federal Power Act (16 U.S.C. 803) is amended—

(1) in subsection (a)(1), by inserting '', including minimizing infringement on the useful exercise and enjoyment of property rights held by nonlicensees'' after ''section 4(e)''; and

(2) by adding at the end the following:

''(k) PRIVATE LANDOWNERSHIP.—In developing any recreational resource within the project boundary, the licensee shall consider private landownership as a means to encourage and facilitate—

''(1) private investment; and

''(2) increased tourism and recreational use.''.

SEC. 1303. EXTENSION OF TIME FOR FERC PROJECT INVOLVING W. KERR SCOTT DAM.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12642, the Commission may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend the time period during which the licensee is required to commence the construction of the project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (a) has expired prior to the date of the enactment of this Act, the Commission may reinstate the license effective as of the date of its expiration and the first extension authorized under subsection (a) shall take effect on the date of such expiration.

SEC. 1304. HYDROPOWER LICENSING AND PROCESS IMPROVEMENTS.

Part I of the Federal Power Act (16 U.S.C. 792 et seq.) is amended by adding at the end the following:

''SEC. 34. HYDROPOWER LICENSING AND PROCESS IMPROVEMENTS.

''(a) DEFINITION.—In this section, the term 'Federal authorization'—

''(1) means any authorization required under Federal law with respect to an application for a license, license amendment, or exemption under this part; and

''(2) includes any permits, special use authorizations, certifications, opinions, or other approvals as may be required under Federal law to approve or implement the license, license amendment, or exemption under this part.

''(b) DESIGNATION AS LEAD AGENCY.—

''(1) IN GENERAL.—The Commission shall act as the lead agency for the purposes of coordinating all applicable Federal authorizations and for the purposes of complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) OTHER AGENCIES AND INDIAN TRIBES.—

''(A) IN GENERAL.—Each Federal, State, and local government agency and Indian tribe considering an aspect of an application for Federal authorization shall coordinate with the Commission and comply with the deadline established in the schedule developed for the project in accordance with the rule issued by the Commission under subsection (c).

''(B) IDENTIFICATION.—The Commission shall identify, as early as practicable after it is notified by the applicant of a project or facility requiring Commission action under this part, any Federal or State agency, local government, or Indian tribe that may consider an aspect of an application for a Federal authorization.

''(C) NOTIFICATION.—

''(i) IN GENERAL.—The Commission shall notify any agency and Indian tribe identified under subparagraph (B) of the opportunity to participate in the process of reviewing an aspect of an application for a Federal authorization.

''(ii) DEADLINE.—Each agency and Indian tribe receiving a notice under clause (i) shall submit a response acknowledging receipt of the notice to the Commission within 30 days of receipt of such notice and request.

''(D) ISSUE IDENTIFICATION AND RESOLUTION.—

''(i) IDENTIFICATION OF ISSUES.—Federal, State, and local government agencies and Indian tribes that may consider an aspect of an application for Federal authorization shall identify, as early as possible, and share with the Commission and the applicant, any issues of concern identified during the pendency of the Commission's action under this part relating to any Federal authorization that may delay or prevent the granting of such authorization, including any issues that may prevent the agency or Indian tribe from meeting the schedule established for the project in accordance with the rule issued by the Commission under subsection (c).

''(ii) ISSUE RESOLUTION.—The Commission may forward any issue of concern identified under clause (i) to the heads of the relevant State and Federal agencies (including, in the case of scheduling concerns identified by a State or local government agency or Indian tribe, the Federal agency overseeing the delegated authority, or the Secretary of the Interior with regard to scheduling concerns identified by an Indian tribe) for resolution. The Commission and any relevant agency shall enter into a memorandum of understanding to facilitate interagency coordination and resolution of such issues of concern, as appropriate.

''(c) SCHEDULE.—

''(1) COMMISSION RULEMAKING TO ESTABLISH PROCESS TO SET SCHEDULE.—Within 180 days of the date of enactment of this section the Commission shall, in consultation with the appropriate Federal agencies, issue a rule, after providing for notice and public comment, establishing a process for setting a schedule following the filing of an application under this part for the review and disposition of each Federal authorization.

''(2) ELEMENTS OF SCHEDULING RULE.—In issuing a rule under this subsection, the Commission shall ensure that the schedule for each Federal authorization—

''(A) includes deadlines for actions by—

''(i) any Federal or State agency, local government, or Indian tribe that may consider an aspect of an application for the Federal authorization;

''(ii) the applicant;

''(iii) the Commission; and

''(iv) other participants in a proceeding;

''(B) is developed in consultation with the applicant and any agency and Indian tribe that submits a response under subsection (b)(2)(C)(ii);

''(C) provides an opportunity for any Federal or State agency, local government, or Indian tribe that may consider an aspect of an application for the applicable Federal authorization to identify and resolve issues of concern, as provided in subsection (b)(2)(D);

''(D) complies with applicable schedules established under Federal and State law;

''(E) ensures expeditious completion of all proceedings required under Federal and State law, to the extent practicable; and

''(F) facilitates completion of Federal and State agency studies, reviews, and any other procedures required prior to, or concurrent with, the preparation of the Commission's environmental document required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(d) TRANSMISSION OF FINAL SCHEDULE.—

''(1) IN GENERAL.—For each application for a license, license amendment, or exemption under this part, the Commission shall establish a schedule in accordance with the rule issued by the Commission under subsection (c). The Commission shall publicly notice and transmit the final schedule to the applicant and each agency and Indian tribe identified under subsection (b)(2)(B).

''(2) RESPONSE.—Each agency and Indian tribe receiving a schedule under this subsection shall acknowledge receipt of such schedule in writing to the Commission within 30 days.

''(e) ADHERENCE TO SCHEDULE.—All applicants, other licensing participants, and agencies and tribes considering an aspect of an application for a Federal authorization shall meet the deadlines set forth in the schedule established pursuant to subsection (d)(1).

''(f) APPLICATION PROCESSING.—The Commission, Federal, State, and local government agencies, and Indian tribes may allow an applicant seeking a Federal authorization to fund a third-party contractor selected by such agency or tribe to assist in reviewing the application. All costs of an agency or tribe incurred pursuant to direct funding by the applicant, including all costs associated with the third party contractor, shall not be considered costs of the United States for the administration of this part under section 10(e).

''(g) COMMISSION RECOMMENDATION ON SCOPE OF ENVIRONMENTAL REVIEW.—For the purposes of coordinating Federal authorizations for each project, the Commission shall consult with and make a recommendation to agencies and Indian tribes receiving a schedule under subsection (d) on the scope of the environmental review for all Federal authorizations for such project. Each Federal and State agency and Indian tribe shall give due consideration and may give deference to the Commission's recommendations, to the extent appropriate under Federal law.

''(h) FAILURE TO MEET SCHEDULE.—A Federal, State, or local government agency or Indian tribe that anticipates that it will be unable to complete its disposition of a Federal authorization by the deadline set forth in the schedule established under subsection (d)(1) may file for an extension as provided under section 313(b)(2).

''(i) CONSOLIDATED RECORD.—The Commission shall, with the cooperation of Federal, State, and local government agencies and Indian tribes, maintain a complete consolidated record of all decisions made or actions taken by the Commission or by a Federal administrative agency or officer (or State or local government agency or officer or Indian tribe acting under delegated Federal authority) with respect to any Federal authorization. Such record shall constitute the record for judicial review under section 313(b).''.

SEC. 1305. JUDICIAL REVIEW OF DELAYED FEDERAL AUTHORIZATIONS.

Section 313(b) of the Federal Power Act (16 U.S.C. 825l(b)) is amended—

(1) by striking ''(b) Any party'' and inserting the following:

''(b) JUDICIAL REVIEW.—

''(1) IN GENERAL.—Any party''; and

(2) by adding at the end the following:

''(2) DELAY OF A FEDERAL AUTHORIZATION.—Any Federal, State, or local government agency or Indian tribe that will not complete its disposition of a Federal authorization by the deadline set forth in the schedule by the Commission under section 34 may file for an extension in the United States court of appeals for any circuit wherein the project or proposed project is located, or in the United States Court of Appeals for the District of Columbia. Such petition shall be filed not later than 30 days prior to such deadline. The court shall only grant an extension if the agency or tribe demonstrates, based on the record maintained under section 34, that it otherwise complied with the requirements of section 34 and that complying with the schedule set by the Commission would have prevented the agency or tribe from complying with applicable Federal or State law. If the court grants the extension, the court shall set a reasonable schedule and deadline, not to exceed 90 days, for the agency to act on remand. If the court denies the extension, or if an agency or tribe does not file for an extension as provided in this subsection and does not complete its disposition of a Federal authorization by the applicable deadline, the Commission and applicant may move forward with the proposed action.''.

SEC. 1306. LICENSING STUDY IMPROVEMENTS.

Part I of the Federal Power Act (16 U.S.C. 792 et seq.), as amended by section 1304, is further amended by adding at the end the following:

''SEC. 35. LICENSING STUDY IMPROVEMENTS.

''(a) IN GENERAL.—To facilitate the timely and efficient completion of the license proceedings under this part, the Commission shall, in consultation with applicable Federal and State agencies and interested members of the public—

''(1) compile current and accepted best practices in performing studies required in such license proceedings, including methodologies and the design of studies to assess the full range of environmental impacts of a project that reflect the most recent peer-reviewed science;

''(2) compile a comprehensive collection of studies and data accessible to the public that could be used to inform license proceedings under this part; and

''(3) encourage license applicants, agencies, and Indian tribes to develop and use, for the purpose of fostering timely and efficient consideration of license applications, a limited number of open-source methodologies and tools applicable across a wide array of projects, including water balance models and streamflow analyses.

''(b) USE OF STUDIES.—To the extent practicable, the Commission and other Federal, State, and local government agencies and Indian tribes considering an aspect of an application for Federal authorization shall use current, accepted science toward studies and data in support of their actions. Any participant in a proceeding with respect to a Federal authorization shall demonstrate a study requested by the party is not duplicative of current, existing studies that are applicable to the project.

''(c) BASIN-WIDE OR REGIONAL REVIEW.—The Commission shall establish a program to develop comprehensive plans, at the request of project applicants, on a regional or basin-wide scale, in consultation with the applicants, appropriate Federal agencies, and affected States, local governments, and Indian tribes, in basins or regions with respect to which there are more than one project or application for a project. Upon such a request, the Commission, in consultation with the applicants, such Federal agencies, and affected States, local governments, and Indian tribes, may conduct or commission regional or basin-wide environmental studies, with the participation of at least 2 applicants. Any study conducted under this subsection shall apply only to a project with respect to which the applicant participates.''.

SEC. 1307. CLOSED-LOOP PUMPED STORAGE PROJECTS.

Part I of the Federal Power Act (16 U.S.C. 792 et seq.), as amended by section 1306, is further amended by adding at the end the following:

''SEC. 36. CLOSED-LOOP PUMPED STORAGE PROJECTS.

''(a) DEFINITION.—For purposes of this section, a closed-loop pumped storage project is a project—

''(1) in which the upper and lower reservoirs do not impound or directly withdraw water from navigable waters; or

''(2) that is not continuously connected to a naturally flowing water feature.

''(b) IN GENERAL.—As provided in this section, the Commission may issue and amend licenses and preliminary permits, as appropriate, for closed-loop pumped storage projects.

''(c) DAM SAFETY.—Before issuing any license for a closed-loop pumped storage project, the Commission shall assess the safety of existing dams and other structures related to the project (including possible consequences associated with failure of such structures).

''(d) LICENSE CONDITIONS.—With respect to a closed-loop pumped storage project, the authority of the Commission to impose conditions on a license under sections 4(e), 10(a), 10(g), and 10(j) shall not apply, and any condition included in or applicable to a closed-loop pumped storage project licensed under this section, including any condition or other requirement of a Federal authorization, shall be limited to those that are—

''(1) necessary to protect public safety; or

''(2) reasonable, economically feasible, and essential to prevent loss of or damage to, or to mitigate adverse effects on, fish and wildlife resources directly caused by the construction and operation of the project, as compared to the environmental baseline existing at the time the Commission completes its environmental review.

''(e) TRANSFERS.—Notwithstanding section 5, and regardless of whether the holder of a preliminary permit for a closed-loop pumped storage project claimed municipal preference under section 7(a) when obtaining the permit, the Commission may, to facilitate development of a closed-loop pumped storage project—

''(1) add entities as joint permittees following issuance of a preliminary permit; and

''(2) transfer a license in part to one or more nonmunicipal entities as co-licensees with a municipality.''.

SEC. 1308. LICENSE AMENDMENT IMPROVEMENTS.

Part I of the Federal Power Act (16 U.S.C. 792 et seq.), as amended by section 1307, is further amended by adding at the end the following:

''SEC. 37. LICENSE AMENDMENT IMPROVEMENTS.

''(a) QUALIFYING PROJECT UPGRADES.—

''(1) IN GENERAL.—As provided in this section, the Commission may approve an application for an amendment to a license issued under this part for a qualifying project upgrade.

''(2) APPLICATION.—A licensee filing an application for an amendment to a project license under this section shall include in such application information sufficient to demonstrate that the proposed change to the project described in the application is a qualifying project upgrade.

''(3) INITIAL DETERMINATION.—Not later than 15 days after receipt of an application under

paragraph (2), the Commission shall make an initial determination as to whether the proposed change to the project described in the application for a license amendment is a qualifying project upgrade. The Commission shall publish its initial determination and issue notice of the application filed under paragraph (2). Such notice shall solicit public comment on the initial determination within 45 days.

''(4) PUBLIC COMMENT ON QUALIFYING CRITERIA.—The Commission shall accept public comment regarding whether a proposed license amendment is for a qualifying project upgrade for a period of 45 days beginning on the date of publication of a public notice described in paragraph (3), and shall—

''(A) if no entity contests whether the proposed license amendment is for a qualifying project upgrade during such comment period, immediately publish a notice stating that the initial determination has not been contested; or

''(B) if an entity contests whether the proposed license amendment is for a qualifying project upgrade during the comment period, issue a written determination in accordance with paragraph (5).

''(5) WRITTEN DETERMINATION.—If an entity contests whether the proposed license amendment is for a qualifying project upgrade during the comment period under paragraph (4), the Commission shall, not later than 30 days after the date of publication of the public notice of the initial determination under paragraph (3), issue a written determination as to whether the proposed license amendment is for a qualifying project upgrade.

''(6) PUBLIC COMMENT ON AMENDMENT APPLICATION.—If no entity contests whether the proposed license amendment is for a qualifying project upgrade during the comment period under paragraph (4) or the Commission issues a written determination under paragraph (5) that a proposed license amendment is a qualifying project upgrade, the Commission shall—

''(A) during the 60-day period beginning on the date of publication of a notice under paragraph (4)(A) or the date on which the Commission issues the written determination under paragraph (5), as applicable, solicit comments from each Federal, State, and local government agency and Indian tribe considering an aspect of an application for Federal authorization (as defined in section 34) with respect to the proposed license amendment, as well as other interested agencies, Indian tribes, and members of the public; and

''(B) during the 90-day period beginning on the date of publication of a notice under paragraph (4)(A) or the date on which the Commission issues the written determination under paragraph (5), as applicable, consult with—

''(i) appropriate Federal agencies and the State agency exercising administrative control over the fish and wildlife resources, and water quality and supply, of the State in which the qualifying project upgrade is located;

''(ii) any Federal department supervising any public lands or reservations occupied by the qualifying project upgrade; and

''(iii) any Indian tribe affected by the qualifying project upgrade.

''(7) FEDERAL AUTHORIZATIONS.—The schedule established by the Commission under section 34 for any project upgrade under this subsection shall require final disposition on all necessary Federal authorizations (as defined in section 34), other than final action by the Commission, by not later than 120 days after the date on which the Commission issues a notice under paragraph (4)(A) or a written determination under paragraph (5), as applicable.

''(8) COMMISSION ACTION.—Not later than 150 days after the date on which the Commission issues a notice under paragraph (4)(A) or a written determination under paragraph (5), as applicable, the Commission shall take final action on the license amendment application.

''(9) LICENSE AMENDMENT CONDITIONS.—Any condition included in or applicable to a license amendment approved under this subsection, including any condition or other requirement of a Federal authorization, shall be limited to those that are—

''(A) necessary to protect public safety; or

''(B) reasonable, economically feasible, and essential to prevent loss of or damage to, or to mitigate adverse effects on, fish and wildlife resources, water supply, and water quality that are directly caused by the construction and operation of the qualifying project upgrade, as compared to the environmental baseline existing at the time the Commission approves the application for the license amendment.

''(10) PROPOSED LICENSE AMENDMENTS THAT ARE NOT QUALIFYING PROJECT UPGRADES.—If the Commission determines under paragraph (3) or (5) that a proposed license amendment is not for a qualifying project upgrade, the procedures under paragraphs (6) through (9) shall not apply to the application.

''(11) RULEMAKING.—Not later than 180 days after the date of enactment of this section, the Commission shall, after notice and opportunity for public comment, issue a rule to implement this subsection.

''(12) DEFINITIONS.—For purposes of this subsection:

''(A) QUALIFYING PROJECT UPGRADE.—The term 'qualifying project upgrade' means a change to a project licensed under this part that meets the qualifying criteria, as determined by the Commission.

''(B) QUALIFYING CRITERIA.—The term 'qualifying criteria' means, with respect to a project license under this part, a change to the project that—

''(i) if carried out, would be unlikely to adversely affect any species listed as threatened or endangered under the Endangered Species Act of 1973 or result in the destruction or adverse modification of critical habitat, as determined in consultation with the Secretary of the Interior or Secretary of Commerce, as appropriate, in accordance with section 7 of the Endangered Species Act of 1973;

''(ii) is consistent with any applicable comprehensive plan under section 10(a)(2);

''(iii) includes only changes to project lands, waters, or operations that, in the judgment of the Commission, would result in only insignificant or minimal cumulative adverse environmental effects;

''(iv) would be unlikely to adversely affect water quality and water supply; and

''(v) proposes to implement—

''(I) capacity increases, efficiency improvements, or other enhancements to hydropower generation at the licensed project;

''(II) environmental protection, mitigation, or enhancement measures to benefit fish and wildlife resources or other natural and cultural resources; or

''(III) improvements to public recreation at the licensed project.

''(b) AMENDMENT APPROVAL PROCESSES.—

''(1) RULE.—Not later than 1 year after the date of enactment of this section, the Commission shall, after notice and opportunity for public comment, issue a rule establishing new standards and procedures for license amendment applications under this part. In issuing such rule, the Commission shall seek to develop the most efficient and expedient process, consultation, and review requirements, commensurate with the scope of different categories of proposed license amendments. Such rule shall account for differences in environmental effects across a wide range of categories of license amendment applications.

''(2) CAPACITY.—In issuing a rule under this subsection, the Commission shall take into consideration that a change in generating or hydraulic capacity may indicate the potential environmental effects of a proposed amendment but is not determinative of such effects.

''(3) PROCESS OPTIONS.—In issuing a rule under this subsection, the Commission shall take into consideration the range of process options available under the Commission's regulations for new and original license applications and adapt such options to amendment applications, where appropriate.''.

SEC. 1309. PROMOTING HYDROPOWER DEVELOPMENT AT EXISTING NONPOWERED DAMS.

Part I of the Federal Power Act (16 U.S.C. 792 et seq.), as amended by section 1308, is further amended by adding at the end the following:

''SEC. 38. PROMOTING HYDROPOWER DEVELOPMENT AT EXISTING NONPOWERED DAMS.

''(a) EXEMPTIONS FOR QUALIFYING FACILITIES.—

''(1) EXEMPTION QUALIFICATIONS.—Subject to the requirements of this subsection, the Commission may grant an exemption in whole or in part from the requirements of this part, including any license requirements contained in this part, to any facility the Commission determines is a qualifying facility.

''(2) CONSULTATION WITH FEDERAL AND STATE AGENCIES.—In granting any exemption under this subsection, the Commission shall consult with—

''(A) the United States Fish and Wildlife Service, the National Marine Fisheries Service, and the State agency exercising administrative control over the fish and wildlife resources of the State in which the facility will be located, in the manner provided by the Fish and Wildlife Coordination Act;

''(B) any Federal department supervising any public lands or reservations occupied by the project; and

''(C) any Indian tribe affected by the project.

''(3) EXEMPTION CONDITIONS.—

''(A) IN GENERAL.—The Commission shall include in any exemption granted under this subsection only such terms and conditions that the Commission determines are—

''(i) necessary to protect public safety; or

''(ii) reasonable, economically feasible, and essential to prevent loss of or damage to, or to mitigate adverse effects on, fish and wildlife resources directly caused by the construction and operation of the qualifying facility, as compared to the environmental baseline existing at the time the Commission grants the exemption.

''(B) NO CHANGES TO RELEASE REGIME.—No Federal authorization required with respect to a qualifying facility described in paragraph (1), including an exemption granted by the Commission under this subsection, may include any condition or other requirement that results in any material change to the storage, control, withdrawal, diversion, release, or flow operations of the associated qualifying nonpowered dam.

''(4) ENVIRONMENTAL REVIEW.—The Commission's environmental review under the National Environmental Policy Act of 1969 of a proposed exemption under this subsection shall consist only of an environmental assessment, unless the Commission determines, by rule or order, that the Commission's obligations under such Act for granting exemptions under this subsection can be met through a categorical exclusion.

''(5) VIOLATION OF TERMS OF EXEMPTION.—Any violation of a term or condition of any exemption granted under this subsection shall be treated as a violation of a rule or order of the Commission under this Act.

''(6) ANNUAL CHARGES FOR ENHANCEMENT ACTIVITIES.—Exemptees under this subsection for

any facility located at a non-Federal dam shall pay to the United States reasonable annual charges in an amount to be fixed by the Commission for the purpose of funding environmental enhancement projects in watersheds in which facilities exempted under this subsection are located. Such annual charges shall be equivalent to the annual charges for use of a Government dam under section 10(e), unless the Commission determines, by rule, that a lower charge is appropriate to protect exemptees' investment in the project or avoid increasing the price to consumers of power due to such charges. The proceeds of charges made by the Commission under this paragraph shall be paid into the Treasury of the United States and credited to miscellaneous receipts. Subject to annual appropriation Acts, such proceeds shall be available to Federal and State fish and wildlife agencies for purposes of carrying out specific environmental enhancement projects in watersheds in which one or more facilities exempted under this subsection are located. Not later than 180 days after the date of enactment of this section, the Commission shall establish rules, after notice and opportunity for public comment, for the collection and administration of annual charges under this paragraph.

''(7) EFFECT OF JURISDICTION.—The jurisdiction of the Commission over any qualifying facility exempted under this subsection shall extend only to the qualifying facility exempted and any associated primary transmission line, and shall not extend to any conduit, dam, impoundment, shoreline or other land, or any other project work associated with the qualifying facility exempted under this subsection.

''(b) DEFINITIONS.—For purposes of this section—

''(1) FEDERAL AUTHORIZATION.—The term 'Federal authorization' has the same meaning as provided in section 34.

''(2) QUALIFYING CRITERIA.—The term 'qualifying criteria' means, with respect to a facility—

''(A) as of the date of enactment of this section, the facility is not licensed under, or exempted from the license requirements contained in, this part;

''(B) the facility will be associated with a qualifying nonpowered dam;

''(C) the facility will be constructed, operated, and maintained for the generation of electric power;

''(D) the facility will use for such generation any withdrawals, diversions, releases, or flows from the associated qualifying nonpowered dam, including its associated impoundment or other infrastructure; and

''(E) the operation of the facility will not result in any material change to the storage, control, withdrawal, diversion, release, or flow operations of the associated qualifying nonpowered dam.

''(3) QUALIFYING FACILITY.—The term 'qualifying facility' means a facility that is determined under this section to meet the qualifying criteria.

''(4) QUALIFYING NONPOWERED DAM.—The term 'qualifying nonpowered dam' means any dam, dike, embankment, or other barrier—

''(A) the construction of which was completed on or before the date of enactment of this section;

''(B) that is operated for the control, release, or distribution of water for agricultural, municipal, navigational, industrial, commercial, environmental, recreational, aesthetic, or flood control purposes;

''(C) that, as of the date of enactment of this section, is not equipped with hydropower generating works that are licensed under, or exempted from the license requirements contained in, this part; and

''(D) that, in the case of a non-Federal dam, has been certified by an independent consultant approved by the Commission as complying with the Commission's dam safety requirements.''.

TITLE II—21ST CENTURY WORKFORCE

SEC. 2001. ENERGY AND MANUFACTURING WORKFORCE DEVELOPMENT.

(a) IN GENERAL.—The Secretary of Energy (in this section referred to as the ''Secretary'') shall establish and carry out a comprehensive program to improve education and training for energy and manufacturing-related jobs in order to increase the number of skilled workers trained to work in energy and manufacturing-related fields, including by—

(1) encouraging underrepresented groups, including religious and ethnic minorities, women, veterans, individuals with disabilities, and socioeconomically disadvantaged individuals to enter into the science, technology, engineering, and mathematics (in this section referred to as ''STEM'') fields;

(2) encouraging the Nation's education system to equip students with the skills, mentorships, training, and technical expertise necessary to fill the employment opportunities vital to managing and operating the Nation's energy and manufacturing industries;

(3) providing students and other candidates for employment with the necessary skills and certifications for skilled, semiskilled, and highly skilled energy and manufacturing-related jobs; and

(4) strengthening and more fully engaging Department of Energy programs and labs in carrying out the Department's Minorities in Energy Initiative.

(b) PRIORITY.—The Secretary shall make educating and training underrepresented groups for energy and manufacturing-related jobs a national priority under the program established under subsection (a).

(c) DIRECT ASSISTANCE.—In carrying out the program established under subsection (a), the Secretary shall provide direct assistance (including financial assistance awards, technical expertise, wraparound services, career coaching, mentorships, internships, and partnerships) to schools, community colleges, workforce development organizations, nonprofit organizations, labor organizations, apprenticeship programs, and minority serving institutions. The Secretary shall distribute direct assistance in a manner proportional to energy and manufacturing industry needs and demand for jobs, consistent with information obtained under subsections (e)(3) and (i).

(d) CLEARINGHOUSE.—In carrying out the program established under subsection (a), the Secretary shall establish a clearinghouse to—

(1) maintain and update information and resources on training and workforce development programs for energy and manufacturing-related jobs, including job training and workforce development programs available to assist displaced and unemployed energy and manufacturing workers transitioning to new employment; and

(2) act as a resource, and provide guidance, for schools, community colleges, universities (including minority serving institutions), workforce development programs, labor-management organizations, and industry organizations that would like to develop and implement energy and manufacturing-related training programs.

(e) COLLABORATION.—In carrying out the program established under subsection (a), the Secretary—

(1) shall collaborate with schools, community colleges, universities (including minority serving institutions), workforce-training organizations, national laboratories, unions, State energy offices, workforce investment boards, and the energy and manufacturing industries;

(2) shall encourage and foster collaboration, mentorships, and partnerships among organizations (including unions, industry, schools, community colleges, workforce-development organizations, and colleges and universities) that currently provide effective job training programs in the energy and manufacturing fields and institutions (including schools, community colleges, workforce development programs, and colleges and universities) that seek to establish these types of programs in order to share best practices and approaches that best suit local, State, and national needs; and

(3) shall collaborate with the Bureau of Labor Statistics, the Department of Commerce, the Bureau of the Census, and the energy and manufacturing industries to develop a comprehensive and detailed understanding of the energy and manufacturing workforce needs and opportunities by State and by region, and publish an annual report on energy and manufacturing job creation by the sectors enumerated in subsection (i).

(f) GUIDELINES FOR EDUCATIONAL INSTITUTIONS.—

(1) IN GENERAL.—In carrying out the program established under subsection (a), the Secretary, in collaboration with the Secretary of Education, the Secretary of Commerce, the Secretary of Labor, the National Science Foundation, and industry shall develop voluntary guidelines and best practices for educational institutions of all levels, including for elementary and secondary schools and community colleges and for undergraduate, graduate, and postgraduate university programs, to help provide graduates with the skills necessary to work in energy and manufacturing-related jobs.

(2) INPUT.—The Secretary shall solicit input from the oil, gas, coal, renewable, nuclear, utility, energy-intensive and advanced manufacturing, and pipeline industries in developing guidelines under paragraph (1).

(3) ENERGY AND MANUFACTURING EFFICIENCY AND CONSERVATION INITIATIVES.—The guidelines developed under paragraph (1) shall include grade-specific guidelines for teaching energy and manufacturing efficiency and conservation initiatives to educate students and families.

(4) STEM EDUCATION.—The guidelines developed under paragraph (1) shall promote STEM education as it relates to job opportunities in energy and manufacturing-related fields of study in schools, community colleges, and universities nationally.

(g) OUTREACH TO MINORITY SERVING INSTITUTIONS.—In carrying out the program established under subsection (a), the Secretary shall—

(1) give special consideration to increasing outreach to minority serving institutions (including historically black colleges and universities, predominantly black institutions, Hispanic serving institutions, and tribal institutions);

(2) make resources available to minority serving institutions with the objective of increasing the number of skilled minorities and women trained to go into the energy and manufacturing sectors;

(3) encourage industry to improve the opportunities for students of minority serving institutions to participate in industry internships and cooperative work/study programs; and

(4) partner with the Department of Energy laboratories to increase underrepresented groups' participation in internships, fellowships, traineeships, and employment at all Department of Energy laboratories.

(h) OUTREACH TO DISPLACED AND UNEMPLOYED ENERGY AND MANUFACTURING WORKERS.—In carrying out the program established under subsection (a), the Secretary shall—

(1) give special consideration to increasing outreach to employers and job trainers preparing displaced and unemployed energy and manufacturing workers for emerging energy and manufacturing jobs;

(2) make resources available to institutions serving displaced and unemployed energy and manufacturing workers with the objective of training individuals to re-enter the energy and manufacturing workforce;

(3) encourage the energy and manufacturing industries to improve opportunities for displaced and unemployed energy and manufacturing workers to participate in internships and cooperative work/study programs; and

(4) work closely with the energy and manufacturing industries to identify energy and manufacturing operations, such as coal-fired power plants and coal mines, scheduled for closure and to provide early intervention assistance to workers employed at such energy and manufacturing operations by—

(A) giving special consideration to employers and job trainers preparing such workers for emerging energy and manufacturing jobs;

(B) making resources available to institutions serving such workers with the objective of training them to re-enter the energy and manufacturing workforce; and

(C) encouraging the energy and manufacturing industries to improve opportunities for such workers to participate in internships and cooperative work-study programs.

(i) GUIDELINES TO DEVELOP SKILLS FOR AN ENERGY AND MANUFACTURING INDUSTRY WORKFORCE.—In carrying out the program established under subsection (a), the Secretary shall collaborate with representatives from the energy and manufacturing industries (including the oil, gas, coal, nuclear, utility, pipeline, renewable, petrochemical, manufacturing, and electrical construction sectors) to identify the areas of highest need in each sector and to develop guidelines for the skills necessary to develop a workforce trained to go into the following sectors of the energy and manufacturing sectors:

(1) Energy efficiency industry, including work in energy efficiency, conservation, weatherization, or retrofitting, or as inspectors or auditors.

(2) Pipeline industry, including work in pipeline construction and maintenance or work as engineers or technical advisors.

(3) Utility industry, including work in the generation, transmission, and distribution of electricity and natural gas, such as utility technicians, operators, lineworkers, engineers, scientists, and information technology specialists.

(4) Alternative fuels, including work in biofuel development and production.

(5) Nuclear industry, including work as scientists, engineers, technicians, mathematicians, or security personnel.

(6) Oil and gas industry, including work as scientists, engineers, technicians, mathematicians, petrochemical engineers, or geologists.

(7) Renewable industry, including work in the development, manufacturing, and production of renewable energy sources (such as solar, hydropower, wind, or geothermal energy).

(8) Coal industry, including work as coal miners, engineers, developers and manufacturers of state-of-the-art coal facilities, technology vendors, coal transportation workers and operators, or mining equipment vendors.

(9) Manufacturing industry, including work as operations technicians, operations and design in additive manufacturing, 3–D printing, advanced composites, and advanced aluminum and other metal alloys, industrial energy efficiency management systems, including power electronics, and other innovative technologies.

(10) Chemical manufacturing industry, including work in construction (such as welders, pipefitters, and tool and die makers) or as instrument and electrical technicians, machinists, chemical process operators, chemical engineers, quality and safety professionals, and reliability engineers.

(j) ENROLLMENT IN TRAINING AND APPRENTICESHIP PROGRAMS.—In carrying out the program established under subsection (a), the Secretary shall work with industry, organized labor, and community-based workforce organizations to help identify students and other candidates, including from underrepresented communities such as minorities, women, and veterans, to enroll into training and apprenticeship programs for energy and manufacturing-related jobs.

TITLE III—ENERGY SECURITY AND DIPLOMACY

SEC. 3001. SENSE OF CONGRESS.

Congress finds the following:

(1) North America's energy revolution has significantly enhanced energy security in the United States, and fundamentally changed the Nation's energy future from that of scarcity to abundance.

(2) North America's energy abundance has increased global energy supplies and reduced the price of energy for consumers in the United States and abroad.

(3) Allies and trading partners of the United States, including in Europe and Asia, are seeking stable and affordable energy supplies from North America to enhance their energy security.

(4) The United States has an opportunity to improve its energy security and promote greater stability and affordability of energy supplies for its allies and trading partners through a more integrated, secure, and competitive North American energy system.

(5) The United States also has an opportunity to promote such objectives by supporting the free flow of energy commodities and more open, transparent, and competitive global energy markets, and through greater Federal agency coordination relating to regulations or agency actions that significantly affect the supply, distribution, or use of energy.

SEC. 3002. ENERGY SECURITY VALUATION.

(a) ESTABLISHMENT OF ENERGY SECURITY VALUATION METHODS.—Not later than one year after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Secretary of State, shall develop and transmit, after public notice and comment, to the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate a report that develops recommended United States energy security valuation methods. In developing the report, the Secretaries may consider the recommendations of the Administration's Quadrennial Energy Review released on April 21, 2015. The report shall—

(1) evaluate and define United States energy security to reflect modern domestic and global energy markets and the collective needs of the United States and its allies and partners;

(2) identify transparent and uniform or coordinated procedures and criteria to ensure that energy-related actions that significantly affect the supply, distribution, or use of energy are evaluated with respect to their potential impact on energy security, including their impact on—

(A) consumers and the economy;

(B) energy supply diversity and resiliency;

(C) well-functioning and competitive energy markets;

(D) United States trade balance; and

(E) national security objectives; and

(3) include a recommended implementation strategy that identifies and aims to ensure that the procedures and criteria referred to in paragraph (2) are—

(A) evaluated consistently across the Federal Government; and

(B) weighed appropriately and balanced with environmental considerations required by Federal law.

(b) PARTICIPATION.—In developing the report referred to in subsection (a), the Secretaries may consult with relevant Federal, State, private sector, and international participants, as appropriate and consistent with applicable law.

SEC. 3003. NORTH AMERICAN ENERGY SECURITY PLAN.

(a) REQUIREMENT.—Not later than one year after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Secretary of State, shall develop and transmit to the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate the plan described in subsection (b).

(b) PURPOSE.—The plan referred to in subsection (a) shall include—

(1) a recommended framework and implementation strategy to—

(A) improve planning and coordination with Canada and Mexico to enhance energy integration, strengthen North American energy security, and promote efficiencies in the exploration, production, storage, supply, distribution, marketing, pricing, and regulation of North American energy resources; and

(B) address—

(i) North American energy public data, statistics, and mapping collaboration;

(ii) responsible and sustainable best practices for the development of unconventional oil and natural gas; and

(iii) modern, resilient energy infrastructure for North America, including physical infrastructure as well as institutional infrastructure such as policies, regulations, and practices relating to energy development; and

(2) a recommended framework and implementation strategy to improve collaboration with Caribbean and Central American partners on energy security, including actions to support—

(A) more open, transparent, and competitive energy markets;

(B) regulatory capacity building;

(C) improvements to energy transmission and storage; and

(D) improvements to the performance of energy infrastructure and efficiency.

(c) PARTICIPATION.—In developing the plan referred to in subsection (a), the Secretaries may consult with other Federal, State, private sector, and international participants, as appropriate and consistent with applicable law.

SEC. 3004. COLLECTIVE ENERGY SECURITY.

(a) IN GENERAL.—The Secretary of Energy and the Secretary of State shall collaborate to strengthen domestic energy security and the energy security of the allies and trading partners of the United States, including through actions that support or facilitate—

(1) energy diplomacy;

(2) the delivery of United States assistance, including energy resources and technologies, to prevent or mitigate an energy security crisis;

(3) the development of environmentally and commercially sustainable energy resources;

(4) open, transparent, and competitive energy markets; and

(5) regulatory capacity building.

(b) ENERGY SECURITY FORUMS.—Not later than one year after the date of enactment of this Act, the Secretary of Energy, in collaboration with the Secretary of State, shall convene not less than 2 forums to promote the collective energy security of the United States and its allies and trading partners. The forums shall include participation by the Secretary of Energy and the Secretary of State. In addition, an invitation shall be extended to—

(1) appropriate representatives of foreign governments that are allies or trading partners of the United States; and

(2) independent experts and industry representatives.

(c) REQUIREMENTS.—The forums shall—

(1) consist of at least one Trans-Atlantic and one Trans-Pacific energy security forum;

(2) be designed to foster dialogue among government officials, independent experts, and industry representatives regarding—

(A) the current state of global energy markets;

(B) trade and investment issues relevant to energy; and

(C) barriers to more open, competitive, and transparent energy markets; and

(3) be recorded and made publicly available on the Department of Energy's website, including, not later than 30 days after each forum, publication on the website any significant outcomes.

(d) NOTIFICATION.—At least 30 days before each of the forums referred to in subsection (b), the Secretary of Energy shall send a notification regarding the forum to—

(1) the chair and the ranking minority member of the Committee on Energy and Commerce and the Committee on Foreign Affairs of the House of Representatives; and

(2) the chair and ranking minority member of the Committee on Energy and Natural Resources and the Committee on Foreign Relations of the Senate.

SEC. 3005. STRATEGIC PETROLEUM RESERVE MISSION READINESS PLAN.

Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall conduct a long-range strategic review of the Strategic Petroleum Reserve and develop and transmit to Congress a plan that includes an analysis and implementation schedule that—

(1) specifies near-term and long-term roles of the Strategic Petroleum Reserve relative to United States energy security and economic goals and objectives;

(2) describes existing legal authorities governing the policies, configuration, and capabilities of the Strategic Petroleum Reserve;

(3) identifies Strategic Petroleum Reserve configuration and performance capabilities and recommends an action plan to achieve the optimal—

(A) capacity, location, and composition of petroleum products in the Reserve; and

(B) storage and distributional capabilities; and

(4) estimates the resources required to attain and maintain the Strategic Petroleum Reserve's long-term sustainability and operational effectiveness.

SEC. 3006. AUTHORIZATION TO EXPORT NATURAL GAS.

(a) DECISION DEADLINE.—For proposals that must also obtain authorization from the Federal Energy Regulatory Commission or the United States Maritime Administration to site, construct, expand, or operate LNG export facilities, the Department of Energy shall issue a final decision on any application for the authorization to export natural gas under section 3 of the Natural Gas Act (15 U.S.C. 717b) not later than 30 days after the later of—

(1) the conclusion of the review to site, construct, expand, or operate the LNG facilities required by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(2) the date of enactment of this Act.

(b) CONCLUSION OF REVIEW.—For purposes of subsection (a), review required by the National Environmental Policy Act of 1969 shall be considered concluded—

(1) for a project requiring an Environmental Impact Statement, 30 days after publication of a Final Environmental Impact Statement;

(2) for a project for which an Environmental Assessment has been prepared, 30 days after publication by the Department of Energy of a Finding of No Significant Impact; and

(3) upon a determination by the lead agency that an application is eligible for a categorical exclusion pursuant to National Environmental Policy Act of 1969 implementing regulations.

(c) PUBLIC DISCLOSURE OF EXPORT DESTINATIONS.—Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended by adding at the end the following:

''(g) PUBLIC DISCLOSURE OF LNG EXPORT DESTINATIONS.—As a condition for approval of any authorization to export LNG, the Secretary of Energy shall require the applicant to publicly disclose the specific destination or destinations of any such authorized LNG exports.''.

TITLE IV—ENERGY EFFICIENCY AND ACCOUNTABILITY

Subtitle A—Energy Efficiency

CHAPTER 1—FEDERAL AGENCY ENERGY EFFICIENCY

SEC. 4111. ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION TECHNOLOGIES.

(a) AMENDMENT.—Subtitle C of title V of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1661) is amended by adding at the end the following:

''SEC. 530. ENERGY-EFFICIENT AND ENERGY-SAVING INFORMATION TECHNOLOGIES.

''(a) DEFINITIONS.—In this section:

''(1) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''(2) INFORMATION TECHNOLOGY.—The term 'information technology' has the meaning given that term in section 11101 of title 40, United States Code.

''(b) DEVELOPMENT OF IMPLEMENTATION STRATEGY.—Not later than 1 year after the date of enactment of this section, each Federal agency shall coordinate with the Director, the Secretary, and the Administrator of the Environmental Protection Agency to develop an implementation strategy (that includes best practices and measurement and verification techniques) for the maintenance, purchase, and use by the Federal agency of energy-efficient and energy-saving information technologies, taking into consideration the performance goals established under subsection (d).

''(c) ADMINISTRATION.—In developing an implementation strategy under subsection (b), each Federal agency shall consider—

''(1) advanced metering infrastructure;

''(2) energy-efficient data center strategies and methods of increasing asset and infrastructure utilization;

''(3) advanced power management tools;

''(4) building information modeling, including building energy management;

''(5) secure telework and travel substitution tools; and

''(6) mechanisms to ensure that the agency realizes the energy cost savings brought about through increased efficiency and utilization.

''(d) PERFORMANCE GOALS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Director, in consultation with the Secretary, shall establish performance goals for evaluating the efforts of Federal agencies in improving the maintenance, purchase, and use of energy-efficient and energy-saving information technology.

''(2) BEST PRACTICES.—The Chief Information Officers Council established under section 3603 of title 44, United States Code, shall recommend best practices for the attainment of the performance goals, which shall include Federal agency consideration of, to the extent applicable by law, the use of—

''(A) energy savings performance contracting; and

''(B) utility energy services contracting.

''(e) REPORTS.—

''(1) AGENCY REPORTS.—Each Federal agency shall include in the report of the agency under section 527 a description of the efforts and results of the agency under this section.

''(2) OMB GOVERNMENT EFFICIENCY REPORTS AND SCORECARDS.—Effective beginning not later than October 1, 2017, the Director shall include in the annual report and scorecard of the Director required under section 528 a description of the efforts and results of Federal agencies under this section.''.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Independence and Security Act of 2007 is amended by adding after the item relating to section 529 the following:

''Sec. 530. Energy-efficient and energy-saving information technologies.''.

SEC. 4112. ENERGY EFFICIENT DATA CENTERS.

Section 453 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17112) is amended—

(1) in subsection (b)(2)(D)(iv), by striking ''determined by the organization'' and inserting ''proposed by the stakeholders'';

(2) by striking subsection (b)(3); and

(3) by striking subsections (c) through (g) and inserting the following:

''(c) STAKEHOLDER INVOLVEMENT.—The Secretary and the Administrator shall carry out subsection (b) in collaboration with the information technology industry and other key stakeholders, with the goal of producing results that accurately reflect the most relevant and useful information available. In such collaboration, the Secretary and the Administrator shall pay particular attention to organizations that—

''(1) have members with expertise in energy efficiency and in the development, operation, and functionality of data centers, information technology equipment, and software, such as representatives of hardware manufacturers, data center operators, and facility managers;

''(2) obtain and address input from Department of Energy National Laboratories or any college, university, research institution, industry association, company, or public interest group with applicable expertise;

''(3) follow—

''(A) commonly accepted procedures for the development of specifications; and

''(B) accredited standards development processes; and

''(4) have a mission to promote energy efficiency for data centers and information technology.

''(d) MEASUREMENTS AND SPECIFICATIONS.—The Secretary and the Administrator shall consider and assess the adequacy of the specifications, measurements, best practices, and benchmarks described in subsection (b) for use by the Federal Energy Management Program, the Energy Star Program, and other efficiency programs of the Department of Energy or the Environmental Protection Agency.

''(e) STUDY.—The Secretary, in collaboration with the Administrator, shall, not later than 18 months after the date of enactment of the North American Energy Security and Infrastructure Act of 2015, make available to the public an update to the Report to Congress on Server and Data Center Energy Efficiency published on August 2, 2007, under section 1 of Public Law 109–431 (120 Stat. 2920), that provides—

''(1) a comparison and gap analysis of the estimates and projections contained in the original report with new data regarding the period from 2008 through 2015;

''(2) an analysis considering the impact of information technologies, including virtualization and cloud computing, in the public and private sectors;

''(3) an evaluation of the impact of the combination of cloud platforms, mobile devices, social media, and big data on data center energy usage;

''(4) an evaluation of water usage in data centers and recommendations for reductions in such water usage; and

''(5) updated projections and recommendations for best practices through fiscal year 2020.

''(f) DATA CENTER ENERGY PRACTITIONER PROGRAM.—The Secretary, in collaboration with key stakeholders and the Director of the Office of Management and Budget, shall maintain a data center energy practitioner program that leads to the certification of energy practitioners qualified to evaluate the energy usage and efficiency opportunities in Federal data centers. Each Federal agency shall consider having the data centers of the agency evaluated every 4 years, in accordance with section 543(f) of the National Energy Conservation Policy Act (42 U.S.C. 8253), by energy practitioners certified pursuant to such program.

''(g) OPEN DATA INITIATIVE.—The Secretary, in collaboration with key stakeholders and the Director of the Office of Management and Budget, shall establish an open data initiative for Federal data center energy usage data, with the purpose of making such data available and accessible in a manner that encourages further data center innovation, optimization, and consolidation. In establishing the initiative, the Secretary shall consider the use of the online Data Center Maturity Model.

''(h) INTERNATIONAL SPECIFICATIONS AND METRICS.—The Secretary, in collaboration with key stakeholders, shall actively participate in efforts to harmonize global specifications and metrics for data center energy and water efficiency.

''(i) DATA CENTER UTILIZATION METRIC.—The Secretary, in collaboration with key stakeholders, shall facilitate the development of an efficiency metric that measures the energy efficiency of a data center (including equipment and facilities).

''(j) PROTECTION OF PROPRIETARY INFORMATION.—The Secretary and the Administrator shall not disclose any proprietary information or trade secrets provided by any individual or company for the purposes of carrying out this section or the programs and initiatives established under this section.''.

SEC. 4113. REPORT ON ENERGY AND WATER SAVINGS POTENTIAL FROM THERMAL INSULATION.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in consultation with appropriate Federal agencies and relevant stakeholders, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the impact of thermal insulation on both energy and water use systems for potable hot and chilled water in Federal buildings, and the return on investment of installing such insulation.

(b) CONTENTS.—The report shall include—

(1) an analysis based on the cost of municipal or regional water for delivered water and the avoided cost of new water; and

(2) a summary of energy and water savings, including short-term and long-term (20 years) projections of such savings.

SEC. 4114. FEDERAL PURCHASE REQUIREMENT.

(a) DEFINITIONS.—Section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)) is amended by striking paragraph (2) and inserting the following:

''(2) RENEWABLE ENERGY.—The term 'renewable energy' means electric energy, or thermal energy if resulting from a thermal energy project placed in service after December 31, 2014, generated from, or avoided by, solar, wind, biomass, landfill gas, ocean (including tidal, wave, current, and thermal), geothermal, municipal solid waste (in accordance with subsection (e)), qualified waste heat resource, or new hydroelectric generation capacity achieved from increased efficiency or additions of new capacity at an existing hydroelectric project.

''(3) QUALIFIED WASTE HEAT RESOURCE.—The term 'qualified waste heat resource' means—

''(A) exhaust heat or flared gas from any industrial process;

''(B) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented;

''(C) a pressure drop in any gas for an industrial or commercial process; or

''(D) such other forms of waste heat as the Secretary determines appropriate.''.

(b) PAPER RECYCLING.—Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) is amended by adding at the end the following:

''(e) PAPER RECYCLING.—

''(1) SEPARATE COLLECTION.—For purposes of this section, any Federal agency may consider electric energy generation purchased from a facility to be renewable energy if the municipal solid waste used by the facility to generate the electricity is—

''(A) separately collected (within the meaning of section 246.101(z) of title 40, Code of Federal Regulations, as in effect on the date of enactment of the North American Energy Security and Infrastructure Act of 2015) from paper that is commonly recycled; and

''(B) processed in a way that keeps paper that is commonly recycled segregated from non-recyclable solid waste.

''(2) INCIDENTAL INCLUSION.—Municipal solid waste used to generate electric energy that meets the conditions described in paragraph (1) shall be considered renewable energy even if the municipal solid waste contains incidental commonly recycled paper.

''(3) NO EFFECT ON EXISTING PROCESSES.—Nothing in paragraph (1) shall be interpreted to require a State or political subdivision of a State, directly or indirectly, to change the systems, processes, or equipment it uses to collect, treat, dispose of, or otherwise use municipal solid waste, within the meaning of the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), nor require a change to the regulations that implement subtitle D of such Act (42 U.S.C. 6941 et seq.).''.

SEC. 4115. ENERGY PERFORMANCE REQUIREMENT FOR FEDERAL BUILDINGS.

Section 543 of the National Energy Conservation Policy Act (42 U.S.C. 8253) is amended—

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

''(a) ENERGY PERFORMANCE REQUIREMENT FOR FEDERAL BUILDINGS.—

''(1) REQUIREMENT.—Subject to paragraph (2), each agency shall apply energy conservation measures to, and shall improve the design for the construction of, the Federal buildings of the agency (including each industrial or laboratory facility) so that the energy consumption per gross square foot of the Federal buildings of the agency in fiscal years 2006 through 2017 is reduced, as compared with the energy consumption per gross square foot of the Federal buildings of the agency in fiscal year 2003, by the percentage specified in the following table:

''Fiscal Year	Percentage Reduction
2006	2
2007	4
2008	9
2009	12
2010	15
2011	18
2012	21
2013	24
2014	27
2015	30
2016	33
2017	36.

''(2) EXCLUSION FOR BUILDINGS WITH ENERGY INTENSIVE ACTIVITIES.—

''(A) IN GENERAL.—An agency may exclude from the requirements of paragraph (1) any building (including the associated energy consumption and gross square footage) in which energy intensive activities are carried out.

''(B) REPORTS.—Each agency shall identify and list in each report made under section 548(a) the buildings designated by the agency for exclusion under subparagraph (A).

''(3) REVIEW.—Not later than December 31, 2017, the Secretary shall—

''(A) review the results of the implementation of the energy performance requirements established under paragraph (1); and

''(B) based on the review conducted under subparagraph (A), submit to Congress a report that addresses the feasibility of requiring each agency to apply energy conservation measures to, and improve the design for the construction of, the Federal buildings of the agency (including each industrial or laboratory facility) so that the energy consumption per gross square foot of the Federal buildings of the agency in each of fiscal years 2018 through 2030 is reduced, as compared with the energy consumption per gross square foot of the Federal buildings of the agency in the prior fiscal year, by 3 percent.''; and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (F), (G), and (H), respectively; and

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

''(E) ONGOING COMMISSIONING.—The term 'ongoing commissioning' means an ongoing process of commissioning using monitored data, the primary goal of which is to ensure continuous optimum performance of a facility, in accordance with design or operating needs, over the useful life of the facility, while meeting facility occupancy requirements.'';

(B) in paragraph (2), by adding at the end the following:

''(C) ENERGY MANAGEMENT SYSTEM.—An energy manager designated under subparagraph (A) shall consider use of a system to manage energy use at the facility and certification of the facility in accordance with the International Organization for Standardization standard numbered 50001 and entitled 'Energy Management Systems'.'';

(C) by striking paragraphs (3) and (4) and inserting the following:

''(3) ENERGY AND WATER EVALUATIONS AND COMMISSIONING.—

''(A) EVALUATIONS.—Except as provided in subparagraph (B), effective beginning on the date that is 180 days after the date of enactment of the North American Energy Security and Infrastructure Act of 2015, and annually thereafter, each energy manager shall complete, for each calendar year, a comprehensive energy and water evaluation and recommissioning or retrocommissioning for approximately 25 percent of the facilities of that energy manager's agency that meet the criteria under paragraph (2)(B) in a manner that ensures that an evaluation of each facility is completed at least once every 4 years.

''(B) EXCEPTIONS.—An evaluation and recommissioning or recommissioning shall not be required under subparagraph (A) with respect to a facility that—

''(i) has had a comprehensive energy and water evaluation during the 8-year period preceding the date of the evaluation;

''(ii)(I) has been commissioned, recommissioned, or retrocommissioned during the 10-year period preceding the date of the evaluation; or

''(II) is under ongoing commissioning, recommissioning, or retrocommissioning;

''(iii) has not had a major change in function or use since the previous evaluation and commissioning, recommissioning, or retrocommissioning;

''(iv) has been benchmarked with public disclosure under paragraph (8) within the year preceding the evaluation; and

''(v)(I) based on the benchmarking, has achieved at a facility level the most recent cumulative energy savings target under subsection (a) compared to the earlier of—

''(aa) the date of the most recent evaluation; or

''(bb) the date—

''(AA) of the most recent commissioning, recommissioning, or retrocommissioning; or

''(BB) on which ongoing commissioning, recommissioning, or retrocommissioning began; or

''(II) has a long-term contract in place guaranteeing energy savings at least as great as the energy savings target under subclause (I).

''(4) IMPLEMENTATION OF IDENTIFIED ENERGY AND WATER EFFICIENCY MEASURES.—

''(A) IN GENERAL.—Not later than 2 years after the date of completion of each evaluation under paragraph (3), each energy manager may—

''(i) implement any energy- or water-saving measure that the Federal agency identified in the evaluation conducted under paragraph (3) that is life-cycle cost effective; and

''(ii) bundle individual measures of varying paybacks together into combined projects.

''(B) MEASURES NOT IMPLEMENTED.—Each energy manager, as part of the certification system under paragraph (7) and using guidelines developed by the Secretary, shall provide an explanation regarding any life-cycle cost-effective measures described in subparagraph (A)(i) that have not been implemented.''; and

(D) in paragraph (7)(C), by adding at the end the following:

''(iii) SUMMARY REPORT.—The Secretary shall make publicly available a report that summarizes the information tracked under subparagraph (B)(i) by each agency and, as applicable, by each type of measure.''.

SEC. 4116. FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS; CERTIFICATION SYSTEM AND LEVEL FOR FEDERAL BUILDINGS.

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832) is amended—

(1) in paragraph (6), by striking ''to be constructed'' and inserting ''constructed or altered''; and

(2) by adding at the end the following:

''(17) MAJOR RENOVATION.—The term 'major renovation' means a modification of building energy systems sufficiently extensive that the whole building can meet energy standards for new buildings, based on criteria to be established by the Secretary through notice and comment rulemaking.''.

(b) FEDERAL BUILDING EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended—

(1) in subsection (a)(3)—

(A) by striking ''(3)(A) Not later than'' and all that follows through the end of subparagraph (B) and inserting the following:

''(3) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS; CERTIFICATION FOR GREEN BUILDINGS.—

''(A) REVISED FEDERAL BUILDING ENERGY EFFICIENCY PERFORMANCE STANDARDS.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of the North American Energy Security and Infrastructure Act of 2015, the Secretary shall establish, by rule, revised Federal building energy efficiency performance standards that require that—

''(I) new Federal buildings and alterations and additions to existing Federal buildings—

''(aa) meet or exceed the most recent revision of the IECC (in the case of residential buildings) or ASHRAE Standard 90.1 (in the case of commercial buildings) as of the date of enactment of the North American Energy Security and Infrastructure Act of 2015; and

''(bb) meet or exceed the energy provisions of State and local building codes applicable to the building, if the codes are more stringent than the IECC or ASHRAE Standard 90.1, as applicable;

''(II) unless demonstrated not to be life-cycle cost effective for new Federal buildings and Federal buildings with major renovations—

''(aa) the buildings be designed to achieve energy consumption levels that are at least 30 percent below the levels established in the version of the ASHRAE Standard or the IECC, as appropriate, that is applied under subclause (I)(aa), including updates under subparagraph (B); and

''(bb) sustainable design principles are applied to the location, siting, design, and construction of all new Federal buildings and replacement Federal buildings;

''(III) if water is used to achieve energy efficiency, water conservation technologies shall be applied to the extent that the technologies are life-cycle cost effective; and

''(IV) if life-cycle cost effective, as compared to other reasonably available technologies, not less than 30 percent of the hot water demand for each new Federal building or Federal building undergoing a major renovation be met through the installation and use of solar hot water heaters.

''(ii) LIMITATION.—Clause (i)(I) shall not apply to unaltered portions of existing Federal buildings and systems that have been added to or altered.

''(B) UPDATES.—Not later than 1 year after the date of approval of each subsequent revision of ASHRAE Standard 90.1 or the IECC, as appropriate, the Secretary shall determine whether the revised standards established under subparagraph (A) should be updated to reflect the revisions, based on the energy savings and lifecycle cost effectiveness of the revisions.'';

(B) in subparagraph (C), by striking ''(C) In the budget request'' and inserting the following:

''(C) BUDGET REQUEST.—In the budget request''; and

(C) in subparagraph (D)—

(i) by striking ''(D) Not later than'' and all that follows through the end of the first sentence of clause (i)(III) and inserting the following:

''(D) CERTIFICATION FOR GREEN BUILDINGS.—

''(i) IN GENERAL.—'';

(ii) by striking clause (ii);

(iii) in clause (iii), by striking ''(iii) In identifying'' and inserting the following:

''(ii) CONSIDERATIONS.—In identifying'';

(iv) in clause (iv)—

(I) by striking ''(iv) At least once'' and inserting the following:

''(iii) STUDY.—At least once''; and

(II) by striking ''clause (iii)'' and inserting ''clause (ii)'';

(v) in clause (v)—

(I) by striking ''(v) The Secretary may'' and inserting the following:

''(iv) INTERNAL CERTIFICATION PROCESSES.—The Secretary may''; and

(II) by striking ''clause (i)(III)'' each place it appears and inserting ''clause (i)'';

(vi) in clause (vi)—

(I) by striking ''(vi) With respect'' and inserting the following:

''(v) PRIVATIZED MILITARY HOUSING.—With respect''; and

(II) by striking ''develop alternative criteria to those established by subclauses (I) and (III) of clause (i) that achieve an equivalent result in terms of energy savings, sustainable design, and'' and inserting ''develop alternative certification systems and levels than the systems and levels identified under clause (i) that achieve an equivalent result in terms of''; and

(vii) in clause (vii), by striking ''(vii) In addition to'' and inserting the following:

''(vi) WATER CONSERVATION TECHNOLOGIES.—In addition to''; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) PERIODIC REVIEW.—The Secretary shall—

''(1) every 5 years, review the Federal building energy standards established under this section; and

''(2) on completion of a review under paragraph (1), if the Secretary determines that significant energy savings would result, upgrade the standards to include all new energy efficiency and renewable energy measures that are technologically feasible and economically justified.''.

SEC. 4117. OPERATION OF BATTERY RECHARGING STATIONS IN PARKING AREAS USED BY FEDERAL EMPLOYEES.

(a) AUTHORIZATION.—

(1) IN GENERAL.—The head of any office of the Federal Government which owns or operates a parking area for the use of its employees (either directly or indirectly through a contractor) may install, construct, operate, and maintain on a reimbursable basis a battery recharging station in such area for the use of privately owned vehicles of employees of the office and others who are authorized to park in such area.

(2) USE OF VENDORS.—The head of an office may carry out paragraph (1) through a contract with a vendor, under such terms and conditions (including terms relating to the allocation between the office and the vendor of the costs of carrying out the contract) as the head of the office and the vendor may agree to.

(b) IMPOSITION OF FEES TO COVER COSTS.—

(1) FEES.—The head of an office of the Federal Government which operates and maintains a battery recharging station under this section shall charge fees to the individuals who use the station in such amount as is necessary to ensure that office recovers all of the costs it incurs in installing, constructing, operating, and maintaining the station.

(2) DEPOSIT AND AVAILABILITY OF FEES.—Any fees collected by the head of an office under this subsection shall be—

(A) deposited monthly in the Treasury to the credit of the appropriations account for salaries and expenses of the office; and

(B) available for obligation without further appropriation during—

(i) the fiscal year collected; and

(ii) the fiscal year following the fiscal year collected.

(c) NO EFFECT ON EXISTING PROGRAMS FOR HOUSE AND SENATE.—Nothing in this section may be construed to affect the installation, construction, operation, or maintenance of battery recharging stations by the Architect of the Capitol—

(1) under Public Law 112–170 (2 U.S.C. 2171), relating to employees of the House of Representatives and individuals authorized to park in any parking area under the jurisdiction of the House of Representatives on the Capitol Grounds; or

(2) under Public Law 112–167 (2 U.S.C. 2170), relating to employees of the Senate and individuals authorized to park in any parking area under the jurisdiction of the Senate on the Capitol Grounds.

(d) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2016 and each succeeding fiscal year.

CHAPTER 2—ENERGY EFFICIENT TECHNOLOGY AND MANUFACTURING

SEC. 4121. INCLUSION OF SMART GRID CAPABILITY ON ENERGY GUIDE LABELS.

Section 324(a)(2) of the Energy Policy and Conservation Act (42 U.S.C. 6294(a)(2)) is amended by adding the following at the end:

''(J) SMART GRID CAPABILITY ON ENERGY GUIDE LABELS.—

''(i) RULE.—Not later than 1 year after the date of enactment of this subparagraph, the Commission shall initiate a rulemaking to consider making a special note in a prominent manner on any Energy Guide label for any product that includes Smart Grid capability that—

''(I) Smart Grid capability is a feature of that product;

''(II) the use and value of that feature depend on the Smart Grid capability of the utility system in which the product is installed and the active utilization of that feature by the customer; and

''(III) on a utility system with Smart Grid capability, the use of the product's Smart Grid capability could reduce the customer's cost of the product's annual operation as a result of the incremental energy and electricity cost savings that would result from the customer taking full advantage of such Smart Grid capability.

''(ii) DEADLINE.—Not later than 3 years after the date of enactment of this subparagraph, the Commission shall complete the rulemaking initiated under clause (i).''.

SEC. 4122. VOLUNTARY VERIFICATION PROGRAMS FOR AIR CONDITIONING, FURNACE, BOILER, HEAT PUMP, AND WATER HEATER PRODUCTS.

Section 326(b) of the Energy Policy and Conservation Act (42 U.S.C. 6296(b)) is amended by adding at the end the following:

''(6) VOLUNTARY VERIFICATION PROGRAMS FOR AIR CONDITIONING, FURNACE, BOILER, HEAT PUMP, AND WATER HEATER PRODUCTS.—

''(A) RELIANCE ON VOLUNTARY PROGRAMS.—For the purpose of verifying compliance with energy conservation standards established under sections 325 and 342 for covered products described in paragraphs (3), (4), (5), (9), and (11) of section 322(a) and covered equipment described in subparagraphs (B), (C), (D), (F), (I), (J), and (K) of section 340(1), the Secretary shall rely on testing conducted by recognized voluntary verification programs that are recognized by the Secretary in accordance with subparagraph (B).

''(B) RECOGNITION OF VOLUNTARY VERIFICATION PROGRAMS.—

''(i) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall initiate a negotiated rulemaking in accordance with subchapter III of chapter 5 of title 5, United States Code (commonly known as the 'Negotiated Rulemaking Act of 1990') to develop criteria that have consensus support for achieving recognition by the Secretary as an approved voluntary verification program. Any subsequent amendment to such criteria may be made only pursuant to a subsequent negotiated rulemaking in accordance with subchapter III of chapter 5 of title 5, United States Code.

''(ii) MINIMUM REQUIREMENTS.—The criteria developed under clause (i) shall, at a minimum, ensure that a voluntary verification program—

''(I) is nationally recognized;

''(II) is operated by a third party and not directly operated by a program participant;

''(III) satisfies any applicable elements of—

''(aa) International Organization for Standardization standard numbered 17025; and

''(bb) any other relevant International Organization for Standardization standards identified and agreed to through the negotiated rulemaking under clause (i);

''(IV) at least annually tests independently obtained products following the test procedures established under this title to verify the certified rating of a representative sample of products and equipment within the scope of the program;

''(V) maintains a publicly available list of all ratings of products subject to verification;

''(VI) requires the changing of the performance rating or removal of the product or equipment from the program if testing determines that the performance rating does not meet the levels the manufacturer has certified to the Secretary;

''(VII) requires new program participants to substantiate ratings through test data generated in accordance with Department of Energy regulations;

''(VIII) allows for challenge testing of products and equipment within the scope of the program;

''(IX) requires program participants to disclose the performance rating of all covered products and equipment within the scope of the program for the covered product or equipment;

''(X) provides to the Secretary—

''(aa) an annual report of all test results, the contents of which shall be determined through the negotiated rulemaking process under clause (i); and

''(bb) test reports, on the request of the Secretary, that note any instructions specified by the manufacturer or the representative of the manufacturer for the purpose of conducting the verification testing, to be exempted from disclosure under section 552(b)(4) of title 5, United States Code; and

''(XI) satisfies any additional requirements or standards that the Secretary shall establish consistent with this subparagraph.

''(iii) CESSATION OF RECOGNITION.—The Secretary may only cease recognition of a voluntary verification program as an approved program described in subparagraph (A) upon a finding that the program is not meeting its obligations for compliance through program review criteria developed during the negotiated rulemaking conducted under subparagraph (B).

''(C) ADMINISTRATION.—

''(i) IN GENERAL.—The Secretary shall not require—

''(I) manufacturers to participate in a recognized voluntary verification program described in subparagraph (A); or

''(II) participating manufacturers to provide information that has already been provided to the Secretary.

''(ii) LIST OF COVERED PRODUCTS.—The Secretary may maintain a publicly available list of covered products and equipment that distinguishes between products that are and are not covered products and equipment verified through a recognized voluntary verification program described in subparagraph (A).

''(iii) PERIODIC VERIFICATION TESTING.—The Secretary—

''(I) shall not subject products or equipment that have been verification tested under a recognized voluntary verification program described in subparagraph (A) to periodic verification testing to verify the accuracy of the certified performance rating of the products or equipment; but

''(II) may require testing of products or equipment described in subclause (I)—

''(aa) if the testing is necessary—

''(AA) to assess the overall performance of a voluntary verification program;

''(BB) to address specific performance issues;

''(CC) for use in updating test procedures and standards; or

''(DD) for other purposes consistent with this title; or

''(bb) if such testing is agreed to during the negotiated rulemaking conducted under subparagraph (B).

''(D) EFFECT ON OTHER AUTHORITY.—Nothing in this paragraph limits the authority of the Secretary to enforce compliance with any law.''.

SEC. 4123. FACILITATING CONSENSUS FURNACE STANDARDS.

(a) CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSE.—

(1) FINDINGS.—Congress finds that—

(A) acting pursuant to the requirements of section 325 of the Energy Policy and Conservation Act (42 U.S.C. 6295), the Secretary of Energy is considering amending the energy conservation standards applicable to residential nonweatherized gas furnaces and mobile home gas furnaces;

(B) numerous stakeholders, representing manufacturers, distributors, and installers of residential nonweatherized gas furnaces and mobile home furnaces, natural gas utilities, home builders, multifamily property owners, and energy efficiency, environmental, and consumer advocates have begun negotiations in an attempt to agree on a consensus recommendation to the Secretary on levels for such standards that will meet the statutory criteria; and

(C) the stakeholders believe these negotiations are likely to result in a consensus recommendation, but several of the stakeholders do not support suspending the current rulemaking.

(2) PURPOSE.—It is the purpose of this section to provide the stakeholders described in paragraph (1) with an opportunity to continue negotiations for a limited time period to facilitate the proposal for adoption of standards that enjoy consensus support, while not delaying the current rulemaking except to the extent necessary to provide such opportunity.

(b) OPPORTUNITY FOR A NEGOTIATED FURNACE STANDARD.—Section 325(f)(4) of the Energy Policy and Conservation Act (42 U.S.C. 6295(f)(4)) is amended by adding after subparagraph (D) the following:

''(E)(i) Unless the Secretary has published such a notice prior to the date of enactment of this Act, the Secretary shall publish, not later than October 31, 2015, a supplemental notice of proposed rulemaking or a notice of data availability updating the proposed rule entitled 'Energy Conservation Program for Consumer Products: Energy Conservation Standards for Residential Furnaces' and published in the Federal Register on March 12, 2015 (80 Fed. Reg. 13119), to provide notice and an opportunity for comment on—

''(I) dividing nonweatherized gas furnaces into two or more product classes with separate energy conservation standards based on capacity; and

''(II) any other matters the Secretary determines appropriate.

''(ii) On receipt of a statement that is submitted on or before January 1, 2016, jointly by interested persons that are fairly representative of relevant points of view, that contains recommended standards for nonweatherized gas furnaces and mobile home gas furnaces that are consistent with the requirements of this part (except that the date on which such standards will apply may be earlier or later than the date required under this part), the Secretary shall evaluate the standards proposed in the joint statement for consistency with the requirements of subsection (o), and shall publish notice of the potential adoption of the standards proposed in the joint statement, modified as necessary to ensure consistency with subsection (o). The Secretary shall solicit public comment for a period of at least 30 days with respect to such notice.

''(iii) Not later than July 31, 2016, but not before July 1, 2016, the Secretary shall publish a final rule containing a determination of whether the standards for nonweatherized gas furnaces and mobile home gas furnaces should be amended. Such rule shall contain any such amendments to the standards.''.

SEC. 4124. FUTURE OF INDUSTRY PROGRAM.

(a) IN GENERAL.—Section 452 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111) is amended by striking the section heading and inserting the following: ''***FUTURE OF INDUSTRY PROGRAM***''.

(b) DEFINITION OF ENERGY SERVICE PROVIDER.—Section 452(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(a)) is amended—

(1) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively; and

(2) by inserting after paragraph (2):

''(3) ENERGY SERVICE PROVIDER.—The term 'energy service provider' means any business providing technology or services to improve the energy efficiency, water efficiency, power factor, or load management of a manufacturing site or other industrial process in an energy-intensive industry, or any utility operating under a utility energy service project.''.

(c) INDUSTRIAL RESEARCH AND ASSESSMENT CENTERS.—Section 452(e) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17111(e)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting appropriately;

(2) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary'';

(3) in subparagraph (A) (as redesignated by paragraph (1)), by inserting before the semicolon at the end the following: '', including assessments of sustainable manufacturing goals and the implementation of information technology advancements for supply chain analysis, logistics, system monitoring, industrial and manufacturing processes, and other purposes''; and

(4) by adding at the end the following:

''(2) COORDINATION.—To increase the value and capabilities of the industrial research and assessment centers, the centers shall—

''(A) coordinate with Manufacturing Extension Partnership Centers of the National Institute of Standards and Technology;

''(B) coordinate with the Building Technologies Office of the Department of Energy to provide building assessment services to manufacturers;

''(C) increase partnerships with the National Laboratories of the Department of Energy to leverage the expertise and technologies of the National Laboratories for national industrial and manufacturing needs; and

''(D) increase partnerships with energy service providers and technology providers to leverage private sector expertise and accelerate deployment of new and existing technologies and processes for energy efficiency, power factor, and load management.

''(3) OUTREACH.—The Secretary shall provide funding for—

''(A) outreach activities by the industrial research and assessment centers to inform small- and medium-sized manufacturers of the information, technologies, and services available; and

''(B) coordination activities by each industrial research and assessment center to leverage efforts with—

''(i) Federal and State efforts;

''(ii) the efforts of utilities and energy service providers;

''(iii) the efforts of regional energy efficiency organizations; and

''(iv) the efforts of other industrial research and assessment centers.

''(4) SMALL BUSINESS LOANS.—The Administrator of the Small Business Administration shall, to the maximum extent practicable, expedite consideration of applications from eligible small business concerns for loans under the Small Business Act (15 U.S.C. 631 et seq.) to implement recommendations of industrial research and assessment centers established under paragraph (1).''.

(d) CONFORMING AMENDMENT.—The item relating to section 452 in the table of contents for the Energy Independence and Security Act of 2007 is amended to read as follows:

''Sec. 452. Future of Industry program.''.

SEC. 4125. NO WARRANTY FOR CERTAIN CERTIFIED ENERGY STAR PRODUCTS.

Section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a) is amended by adding at the end the following new subsection:

''(e) NO WARRANTY.—

''(1) IN GENERAL.—Any disclosure relating to participation of a product in the Energy Star program shall not create an express or implied warranty or give rise to any private claims or rights of action under State or Federal law relating to the disqualification of that product from Energy Star if—

''(A) the product has been certified by a certification body recognized by the Energy Star program;

''(B) the Administrator has approved corrective measures, including a determination of whether or not consumer compensation is appropriate; and

''(C) the responsible party has fully complied with all approved corrective measures.

''(2) CONSTRUAL.—Nothing in this subsection shall be construed to require the Administrator to modify any procedure or take any other action.''.

SEC. 4126. CLARIFICATION TO EFFECTIVE DATE FOR REGIONAL STANDARDS.

Section 325(o)(6)(E)(ii) of the Energy Policy and Conservation Act (42 U.S.C. 6295(o)(6)(E)(ii)) is amended by striking ''installed'' and inserting ''manufactured or imported into the United States''.

SEC. 4127. INTERNET OF THINGS REPORT.

The Secretary of Energy shall, not later than 18 months after the date of enactment of this Act, report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the efforts made to take advantage of, and promote, the utilization of advanced technologies such as Internet of Things end-to-end platform solutions to provide real-time actionable analytics and enable predictive maintenance and asset management to improve energy efficiency wherever feasible. In doing so, the Secretary shall look to encourage and utilize Internet of Things energy management solutions that have security tightly integrated into the hardware and software from the outset. The Secretary shall also encourage the use of Internet of Things solutions that enable seamless connectivity and that are interoperable, open standards-based, and built on a repeatable foundation for ease of scalability.

CHAPTER 3—ENERGY PERFORMANCE CONTRACTING

SEC. 4131. USE OF ENERGY AND WATER EFFICIENCY MEASURES IN FEDERAL BUILDINGS.

(a) REPORTS.—Section 548(b) of the National Energy Conservation Policy Act (42 U.S.C. 8258(b)) is amended—

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

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

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

''(5) the status of each agency's energy savings performance contracts and utility energy service contracts, the investment value of such contracts, the guaranteed energy savings for the previous year as compared to the actual energy savings for the previous year, the plan for entering into such contracts in the coming year, and information explaining why any previously submitted plans for such contracts were not implemented.''.

(b) FEDERAL ENERGY MANAGEMENT DEFINITIONS.—Section 551(4) of the National Energy Conservation Policy Act (42 U.S.C. 8259(4)) is amended by striking ''or retrofit activities'' and inserting ''retrofit activities, or energy consuming devices and required support structures''.

(c) AUTHORITY TO ENTER INTO CONTRACTS.—Section 801(a)(2)(F) of the National Energy Conservation Policy Act (42 U.S.C. 8287(a)(2)(F)) is amended—

(1) in clause (i), by striking ''or'' at the end;

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

(3) by adding at the end the following new clause:

''(iii) limit the recognition of operation and maintenance savings associated with systems modernized or replaced with the implementation of energy conservation measures, water conservation measures, or any series of energy conservation measures and water conservation measures.''.

(d) MISCELLANEOUS AUTHORITY.—Section 801(a)(2) of the National Energy Conservation Policy Act (42 U.S.C. 8287(a)) is amended by adding at the end the following:

''(H) MISCELLANEOUS AUTHORITY.—Notwithstanding any other provision of law, a Federal agency may sell or transfer energy savings and apply the proceeds of such sale or transfer to fund a contract under this title.''.

(e) PAYMENT OF COSTS.—Section 802 of the National Energy Conservation Policy Act (42 U.S.C. 8287a) is amended by striking ''(and related operation and maintenance expenses)'' and inserting '', including related operations and maintenance expenses''.

(f) ENERGY SAVINGS PERFORMANCE CONTRACTS DEFINITIONS.—Section 804(2) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(2)) is amended—

(1) in subparagraph (A), by striking ''federally owned building or buildings or other federally owned facilities'' and inserting ''Federal building (as defined in section 551 (42 U.S.C. 8259))'' each place it appears;

(2) in subparagraph (C), by striking ''; and'' and inserting a semicolon;

(3) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

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

''(E) the use, sale, or transfer of energy incentives, rebates, or credits (including renewable energy credits) from Federal, State, or local governments or utilities; and

''(F) any revenue generated from a reduction in energy or water use, more efficient waste recycling, or additional energy generated from more efficient equipment.''.

CHAPTER 4—SCHOOL BUILDINGS

SEC. 4141. COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.

Section 392 of the Energy Policy and Conservation Act (42 U.S.C. 6371a) is amended by adding at the end the following:

''(e) COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.—

''(1) DEFINITION OF SCHOOL.—Notwithstanding section 391(6), for the purposes of this subsection, the term 'school' means—

''(A) an elementary school or secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

''(B) an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)));

''(C) a school of the defense dependents' education system under the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.) or established under section 2164 of title 10, United States Code;

''(D) a school operated by the Bureau of Indian Affairs;

''(E) a tribally controlled school (as defined in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511)); and

''(F) a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))).

''(2) ESTABLISHMENT OF CLEARINGHOUSE.—The Secretary, acting through the Office of Energy Efficiency and Renewable Energy, shall establish a clearinghouse to disseminate information regarding available Federal programs and financing mechanisms that may be used to help initiate, develop, and finance energy efficiency, distributed generation, and energy retrofitting projects for schools.

''(3) REQUIREMENTS.—In carrying out paragraph (2), the Secretary shall—

''(A) consult with appropriate Federal agencies to develop a list of Federal programs and financing mechanisms that are, or may be, used for the purposes described in paragraph (2); and

''(B) coordinate with appropriate Federal agencies to develop a collaborative education and outreach effort to streamline communications and promote available Federal programs and financing mechanisms described in subparagraph (A), which may include the development and maintenance of a single online resource that includes contact information for relevant technical assistance in the Office of Energy Efficiency and Renewable Energy that States, local education agencies, and schools may use to effectively access and use such Federal programs and financing mechanisms.''.

CHAPTER 5—BUILDING ENERGY CODES

SEC. 4151. GREATER ENERGY EFFICIENCY IN BUILDING CODES.

(a) DEFINITIONS.—Section 303 of the Energy Conservation and Production Act (42 U.S.C. 6832), as amended by section 4116, is further amended—

(1) by striking paragraph (14) and inserting the following:

''(14) MODEL BUILDING ENERGY CODE.—The term 'model building energy code' means a voluntary building energy code or standard developed and updated through a consensus process among interested persons, such as the IECC or ASHRAE Standard 90.1 or a code used by other appropriate organizations regarding which the Secretary has issued a determination that buildings subject to it would achieve greater energy efficiency than under a previously developed code.''; and

(2) by adding at the end the following:

''(18) ASHRAE STANDARD 90.1.—The term 'ASHRAE Standard 90.1' means the American Society of Heating, Refrigerating and Air-Conditioning Engineers ANSI/ASHRAE/IES Standard 90/1 Energy Standard for Buildings Except Low-Rise Residential Buildings.

''(19) COST-EFFECTIVE.—The term 'cost-effective' means having a simple payback of 10 years or less.

''(20) IECC.—The term 'IECC' means the International Energy Conservation Code as published by the International Code Council.

''(21) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(22) SIMPLE PAYBACK.—The term 'simple payback' means the time in years that is required for energy savings to exceed the incremental first cost of a new requirement or code.

''(23) TECHNICALLY FEASIBLE.—The term 'technically feasible' means capable of being achieved, based on widely available appliances, equipment, technologies, materials, and construction practices.''.

(b) STATE BUILDING ENERGY EFFICIENCY CODES.—Section 304 of the Energy Conservation and Production Act (42 U.S.C. 6833) is amended to read as follows:

''SEC. 304. UPDATING STATE BUILDING ENERGY EFFICIENCY CODES.

''(a) IN GENERAL.—The Secretary shall provide technical assistance, as described in subsection (e), for the purposes of—

''(1) implementation of building energy codes by States, Indian tribes, and, as appropriate, by local governments, that are technically feasible and cost-effective; and

''(2) supporting full compliance with the State, tribal, and local codes.

''(b) STATE AND INDIAN TRIBE CERTIFICATION OF BUILDING ENERGY CODE UPDATES.—

''(1) REVIEW AND UPDATING OF CODES BY EACH STATE AND INDIAN TRIBE.—

''(A) IN GENERAL.—Not later than 3 years after the date on which a model building energy code is published, each State or Indian tribe shall certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively.

''(B) DEMONSTRATION.—The certification shall include a statement of whether or not the energy savings for the code provisions that are in effect throughout the State or Indian tribal territory meet or exceed—

''(i) the energy savings of the most recently published model building energy code; or

''(ii) the targets established under section 307(b)(2).

''(C) NO MODEL BUILDING ENERGY CODE UPDATE.—If a model building energy code is not updated by a target date established under section 307(b)(2)(D), each State or Indian tribe shall, not later than 3 years after the specified date, certify whether or not the State or Indian tribe, respectively, has reviewed and updated the energy provisions of the building code of the State or Indian tribe, respectively, to meet or exceed the target in section 307(b)(2).

''(2) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

''(A) determine whether the code provisions of the State or Indian tribe, respectively, meet the criteria specified in paragraph (1);

''(B) determine whether the certification submitted by the State or Indian tribe, respectively, is complete; and

''(C) if the requirements of subparagraph (B) are satisfied, validate the certification.

''(3) LIMITATION.—Nothing in this section shall be interpreted to require a State or Indian tribe to adopt any building code or provision within a code.

''(c) IMPROVEMENTS IN COMPLIANCE WITH BUILDING ENERGY CODES.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—Not later than 3 years after the date of a certification under subsection (b), each State and Indian tribe shall certify whether or not the State or Indian tribe, respectively, has—

''(i) achieved full compliance under paragraph (3) with the applicable certified State or Indian tribe building energy code or with the associated model building energy code; or

''(ii) made significant progress under paragraph (4) toward achieving compliance with the applicable certified State or Indian tribe building energy code or with the associated model building energy code.

''(B) REPEAT CERTIFICATIONS.—If the State or Indian tribe certifies progress toward achieving compliance, the State or Indian tribe shall repeat the certification until the State or Indian tribe certifies that the State or Indian tribe has achieved full compliance.

''(2) MEASUREMENT OF COMPLIANCE.—A certification under paragraph (1) shall include documentation of the rate of compliance based on—

''(A) inspections of a random sample of the buildings covered by the code in the preceding year; or

''(B) an alternative method that yields an accurate measure of compliance.

''(3) ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to achieve full compliance under paragraph (1) if—

''(A) at least 90 percent of building space covered by the code in the preceding year substantially meets all the requirements of the applicable code specified in paragraph (1), or achieves equivalent or greater energy savings level; or

''(B) the estimated excess energy use of buildings that did not meet the applicable code specified in paragraph (1) in the preceding year, compared to a baseline of comparable buildings that meet this code, is not more than 5 percent of the estimated energy use of all buildings covered by this code during the preceding year.

''(4) SIGNIFICANT PROGRESS TOWARD ACHIEVEMENT OF COMPLIANCE.—A State or Indian tribe shall be considered to have made significant progress toward achieving compliance for purposes of paragraph (1) if the State or Indian tribe—

''(A) has developed and is implementing a plan for achieving compliance during the 8-year period beginning on the date of enactment of this paragraph, including annual targets for compliance and active training and enforcement programs; and

''(B) has met the most recent target under subparagraph (A).

''(5) VALIDATION BY SECRETARY.—Not later than 90 days after a State or Indian tribe certification under paragraph (1), the Secretary shall—

''(A) determine whether the State or Indian tribe has demonstrated meeting the criteria of this subsection, including accurate measurement of compliance;

''(B) determine whether the certification submitted by the State or Indian tribe is complete; and

''(C) if the requirements of subparagraph (B) are satisfied, validate the certification.

''(6) LIMITATION.—Nothing in this section shall be interpreted to require a State or Indian tribe to adopt any building code or provision within a code.

''(d) STATES OR INDIAN TRIBES THAT DO NOT ACHIEVE COMPLIANCE.—

''(1) REPORTING.—A State or Indian tribe that has not made a certification required under subsection (b) or (c) by the applicable deadline shall submit to the Secretary a report on the status of the State or Indian tribe with respect to meeting the requirements and submitting the certification.

''(2) STATE SOVEREIGNTY.—Nothing in this section shall be interpreted to require a State or Indian tribe to adopt any building code or provision within a code.

''(3) LOCAL GOVERNMENT.—In any State or Indian tribe for which the Secretary has not validated a certification under subsection (b) or (c), a local government may be eligible for Federal support by meeting the certification requirements of subsections (b) and (c).

''(4) ANNUAL REPORTS BY SECRETARY.—

''(A) IN GENERAL.—The Secretary shall annually submit to Congress, and publish in the Federal Register, a report on—

''(i) the status of model building energy codes;

''(ii) the status of code adoption and compliance in the States and Indian tribes;

''(iii) implementation of this section; and

''(iv) improvements in energy savings over time as a result of the targets established under section 307(b)(2).

''(B) IMPACTS.—The report shall include estimates of impacts of past action under this section, and potential impacts of further action, on—

''(i) upfront financial and construction costs, cost benefits and returns (using a return on investment analysis), and lifetime energy use for buildings;

''(ii) resulting energy costs to individuals and businesses; and

''(iii) resulting overall annual building ownership and operating costs.

''(e) TECHNICAL ASSISTANCE TO STATES AND INDIAN TRIBES.—

''(1) IN GENERAL.—The Secretary shall, upon request, provide technical assistance to States and Indian tribes to implement the goals and requirements of this section—

''(A) to implement State residential and commercial building energy codes; and

''(B) to document the rate of compliance with a building energy code.

''(2) TECHNICAL ASSISTANCE.—The assistance shall include, as requested by the State or Indian tribe, technical assistance in—

''(A) evaluating the energy savings of building energy codes;

''(B) assessing the economic considerations, referenced in section 307(b)(4), of implementing building energy codes;

''(C) building energy analysis and design tools;

''(D) energy simulation models;

''(E) building demonstrations;

''(F) developing the definitions of energy use intensity and building types for use in model building energy codes to evaluate the efficiency impacts of the model building energy codes; and

''(G) complying with a performance-based pathway referenced in the model code.

''(3) EXCLUSION.—For purposes of this section, 'technical assistance' shall not include actions that promote or discourage the adoption of a particular building energy code, code provision, or energy savings target to a State or Indian tribe.

''(4) INFORMATION QUALITY AND TRANSPARENCY.—For purposes of this section, information provided by the Secretary, attendant to any technical assistance provided to a State or Indian tribe, is 'influential information' and shall satisfy the guidelines established by the Office of Management and Budget and published at 67 Federal Register 8,452 (Feb. 22, 2002).

''(f) FEDERAL SUPPORT.—

''(1) IN GENERAL.—The Secretary shall provide support to States and Indian tribes—

''(A) to implement the reporting requirements of this section; and

''(B) to implement residential and commercial building energy codes, including increasing and verifying compliance with the codes and training of State, tribal, and local building code officials to implement and enforce the codes.

''(2) EXCLUSION.—Support shall not be given to support adoption and implementation of model building energy codes for which the Secretary has made a determination under section 307(g)(1)(C) that the code is not cost-effective.

''(3) TRAINING.—Support shall be offered to States to train State and local building code officials to implement and enforce codes described in paragraph (1)(B).

''(4) LOCAL GOVERNMENTS.—States may work under this subsection with local governments that implement and enforce codes described in paragraph (1)(B).

''(g) VOLUNTARY PROGRAMS TO EXCEED MODEL BUILDING ENERGY CODE.—

''(1) IN GENERAL.—The Secretary shall provide technical assistance, as described in subsection (e), for the development of voluntary programs that exceed the model building energy codes for residential and commercial buildings for use as—

''(A) voluntary incentive programs adopted by local, tribal, or State governments; and

''(B) nonbinding guidelines for energy-efficient building design.

''(2) TARGETS.—The voluntary programs described in paragraph (1) shall be designed—

''(A) to achieve substantial energy savings compared to the model building energy codes; and

''(B) to meet targets under section 307(b), if available, up to 3 to 6 years in advance of the target years.

''(h) STUDIES.—

''(1) GAO STUDY.—

''(A) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the impacts of updating the national model building energy codes for residential and commercial buildings. In conducting the study, the Comptroller General shall consider and report, at a minimum—

''(i) the actual energy consumption savings stemming from updated energy codes compared to the energy consumption savings predicted during code development;

''(ii) the actual consumer cost savings stemming from updated energy codes compared to predicted consumer cost savings; and

''(iii) an accounting of expenditures of the Federal funds under each program authorized by this title.

''(B) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of the North American Energy Security and Infrastructure Act of 2015, the Comptroller General of the United States shall submit a report to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives including the study findings and conclusions.

''(2) FEASIBILITY STUDY.—The Secretary, in consultation with building science experts from the National Laboratories and institutions of higher education, designers and builders of energy-efficient residential and commercial buildings, code officials, and other stakeholders, shall undertake a study of the feasibility, impact, economics, and merit of—

''(A) code improvements that would require that buildings be designed, sited, and constructed in a manner that makes the buildings more adaptable in the future to become zero-net-energy after initial construction, as advances are achieved in energy-saving technologies;

''(B) code procedures to incorporate a ten-year payback, not just first-year energy use, in trade-offs and performance calculations; and

''(C) legislative options for increasing energy savings from building energy codes, including additional incentives for effective State and local verification of compliance with and enforcement of a code.

''(3) ENERGY DATA IN MULTITENANT BUILDINGS.—The Secretary, in consultation with appropriate representatives of the utility, utility regulatory, building ownership, and other stakeholders, shall—

''(A) undertake a study of best practices regarding delivery of aggregated energy consumption information to owners and managers of residential and commercial buildings with multiple tenants and uses; and

''(B) consider the development of a memorandum of understanding between and among affected stakeholders to reduce barriers to the delivery of aggregated energy consumption information to such owners and managers.

''(i) EFFECT ON OTHER LAWS.—Nothing in this section or section 307 supersedes or modifies the application of sections 321 through 346 of the Energy Policy and Conservation Act (42 U.S.C. 6291 et seq.).

''(j) FUNDING LIMITATIONS.—No Federal funds shall be—

''(1) used to support actions by the Secretary, or States, to promote or discourage the adoption of a particular building energy code, code provision, or energy saving target to a State or Indian tribe; or

''(2) provided to private third parties or nongovernmental organizations to engage in such activities.''.

(c) FEDERAL BUILDING ENERGY EFFICIENCY STANDARDS.—Section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) is amended by striking ''voluntary building energy code'' in subsections (a)(2)(B) and (b) and inserting ''model building energy code''.

(d) MODEL BUILDING ENERGY CODES.—

(1) AMENDMENT.—Section 307 of the Energy Conservation and Production Act (42 U.S.C. 6836) is amended to read as follows:

''SEC. 307. SUPPORT FOR MODEL BUILDING ENERGY CODES.

''(a) IN GENERAL.—The Secretary shall provide technical assistance, as described in subsection (c), for updating of model building energy codes.

''(b) TARGETS.—

''(1) IN GENERAL.—The Secretary shall provide technical assistance, for updating the model building energy codes.

''(2) TARGETS.—

''(A) IN GENERAL.—The Secretary shall provide technical assistance to States, Indian tribes, local governments, nationally recognized code and standards developers, and other interested parties for updating of model building energy codes by establishing one or more aggregate energy savings targets through rulemaking in accordance with section 553 of title 5, United States Code, to achieve the purposes of this section.

''(B) SEPARATE TARGETS.—Separate targets may be established for commercial and residential buildings.

''(C) BASELINES.—The baseline for updating model building energy codes shall be the 2009 IECC for residential buildings and ASHRAE Standard 90.1–2010 for commercial buildings.

''(D) SPECIFIC YEARS.—

''(i) IN GENERAL.—Targets for specific years shall be established and revised by the Secretary through rulemaking in accordance with section 553 of title 5, United States Code, and coordinated with nationally recognized code and standards developers at a level that—

''(I) is at the maximum level of energy efficiency that is technically feasible and cost effective, while accounting for the economic considerations under paragraph (4); and

''(II) promotes the achievement of commercial and residential high performance buildings through high performance energy efficiency (within the meaning of section 401 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17061)).

''(ii) INITIAL TARGETS.—Not later than 1 year after the date of enactment of this clause, the Secretary shall establish initial targets under this subparagraph.

''(iii) DIFFERENT TARGET YEARS.—Subject to clause (i), prior to the applicable year, the Secretary may set a later target year for any of the model building energy codes described in subparagraph (A) if the Secretary determines that a target cannot be met.

''(E) SMALL BUSINESS.—When establishing targets under this paragraph through rulemaking, the Secretary shall ensure compliance with the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note; Public Law 104–121) for any indirect economic effect on small entities that is reasonably foreseeable and a result of such rule.

''(3) APPLIANCE STANDARDS AND OTHER FACTORS AFFECTING BUILDING ENERGY USE.—In establishing energy savings targets under paragraph (2), the Secretary shall develop and adjust the targets in recognition of potential savings and costs relating to—

''(A) efficiency gains made in appliances, lighting, windows, insulation, and building envelope sealing;

''(B) advancement of distributed generation and on-site renewable power generation technologies;

''(C) equipment improvements for heating, cooling, and ventilation systems and water heating systems;

''(D) building management systems and smart grid technologies to reduce energy use; and

''(E) other technologies, practices, and building systems regarding building plug load and other energy uses.

In developing and adjusting the targets, the Secretary shall use climate zone weighted averages for equipment efficiency for heating, cooling, ventilation, and water heating systems, using equipment that is actually installed.

''(4) ECONOMIC CONSIDERATIONS.—In establishing and revising energy savings targets under paragraph (2), the Secretary shall consider the economic feasibility of achieving the proposed targets established under this section and the potential costs and savings for consumers and building owners, by conducting a return on investment analysis, using a simple payback methodology over a 3-, 5-, and 7-year period. The Secretary shall not propose or provide technical or financial assistance for any code, provision in the code, or energy target, or amendment thereto, that has a payback greater than 10 years.

''(c) TECHNICAL ASSISTANCE TO MODEL BUILDING ENERGY CODE-SETTING AND STANDARD DEVELOPMENT ORGANIZATIONS.—

''(1) IN GENERAL.—The Secretary shall, on a timely basis, provide technical assistance to model building energy code-setting and standard development organizations consistent with the goals of this section.

''(2) TECHNICAL ASSISTANCE.—The assistance shall include, as requested by the organizations, technical assistance in—

''(A) evaluating the energy savings of building energy codes;

''(B) assessing the economic considerations, under subsection (b)(4), of code or standards proposals or revisions;

''(C) building energy analysis and design tools;

''(D) energy simulation models;

''(E) building demonstrations;

''(F) developing definitions of energy use intensity and building types for use in model building energy codes to evaluate the efficiency impacts of the model building energy codes;

''(G) developing a performance-based pathway for compliance;

''(H) developing model building energy codes by Indian tribes in accordance with tribal law; and

''(I) code development meetings, including through direct Federal employee participation in committee meetings, hearings and online communication, voting, and presenting research and technical or economic analyses during such meetings.

''(3) EXCLUSION.—Except as provided in paragraph (2)(I), for purposes of this section, 'technical assistance' shall not include actions that promote or discourage the adoption of a particular building energy code, code provision, or energy savings target.

''(4) INFORMATION QUALITY AND TRANSPARENCY.—For purposes of this section, information provided by the Secretary, attendant to development of any energy savings targets, is influential information and shall satisfy the guidelines established by the Office of Management and Budget and published at 67 Federal Register 8,452 (Feb. 22, 2002).

''(d) AMENDMENT PROPOSALS.—

''(1) IN GENERAL.—The Secretary may submit timely model building energy code amendment proposals that are technically feasible, cost-effective, and technology-neutral to the model building energy code-setting and standard development organizations, with supporting evidence, sufficient to enable the model building energy codes to meet the targets established under subsection (b)(2).

''(2) PROCESS AND FACTORS.—All amendment proposals submitted by the Secretary shall be published in the Federal Register and made available on the Department of Energy website 90 days prior to any submittal to a code development body, and shall be subject to a public comment period of not less than 60 days. Information provided by the Secretary, attendant to submission of any amendment proposals, is influential information and shall satisfy the guidelines established by the Office of Management and Budget and published at 67 Federal Register 8,452 (Feb. 22, 2002). When calculating the costs and benefits of an amendment, the Secretary shall use climate zone weighted averages for equipment efficiency for heating, cooling, ventilation, and water heating systems, using equipment that is actually installed.

''(e) ANALYSIS METHODOLOGY.—The Secretary shall make publicly available the entire calculation methodology (including input assumptions and data) used by the Secretary to estimate the energy savings of code or standard proposals and revisions.

''(f) METHODOLOGY DEVELOPMENT.—The Secretary shall establish a methodology for evaluating cost effectiveness of energy code changes in multifamily buildings that incorporates economic parameters representative of typical multifamily buildings.

''(g) DETERMINATION.—

''(1) REVISION OF MODEL BUILDING ENERGY CODES.—If the provisions of the IECC or ASHRAE Standard 90.1 regarding building energy use are revised, the Secretary shall make a preliminary determination not later than 90 days after the date of the revision, and a final determination not later than 15 months after the date of the revision, on whether or not the revision—

''(A) improves energy efficiency in buildings compared to the existing IECC or ASHRAE Standard 90.1, as applicable;

''(B) meets the applicable targets under subsection (b)(2); and

''(C) is technically feasible and cost-effective.

''(2) CODES OR STANDARDS NOT MEETING CRITERIA.—

''(A) IN GENERAL.—If the Secretary makes a preliminary determination under paragraph (1)(B) that a revised IECC or ASHRAE Standard 90.1 does not meet the targets established under subsection (b)(2), is not technically feasible, or is not cost-effective, the Secretary may at the same time provide technical assistance, as described in subsection (c), to the International Code Council or ASHRAE, as applicable, with proposed changes that would result in a model building energy code or standard that meets the criteria, and with supporting evidence. Proposed changes submitted by the Secretary shall be published in the Federal Register and made available on the Department of Energy website 90 days prior to any submittal to a code development body, and shall be subject to a public comment period of not less than 60 days. Information provided by the Secretary, attendant to submission of any amendment proposals, is influential information and shall satisfy the guidelines established by the Office of Management and Budget and published at 67 Federal Register 8,452 (Feb. 22, 2002).

''(B) INCORPORATION OF CHANGES.—

''(i) IN GENERAL.—On receipt of the technical assistance, as described in subsection (c), the International Code Council or ASHRAE, as applicable, shall, prior to the Secretary making a final determination under paragraph (1), have an additional 270 days to accept or reject the proposed changes made by the Secretary to the model building energy code or standard.

''(ii) FINAL DETERMINATION.—A final determination under paragraph (1) shall be on the final revised model building energy code or standard.

''(h) ADMINISTRATION.—In carrying out this section, the Secretary shall—

''(1) publish notice of targets, amendment proposals and supporting analysis and determinations under this section in the Federal Register to provide an explanation of and the basis for such actions, including any supporting modeling, data, assumptions, protocols, and cost-benefit analysis, including return on investment;

''(2) provide an opportunity for public comment on targets and supporting analysis and determinations under this section, in accordance with section 553 of title 5, United States Code; and

''(3) provide an opportunity for public comment on amendment proposals.

''(i) VOLUNTARY CODES AND STANDARDS.—Not withstanding any other provision of this section, any model building code or standard established under this section shall not be binding on a State, local government, or Indian tribe as a matter of Federal law.''.

(2) CONFORMING AMENDMENT.—The item relating to section 307 in the table of contents for the Energy Conservation and Production Act is amended to read as follows:

''Sec. 307. Support for model building energy codes.''.

SEC. 4152. VOLUNTARY NATURE OF BUILDING ASSET RATING PROGRAM.

(a) IN GENERAL.—Any program of the Secretary of Energy that may enable the owner of a commercial building or a residential building to obtain a rating, score, or label regarding the actual or anticipated energy usage or performance of a building shall be made available on a voluntary, optional, and market-driven basis.

(b) DISCLAIMER AS TO REGULATORY INTENT.—Information disseminated by the Secretary of Energy regarding the program described in subsection (a), including any information made available by the Secretary on a website, shall include language plainly stating that such program is not developed or intended to be the basis for a regulatory program by a Federal, State, local, or municipal government body.

CHAPTER 6—EPCA TECHNICAL CORRECTIONS AND CLARIFICATIONS

SEC. 4161. MODIFYING PRODUCT DEFINITIONS.

(a) AUTHORITY TO MODIFY DEFINITIONS.—

(1) COVERED PRODUCTS.—Section 322 of the Energy Policy and Conservation Act (42 U.S.C. 6292) is amended by adding at the end the following:

''(c) MODIFYING DEFINITIONS OF COVERED PRODUCTS.—

''(1) IN GENERAL.—For any covered product for which a definition is provided in section 321, the Secretary may, by rule, unless prohibited herein, modify such definition in order to—

''(A) address significant changes in the product or the market occurring since the definition was established; and

''(B) better enable improvements in the energy efficiency of the product as part of an energy using system.

''(2) ANTIBACKSLIDING EXEMPTION.—Section 325(o)(1) shall not apply to adjustments to covered product definitions made pursuant to this subsection.

''(3) PROCEDURE FOR MODIFYING DEFINITION.—

''(A) IN GENERAL.—Notice of any adjustment to the definition of a covered product and an explanation of the reasons therefor shall be published in the Federal Register and opportunity provided for public comment.

''(B) CONSENSUS REQUIRED.—Any amendment to the definition of a covered product under this subsection must have consensus support, as reflected in—

''(i) the outcome of negotiations conducted in accordance with the subchapter III of chapter 5 of title 5, United States Code (commonly known as the 'Negotiated Rulemaking Act of 1990'); or

''(ii) the Secretary's receipt of a statement that is submitted jointly by interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of covered products, States, and efficiency advocates), as determined by the Secretary, which contains a recommended modified definition for a covered product.

''(4) EFFECT OF A MODIFIED DEFINITION.—

''(A) IN GENERAL.—For any type or class of consumer product which becomes a covered product pursuant to this subsection—

''(i) the Secretary may establish test procedures for such type or class of covered product pursuant to section 323 and energy conservation standards pursuant to section 325(l);

''(ii) the Commission may prescribe labeling rules pursuant to section 324 if the Commission determines that labeling in accordance with that section is technologically and economically feasible and likely to assist consumers in making purchasing decisions;

''(iii) section 327 shall begin to apply to such type or class of covered product in accordance with section 325(ii)(1); and

''(iv) standards previously promulgated under section 325 shall not apply to such type or class of product.

''(B) APPLICABILITY.—For any type or class of consumer product which ceases to be a covered product pursuant to this subsection, the provisions of this part shall no longer apply to the type or class of consumer product.''.

(2) COVERED EQUIPMENT.—Section 341 of the Energy Policy and Conservation Act (42 U.S.C. 6312) is amended by adding at the end the following:

''(d) MODIFYING DEFINITIONS OF COVERED EQUIPMENT.—

''(1) IN GENERAL.—For any covered equipment for which a definition is provided in section 340, the Secretary may, by rule, unless prohibited herein, modify such definition in order to—

''(A) address significant changes in the product or the market occurring since the definition was established; and

''(B) better enable improvements in the energy efficiency of the equipment as part of an energy using system.

''(2) ANTIBACKSLIDING EXEMPTION.—Section 325(o)(1) shall not apply to adjustments to covered equipment definitions made pursuant to this subsection.

''(3) PROCEDURE FOR MODIFYING DEFINITION.—

''(A) IN GENERAL.—Notice of any adjustment to the definition of a type of covered equipment and an explanation of the reasons therefor shall be published in the Federal Register and opportunity provided for public comment.

''(B) CONSENSUS REQUIRED.—Any amendment to the definition of a type of covered equipment under this subsection must have consensus support, as reflected in—

''(i) the outcome of negotiations conducted in accordance with the subchapter III of chapter 5 of title 5, United States Code (commonly known as the 'Negotiated Rulemaking Act of 1990'); or

''(ii) the Secretary's receipt of a statement that is submitted jointly by interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of covered equipment, States, and efficiency advocates), as determined by the Secretary, which contains a recommended modified definition for a type of covered equipment.

''(4) EFFECT OF A MODIFIED DEFINITION.—

''(A) For any type or class of equipment which becomes covered equipment pursuant to this subsection—

''(i) the Secretary may establish test procedures for such type or class of covered equipment pursuant to section 343 and energy conservation standards pursuant to section 325(l);

''(ii) the Secretary may prescribe labeling rules pursuant to section 344 if the Secretary determines that labeling in accordance with that section is technologically and economically feasible and likely to assist purchasers in making purchasing decisions;

''(iii) section 327 shall begin to apply to such type or class of covered equipment in accordance with section 325(ii)(1); and

''(iv) standards previously promulgated under section 325, 342, or 346 shall not apply to such type or class of covered equipment.

''(B) For any type or class of equipment which ceases to be covered equipment pursuant to this subsection the provisions of this part shall no longer apply to the type or class of equipment.''.

(b) CONFORMING AMENDMENTS PROVIDING FOR JUDICIAL REVIEW.—

(1) Section 336 of the Energy Policy and Conservation Act (42 U.S.C. 6306) is amended by striking ''section 323,'' each place it appears and inserting ''section 322, 323,''; and

(2) Section 345(a)(1) of the Energy Policy and Conservation Act (42 U.S.C. 6316(a)(1)) is amended to read as follows:

''(1) the references to sections 322, 323, 324, and 325 of this Act shall be considered as references to sections 341, 343, 344, and 342 of this Act, respectively;''.

SEC. 4162. CLARIFYING RULEMAKING PROCEDURES.

(a) COVERED PRODUCTS.—Section 325(p) of the Energy Policy and Conservation Act (42 U.S.C. 6295(p)) is amended—

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

(2) by inserting before paragraph (2) (as so redesignated by paragraph (1) of this subsection) the following:

''(1) The Secretary shall provide an opportunity for public input prior to the issuance of a proposed rule, seeking information—

''(A) identifying and commenting on design options;

''(B) on the existence of and opportunities for voluntary nonregulatory actions; and

''(C) identifying significant subgroups of consumers and manufacturers that merit analysis.'';

(3) in paragraph (3) (as so redesignated by paragraph (1) of this subsection)—

(A) in subparagraph (C), by striking ''and'' after ''adequate;'';

(B) in subparagraph (D), by striking ''standard.'' and inserting ''standard;''; and

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

''(E) whether the technical and economic analytical assumptions, methods, and models used to justify the standard to be prescribed are—

''(i) justified; and

''(ii) available and accessible for public review, analysis, and use; and

''(F) the cumulative regulatory impacts on the manufacturers of the product, taking into account—

''(i) other government standards affecting energy use; and

''(ii) other energy conservation standards affecting the same manufacturers.''; and

(4) by inserting after paragraph (3) (as so redesignated by paragraph (1) of this subsection) the following:

''(4) RESTRICTION ON TEST PROCEDURE AMENDMENTS.—

''(A) IN GENERAL.—Any proposed energy conservation standards rule shall be based on the final test procedure which shall be used to determine compliance, and the public comment period on the proposed standards shall conclude no sooner than 180 days after the date of publication of a final rule revising the test procedure.

''(B) EXCEPTION.—The Secretary may propose or prescribe an amendment to the test procedures issued pursuant to section 323 for any type or class of covered product after the issuance of a notice of proposed rulemaking to prescribe an amended or new energy conservation standard for that type or class of covered product, but before the issuance of a final rule prescribing any such standard, if—

''(i) the amendments to the test procedure have consensus support achieved through a rulemaking conducted in accordance with the subchapter III of chapter 5 of title 5, United States Code (commonly known as the 'Negotiated Rulemaking Act of 1990'); or

''(ii) the Secretary receives a statement that is submitted jointly by interested persons that are fairly representative of relevant points of view (including representatives of manufacturers of the type or class of covered product, States, and efficiency advocates), as determined by the Secretary, which contains a recommendation that a supplemental notice of proposed rulemaking is not necessary for the type or class of covered product.''.

(b) CONFORMING AMENDMENT.—Section 345(b)(1) of the Energy Policy and Conservation Act (42 U.S.C. 6316(b)(1)) is amended by striking ''section 325(p)(4),'' and inserting ''section 325(p)(3), (4), and (6),''.

CHAPTER 7—ENERGY AND WATER EFFICIENCY

SEC. 4171. SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a utility;

(B) a municipality;

(C) a water district; and

(D) any other authority that provides water, wastewater, or water reuse services.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(3) SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.—The term ''smart energy and water efficiency pilot program'' or ''pilot program'' means the pilot program established under subsection (b).

(b) SMART ENERGY AND WATER EFFICIENCY PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish and carry out a smart energy and water efficiency management pilot program in accordance with this section.

(2) PURPOSE.—The purpose of the smart energy and water efficiency pilot program is to award grants to eligible entities to demonstrate advanced and innovative technology-based solutions that will—

(A) increase and improve the energy efficiency of water, wastewater, and water reuse systems to help communities across the United States make significant progress in conserving water, saving energy, and reducing costs;

(B) support the implementation of innovative processes and the installation of advanced automated systems that provide real-time data on energy and water; and

(C) improve energy and water conservation, water quality, and predictive maintenance of energy and water systems, through the use of Internet-connected technologies, including sensors, intelligent gateways, and security embedded in hardware.

(3) PROJECT SELECTION.—

(A) IN GENERAL.—The Secretary shall make competitive, merit-reviewed grants under the pilot program to not less than 3, but not more than 5, eligible entities.

(B) SELECTION CRITERIA.—In selecting an eligible entity to receive a grant under the pilot program, the Secretary shall consider—

(i) energy and cost savings anticipated to result from the project;

(ii) the innovative nature, commercial viability, and reliability of the technology to be used;

(iii) the degree to which the project integrates next-generation sensors, software, hardware, analytics, and management tools;

(iv) the anticipated cost effectiveness of the pilot project in terms of energy efficiency savings, water savings or reuse, and infrastructure costs averted;

(v) whether the technology can be deployed in a variety of geographic regions and the degree to which the technology can be implemented on a smaller or larger scale, including whether the technology can be implemented by each type of eligible entity;

(vi) whether the technology has been successfully deployed elsewhere;

(vii) whether the technology is sourced from a manufacturer based in the United States; and

(viii) whether the project will be completed in 5 years or less.

(C) APPLICATIONS.—

(i) IN GENERAL.—Subject to clause (ii), an eligible entity seeking a grant under the pilot program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary determines to be necessary.

(ii) CONTENTS.—An application under clause (i) shall, at a minimum, include—

(I) a description of the project;

(II) a description of the technology to be used in the project;

(III) the anticipated results, including energy and water savings, of the project;

(IV) a comprehensive budget for the project;

(V) the names of the project lead organization and any partners;

(VI) the number of users to be served by the project; and

(VII) any other information that the Secretary determines to be necessary to complete the review and selection of a grant recipient.

(4) ADMINISTRATION.—

(A) IN GENERAL.—Not later than 300 days after the date of enactment of this Act, the Secretary shall select grant recipients under this section.

(B) EVALUATIONS.—The Secretary shall annually carry out an evaluation of each project for which a grant is provided under this section that—

(i) evaluates the progress and impact of the project; and

(ii) assesses the degree to which the project is meeting the goals of the pilot program.

(C) TECHNICAL AND POLICY ASSISTANCE.—On the request of a grant recipient, the Secretary shall provide technical and policy assistance to the grant recipient to carry out the project.

(D) BEST PRACTICES.—The Secretary shall make available to the public—

(i) a copy of each evaluation carried out under subparagraph (B); and

(ii) a description of any best practices identified by the Secretary as a result of those evaluations.

(E) REPORT TO CONGRESS.—The Secretary shall submit to Congress a report containing the results of each evaluation carried out under subparagraph (B).

(c) FUNDING.—

(1) IN GENERAL.—To carry out this section, the Secretary shall use not more than $15,000,000 of amounts made available to the Secretary.

(2) PRIORITIZATION.—In funding activities under this section, the Secretary shall prioritize funding in the following manner:

(A) The Secretary shall first use any unobligated amounts made available to the Secretary to carry out the activities of the Energy Efficiency and Renewable Energy Office.

(B) After any amounts described in subparagraph (A) have been used, the Secretary shall then use any unobligated amounts (other than those described in subparagraph (A)) made available to the Secretary.

SEC. 4172. WATERSENSE.

(a) IN GENERAL.—The Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.) is amended by adding after section 324A the following:

''SEC. 324B. WATERSENSE.

''(a) WATERSENSE.—

''(1) IN GENERAL.—There is established within the Environmental Protection Agency a voluntary program, to be entitled 'WaterSense', to identify water efficient products, buildings, landscapes, facilities, processes, and services that sensibly—

''(A) reduce water use;

''(B) reduce the strain on public and community water systems and wastewater and stormwater infrastructure;

''(C) conserve energy used to pump, heat, transport, and treat water; and

''(D) preserve water resources for future generations, through voluntary labeling of, or other forms of communications about, products, buildings, landscapes, facilities, processes, and services while still meeting strict performance criteria.

''(2) DUTIES.—The Administrator, coordinating as appropriate with the Secretary of Energy, shall—

''(A) establish—

''(i) a WaterSense label to be used for items meeting the certification criteria established in this section; and

''(ii) the procedure, including the methods and means, by which an item may be certified to display the WaterSense label;

''(B) conduct a public awareness education campaign regarding the WaterSense label;

''(C) preserve the integrity of the WaterSense label by—

''(i) establishing and maintaining feasible performance criteria so that products, buildings, landscapes, facilities, processes, and services labeled with the WaterSense label perform as well or better than less water-efficient counterparts;

''(ii) overseeing WaterSense certifications made by third parties;

''(iii) using testing protocols, from the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

''(iv) auditing the use of the WaterSense label in the marketplace and preventing cases of misuse; and

''(D) not more often than every six years, review and, if appropriate, update WaterSense criteria for the defined categories of water-efficient product, building, landscape, process, or service, including—

''(i) providing reasonable notice to interested parties and the public of any such changes, including effective dates, and an explanation of the changes;

''(ii) soliciting comments from interested parties and the public prior to any such changes;

''(iii) as appropriate, responding to comments submitted by interested parties and the public; and

''(iv) providing an appropriate transition time prior to the applicable effective date of any such changes, taking into account the timing necessary for the manufacture, marketing, training, and distribution of the specific water-efficient product, building, landscape, process, or service category being addressed.

''(b) USE OF SCIENCE.—In carrying out this section, and, to the degree that an agency action is based on science, the Administrator shall use—

''(1) the best available peer-reviewed science and supporting studies conducted in accordance with sound and objective scientific practices; and

''(2) data collected by accepted methods or best available methods (if the reliability of the method and the nature of the decision justify use of the data).

''(c) DISTINCTION OF AUTHORITIES.—In setting or maintaining standards for Energy Star pursuant to section 324A, and WaterSense under this section, the Secretary and Administrator shall coordinate to prevent duplicative or conflicting requirements among the respective programs.

''(d) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Environmental Protection Agency.

''(2) FEASIBLE.—The term 'feasible' means feasible with the use of the best technology, treatment techniques, and other means that the Administrator finds, after examination for efficacy under field conditions and not solely under laboratory conditions, are available (taking cost into consideration).

''(3) SECRETARY.—The term 'Secretary' means the Secretary of Energy.

''(4) WATER-EFFICIENT PRODUCT, BUILDING, LANDSCAPE, PROCESS, OR SERVICE.—The term 'water-efficient product, building, landscape, process, or service' means a product, building, landscape, process, or service for a residence or a commercial or institutional building, or its landscape, that is rated for water efficiency and performance, the covered categories of which are—

''(A) irrigation technologies and services;

''(B) point-of-use water treatment devices;

''(C) plumbing products;

''(D) reuse and recycling technologies;

''(E) landscaping and gardening products, including moisture control or water enhancing technologies;

''(F) xeriscaping and other landscape conversions that reduce water use; and

''(G) new water efficient homes certified under the WaterSense program.''.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy and Conservation Act (Public Law 94–163; 42 U.S.C. 6201 et seq.) is amended by inserting after the item relating to section 324A the following new item:

''Sec. 324B. WaterSense.''.

Subtitle B—Accountability

CHAPTER 1—MARKET MANIPULATION, ENFORCEMENT, AND COMPLIANCE

SEC. 4211. FERC OFFICE OF COMPLIANCE ASSISTANCE AND PUBLIC PARTICIPATION.

Section 319 of the Federal Power Act (16 U.S.C. 825q–1) is amended to read as follows:

''SEC. 319. OFFICE OF COMPLIANCE ASSISTANCE AND PUBLIC PARTICIPATION.

''(a) ESTABLISHMENT.—There is established within the Commission an Office of Compliance Assistance and Public Participation (referred to in this section as the 'Office'). The Office shall be headed by a Director.

''(b) DUTIES OF DIRECTOR.—

''(1) IN GENERAL.—The Director of the Office shall promote improved compliance with Commission rules and orders by—

''(A) making recommendations to the Commission regarding—

''(i) the protection of consumers;

''(ii) market integrity and support for the development of responsible market behavior;

''(iii) the application of Commission rules and orders in a manner that ensures that—

''(I) rates and charges for, or in connection with, the transmission or sale of electric energy subject to the jurisdiction of the Commission shall be just and reasonable and not unduly discriminatory or preferential; and

''(II) markets for such transmission and sale of electric energy are not impaired and consumers are not damaged; and

''(iv) the impact of existing and proposed Commission rules and orders on small entities, as defined in section 601 of title 5, United States Code (commonly known as the Regulatory Flexibility Act);

''(B) providing entities subject to regulation by the Commission the opportunity to obtain timely guidance for compliance with Commission rules and orders; and

''(C) providing information to the Commission and Congress to inform policy with respect to energy issues under the jurisdiction of the Commission.

''(2) REPORTS AND GUIDANCE.—The Director shall, as the Director determines appropriate, issue reports and guidance to the Commission and to entities subject to regulation by the Commission, regarding market practices, proposing improvements in Commission monitoring of market practices, and addressing potential improvements to both industry and Commission practices.

''(3) OUTREACH.—The Director shall promote improved compliance with Commission rules and orders through outreach, publications, and, where appropriate, direct communication with entities regulated by the Commission.''.

CHAPTER 2—MARKET REFORMS

SEC. 4221. GAO STUDY ON WHOLESALE ELECTRICITY MARKETS.

(a) STUDY AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the results of a study of whether and how the current market rules, practices, and structures of each regional transmission entity produce rates that are just and reasonable by—

(1) facilitating fuel diversity, the availability of generation resources during emergency and severe weather conditions, resource adequacy, and reliability, including the cost-effective retention and development of needed generation;

(2) promoting the equitable treatment of business models, including different utility types, the integration of diverse generation resources, and advanced grid technologies;

(3) identifying and addressing regulatory barriers to entry, market-distorting incentives, and artificial constraints on competition;

(4) providing transparency regarding dispatch decisions, including the need for out-of-market actions and payments, and the accuracy of day-ahead unit commitments;

(5) facilitating the development of necessary natural gas pipeline and electric transmission infrastructure;

(6) ensuring fairness and transparency in governance structures and stakeholder processes, including meaningful participation by both voting and nonvoting stakeholder representatives;

(7) ensuring the proper alignment of the energy and transmission markets by including both energy and financial transmission rights in the day-ahead markets;

(8) facilitating the ability of load-serving entities to self-supply their service territory load;

(9) considering, as appropriate, State and local resource planning; and

(10) mitigating, to the extent practicable, the disruptive effects of tariff revisions on the economic decisionmaking of market participants.

(b) DEFINITIONS.—In this section:

(1) LOAD-SERVING ENTITY.—The term ''load-serving entity'' has the meaning given that term in section 217 of the Federal Power Act (16 U.S.C. 824q).

(2) REGIONAL TRANSMISSION ENTITY.—The term ''regional transmission entity'' means a Regional Transmission Organization or an Independent System Operator, as such terms are defined in section 3 of the Federal Power Act (16 U.S.C. 796).

SEC. 4222. CLARIFICATION OF FACILITY MERGER AUTHORIZATION.

Section 203(a)(1)(B) of the Federal Power Act (16 U.S.C. 824b(a)(1)(B)) is amended by striking ''such facilities or any part thereof'' and inserting ''such facilities, or any part thereof, of a value in excess of $10,000,000''.

CHAPTER 3—CODE MAINTENANCE

SEC. 4231. REPEAL OF OFF-HIGHWAY MOTOR VEHICLES STUDY.

(a) REPEAL.—Part I of title III of the Energy Policy and Conservation Act (42 U.S.C. 6373) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy and Conservation Act (Public Law 94–163; 89 Stat. 871) is amended—

(1) by striking the item relating to part I of title III; and

(2) by striking the item relating to section 385.

SEC. 4232. REPEAL OF METHANOL STUDY.

Section 400EE of the Energy Policy and Conservation Act (42 U.S.C. 6374d) is amended—

(1) by striking subsection (a); and

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

SEC. 4233. REPEAL OF RESIDENTIAL ENERGY EFFICIENCY STANDARDS STUDY.

(a) REPEAL.—Section 253 of the National Energy Conservation Policy Act (42 U.S.C. 8232) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206) is amended by striking the item relating to section 253.

SEC. 4234. REPEAL OF WEATHERIZATION STUDY.

(a) REPEAL.—Section 254 of the National Energy Conservation Policy Act (42 U.S.C. 8233) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206) is amended by striking the item relating to section 254.

SEC. 4235. REPEAL OF REPORT TO CONGRESS.

(a) REPEAL.—Section 273 of the National Energy Conservation Policy Act (42 U.S.C. 8236b) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206) is amended by striking the item relating to section 273.

SEC. 4236. REPEAL OF REPORT BY GENERAL SERVICES ADMINISTRATION.

(a) REPEAL.—Section 154 of the Energy Policy Act of 1992 (42 U.S.C. 8262a) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 154.

(2) Section 159 of the Energy Policy Act of 1992 (42 U.S.C. 8262e) is amended by striking subsection (c).

SEC. 4237. REPEAL OF INTERGOVERNMENTAL ENERGY MANAGEMENT PLANNING AND COORDINATION WORKSHOPS.

(a) REPEAL.—Section 156 of the Energy Policy Act of 1992 (42 U.S.C. 8262b) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 156.

SEC. 4238. REPEAL OF INSPECTOR GENERAL AUDIT SURVEY AND PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY REPORT TO CONGRESS.

(a) REPEAL.—Section 160 of the Energy Policy Act of 1992 (42 U.S.C. 8262f) is amended by striking the section designation and heading and all that follows through ''(c) INSPECTOR GENERAL REVIEW.—Each Inspector General'' and inserting the following:

''SEC. 160. INSPECTOR GENERAL REVIEW.

''Each Inspector General''.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 160 and inserting the following:

''Sec. 160. Inspector General review.''.

SEC. 4239. REPEAL OF PROCUREMENT AND IDENTIFICATION OF ENERGY EFFICIENT PRODUCTS PROGRAM.

(a) REPEAL.—Section 161 of the Energy Policy Act of 1992 (42 U.S.C. 8262g) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Policy Act of 1992 (Public Law 102–486; 106 Stat. 2776) is amended by striking the item relating to section 161.

SEC. 4240. REPEAL OF NATIONAL ACTION PLAN FOR DEMAND RESPONSE.

(a) REPEAL.—Part 5 of title V of the National Energy Conservation Policy Act (42 U.S.C. 8279) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206; 121 Stat. 1665) is amended—

(1) by striking the item relating to part 5 of title V; and

(2) by striking the item relating to section 571.

SEC. 4241. REPEAL OF NATIONAL COAL POLICY STUDY.

(a) REPEAL.—Section 741 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8451) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 741.

SEC. 4242. REPEAL OF STUDY ON COMPLIANCE PROBLEM OF SMALL ELECTRIC UTILITY SYSTEMS.

(a) REPEAL.—Section 744 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8454) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 744.

SEC. 4243. REPEAL OF STUDY OF SOCIO-ECONOMIC IMPACTS OF INCREASED COAL PRODUCTION AND OTHER ENERGY DEVELOPMENT.

(a) REPEAL.—Section 746 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8456) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 746.

SEC. 4244. REPEAL OF STUDY OF THE USE OF PETROLEUM AND NATURAL GAS IN COMBUSTORS.

(a) REPEAL.—Section 747 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8457) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 747.

SEC. 4245. REPEAL OF SUBMISSION OF REPORTS.

(a) REPEAL.—Section 807 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8483) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 807.

SEC. 4246. REPEAL OF ELECTRIC UTILITY CONSERVATION PLAN.

(a) REPEAL.—Section 808 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8484) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 808.

(2) REPORT ON IMPLEMENTATION.—Section 712 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8422) is amended—

(A) by striking ''(a) GENERALLY.—''; and

(B) by striking subsection (b).

SEC. 4247. TECHNICAL AMENDMENT TO POWERPLANT AND INDUSTRIAL FUEL USE ACT OF 1978.

The table of contents for the Powerplant and Industrial Fuel Use Act of 1978 (Public Law 95–620; 92 Stat. 3289) is amended by striking the item relating to section 742.

SEC. 4248. EMERGENCY ENERGY CONSERVATION REPEALS.

(a) REPEALS.—

(1) Section 201 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8501) is amended—

(A) in the section heading, by striking ''**FINDINGS AND**'';

(B) by striking subsection (a); and

(C) by striking ''(b) PURPOSES.—''.

(2) Section 221 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8521) is repealed.

(3) Section 222 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8522) is repealed.

(4) Section 241 of the Emergency Energy Conservation Act of 1979 (42 U.S.C. 8531) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Emergency Energy Conservation Act of 1979 (Public Law 96–102; 93 Stat. 749) is amended—

(1) by striking the item relating to section 201 and inserting the following:

''Sec. 201. Purposes.''; and

(2) by striking the items relating to sections 221, 222, and 241.

SEC. 4249. REPEAL OF STATE UTILITY REGULATORY ASSISTANCE.

(a) REPEAL.—Section 207 of the Energy Conservation and Production Act (42 U.S.C. 6807) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Conservation and Production Act (Public Law 94–385; 90 Stat. 1125) is amended by striking the item relating to section 207.

SEC. 4250. REPEAL OF SURVEY OF ENERGY SAVING POTENTIAL.

(a) REPEAL.—Section 550 of the National Energy Conservation Policy Act (42 U.S.C. 8258b) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206; 106 Stat. 2851) is amended by striking the item relating to section 550.

(2) Section 543(d)(2) of the National Energy Conservation Policy Act (42 U.S.C. 8253(d)(2)) is amended by striking '', incorporating any relevant information obtained from the survey conducted pursuant to section 550''.

SEC. 4251. REPEAL OF PHOTOVOLTAIC ENERGY PROGRAM.

(a) REPEAL.—Part 4 of title V of the National Energy Conservation Policy Act (42 U.S.C. 8271 et seq.) is repealed.

(b) CONFORMING AMENDMENTS.—The table of contents for the National Energy Conservation Policy Act (Public Law 95–619; 92 Stat. 3206) is amended—

(1) by striking the item relating to part 4 of title V; and

(2) by striking the items relating to sections 561 through 570.

SEC. 4252. REPEAL OF ENERGY AUDITOR TRAINING AND CERTIFICATION.

(a) REPEAL.—Subtitle F of title V of the Energy Security Act (42 U.S.C. 8285 et seq.) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for the Energy Security Act (Public Law 96–294; 94 Stat. 611) is amended by striking the items relating to subtitle F of title V.

CHAPTER 4—USE OF EXISTING FUNDS

SEC. 4261. USE OF EXISTING FUNDS.

Amounts required for carrying out this Act, other than section 1201, shall be derived from amounts appropriated under authority provided by previously enacted law.

TITLE V—NATIONAL ENERGY SECURITY CORRIDORS

SEC. 5001. SHORT TITLE.

This title may be cited as the ''National Energy Security Corridors Act''.

SEC. 5002. DESIGNATION OF NATIONAL ENERGY SECURITY CORRIDORS ON FEDERAL LANDS.

(a) IN GENERAL.—Section 28 of the Mineral Leasing Act (30 U.S.C. 185) is amended as follows:

(1) In subsection (b)—

(A) by striking ''(b)(1) For the purposes of this section 'Federal lands' means'' and inserting the following:

''(b)(1) For the purposes of this section 'Federal lands'—

''(A) except as provided in subparagraph (B), means'';

(B) by striking the period at the end of paragraph (1) and inserting ''; and'' and by adding at the end of paragraph (1) the following:

''(B) for purposes of granting an application for a natural gas pipeline right-of-way, means all lands owned by the United States except—

''(i) such lands held in trust for an Indian or Indian tribe; and

''(ii) lands on the Outer Continental Shelf.''.

(2) By redesignating subsection (b), as so amended, as subsection (z), and transferring such subsection to appear after subsection (y) of that section.

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

''(b) NATIONAL ENERGY SECURITY CORRIDORS.—

''(1) DESIGNATION.—In addition to other authorities under this section, the Secretary shall—

''(A) identify and designate suitable Federal lands as National Energy Security Corridors (in this subsection referred to as a 'Corridor'), which shall be used for construction, operation, and maintenance of natural gas transmission facilities; and

''(B) incorporate such Corridors upon designation into the relevant agency land use and resource management plans or equivalent plans.

''(2) CONSIDERATIONS.—In evaluating Federal lands for designation as a National Energy Security Corridor, the Secretary shall—

''(A) employ the principle of multiple use to ensure route decisions balance national energy security needs with existing land use principles;

''(B) seek input from other Federal counterparts, State, local, and tribal governments, and affected utility and pipeline industries to determine the best suitable, most cost-effective, and commercially viable acreage for natural gas transmission facilities;

''(C) focus on transmission routes that improve domestic energy security through increasing reliability, relieving congestion, reducing natural gas prices, and meeting growing demand for natural gas; and

''(D) take into account technological innovations that reduce the need for surface disturbance.

''(3) PROCEDURES.—The Secretary shall establish procedures to expedite and approve applications for rights-of-way for natural gas pipelines across National Energy Security Corridors, that—

''(A) ensure a transparent process for review of applications for rights-of-way on such corridors;

''(B) require an approval time of not more than 1 year after the date of receipt of an application for a right-of-way; and

''(C) require, upon receipt of such an application, notice to the applicant of a predictable timeline for consideration of the application, that clearly delineates important milestones in the process of such consideration.

''(4) STATE INPUT.—

''(A) REQUESTS AUTHORIZED.—The Governor of a State may submit requests to the Secretary of the Interior to designate Corridors on Federal land in that State.

''(B) CONSIDERATION OF REQUESTS.—After receiving such a request, the Secretary shall respond in writing, within 30 days—

''(i) acknowledging receipt of the request; and

''(ii) setting forth a timeline in which the Secretary shall grant, deny, or modify such request and state the reasons for doing so.

''(5) SPATIAL DISTRIBUTION OF CORRIDORS.—In implementing this subsection, the Secretary shall coordinate with other Federal Departments to—

''(A) minimize the proliferation of duplicative natural gas pipeline rights-of-way on Federal lands where feasible;

''(B) ensure Corridors can connect effectively across Federal lands; and

''(C) utilize input from utility and pipeline industries submitting applications for rights-of-way to site corridors in economically feasible areas that reduce impacts, to the extent practicable, on local communities.

''(6) NOT A MAJOR FEDERAL ACTION.—Designation of a Corridor under this subsection, and incorporation of Corridors into agency plans under paragraph (1)(B), shall not be treated as a major Federal action for purpose of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

''(7) NO LIMIT ON NUMBER OR LENGTH OF CORRIDORS.—Nothing in this subsection limits the number or physical dimensions of Corridors that the Secretary may designate under this subsection.

''(8) OTHER AUTHORITY NOT AFFECTED.—Nothing in this subsection affects the authority of the Secretary to issue rights-of-way on Federal land that is not located in a Corridor designated under this subsection.

''(9) NEPA CLARIFICATION.—All applications for rights-of-way for natural gas transmission facilities across Corridors designated under this subsection shall be subject to the environmental protections outlined in subsection (h).''.

(b) APPLICATIONS RECEIVED BEFORE DESIGNATION OF CORRIDORS.—Any application for a right-of-way under section 28 of the Mineral Leasing Act (30 U.S.C. 185) that is received by the Secretary of the Interior before designation of National Energy Security Corridors under the amendment made by subsection (a) of this section shall be reviewed and acted upon independently by the Secretary without regard to the process for such designation.

(c) DEADLINE.—Within 2 years after the date of the enactment of this Act, the Secretary of the Interior shall designate at least 10 National Energy Security Corridors under the amendment made by subsection (a) in contiguous States referred to in section 368(b) of the Energy Policy Act of 2005 (42 U.S.C. 15926(b)).

SEC. 5003. NOTIFICATION REQUIREMENT.

The Secretary of the Interior shall promptly notify the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate of each instance in which any agency or official of the Department of the Interior fails to comply with any schedule established under section 15(c) of the Natural Gas Act (15 U.S.C. 717n(c)).

TITLE VI—ELECTRICITY RELIABILITY AND FOREST PROTECTION

SEC. 6001. SHORT TITLE.

This title may be cited as the ''Electricity Reliability and Forest Protection Act''.

SEC. 6002. VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE ON FEDERAL LANDS CONTAINING ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITIES.

(a) IN GENERAL.—Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761 et seq.) is amended by adding at the end the following new section:

''SEC. 512. VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION, AND MAINTENANCE RELATING TO ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITY RIGHTS-OF-WAY.

''(a) GENERAL DIRECTION.—In order to enhance the reliability of the electricity grid and reduce the threat of wildfires to and from electric transmission and distribution rights-of-way and related facilities and adjacent property, the Secretary, with respect to public lands and other lands under the jurisdiction of the Secretary, and the Secretary of Agriculture, with respect to National Forest System lands, shall provide direction to ensure that all existing and future rights-of-way, however established (including by grant, special use authorization, and easement), for electrical transmission and distribution facilities on such lands include provisions for utility vegetation management, facility inspection, and operation and maintenance activities that, while consistent with applicable law—

''(1) are developed in consultation with the holder of the right-of-way;

''(2) enable the owner or operator of a facility to operate and maintain the facility in good working order and to comply with Federal, State and local electric system reliability and fire safety requirements, including reliability standards established by the North American Electric Reliability Corporation and plans to meet such reliability standards;

''(3) minimize the need for case-by-case or annual approvals for—

''(A) routine vegetation management, facility inspection, and operation and maintenance activities within existing electrical transmission and distribution rights-of-way; and

''(B) utility vegetation management activities that are necessary to control hazard trees within or adjacent to electrical transmission and distribution rights-of-way; and

''(4) when review is required, provide for expedited review and approval of utility vegetation management, facility inspection, and operation and maintenance activities, especially activities requiring prompt action to avoid an adverse impact on human safety or electric reliability to avoid fire hazards.

''(b) VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLANS.—

''(1) DEVELOPMENT AND SUBMISSION.—Consistent with subsection (a), the Secretary and the Secretary of Agriculture shall provide owners and operators of electric transmission and distribution facilities located on lands described in such subsection with the option to develop and submit a vegetation management, facility inspection, and operation and maintenance plan, that at each owner or operator's transmission discretion may cover some or all of the owner or operator's transmission and distribution rights-of-way on Federal lands, for approval to the Secretary with jurisdiction over the lands. A plan under this paragraph shall enable the owner or operator of a facility, at a minimum, to comply with applicable Federal, State, and local electric system reliability and fire safety requirements, as provided in subsection (a)(2). The Secretaries shall not have the authority to modify those requirements.

''(2) REVIEW AND APPROVAL PROCESS.—The Secretary and the Secretary of Agriculture shall jointly develop a consolidated and coordinated process for review and approval of—

''(A) vegetation management, facility inspection, and operation and maintenance plans submitted under paragraph (1) that—

''(i) assures prompt review and approval not to exceed 90 days;

''(ii) includes timelines and benchmarks for agency comments to submitted plans and final approval of such plans;

''(iii) is consistent with applicable law; and

''(iv) minimizes the costs of the process to the reviewing agency and the entity submitting the plans; and

''(B) amendments to the plans in a prompt manner if changed conditions necessitate a modification to a plan.

''(3) NOTIFICATION.—The review and approval process under paragraph (2) shall—

''(A) include notification by the agency of any changed conditions that warrant a modification to a plan;

''(B) provide an opportunity for the owner or operator to submit a proposed plan amendment to address directly the changed condition; and

''(C) allow the owner or operator to continue to implement those elements of the approved plan that do not directly and adversely affect the condition precipitating the need for modification.

''(4) CATEGORICAL EXCLUSION PROCESS.—The Secretary and the Secretary of Agriculture shall apply his or her categorical exclusion process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to plans developed under this subsection on existing transmission and distribution rights-of-way under this subsection.

''(5) IMPLEMENTATION.—A plan approved under this subsection shall become part of the authorization governing the covered right-of-way and hazard trees adjacent to the right-of-way. If a vegetation management plan is proposed for an existing transmission and distribution facility concurrent with the siting of a new transmission or distribution facility, necessary reviews shall be completed as part of the siting process or sooner. Once the plan is approved, the owner or operator shall provide the agency with only a notification of activities anticipated to be undertaken in the coming year, a description of those activities, and certification that the activities are in accordance with the plan.

''(6) DEFINITIONS.—In this subsection:

''(A) VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLAN.—The term 'vegetation management, facility inspection, and operation and maintenance plan' means a plan that—

''(i) is prepared by the owner or operator of one or more electrical transmission or distribution facilities to cover one or more electric transmission and distribution rights-of-way; and

''(ii) provides for the long-term, cost-effective, efficient and timely management of facilities and vegetation within the width of the right-of-way and adjacent Federal lands to enhance electricity reliability, promote public safety, and avoid fire hazards.

''(B) OWNER OR OPERATOR.—The terms 'owner' and 'operator' include contractors or other agents engaged by the owner or operator of a facility.

''(C) HAZARD TREE.—The term 'hazard tree' means any tree inside the right-of-way or located outside the right-of-way that has been found by the either the owner or operator of a transmission or distribution facility, or the Secretary or the Secretary of Agriculture, to be likely to fail and cause a high risk of injury, damage, or disruption within 10 feet or less of an electric power line or related structure if it fell.

''(c) RESPONSE TO EMERGENCY CONDITIONS.—If vegetation on Federal lands within, or hazard trees on Federal lands adjacent to, an electrical transmission or distribution right-of-way granted by the Secretary or the Secretary of Agriculture has contacted or is in imminent danger of contacting one or more electric transmission or distribution lines, the owner or operator of the transmission or distribution lines—

''(1) may prune or remove the vegetation to avoid the disruption of electric service and risk of fire; and

''(2) shall notify the appropriate local agent of the relevant Secretary not later than 24 hours after such removal.

''(d) COMPLIANCE WITH APPLICABLE RELIABILITY AND SAFETY STANDARDS.—If vegetation on Federal lands within or adjacent to an electrical transmission or distribution right-of-way under the jurisdiction of each Secretary does not meet clearance requirements under standards established by the North American Electric Reliability Corporation, or by State and local authorities, and the Secretary having jurisdiction over the lands has failed to act to allow a transmission or distribution facility owner or operator to conduct vegetation management activities within 3 business days after receiving a request to allow such activities, the owner or operator may, after notifying the Secretary, conduct such vegetation management activities to meet those clearance requirements.

''(e) REPORTING REQUIREMENT.—The Secretary or Secretary of Agriculture shall report requests and actions made under subsections (c) and (d) annually on each Secretary's website.

''(f) LIABILITY.—An owner or operator of a transmission or distribution facility shall not be held liable for wildfire damage, loss or injury, including the cost of fire suppression, if—

''(1) the Secretary or the Secretary of Agriculture fails to allow the owner or operator to operate consistently with an approved vegetation management, facility inspection, and operation and maintenance plan on Federal lands under the relevant Secretary's jurisdiction within or adjacent to a right-of-way to comply with Federal, State or local electric system reliability and fire safety standards, including standards established by the North American Electric Reliability Corporation; or

''(2) the Secretary or the Secretary of Agriculture fails to allow the owner or operator of the transmission or distribution facility to perform appropriate vegetation management activities in response to an identified hazard tree as defined under subsection (b)(6), or a tree in imminent danger of contacting the owner's or operator's transmission or distribution facility.

''(g) TRAINING AND GUIDANCE.—In consultation with the electric utility industry, the Secretary and the Secretary of Agriculture are encouraged to develop a program to train personnel of the Department of the Interior and the Forest Service involved in vegetation management decisions relating to transmission and distribution facilities to ensure that such personnel—

''(1) understand electric system reliability and fire safety requirements, including reliability standards established by the North American Electric Reliability Corporation;

''(2) assist owners and operators of transmission and distribution facilities to comply with applicable electric reliability and fire safety requirements; and

''(3) encourage and assist willing owners and operators of transmission and distribution facilities to incorporate on a voluntary basis vegetation management practices to enhance habitats and forage for pollinators and for other wildlife

so long as the practices are compatible with the integrated vegetation management practices necessary for reliability and safety.

''(h) IMPLEMENTATION.—The Secretary of the Interior and the Secretary of Agriculture shall—

''(1) not later than one year after the date of the enactment of this section, prescribe regulations, or amend existing regulations, to implement this section; and

''(2) not later than two years after the date of the enactment of this section, finalize regulations, or amend existing regulations, to implement this section.

''(i) EXISTING VEGETATION MANAGEMENT, FACILITY INSPECTION AND OPERATION AND MAINTENANCE PLANS.—Nothing in this section requires an owner or operator to develop and submit a vegetation management, facility inspection, and operation and maintenance plan if one has already been approved by the Secretary or Secretary of Agriculture before the date of the enactment of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761 et seq.), is amended by inserting after the item relating to section 511 the following new item:

''Sec. 512. Vegetation management, facility inspection, and operation, and maintenance relating to electric transmission and distribution facility rights-of-way.''.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 114–359. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. UPTON

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–359.

Mr. UPTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amend the table of contents to read as follows:

Sec. 1. Short title; table of contents.

TITLE I—MODERNIZING AND PROTECTING INFRASTRUCTURE

Subtitle A—Energy Delivery, Reliability, and Security

Sec. 1101. FERC process coordination.
Sec. 1102. Resolving environmental and grid reliability conflicts.
Sec. 1103. Emergency preparedness for energy supply disruptions.
Sec. 1104. Critical electric infrastructure security.
Sec. 1105. Strategic Transformer Reserve.
Sec. 1106. Cyber Sense.
Sec. 1107. State coverage and consideration of PURPA standards for electric utilities.
Sec. 1108. Reliability analysis for certain rules that affect electric generating facilities.
Sec. 1109. Increased accountability with respect to carbon capture, utilization, and sequestration projects.
Sec. 1110. Reliability and performance assurance in Regional Transmission Organizations.
Sec. 1111. Designation of National Energy Security Corridors on Federal lands.
Sec. 1112. Vegetation management, facility inspection, and operation and maintenance on Federal lands containing electric transmission and distribution facilities.

Subtitle B—Hydropower Regulatory Modernization

Sec. 1201. Protection of private property rights in hydropower licensing.
Sec. 1202. Extension of time for FERC project involving W. Kerr Scott Dam.
Sec. 1203. Hydropower licensing and process improvements.
Sec. 1204. Judicial review of delayed Federal authorizations.
Sec. 1205. Licensing study improvements.
Sec. 1206. Closed-loop pumped storage projects.
Sec. 1207. License amendment improvements.
Sec. 1208. Promoting hydropower development at existing nonpowered dams.

TITLE II—ENERGY SECURITY AND DIPLOMACY

Sec. 2001. Sense of Congress.
Sec. 2002. Energy security valuation.
Sec. 2003. North American energy security plan.
Sec. 2004. Collective energy security.
Sec. 2005. Authorization to export natural gas.

TITLE III—ENERGY EFFICIENCY AND ACCOUNTABILITY

Subtitle A—Energy Efficiency

CHAPTER 1—FEDERAL AGENCY ENERGY EFFICIENCY

Sec. 3111. Energy-efficient and energy-saving information technologies.
Sec. 3112. Energy efficient data centers.
Sec. 3113. Report on energy and water savings potential from thermal insulation.
Sec. 3114. Federal purchase requirement.
Sec. 3115. Energy performance requirement for Federal buildings.
Sec. 3116. Federal building energy efficiency performance standards; certification system and level for Federal buildings.
Sec. 3117. Operation of battery recharging stations in parking areas used by Federal employees.

CHAPTER 2—ENERGY EFFICIENT TECHNOLOGY AND MANUFACTURING

Sec. 3121. Inclusion of Smart Grid capability on Energy Guide labels.
Sec. 3122. Voluntary verification programs for air conditioning, furnace, boiler, heat pump, and water heater products.
Sec. 3123. Facilitating consensus furnace standards.
Sec. 3124. No warranty for certain certified Energy Star products.
Sec. 3125. Clarification to effective date for regional standards.
Sec. 3126. Internet of Things report.

CHAPTER 3—SCHOOL BUILDINGS

Sec. 3131. Coordination of energy retrofitting assistance for schools.

CHAPTER 4—BUILDING ENERGY CODES

Sec. 3141. Greater energy efficiency in building codes.
Sec. 3142. Voluntary nature of building asset rating program.

CHAPTER 5—EPCA TECHNICAL CORRECTIONS AND CLARIFICATIONS

Sec. 3151. Modifying product definitions.
Sec. 3152. Clarifying rulemaking procedures.

CHAPTER 6—ENERGY AND WATER EFFICIENCY

Sec. 3161. Smart energy and water efficiency pilot program.
Sec. 3162. WaterSense.

Subtitle B—Accountability

CHAPTER 1—MARKET MANIPULATION, ENFORCEMENT, AND COMPLIANCE

Sec. 3211. FERC Office of Compliance Assistance and Public Participation.

CHAPTER 2—MARKET REFORMS

Sec. 3221. GAO study on wholesale electricity markets.
Sec. 3222. Clarification of facility merger authorization.

CHAPTER 3—CODE MAINTENANCE

Sec. 3231. Repeal of off-highway motor vehicles study.
Sec. 3232. Repeal of methanol study.
Sec. 3233. Repeal of residential energy efficiency standards study.
Sec. 3234. Repeal of weatherization study.
Sec. 3235. Repeal of report to Congress.
Sec. 3236. Repeal of report by General Services Administration.
Sec. 3237. Repeal of intergovernmental energy management planning and coordination workshops.
Sec. 3238. Repeal of Inspector General audit survey and President's Council on Integrity and Efficiency report to Congress.
Sec. 3239. Repeal of procurement and identification of energy efficient products program.
Sec. 3240. Repeal of national action plan for demand response.
Sec. 3241. Repeal of national coal policy study.
Sec. 3242. Repeal of study on compliance problem of small electric utility systems.
Sec. 3243. Repeal of study of socioeconomic impacts of increased coal production and other energy development.
Sec. 3244. Repeal of study of the use of petroleum and natural gas in combustors.
Sec. 3245. Repeal of submission of reports.
Sec. 3246. Repeal of electric utility conservation plan.
Sec. 3247. Technical amendment to Powerplant and Industrial Fuel Use Act of 1978.
Sec. 3248. Emergency energy conservation repeals.
Sec. 3249. Repeal of State utility regulatory assistance.
Sec. 3250. Repeal of survey of energy saving potential.
Sec. 3251. Repeal of photovoltaic energy program.
Sec. 3252. Repeal of energy auditor training and certification.

CHAPTER 4—USE OF EXISTING FUNDS

Sec. 3261. Use of existing funds.

Page 25, strike lines 1 though 11 and insert the following:

''(7) DISCLOSURE OF PROTECTED INFORMATION.—In implementing this section, the Commission shall segregate critical electric infrastructure information or information that reasonably could be expected to lead to the disclosure of the critical electric infrastructure information within documents and

electronic communications, wherever feasible, to facilitate disclosure of information that is not designated as critical electric infrastructure information.

Beginning on page 36, strike line 21 and all that follows through page 37, line 3 and insert the following:

(e) DISCLOSURE OF INFORMATION.—Any information included in the Strategic Transformer Reserve plan, or shared in the preparation and development of such plan, the disclosure of which the agency reasonably foresees would cause harm to critical electric infrastructure, shall be deemed to be critical electric infrastructure information for purposes of section 215A(d) of the Federal Power Act.

Beginning on page 38, strike line 20 and all that follows through page 39, line 2 and insert the following:

(c) DISCLOSURE OF INFORMATION.—Any vulnerability reported pursuant to regulations promulgated under subsection (b)(3), the disclosure of which the agency reasonably foresees would cause harm to critical electric infrastructure (as defined in section 215A of the Federal Power Act), shall be deemed to be critical electric infrastructure information for purposes of section 215A(d) of the Federal Power Act.

Amend section 1109 to read as follows:

SEC. 1109. INCREASED ACCOUNTABILITY WITH RESPECT TO CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION PROJECTS.

(a) DOE EVALUATION.—

(1) IN GENERAL.—The Secretary of Energy (in this section referred to as the ''Secretary'') shall, in accordance with this section, annually conduct an evaluation, and make recommendations, with respect to each project conducted by the Secretary for research, development, demonstration, or deployment of carbon capture, utilization, and sequestration technologies (also known as carbon capture and storage and utilization technologies).

(2) SCOPE.—For purposes of this section, a project includes any contract, lease, cooperative agreement, or other similar transaction with a public agency or private organization or person, entered into or performed, or any payment made, by the Secretary for research, development, demonstration, or deployment of carbon capture, utilization, and sequestration technologies.

(b) REQUIREMENTS FOR EVALUATION.—In conducting an evaluation of a project under this section, the Secretary shall—

(1) examine if the project has made advancements toward achieving any specific goal of the project with respect to a carbon capture, utilization, and sequestration technology; and

(2) evaluate and determine if the project has made significant progress in advancing a carbon capture, utilization, and sequestration technology.

(c) RECOMMENDATIONS.—For each evaluation of a project conducted under this section, if the Secretary determines that—

(1) significant progress in advancing a carbon capture, utilization, and sequestration technology has been made, the Secretary shall assess the funding of the project and make a recommendation as to whether increased funding is necessary to advance the project; or

(2) significant progress in advancing a carbon capture, utilization, and sequestration technology has not been made, the Secretary shall—

(A) assess the funding of the project and make a recommendation as to whether increased funding is necessary to advance the project;

(B) assess and determine if the project has reached its full potential; and

(C) make a recommendation as to whether the project should continue.

(d) REPORTS.—

(1) REPORT ON EVALUATIONS AND RECOMMENDATIONS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Secretary shall—

(A) issue a report on the evaluations conducted and recommendations made during the previous year pursuant to this section; and

(B) make each such report available on the Internet website of the Department of Energy.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, and every 3 years thereafter, the Secretary shall submit to the Subcommittee on Energy and Power of the Committee on Energy and Commerce and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(A) the evaluations conducted and recommendations made during the previous 3 years pursuant to this section; and

(B) the progress of the Department of Energy in advancing carbon capture, utilization, and sequestration technologies, including progress in achieving the Department of Energy's goal of having an array of advanced carbon capture and sequestration technologies ready by 2020 for large-scale demonstration.

Insert after section 1110 the following:

SEC. 1111. DESIGNATION OF NATIONAL ENERGY SECURITY CORRIDORS ON FEDERAL LANDS.

(a) IN GENERAL.—Section 28 of the Mineral Leasing Act (30 U.S.C. 185) is amended as follows:

(1) In subsection (b)—

(A) by striking ''(b)(1) For the purposes of this section 'Federal lands' means'' and inserting the following:

''(b)(1) For the purposes of this section 'Federal lands'—

''(A) except as provided in subparagraph (B), means'';

(B) by striking the period at the end of paragraph (1) and inserting ''; and'' and by adding at the end of paragraph (1) the following:

''(B) for purposes of granting an application for a natural gas pipeline right-of-way, means all lands owned by the United States except—

''(i) such lands held in trust for an Indian or Indian tribe; and

''(ii) lands on the Outer Continental Shelf.''.

(2) By redesignating subsection (b), as so amended, as subsection (z), and transferring such subsection to appear after subsection (y) of that section.

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

''(b) NATIONAL ENERGY SECURITY CORRIDORS.—

''(1) DESIGNATION.—In addition to other authorities under this section, the Secretary shall—

''(A) identify and designate suitable Federal lands as National Energy Security Corridors (in this subsection referred to as a 'Corridor'), which shall be used for construction, operation, and maintenance of natural gas transmission facilities; and

''(B) incorporate such Corridors upon designation into the relevant agency land use and resource management plans or equivalent plans.

''(2) CONSIDERATIONS.—In evaluating Federal lands for designation as a National Energy Security Corridor, the Secretary shall—

''(A) employ the principle of multiple use to ensure route decisions balance national energy security needs with existing land use principles;

''(B) seek input from other Federal counterparts, State, local, and tribal governments, and affected utility and pipeline industries to determine the best suitable, most cost-effective, and commercially viable acreage for natural gas transmission facilities;

''(C) focus on transmission routes that improve domestic energy security through increasing reliability, relieving congestion, reducing natural gas prices, and meeting growing demand for natural gas; and

''(D) take into account technological innovations that reduce the need for surface disturbance.

''(3) PROCEDURES.—The Secretary shall establish procedures to expedite and approve applications for rights-of-way for natural gas pipelines across National Energy Security Corridors, that—

''(A) ensure a transparent process for review of applications for rights-of-way on such corridors;

''(B) require an approval time of not more than 1 year after the date of receipt of an application for a right-of-way; and

''(C) require, upon receipt of such an application, notice to the applicant of a predictable timeline for consideration of the application, that clearly delineates important milestones in the process of such consideration.

''(4) STATE INPUT.—

''(A) REQUESTS AUTHORIZED.—The Governor of a State may submit requests to the Secretary of the Interior to designate Corridors on Federal land in that State.

''(B) CONSIDERATION OF REQUESTS.—After receiving such a request, the Secretary shall respond in writing, within 30 days—

''(i) acknowledging receipt of the request; and

''(ii) setting forth a timeline in which the Secretary shall grant, deny, or modify such request and state the reasons for doing so.

''(5) SPATIAL DISTRIBUTION OF CORRIDORS.—In implementing this subsection, the Secretary shall coordinate with other Federal Departments to—

''(A) minimize the proliferation of duplicative natural gas pipeline rights-of-way on Federal lands where feasible;

''(B) ensure Corridors can connect effectively across Federal lands; and

''(C) utilize input from utility and pipeline industries submitting applications for rights-of-way to site corridors in economically feasible areas that reduce impacts, to the extent practicable, on local communities.

''(6) NOT A MAJOR FEDERAL ACTION.—Designation of a Corridor under this subsection, and incorporation of Corridors into agency plans under paragraph (1)(B), shall not be treated as a major Federal action for purpose of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

''(7) NO LIMIT ON NUMBER OR LENGTH OF CORRIDORS.—Nothing in this subsection limits the number or physical dimensions of Corridors that the Secretary may designate under this subsection.

''(8) OTHER AUTHORITY NOT AFFECTED.—Nothing in this subsection affects the authority of the Secretary to issue rights-of-way on Federal land that is not located in a Corridor designated under this subsection.

''(9) NEPA CLARIFICATION.—All applications for rights-of-way for natural gas transmission facilities across Corridors designated under this subsection shall be subject to the environmental protections outlined in subsection (h).''.

(b) APPLICATIONS RECEIVED BEFORE DESIGNATION OF CORRIDORS.—Any application for a right-of-way under section 28 of the Mineral Leasing Act (30 U.S.C. 185) that is received by the Secretary of the Interior before designation of National Energy Security Corridors under the amendment made by subsection (a) of this section shall be reviewed and acted upon independently by the Secretary without regard to the process for such designation.

(c) DEADLINE.—Within 2 years after the date of the enactment of this Act, the Secretary of the Interior shall designate at least 10 National Energy Security Corridors under the amendment made by subsection (a) in States referred to in section 368(b) of the Energy Policy Act of 2005 (42 U.S.C. 15926(b)).

SEC. 1112. VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE ON FEDERAL LANDS CONTAINING ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITIES.

(a) IN GENERAL.—Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761 et seq.) is amended by adding at the end the following new section:

''SEC. 512. VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE RELATING TO ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITY RIGHTS-OF-WAY.

''(a) GENERAL DIRECTION.—In order to enhance the reliability of the electric grid and reduce the threat of wildfires to and from electric transmission and distribution rights-of-way and related facilities and adjacent property, the Secretary, with respect to public lands and other lands under the jurisdiction of the Secretary, and the Secretary of Agriculture, with respect to National Forest System lands, shall provide direction to ensure that all existing and future rights-of-way, however established (including by grant, special use authorization, and easement), for electric transmission and distribution facilities on such lands include provisions for utility vegetation management, facility inspection, and operation and maintenance activities that, while consistent with applicable law—

''(1) are developed in consultation with the holder of the right-of-way;

''(2) enable the owner or operator of an electric transmission and distribution facility to operate and maintain the facility in good working order and to comply with Federal, State, and local electric system reliability and fire safety requirements, including reliability standards established by the North American Electric Reliability Corporation and plans to meet such reliability standards;

''(3) minimize the need for case-by-case or annual approvals for—

''(A) routine vegetation management, facility inspection, and operation and maintenance activities within existing electric transmission and distribution rights-of-way; and

''(B) utility vegetation management activities that are necessary to control hazard trees within or adjacent to electric transmission and distribution rights-of-way; and

''(4) when review is required, provide for expedited review and approval of utility vegetation management, facility inspection, and operation and maintenance activities, especially activities requiring prompt action to avoid an adverse impact on human safety or electric reliability to avoid fire hazards.

''(b) VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLANS.—

''(1) DEVELOPMENT AND SUBMISSION.—Consistent with subsection (a), the Secretary and the Secretary of Agriculture shall provide owners and operators of electric transmission and distribution facilities located on lands described in such subsection with the option to develop and submit a vegetation management, facility inspection, and operation and maintenance plan, that at each owner or operator's discretion may cover some or all of the owner or operator's electric transmission and distribution rights-of-way on Federal lands, for approval to the Secretary with jurisdiction over the lands. A plan under this paragraph shall enable the owner or operator of an electric transmission and distribution facility, at a minimum, to comply with applicable Federal, State, and local electric system reliability and fire safety requirements, as provided in subsection (a)(2). The Secretaries shall not have the authority to modify those requirements.

''(2) REVIEW AND APPROVAL PROCESS.—The Secretary and the Secretary of Agriculture shall jointly develop a consolidated and coordinated process for review and approval of—

''(A) vegetation management, facility inspection, and operation and maintenance plans submitted under paragraph (1) that—

''(i) assures prompt review and approval not to exceed 90 days;

''(ii) includes timelines and benchmarks for agency comments on submitted plans and final approval of such plans;

''(iii) is consistent with applicable law; and

''(iv) minimizes the costs of the process to the reviewing agency and the entity submitting the plans; and

''(B) amendments to the plans in a prompt manner if changed conditions necessitate a modification to a plan.

''(3) NOTIFICATION.—The review and approval process under paragraph (2) shall—

''(A) include notification by the agency of any changed conditions that warrant a modification to a plan;

''(B) provide an opportunity for the owner or operator to submit a proposed plan amendment to address directly the changed condition; and

''(C) allow the owner or operator to continue to implement those elements of the approved plan that do not directly and adversely affect the condition precipitating the need for modification.

''(4) CATEGORICAL EXCLUSION PROCESS.—The Secretary and the Secretary of Agriculture shall apply his or her categorical exclusion process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to plans developed under this subsection on existing electric transmission and distribution rights-of-way under this subsection.

''(5) IMPLEMENTATION.—A plan approved under this subsection shall become part of the authorization governing the covered right-of-way and hazard trees adjacent to the right-of-way. If a vegetation management plan is proposed for an existing electric transmission and distribution facility concurrent with the siting of a new electric transmission or distribution facility, necessary reviews shall be completed as part of the siting process or sooner. Once the plan is approved, the owner or operator shall provide the agency with only a notification of activities anticipated to be undertaken in the coming year, a description of those activities, and certification that the activities are in accordance with the plan.

''(c) RESPONSE TO EMERGENCY CONDITIONS.—If vegetation on Federal lands within, or hazard trees on Federal lands adjacent to, an electric transmission or distribution right-of-way granted by the Secretary or the Secretary of Agriculture has contacted or is in imminent danger of contacting one or more electric transmission or distribution lines, the owner or operator of the electric transmission or distribution lines—

''(1) may prune or remove the vegetation to avoid the disruption of electric service and risk of fire; and

''(2) shall notify the appropriate local agent of the relevant Secretary not later than 24 hours after such removal.

''(d) COMPLIANCE WITH APPLICABLE RELIABILITY AND SAFETY STANDARDS.—If vegetation on Federal lands within or adjacent to an electric transmission or distribution right-of-way under the jurisdiction of each Secretary does not meet clearance requirements under standards established by the North American Electric Reliability Corporation, or by State and local authorities, and the Secretary having jurisdiction over the lands has failed to act to allow an electric transmission or distribution facility owner or operator to conduct vegetation management activities within 3 business days after receiving a request to allow such activities, the owner or operator may, after notifying the Secretary, conduct such vegetation management activities to meet those clearance requirements.

''(e) REPORTING REQUIREMENT.—The Secretary or Secretary of Agriculture shall report requests and actions made under subsections (c) and (d) annually on each Secretary's website.

''(f) LIABILITY.—An owner or operator of an electric transmission or distribution facility shall not be held liable for wildfire damage, loss, or injury, including the cost of fire suppression, if—

''(1) the Secretary or the Secretary of Agriculture fails to allow the owner or operator to operate consistently with an approved vegetation management, facility inspection, and operation and maintenance plan on Federal lands under the relevant Secretary's jurisdiction within or adjacent to a right-of-way to comply with Federal, State, or local electric system reliability and fire safety standards, including standards established by the North American Electric Reliability Corporation; or

''(2) the Secretary or the Secretary of Agriculture fails to allow the owner or operator of the electric transmission or distribution facility to perform appropriate vegetation management activities in response to an identified hazard tree, or a tree in imminent danger of contacting the owner's or operator's electric transmission or distribution facility.

''(g) TRAINING AND GUIDANCE.—In consultation with the electric utility industry, the Secretary and the Secretary of Agriculture are encouraged to develop a program to train personnel of the Department of the Interior and the Forest Service involved in vegetation management decisions relating to electric transmission and distribution facilities to ensure that such personnel—

''(1) understand electric system reliability and fire safety requirements, including reliability standards established by the North American Electric Reliability Corporation;

''(2) assist owners and operators of electric transmission and distribution facilities to

comply with applicable electric reliability and fire safety requirements; and

''(3) encourage and assist willing owners and operators of electric transmission and distribution facilities to incorporate on a voluntary basis vegetation management practices to enhance habitats and forage for pollinators and for other wildlife so long as the practices are compatible with the integrated vegetation management practices necessary for reliability and safety.

''(h) IMPLEMENTATION.—The Secretary and the Secretary of Agriculture shall—

''(1) not later than one year after the date of the enactment of this section, propose regulations, or amended existing regulations, to implement this section; and

''(2) not later than two years after the date of the enactment of this section, finalize regulations, or amended existing regulations, to implement this section.

''(i) EXISTING VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLANS.—Nothing in this section requires an owner or operator to develop and submit a vegetation management, facility inspection, and operation and maintenance plan if one has already been approved by the Secretary or Secretary of Agriculture before the date of the enactment of this section.

''(j) DEFINITIONS.—In this section:

''(1) HAZARD TREE.—The term 'hazard tree' means any tree inside the right-of-way or located outside the right-of-way that has been found by the either the owner or operator of an electric transmission or distribution facility, or the Secretary or the Secretary of Agriculture, to be likely to fail and cause a high risk of injury, damage, or disruption within 10 feet of an electric power line or related structure if it fell.

''(2) OWNER OR OPERATOR.—The terms 'owner' and 'operator' include contractors or other agents engaged by the owner or operator of an electric transmission and distribution facility.

''(3) VEGETATION MANAGEMENT, FACILITY INSPECTION, AND OPERATION AND MAINTENANCE PLAN.—The term 'vegetation management, facility inspection, and operation and maintenance plan' means a plan that—

''(A) is prepared by the owner or operator of one or more electric transmission or distribution facilities to cover one or more electric transmission and distribution rights-of-way; and

''(B) provides for the long-term, cost-effective, efficient, and timely management of facilities and vegetation within the width of the right-of-way and adjacent Federal lands to enhance electric reliability, promote public safety, and avoid fire hazards.''.

(b) CLERICAL AMENDMENT.—The table of sections for the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761 et seq.), is amended by inserting after the item relating to section 511 the following new item:

''Sec. 512. Vegetation management, facility inspection, and operation and maintenance relating to electric transmission and distribution facility rights-of-way.''.

Strike subtitle B of title I and redesignate subtitle C of such title as subtitle B.

Strike section 1301.

Redesignate sections 1302 through 1309 as sections 1201 through 1208, respectively.

Page 88, line 3, strike ''1304'' and insert ''1203''.

Page 90, line 5, strike ''1306'' and insert ''1205''.

Page 92, line 3, strike ''1307'' and insert ''1206''.

Page 100, line 6, strike ''1308'' and insert ''1207''.

Strike title II and redesignate titles III and IV as titles II and III, respectively.

Redesignate sections 3001 through 3004 as sections 2001 through 2004, respectively.

Page 117, line 11, insert '', the Committee on Science, Space, and Technology,'' after ''Energy and Commerce''.

Page 117, line 13, insert '', the Committee on Commerce, Science, and Transportation,'' after ''Energy and Natural Resources'''.

Strike section 3005.

Redesignate section 3006 as section 2005.

Redesignate sections 4111 through 4117 as sections 3111 though 3117, respectively.

Redesignate sections 4121 through 4123 as sections 3121 through 3123, respectively.

Page 157, beginning on line 15, strike '', to be exempted from disclosure under section 552(b)(4) of title 5, United States Code''.

Strike section 4124.

Redesignate sections 4125 through 4127 as sections 3124 though 3126, respectively.

Strike chapter 3 of subtitle A of title III, as redesignated by this amendment, and redesignate chapters 4 through 7 of such subtitle as chapters 3 through 6, respectively.

Redesignate section 4141 as section 3131.

Redesignate sections 4151 and 4152 as sections 3141 and 3142, respectively.

Page 174, line 22, strike ''4116'' and insert ''3116''.

Redesignate sections 4161 and 4162 as sections 3151 and 3152, respectively.

Redesignate sections 4171 and 4172 as sections 3161 and 3162, respectively.

Beginning on page 218, strike line 12 and all that follows through page 219, line 2 and insert the following:

(c) FUNDING.—To carry out this section, the Secretary is authorized to use not more than $15,000,000, to the extent provided in advance in appropriation Acts.

Redesignate section 4211 as section 3211.

Redesignate sections 4221 and 4222 as sections 3221 and 3222, respectively.

Redesignate sections 4231 through 4252 as sections 3231 through 3252, respectively.

Beginning on page 238, strike line 22 and all that follows through page 239, line 2 and insert the following:

CHAPTER 4—AUTHORIZATION

SEC. 3261 AUTHORIZATION.

There are authorized to be appropriated, out of funds authorized under previously enacted laws, amounts required for carrying out this Act and the amendments made by this Act.

Strike titles V and VI.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Michigan (Mr. UPTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

□ 1545

Mr. UPTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment strikes a number of provisions, some of which have already been enacted into law, and makes technical and conforming changes to the reported text of H.R. 8, H.R. 2295, and H.R. 2358. So the overall bill, I would say, H.R. 8, is a broad, bipartisan bill. It seeks to maximize America's energy potential, and it seeks to update and modernize outdated policies rooted in an era of energy scarcity to reflect today's era of energy abundance. I think that this is a good amendment.

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

Mr. RUSH. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. RUSH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, how in the world did we get to this point? How did we get to the point of the majority party bringing forth this highly partisan, backwards-looking, does-more-harm-than-good so-called energy bill after all the time and all the effort that was put forth by both sides to come up with a bipartisan compromise?

Mr. Chairman, after working together for the majority of this year, literally moments before the full Energy and Commerce Committee was set to mark up this bill, the rug was pulled out from under the minority side, and the Republicans turned their collective back on the legislative compromise.

We were informed that the majority had reneged on its prior commitments, and what was initially supposed to be an infrastructure bill would contain no actual funding for any infrastructure projects—not one red cent.

In addition to reneging on a promise to fund a grid modernization program and a pipeline replacement program that would have benefited low-income consumers, the majority has also stripped the one provision of the bill that received widespread praise and support from both sides of the aisle.

The 21st Century Workforce title that my office had authored has been stripped from this awful excuse for a comprehensive energy bill.

It would seem, Mr. Chairman, that all of the care and support that my Republican colleagues professed to have for helping minorities, women, and veterans find good-paying energy jobs and careers has somehow not only dissipated, but has totally disappeared.

It would appear, Mr. Chairman, that due to the apathy and indifference of a few highly privileged desk jockey elitists from the Heritage Foundation, helping to improve the plight of millions of disadvantaged Americans who have been historically underserved and underemployed within the energy sector is now considered to be, to use their very words, ''wasteful, ineffective, and inefficient.''

So, what we are left, Mr. Chairman, with is this: What aspects of this bill can we take back to our constituents? What aspects of this bill can we tell our constituents with a straight face will help them improve their lives?

All this bill does, Mr. Chairman, is attempt to strip away oversight and roll back regulations in order to help

industry game the system and increase its profit at the expense of the American people. Mr. Chairman, this bill is a sham, and it will actually take the Nation's energy policy backwards, all the way back.

Mr. Chairman, the 21st Century Workforce amendment represented a win for industry, a win for our communities, and a win for Americans all. Deleting this very provision that was unanimously approved in committee speaks volumes about the majority's commitment to minorities, to women, and to veterans. This bill, H.R. 8, leaves women behind, it leaves minorities behind, it leaves veterans behind, it leaves low-income communities behind, and it leaves America behind.

Mr. Chairman, for this reason, I oppose the bill.

I yield back the balance of my time.

Mr. UPTON. Mr. Chairman, I ask for a favorable vote on the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. UPTON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. RUSH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. TONKO

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–359.

Mr. TONKO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 5, through page 10, line 3, strike section 1101.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from New York (Mr. TONKO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. TONKO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment simply strikes section 1101 of the underlying bill. The section is a solution in search of a problem. The section's purported goal is to reinforce the Federal Energy Regulatory Commission's role as the lead agency for siting interstate natural gas pipelines; however, I do not think there is any doubt over FERC's role in pipeline siting approval.

In reality, this section is designed to further expedite permitting for natural gas pipelines. But there is very little evidence that this process needs expediting, which ultimately would restrict States and other Federal agencies' ability to review projects and the public's ability to comment on them.

Mr. Chairman, the GAO looked at the approval process for pipelines by FERC and found 95 percent are approved within 2 years. When it takes longer, it is because the project is large or controversial due to taking of private property, traversing State or Federal land, or requiring placement of compression stations and other operation equipment in an area close to existing infrastructure or communities.

Even the industry agrees that pipeline approvals are happening. In October, Pipelines Digest, an industry publication, wrote:

Through April 30 of this year, FERC certified and placed in service almost twice as many natural gas projects and more than doubled the miles of pipeline that were put in service and certified through the same date in 2014.

We are building new pipelines. There is no problem that needs fixing. So what evidence is there that the certification process needs to be further tilted in favor of pipeline companies at the expense of environmental review and public comment? I would say there isn't any. Yet, Mr. Chairman, this section would require FERC to decide on a pipeline application within 90 days after the Commission issues its final environmental document, regardless of the complexity of the application.

It would also allow FERC to consider environmental data collected by aerial or other remote surveys instead of onsite inspections. This would enable pipeline companies to circumvent property owners' rights when surveying land, all in hopes of speeding up projects.

The siting of natural gas pipelines is complicated and can be controversial. I know this well since there are a number of projects currently being developed in or near the district I represent. I hear from my constituents about these projects regularly. They are very concerned, and they feel like they are being left out of this process. They are concerned about the safety and about the noise, air, and water pollution from the construction and operation of the pipeline's associated facilities. The pipeline companies do not have a problem. The public does.

We know that these types of projects, no matter how beneficial to the public interest, can be controversial. Someone is always unhappy about the selected route or placement of these facilities. But we need to do a better job of bringing the public along, and these provisions do the opposite.

Mr. Chairman, the public has a right to be part of large projects that impact their communities. Does that take extra time? Yes. Is it less convenient for the company? Yes. But these pipelines will be in service for many decades. If it is worth doing, it is worth doing right. So I see no reason why we should be expediting projects if we cannot be sure they can be built in a safe and environmentally friendly manner.

We need to ensure State and Federal regulators are given the time needed to carefully review applications for the construction of natural gas pipelines and to ensure that the landowners and the general public have the ability to participate meaningfully in the siting process. This section undermines that process.

I urge support of the amendment.

Mr. Chairman, I yield the balance of my time to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) for a brief statement.

Mrs. WATSON COLEMAN. Mr. Chairman, I thank the gentleman from New York for yielding to me.

Mr. Chairman, I rise in strong support of the Tonko amendment and strongly urge its adoption.

Section 1101 of this misguided energy bill includes a critical provision that I would like to highlight. This language would allow big energy companies to use aerial and remote surveying to circumvent key FERC environmental reviews.

This troubling provision flies in the face of the rights of local governments and even private landowners to make decisions about the use of their own property. This provision allows Big Energy to bypass more comprehensive and appropriate on-the-ground surveys to assess the environmental impacts of energy infrastructure.

Mr. Chairman, there is one such project that New Jerseyans know all too well—the PennEast pipeline. PennEast is the proposed 108-mile natural gas pipeline that would run from Pennsylvania, across the Delaware River, and terminate in Hopewell Township in my district. If built, this pipeline would threaten some of the most environmentally sensitive areas in the Delaware River Basin, farmland, watersheds, and uninterrupted natural areas.

Virtually every local government along the PennEast route has officially lodged their opposition or disapproval. Concerned citizens have packed scoping meetings to make their voices heard to stop this pipeline. These are diverse communities across two States represented by Members of Congress on both sides of the aisle. Areas I represent, like Mercer County and Hopewell, and scores of private property owners have exercised their right to deny PennEast access to their property to carry out their surveys.

Mr. Chairman, my constituents sent me to Congress to fight for the environment and to stand up against ill-conceived projects such as this one.

Mr. TONKO. I yield back the balance of my time.

Mr. UPTON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I oppose this amendment. Section 1101 makes important improvements to FERC's process for reviewing interstate natural gas pipelines.

As we all know, the demand for natural gas is growing, which requires new and modernized pipeline infrastructure. It has got to happen.

Unfortunately, the permitting process is becoming increasingly complex and challenging. Rate hikes hit the families and businesses that can least afford it the hardest, the most vulnerable. So we have worked very diligently to find some agreement on this provision. We have held hearings, received technical assistance from FERC, and accepted many of their recommendations.

Section 1101 would authorize concurrent permitting reviews, require more transparency through the process, and allow for the use of new survey technology for citing pipelines.

Just yesterday, Mr. Chairman, in a hearing before the House Energy and Commerce Committee, FERC Chairman Bay acknowledged the need for new pipeline capacity and signaled his support for the enhanced transparency provisions and the regulatory dashboard that is required by section 1101.

So this amendment, if passed, would strike a commonsense approach to introduce greater public transparency and accountability for Federal and State permitting agencies, and therefore I would ask for a ''no'' vote on the amendment.

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

Ms. MCCOLLUM. Mr. Chair, I rise in opposition of The North American Energy Security and Infrastructure Act (H.R. 8). This bill would reverse America's progress on energy efficiency and energy security. In a time when we need a forward-looking comprehensive energy policy that preserves the environment and provides sustainable energy to American consumers, we cannot afford to reverse course.

The North American Energy Security and Infrastructure Act would cripple ongoing efforts to curb energy use and promote energy efficiency. This bill removes the effective provisions of the Energy Independence and Security Act of 2007 which require federal buildings to reduce fossil fuel-generated energy. Additionally this bill would make it much harder for the Department of Energy to provide assistance for building code development at the national, state, and local level.

Instead of making needed investments in our energy infrastructure, H.R. 8 continues to protect big oil and gas companies by attacking newer environmental standards and procedures. Section 1101 of this bill makes extremely hazardous changes to the Federal Energy Regulatory Commission natural gas pipeline permitting process undermining environmental protections and land owners' rights. This section would force FERC to decide on pipeline applications within 90 days even in cases of extremely complex proposed projects. Additionally, it would undermine land owners' rights by allowing oil and gas companies to use aerial or remote surveys for environmental data instead of actual surveying the land.

As the Ranking Member of the House Appropriations Subcommittee on the Interior, Environment, and Related Agencies, I am disappointed that H.R. 8 would make it easier for oil and gas companies to get approval for pipelines through our nation's most treasured areas, our national parks. It also threatens protections in the Endangered Species Act, the Clean Water Act, and the Federal Power Act by allowing the Federal Energy Regulatory Commission to override conditions placed on hydropower project licenses by state and federal agencies that serve to protect wildlife from the potential impacts.

President Obama has stated that he will veto this legislation should it come to his desk because H.R. 8 sidesteps important environmental procedures and actually increases energy consumption and consumer costs. According to the American Council for an Energy-Efficient Economy, H.R. 8 would actually cost American citizens nearly $20 billion dollars through 2040. Instead of this misguided legislation, I support President Obama's ''All-of-the-Above'' energy strategy for our country which includes a combination of fossil fuels, renewable energy, and energy efficiency.

I am committed to advancing America's energy policy by moving away from depending on fossil fuels and towards clean and renewable sources of energy. For these reasons, I will vote against the backward path of H.R. 8, The North American Energy Security and Infrastructure Act.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. TONKO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. TONKO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. PETERS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114–359.

Mr. PETERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, line 23, insert ''and energy storage'' after ''infrastructure''.

Page 13, line 19, insert ''the energy storage industry,'' after ''natural gas industry,''.

Page 14, line 1, insert '', the energy storage industry,'' after ''States''.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from California (Mr. PETERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. PETERS. Mr. Chairman, my amendment to the North American Energy Security and Infrastructure Act will directly enhance reliable energy security when our communities are most vulnerable during natural disasters. My amendment simply adds energy storage as a form of energy that the Department of Energy should consider to improve emergency preparedness.

□ 1600

The bill in its current form only addresses the need to have resilient oil and natural gas infrastructure, which we certainly should all support.

Energy storage encompasses technologies capable of storing previously generated electric energy and releasing that energy at a later time. It can include various types of batteries, capacitors, fuel cells, and more and has the potential to improve electric power grids, enable growth in renewable electricity generation, and provide alternatives to oil-based fuels in the Nation's transportation sector.

Grid-level energy storage is on track to reach 40 gigawatts in capacity by 2022, a hundredfold increase from 2013.

And natural disasters are becoming more and more common. Over the last 4 years, the Federal Government has spent more than $136 billion on relief for hurricanes, tornados, droughts, wildfires, and other weather-related events.

We know that for every dollar we invest in preparedness and resiliency we save $4 in cleanup and restoration, not to mention the lives that would be saved—something we cannot put a dollar value on.

Building up community resiliency by including energy storage in preparation plans will save lives and save money.

In San Diego, our utilities, including SDG&E, are testing and developing energy storage to accommodate renewable energy, which makes up 33 percent of its power.

Our school districts, including Poway Unified School District, are adding large-scale battery storage to their campuses that go beyond California's energy efficiency guidelines to save money as heat waves and temperatures continue to spike.

And our companies and universities, including UCSD, are part of the California State public-private partnership, CalCharge, that is developing the next generation of energy storage.

Ensuring that we are better able to withstand extreme weather events with added energy storage is just common sense. Including energy storage in this bill is a smart, forward-thinking step to equip States and localities with the tools they need both in advance and in the aftermath of natural disasters.

I ask my colleagues to support the amendment, and I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR (Mr. WOMACK). The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Chairman, I support the amendment. I think that it is a good amendment. It includes energy storage as a form of energy that DOE should consider to enhance emergency preparedness for energy supply disruptions during natural disasters.

It improves the bill, and I compliment the gentleman.

I yield back the balance of my time.

Mr. PETERS. Mr. Chairman, I thank the chairman.

Thank you for your very hard work on this bill. I appreciate your consideration on inclusion of my amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. PETERS).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. FRANKS OF ARIZONA

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114–359.

Mr. FRANKS of Arizona. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, after line 12, insert the following:

''(8) GRID SECURITY VULNERABILITY.—The term 'grid security vulnerability' means a weakness that, in the event of a malicious act using an electromagnetic pulse, would pose a substantial risk of disruption to the operation of those electrical or electronic devices or communications networks, including hardware, software, and data, that are essential to the reliability of the bulk-power system.

Page 26, after line 14, insert the following:

''(e) MEASURES TO ADDRESS GRID SECURITY VULNERABILITIES.—

''(1) COMMISSION AUTHORITY.—

''(A) RELIABILITY STANDARDS.—If the Commission, in consultation with appropriate Federal agencies, identifies a grid security vulnerability that the Commission determines has not adequately been addressed through a reliability standard developed and approved under section 215, the Commission shall, after notice and opportunity for comment and after consultation with the Secretary, other appropriate Federal agencies, and appropriate governmental authorities in Canada and Mexico, issue an order directing the Electric Reliability Organization to submit to the Commission for approval under section 215, not later than 30 days after the issuance of such order, a reliability standard requiring implementation, by any owner, operator, or user of the bulk-power system in the United States, of measures to protect the bulk-power system against such vulnerability. Any such standard shall include a protection plan, including automated hardware-based solutions. The Commission shall approve a reliability standard submitted pursuant to this subparagraph, unless the Commission determines that such reliability standard does not adequately protect against such vulnerability or otherwise does not satisfy the requirements of section 215.

''(B) MEASURES TO ADDRESS GRID SECURITY VULNERABILITIES.—If the Commission, after notice and opportunity for comment and after consultation with the Secretary, other appropriate Federal agencies, and appropriate governmental authorities in Canada and Mexico, determines that the reliability standard submitted by the Electric Reliability Organization to address a grid security vulnerability identified under subparagraph (A) does not adequately protect the bulk-power system against such vulnerability, the Commission shall promulgate a rule or issue an order requiring implementation, by any owner, operator, or user of the bulk-power system in the United States, of measures to protect the bulk-power system against such vulnerability. Any such rule or order shall include a protection plan, including automated hardware-based solutions. Before promulgating a rule or issuing an order under this subparagraph, the Commission shall, to the extent practicable in light of the urgency of the need for action to address the grid security vulnerability, request and consider recommendations from the Electric Reliability Organization regarding such rule or order. The Commission may establish an appropriate deadline for the submission of such recommendations.

''(2) RESCISSION.—The Commission shall approve a reliability standard developed under section 215 that addresses a grid security vulnerability that is the subject of a rule or order under paragraph (1)(B), unless the Commission determines that such reliability standard does not adequately protect against such vulnerability or otherwise does not satisfy the requirements of section 215. Upon such approval, the Commission shall rescind the rule promulgated or order issued under paragraph (1)(B) addressing such vulnerability, effective upon the effective date of the newly approved reliability standard.

''(3) GEOMAGNETIC STORMS AND ELECTROMAGNETIC PULSE.—Not later than 6 months after the date of enactment of this section, the Commission shall, after notice and an opportunity for comment and after consultation with the Secretary and other appropriate Federal agencies, issue an order directing the Electric Reliability Organization to submit to the Commission for approval under section 215, not later than 6 months after the issuance of such order, reliability standards adequate to protect the bulk-power system from any reasonably foreseeable geomagnetic storm or electromagnetic pulse event. The Commission's order shall specify the nature and magnitude of the reasonably foreseeable events against which such standards must protect. Such standards shall appropriately balance the risks to the bulk-power system associated with such events, including any regional variation in such risks, the costs of mitigating such risks, and the priorities and timing associated with implementation. If the Commission determines that the reliability standards submitted by the Electric Reliability Organization pursuant to this paragraph are inadequate, the Commission shall promulgate a rule or issue an order adequate to protect the bulk-power system from geomagnetic storms or electromagnetic pulse as required under paragraph (1)(B).

''(4) LARGE TRANSFORMER AVAILABILITY.—Not later than 1 year after the date of enactment of this section, the Commission shall, after notice and an opportunity for comment and after consultation with the Secretary and other appropriate Federal agencies, issue an order directing the Electric Reliability Organization to submit to the Commission for approval under section 215, not later than 1 year after the issuance of such order, reliability standards addressing availability of large transformers. Such standards shall require entities that own or operate large transformers to ensure, individually or jointly, adequate availability of large transformers to promptly restore the reliable operation of the bulk-power system in the event that any such transformer is destroyed or disabled as a result of a geomagnetic storm event or electromagnetic pulse event. The Commission's order shall specify the nature and magnitude of the reasonably foreseeable events that shall provide the basis for such standards. Such standards shall—

''(A) provide entities subject to the standards with the option of meeting such standards individually or jointly; and

''(B) appropriately balance the risks associated with a reasonably foreseeable event, including any regional variation in such risks, and the costs of ensuring adequate availability of spare transformers.

''(5) CERTAIN FEDERAL ENTITIES.—For the 11-year period commencing on the date of enactment of this section, the Tennessee Valley Authority and the Bonneville Power Administration shall be exempt from any requirement under this subsection.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Arizona (Mr. FRANKS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FRANKS of Arizona. Mr. Chairman, I want first to thank the chairman of the Rules Committee, Mr. SESSIONS, for making this amendment in order, along with his committee members.

And I want to sincerely thank the chairman of the Energy and Commerce Committee, Mr. UPTON, for his support for the amendment and also just for the entire effort on his part in other committees of jurisdiction to move this underlying and critically important bill forward.

Mr. Chairman, our national security and the reliability of our electric grid are inextricably related. Without the grid, telecommunications no longer operate, transportation of every kind is profoundly affected, sewage and water treatment facilities stop, and a safe and continuous food supply is interrupted.

Contemporary society, Mr. Chairman, is not structured nor does it have the means to provide for the needs of nearly 300 million Americans without electricity. The current strategy for recovery from a failure of the electric grid leaves us ill-prepared to respond effectively to a significant manmade or naturally occurring electromagnetic pulse event that would potentially result in damage to vast numbers of the critical electric grid components nearly simultaneously or over an unprecedented geographic scale.

Mr. Chairman, the negative impacts on U.S. electric infrastructure are potentially catastrophic in a major EMP

or severe space weather event unless practical steps are taken to provide protection for critical elements of the electric system.

Nearly a dozen studies, including those by DOD, DOE, the Army War College, the National Academy of Sciences, and the bipartisan Electromagnetic Pulse Commission have all come to the same conclusion: The United States bulk power grid is critically vulnerable to severe space weather and electromagnetic pulse, and this represents a profound danger to this Nation.

We have now spent billions of dollars hardening our critical defense assets against electromagnetic pulse. However, the Department of Defense depends upon the unprotected civilian grid within the continual United States for 99 percent of their electricity needs without which they cannot effect their mission.

Some of America's most enlightened national security experts, as well as many of our enemies or potential enemies, consider a well-executed weaponized electromagnetic pulse against America to be a ''kill shot'' against America.

It is astonishing that our civilian grid remains fundamentally unprotected against a severe EMP, and for it to remain so is an open invitation to our enemies to exploit this dangerous vulnerability.

Mr. Chairman, my amendment amends section 215 of the Federal Power Act by creating a protocol for cooperation between industry and government in the development, promulgation, and implementation of standards and processes that are necessary to address the current shortcomings and vulnerabilities of the electric grid from a major EMP event.

This base bill does indeed provide for such protocols for the protection of the grid but only in a ''grid security emergency,'' defined in the bill as the actual occurrence of the EMP event or the imminent danger of one, and only after the President issues a written directive declaring such an emergency.

Mr. Chairman, that is akin to having a parachute that opens on impact. The nature of this threat is such that if there is a true emergency it may be too late to effectively respond. My amendment is critical because it proactively encourages cooperation on a solution to our vulnerability before it is deemed an emergency.

Mr. Chairman, finally, I would just say that we live in a time where the vulnerabilities to our electric grid, our most critical infrastructure, are big enough to be seen and still small enough to be addressed. This is our moment.

I appeal to my colleagues to support this vital amendment to protect Americans and our national security from this dangerous threat.

Mr. UPTON. Will the gentleman yield?

Mr. FRANKS of Arizona. I yield to the gentleman from Michigan.

Mr. UPTON. I would just say to the gentleman, I agree with what you have to say, that the electromagnetic pulse, EMP, and geomagnetic disturbances really do pose a real threat to the grid.

I think your amendment is constructive. It moves the bill forward. I have a few small concerns, but it is a good amendment, and I certainly intend to vote for it.

Mr. FRANKS of Arizona. I thank the chairman more than I know how to say, and I hope that it comes to fruition as it should.

I yield back the balance of my time.

Mr. RUSH. Mr. Chairman, I claim the time in opposition to the amendment, although I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mr. RUSH. Mr. Chairman, this amendment aims to address the threat of electromagnetic pulses and geomagnetic storms on the Nation's electric grid.

While I agree that we should protect our Nation's electric grid, I don't agree that we should only focus on these high-impact, low-frequency events. There are many other threats, Mr. Chairman, to the grid that deserve just as much focus.

The Franks amendment may undermine current FERC authority in the process for developing consistent technical standards for grid security already in place under Federal law.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FRANKS).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. POLIQUIN

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114–359.

Mr. POLIQUIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 45, line 8, insert ''(which may not be required to be for a period longer than one year)'' after ''contractual obligations''.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Maine (Mr. POLIQUIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maine.

Mr. POLIQUIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the great State of Maine is blessed with natural resources. We have 3,000 miles of breathtaking coastline. We have healthy fisheries. We have an abundance of inland waterways, rivers, streams, lakes, and ponds, and we have an abundance of water as a result. We have potatoes and broccoli in our farming communities, and our landscape is dotted with small organic farms that continue to grow. And, most importantly, or as importantly, Maine is right in the middle of the country's wood basket.

Now, Mr. Chairman, when you cut a strand of trees, one can leave behind the branches and the bark for that matter to decompose and become part of the carbon cycle, or that bark and branches and chips can be collected and transported to paper mills to burn energy or to burn to create energy to run the machinery to create paper, or they can be trucked to power plants to produce electricity.

Now, when this happens, it is the same carbon footprint if that biomass decays on the forest floor or if it is burned in a paper mill or an electric generating station.

This creates jobs, Mr. Chairman, for loggers and truckers, and also we help fuel our State economy and our Nation's economy by using this renewable, green, abundant, safe, homegrown biomass.

Many States, Mr. Chairman, have shifted away from foreign importation of oil for all kinds of reasons, not the least of which is national security. And, today, throughout our country, we are using more natural gas and oil developed here in our country, in America—also nuclear power, hydro, and biomass.

Today, Mr. Chairman, Federal regulations allow electric utilities to determine the reliability of the source of fuel they are burning to create electricity. Part of that reliability equation is the length of a contract to deliver that fuel source to the power plant.

If the reliability of that fuel source is not up to snuff, then that fuel source would result in electricity generated by that power plant not having full access to the power grid and not being able to sell its product, electricity, to the economy.

Some sources of fuel, like coal, for example, Mr. Chairman, are usually sold in 2- or 3-year contracts. The reason for that is because coal today is mostly used to generate electricity.

However, biomass is different. We can use branches and wood chips and bark and biomass that includes other organic materials to create pellets that are burned in wood stoves or to create mulch that gardeners use or also to create plywood and other materials. As a result, Mr. Chairman, biomass as a fuel source is usually sold in 1-year increments.

This bill, H.R. 8, the North American Energy Security and Infrastructure Act, where I am offering an amendment, Mr. Chairman, is a small technical amendment but a very important

one, because what it does is it puts all fuel sources on a level playing field, able to compete in the market, such that biomass—a green, renewable, environmentally friendly, homegrown source of fuel for our electric generators—is not penalized.

This is good for the economy, Mr. Chairman. It is good for job creation. It strengthens our national security because it diversifies the fuel sources that we need to fuel and power our electric generators that are used in creating jobs and creating products throughout our country.

As a result, Mr. Chairman, I ask everybody in this Chamber, Republicans and Democrats, today to support this commonsense amendment to help our State, to help our country, to help our economy, and to help our families live better lives.

□ 1615

Mr. UPTON. Will the gentleman yield?

Mr. POLIQUIN. I yield to the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I just want to say to my colleagues that this amendment clarifies that electric plants can be considered reliable without having to enter into supply contracts that are greater than a year.

I think that it is a good amendment, and we are willing to accept it.

Mr. POLIQUIN. I thank the chairman.

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

Mr. PALLONE. Mr. Chairman, I claim the time in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. Mr. Chairman, the gentleman from Maine's amendment adds further specificity to the criteria defining fuel certainty, one of the three requirements that defines reliable generation in section 1107 of the bill.

The amendment to the Public Utility Regulatory Policies Act, or PURPA, is already too prescriptive, in my view. The amendments in this legislation to capacity markets under the Federal Power Act in section 1110 and to PURPA in section 1107 are an attempt at micromanaging grid decisions.

I am not certain what the gentleman from Maine's amendment would be other than to ensure that no electric generation facility need enter into a contract with a fuel supplier that was any longer than 1 year.

I realize some problems have arisen in the New England capacity market, but I doubt this is the best way to address those problems.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maine (Mr. POLIQUIN).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. VEASEY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114–359.

Mr. VEASEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 58, after line 22, insert the following new subparagraph:

(C) ADDITIONAL REPORT.—The Secretary of Energy shall transmit to Congress a report on the potential commercial use of carbon capture, utilization, and storage technologies (including enhanced oil recovery), its potential effects on the economy and gross domestic product (GDP), and its contributions to the United States greenhouse gas emission reduction goals if widely utilized at major carbon dioxide-emitting power plants.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Texas (Mr. VEASEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. VEASEY. Mr. Chairman, I am pleased to offer an amendment that would require the Department of Energy to submit a report to Congress related to carbon capture, utilization, and sequestration, known as CCUS technologies.

This report would explore the potential effects that the commercial utilization of CCUS technologies would have on the Nation's economy and our gross domestic product. It would also examine what these technologies could contribute to our efforts to reach our greenhouse gas emission reduction goals.

My amendment is intended to supplement the CCUS evaluation report that is required by the underlying legislation. I am confident that this study's finding will provide concrete evidence that CCUS represents a way to benefit the economy and the environment while meeting our Nation's energy needs.

CCUS is a combination of technologies that allows industries to capture carbon, or CO_2, emissions for transport or storage before they are emitted into the atmosphere. These technologies have the potential to allow for the continued use of industries while decreasing the amount of CO_2 released into the environment.

America's recent energy boom has shown us that fossil fuels will continue to make up a sizable portion of our Nation's energy portfolio. So, as we continue to pursue an all-of-the-above energy policy, we must also be sure that we use these resources in an environmentally responsible fashion. Carbon capture technologies do achieve that goal. That is evident in the wide range of support it receives from industry as well as from environmental groups.

However, though much is understood about the various aspects of CCUS, commercial or large-scale deployment has not been achieved, and that is for a variety of different reasons. The absence of commercial projects has led to a fractured understanding of its widespread economic and environmental benefits.

So it is important for us to understand the potential economic benefits CCUS could hold for consumers and stakeholders if we continue to urge the Department of Energy to increase its investments in the research and development of these technologies.

The results of this study would also provide industry stakeholders and likely investors with concrete data to make those economic decisions.

Finally, as America continues to participate in the global effort to address climate change, we must also understand what CCUS can contribute to our emission reduction goals. By considering long-term climate mitigation needs, this study could provide reason for the Department of Energy to continue to support CCUS technologies even if a DOE-supported project does not immediately succeed.

These technologies have a variety of possible applications, from oil recovery and so on, and it is time that we really understood how a large-scale deployment of this technology would benefit our country. So I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. UPTON. Mr. Chairman, I claim the time in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. But I support the amendment.

Mr. Chairman, this amendment requires the Department of Energy to submit a report to Congress on the potential effects that the commercial utilization of carbon capture and sequestration could have on the economy, energy infrastructure, and greenhouse gas emission goals.

I support the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. VEASEY).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. MCKINLEY

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114–359.

Mr. MCKINLEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In subtitle A of title I, add at the end the following new section:

SEC. 1111. ETHANE STORAGE STUDY.

(a) IN GENERAL.—The Secretary of Energy and the Secretary of Commerce, in consultation with other relevant agencies and stakeholders, shall conduct a study on the feasibility of establishing an ethane storage and distribution hub in the United States.

(b) CONTENTS.—The study conducted under subsection (a) shall include—

(1) an examination of—

(A) potential locations;

(B) economic feasibility;

(C) economic benefits;

(D) geological storage capacity capabilities;

(E) above ground storage capabilities;

(F) infrastructure needs; and

(G) other markets and trading hubs, particularly related to ethane; and

(2) identification of potential additional benefits to energy security.

(c) PUBLICATION OF RESULTS.—Not later than 2 years after the date of enactment of this Act, the Secretaries of Energy and Commerce shall publish the results of the study conducted under subsection (a) on the websites of the Departments of Energy and Commerce, respectively, and shall submit such results to the Committee on Energy and Commerce of the House of Representatives and the Committees on Energy and Natural Resources and Commerce, Science, and Transportation of the Senate.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from West Virginia (Mr. MCKINLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, I applaud the work of Chairman UPTON and his staff in their bringing this crucial energy bill to the floor, and I want to thank them for that.

Mr. Chairman, I rise in support of this amendment, which directs the Department of Energy and the Department of Commerce to conduct a study on the feasibility of establishing one or more ethane storage and distribution hubs in the United States. This study will also examine the potential benefits that an ethane storage hub would have on our Nation's energy security.

The extraction of natural gas from shale gas formations has increased dramatically over the last 15 years, and ethane is the largest component of that shale gas. Most of the ethane production is used in the petrochemical sector in order to make ethylene, a major component used in the feedstock for manufacturing.

Yet, while the ethane supply continues to grow, the lack of infrastructure and storage inhibits its potential for America's manufacturing economy. Establishing ethane storage and distribution hubs could bring about new markets for these stranded liquids and allow America's shale formations to achieve their full potential as critical national energy assets.

A revamped storage and distribution infrastructure will make our economy less vulnerable to potential unanticipated disruptions and will reduce transportation costs.

Furthermore, the results of this study and decentralization of ethane activity could encourage investment in manufacturing and the expansion of the petrochemical industry all across America.

Therefore, I urge my colleagues to support this amendment for a study.

Mr. UPTON. Will the gentleman yield?

Mr. MCKINLEY. I yield to the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, this amendment is a good amendment. It directs the Secretary of Energy and the Secretary of Commerce, in consultation with other relevant agencies and stakeholders, to conduct a study on the feasibility of establishing an ethane storage and distribution hub in the U.S.

The gentleman and I have talked about it over the last number of months. I think it is a good amendment, and it adds to the bill, so I support the amendment.

Mr. MCKINLEY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MRS. ELLMERS OF NORTH CAROLINA

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 114–359.

Mrs. ELLMERS of North Carolina. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. 11___. STATEMENT OF POLICY ON GRID MODERNIZATION.

It is the policy of the United States to promote and advance—

(1) the modernization of the energy delivery infrastructure of the United States, and bolster the reliability, affordability, diversity, efficiency, security, and resiliency of domestic energy supplies, through advanced grid technologies;

(2) the modernization of the electric grid to enable a robust multi-directional power flow that leverages centralized energy resources and distributed energy resources, enables robust retail transactions, and facilitates the alignment of business and regulatory models to achieve a grid that optimizes the entire electric delivery system;

(3) relevant research and development in advanced grid technologies, including—

(A) energy storage;

(B) predictive tools and requisite real-time data to enable the dynamic optimization of grid operations;

(C) power electronics, including smart inverters, that ease the challenge of intermittent renewable resources and distributed generation;

(D) real-time data and situational awareness tools and systems; and

(E) tools to increase data security, physical security, and cybersecurity awareness and protection;

(4) the leadership of the United States in basic and applied sciences to develop a systems approach to innovation and development of cyber-secure advanced grid technologies, architectures, and control paradigms capable of managing diverse supplies and loads;

(5) the safeguarding of the critical energy delivery infrastructure of the United States and the enhanced resilience of the infrastructure to all hazards, including—

(A) severe weather events;

(B) cyber and physical threats; and

(C) other factors that affect energy delivery;

(6) the coordination of goals, investments to optimize the grid, and other measures for energy efficiency, advanced grid technologies, interoperability, and demand response-side management resources;

(7) partnerships with States and the private sector—

(A) to facilitate advanced grid capabilities and strategies; and

(B) to provide technical assistance, tools, or other related information necessary to enhance grid integration, particularly in connection with the development at the State and local levels of strategic energy, energy surety and assurance, and emergency preparedness, response, and restoration planning;

(8) the deployment of information and communications technologies at all levels of the electric system;

(9) opportunities to provide consumers with timely information and advanced control options;

(10) sophisticated or advanced control options to integrate distributed energy resources and associated ancillary services;

(11) open-source communications, database architectures, and common information model standards, guidelines, and protocols that enable interoperability to maximize efficiency gains and associated benefits among—

(A) the grid;

(B) energy and building management systems; and

(C) residential, commercial, and industrial equipment;

(12) private sector investment in the energy delivery infrastructure of the United States through targeted demonstration and validation of advanced grid technologies; and

(13) establishment of common valuation methods and tools for cost-benefit analysis of grid integration paradigms.

The Acting CHAIR. Pursuant to House Resolution 542, the gentlewoman from North Carolina (Mrs. ELLMERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Mrs. ELLMERS of North Carolina. Mr. Chairman, I rise today in support of this bipartisan amendment.

I join my colleague, Congressman JERRY MCNERNEY of California. Together, we chair the Grid Innovation Caucus with the belief that we need to have a bold and ambitious vision for modernizing our Nation's electric grid.

Our current electric infrastructure resembles that of the original grid built over 100 years ago. New technology has given us the opportunity to transform a 20th century grid into a 21st century grid, and my home State of North Carolina is helping to lead the way. In fact, North Carolina is the second-leading State in grid innovation technology development behind California.

There is a need to bring our electric grid and the entire electric system up to date in order to meet the changing demands of our digital economy. This amendment is simply a statement of policy and a blueprint for what we want our future grid to consist of and how we want it to perform. By adopting this amendment, we begin to develop a concrete plan to further secure our grid.

This is a conversation that needs to happen now, and this energy package moves the debate forward. Technology has given us the ability to further secure our grid from physical and cyber threats as well as increase the efficiency, reliability, and redundancy of this vital component.

I urge my colleagues to vote ''yes'' on this amendment.

Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Chairman, I thank my colleague from North Carolina for yielding and for her work on the Grid Innovation Caucus, which is one example of bipartisan cooperation for the good of the Nation.

I also join my colleague Mrs. ELLMERS in offering this bipartisan amendment, which would establish a statement on grid modernization policy. This will establish a clear vision to achieve the future grid.

The grid is the core of our Nation's effort to transition to clean energy sources. That said, our current electric grid has much the same technology that was in place for the last 100 years. We need to improve and upgrade the grid to meet the 21st century demands and the demands of the digital economy.

The future grid must be reliable, secure, resilient, and affordable while integrating a range of resources and devices, including intermittent renewable energy, storage, and electric vehicles.

Having a national grid modernization policy, or vision, will help achieve these objectives while maintaining the secure, safe, reliable, and affordable power for which our Nation is known.

I thank my colleague, who is the co-chair of the Grid Innovation Caucus, and I urge a ''yes'' vote on the amendment.

Mr. UPTON. Mr. Chairman, I claim the time in opposition to the gentlewoman's amendment.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Chairman, I support the amendment, and I congratulate the two on its being a bipartisan amendment. This makes a strong policy on grid modernization. I appreciate their work, and I urge my colleagues to support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Mrs. ELLMERS).

The amendment was agreed to.

□ 1630

AMENDMENT NO. 9, AS MODIFIED, OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 114–359.

Ms. JACKSON LEE. Mr. Chair, I offer amendment No. 9, and I ask unanimous consent that it be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will designate the amendment, as modified, and report the modification.

The text of the amendment, as modified, is as follows:

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

SEC. 11___. GRID RESILIENCE REPORT.

Not later than 120 days after the date of enactment of this Act, the Secretary of Energy shall submit to the Congress a report on methods to increase electric grid resilience with respect to all threats, including cyber attacks, vandalism, terrorism, and severe weather.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 542, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Let me express my appreciation to Chairman UPTON and Ranking Member PALLONE and the Rules Committee for allowing this amendment to come to the floor. Let me thank Chairman SESSIONS and Ranking Member SLAUGHTER of the Rules Committee as well.

As I begin, let me acknowledge that I think we have a collective commitment and need to continue to assess the electric grid. According to a Department of Energy report on the economic benefits of increasing the electric grid resilience, the electric grid in the State of Texas is highly vulnerable to severe weather, cyber attacks, vandalism, and terrorism. Mr. Chairman, Texas is only an example.

I hold in my hand a letter from the Senate Committee on Veteran Affairs & Military Installations that has come to my attention and the House Committee on Defense and Veterans' Affairs to take note of the vulnerability. I use this letter from the State to only say that other States are in the same category.

That is why the Jackson Lee amendment is very relevant, because it requires a report to be promulgated upon our Nation's preparedness for challenges in energy as it pertains to cyber attacks, vandalism, terrorism, and severe weather.

I sit on the Homeland Security Committee's Cybersecurity, Infrastructure Protection, and Security Technologies Subcommittee, and we see every day vulnerabilities to the cybersecurity or the infrastructure. The importance of this amendment was underscored, as I indicated, in a letter that I received.

My amendment offers the option of the utilization of geothermal power, in addition to other renewable strategies, to address some of the energy insecurities faced by this Nation. In today's world of natural and manmade disasters in the energy sector, seeking and implementing complementary alternative measures, such as that proposed in my amendment, will help address some of the insecurity issues triggered by these disasters.

The natural disasters suffered in many of our home States, whether it is tornados or hurricanes, we know that the grid is an important survival asset for the Nation.

According to the DOE report, the average yearly cost of power outages from severe weather in the U.S. is between $18 billion to $33 billion. Cold weather in a number of States caused two emergencies that knocked out 9,355 megawatts.

These events warn us that key infrastructure facilities along the Gulf Coast and many other places continue to stress our grid. Thus, this amendment seeks to facilitate the United States' exploration of possibilities, strategies, and utilities of promoting energy infrastructure.

I would ask my colleagues to join me in ensuring through this report that we are in front of it, if we can be, to strengthen our electric grid, to look for alternatives, to be ahead of cybersecurity attacks, vandalism, weather conditions, and assure the American public that they do have a resilient system that will last during times of great disaster.

I ask my colleagues to support the amendment.

Mr. Chair, let me express my appreciation to Chairman UPTON and Ranking Member PALLONE for their leadership and commitment to American energy infrastructure development, security, independence and economic growth.

I also wish to thank Chairman SESSIONS, Ranking Member SLAUGHTER, and the members of the Rules Committee for making in order Jackson Lee Amendment Number 9.

Mr. Chair, thank you for the opportunity to explain my amendment, which provides:

GRID RESILIENCE REPORT

Not later than 120 days after the date of enactment of this Act, the Secretary of Energy shall submit to Congress a report on methods to increase electric grid resilience with respect to all threats, including cyber attacks, vandalism, terrorism, and severe weather.

According to a Department of Energy Report on the Economic Benefits of Increasing Electric Grid Resilience, the electrical grid in

the state of Texas is highly vulnerable to severe weather, cyber attacks, vandalism and terrorism.

This is why Jackson Lee Amendment Number 9 is very relevant because it requires a report to be promulgated on our nation's preparedness for challenges in energy, as pertains to cyber attacks, vandalism, terrorism and severe weather.

The importance of this Amendment was underscored in a letter addressed to me and other members of the Texas Delegation from the Texas Senate Veterans Affairs and Military Installations Committee and the Texas House Defense and Veteran's Affairs Committee.

My Amendment offers the option of the utilization of geothermal power in addition to other renewable strategies to address some of the energy insecurities faced by my home state of Texas and by our nation as a whole.

Across the nation from New Orleans to Georgia to New Jersey, we have all seen the devastation natural and man-made disasters have wrought on the livelihood of Americans.

In today's world of natural and man-made disasters in the energy sector, seeking and implementing complementary alternative measures such as that proposed in my Amendment will help address some of the insecurity issues triggered by these disasters.

The natural disaster suffered in my home state of Texas is an example that underscores the imperative of a well informed report corroborated by data and facts.

Here are the recent facts: According to a DOE report, the average yearly cost of power outages from severe weather in the U.S. is between $18–$33 billion; Cold weather in Texas caused a level two emergency that knocked out 9,355 MW of power that drastically increased wholesale electricity prices 100 times the normal rate in January 2014; Additionally, in 2014 alone, there were approximately eight major power outages in the Corpus Christi area, three of which affected nearby Navy bases.

These events warn us that key infrastructure facilities along the gulf coast operate 24/7 365 days a year, with ongoing powerful power demands, and there is a need for enormous and capable energy security infrastructures, prepared to handle natural and man-made disasters.

Thus, this Amendment seeks to facilitate the United State's exploration of the possibilities, strategies and the utility of promoting energy infrastructures.

Indeed, part of what I hope will be the result of the report requested by my Amendment are the timelines, actions and plans for bolstering energy security and infrastructure development in our nation.

Already we can see some of the potential dividends of investing in infrastructures that foster the utilization of our geothermal resources to promote energy security and efficiency.

A prime example is my home state of Texas.

Indeed, according to reports, Texas' geothermal resources can complement both offsite wind and solar projects and leverage the earth's constant heat in gulf coast pressurized zones and eliminate dependency on external fuel sources.

For example, the National Renewable Energy Laboratory (NREL) published a study in 2012 that determined a minimum of 2,500 Megawatts to the power of 3 (MW_3) of geothermal potential within the gulf coast region.

For those of us in the Gulf Coast, our geothermal can serve as an unlimited resource which can provide relief to facilities in need of clean, stable power and set a new standard for sustainability.

Additionally, geothermal resource can be instrumental in fostering our nation's renewable energy, while adding military value to our defense installations.

For all of these reasons, I urge my colleagues to join me and support Jackson Lee Amendment Number 9.

I reserve the balance of my time.

Mr. UPTON. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Chair, I supported the amendment before it was revised. I support the amendment as revised.

This amendment directs the Secretary of Energy to submit to the House and Senate Energy Committees a report on methods to increase electric grid resilience with respect to all threats, including cyber attacks, vandalism, terrorism, and severe weather. Actually, as amended, it requires it submit to the Congress versus the specific committees.

I think it is a fine amendment, and I support it.

I yield back the balance of my time.

Ms. JACKSON LEE. I yield to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I want to also lend my support to the legislation on grid resiliency. I think it is very important. I appreciate the gentlewoman putting it forward.

Ms. JACKSON LEE. Mr. Chairman, I include in the RECORD this letter from the Senate Committee on Veteran Affairs & Military Installations of the State of Texas and the House Committee on Defense and Veterans' Affairs.

SENATE COMMITTEE ON VETERAN AFFAIRS & MILITARY INSTALLATIONS AND HOUSE COMMITTEE ON DEFENSE AND VETERANS' AFFAIRS,

November 12, 2015.

DEAR HONORABLE JACKSON LEE: On behalf of the Texas Senate Committee on Veteran Affairs and Military Installations and the House Committee on Defense and Veterans' Affairs, we are writing to ask for your support for the development of geothermal energy along the Gulf Coast to provide onsite power and increased energy independence to critical infrastructure facilities that include Military bases such as Naval Air Station (NAS) Corpus Christi, Naval Air Station Kingsville, and the Ports of Corpus Christi and Brownsville.

The August 2013 Report of Economic Benefits of Increasing Electric Grid Resilience authored by the Department of Energy determined that in addition to cyber-attacks, vandalism, and terrorism, the electrical grid is highly vulnerable to severe weather. The average yearly cost of power outages from severe weather in the U.S. is between $18-$33 billion. Cold weather in Texas caused a level two emergency that knocked out 9,355 MW of power that drastically increased wholesale electricity prices 100 times the normal rate in January 2014. Additionally in 2014, there were approximately eight major power outages in the Corpus Christi area, three of which affected the nearby Navy bases. Key infrastructure facilities along the gulf coast operate 24/7/365 and their ongoing power demands are enormous; however, the need for cleaner and more cost effective renewables is also increasing.

The National Renewable Energy Laboratory (NREL), who supports the military's renewable energy goal, published a study in April 2012 that determined a minimum of 2,500 MW of geothermal power potential within the gulf coast region and more recent review by geothermal energy developers have doubled that estimate. Our committees were briefed recently on a conceptual plan to generate as much as 10MW of geothermal power within a 2-acre area at NAS Corpus Christi and up to 5MW at NAS Kingsville. The Corpus Christi Army Depot who is a tenant on NAS Corpus Christi is also considering a plan through its Energy Service Company (ESCO) to utilize geothermal power with a MicroGrid on-site to enhance its energy security in case of power outage. This MicroGrid would complement other offsite renewable power sent from the local grid.

From a regulatory stand-point, the Energy Act of 2005, Presidential Executive Orders 13423 and 13513, and the Department of the Navy's own Renewable Energy Security Goals established by Navy Secretary Ray Mabus in October 2012 are some of the other drivers that are encouraging the military's use of any geographically available onsite renewable sources by 2015 and 2020 respectively. The Navy's 2012 report only considered 1.2MW Solar PV for on-site generation at NAS Corpus Christi; however we understand their renewable energy team has acknowledged Geothermal is an option that has still not been implemented.

Texas' Geothermal resources can complement both off-site wind and solar projects and leverage the earth's constant heat in gulf coast geopressured zones and eliminate dependency on external fuel sources. This unlimited resource will provide relief to facilities in need of clean, stable power and set a new standard for sustainability while fostering renewable energy growth in Texas and adding military value to our defense installations.

As Chairs of the Texas military affairs committees, we ask for your support and advocacy of this approach to military leaders in Washington D.C. It will improve military value for our defense installations, create new jobs in the energy sector, and benefit the State of Texas as a whole. If you would like more information on the potential projects in Texas, please feel free to contact staff of either Committee.

Sincerely,

SENATOR DONNA CAMPBELL,
CHAIR,
Senate Veteran Affairs & Military Installations Committee.

REPRESENTATIVE SUSAN L. KING, CHAIR,
House Defense & Veterans' Affairs Committee.

Ms. JACKSON LEE. Mr. Chairman, let me conclude by simply saying I

thank both Mr. UPTON and Mr. PALLONE for joining in the unanimous consent to revise the amendment simply to say that this report on increasing methods to increase the electric grid resilience with respect to all threats, including cyber attacks, vandalism, terrorism, severe weather, will go to the Congress. I thank them very much.

I ask my colleagues to support the Jackson Lee amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment, as modified, was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. KILDEE

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 114–359.

Mr. KILDEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. 11___. GAO REPORT ON IMPROVING NATIONAL RESPONSE CENTER.

The Comptroller General of the United States shall conduct a study of ways in which the capabilities of the National Response Center could be improved.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Michigan (Mr. KILDEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KILDEE. Mr. Chair, the National Response Center is a joint operation between the U.S. Coast Guard, the EPA, and other agencies. It is the sole Federal point of contact for reporting hazardous substance releases and oil spills.

Essentially, it is our Nation's 911 for dangerous spills, staffed by the Coast Guard 24 hours a day, passing on reports to relevant national response teams.

Those teams then go to the site of a spill, assess the situation, determine the best way to mitigate exposure, and quickly clean up the spill. Often it is the Coast Guard being called upon to clean up a spill when it involves surface water.

Back in March I visited a Coast Guard station in my district to learn more about their operations. While I was there, we talked quite a bit about a serious deficiency in their capabilities, a deficiency that came to light during one of the greatest environmental disasters that our State has faced, and the chairman is quite aware of this.

In 2010, there was a large spill on the Kalamazoo River. It was the largest inland oil spill in the history of the U.S., in fact. The Coast Guard was called upon to help with those cleanup efforts.

When they arrived, however, they learned that the equipment that they had brought to the spill was for one type of oil—the oil that they believed to have been involved in this particular incident—but the oil in the Kalamazoo River was an entirely different type and consistency than what they had expected, and it required a different cleanup method.

Valuable time was lost as the Coast Guard actually had to return back to their station, hours away, to get the right equipment. Meanwhile, this spill continued into this river.

The terrible scope of the spill could have been much more easily mitigated had the National Response Center possessed the basic information regarding the contents of that particular pipeline so they could pass the information on to the Coast Guard to address the spill when it occurred.

Currently, these response teams are often flying blind as they head out to spills. Without this important information, the likelihood of much more serious damage, such as what we saw in 2010 in the Kalamazoo River, is much higher.

So I have been talking with lots of folks, including the people within the Coast Guard, about ways to improve their ability to address and respond to this type of spill.

The amendment that I have offered would simply require the GAO to conduct a study of ways in which the capabilities of the National Response Center could be improved, including providing additional information on the contents of these pipelines.

It would be an independent study that could then guide policymakers in improving the National Response Center, providing them the tools they need in the 21st century.

The National Response Center receives over 6,000 calls per year across the country on all different sorts of spills. Giving the National Response Center the tools they need in order to respond to these incidents as quickly as possible with the right information is critical not only to protecting public health, but in preventing long-term damage to the environment.

Of course, coming from Michigan—in the district that I represent, the Great Lakes, I have 77 miles of shoreline—we are particularly concerned about surface water spills, and this information is absolutely critical. Forty million people depend on the Great Lakes for drinking water. We want to ensure that those who are charged with responding to accidents, such as the one we saw in Michigan, have all the information and tools available to them.

I ask my colleagues to support this amendment.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Chair, I support the amendment. I want to say to my friend from the great State of Michigan that this is obviously an issue that is close to both of our hearts.

I want to go back. When I was first elected a few years ago, one of the first bills that I saw enacted into law was an oil spill response team for the Great Lakes. It was actually a visit, I think, now to your district, Bay City, back then, which had a fairly significant oil spill. We found out that the Coast Guard was totally unprepared. My amendment was added, I want to say, to a highway bill to get it done.

When we had the oil spill on the Kalamazoo River in Calhoun County a few years ago, we looked at that. We actually passed the Upton-Dingell—not the DEBBIE DINGELL, but the John Dingell—bill on pipeline safety, which I want to say passed this body with more than 400 votes.

It did a lot of good things, including one that was very important, which was, when there is an oil spill, it had to be reported to PHMSA within an hour versus on a timely basis. That was a big change.

Now that we expect the passage tomorrow of the highway bill, Chairman SHUSTER and myself will be working again to reauthorize the pipeline safety bill. I am led to believe that we will be prepared to start early next year to bring a bill to the floor. I look forward to your support.

□ 1645

Anything that we can do to improve the current system is a good thing, which is why I strongly support your amendment today.

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

Mr. KILDEE. Mr. Chairman, I just want to thank the chairman for his good work on this. I look forward to working with him again on additional pipeline safety measures as they come to the floor. I appreciate his support for my amendment.

I believe in quitting while I am ahead. With that, unless the ranking member would like time, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. KILDEE).

The amendment was agreed to.

The Acting CHAIR. The Chair understands that amendment No. 11 will not be offered.

AMENDMENT NO. 12 OFFERED BY MR. GARAMENDI

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 114–359.

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 118, line 2, insert ''transportation,'' after ''distribution,''.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, I am trying to figure out who would be opposed to this amendment, so maybe I will just talk my few minutes and go from there.

The bill deals with energy, and I am trying to figure out, let's see, energy that goes along in wires would be electrical energy. If it is coal, it is probably on a truck or a train. If it is oil or gas, it is on a pipeline or maybe in a truck, maybe in a boat or barge.

But this bill doesn't speak to the transportation of energy, so this amendment is extraordinarily important because it really says that, if you are going to study energy, you better study how you are going to get it to wherever it needs to go. This amendment, being such an important amendment, and so long—let's see, transportation. Wow, not even 15 letters. That is all it does. It simply adds the word ''transportation'' to the study section of this bill, requiring the Department of Energy, as it studies energy, to study how it gets from here to there. That is it.

Now, I can go on for another 4 minutes or so, but after doing so, it won't make any difference because we really need to study energy and figure out how it gets to where it needs to go. That is the amendment. Add the word ''transportation'' in it.

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

Mr. UPTON. Mr. Chairman, I claim the time in opposition but speak in support of the amendment.

The Acting CHAIR. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. UPTON. Mr. Chairman, this amendment adds inclusion of the energy transportation to the list of considerations for the energy security valuation report. Section 3002 requires the Secretary of Energy to establish transparent and uniform procedures and criteria to ensure that energy-related actions that significantly affect the supply, distribution, or use of energy are evaluated with respect to their potential impact on energy security, including their impact on the consumer and the economy and energy supply and diversity.

I think it is a good amendment. I urge my colleagues to support it.

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

Mr. GARAMENDI. Mr. Chairman, I came in prepared for a brawl, and all I get is acceptance of an amendment. I think I will go with that and say thank you, Mr. Chairman, for the extraordinary wisdom that apparently we both seem to have.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. MCKINLEY

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 114–359.

Mr. MCKINLEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, add the following new section:

SEC. 3007. ENVIRONMENTAL REVIEW FOR ENERGY EXPORT FACILITIES.

Notwithstanding any other provision of law, including any other provision of this Act and any amendment made by this Act, to the extent that the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) applies to the issuance of a permit for the construction, operation, or maintenance of a facility for the export of bulk commodities, no such permit may be denied until each applicable Federal agency has completed all reviews required for the facility under such Act.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from West Virginia (Mr. MCKINLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. MCKINLEY. Mr. Chairman, again, I applaud the committee, and particularly the staff, for the hard work they have done in putting together this comprehensive piece of legislation on energy. It has been long overdue to have that energy bill, so I am delighted it is here on the floor.

I rise today in support of an amendment which is cosponsored by my colleague from Montana, Congressman ZINKE. This amendment will ensure that no permit for a coal export facility can be denied until all reviews required under the National Environmental Policy Act, known as NEPA, have been completed.

The NEPA review process is critical to ensure that the communities can provide input on any proposed project, and it allows the developer the opportunity to work with the citizens of a community and the regulatory agency to address any concerns that may arise. Denying a permit request for a coal export facility before the NEPA process is complete would send a precedent that indicates that those voices of affected parties don't matter and diminish the value of the NEPA process.

This amendment will ensure that a regulatory agency must first take into consideration the merits of the project, voices of the people, their thoughts, concerns, and the findings of the NEPA report before acting on a permit and simply not advancing an anticoal ideology.

I urge my colleagues to support this amendment.

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

Mr. PALLONE. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. Mr. Chairman, time after time, Democratic Members have come to the floor to strike bad NEPA language from bills, only to be voted down by Republicans who use streamlining as a euphemism for letting polluters do whatever they want. Now they expect us to believe that they are sincere about keeping NEPA strong in one perverse scenario in which they think it could help them. Well, I don't think that passes the smell test. What is more, the amendment undermines the treaty rights of the Lummi Nation and jeopardizes the sovereignty of all tribes with rights to natural resources.

Mr. Chairman, tomorrow we will be here on the House floor to vote on the conference report for a highway bill which includes, over the opposition of many Democrats, sweeping exemptions from the requirements of the National Environmental Policy Act. I have no doubt that both of the sponsors of this amendment support those exemptions and will vote to pass the bill without a second thought about the fact that it short-circuits NEPA review for many, many infrastructure projects.

I am shocked to see them standing here with straight faces arguing that, when it benefits them and their friends in the coal industry, the NEPA process should be thorough and complete. It is a level of audacity that I think is almost laughable.

I urge my colleagues to vote ''no'' on this damaging and disingenuous amendment.

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

Mr. MCKINLEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Montana (Mr. ZINKE).

Mr. ZINKE. Mr. Chairman, to clarify, this amendment does not violate treaty rights, and to suggest it does is disingenuous and false.

This is about fairness. It is not about two tribes. It is about fairness of a process. It would be unprecedented for the Army Corps of Engineers to bypass the EIS to make a decision, and that is what this amendment does.

It is not about coal. It is not about commodities, nor is it about treaty

rights because, quite frankly, the Crow Tribe in Montana has treaty rights, too. This is not to pit one poor nation against a rich nation. It is about simple fairness.

It would be unprecedented for the Army Corps of Engineers or any government body to give judgment before the process is complete, and that is what we are asking for. The EIS is the process that needs to be done.

Mr. MCKINLEY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. MCKINLEY).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. GENE GREEN OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 114–359.

Mr. GENE GREEN of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, insert the following new section:

SEC. 3007. AUTHORIZATION OF CROSS-BORDER INFRASTRUCTURE PROJECTS.

(a) FINDING.—Congress finds that the United States should establish a more uniform, transparent, and modern process for the construction, connection, operation, and maintenance of pipelines and electric transmission facilities for the import and export of liquid products, including water and petroleum, and natural gas and the transmission of electricity to and from Canada and Mexico.

(b) AUTHORIZATION OF CERTAIN INFRASTRUCTURE PROJECTS AT THE NATIONAL BOUNDARY OF THE UNITED STATES.—

(1) REQUIREMENT.—No person may construct, connect, operate, or maintain a cross-border segment of a pipeline or electric transmission facility for the import or export of liquid products or natural gas, or the transmission of electricity, to or from Canada or Mexico without obtaining a certificate of crossing for such construction, connection, operation, or maintenance under this subsection.

(2) CERTIFICATE OF CROSSING.—

(A) ISSUANCE.—

(i) IN GENERAL.—Not later than 120 days after final action is taken under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a cross-border segment described in paragraph (1), the relevant official identified under subparagraph (B), in consultation with appropriate Federal agencies, shall issue a certificate of crossing for the cross-border segment unless the relevant official finds that the construction, connection, operation, or maintenance of the cross-border segment is not in the public interest of the United States.

(ii) NATURAL GAS.—For the purposes of natural gas pipelines, a finding with respect to the public interest under section 3(a) of the Natural Gas Act (15 U.S.C. 717b(a)) shall serve as a finding under clause (i) of this subparagraph.

(B) RELEVANT OFFICIAL.—The relevant official referred to in subparagraph (A) is—

(i) the Secretary of State with respect to liquid pipelines;

(ii) the Federal Energy Regulatory Commission with respect to natural gas pipelines; and

(iii) the Secretary of Energy with respect to electric transmission facilities.

(C) ADDITIONAL REQUIREMENT FOR ELECTRIC TRANSMISSION FACILITIES.—The Secretary of Energy shall require, as a condition of issuing a certificate of crossing for an electric transmission facility, that the cross-border segment be constructed, connected, operated, or maintained consistent with all applicable policies and standards of—

(i) the Electric Reliability Organization and the applicable regional entity; and

(ii) any Regional Transmission Organization or Independent System Operator with operational or functional control over the cross-border segment of the electric transmission facility.

(3) MODIFICATIONS TO EXISTING PROJECTS.—No certificate of crossing shall be required under this subsection for a change in ownership, volume expansion, downstream or upstream interconnection, or adjustment to maintain flow (such as a reduction or increase in the number of pump or compressor stations) with respect to a liquid or natural gas pipeline or electric transmission facility unless such modification would result in a significant impact at the national boundary.

(4) EFFECT OF OTHER LAWS.—Nothing in this subsection shall affect the application of any other Federal statute (including the Natural Gas Act and the Energy Policy and Conservation Act) to a project for which a certificate of crossing is sought under this subsection.

(c) IMPORTATION OR EXPORTATION OF NATURAL GAS TO CANADA AND MEXICO.—Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended by adding at the end the following: ''In the case of an application for the importation or exportation of natural gas to or from Canada or Mexico, the Commission shall grant the application not later than 30 days after the date of receipt of the complete application.''.

(d) TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND MEXICO.—

(1) REPEAL OF REQUIREMENT TO SECURE ORDER.—Section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)) is repealed.

(2) CONFORMING AMENDMENTS.—

(A) STATE REGULATIONS.—Section 202(f) of the Federal Power Act (16 U.S.C. 824a(f)) is amended by striking ''insofar as such State regulation does not conflict with the exercise of the Commission's powers under or relating to subsection 202(e)''.

(B) SEASONAL DIVERSITY ELECTRICITY EXCHANGE.—Section 602(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a–4(b)) is amended by striking ''the Commission has conducted hearings and made the findings required under section 202(e) of the Federal Power Act'' and all that follows through the period at the end and inserting ''the Secretary has conducted hearings and finds that the proposed transmission facilities would not impair the sufficiency of electric supply within the United States or would not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Secretary''.

(e) EFFECTIVE DATE; RULEMAKING DEADLINES.—

(1) EFFECTIVE DATE.—Subsections (b) through (d), and the amendments made by such subsections, shall take effect on January 20, 2017.

(2) RULEMAKING DEADLINES.—Each relevant official described in subsection (b)(2)(B) shall—

(A) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of subsection (b); and

(B) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of subsection (b).

(f) DEFINITIONS.—In this section—

(1) the term ''cross-border segment'' means the portion of a liquid or natural gas pipeline or electric transmission facility that is located at the national boundary of the United States with either Canada or Mexico;

(2) the terms ''Electric Reliability Organization'' and ''regional entity'' have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824o);

(3) the terms ''Independent System Operator'' and ''Regional Transmission Organization'' have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796);

(4) the term ''liquid'' includes water, petroleum, petroleum product, and any other substance that flows through a pipeline other than natural gas; and

(5) the term ''natural gas'' has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a).

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Texas (Mr. GENE GREEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. GENE GREEN of Texas. I yield myself such time as I may consume.

Mr. Chairman, I rise in support of an amendment that would create regulatory certainty with our neighbors, Canada and Mexico.

The Presidential permitting process dates back many administrations. Beginning in the administration of Ulysses S. Grant, the executive branch has taken steps to ensure our cross-border infrastructure between Canada and Mexico was constructed.

These past administrations and, indeed, the current administration have been forced to use executive orders because Congress has failed to act. Congress has a duty to regulate the commerce of the United States, and cross-border energy infrastructure projects fall well within that space.

We need to create a system with our neighbors, Mexico and Canada, to truly create a North American energy market, and that is what this amendment would do. We can't build infrastructure in this country or in this continent based on who sits in the White House.

There are 11 cross-border projects awaiting a decision now by the Department of State and the President, including electricity wires and water pipelines.

It is Congress' responsibility to create regulatory rules by which infrastructure is constructed. As a reminder of this, tomorrow we will pass the conference report to the FAST Act. The

FAST Act is a multiyear transportation bill that shows our determination to build infrastructure for the 21st century. Now we must build on that success and focus on our energy infrastructure.

This amendment would create a regulatory process at the Department of State, Department of Energy, and the Federal Energy Regulatory Commission to permit cross-border infrastructure. This is no different than building roads, bridges, or railways.

The Department of Transportation coordinates with Federal, State, and local agencies to ensure the project is completed and the environment protected. We will do the same thing with pipes and wires. We need to build electric transmission lines and pipelines to move resources from where they are to where they are needed.

The amendment complies with the National Environmental Policy Act and requires a full environmental review of any cross-border facility, including analysis of the climate change impacts. The entire length of the pipeline or electric transmission line will be reviewed for environmental impacts.

This amendment is about the future and how to meet the 21st century demands that our country needs. We should embrace the changes taking place in North America and harmonize our policies with those of our neighbors both to the north and south.

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

Mr. PALLONE. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. Mr. Chairman, this amendment makes an end run around the National Environmental Policy Act. The amendment would simply eliminate any meaningful review of the environmental impact of large trans-boundary infrastructure projects by redefining and significantly narrowing the scope of NEPA's environmental review.

While a traditional NEPA review looks at the impacts of an entire project, this amendment restricts NEPA review only to that small portion that physically crosses the border, and that defies common sense. We are talking about massive projects that are more than just at border crossing.

When we approve a trans-boundary pipeline or transmission line, we are approving multibillion-dollar infrastructures that may stretch hundreds of miles and will last for decades. They cross through private property, water bodies, farms, sensitive lands, and over aquifers. They carry substances that can catch fire or spill and pollute the environment, and they have profound implications for climate change.

To understand the potential environmental impact of an energy project, we need to look at the project as a whole. To ignore the potential environmental or safety risks for every part of the project except the tiny sliver of land at the national boundary makes no sense.

Imagine going to the doctor if you are feeling sick, and the doctor gives you a clean bill of health after looking only at your elbow. That is what this amendment does by redefining the scope of NEPA's inquiry to only encompass the step across the border. It makes the process of environmental review essentially meaningless, and no meaningful review means no opportunity to mitigate potential harm to public health, public safety, or the environment.

Mr. Chairman, NEPA provides policymakers with a critical tool to understand potential impacts and consider lower impact alternatives. NEPA doesn't dictate the outcome or, by itself, impose any constraints on projects.

□ 1700

Fundamentally, it requires us to look before we leap, and that is just basic common sense. We should not be punching loopholes in this law.

But the amendment doesn't just stop there. It also creates a rebuttable presumption that every cross-border project is in the public interest, tipping the scale in favor of their approval. And that is a subtle but significant change. Coupled with the small portion of projects being reviewed, the amendment makes it virtually impossible to ever prove that a project is not in the public interest.

Proponents of this amendment argue that a new process is necessary for reviewing and approving cross-border projects, but if Congress is going to establish new permitting rules through legislation, it should do so in a thoughtful and balanced way. Instead, this amendment creates a process that rubber stamps projects and eliminates meaningful environmental review and public participation.

Frankly, this amendment is just another attempt to bring TransCanada's Keystone XL pipeline back from the grave. The President has already rejected their application, and we have wasted enough time on this Canadian pipe dream.

The Keystone XL pipeline is a lose-lose proposition for energy security, a lose-lose for safe climate and a healthy environment. And we shouldn't be trying to create a weaker approval process to provide a new pathway for its approval.

Adoption of this amendment will undoubtedly benefit TransCanada and other multinational oil companies but will not help the American people that we are here to represent.

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

Mr. GENE GREEN of Texas. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman has 2½ minutes remaining.

Mr. GENE GREEN of Texas. Mr. Chairman, my good friend from New Jersey is actually incorrect. This amendment passed the House last session and didn't pass in the Senate. But it does have the NEPA process throughout, whether it is a pipeline or transmission line, from literally not just the border but also to the destination.

And it is not just Keystone. We have natural gas pipelines being built from Texas to Mexico. Twenty years from now, we will need those pipelines reversed to bring natural gas from Mexico to my chemical industries. That is what this amendment is about.

I yield the balance of my time to the gentleman from Michigan (Mr. UPTON), the chair of the Energy and Commerce Committee.

Mr. UPTON. Mr. Chairman, the Green amendment is very similar to the bill that I introduced last Congress and, as we know, did pass the House with some bipartisan support.

This amendment establishes a straightforward and predictable procedure to permit cross-border pipelines and electric transmission facilities.

It is not Keystone. We are over that battle. It is time to move beyond that. But we want certainty in these things.

This is an important amendment. In order for the U.S. to fully benefit from our energy abundance, we have to encourage rather than obstruct trade with our good neighbors, particularly the Canadians, as well as the Mexicans—an energy policy that works.

Let's do this. The amendment is a good one.

Mr. GENE GREEN of Texas. Mr. Chairman, I just want to encourage Members to support the amendment. We need to bring our country and our trading partners on the north and south border together on energy issues. I encourage an ''aye'' vote.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. GENE GREEN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PALLONE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

The Acting CHAIR. The Chair understands that amendment No. 15 will not be offered.

AMENDMENT NO. 16 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in House Report 114–359.

Mr. TAKANO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 133, after line 19, insert the following new section (and redesignate the subsequent sections accordingly):

SEC. 4114. BATTERY STORAGE REPORT.

Not later than 1 year after the date of enactment of this Act, the Comptroller General shall transmit to Congress a report on the potential of battery energy storage that answers the following questions:

(1) How do existing Federal standards impact the development and deployment of battery storage systems?

(2) What are the benefits of using existing battery storage technology, and what challenges exist to their widespread use? What are some examples of existing battery storage projects providing these benefits?

(3) What potential impact could large-scale battery storage and behind-the-meter battery storage have on renewable energy utilization?

(4) What is the potential of battery technology for grid-scale use nationwide? What is the potential impact of battery technology on the national grid capabilities?

(5) How much economic activity associated with large-scale and behind-the-meter battery storage technology is located in the United States? How many jobs do these industries account for?

(6) What policies other than the Renewable Energy Investment Tax Credit have research and available data shown to promote renewable energy use and storage technology deployment by State and local governments or private end-users?

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Mr. Chairman, I rise today in support of this bipartisan amendment which brings us one step closer to realizing the enormous potential of battery energy storage.

This technology is capable of transforming our energy landscape by storing power in times of excess production and releasing power in times of excess demand. It can make our grid more reliable and secure. It can save consumers money by replacing costly gas-powered peaker stations.

And, perhaps most importantly, it is compatible with any source of energy. Its compatibility with multiple power sources means we aren't picking winners and losers. Rather, we are increasing our capacity to use all sources of energy.

Battery energy storage is particularly promising in its ability to unlock the power of renewables, leading to a cleaner, more sustainable energy portfolio.

Even as the cost of renewable energy sources drops closer to that of fossil fuels, the viability of wind and solar power is limited by inconsistency. Put simply, the wind doesn't always blow and the sun doesn't always shine. Battery energy storage offers a solution to this challenge.

This week at the climate summit in Paris, we have heard about the importance of innovation in reaching our environmental goals. Battery storage is exactly the type of revolutionary technology that will help get us there, creating new jobs and economic growth in the process.

A GAO report on large-scale battery storage will help us make informed decisions about accelerating its growth while signaling our commitment to supporting the next chapter in America's energy infrastructure.

I am thankful to be joined by Mr. COLLINS of New York as well as my good friend Mr. HONDA of California.

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

Mr. UPTON. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. UPTON. Mr. Chairman, I support the amendment.

I would note Mr. COLLINS is a member of our committee. He is a cosponsor of the amendment.

It is a good amendment. It needs to be included as part of this. I would urge my colleagues to vote ''yes.''

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

Mr. TAKANO. I thank the chairman for supporting this bipartisan amendment. I am honored to have that support. I encourage its adoption.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The amendment was agreed to.

AMENDMENT NO. 17 OFFERED BY MR. BEYER

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in House Report 114–359.

Mr. BEYER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike page 147, line 9, through page 149, line 6.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Virginia (Mr. BEYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, my amendment preserves section 433.

H.R. 8, the North American Energy Security and Infrastructure Act, deliberately removes the energy usage goals for Federal buildings.

In 2007, under the Energy Independence and Security Act, our last energy infrastructure overhaul bill, a provision was included that set a goal for new Federal buildings to have net-zero energy usage by 2030. This naturally also meant the Federal Government would have a corresponding goal of reducing fossil-fuel-generated electricity consumption in its buildings.

This provision was forward-thinking. The Federal Government will lead by example in the transition to less-polluting buildings and show what the next generation of infrastructure should look like.

Now is not the time to roll back this goal and abandon our leadership. When people mention how H.R. 8 would take us back to a 19th century economy, this is one clear example they can point to.

Commercial and residential buildings account for 39 percent of the Nation's carbon emissions. To ignore this source of pollution at a time when we are trying to keep temperatures from rising less than 2 degrees centigrade isn't just negligent, it ignores our responsibility to be a good steward of the Earth and leave it in good condition for generations to come.

With the Federal Government as the largest consumer of energy in the U.S., we must be the leader. This effort is under attack because of outdated feasibility concerns—concerns which have already been addressed. Last year, the Department of Energy proposed a rule that charts a path forward to reach the 2030 goal that is both technically possible and plausible.

I also want to address some myths about section 433. Some have characterized it as ''a ban on the Federal Government using energy from fossil fuel,'' but the law does no such thing. In fact, at no point does this provision in the current law require zero fossil fuel use for any building designed or renovated before 2030.

And despite objections from my friends at the American Gas Association, the Department of Energy actually proposed carve-outs for onsite natural gas usage in highly efficient combined heat and power systems. Natural gas may actually be an important part of the solution of getting to net-zero energy usage.

Requiring Federal buildings to meet aggressive energy targets not only reduces taxpayer costs through energy savings, it also reduces our dependence on foreign oil and leverages the government's large purchasing power to bring new technologies and materials to the marketplace. If we eliminate section 433, it could cost American consumers $700 million in savings over the next 25 years.

According to the American Institute of Architects, not only are the current targets achievable, but some buildings are already meeting the 2030 goals

right now. The EU has adopted a similar goal but with a shorter time horizon.

Mr. Chair, during my 4 years in Switzerland, we cut the carbon footprint of the U.S. Embassy in half and reduced the carbon footprint of our home to zero.

In 2013, Walgreens opened a net-zero energy retail space in Evanston, Illinois. In 2015, a True Value hardware store was the first net-zero retail store in New York State.

Within the Federal Government, our military has also taken a lead on this important effort and used the goal as a means to reduce costs and increase energy security. From 2007 to 2013, the Federal Government reduced its annual energy usage by 7 percent while we continue to grow.

We must continue to encourage these energy reduction efforts. We learned a long time ago in business that if we don't have a goal we never get there. We have to have a target that we can all work to meet.

I urge my colleagues to support my amendment to reinstate the energy usage goals for Federal buildings.

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

Mr. WHITFIELD. Mr. Speaker, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. Mr. Chairman, with all due regard to the gentleman who is offering this amendment, I rise to oppose the amendment, which would reinstate the provisions of section 433 which prohibit the use of fossil fuels in new and modified Federal buildings after the year 2030.

Now, it is true that the Department of Energy is trying to thread a needle through regulations that might allow fossil fuels to be used in new and modified Federal buildings after 2030. But we know the reality is that every environmental group in the country will file a lawsuit against that regulation when it comes out if it is interpreted in any way that fossil fuels might be used.

I am really shocked that people would be opposed to our wanting to use fossil fuels after the year 2030. We are not mandating that they be used, but everyone that comes to this floor, and particularly President Obama when he goes anywhere, talk about an all-of-the-above energy policy, and yet the 2007 Energy Policy Act prohibits fossil fuel use in new and modified Federal buildings after the year 2030.

Our base bill does not mandate the use. It simply says, basically, that the government will be able to do it if it is necessary. So why should the Federal Government not allow the opportunity to use any fossil fuel after 2030?

We already have a Federal debt approaching $20 trillion. Natural gas prices are pretty low right now, but let's say they go up. Let's say that renewables go up, that for some reason maybe using coal is more economical, and using a ultra-supercritical facility.

We know that the President does not want to build any new coal-powered plants because regulations now prohibit that. We think it is important that we have an all-of-the-above energy policy. Our base bill allows that even in government buildings.

And so, for that reason, I would respectfully oppose the gentleman's amendment and ask that Members vote against the amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. WHITFIELD. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 18 OFFERED BY MR. PETERS

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in House Report 114–359.

Mr. PETERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of chapter 1 of subtitle A of title IV, add the following:

SEC. _____. REPORT ON ENERGY SAVINGS AND GREENHOUSE GAS EMISSIONS REDUCTION FROM CONVERSION OF CAPTURED METHANE TO ENERGY.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in consultation with appropriate Federal agencies and relevant stakeholders, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the impact of captured methane converted for energy and power generation on Federal lands, Federal buildings, and relevant municipalities that use such generation, and the return on investment and reduction in greenhouse gas emissions of utilizing such power generation.

(b) CONTENTS.—The report shall include—

(1) a summary of energy performance and savings resulting from the utilization of such power generation, including short-term and long-term (20 years) projections of such savings; and

(2) an analysis of the reduction in greenhouse emissions resulting from the utilization of such power generation.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from California (Mr. PETERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. PETERS. Mr. Chairman, my amendment to the North American Security and Infrastructure Act requires the Secretary of Energy to submit a report to Congress on the impact of captured methane converted for energy and power generation on Federal lands, buildings, and relevant municipalities.

□ 1715

The report would include a summary of energy performance and savings from using this power generation source and an analysis of the reduction in greenhouse gas emissions.

In my district in San Diego, we are putting innovative solutions to work to reduce methane emissions and create energy at the same time. At the Point Loma Wastewater Treatment Plant, methane is collected and fuels two continuously running generators. Using the methane produced onsite, the wastewater treatment plant has not only become energy self-sufficient, but is also able to sell excess power that it generates to the local energy grid, enhancing grid reliability and energy efficiency.

Another positive example of converting captured methane to energy is at landfills. In the United States, we have over 1,900 landfills, and they are the third largest source of methane emissions in the United States. This pollution threatens air quality and the public health of communities located close to the landfills themselves.

In San Diego, the Miramar Landfill spans over 1,500 acres and has been operating since 1959. Some years ago, the city, the Navy, and the private sector worked together and installed a methane-capture and energy conversion plant to supply the neighboring Marine Corps Air Station Miramar with 13.4 megawatts of energy. This plant supplies half of the base's energy, allowing it to operate as a 911 base in case of an emergency or power outage. The technology also reduced the emission of pollutants from the Miramar Landfill by 75 percent.

My amendment will simply assess how capturing methane and using it to generate energy reduces emissions, puts America on the path to a lower carbon, renewable energy future, and shares best practices among facilities that might be able to participate. So I ask my colleagues to support the amendment.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. UPTON. Again, I support the amendment. We have no objection to the amendment. I think that it is worthwhile, and I urge my colleagues to support it.

I yield back the balance of my time.

Mr. PETERS. Again, I thank the chairman very much for his hard work and for his willingness to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. PETERS).

The amendment was agreed to.

AMENDMENT NO. 19 OFFERED BY MS. SCHAKOWSKY

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in House Report 114–359.

Ms. SCHAKOWSKY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 4125.

The Acting CHAIR. Pursuant to House Resolution 542, the gentlewoman from Illinois (Ms. SCHAKOWSKY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Ms. SCHAKOWSKY. Mr. Chairman, my amendment would preserve an existing consumer right that has been on the books for many years, but section 4125 of this legislation would prevent consumers from pursuing breach of warranty claims against product manufacturers that inaccurately claim Energy Star compliance. As I said, in doing so, it would eliminate an existing consumer right.

While I see no justification for this change, I see the motive. The Association of Home Appliance Manufacturers, which represents 95 percent of U.S. home appliances and has endorsed this provision, wants to avoid liability.

Consumers pay a premium for Energy Star products. But they don't pay extra because they have a sense of charity; they do it because they have been promised the Energy Star appliances will enable reduced energy usage and lower operation costs. In fact, Energy Star products promise a 10 to 25 percent energy efficiency improvement as compared to Federal minimum standards. So when a manufacturer falsely claims to be Energy Star compliant, consumers are left with a more expensive product without any of the promised benefits. It amounts, really, to fraud.

In the past, manufacturers—including AHAM, the association, members Samsung, LG, and Whirlpool—have falsely claimed that their products meet Energy Star specifications. Consumers have mobilized to be compensated for those false claims, and they deserve that right. My amendment would enable them to retain it.

AHAM claims that my amendment would ''discourage robust participation'' in the Energy Star program. And frankly, I don't see that as a problem. If manufacturers can't stand by their claims of Energy Star compliance, then they shouldn't participate in the program.

Those manufacturers that continue to make Energy Star products will reap the rewards, including higher consumer demand and bigger profits, and that is a win for consumers, honest manufacturers, and the Energy Star program.

So I ask my colleagues, please, to support this amendment.

I reserve the balance of my time.

Mr. LATTA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. LATTA. Mr. Chairman, I rise today in opposition to the amendment to strike section 4125 of the bill, which is language that Representative WELCH and I have coauthored over the past two Congresses with bipartisan support. It was developed with a cross section of interests, including efficiency and consumer advocates, manufacturers, and the EPA.

By rejecting this amendment and keeping our language, we have an opportunity to encourage manufacturers to continue participation in the Energy Star program.

Energy Star is a highly successful, voluntary program. Consumers, manufacturers, and the government all win under Energy Star. The program was designed to be low-cost and low-compliance to incentivize participation by manufacturers, and the language included in this bill is needed to continue to incentivize participation.

For a product to be branded with the Energy Star logo, it must meet certain energy-saving guidelines. Manufacturers who choose to participate in this voluntary program make the necessary investments needed to increase the energy efficiency of their products.

In order to ensure their products maintain the required levels of efficiency, the Department of Energy performs off-the-shelf testing. If a product fails to meet the standard, that product is disqualified and then publicly listed on the Energy Star Web site. Immediately following a product's disqualification listing, the manufacturer and the EPA will then work to resolve the cause for disqualification.

It is important to note that our language does not prevent lawsuits from being filed; it just requires that a suit be filed before a product is disqualified from Energy Star.

If a product has been disqualified from the program by EPA, the EPA is best positioned to determine consumer impact and if such impact requires any action on the part of the manufacturer.

The EPA process is swift compared to legal proceedings, which could take years. If the focus is really on consumer reimbursement, shouldn't those fighting for consumer rights prefer the EPA disqualification process over class action litigation?

In the EPA disqualification process, the entire reimbursement goes to the consumer, versus a legal proceeding, where legal fees can consume large amounts of the award.

Energy Star has promoted economic expansion and job growth for participating manufacturers across the Nation. In defeating this amendment, we have an opportunity to continue to encourage participation by manufacturers instead of discouraging participation.

This section has the support of the National Association of Manufacturers, the Alliance to Save Energy, the American Council for an Energy-Efficient Economy, and the Chamber of Commerce.

Mr. Chairman, I would ask to reject the amendment.

I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Chairman, may I inquire how much time I have remaining.

The Acting CHAIR. The gentlewoman from Illinois has 2½ minutes remaining.

Ms. SCHAKOWSKY. Mr. Chairman, all this would be fine if it weren't the case that we have members of the Association of Home Appliance Manufacturers that actually have falsely claimed that their products meet Energy Star specifications. And nothing in the remedy actually says that the consumer will have the right to reclaim their money that they spent on the washer or the dryer or the appliance that was bought because they thought that they would both save energy and, over time, that they would save money as well.

As I said earlier, this rule, this law, has been in place for many years. It does not interfere with the fact that this is a voluntary program, that the companies decide if they want to participate in Energy Star to be an Energy Star product, but it does say they have to keep their promise. And they have to keep their promise not just to the EPA or to some regulatory framework; they have to keep their promise to the individual consumer who has actually laid out the bucks to buy that product.

This provides an opportunity for that consumer to be able to reclaim a product if it is found not to meet the Energy Star promise that they made of 10 to 25 percent energy efficiency improvements.

So it seems to me, why would this body go about the business of taking away a consumer right? I thought we were supposed to be in the business of trying to figure out how we are going to adequately protect consumers not in the generic sense, but in the individual sense. That is the kind of protection that we have had, and that is the kind of protection I believe that we should

maintain; and this section, put in at the behest of the industry, makes no sense. I think it weights toward the manufacturers and away from the consumers something that we all want to achieve, which is more energy efficiency.

Mr. Chairman, I am very disappointed, as someone who has been a consumer advocate for a very long time in many ways, especially in terms of truth in products, truth in labeling, that we ought to be able to rely on that Energy Star label to know that it is going to give us the energy efficiency that we paid for and that, if it doesn't, we do have a remedy. Those remedies tend to make the manufacturers even more honest. I hope we will get some support.

I yield back the balance of my time.

Mr. LATTA. Mr. Chairman, again, I would urge defeat of the amendment because we want to make sure that manufacturers are still encouraged to participate in the Energy Star program, which has been highly successful.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. LATTA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Illinois will be postponed.

AMENDMENT NO. 20 OFFERED BY MRS. BROOKS OF INDIANA

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in House Report 114–359.

Mrs. BROOKS of Indiana. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of chapter 2 of subtitle A of title IV, insert the following:

SEC. 4128. ENERGY SAVINGS FROM LUBRICATING OIL.

Not later than one year after the date of enactment of this Act, the Secretary of Energy, in cooperation with the Administrator of the Environmental Protection Agency and the Director of Management and Budget, shall—

(1) review and update the report prepared pursuant to section 1838 of the Energy Policy Act of 2005;

(2) after consultation with relevant Federal, State, and local agencies and affected industry and stakeholder groups, update data that was used in preparing that report; and

(3) prepare and submit to Congress a coordinated Federal strategy to increase the beneficial reuse of used lubricating oil, that—

(A) is consistent with national policy as established pursuant to section 2 of the Used Oil Recycling Act of 1980 (Public Law 96-463); and

(B) addresses measures needed to—

(i) increase the responsible collection of used oil;

(ii) disseminate public information concerning sustainable reuse options for used oil; and

(iii) promote sustainable reuse of used oil by Federal agencies, recipients of Federal grant funds, entities contracting with the Federal Government, and the general public.

The Acting CHAIR. Pursuant to House Resolution 542, the gentlewoman from Indiana (Mrs. BROOKS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Indiana.

Mrs. BROOKS of Indiana. Mr. Chairman, my amendment is very simple and straightforward. It calls on the Department of Energy, working together with the Environmental Protection Agency and the Office of Management and Budget, to take another look at what is now 20-year-old data about how used oil is managed in the United States and to develop comprehensive strategies to increase recycling used oil as part of a national strategy to save energy and reduce pollution.

Right now, there are options for disposal of motor oil commonly used in trucks and cars. The worst option is for that oil to be simply discarded, leading to contaminants polluting our air and water. If properly collected, the oil can be burned once for use as low-cost fuel.

However, the best option uses modern technology which now exists to collect and sustainably recycle used oil. These refining techniques can now produce a product that is the quality equivalent to fresh virgin base oils. So this option also maximizes the benefits by conserving most of the energy needed to make oil while cutting emissions of carbon and other harmful pollutants.

Re-refining can turn what used to be a waste product into an infinitely renewable resource. And not only does this re-refined oil meet government and industry specifications, but it is also cost-competitive, reduces waste, and reduces emissions.

Earlier studies done by DOE as well as our national labs show that used motor oil is a valuable and reusable energy resource.

As the motor sports capital of the world—Indianapolis, that is—it is no surprise that Indiana has traditionally been a leader in recycling and re-refining oil. We have two major used oil refineries in Indiana employing almost 1,000 people, and our State has a proud tradition of utilizing this product and promoting its technology.

□ 1730

Re-refined oil is already being actively used by DOD and other Federal agencies, public and commercial fleets, and average consumers with great success. However, far too little of our used oil is recycled in this way. So my amendment is intended to increase conservation and sustainable reuse.

The last major Federal study was called for in the Energy Policy Act of 2005. That study was issued in 2006, but relied on data that was then 10 years old. Now that data is 20 years old.

My amendment will require the DOE to update that data so that we know how much oil is available and how much is actually being reused and re-refined. Data from 20 years ago showed that the United States was well behind other developed and even some developing countries in terms of sustainable reuse.

Mr. Chairman, this amendment will also provide for the development of policies that can significantly increase both the collection rate and sustainable reuse of this valuable resource

Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Chairman, this amendment calls on the Department of Energy to review and update the data use for a 9-year-old Federal study on oil recycling. It is a good amendment. It promotes recycling of used lubricating oil to save energy, minimize disposal into landfills, and improves public information concerning sustainable reuse options.

It is a good amendment. I would like to see it adopted.

Mrs. BROOKS of Indiana. Mr. Chairman, I urge adoption of the amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Indiana (Mrs. BROOKS).

The amendment was agreed to.

AMENDMENT NO. 21 OFFERED BY MR. UPTON

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in House Report 114–359.

Mr. UPTON. Mr. Chairman, as the designee of the gentlewoman from North Carolina (Mrs. ELLMERS), I offer amendment No. 21.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of chapter 2 of subtitle A of title IV, add the following:

SEC. _____. DEFINITION OF EXTERNAL POWER SUPPLY.

Section 321(36)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6291(36)(A)) is amended—

(1) by striking the subparagraph designation and all that follows through ''The term'' and inserting the following:

''(A) EXTERNAL POWER SUPPLY.—

''(i) IN GENERAL.—The term''; and

(2) by adding at the end the following:

''(ii) EXCLUSION.—The term 'external power supply' does not include a power supply circuit, driver, or device that is designed exclusively to be connected to, and power—

''(I) light-emitting diodes providing illumination; or

''(II) organic light-emitting diodes providing illumination.''.

SEC. _____. STANDARDS FOR POWER SUPPLY CIRCUITS CONNECTED TO LEDS OR OLEDS.

(a) IN GENERAL.—Section 325(u) of the Energy Policy and Conservation Act (42 U.S.C. 6295(u)) is amended by adding at the end the following:

''(6) POWER SUPPLY CIRCUITS CONNECTED TO LEDS OR OLEDS.—Notwithstanding the exclusion described in section 321(36)(A)(ii), the Secretary may prescribe, in accordance with subsections (o) and (p) and section 322(b), an energy conservation standard for a power supply circuit, driver, or device that is designed primarily to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination.''.

(b) ENERGY CONSERVATION STANDARDS.—Section 346 of the Energy Policy and Conservation Act (42 U.S.C. 6317) is amended by adding at the end the following:

''(g) ENERGY CONSERVATION STANDARD FOR POWER SUPPLY CIRCUITS CONNECTED TO LEDS OR OLEDS.—Not earlier than 1 year after applicable testing requirements are prescribed under section 343, the Secretary may prescribe an energy conservation standard for a power supply circuit, driver, or device that is designed primarily to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination.''.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Michigan (Mr. UPTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I won't take the full 5 minutes.

Mr. Chairman, I offer this in lieu of Mrs. ELLMERS. It is a simple, technical fix to DOE's external power supply rule. I am not aware of any opposition.

Mr. Chairman, I urge my colleagues to support it.

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

Mrs. ELLMERS of North Carolina. Mr. Speaker, I rise today in support of this bipartisan and commonsense amendment that would provide certainty to manufacturers and resolve this DOE rule.

I would also like to thank my colleagues DEGETTE, POMPEO and DENT for working with me on this issue.

This problem stems from an overly broad interpretation of a provision within the Energy Policy Act of 2005 in which Congress directed DOE to set energy efficiency standards for External Power Supplies.

DOE is now attempting to regulate a product that was not in the marketplace at the time Congress directed the department to set External Power Supple Standards.

Because of DOE's interpretation, other products—such as LED Drivers not intended for regulation—are now a facing regulation under the EPS rule.

This problem is, sadly, just another example of DOE expanding the scope of their rulemakings and capturing products that were not intended by Congress.

Thankfully, my amendment resolves the problem for this technology and prevents it from being included in other broad rulemakings.

The lighting industry is already strenuously regulated for energy efficiency, accounting for 20 percent of DOE's total efficiency regulations.

Regulations like this have had a negative impact of 750 million dollars to U.S. lighting manufacturers.

This regulation will only stifle innovation, ultimately leading to less energy efficient products and higher energy prices for consumers.

Manufacturers cannot operate in an uncertain marketplace and without Congressional action, this rule will unintentionally threaten thousands of jobs.

In North Carolina alone this industry provides over 3,000 jobs.

I urge my colleagues to join this bipartisan effort.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. UPTON).

The amendment was agreed to.

AMENDMENT NO. 22 OFFERED BY MR. TONKO

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in House Report 114–359.

Mr. TONKO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In chapter 2 of subtitle A of title IV, add at the end the following new section:

SEC. 4128. WEATHERIZATION ASSISTANCE AND STATE ENERGY PROGRAMS.

(a) REAUTHORIZATION OF WEATHERIZATION ASSISTANCE PROGRAM.—Section 422 of the Energy Conservation and Production Act (42 U.S.C. 6872) is amended by striking ''appropriated—'' and all that follows through the period at the end and inserting ''appropriated $450,000,000 for each of fiscal years 2016 through 2020.''.

(b) REAUTHORIZATION OF STATE ENERGY PROGRAMS.—Section 365(f) of the Energy Policy and Conservation Act (42 U.S.C. 6325(f)) is amended by striking ''$125,000,000 for each of fiscal years 2007 through 2012'' and inserting ''$75,000,000 for each of fiscal years 2016 through 2020''.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from New York (Mr. TONKO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. TONKO. Mr. Chairman, my amendment reauthorizes two existing programs, the Weatherization Assistance Program and the State Energy Program.

Both of these programs have been operating successfully for many years. The Federal dollars delivered through these programs leverage additional funding from our States and the private sector. These programs address real problems. They are effective, and they create and sustain jobs.

As we heard during debate yesterday, H.R. 8 does very little to advance energy efficiency, an issue that has enjoyed strong, bipartisan support in the past. In fact, some provisions are more likely to be a setback to efficiency standards. While this bill contains plenty of benefits for energy suppliers, there is very little in there designed to address the needs of average Americans.

The Weatherization Assistance Program supports State-based programs to improve the energy efficiency of the homes of low-income families. The Department of Energy provides grants to the States, United States territories, and tribal governments to deliver these services through local weatherization agencies. The weatherization measures used include air sealing, wall and attic insulation, duct sealing, and furnace repair and replacement.

Mr. Chairman, the benefits of weatherization are well known and result in a reduced energy bill for many years into the future. Insulating our walls and our roofs, for example, can provide savings for the lifetime of a house. Other measures, such as making heating or cooling equipment more efficient, can provide savings for more than a decade.

Since 1976, the Weatherization Assistance Program has helped improve the lives of more than 7 million families by reducing their electricity bills. The program provides energy efficiency services to thousands of homes every year, reducing average costs by more than $400 per household in annual utility bills.

Investments in energy efficiency pay for themselves over time, but the upfront costs can be significant, and when a family's budget is severely limited, those costs are simply too high.

The Weatherization Assistance Program helps those in our communities who do not have the financial resources to make energy efficiency investments on their own. That includes our elderly, our disabled, and our low-income families.

These vulnerable households are often on fixed incomes and are the most susceptible to volatile changes in electricity prices. They are particularly vulnerable to spikes in electricity bills during heat waves or cold weather due to poor insulation or inefficient appliances.

A sudden increase in expenses is difficult to manage for many of our families. Low-income families already spend a disproportionate amount of their income on energy costs.

Mr. Chairman, the State Energy Program provides funding to the States to support the work of their energy offices. It ensures that each State will have basic funding available to support its programs.

These offices play a role in helping States define the least costly ways to meet State goals for energy efficiency, for air quality, for fuel diversity, and for energy security.

According to a study by the Oak Ridge National Laboratory, the State Energy Program often leverages, for every 1 Federal dollar, $10.71 in State and private funds. That is a great return on investment.

Congress reauthorized these programs back in 2007 for a 5-year period at about $1 billion per year for Weatherization and $125 million per year for the State Energy Program.

My amendment authorizes the Weatherization Assistance Program for another 5 years, but at lower levels—$450 million per year—and the State Energy Program is authorized for 5 years at $75 million per year.

These are robust authorization levels for certain. While I believe these programs should be appropriated even more funding, this amendment authorizes them at lower levels to be more in tune with today's fiscal constraints.

Mr. Chairman, I ask my colleagues to support my amendment and to help to extend the benefits of energy efficiency to our families so that more families can be supported by local jobs, businesses, and certainly contractors that do this extremely important work.

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

Mr. UPTON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Chairman, I do so to oppose the amendment because, as we all know, this amendment reauthorizes the Federal Weatherization Assistance Program at $2.2 billion through 2020 and the State Energy Program at $375 million through 2020.

But our feeling is that it is not needed because the Department of Energy's Weatherization Assistance Program is already extremely well funded.

I support weatherization, as I think most of our colleagues on both sides of the aisle do, but Congress has been funding the program at or near the Department's requested levels.

So this is, in essence, billions above in new spending on an existing program that the Department of Energy has not requested.

I would note that the 2009 stimulus bill included an extra $5 billion to the Department of Energy for weatherization, roughly 17 times what was originally appropriated for that year.

Furthermore, using experiments considered the gold standard for evidence, researchers from UC Berkeley, MIT, and the University of Chicago recently released a report on a first-of-its-kind field test of the Federal Weatherization Assistance Program.

The study found that the costs of energy efficiency investments were about double the actual savings, that model-projected savings are 2½ times the actual savings, and that, even when accounting for the broader societal benefits of energy efficiency investments, the costs will substantially outweigh the benefits. The average rate of return is a minus 9½ percent annually.

So, Mr. Chairman, the overall legislation today that is before us is extremely specific in authorizing budget-neutral spending for energy security efforts only. Authorizing additional money—beyond requested amounts—as this Weatherization amendment does, does not have the offset.

Therefore, I would ask my colleagues to vote ''no'' on the amendment.

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

Mr. TONKO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, certainly the numbers here speak to the most vulnerable in our society. There are waiting lists that I know exist in States. There are more things we can do for energy efficiency's sake for our most stressed family budgets.

This is a situation where energy costs, as a wedge of the pie for our poor families for their household budgets, is far greater a slice than it is for the average residents of this country. This is a hardhearted approach taken to our elderly, to our low-income families, and to the disabled.

Also, Mr. Chairman, I would suggest that our goal here should be to be as resourceful as possible with our energy mix across this country. Anytime we can reduce consumption we are doing a big thing for all ratepayers. The statements show a missing of the focus that is needed.

Finally, to the study, it was a one-State, one-utility study. It was not peer reviewed. It was flawed. It did not really suggest to show the real issues out there for this program.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. TONKO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. TONKO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 23 OFFERED BY MS. CASTOR OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in House Report 114–359.

Ms. CASTOR of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In subtitle A of title IV, add at the end the following new chapter:

CHAPTER 8—LOCAL ENERGY SUPPLY AND RESILIENCY

SEC. 4181. DEFINITIONS.

In this chapter:

(1) COMBINED HEAT AND POWER SYSTEM.—The term ''combined heat and power system'' means generation of electric energy and heat in a single, integrated system that meets the efficiency criteria in clauses (ii) and (iii) of section 48(c)(3)(A) of the Internal Revenue Code of 1986, under which heat that is conventionally rejected is recovered and used to meet thermal energy requirements.

(2) DEMAND RESPONSE.—The term ''demand response'' means changes in electric usage by electric utility customers from the normal consumption patterns of the customers in response to—

(A) changes in the price of electricity over time; or

(B) incentive payments designed to induce lower electricity use at times of high wholesale market prices or when system reliability is jeopardized.

(3) DISTRIBUTED ENERGY.—The term ''distributed energy'' means energy sources and systems that—

(A) produce electric or thermal energy close to the point of use using renewable energy resources or waste thermal energy;

(B) generate electricity using a combined heat and power system;

(C) distribute electricity in microgrids;

(D) store electric or thermal energy; or

(E) distribute thermal energy or transfer thermal energy to building heating and cooling systems through a district energy system.

(4) DISTRICT ENERGY SYSTEM.—The term ''district energy system'' means a system that provides thermal energy to buildings and other energy consumers from 1 or more plants to individual buildings to provide space heating, air conditioning, domestic hot water, industrial process energy, and other end uses.

(5) ISLANDING.—The term ''islanding'' means a distributed generator or energy storage device continuing to power a location in the absence of electric power from the primary source.

(6) LOAN.—The term ''loan'' has the meaning given the term ''direct loan'' in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).

(7) MICROGRID.—The term ''microgrid'' means an integrated energy system consisting of interconnected loads and distributed energy resources, including generators and energy storage devices, within clearly defined electrical boundaries that—

(A) acts as a single controllable entity with respect to the grid; and

(B) can connect and disconnect from the grid to operate in both grid-connected mode and island mode.

(8) RENEWABLE ENERGY SOURCE.—The term ''renewable energy source'' includes—

(A) biomass;

(B) geothermal energy;

(C) hydropower;

(D) landfill gas;

(E) municipal solid waste;

(F) ocean (including tidal, wave, current, and thermal) energy;

(G) organic waste;

(H) photosynthetic processes;

(I) photovoltaic energy;

(J) solar energy; and

(K) wind.

(9) RENEWABLE THERMAL ENERGY.—The term ''renewable thermal energy'' means heating or cooling energy derived from a renewable energy resource.

(10) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(11) THERMAL ENERGY.—The term ''thermal energy'' means—

(A) heating energy in the form of hot water or steam that is used to provide space heating, domestic hot water, or process heat; or

(B) cooling energy in the form of chilled water, ice, or other media that is used to provide air conditioning, or process cooling.

(12) WASTE THERMAL ENERGY.—The term ''waste thermal energy'' means energy that—

(A) is contained in—

(i) exhaust gases, exhaust steam, condenser water, jacket cooling heat, or lubricating oil in power generation systems;

(ii) exhaust heat, hot liquids, or flared gas from any industrial process;

(iii) waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented;

(iv) a pressure drop in any gas, excluding any pressure drop to a condenser that subsequently vents the resulting heat;

(v) condenser water from chilled water or refrigeration plants; or

(vi) any other form of waste energy, as determined by the Secretary; and

(B)(i) in the case of an existing facility, is not being used; or

(ii) in the case of a new facility, is not conventionally used in comparable systems.

SEC. 4182. DISTRIBUTED ENERGY LOAN PROGRAM.

(a) LOAN PROGRAM.—

(1) IN GENERAL.—Subject to the provisions of this subsection and subsections (b) and (c), the Secretary shall establish a program to provide to eligible entities—

(A) loans for the deployment of distributed energy systems in a specific project; and

(B) loans to provide funding for programs to finance the deployment of multiple distributed energy systems through a revolving loan fund, credit enhancement program, or other financial assistance program.

(2) ELIGIBILITY.—Entities eligible to receive a loan under paragraph (1) include—

(A) a State, territory, or possession of the United States;

(B) a State energy office;

(C) a tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b));

(D) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); and

(E) an electric utility, including—

(i) a rural electric cooperative;

(ii) a municipally owned electric utility; and

(iii) an investor-owned utility.

(3) SELECTION REQUIREMENTS.—In selecting eligible entities to receive loans under this section, the Secretary shall, to the maximum extent practicable, ensure—

(A) regional diversity among eligible entities to receive loans under this section, including participation by rural States and small States; and

(B) that specific projects selected for loans—

(i) expand on the existing technology deployment program of the Department of Energy; and

(ii) are designed to achieve 1 or more of the objectives described in paragraph (4).

(4) OBJECTIVES.—Each deployment selected for a loan under paragraph (1) shall include 1 or more of the following objectives:

(A) Improved security and resiliency of energy supply in the event of disruptions caused by extreme weather events, grid equipment or software failure, or terrorist acts.

(B) Implementation of distributed energy in order to increase use of local renewable energy resources and waste thermal energy sources.

(C) Enhanced feasibility of microgrids, demand response, or islanding;

(D) Enhanced management of peak loads for consumers and the grid.

(E) Enhanced reliability in rural areas, including high energy cost rural areas.

(5) RESTRICTION ON USE OF FUNDS.—Any eligible entity that receives a loan under paragraph (1) may only use the loan to fund programs relating to the deployment of distributed energy systems.

(b) LOAN TERMS AND CONDITIONS.—

(1) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, in providing a loan under this section, the Secretary shall provide the loan on such terms and conditions as the Secretary determines, after consultation with the Secretary of the Treasury, in accordance with this section.

(2) SPECIFIC APPROPRIATION.—No loan shall be made unless an appropriation for the full amount of the loan has been specifically provided for that purpose.

(3) REPAYMENT.—No loan shall be made unless the Secretary determines that there is reasonable prospect of repayment of the principal and interest by the borrower of the loan.

(4) INTEREST RATE.—A loan provided under this section shall bear interest at a fixed rate that is equal or approximately equal, in the determination of the Secretary, to the interest rate for Treasury securities of comparable maturity.

(5) TERM.—The term of the loan shall require full repayment over a period not to exceed the lesser of—

(A) 20 years; or

(B) 90 percent of the projected useful life of the physical asset to be financed by the loan (as determined by the Secretary).

(6) USE OF PAYMENTS.—Payments of principal and interest on the loan shall—

(A) be retained by the Secretary to support energy research and development activities; and

(B) remain available until expended, subject to such conditions as are contained in annual appropriations Acts.

(7) NO PENALTY ON EARLY REPAYMENT.—The Secretary may not assess any penalty for early repayment of a loan provided under this section.

(8) RETURN OF UNUSED PORTION.—In order to receive a loan under this section, an eligible entity shall agree to return to the general fund of the Treasury any portion of the loan amount that is unused by the eligible entity within a reasonable period of time after the date of the disbursement of the loan, as determined by the Secretary.

(9) COMPARABLE WAGE RATES.—Each laborer and mechanic employed by a contractor or subcontractor in performance of construction work financed, in whole or in part, by the loan shall be paid wages at rates not less than the rates prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.

(c) RULES AND PROCEDURES; DISBURSEMENT OF LOANS.—

(1) RULES AND PROCEDURES.—Not later than 180 days after the date of enactment of this Act, the Secretary shall adopt rules and procedures for carrying out the loan program under subsection (a).

(2) DISBURSEMENT OF LOANS.—Not later than 1 year after the date on which the rules and procedures under paragraph (1) are established, the Secretary shall disburse the initial loans provided under this section.

(d) REPORTS.—Not later than 2 years after the date of receipt of the loan, and annually thereafter for the term of the loan, an eligible entity that receives a loan under this section shall submit to the Secretary a report describing the performance of each program and activity carried out using the loan, including itemized loan performance data.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary.

SEC. 4183. TECHNICAL ASSISTANCE AND GRANT PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish a technical assistance and grant program (referred to in this section as the ''program'')—

(A) to disseminate information and provide technical assistance directly to eligible entities so the eligible entities can identify, evaluate, plan, and design distributed energy systems; and

(B) to make grants to eligible entities so that the eligible entities may contract to obtain technical assistance to identify, evaluate, plan, and design distributed energy systems.

(2) TECHNICAL ASSISTANCE.—The technical assistance described in paragraph (1) shall include assistance with 1 or more of the following activities relating to distributed energy systems:

(A) Identification of opportunities to use distributed energy systems.

(B) Assessment of technical and economic characteristics.

(C) Utility interconnection.

(D) Permitting and siting issues.

(E) Business planning and financial analysis.

(F) Engineering design.

(3) INFORMATION DISSEMINATION.—The information disseminated under paragraph (1)(A) shall include—

(A) information relating to the topics described in paragraph (2), including case studies of successful examples;

(B) computer software and databases for assessment, design, and operation and maintenance of distributed energy systems; and

(C) public databases that track the operation and deployment of existing and planned distributed energy systems.

(b) ELIGIBILITY.—Any nonprofit or for-profit entity shall be eligible to receive technical assistance and grants under the program.

(c) APPLICATIONS.—

(1) IN GENERAL.—An eligible entity desiring technical assistance or grants under the program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) APPLICATION PROCESS.—The Secretary shall seek applications for technical assistance and grants under the program—

(A) on a competitive basis; and

(B) on a periodic basis, but not less frequently than once every 12 months.

(3) PRIORITIES.—In selecting eligible entities for technical assistance and grants under the program, the Secretary shall give priority to eligible entities with projects that have the greatest potential for—

(A) facilitating the use of renewable energy resources;

(B) strengthening the reliability and resiliency of energy infrastructure to the impact of extreme weather events, power grid failures, and interruptions in supply of fossil fuels;

(C) improving the feasibility of microgrids or islanding, particularly in rural areas, including high energy cost rural areas;

(D) minimizing environmental impact, including regulated air pollutants and greenhouse gas emissions; and

(E) maximizing local job creation.

(d) GRANTS.—On application by an eligible entity, the Secretary may award grants to the eligible entity to provide funds to cover not more than—

(1) 100 percent of the costs of the initial assessment to identify opportunities;

(2) 75 percent of the cost of feasibility studies to assess the potential for the implementation;

(3) 60 percent of the cost of guidance on overcoming barriers to implementation, including financial, contracting, siting, and permitting issues; and

(4) 45 percent of the cost of detailed engineering.

(e) RULES AND PROCEDURES.—

(1) RULES.—Not later than 180 days after the date of enactment of this Act, the Secretary shall adopt rules and procedures for carrying out the program.

(2) GRANTS.—Not later than 120 days after the date of issuance of the rules and procedures for the program, the Secretary shall issue grants under this chapter.

(f) REPORTS.—The Secretary shall submit to Congress and make available to the public—

(1) not less frequently than once every 2 years, a report describing the performance of the program under this section, including a synthesis and analysis of the information provided in the reports submitted to the Secretary under section 4181(c); and

(2) on termination of the program under this section, an assessment of the success of, and education provided by, the measures carried out by eligible entities during the term of the program.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $250,000,000 for the period of fiscal years 2016 through 2020, to remain available until expended.

The Acting CHAIR. Pursuant to House Resolution 542, the gentlewoman from Florida (Ms. CASTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. CASTOR of Florida. Mr. Chairman, my amendment focuses on thermal energy and combined heat power, which are essential to a smart energy future for our country, but they are often overlooked components of our national energy supply.

In the United States, up to 36 percent of the total energy produced is lost from power plants, industrial facilities, and buildings in the form of waste heat. My amendment will help industry, universities, hospitals, and others capture that waste heat and use renewables for heating, cooling, and power generation.

Now, I want to read the definition of what is included in renewables so that everyone is aware: biomass, geothermal, hydropower, landfill gas, municipal solid waste, ocean energy, organic waste, photosynthetic processes, photovoltaic energy, solar energy, and wind.

What is happening across America are businesses and nonprofits are getting really smart about this wasted energy and they are putting it back into their facilities to save energy and save money.

The overall resilience and cost savings that can be achieved through combined heat and power and distributed energy systems is proven every day, but it was especially proven during Superstorm Sandy and other natural disasters.

During Superstorm Sandy, businesses and nonprofits, such as hospitals and universities, were able to keep the lights on and actually had heat and water in the aftermath of the storm because they have these self-contained, energy-efficient waste heat projects.

Mr. Chairman, we have also heard testimony in the Energy and Power Subcommittee extensively on the importance in the future of these smaller, distributed, locally based energy systems.

I have also seen it in my hometown in Tampa, where St. Joseph's Hospital burns the medical waste, turns it into waste heat, and they are now saving $200,000 a year on their energy bills where they can keep the lights on. They don't have to pay that out to the power company. That can go back into the care of patients.

Mr. Chairman, what my amendment proposes to do is to help overcome the financing hurdles that will be key in implementing this highly efficient and resilient energy infrastructure.

My amendment would establish an initiative to provide cost-shared funding for technical assistance for feasibility studies and engineering, and it would enable qualifying energy infrastructure projects to access lower interest debt financing through a loan guarantee program.

Industrial competitiveness will be enhanced because these businesses will be able to develop new revenue streams, reduce energy costs, reduce emissions, and enhance energy supply resiliency.

We have got to plan ahead here in America. We have got to be smarter. According to a joint DOE and EPA study, roughly 65 gigawatts of technical potential remain in the Nation's hospitals, universities, wastewater treatment plants, and other critical infrastructure.

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My amendment will help to reduce the up-front capital cost of installing these locally based energy-efficient systems. These systems have proven themselves, and we should encourage them.

So I respectfully request that the House act with an eye towards the future. Take this modest but very important step to help unleash American innovation. We know how to do this. We can do this. Let's give our businesses, our universities, and hospitals an incentive to put waste energy to work and at the same time save some money.

I urge an ''aye'' vote on my amendment.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Chairman, this amendment would establish a DOE loan program to support distributed generation. While I support some of the goals in this amendment—distributed generation, microgrids, combined heat and power—I cannot support a new loan guarantee program given the failures this administration has had in issuing loans. I remember one called Solyndra a long time ago.

In any event, this amendment is too broad. Locally grown energy may make some sense in some circumstances but not in others. There are often economic reasons to use nonlocal energy sources and to use them on a larger scale than distributed generation.

Moreover, this provision is duplicative of other DOE programs as well as tax incentives and State programs that encourage the use of distributed renewable energy.

Circumstances do vary across regions, so States should decide whether and how to encourage distributed generation. The Federal Government shouldn't be picking winners and losers.

I urge my colleagues to vote ''no.''

I yield back the balance of my time.

Ms. CASTOR of Florida. Mr. Chairman, I thank the chairman for supporting some of the goals contained in the amendment.

This is not an open-ended loan program. This is very modest, only authorized for $250 million. The appropriators will probably scale that back.

But what it does is it allows our hospitals, universities, and other industrial users across the country some upfront technical assistance that will save them a lot of money and a lot of energy on the down side. This modest investment will have a great payoff for taxpayers and for industrial users, our hospitals, and universities.

I have seen it work right in my district. I know it worked during Superstorm Sandy. We have to think with an eye to the future and act that way.

I request an ''aye'' vote on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. CASTOR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. CASTOR of Florida. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida will be postponed.

AMENDMENT NO. 24 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 24 printed in House Report 114–359.

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In subtitle A of title IV, add at the end the following new chapter:

CHAPTER 8—SURFACE ESTATE OWNER NOTIFICATION

SEC. 4181. SURFACE ESTATE OWNER NOTIFICATION.

The Secretary of the Interior shall—

(1) notify surface estate owners and all owners of land located within 1 mile of a proposed oil or gas lease tract in writing at least 45 days in advance of lease sales;

(2) within 10 working days after a lease is issued, notify surface estate owners and all owners of land located within 1 mile of a lease tract, regarding the identity of the lessee;

(3) notify surface estate owners and all owners of land located within 1 mile of a lease tract in writing within 10 working days concerning any subsequent decisions regarding the lease, such as modifying or waiving stipulations and approving rights-of-way; and

(4) notify surface estate owners and all owners of land located within 1 mile of a lease tract, within 5 business days after issuance of a drilling permit under a lease.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, I want to explain how in many States, including my home State of Colorado, landowners—if you live in a home, you own your property, you bought it—you are not necessarily and in most cases, in fact, you are not also the owner of the minerals beneath your land. That is called a split estate.

Many, in fact most, surface estates in my State were split from their subsurface or mineral rights—severed. And Congress rewrote the rules of the Homestead Act to maintain ownership over minerals even as they gave away western lands for development.

So, again, what that means is we have suburban subdevelopments, people's homes—people live in their homes—and the Federal Government owns the mineral rights under those homes. Along with that comes the right to extract those minerals.

Unfortunately, what fails to be present in the Homestead Act is protections and notification requirements for the people who live there, the homeowners. So, in some cases, in Colorado and elsewhere, landholders and homeowners don't even know that there has been a lease or a drill permit on their land where they own the surface rights.

Literally, one day an oil company can drive up to the property and construct a horizontal drill in the middle of your backyard without notification. So you can imagine the result—harm and loss of cattle or crops, infrastructure on the property—not knowing what is occurring.

And, really, it has been amazing to see the ability of the extraction industry to operate without having to address the legitimate concerns of surface owners.

Now, my bill doesn't change all of that, and, frankly, I would like to go a lot further and will in other legislative efforts. This amendment is really a commonsense effort that is a critical first step to right those wrongs.

It would simply require that the BLM notify a landowner sitting above mineral rights that they plan to put out for bid, award, lease, or sale a drilling permit on that land.

The BLM will argue that there are notification requirements. What that means is it might be posted on a Web site or in the Federal Register. Well, I guarantee you that Mr. or Mrs. Smith in a suburban subdevelopment are not eagerly checking the Federal Register every day. They are not even generally aware that there are mineral rights under their property, nor should they have to be. They should simply get a letter in the mail saying what is happening if and when there is going to be mineral development on their property.

And I think that is a simple, commonsense step that would protect American taxpayers from undue, unreasonable burdens placed upon them and protect property rights. I really hope it is not controversial and that we can adopt this amendment.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. Mr. Chairman, I want to let my colleague from Colorado know that this is an unnecessary amendment, so I would ask Members to oppose it.

There already is a lot of built-in notification that does take place. I don't know if my colleague is aware of this or not, but when an expression of interest for leasing is made, the BLM requires that all of the surface owners, wherever this expression of interest for leasing applies to, are notified by mail.

Secondly, before a permit is issued, there is another notification to the surface owners of wherever that lease is located.

Thirdly, under the NEPA process, before the leases are even issued, the public is notified. I know this amendment talks about notifying everyone within 1 mile. The public notification is a lot broader than just 1 mile, so, actually, current law does more than what this amendment calls for.

But there are two different steps, in addition to the public notice, where the surface landowner actually is notified by mail by a good faith effort required by the Bureau of Land Management for Federal lands.

On top of all that, Mr. Chairman, I ask opposition for this amendment because it is poorly written. It is ambiguous as to whether it is only applying to Federal lands or is broader and would include tribal lands, private lands, and things way out of the jurisdiction of the Bureau of Land Management.

But, in any case, even if it would just apply to the Federal lands, it is unnecessary. Because of the different steps that are required under the language of this amendment, it would add a lot of paperwork and red tape and really not accomplish anything more than what is already clearly accomplished two or three times under existing law.

For all those reasons, Mr. Chairman, I ask that we oppose this amendment. I know it is well-intentioned, but the law already takes care of this. This amendment, besides being poorly written, would add a lot of time and paperwork and red tape to the process right now.

I reserve the balance of my time.

Mr. POLIS. Mr. Chairman, I wish that this amendment weren't necessary. There are hundreds, if not thousands, of homeowners in Colorado who fail to be notified by the BLM.

Now, there is a good faith effort requirement, but there is no system in place to ensure that the person gets a notification. So, in effect, what happens is the agency will sign off, ''We made a good faith effort, couldn't find who the property owner was,'' and it is posted in the Federal Register or in a newspaper in an ad that the homeowner is extremely unlikely to ever see.

What we are simply saying is have a step to implement this directive that already exists. Give this meaning; give this teeth. Make sure that homeowners are actually notified in the mail, that there is an effort to actually find out who they are, and not just a bureaucratic signoff that we don't know who they are and, therefore, they are never going to find out until trucks drive onto their property.

It is a real problem, and there is a real simple, commonsense solution. I urge my colleagues to adopt it.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, just to finish this, I would say that this is an unnecessary amendment because

there are already two, if not three, different times that the notice to the surface owner already takes place: once to the public at large, twice to the surface owner in particular.

Secondly, this is poorly written. I am afraid that it does not just refer strictly to Federal lands that the BLM controls, but this could apply to tribal lands and private lands. So it makes a mess in that regard.

And, thirdly, it goes 1 mile away. The current law does refer to the surface owner and accomplishes the things that the proponent of the amendment wants to accomplish, so it is unnecessary.

For those reasons, Mr. Chairman, I urge opposition to this amendment.

I yield back the balance of my time.

Mr. POLIS. Mr. Chairman, I respect my good friend and colleague from Colorado.

Part of the goal of this amendment is to ensure that the full area of disruption receives notification. So where you have a suburban subdevelopment, it is one thing for the owner under which the activity is occurring to get notice.

But keep in mind the activity also has an impact certainly within a mile radius of that activity in terms of loud noises, trucks, et cetera. Families may choose to leave town; others may choose to stick it out and make sure they are prepared for whatever activity will occur, when it occurs.

But, clearly, if there are notification aspects in the current law, which there are, they are insufficient, because I come before you telling you that there are homeowners in Colorado who have no prior word of extraction activity on their land until, literally, they see it occurring. They see trucks, they see people. They go out, they say, ''What are you doing?'' and they say, ''We are getting ready to drill.''

This happens in my State. This amendment would make sure that, more than a good faith effort that is simply signed off on by some bureaucrat and therefore waived, there is a real effort of implementation. We give full rulemaking authority to the BLM to actually come up with a system for notifying homeowners and adjacent property owners about extraction work that is occurring for the mineral rights that occur under where they live.

I hope that this is a basis of common sense from which we can build a concept of homeowner protections and surface owner rights to balance the rights that the mineral owners have. Certainly, transparency and notification is a simple one and an easy one for the BLM to implement. That is all the amendment would do.

I urge my colleagues to vote ''yes.''

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 25 OFFERED BY MR. BARTON

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in House Report 114–359.

Mr. BARTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

TITLE VII—CHANGING CRUDE OIL MARKET CONDITIONS

SEC. 7001. FINDINGS.

The Congress finds the following:

(1) The United States has enjoyed a renaissance in energy production, establishing the United States as the world's leading oil producer.

(2) By authorizing crude oil exports, the Congress can spur domestic energy production, create and preserve jobs, help maintain and strengthen our independent shipping fleet that is essential to national defense, and generate State and Federal revenues.

(3) An energy-secure United States that is a net exporter of energy has the potential to transform the security environment around the world, notably in Europe and the Middle East.

(4) For our European allies and Israel, the presence of more United States oil in the market will offer more secure supply options, which will strengthen United States strategic alliances and help curtail the use of energy as a political weapon.

(5) The 60-ship Maritime Security Fleet is a vital element of our military's strategic sealift and global response capability. It assures United States-flag ships and United States crews will be available to support the United States military when it needs to mobilize to protect our allies, and is the most prudent and economical solution to meet current and projected sealift requirements for the United States.

(6) The Maritime Security Fleet program provides a labor base of skilled American mariners who are available to crew the United States Government-owned strategic sealift fleet, as well as the United States commercial fleet, in both peace and war.

(7) The United States has reduced its oil consumption over the past decade, and increasing investment in clean energy technology and energy efficiency will lower energy prices, reduce greenhouse gas emissions, and increase national security.

SEC. 7002. REPEAL.

Section 103 of the Energy Policy and Conservation Act (42 U.S.C. 6212) and the item relating thereto in the table of contents of that Act are repealed.

SEC. 7003. NATIONAL POLICY ON OIL EXPORT RESTRICTIONS.

Notwithstanding any other provision of law, to promote the efficient exploration, production, storage, supply, marketing, pricing, and regulation of energy resources, including fossil fuels, no official of the Federal Government shall impose or enforce any restriction on the export of crude oil.

SEC. 7004. STUDIES.

(a) GREENHOUSE GAS EMISSIONS.—Not later than 120 days after the date of enactment of this Act, the Secretary of Energy shall conduct, and transmit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the results of, a study on the net greenhouse gas emissions that will result from the repeal of the crude oil export ban under section 7002.

(b) CRUDE OIL EXPORT STUDY.—

(1) IN GENERAL.—The Department of Commerce, in consultation with the Department of Energy, and other departments as appropriate, shall conduct a study of the State and national implications of lifting the crude oil export ban with respect to consumers and the economy.

(2) CONTENTS.—The study conducted under paragraph (1) shall include an analysis of—

(A) the economic impact that exporting crude oil will have on the economy of the United States;

(B) the economic impact that exporting crude oil will have on consumers, taking into account impacts on energy prices;

(C) the economic impact that exporting crude oil will have on domestic manufacturing, taking into account impacts on employment; and

(D) the economic impact that exporting crude oil will have on the refining sector, taking into account impacts on employment.

(3) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Bureau of Industry and Security shall submit to Congress a report containing the results of the study conducted under paragraph (1).

SEC. 7005. SAVINGS CLAUSE.

Nothing in this title limits the authority of the President under the Constitution, the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), part B of title II of the Energy Policy and Conservation Act (42 U.S.C. 6271 et seq.), the Trading With the Enemy Act (50 U.S.C. App. 1 et seq.), or any other provision of law that imposes sanctions on a foreign person or foreign government (including any provision of law that prohibits or restricts United States persons from engaging in a transaction with a sanctioned person or government), including a foreign government that is designated as a state sponsor of terrorism, to prohibit exports.

SEC. 7006. PARTNERSHIPS WITH MINORITY SERVING INSTITUTIONS.

(a) IN GENERAL.—The Department of Energy shall continue to develop and broaden partnerships with minority serving institutions, including Hispanic Serving Institutions (HSI) and Historically Black Colleges and Universities (HBCUs) in the areas of oil and gas exploration, production, midstream, and refining.

(b) PUBLIC-PRIVATE PARTNERSHIPS.—The Department of Energy shall encourage public-private partnerships between the energy sector and minority serving institutions, including Hispanic Serving Institutions and Historically Black Colleges and Universities.

SEC. 7007. REPORT.

Not later than 10 years after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall jointly transmit to Congress a report that reviews the impact of lifting the oil export ban under this title as it relates to promoting United States energy and national security.

SEC. 7008. REPORT TO CONGRESS.

Not later than 180 days after the date of enactment of this Act, the Secretary of Energy and the Secretary of Commerce shall jointly transmit to Congress a report analyzing how lifting the ban on crude oil exports will help create opportunities for veterans and women in the United States, while promoting energy and national security.

SEC. 7009. PROHIBITION ON EXPORTS OF CRUDE OIL, REFINED PETROLEUM PRODUCTS, AND PETROCHEMICAL PRODUCTS TO THE ISLAMIC REPUBLIC OF IRAN.

Nothing in this title shall be construed to authorize the export of crude oil, refined petroleum products, and petrochemical products by or through any entity or person, wherever located, subject to the jurisdiction of the United States to any entity or person located in, subject to the jurisdiction of, or sponsored by the Islamic Republic of Iran.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Texas (Mr. BARTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BARTON. Mr. Chairman, I offer this amendment on behalf of myself, Mr. CUELLAR, Mr. FLORES, Mr. CONAWAY, and Mr. MCCAUL.

This amendment is almost identical to H.R. 702, which passed the House floor on a strong bipartisan basis several months ago with 261 votes, I believe, in favor of it.

This is necessary because, while we had hoped that H.R. 702 would be brought up in the other body as a stand-alone bill, it doesn't appear that is going to happen this session, so we want to try to put this on another vehicle that the Senate may yet bring up.

I will also point out that there are a number of larger bills in play, and there is a possibility we will try to attach it to those also.

In any event, this amendment is true to the bill that was brought up on the House floor. It is identical, with two exceptions:

One, it does not have the maritime provision to provide some additional funding for our maritime merchant marine fleet because that was not germane—not because we don't support it, but it was not germane.

And, two, we had a requirement that we do a study of the Strategic Petroleum Reserve. That is no longer necessary because that part of the bill has become law.

□ 1800

Other than that, all of the amendments that were offered and accepted on both sides are in this amendment that is before us today.

We are the third largest oil producer in the world. We have the capability to significantly increase our production, but under current law, Mr. Chairman, that is not possible because it is prohibited by a law that was passed in 1975. The gist of this bill is that it would repeal that ban and allow American crude oil to be put out on the world market, just like our refined oil products are today.

I ask everybody who voted for it before to vote for it again, and for those of you who didn't see the light the last time, we are going to give you a second chance tonight to vote for it.

I want to see if there is anybody willing to stand up and be in opposition to this amendment.

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

Mr. GARAMENDI. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. GARAMENDI. Mr. Chairman, ever since I got involved in public policy, which was about 40 years ago, this Nation has been crying for energy independence.

I remember my very first campaign in 1974, during the oil energy crisis, when there was all around the world no oil available and no gas available, and we wanted to be energy independent. We are actually getting close to it; although, we continue to import 25 percent of our crude oil, but maybe we are on the cusp of being energy independent.

So what does Big Oil want to do? It is not good enough that they should be the wealthiest of all corporations in America and the world. They want to take our precious and almost energy independent oil and export it.

Where is it going to go? Where is the market? China, for sure, wants oil. They are going to need to double their import of oil. So where is Big Oil going to go with our precious natural resource that we have for at least the last 40 years been trying to use to achieve energy independence?

Why would my good friend from Texas give away to Big Oil our energy independence? Why would we do that?

By the way, the 1975 law does not prohibit. It puts the hand of the government—the President and the Secretary of Commerce—on the spigot, and if it is not in America's interest to export, they can shut the spigot down. There is no such protection in this. The only hand on the spigot for the export of oil is Big Oil. There is $30 billion a year of additional revenue for Big Oil—as if they don't already have enough.

What about the rest of the Nation? Shouldn't this natural resource asset of America's be shared? It could be. Control the spigot to the benefit of the people at the gas pump. My farmers need chemicals and fertilizer coming from the oil industry. They need the pipes—they need all of the material—and they need the diesel. Oh, we can forget about the farmers. After all, Big Oil wants to ship our precious natural resource—oil—overseas, probably to China.

So why don't we put a control on this, and if it is not in the public interest, don't do it? $8.7 billion of refining infrastructure will not be built as a result of this export. Whose jobs are those? They are the American middle class', which, apparently, all of us want to protect and enhance. Those are middle class jobs. $8.7 billion of infrastructure is not going to be built in our refineries.

This is not a big deal. After all, Big Oil wants it. It is no big deal that we would take, as we move towards energy independence, the one product that is available that could diminish the 25 percent oil we currently import. No. We are simply going to ship it offshore. For whose benefit? Are the American mariners going to benefit from that? No. Are the American shipbuilders going to benefit from that? No, not at all. Who is going to benefit? Some in the oil patch will benefit for sure, and, certainly, the Big Oil companies will benefit; but will the American consumer at the gasoline pump benefit?

I have seen the studies. You can design a study that will show it, but it means nothing. Remember this: $30 billion of oil a year is going to leave this country. For whose benefit? For Big Oil? It is not for the person at the gas pump. It is not for the farmer who is buying the diesel. It is not for the farmer who wants to buy the fertilizer. Give it away. Let them have it—as if they don't already have enough. For a century, Big Oil has been subsidized by the American public. Enough already.

I don't think this is a good idea. I don't think it is a good idea to take our crude oil and allow it to be shipped overseas with absolutely no restrictions whatsoever. You want a strong vote on this? Then make it a strong ''no'' vote.

I yield back the balance of my time.

Mr. BARTON. I will put the gentleman from California down as being undecided on the amendment.

Mr. Chairman, I yield 1 minute to the gentleman from College Station, Texas (Mr. FLORES).

Mr. FLORES. Mr. Chair, I rise in strong support of this amendment, which would strengthen our Nation's energy, its security, its jobs, and its economy.

We have heard some interesting rhetoric tonight, but here are the facts. This amendment results in five key benefits to our country:

First, it benefits the American consumer with resulting overall lower energy prices. This particularly benefits lower-income and lower middle-income Americans, providing greater economic security for those hard-working families;

Two, it benefits American producers and allows them to further reinvest in our domestic energy infrastructure, furthering our energy security and good-paying American jobs. Most of

those companies are small, independent oil and gas companies, not the major companies that were just talked about;

Three, it benefits our geopolitical standing and strengthens ties with our global friends and allies, and it hurts those countries like Russia, Iran, and Venezuela, which are opposed to American interests;

Four, it benefits the downstream refining community as lower prices will stimulate volume demand for their refined products. This gives them more financial capital to hire skilled American workers and to reinvest in their operations;

Five, it helps cure our trade imbalances.

These are five critical reasons as to why everybody wins if we lift the ban.

The Acting CHAIR. The time of the gentleman has expired.

Mr. BARTON. I yield the gentleman an additional 15 seconds.

Mr. FLORES. Mr. Chairman, I thank Mr. BARTON for his work on this important amendment. I also thank the chairman for his support.

I strongly encourage my colleagues to support the amendment and the underlying bill.

Mr. BARTON. Mr. Chairman, how much time remains?

The Acting CHAIR. The gentleman from Texas has 1¾ minutes remaining, and the gentleman from California has yielded back the balance of his time.

Mr. BARTON. Mr. Chairman, I yield myself the balance of my time. I don't see any other speakers on our side.

Let me simply say that this amendment is about jobs for America. There is only one commodity that we prohibit, by law, from being exported, and it is crude oil. We don't prohibit cotton; we don't prohibit corn; we don't prohibit ethanol; we don't prohibit automobiles; we don't prohibit video games or movies. We only prohibit crude oil. That is number one.

Number two, since the oil prices have precipitously fallen in the last 13 or 14 months, we have lost over 250,000 jobs in the United States. Those aren't just oil patch jobs. Those are truck driver jobs; they are warehouse jobs; they are computer programmer jobs; they are restaurant jobs. You name it; those are real jobs. It is estimated, Mr. Chairman, that we are losing as many as 1,000 jobs a week right now. If we repeal this antiquated law, we can put some of those people back to work.

We can put American-made oil in the world marketplace. It makes no sense to let Iran export oil, but we can't let American oil be put on the world market. We don't know who is going to buy the oil, but we do know that the money we will receive from it is going to come back to the United States. It is going to create jobs, and it is going to help our economy. It is going to be good for every American in every State of the 50 States in the Union. Vote for this amendment.

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

Mr. GENE GREEN of Texas. Mr. Chair, I rise in opposition to the crude oil export amendment.

In the past 10 years, the United States has undergone an energy revolution.

But due to our success in places like Texas, North Dakota and Colorado the price of oil has fallen from $100 per barrel to $40.

Gasoline prices have fallen from almost $4 per gallon to less than $2.

All of this has benefitted our economy and the consumer.

I support crude oil exports.

But I want to protect our domestic manufacturing jobs, including refining.

We have the resource, we should use as much as possible here at home and sell what is left.

The crude oil export ban has been in place since 1975.

In the 1970s, the United States put the ban in place to protect our national interests.

That's more than 40 years of legislative history.

Before we do away with that history, we should make sure we have a policy that will make sense for the next 40 years and perhaps beyond.

Crude oil is a valuable national resource and the government should have some oversight as to where and when we send crude overseas.

I was hoping we could craft language that would create a process at the Bureau of Industry and Security, within the Department of Commerce, that would establish an authorization and reporting requirements for crude oil.

We should have some basic requirements at the Department of Commerce to oversee crude.

Unlike LNG, crude is a raw commodity and raw crude doesn't have value added.

If exporting crude is the right policy, then let's do it correctly.

Let's maximize the benefits for the United States.

Let's make sure U.S. crude doesn't end up in the hands of North Korea or any of our other foes.

The Department of Commerce has approved every application to export oil in the last five years.

Now, I agree that the Department could approve permits more efficiently but that's something we can legislate.

That's a "fix" I can support and believe would help our upstream producers.

Unfortunately, we were unable to find that compromise.

I do not want to oppose this language but without changes it is not in the best interest of our country.

The time to address exports is now but we cannot just open the tap and hope for the best.

I do not want the United States to become a resource nation.

I look forward to working on this issue again and hope that a reasonable, commonsense approach can be reached.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BARTON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. GARAMENDI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114–359 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. UPTON of Michigan.

Amendment No. 2 by Mr. TONKO of New York.

Amendment No. 14 by Mr. GENE GREEN of Texas.

Amendment No. 17 by Mr. BEYER of Virginia.

Amendment No. 19 by Ms. SCHAKOWSKY of Illinois.

Amendment No. 22 by Mr. TONKO of New York.

Amendment No. 23 by Ms. CASTOR of Florida.

Amendment No. 24 by Mr. POLIS of Colorado.

Amendment No. 25 by Mr. BARTON of Texas.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. UPTON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. UPTON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 246, noes 177, not voting 10, as follows:

[Roll No. 656]

AYES—246

Abraham	Brady (TX)	Collins (GA)
Aderholt	Brat	Collins (NY)
Allen	Bridenstine	Comstock
Amash	Brooks (AL)	Conaway
Amodei	Brooks (IN)	Cook
Babin	Buchanan	Costa
Barletta	Buck	Costello (PA)
Barr	Bucshon	Cramer
Barton	Burgess	Crawford
Benishek	Byrne	Crenshaw
Bilirakis	Calvert	Culberson
Bishop (MI)	Carter (GA)	Curbelo (FL)
Bishop (UT)	Carter (TX)	Davis, Rodney
Black	Chabot	Denham
Blackburn	Chaffetz	Dent
Blum	Clawson (FL)	DeSantis
Bost	Coffman	DesJarlais
Boustany	Cole	Diaz-Balart

Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larson (CT)
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—177

Adams
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Aguilar
Cuellar
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Stefanik
Takai
Webster (FL)
Williams

□ 1838

Mr. RIGELL changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. TONKO

The Acting CHAIR (Mrs. BLACK). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. TONKO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 179, noes 244, not voting 10, as follows:

[Roll No. 657]

AYES—179

Adams
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costello (PA)
Courtney
Crenshaw
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Holding
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perry
Pingree
Pocan
Polis
Posey
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—244

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Cramer
Crawford
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hinojosa
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Latta
LoBiondo
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lummis
MacArthur
Marino
Massie
McCarthy
McCaul
McClintock
McHenry

McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Tsongas
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—10

Aguilar
Cuellar
Marchant
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Webster (FL)
Williams

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1843

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 14 OFFERED BY MR. GENE GREEN OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. GENE GREEN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 263, noes 158, not voting 12, as follows:

[Roll No. 658]

AYES—263

Abraham
Adams
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Butterfield
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Cleaver
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Cramer
Crawford
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Kaptur
Katko
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Maloney, Carolyn
Marchant
Marino
Massie
McCarthy
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—158

Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Jones
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (IA)
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCaul
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
O'Rourke
Pallone
Pascrell
Pelosi
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—12

Aguilar
Costello (PA)
Crenshaw
Cuellar
Joyce
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Webster (FL)
Williams

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1848

Mr. DANNY K. DAVIS of Illinois changed his vote from ''aye'' to ''no.''

Mrs. BLACK and Mr. AMODEI changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 17 OFFERED BY MR. BEYER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. BEYER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 172, noes 246, not voting 15, as follows:

[Roll No. 659]

AYES—172

Adams
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)

Brownley (CA)
Bustos
Butterfield
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Reichert
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—246

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—15

Aguilar
Capps
Cleaver
Conyers
Cuellar
Green, Gene
Meeks
Payne
Rangel
Ruppersberger
Sanchez, Loretta
Takai
Walorski
Webster (FL)
Williams

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1851

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. WALORSKI. Madam Chair, on rollcall No. 659 I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT NO. 19 OFFERED BY MS. SCHAKOWSKY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 239, not voting 11, as follows:

[Roll No. 660]

AYES—183

Adams
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (AL)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Costello (PA)
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peterson
Pingree
Pocan
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Wilson (FL)
Yarmuth

NOES—239

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Dold
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith

Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Aguilar
Cole
Cuellar
Meeks
Payne
Royce
Ruppersberger
Sanchez, Loretta
Takai
Webster (FL)
Williams

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1854

Mr. POLIS changed his vote from ''aye to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 22 OFFERED BY MR. TONKO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. TONKO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 198, noes 224, not voting 11, as follows:

[Roll No. 661]

AYES—198

Adams
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hanna
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jolly
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
McSally
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (IA)

NOES—224

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Aguilar
Cole
Cuellar
Gutiérrez
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Webster (FL)
Williams

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1858

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 23 OFFERED BY MS. CASTOR OF FLORIDA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Florida (Ms. CASTOR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 247, not voting 11, as follows:

[Roll No. 662]

AYES—175

Adams
Ashford
Bass
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—247

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Beatty
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Cleaver
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Conyers
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Aguilar
Cuellar
Larson (CT)
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Scott, David
Takai
Webster (FL)
Williams

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1901

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. CONYERS. Madam Chair, during rollcall vote No. 662 on H.R. 8, I mistakenly recorded my vote as "no" when I should have voted "yes."

AMENDMENT NO. 24 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 206, noes 216, not voting 11, as follows:

[Roll No. 663]

AYES—206

Adams
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Burgess
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hurt (VA)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Jones
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (IA)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meng
Messer
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Paulsen
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tipton
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (IA)

NOES—216

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum

Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jordan
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Meehan
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Aguilar
Cole
Cuellar
Joyce
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Webster (FL)
Williams

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1905

Mr. YOUNG of Iowa changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 25 OFFERED BY MR. BARTON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. BARTON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 255, noes 168, not voting 10, as follows:

[Roll No. 664]

AYES—255

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Cárdenas
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Himes
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lipinski
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
O'Rourke
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (OH)
Salmon
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—168

Adams
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
Meehan
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell
Pelosi
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Rice (SC)
Roybal-Allard
Ruiz
Rush
Sánchez, Linda T.
Sanford
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Aguilar
Cole
Cuellar
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Webster (FL)
Williams

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1910

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. UPTON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs.

BLACK) having assumed the chair, Mr. FLEISCHMANN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 2310, RED RIVER PRIVATE PROPERTY PROTECTION ACT

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

Mr. SESSIONS. Madam Speaker, today the Rules Committee issued a Dear Colleague letter outlining the amendment process for H.R. 2310, the Red River Private Property Protection Act. An amendment deadline has been set for Monday, December 7, 2015, at 12:00 p.m. Amendments should be drafted to the text as reported by the Committee on Natural Resources and is posted on the Rules Committee Web site. Please feel free to contact me or my staff with any questions.

CONFERENCE REPORT ON S. 1177, STUDENT SUCCESS ACT

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the question on adoption of the conference report on the bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the conference report.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 359, nays 64, not voting 10, as follows:

[Roll No. 665]

YEAS—359

Abraham
Adams
Aderholt
Allen
Amodei
Ashford
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Black
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Goodlatte
Graham
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meng
Messer
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Pallone
Pascrell
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rouzer
Roybal-Allard
Royce
Ruiz
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Westerman
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—64

Amash
Babin
Bishop (UT)
Blackburn
Brat
Bridenstine
Brooks (AL)
Buck
Chabot
Chaffetz
Clawson (FL)
Culberson
DeSantis
DesJarlais
Duncan (SC)
Farenthold
Fleming
Franks (AZ)
Gohmert
Gosar
Gowdy
Graves (LA)
Guinta
Harper
Harris
Hice, Jody B.
Holding
Huelskamp
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Labrador
Lamborn
Loudermilk
Love
Lummis
Marchant
Massie
Meadows
Miller (FL)
Mooney (WV)
Mulvaney
Palazzo
Palmer
Perry
Poe (TX)
Ratcliffe
Rogers (AL)
Rohrabacher
Rothfus
Salmon
Sanford
Schweikert
Smith (MO)
Smith (NE)
Stewart
Stutzman
Walker
Weber (TX)
Wenstrup
Yoder
Yoho

NOT VOTING—10

Aguilar
Cuellar
Garrett
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Webster (FL)
Williams

□ 1918

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. RUPPERSBERGER. Madam Speaker, I was not able to vote today for medical reasons.

Had I been present on rollcall vote 653, I would have voted "no."

Had I been present on rollcall vote 654, I would have voted "no."

Had I been present on rollcall vote 655, I would have voted "yes."

Had I been present on rollcall vote 656, I would have voted "no."

Had I been present on rollcall vote 657, I would have voted "yes."

Had I been present on rollcall vote 658, I would have voted "yes."

Had I been present on rollcall vote 659, I would have voted "yes."

Had I been present on rollcall vote 660, I would have voted "yes."

Had I been present on rollcall vote 661, I would have voted "yes."

Had I been present on rollcall vote 662, I would have voted "yes."

Had I been present on rollcall vote 663, I would have voted "yes."

Had I been present on rollcall vote 664, I would have voted "no."

Had I been present on rollcall vote 665, I would have voted "yes."

PERSONAL EXPLANATION

Mr. CUELLAR. Madam Speaker, on Wednesday, December 2nd, I am not recorded on any votes because I was absent due to family reasons. If I had been present,

I would have voted: "nay," on rollcall 653, on ordering the Previous Question providing for further consideration of H.R. 8, the North American Energy Security and Infrastructure Act of 2015; providing for consideration of the conference report to accompany S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

"Nay," on rollcall 654, on agreeing to H. Res. 542—Providing for further consideration of H.R. 8, the North American Energy Security and Infrastructure Act of 2015; providing for consideration of the conference report to accompany S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

"Yea," on rollcall 655, on the motion to instruct conferees on H.R. 644.

"Nay," on rollcall 656, on the Upton amendment to H.R. 8.

"Nay," on rollcall 657, on the Tonko amendment to H.R. 8.

"Yea," on rollcall 658, on the Gene Green amendment to H.R. 8.

"Nay," on rollcall 659, on the Beyer amendment to H.R. 8.

"Nay," on rollcall 660, on the Schakowsky amendment to H.R. 8.

"Yea," on rollcall 661, on the Tonko amendment to H.R. 8.

"Yea," on rollcall 662, on the Castor amendment to H.R. 8.

"Yea," on rollcall 663, on the Polis amendment to H.R. 8.

"Yea," on rollcall 664, on the Barton/Cuellar/McCaul/Flores/Conaway amendment to H.R. 8.

"Yea," on rollcall 665, on agreeing to the Conference Report to Accompany S. 1177—Every Student Succeeds Act.

HOUR OF MEETING ON TOMORROW

Mr. CRAMER. Mr. Speaker, I ask unanimous consent that, when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mr. YOUNG of Iowa). Is there objection to the request of the gentleman from Nebraska?

There was no objection.

NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 542 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 8.

Will the gentlewoman from Tennessee (Mrs. BLACK) kindly resume the chair.

□ 1921

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes, with Mrs. BLACK (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 25 printed in House Report 114–359 offered by the gentleman from Texas (Mr. BARTON) had been disposed of.

AMENDMENT NO. 26 OFFERED BY MR. CRAMER

The Acting CHAIR. It is now in order to consider amendment No. 26 printed in House Report 114–359.

Mr. CRAMER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

TITLE ___—OTHER MATTERS

SEC. _____. VOLUNTARY VEGETATION MANAGEMENT OUTSIDE RIGHTS-OF-WAY.

(a) AUTHORIZATION.—The Secretary of the Interior or the Secretary of Agriculture may authorize an owner or operator of an electric transmission or distribution facility to manage vegetation selectively within 150 feet of the exterior boundary of the right-of-way near structures for selective thinning and fuel reduction.

(b) STATUS OF REMOVED VEGETATION.—Any vegetation removed pursuant to this section shall be the property of the United States and not available for sale by the owner or operator.

(c) LIMITATION ON LIABILITY.—An owner or operator of an electric transmission or distribution facility shall not be held liable for wildlife damage, loss, or injury, including the cost of fire suppression, resulting from activities carried out pursuant to subsection (a) except in the case of harm resulting from the owner or operator's gross negligence or criminal misconduct.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from North Dakota (Mr. CRAMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Dakota.

Mr. CRAMER. Madam Chair, this amendment simply authorizes the voluntary—and I stress voluntary—vegetation management within 150 feet of the exterior boundary of the right-of-way near structures on U.S. Forest Service land.

As a former energy regulator and a utility commissioner, I know there are many threats to power lines running across this country. Most of the time, this comes down to vegetation, as odd as it might seem, but especially in areas where there are a lot of trees and that are remote areas hard to get to.

Off-right-of-way vegetation management on these lands are the responsibility of the United States Forest Service. But for any number of reasons, they aren't conducting this critical work to ensure the reliability of our electricity.

Utility companies don't want to do the work off their right-of-way due to the lack of clarity in their legal liability or a strict liability standard. This amendment provides that legal certainty and holds utilities accountable for gross negligence or criminal misconduct.

Lastly, Madam Chair, it is important to note that this amendment demonstrates that this is not—and I stress is not—a backdoor to logging and prevents the sale of the vegetation by the utility and clarifies it shall be the property of the United States.

Madam Chair, I would also emphasize that the Edison Electric Institute and the American Public Power Association support this amendment.

Mr. UPTON. Will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Michigan.

Mr. UPTON. Madam Chair, I want to stress that this authorizes voluntary vegetation management within 150 feet of the exterior boundary of the right-of-way, prevents the sale of vegetation, and limits legal liability. I think it is a good amendment.

Madam Chair, I urge my colleagues to support it.

Mr. CRAMER. Madam Chair, I reserve the balance of my time.

Mr. PALLONE. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. Madam Chair, the manager's amendment to H.R. 8 already includes a provision which would hand over management of vast swaths of U.S. public lands to private corporations and other utility providers under the guise of preventing forest fires.

This provision was inserted in the dead of night, and the full House won't get to vote on it. This is a terrible way to treat our public lands.

As if this weren't enough, this amendment would go even further, allowing electric utilities to clear-cut a football field-length swath of national forest adjacent to transmission rights-of-way.

It would also shift liability for fire damage caused by transmission infrastructure from the utilities to the American taxpayers, and that is just not right.

The Forest Service and the BLM are already working with utilities to improve right-of-way maintenance, and both agencies testified before the Natural Resources Committee that prior agency approval is not necessary for emergency vegetation maintenance work.

Mr. HUFFMAN offered a commonsense amendment at markup which would have required proactive planning by utilities in coordination with land

managers to identify and address potential fire threats, but every Republican voted against it. Instead, they are supporting legislation which would lead to less responsible stewardship of the American people's forests.

According to the National Interagency Fire Center, power lines were responsible for causing only 0.03 percent of forest fires in past 5 years.

Madam Chair, if Republicans were serious about preventing and fighting forest fires, they would work with us to adequately fund the Forest Service and fix the problem of fire borrowing, which last year burned up 52 percent of the agency's budget.

But this isn't about solving a problem. This is about control. It is regrettable that House Republicans seek to give away the people's land to private interests. It is outrageous that this would happen.

Madam Chair, I urge a ''no'' vote on the amendment.

I yield back the balance of my time.

Mr. CRAMER. Madam Chair, I just want to correct a couple of the statements made sincerely by the opposition to this. I want to be clear that the cost of this is borne not by the taxpayers, but by the utilities themselves. The reason that they are not able to do it now, of course, is because of a lack of clarity and the liability. So this simply clears that part of it up.

Again, I want to get back to I was a regulator for nearly 10 years. Some people may remember not so many years ago a major rolling brownout that led to blackouts in the northeastern part of this country.

All of that was caused by trees growing into transmission lines. It has a cascading effect. And, yes, if it is a large forest, those trees growing into transmission lines can also create forest fires.

This is a very basic approach. Most of the arguments that the gentleman raised are to the underlying bill, not to this amendment. This amendment is very straightforward.

I urge a ''yes'' vote.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Dakota (Mr. CRAMER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PALLONE. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Dakota will be postponed.

AMENDMENT NO. 27 OFFERED BY MR. DUFFY

The Acting CHAIR. It is now in order to consider amendment No. 27 printed in House Report 114–359.

Mr. DUFFY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE VII—OTHER MATTERS

SEC. 7001. ASSESSMENT OF REGULATORY REQUIREMENTS.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall ensure that the requirements described in subsection (b) are satisfied.

(b) REQUIREMENTS.—The Administrator shall satisfy—

(1) section 4 of Executive Order 12866 (5 U.S.C. 601 note) (relating to regulatory planning and review) and Executive Order 13563 (5 U.S.C. 601 note) (relating to improving regulation and regulatory review) (or any successor Executive order establishing requirements applicable to the uniform reporting of regulatory and deregulatory agendas);

(2) section 602 of title 5, United States Code;

(3) section 8 of Executive Order 13132 (5 U.S.C. 601 note) (relating to federalism); and

(4) section 202(a) of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532(a)).

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Wisconsin (Mr. DUFFY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. DUFFY. Madam Chair, today I rise to talk about a commonsense amendment, an amendment that takes aim at excessive bureaucratic rulemaking at the EPA.

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The EPA has long been known to issue onerous and costly rules with little regard to the impact on American businesses and the families who run those businesses.

According to some estimates, 17 of the EPA's major rules implemented between 2000 and 2013 have imposed an annual economic impact of $90 billion—a $90 billion annual impact per year, which means real jobs and a real impact on our economy.

Adding to the frustration, the EPA often ignores longstanding executive orders that require them to improve their own regulatory coordination planning and reviews. These executive orders were issued under the Clinton and Obama administrations, two administrations that have a very positive outlook towards the EPA. By no stretch of the imagination do we consider them conservatives.

These orders require departments, but not independent regulatory agencies like the EPA, to follow certain guidelines when it comes to major rules that would have a dramatic impact on State, local, or tribal government, or private sector expenditures in the aggregate of more than $100 million a year. So those are big rules that have big impacts.

The mercury rule put forward by the EPA is a prime example of that. It was going to cost $10 billion. This summer, the U.S. Supreme Court struck down that rule because the EPA unreasonably failed to consider the cost. My amendment would require the EPA to actually follow existing requirements to improve regulatory planning, coordination, and reviews.

American families and businesses can't afford the EPA to continue with duplicative and overreaching regulations. The EPA should have to follow the same rules that other departments in American government must follow.

Mr. UPTON. Will the gentleman yield?

Mr. DUFFY. I yield to the gentleman from Michigan.

Mr. UPTON. I just want to say to the Chair and colleagues, this amendment requires the EPA to satisfy regulatory planning review requirements established by both the Clinton and Obama administrations.

I think the amendment is a good one, and I urge my colleagues to support it.

Mr. DUFFY. Madam Chair, I reserve the balance of my time.

Mr. PALLONE. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. Madam Chair, I rise in opposition to this amendment which would require EPA to satisfy within 30 days certain regulatory requirements included in three executive orders in two sections of the U.S. Code. This amendment is a solution in search of a problem.

EPA, in carrying out its responsibilities to write regulations as required by various statutes—for example, the Clean Air Act and the Clean Water Act—already complies with the EPA's specific responsibilities included in the three executive orders and two sections cited in this amendment.

I say ''EPA'' specifically because some of these laws and executive orders impose ongoing obligations on these agencies and place responsibility on parties other than the EPA—for example, the Vice President and the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget. In such cases, it will not be possible for EPA to ''ensure that the requirements of subsection (b) are satisfied,'' as the amendment requires.

In addition, some matters, such as the publication of the Regulatory Flexibility Agenda in the Federal Register, as cited in section 602 of title 5 of the U.S. Code, are handled by the General Services Administration on behalf of other Federal agencies and are therefore similarly outside of the EPA's control.

Moreover, Madam Chair, this amendment has the potential to lead to confusion in the future because it requires

the EPA also to satisfy requirements in any successor executive orders that may establish requirements applicable to the uniform reporting of regulatory and deregulatory agendas.

What happens if these successor executive orders are not consistent with the current ones? Then we have a situation where EPA is forced to comply with competing executive orders, leading to unnecessary confusion.

Let's avoid this possibility by defeating this amendment.

I reserve the balance of my time.

Mr. DUFFY. Madam Chair, some of my friends across the aisle's arguments are: Don't let the people know. Let's not be transparent. Let's have the EPA implement rules with no comment, no transparency, and no input from the American people.

That is not what our Founders envisioned. They envisioned a form of government where it was transparent and we all had a say in the process. These aren't radical ideas. This is common sense.

Listen, a quote: ''Regulations shall be adopted through a process that involves public participation.'' That wasn't from Ronald Reagan or George Bush. That was Barack Obama.

''Each agency, where feasible and appropriate, shall seek the views of those who are likely to be affected.'' Not Ronald Reagan, not George Bush, but Barack Obama.

This stuff makes sense. Open the process up, let the American people see the impact and the rules that are being proposed, just like in every other government agency. The EPA shouldn't get special treatment.

Transparency, good government, American involvement from the people in the process is what this amendment is about. I encourage all of my colleagues to support good government and a great amendment.

I reserve the balance of my time.

Mr. PALLONE. Madam Chair, let me just say that this process with the EPA is very transparent, they do consider costs, and I disagree with the gentleman.

I urge opposition to this amendment.

I yield back the balance of my time.

Mr. DUFFY. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. DUFFY).

The amendment was agreed to.

AMENDMENT NO. 28 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 28 printed in House Report 114–359.

Mr. GOSAR. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE VII—OTHER MATTERS

SEC. 7001. DEFINITIONS.

In this title:

(1) COVERED CIVIL ACTION.—The term ''covered civil action'' means a civil action containing a claim under section 702 of title 5, United States Code, regarding agency action (as defined for the purposes of that section) affecting a covered energy project on Federal land.

(2) COVERED ENERGY PROJECT.—

(A) IN GENERAL.—The term ''covered energy project'' means—

(i) the leasing of Federal land for the exploration, development, production, processing, or transmission of oil, natural gas, coal, geothermal, hydroelectric, biomass, solar, or any other source of energy; and

(ii) any action under the lease.

(B) EXCLUSION.—The term ''covered energy project'' does not include any dispute between the parties to a lease regarding the obligations under the lease, including any alleged breach of the lease.

SEC. 7002. EXCLUSIVE VENUE FOR CERTAIN CIVIL ACTIONS RELATING TO COVERED ENERGY PROJECTS.

Venue for any covered civil action shall lie in the United States district court in which the covered energy project or lease exists or is proposed.

SEC. 7003. TIMELY FILING.

To ensure timely redress by the courts, a covered civil action shall be filed not later than the end of the 90-day period beginning on the date of the final Federal agency action to which the covered civil action relates.

SEC. 7004. EXPEDITION IN HEARING AND DETERMINING THE ACTION.

The court shall endeavor to hear and determine any covered civil action as expeditiously as practicable.

SEC. 7005. LIMITATION ON INJUNCTION AND PROSPECTIVE RELIEF.

(a) IN GENERAL.—In a covered civil action, a court shall not grant or approve any prospective relief unless the court finds that the relief—

(1) is narrowly drawn;

(2) extends no further than necessary to correct the violation of a legal requirement; and

(3) is the least intrusive means necessary to correct the violation.

(b) DURATION.—

(1) IN GENERAL.—A court shall limit the duration of preliminary injunctions to halt covered energy projects to not more than 60 days, unless the court finds clear reasons to extend the injunction.

(2) ADMINISTRATION.—In the case of an extension, the extension shall—

(A) only be in 30-day increments; and

(B) require action by the court to renew the injunction.

(a) IN GENERAL.—Sections 504 of title 5 and 2412 of title 28, United States Code (commonly known as the ''Equal Access to Justice Act''), shall not apply to a covered civil action.

(b) COURT COSTS.—A party to a covered civil action shall not receive payment from the Federal Government for the attorneys' fees, expenses, or other court costs incurred by the party.

SEC. 7006. LEGAL STANDING.

A challenger that files an appeal with the Department of the Interior Board of Land Appeals shall meet the same standing requirements as a challenger before a United States district court.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Madam Chair, I rise today to offer a commonsense amendment to H.R. 8. The Gosar-Bridenstine-Yoho amendment ensures timely review for legal challenges of energy projects and limits attorneys' fees for such challenges in order to discourage frivolous lawsuits and foster American energy production.

This amendment will streamline the process and encourage production of natural gas, hydropower, clean coal, geothermal, solar, oil, biomass, and all other sources of energy that are produced on Federal lands.

Specifically, this amendment requires that U.S. district courts hear and determine covered civil action challenges as expeditiously as practical and that all covered actions be filed within 90 days of the final Federal agency action.

This amendment is a responsible, commonsense step that a government accountable to the people should take to show proper stewardship of the public's dollar, time, and resources. If you support transparency and cutting red tape that is holding up energy development, then you should support this amendment.

Just this week, the House passed legislation unanimously in the form of H.R. 3279, the Open Book on Equal Access to Justice Act. This bipartisan bill tracks how much money is paid out under the Equal Access to Justice Act, EAJA, and from which agencies. This legislation was necessary because, while Congress used to track such information, these practices were stopped in 1995.

The Gosar-Bridenstine-Yoho amendment improves on this excellent bipartisan work by limiting attorney fees and frivolous lawsuits against covered energy products, including renewables.

While no one knows the exact cost of EAJA payouts, as they have occurred untracked and in the dark for 20 years, the Government Accountability Office last reported in 2009 that special interest Washington, D.C., lawyers were billing the Federal Government at exorbitant rates, as high as $750 an hour.

It seems only appropriate that H.R. 3279 should be signed into law, those reporting requirements should kick in, and our amendment should be adopted before the Federal Government squanders more taxpayer money paying out D.C. trial attorneys who specialize in holding up American energy production.

House Natural Resources Chairman ROB BISHOP supports our commonsense amendment.

Our amendment is endorsed by the Americans for Limited Government;

the American Petroleum Institute; Anglers United, Inc.; Arizona Builders Alliance; the Arizona Farm Bureau; Arizona Liberty; Arizona Pork Council; AZ BASS Nation; the Bass Federation; Concerned Citizens for America; Gavel Resources; Grand Canyon State Electric Cooperative Association; the Rural Public Lands County Council; Shake, Rattle and Troll Radio; Sulfur Springs Valley Electric Cooperative; the Yuma County Chamber of Commerce; and countless citizens around the country who are tired of red tape and bureaucracy holding up American energy production.

I thank the chair and ranking member for their tireless efforts on the North American Energy Security and Infrastructure Act, and I strongly support H.R. 8.

I urge my colleagues to support the Gosar-Bridenstine-Yoho amendment.

Mr. UPTON. Will the gentleman yield?

Mr. GOSAR. I yield to the gentleman from Michigan.

Mr. UPTON. Madam Chair, I thank the gentleman for the amendment.

We have talked to the Natural Resources Committee staff. Obviously, that is something that Chairman BISHOP supports.

This amendment does ensure the timely review for legal challenges of energy projects. It is a worthy amendment, and I urge my colleagues to support it.

Mr. GOSAR. Madam Chair, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Madam Chair, I rise in opposition to the amendment to H.R. 8.

This amendment is another example of pro-corporate, anti-environmental legislation designed by large corporations to restrict access to the courts for the average citizen.

The Gosar amendment ignores separation of powers by telling the Federal courts how to do their job, restricting the type of relief a court can grant, and penalizing successful challenges brought under the Equal Access to Justice Act. This, in turn, limits access to legal relief for those challenging government decisions.

Let's say you are a farmer or a rancher or a landowner and you live adjacent to Federal land that is being leased out to an energy company for fracking and you are worried about what is going to happen to your drinking water, you are worried about the price of your house, and you are worried about the health of your children. Well, this amendment will greatly interfere with your ability to challenge the decision of the Federal agency granting the permit. It will tie the hands of the courts in terms of deciding the case in a fair and just way.

For nearly 70 years, the Administrative Procedure Act, or APA, has served as the foundation for administrative agency action and ensures that agency action taking place in the rulemaking process is fair, efficient, and flexible enough to accommodate the myriad of agency actions it governs along with the challenges of daily life.

Judicial review of agency action is a hallmark of the APA, and it is critical to ensuring that government action does not harm or adversely affect the public. The Gosar amendment would discard decades of wisdom and jurisprudence preserving the right of judicial review.

First, it would reduce the statute of limitations for judicial review of agency action under the APA to 90 days. This is down from 6 years for most claims brought against the United States in cases involving onshore and offshore energy leasing, development, and transmission on Federal lands.

This razor-thin window for review would effectively immunize government action involving energy projects from public accountability, allowing those agencies to opt out of our civil justice system.

Second, the amendment limits a judicial stay of final agency action by requiring courts to only consider whether relief would be the least intrusive or narrowly drawn relief possible to correct a violation.

Courts, however, typically consider other things, such as where the public interest lies. This sweeping limitation would dramatically interfere with the courts' ability to provide relief, tilting the outcome against the public interest.

Lastly, this amendment slams the door to the courthouse by prohibiting access to funds under the Equal Access to Justice Act. By enacting the Equal Access to Justice Act, Congress recognized that individuals and organizations should not be deterred from challenging unjustified governmental action simply because it costs too much.

For three decades, veterans, seniors, persons with disabilities, small businesses, and nonprofit organizations from across the ideological spectrum have relied upon the Equal Access to Justice Act to challenge illegal government action. This amendment would cripple the rights of those concerned or opposed to an energy project by preventing those who cannot afford to litigate a case against a big corporation from recovering fees, expenses, and court costs when they win.

It is time for this Congress to stand up for everyday Americans. I urge my colleagues to stand for the rights of the individual and local communities and oppose this misguided amendment.

I reserve the balance of my time.

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Mr. GOSAR. Madam Chair, this amendment is simple. Either you are with American energy producers, or you are with overpaid, high-priced Washington, D.C., attorneys and extremist special interest groups that are holding up American energy production.

This amendment still allows the public to seek assistance in Federal court and actually encourages that an up-or-down review of their legal challenges occur in a more timely manner.

This amendment does not affect NEPA or environmental requirements whatsoever. All American energy producers will still have to go through the full environmental review and permitting process. As I mentioned earlier with regard to previous amendments, that process takes an average of 1,709 days to complete, and it allows public input from all Americans.

Madam Chair, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Madam Chair, you are with American people—farmers, ranchers, landowners, just regular, ordinary people—or you are with the Big Business corporations that are seeking to rape and pillage, on occasion, the land without any drawback of having to be taken into the courthouse to deal with what they have done or with what they are about to do.

I yield back the balance of my time.

Mr. GOSAR. Madam Chair, as I stated earlier, the amendment encourages an all-of-the-above energy strategy and has specific language that ensures the amendment applies to solar, natural gas, hydropower, clean coal, geothermal, oil, biomass, and any other source of energy that is produced on Federal lands. It actually embraces and supports those folks out there in America; so I ask all of our folks to vote for the Gosar-Bridenstine-Yoho amendment.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT NO. 29 OFFERED BY MR. UPTON

The Acting CHAIR. It is now in order to consider amendment No. 29 printed in House Report 114–359.

Mr. UPTON. Madam Chair, as the designee of EVAN JENKINS, I offer amendment No. 29.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE VII—OTHER MATTERS

SEC. 7001. STUDY TO IDENTIFY LEGAL AND REGULATORY BARRIERS THAT DELAY, PROHIBIT, OR IMPEDE THE EXPORT OF NATURAL ENERGY RESOURCES.

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy

and the Secretary of Commerce shall jointly transmit to the Committee on Energy and Commerce and the Committee on Natural Resources of the House of Representatives, and the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate, the results of a study to—

(1) identify legal and regulatory barriers that delay, prohibit, or impede the export of natural energy resources, including government and technical (physical or market) barriers that hinder coal, natural gas, oil, and other energy exports; and

(2) estimate the economic impacts of such barriers.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Michigan (Mr. UPTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Madam Chair, this amendment requires the Department of Energy and the Department of Commerce to conduct a study regarding the legal and regulatory barriers that delay, prohibit, or impede the export of natural energy resources.

This amendment instructs the Department of Energy and the Department of Commerce to conduct this study to figure out which regulatory barriers may be prohibiting, delaying, or hindering the export of America's natural resources, like coal and natural gas, which come in the form of permitting requirements, the threat of litigation, regulatory red tape, market forces, and more.

I urge my colleagues to support it.

Madam Chair, I yield back the balance of my time.

Mr. PALLONE. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. Madam Chair, I rise in opposition to this amendment, which would require the Department of Energy and the Department of Commerce to conduct a study on the legal and regulatory provisions that delay or prohibit the export of natural energy resources.

This is another example, Madam Chair, of an amendment in search of a problem. The majority is, once again, making hyperbolic claims about the Federal Government blocking energy exports, but this is simply not true.

To cite the example of LNG exports, the Department of Energy currently conducts a public interest review of all applications to export LNG to a country without a free trade agreement with the United States. The DOE has established a record of acting expeditiously, and it has acted on all applications that have completed the NEPA process. To date, the DOE has approved nine final authorizations on seven projects. So, to imply there is a barrier in this case is simply not true.

Further, any so-called barrier usually has a specific purpose: for example, taking the time to ensure that public health is protected, that safety and environmental concerns are adequately evaluated, that the export of our natural resources is actually in the national interest, and that consumers are not adversely impacted.

Finally, the amendment doesn't define ''barrier.'' So would other agencies' regulations, promulgated under other statutory authority, constitute a barrier? I am also not sure that the DOE and the Department of Commerce even have the appropriate expertise to assess these barriers.

For these reasons, Madam Chair, I oppose this amendment as its being an unnecessary and vaguely defined study, and I urge my colleagues to do the same.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. UPTON).

The amendment was agreed to.

AMENDMENT NO. 30 OFFERED BY MR. ROUZER

The Acting CHAIR. It is now in order to consider amendment No. 30 printed in House Report 114–359.

Mr. ROUZER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

TITLE ___—OTHER MATTERS

SEC. _____. REPEAL OF RULE FOR NEW RESIDENTIAL WOOD HEATERS.

The final rule entitled ''Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces'' published at 80 Fed. Reg. 13672 (March 16, 2015) shall have no force or effect and shall be treated as if such rule had never been issued.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from North Carolina (Mr. ROUZER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. ROUZER. Madam Chair, I rise today to offer an amendment to the North American Energy Security and Infrastructure Act.

In early March of this year, the EPA published a final rule establishing new regulations for wood heaters. Manufacturers and consumers across the country are concerned about the negative impact of these new regulations. In essence, these new requirements will increase the cost to the point that wood heaters may very well be priced out of the marketplace. The best case scenario is that consumers will be paying more. Now, Madam Chair, neither is a good outcome.

According to reports, 10 percent of U.S. households still choose wood heaters to keep their energy costs as low as possible. The number of households that rely on wood as their primary heating source—get this—rose by nearly one-third from 2005 to 2012.

It is important to note that several States have worked to protect their residents from the consequences of these new regulations. Wisconsin, Missouri, Michigan, Virginia, and my home State of North Carolina have all introduced or have passed legislation that prohibits their respective environmental agencies from enforcing these burdensome, unnecessary regulations. The reason is that they know the costs of additional regulations are always passed down to the consumers.

Simply put, the Federal Government has no business telling private citizens how they should heat their homes.

Think about all of the folks in the Midwest and the Northeast who are going to need and want a wood heater. After all, this is America. If you want to have the opportunity to buy a wood heater, you ought to have that opportunity. It shouldn't be priced out of the market.

Madam Chair, I yield 2 minutes to the gentleman from Missouri (Mr. SMITH).

Mr. SMITH of Missouri. I thank the gentleman from North Carolina.

Madam Chair, the EPA has decided that 12 million wood-burning stoves in 2.4 million households across America need to be regulated.

Back in the Eighth District of Missouri, about 30,000 households use wood heat to warm their homes. Census data shows that households heating with wood grew 34 percent between 2000 and 2010 and that low- and middle-income households are much more likely to use wood as a primary heating fuel. A given home in my district is five times more likely to be heated with wood than is the national average.

Constituents I talk with daily are sick of this administration's war on rural America. Rules like these disproportionately hurt rural areas, which use much more wood heat than do urban or suburban environments: 57 percent of households that primarily use wood for heat are in rural areas; 40 percent are in the suburbs; and only 3 percent are in urban areas. Times are already tough enough back home. Folks should not be punished for their self-reliance and their forethought to take advantage of an abundant, eco-friendly fuel like wood.

I urge my colleagues to join me in eliminating this rule and keeping affordable energy available to folks who need it the most.

Mr. PALLONE. Madam Chair, I claim the time in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. Madam Chair, this amendment will delay the implementation of the EPA's important standards for residential wood heaters—finalized

in February 2015—that will help improve air quality, especially in communities where people burn wood for heat.

The EPA updated these standards because the Clean Air Act requires the EPA to set new source performance standards for categories of stationary sources of pollution that cause or significantly contribute to air pollution that may endanger public health or welfare, and the law requires the EPA to review these standards every 8 years.

The EPA issued the first NSPS for residential wood heaters in 1988. The Agency amended the standards once in 1998 to prohibit the sale of wood heaters to consumers if the manufacturer had used an invalid test to obtain EPA certification that the heater met NSPS requirements. The 1998 amendments did not change the emission limits in the original rule. This means the standards for wood heaters have not been updated in nearly 30 years.

The EPA's standards reflect significant outreach to the public and interested stakeholders, including consultation with State, local, and tribal governments and a Small Business Advocacy Review Panel.

The new standards will provide tremendous health benefits by cutting harmful air pollution, including particle pollution, carbon monoxide, and air toxics. Particle pollution causes a range of adverse health effects, including asthma, heart attacks, and stroke.

The EPA estimates that the benefits of these standards will be up to $7.6 billion annually. Put another way, for every dollar spent to manufacture cleaner wood heaters, we will see up to $165 in health benefits. So blocking this rule is fiscally irresponsible.

Some may claim that this rule will require people who use wood heaters to replace the models they currently use, but this standard applies only to the new manufacturing of wood heaters. It does not require people to replace the heaters they have already purchased. Let me repeat that. The EPA is not going into anyone's home and forcing one to replace a heater one currently has. The final rule also has a gradual 5-year phase-in to allow manufacturers time to adapt.

If this amendment were to become law and if the EPA is unable to implement these standards, manufacturers will be able to continue producing outdated wood heaters that pose risks to our air quality and to our health.

The EPA's rule is a reasonable one that is long overdue. It has important benefits, and it should be allowed to be implemented; so I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. ROUZER. Mr. Chairman, this is a commonsense amendment that has been put forward in order to address an onerous, unnecessary rule. My question is: What are we going to try to regulate next—fireplaces? It is next on the list, it seems to me.

I ask for the support of this amendment, and I thank my colleague from Missouri for being here to offer his words of support for the amendment.

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

Mr. PALLONE. Mr. Chairman, I urge opposition to the amendment.

I yield back the balance of my time.

The Acting CHAIR (Mr. WOODALL). The question is on the amendment offered by the gentleman from North Carolina (Mr. ROUZER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PALLONE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

AMENDMENT NO. 31 OFFERED BY MS. CASTOR OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 31 printed in House Report 114–359.

Ms. CASTOR of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE VII—OTHER MATTERS

SEC. 7001. SHORT TITLE.

This title may be cited as the ''Promoting Renewable Energy with Shared Solar Act of 2015''.

SEC. 7002. PROVISION OF INTERCONNECTION SERVICE AND NET BILLING SERVICE FOR COMMUNITY SOLAR FACILITIES.

(a) IN GENERAL.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

''(20) COMMUNITY SOLAR FACILITIES.—

''(A) DEFINITIONS.—In this paragraph:

''(i) COMMUNITY SOLAR FACILITY.—The term 'community solar facility' means a solar photovoltaic system that—

''(I) allocates electricity to multiple individual electric consumers of an electric utility;

''(II) has a nameplate rating of 2 megawatts or less; and

''(III) is—

''(aa) owned by the electric utility, jointly owned, or third-party-owned;

''(bb) connected to a local distribution facility of the electric utility; and

''(cc) located on or off the property of a consumer of the electricity.

''(ii) INTERCONNECTION SERVICE.—The term 'interconnection service' means a service provided by an electric utility to an electric consumer, in accordance with the standards described in paragraph (15), through which a community solar facility is connected to an applicable local distribution facility.

''(iii) NET BILLING SERVICE.—The term 'net billing service' means a service provided by an electric utility to an electric consumer through which electric energy generated for that electric consumer from a community solar facility may be used to offset electric energy provided by the electric utility to the electric consumer during the applicable billing period.

''(B) REQUIREMENT.—On receipt of a request of an electric consumer served by the electric utility, each electric utility shall make available to the electric consumer interconnection service and net billing service for a community solar facility.''.

(b) COMPLIANCE.—

(1) TIME LIMITATIONS.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

''(7)(A) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State has ratemaking authority) and each nonregulated utility shall commence consideration under section 111, or set a hearing date for consideration, with respect to the standard established by paragraph (20) of section 111(d).

''(B) Not later than 2 years after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which the State has ratemaking authority), and each nonregulated electric utility shall complete the consideration and make the determination under section 111 with respect to the standard established by paragraph (20) of section 111(d).''.

(2) FAILURE TO COMPLY.—

(A) IN GENERAL.—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) is amended—

(i) by striking ''such paragraph (14)'' and all that follows through ''paragraphs (16)'' and inserting ''such paragraph (14). In the case of the standard established by paragraph (15) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (15). In the case of the standards established by paragraphs (16)''; and

(ii) by adding at the end the following: ''In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (20).''.

(B) TECHNICAL CORRECTION.—

(i) IN GENERAL.—Section 1254(b) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 971) is amended by striking paragraph (2).

(ii) TREATMENT.—The amendment made by paragraph (2) of section 1254(b) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 971) (as in effect on the day before the date of enactment of this Act) is void, and section 112(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(d)) shall be in effect as if those amendments had not been enacted.

(3) PRIOR STATE ACTIONS.—

(A) IN GENERAL.—Section 112 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622) is amended by adding at the end the following:

''(g) PRIOR STATE ACTIONS.—Subsections (b) and (c) shall not apply to the standard established by paragraph (20) of section 111(d) in the case of any electric utility in a State if, before the date of enactment of this subsection—

''(1) the State has implemented for the electric utility the standard (or a comparable standard);

''(2) the State regulatory authority for the State or the relevant nonregulated electric

utility has conducted a proceeding to consider implementation of the standard (or a comparable standard) for the electric utility; or

''(3) the State legislature has voted on the implementation of the standard (or a comparable standard) for the electric utility.''.

(B) CROSS-REFERENCE.—Section 124 of the Public Utility Regulatory Policy Act of 1978 (16 U.S.C. 2634) is amended by adding at the end the following: ''In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph (20).''.

The Acting CHAIR. Pursuant to House Resolution 542, the gentlewoman from Florida (Ms. CASTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

□ 2000

Ms. CASTOR of Florida. Mr. Chairman, my amendment is a great opportunity to put solar power within reach of more families and small businesses across America. It amends the Public Utility Regulatory Policies Act of 1978 under which Congress directs States to consider adopting certain regulatory policies.

My amendment directs States to consider solar projects up to 2 megawatts in size to be connected to their power distribution system and that utilities allow the electricity produced by the community solar facility to be credited directly to each of the consumers that owns a share of the system, thus offsetting the cost of the electricity that would normally be billed by the utility to the customer.

Currently, 14 States and the District of Columbia have shared renewable policies in place. My amendment would encourage other States to consider implementing new policies to promote community solar projects.

Mr. Chair, 49 percent of households are currently unable to host a photovoltaic system because they do not own their building. They are renters or they do not have access to sufficient roof space, like high-rise buildings or multifamily buildings, or they live in buildings with too much shade or insufficient roof space to host such a photovoltaic system.

It is also estimated that 48 percent of businesses are unable to host a solar array. So by opening the market to these customers, shared solar could represent as much as half of the distributed photovoltaic market in 2020, adding an additional 5.5 to 11 gigawatts of solar capacity across our country.

One good example is what is happening in central Florida. The Orlando Utilities Commission has developed central Florida's first community solar farm. The community solar farm gives Orlando residential and small business customers access to sustainable, maintenance-free solar energy without the hassles and costs associated with installing panels on their home or businesses.

The 400-kilowatt array produces an average of 540,000 kilowatts annually, which is enough energy to meet the power needs of about 40 homes. This has great promise. It has great potential for families and small businesses that we all represent across the country.

I would urge an ''aye'' vote.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Chairman, this amendment requires States to consider electric utilities to allow community solar projects of up to 2 megawatts to connect to the electric grid. We do know that community solar is an exciting new technology that many communities and customers are seriously considering.

I could say that I support the gentlewoman's community solar goals, but there are some concerns with the amendment. Namely, as drafted, it could violate some State electric service laws, while also potentially being redundant of Federal standards currently imposed on States.

But because it is not a mandate and uses PURPA for States to consider, which they are free to consider or reject, we can accept the gentlewoman's amendment.

I yield back the balance of my time.

Ms. CASTOR of Florida. Mr. Chairman, I thank the chairman of the Energy and Commerce Committee for recognizing the great promise and great potential for solar power for families and small businesses across the country. I thank him for urging an ''aye'' vote.

I also urge an ''aye'' vote on the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. CASTOR).

The amendment was agreed to.

AMENDMENT NO. 32 OFFERED BY MR. DESAULNIER

The Acting CHAIR. It is now in order to consider amendment No. 32 printed in House Report 114–359.

Mr. DESAULNIER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE VII—OTHER MATTERS

SEC. 7001. STUDY OF VOLATILITY OF CRUDE OIL.

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy shall transmit to Congress the results of a study to determine the maximum level of volatility that is consistent with the safest practicable shipment of crude oil by rail.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from California (Mr. DESAULNIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DESAULNIER. Mr. Chairman, this amendment requires the Department of Energy to study and report to Congress within 1 year the maximum level of volatility that is safe for transporting crude oil by rail.

This commonsense improvement to the bill is a first step in addressing concerns of residents in districts like mine that, while it is heavily industrialized, is also urbanized. The area that I represent has five oil refineries and two destination facilities for oil by rail.

In 2008, oil traffic had increased over 5,000 percent along rail routes leading from production zones in America to refineries and hubs along both coasts. As traffic increases, so does the risk of derailments to communities. Bakken crude oil is considered more volatile than other types of crude and has important safety implications for all of us.

The Pipeline and Hazardous Materials Safety Administration has issued safety alerts warning that crude oil being transported from this region may be more flammable than traditional heavy crude oil. In fact, heavy volatile crude oil from this region has been compared to jet fuel with flammable vapors that can ignite after a derailment.

Several communities along rail lines have been forced to evacuate or sustain significant property and environmental damage after derailment. Unfortunately, there have been instances of severe injuries and some deaths resulting from these accidents.

While the Obama administration has taken important steps to improve tank car standards, more must be done to ensure that Americans living near railways are safe. This amendment requires DOE to determine the acceptable volatility for the safe transportation of oil by rail.

I would urge my colleagues to support this commonsense amendment.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I claim the time in opposition, but I support the amendment.

The Acting CHAIR. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. UPTON. Mr. Chair, this amendment requires the Department of Energy to study the maximum level of volatility that is consistent with the safest practical shipment of crude oil by rail. Every one of us here wants the

safe transportation of all of our natural resources. Rail transport is getting larger and larger. We need to make sure that it is safe.

I think it is a worthy amendment. I would urge all my colleagues to support the amendment.

I yield back the balance of my time.

Mr. DESAULNIER. Mr. Chairman, I yield to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I rise in support of the DeSaulnier-Lowey-Garamendi amendment. At the outset, I want to thank my friend, the distinguished chairman, for your wisdom in supporting this very important amendment.

This year derailments in North Dakota, Pennsylvania, and West Virginia endangered lives, destroyed homes, and jeopardized waterways.

We must protect those who live near America's extensive rails, including my constituents in Rockland County, New York, where every week as many as 30 trains carry highly volatile Bakken crude oil past homes, schools, and businesses.

In 2013, a freight train pulling 99 oil tanker cars collided with a truck in West Nyack, averting disaster because the cars were empty. This was not an isolated incident. Vehicles are frequently struck on train tracks that carry crude oil. Just last month a freight train collided with a car in Congers. We cannot afford to risk a ''next time.''

We need scientific information to determine what volatility levels of crude oil can be safely shipped, which would be provided if this amendment passed, to protect those living near railways from the dangers associated with a crude oil derailment.

I urge support of this amendment. I thank my colleague, Mr. DESAULNIER, and our chair again. It looks like we are going to see some important action on this very critical issue.

Mr. DESAULNIER. Mr. Chair, I thank the chairman, the staff, and Mrs. LOWEY.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DESAULNIER).

The amendment was agreed to.

AMENDMENT NO. 33 OFFERED BY MR. DEUTCH

The Acting CHAIR. It is now in order to consider amendment No. 33 printed in House Report 114–359.

Mr. DEUTCH. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE VII—MARINE HYDROKINETIC

SEC. 7001. DEFINITION OF MARINE AND HYDROKINETIC RENEWABLE ENERGY.

Section 632 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17211) is amended in the matter preceding paragraph (1) by striking ''electrical''.

SEC. 7002. MARINE AND HYDROKINETIC RENEWABLE ENERGY RESEARCH AND DEVELOPMENT.

Section 633 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17212) is amended to read as follows:

''SEC. 633. MARINE AND HYDROKINETIC RENEWABLE ENERGY RESEARCH AND DEVELOPMENT.

''The Secretary, in consultation with the Secretary of the Interior, the Secretary of Commerce, and the Federal Energy Regulatory Commission, shall carry out a program of research, development, demonstration, and commercial application to accelerate the introduction of marine and hydrokinetic renewable energy production into the United States energy supply, giving priority to fostering accelerated research, development, and commercialization of technology, including—

''(1) to assist technology development to improve the components, processes, and systems used for power generation from marine and hydrokinetic renewable energy resources;

''(2) to establish critical testing infrastructure necessary—

''(A) to cost effectively and efficiently test and prove the efficacy of marine and hydrokinetic renewable energy devices; and

''(B) to accelerate the technological readiness and commercialization of those devices;

''(3) to support efforts to increase the efficiency of energy conversion, lower the cost, increase the use, improve the reliability, and demonstrate the applicability of marine and hydrokinetic renewable energy technologies by participating in demonstration projects;

''(4) to investigate variability issues and the efficient and reliable integration of marine and hydrokinetic renewable energy with the utility grid;

''(5) to identify and study critical short- and long-term needs to create a sustainable marine and hydrokinetic renewable energy supply chain based in the United States;

''(6) to increase the reliability and survivability of marine and hydrokinetic renewable energy technologies;

''(7) to verify the performance, reliability, maintainability, and cost of new marine and hydrokinetic renewable energy device designs and system components in an operating environment;

''(8) to coordinate and avoid duplication of activities across programs of the Department and other applicable Federal agencies, including National Laboratories, and to coordinate public-private collaboration in all programs under this section;

''(9) to identify opportunities for joint research and development programs and development of economies of scale between—

''(A) marine and hydrokinetic renewable energy technologies; and

''(B) other renewable energy and fossil energy programs, offshore oil and gas production activities, and activities of the Department of Defense; and

''(10) to support in-water technology development with international partners using existing cooperative procedures (including memoranda of understanding)—

''(A) to allow cooperative funding and other support of value to be exchanged and leveraged; and

''(B) to encourage international research centers and international companies to participate in the development of water technology in the United States and to encourage United States research centers and United States companies to participate in water technology projects abroad.''.

SEC. 7003. NATIONAL MARINE RENEWABLE ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION CENTERS.

Section 634(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17213(b)) is amended to read as follows:

''(b) PURPOSES.—A Center (in coordination with the Department and National Laboratories) shall—

''(1) advance research, development, demonstration, and commercial application of marine and hydrokinetic renewable energy technologies;

''(2) support in-water testing and demonstration of marine and hydrokinetic renewable energy technologies, including facilities capable of testing—

''(A) marine and hydrokinetic renewable energy systems of various technology readiness levels and scales;

''(B) a variety of technologies in multiple test berths at a single location; and

''(C) arrays of technology devices; and

''(3) serve as information clearinghouses for the marine and hydrokinetic renewable energy industry by collecting and disseminating information on best practices in all areas relating to developing and managing marine and hydrokinetic renewable energy resources and energy systems.''.

SEC. 7004. AUTHORIZATION OF APPROPRIATIONS.

Section 636 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17215) is amended by striking ''2008 through 2012'' and inserting ''2016 through 2019''.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Florida (Mr. DEUTCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DEUTCH. Mr. Chair, H.R. 8, the North American Energy Security Infrastructure Act, was crafted to support the modernization of our Nation's energy infrastructure and the promotion of energy efficiency.

The Deutch-Takai amendment builds on this legislation by supporting further development of one of our Nation's clean, renewable energy sources, marine and hydrokinetic energy.

This amendment reauthorizes the Department of Energy's marine and hydrokinetic research, development, and demonstration programs. This amendment would support the innovative work done by institutions across the country, including Florida Atlantic University in my district. I am so proud that FAU has been a leader in hydrokinetic energy, harnessing the clean power of our oceans to bring America one step closer to energy independence.

FAU's research being done along our pristine coasts in Broward County has already shown the tremendous potential of hydrokinetic energy to produce reliable energy without endangering our beaches or oceans.

These national marine renewable energy research, development, and demonstration centers will serve as information clearinghouses for the marine and hydrokinetic energy industry by providing best practices information on developing and managing these projects so that others can learn from the work being done nationwide and grow this important energy source.

Marine and hydrokinetic energy projects generate energy from waves, currents, such as the gulf stream, and tides in the ocean and estuary or tidal areas. They also can generate energy from free-flowing water in rivers, lakes, or streams.

Marine and hydrokinetic energy projects generate power without the use of a dam or the impoundment of water. Accordingly, the projects have minimal, if any, impact on the surrounding environment.

The ocean waves, currents, and tides are a massive resource that have the potential to produce continuous clean energy. In fact, harnessing only 15 percent of the energy from U.S. coastal waves would produce as much electricity as we currently produce from conventional hydroelectric dams.

Moreover, it has been estimated that the amount of energy that could be produced from waves, currents, and tides along the U.S. coast could provide power to approximately 67 million homes. With more than 50 percent of our Nation's population currently living within 50 miles of coastline, harnessing the energy of ocean waves, currents, and tides and transmitting the energy to our cities and neighborhoods is cost effective and practical.

The Department of Energy has estimated that hydrokinetic energy could provide up to 25 percent of our Nation's power. The agency estimates that California, Washington, and Oregon could have up to 20 percent of their electricity requirements generated from waves, while Hawaii and Alaska could have nearly all of their energy needs provided by marine hydrokinetic energy.

Currently, this still young and developing form of energy technology is in the process of being commercialized.

In Maine, hydrokinetic devices that harness energy from the tides near Cobscook Bay have been connected to the electric grid and provide enough power for 25 to 30 homes. In Hawaii, a hydrokinetic device has become the first to be connected to the electric grid that harnesses energy from waves.

These are the beginning steps toward commercializing this energy form, and it will enable them to become more widespread and provide power to the grids in our cities and communities.

Importantly, this amendment will improve the efficiency of regulations impacting the licensing of marine and hydrokinetic projects. The amendment would provide clarity on the regulations that need to be satisfied for projects seeking a license and the agencies involved in reviewing the licensing process so that innovative projects don't get caught up in needless bureaucracy.

Marine and hydrokinetic will provide a continuous and a clean source of energy. This amendment would support and promote continued investment in research and development of hydrokinetic projects that work to harness power from ocean waves, currents, and tides, as well as our Nation's rivers, lakes, and streams. It would also improve the regulatory barriers that slow the licensing process for these projects.

Marine and hydrokinetic energy is a source of energy we need to continue to develop, improve, and connect to the grid to provide our cities and communities with the electricity that they need.

I thank my colleague from Hawaii, Congressman TAKAI, for all of his work in support of marine and hydrokinetic power and for his support of this amendment.

I strongly urge support for the Deutch-Takai amendment.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Chair, I would say that I am convinced that this is a good amendment, and I will be in support of the amendment.

We have many Members, particularly CATHY MCMORRIS RODGERS on our committee, who are strong supporters of hydropower.

□ 2015

This amendment promotes the research, development, and demonstration of marine hydrokinetic energy technologies and improves the regulatory process for such programs. As such, we support the amendment.

I yield back the balance of my time.

Mr. DEUTCH. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DEUTCH).

The amendment was agreed to.

AMENDMENT NO. 34 OFFERED BY MR. GRAYSON

The Acting CHAIR. It is now in order to consider amendment No. 34 printed in House Report 114–359.

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

TITLE ____—OTHER MATTERS

SEC. ____. SMART METER PRIVACY RIGHTS.

(a) ELECTRICAL CORPORATION OR GAS CORPORATIONS.—

(1) For purposes of this section, ''electrical or gas consumption data'' means data about a customer's electrical or natural gas usage that is made available as part of an advanced metering infrastructure, and includes the name, account number, or residence of the customer.

(2)(A) An electrical corporation or gas corporation shall not share, disclose, or otherwise make accessible to any third party a customer's electrical or gas consumption data, except as provided in subsection (a) (5) or upon the consent of the customer.

(B) An electrical corporation or gas corporation shall not sell a customer's electrical or gas consumption data or any other personally identifiable information for any purpose.

(C) The electrical corporation or gas corporation or its contractors shall not provide an incentive or discount to the customer for accessing the customer's electrical or gas consumption data without the prior consent of the customer.

(D) An electrical or gas corporation that utilizes an advanced metering infrastructure that allows a customer to access the customer's electrical and gas consumption data shall ensure that the customer has an option to access that data without being required to agree to the sharing of his or her personally identifiable information, including electrical or gas consumption data, with a third party.

(3) If an electrical corporation or gas corporation contracts with a third party for a service that allows a customer to monitor his or her electricity or gas usage, and that third party uses the data for a secondary commercial purpose, the contract between the electrical corporation or gas corporation and the third party shall provide that the third party prominently discloses that secondary commercial purpose to the customer.

(4) An electrical corporation or gas corporation shall use reasonable security procedures and practices to protect a customer's unencrypted electrical or gas consumption data from unauthorized access, destruction, use, modification, or disclosure.

(5)(A) Nothing in this section shall preclude an electrical corporation or gas corporation from using customer aggregate electrical or gas consumption data for analysis, reporting, or program management if all information has been removed regarding the individual identity of a customer.

(B) Nothing in this section shall preclude an electrical corporation or gas corporation from disclosing a customer's electrical or gas consumption data to a third party for system, grid, or operational needs, or the implementation of demand response, energy management, or energy efficiency programs, provided that, for contracts entered into after January 1, 2016, the utility has required by contract that the third party implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the personal information from unauthorized access, destruction, use, modification, or disclosure, and prohibits the use of the data for a secondary commercial purpose not related to the primary purpose of the contract without the customer's consent.

(C) Nothing in this section shall preclude an electrical corporation or gas corporation from disclosing electrical or gas consumption data as required or permitted under State or Federal law or by an order of a State public utility commission.

(6) If a customer chooses to disclose his or her electrical or gas consumption data to a third party that is unaffiliated with, and has no other business relationship with, the electrical or gas corporation, the electrical or

gas corporation shall not be responsible for the security of that data, or its use or misuse.

(b) LOCAL PUBLICLY OWNED ELECTRIC UTILITIES.—

(1) For purposes of this section, ''electrical consumption data'' means data about a customer's electrical usage that is made available as part of an advanced metering infrastructure, and includes the name, account number, or residence of the customer.

(2)(A) A local publicly owned electric utility shall not share, disclose, or otherwise make accessible to any third party a customer's electrical consumption data, except as provided in subsection (b) (5) or upon the consent of the customer.

(B) A local publicly owned electric utility shall not sell a customer's electrical consumption data or any other personally identifiable information for any purpose.

(C) The local publicly owned electric utility or its contractors shall not provide an incentive or discount to the customer for accessing the customer's electrical consumption data without the prior consent of the customer.

(D) A local publicly owned electric utility that utilizes an advanced metering infrastructure that allows a customer to access the customer's electrical consumption data shall ensure that the customer has an option to access that data without being required to agree to the sharing of his or her personally identifiable information, including electrical consumption data, with a third party.

(3) If a local publicly owned electric utility contracts with a third party for a service that allows a customer to monitor his or her electricity usage, and that third party uses the data for a secondary commercial purpose, the contract between the local publicly owned electric utility and the third party shall provide that the third party prominently discloses that secondary commercial purpose to the customer.

(4) A local publicly owned electric utility shall use reasonable security procedures and practices to protect a customer's unencrypted electrical consumption data from unauthorized access, destruction, use, modification, or disclosure, and prohibits the use of the data for a secondary commercial purpose not related to the primary purpose of the contract without the customer's consent.

(5)(A) Nothing in this section shall preclude a local publicly owned electric utility from using customer aggregate electrical consumption data for analysis, reporting, or program management if all information has been removed regarding the individual identity of a customer.

(B) Nothing in this section shall preclude a local publicly owned electric utility from disclosing a customer's electrical consumption data to a third party for system, grid, or operational needs, or the implementation of demand response, energy management, or energy efficiency programs, provided, for contracts entered into after January 1, 2016, that the utility has required by contract that the third party implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the personal information from unauthorized access, destruction, use, modification, or disclosure.

(C) Nothing in this section shall preclude a local publicly owned electric utility from disclosing electrical consumption data as required under State or Federal law.

(6) If a customer chooses to disclose his or her electrical consumption data to a third party that is unaffiliated with, and has no other business relationship with, the local publicly owned electric utility, the utility shall not be responsible for the security of that data, or its use or misuse.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from Florida (Mr. GRAYSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, my amendment would establish minimum privacy standards for smart meters on people's homes which are part of the smart electric grid.

According to the U.S. Energy Information Administration, as of 2013, nearly 52 million smart meters have already been installed in the United States. This amendment would prohibit locally publicly owned electric utilities, electrical corporations, or gas companies from sharing, disclosing, or otherwise making accessible to any third party a customer's electrical or gas consumption data.

It would also require these utilities to use reasonable security procedures and practices to protect the customer's unencrypted electrical and gas consumption data from unauthorized access, destruction, use, modification, or disclosure.

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

Mr. UPTON. Mr. Chairman, I claim the 5 minutes in opposition to the amendment.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. And I will use my time to support the amendment.

This amendment does establish minimum privacy standards for smart meters. I think it is a smart amendment, brilliant, and it needs to be adopted.

I encourage my colleagues to support it.

I yield back the balance of my time.

Mr. GRAYSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

AMENDMENT NO. 35 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 35 printed in House Report 114–359.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

TITLE ___OTHER MATTERS

SEC. _____. YOUTH ENERGY ENTERPRISE COMPETITION.

The Secretaries of Energy and Commerce shall jointly establish an energy enterprise competition to encourage youth to propose solutions to the energy challenges of the United States and to promote youth interest in careers in science, technology, engineering, and math, especially as those fields relate to energy.

The Acting CHAIR. Pursuant to House Resolution 542, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. I just want to take a moment, Mr. Chairman, as we have been debating important energy issues on the floor of the House, to offer my deepest sympathy to the families who have lost loved ones in San Bernardino and hope that we will come together as a country and find solutions to this terrible tragedy.

Mr. Chairman, I thank you for giving me the opportunity to introduce this amendment because it talks about the goodness of this Nation and the wonderment of our youth. My amendment particularly is called the Youth Energy Enterprise Competition. It asks the Secretaries of Energy and Commerce to jointly establish an energy enterprise competition to encourage youth to propose solutions to the energy challenges of the United States and to promote youth interests and careers in science, technology, engineering, and math, especially those fields that relate to energy.

As a member of the United States Congress, I have had the privilege of being on the Congressional Award Board that provides medals to young people across the country for their public service, for their volunteerism. I can see when they come to Washington the excitement and the future of this Nation.

I truly believe that the future of this Nation is in energy independence. Economic growth, national security, expanding opportunities, and diversifying the energy sector workforce are critical issues we must invest our time and talent in.

Across America, colleges, community colleges, high schools, and middle schools are talking about science, technology, engineering, and math. We are trying to introduce our children to the wonders of science, technology, engineering, and math.

I do it by introducing my young people to NASA, NASA Johnson, inviting them down to the space center and watching their eyes open in amazement, or my annual Toys for the Kids effort, a big Christmas party, and the most popular entity is the astronaut and the space exhibit. So I know it is in our children.

My amendment is consistent with the administration's commitment to promoting our national economic and homeland security interests and empowering our youth. It asks the Secretaries of the Energy and Commerce Departments to develop a challenge so

that our young people can compete with their ideas about the energy challenges of America.

It is a good approach to getting ideas to those of us who are policymakers or maybe even to the world of the energy industry, from those in Silicon Valley—and when I say that, dealing with high tech—to the hard-nosed energy in our Midwest, and certainly down to Houston, Texas, where we are dealing with LNG, natural gas, and oil and looking for new ways to produce that product in a safe and environmentally secure way.

I think this competition will bring forth new ideas, excited young people, maybe starting from elementary or middle school, certainly working with young people in high school and rewarding them for their talent.

Mr. Chairman, this is a number of pictures from my district. One exhibits a community garden but really is teaching young people about soil and the idea of how you raise trees and dealing with the science of farming. Then you have them also dealing with a drone, knowing the technology of that and using it in a good way.

I have faith in America's youth, and I believe that this amendment will help us bring to the forefront their talent and bright new ideas to make this Nation the kind of strong and powerful nation that we know it is but, more importantly, using the genius of our youth to face the 21st century energy challenges.

I ask my colleagues to support my amendment.

Mr. Chair, I have an amendment at the desk.

It is listed in the Committee Report as Jackson Lee #35.

Let me express my appreciation to Chairman UPTON and Ranking Member PALLONE for their leadership and commitment to American energy infrastructure development, security, independence and economic growth.

I also wish to thank Chairman SESSIONS, Ranking Member SLAUGHTER, and the members of the Rules Committee for making in order Jackson Lee Amendment #35.

Mr. Chair, thank you for the opportunity to explain my amendment, which provides:

YOUTH ENERGY ENTERPRISE COMPETITION

The Secretaries of Energy and Commerce shall jointly establish an energy enterprise competition to encourage youth to propose solutions to the energy challenges of the United States and to promote youth interest in careers in science, technology, engineering, and math, especially, as those fields relate to energy.

Mr. Chair, American energy independence, economic growth, national security, and expanding opportunities and diversifying the energy sector workforce are critical issues we must invest our time and talent in.

But we can diversify the energy sector only if we encourage our youth to be interested in energy related fields, which will position our nation as the leader in the 21st century.

H.R. 8 seeks to continue to modernize energy infrastructure, help our nation build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, promote energy efficiency and government accountability.

As the Member of Congress from Houston, the energy capital of the nation, I am always looking to support energy policies that not only make our nation more energy independent and create jobs but one that also invests in the future of America: our youth.

According to the Department of Education, 16 percent of American high school seniors are proficient in math and interested in a STEM career.

We need to improve on getting more youth interested in and excited about careers in STEM.

My Amendment seeks to inspire youth and create opportunities for youth to become excited about careers in the energy industry and to pursue energy related educational degrees in the STEM industry.

The Administration and our nation as a whole must remain committed to inspiring, educating and equipping the next generation of Googles, Amazons, Twitters and Facebooks of the energy sector.

In today's world, one only need look at all the technology we need to get by in our day to day dealings to understand the impact of STEM on our lives.

Toddlers now have hand-held tablets to watch their cartoons such as Pepper the Pig and Thomas the Train, owing to innovation in technology and exposure to technology.

Similarly, in the science, technology, engineering and math fields as it relates to energy, young people can be the solution to some of the challenges faced by our nation, but only through preparedness.

Indeed, educating our youth in Science, Technology, Engineering, and Mathematics (STEM) fields is central to U.S. economic competitiveness and growth.

According to a PEW Research Report, countries like Hong Kong, Singapore and Taiwan are leading the way in the globe in educating and preparing their youth in STEM.

My Amendment seeks to propel U.S. youth so that they surpass their peers in the global community.

Specifically, this Amendment directs the Secretaries of Energy and Commerce to jointly establish an energy enterprise competition to encourage youth to propose solutions to the energy challenges of the United States and to promote youth interest in careers in science, technology, engineering, and math, especially as those fields relate to energy.

We need to prepare tomorrow's leaders for the competitive world of energy independence, security and infrastructure building.

Part of our long-term strategy ought to be to stimulate and promote innovation among young people to meet tomorrow's sure demand for adequate supply of a qualified workforce in the STEM fields, specifically as it relates to energy.

Mr. Chair, my Amendment will create the space and nurture the platform to develop our young people's ability to think deeply about the energy challenges of our nation and the role they can play in coming up with solutions.

A youth energy enterprise competition can be the breeding ground for future innovators, educators, researchers, and leaders in the energy sector who can solve the most pressing challenges facing our nation and our world, both today and tomorrow.

For all these reasons, I urge my colleagues to join me and support Jackson Lee Amendment #35.

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

Mr. UPTON. Mr. Chairman, I claim the 5 minutes in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. UPTON. But there is no way I could oppose this amendment, let me just say from the beginning.

This amendment directs the Secretaries of Energy and Commerce to jointly establish an energy enterprise competition to promote youth interest in careers in science, technology, engineering, and math, especially as those fields related to energy.

I heard from one of my heroes today, Dean Kamen, probably the best inventor of our time. He has, on his own, started just a wonderful program employing hundreds of thousands of youth all around the country, all around the world, a competition called FIRST Robotics, to really get high school and middle school students invested in looking at the science of so many different things in competitions that I participated in.

My Governor, Rick Snyder, who was in town tonight, was honored as I think the number one guy in the Nation earlier this year in Michigan. We are going to have the national competition in Detroit, I want to say, in 2 years. But I have been at the regional competition for this, and where kids and mentors and companies are invested, this is the future of science in so many different things.

This is a great amendment. I would urge all my colleagues to vote for it. I know that, as I look at my friendship with Dean Kamen, he will probably never talk to me again if I oppose the amendment. It is a great amendment. It should have been done as part of our committee mark.

I look forward to working with the Education committees and appropriators to make sure that it is funded. It is a good thing. I would urge all my colleagues to support it.

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

Ms. JACKSON LEE. Mr. Chairman, I thank the gentleman from Michigan. I yield such time as he may consume to the distinguished gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I just want to thank my colleague from Texas for coming up with such a great program for young people. Listening to her and her sense of optimism about the future, I think that is what we need to encourage with our young people. I was so pleased to see that the chairman of our committee also supports it.

I would like to lend my support and urge the amendment's adoption.

Ms. JACKSON LEE. If I may, Mr. Chairman, I want to thank Mr. UPTON for his enthusiasm.

Dean Kamen is a hero of all of us. As I said, the greatest joy that I have seen in my young people when I invite them out is going to NASA Johnson out in Houston and, as well, when I bring the astronauts either to their schools or, more importantly, when NASA goes out to the schools. But when I have this big Christmas party, Santa Claus comes, but I will tell you that the astronauts are enormously popular.

I want to thank Mr. PALLONE, as well, for being committed to the energy and the dreaming and the inspiration and talent of our young people. That is what this amendment is about. I hope we can work together to find the funding but, more importantly, to get our young people engaged. I think they will have a lot of answers.

I ask my colleagues to support this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT NO. 36 OFFERED BY MS. MENG

The Acting CHAIR. It is now in order to consider amendment No. 36 printed in House Report 114–359.

Ms. MENG. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following:

TITLE ___—OTHER MATTERS

SEC. _____. MODERNIZATION OF TERMS RELATING TO MINORITIES.

(a) OFFICE OF MINORITY ECONOMIC IMPACT.—Section 211(f)(1) of the Department of Energy Organization Act (42 U.S.C. 7141(f)(1)) is amended by striking ''a Negro, Puerto Rican, American Indian, Eskimo, Oriental, or Aleut or is a Spanish speaking individual of Spanish descent'' and inserting ''Asian American, African American, Hispanic, Puerto Rican, Native American, or an Alaska Native''.

(b) MINORITY BUSINESS ENTERPRISES.—Section 106(f)(2) of the Local Public Works Capital Development and Investment Act of 1976 (42 U.S.C. 6705(f)(2)) is amended by striking ''Negroes, Spanish-speaking, Orientals, Indians, Eskimos, and Aleuts'' and inserting ''Asian American, African American, Hispanic, Native American, or Alaska Natives''.

The Acting CHAIR. Pursuant to House Resolution 542, the gentlewoman from New York (Ms. MENG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. MENG. Mr. Chair, this bipartisan amendment is simple. It seeks to strike the term ''Oriental'' from Federal law in the last two remaining instances it is used to refer to a person within the Federal law.

I thank my colleague and my friend, Chairman ROYCE, for cosponsoring this amendment with me.

Mr. Chair, in the same way, I would not want either of my children to be referred to as ''Oriental'' by their teacher at school, I hope we can all agree that the term ''Oriental'' no longer deserves a place in Federal law.

Toward that end, this amendment strikes the offensive term from 42 U.S.C. 7141 and 42 U.S.C. 6705, two sections of Federal law written in the 1970s that fall under the jurisdiction of the Committee on Energy and Commerce.

Congress once found it appropriate to pass laws such as the Chinese Exclusion Act and the Geary Act, but we also found it appropriate to repeal them. Times change. What is acceptable changes, and this Congress more often than not yields to that change.

Mr. Chair, I call on my colleagues to join me in striking the legal use of outdated terms that many in the community would find offensive. I thank the Committee on Rules for making this amendment in order. I thank the chairman for allowing me time to speak on what is an important issue to my district, and I thank, again, Mr. ROYCE for his support and his cosponsorship of this amendment.

I urge support for the amendment.

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

Mr. UPTON. Mr. Chairman, I claim the time in opposition, but again, I strongly support this amendment.

The Acting CHAIR. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. UPTON. Mr. Chair, I am delighted that Ms. MENG brought this to our attention. Mr. ROYCE is a very dear friend. I know we all share the same thoughts. I also want to just thank PETE SESSIONS, chairman of the Committee on Rules, for making this amendment in order. I would urge all my colleagues to support the amendment and appreciate it being offered tonight.

I yield back the balance of my time.

Ms. MENG. Mr. Chair, I thank the gentleman for his kind words.

I yield back the balance of my time.

Mr. ROYCE. Mr. Chair, I rise today to speak in support of the amendment to H.R. 8 introduced by my colleague, the Gentlewoman from New York, Representative MENG.

Racism and discrimination has no place in America today. We are a nation of immigrants that is proud of its diversity.

And when we get the chance, we should correct the mistakes of the past. That is what this amendment is about. The Federal Code still contains language on ethnicity that is antiquated and inappropriate. Our society has progressed a great deal in the last 100 years. It is time for us to do the same to our Federal Code.

This amendment eliminates outdated, disrespectful terms from federal law and replaces them with terms, such as ''Asian American,'' ''Alaska Natives,'' and ''Hispanic,'' that are more appropriate for our times and in keeping with our values.

Deleting inappropriate terms from usage in the U.S. Code is a simple means of demonstrating respect for our nation's diversity, and it will have no effect on the underlying federal laws.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. MENG).

The amendment was agreed to.

AMENDMENT NO. 37 OFFERED BY MR. PALLONE

The Acting CHAIR. It is now in order to consider amendment No. 37 printed in House Report 114–359.

Mr. PALLONE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE VII—EFFECTIVE DATE

SEC. 7001. EFFECTIVE DATE.

This Act shall not take effect until the Energy Information Administration has analyzed and published a report on the carbon impacts of the provisions of this Act.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from New Jersey (Mr. PALLONE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. PALLONE. Mr. Chairman, despite original efforts to pass a bipartisan bill to address some of our energy infrastructure needs, H.R. 8 has become an attempt by the Republican Party to create backward-facing legislation that replaces many good provisions with legislation that would continue to reward polluters and contribute to our climate change issue.

□ 2030

In yesterday's debate on the CRAs, we heard time and again that climate change is not a priority for Republicans because they are more concerned with the economy and jobs.

Unlike the rhetoric that they would have us believe, a good economy and sound environmental policies are not mutually exclusive. We have actually experienced a boost in the economy under the Clean Air Act.

However, climate change is having a real effect on our communities, from more frequent extreme weather events, like Hurricane Sandy, to the extreme drought in California, to the floods experienced in Florida. The emotional and economic tolls of these events have been great and will continue to increase the longer this Congress ignores these pressing issues.

Mr. Chairman, we cannot continue to ignore climate change and disseminate

misinformation. We are putting ourselves on a track towards irreparable damage.

Climate change and energy are inexorably linked. Each are a facet of the other. Energy is the source of 84 percent of U.S. greenhouse gas emissions, and any energy bill has a large impact on the direction of energy investment.

To that end, it is critical that legislation that is focused on developing U.S. energy policy move the country on the right path by helping to reduce carbon pollution, not to increase it. It is imperative that U.S. energy policy promote clean forms of energy and help make all energy use more efficient.

A necessary step to understanding its potential impact on emissions is to have the energy bill scored before it is enacted, and my amendment would do just that. The energy bill would be submitted to the Energy Information Administration, who would determine the overall short- and long-term impacts of the bill on U.S. greenhouse gas emissions: the Climate Pollution Score. The bill should not be enacted until such an analysis is complete.

Mr. Chairman, we know that the higher levels of greenhouse gases will continue to perturb our climate and impact public health. The responsible choice is to ensure that we are not contributing to the problem.

As Members of this Congress, it is our responsibility to protect the interests of Americans, which includes protecting Americans from the devastating effects of climate change while we still can. This amendment will allow us to do just that by giving us necessary information to analyze the effects of this legislation.

So I strongly urge my colleagues to vote to protect Americans by voting for this amendment.

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

Mr. UPTON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. This amendment, as properly stated, would provide that the bill should not take effect until the Energy Information Administration has done a study and prepared a report on the carbon impacts of the provision.

So, in essence, it would delay implementation of the bill indefinitely. And we believe that that would be a diversion, as the focus of this bill is to modernize our energy infrastructure and ensure access to affordable, reliable energy in a strong economy as fast as we can.

An economy based on reliable, affordable energy provides the means for the prosperity for future generations and the economic strength to respond and adapt to future challenges. It is particularly true when it comes to risks of climate change, whether natural or man-influenced.

The bill promotes technological innovation; the development of resilient, efficient energy infrastructure; and a strong economy to withstand climate events, regardless of the causes. Delaying the measures in this bill denies the public a direct path to a stronger, more resilient energy infrastructure and greater economic growth.

Because of those reasons, I would urge my colleagues to vote against my friend's amendment.

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

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

The score that I am asking for that would be done by the Energy Information Administration would not indefinitely delay the bill. They have the ability to do the scoring.

This is an independent agency within the Energy Department that was created on a bipartisan basis. It is nonpartisan. It collects energy data for the United States. And once the score was attributed, the bill could move forward.

But the point is we need to know what the impact is going to be on the environment, on air pollution, and on climate change.

I think that my concern, of course, is that this legislation was scored negatively, and that is the reason why I think we need to have a score. It is certainly not going to delay the bill indefinitely, as was suggested by the chairman.

I urge a vote in favor of this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. PALLONE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PALLONE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 38 OFFERED BY MR. NORCROSS

The Acting CHAIR. It is now in order to consider amendment No. 38 printed in House Report 114–359.

Mr. NORCROSS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, add the following new section:

SEC. 3007. REPORT ON SMART METER SECURITY CONCERNS.

Not later than 1 year after the date of enactment of this Act, the Secretary of Energy shall transmit to Congress a report on the weaknesses in currently available smart meters' security architecture and features, including an absence of event logging, as described in the Government Accountability Office testimony entitled ''Critical Infrastructure Protection: Cybersecurity of the Nation's Electricity Grid Requires Continued Attention'' on October 21, 2015.

The Acting CHAIR. Pursuant to House Resolution 542, the gentleman from New Jersey (Mr. NORCROSS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. NORCROSS. Mr. Chairman, I yield myself such time as I may consume.

First of all, I appreciate the chairman and ranking member bringing this bill to us.

As we know and the title indicates, this is about energy security. Well, my amendment is very simple and direct. We are urging and specifically directing that the Secretary of Energy study the potential cybersecurity weakness in smart meters and to report back on this in 1 year.

So the first question is: What is a smart meter? For the consumer, it is that little box outside your air conditioner or by the panel. It provides savings to the consumer, and to the utility provider, it is about providing that secure, reliable electricity at a competitive price.

But these meters were designed back before the world as we know it today. Now we have to think of things very differently and think of them before they happen.

So what are the risks? A GAO official revealed the vulnerability in these smart meters. There are approximately 40 million to 50 million of these meters that are already installed in hospitals, churches, homes, and in industry that could potentially be a target for hackers. That is why we should be concerned.

The CIA report spoke about that malicious activity against IT systems and power systems overseas. Our society has become so reliant on the very electricity that we are standing under today that those who would do damage to our country might have a vulnerability here. And we need to act before they do. This is why I bring this amendment forward.

I started out as an electrician many years ago, so I understand the power side of it. I sit on the Emerging Threats Subcommittee. I hear those threats each and every day. We have to make sure that we keep our homes, our businesses, and, most importantly, our military safe.

We are talking about damaged equipment and potentially massive blackouts, not just like the ones we had in New York almost a decade ago but potentially taking down our entire grid.

Smart meters are now part of the fabric of what we do day in and day out. This amendment very carefully

identifies those vulnerabilities. I would urge members to support this.

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

Mr. UPTON. Mr. Chairman, I rise in opposition, but I support the amendment.

The Acting CHAIR. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. UPTON. This is the second smart amendment that is part of this. Both are good. We adopted the Grayson amendment a little while ago. It was a good amendment.

This amendment directs the Secretary of Energy to study weaknesses in the security architecture of certain smart meters currently available and promulgate regulations to mitigate those weaknesses.

We want every home to be safe, absolutely. We need to take all those steps, whether it be people's individual billing, whatever it might be. It is a good amendment. As I told Mr. GRAYSON, it is brilliant, smart.

I appreciate the gentleman's amendment, and I urge my colleagues to support it.

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

Mr. NORCROSS. I certainly appreciate the support. This is just one of many items that we have to look forward to before those who want to do us harm. So I appreciate it, and I urge the passing of this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. NORCROSS).

The amendment was agreed to.

Mr. UPTON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ALLEN) having assumed the chair, Mr. WOODALL, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes, had come to no resolution thereon.

SYRIAN REFUGEES

The SPEAKER pro tempore (Mr. WOODALL). Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, although there are apparently those in the media that think it is fun to belittle people who express their great sympathy, thoughts, and prayers for the victims and their families out in San Bernardino, California, right now, those of us who care do extend our thoughts and prayers for those people.

We don't know quite yet who the perpetrators were. I think this is important, as we have been talking about Syrian refugees quite a bit the last few weeks, and the President's intention to bring Syrian refugees into this country.

Our friend, Senator JEFF SESSIONS, provided a list of 12 vetted refugees from areas where we actually had material, where we had information. Unlike the Syrian refugees, the FBI and Homeland Security felt they had plenty of information to vet these individuals, did vet them, thoroughly checked them out, and then brought them into the country.

This article from Neil Munro is dated November 24, 2015. He mentions:

''Senator Jeff Sessions is out with a list of 12 vetted refugees who quickly joined jihad plots to attack the United States.

''He's spotlighting the refugees-turned-jihadis because he's trying to prod GOP leaders into halting Congress' normal practice of giving the President huge leeway to import foreign migrants and refugees into the United States.''

It goes on: ''Obama says the new refugees will be vetted. But top security officials say the Syrians can't be vetted because the U.S. doesn't know what they were doing in Syria before they applied for refugee status.''

□ 2045

The article goes on:

''Besides, many of the jihad attempts in the United States are launched by the children of Muslim refugees and migrants. That list include the two Chechen brothers who bombed the Boston Marathon, and Anwar al-Awlaki who was killed by a U.S. missile strike when he fled to Yemen after the 9/11 atrocity. That means the Americans' federal government is actively importing national-security problems that will eventually cost billions of dollars to manage, but cannot be eliminated.''

And this list only covers 2015. There may be many more from 2015. There are certainly many more from prior years.

But here are just some of the individuals that this administration completely vetted, made sure they were not a threat to the United States and our people, and, yet, brought them in only to find they were and are terrorists.

On January 29, 2015, in the United States District Court for the Eastern District of Virginia, a Federal warrant was unsealed for the arrest of Liban Haji Mohamed—a native of Somalia who sources indicate came to the United States as a refugee, adjusted to lawful permanent resident status, and subsequently and applied for and received citizenship.

''Mohamed is believed to have left the U.S. on July 5, 2012, with the intent to join Al-Shabaab in East Africa. Mohamed previously lived in the metro D.C. area and worked as a cab driver, and is believed to have snuck across the border to Mexico after being placed on the no-fly list. Carl Ghattas, Special Agent in Charge of the FBI's Washington, D.C. Field Office, emphasized the importance of locating Mohamed: 'Because he has knowledge of the Washington, D.C., area's infrastructure such as shopping areas, Metro, airports, and government buildings, this makes him an asset to his terrorist associates who might plot attacks on U.S. soil.' '' One refugee.

Second refugee: On February 5, 2015, a native of Somalia came to the United States as a refugee. And this was done under the Bush administration. Abdinassir Mohamud Ibrahim came at the age of 22, in 2007, and then was later adjusted to lawful permanent resident status.

But, on February 5, he was sentenced to 15 years in federal prison for conspiring to provide material support to Al-Shabaab, a designated foreign terrorist organization. He lied on his application for citizenship, lied on his request for refugee status, and falsely claimed—these are what he was convicted of and charged with—falsely claiming that he was a member of the minority Awer clan in Somalia and subject to persecution by the majority Hawiye clan. However, Ibrahim was actually a member of the clan that was the persecutor and not the persecuted. That was Mr. Abdinassir Mohamud Ibrahim.

Also, in Missouri, Abdullah Ramo Pazara, a native of Bosnia, came to the United States as a refugee, completely vetted, adjusted to lawful permanent resident status, was made a citizen in 2013, 5 years into the President's administration.

He has been named in an indictment with five other individuals as a terrorist. He is thought to be dead, but the others listed provided material support to Pazara who allegedly left the United States to go to Syria and fight with ISIS just 11 days after becoming a U.S. citizen.

Then there is also Ramiz Zijad Hodzic. A native of Bosnia, he is a purported Bosnian war hero who came to the United States as a refugee. He is charged with conspiring to provide material support and resources to terrorists and providing material support to terrorists.

You also have this year Sedina Unkic Hodzic, wife of Ramiz Zijad Hodzic, also a native of Bosnia. She came to the U.S. as a refugee. She is charged

this year with conspiring to provide material support and resources to terrorists and providing support to terrorists.

Then you have Armin Harcevic. He came to the United States as a refugee from Bosnia and subsequently had that adjusted to lawful permanent resident status. He is charged with providing material support to terrorists. He collected money from third parties and wired it and his own funds to terrorists.

Then you also have Nihad Rosic, a native of Bosnia, who sources indicate came to the United States as a refugee. He applied for and was granted citizenship and has been charged with conspiring to provide material support and actually providing material support to terrorists.

He is a truck driver and a former mixed martial arts fighter. He previously had been charged with endangering the welfare of a child after punching a woman in the face while she held a child. In a separate incident, he was charged with assault after allegedly beating his girlfriend. But, apparently, nothing came of those charges until he was charged with supporting terrorism.

Mediha Medy Salkicevic, a native of Bosnia, came to the United States as a refugee, applied for and was granted citizenship, was also charged with conspiring to provide material support and resources to terrorists and providing that support to terrorists.

Salkicevic was formerly an employee with a cargo company that deals with items coming in and out of Chicago's O'Hare International Airport, another refugee alleged by this administration to now be a terrorist.

Jasminka Ramic, a native of Bosnia, came as a refugee, applied for and was made a citizen, was charged with conspiring to provide material support and resources to terrorists and providing that support to terrorists by this administration.

You have got Abdurahman Yasin Daud, born in a refugee camp in Kenya. He came to the United States as a refugee when he was a child and was subsequently adjusted to a lawful permanent resident, has been charged with conspiracy to attempt to provide material support to ISIS. He and another individual are alleged to have driven from Minnesota to San Diego to attempt to get passports, cross the border in Mexico, and fly to Syria.

Also, this year you have Guled Ali Omar, born in a Kenyan refugee camp. He came to the United States as a refugee. The United States gave him citizenship. This administration has charged him with conspiracy and attempting to provide material support to ISIS.

Another one of his brothers, Mohamed Ali Omar, was convicted in March of threatening Federal agents when they came to the residence to interview Guled Omar.

The U.S. Attorney for the District of Minnesota said that Omar ''never stopped plotting'' and had previously attempted to leave the United States, another one of the refugees turned U.S. citizen, all the while, at least part of the time, a terrorist.

And then also this year, in August, a native of Uzbekistan, Fazliddin Kurbanov, came as a refugee in 2009, was found guilty on charges he conspired and attempted to provide material support to a designated foreign terrorist organization and possessed an unregistered destructive device.

U.S. Assistant Attorney General John Carlin stated that he conspired to provide material support to the Islamic movement of Uzbekistan and procured bomb-making materials in the interest of perpetrating a terrorist attack on American soil.

According to press reports, Kurbanov began his life as a Muslim, supposedly faced persecution when his family converted to Christianity and came to the United States with his family as a refugee, and, as it turned out, he is Islamic and radicalized.

So it is interesting. This administration assures us we have nothing to fear, nothing to be concerned about. I am not afraid, but I am concerned about the oath that every one of us take.

We are supposed to provide for the common defense in this country. It is an obligation we have. I think it is the most important obligation we have. We are supposed to protect the Constitution against all enemies, foreign and domestic.

As Andrew McCarthy pointed out this past week in one of his articles on National Review Online, it should be important not merely to check to see if we have any information about an individual wanting to come here as a refugee or gaining a visa, however they intend to come, illegally, as millions have, more are every day.

It would be important to ask not simply is this person a terrorist right now, but it would also be important to ask: Are you one of the two-thirds or so that have been reported to be in the United States or wanting to come into the United States as a Muslim who believes that Shari'ah law should replace the Constitution?

Because, if those reports are accurate, that two-thirds of the Muslims here believe Shari'ah should replace the Constitution, and they are immigrants and they become citizens, then it means that they absolutely perjured themselves in their oath.

That should be grounds for revoking their citizenship. And if it can't be used as such, we need to make sure it is used as such by what we do here in Congress.

In the meantime, we have heard Ben Rhodes and so many others say: Oh, yeah. No. The FBI, Homeland Security, are going to be able to vet everybody really well.

FBI Director Comey has made clear publicly—regardless of what he said privately, that does not change anything he said publicly. Publicly he has made clear: Yeah. We will vet them. But when you tell us their names, we have nothing to either verify or disprove what they have said.

We have got nothing. We don't have any records from Syria. We don't know if they are even from Syria. We don't know. We don't have the information to vet them.

FBI had more information to vet people coming from Iraq, and we know that they missed a couple of terrorists that were in Kentucky that were allowed in. I think it was 2009. And it turns out they just missed that their fingerprints—at least one of them—was on an IED in Iraq. The guy is a terrorist.

□ 2100

So despite what this administration tries to assuage, the borders are open. We have Syrian refugees that the President is bringing into the United States, even when Governors say: We understand you can't vet these people, so you are not bringing them into our States.

I see this afternoon that the Governor of my State, Greg Abbott, has sued the administration because the administration has made clear: We don't care what you think, we don't care that you are Governor of your State, and we don't care about the 10th Amendment. We say we are putting Syrian refugees in Texas, and there is nothing you can do about that.

Mr. Speaker, that kind of reminds me of the kind of things that King George and his bureaucrats used to say before the Revolution. When King George decided he would put his British soldiers anywhere he wanted to and there was nothing the people here could do about it, he would put them in their houses. He didn't care what it did to their property values. He didn't care anything about that. We don't need a revolution. We just need to have Congress hold the President accountable for his administration's lawlessness.

Mr. Speaker, the President has got to secure our borders. He is putting American lives at risk every day. He is putting American lives further at risk since we know now we routinely have people that are completely vetted by the FBI, Homeland Security, and it turns out they are terrorists. The Tsarnaev brothers, even after Russia warned the CIA and the FBI that this guy, this older brother, has been radicalized, the FBI talked to him. He said: I am not radicalized. It is not his exact words. You talk to his mother, she said: No, he is a good boy. And then he went and killed people at the Boston Marathon with his brother.

If we can't even stop people when we are alerted that they are terrorists, how in the world does this President and this administration think they are going to keep the American people safe?

The report here, December 1, Tom LoBianco with CNN, said: ''President Barack Obama's former top military intelligence official said Tuesday that the White House ignored reports prefacing the rise of ISIS in 2011 and 2012 because they did not fit their reelection 'narrative.'

'''I think they did not meet a narrative the White House needed. And I'll be very candid with you, they just didn't,' retired Lt. Gen. Michael Flynn, the former head of the Defense Intelligence Agency . . . 'I think the narrative was that al Qaeda was on the run, and Osama bin Laden was dead . . . they're dead and these guys are, we've beaten them,' Flynn said, but the problem was that despite how many terrorist leaders they killed they 'continue to just multiply.'

''Obama has been criticized by opponents for referring to ISIS as the 'JV squad' and apparently underestimating the group's threat.''

Well, Mr. Speaker, since we know the President has underestimated ISIS as a threat, clearly underestimated them, and there is no clear strategy to deal with them, what makes us think that this administration is going to do a better job of vetting potential terrorists coming into this country and underestimating them the way they have so many other refugees that have been brought into the country?

Another article from Jim Hoft, December 2, 2015, quoting the President: ''Yes. He really said this.

'''You go down to Miami and when it's flooding in high tide on a sunny day, the fish are swimming through the middle of the streets.'''

The Wall Street Journal reported the same thing, the same quote. But The Wall Street Journal reported: ''We go down to Miami with some frequency and have never seen any such thing. And believe us, we know how to troll.''

But the President can find fish in the streets of Miami that nobody else seems to see, but he can't seem to notice how wide open our border is, what a threat to our security it is, and what a threat refugees are who we cannot determine who they are, where they came from, what they did, if they kill people, if they are terrorists. He didn't see any of that.

There was a report from today, 4:20 actually, from Adam Kredo from freebeacon.com: ''More than 179,000 illegal immigrants convicted of committing crimes, including violent ones, continue to roam free across the United States, with reports indicating that these illegal immigrants commit new crimes 'every day,' according to lawmakers and the director of the Immigration and Customs Enforcement agency, also known as ICE.

''Sarah Saldana, ICE's director, disclosed to Congress on Wednesday that the agency is apprehending and removing fewer illegal immigrants than in past years.

''Somewhere around 179,029 'undocumented criminals with final orders of removal' from the United States currently remain at large across the country and are essentially untraceable, according to Sen. Chuck Grassley, chairman of the Senate Judiciary Committee, who disclosed these numbers during a Wednesday hearing.

''The total number of criminal illegal immigrants in the United States is in the millions.

''Illegal immigrant criminals are known to be committing new crimes 'every day,' according to Sen. Jeff Sessions, another member of the committee.

''Focus on the threat of criminal illegal aliens comes amid a wider national debate on immigration to the United States and the threat posed by potential terrorists and other criminals.

''The Washington Free Beacon disclosed in August that the Obama administration had been keeping secret the release of violent criminal illegal immigrants and only began notifying local law enforcement agencies about this within the last several months.

''The administration is continuing a policy of hiding information about this issue, as ''several administration officials informed the committee they were unable to testify because the hearing wasn't 'in response to a particular crisis,'' Grassley said.

''Saldana revealed at the hearing that somewhere between 30,000 and 40,000 illegal immigrants previously convicted of crimes have been released from custody in recent years due to legal restrictions on how long the agency can detain an individual.''

Here is a quote from Saldana. She said: '''Whether it's a result of protracted appeals or refusal of a country to accept its nationals back, this decision accounts for somewhere between 30,000 and 40,000 convicted criminal alien releases in recent years,' . . . noting that the number has dropped over time.

''Lawmakers remain concerned that the Obama administration is dragging its feet when it comes to taking action to deport criminal illegal immigrants. While President Obama has vowed that this would be a priority for his administration, these criminals continue to be released into the United States.

'''Many criminals remain in our communities,' Grassley said. 'When will enough be enough? Even those with violent criminal histories aren't being removed as promised . . . American citizens are paying the price while law enforcement officers are instructed to look the other way.'

''There have been 'thousands of victims' of crimes committed by illegal immigrants and 'many of the agency's own officers are unable to do the job they signed up to do,' Grassley said.

''The Obama administration is removing fewer total illegal immigrants from the United States than it was just a few years ago, according to Senator Sessions.

'''Not only are total removals down, but the number of removals of criminal aliens from the interior of the United States, the so-called priority, has decreased significantly,' he said. 'The reason for this decrease is not because there are fewer criminal aliens in the U.S. today than just a few years ago, there are hundreds of thousands of known criminal aliens in the United States.'

'''New crimes are committed every day by criminal aliens, so while we're not seeing a decrease in crimes committed across this country, we are seeing a decrease in removals of criminal aliens,' Sessions said.

''This cannot be blamed on a lack of financial resources, Sessions said, as Congress has increased funding. Still, deportations have plummeted and the administration is 'doing substantially less with substantially more.'

'''Our goal should be to keep 100 percent of all criminal aliens out of the United States. . . . There's nothing wrong or controversial about such a policy.'

''Saldana confirmed that 'overall apprehensions on the border are declining' and the agency's 'removal numbers are lower than they have been in recent years.'

''However, she maintained that the administration is removing 'at a greater proportion' dangerous criminals.

''Of the 235,000 deportations, 59 percent of them were convicted criminals, according to Saldana . . . Yet she said, 'there are also times when despite our best efforts' criminal illegal immigrants 'get released from our custody.'''

An article today from Dianne Solis, Tom Benning, and Brandi Grissom:

''The State of Texas is suing the federal government and the International Rescue Committee, after the New York-based aid agency announced plans to resettle Syrian refugees in Dallas later this week over the strong and repeated objections of Gov. Greg Abbott.

''The State Health and Human Services Commission, filed on Wednesday the suit in U.S. District Court, saying those groups worked to resettle 'refugees in Texas without consulting with Texas or working in close cooperation with the Commission.'

''The agency, citing 'reasonable concerns about the safety and security of the citizenry of the State of Texas' is seeking a temporary retraining order.

'''We have been working diligently with the International Rescue Committee to find a solution that ensures

the safety and security for all Texans, but we have reached an impasse and will now let the courts decide.'''

That is Health and Human Services spokesman Bryan Black.

Tonight at 6:30, I got this article from Tanya Somanader, President Obama on the shooting in San Bernardino. Here is the transcript of the President's comments. This is in an interview with CBS that President Obama spoke about the ongoing situation in California—going on right now—and the unacceptable pattern of mass shootings the U.S. is facing.

Mr. Speaker, let me just parenthetically insert before reading his quote, we don't know who these shooters are yet. We don't know. We don't know their reason for doing what they did. I mean, some on the left have already tried to report that it was right by a Planned Parenthood facility when that was a mile away, trying to do whatever they can to try to avert responsibility—any responsibility—that the administration has. We have seen Kathryn's Law come about because Kathryn was shot in California in a sanctuary city that protected people who were illegally in this country and criminals like the one that shot Kathryn. And this administration protects sanctuary cities and lets them continue to just ignore Federal law. The lawlessness of this administration seems to know no bounds. If lawlessness breeds lawlessness, then the lawlessness of this administration has put this country in severe jeopardy.

□ 2115

But here is what the President said, part of his quote from this evening, about the shooting in California. And I am quoting the President.

''And for those who are concerned about terrorism, some may be aware of the fact that we have a no-fly list where people can't get on planes, but those same people who we don't allow to fly could go into a store right now in the United States and buy a firearm, and there's nothing that we can do to stop them. That's a law that needs to be changed.''

The President, the entire time he has been in office, has tried to subvert the Second Amendment to our United States Constitution and our Bill of Rights. He has tried every which way he can, whether using Social Security laws or all kinds of ways, to take away Americans' Second Amendment right to keep and bear arms.

As we see that the administration has been knowingly allowing criminals into this country illegally and allowing refugees to come into this country that were terrorists and even finding out, getting word that there were people who have become terrorists and not taking action to stop the death that followed, how dare anyone allow people to come into the United States illegally, knowing that there are some criminals coming in with people that are coming in illegally, knowing that there are criminals in the United States that this administration has allowed to be released after they have committed crimes.

And then coming to the point now today where he says, you American citizens are going to have to give up your Second Amendment rights to keep and bear arms because I have allowed so many people who are terrorists in here and we don't want terrorists to get guns. That is an outrage. It should not be allowed to stand against any kind of legitimate reasoning.

You can't bring people into this country that are a threat to the country and then, because all these people are here and they might get a gun, you are going to keep law-abiding people from getting guns. That is wrong, and it has to be stopped.

I hope and pray our Congress will stand up and stop the lawlessness and say, we are not letting you bring more refugees into this country that will have some terrorists within their group, as you have already done, and then tell us we have to give up our constitutional rights because you brought terrorists into the country that may want to go buy a gun. Shame on you.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ALLEN). Members are advised to avoid engaging in personalities toward the President.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CUELLAR (at the request of Ms. PELOSI) for today and tomorrow.

Mr. PAYNE (at the request of Ms. PELOSI) for today on account of a medical appointment.

SENATE ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

The Speaker announced his signature to an enrolled bill and joint resolutions of the Senate of the following titles:

S. 1170. An act to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S.J. Res. 23. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units''.

S.J. Res. 24. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units''.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, December 3, 2015, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3590. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's interim rule — Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Decreased Assessment Rate [Doc. No.: AMS-FV-15-0035; FV15-906-1 IR] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3591. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's interim rule — Domestic Dates Produced or Packed in Riverside County, California; Decreased Assessment Rate [Doc. No.: AMS-FV-15-0034; FV15-987-1 IFR] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3592. A letter from the Associate Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting the Department's final rule — Walnuts Grown in California; Increased Assessment Rate [Doc. No.: AMS-FV-15-0026; FV15-984-1 FR] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3593. A letter from the Associate Administrator, Agricultural Marketing Service, Livestock, Poultry, and Seed Program, Department of Agriculture, transmitting the Department's final rule — Soybean Promotion and Research: Amend the Order To Adjust Representation on the United Soybean Board [Doc. No.: AMS-LPS-15-0016] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3594. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's Major final rule — User Fees for Agricultural Quarantine and Inspection Services [Docket No.: APHIS-2013-0021] (RIN: 0579-AD77) received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3595. A letter from the Associate Administrator, Specialty Crops Program, Promotion and Economics Division, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's termination of proceeding — Hardwood Lumber and Hardwood Plywood Promotion, Research and Information Order; Termination of Rulemaking Proceeding [Doc. No.: AMS-FV-11-

0074; PR-A1, A2, B and B2] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3596. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Stanley E. Clarke III, Air National Guard of the United States, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3597. A letter from the Special Inspector General, Office of the Special Inspector General for the Troubled Asset Relief Program (SIGTARP), transmitting the Program's Quarterly Report to Congress for the period ending October 28, 2015, pursuant to 12 U.S.C. 5231(i); to the Committee on Financial Services.

3598. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Department's report entitled ''A Clear Vision for the Future of Juvenile Justice, 2013 Annual Report'', pursuant to 42 U.S.C. 5617; Public Law 93-415, Sec. 207 (as added by Public Law 100-690, Sec. 7255); (102 Stat. 4437) and 42 U.S.C. 5773(a)(6); Public Law 93-415, Sec. 404(a)(6) (as amended by Public Law 113-38, Sec. 2(b)); (127 Stat. 527) and 42 U.S.C. 3796ee-8(b); Public Law 90-351, Sec 1808(b) (as added by Public Law 107-273, Sec. 12102(a)); (116 Stat. 1867); to the Committee on Education and the Workforce.

3599. A letter from the Director, Office of Government Relations, Corporation for National and Community Service, transmitting the Corporation's final rule — Implementation of Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (RIN: 3045-AA61) received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

3600. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Artificially Sweetened Fruit Jelly and Artificially Sweetened Fruit Preserves and Jams; Revocation of Standards of Identity [Docket No.: FDA-1997-P-0007 (formerly Docket No.: 1997P-0142)] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3601. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's Major final rule — Federal Motor Vehicle Safety Standards; Electronic Stability Control Systems for Heavy Vehicles [Docket No.: NHTSA-2015-0056] (RIN: 2127-AK97) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3602. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was Declared in Executive Order 13303 of May 22, 2003, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c) and 50 U.S.C. 1703(c); to the Committee on Foreign Affairs.

3603. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c) and 50 U.S.C. 1703(c); to the Committee on Foreign Affairs.

3604. A letter from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's semiannual report for the period of April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3605. A letter from the Chairwoman, Federal Trade Commission, transmitting the Commission's semiannual report to Congress for the period April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3606. A letter from the Chairman, National Endowment for the Arts, transmitting the Endowment's semiannual report for the period of April 1, 2015 through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3607. A letter from the Acting Chair, Occupational Safety and Health Review Commission, transmitting the Commission's Fiscal Year 2015 Performance and Accountability Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3608. A letter from the Chief, Branch of Recovery and State Grants, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Removal of the Delmarva Peninsula Fox Squirrel From the List of Endangered and Threatened Wildlife [Docket No.: FWS-R5-ES-2014-0021; FXES11130900000; 4500030113] (RIN: 1018-AY83) received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3609. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish In the Bering Sea and Aleutian Islands Management Area; Correction [Docket No.: 141021887-5172-02] (RIN: 0648-XE223) received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3610. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-4207; Directorate Identifier 2015-NM-123-AD; Amendment 39-18304; AD 2015-21-11] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3611. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-0498; Directorate Identifier 2014-NM-152-AD; Amendment 39-18305; AD 2015-22-01] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3612. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-4205; Directorate Identifier 2015-NM-149-AD; Amendment 39-18301; AD 2015-21-08] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3613. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: FAA-2015-0783; Amendment No.: 97-1337] (RIN: 2120-AA65) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3614. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0574; Directorate Identifier 2013-NM-258-AD; Amendment 39-18315; AD 2015-22-10] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3615. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation (Type Certificate Previously Held by Schweizer Aircraft Corporation) [Docket No.: FAA-2015-1008; Directorate Identifier 2013-SW-064-AD; Amendment 39-18317; AD 2015-23-01] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3616. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Placida, FL [Docket No.: FAA-2015-2890; Airspace Docket No.: 15-ASO-8] received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3617. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule, correction — Amendment of Class E Airspace for the following Missouri Towns: Chillicothe, MO; Cuba, MO; Farmington, MO; Lamar, MO; Mountain View, MO; Nevada, MO; and Poplar Bluff, MO [Docket No.: FAA-2015-0842; Airspace Docket NO.: 15-ACE-2] received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3618. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Burbank, CA [Docket No.: FAA-2015-1140; Airspace Docket No.: 15-AWP-5] received November 30, 2015, pursuant to 5

U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3619. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters [Docket No.: FAA-2015-4345; Directorate Identifier 2015-SW-049-AD; Amendment 39-18306; AD 2015-22-02] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3620. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; GA 8 Airvan (Pty) Ltd Airplanes [Docket No.: FAA-2014-1123; Directorate Identifier 2014-CE-037-AD; Amendment 39-18308; AD 2015-06-02 R2] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3621. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fiberglas-Technik Rudolf Lindner GmbH & Co. KG Gliders [Docket No.: FAA-2015-3300; Directorate Identifier 2015-CE-024-AD; Amendment 38-18309; AD 2015-22-04] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3622. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Schempp-Hirth Flugzeugbau GmbH Gliders [Docket No.: FAA-2015-3224; Directorate Identifier 2015-CE-026-AD; Amendment 39-18290; AD 2015-20-11] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3623. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Extension of the Prohibition Against Certain Flights in the Simferopol (UKFV) and Dnipropetrovsk (UKDV) Flight Information Regions (FIRs) [Docket No.: FAA-2014-0225; Amdt. No.: 91-331B] (RIN: 2120-AK78) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3624. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2015-1658; Directorate Identifier 2015-NE-18-AD; Amendment 39-18320; AD 2015-23-04] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3625. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only notice — Publication of the Tier 2 Tax Rates for 2016 received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3626. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Additional Rules Regarding Inversions and Related Transactions [Notice 2015-79] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3627. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Section 529A Interim Guidance Regarding Certain Provisions of Proposed Regulations Relating to Qualified ABLE Programs [Notice 2015-81] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3628. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Increase in De Minimis Safe Harbor Limit for Taxpayers Without an Applicable Financial Statement [Notice 2015-82] received December 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3629. A letter from the Chief Privacy Officer, Department of Homeland Security, transmitting the Department's Privacy Office 2015 Annual Report to Congress, pursuant to 6 U.S.C. 142(a)(6); Public Law 107-296, Sec. 222(5); (116 Stat. 2155); to the Committee on Homeland Security.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODALL: Committee on Rules. House Resolution 546. Resolution providing for consideration of the conference report to accompany the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes (Rept. 114–360). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. OLSON (for himself and Mr. CONNOLLY):

H.R. 4152. A bill to amend the Public Health Service Act to clarify liability protections regarding emergency use of automated external defibrillators; to the Committee on Energy and Commerce.

By Mrs. ELLMERS of North Carolina (for herself, Ms. CLARKE of New York, Ms. CASTOR of Florida, Ms. ROS-LEHTINEN, and Mrs. LOWEY):

H.R. 4153. A bill to amend the Public Health Service Act to establish a pilot program to test the impact of early intervention on the prevention, management, and course of eating disorders; to the Committee on Energy and Commerce.

By Mr. SHERMAN (for himself, Mr. ROYCE, Mr. ENGEL, and Mr. SALMON):

H.R. 4154. A bill to direct the President to submit to Congress a time frame for the transfer of certain naval vessels to Taiwan pursuant to section 102(b) of the Naval Vessel Transfer Act of 2013, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. BLACK:

H.R. 4155. A bill to require the Center for Medicare and Medicaid Innovation to test the effect of including telehealth services in Medicare health care delivery reform models; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CÁRDENAS (for himself, Mr. ELLISON, Mr. VARGAS, Ms. CLARKE of New York, Ms. MENG, Mr. POCAN, Mr. TAKANO, Mr. POLIS, Mrs. TORRES, Mr. CARSON of Indiana, and Mr. LOWENTHAL):

H.R. 4156. A bill to ensure equal access for HUBZone designations to all tax-paying small business owners; to the Committee on Small Business.

By Mr. CÁRDENAS:

H.R. 4157. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to meet the needs of the American manufacturing workforce, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBSON (for himself and Ms. LEE):

H.R. 4158. A bill to amend the Higher Education Act of 1965 to reinstate the ability-to-benefit eligibility; to the Committee on Education and the Workforce.

By Mr. HIGGINS:

H.R. 4159. A bill to limit the fees charged by the National Archives and Records Administration to veterans for military service records, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. HUFFMAN (for himself, Mr. THOMPSON of California, and Mr. NOLAN):

H.R. 4160. A bill to amend the Rural Electrification Act of 1936 to increase regional telecommunications development, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES (for himself, Mr. GRIFFITH, Mr. MASSIE, and Ms. GABBARD):

H.R. 4161. A bill to amend the Servicemembers Civil Relief Act to require the consent of parties to contracts for the use of arbitration to resolve controversies arising under the contracts and subject to provisions of such Act and to preserve the rights of servicemembers to bring class actions under such Act, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. LOFGREN (for herself and Ms. MATSUI):

H.R. 4162. A bill to promote the domestic development and deployment of clean energy technologies required for the 21st century; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for

consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PIERLUISI (for himself, Ms. BORDALLO, Mr. SABLAN, Ms. PLASKETT, Mrs. RADEWAGEN, Mr. SERRANO, Ms. VELÁZQUEZ, and Mr. RANGEL):

H.R. 4163. A bill to amend titles XVIII and XIX of the Social Security Act to make premium and cost-sharing subsidies available to low-income Medicare part D beneficiaries who reside in Puerto Rico or another territory of the United States; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEWART (for himself, Mr. CRAMER, Mr. GRAVES of Missouri, Mr. DUNCAN of South Carolina, Mr. RIBBLE, Ms. FOXX, and Mr. AMODEI):

H.R. 4164. A bill to prohibit certain Federal agencies from using or purchasing certain firearms, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. FRANKS of Arizona (for himself, Mr. ADERHOLT, Mr. CULBERSON, Mr. WILSON of South Carolina, Mr. GIBBS, Mr. WALBERG, Mr. POSEY, Mr. MULVANEY, Mr. GOSAR, Mr. SALMON, Mr. PITTS, Mrs. BLACKBURN, Mr. CRAMER, and Mr. SMITH of Texas):

H. Res. 545. A resolution calling for an end to the abuse of the Standing Rules of the Senate and to improve the debate and consideration of legislative matters; to the Committee on Rules.

By Mr. FOSTER (for himself, Mr. TAKANO, Mr. CÁRDENAS, Mr. RYAN of Ohio, Mr. STIVERS, Mr. MULVANEY, Mr. RUSH, Mr. HONDA, and Mr. LANGEVIN):

H. Res. 547. A resolution expressing support for designation of December 3, 2015, as the ''National Day of 3D Printing''; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. OLSON:

H.R. 4152.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mrs. ELLMERS of North Carolina:

H.R. 4153.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause—Article 1, Section 8, Clause 3: ''To regulate Commerce with foreign nations, and among the several states, and with the Indian tribes.''

By Mr. SHERMAN:

H.R. 4154.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mrs. BLACK:

H.R. 4155.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the United States Constitution.

By Mr. CÁRDENAS:

H.R. 4156.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. CÁRDENAS:

H.R. 4157.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. GIBSON:

H.R. 4158.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. HIGGINS:

H.R. 4159.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. HUFFMAN:

H.R. 4160.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or office thereof.

By Mr. JONES:

H.R. 4161.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution, the reported bill is authorized by Congress' power to ''to make Rules for the Government and Regulation of the land and naval Forces.''

By Ms. LOFGREN:

H.R. 4162.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States (clauses 1, 2, and 18), which grants Congress the power to provide for the general welfare of the United States; to borrow money on the credit of the United States; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. PIERLUISI:

H.R. 4163.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution; to make all laws which shall be necessary and proper for carrying into execution such power, as enumerated in Article I, Section 8, Clause 18 of the Constitution; and to make rules and regulations respecting the territories of the United States, as enumerated in Article IV, Section 3, Clause 2 of the Constitution.

By Mr. STEWART:

H.R. 4164.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. LABRADOR.

H.R. 86: Mr. BABIN.

H.R. 158: Mr. RUPPERSBERGER and Mr. DENT.

H.R. 188: Mr. CALVERT.

H.R. 258: Mr. SWALWELL of California.

H.R. 358: Mr. KIND and Mr. KILMER.

H.R. 402: Mr. BARLETTA.

H.R. 721: Ms. LORETTA SANCHEZ of California.

H.R. 731: Mr. GOWDY.

H.R. 814: Mr. PALAZZO.

H.R. 879: Mr. GUTHRIE and Mr. FARENTHOLD.

H.R. 911: Ms. FUDGE.

H.R. 953: Mr. KENNEDY.

H.R. 980: Mr. GRAVES of Louisiana.

H.R. 986: Mr. WENSTRUP.

H.R. 1076: Mr. PERLMUTTER, Mr. THOMPSON of California, Mr. BERA, and Mr. MURPHY of Florida.

H.R. 1188: Mr. CALVERT.

H.R. 1192: Mr. RUPPERSBERGER, Mr. MURPHY of Pennsylvania, and Mr. SHUSTER.

H.R. 1197: Mr. DOLD and Mr. YARMUTH.

H.R. 1220: Mrs. DAVIS of California.

H.R. 1283: Mr. HARDY.

H.R. 1284: Mr. AGUILAR.

H.R. 1411: Mr. PAYNE.

H.R. 1421: Mr. ENGEL.

H.R. 1516: Mr. CRAMER.

H.R. 1559: Mr. RICHMOND.

H.R. 1567: Mr. AGUILAR.

H.R. 1635: Mr. ROONEY of Florida.

H.R. 1652: Mr. SERRANO.

H.R. 1671: Mr. HARPER and Mr. FLEMING.

H.R. 1728: Ms. ADAMS.

H.R. 1786: Mr. SCHRADER

H.R. 1942: Mr. CURBELO of Florida.

H.R. 2032: Mr. FORBES.

H.R. 2043: Mr. REED, Mr. MEEHAN, Mr. COFFMAN, and Mr. MCKINLEY.

H.R. 2148: Mr. HARRIS.

H.R. 2209: Mrs. ELLMERS of North Carolina and Mr. SMITH of Texas.

H.R. 2264: Mr. MASSIE, Mr. LANCE, Mr. DESANTIS, and Mr. JOLLY.

H.R. 2293: Mr. LAMBORN and Mr. FARENTHOLD.

H.R. 2302: Mr. QUIGLEY and Ms. DUCKWORTH.

H.R. 2403: Mr. FORBES and Mr. RANGEL.

H.R. 2555: Mr. CÁRDENAS.

H.R. 2568: Mr. WILLIAMS.

H.R. 2653: Mr. STEWART.

H.R. 2680: Mr. COHEN, Mr. SHERMAN, Mr. TONKO, Mr. GRAYSON, Mr. SARBANES, Mr. ENGEL, Ms. ESTY, Mr. DEUTCH, and Mr. GALLEGO.

H.R. 2713: Mr. DEFAZIO.

H.R. 2715: Ms. SCHAKOWSKY and Ms. CLARK of Massachusetts.

H.R. 2775: Mrs. TORRES.

H.R. 2844: Mr. DAVID SCOTT of Georgia.

H.R. 2866: Mr. HUFFMAN.

H.R. 2880: Ms. SCHAKOWSKY, Mr. YARMUTH, and Mr. BRADY of Pennsylvania.

H.R. 2902: Mr. PIERLUISI, Mr. BUTTERFIELD, Mr. SABLAN, Mr. TED LIEU of California, Mr. AGUILAR, and Mr. NORCROSS.

H.R. 3036: Mr. CÁRDENAS and Mr. VALADAO.
H.R. 3068: Mr. NORCROSS and Mr. FATTAH.
H.R. 3222: Mr. WEBSTER of Florida.
H.R. 3229: Mr. CRAMER, Mr. BUCSHON, Mr. BILIRAKIS, Mr. FLEISCHMANN, and Mr. LUETKEMEYER.
H.R. 3235: Mr. AMODEI.
H.R. 3323: Mr. BABIN.
H.R. 3326: Mr. DOLD.
H.R. 3381: Mr. YARMUTH.
H.R. 3411: Ms. ESTY and Mrs. NAPOLITANO.
H.R. 3516: Mr. WENSTRUP.
H.R. 3652: Ms. TITUS.
H.R. 3690: Mr. VISCLOSKY.
H.R. 3691: Mr. RANGEL.
H.R. 3719: Ms. KAPTUR.
H.R. 3766: Mr. HUELSKAMP, Mr. JEFFRIES, Mr. MCCAUL, Mr. TROTT, Mr. O'ROURKE, and Mr. HANNA.
H.R. 3784: Mrs. CAROLYN B. MALONEY of New York and Miss RICE of New York.
H.R. 3791: Mr. SESSIONS.
H.R. 3799: Mr. SMITH of Missouri, Mr. HUDSON, and Mr. MOONEY of West Virginia.
H.R. 3802: Mr. WENSTRUP.
H.R. 3815: Mrs. CAROLYN B. MALONEY of New York.
H.R. 3832: Miss RICE of New York.
H.R. 3845: Mr. LATTA.
H.R. 3869: Mr. THORNBERRY and Mr. SWALWELL of California.
H.R. 3880: Mr. THOMPSON of Pennsylvania, Mr. CONAWAY, Mr. CRAWFORD, and Mr. BOST.
H.R. 3932: Mr. CRAMER, Mr. AUSTIN SCOTT of Georgia, and Mr. VALADAO.
H.R. 3940: Mr. MEEHAN, Mr. RUPPERSBERGER, Mr. YODER, and Mr. ROSKAM.
H.R. 3952: Mr. SWALWELL of California.
H.R. 3981: Mr. RANGEL.
H.R. 4007: Mr. HARRIS.
H.R. 4012: Mr. COHEN and Mr. CICILLINE.
H.R. 4016: Mr. RENACCI.
H.R. 4018: Mr. TIPTON, Mr. JOLLY, and Ms. WASSERMAN SCHULTZ.
H.R. 4019: Mr. LARSON of Connecticut.
H.R. 4026: Mr. AUSTIN SCOTT of Georgia.
H.R. 4032: Mr. PALMER, Mr. WILSON of South Carolina, Mr. ROE of Tennessee, Mr. KELLY of Pennsylvania, Mr. GIBBS, and Mr. PITTENGER.
H.R. 4043: Ms. MOORE.
H.R. 4058: Mr. BISHOP of Utah and Mr. MACARTHUR.
H.R. 4075: Mr. FLORES.
H.R. 4086: Mr. ROUZER.
H.R. 4087: Mr. ASHFORD and Mr. HASTINGS.
H.R. 4088: Mr. LANGEVIN, Mr. SIRES, and Mr. TAKAI.
H.R. 4122: Mr. VELA, Mr. FINCHER, and Mr. STIVERS.
H.R. 4126: Mr. ROE of Tennessee, Mr. PITTS, Mr. KELLY of Pennsylvania, Mr. ROKITA, Mr. POSEY, Mr. GIBBS, Mr. BABIN, Mr. CRAMER, Mr. HUIZENGA of Michigan, Mr. FORTENBERRY, Mr. COLE, Mr. STUTZMAN, Mr. PITTENGER, and Mr. WEBER of Texas.
H.R. 4135: Ms. JACKSON LEE and Mr. CONYERS.
H.R. 4141: Mr. MARCHANT.
H.R. 4144: Mr. COURTNEY, Mr. SCOTT of Virginia, Mr. COHEN, and Mr. CICILLINE.

H. Con. Res. 17: Mr. KNIGHT.

H. Con. Res. 75: Mr. PERRY.

H. Con. Res. 97: Mr. SMITH of Missouri, Mr. BARR, Mr. BARTON, Mr. CHABOT, Mr. CONAWAY, Mr. GOODLATTE, Mr. WALKER, Mr. JODY B. HICE of Georgia, Mr. CARTER of Georgia, Mr. COLE, Mr. WESTERMAN, Mr. PEARCE, Mr. ALLEN, Mr. WENSTRUP, Mr. GARRETT, Mr. MCKINLEY, Mr. AUSTIN SCOTT of Georgia, Mr. RICE of South Carolina, Mr. NEWHOUSE, and Mr. YOHO.

H. Con. Res. 98: Mr. TED LIEU of California and Ms. BROWNLEY of California.

H. Res. 112: Mr. RICHMOND and Mr. LOEBSACK.

H. Res. 265: Mr. HASTINGS, Ms. NORTON, Ms. EDWARDS, and Mr. GRIJALVA.

H. Res. 394: Mr. POE of Texas.

H. Res. 467: Mr. HONDA and Ms. EDWARDS.

H. Res. 469: Mr. AUSTIN SCOTT of Georgia and Mr. CONNOLLY.

H. Res. 518: Mr. MACARTHUR.

H. Res. 534: Mrs. COMSTOCK.

H. Res. 544: Mr. BARTON, Mr. ROKITA, Mr. CRAMER, Mr. COLE, Mr. STUTZMAN, Mr. WEBER of Texas, Mr. PITTENGER, Mr. BROOKS of Alabama, Mr. TOM PRICE of Georgia, and Mr. GOHMERT.

SENATE—*Wednesday, December 2, 2015*

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

PRAYER

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

Let us pray.

O Lord, our God, merciful and holy, clear away from our lives anything that would hinder Your providential purposes.

Enter the hearts of our Senators, guiding them with Your truth. May Your truth fill them with hope and faith even when they seem surrounded by exasperating experiences. Supply them with what they need to persist and endure in spite of obstacles. Lord, provide them with creative thoughts and energy to accomplish Your will on Earth, even as it is done in Heaven. Give them the integrity to say what they mean and mean what they say.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

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

OBAMACARE

Mr. MCCONNELL. Mr. President, ObamaCare is a direct attack on the middle class of our country. It is a partisan law that puts ideology before people, that hurts many of the very Americans it was supposed to help. It resulted in millions of cancellation notices for hard-working Americans who had plans they liked and who had done nothing wrong. It raised premiums, it raised copays, and it raised deductibles and taxes for Americans who were already struggling. It restricted choice and access to doctors and hospitals for patients in need.

We see the pain and the hurt of this law all across the country. We see it where we live. In my home State of Kentucky, health costs have spiked. ObamaCare first caused tens of thousands of Kentuckians to lose the health care plans they were promised they could keep during the first year of implementation, then victimized 50,000 more when the Commonwealth's much-vaunted ObamaCare co-op completely collapsed. ObamaCare has also contributed to Kentucky hospitals being forced to cut jobs, reduce wages, and even shut down altogether.

Some in Washington may have cheered when a Democratic administration in Frankfort poured one-quarter of a billion dollars of tax money into Kentucky's ObamaCare exchange or when our Democratic Governor confidently declared it an ''undisputed fact''—this is what he said: an ''undisputed fact''—that ObamaCare's Medicare expansion had added 12,000 jobs to Kentucky's economy. But like so much of ObamaCare, it was just another broken promise. Those jobs numbers were not an undisputed fact at all; they were just projections, and they failed to ever materialize. Health care jobs have actually declined in Kentucky. They did not go up; they declined.

Today, few of those ObamaCare cheerleaders are cheering anymore. Nearly 80 percent of Kentucky's enrollees were simply shoehorned into an already-broken Medicaid system, and many of the remaining 20 percent found themselves stuck with unaffordable ObamaCare coverage.

Listen to what this mom from Breckinridge County wrote to say:

My family is being pushed out of the middle class by the Obamacare law. How can we pay almost $1,200 a month on health insurance?

Listen to what this father of two boys from Owensboro wrote to tell me:

Before the Affordable Care Act, we paid around $100 bi-weekly for the family plan. That has now increased to $235 during the same timeframe. It seems these days there is no incentive to work. We are punished for working hard and trying to provide for our children while others are encouraged to not further themselves because if they do they would be in our particular situation. What happened to being rewarded for working hard in America? What happened to the American dream?

This Kentucky dad is not the only one wondering this; Americans across the country continue to demand a better way forward. Americans made that clear last November. Kentuckians made that doubly clear again last month.

This is simply the reality. Democrats cannot deny it. They cannot deny it. They can try to deny it. Democrats can again dismiss Americans' real-life experience as lies. Democrats can continue to lecture Americans about their supposed inability to understand just how great ObamaCare has been for them. But Americans are intimately familiar with the painful reality of ObamaCare.

Americans want a fresh start. Americans want to see Washington build a bridge away from ObamaCare and toward better care for them. That is what the bill before us would do. It is something every Senator should support, Republicans and Democrats alike. Democrats may have forced this law on the middle class. Democrats may own the pain they have caused across the country, especially in States like Kentucky. But it is not too late for our Democratic colleagues to work with us to build a bridge to better care. This is their chance and President Obama's chance to begin to make amends for the pain and the hurt they have caused.

For all of the broken promises, for all of the higher costs, for all of the failures, this is America's chance to turn the page and write a new and more hopeful beginning. This is our chance to work toward a healthier and more prosperous future, with true reform that moves beyond the failures of a broken law.

ACCOMPLISHMENTS OF THE NEW CONGRESS

Mr. MCCONNELL. Mr. President, on another matter, in the past few days I have noted some of the achievements of a new Congress that is back to work on the side of the American people. We have passed bills no one ever thought Washington could touch. We have made reforms that have previously languished for years without result. Even more remarkably, we have often done so on a bipartisanship basis.

Consider just the bills I have mentioned already:

A landmark, bipartisan education bill that would take decisionmaking away from distant Federal bureaucrats in order to empower parents and teachers instead. The pundits said we would never pass it. We did, 81 to 17.

A breakthrough, bipartisan highway bill that would finally provide States and local governments the kind of certainty they need to focus on longer term road and bridge projects. After years of short-term extensions, this long-term highway bill passed the new Senate 65 to 34.

A milestone, bipartisan cyber security bill that would protect the personal information of people we represent by defeating cyber attacks through the sharing of information. The issue languished in previous Congresses, but this Senate passed it with 74 votes.

Today, I would like to mention another important bill this new Congress

has passed. It is hard for many Americans to believe that human trafficking—modern-day slavery—can happen where they live, but it does right here in our country. It happens in all 50 of our States. In Kentucky alone, the Commonwealth has been able to identify more than 100 victims since they began keeping relevant records in 2013. This kind of abuse often begins around the age of 13 or 14.

The victims of modern slavery deserve a voice. They deserve justice. After years of inaction, the new Congress was determined to give them both. Of course, there was an unforeseen impediment, to put it mildly, to getting this bill done, but success was possible because the new majority kept its focus on facts, on substance, and on good policy for the people who have always remained our focus throughout the debate, the victims of modern slavery.

The bill we ultimately passed with strong bipartisan support, the Justice for Victims of Trafficking Act, represents a vital ray of hope for the countless victims of modern slavery who need our help. Victims groups and advocates told us that this human rights legislation would provide unprecedented support to domestic victims of trafficking. They urged the Congress to pass it. We did. The President signed it into law as well. It proves that with unwavering compassion and unbowed determination—something Senator CORNYN knows a thing or two about—justice can prevail. I am grateful to him and so many other Senators for working so hard to ensure that it ultimately did.

The Justice for Victims of Trafficking Act was another important step forward for our country. It is another example of what we can achieve in a new Congress that is back to work for the American people.

MEASURE PLACED ON THE CALENDAR—H.R. 427

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk due a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 427) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

WORK OF THE SENATE

Mr. REID. Mr. President, the Republican leader comes to the floor virtually every day and talks about this great new Senate.

He talked about the Elementary and Secondary Education Act. We tried to do that many times. It was blocked by Republicans. That is why it was not done before.

Highways. We tried valiantly to do something on highways, but all we could ever get, because of the obstruction of the Republicans, was short-term extensions.

Cyber security. My friend the Republican leader comes to the floor and talks about, we got cyber security done. We got it done. It is not a great bill. It is better than nothing. But we tried for years—5 years. Every time we tried, it was blocked by Republicans.

One of the newspapers here has a Pinocchio check. They look at the facts and analyze them, and they can give up to four Pinocchios, meaning people simply did not tell the truth.

So I want to remind everybody here that I am happy to participate in getting something done with the Elementary and Secondary Education Act, led by, on our side, the senior Senator from Washington. We were able to get that done because of her good work and others. It was not because we did not try before. We could not get it done before because of the obstruction of the Republicans.

This is the most unproductive Senate in the history of the country, and there are facts and figures to show that. So we are not going to be awarding Pinocchios here based on the statements of my friend the Republican leader, but everyone should understand there are different ways of presenting the facts. It is always best to present facts that are accurate. He said, for example, that bills—TSA, highways, and cyber—languished in the Senate. That is true, because of Republican filibusters. We tried to pass those bills in the last two Congresses. They were blocked by Republicans. We are now helping pass legislation, and that is our job. The job of Republicans was to oppose everything President Obama wanted, and that is, in fact, what was done.

OBAMACARE

Mr. REID. Mr. President, on ObamaCare, one newspaper reports:

Fewer Patients Have Been Dying From Hospital Errors Since ObamaCare Started.

Report says about 87,000 lives have been saved since 2010.

This is as a result of that legislation. I am not going to read the whole article.

Mr. President, I ask unanimous consent to have printed in the RECORD the article to which I just referred.

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

[From the Huffington Post, Dec. 1, 2015]

FEWER PATIENTS HAVE BEEN DYING FROM HOSPITAL ERRORS SINCE OBAMACARE STARTED

(By Jonathan Cohn)

Hospitals have cut down on deadly medical errors, saving around 87,000 lives since 2010, according to a new government report.

Pinning down the precise reasons for this change is difficult, to say nothing of predicting whether the decline will continue. Improvement has slowed in just the last year, the report suggests. But many analysts think government initiatives within the Affordable Care Act have played a significant role in the progress so far.

In short, Obamacare may literally be saving lives.

The new report comes from Agency for Healthcare Research and Quality, which is part of the Department of Health and Human Services and is something like an in-house think tank dedicated to making medical care safer and more effective. Since 2010, the agency has been tracking the incidence of common and frequently fatal medical errors, which include everything from a nurse accidentally giving a patient the wrong medication to a doctor inserting an intravenous line in a way that leads to a blood-borne infection.

On Tuesday, the agency announced its latest findings on these ''hospital-acquired conditions,'' based on preliminary data from 2014. For every 1,000 patients admitted to and then discharged from a hospital, the agency found, roughy 121 of them developed such a condition. That rate is unchanged from last year, but it is down 17 percent from 2010, when it was about 145 out of every 1,000 patients.

Based on the existing research about what happens to patients who get sick in the hospital and what it costs to treat them afterwards, that decline works out to roughly 87,000 lives saved and $19.8 billion not spent on extra medical care, according to the report.

''The progress is historic,'' David Blumenthal, president of the Commonwealth Fund, told The Huffington Post.

''We have never demonstrated a comparable decline in the history of the U.S. health system,'' added Blumenthal, a physician and researcher who also served in the Obama administration.

Broadly speaking, the progress is the result of a crusade that dates back at least to 1990s, when the Institute of Medicine released ''To Err Is Human,'' a seminal report suggesting that nearly 100,000 people were dying each year because of preventable medical mistakes. Over time, researchers learned more about why these errors were so common and started developing methods for avoiding them. Probably the most famous of these was the introduction of checklists, like the ones that airplane pilots use before takeoff, for making surgery safer.

But getting hospitals to adopt these methods was difficult, despite the best efforts of some private-sector organizations, in part because existing financial incentives did not reward hospitals for improving quality. If anything, the opposite was true. Hospitals made money for every new treatment and a patient who got sick in the hospital needed more care, rather than less.

A major goal of the Affordable Care Act was to reduce and eventually eliminate these incentives for poor quality care, while rewarding the hospitals that getter better results. Today, for example, Medicare pays less to institutions with high rates of hospital-acquired infection, injury and readmission—in other words, large numbers of patients returning to the hospital for treatment shortly after discharge. That's because of a series of penalties the health care law created in 2010, which started affecting hospital revenue three years later. And under an initiative called Partnership for Patients, the federal government provides extra funding to hospitals that agree to monitor patient safety and implement schemes for improving quality.

Experts can't be sure about the impact of these reforms, in part because previous studies showed that errors were declining even before 2010, albeit at a slower rate. And the new initiatives raise plenty of serious criticisms—whether from hospital officials saying they are cumbersome to implement or from researchers who think the underlying data is unreliable.

But after the agency published last year's results, showing the steep decline in errors, a wide array of experts said the law's new incentives were influencing hospital behavior—and that, as a result, patients were getting better care. Lucian Leape, a professor at the Harvard School of Public Health and a pioneer in the patient safety movement, told Politifact, ''I think these data reliable, and the ACA (Affordable Care Act) deserves credit.''

The real cautionary note in Tuesday's report may be what it says about the future. If this year's preliminary data holds up, and the error rate for 2014 is truly no lower than it was for 2013, that would suggest progress had stalled—with infections and injuries lower than before, but not as low as they could be.

''On the positive side, there has been no backsliding, so hospitals are, in the lingo of quality improvement, 'holding the gains,''' Blumenthal said. ''But from the standpoint of public policy and given our obligation to eliminate preventable problems, we would should aim to see continued reductions in rates.''

HHS officials on Tuesday offered similar thoughts. At a conference in Baltimore focusing on health care quality, an announcement of the new data drew large applause. But Patrick Conway, chief medical officer at the federal government's Centers for Medicare and Medicaid Services, warned his audience not to be complacent. ''The goal is to get to zero'' errors, he said. ''We've made significant progress. Now the question is how you accelerate that.''

Mr. REID. Mr. President, among other things, this article says: ''Hospitals have cut down on deadly medical errors, saving around 87,000 lives since 2010, according to a new government report.''

I am not going to read the whole thing, but it is part of the RECORD.

The article also says:

Many analysts think government initiatives within the Affordable Care Act have played a significant role in the progress so far.

In short, ObamaCare may literally be saving lives.

The new report comes from Agency for Healthcare Research and Quality. . . . On Tuesday, the agency announced its latest findings on these ''hospital-acquired conditions''. . . . That rate is unchanged from last year, but it is down 17 percent from 2010, when it was about 145 out of every 1,000 patients.

That is not the case anymore.

Continuing:

That decline works out to roughly 87,000 lives saved and $19.8 billion not spent on extra medical care, according to the report. . . . A major goal of the Affordable Care Act was to reduce and eventually eliminate these incentives for poor quality care, while rewarding the hospitals that get better results. Today, for example, Medicare pays less to institutions with high rates of hospital-acquired infection, injury and readmission—in other words, large numbers of patients returning to the hospital for treatment shortly after discharge. . . . And under an initiative called Partnership for Patients, the federal government provides extra funding to hospitals that agree to monitor patient safety and implement schemes for improving quality.

So to my friend who continually berates ObamaCare, we have before us today and tomorrow an effort to show how wasteful the time is trying to wipe out ObamaCare. The House has voted 46 times. The Republicans, of course, have lost every time. In the Senate, I think it has been 16 times or 17 times trying to repeal ObamaCare. Each time, it failed, as it will fail in the next day or two.

RHETORIC OF THE REPUBLICAN PARTY

Mr. REID. Mr. President, when Americans elect leaders, they do so in good faith. Our constituents want us to govern responsibly and work to embody American values. Both elected officials and candidates must realize that our words have deep meaning and can influence people far and wide. That is why I am very disappointed that instead of talking about issues important to the middle class, the Republicans have turned to the politics of hatred and division.

It seems no one is safe from this Republican vitriol. Republicans demagogue women seeking health care through Planned Parenthood. Republican candidates use women, infants, and children seeking refuge from terrorism to fearmonger. Muslim Americans, immigrants, and even Americans exercising their constitutional rights in support of the Black Lives Matter movement are all subject to Republican insults and slander.

Over and over again, Republican candidates have resorted to hatred instead of appealing to the highest sensibilities of the American people. We all know that on race and other controversial issues, Republicans have long practiced subtle bigotry, but Republicans now simply say out loud the many things at which they used to merely hint.

Words have power, and when spoken by influential leaders, they infiltrate every corner of our society.

In the wake of last week's murderous attack at a Planned Parenthood health center in Colorado, a leading conservative activist said:

It really is surprising more Planned Parenthood facilities and abortionists are not being targeted.

Given the public light shed on the atrocities committed by Planned Parenthood and both the government and media's turning a blind eye to it . . . it really should be surprising that Americans convicted of the need to stop the murder of children have not taken the law into their own hands.

That is what the quote says.

We know how exaggerated, untruthful, and unfair the film was that was put together as some B-grade movie and that has so maligned Planned Parenthood. One out of every five American women will go to Planned Parenthood during her lifetime. It is the only health care that women have in many parts of America. Is that the kind of language you want to encourage in the United States of America, that there should be more violence in these health clinics? Certainly not, but it is all too common in the Republican Party of today.

Instead of recognizing the concerns of communities riddled by decades of police brutality and racial injustice, Republicans have vilified the Black Lives Matter movement, which has been drawing attention to these disturbing inequities. Rush Limbaugh has gone so far as labeling protesters a ''hate group'' for trying to bring equality to our criminal justice system.

Just a few weeks ago, supporters of the Republican Presidential hopeful Donald Trump attacked a Black Lives Matter protester on video at a rally. Instead of condemning the violence displayed by his supporters, Donald Trump encouraged it. When asked about the incident, Trump said, referring to the protester, ''Maybe he should have been roughed up.'' That is stunning. A Republican candidate for President of the United States urged violence to silence his critics.

Last week, four masked men with apparent White supremacist ties opened fire on Black Lives Matter protestors in Minneapolis.

I am amazed that the junior Senator from Texas had the audacity to say earlier this week that ''the overwhelming majority of violent criminals are Democrats.'' And the article he quoted has been said to have been quoted improperly. That is really quite stunning, that someone with the academic background of the junior Senator from Texas cannot read a simple report. ''The overwhelming majority of violent criminals are Democrats.'' Think about that. Fanning the flames of intolerance is un-American. We are better than this.

I am disappointed that Republicans who should know better are not speaking out against this vile rhetoric. According to the New York Times, ''Some

of the highest-ranking Republicans in Congress and some of the party's wealthiest and most generous donors have balked at trying to take down Mr. Trump because they fear a public feud with the insult-spewing media figure.'' That is a sad reflection on one of America's major political parties.

The Republican Party once claimed to stand for American leadership in the world, but as millions of Syrians have fled their country, seeking refuge from death and destruction, Republicans have instead used the humanitarian crisis as an opportunity to spread fear and animosity. Republican Presidential candidate Ben Carson described the Syrian refugees as ''rabid dogs.'' Mike Huckabee referred to the Syrian refugees as a bag of poisonous peanuts. Even more disturbing is the junior Senator from Texas, who went so far as to suggest a religious test for accepting refugees fleeing violence and oppression. He only wants to accept Christians.

The Republican Party used to claim to stand for religious freedom, but they are now just pretending. Ben Carson doesn't think Muslims should be allowed to become President. The junior Senator from Florida, also a Republican Presidential candidate, speaks of a ''clash of civilizations.'' Those are buzz words meaning a crusade against Islam. He is saying that ISIS extremists are representative of an entire religion.

It doesn't stop there. Republicans have targeted immigrants also—not just people who are seeking refuge, not just refugees, but also immigrants. The Republican Party wants to paint all immigrants as murderers and rapists. Congressman STEVE KING says all immigrants are drug traffickers. Republicans only talk about deporting families. Senator RUBIO, the Republican establishment favorite, walked away from his single positive legislative accomplishment—comprehensive immigration reform—to please the party's extreme anti-immigrant base. He has gone from supporting citizenship for undocumented immigrants to wanting to deport DREAMers. And even Jeb Bush speaks of ''anchor babies.''

With the way our democracy is structured, there will always be disagreement about the best way elected officials can serve our Nation, but as we debate and disagree, we must do so responsibly.

President Bill Clinton once said that those of us with influence must be mindful of our words because they fall ''on the serious and delirious alike.'' The venom Republicans continue to spew has consequences. History will judge those who stand idle as fear and animosity become the platform of an American political party.

The simple fact is that Republicans are running on a platform of hate, and every Republican who fails to speak out against the hateful, dangerous rhetoric being spewed by their party is complicit.

For the moral character of our Nation, we must demand that the Republicans return to the values on which our country was founded.

Mr. President, Senator MCCONNELL and I have finished our remarks. Would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

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

RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3762, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

Pending:

McConnell amendment No. 2874, in the nature of a substitute.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that the time spent in quorum calls requested during Senate consideration of H.R. 3762 be equally divided and come off of the reconciliation bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ENZI. Mr. President, I ask unanimous consent that for the duration of the Senate's consideration of H.R. 3762, the majority and Democratic managers of the reconciliation bill, while seated or standing at the managers' desks, be permitted to deliver floor remarks, retrieve, review, and edit documents, and send email and other data communications from text displayed on wireless personal digital assistant devices and tablet devices. I further ask unanimous consent that the use of calculators be permitted on the floor during consideration of the budget resolution.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ENZI. For the information of Senators, this UC does not alter the existing traditions that prohibit the use of such devices in the Chamber by Senators in general, officers, and staff. It also does not allow the use of videos or pictures, the transmitting of sound, even through earpieces, for any purposes, the use of telephones or other devices for voice communications, any laptop computers, any detachable keyboards, the use of desktop computers or any other larger devices.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ENZI. Mr. President, earlier this year, Congress approved its first balanced 10-year budget since 2001. In addition to helping make our government more efficient, effective, and accountable, this balanced budget resolution contained reconciliation instructions to provide for the repeal of Obamacare and pave the way for real health care reforms to strengthen the doctor-patient relationship; expand choices; lower health care costs; and improve access to quality, affordable, innovative health care.

These instructions focused on the key congressional committees with jurisdiction over Obamacare—the Senate Finance Committee; Senate Health, Education, Labor and Pensions Committee; House Energy and Commerce Committee; House Education and the Workforce Committee; and the House Ways and Means Committee.

Our friends in the House passed their repeal bill in October and November, which repealed key parts of Obamacare, including the individual and employer mandates, the Cadillac tax, and the medical device tax, which is pending here today.

As most everyone knows, while the House and Senate are known collectively as Congress, they both have very different rules. This is why it is important to ensure that the House-passed repeal bill is in line with Senate rules and procedures.

The reconciliation process is governed by a combination of statutory rules, budget resolution provisions, precedents—and the interpretations of all these applicable standards ensure that any legislation which says it qualifies for reconciliation does actually do so.

The repeal bill passed by the House, H.R. 3762, contained material that qualified the bill in the House as meeting the conditions for reconciliation. The provisions were marked up and reported out of the three House reconciled committees, combined together by the House Budget Committee, improved upon by the House Rules Committee, and acted on by the full House of Representatives.

The Obamacare repeal bill approved by the House contains provisions which fall in the jurisdiction of the Senate Finance and HELP Committees and satisfies the Senate reconciliation instruction by reducing the deficit well over $1 billion.

However, while the House bill does qualify as meeting the essential standards necessary for reconciliation in the Senate, it is not immune from the Senate-specific requirements under the Byrd rule, which is the reason for the McConnell amendment offered earlier.

The Byrd rule was crafted in an effort to ensure that matter inside a reconciliation bill has at its core a budgetary effect. The Byrd rule and the reconciliation instruction work together to evaluate the material inside H.R. 3762 for its consideration in the Senate.

Working with the committees reconciled in the Senate, Leader MCCONNELL and his leadership team, the House Budget Committee, the Senate Parliamentarian and her staff, the staff of the minority and the Congressional Budget Office and the Joint Committee on Taxation, H.R. 3762 has been exhaustively examined, debated, and had decisions rendered as to how to evaluate it from a reconciliation and Byrd rule perspective.

I think it is important for all Senators to understand what has been done to address those challenges to ensure that the House bill's provisions are not vulnerable to a variety of Byrd rule challenges.

In H.R. 3762, section 1 contains both a short title and a table of contents that have no score and therefore do not qualify as reconciliation material. The McConnell substitute amendment does not contain section 1.

Obamacare mandated that businesses with more than 50 employees automatically enroll their employees in Obamacare, the so-called auto-enrollment provision. H.R. 3762 eliminated that mandate. Subsequent to House passage, the administration struck a spending deal with Congress, which used the repeal of the auto-enrollment provision as an offset. Since that provision is now law, it does not score for purposes of reconciliation and was Byrdable. The House removed that language when it engrossed the bill and sent it to the Senate last month. It is no longer in the House bill and is not addressed in the McConnell amendment.

Obamacare created a fund, the so-called Prevention and Public Health Fund, which has been used for a variety of purposes since 2010. The House bill in section 101 repealed that fund and rescinded its unobligated balances. The McConnell amendment does the same.

In section 102 of H.R. 3762, a deficit reduction provision for Medicaid was included, creating a new class of prohibited entities for which Medicaid reimbursement is barred. While the House language qualifies for reconciliation consideration in the Senate, the McConnell amendment makes even clearer how the language is to apply to Medicaid, not any Federal spending. As well, it clarifies the tests applied to entities to determine whether or not they fall into the prohibited class.

Section 103 of the House bill created new resources for community health center programs, and the McConnell amendment contains the same language.

Obamacare imposed mandates to purchase health care insurance on both individuals and employers. Sections 201 and 202 of the House bill repealed those mandates.

Unfortunately, this language does not qualify under the Byrd rule in the Senate. In the judgement of the Parliamentarian, the policy impact of these repeals outweighs their fiscal impact. As well, there is technical and conforming language in both sections 201 and 202 of the House bill that do not score and therefore are inappropriate for reconciliation in the Senate.

As a result, the McConnell amendment addresses the mandates but in a different way. Rather than containing language that repeals them, the McConnell amendment repeals the penalties, which Obamacare instituted to punish those who wanted the freedom to choose in the health care insurance market.

Obamacare imposed a tax on medical devices, which section 203 of H.R. 3762 repealed. The McConnell amendment does the same without the conforming and clerical amendments in this section that the House bill contains. Clerical and conforming amendments do not score and so do not qualify for consideration under the Byrd rule.

Obamacare imposed a tax on high-quality health insurance, the so-called Cadillac tax. H.R. 3762 repealed that tax, but the repeal contained technical and conforming language that violates the Byrd rule. As well, according to CBO, the House language created a possible deficit sometime well after the reconciliation window, which is another violation of the Byrd rule.

To address these problems, the McConnell amendment removes the technical and conforming language that violates the Byrd rule and sunsets the Cadillac tax repeal at the end of 2024.

The McConnell amendment also contains an additional policy.

Working in concert with the Senate Finance Committee, the McConnell amendment contains reconciliation-compliant language to recapture excess exchange subsidies that have been paid but which were not supposed to go out the door. Over 10 years, this will have a significant deficit reduction impact.

The pending McConnell amendment, then, addresses the Byrd rule challenges contained within the House bill. It has a deficit reduction impact equal to the House-passed bill. It is reconciliation compliant. It will be the pending language to which amendments should be drafted and offered during consideration of the repeal bill.

The Budget Act calls for a submission for the RECORD of Byrdable material contained in the reconciliation bill, and I will ask that the list of Byrdable material in H.R. 3762 be printed in the RECORD.

Mr. President, pursuant to section 313(c) of the Congressional Budget Act of 1974, I submit for the RECORD a list of material considered to be extraneous to H.R. 3762, the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015. The inclusion or exclusion of a provision on this list does not constitute a determination of extraneousness by the Presiding Officer of the Senate. I ask unanimous consent the list be printed in the RECORD.

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

Section	Subject	Violation	Rationale
1	Short Title, Table of Contents	313(b)(1)(A)	No budgetary effect
	Title I—Committee on Energy and Commerce		
102(a) lines 15–16	Federal Payments to States	313(b)(1)(A)	No budgetary effect [1]
	Title III—Committee on Ways and Means		
201	Repeal of individual mandate	313(b)(1)(D)	Budgetary effects are merely incidental
202	Repeal of Employer Mandate	313(b)(1)(D)	Budgetary effects are merely incidental
204(b)	Tax on Employee Health Insurance Premiums—Reporting Requirement	313(b)(1)(A)	No budgetary effect
204(c)	Tax on Employee Health Insurance Premiums—Clerical Amendment	313(b)(1)(A)	No budgetary effect

[1] This matter contains citations in error. Permissible if corrected.

Mr. ENZI. I also ask unanimous consent that two scores from CBO be printed in the RECORD: a score of H.R. 3762 as received in the Senate and a score of the McConnell amendment.

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

ESTIMATE OF DIRECT SPENDING AND REVENUE EFFECTS OF H.R. 3762, THE RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION ACT, AS PASSED BY THE HOUSE AND FOLLOWING ENACTMENT OF THE BIPARTISAN BUDGET ACT OF 2015 [a]

	By fiscal year, in billions of dollars—											
	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2016–2020	2016–2025
ESTIMATED CHANGES WITHOUT MACROECONOMIC FEEDBACK												
Changes in Direct Spending												
Title I—Committee on Education and the Workforce												
Auto-Enrollment for Certain Large Employers: [b]:												
Estimated Budget Authority	0	0	0	0	0	0	0	0	0	0	0	0
Estimated Outlays	0	0	0	0	0	0	0	0	0	0	0	0
Title II—Committee on Energy and Commerce												
Prevention and Public Health Fund:												
Estimated Budget Authority	−1.0	−1.0	−1.3	−1.3	−1.5	−1.5	−2.0	−2.0	−2.0	−2.0	−6.0	−15.5
Estimated Outlays	−0.2	−0.5	−0.9	−1.1	−1.3	−1.4	−1.6	−1.8	−1.9	−2.0	−4.1	−12.7
Medicaid:												
Estimated Budget Authority	−0.2	*	*	*	*	*	*	*	*	0	−0.2	−0.2
Estimated Outlays	−0.2	*	*	*	*	*	*	*	*	0	−0.2	−0.2
Community Health Center Program:												
Estimated Budget Authority	0.2	0.2	0	0	0	0	0	0	0	0	0.5	0.5
Estimated Outlays	0.1	0.2	0.1	*	0	0	0	0	0	0	0.5	0.5
Title III—Committee on Ways and Means												
Repeal Individual and Employer Mandates [c]:												
Estimated Budget Authority	−8.7	−17.2	−21.1	−24.5	−26.7	−28.6	−30.6	−32.2	−33.9	−35.4	−98.3	−258.9
Estimated Outlays	−8.7	−17.2	−21.1	−24.5	−26.7	−28.6	−30.6	−32.2	−33.9	−35.4	−98.3	−258.9
Repeal Excise Tax on Certain High-Premium Insurance Plans:												
Estimated Budget Authority	0	0	−0.7	−0.9	−1.4	−1.6	−2.4	−3.1	−3.9	−4.1	−3.0	−18.2
Estimated Outlays	0	0	−0.7	−0.9	−1.4	−1.6	−2.4	−3.1	−3.9	−4.1	−3.0	−18.2
Total Changes in Direct Spending:												
Estimated Budget Authority	−9.7	−18.0	−23.1	−26.7	−29.6	−31.7	−35.0	−37.3	−39.8	−41.5	−107.1	−292.4
Estimated Outlays	−9.1	−17.5	−22.6	−26.5	−29.3	−31.6	−34.6	−37.1	−39.7	−41.5	−105.1	−289.6
Changes in Revenues												
Title I—Committee on Education and the Workforce												
Auto-Enrollment for Certain Large Employers [b]	0	0	0	0	0	0	0	0	0	0	0	0
Title III—Committee on Ways and Means												
Repeal Individual and Employer Mandates [c]	−10.1	−7.7	−7.0	−8.1	−8.2	−8.4	−9.4	−10.1	−10.4	−10.7	−41.2	−90.4
Repeal Medical Device Tax	−1.4	−2.0	−2.1	−2.2	−2.3	−2.5	−2.6	−2.8	−2.9	−3.1	−10.0	−23.9
Repeal Excise Tax on Certain High-Premium Insurance Plans	0	0	−2.9	−8.1	−9.7	−11.5	−14.0	−17.1	−20.8	−25.0	−20.8	−109.3
Interaction within Title III	0	0	*	2.1	2.0	1.7	1.7	1.6	1.6	1.4	4.1	12.1
Total Changes in Revenues:	−11.5	−9.7	−12.0	−16.3	−18.2	−20.7	−24.3	−28.4	−32.5	−37.4	−67.9	−211.5
On-Budget	−13.0	−13.8	−16.2	−20.5	−22.4	−24.6	−27.7	−31.3	−34.9	−38.9	−86.2	−243.7
Off-Budget [d]	1.5	4.1	4.2	4.2	4.2	3.9	3.5	2.9	2.4	1.5	18.3	32.2
NET INCREASE OR DECREASE (−) IN THE DEFICIT WITHOUT MACROECONOMIC FEEDBACK												
Impact on Deficit	2.4	−7.9	−10.6	−10.2	−11.1	−10.8	−10.3	−8.6	−7.2	−4.0	−37.2	−78.1
On-Budget	3.9	−3.7	−6.4	−6.0	−6.9	−7.0	−6.8	−5.8	−4.8	−2.6	−19.0	−45.9
Off-Budget [d]	−1.5	−4.1	−4.2	−4.2	−4.2	−3.9	−3.5	−2.9	−2.4	−1.5	−18.3	−32.2
ESTIMATED BUDGETARY IMPACT OF MACROECONOMIC FEEDBACK [e]												
Effects on Outlays	*	−0.2	−0.3	−0.2	*	0.4	0.6	0.8	1.0	1.1	−0.7	3.1
Effects on Revenues	0.5	1.1	2.5	4.3	5.4	6.4	7.2	8.1	8.9	9.6	13.8	54.0
Effects on the Deficit	−0.6	−1.3	−2.8	−4.5	−5.3	−6.0	−6.6	−7.3	−8.0	−8.6	−14.5	−50.9
On-Budget	−0.3	−0.8	−1.9	−3.1	−3.7	−4.2	−4.6	−5.1	−5.6	−6.0	−9.9	−35.4
Off-Budget [d]	−0.2	−0.4	−0.9	−1.4	−1.6	−1.8	−2.0	−2.2	−2.4	−2.6	−4.6	−15.5
TOTAL ESTIMATED CHANGES, INCLUDING MACROECONOMIC FEEDBACK [f]												
Effects on Outlays	−9.1	−17.7	−22.9	−26.8	−29.3	−31.2	−34.0	−36.3	−38.7	−40.4	−105.8	−286.5
Effects on Revenues	−11.0	−8.6	−9.5	−12.1	−12.9	−14.4	−17.1	−20.3	−23.6	−27.8	−54.1	−157.5
Effects on the Deficit [d]	1.9	−9.1	−13.4	−14.7	−16.4	−16.8	−16.9	−16.0	−15.1	−12.6	−51.7	−129.0
On-Budget	3.6	−4.6	−8.3	−9.2	−10.6	−11.1	−11.5	−10.9	−10.4	−8.6	−28.9	−81.3
Off-Budget [d]	−1.7	−4.6	−5.1	−5.5	−5.8	−5.7	−5.4	−5.0	−4.8	−4.1	−22.8	−47.7

Sources: Congressional Budget Office; staff of the Joint Committee on Taxation.

Notes: Numbers may not add up to totals because of rounding; * = an increase or decrease between zero and $50 million.

On October 23, 2015, the House passed H.R. 3762 (see https://www.congress.gov/114/bills/hr3762/BILLS-114hr3762eh.pdf). That bill removed subtitle B of H.R. 3762 as reported by the House Committee on the Budget on October 16, 2015, which would have repealed the Independent Payment Advisory Board. Additionally, the Bipartisan Budget Act of 2015 (Public Law 114–74) was enacted on November 2, 2015, and included a provision identical to title I of this legislation. This estimate differs from CBO and JCT's prior estimate of H.R. 3762 as reported by the House Committee on the Budget (see https://www.cbo.gov/publication/50918) as a result of these two legislative actions.

[a] For outlays, a positive number indicates an increase (adding to the deficit) and a negative number indicates a decrease (reducing the deficit); for revenues, a positive number indicates an increase (reducing the deficit) and a negative number indicates a decrease (adding to the deficit); for the deficit, a positive number indicates an increase and a negative number indicates a reduction.

[b] The Bipartisan Budget Act of 2015 (P.L. 114–74) was enacted on November 2, 2015. Title VI of that law includes a provision identical to title I of this legislation. Therefore, CBO estimates that title I would have no effect relative to current law.

[c] CBO previously estimated additional effects of combining the repeal of the auto-enrollment requirement for large employers with the repeal of the individual and employer mandates. Because the former is now current law (see P.L. 114–74), that interaction effect is included in our estimate of the repeal of the individual and employer mandates.

[d] Excluding macroeconomic feedback, all off-budget effects would come from changes in revenues. (The payroll taxes for Social Security are classified as off-budget.) Off-budget effects from macroeconomic feedback include changes in Social Security spending and revenues.

[e] An explanation of these estimates of macroeconomic feedback can be found in the cost estimate for H.R. 3762 as reported by the House Committee on the Budget on October 16, 2015. The effects of the changes proposed in the legislation analyzed here are quite similar to the effects estimated previously. As a result, CBO and JCT's estimated economic effects and macroeconomic feedback to the budget are not appreciably changed from that previous analysis.

[f] Including macroeconomic effects, CBO and JCT estimate that enacting the legislation would not increase net direct spending by more than $5 billion in any of the first three consecutive 10-year periods beginning in 2026; however, the agencies are not able to determine whether enacting the legislation would increase net direct spending by more than $5 billion in the fourth 10-year period. The agencies estimate that enacting the legislation would increase on- budget deficits by more than $5 billion in one or more of the four consecutive 10-year periods beginning in 2026. Excluding macroeconomic feedback, the agencies estimate that enacting the legislation would not increase net direct spending by more than $5 billion in any of the four consecutive 10-year periods beginning in 2026, and would increase on-budget deficits by more than $5 billion in one or more of the four consecutive 10-year periods beginning in 2026.

PRELIMINARY ESTIMATE OF DIRECT SPENDING AND REVENUE EFFECTS OF H.R. 3762, THE RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION ACT, WITH AN AMENDMENT IN THE NATURE OF A SUBSTITUTE (S.A. 2874.) [a]

	By fiscal year, in billions of dollars—											
	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2016–2020	2016–2025
ESTIMATED CHANGES WITHOUT MACROECONOMIC FEEDBACK												
Changes in Direct Spending												
Title I—Finance												
Medicaid:												
Estimated Budget Authority	−0.2	*	*	*	*	*	*	*	*	0	−0.2	−0.2
Estimated Outlays	−0.2	*	*	*	*	*	*	*	*	0	−0.2	−0.2
Eliminate Individual and Employer Mandate Penalties:												
Estimated Budget Authority	−7.5	−14.3	−17.7	−21.0	−23.2	−25.2	−27.3	−29.0	−30.9	−32.6	−83.9	−228.8
Estimated Outlays	−7.5	−14.3	−17.7	−21.0	−23.2	−25.2	−27.3	−29.0	−30.9	−32.6	−83.9	−228.8
Repeal Excise Tax on Certain High-Premium Insurance Plans:												
Estimated Budget Authority	0	0	−0.7	−0.9	−1.4	−1.6	−2.4	−3.1	−3.9	−1.2	−3.0	−15.3
Estimated Outlays	0	0	−0.7	−0.9	−1.4	−1.6	−2.4	−3.1	−3.9	−1.2	−3.0	−15.3
Elimination of Limitation on Subsidy Recapture:												
Estimated Budget Authority	−1.8	−3.3	−3.8	−3.9	−3.9	−4.0	−4.2	−4.4	−4.6	−4.8	−16.6	−38.5
Estimated Outlays	−1.8	−3.3	−3.8	−3.9	−3.9	−4.0	−4.2	−4.4	−4.6	−4.8	−16.6	−38.5
Title II—Health, Education, Labor and Pensions												
Prevention and Public Health Fund:												
Estimated Budget Authority	−1.0	−1.0	−1.3	−1.3	−1.5	−1.5	−2.0	−2.0	−2.0	−2.0	−6.0	−15.5

PRELIMINARY ESTIMATE OF DIRECT SPENDING AND REVENUE EFFECTS OF H.R. 3762, THE RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION ACT, WITH AN AMENDMENT IN THE NATURE OF A SUBSTITUTE (S.A. 2874.) [a]—Continued

	By fiscal year, in billions of dollars—											
	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2016–2020	2016–2025
Estimated Outlays	−0.2	−0.5	−0.9	−1.1	−1.3	−1.4	−1.6	−1.8	−1.9	−2.0	−4.1	−12.7
Comnunity Health Center Program:												
Estimated Budget Authority	0.2	0.2	0	0	0	0	0	0	0	0	0.5	0.5
Estimated Outlays	0.1	0.2	0.1	*	0	0	0	0	0	0	0.5	0.5
Total Changes in Direct Spending:												
Estimated Budget Authority	−10.3	−18.4	−23.5	−27.1	−30.0	−32.3	−35.9	−38.5	−41.4	−40.6	−109.3	−297.9
Estimated Outlays	−9.7	−17.9	−23.0	−26.9	−29.7	−32.2	−35.5	−38.3	−41.3	−40.6	−107.3	−295.1
Changes in Revenues												
Title I—Finance:												
Eliminate Individual and Employer Mandate Penalties	−10.3	−8.9	−8.0	−9.0	−9.1	−9.3	−10.3	−10.9	−11.2	−11.5	−45.4	−98.6
Repeal Medical Device Tax	−1.4	−2.0	−2.1	−2.2	−2.3	−2.5	−2.6	−2.8	2.9	−3.1	−10.0	−23.9
Repeal Excise Tax on Certain High-Premium Insurance Plans	0	0	−2.9	−8.1	−9.7	−11.5	−14.0	−17.1	−20.8	−8.9	−20.8	−93.2
Elimination of Limitation on Subsidy Recapture	0.3	1.2	1.5	1.6	1.5	1.5	1.5	1.6	1.6	1.7	5.9	14.0
Interaction within Title I	0	0	*	2.1	2.0	1.7	1.7	1.6	1.6	1.4	4.1	12.1
Total Changes in Revenues:	−11.4	−9.7	−11.5	−15.6	−17.6	−20.1	−23.7	−27.6	−31.7	−20.4	−66.2	−189.6
On-Budget	−12.8	−13.5	−15.5	−19.6	−21.5	−23.7	−26.8	−30.3	−33.9	−25.4	−83.3	−223.2
Off-Budget [b]	1.4	3.8	4.0	4.0	3.9	3.6	3.2	2.7	2.2	5.0	17.1	33.6
Net Increase or Decrease (−) in the Deficit Without Macroeconomic Feedback [c]												
Impact on Deficit:	1.7	−8.3	−11.5	−11.3	−12.1	−12.0	−11.8	−10.6	−9.6	−20.1	−41.1	−105.5
On-Budget	3.1	−4.4	−7.5	−7.3	−8.2	−8.5	−8.6	−8.0	−7.4	−15.2	−24.1	−71.9
Off-Budget [b]	−1.4	−3.8	−4.0	−4.0	−3.9	−3.6	−3.2	−2.7	−2.2	−5.0	−17.1	−33.6

Sources: Congressional Budget Office; staff of the Joint Committee on Taxation.

Notes: Numbers may not add up to totals because of rounding; * = an increase or decrease between zero and $50 million.

This amendment triggers the requirement for a macroeconomic analysis. However, because of the very short time available to prepare this estimate, CBO and JCT have determined that it is not practicable to provide that analysis at this time.

[a] For outlays, a positive number indicates an increase (adding to the deficit) and a negative number indicates a decrease (reducing the deficit); for revenues, A positive number indicates an increase (reducing the deficit) and a negative number indicates a decrease (adding to the deficit); for the deficit, a positive number indicates an increase and a negative number indicates a reduction.

[b] Excluding macroeconomic feedback, all Off-Budget effects would come from changes in revenues. (The payroll taxes for Social Security are classified as off-budget.)

[c] Excluding macroeconomic feedback, the agencies estimate that enacting title I or title II would not increase net direct spending or on-budget deficits in any year after 2025 or in any of the four consecutive 10-year periods beginning in 2026.

Mr. ENZI. I think Members are looking forward to an open and spirited debate about the future of America's health care system and the importance of restoring the trust of hard-working taxpayers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 2876 TO AMENDMENT NO. 2874

(Purpose: To ensure that this Act does not increase the number of uninsured women or increase the number of unintended pregnancies by establishing a women's health care and clinic security and safety fund)

Mrs. MURRAY. Mr. President, I call up my amendment No. 2876.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY] proposes an amendment numbered 2876 to amendment No. 2874.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

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

The PRESIDING OFFICER (Mr. COTTON).

The Senator from Washington.

Mrs. MURRAY. Mr. President, I think we can all agree there is a lot of work that needs to be done in this Congress—priorities such as continuing to improve health care for our families, creating jobs, boosting wages, expanding economic security for workers, and making higher education more affordable and accessible, just to name a few. Unfortunately, instead of working with Democrats to focus on those challenges—the ones that families face every day—far too many Republicans have doubled down on a favorite pastime—attacking women's health and rights in order to pander to their extreme base.

I am very proud to be on the floor today with many of my Democratic colleagues to say enough is enough and to make clear that even as Republicans try to take women's health backwards, we are going to push harder in the other direction for continued progress on women's access to health care and constitutionally protected reproductive rights.

This year alone, according to NARAL Pro-Choice America, more than 40 bills have been introduced in this Congress that would undermine a woman's constitutionally protected right to make her own choices about her own body. The House and Senate have voted a total of 17 times—17 times—on legislation to undermine women's health care and rights. That is right. In the year 2015—in the year 2015 alone—Republicans in Congress have introduced over 40 bills and held 17 votes on whether Congress should roll back women's rights. That is completely unacceptable. The bill we are debating here on the floor today would defund Planned Parenthood, and that is just more of the same. It is another effort to force through extreme policies under a fast-track process.

A vote on the bill before us today is a vote on whether a young woman should be able to go to the provider she trusts to get birth control, whether cancer screenings should be more or less available to women across the country, and whether the 2.7 million men and women who visit Planned Parenthood each year should continue to get health care services they rely on.

Over the last few months of Republican political attacks on Planned Parenthood and women's health, I have been proud to stand with women nationwide who are making their voices heard and fighting for their right to make their own health care decisions—women such as Shannon, who lives in Tumwater, WA, and says the care she received at Planned Parenthood as a young woman protected her ability to have children and that today she has Planned Parenthood to thank for her little girl; women such as Breanne from Seattle, who went to Planned Parenthood as an uninsured student, where providers caught abnormal cell growth on her cervix wall before—before—it could turn into cancer; and the women and advocates at the Planned Parenthood Center in Pullman, WA, who, after their building was damaged in an arson attack, came together as a community and established a pop-up clinic to make sure that women and families could continue to get the care they needed.

I know many of us here today are thinking of those who are suffering and who lost loved ones as a result of the tragic violence in Colorado Springs last week. People across the country—men and women—have had enough of extremism and violence, including at Planned Parenthood health care centers. When a woman seeks health care—constitutionally protected health care—she should not have to feel threatened in any way. A doctor in a women's health clinic should not have to worry about wearing a bulletproof vest under her lab coat. Women's health care should not be controversial, much less a cause for violence in the 21st century. Women and their families have had enough.

I have heard from so many women and men who are tired of women's

health being undermined, being threatened, and being used as a political football here in Washington, DC. Who can believe that in the 21st century a Presidential candidate would claim that expanding access to birth control is as easy as setting up a few more vending machines in men's bathrooms? These women and men across the country are speaking up and saying ''not on our watch'' to those who want to turn back the clock on women's health and women's rights. I am going to continue, along with my colleagues, to bring their voices and their stories and their fight to the Senate floor.

As we all know, this is a tired political effort to dismantle the Affordable Care Act and take Planned Parenthood down with it. It is at a dead end. But if Republicans are going to try to cut off women's access to health care, I am going to make sure they hear about it and that people across this country know exactly where Democrats stand—with women. That is why I am very proud to be introducing this amendment today that would strike the harmful language defunding Planned Parenthood from this legislation and replace it—replace it—with a new fund to support women's health care and clinic safety.

There is so much more we need to do to improve women's health care in this country today, from strengthening the women's health care workforce to expanding access to constitutionally protected reproductive health care to raising awareness about violence against women—so much more. This fund that is part of this amendment would offer an opportunity to make progress on goals such as these and more to support women's health providers and clinics at a time when they need it most. Critically, it would show women and families that their constitutional rights, that their safety and their health care should come before tea party political pandering, not the other way around. By the way, this amendment is fully paid for by the Buffett rule.

Democrats are going to keep standing up for women and encouraging Republicans to focus on the real challenges that families face, rather than their political attacks that their tea party base is so focused on. I urge my colleagues to join me in standing against this harmful effort to defund Planned Parenthood and delivering a clear message, again, to Republicans in Congress who want to play politics with women's health—not on our watch.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

AMENDMENT NO. 2875 TO AMENDMENT NO. 2874

Mr. JOHNSON. Mr. President, I ask unanimous consent to set aside the pending amendment in order to call up my amendment No. 2875.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Wisconsin [Mr. JOHNSON] proposes an amendment numbered 2875 to amendment No. 2874.

Mr. JOHNSON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To amend the Patient Protection and Affordable Care Act to ensure that individuals can keep their health insurance coverage)

At the appropriate place, insert the following:

SEC. ___. AMENDMENT TO THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.

(a) IN GENERAL.—Part 2 of subtitle C of title I of the Patient Protection and Affordable Care Act (42 U.S.C. 18011 et seq.) is amended by striking section 1251 and inserting the following:

''SEC. 1251. FREEDOM TO MAINTAIN EXISTING COVERAGE.

''(a) NO CHANGES TO EXISTING COVERAGE.—

''(1) IN GENERAL.—Nothing in this Act (or an amendment made by this Act) shall be construed to require that an individual terminate coverage under a group health plan or health insurance coverage in which such individual was enrolled during any part of the period beginning on the date of enactment of this Act and ending on December 31, 2013.

''(2) CONTINUATION OF COVERAGE.—With respect to a group health plan or health insurance coverage in which an individual was enrolled during any part of the period beginning on the date of enactment of this Act and ending on December 31, 2013, this subtitle and subtitle A (and the amendments made by such subtitles) shall not apply to such plan or coverage, regardless of whether the individual renews such coverage.

''(b) ALLOWANCE FOR FAMILY MEMBERS TO JOIN CURRENT COVERAGE.—With respect to a group health plan or health insurance coverage in which an individual was enrolled during any part of the period beginning on the date of enactment of this Act and ending on December 31, 2013, and which is renewed, family members of such individual shall be permitted to enroll in such plan or coverage if such enrollment is permitted under the terms of the plan in effect as of such date of enrollment.

''(c) ALLOWANCE FOR NEW EMPLOYEES TO JOIN CURRENT PLAN.—A group health plan that provides coverage during any part of the period beginning on the date of enactment of this Act and ending on December 31, 2013, may provide for the enrolling of new employees (and their families) in such plan, and this subtitle and subtitle A (and the amendments made by such subtitles) shall not apply with respect to such plan and such new employees (and their families).

''(d) EFFECT ON COLLECTIVE BARGAINING AGREEMENTS.—In the case of health insurance coverage maintained pursuant to one or more collective bargaining agreements between employee representatives and one or more employers that was ratified before December 31, 2013, the provisions of this subtitle and subtitle A (and the amendments made by such subtitles) shall not apply until the date on which the last of the collective bargaining agreements relating to the coverage terminates. Any coverage amendment made pursuant to a collective bargaining agreement relating to the coverage which amends the coverage solely to conform to any requirement added by this subtitle or subtitle A (or amendments) shall not be treated as a termination of such collective bargaining agreement.

''(e) DEFINITION.—In this title, the term 'grandfathered health plan' means any group health plan or health insurance coverage to which this section applies.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the Patient Protection and Affordable Care Act (Public Law 111–148).

Mr. JOHNSON. Mr. President, at a townhall meeting in Green Bay, WI, on June 11, 2009, President Obama was trying to sell his health care law, and this is the claim he made. This is the quote, and this is the promise he made to the American public. He said:

No matter how we reform health care, I intend to keep this promise: If you like your doctor, you'll be able to keep your doctor; if you like your health care plan, you'll be able to keep your health care plan.

Less than a week later, in remarks to the American Medical Association, the Nation's largest association of medical doctors, the President said:

I know that there are millions of Americans who are content with their health care coverage—they like their plan and, most importantly, they value the relationship with their doctor. They trust you. And that means that no matter how we reform health care, we will keep this promise to the American people: If you like your doctor, you will be able to keep your doctor, period. If you like your health care plan, you'll be able to keep your health care plan, period. No one will take that away, no matter what.

Now, a number of years have passed since President Obama made that promise. It wasn't just those two times that President Obama made that promise either. I think it has been documented that he made that promise to the American people over 30 times. Other supporters of the bill repeated that promise. It was a promise. It was a promise to the American public. It was a promise he knew would not be kept. It was a promise about which the supporters of the bill knew there was no way under ObamaCare that people would be able to keep their health care plan, that they would become able to keep and maintain the relationship with the doctor they trusted, knew, and had faith in.

President Obama called it a promise. PolitiFact had another name for it. PolitiFact, in 2013, termed that promise its ''Lie of the Year.'' Think of that. The President of the United States was trying to sell a massive restructuring of a health care system—and that is what he was trying to do. He was trying to sell it. He was marketing a bill, a law, a concept, and in order to market that concept, President Obama and other supporters of the bill repeatedly made a promise

that PolitiFact termed the ''Lie of the Year'' of 2013.

I come from the private sector. It is incumbent on people in the private sector, when they are selling products to consumers, to tell the truth about the product. If you don't, you will be accused of consumer fraud. You can be sued. You can probably be sued out of existence. Imagine how the trial bar would treat a businessperson who tried to sell a product by making a promise that turned out to be 2013's ''Lie of the Year.'' I don't believe that business would be in business today.

ObamaCare, at its heart, is a massive consumer fraud—a massive consumer fraud. So the purpose of my amendment has the purpose of a piece of legislation I introduced in 2013—the same thing. It is designed to honor the promise that President Obama made and that he did not keep—the promise that was made under ObamaCare that was not kept.

The bill I introduced in 2013 was simply titled ''If You Like Your Health Care Plan, You Can Keep it Act.'' What is rather unique about my piece of legislation is that it used the exact same wording of ObamaCare. ObamaCare actually did have a section in it called a grandfather clause that purported to allow people to keep their health care and allowed them to maintain their relationship with their doctor if they liked their health care plan and their doctor. The problem is it was a grandfather clause that allowed you to keep your plan as long as you completely changed it. So what my bill in 2013 did was it just said: Listen, you can actually keep your health care plan and you don't have to change it.

That is what my amendment does today. It restores that promise—the promise of President Obama and the supporters of ObamaCare. Let me use the real name: The Patient Protection and Affordable Care Act. Of the Orwellian-named laws that have been passed through this Chamber, this is probably the most Orwellian because the Patient Protection and Affordable Care Act did neither, because that promise was not kept. It was a lie. Patients weren't protected. They lost their health care plan. We have all received letters from constituents, often heartbreaking letters. There was a couple in Wisconsin, they both had cancer. He is recovering from prostate cancer. She had stage IV lung cancer. They had health care in the State high-risk pool. They could afford it. It worked for them. They lost it because of ObamaCare. They called our office panicked—panicked—because they couldn't log on to healthcare.gov. They tried almost 40 times. They lost their health care plan. That promise was broken. I don't hear supporters of the law pointing to those individuals.

So my amendment would restore the promise that if you had health care that you liked in 2013, insurance companies can offer those same plans again. They were far more affordable—far more affordable. As I just stated with that one little example, patient protection in the Affordable Care Act didn't protect patients, and it certainly hasn't been more affordable. We have also received hundreds of letters from people whose premiums have doubled, their out-of-pocket maximum has doubled and tripled. They can't even afford to use the health care they were able to secure because it has become so expensive. The reality of ObamaCare is it has been a miserable failure, and the promises made under it literally were abject lies. That is the reality. That is the very sad fact.

I encourage all my colleagues to unanimously support the promise President Obama and the law's supporters made and vote for my amendment, which would allow Americans, if they like their health care plan, if they like their doctor, they actually will be able to keep it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thoroughly support the right of my colleague to his opinion, but we have never had more people insured in modern history because of ObamaCare. It doesn't mean it is perfect, but let me tell you—I don't know what my colleague's constituents tell him, but I will tell you what mine do. They say thank you. Thank you for the fact that I can get insurance. Thank you for the fact that I can get it even if I have a heart condition. Thank you for the fact that my child can stay on my policy until he is 26 years old. Thank you. Thank you. Thank you. Thank you for the lifesaving preventive care I get. Thank you. Thank you for the cheaper prescription drugs.

So people live in a different universe, I guess, but I prefer to stick with the facts, and the facts are millions and millions and millions of Americans now have the peace of mind of being insured. They don't become a burden on their families, they don't become a burden on the emergency room, and they don't become a burden on their communities. I thank President Obama for his courage. We can fix what is wrong with ObamaCare, but time and time again—more than 50 times—they tried to repeal it, the GOP, and they are going to try again, and they are going to fail again. Secretly, I think they hope they fail because they have nothing—nothing—to replace it with. It is kind of a joke. Nothing. Oh, let's just open up the free market. Well, folks, we tried that forever. ObamaCare isn't government care. It is insurance exchanges, and it is Medicaid expansion in those States that wish to have it. I have to tell you, in those States who have it, the people are very happy.

AMENDMENT NO. 2876

I rise not only to respond to that attack on health care that we have heard again for the 90th time from the other side, I really rise to thank Senator MURRAY. I thank her again for her unbelievable leadership in protecting women's health. Beyond that, she is a leader in protecting children's health, men's health, families' health, and our seniors' health. Today what she is doing is very important. She is saying to the Republicans: We don't like the fact that you are defunding a health care organization that serves 3 million Americans every year with lifesaving health care, preventive health care, STD testing, breast cancer exams, and these 3 million Americans want us to stand and fight for them. That is what Senator MURRAY is doing today, and I am proud to be by her side.

What she is simply saying is, no, we are not going to defund Planned Parenthood. She is going to strike that out of this bill they have put forward, but also we are going to pay for an expansion of women's health care because we know all you have is your health. Just ask people who may have everything else in the world, but somebody gets cancer, somebody gets a heart attack, somebody gets a stroke, someone in the family is diagnosed with Alzheimer's, Parkinson's, their whole world is turned upside down.

So what do my friends on the other side do? They strike funding from an organization that has more respect in this country than their party or my political party or this Congress has. Well, it would be easy to beat the reputation of this Congress, but the vast majority of the American people understand the role of Planned Parenthood.

So I strongly support this amendment, and I want to reiterate something Senator MURRAY said. Republicans have introduced more than 40 bills to take away women's health care in this Congress—40 bills—40 bills. And then they say: Oh, no, we are not conducting a war on women. Yes, you are. Yes, you are. When you want to turn the clock back to the days when women died from back-alley abortions, you are conducting a war on women. By the way, if you don't believe a woman should have the right to choose, I respect you. Take that ideology to your own family, of course, but don't tell everyone in America they have to think the way you think. I don't tell them they have to think the way I think. If I have a constituent who says: Senator, I have a certain belief and it means no abortion, I say: God bless you, of course. But if you don't have that belief and you do believe in Roe v. Wade—which most of the people in this country do, where a woman should have the right to choose early in her pregnancy without government interference—if you do believe in that, and that is the law of the land, then you should have that right.

May I ask that there be quiet? Thank you. This is a very serious point—a very serious point.

I have to say, you have now, over on the other side, in the House, a new special committee which is going to continue the witch hunt on Planned Parenthood. Why do they need a new committee? They have several committees. I served proudly in the House for 10 years. There are so many committees that have jurisdiction over health, health care, science, and the rest. If you want to repeal Roe v. Wade, if you want to take away a woman's right to choose, then have the courage to introduce an amendment and do it—just do it. The last time it was done, it failed, here, but if that is what you want to do, I respect you. Come on down and say you think abortion should be a crime, subject to jail time for women, for doctors. Go ahead. Do it. Do it. I will debate you.

I was thinking the other day, the GOP has changed—the Grand Old Party that I knew. The first President George Bush was on the board of Planned Parenthood—was on the board of Planned Parenthood. I was on the board of Planned Parenthood in the 1970s. I was one of the few Democrats. This was a bipartisan issue, women's health, reproductive freedom. It was not a partisan issue. So the Grand Old Party has changed from the GOP. I call them the POP, the ''party of the past.'' They are the party of the past. Not only do they want to reverse Roe v. Wade, but they don't have the courage to come down and do it directly. Oh, no, they defund Planned Parenthood. Come on. I wasn't born yesterday. It is obvious, and I know what this is all about: take away the clinics, take away the health care, take away women's right to choose. It is happening all over the country. If you don't like Roe v. Wade, come down and try to overturn it here.

OK. Now, fetal tissue research. There are organizations all over this country that do make fetal tissue available to save lives—to save lives. How long has this been in place? It was under Ronald Reagan, when he was President, that he set up this special committee that was headed by a pro-life judge, an anti-choice judge. They studied this and said it is very important to do it—very important to do it.

In 1993, Congress voted to federally fund fetal tissue research. If you don't like fetal tissue research, if you think we ought to stop it, come down with a bill, introduce it, and we will argue it. If you don't want to do fetal tissue research, if you don't think it is good to find cures for Parkinson's, Alzheimer's, you come down and put the bill in the hopper. Oh, no, they don't want to do that. They just want to conduct a witch hunt on one of the organizations that help make fetal tissue research possible, and this after—this after they had the head of Planned Parenthood before the Congress for 4 or 5 hours straight, only topped by what they did to former Secretary of State Hillary Clinton. I think she was there 11 hours. So after all those hours that Cecile Richards—and they asked her what she was paid to do her work. I never heard them ask anybody else what they get paid. As it turned out, she was on the low scale of what equivalent jobs are. That is not the point. They harassed her for hours—hours—and their rhetoric was not good.

What we say matters. What we say matters. When I say I respect people who feel they would never allow their child or their wife to have an abortion, I respect that, but if somebody else says we agree with Roe v. Wade that in the early stages it ought to be an option for women and their family, I respect them. I don't demonize one side, but the other side does over and over again. I have stood on this floor for many years now, frankly, with my colleague PATTY MURRAY and my colleague DIANNE FEINSTEIN, and we have heard mostly men come down and lecture us about how it is terrible. Roe v. Wade should never be the law of the land. There should be no abortion, and the rest of it. That is their right. I do not believe it is their right to take away funding from an organization that serves 3 million Americans a year and saves lives.

So while Republicans—the party of the past—have put in 40 bills to take away a woman's right to choose, essentially, we say today, through the Murray amendment, we are looking at the future, we are looking with clear eyes, we are looking at our people, and we support people who go to Planned Parenthood for their health care, and we are going to vote—and I pray we win this vote—to strip out this attack on Planned Parenthood. We are here to say: Stop this assault on women's health care. It is wrong. It is absolutely wrong.

I want to put it into context. I said that Planned Parenthood serves 3 million people. I want to give even more specifics. Four hundred thousand women receive their Pap tests to protect themselves against cervical cancer. They want to stop that funding. They want to take away services from 400,000 women. They say: Oh, no, we really don't. They will go other places. They will go to little health care centers.

Excuse me. I have those health care system centers—more than anybody. They are overworked, overloaded, and they support Planned Parenthood. They are attacking 500,000 women who get breast exams, and if a doctor finds a lump, they refer them for a mammogram. They go after women and men who have nowhere else to turn for their most basic health care. We have been down this road before.

A few months ago in this very Senate, we defeated the Republicans' attempt to defund Planned Parenthood, but they are back again with the same old, same old party of the past attitude. They are attacking Planned Parenthood because Planned Parenthood has a host of services, 97 percent of which have nothing to do with abortion. If you don't want to have abortion legal, you want to make it a crime, you want to put doctors in jail, you want to put women in jail, then come down here and put something in a bill form, repeal Roe v. Wade, and criminalize abortion.

I am old enough to remember when it was a crime. Let me tell you something. There are graves all over this country with women who died from back-alley abortions and botched abortions. They never said it was from that because then they would have died as a criminal. We are not going to go back to those days. The party of the past is not winning on this. They are not going to win, because President Obama is going to veto this bill. Maybe this next Senate will have a pro-choice Senate for a change.

In 2011, Republicans threatened to shut down the entire Government of the United States of America if Planned Parenthood wasn't defunded. Remember, 97 percent of what Planned Parenthood does has nothing to do with abortion, but Planned Parenthood is in their line of attack and they haven't stopped. The rhetoric matters. What they say matters.

In fact, these attacks go back to 1916 when Planned Parenthood's founder was arrested because she was providing birth control information to poor people. Imagine, a woman was arrested for explaining to some people how they could prevent unwanted pregnancies—arrested. I admit that we have come a long way, but these people want to take us back. Yes, a woman was arrested for advocating birth control. Now you have Republicans right in this Senate and in this Congress who say that women shouldn't have access to free birth control.

If they don't want to take birth control, fine. Don't; it is fine with me. I respect it. If you don't think your family should ever have an abortion, I am with you all the way on your right. That is your right. But this is America. We don't have Big Government think. We don't have Big Government telling you what to think about your own body or what your religion should be.

This is a major issue. I always thought the old GOP was the party of independence. We have our views, but people have a right to think the way they want to think. No, that is the old GOP. This is the new POP, the party of the past.

Let me say this. This is sad. This is the 21st century. We should be working together to ensure that every family has access to legal health care. If you want to make something illegal, have

the courage to come down here and say it is illegal. Don't start defunding organizations that give women health care. Also, stop the demonizing rhetoric. One candidate for President on the Republican side called people who were prochoice barbarians, and he happens to be a Senator. He called us barbarians.

What we say matters. Political witch hunts are wrong. What we say matters. Special committees set up to demonize an organization like Planned Parenthood—that is wrong. I wrote to Speaker RYAN. I asked him to disband the latest House committee that was set up. It is costing taxpayers hundreds of thousands of dollars for a special committee when they have a slew of committees that have jurisdiction over health care and over science and fetal tissue research. It is a political witch hunt being paid for by taxpayers after they hauled the President of Planned Parenthood before them and had her sit there for hour after hour.

The American people have to wake up to this. That is why I am taking all of this time. This isn't a small matter of supporting PATTY MURRAY's amendment, which is so important. It is a very simple amendment. We are going to stop them from defunding Planned Parenthood, and we are actually going to increase spending on women's health. I can assure you that when you catch breast cancer early, it pays dividends, first and foremost to the woman and her family—she is going to live—and second of all, to the taxpayers. They don't have to treat cancer with expensive drugs and surgeries. The same is true when you catch cervical cancer.

When my friend suggests that we spend more on health care to prevent these problems, she is doing something right for the taxpayers. Let's be clear. There is a dangerous climate out there for Planned Parenthood, and it is going to be exacerbated today. Since 1977, there have been 11 murders, 17 attempted murders, 42 bombings, and 186 arsons against abortion clinics and providers for doing something that is legal. Anything we say that promotes this kind of terrorism and violence—anything we say that results in this—we should never say. We need to protect medical personnel and staff who put their lives on the line every day working in these clinics, and we should protect the patients who rely on them.

As my colleague said, imagine a doctor, a nurse having to wear protective gear under their uniform. The Women's Health Care and Clinic Security and Safety Fund that my friend is proposing is very important. It is a very important vote. It will provide compensation for health providers who provide the full spectrum of comprehensive women's health care services, and it will enhance safety at clinics.

The great Ted Kennedy and I worked on the FACE Act. That was his bill. The FACE Act was meant to protect patients and doctors at clinics. All those years ago—I was a young, new Senator then, and he asked if I would be his lieutenant and help him get the bill through.

We got the bill through, but I think what Senator MURRAY is doing today is responding to the violence, the increased violence, the atmosphere of fear that we see at these clinics. Her amendment also requires the Secretary of Health and Human Services to work in coordination with the Attorney General's National Task Force on Violence Against Health Care Providers to submit an annual report to Congress identifying the best practices to ensure the security and safety of clinics, providers, facilities, and staff. We cannot waste another minute on yet another vicious, wrongheaded assault on women's health.

As I said, if you don't want women to have the right to choose, then have the courage to come down here and take it away. But don't do it through the back door by attacking an organization that provides health care to 3 million people every year. If you don't want fetal tissue research that has been legal for a very long time—since 1993 we have had government funding. If you don't like it, if you don't think it is helping find cures for diseases, come down here and stop it. Don't attack an organization that is involved in that activity legally. If you want to take us back to pre-1973 when women died in back alleys, have the courage to come down here and make your case. Believe me, we will take you on, but do it because that is what you want. Don't hide behind attacking these organizations. That is a phony way to approach something. Approach it straight ahead.

We have fought this fight before. We have won this fight before. They wanted to shut down the government. We said: Go ahead; try it. And we beat them.

They are doing it again. I have to say, this isn't about me. This isn't about Senator MURRAY. This isn't about any individual Senator on the other side.

We are here for a little time in history. In America, we don't go back. I say to the party of the past: We don't go back in America. We go forward. We don't take away rights. We expand rights. We don't have Big Government telling people what to do in the privacy of their own homes, their own bedrooms, their own lives. We let them make the decision, as long as it is legal. We are going to fight to make sure men and women across this country continue to get the services they need. We are going to make sure that Planned Parenthood is still there for the millions of women and families who depend on it.

I strongly support the Murray amendment. I compliment her for putting it together. I hope we get a good vote—maybe even a majority vote—and make a strong statement for this Senate that we stand with the 3 million people who rely on Planned Parenthood, and we stand for health care.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I have been able to sit in and listen to the debate today about bringing forward a bill that will do two simple things: remove funding from the single largest provider of abortions in the country, an organization that has recently sold the body parts of children to the highest bidder. Also, we would deal with one of the main issues that I face every single day in my State, as people struggle under the harmful effects every day of the Affordable Care Act, which has proven to be neither affordable nor caring to many people in my State.

Let me say some of the things that I have heard recently—that this is all about going after women's health. As a very proud husband of a very beautiful lady and a proud dad of two beautiful daughters and as a son of a breast cancer survivor, this has nothing to do with going after women's health, nor demonizing women, nor the war on women, nor all the other accusations that I have recently heard. This is not about protecting what I have heard called a lifesaving health care organization where 325,000 children died in it last year. This is about a simple thing: children.

In the past, back in the old days, they used to identify tissue as just tissue. The wart on your skin and other tissues in your body were expendable, and it was just tissue, so why does it matter? In the past people used to think that way, but now science is able to look inside the womb and is able to count 10 fingers and 10 toes on a child and watch a child suck its thumb. Scientists can look inside and take a sample and see that that child has different DNA than the mom and dad. We are now able to look inside the womb and see a unique fingerprint that is different from the mom and dad's fingerprint. We understand something different now because in the past there was a belief that it was just tissue, but now we understand it is not tissue. It is a child. As Americans we believe in a simple thing: life, liberty, and the pursuit of happiness. It has been what we have been all about from the beginning. This is not some attack on women's health. These are millions of voices rising up around the Nation and saying: We are better than this as a nation.

Why would we continue to supplement the death of children? Why would we do that? Can we be better than

that? In the days ahead, I firmly believe we are on the right side of history, those of us who stand up for children and for those who cannot speak for themselves. The most innocent and vulnerable in our society need our protection. Just because they are small and just because you can't see them doesn't mean they are not valuable and can be thrown away. These are children we are talking about—little girls, little boys—and we think it is important that someone in this country speaks out for them.

I have heard of late that those of us who speak for life should be quieter because there are irrational people in the country who would attack a Planned Parenthood clinic. I just have to reinforce this point: No one who speaks for life goes and takes a life. No one who speaks for the lives of children runs out and takes the life of an adult and says that is justifiable. It is not justifiable. It is horrific. But just like those individuals who speak tenaciously against religion shouldn't be silenced because there was a shooting in a church, saying people who are antifaith should suddenly have no voice in America because some irrational person shoots someone in a church, the same is true that individuals who speak out for the lives of children shouldn't suddenly be silenced by being screamed down because an insane person does a shooting in a clinic. Both of them are wrong.

It is reasonable for us to ask a simple question: Can we, as a nation, start a conversation again about children with 10 fingers and 10 toes and unique DNA with life and promise? Can someone speak out for them? I think we can.

This conversation today is also about the Affordable Care Act, its promises, and what has actually occurred. There is no question we have major health care delivery issues in America. There is no question we have major insurance issues in America. It has been that way for a while, and it needs desperate resolution.

My State, like many other States, started stepping into this. A Democratic Governor from my State led the way with our legislature in 2004 to pass something called Insure Oklahoma and start the process in our State, asking: What can we do to try to help the most vulnerable in our State? How can we help provide some supplement to another plan?

We received waivers around Medicaid and started working through a process both for those who are employed and not employed to help provide that safety net for those individuals. It was a very successful plan until the Affordable Care Act was passed, and then the waivers were removed from our State and those individuals under that plan lost their plan and had to change to another one. In fact, I had some of those individuals approach me and say: I know this is a plan that is provided by our State so it will be grandfathered into the Affordable Care Act, won't it? I had to tell them: No, it will not. We have been denied on that.

It is remarkable to me, as we deal with these two topics side by side, how some of the opponents of life can say: We want freedom of choice and Big Government out of our lives, but when we get to health care delivery, the bigger the government, the better. We want less choice. We don't want States to have the option to do that. We don't want businesses to be able to choose how they are going to do that. We don't want individuals to be able to have that choice. We want Big Government to step into people's lives and their health care delivery and tell them how it is going to be done. It is fascinating to me to be able to see those two issues juxtaposed all of a sudden—get government out of our lives but get more government into our health care.

Now what do we do?

In 2010, President Obama made this statement in his State of the Union Address:

> By the time I'm finished speaking tonight, more Americans will have lost their health insurance. Millions will lose it this year. Our deficit will grow. Premiums will go up. Copays will go up. Patients will be denied the care they need. Small business owners will continue to drop coverage altogether. I will not walk away from these Americans and neither should the people in this Chamber.

It is an interesting statement based on what actually occurred then after the Patient Protection and Affordable Care Act was actually passed, which is another issue to me. It is interesting to me how now this is really called ObamaCare or the Affordable Care Act. Almost no one calls it the Patient Protection and Affordable Care Act, when that was originally its name, and now for some reason patient protection has been dropped from our vernacular when this bill is discussed.

So he made the statement that more Americans will have lost their health insurance. I have already referenced how we had thousands of Oklahomans lose their health care coverage as soon as the Affordable Care Act went into place because they were on Insure Oklahoma. That coverage was lost for them. We now have fewer options in Oklahoma for health care.

Blue Cross Blue Shield began notifying 40,000 Oklahomans it will no longer offer the Blue Choice provider network to individuals. CommunityCare of Oklahoma, a Tulsa-based company offering health maintenance organization plans, has notified the Federal Government it plans to drop out of the Affordable Care Act market. GlobalHealth, another Tulsa-based HMO insurer, said it has already notified Oklahomans it is leaving the Affordable Care Act market. Assurant Health, a Wisconsin company that has also covered Oklahomans, has now notified the government it is leaving the health care coverage area. UnitedHealthcare, the new participant in Oklahoma's Affordable Care Act market, has not announced the details of the plans it will offer, but State officials said its rates will be competitive. That will be interesting because next year the rates in Oklahoma will go up, on average, 35 percent. That is not some projected number. That is the actual number that rates will increase in my State—35 percent.

It is interesting to me that yesterday on this same floor I heard arguments back and forth about the cost-of-living increase and the need for individuals who are in a vulnerable position and are receiving Social Security—need that help for a cost-of-living increase. I completely understand the dynamic of that, but at the same time individuals who would support a cost-of-living increase for Social Security recipients don't seem to bat an eye when people in my State have health insurance increases of 35 percent next year. Do you know how difficult it is to cover a 35-percent health care premium increase?

While the President was speaking in 2010, he said that the premiums will go up. Under the plan he put into place, the premiums will dramatically go up in my State in 2016. The President said while speaking in 2010: ''The copays will go up unless we don't do something.''

The editorial board of the great Oklahoma newspaper, The Oklahoman, on November 30, said:

> Numerous reports have noted that policies sold through ObamaCare exchanges increasingly rely on very high deductibles with limited provider networks. For someone with a major illness such as cancer, these policies are still beneficial. But for relatively healthy people, the deductibles are so high that there's little functional difference between being uninsured and insured when it comes to an impact on one's personal finances.

I cannot tell you the number of Oklahomans I have talked to who have said this one thing to me: I have insurance because the law requires me to do it, but it is so expensive I cannot use it. So I literally pay for something because I am forced to, but I can't actually use it on a day-to-day basis because the copays are so high.

I hear the same thing from doctors and hospitals. Hospitals were told that their charity care would go down because everyone will be forced to have insurance. Here is what I actually hear from the hospitals in Oklahoma: Their charity care has gone up, all of them. Their charity care and their writeoff have gone up because now those individuals walk into those hospitals and say: I have insurance. But when they get the bill and realize how high their payment will be, they say: I cannot pay it. So the charity care at hospitals has actually gone up.

This is from a statement President Obama made in 2010: ''Patients will be

denied the care that they need.'' Well, let me give you an example. On June 4 of this year, there was a highlight of Kaylen Richter, a 4-year-old who was denied coverage under the marketplace for a prescription she needed for her asthma. We have a loss of choice and a loss of competition in my State. Instead of more options, we have fewer options.

Doctors' offices are selling out because physicians can't seem to make ends meet. There are so many requirements on them, they are selling their private practice and going into larger hospital practices. Hospitals are actually having to take in diagnostic facilities. Hospitals are taking care of individual physician practices. Hospitals are combining with other hospitals.

Instead of greater competition, we see a smaller number of hospitals and a smaller number of entities. Instead, hospitals and entities are becoming larger and larger to be able to sustain that. We have even seen that nationally in the insurance market. Because of what is happening in the Affordable Care Act, it is pushing out insurance around the country. Remember the great statement: It is not government-controlled health care, it is insurance. Right now, Anthem, Cigna, Aetna, and Humana are all going through a combining process, where those four insurance companies that are national, large-scale companies realize they cannot make it under the Affordable Care Act and are merging into one giant company to see if they can make it as a giant company, resulting in fewer options, fewer choices, and centrally controlled health care.

How do we turn this back? I will tell you in some ways, you can't. The Democrats and President, who have passed this, have succeeded in permanently changing health care in America.

Those individual physicians who used to practice individual medicine all over the country and have now merged into larger hospitals, you don't undo that. Those individuals who were going to go into medical school but chose not to now, you don't undo that for a generation. These insurance companies that combined into large groups, you don't undo that. The diagnostic facilities that are going out of business and merging with large hospitals, you don't just quickly undo that. They have succeeded at permanently changing health care delivery in America.

The challenge now is, How do we help in the days ahead? What do we do? I will say that some things can be done. We can continue to provide greater options, but the first thing we can do is stop the hemorrhaging. First, do no harm. First, engage and try to help the people who are affected by this.

I have offered an amendment in this bill that deals with something called the health care compact. It allows individual States that want to be able to manage their health care to be able to manage the health care in their State. This may seem like a crazy idea except it is already done in every single State right now. Every single State already has a Medicaid process, has a health care authority, and has already made decisions which are severely limited by Federal regulations, but that structure is already in place to take care of the most vulnerable in our Nation.

The health care compact would allow States to be able to broaden their authorities and to be able to do what needs to be done in order to take care of the individuals in their State, as my State has tried so hard to do with Insure Oklahoma and other options to be made available to people in my State that are being forbidden by the Federal Government. This would open that back up and would allow that competition.

I can assure you that every time I speak to smaller rural hospitals in my State, they cannot get the attention of CMS and the Federal Government because they are small and rural and people in DC don't know where they are located and they don't have a big enough lobbying voice. They are just another one of those community hospitals out there. That doesn't happen if they are interacting with people in my State. Because those health care parameters are being set by people in Oklahoma City and our State capitol, they know every small rural hospital and the dynamics and difficulties there. They are not last in line. They are a part of the family.

Allowing individual States to be able to make health care decisions through a health care compact that actually allows that State to be able to manage health care in their State is a tremendous asset. My State, along with eight other States, has asked for that. It is not an unfair request. It is something we should make available to States that choose to do that.

Will every State choose to do that? No. Some States will probably want the Federal Government to be able to manage their health care. Those States are free to do that, but for States that want to be able to have that choice, allow them to have the freedom to do that. If they have the structure in place to fulfill the needs within their State, why would we forbid it? Why in the world would we say that those of us in Washington, DC, know and care more for Oklahomans than Oklahomans? When the folks in Washington, DC, say: No, we care more about that State and those people in that State rather than the people of that State, I think they are misguided. This can be done differently.

What are we up against? We are up against real people who face real issues. It has been incredibly difficult for them to be able to walk through the ObamaCare transition. This is not about patient protection, and it has been far from affordable as prices continue to go up.

Let me read one story from my State. It is from a lady who lives in a rural area in my State, which has been one of the toughest areas. The Affordable Care Act assumes everyone lives in New York City or some metropolitan area. Welcome to the rest of America. Not everyone lives in big, urban settings. This is one of those folks. She lives in a rural area, not too far, but a good distance, from Oklahoma City.

She said she sold some land recently—and by the way, she is on a health care exchange. She sold some land recently, which we do in rural America. That made her income go up significantly for that 1 year—one land sale. She said the marketplace doesn't see it as a 1-year thing, so they take all the information about her subsidies on that before taxes. So it raised her premium from $43 to $400. She said she is going to try to figure out a way to be able to manage that.

Then she says this: Why does she have to pay so much for a plan that is not even usable in her area? No one will take her insurance, and providers are dropping it because they are not getting paid. She has to travel now all the way to Oklahoma City so she can find care at all. All she is looking for is an affordable option and providers in her area that will actually take it. It is one thing to say it provides an option. It is another thing to say people can actually access that option.

We can do better as Americans. This is a conversation we should have. Let's have it. Let's talk about a better way to be able to do this. This is not about fixing something. This is about a transition that is happening in health care in America that needs to be corrected. We can never go back to where we were. There has been too much permanent damage in the system. Now it is a matter of what can be done that is best for people—not what is best for the Federal Government but what is best for the people of our States. Let's do it.

I encourage the adoption of my amendment, and I encourage the adoption of this reconciliation package that is before our Nation and this body in the days ahead.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I have a few remarks to respond to my colleague's remarks, and then I ask—I am not going to be long—to be immediately followed by Senator BLUMENTHAL.

Mr. LANKFORD. Mr. President, I would have objection to that request if I am not able to respond to the comments she makes.

Mrs. BOXER. OK, I will just yield to the Senator from Connecticut for a

question, and I will give him his time that way.

My colleague from Oklahoma came down, and, first of all, he talks about ObamaCare and forgets the fact that there are millions and millions and millions of Americans who now have insurance, the same kind of insurance he has as a Senator and I have as a Senator. He forgets the fact, No. 1, that we have seen more people insured than in modern history. He conveniently forgets that fact. He forgets the fact that there are no limits on coverage. Insurance companies can't cancel a person's health insurance.

He talks about children with great eloquence—and I am sure he is a fantastic parent—but he forgets that 17 million children with pre-existing conditions are insured, which is a pretty important point.

I really have to take offense to some of the remarks of my colleague. He makes an eloquent point about States' rights. He finishes his argument about ObamaCare saying: Don't have the Federal Government tell my State what to do. Well, in essence, ObamaCare doesn't do that. We have an exchange. But, yes, we do require people to get insurance. That is true, and that comes from the plan of a Republican Governor named Mitt Romney. Then he says: Leave my State alone. Then he wants to take away a woman's right to choose an abortion. He wants to do that. He thinks the Federal Government should do that. So he makes an eloquent point about States' rights, but he, as a Senator who doesn't believe in abortion—and that is his total right, and I respect it and I defend it—basically says he wants to decide for everybody in the country that they shouldn't be able to have an abortion because he doesn't approve of that. What makes his opinion more important than mine? There are dozens—it isn't. This is America. We all have different views about when life begins, about Roe v. Wade. Yet he stands here and uses rhetoric that I say is irresponsible. That is my opinion. It is my opinion, not his.

Now, the Senator started off his discussion by saying the truth, that he has a beautiful wife and a beautiful family. Well, I want the Senator to know I have a handsome husband and a beautiful family. So he has a beautiful wife and a beautiful family, and I have a handsome husband and a beautiful family. What the heck does that have to do with anything else? We are both parents. I am a grandparent. I gave birth. What does that have to do with this conversation? The fact of the matter is it is not about your beautiful family or my beautiful family. It is about the beautiful families out there who, A, need insurance, and B, will make their own decision in America about when life begins, and who will make their own decision in America as to whether they support Roe v. Wade.

Then my friend says that someone in his family survived cancer—and thank God. I have had friends who have survived it, and I have friends who have died from it and family members as well.

This conversation has nothing to do with our lives personally. It has to do with the other lives that we impact when we say we are going to take away health care from 3 million Americans who get it from Planned Parenthood.

Now, my friend lectures us. He has done this before. He and I have gone at this before. It is fine. He talks about his deep feelings about how he is against abortion at any stage. Then why doesn't he come to the floor, after all his rhetoric—I listened to it and I am offended by it, frankly—why doesn't he come down here and right a wrong that says it is a crime to have an abortion and you should go to jail. That is what he is basically saying, if we listen to his rhetoric, the words he used. No, he doesn't do that. I checked his legislative record. He just wants to defund organizations that are operating under complete legality—under Roe v. Wade, the law of the land.

Abortion has been legal since 1973. The Senator doesn't agree with it. I have total respect for that. But if you think it is a crime, then go ahead, instead of coming here and giving these speeches about those of us who happen to believe it is up to a woman to decide these issues. He is really basically saying we are advocating a crime, and that is offensive. I would never say that to my friend, never. And then, of course, the whole party over there is attacking an organization that is operating legally under the law. Ninety-seven percent of what they do is breast cancer screenings, STD screenings, cervical cancer screenings—saving peoples' lives. I have met them. I have looked them in the eye. I know what I am talking about.

So if you don't think that 3 percent of the work Planned Parenthood does—which is absolutely connected to reproductive health, the 3 percent—then come down and say it is a crime. But I bet none of my friends would do that, because if I went to my people and I said Republicans think you should go to jail if you have an abortion or go to jail if you take a contraception—some of them feel that way, not all of them—they would really be in trouble at the polls.

When you make these verbal attacks on people who don't agree with you, sir, your words matter. Your words matter. They have an impact. You are here because you are eloquent. Your words have an impact, and if what you want to have happen is to put people in jail for performing a legal procedure, come down here and do that, but don't come down here and say what you think is a crime and then say, therefore, we are going to defund an organization that is operating illegally.

Now, my friend from the other side of the aisle may not like it, but 3 million people count on Planned Parenthood, and his approach is an attack on those 3 million people. More than—I don't know how many people live in Oklahoma, but I would assume it is fewer than that, perhaps.

This obsession in repealing ObamaCare, despite the fact that it is helping so many people, is of epic proportions. We have seen a repeal in the House of Representatives 52 times.

I wonder if my friend from Connecticut wanted me to yield for a question or if he is going to wait.

Mr. BLUMENTHAL. I will wait.

Mrs. BOXER. Mr. President, just to sum it all up, it is offensive to hear someone describe what is the law of the land as a criminal act. It is offensive, to describe it as a crime. But more than that, if that is what you believe—and I respect your right to believe it—then come up here and do what you are doing. Overturn Roe v. Wade. Tell the women of America they have no right to choose anymore. If that is what you want to do, go ahead and do it. If you want to make it a crime, make it a crime. That is honest. What is dishonest is to attack an organization that is acting within the law, which is helping 3 million people, and I would say that is what this debate is about.

I just hope the Murray amendment passes today. It will send a strong signal. And if it doesn't pass, we know this bill is going to be vetoed, because this President understands that this government is not the be all and end all. We are not the moral voice of the universe. We are not. People don't even like us as an institution. Let them make up their own minds in their own homes, with their own God, with their own family. I support them, whatever their decision is. Whether they are pro-choice, whether they are anti-choice, I will fight for their right to decide for themselves, but I will not force my view on somebody else. That is what being pro-choice means, that you are willing to understand that there are different positions. I don't have every answer, and the Senator from Oklahoma doesn't have every answer. It is called humility. I don't have the answer. I will trust my constituents to make that decision.

I hope that we will stop this attack on Planned Parenthood. If this is really about a woman's right to choose, let's have that debate. If you want to call it a crime, which I have heard on this floor, then put your bill out there. Tell people they are committing a crime. Put them in jail. Do that. We will have the debate, and we will win that debate, but don't go after organizations that are acting completely within the law.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I yield such time as the Senator from Oklahoma needs to respond.

The PRESIDING OFFICER (Mr. SULLIVAN). Senators are reminded that they will refer to each other in the third person.

The Senator from Oklahoma.

Mr. LANKFORD. Thank you, Mr. President.

That was actually the first thing I was going to say, that we refer back to Senate rules that we are to address the Presiding Officer rather than each other, and I appreciate the Presiding Officer acknowledging that, according to Senate rules.

My simple statement today was not intended to be offensive. In fact, I think if I went back through the transcript of what I said—I am looking for what was offensive rhetoric that was stated multiple times by the Senator from California. As I try to think back through what was offensive rhetoric, my saying that children have ten fingers and ten toes, unique DNA, and a unique fingerprint doesn't seem to be offensive. I think also if I went through the legislative record, I never talked about criminalizing anything. I heard multiple times through a conversation on the floor that I was criminalizing, criminalizing, criminalizing. I was actually speaking out for millions of children each year that die and saying: Would we not want to reconsider the new science that has been available in America for decades now, to look inside the womb and see ten fingers and ten toes and unique DNA and a fingerprint that is different from the mom or the dad, and to understand that we have a basic principle as Americans to life, liberty, and the pursuit of happiness? That is a unique value.

Even the Supreme Court, when they ruled on Roe v. Wade, talked about viability. Current science continues to press on what is viable. A friend of mine delivered last year a little girl that was 14 ounces. That little girl is a healthy little girl now over 1 year old, continuing and doing fine. In 1973 that child would not have been viable. She is very much a child. She is beautiful.

As for this whole conversation about millions of people losing insurance if ObamaCare goes away and don't I care about millions of people and insurance, the issue is not millions of people being covered. There are other ways to be able to help millions of Americans. As I acknowledged when I spoke, there are real issues in health care delivery in America and there are significant issues that continue to this day. My simple statement was that those issues get larger and larger, and my concern is that while individuals would stand up and say we have millions of people covered, they ignore a 35-percent increase of premiums in my State. They ignore the reality of a growing copay in my State and that people are forced by law to buy a product they cannot actually afford to use. My simple statement is this: Can we not acknowledge—not that there are not millions of people not newly covered—that we have millions of people now that have a coverage that they cannot use and cannot afford to keep yet they are compelled by law to do it. In fact, they become criminals if they don't buy the health care coverage required by law. These are real issues and they really do need dialogue. Good civil dialogue will help us work these things out—and centering in on the facts.

With that, I yield back.

The PRESIDING OFFICER. The Senator from Connecticut.

AMENDMENT NO. 2876

Mr. BLUMENTHAL. Mr. President, I want to thank my colleagues from Oklahoma and California for this exchange of views, and most particularly I want to thank my colleague from the State of Washington for the amendment that she has offered that would, in effect, remove or eliminate a harmful provision in the budget reconciliation bill, a provision that would eliminate funding for Planned Parenthood and other providers of reproductive health services for women. Very importantly, it would also establish a fund to assist the Department of Justice in monitoring and combating violent opposition to women seeking access to lawful reproductive health services.

We can have a broad and comprehensive debate on a great many of the subjects that are related to the amendment offered by Senator MURRAY, but the simple fact is that funding for Planned Parenthood helps with women's health care. It provides services such as cancer screening, birth control, and STI testing and treatment that simply are inaccessible and unavailable to those women anywhere else. For all the talk about alternatives to Planned Parenthood, the women who receive services through Planned Parenthood have nowhere else to go in so many instances. In the majority of the care provided by Planned Parenthood, cancer screenings, birth control, and STI testing and treatment result in pregnancies that are wanted and intended and produce healthy children, as opposed to pregnancies that are unintended and unwanted, which certainly in this body and in America generally, no one wants to see.

So I hope that we have common ground here, that an organization such as Planned Parenthood, which does so much good, and the men and women of Planned Parenthood, who have so much courage and fortitude in the face of threats and intimidation that confront them every day, should be supported, not demeaned or dismissed. Their funding should be enhanced, not diminished. So far as enforcement is concerned, the Department of Justice should be doing more and doing better. It should be provided with those funds that will assist in combatting and monitoring the violent opposition to women who are seeking services. We have seen in just the past few days the impact of that violence, tragically, in death and injury in Colorado. But that tragedy is simply the tip of ongoing and apparently unceasing threats and intimidation at many of those clinics and health care services around the country. So I say with sadness—not anger but grief—in seeing the horrific impact of this violence, that the services are necessary, health care should be supported, and violent opposition should be monitored and prosecuted wherever it occurs.

Today I pay tribute to clinicians, professionals, volunteers, escorts, and all those who support Planned Parenthood and who continue their work in the face of the dangers that confront them day in and day out. I hope my colleagues will support me in endorsing Senator MURRAY's amendment so we can ensure women continue to have access to these necessary basic health care services.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. At the end of the year, Mr. President, when there is so much to do, I think it is particularly important for this body to try to find common ground on difficult issues, to try to be bipartisan. I mentioned it yesterday, but literally 24 hours ago, I joined with the senior Senator from Iowa, Mr. GRASSLEY, on a bipartisan effort to deal with this enormous challenge of making sure that when we have breakthrough cures for serious illnesses here in our country, Americans are going to be able to afford them. Senator GRASSLEY and I teamed up for 18 months, reviewed 20,000 documents, did an exhaustive inquiry into the new drugs that have come out to deal with hepatitis C, and they are extraordinary drugs. The question is, Will Americans be able to pay for them? Senator GRASSLEY and I thought it was very important to do it because this is what the future is going to be about.

I know the distinguished Senator's son is very interested in these health issues. As we try to get cures for Alzheimer's, diabetes, heart disease, and the question of hepatitis C, it is wonderful to have the cure. The question is, Is it going to be beyond the reach of the people? Senator GRASSLEY and I, for over 18 months, worked painstakingly in a bipartisan kind of way, and it has been very well received. So 24 hours ago we were talking about that, and what I am so troubled about this morning is that when we need bipartisanship more than ever, we are looking at a partisan reconciliation bill that, in my view, will undermine women's health care in this country by denying funding to Planned Parenthood.

My view is that to take away health care choices from American women that have nothing to do with abortion—particularly after the horrific act last week in Colorado—is just an act of legislative malpractice that is beneath the Senate.

I note that it is going to get a veto if it hits the President's desk. My hope is that this body will not let it get that far.

It is long past time, in my view, to end the ongoing campaign to undermine the fundamental right of all women to make their own reproductive choices and access affordable high quality health care. Millions of American women, including tens of thousands in my home State of Oregon, turn to Planned Parenthood for the routine health care services that this bill puts at risk. I have read this list on the floor before, but it appears not to be sinking in. So let me repeat it. This bill, for millions of women, could eliminate access to pregnancy testing, possibly gone; and birth control, possibly gone; prenatal services, possibly gone; HIV tests, possibly gone; cancer screenings, possibly gone; vaccinations, possibly gone; testing and treatment for sexually transmitted infections, possibly gone; basic physical exams, possibly gone; treatment for chronic conditions, possibly gone; pediatric care, possibly gone; hospital and specialist referrals, possibly gone; adoption referrals, possibly gone; and nutrition programs, possibly gone. When you wipe out Planned Parenthood's funding, you dramatically curb access for women in this country to health care services that have absolutely nothing to do with abortion. I know that there is a smear campaign out there that says that is not the case, but it is.

Senator MURRAY and I have a proposal that has taken a different tack. Our amendment says that instead of putting women's health care at risk, let's do more to guarantee that women in Oregon and Washington and Alaska and across the country get the high quality care they need. Let's help our health care clinics treat more women, and let's help them keep their patients safe when they walk through that door. The proposal that Senator MURRAY and I have put forward, in my view, is worthy of support from Democrats and Republicans. That has always been the case.

I have enjoyed talking to my new colleague from Alaska, and we talked about what has happened to this question of the Senate's historically bipartisan approach, which is why I spent some time talking about how proud I was to team up yesterday with the distinguished senior Senator from Iowa, Mr. GRASSLEY, on this question of making sure that when there are breakthrough blockbuster cures, people can actually afford them and can actually get them. Those kinds of issues, along with women's health, ought to be a bipartisan cause. It has historically been a bipartisan cause. My hope is that my new colleague from Alaska, the distinguished Presiding Officer of the Senate, is going to continue that as we talk about that kind of historical approach where we try to find common ground on issues such as women's health care.

I also wish to note, colleagues, the reconciliation bill involves the Senate Finance Committee. Chairman HATCH, of course, chairs the committee; I am the ranking member. We have a significant role with respect to these public health programs, and we have tried to work in a bipartisan way. But this reconciliation bill is a rejection of bipartisanship. It is going to pump more noise into the echo chamber, but my view is it is going to drive the parties further apart in this effort that I look forward to talking to our new colleague about, which is how we are going to get people together to work in a bipartisan way for improving women's health care.

When you create such a vitriolic fever pitch, there are obviously real consequences. To me, the politics of hostility and extremism help spark a culture of violence. And amid that dangerous and toxic culture, a man walked into a Planned Parenthood clinic determined to do enormous harm. In my view, it attacks women's health. It is an attack on the American public, and it cannot be tolerated. It must be fought and resisted at every opportunity.

At a moment when the Senate has a long list of issues to wrap up before the year's end and many serious challenges to face, my view is that we ought to be in the business of trying to solve problems, not create more of them. It is not as if there is a shortage of things that have to be addressed; we have plenty of stuff. So why in the world would we want to reject the Senate's long tradition of bipartisanship and take a very partisan turn with this reconciliation bill?

I hope my colleagues will support the Murray-Wyden amendment when we vote on it, end the campaign against women's health, and do everything we can to restore the historic tradition of this body working in a bipartisan way on women's health.

Without going into too much of the history when I was thinking about coming over and thinking about the tradition of the Senate, one of the first things that happened when I came to the Senate is I had the opportunity to work with our former colleague Senator Snowe of Maine, who was a champion of exactly these kinds of issues: choices for women and improvements in women's health care.

We can have all of that again—men and women working together in the Senate on behalf of the States that sent us to support improvements in women's health. To do that this week you have to support the Murray-Wyden amendment.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I support the reconciliation bill that is before us. It will do the job. It will end the Affordable Care Act that the American people rightly have opposed, and it will put us in a position to repeal this monstrosity of a 1,700-page bill that was jammed through Congress in the last hours before Christmas Eve in 2009.

I remember that day very well. It was a strict party-line vote and was passed despite the objections of the American people. It resulted in quite a number of people who voted for it not being in the Senate or the House again, and it remains a decisive issue for our country.

Six years ago, the American people did not favor this legislation, they resisted it. But the Democratic leadership and President Obama determined they were going to pass it, no matter what the people said. They were going to get this done, and they rammed it through on Christmas Eve of 2009, even though Scott Brown was elected a month later in Massachusetts on a campaign to kill the bill. Had he been here at that time, there would have been only 59 votes, insufficient votes to shut off debate, and the bill would not have passed. He won in Massachusetts—one of our most liberal States—on a campaign that said: I will be the vote that kills this legislation. So I want to say first and foremost that the American people knew this wouldn't work. They opposed it from the beginning, they opposed the philosophy of it, and they knew we were going to have a mess on our hands.

Now we have a majority of Republicans in both Houses. There are 54 Republican Senators in the Senate. We are going to move this reconciliation bill, and it will end the effectiveness of ObamaCare. But we know the President will veto it.

I will just say this, colleagues. This is a historic moment. This is a moment of great importance nearly 6 years after this bill passed. You can be sure the people who pushed it to passage were absolutely confident that although the people opposed it then, they would get used to it, they would go along with it, and it could never be repealed. But that has not happened. The voters have elected Members of Congress to oppose this legislation. The polling data shows continued strong opposition to this legislation. What we are going to do is establish that the elected Congress, a majority in both Houses, opposes this terrible law and we will vote to end this incredible piece of legislation.

We knew it was bad, but there was no way we could have understood what was in all of those pages. Health care is utterly complex. It is so different in every state from Wyoming, Alabama, New York, Massachusetts, and California, and even cities within the States—it is all different. So, a one-sized-fits-all approach dictated by the federal government simply will not work.

The Federal Government cannot run anything very well, frankly. We absolutely do not need to be involving ourselves in and dominating health care in America. That is not the way to get better health care for our people.

It was obvious from the beginning that we were going to have high costs and difficulties, but it actually rolled out with more difficulty than people could have imagined, starting with the failed computer systems. We had Democrats and Republicans concerned over how it was being carried out. It was bad from the beginning, and things are not getting any better.

One of the most dramatic promises the President of the United States made to the American people was in September of 2009. In pushing for this legislation, he said:

The plan I'm announcing tonight would meet three basic goals. . . . it will slow the growth of health care costs for our families, our businesses, and our government.

Well, that has not happened. In fact, health care costs for the insured in America are surging. In Alabama we are seeing 28 percent increases in premiums. I am going to read some letters from people who say what has happened to their insurance premiums and how incredibly high the deductibles are. No one has written my office to tell me that their healthcare costs have decreased.

President Obama went so far at one point to promise that his health care plan would ''bring down premiums by $2,500 for the typical family.''

The American people didn't buy that. They have heard these kinds of big government schemes before. They want to go to their doctors. They were pretty confident in their plans, and they were worried about costs, so this promise meant a lot to them. The President of the United States had said that costs were going to come down. That meant a lot, but they were skeptical. Their instinct, though, was correct because it hasn't happened, and health care costs have continued to go up.

The administration has acknowledged that many consumers will see noticeable premium increases—and indeed we have—when buying health care on the ObamaCare exchanges in 2016. According to Health and Human Services' own data—government's agency—premiums would increase by an average of 7.5 percent for the benchmark silver plans in 2016 in 37 States using the exchanges, which includes Alabama. But, the rates for the benchmark plan in Alabama will increase by even more than that in 2016—by 12.6 percent.

For 2016, Blue Cross Blue Shield of Alabama, the largest insurer in the State, reported an increase of 28 percent for individual plans and 13.8 percent for small group plans. These are huge costs. Currently, Blue Cross Blue Shield plans on the Obamacare exchange cover about 174,000 Alabamans. This is real money for a lot of people.

BCBS initially proposed to increase the premiums for the platinum plans, the highest coverage, by 71 percent but later reported a final increase of 28 percent. We saw the same trend with the gold plans—BCBS initially requested a 53 percent increase, but it was finally reduced to 28 percent.

UnitedHealthcare, the second largest insurer in the State and one of the largest in the country, reported an average increase of 24.5 percent. This amounts to real money out of the pockets of real Americans.

So, it is clear that the healthcare law is fundamentally raising costs, reducing choice, and is opposed by the American people.

In June of 2009, President Obama stated:

If you like your health care plan, you will be able to keep your health care plan. Period.

That meant a lot to people. A lot of people said: Well, if they do all that—but if I can keep my plan, I am not too worried about it, as long as I can keep my plan.

Did that turn out to be true? No, it did not. By the end of 2013, the Associated Press reported that 4.7 million Americans received cancellation notices for their insurance plans due to the Affordable Care Act.

In 2013, PolitiFact defined the ''Lie of the Year'' as President Obama's promise that ''If you like your health care plan, you can keep it.''

They just said it. Costs are going down, and you can keep your health care plan if you want to. They continued to say that, and they were able to get the law through Congress. But even then, the polling data showed the American people did not support this plan. Scott Brown of Massachusetts ran on it in the liberal State of Massachusetts. He said: Elect me, and I will be the vote that kills it. But, they got it done before he could take office.

Under this so-called ''affordable act,'' we have higher premiums and higher deductibles. Great Scott, I am amazed at how high the deductibles have become. This is a communication from an individual in the Birmingham area. He wrote to me in June of this year:

I am an owner of a small 10 person CPA firm in Vestavia. In our group plan offered by BCBS, for our family of 5 our BCBS health insurance went up by $6k a year last year and we are facing more increases this year from BCBS. In our case, this puts our family spending right at $24,000 a year on health insurance. We are blessed enough that we don't qualify for a subsidy and our new policy has less coverage much higher deductibles and more out of pocket costs than ever before. But that said, we are currently spending 18% of our family's AGI on health insurance premiums.

He is not happy.

Another individual from Mobile, AL, writes me:

First year premiums 300 per month, last year 405 dollars per month and now for 2016 premium to be 1562 per month. I am being penalized for having worked all my life and having a retirement and income that puts me in an area with no subsidy. The premium is more than what I get from Social Security. This is going to put me into a area where we decide, my wife and I, on whether or not to get insurance.

This is from a Ph.D., who wrote:

For the first time, in 2011, my medical insurance premiums exceeded my mortgage, and they have continued to climb ever since. I now pay over $1,400 a month for mediocre coverage, and it's breaking us. . . . We need a new approach that is market driven and consumer oriented, an approach that doesn't penalize people for failure to participate in the market through a cleverly disguised fine designed to coerce participation from the free citizens of these United States.

Another individual in the Montgomery area wrote:

We just received notification at my place of employment that our health insurance premiums are going [up] at least 25 percent this year and possibly 40 percent next year. As the controller here, with 100 employees, we cannot afford these increases. We have already seen our benefits reduced to try to keep the costs lower but if we keep on at this rate we will be paying even more for less coverage.

That is the real world. And I feel strongly that this is happening out there all over our country.

What I want to say to those who are frustrated, who think nothing can be done, that is not so. What will be demonstrated today is that the majority of both Houses of Congress has the ability to pass legislation that will essentially eliminate this plan and require a complete overhaul of our health care system. We have the votes to do it. Yes, it will be vetoed by the President of the United States. He has rejected any and all improvements ever since the bill was passed. He has fought virtually everything that would make the bill better. No changes can be made in this legislation. But he won't be President forever. We are going to have another President soon. That is a fact. And this new President can sign a reconciliation bill. We will then be able to improve health care in America, to use common sense and not create a government bureaucracy of monumental proportions, and to actually serve the people we represent. We can enable them to have the type of health care policies that they need, at prices they can afford, and help people in need, in the same

way we do today. But, we will eliminate this entire government takeover of healthcare.

Several years ago, when asked if he believed in a single-payer plan for health care in America, Senator REID, the Democratic leader, said: Yes, yes, absolutely yes. I raised that in the Committee on the Budget, and we had two Democratic members say: I, too, believe in a single payer for health care in America. One said: I will acknowledge the health care law is not workable today, and the only way to really make it work is to go to a single payer—in other words, a government-dominated health care system in America. I don't think that is the right way to go. The American people don't think that is the right way to go. They oppose that now, they opposed it steadfastly throughout, and they are being proven correct. It is not working. The promises made for it were wrong then and are being proven wrong every month that goes by.

Mr. President, this is an important vote. Don't let anyone suggest it is not. It is a definitional vote: Do you want to fix the broken health care system or do you want to just continue it with no real reform? That is the choice.

I hope we will have bipartisan support for making this kind of change. I hope and believe that if this legislation is vetoed by this President, we will have a new President in not too many months who will sign such legislation and allow us then to create the kind of positive health care system the people of this country deserve.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I want to say that it has been interesting to hear the debate. It has touched on a lot of things that are close to my heart and that I know are close to a lot of other people's hearts, which is getting health care to more people—health care that is affordable, health care that wasn't available before—and also, frankly, making sure we don't have attacks continue on an organization called Planned Parenthood that delivers lifesaving health care to 3 million Americans each and every year.

There are a couple of points I would like to make. In a very strong debate I had with the Senator from Oklahoma, Mr. LANKFORD, I stated that I was offended because I believed that—Mr. President, I will go through you. The Senator basically said that those of us who are pro-choice are essentially supporting a crime against children, and he took issue with that and said he didn't. Well, I want to place in the RECORD his exact words, if I might.

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

Mrs. BOXER. This is from the transcript. After talking about abortion, he says:

Why would we continue to supplement the death of children?

''Why would we continue to supplement the death of children?'' As I read the English language, that would be an accessory to a crime. So I stand by my words. And I would say again, if the issue is whether abortion should be legal, that is a fair issue. And I think if people feel it is a crime, then they ought to come down here with their legislation to put women in jail. I think that debate would be important. But they shouldn't attack an organization that is legal—Planned Parenthood—that is living within the law, and 97 percent of what they do has nothing to do with choice, and the other 3 percent is totally legal.

The GOP has tried to repeal ObamaCare dozens of times. This is another time. I do agree we have to fix certain aspects of the Affordable Care Act, ObamaCare. Absolutely. In my State, it is a raging success. In California, I want you to know we have 40 million people, so this is a very big test case. We are like the fifth or sixth largest country when it comes to the economy. We have seen the uninsured rates in California drop from 17.2 percent in 2013 to 12.4 percent today—in 2014. We have seen more than 4 million previously uninsured Californians get some sort of health care coverage. And I can say that, yes, we have to make sure the competition works. What we have in place is not a single-payer law. We have in place an exchange where private companies come in. The competition is important, and if it isn't robust, there are going to be these increases. So I think it is very important. For the people who can't afford to get insurance off Covered California, which is our exchange, we have seen 3.5 million more Californians enroll in Medi-Cal thanks to the Medicaid expansion.

Also, in this country, 30 million women with health insurance are able to access contraception without any cost-sharing. That is very, very important because I would hope we would agree that unintended pregnancies are not what we want regardless of whether we are pro-choice or anti-choice. That is important for planning pregnancies. In 2013 women across this country saved more than $483 million in out-of-pocket costs for birth control.

I know there is concern about ObamaCare that continues and rages on. I think the question is, Do we want to make it work better—of course there are things we can do to make it work better—or do we want to go back to the days when if you had high blood pressure or diabetes, you couldn't get a policy?

I remember so clearly constituents grabbing me by the arm and saying: My son was born with a disability. I can't get coverage. What am I going to do?

People went broke. People lost their homes and they lost their savings before the Affordable Care Act.

As I say, nothing is perfect, nobody is perfect—not each of us, that is for sure—and the Affordable Care Act is not perfect. We need to fix it, but what we have heard over and over again from the other side is not a legitimate point; it is just an attack, a screaming attack against ObamaCare—the Affordable Care Act—and there is nothing in its stead. We have said to the other side: Let us know. Well, the reason there is nothing in its stead is the underlying form of ObamaCare—the Affordable Care Act—is a Republican idea, and it is that everybody needs to get health care, and it was based on Mitt Romney's plan that he put into effect in Massachusetts.

So I could go on and on about the amazing results of the Affordable Care Act. I mean, I have had people come up and say: Oh my God, my child can stay on my policy until age 26. That is amazing. I have cancer, and I used to have a limit on what my insurance would pay. Now those limits are off because of ObamaCare.

So whether it is preexisting conditions, or kicking a child off, or getting sick and then finding out, guess what, that is it for you, I don't want to go back to those bad old days. I am willing to sit down with anyone of good will and fix the parts of ObamaCare that aren't working. That is fine. But, again, what we see constantly is this trying to completely torpedo—and in this case by taking away the funds. In the case of Planned Parenthood, it is just: We do not like the underlying women's health reproductive laws, so we are going after the face of women's health—Planned Parenthood. That is an attack on women.

What we are seeing from the other side is an attack on women, an attack on reproductive health care, an attack on the Affordable Care Act—ObamaCare—which, although not perfect, is saving families, saving lives. This is important.

I hope we will support the Murray amendment today. If that passes, then Planned Parenthood will still be funded. If it fails, the President is going to veto this bill, and we will have enough votes to sustain that. But this is an exercise that is unfortunate because it is an attack on an organization that is doing everything under the law, everything that is legal. They had the president of Planned Parenthood sit for hour after hour after hour after hour, haranguing her—haranguing her—a woman who really, in many ways, is working to save lives because when you discover breast cancer early—I think the Chair would agree with me—it is so treatable and so curable. If you find STDs, you can treat them. If you find cervical cancer in an early stage, you can save a life. That is what they are doing.

As my friend Senator WYDEN said—he is the ranking member of the Committee on Finance and a champion for women's health and health in general—the fact is, 97 percent of what Planned Parenthood does are these screenings, these important screenings. This is basic health care—making sure someone's blood pressure is OK. There are so many people who go there for their first line of health care. The fact that they are in women's reproductive health care—3 percent of their work entails that. It is legal. It is legal. It has been legal since 1973.

I say to my friends on both sides who don't like it, if you don't like it, come down here and try to change the law. Make it a crime. Do what you want. We will fight you. We will beat you. But that would be honest. What isn't honest is attacking an organization that has been in place for almost 100 years and the rhetoric associated with it.

We have seen across this country—I am not talking about Colorado because the facts aren't in—an increase in threats to doctors, nurses, patients, and clinics. We have seen real problems. So what we say matters. What we do matters. I want to thank my friend, who has worked so hard on this. I am so strongly supporting the Murray-Wyden amendment. I think it is absolutely critical. What I love about it is you expand access to health care, but you pay for it. That is really important.

So let's come together over party lines. Let's support that amendment, and let's defeat this attack on the Affordable Care Act, which, yes, we can make better. But to toss it out or to make it unworkable with cuts that we see in these reconciliation bills would be a blow to tens of millions of Americans.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Wisconsin.

AMENDMENT NO. 2875

Mr. JOHNSON. Madam President, I was listening to the good Senator from California use a couple words, obviously, calling the health care law the ''Affordable Care Act.'' To use the full name, the Patient Protection and Affordable Care Act is a real Orwellian name. She used the word ''amazing'' about the act.

She also accused Republicans of attacking women. Let me read an email I received from a 60-year-old woman in Spooner, WI, who describes an attack on her by the Patient Protection and Affordable Care Act. The email reads:

I am a 60-year-old married female and have maintained an individual health insurance policy since retiring from teaching in June of 2012. Prior to the implementation of the Affordable Care Act, my monthly premium was $276.16 a month. On December 1, 2014, the premium increased by 23 percent to $339.68 to comply with the coverages of the Public Health Service act. That is a 23 percent increase. In August 2015, I received notification that my insurance plan was no longer available, and in order to comply with the Affordable Care Act I would have to have new coverage effective December 1, 2015, with an annual premium of $661.94, a 95 percent increase.

Let me just review that. Prior to the Affordable Care Act, this 60-year-old woman in Spooner, WI, a retired teacher, was paying $276 per month for her health care, and she lost her health care plan. She could no longer buy that plan. Another plan was going to cost $661.94—a 95-percent increase in 1 year.

Today, October 31, 2015, I received notification that the ACA requires all coverage to renew on January 1st of every year, and that effective January 1, 2016, the premium would be $786.68, an increase over the December premium which would be in effect for only 1 month of 19 percent.

So she summarizes:

The increase in my premium between November 2014 and January 2016 is $510, a 185 percent increase.

She asked the very legitimate question of the Patient Protection and Affordable Care Act. She asked: ''How is this affordable?'' Of course, the answer is, it is not, and she was not protected. She goes on:

I have worked since I was age 16, and I have maintained my own health insurance either through my employer or individually. Now at age 60 I find that I can no longer afford the $9,440 annual premium for my health insurance. My husband and I are not wealthy. We have always lived modestly and saved as much as possible so we could live comfortably in our retirement. Now we are penalized for that savings, because our combined incomes, my husband is on Social Security and has income from a 401(k), we do not qualify for any financial assistance.

She ends with a pretty simple sentence, a pretty simple request—a request that I am going to try to honor today. She says: ''Please work to repeal this unfair act.''

Let me review this one more time—again, the results, the attacks, the assault on our freedom caused by ObamaCare, the Patient Protection and Affordable Care Act. This 60-year-old woman from Spooner, WI, prior to ObamaCare was paying $276 per month for her insurance. She could afford it. She liked her health care plan. She probably liked her doctors. Next year, she will be paying $786 per month, a 185-percent increase—actually 2.3 times higher than what she was paying prior to the Affordable Care Act. Again, she lost coverage she liked. That has been the result of ObamaCare for far too many Americans.

So having listened to the Senator from California talk about how Republicans are attacking women, I think this email from a real person who has been damaged, harmed by ObamaCare in Spooner, WI—I would say the attack on women has come from the Patient Protection and Affordable Care Act.

Earlier this morning I offered my amendment, and I would like to thank Senator CORY GARDNER from Colorado for helping me offer it. It is a pretty simple amendment. It was modeled under the bill I introduced in 2013, the If You Like Your Health Plan, You Can Keep it Act. We have a similar type of amendment. It is designed to protect women who are under attack by ObamaCare, such as this 60-year-old woman from Spooner, WI, to restore their freedom—their choice—to be able to buy the health care they could afford, that suited their needs, that paid for medicine and health care with the doctor they trusted.

That is what ObamaCare has taken away from the American public, from this 60-year-old woman from Spooner, WI. It has taken away that freedom. It has taken away that choice. It has cost her dearly. It has been an attack on that woman from Spooner, WI. That is the reality. I don't care how much lipstick you try to put on the pig we call ObamaCare, the reality of the situation is it has done great harm to real people, and it is past time—well past time—that we repeal it. I will be pleased to vote yes in honor of her request to please work to repair or to repeal this unfair act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, I congratulate the Senator from Wisconsin for his amendment. I look forward to voting on it, this afternoon, I understand.

This is actually the promise that President Obama made: If you like the coverage you have, if you like your health insurance, you can keep it. But, in fact, we know that has not proven to be true.

I know when the Senator from Wisconsin ran for the Senate, one of the primary motivating factors was his own experience with his own daughter. I have heard him tell that story time and again. I know he feels strongly about it, as well as he feels strongly about his constituents who have been harmed as a result of this law, which has not performed as advertised.

Mr. JOHNSON. Will the Senator yield?

Mr. CORNYN. I will.

Mr. JOHNSON. The Senator mentioned my daughter, who, by the way, just blessed us with a granddaughter just 3 weeks ago. It is a very short story, if the Senator doesn't mind me telling it. It did motivate me to run. I think it illustrates how damaging ObamaCare has been and could be in the future.

Our daughter Carey was born 32 years ago with a very serious congenital heart defect. Her aorta and pulmonary artery were reversed. The first day of life, there was an incredibly dedicated, incredibly skilled medical professional—a doctor who President Obama just weeks before had accused of looking to fee schedules—not that individual doctor but doctors in general—

to see what they would be willing to charge to take out a set of tonsils or amputate a foot to make a few more bucks. That charge is so offensive on so many levels because those doctors came in on her first day of life at 1:30 in the morning and saved Carey's life.

Then, 8 months later, when her heart was the size of a small plum, and with 7 hours of open-heart surgery, a team of incredibly dedicated medical professionals in 7 hours of open-heart surgery rebaffled the upper chamber of her heart. Her heart operates backwards today, but she is 32 years old. She is actually a nurse practitioner, practicing in the same hospital where her life was saved. Now she is a new mom, and she made me a new granddad.

Our health care system wasn't perfect prior to ObamaCare, but it was still a marvel. I am so concerned about the loss of freedom. My wife and I just went to renew our health insurance policy. We are buying it in Wisconsin. We can't buy a policy that will pay for care outside of the network. Our freedoms are being restricted. If I had that health care today, would I be able to go to the specialist outside of our network and get that first-class care that saved my daughter's life? I am not so sure. That is why it is vital that we repeal ObamaCare and, at a minimum, vote for this amendment so that if you actually do like your health care plan, this amendment allows you to keep it.

I appreciate the Senator for yielding and allowing me to tell that story.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, I appreciate getting to hear that story again. I have heard that story a number of times from the Senator from Wisconsin. I think it shows how special this effort is to try to get people the health care they want at a price they can afford and how ObamaCare has done just the opposite. Rather than being part of this false narrative about a war on women, there are a lot of women and young girls who have been harmed by ObamaCare, which has been a disaster.

Of course, I remember being here on Christmas Eve, 7 a.m., 2009, when our Democratic colleagues, then in the majority, had 60 votes and they passed ObamaCare without a single Republican vote. I think that was a terrible mistake. It was a terrible mistake to take something as important to most Americans or virtually to every American—their health care—and totally reform the health care system in a partisan way and one that could not be sustained. Indeed, we have seen in the 5 years since that time that our country's health care system is in complete disarray.

We have all read the headlines that describe the double-digit premium increases and the skyrocketing deductibles that make people wonder why they should buy health insurance in the first place. I guess the answer to that is this: If you don't, under ObamaCare you are going to get penalized. That is the individual mandate that President Obama at one point said he was opposed to when he ran for President in 2008, although I guess he came to love it.

But that is the way the government operates when it mandates what you do. It takes away from your freedom, as the Senator from Wisconsin said, but it also uses coercion and financial penalties to force you to do something you wouldn't naturally do because it is not good for you or your family. You are being forced to buy coverage you don't need at a price you can't afford. So the only way the government makes this function—to the extent it has functioned—is out of coercion, out of penalizing the American people and forcing them to buy something they don't want. So it is no surprise that such a massive program of Federal overreach comes with a major pricetag. This is something that we haven't talked about enough.

In order to pay for ObamaCare, the Congressional Budget Office estimates it will cost taxpayers more than $116 billion a year—$116 billion. Over the next 10 years, that pricetag totals more than $1 trillion in new taxes. Now, I know for most of us we can't even conceive of what that number must be, but that is big. That is huge. It is a huge burden on American taxpayers and hard-working families. One reason people are struggling to pay the premiums for their ObamaCare coverage is because over the last 7 years wages have been basically stagnant. Our economy has been bouncing along the bottom, just barely out of range of a recession. So people are finding their cost of living going up—their price for food, their price for health care. Perhaps the only good news in the last few years has been that the price of gasoline has come down because of unrelated reasons. But people are struggling to make ends meet, hard-working middle-class families who previously had been thriving in this economy.

The bottom line is that ObamaCare has left the American people paying more for their medical needs while reducing access and weakening coverage. The people I work for back home are adamant they want this to stop. So that is the vote we will have tomorrow—to stop this huge government overreach that does not serve the interests of the people whom presumably it was designed to protect and to provide access for.

The phone calls and letters and social media posts and face-to-face meetings that I have had in Texas over the last 5 years tell me how ObamaCare has hurt, not helped, hard-working Texans. Last month I received even more letters from my constituents who are exasperated about their health care plans. I heard from Texans who have lost their doctors and their insurance plans for the same reason that the Senator from Wisconsin mentioned. They no longer covered certain specialties that are outside the network, and that is because they have had to try to find a way to economize. What they have done is they have restricted access to doctors and hospitals.

Then there are the rising premiums. Because of the mandates, you are being forced to buy coverage that you don't need. For example, healthy men are being forced to purchase maternity care. It makes no sense. Young, healthy individuals are being forced to buy coverage to subsidize older Americans.

Then there is the matter of the deductibles. If there is one story that I have heard after another, it is from hospitals in Texas, saying that people are admitted to our hospital but they have such a high deductible, it is as if they are self-insured. Many of them can't afford to the pay the deductibles, so we have to eat it. We have to find a way to provide them health care because we know they won't able to pay their bill, particularly if it is not within the deductible.

One constituent wrote:

> We were happy with our insurance, but we didn't get to keep it. We were happy with our doctors, but we didn't keep them.

The same constituent said, ''Our plans to retire early have been sidetracked by the unaffordable cost of healthcare.''

I have also heard from folks who have lost their employer-provided health insurance and are now forced to pay double their previous rate.

One of my constituents wrote:

> Like many other companies [mine] dumped its retired employee medical benefits and said go get your own health care insurance. . . . [Before, it] was only $150 a month. Now, under ObamaCare our [insurance] will cost us $366 a month!

That may not seem like a lot of money to a lot of people, but if you are a retired person and you are on fixed income and if you made plans for your future—including your health care—to see your health care premiums more than double is a big deal.

The same person continued: ''I know where you stand on this issue, but wanted you to see another example of how terrible the problem is.''

That is a good word for it: ''terrible.''

I have also heard from other folks back home who are forced to spend countless hours of time and energy researching new plans because their previous insurance was canceled. The President and his allies in this takeover of America's health care system have said to some people who liked their health coverage that it wasn't good enough, so they basically made it illegal to continue to sell it.

One of my constituents wrote and said:

I have to spend my valuable time researching yet again, a plan that meets my healthcare needs and possibly stays within my budget. . . . where is the affordable in the Affordable Care Act?

That is another good question. I think it is useful to understand that ObamaCare is not a topic that Texans or most Americans are simply indifferent about. People care strongly about making this law a thing of the past. My constituents overwhelmingly want this law repealed and replaced with more choices where people can buy the health care they need at a price they can afford. That does not seem like a lot to ask.

With the increasing reports from across the country about how ObamaCare is hurting American families, there should be no doubt about this vote. Although, I predict this will be a party-line vote where all of our Democratic friends who supported ObamaCare are sticking with it to the very end. But it is unsustainable. It will not work. What we would be more productive in doing is trying to work together to come up with what the alternative would be that would provide people more affordable care and the coverage they need.

The American people have made crystal clear—last November, in particular, when they put Republican majorities in both Chambers of Congress—that they want us to do something about this ill-advised, misguided law. I look forward to delivering on our promise to vote to repeal ObamaCare tomorrow evening before we adjourn for the week.

This legislation we are currently considering would eliminate more than $1 trillion in tax increases and will likely save the American people hundreds of billions of dollars in future spending. This is a time when our national debt is $18 trillion plus. All we are doing is adding more and more debt to future generations who someday are going to have to pay it back. Maybe my generation will not be around long enough to have to pay that bill, but the next generation and beyond will.

By repealing ObamaCare, we can craft a better way to provide health care options that actually work for every American at an affordable price. I look forward to getting this bill passed and hopefully providing relief to millions of Americans who are burdened by ObamaCare.

I wish to close by saying a good word about the chairman of the Budget Committee who has been a counselor, adviser, and navigator of sorts to many of us in this challenging procedural exercise known as budget reconciliation. I am incredibly grateful, not only for the good work he did in assisting us in passing the first budget that we have passed since 2009—that is pretty important—but now shepherding us through this very difficult process and helping us as the new majority to keep our promise to the American people to repeal ObamaCare. When we do that and we vote to pass this repeal of ObamaCare tomorrow evening, it will be in large part because of the invaluable contributions made by the chairman of the Budget Committee, the Senator from Wyoming, and his able staff. This has been a team effort. There is no doubt about it, but he has been a leader of that team effort.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, I ask unanimous consent to speak as in morning business.

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

PARIS CLIMATE CHANGE SUMMIT

Mr. CARDIN. Madam President, as the ranking Democrat on the Senate Foreign Relations Committee, my highest priority is America's security. Let me share with my colleagues how the climate change summit that is taking place in Paris affects global and U.S. security. Climate change is a global problem. Global problems require global solutions. As negotiators from over 180 nations gather in Paris, I think it is important that the Senate take note of this historic moment—when all countries, developed and developing, are finally coming together to tackle the global threat of climate change. The achievement of a new international agreement under the United Nations Framework Convention on Climate Change in Paris is our chance to ensure that future generations have the opportunity to enjoy a safer, healthier, and more prosperous world. Time is running out for us to act.

As world leaders gather to find cooperative solutions to combating climate change, I am reminded of the message of Pope Francis's Climate Change Encyclical and the environmental crisis facing our planet. Let me quote from Pope Francis.

The urgent challenge to protect our common home includes a concern to bring the whole human family together to seek a sustainable and integral development, for we know that things can change. . . . I urgently appeal, for a new dialogue about how we are shaping the future of our planet. We need a conversation which includes everyone, since the environmental challenge we are undergoing, and its human roots, concern and affect us all. . . . Climate change is a global problem with grave implications: environmental, social, economic, political, and for the distribution of goods. It represents one of the principal challenges facing humanity in our day.

Pope Francis is correct. World leaders are heeding the Holy See's call for collective action, and for the first time in history, we are on the cusp of reaching an agreement where all countries will commit to doing their fair share to lower greenhouse gases. Now, 187 nations representing 97 percent of the global carbon emitters have already submitted plans to lower or limit their carbon pollution.

U.S. diplomatic leadership helped spur countries like China, Brazil, Mexico, South Africa, and others, some of which were previously reluctant to pledge any action on reducing emissions or to make serious commitments to curb greenhouse pollution. To underscore these commitments, some developing countries are also contributing to the international climate finance mechanisms that will help the world's most vulnerable populations adapt to the world's worst impacts of climate change. China alone has pledged more than $3 billion to this effort.

Now that the United States has finally persuaded the broadest possible group of countries to take actions against climate change, it is no longer true to argue that the United States shouldn't reduce its emissions because developing countries refuse to follow suit. We have gotten them all to act. Paris is the best chance we have of forging an agreement where all countries pledge to lower their carbon emissions.

U.S. leadership brought us to where we are today, and now the United States must seize the opportunity for a truly global agreement to address climate change. The United States voluntarily submitted its carbon reduction goals very early in the process. Our deliberative early action, which included an explanation of the national policies that will result in the achievements of our mission reduction goals, spurred more than 180 countries to do the same.

China, for example, committed to lower its carbon emissions per unit of GDP by 60 percent to 65 percent below 2005 levels and increase renewable energy to account for 20 percent of its electricity generation by 2030. This will require China to build an additional 800 to 1,000 gigawatts of nonfossil electric generation, which is close to the entire installed capacity of all powerplants in the United States.

The global outpouring of support for cooperation is a true testament to the strength of U.S. global leadership on climate change. Optimism and global cooperation in these efforts are at an all-time high, and that is largely due to constructive U.S. engagement. If we want to lock in this progress, we must support a strong and ambitious agreement in Paris.

These initial pledges will not put an end to global warming, but they are a strong first step that sets the international community on a path to limit the rise of temperature by 2 degrees Celsius by 2100. Continuing on our current trajectory would result in a projected warming of 3.6 degrees Celsius

by the end of this century. But with the pledges currently on the table in Paris, we can lower this to 2.7 degrees—more than halfway to the 2 degree goal.

More importantly, however, these Paris pledges are only the first wave of action. Actions coming out of Paris will give us a lasting framework whereby countries can update their pledges over time to ensure that they meet their global goal of 2 degrees Celsius.

By implementing their initial commitments and making further investments in clean energy, cheaper renewable fuels will allow for even more ambitious carbon reductions in the future. The Paris agreement alone will not end the threat of climate change, but it is a solid first step—one that includes countries at every stage of economic development.

The private sector has also come out to voice its support for this ambitious agreement in Paris. Already 154 U.S. companies, representing $4.2 trillion in annual revenue, operating in all 50 States, and employing 11 million Americans, have signed the American Business Act on Climate Pledge and are voicing their support for a positive outcome in Paris. It is not just governments. It is also the private sector, which we desperately need for Paris to be successful.

The Paris agreement will help send a strong market signal for clean, renewable energy worldwide, and that long-term certainty is exactly what investors need. If we don't embrace the clean energy revolution that the world is poised to leap forward into, then our competitors will. It will be the doubters and the deniers who will be blamed for the United States' descent from a global leader in clean energy technology innovation.

U.S. deployment of clean energy and technologies has grown exponentially in recent years. Renewable energy generation has experienced the fastest growth of all generation sectors. Since 2008, the cost of clean energy technologies has dropped dramatically, fostering this growth. For example, with wind energy, as of 2014, there were more than 65,000 megawatts of utility-scale wind power deployed across 39 States—enough to generate electricity for more than 16 million households. In solar energy, by 2014 the total capacity of the utility-scale solar PV reached 9.7 gigawatts with 99 percent of these installations occurring after 2008. This trend has continued with 15 percent of all electric generation capacity brought online from January to September 2015 arising from the utility-scale PV.

There is almost limitless growth potential in clean energy. The United States has traditionally led the world in energy technology development for more than a century. U.S. energy innovations brought power and light to the world, and that continued spirit of leadership is powering the global clean energy revolution. Strong outcomes in the international agreement that is coming together at COP21 Paris will be a catalyst in the clean energy revolution. The world is looking to the United States for continued leadership.

This week's announcement of the new Mission Innovation Initiative led by the U.S. Department of Energy and Secretary Moniz, which includes 19 other nations, is a gleaming example of U.S. clean energy diplomacy, sending another strong signal of U.S. cooperation and commitments to growing job and investment opportunities in the United States while providing global clean energy solutions that will allow developing global communities to bypass cheap and dirty power and thrive through deployment of affordable clean energy solutions. It will be U.S. technology helping the global community produce energy in a more cost-effective and cleaner way, thereby creating more jobs in the United States.

Climate change affects us all. The people of Maryland understand that. Those who live on Smith Island in the Chesapeake Bay are seeing their island disappear due to the more frequent storms we are experiencing and the health of the Chesapeake Bay.

Climate change is also a world stability issue. Climate refugees are a real concern for regional and U.S. security, so this is a national security imperative. The solution is COP21 Paris. Two percent Celsius goals will dramatically improve the environmental health of the planet, thereby helping us with our national security. It will give us energy security because we have renewables that are a lot easier to get to and are more plentiful than the fossil fuels. Health energy security will enable us to no longer be dependent on circumstances that occur in other parts of the world. And, yes, we will also create more jobs, particularly by the use of U.S. innovations.

The Paris agreement will serve as an important role in transitioning the world toward more renewable energy which will serve as a source of American job growth and innovation and put America back in control of our own energy future.

Paris is our best opportunity to avoid the most devastating impact of climate change. We need an agreement to ensure that all countries do their fair share to address this problem. In order to lock in years of U.S. leadership, we need an agreement to maintain the clean energy revolution that is so critical to job creation here at home and protecting our Nation's energy security, but most importantly, we need an agreement to make sure we avoid the most catastrophic impacts of climate change that threaten the rights of our children and our grandchildren to pursue a healthy, safe, and prosperous life.

I thank my colleagues for their indulgence, and I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 2875

Mr. WYDEN. Madam President, the distinguished Senator from Wisconsin has offered an amendment dealing with the Affordable Care Act. I have been talking to the staff of both the Finance Committee and the Budget Committee, and frankly it is a real head-scratcher because it appears that our colleague from Wisconsin is seeking to bring back the so-called grandfathered health plans that existed between 2010 and the end of 2013. We are still trying to sort through this, but at this point it looks to me like something of a health care Frankenstein. It seeks to bring the dead back to life by having all those plans that were grandfathered on December 31, 2013, and died on that date magically brought back to life by the Senator from Wisconsin. Many of the plans that were in existence on December 31, 2013, don't exist anymore. Plans continually change. Plans also changed in 2014, and they changed again in the beginning of 2015.

I am a U.S. Senator who believes very strongly in the role of the marketplace in American health care, but it seems to me that the amendment by the Senator from Wisconsin, as it is written, distorts marketplace forces. Knowing the Senator from Wisconsin as I do, I can't believe that would be his intent. We have been reviewing this amendment, and our understanding is that this amendment reflects an approach to private insurance that is not the way private insurance in America works.

I again come back to my desire to work with colleagues on both sides of the aisle and to work in a bipartisan fashion on health care. That is what the distinguished chairman of the Judiciary Committee did over an 18-month period when he was working with me on pharmaceutical issues. Yesterday, we issued an exhaustive report together that was bipartisan. What we were seeking to do was to make sure that the wonderful cures that are going to be coming to America to address horrendous illnesses will also be ones that will be affordable and accessible.

The important point is that this is bipartisan, and that is the way the big health care issues have historically been dealt with. But I don't see how you can turn back the clock on the health insurance market and somehow bring a dead period back to life. Plans change. That is the nature of the private insurance market. That is the way private insurance in America works.

I am sure we are going to have some more conversations about that, but I do want colleagues to know that at this point, I will have to oppose the amendment offered by the Senator from Wisconsin because I just don't see

how we are going to take, as I said, health plans that died and bring them back to life.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. ROBERTS. Madam President, for the first time in 5 years, Congress has enacted a full budget that balances. Under our previous leadership, we only passed one budget. We have to look all the way back to 2001 to find the last time Congress passed a balanced 10-year budget.

It is vitally important that we go through the regular budgeting process to ensure we are being efficient and effective when spending hard-working taxpayers' dollars.

Now that we have a final budget framework, we can have the opportunity to adjust spending and make policy changes to rein in the excesses of this administration. The first step in this is the consideration of the budget reconciliation bill.

We have before us a budget bill that not only reduces the Federal deficit, but it does so by dismantling many of the key provisions of the President's health care law known as ObamaCare. We are more than 5 years into its implementation; however, many of the same problems that those of us who were here during the original debate warned of are still causing harm to consumers, and new issues continue to arise. We continue, unfortunately, to see higher costs, less choice for individuals, and higher taxes.

Prior to open enrollment starting, CMS released the ''2016 Marketplace Affordability Snapshot.'' This shows that across the 37 States that use the Federal marketplace, Kansas included, the cost of the second lowest silver plan, or the benchmark plan, will increase on average 7.5 percent as of next year. That number is more than double for Kansas. On average, they are facing a 16-percent increase in the benchmark plan. I would assume the same thing will happen in Iowa, the State of the distinguished Presiding Officer. This is not the promised reduction in premiums the President promised. This is simply not affordable.

Madison from Overland Park, KS, recently wrote to me about her family's struggles. She said:

> Yet again our rates are going up to the point where we cannot afford our health insurance that I have had since before 2008. Out of network hospital and doctors limit my ability to provide for my children the health care they need.

Madison, you certainly hit the nail on the head.

Even if you can afford the increased premiums to maintain coverage, the high deductibles may make it nearly impossible for you to utilize the health services under your plan or your doctors are no longer in your network, thereby limiting your ability to keep the doctor you liked—another broken promise from the President.

Another local problem of concern for me was the announcement that one of the insurance companies that provided coverage on the exchange in Kansans will no longer be offering plans as of next year. This impacts nearly half of all Kansans enrolled through the marketplace who now will again have to find a new plan and possibly new providers.

We need to repeal this law—a law that includes more than $1 trillion in new taxes over the next 10 years. For Kansas households, the economic impact is an average tax increase of $876 a year.

We need to eliminate the individual and employer mandates. The employer mandate is stifling job creation, it is reducing workers' hours, and it is a disincentive for businesses to grow and expand.

Jeff from Kansas City contacted me about this one and the effect the law is having on his manufacturing business. He said:

> Without an exemption [from the employer mandate] I will be forced to cut my staff below 50 or let ObamaCare simply put me out of business in the year 2016. Taking the penalty by not offering health care to my staff is the least expensive option in 2016 and will still put me in the red.

These are not the options our job creators should be stuck contemplating—reducing staff or facing closure.

The individual mandate tax is set to increase on January 1. Individuals opting not to purchase or those not able to afford to purchase insurance next year will now face a penalty of $695 or 2.5 percent of household income, whichever is higher. Again, let me point out, whichever is higher not lower.

Removing this penalty will not only provide financial relief for these individuals, but it will restore the individual freedom of all Americans to choose whether to purchase the government-approved insurance. We need to repeal the so-called Cadillac tax, which if left in effect will lead to reduced benefits and increased costs for employers. We also need to remove the medicine cabinet tax—that is the medicine cabinet tax—a new requirement that people must obtain a prescription to purchase over-the-counter medication—the things we should not need a prescription for—with funds from people's flexible spending accounts.

This reconciliation bill eliminates many of the core provisions—the foundations, so to speak—of ObamaCare, and without a strong foundation of mandates and taxes to finance this massive overhaul, we can then turn to beginning to fix health care. I emphasize fix health care, not ObamaCare.

We need to give peace of mind to the families hurt by ObamaCare. The relief provided by this package does just that. I urge my colleagues to support this bill so we can then provide freedom to all Americans from the mandates of this law and give us an opportunity to pursue more patient-centered reforms that will improve access as well as lower costs for patients.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

EXPRESSING CONDOLENCES TO THE FAMILIES OF THOSE AFFECTED BY THE SHOOTING IN COLORADO SPRINGS

Ms. HIRONO. Madam President, before I begin my remarks, I wish to take a moment to express my condolences to the families of those affected by last week's shooting in Colorado Springs, including the family of Jennifer Markovsky. Jennifer grew up in Waianae, HI. She was killed this past Friday at a Planned Parenthood clinic in Colorado in a senseless act of violence. I spoke recently to Jennifer's husband Paul to express my condolences to him, their two young children, her parents, and her ohana.

Madam President, I wish to speak on an issue of grave importance to all women of the United States; that is, the Republican efforts to defund Planned Parenthood. One of my first forays into politics happened when as a young woman I wrote to my elected officials and asked them about their views on a woman's right to choose. At that time—1970—Hawaii was considering a bill that would legalize abortion. In fact, Hawaii became the first State to do so for our residents.

Choice to me is not something that should be restricted, whether it is the right to choose to end a pregnancy or the right to access birth control. Having control over one's health care decisions is a fundamental right. When a woman has access to a full range of health care services, she has control over her life and her future. Access to birth control and other reproductive options means that women have real control over their economic and personal security.

This latest attack on women's reproductive rights by defunding Planned Parenthood is a misguided attempt to demonize Planned Parenthood. There is currently no Federal funding for abortion services—a policy that already hinders the ability of lower income women to access a full range of reproductive options. Some States such as Hawaii recognize how fundamentally unfair this is and provide State funding for abortion services.

Limiting the ability of women to access health care services at Planned Parenthood clinics across the country is just one part of the Republican anti-

women agenda. They refuse to fund day care, family leave or early childhood education. In fact, one Republican health care proposal would allow insurance companies to eliminate maternity care. What is going on here? On the one hand Republicans want to deny women access to reproductive care, on the other they also want to punish women for having children by not funding programs that support families.

I repeat, Federal law already prohibits family planning funding from being used for abortion services by anyone, including by Planned Parenthood. So the measure before us today does nothing more than deny millions of women across the country access to birth control and other health care services that are not only not prohibited but which are perfectly legal.

The real work of Planned Parenthood is preventive health care services. Birth control, STD screenings, and well women exams are the bulk of services provided by Planned Parenthood and its affiliates. Defunding Planned Parenthood will unjustly punish women who have access to no other health care providers for their basic health care needs.

The harm caused by defunding Planned Parenthood is brushed aside by my colleagues. They will argue that they have provided additional funding to community health centers to make up for the loss of funding for Planned Parenthood. This is a red herring. This very limited additional funding will not and cannot replace Planned Parenthood clinics and their important role as a safety net provided for millions of women across the country.

Defunding Planned Parenthood is nothing more than an attempt by some in Congress to pander to a fringe base. The fact is, the majority of Americans support Planned Parenthood and support health care services for women. The continuing efforts to defund Planned Parenthood are false proxies for banning abortion—that is calling a spade a spade—and all that will happen is that women's health care will be put at risk.

These attacks on Planned Parenthood must end. So let's stop wasting time undermining women's health care and get back to the real business at hand. Let's fund the government. Let's give middle-class families and small businesses tax relief. Let's pass bills to invest in our infrastructure and our children's education. These are all things we need to do in the next week that will actually make a difference—a positive difference—in the lives of millions of Americans.

I ask my colleagues to join me in rejecting this extremely partisan measure before us and move on to the real business of the Senate.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. COATS. Mr. President, for those of us who were seeking office for the Senate in 2010, one of the primary issues we were engaged with and heard from tens of thousands, if not hundreds of thousands, of our citizens about was the concern over the passage of the Affordable Care Act, now called ObamaCare and now also called the Unaffordable Care Act. That was the bill that was jammed through the Senate on Christmas Eve without one Republican vote. Republicans were denied that vote because the Democratic Party controlled both the executive branch and the legislative branch, with numbers that put them in a position where they could jam anything through that they wanted without any offsets, without any amendments, without any changes, without any improvements, without any input from the other party.

I think we have learned through history that when one party has total control and passes legislation, it doesn't represent what the American people want. They want debate. They want adjustments. They want the other side of the story to be told. Then they want their representatives to be able to come to a kind of consensus in terms of how we would deal with, yes, an important issue called health care for the American people.

Were there needed improvements in our health care system that had to be addressed? Yes, there were. There was consensus—almost—on both sides of the aisle, Republicans and Democrats, that changes could be made, but the way the American people wanted that done was for us to represent their views, to look at all the options, to have some balance, which is generally how major programs that need to be addressed successfully can be addressed successfully.

Welfare reform is an example. Under President Clinton, it was a bipartisan effort, with both parties recognizing that changes needed to be made to a system that wasn't working as well as it could. By working together in a bipartisan way, we ended up with a very effective and efficient new system compared to the old system. That was not the case with ObamaCare.

So throughout the 2010 period of time, when I was campaigning for office, I heard the stories from Hoosiers all across the State—big cities, small cities, rural coffee shops, factories, including employers and employees, and I heard their concerns about how this would play out.

We were promised by the President that we didn't have to worry about losing our health insurance and that if we liked our current plan, we could hang onto it. That turned out to be totally false. We were also promised by the President that this would not cost one penny to the American taxpayer. Now we have the contrast to what this program has cost and will cost over a 10-year period of time, and it comes close to $1 trillion. So one penny compared to $1 trillion—there is a pretty good gap between those numbers. Those were the taxes that were inserted into the Affordable Care Act, or ObamaCare, on the American people that were supposed to cover the cost of up to $1 trillion over a 10-year period of time.

We were told by the President that if we liked our current plan, the premiums would not go up, the premiums would not increase at all, period. Trust me. Take it to the bank. Obviously, that has not been true. We have now seen the rolling out of this done in a way that only the Federal Government could screw it up. Only the Federal Government could fail after spending an extraordinary amount of money—well over a billion to roll out this thing in a totally dysfunctional way.

Today, we continue to hear from our constituents about failed promises, about higher premiums, extraordinarily higher copayments, about how people have not been able to keep the doctor they had, and they are paying taxes to cover something that simply has not worked.

It has been a tortuous process to get to the point where we have the opportunity of not being blocked by the other side. We have an opportunity now that will occur tomorrow to finally get an up-or-down vote on a reconciliation bill that essentially is designed to repeal ObamaCare. There have been many alternatives out there that have been tried, tested, and true in terms of how we can deal with our health care system. We are not just simply walking away, leaving people in a lurch. We are simply saying this whole thing needs to be repealed so we can build a much better way of providing health care for our citizens, and this is the opportunity.

There will be all kinds of amendments. There will be gotcha amendments. I dare you to vote for that. They will be irrelevant to the final issue of what we are doing and what we are voting on. It will be clear to the American people that this is a vote strictly on the repeal of ObamaCare. You are either for it or against it. Come down here and defend it if you like it, if it has worked in your State. I haven't really heard any people coming down and singing its praises. But come down to the floor and say this is why we need it, this is why it is good, and refute what we say here. But I think it is pretty hard. I don't think I heard anybody come down and defend

the statement that if you like your health care plan, you can keep it; that it won't cost you a penny, and that your premiums won't rise. We simply know that is not the case. So this is the moment.

We will be able to make our yea be yea and our nay be nay, and the American people will know exactly where we stand, and I believe we will have the votes to pass this in the Senate, as we will have a vote to pass it in the House of Representatives. It will then go to the President, and the President then will know where the Congress stands and where the American people stand, if he doesn't know already.

I would like to mention one aspect of it that has a pretty astounding negative impact on my State, and that is the imposition of a gross sales tax on the sale of medical devices. My State is one of the leading States in the Nation of medical device manufacturers. This tax is levied on their gross sales, not on their profits. In that sense, those small companies that are trying to develop something that will improve people's lives or save people's lives through medical device research and development and then ultimately market it have struggled because through the development process they have to pay a 2.3 percent tax on everything they sell, even if they are not yet making a profit. It has been devastating in terms of employment, in terms of research and development in this cutting edge business and manufacturing that is saving lives and improving the lives of people. So critical to this vote is the medical device tax, which is denying people the opportunity to produce medical devices that save people's lives and enhance their lives.

We have more than 300 FDA-registered medical device manufacturers in Indiana. It is boosting our State's economy and producing technologies that are changing and saving lives, but since the implementation, these companies have had to lay off workers and shelf plans to expand and build new facilities. One major manufacturer had lined up five new plants in Indiana for a significant increase in employment, a significant increase in research and development and production of medical devices, simply to cover the costs they now had to pay on the tax for previous sales of their other products. It is an egregious tax that has affected many companies in the State of Indiana.

In conclusion, how ironic it is that ObamaCare, which President Obama said would increase health care coverage, is actually a barrier to improving lives. So it is long past time for Washington to stop punishing the medical device industry and innovators in Indiana and across this country.

I want to conclude by saying ObamaCare, a poorly written and poorly executed health care plan, is not working for the overwhelming majority of Hoosiers in my State and the majority of Americans. Remember when the then Speaker of the House said: Well, we really don't know what is in this plan; we will have to pass it before we know what is in it. We now know what is in it. We now know what the impact has been. I have been on this floor for hours over the past 5 years talking about real-life examples of impacts of this Unaffordable Health Care Act on Hoosiers. I have given personal testimonies that have been given to me by people. I have heard the horror stories of people losing their insurance, of their premiums skyrocketing, of their deductible putting them in a position where they are not able to afford health care and praying every day that someone in the family won't get sick because they can't even afford the deductible before they get the coverage. This poorly written and poorly executed health care law is not working, and the law's continued unpopularity is a testament to what it has meant for most American families: rising premiums, higher costs, decreased choices, and a poor health care process. All the innovation and things that we could have done had we worked through a normal process on this are sitting on the shelf.

The time is now. It is an opportunity we have been waiting for now going on 6 years. So when we have that vote tomorrow—and despite all the chatter and despite all the attempts to define it as something other than what it is—the real vote comes down to whether you want to continue government-run health care or you want to look for a better model.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mrs. FISCHER. Mr. President, we are on the verge of fulfilling a promise that we made to the American people. They selected a new majority here in the Senate to repeal ObamaCare. In Nebraska, words and promises still mean something. They are not taken lightly. Trust me; Nebraskans will let you know when you aren't keeping your word.

Since the first day I took office, I have heard from Nebraskans about how this law is making it harder, not easier, for them to get health care. Nearly 20,000 people have contacted my office, and they have expressed their concerns about this law to me. They face a new reality and struggle to afford premiums for plans requiring thousands in out-of-pocket expenses. I have come to the floor many times to share these stories from Nebraskans, and unfortunately, these stories continue to come in.

Vivian from Saunders County in the State wrote regarding the deductible on her ObamaCare plan, which is so high that her husband, who is a cancer survivor, is forgoing regular checkups. They simply cannot afford the costs.

Kevin from Chappell, NE, shared his experience with struggling to afford the expensive premium while still facing a $10,000 deductible. He wants answers for why his family is being forced to buy a plan that includes services they just don't need.

Ann from Lincoln shared with me her struggle to get coverage for herself and her two children. After jumping through bureaucratic hoops to get health care coverage, she is now forced to buy an insurance plan that will take 25 percent of her income. That is a quarter of her income.

Some could argue that these are only anecdotes—a small snapshot of what is happening in the State—but let's look at how premiums have changed in Nebraska since this law was passed. Next year, many Nebraskans will see double-digit increases in their health care costs. In 2014, some Nebraskans saw their premiums go up over 100 percent. Why are we still debating whether this law has been a success?

The President has said: ''If you like your plan, you can keep it.'' We have all heard that. Nebraskans were promised they could keep the plans they liked. Well, tell that to the thousands of people in Nebraska who have lost coverage when Nebraska's co-op failed last year. They were blindsided on Christmas Eve with news that they had to choose a new coverage. Now many more Americans are facing this same challenge as over half of the country's co-ops have failed.

Democrats have said this law would help the American people. Americans were promised more. They were promised lower costs for health care. We were promised a $2,500 decrease in insurance costs. Well, clearly that is not the case. This is a mess, and it didn't have to happen.

It is now our duty to fix it. I am proud that Republicans are taking the lead. We are showing the American people our commitment in repealing this law. We can do better. We can provide patient-centered health care. We can let people decide what kind of coverage they need. We can let people take their insurance with them when they move across State lines. We do that with car insurance. But the first step is to end this—a law that costs families more money and doesn't meet their needs.

So I ask, for the sake of all Americans, it is time to take that next step. We need to step up. We need to fix it.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. TOOMEY. Mr. President, I want to address an amendment that I have for the ObamaCare repeal bill we will be voting on, possibly soon. It is a simple amendment. I think it is an important one, and it addresses part of the $1.2 trillion in tax increases that are embedded throughout ObamaCare. This, in particular, is a tax increase on middle-class Americans who are battling with catastrophic health care challenges and costs. So I think it was a particularly ill-conceived tax increase and I want us to repeal it.

This is what the tax increase was about. Prior to ObamaCare, if a family had out-of-pocket medical expenses that exceeded 7.5 percent of their income, they could deduct from their taxable income any cost above 7.5 percent of their income. ObamaCare raised that threshold to 10 percent, and that has very real consequences. There was an exception for senior citizens, but that exception expires in 2016, and this tax increase on middle-class Americans makes it harder for families who are trying to deal with, to battle some kind of very problematic health situation they are in. It could be a chronic disease. It could be a catastrophic event.

Let me be specific with an example. Prior to ObamaCare, if a family who earned $50,000, for instance, had extraordinary medical costs, for whatever reason, that were, say, $4,500—so 9 percent of their income—that is a huge medical bill for a family who earns $50,000, obviously. Well, at least prior to ObamaCare, they could deduct $750 of it. That portion which exceeded the 7.5 percent of their income was deductible. Under ObamaCare, they can't deduct any of it. They get no deduction.

So think about what we are doing. We are saying that a middle-class, working-class family with unusually, extraordinarily high medical bills should lose the opportunity they have historically had to at least get a modest deduction to help soften the blow of the catastrophic health crisis they are dealing with. I think this is a terrible idea—to hit these folks with this tax increase—especially at a time when they are dealing with these very difficult circumstances or they wouldn't get the deduction anyway.

So I think it was a bad idea and one of many bad ideas in ObamaCare. What my amendment would do is simply restore that deduction to where it was before ObamaCare. It would restore the ability to deduct that extraordinary health care cost when it exceeds 7.5 percent of income rather than having to hit the 10-percent hurdle ObamaCare created.

By the way, I should point out that this is totally a tax increase on middle-class families. The IRS quantified this. They determined that 86 percent of the taxpayers who claim this deduction—86 percent—earn less than $100,000. This isn't a tax deduction for rich people. This is a tax deduction for ordinary Americans who are going through very difficult times.

Having the ability to take this deduction is more important now than it has ever been because ObamaCare has done so much to drive up people's costs. That is not just I saying this. A November 15 New York Times headline read: ''Many Say High Deductibles Make Their Health Law Insurance All but Useless.'' That is the New York Times.

High deductibles are one of the main contributing factors to people having high out-of-pocket costs. So ObamaCare has driven these plans into these high deductibles, thereby forcing people to lay out more cash and at the same time they are saying: Oh, but you can't deduct it like you used to be able to.

On November 2 CNBC reported that ''ObamaCare's cheapest plans just got more expensive.'' There are deductibles that are soaring to over $12,000, out-of-pocket maximums that are near $14,000. People are incurring out-of-pocket expenses like never before, and they are getting hit with the fact they can no longer take the kind of deduction they used to.

This was a bad idea in the first place. It is a tax increase on those who can least afford it—people who are sick, people who are undergoing maybe a terrible accident, some other disaster that caused them to incur these expenses. It could apply to someone who has long-term care expenses for a relative in a nursing home. It could be the special education expenses for a handicapped child. It could be a mom undergoing reconstructive surgery after a mastectomy. It could be a couple seeking to conceive a child needing fertility treatment. There are any number of circumstances for which I don't think we should be punishing people in this fashion.

My amendment would simply, as I said, restore the tax deduction to the threshold we had before ObamaCare and I would urge its adoption.

As I mentioned, I think this medical expense deduction issue is just one flaw of ObamaCare. It is important, but it is a narrow aspect of an unbelievably flawed bill. It is hard to know where to begin with the flaws of ObamaCare, but I would suggest several big categories of problems: The first is higher costs; the second, I would suggest, is the loss of employment; and the third, which is indisputable, is the loss of freedom.

I think higher costs are undeniable. The President promised us that average premiums would fall, they would fall by $2,500 in fact. He was confident enough to give us a figure, and of course the exact opposite is what has actually occurred. ObamaCare premiums have gone up dramatically. In my State of Pennsylvania, premiums are up, for next year alone, 11 percent. That is after several years of increases prior to an 11-percent increase. Whom do you know who has gotten an 11-percent pay raise? I don't know anybody. That is not what is happening. Yet their expenses are going up because of ObamaCare. Deductibles are rising at the same time. So not only does it cost more to buy the insurance, but the insurance covers less.

I have gotten letters from literally thousands of Pennsylvanians explaining their personal circumstances. One letter came from the DiBello family of Montgomery County and says that before ObamaCare they paid $662 a month for a health insurance plan for their family and they had a $6,000 deductible. They were happy with their plan. They were promised if they were happy with their plan they could keep their plan. We all heard that promise. How many times was that promise made? That promise was made to the DiBello family. The only slightly unfortunate problem here is everybody knew it was untrue, including the people making the promise because the legislation explicitly forbids whole categories of plans. How could you keep your plan if it is being banned by the Federal law?

Unfortunately, the DiBello family experienced that. So the plan they are buying that goes into effect in 2016, instead of a $662 monthly premium, they are going to have to pay $1,141, and instead of a $6,000 deductible, they are going to have a $12,800 deductible.

You almost have to wonder what is your insurance paying for if the deductible is that high, but that is what ObamaCare has done to the DiBello family of Montgomery County, PA, and let me assure you they are but one of thousands and thousands of families I have heard from across Pennsylvania who are experiencing similar real difficulties.

I mentioned jobs as another category of problem that ObamaCare has created. Again, I think it is completely irrefutable. We know if you as an employer hire a 50th employee, you are suddenly subject to all the mandates of ObamaCare. That means the costs of health insurance for your workforce go through the roof. It creates a huge incentive not to hire the 50th employee. That is a terrible incentive to have, especially at a time when we have too few people working and we have inadequate wages. Yet this provision guarantees that it will be more difficult to get a job with a company that has 40-some employees.

In addition, ObamaCare puts pressure on employers to cut back on hours for workers because you are deemed to be a full-time worker if you work 30 hours or more. One way to deal with that is to have people work less than 30 hours. The problem is, employees want 40 hours. They want a normal workweek. But they can't get it because of the costs ObamaCare triggers if they were to have it.

Third is the loss of freedom. Again, that is completely irrefutable. If you had a plan you were happy with, if you had a plan that worked for you and your family, if it was the right mix of benefits, premiums, and deductibles for you and you wanted to keep that plan, well, good luck—you can only keep it if the government approves of it. So now we don't have the freedom to have the health insurance plan we want. We are forced to buy the health insurance plan the government dictates we should have whether we like it or not. What an egregious affront to the personal freedom of Americans to decide what is right for them and their families.

The last thing I want to point out is a very fundamental structural flaw in the model of ObamaCare—yet another reason why this needs to be repealed—and that is, this bill was designed with the idea that young and healthy people would buy health insurance through ObamaCare at an inflated price. Of course, in addition to dictating what is in a health care plan, ObamaCare dictates pricing as well. The theory was, what we will do is we will have all these expensive mandates, but we will force this category of people who tend to be younger and healthier—we will force them to pay more than it costs to actually insure them, and that is how we will subsidize coverage for people who are older and need more health care. There is only one small problem with that; that is, the younger and healthier people figured out pretty quickly that they are being forced to buy a product that doesn't suit their needs very well and they are forced to pay more than it is worth. So guess what. They are not doing it. And ObamaCare is falling short by millions on the number of these younger, healthier people their model depended on.

What is the result of that? Insurance companies are left insuring a population that therefore tends to be older and sicker. That costs more. When insurance companies lose many millions of dollars, which is what they have been doing, they go back to ''We have to raise premiums even further.'' That creates an even more powerful incentive for younger and healthier people not to buy the product. What started off as overpriced is now even more overpriced for them. This is known in insurance terms as a death spiral, this downward spiral whereby it becomes impossible to have a viable continuation of these insurance policies, because, increasingly, the only people who will buy them are the people who are very sick, and people who are relatively healthy are priced out of the market.

This explains why half of all insurance co-ops in America have already folded. Many seem to be heading in the same direction. A year from now, I doubt there will be many co-ops remaining. This also explains why, increasingly, insurance companies are simply saying: We are going to have to consider getting out of this market altogether. We are going to have to consider simply not participating in ObamaCare.

What does that mean for Pennsylvania families? It means they are going to be out of choices. If there are no insurance plans being offered through this exchange because the whole dynamic doesn't work, then how are my constituents going to get health insurance? This is the problem when the government steps in and tries to take control over an industry—in this case, something so important and so personal as our health care.

This is a fatally flawed piece of legislation. Americans have been living through its disastrous consequences in the form of losing the health care plans that they want, that they valued, that they chose; experiencing much higher premiums, higher out-of-pocket costs, and higher taxes on the costs they do incur; and fewer jobs and less hours for those who are employed. Now, in addition to all this, we see what I think is the relatively early stages of this death spiral that is going to result in probably a pretty massive exodus from this market.

It is long overdue that we repeal this legislation. I am very glad we will be able to consider this over the next day or so. I urge support for my amendment, which would restore the ability of people facing catastrophic costs to have the deduction they were able to have before ObamaCare, and I urge adoption of this repeal legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. PERDUE. Mr. President, I rise today to speak about a massive expansion of government that was fundamentally flawed from the start: the Affordable Care Act, better known as ObamaCare.

In the past 100 years, we have had three supermajorities, all Democratic. The first gave us the New Deal; the second, the Great Society; and the third gave us ObamaCare and Dodd-Frank. In many ways, these progressive, sweeping government spending programs have failed the very people they claim to champion: the working men and women of America. Together, they come at a massive expense to taxpayers and still continue to add to the Nation's debt crisis.

Right now, this law is saddling Americans with more than $1.2 trillion of new taxes over the next 10 years. In my State alone, ObamaCare is costing taxpayers over $2.7 billion over the next decade. The Senate's actions this week will help reverse the harmful effects of ObamaCare and remove the law's burdensome taxes on American families.

When I am back home in Georgia, one of the most frequent and sobering concerns I hear about is the insidious, negative impact of ObamaCare—whether it is reduced hours, increased premiums, increased deductibles, or just the mere fact that they can't get the doctor they want. I hear this more than any other complaint about what is going on in Washington today.

By enacting this law, President Obama and Washington put our health care system—almost one-sixth of our total economy—under government control, and the consequences are disastrous. ObamaCare has driven up the cost of health care. In addition, premium costs and deductible costs are also up, precluding many Americans from even applying for coverage. The law has eliminated health care choices, forced rural hospitals out of business, created a doctor shortage, and failed to live up to the expectations promised to the American people by the Obama administration.

First, Georgians are seeing their health care costs double. Just this week a headline on the front page of the Atlanta-Journal Constitution read ''Health care costs on the rise in 2016'' and ''Some Affordable Care Act plans seeing double-digit hikes.'' The article went on to describe the peril of a Georgia family who plans to cancel their insurance plan because it is no longer affordable for them. And this family is not alone. As we just heard in the prior speech, deductibles have risen to a point now where people can't afford the health care plan that was picked for them.

In Georgia, premium increases are expected to range from 27 to 29 percent for Alliant Health individual policyholders, and the problem could only get worse as more insurance companies exit the ObamaCare exchange program. And deductibles are increasing seven times as fast as wages are increasing.

Last week, UnitedHealth Group—the largest health insurance company in the country—announced it is considering dropping out of ObamaCare because it is losing so much money and the marketplace doesn't appear to be sustaining itself. As a matter of fact, yesterday, UnitedHealth CEO Stephen Hemsley even admitted that joining the ObamaCare exchange was ''for us a bad decision.'' He went on to say, ''We did not believe it would form this slowly, be this porous, or become this severe.''

Washington cannot overlook this warning. Like my wife Bonnie and me,

many people have already had their plans canceled—no matter what the administration said. They said: If you like your policy, you can keep your policy; if you like your doctor, you can keep your doctor. I can personally tell you that did not happen. A lot of people have lost access to their preferred doctors or were forced into insurance plans that cost more, not less—dramatically more. If UnitedHealth Group—the largest player in this space—exits, Americans will only have less choice, not more.

Aside from driving up health care costs and limiting insurance options, ObamaCare is forcing rural hospitals out of business as well. Since 2010 alone, five rural hospitals in Georgia have closed, and there is a possibility for more in the immediate future. Across the country, more than 50 rural hospitals—this is incredible—have closed just since 2010, and more than 280 are in danger of shutting down. Each closure eliminates local jobs and Americans' access to health care.

Additionally, given the growing aging population, ObamaCare is contributing to a dangerous doctor shortage. The Association of American Medical Colleges is predicting a shortage of as many as 90,000 doctors by 2025.

Another survey by the Physicians Foundation found that 81 percent of doctors describe themselves as either overextended or at full capacity, and 44 percent have said they plan to cut back on the number of patients they see. They may even retire and/or work part time. This further reduces access for people who need medical care.

Finally, the Obama administration's promise of greater access to health insurance has proven to be totally misleading. In fact, now almost half of health insurance co-ops created under ObamaCare have collapsed due to their failing financial performance. This has resulted in hundreds of thousands of Americans scrambling to find sustainable health insurance for their families, and the ones who do find it can't afford the deductibles that, as we said, have risen dramatically.

President Obama promised that his massive restructuring of the health care industry would give more people insurance. In reality, the law continues to disrupt Americans' health care at every turn, while failing to cover anywhere near as many people as its supporters predicted.

I am counted as one who signed up for ObamaCare. I didn't have a choice. My plan was canceled. My access to my doctor was eliminated. I had no choice. But I am counted, as a statistic, as one who signed up for it.

Make no mistake—our health care system needs to change. But one thing is clear: ObamaCare is ill-conceived law and is hurting people and our economy. It must be fully repealed and replaced. Georgians and Americans want access to affordable health care options and transportability across State lines. People want to keep their health care decisions between themselves and their doctors and not have to go through a bureaucrat.

These are commonsense health care policies we can debate now that would lower costs, increase accessibility and transportability, and restore the sacred doctor-patient relationship. It won't be easy, but it is achievable. We need to start debating replacement plans now. There are alternatives to Washington taking over our health care system, almost 17 percent of our economy.

Today, for the sake of our kids and our grandkids, we are taking a very important step to repeal ObamaCare and stop government-mandated insurance. We are also removing Washington's tax on the very medical devices patients and doctors rely on to deliver quality care.

It is quite clear that this law was flawed from the very beginning. The Web site failed, access went down, deductibles went up, and premiums are still skyrocketing. The Obama administration is in total denial, and they misled the American people and failed to live up to the promises made during campaigns and afterward. What further evidence do we need to realize this law—this sweeping expansion of the Federal Government that pushes more tax dollars to Washington—is not working?

In order to solve our debt crisis, we absolutely must fix this health care crisis, which is why the Senate is eliminating ObamaCare's fines on individuals and businesses and finally sending this broken law back to the President's desk.

Today is a momentous day. This week we will actually have this vote. I urge my colleagues to put partisanship aside and do what is right for the people of America.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Delaware.

Mr. COONS. Mr. President, I ask unanimous consent that following my remarks, the Senators from Connecticut and Ohio be recognized.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

TRIBUTE TO FRED SEARS

Mr. COONS. Mr. President, I rise to recognize a close friend from Delaware, Fred Sears, a community leader and a passionate advocate for all in our community, a man whose name is synonymous with business leadership and public service in my home State of Delaware and a man I am proud to call my friend. Fred is known statewide for his generosity, his enthusiasm, and his business acumen. For decades, his impact has been felt by elected officials, nonprofit, community leaders, and countless Delawareans of all backgrounds and careers. He is a true leader, an authentic champion of the community, and the embodiment of what service means in Delaware.

Fred Sears is a Delawarean through and through. He was born blocks away from his boyhood home at what was then called Wilmington Hospital, and he grew up across the river from Brandywine Zoo. This Delaware native attended Mt. Pleasant Elementary, Aldred I. DuPont Junior High, and Wilmington Friends for high school. Fred went on to earn a business degree from the University of Delaware. He had a great deal of fun, including a truly memorable spring break trip to the Bahamas with JOE BIDEN, his classmate and friend.

After graduating from UD in 1964, Fred began a nearly 40-year career in banking. Fresh out of college, Fred was scheduled to interview for a job with the Bank of Delaware but accidentally walked into Delaware Trust instead. Fortunately, Delaware Trust was also hiring. After starting as a management trainee, he rose to become the institution's first vice president of business development. From there, Fred went on to later work at Wilmington Trust, then Beneficial National Bank, and ultimately Commerce Bank, where he was Delaware market president.

While Fred was widely known as a leader in our financial services industry, he found many other ways to serve our community as well. Early in his career, Mayor Tom Maloney asked his friend Fred to take a leave of absence from Delaware Trust to serve as the city's director of finance and then later as director of economic development. Fred not only fulfilled those two roles terrifically, but decided afterward to run for an at-large city council seat in 1976. Fred won and went on to serve two full terms.

Many of us in younger generations in politics after Fred's elected service have called on his wisdom, his insight, and his ability to bring people together as we had important decisions to make. Fred served on the transition teams of Wilmington Mayor James Sills, Delaware Gov. Ruth Ann Minner, and cochaired my transition team after I was elected New Castle county executive in 2004.

For many of us, decades of success in finance, business, and politics might be the hallmark of a complete and successful career, but for Fred these experiences were just a few of the ways he fulfilled a lifelong passion for service in our State of Neighbors.

Just over 13 years ago, while Fred was at Commerce Bank, our mutual friend Jim Gilliam, Jr., called Fred one day and said to him: I have a job for you. After some convincing, Fred accepted the job. Since then, he has served admirably at the helm of one of the most important organizations in Delaware—the Delaware Community

Foundation. The DCF plays an integral role in my home State, helping local nonprofits direct philanthropy to Delaware's most worthy causes and encouraging long-term charitable giving to improve our State. Since Fred began as CEO in 2002, the DCF has tripled its long-term charitable funds. It built its assets to $285 million. Dozens of nonprofits and community funds have flourished under Fred's leadership. He and his team and their astute financial guidance continues to generate the funding that enables them to serve. Fred didn't join the DCF, though, just to raise money and to be important and recognized; rather, he sought to improve the entire philanthropic community and the quality of community life in Delaware. His success in doing so reflects his values and his vision.

Fred is a true leader: honest, insightful, thoughtful, creative, positive, and confident. Fred possesses that rare quality, the ability to inspire others. He has used his passion for service to motivate the next generation of great leaders in our State. Take one of Fred's many initiatives called the Next Generation. It is one he is most proud of and justifiably so. Next Gen takes groups of civic-minded young professionals, with limited or no experience in philanthropy, and with just the right amount of guidance and encouragement, helps mold them into nonprofit board leaders. Since 2004, Next Gen's chapters up and down the State have helped direct over $300,000 in grants to community needs all over my home State of Delaware.

My good friend Tony Allen, who also calls Fred a mentor and a friend and a brother, tells a story of how Fred helped establish the African American Empowerment Fund. The fund today is known as the Council on Urban Empowerment, and it promotes philanthropy that supports educational, social, and economic empowerment of African-American Delawareans. As Tony notes, Fred didn't just help establish the fund, he wasn't just one of its first donors, he attended every meeting of the group.

In 2010, Tony introduced Fred when Fred Sears was set to receive an award for nonprofit leadership. As Tony put it then, while patience is a virtue, impatience is a weapon—and Fred can be appropriately impatient. Fred doesn't demur to what others would call insurmountable tasks or taboo topics of conversation. He takes every opportunity to constructively push the status quo. Tony is absolutely right. Given that legacy of leadership, it is no surprise Fred has been honored by countless organizations for his business and community efforts. He has received the Lifetime Achievement in Philanthropy Award from the Association of Fundraising Professionals. He has been given a Distinguished Service Award by the Wilmington Rotary Club. He has been deemed a Superstar in Business by the Delaware State Chamber of Commerce and was named Citizen of the Year by the Delmarva Council of the Boy Scouts of America.

Those awards and merits are certainly a reflection of Fred's values and his many successes, but those of us who have had the privilege to work closely with Fred and to know him know that his commitment to service shines most brightly in the hundreds of interactions he has with Delawareans every day, whether he is offering ideas or advice or saying a quick hello.

We know that even though Fred is leaving the Delaware Community Foundation, he will undoubtedly continue to serve the community he loves. In fact, Fred just accepted an appointment from Governor Markell to chair Delaware's Expenditure Review Commission, suggesting Fred has no intention of taking retirement literally.

In a testament to Fred's thoughtfulness, leadership, and sense of compassion, just a day after the passing of our beloved friend Beau Biden earlier this year, Fred spoke to the Bidens and offered to help the family establish an organization in Beau's name. That idea became the Beau Biden Foundation for the Protection of Children. Two days after it was launched, they had already raised over $125,000.

If this is all there was to Fred's story, it would be a remarkable one, but there is even more to Fred as a businessman, philanthropist, and a person. If you speak to those who have been around him the longest, they will tell you his true passion is his family: his wife JoAnn, his son Graham, his daughter-in-law Kathryn, his son Jason, his daughter-in-law Jen, and his treasured grandchildren, Kylie, Paxton, and Charlie. I have no doubt Fred's retirement means he will be spending a lot more time as Pop Pop to his three treasures, becoming even more of a fixture at their frequent school functions and baseball and soccer games.

Fred's friends and family will also tell you how much he adored his mother Marjorie, visiting her daily at Stonegates until her passing, and how much he cares for his father-in-law today. They will tell you that Fred loves dancing, snappy suspenders, and vinyl records.

Fred's friend Tom Shopa will tell you about Fred's passion for golf and how for decades he has kept track of all of his golf scores, the number of putts he made, the weather that day—recording every single detail just as his father did.

Friends and colleagues will tell you that they hear Fred say thank you dozens of times every day. Today I pause for a moment on the floor of this great institution to say thank you to Fred. Thank you for giving your time and talents, over decades, to more than 40 community nonprofit organizations, for serving on countless boards from Christiana Care to Rodel Foundation, from the Wilmington Housing Partnership to the United Way. Thank you for your decades of service to Wilmington and Delaware, for your lifelong commitment to family, friends, and community.

Fred, as our friend Tony Allen puts it, everyone in Delaware is better off because of your efforts. Thank you, Fred Sears, and congratulations on many jobs well done. I eagerly look forward to seeing where your so-called retirement will take you next.

The PRESIDING OFFICER. The Senator from Wyoming.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MURPHY. Mr. President, I am on the floor to speak to the debate that is happening now on reconciliation, specifically, the fact that we are here for the 16th time in the Senate debating the repeal of all or significant parts of the Affordable Care Act, and stack that on top of the 50 to 60 times this has been debated—the repeal of all or major parts of the Affordable Care Act—in the House of Representatives. As many of us have said over and over, we think the debate over repeal is over and that we should, A, accept the success of the Affordable Care Act and, B, to the extent that there need to be changes made, do it on a bipartisan basis—find the ways we can work together to try to perfect a law that is by and large working.

The data only tells one story. I want to review it for a moment because if you hear many of my Republican colleagues talk, they act in the absence and in the denial of the overwhelming evidence that tells you the Affordable Care Act is working. There are 17 million Americans who have insurance today who didn't have it before the Affordable Care Act. They have gotten it either through these exchanges, these private health care exchanges with a tax credit from the Federal Government or they have gotten it through Medicaid expansion.

We have reduced the number of people without health care insurance in this country by 30 percent in the few first few years of implementation. That is with many States doing everything they can to undermine the act. That is with many States refusing to accept the expansion of Medicaid coverage that could make that number even greater than 17 million or 30 percent.

In my State of Connecticut, where we have been aggressively trying to implement the Affordable Care Act, we have

actually reduced the number of people without insurance by 50 percent. The total numbers in Connecticut are pretty extraordinary, given the short amount of time we have had and given the fact that in Connecticut we had a pretty robust Medicaid Program to begin with.

Overall costs to the Federal Government are under control for the first time in many of our lifetimes. The average medical rate of inflation to the Federal Government is about 2 or 3 percent. The overall rate of medical inflation is the lowest since 1960. That is because the Affordable Care Act is transitioning payments away from volume-based payments, rewarding you for the more medicine you practice, to outcomes-based payments, rewarding you for keeping your patients healthy.

Quality is getting better. You look at a broad array of metrics. Things such as hospital readmission rates or hospital acquired infections are all going down. Let's be clear, the Affordable Care Act was not designed to fix every single problem in the health care system. There are still going to be problems, there are still going to be anecdotal failures, but if you are working to undermine the act in your State, you are going to have more problems with your health care system.

When I hear my colleagues come down to the floor of the Senate and complain about hospitals closing in their State, when their State is actively rejecting Federal money that would help expand Medicaid and provide more people walking into hospitals with reimbursement attached to them, there is more than a hint of irony to that complaint. If you want your health care system to work, then implement the Affordable Care Act.

AMENDMENT NO. 2875

Senator JOHNSON is offering an amendment which could be of particular harm to the people in my State and in neighboring States. His amendment would allow for plans that don't comport with minimum coverage requirements of the Affordable Care Act to continue to be offered.

Before I relinquish the floor, I wish to speak for a moment about this particular amendment. There is a little boy named Kyle from Simsbury, CT, whom I have talked about before on the floor. Kyle requires injections that cost about $3,000 per dose, and he has to take them three to four times a week for the treatment of a blood disorder. Because his previous insurance plan had an annual lifetime limit, his treatment threatened to bankrupt his family. That fear is no longer a reality for his family because the Affordable Care Act says if you want to offer an insurance plan in this country, it has to be a fair plan. It can't have annual or lifetime limits, and it can't charge you more because you are a woman. It has to cover basic medical necessities, such as maternity coverage.

The requirement of having insurance plans provide actual insurance that doesn't discriminate against a person based on their medical history or gender not only allows people to have access to health care they didn't have before, but it has given millions of families like Kyle's family peace of mind.

The Johnson amendment would take that peace of mind away from millions of families by allowing for plans to go back on the market throughout the country—plans that would cap coverage on an annual or lifetime basis and that could once again discriminate against you based on your gender or medical history.

There may be a lot of parts of the Affordable Care Act that people support or don't support. But the one thing that the people of all parties have generally supported is the idea that we should put patients and consumers back in charge of their health care, instead of the old days when the insurance companies were in charge and would tell you that you have insurance, but then halfway through the year, just because you used a lot of it, yank it away from you.

There are a number of reasons why we should reject this specific amendment, but on behalf of the millions of families like Kyle's out there that don't want to go back to a world in which their insurance companies could take away their coverage just because they needed it more than other families, their stories alone are example enough to reject this amendment.

I hope that we can move on from this debate and try to work together—Republicans and Democrats—to perfect the Affordable Care Act and that we can get beyond this perpetual, ongoing, never-ending debate about repeal. Specifically, with respect to the Johnson amendment, let's think about all of those families that have been jerked around by insurance companies for far too long and need relief that the Affordable Care Act has given them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I wish to add to the comments of Senator MURPHY in opposition to that amendment. I wish to also to point out that one of the previous speakers bemoaned the number of hospitals that have closed in his State over the last 10 years. I bemoan them too. I also know that more of those hospitals would have closed if the Affordable Care Act hadn't passed. More of those hospitals would have closed if, in States like mine, the Governor didn't expand Medicaid.

We know that in States where rural hospitals have closed—particularly if there was a Republican Governor—the hospital association and many, many, many health care providers of all kinds, including nurses, physical therapists, and others, asked the Governor of that State to expand Medicaid so these hospitals could stay in business and keep serving rural people. This issue is not just about the rural poor people in South Carolina, but rural middle-class people who had insurance and were paying, but those hospitals couldn't stay open because they didn't have the revenues coming in. If Governors from those States had actually expanded Medicaid—as was the intent of the Affordable Care Act—instead of scoring political points, many of those hospitals would not have had to close.

I thank Senator MURPHY for his efforts.

Mr. President, I come to the floor to talk about an amendment that I will not offer at this time but will probably offer later today about Medicaid—again, to help perfect the Affordable Care Act.

Since the passage of the health law, Medicaid expansion has helped 600,000 Ohioans—many for the first time in their lives—in my State have health coverage just because of Medicaid's expansion. That is why the amendment I will offer will permanently extend the Medicaid expansion Federal matching rate at 100 percent. Some Governors—I think a bit disingenuously, but at least they are saying it—didn't expand Medicaid because the States will eventually have to pay up to 10 percent, even though the State gets all kinds of economic benefits, not to mention the humanitarian concerns that it addresses. Nonetheless, my amendment will make it 100 percent—no more excuses, first of all, to refuse to expand Medicaid.

At a time when some are looking to halt support for Medicaid, we should be increasing that support. Since its enactment in 1965, Medicaid served as a lifeline for millions of Americans ranging from children and pregnant women to seniors who almost certainly would otherwise not afford nursing home care without it.

Thanks to the Affordable Care Act—while my colleagues on the other side of the aisle are attempting to dismantle it—States now have the option to expand Medicaid the way Governor Kasich, the Republican Governor of my State did, including nonelderly adults without children. Thirty States, including the District of Columbia and, as I said, my State of Ohio, have taken up Medicaid expansion, and it has obviously mattered to a whole lot of people.

Federal Medical Assistance Percentages, which determine how much the Federal Government will pay for covered services in the State Medicaid programs, were increased for States that chose to expand their Medicaid under the Affordable Care Act. Under the health law, States that expand their Medicaid programs receive an enhanced Federal reimbursement for the costs incurred by newly eligible enrollees. That matching rate will phase

down from 100 percent to 90 percent in 2020.

My amendment would make the enhanced FMAP, the Medicaid expansion reimbursement, permanent. It is paid for by closing corporate tax loopholes. States that have expanded Medicaid have experienced significant drops in the number of uninsured. They have realized budget savings and cut the cost of uncompensated care for hospitals.

The number of hospitals I have visited recently, including the hospital in which I was born, Medcentral in Mansfield, are bringing in more patients who are paying because of Medicaid and the Affordable Care Act and fewer patients for which they are uncompensated, thereby having to cut costs a little bit less and making that hospital easier to manage. Too often hospitals have to cut patient services when they have to cut their costs.

We should continue to support States that have done right and expanded access. We can do this by maintaining their current FMAP rates. This policy will provide States with financial security. It will free up State Medicaid budgets to address other Medicaid needs, such as increased access to mental health services or the higher costs of prescription drugs. With millions of Americans falling into the coverage gap in nonexpansion States—those couple of dozen States that have refused to expand Medicaid even though the Federal Government pays for almost all of it—this policy is likely to help encourage expansion of Medicaid in those States.

As I said, Ohio is one of the first States to accept Federal funds. I thank Governor Kasich, the Republican Governor of Ohio, for doing that. Without expansion, Ohioans would have fallen through the cracks by making too much for traditional Medicaid but too little to qualify for subsidies in the insurance marketplace. Now these individuals, including 600,000 in Ohio, have affordable coverage.

I don't understand how people who represent my State in the House or Senate can vote to repeal the Affordable Care Act when they have 600,000 people in Ohio who have insurance—and that is just the Medicaid part—let alone the hundreds of thousands of others. How can they vote to take away their insurance? Do they know those people? Do they ever look those people in the eye and say: Sorry; I am scoring a political point. I will vote against the Affordable Care Act. Sorry; you are going to lose your insurance, but maybe we will do something down the road to help you.

Under these new provisions, 24,000 Medicaid enrollees in Ohio are being treated for cancer. These include Ohioans like Pamela Harris, the mother of four children. She had no health insurance before the State expanded Medicaid—again giving credit to Republican Governor Kasich—and she found herself having to choose between paying for utility bills or medication. After her first stroke, Ms. Harris was unable to afford followup care and physical therapy, but when she survived her second stroke, her recovery was much better. Why? Because she was eligible for health insurance through Ohio's Medicaid expansion.

There are so many reasons to do this. Mr. President, 2015 marks the 50th anniversary of Medicaid. We should be strengthening the program that provides good quality health insurance to millions of Americans, including hundreds of thousands of people in Wyoming, Tennessee, South Carolina, and my State of Ohio. We should do that and not vote to take it away.

I will offer the amendment later.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. STABENOW. Mr. President, I come to the floor today to speak on behalf of millions of Americans who are very grateful they have health care now under the Affordable Care Act that they didn't have a few years ago.

Looking back over the years, I am reminded of the steps forward that we, as Americans, have taken, starting with Medicare and Medicaid, and how we have helped to lift a generation of seniors out of poverty and ill health because of lack of insurance and not having access to prescription drugs. The majority of Medicaid coverage, about 80 percent, is for seniors in nursing homes.

We are moving forward again and putting in place the ability of people to see a doctor and get the medical care that they need. With the Affordable Care Act, we took the next important step for over 17 million Americans. Moms and dads don't have to go to bed at night anymore and say: Please, God. Don't let the kids get sick. They know they will be able to take their child to a doctor. They know they are going to be able to get coverage and won't get dropped if they get sick, which was happening in too many cases before the Affordable Care Act. Women now know that just simply being a woman is not a preexisting condition, where we were paying twice as much for basic insurance or blocked from certain kinds of care.

I will never forget the debate in the Finance Committee when we included an amendment of mine for comprehensive preventive care, including maternity care for women, and a colleague asked: Why should we cover maternity care? He didn't need maternity care. I reminded him that his mom did, and I reminded him of the importance of maternity care for women and children and those of us who are now adults. So that is now a part of the Affordable Care Act.

Young people are now able to stay on their parents' insurance while looking for a full-time job after they graduate from college. Slowing the growth of insurance premiums is what we still need to do. That is what we should be focusing on today together—to continue to be laser focused in that area as well.

Now, 17.6 million Americans have health insurance coverage. Under the reconciliation bill—the budget bill in front of us—the rug is going to be pulled out from all of them, from millions of Americans. Passing this reconciliation bill will dismantle the framework, the structure for health care for millions of Americans—men and women and children.

It also will do something else. Instead of celebrating health care services that we have had for years—nearly 100 years of preventive health care services—through Planned Parenthood providing essential health services to men and women, particularly in areas that don't have services, such as in rural parts of my State as well as around the country—instead of strengthening those services, what we see is an effort to actually eliminate preventive health care services for women. It seems one more time women's health care is attacked. It takes on all kinds of different forms, but it always ends up with the same thing—challenges to women's health care.

So I am urging my colleagues to vote no on this Republican budget proposal that guts health care for families, that would strip funding for preventive health care, for family planning, and for other preventive health care. Millions will lose their coverage if this passes.

Instead of focusing on this bill, which is essentially something that we know is going to be vetoed by the President of the United States—he is not going to allow that health care coverage to be taken away; he is not going to allow preventive health care services to be taken away. We know what the outcome is really going to be. So this is really a political exercise. I understand that people want to say that they voted to eliminate the Affordable Care Act, to take away health insurance for people, and to stop funding for Planned Parenthood and other preventive health care services. But we all know where it is going to end. First of all, I can't believe that people think it is a good idea to do that, but maybe other States are different than Michigan, where people want to have health care for themselves and their families.

We have in front of us a whole other range of things that are very important to do right now. There is a major

effort on a transportation bill that is, in fact—rather than being partisan and divisive as this budget reconciliation is—bipartisan, and we need to move that as soon as possible.

We are working on budget issues and tax policy and other areas where we can work together. The list is long of things the American people want us to get done.

We need to be tackling the affordability of college so that more people have the ability to work hard, get good grades, get accepted to school, and go to college. Instead, here we are debating whether people should have health care in the United States of America.

The bottom line is that according to the nonpartisan budget office, this bill on the whole would increase premiums by roughly 20 percent above what would be expected under current law. So on top of everything, including over 16 million people losing their health insurance, everybody is going to see their rates go up. Merry Christmas, happy Hanukkah, happy New Year—20-percent, on average, increase in premiums.

This reconciliation bill makes no sense. It is bad for the American people. It is bad for women. We ought to be focused on things that actually improve quality of life and continue to improve health care and bring down costs for all Americans.

I hope we will reject this bill and move on to things that make a lot more sense, certainly for families in Michigan and across the country.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. BLUNT. Mr. President, I have listened carefully to the Presiding Officer's comments earlier and the comments of others who have talked about the importance of passing this bill and drawing focus again to the health care plan that is just not working. It is not working. The State exchanges are failing. They are sort of fleeing to a bigger Federal exchange, and the insurance companies are fleeing the Federal exchange as well as the State exchanges. They are moving out of the family market. They are moving out of the individual market.

The biggest health insurance company announced recently that they were likely to abandon this particular process next year. The plan where the insurance companies that had a profit would use some of that profit to offset the loss of other companies isn't working because, as others have well explained, the incentive for young, healthy people to be part of this plan is just not there. The premiums are too high, and the deductibles are too high.

There is no reason to be part of this, and there should be nothing new here. The failures of this plan were almost guaranteed when the House and Senate, under the control of our friends on the other side, decided they were going to pass the bill the Senate passed when there were 60 Democrats here to vote for a bill. It doesn't matter how flawed that bill was. It doesn't matter how many problems were in that bill. It is the only thing we can do, and we are going to do it, and in doing it, we are going to interject a government between not only a whole lot of the economy but between people and their health care.

I have said on this floor before and many other places that somebody told me one time that when everybody in your family is well, you have lots of problems; when somebody in your family is sick, you have one problem.

When the Federal Government decides they are going to help families in ways that families don't want that help, when the Federal Government decides they are going to interject themselves between families and their doctors, families and their health care, families and their insurance company choices, you can't really expect good things to happen.

The anticipation not too long ago was that on the individual exchange, where you go get your own insurance for yourself, there would be 20 million people signed up by the end of last year. When that projection was made, I think there were 14 million Americans on the exchange. Not too many weeks ago, they were back down to 9 million, and the Secretary of Health and Human Services said a better and more realistic goal for the end of 2016 would be 10 million people—exactly half of the number the administration thought would be there 6 months ago. What would be wrong that would cause that to happen? How could you be that far off in how you thought Americans and American families were going to respond to this? You could be that far off by just not listening.

For the first year of implementation of this plan, I came to the floor week after week after week, and week after week after week, I had letters, calls, and emails from Missourians talking about how this was impacting the lives of their families. I have told those stories on this floor before, so I won't tell them again today, but there are hundreds of them multiplied by thousands if you talk to anybody who has talked to anybody about this system.

Interestingly, those calls, letters, emails, and contacts appear to be coming back because people have now decided that this is not as bad as they thought it was; it is worse than they thought it was. The problems aren't as great as they had feared; they are worse than they had feared.

In 2013, Lance called our office. He was very concerned. He liked his coverage. The President said you could keep your coverage, but his coverage didn't conform to the new standards the Federal Government has suddenly decided you needed to have no matter what you thought and the Federal Government has decided you needed to pay for no matter whether or not you could pay for it. So he was told: You can't keep that policy. Well, like so many other things in this law, he was pretty quickly then told: Well, no, we figured out a way that for a year or so, you can keep your policy. So Lance was going to keep the policy, but he found out that for any number of reasons related to this big change in health care, the policy he wanted to keep was $150 more a month than he had been paying for it and the deductible increased by $7,500. So, like a lot of other people, he would have loved to have kept the policy he had before, but none of it made any sense for him anymore.

I received a letter just a few days ago from a friend of mine who runs a business in Kimberling City. In that letter, she mentioned they were 3 or 4 employees short of 50 employees. As employers, they didn't have to do this, but they had always provided group health and life. They wanted to do that again, but in her letter, she said that the prices have skyrocketed and the way companies now feel as though they have to aggregate their employees is much different than it used to be, particularly for older employees, if you are over 47.

Here are some numbers she gave me in that letter. If you are over 52, the increase this year over last year was $2,128. That is the annual increase. That is not the annual premium; that is the annual increase, $2,128.76. If you are 58, the annual increase was $4,599.60. Again, that is not the cost of the policy; that is the increase this year over last year. And if you were 61, the increase was $5,680.20.

This is a company that for years has done everything it could to provide this as a benefit. One, it is clearly a benefit they have a hard time affording, and suddenly it is a benefit that creates a huge obstacle for older workers. Where everybody used to be rated the same, they would rate your group, now they want to rate the individuals in your group.

In our State, in Missouri, the average premium has increased by more than 10 percent. In Kansas City, the increase is 20 percent. The silver plan—not the best plan and not the worst plan—is 13 percent higher. The bronze plan, which sort of meets the minimum standards the administration says you have to have or pay the penalty, is 16 percent higher. That is just 1 year, and this is

just your insurance. It is not your higher utility bill that is higher because of another government regulation; it is not your higher this or your higher that; this is just your higher cost of not having to pay the penalty.

Just the other day, Health and Human Services said for the first time ever, the average deductible is over $2,000. There is a little merit to having some of your own money invested in your own health care as you make these decisions, but the average is over $2,000. Many families are now seeing a $5,000 individual deductible with a maximum of two family members, if you happen to have two people sick in the same year. Those same families may be paying $500, $600, $800 a month or more for insurance, so you have your insurance costs approaching $1,000 a month and your deductible of $10,000. For most families, that is just like not having insurance at all. You are writing this check every month hoping nobody gets sick. If you get sick, you might have to write another $10,000 check or more. As a matter of fact, I just mentioned that Lance had the policy where his deductible went up $7,500 as his premium was going up $150.

I spent a lot of time with the hospital community in our State. Over and over again, I said: OK, what is your fastest growing column of bad debt? Over and over again, the answer is people with health insurance. People with health insurance are the fastest growing column of bad debt because the health insurance has a deductible that family can't pay. If the deductible had been $500, you had that discussion: Well, we can do $200 of that, and maybe your mom and dad could help us with half of the other $300, and somebody else would help with the other $150, and we will pay it. But if it is a $5,000 deductible, many families just say: We are never going to pay—we can't pay $5,000. And so the health care provider writes that off.

They are also taxing health savings accounts and flexible savings accounts, which are other tools people were using and using pretty effectively to have that money for a deductible, to have that money to offset things they didn't want to insure against.

This is a system that is simply designed to fail, and there is no news here. There is no news here. Every time I came to this floor to talk about this—and that was many, many times—I explained why the system would fail. Some of the press in my State—at least I remember one column that said: Senator BLUNT is spending way too much time talking about the weaknesses of ObamaCare. This is everybody's health and 60 percent of the economy. It is pretty hard to spend too much time talking about those things.

The other thing we constantly hear is that there were no alternatives. Let me quickly list those, and I am going to then yield the floor to others.

The things that could have been done and still could be done, things that were proposed even though we constantly hear ''Well, there were no other ideas out there''—there were lots of ideas out there. Expand health savings accounts. Let those accounts be used for long-term care or long-term care insurance. Let small businesses join as a group. Let young adults stay on the policy longer. Liability reform, fair tax treatment, and buying across State lines are the kinds of things that could happen. Prohibit policy cancellation. Use what were very strong high-risk pools—expand those so that people with preexisting conditions could never be shut out of the insurance market. All of that fell on deaf ears, and now all we hear is that there were no other ideas, this is the only idea. This is a plan that is not working.

I urge my colleagues to vote yes on this bill that puts the responsibility right back where it belongs—on the President's desk.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, you just heard my colleague from Missouri talk about many of the things that could be used to replace ObamaCare. There were a lot of ideas that make sense when it comes to health care in this country, that put patients and consumers more in charge of their health care decisions, and that create more competition and allow market forces out there to work to drive health care prices down, which is the exact opposite of what we have with ObamaCare.

For those who suggest there aren't other ideas out there, you just heard the Senator from Missouri go through a quite lengthy list of ideas that could be incorporated into a replacement for what has been a disastrous piece of legislation for the American people. The reason for that is because after 5 years now, one thing has become abundantly clear; that is, ObamaCare just isn't working. It flat isn't working. It is not lowering premiums, it is not reducing health care costs, and it is not protecting access to doctors or hospitals.

Instead, Americans are paying more for their premiums. The average cost of a family health care plan has risen to $17,545 a year up from $13,770 in 2010. That is nearly $4,000 a year in additional costs that the typical family in this country is having to contend with.

In addition to paying higher premiums, Americans with job-based insurance are also facing increased deductibles. The situation is also bad on the ObamaCare exchanges. Premiums on the exchanges will rise once again this year, with many Americans facing rate increases in the double digits.

Then there are the tax increases Americans are facing as a result of the law. While the Obama administration did its best to hide the true costs of the law, the truth is ObamaCare implements almost a dozen new taxes to the tune of $1 trillion. American families are going to face an average of $20,000 more in taxes over the next 10 years thanks to ObamaCare.

Now, I could go on. I could talk about the failing co-ops, the failed exchanges, the taxpayer dollars the law has wasted and much, much more. But today I would like to take just a few minutes to talk about the people behind those statistics—the individual Americans who are struggling under the tremendous burden ObamaCare has imposed. Over the past 5 years I have received numerous letters from constituents sharing the pain ObamaCare has caused them. I want to highlight just a few of the most recent.

I had a constituent of mine from Hill City, SD, write to tell me:

> My premium is going from $624.16 a month to $1,054.42 per month, an increase of 68.93 percent. My wife's premium is going from $655.70 to $1,083.41 per month, an increase of 65.23 percent. I was under the assumption that the new Affordable Health Care Act was to be just that, affordable. How can a yearly bill of $25,653.96 be affordable to a retired couple?

That is from a constituent in Hill City, SD. Another constituent in Aberdeen, SD, wrote to share a similar story:

> We just received our rate increase for our family health insurance. We have been paying $1,283.81 a month and the $557.45 increase will bring it up to $1,841.26. This amount has gone from 26 percent to 37 percent of our income. . . . After having insurance coverage for the past 38 years, we are faced with dropping coverage, which is ironic since that is not the purpose of the Affordable Care Act. We are considering dropping insurance and facing the penalty just so we can continue to live in our house, pay the bills, and buy groceries.

Another constituent from Redfield, SD, wrote to tell me:

> My current monthly premium is $863.12. The monthly change in my premium is $470.67, making my monthly premium a hefty sum of $1,333.79. I think this is outrageous.

Again, this is from a constituent in Redfield, SD. She continues to say:

> I know I am not the only one facing such enormous premium increases. My son, who is married and has two small children, received notice that his monthly premium will increase $495, making his monthly premium $1,571.

Well, unfortunately, she and her son are far from the only ones to face such enormous premium increases. A constituent in Sioux Falls, SD, is facing a 50-percent premium increase. The premium of a Deadwood constituent is increasing by 47 percent. A constituent in Milbank is facing a 62-percent premium increase. As I mentioned above, a constituent in Hill City is facing an increase of almost 69 percent.

More than one constituent has written to tell me that his health insurance

costs more than his mortgage payment—more than a mortgage payment. One constituent told me she and her husband would have to pay 60 percent of their income to insure themselves and their four children—60 percent of their income. Think about that. If any more evidence was needed to demonstrate ObamaCare has failed, that should be sufficient.

The Affordable Care Act may have been a well-intentioned law, but it has failed to achieve its objective. Not only has it failed to make health care more affordable, but it has actually driven up health care prices to unthinkable levels for far too many Americans. South Dakota families cannot afford 50-percent premium increases or health insurance payments that are double their mortgage payments. No family can afford that—no family anyplace in the country.

It is time for Democrats to stop defending this broken law and to work with Republicans to repeal it and to begin building a bridge to real health care reform for hard-working families across the country. The legislation before us today would do just that. It would give us that opportunity to move away from a health care plan that has failed, that has led to higher premiums and higher deductibles and higher copays and higher out-of-pocket costs and constructed networks where you can't get access to the same providers you perhaps could in the past. So the whole idea that if you like your health care, you can keep it is just not reflected in reality for most Americans.

The promises that were made have been broken. This health care law is a failed law. We can do much better by the American people, if we have that opportunity, but it starts with repealing this bad law and starting over and putting in place a health care system for this country that creates more affordable, more accessible health care for more Americans. I hope our colleagues here in the Senate will join together on both sides of the aisle and repeal this bad law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I rise in opposition to the ObamaCare legislation we are dealing with today and in an effort to repeal. I join my colleagues in calling on the President to work with us to reform this very badly written law.

By any objective measure, the President's health care law is a disaster. Six years ago, at Christmastime, I was here on this floor as we held the final debate and held the final vote, after nearly a year of trying to stop this legislation from being forced into law. Unfortunately, it was passed in the most partisan and misguided way on a straight party-line vote after virtually every serious effort to amend it and repair it had been rejected outright.

Since that time, the American people have felt the impact of the law. Thirty of the Senators who forced it through this Chamber no longer serve in the Senate any more. I don't believe this legislation could pass again were it brought before us. Those of us who fought over it at that time raised a number of concerns and warned the American people that this proposal would result in widespread dislocation of the American health care economy, that it would increase taxes on nearly everyone, force people from health insurance plans and doctors whom they have and whom they like, push up premiums and out-of-pocket expenses, cut Medicare services, and, finally, undermine the employer-based health insurance program and market that so many people and families rely upon.

Unfortunately, time and again, we have been proven right. In truth, today we see that the situation is much worse than even we said it would be. The President not only managed to mangle the 2013 rollout of the ObamaCare exchanges, but he repeatedly has delayed key parts of the law because of the entirely predictable problems that have arisen and made selective interpretations of the law necessary to advance the administration's political interests.

The President, or a top administrative official, stated 37 times: ''If you like your health care plan, you can keep it.'' These included numerous national townhalls and weekly Presidential addresses. This statement proved to be PolitiFact's 2013 ''Lie of the Year.''

Since those statements, millions of cancellation notices have been sent out to Americans across this country, including over 100,000 in Idaho alone in 2013, rendering meaningless the President's oft-repeated pledge.

In January, CBO updated its estimate of the effects of the health care law, indicating that over 10 million individuals will lose their employer-based health care coverage by 2021. Further, CBO estimates the law will leave 31 million people uninsured, up from its original 2011 forecast of 23 million people.

We are also learning that the health care Consumer Operated and Oriented Plan Program—the CO-OP program—is failing nationally, despite receiving over $2 billion in taxpayer bailouts. Today, over half—12 of the original 23 public co-ops—have failed. Between October 9 and October 16, 4 co-ops announced they would not offer health insurance in 2016, leaving 176,000 patients scrambling to find a new plan.

The President is also annually faced with the reality of rising premiums and out-of-pocket expenses for health insurance plans. What is his line of argument? He again tries to lower expectations, saying that these costs are not as bad as they initially were projected to be, even though they are still going up.

Throughout the 2008 Presidential campaign, then-Senator Barack Obama repeatedly promised that his health care plan would bring down premiums by as much as $2,500 for the typical family. As President, he continued to make this claim, even after studies demonstrated that the opposite would occur. The truth was that the opposite did occur. Health care premiums have skyrocketed.

For the most recent open enrollment period, the average premium increase for the midlevel silver plans on the Federal exchange is 7.5 percent, more than triple last year's increase. In Idaho, which operates a State exchange, the average premium increase for a Blue Cross of Idaho plan is 23 percent. The average premium for a Regence BlueShield of Idaho plan is 10 percent. And the average premium increase for a SelectHealth plan is 14 percent. This is after year after year of increasing health care premiums.

What is the justification from the insurers? This is the first year prices are based on post-ObamaCare patients, enrollments costs, and mandates. Premiums are skyrocketing.

There are better solutions. To address the increasing costs and decreasing choices, the bill we have before us today eliminates the individual and employer mandates so Americans can once again choose the plan that fits their health care and budget needs.

It also repeals the taxes on employer contributions to flexible spending accounts and expands the availability of health savings accounts, FSAs, and health reimbursement accounts. These accounts are central to a consumer-driven health care system.

But it is not just premiums that are increasing. People are facing higher deductibles and copays as well, sometimes thousands of dollars higher than before. For the lowest cost ObamaCare plans in 2016, deductibles have increased by 10.6 percent for individuals and 10 percent for families.

Let me give just a couple of examples from constituents in Idaho. Daniel from Meridian, ID, recently contacted my office to explain why he and his family are uninsured for the first time in their lives. Daniel is employed and the sole provider for his family. His employer offers health coverage, but the estimated cost of premiums for his family would be over $900 per month. He chose to purchase insurance from the exchange but decided the coverage was not worth a $500-per-month premium and an $8,000 deductible. That is right, an $8,000 deductible.

Daniel is not the only constituent who has contacted my office about the so-called family glitch—an unfortunate but not uncommon flaw in ObamaCare

that has left millions of Americans families uninsured.

Bill from Boise, ID, is a small business owner. He purchases his own health insurance and provides coverage to his 45 employees. He saw his premiums increase by 7 percent in 2014, by 12 percent in 2015, and was recently notified by his insurance company that premiums will increase by 25.6 percent in 2016. Bill says these increases, in addition to other regulations and mandates coming from the government, will likely cause small businesses to close their doors.

Lane from Melba, ID, experienced his premiums increase to over $900 per month for his family. Even without preexisting conditions, his plan includes a $3,500 deductible. These cost increases come as individuals are paying more in taxes also as a result of ObamaCare.

People may recall that at the time of the debate, the President stated again and again:

> I can make a firm pledge . . . no family making less than $250,000 will see their taxes increase . . . not your income taxes, not your payroll taxes, not your capital gains taxes, not any of your taxes. . . . You will not see any of your taxes increase one single dime.

Well, when we debated the bill we pointed out that there was over $1 trillion—maybe close to $1.5 trillion—of new taxes, most of which were going to fall squarely on the middle class. Yet, during consideration of ObamaCare, the nonpartisan Joint Committee on Taxation sent me a letter confirming that there were at least seven specific tax increases in the bill which would raise taxes on middle-income American families.

According to CBO, ObamaCare will cost taxpayers more than $116 billion a year in taxes. The average American household can expect to pay more than $20,000 in new taxes over the next 10 years. In Idaho, my constituents will pay $360 million more in taxes over the next decade, or $6,055 per household.

The legislation we are considering today will solve this problem as well. It will eliminate more than $1 trillion in tax increases and save more than $500 billion in spending. And for all of the additional burdens, mandates, and costs, consumers are finding narrower insurance networks and limited plan offerings. In its recent Notice of Benefit and Payment Parameters for 2017, CMS actually stated that an excessive number of health plan options makes consumers less likely to make any plan selection and that standardized options are needed to provide consumers the opportunity to make simpler comparisons. This means these standardizations will once again mandate that insurers offer consumers fewer options.

To sum up, millions of Americans are being forced from plans they like and the doctors and hospitals they know. They face higher premiums and higher deductibles and out-of-pocket expenses, they navigate one of the least customer-friendly Web sites ever designed, they are obligated to share personal and sensitive financial information through a network that hackers have called a gold mine for thieves—and, which is managed by the IRS—and, in return, they are paying higher taxes and seeing Medicare benefits cut.

It is time that we in Congress place on the President's desk a solution, a repeal of these onerous and misguided health care policies and a reform of our health care system that will help move us to achieve the true objectives that Americans are asking for—helping to get a proper health care delivery system with a market-based delivery foundation that will help to reduce costs, increase the quality of care, and expand access to care across this country. We know we can do it. But we know now very clearly that ObamaCare is not the solution.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that I be allowed to finish my remarks.

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

Mr. HATCH. Mr. President, this week marks another milestone in the long, sordid history of the so-called Affordable Care Act.

It has been roughly 5½ years since this law, cobbled together with spit and baling wire, went into effect. In a few weeks, we will reach the 6-year anniversary of the initial Senate passage of the legislation that would eventually become ObamaCare. Many of us remember those days well because we were here when it happened. Others who were here back then are no longer serving in Congress, and, in many cases, as a direct result of how they voted at the time. Still, for those of us who remain, I expect that this week—as we debate and hope to pass legislation to repeal the most harmful elements of ObamaCare—will bring back a flood of memories. It already has for me.

We all remember the absurd promises that were made by the President and his allies to try to win over the American public: If you like your health insurance, you can keep it; the bill will bring health care costs down; only rich people and evil corporations will see their taxes go up—and so on and so forth.

We all remember the deals cut behind closed doors to bring reluctant Democratic Senators on board. A number of those deals ended being so notorious that they even got nicknames: the ''Cornhusker kickback,'' the ''Louisiana purchase,'' the ''Bay State boondoggle,'' and ''Gatorade.'' We all remember a sitting Speaker of the House arguing with a straight face that Congress would have to pass the health care law before the American people could know what was in it.

More than anything, we all remember a Senate majority—a super majority, as some called it at the time—that was so committed to giving their President a political win that they forced a massive, poorly drafted bill through the Senate without a single Republican vote. They didn't need any Republican votes to pass it, and they sure weren't looking for any. Instead, they threw together a massive overhaul of a huge portion of the U.S. economy and forced it on the American people on a strictly partisan basis—not only here but also in the House.

I will tell you something else that I personally remember from that time. I remember sitting here on the floor shortly before the final cloture vote during the Senate's consideration of the bill and listening to our distinguished majority leader, who was at the time the minority leader. It was December 21, 2009. It was late, nearly 1 o'clock in the morning, and the good Senator stood up and offered some dire warnings for those who supported the bill. After detailing many of the problems the bill would cause—predictions that have all come true, by the way—Senator MCCONNELL said:

> I understand the pressure our friends on the other side are feeling, and I don't doubt for a moment their sincerity. But my message tonight is this: The impact of this vote will long outlive this one frantic snowy weekend in Washington. Mark my words: This legislation will reshape our Nation. . . .

And he was right. That legislation—now a law—has in many ways reshaped our Nation, including some ways that I am not even sure Senator MCCONNELL could have predicted that night.

Yes, it has had a disastrous impact on our health care system. I will have more to say about that in a moment. But, in my view, it has also eroded the public's confidence in our institutions and undermined the ability of our government to function well. By passing this law—forcing it through Congress on a purely partisan basis—its proponents sent a clear message that partisanship trumped good judgment and the will of the voters.

After running a masterful election campaign, President Obama came into office in 2009 riding a wave of goodwill and promises to usher in an era of ''post-partisanship''—whatever that was supposed to mean—and allow us to transcend ideology to focus on good government and pragmatic solutions. Yet his biggest campaign promise, the top priority of his first term and his signature domestic achievement, ObamaCare, was the result of the largest exercise in naked partisanship in our Nation's history.

By any estimation, the debate and passage of ObamaCare deepened our Nation's partisan divide and drove

more voters—on both ends of the spectrum—into deeper and more entrenched partisan and ideological positions. It made people more cynical and less trusting of our government and its leaders. It gave additional credence to the perception that politics and governing in America are more about tribalism and conflict than about providing real solutions to the problems plaguing our citizens.

Can anyone seriously argue that our Nation is less partisan or less divided now than it was prior to the passage of ObamaCare? I would like to see anyone try to make that claim with a straight face.

Sadly, that is not all. The damage wrought by ObamaCare extends well beyond our Nation's political discourse and into our governing institutions themselves. Most notably, we have had an administration so committed to ObamaCare that it has, on numerous occasions, exceeded its constitutional authority in order to preserve it.

The examples of overreach and abuse of power have been well documented. The Obama administration has unilaterally moved deadlines set by the statute that they found to be inconvenient. They have rewritten provisions in the law to give favors and carve-outs to political supporters. They have selectively enforced other provisions in order to give more teeth to their regulations. And that is just the tip of the iceberg.

Make no mistake. President Obama's penchant for Executive overreach extends well beyond the implementation of the Affordable Care Act. But clearly, many of the most egregious examples of abuse on the part of this administration were undertaken to preserve a poorly constructed health system that simply could not work the way the law was drafted. Simply put, ObamaCare has led directly to a weakening of our constitutional order and an erosion of the separation of powers. Given all of these negative consequences, the question ultimately becomes this: Has it been worth it?

Don't get me wrong. In my opinion, all these terrible aftereffects would, by themselves, be enough justification to undo what was done in this Chamber nearly 6 years ago. Still, if the law was working—if it was having a positive overall impact on our health care system—proponents might have something to hang their hat on when it comes to this law. Indeed, if the American people now had better, more affordable health care, supporters of ObamaCare could at least try to argue that all of these other problems have been in service of some noble cause. Of course, we know the law is not working. The American people do not have better, more affordable health care under ObamaCare. Instead, the parade of horribles that began the day the law was enacted has extended beyond our politics, beyond our institutions, and into the lives and livelihoods of everyday Americans.

The system created by the Affordable Care Act—so-called Affordable Care Act—was based largely on the premise that the government could impose drastic new regulations on the individual health insurance market without dramatically increasing the cost of insurance because younger, healthier consumers would be drawn into the market, bringing down costs for everyone else. This claim was obviously fiction. Republicans argued at the time that without serious effort to reduce costs overall, this prized demographic group would stay out of the market, and premiums would skyrocket due to the various mandates and regulations. We now know that we were right. Younger and healthier patients are, by the millions, choosing to forego health insurance and pay fines rather than enter into the individual insurance market. According to most surveys, many of these individuals are choosing to go uninsured because, even with the benefit of ObamaCare premium subsidies, they cannot afford the cost of insurance.

As a result, premiums are going up all over the country. Premium spikes in the double digits have been increasingly common in the current enrollment period. My own home State of Utah has seen premiums go up in this enrollment period by an average 22 percent, which will undoubtedly wreak havoc on family budgets and local businesses. Other States have it even worse, with premiums spiking as much as 25 percent, 30 percent or, in the case of a State such as South Dakota, 63 percent.

Even with increased premiums, insurers are having a harder time doing business in a number of markets, leading providers to exit the various exchanges where patients buy insurance with the aid of ObamaCare subsidies. Just a few weeks ago, in fact, we saw reports that the largest health insurance company in the Nation—UnitedHealth Group—was considering withdrawing from the exchanges entirely. The result will inevitably mean fewer insurers, which means fewer choices and even higher premiums for consumers. It is no wonder, therefore, that next year's enrollment estimates for the exchanges are down dramatically. And, as enrollment drops, all of this—the costs, the reduced options, and the overall state of care—will get even worse in the individual health insurance market.

This downward spiral is all the more maddening when we consider that the President promised the American people that his law would actually reduce the cost of health insurance in the United States.

I am not done yet. There are other problems worth discussing here today. There is, for example, ObamaCare's massive Medicaid expansion. In virtually every case, when the proponents of ObamaCare cite numbers of newly insured individuals under the law, most of the increase can be attributed to the Medicaid expansion. Let's be clear. Medicaid is one of the most poorly constructed programs in all of government. It is extremely costly at the Federal level and even more so at the State level, where it is not uncommon for the program to take up as much as one-fourth to one-third of a State's financial resources. Even with all that cost, it is, in terms of available providers and services, one of the worst, if not the worst health insurance options in the country.

Some of us in Congress have been working for years to reform the structure of the Medicaid Program in order to reduce costs, improve the program, and preserve it for those who are in need. The Affordable Care Act did not fix these problems; it made them worse. Under ObamaCare, Medicaid is more expensive to taxpayers and an even larger burden on the States. With dramatically increased enrollment, Medicaid reform is likely to be even more difficult in the future.

Why anyone would brag about adding enrollees to an insolvent government health program that provides the lowest standard of service in the country with the fewest provider options is beyond me. I suppose those tasked with claiming ObamaCare is a success have to cite positive figures wherever they can dig them up.

The Affordable Care Act also increased taxes dramatically. It raised taxes on drug companies and medical device manufacturers, which have been passed directly to middle-income and lower income consumers because that is what happens when you increase taxes on businesses that produce goods and services. It includes a tax on the so-called Cadillac insurance plans, which proponents claim would only impact rich employees of very large corporations. Of course, the tax was structured in a way that guarantees that in the not too distant future, millions of middle-class Americans will be hit by the tax and see their insurance costs go up even further.

All told, there have been about $1 trillion in new taxes under ObamaCare. While the President and his allies may claim these taxes hold the middle class harmless, the facts tell a different story. That story, of course, isn't just now coming to light. Many of us on the Republican side have been talking about these issues from the very beginning.

I can go on and on. For example, the Affordable Care Act, with its various mandates, also increased costs to employers around the country, resulting in fewer new hires and reduced opportunities for many existing employees.

Many small businesses now choose not to expand in order to avoid reaching the number of employees that will trigger new requirements. At the same time, because the law perversely defines a full-time employee as one working a minimum of 30 hours, other companies are avoiding the triggers by cutting back on workers' hours.

All of these developments—every single one of them—were predicted way back in 2009 when the law was being debated. The President told us we were wrong. His supporters in Congress did the same. They ignored the obvious warnings, and now the American people, as well as small businesses and job creators, are paying the price.

These issues and many others are why Republicans have spent more than 5 years fighting against ObamaCare. We have introduced bills to repeal the whole law, others to repeal just the most harmful elements. I personally have introduced bills to repeal the individual mandate, the employer mandate, and the medical device tax. On the Senate Finance Committee, we have conducted rigorous oversight on numerous aspects of the law and the implementation of various programs. Other committees have done the same within their jurisdictions. Virtually all of us have supported efforts to challenge elements of the law in court.

While we have differed on tactics from time to time, Republicans have been united in our desire to repeal and replace this misguided attempt at health care reform. Some of us have even come up with specific ideas on how to replace ObamaCare. For example, earlier this year, Senator BURR, Chairman FRED UPTON from the House, and I released the latest draft of the Patient CARE Act, a legislative proposal that would fix many of the things the authors of ObamaCare got horribly wrong.

Most notably, as a number of health care experts have concluded, our proposal would actually reduce health care costs. As we all know, rising costs are the single biggest problem plaguing our health care system. Yet the President's health law did virtually nothing to address this issue. Unlike the poorly named Affordable Care Act, the Patient CARE Act would actually make health care more affordable throughout the United States.

At the beginning of this year, Republicans assumed the majority in the Senate, having committed—even promised in some cases—to work to repeal this so-called Affordable Care Act. This week, with the bill now before us, we will take a major step toward delivering on those promises. The legislation we are now debating would send the broadest possible ObamaCare repeal to the President's desk.

As the chairman of the Senate Finance Committee, I am pleased to have joined with my colleagues—the distinguished chairman of the Budget and HELP Committees, as well as the Senate Republican leadership—to lead this latest fight against ObamaCare. This bill would repeal many of the worst parts of ObamaCare. Among other things, it would repeal the individual mandate, the employer mandate, the medical device tax, and the Cadillac tax. All of these different parts of ObamaCare have contributed in one way or another to the long, slow death march we have witnessed over the past 5 years. All of them would be dealt with under this legislation.

The legislation would address another contentious debate: the one dealing with Planned Parenthood. The debate over Planned Parenthood has perplexed Congress and divided our country for years as many people have expressed ever more opposition to providing such a controversial organization—and I am being generous with that label—with taxpayer funds. As we all know, this debate reached a boiling point earlier this year.

The reconciliation package before us would prohibit Federal payments to Planned Parenthood and direct more funds to the Federal community health center program, putting an end to the Federal Government's entanglements with Planned Parenthood while alleviating legitimate concerns about funding for women's health. This is yet another reason to support this legislation.

As I said, the debate we are having this week is an important milestone in the history of ObamaCare, maybe even the most important milestone yet. But we need to be realistic. While this bill is an important step, it stands no real chance of becoming law. For that to happen, we are going to have to see even more changes. But that doesn't mean our efforts here are for nothing. This bill may not result in new law, but it will give the American people a fresh accounting of where each of us stands when it comes to ObamaCare.

It is funny, Republicans have taken some flack—not a lot but some—for referring to the Affordable Care Act as ''ObamaCare'' or ''the President's health care law.'' The President, for his part, hasn't shied away from these labels, but I have read a few pundits who think these terms are specifically intended to undermine the legitimacy of a statute duly passed by Congress. In some respects, I suppose that might be true. After all, even though we constantly refer to the law as ''ObamaCare,'' it is not as though President Obama passed it himself. He was aided and abetted by his allies in Congress.

While it may be useful shorthand to attach the President's name to it, I don't think the American people have forgotten the others who helped bring this terrible law to pass. President Obama will forever own the Affordable Care Act, that is for sure. People will likely always refer to it as ''ObamaCare.'' But those in Congress who drafted and voted for the law will own it too.

When President Obama vetoes this legislation, as we all expect he will, he will take ownership of the Affordable Care Act—not that he hasn't in the past—along with its many failures and gross inadequacies all over again. I think the same can be said for any of our colleagues who vote against repealing the worst elements of the law this week.

I hope my colleagues on the other side of the aisle will think about that as this debate moves forward and that they will consider voting with us to send this repeal to the President's desk. I think it would be a very wise move on their part.

This isn't going away even if the President does veto this bill. I hope he doesn't, but if he intends to do it, it would be a breath of fresh air for our colleagues on the other side of the aisle to help us to have a veto-proof majority to tell the President once and for all that this bill is not what we want in America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I come to the Senate floor today to talk about the broken promises of ObamaCare and the negative impacts this poorly written law have had on my State of Colorado. While there have been many broken promises of ObamaCare, there have been three major broken promises that are the center of focus for hundreds of thousands of Coloradans.

I want to start with broken promise No. 1. If you like your plan, you can keep it. The President said over 35 times that Americans shouldn't worry about ObamaCare because if you like your plan, then you can keep it. And it wasn't just the President; time after time, supporters of ObamaCare came to the floor of the House or the Senate or before townhalls in their States or districts and repeated those words: If you like your plan, you can keep it. In fact, these words were used to justify the reason they supported ObamaCare in the first place.

Coloradans quickly learned this promise was far from the truth. In late 2013, roughly 335,000 insurance policies in Colorado were canceled because of ObamaCare. These cancellations also affected my family health care plan. Unfortunately, the cancellations in 2013 were the very beginning. In January of 2014, the Colorado Division of Insurance canceled an additional 249,000 plans because those plans didn't meet the requirements of ObamaCare.

The President said: If you like your plan, you can keep it. Supporters in Congress said: If you like your plan,

you can keep it. But what he meant was, as long as the government approves of your plan, you can keep it.

In 2015, an additional 190,000 plans were canceled. In total, according to the Congressional Research Service, over 750,000 health insurance perhaps plans in Colorado were canceled between 2013 and 2015.

The fact-checking organization PolitiFact said this promise was ''impossible to keep'' and went on to deem President Obama's promise that if you like your health care plan, you can keep it the ''Lie of the Year'' for 2013.

Supporters of ObamaCare will tell you that it is OK that this happened because these 750,000 individuals must have had inferior health insurance and that the government knows best. You see, that is the exact problem with government. That is the arrogance of government and the arrogance of ObamaCare—that people in the government, bureaucrats and others, believe they know better than the American consumers what is best for them. They believe it is OK to cancel 750,000 policies because they must have been bad, so go ahead and cancel them. They will also say that it is all right because there are additional plans they can choose from. But that wasn't the promise of ObamaCare.

Broken promise No. 1: If you like your health care plan, you can keep it.

Broken promise No. 2: ObamaCare will reduce the costs for families, businesses, and our government.

Remember, when ObamaCare was passed, they said the family would save $2,500 a year relatively soon after its passage. Unfortunately, Coloradans have felt that broken promise as well. It is a broken promise that hit their pocketbooks and has broken the bank as well. For example, take the Western Slope of Colorado. I have a chart here. According to the Colorado Division of Insurance, individual insurance premiums for 2016 on the Western Slope of Colorado will rise by an additional average of 25.8 percent.

There are people across America who are familiar with Colorado's Western Slope. These are the incredible mountain vistas, our forests, our national parks, our ski resorts.

They received a 25.8-percent increase in their health care costs this year. That is far from the promise of lowering the health care costs that ObamaCare was passed with. No one can afford these high prices. In fact, in 2013 one of my Democratic colleagues in the Colorado delegation even tried to exempt one of the wealthiest counties in Colorado from ObamaCare, citing that health insurance premiums would be too expensive. Let me say that again. A Member of the U.S. House of Representatives, a Democrat, tried to exempt portions of his district from ObamaCare because it was making his constituents pay too much for their insurance. Here is a quote:

> We will be encouraging a waiver. It will be difficult for Summit County residents to become insured. For the vast majority, it's too high a price to pay.

It doesn't matter whether you live in the Eastern Plains, Fort Collins, or the Western Slope, ObamaCare has simply made it more costly. Plans are getting more expensive, and promises are being broken.

Broken promise No. 3: President Obama promised greater competition in the marketplace through consumer-run co-ops. Yet over 80,000 Coloradans are feeling the impacts of this broken promise. To date, 12 out of 23 co-ops created by ObamaCare have been shut down across the United States, including the co-op in Colorado, which failed in October of this year.

Nationwide, the failed co-ops were loaned over $1 billion, which came from the hard-working taxpayers of this country. That taxpayer money was supposed to help get these co-ops off the ground, but now with these failures, that taxpayer money is at risk of never being paid back to the people of this country, and the health care of nearly 700,000 individuals across the United States is in jeopardy.

ObamaCare allowed policies to be offered that were never actuarially sound because they assumed there would be a bailout by the government to help make them actuarially sound. By banking on a bailout, they sold the American people a bill of goods.

Today we have a path forward that is turning away from the failed health care law that has been built on broken promises. The first step of this path forward is to repeal ObamaCare, and I urge my colleagues to support the repeal of ObamaCare that we will be voting on this week. Repealing ObamaCare will clear the way for a replacement plan and will put our country's health care on the right track.

First, we have to restore the ability of individuals to choose what is best for themselves instead of having Big Government choose for them. Coloradans don't want Dr. Congress. They want to keep the doctor they were promised they could keep in the first place. The best way to do this is to ensure that people get to keep the health plans that they want, and that is why I am working with Senator RON JOHNSON from Wisconsin on his amendment that simply says that if you like your health care plan, you can keep it.

I heard from countless individuals in Colorado who lost the plans they liked and wanted to keep. They were certainly promised they could keep them, and just because ObamaCare can't fulfill the promise that it was sold under doesn't mean we shouldn't do our jobs to make that promise a reality. The amendment Senator JOHNSON and I have offered would allow individuals to continue receiving health coverage on plans that would otherwise be canceled because of ObamaCare.

Second, we must ensure that taxpayer dollars are used responsibly. I filed an amendment that will help recover taxpayer money that was loaned to the failed co-ops. More than $1 billion in Federal loans were awarded to these failed co-ops. Congress has a duty to spend taxpayer dollars responsibly, and this amendment will ensure just that.

Lastly, we must make sure individuals have certainty in the health coverage they choose. My final amendment will make certain that co-ops can't rely on bailouts when they are calculating insurance premiums, setting false expectations for consumers. Several co-ops counted on these bailout provisions to keep premiums artificially low. Because these premiums were artificially low and since many co-ops were planning on receiving the bailout, many could no longer cover their expenses. Allowing co-ops to rely on a bailout was irresponsible and has resulted in nearly 700,000 individuals nationwide whose health coverage is now uncertain.

It is time to act. It is time to take the path forward. It is time to repeal ObamaCare, which is simply one big broken promise after another. This path to repeal ObamaCare will allow us to replace ObamaCare and will have fewer health care regulations for businesses and individuals. It will put us on a path forward for individual freedoms and a more prosperous America.

I yield back my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

OMNIBUS APPROPRIATIONS BILL AND POLICY RIDERS

Mr. NELSON. Mr. President, we are about to consider a big appropriations bill all wrapped up into one called an Omnibus appropriations bill. I think it will be a good bill. But here we go again, trying to attach all kinds of goodies to it.

Now, with just a few days left of funding before the U.S. Government spending authority and appropriations expire—to the best of my recollection that is about 9½ days away—we have to get something done. But what is happening is that the special interests are coming out of the woodwork, and they are hard at work to sneak sweetheart deals into what is a must-pass piece of legislation—the funding to keep the Government of the United States functioning. So these special interests that are suddenly popping up and sneaking around the corner don't have to get the votes to get it passed

through their regular order for whatever their particular interest is. They want it so their interests are riders on the appropriations bill, and everybody has to vote for it with their special interests because if we don't, the government shuts down, which is obviously an unacceptable alternative.

These handouts to special interests are known as appropriations riders. Most ordinary Americans don't know that this stuff is going on.

Well, based on the appropriations bill that we saw earlier this year, we know that many of these riders could work their way in. For example, some people, particularly in the banking community, don't like some of the restrictions. In September of 2008, when we nearly had a financial meltdown as a result of Lehman Brothers going down, there was a big financial death spiral going on. A lot of excesses happened during that time in the bailout so that Wall Street would not go under, and there was legislation to correct some of those excesses. It is known by the name of the two authors, Senator Dodd and Congressman Frank. There are going to be people trying to put in a rollback of some of those provisions, but I hope some of our colleagues will remember what those were put in for, so that we don't have the likelihood of having another financial death spiral like that which almost occurred.

I hope we remember the picture in our minds of the Republican Secretary of the Treasury at the end of the George Bush administration, begging the leadership of Congress to pass the troubled assets relief bill to keep the financial integrity of the U.S. Government. There were a lot of excesses, including excessive executive salaries that came from that.

We know all about what happened to that supersized insurance company called AIG. I don't think Americans would want these kinds of things put on a necessary funding bill for the United States Government.

I will give another example. Another policy rider is to prohibit the United States from working with other countries to address climate change. This Senator has been in the middle of it because Miami Beach is ground zero on climate change. The measurements over the last 40 years are an additional 5 to 8 inches that the sea level has risen at the seasonal high tide. The streets of Miami Beach are flooded. It is a real problem.

There are some, such as Senator INHOFE, who don't believe it. So we can have that debate. I am respectful of Senator INHOFE and of his position, although I think we can easily refute it with scientific evidence, but we ought to have that debate. Don't sneak it in on a rider on a must-pass, gargantuan appropriations bill in order to keep the government functioning.

There are other riders that are being discussed that are bad for the safety of families and making our highways more dangerous. For example, we picked up that some of the appropriators have suggested to continue the delay of the important implementation of safety laws, such as how long does it take for a trucker to become tired if they have to work longer and longer hours, and is that a safety concern. As the ranking member of the Commerce Committee, which has jurisdiction, we work on these issues. We debate them. Don't go trying to sneak something in under the rug in an appropriations bill regarding safety for surface transportation. We just hammered that out in a conference committee on the highway bill. The highway bill is a lot more than just highways and bridges; it is surface transportation. It includes safety measures as well for all modes of surface transportation.

Let me give an example of another rider that is out there lurking. There are some who want to take all of the additional fees—when someone buys a ticket to fly on an airline, a person ought to have the opportunity of knowing what all those fees are, and on a person's airline ticket that one buys from the airline, one usually does. But there are others who want to sell those airline tickets—not the airlines—and not disclose all of those fees. Yet the consumers are the ones who are paying for it. They are trying to sneak in under the rug another provision that would become law on an unrelated appropriations bill.

So I just wanted to add my voice to the others who are speaking this afternoon. Let's put the American people first, and let's use what we hear about all the time: Regular order. Let the committee system work to hammer out what ought to be in the bills instead of, at the eleventh hour of the 59th minute as we have to fund the government, trying to sneak something in, in the dead of night, in order to scratch the itch of someone's special interest.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to lead a colloquy with Senators BURR, ISAKSON, CASSIDY, and SCOTT for up to 20 minutes.

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

Mr. ALEXANDER. Mr. President, today we are talking about repealing Obamacare and moving in a completely different direction toward more choices and lower costs for Americans as they search for their health care plans.

I came to the floor yesterday and brought back a memory from 5½ years ago of the President's health care summit, nationally televised all day long at the Blair House, with 36 Members of Congress and the President of the United States. I had a chance, leading off for the Republican speakers that day, to say respectfully to President Obama: Mr. President, this health care plan of yours is going to impose a huge Medicaid unfunded mandate on State budgets, which will raise tuitions and take money from other State programs. It will take money out of Medicare and spend it on something else. It will increase taxes, it will raise premiums, and it will cost jobs. Unfortunately, that all turned out to be true.

The Senator from Georgia, Mr. ISAKSON, was there, as I was, on that Christmas Eve. It was a cold night when the Democrats had, for a few months, 60 votes, and they rammed through Obamacare in the middle of the night with all Democratic votes, no Republican votes, with us warning what would happen.

Now, I say to Senator ISAKSON, the premiums in Georgia, I believe will go up 29 percent for some plans.

Mr. ISAKSON. That is correct.

Mr. ALEXANDER. And I wonder if the Senator has been hearing from some of his constituents about their premium increases.

Mr. ISAKSON. Mr. President, let me confirm what the Senator from Tennessee just said about that cold night on Christmas Eve 6 years ago when the administration was promising lower premiums, better benefits, and that ObamaCare was going to be the solution for the problems of American families.

As the Senator from Tennessee said, I have gotten letters, as has he. Every Member has gotten letters from people who are having higher premiums, bigger deductibles, and fewer benefits. Let me give an example. A family in Roswell, GA, wrote me, a family of five. They had just been notified that their premium was going from $849 a month to $1,075 a month, a $300 increase, with a deductible of $11,900, an increase of $6,900 in their deductible. The mother, who had a family history of breast cancer, was denied mammograms because of her age, and a young daughter who had a precancerous mole removed was refused reimbursement.

So here is an increase in premiums, a reduction in benefits, and an increase in their deductible. It doesn't make any sense, but it is all because of the mandates of the ObamaCare law.

Secondly, a young couple in Smyrna, GA, wanted to plan for their retirement and start saving early in their early years of productivity. They recently received a notice from their insurance company that their premium was going from $607 a month to $1,379 a month—over a 100-percent increase. Where is that money coming from? They are having to reduce their savings for retirement just to pay the ObamaCare premium and get less of a benefit because their deductible is going from $2,000 to $4,000.

The promise of lower cost health care and better benefits was exactly wrong

and what the American people were promised was wrong. I am proud that Mr. ENZI, the Senator from Tennessee, and others who have led this reconciliation vote to repeal ObamaCare have done so. It is time the American people got the truth—better coverage, lower costs, but do it the old-fashioned way with a private competitive system.

Mr. ALEXANDER. I thank the Senator from Georgia for his leadership on the HELP Committee on which all of us serve.

One of the newer members of the HELP Committee brings a lot of expertise: Senator CASSIDY from Louisiana. He wasn't there, at least not in the Senate, on the night Obamacare passed, but he has written forcefully about the fact that while premiums have been going up, something else was going down, and that is family incomes because of the 30-hour work week. Senator CASSIDY had an article in Forbes magazine in 2014 that pointed out the impact of the 30-hour work week in Obamacare and how that was hurting working families.

Mr. CASSIDY. I say to Senator ALEXANDER, one of the ironies of this is that it was promoted as a way to help lower income families make ends meet better. But if you require employers to provide insurance to low-wage workers, the predictable response of an employer who has thin margins is to actually convert those full-time workers to part-time workers. This doesn't happen for the CEO or for the CEO's lieutenants, and it doesn't happen for middle management. The folks it happens most to are those lower paid workers.

I once went grocery shopping in Baton Rouge, and a woman rung me up. The next day my wife sent me to another store to get something else at another store. The same woman was ringing me up. I said: I just saw you at that store, but now I see you at this store. She said—I am paraphrasing—my first employer reduced my hours, so now I have had to take a second job to make ends meet.

Now, that is the personal story. But what the labor statistics show is that since the recession has technically ended, the hours worked per week have recovered for higher income workers, but as for the lower income workers, they have continued to suffer. The most vulnerable have been the most affected in terms of hours worked, but it is not just the most vulnerable, it is also the middle class.

The New York Times wrote an article 2 weeks ago. The headline says it all: ''Many Say High Deductibles Make Their Health Law Insurance All But Useless.'' They quote a gentleman, David Reines from New Jersey. He is 60 years old. He said:

> The deductible, $3,000 a year, makes it impossible to actually go to the doctor. . . . We have insurance, but can't afford to use it.

So it is the middle-income worker who also has a policy which previously would have allowed him or her to go to the doctor. Now they can't because the way ObamaCare is so structured is that it is too expensive for that out-of-pocket first exposure.

Mr. ALEXANDER. What the Senator is saying, if I hear him right, is that in the worst of circumstances, the effect of Obamacare on some of the people he is talking with means they are working less hours, so they have less money. Their insurance premium is higher, and so is their deductible. That is the effect.

Mr. CASSIDY. When it comes to insurance premiums, you can't make this up.

This is a fellow from Homewood, LA. His first name is Mark; we scratched out his last name. This is his letter from Blue Cross and Blue Shield of Louisiana informing him that his policy, which had previously been $207 per month, was going up in 2016 to $961 per month. His policy, which had been roughly $2,400 a year, is going up to $11,500 a year. And this is because of the Affordable Care Act—the Unaffordable Care Act.

Mr. ALEXANDER. The essential problem with Obamacare for people who buy individual insurance, it seems to me, I say to Senator ISAKSON, is that Washington tells you what insurance to buy.

I think of a woman named Emilie in Middle Tennessee who has lupus and who had a policy she could afford. It had modest benefits and it didn't cost very much, but it fit her needs, but Obamacare canceled that policy. When she went online to find another policy under Obamacare, her costs went up from $100 to $400 a month. I guess the Senator has heard stories like that as well in Georgia.

Mr. ISAKSON. All the time, because what happened with ObamaCare is the following: People who had insurance they could afford and who had bought coverage they needed were forced to buy coverage they didn't need because of the mandates in ObamaCare in terms of what had to be included. So it forced more coverage that you didn't need, which raised the premiums you paid. So you end up paying more and getting less, and it was the mandates of ObamaCare that did it.

Mr. ALEXANDER. Senator CASSIDY, of course, has a unique perspective on this as a practicing physician. I think he still practices some—as much as he can within the Senate rules—but he sees patients regularly. I ask Senator CASSIDY, what was the effect of this new health care law 5½ years ago on the ability of patients to choose their own physicians?

Mr. CASSIDY. The way the market has responded, in order to make insurance affordable despite the mandates, is there are so-called narrow networks. So someone signs up for the most affordable policy they can get. It turns out that the doctor they previously saw is not on this plan. So the narrow network is going to be just a small set of doctors. The specialists may be in another town; one hospital, not all hospitals. And patients are unfamiliar with this. They did not expect it. But that was their only affordable option. The mandates have driven up the costs so much.

By the way, going back to the letter you got about the mandated benefits, in my recent campaign, I had a woman walk up to me, and she said: My name is Tina, and I am angry. I had a hysterectomy. I am 56 years old and I have no children. My husband and I are paying $500 more per month for insurance, which we cannot afford, and I am paying for pediatric dentistry, and I am paying for obstetrical services.

She had had a hysterectomy, was 56 years old, and had no children.

Another woman—she was 58 and her husband was 57—told me: The only reason I would need obstetrical services, which I am forced to buy, is if my name is Sarah and my husband is Abraham, but that is not the case.

Mr. ALEXANDER. Senator ISAKSON, before he came to the Senate, was a small businessman in Georgia.

Probably the largest employer in our country is the hospitality industry—restaurants, hotels, that sort of thing, employing many young people, many minority people. I met with a number of restaurant owners, who told me after Obamacare passed that because of the costs of that insurance to the company, their goal would be to reduce the number of employees from 90 to 70. So Obamacare costs jobs. Did the Senator have that kind of experience in Georgia as well?

Mr. ISAKSON. Not only did it cost jobs, but it forced many people who had full-time jobs into part-time jobs because of the mandates. Small business got hurt and their employees got hurt.

The mandates of ObamaCare for coverage, the mandates for taxation, and the mandates for deductibles all contributed to the increasing costs of ObamaCare and made health care more out of reach than more accessible.

Mr. ALEXANDER. Memphis is proud of the fact that it is a center for medical device innovation. Some of the leading medical device companies in the world are located in Memphis, TN. The Obamacare bill—part of its trillion dollars in new taxes included a medical device tax which put an especially onerous tax on the gross income of medical devices companies, causing the President in Costa Rica to put up signs saying ''Welcome to Costa Rica'' to medical device companies.

I wonder if in Louisiana or Georgia you had any experience with the impact of the medical device tax on your constituents?

Mr. CASSIDY. There is a fellow who started a medical device startup in

New Orleans, and he was saying that he had an offer to move his business to Panama because a major portion of his market is overseas.

So the medical device tax is, of course, a tax upon the gross of a business. If he moves overseas to Panama, taking those jobs with him, and continues to sell internationally and not pay tax on that but is taxed only on that which he brings back to the United States, then he is obviously reducing his tax burden. Those are high-paying, white-collar jobs in New Orleans, a city recovering from Katrina. If the power to tax is the power to destroy, this tax has the power to destroy the ability of this gentleman to continue to expand in New Orleans.

Mr. ALEXANDER. I say to Senator ISAKSON, I recall one of the most vigorous debates we had 5½ years ago was first the President saying: We won't touch Medicare. Next thing you know, they took $700 billion out of Medicare to spend on new programs, at a time when the Medicare trustees, whose job it is to tell us things like this, said: The program is going to go broke unless we do something about it. We were saying: If you are going to take money away from grandma's Medicare, you better spend it on grandma. But they didn't. It impacted Medicare recipients in Georgia, Tennessee, and Louisiana.

Mr. ISAKSON. Well, the President basically robbed Peter to pay Paul. He robbed the beneficiaries of Medicare benefits and then took the money and spent it on somebody else. So the person who had the benefits didn't have the benefits any longer.

The problem with this entire deal is it was a charade. Promises were made that if you like your policy, you can keep it. That turned out to be wrong. Premiums were going to go down. That turned out to be wrong. If you couldn't get insurance, you would be able to get insurance. Well, that ended up being true in part, but it became something known as a bronze policy. Do you know what a bronze policy is? It was a policy that gave you coverage, but the deductible was so big, you couldn't get to the coverage. So every time there was a promise, it was a broken promise, an increased cost, and less accessibility to coverage.

Mr. ALEXANDER. Mr. President, how much time remains in our colloquy?

The PRESIDING OFFICER. There is 6 minutes remaining.

Mr. ALEXANDER. Six minutes remaining.

We have heard a lot in the news about co-ops. Co-ops were an invention of Obamacare that were designed to provide health care to many Americans. I know that in South Carolina, for example—closure of these co-ops for 67,000 South Carolinians and 27,000 Tennesseans—means that suddenly they have to find new coverage. I wonder if either in Louisiana or Georgia, you have had any experience with the new co-ops in Obamacare?

Mr. CASSIDY. Louisiana's co-op failed. It attempted to lower costs with a skinny network, but ultimately it still could not compete.

If I may point out, we have talked about how the low-wage worker has had her opportunity diminished by the law. We discussed how the middle-class family, who oftentimes had insurance they were told they could keep, lost it, and now they have a deductible of $3,000, which they say makes the insurance something they cannot afford. We are speaking about the U.S. taxpayer. The U.S. taxpayer has put billions of dollars toward these co-ops. There is some evidence that the administration continued to put money into them even when they knew they were going to fail, and yet now they are failing—over half and supposedly more slated to do so. It isn't just the low-wage worker and the middle-class family; it is all the taxpayers who have taken a hit for promises made but promises broken.

Mr. ALEXANDER. During the debate 5½ years ago at the health care summit at the Blair House, our Democratic friends said: Well, when are you Republicans going to come up with a big, comprehensive plan? My answer to them was: If you are waiting for Senator MCCONNELL to roll a wheelbarrow onto the Senate floor with a 2,700 page McConnell-care bill, you are going to be waiting until the sky turns purple because we don't believe in that. We don't think we are wise enough in Washington, DC, to write a comprehensive plan for everything about the American health care for all the people in this country.

Instead, what we proposed to do—and we proposed it over and over again—was to move step by step in a different direction toward more choices, more freedom, and lower costs. In fact, I counted it up, and 173 times in the CONGRESSIONAL RECORD in the year 2009, we Republicans laid out our plans step by step toward those causes, steps like the step Senator SCOTT from South Carolina took in a bipartisan way just this year to give States the ability to set the rates for the kind of insurance small businesses could buy and avoid an 18-percent increase in premiums. Those are the kinds of steps we would take in a different direction to give the American people those options.

Our time for the colloquy has expired. I thank the Senator from Georgia, Mr. ISAKSON, and the Senator from Louisiana, Mr. CASSIDY. We Republicans said 5½ years ago that premiums would go up, taxes would go up, jobs would be lost, and that State budgets would be burdened by Medicaid, and all that turned out to be true, unfortunately.

The President said: If you like your plan, you can keep it. That turned out to be untrue, unfortunately.

We are prepared to go in a different direction—more choices, more freedom, lower costs—but first, this week we are going to repeal Obamacare, which has caused such problems for the American people, and then we will head in a different direction.

I thank the Presiding Officer.

I yield the floor.

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

The PRESIDING OFFICER. Will the Senator withhold that request?

Mr. ISAKSON. I will withdraw the request.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Thank you, Mr. President.

I ask unanimous consent to conduct a colloquy with my colleagues from Massachusetts and Florida for roughly the next 30 minutes.

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

APPROPRIATIONS BILLS AND POLICY RIDERS

Mr. MERKLEY. Mr. President, 7 years ago Wall Street imploded, sending us into a recession that we hadn't seen since the Great Depression. While our economy has slowly bounced back, the memory of that crisis is still fresh in the minds of many Americans, millions of whom lost their jobs, millions of whom lost their homes, and millions of whom lost their retirement savings.

Nobody wants to repeat the financial collapse, the bailouts, the recession. Indeed, we have spent the last 6 years digging out of a hole. Despite this, Republican colleagues at this very moment are holding meetings and preparing policy riders to gut the reforms that shut down the Wall Street casino. They are working to open up that casino again, to the great detriment of families across this country. Their goal is to add poison pill policy riders to the fiscal year 2016 appropriation bills that may well be consolidated into an omnibus.

That is why I am here on the floor with my colleagues from Rhode Island and Massachusetts. Our colleague, Senator BILL NELSON from Florida, spoke earlier about these issues. We are here to say no to these policy riders that are seeking to reopen the Wall Street casino and put American families at peril.

To start things off, I turn to my colleague from Rhode Island, who has brought great expertise and diligence to this conversation over the responsible regulations, the ones that serve like the traffic signals that enable traffic to move slowly so they don't end up in auto wrecks, but they don't shut it down—the responsible regulations that will keep us from having another crash doing great damage to American families.

Mr. REED. Mr. President, I thank my colleague from Oregon for his leadership on this issue, and I thank my colleagues who are going to join us later.

I am joining them in urging all of our colleagues in the Senate not to roll back the protections that are in place due to the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010.

Let me remind everyone where we have come from. When we passed the Wall Street reform act, the Dodd-Frank act, we were in the most painful financial crisis since the Great Depression. The Dow Jones dropped from roughly 13,700 points in July of 2007 to 7,235 points by March of 2009, about a 47 percent drop in wealth as indicated by the stock market. It was a huge, huge hit. The line at that time was: What is happening to your 401(k) plan?

Well, we have come back, and one of the reasons we have come back is because Dodd-Frank has now provided safer rules of the road for financial institutions.

Back then and going forward, we lost 8.6 million jobs from January of 2008 until January of 2010. There were 8 million jobs lost primarily because Wall Street lost its way, frankly. The unemployment rate doubled from 5 percent in January of 2008 to 10 percent in October of 2009. In that period of time, roughly from July 2007 to November of 2014, nearly 7.5 million families lost their homes.

These are sobering numbers. Behind each of these numbers is an individual or family—our constituents, who suffered real and serious damages. Again, this was traceable almost directly back to excesses on Wall Street, which we consciously tried to correct in the Dodd-Frank act, and it has provided a solid foundation for economic recovery. Slow as it has been, we are coming back.

What happened was that these families lost their retirements—wiped out. It was not only the financial loss but the sheer psychological trauma of being either retired or on the edge of retirement and suddenly it was all gone. It has left a lasting impression.

People have lost jobs, as I have indicated. It was a huge loss of jobs. Some have never gotten back into the market or gotten a job at the level they had before.

Then, of course, there were the foreclosures, thousands and thousands of Americans losing their homes. Without their homes, some of our constituents lost their whole sense of belonging to the community and their ability to find a new job because they were just battling a day at a time for shelter and for subsistence. These were real issues, and we seem to have forgotten all of that. We seem to have forgotten that Wall Street—without sound regulations, strong regulation—will find its way off the path and into this type of difficulty.

We all know people who suffered these losses, and we all are committed that they won't suffer them again. But that commitment requires us to follow through on the Dodd-Frank act, the Wall Street reform act.

In that legislation, I worked very closely with Senator WARREN to create the Consumer Financial Protection Bureau. It is just one of the examples of the efforts in that bill that actually protected our constituents, not theoretically but practically. They have been protected from tricky people who were giving them mortgages they couldn't afford, engaging in illegal servicing and foreclosure practices in the mortgage industry, steering consumers into excessive loans they couldn't afford—and the person doing the steering knew they couldn't afford them—but those tricky people took the money and literally ran, and we have tried to stop them.

Because of the efforts of the Consumer Financial Protection Bureau, $11.2 billion in relief has been given to families throughout this country; $11 billion has been given to individuals and families all across this country. This is an example not of theoretical legalistic procedures but of practical help for people. That is the direct result of Dodd-Frank, and some of the proposals that we are hearing about would undo that.

In the process of creating the Consumer Financial Protection Bureau, I am particularly proud of working with colleagues to create the Office of Servicemember Affairs within the Consumer Financial Protection Bureau to serve as a watchdog for our military personnel. Under the leadership of Holly Petraeus, it has done a remarkable job. More than $90 million has been returned to servicemembers and their families from unscrupulous companies that preyed upon our military families deliberately—understanding the vulnerability of families that are in transit because of deployments and other things. Another example, the Military Lending Act, which has capped annual interest rates for military personnel, has been enforced through the efforts of the Consumer Financial Protection Bureau.

This has not only helped these families, but it has helped this Nation. It has helped our military readiness. I can tell you that basically a long time ago, I had the privilege of commanding soldiers, paratroopers in the 82nd, and it is hard to be a good soldier when you worry about whether your family is going to be able to make it through the week or the month to get your next paycheck. This is real help, and it is the result of Dodd-Frank. No, many things are the result of Dodd-Frank.

So why do we want to roll back these reforms? You ask people, and they will say: Well, it is burdensome, and they are hurting these financial institutions; you know, it is just so hard to operate a financial institution today.

Then you take a look at the stock performance of these institutions, the American global systemically important banks and even our regional banks. These institutions have seen their stock prices increase from July 2010 at least by 31 percent and in some cases as high as 114 percent. That is the market saying to these institutions and to all of us that they are in good shape. They are in great shape. They are not being burdened by financial regulations. They are not being overwhelmed. They are profit centers. They are doing great. Name other companies that have increased their value so much. One reason is because everyone is confident there is a stable, sound, rigorous regulatory structure that is ensuring that banks will not go off the cliff as they did in 2007 and 2008 when their stock prices collapsed.

So if you look at that, if you look at the markets, they are not complaining about Dodd-Frank. The markets are looking to say: That is where the money should go. That is what you should invest in.

So if you look at that growth and then draw a contrast between what has happened to average American families—they haven't seen that kind of wage growth. I don't know many working families who have seen a 31 percent increase in their income or a 114 percent increase in their income, but we have to do better with respect to our working families.

One thing we have to do is make sure that we keep in place protections that were built into the Dodd-Frank act.

There are always ways you can improve legislation, and there are a myriad of technical corrections that could be done, but to disguise some of these proposals as technical corrections is not appropriate.

I think also, frankly, if we are going to be sensible, sound, and thoughtful about technical corrections, let's go ahead and do it the way it should be done, the way Dodd-Frank was done. I was on the banking committee. We had hearings. We had a markup. We had, in fact, several markups until we got it right. Then we brought it to the floor, we had a vigorous debate, and we amended the bill. Then we took that bill to conference, then we had it changed in conference, and then we sent it to the President for his signature.

So if we are going to do corrections to improve the Dodd-Frank bill, let's do it the way we did it originally, not finding a convenient vehicle—a highway bill, an appropriations bill, any other bill—and sticking them in as sort of ''take it or leave it''—you have to do this or you lose highway funding or you lose funding for our schools, for education, for national defense.

I would hope that we can move forward in regular order and make corrections where necessary, but certainly let's not use these waning days of this session to undermine the Dodd-Frank

Act with some of the proposals I have heard.

With that, I yield back to my colleague, the Senator from Oregon.

Mr. MERKLEY. I thank my colleague from Rhode Island for his comments and insights.

Now we are going to turn to the Senator from Massachusetts. We will be delighted to hear her thoughts on this challenge of taking serious issues related to the Wall Street casino, a system that brought down the prospects for so many American families, and how there is the consideration of restoring the Wall Street casino in the dark of night by policy riders being attached to other bills.

Ms. WARREN. Mr. President, I am pleased to join Senator MERKLEY, Senator NELSON, and Senator REED on the floor today. I thank Senator MERKLEY for pulling us together.

We are here to say no—no to the industry lobbyists, no to their friends in Congress who are threatening a government shutdown if we won't roll back rules that protect consumers and protect the safety of our financial system.

It is a pretty neat trick. The lobbyists probably know they can't get a rollback of financial regulations passed out in the open where the American people can actually see what is happening and see which Senators and which Representatives voted to gut the rules that protect working families. So instead they tack rollbacks onto must-pass legislation, such as the upcoming government funding bill, to give their friends in Congress a lot of cover for voting yes.

It is cynical. It is cynical and it is corrupt, but it usually works. Just last year, Citigroup lobbyists wrote a provision to blast a hole in Dodd-Frank. The part of the law that was blown up was called—and I am quoting the title—''Prohibition Against Federal Government Bailouts of Swaps Entities.'' The idea behind the rule was pretty simple. If a big bank wanted to engage in certain kinds of risky deals, such as the credit default swaps that had been at the heart of the 2008 crisis, they had to bear all of that risk themselves instead of passing it along to taxpayers.

Now the big banks wanted that rule repealed, and the only way to do it was to put it on a bill that had to pass or the government would shut down, and that is exactly what they did.

For 1 year, Congressman ELIJAH CUMMINGS and I worked to document the impact of that Citigroup amendment, and we finally got what we needed. The FDIC estimates that the provision written by Citigroup lobbyists last year that allows a few big banks to put taxpayers on the hook for risky swaps has an estimated value of almost $10 trillion. And who is gobbling up that $10 trillion of risk? It is three huge banks: Citigroup, JPMorgan Chase, and Bank of America. It is three banks, nearly $10 billion, and $10 trillion is a lot of risky business. These banks will happily suck down the profits when their high-stakes bets work out, and they will just as happily turn to the taxpayers to bail them out if there is a problem. All of this is because the lobbyists persuaded Congress to do just one little favor in a must-pass bill.

Now, a year after the Citigroup amendment, there are rumors of new giveaways in the upcoming funding bill: rollbacks that would make it harder for the government to stop the next AIG from taking down the entire economy, rollbacks that would exempt many of the 40 largest banks in the country from tougher oversight, rollbacks that would undermine the consumer agency's rules to clean up mortgage- and auto-lending markets, rollbacks that would stop the agency from protecting consumers rights if they are cheated on credit cards or checking accounts, rollbacks that would allow financial advisers to continue lining their own pockets while robbing retirees of billions of dollars.

Why are these rollbacks at the top of Congress's agenda? Are constituents flooding the phone lines begging their Senators to weaken the rules for financial institutions? Are they writing in by the thousands insisting that their Senators make it easier for people to get cheated?

Of course not—survey after survey has shown that hardworking Americans want stronger regulation of Wall Street and more accountability for CEOs who break the law.

But like so many things around here, this process isn't about doing what hard-working Americans want. It is about pleasing the rich and powerful who are lined up for special favors.

I know some of my Democratic colleagues are frustrated by all of the gridlock in Washington. They say: Wall Street accountability is important, but I just want to get something done around here for a change; so let's go along with the Republicans and the special interests. Well, yes, I want to get something done too. Who doesn't? But I didn't come here to carry water for Wall Street and a bunch of special interests.

If Republicans think it is time to talk about financial reform, then let's put it on the table. If the industry wants to push rollbacks, then I want to make it easier to send bankers to jail when they launder money or cheat consumers. If the industry wants to chip away at financial oversight, then I want to have a serious conversation on the record about breaking up the biggest banks. If they are too scared to have that conversation out in the open, then Senators shouldn't be handing out special favors behind closed doors.

The upcoming debate about a government funding bill is going to boil down to one question: Whose side are you on? Are you on the side of working families who got punched in the gut and want stronger rules for Wall Street or are you on the side of the giant financial institutions that broke the economy, got bailed out, and are once again trying to call the shots on Capitol Hill? Well, me, I am with the families, and I am ready to say no to the bank CEOs, no to the industry lobbyists, and no to all of their buddies here in Congress.

Mr. President, I yield the remainder of my time to Senator MERKLEY.

Mr. MERKLEY. Mr. President, I appreciate the remarks of the senior Senator from Massachusetts, who has brought so much personal research in the course of her career and passion and insight to this battle and who put forward the idea of the Consumer Financial Protection Bureau to provide oversight of these predatory practices and who has been such a watchdog about these practices.

I would just ask her before she leaves the floor, why is it that this discussion is happening right now, in terms of policy riders on must-pass spending bills, rather than happening in the light of day with a committee hearing—a banking committee hearing—where this can be fully discussed and debated?

Ms. WARREN. Well, the Senator raises the right question, but I think it is pretty obvious. If these proposals were debated out in public, where everyone in America could see and hear them, they wouldn't pass. People don't want to line up to vote for fewer restrictions on Wall Street. They do not want to line up to vote for more opportunities to cheat American families. So, instead, the idea is just tack it on something else that is going to move through. Then the question is, Will people vote to keep the government open? And that gives a lot of people in Congress who want to help the big financial institutions a lot of cover, and that is fundamentally wrong.

Mr. MERKLEY. One of the things we have a lot of concern about is making sure that predatory mortgages don't return. They were a key product in helping drive the collapse in 2007–2008. We are concerned those could return if the ability of the CFPB to regulate them is diminished by changing the government structure of the CFPB or shutting down the funds that enable it to operate. Would that be a good idea or a bad idea?

Ms. WARREN. You know, the CFPB works. It works to help protect America's families. It works to help level the playing field. Already that agency has been up and operational for just a little over 4 years, and it has forced the biggest financial institutions in this country to return more than $11 billion directly to families they cheated. It has handled more than 750,000 complaints against big financial institutions, against payday lenders, and against college loan services that are

cheating people and that are tricking people.

So what is the response? Well, it is helping the American people, but it is costing a handful of the biggest financial institutions in this country real money, and they are trying to find a way to make sure the consumer agency doesn't do its job. They want to find a way to weaken that agency, to tie that agency down, and to keep that agency from leveling the playing field for American families.

Mr. MERKLEY. I know my colleague and I have talked about this—the number increases. I will say something like the CFPB has returned $3 billion, and my colleague will say: Oh, Senator, it is now $5 billion. And when I say it is $5 billion, my colleague will remind me it is now $8 billion. And here we are at $12 billion?

Ms. WARREN. I think it is $11 billion.

Mr. MERKLEY. So $11 billion in returns. I believe that number includes real cash returned to individuals but does not include the vast savings that have come from families who were never cheated in the first place.

Ms. WARREN. I think one of the most important parts of this is the consumer agency said—when credit card companies, for example, got caught cheating people, it said to those credit card companies: Look, you have people's addresses to be able to cheat them. Now you have people's addresses to send them checks to pay them back.

It is as the Senator said. It was like a warning shot to everyone else out there cheating consumers. It said that this agency is on the level. This agency is tough. So I think there are millions of Americans who don't get cheated, who don't get tricked in one scam or another because we have a real watchdog out there—someone who is on the side of the American family.

Mr. MERKLEY. I thank my colleague so much for presenting this idea before she came to the U.S. Senate and for helping—well, stepping in to be the initial Director, getting it up and running, and now being here to make sure we defend its ability to provide fairer financial products for America's families—products that enable families to build their wealth rather than having wealth-stripping scams hurt and destroy the finances of American families.

Ms. WARREN. I only want to add that I am grateful for all the work my colleague has done on behalf of American consumers and all the work he did to get the consumer agency through Congress and now to protect it when the big banks were coming after it.

So I thank my colleague Senator MERKLEY for all he did.

Mr. MERKLEY. I thank the Senator very much.

Mr. President, as we have heard from this colloquy—and I appreciate that BILL NELSON was here earlier, the Senator from Florida, to discuss his insights on these dark-of-night policy riders designed to restore the Wall Street casino and cheat American families. I appreciate the comments he brought to this and that JACK REED, the senior Senator from Rhode Island, has brought forward and ELIZABETH WARREN, the senior Senator from Massachusetts, each of whom made important points. So I will be brief because they have laid out most of the issues I will try to echo.

The key point is the debate over changing the rules for these powerful financial institutions should be debated in the open, in front of the TV cameras, in front of the American people, not in secret negotiation rooms and not in the dark of night, which is happening at this very moment, because a lot is at stake.

We found from before that when regulations were stripped away and the Wall Street casino went wild, we ended up with a crash that destroyed the finances of millions of families, many of whom will never recover. They lost their homes, their dreams of homeownership. That has been shattered, and they are not going to get it back. They lost their job and have been derailed and will never get back on track. They lost their retirement savings, and they will never be able to rebuild them. In fact, that golden vision of retirement may be something they feel they will never be able to be a part of—that chapter of their life will never come.

So a tremendous amount is at stake, and these dark-of-night negotiations to repeal, to undermine, to delay the shutdown of the Wall Street casinos are just wrong. Let us have the debate in the committee where it belongs. This is critical for working families everywhere in the country and certainly in my home State.

Let me mention one of the riders, which is to take and allow the Volcker rule to be voided for some of the financial institutions. What is the Volcker rule? The Volcker rule shut down the Wall Street casino. It said banks cannot bet with taxpayer-insured deposits. If a group wants to make big bets on the future of interest rates or monetary exchanges or the quality of mortgages and so forth, they must do so with private wealth funds, where the only persons at stake are those who have invested in the fund. Don't do it with taxpayer-insured banks. That is one example.

A second example is that we need to keep the quality mortgages we have now so they do not return to being a predatory instrument. We had a legalized kickback scheme, and that structure meant mortgage originators were paid for steering families from a prime mortgage that would build their wealth into a subprime mortgage with an exploding interest rate which would destroy their wealth. We ended those kickbacks. Let us not let that happen again.

Let us not undermine the role of the Financial Stability Oversight Council. When we had this dramatic massive increase in subprime loans, starting in 2003 and going through 2007, nobody was watching. We need to have someone say: Look at that surge in subprimes. And because of that surge, what is going on? Is this creating a bubble? Is this a big bet that is going to go bust? Is this going to destroy families?

We actually had an agency that was responsible for controlling these predatory practices. It was the Federal Reserve, but the Federal Reserve, full of sophisticated economists, said: Well, we want to talk monetary policy. That is what we do up in the penthouse of the Federal Reserve building. So they put consumer protection down in the basement and they locked the door and threw away the key and said: You know, we have that responsibility, but we just aren't going to do anything about it, and they let predatory schemes run wild and destroy millions of American families.

Now we have an organization—the Consumer Financial Protection Bureau—that is the watchdog making sure the disclosures and the structures are fair and square for American families so we can build the success of those families. You cannot be for the success of American families and be for these secret, dark-of-night measures designed to destroy the effort to rein in this Wall Street casino.

I hope we will see a return to regular order, the type of regular order my colleague from Rhode Island talked about, the type of light-of-day committee discussions my colleague from Massachusetts talked about because this is so important to our future and the success of American families. Let's make sure we work together to build the wealth and success through fair financial practices, not special favors done for very powerful institutions that are designed to exploit and operate as predatory measures to strip the wealth of American families.

I thank the Chair.

The PRESIDING OFFICER (Mr. LEE). The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I rise to speak in support of repealing ObamaCare and replacing it with a step-by-step approach that restores choice and competition to consumers. The problems with ObamaCare are legion and have often been reported in the media and identified on the floor of the Senate.

I know we have all heard from our constituents. Hundreds of thousands have written and called all of our offices and, as a matter of fact, I will read one of the letters that came into my office—or at least part of it. It is addressed to me and starts out saying:

I'm sure I'm not the first one to contact you about rising health insurance deductibles. I have had this job for 3 years. The first 2 years my company plan had a $3,000 yearly deductible with no copay.

So he had a $3,000 yearly deductible with no copay. He continues:

Last year, it went to $4,000 with a 20 percent copay.

Again, it goes from $3,000 to $4,000 in annual deductible and it goes from no copay to a 20-percent copay.

This coming year, 2016, it will go to $6,700 with a 20-percent copay.

So in just 3 years it goes from a $3,000 yearly deductible with no copay to $6,700—more than double—with a 20-percent copay.

He goes on:

Even before my current job, I had a Blue Cross North Dakota policy that had a $2,000 deductible and a very fair monthly premium. I have always had good health insurance. Now I have an essentially worthless policy.

I had bone cancer in my pelvis 1½ years ago. Had to go to Mayo and have my left pelvis removed. I have spent the last 18 months learning to walk again. Doctors weren't able to reconstruct it.

I will have twice yearly follow up cancer screenings for the next several years. These follow ups cost about $3500.00 each. So I spend $7000.00 a year, which is all of my deductible.

He goes on:

What are you doing to make changes to this health care act?

He clearly identified what consumers across the country are experiencing. This is just one example. I have many more, as do all of the Members of this body.

As bad as ObamaCare is for them, it is going to get worse. In 2016, consumers will see significantly higher premiums yet again. Premiums for the lowest cost silver plan will increase by 13 percent, and the lowest cost bronze plan will rise by 16 percent on average.

That is not all. The inaptly named Affordable Care Act has led to higher out-of-pocket costs for older, middle, and lower income Americans as well. Today, the average deductible is more than $2,000 and for some it exceeds $6,000, discouraging people from seeking necessary care.

The law is also resulting in fewer choices. Employers are already reducing benefits for many family members. By 2018, more than half of employers plan to significantly reduce benefits for employees' children and spouses.

While many are seeing higher premiums and deductibles with fewer choices, ObamaCare has created dozens of new taxes that ultimately are passed down to small businesses and consumers. The Congressional Budget Office has estimated that ObamaCare will increase taxes by $1.2 trillion over the next decade.

The result is fewer jobs. Simply put, employers are already cutting jobs or reducing hours to part time to avoid the higher costs of ObamaCare.

I do believe there is a consensus across the Nation that we need health care reform, but ObamaCare is not the answer. Americans want commonsense reforms—reforms that truly are affordable and that truly do empower patients to make their own choices. In the short run, we need to pass budget reconciliation legislation that repeals ObamaCare, and, in particular, the individual and employer mandates. In the long run, we need to take a step-by-step approach to put individuals, families, and businesses on a path to better reforms. The right approach to health care reform empowers people to make their own choices in selecting health care providers and insurers that is patient centered and respects the relationship between doctor and patient. The way to accomplish that is with a market-based plan that creates more competition and reduces health care costs.

Here is what we could do: To foster competition and reduce health care costs, we can do things like expand tax-free health savings accounts, flexible savings accounts, and Archer medical savings accounts to encourage individuals to save for future health care needs. Combined with high-deductible, low-premium policies, people will be able to meet their immediate health care needs and still be protected in the event of costly, serious illness.

We should provide portable health care plans so that individuals and families don't experience gaps in coverage when they change jobs. These plans could be given favorable tax treatment. For example, they could be treated as tax-preferred accounts so that dollars towards premiums could receive tax-exempt treatment. We should allow health care policies to be sold across State lines. This would result in more choices, more competition, and reduced costs for customers. We should give States more flexibility to manage Medicaid for low-income individuals and families. We should ensure affordable health care options are available to those in need and certainly those patients with preexisting conditions. That means bolstering State high-risk pools to make sure everyone has an opportunity to be covered.

ObamaCare is far from being the panacea it was promoted to be. The sticker shock hasn't faded. On the budget reconciliation we now have a real opportunity to turn the page on a failed experiment so that we can take steps toward replacing it with something the American people want.

I urge my colleagues to get behind the effort so we can start that process.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

GMO LABELING

Mr. TESTER. Mr. President, I want to talk a little bit today about food, transparency, and consumers' rights to know what is in their food.

As many folks in this body know, in my real life I am a farmer. I get to see exactly where my food comes from. Last month, I spent some time butchering and processing beef, knowing exactly where that came from. I like that. But not all Americans have the ability to know where their food comes from.

A few months ago, in July, the House passed a bill called the Safe and Accurate Food Labeling Act. It couldn't be anything more different from that, by the way. It basically denies Americans the right to know what is in their food by prohibiting the Federal Government, States, and municipalities from imposing any labeling standards that deal with genetically modified food.

I come from a State where transparency is very important. It makes our government work better. For the Federal Government in this case to undermine States and municipalities and not allow the consumer to know what is in their food—it is exactly the wrong step to take.

So why am I bringing this subject up today? I am bringing it up today because, quite frankly, there is some talk about air dropping an amendment that would allow the DARK Act to go into effect. It is not a bill we have debated on the floor to my knowledge. I don't know that it has even been heard in committee. But the bottom line is that this is bad policy.

The arguments would be that it is confusing; it is going to be expensive. That is bunk. Consumers are smart. They pay attention to what they eat. If you give them the ability to choose and the ability to know what is in their food, they will make the decision—which is their decision to make—on what they are going to feed their family and what mothers are going to feed their children.

It goes against everything this country stands for about letting people know we do have a great food system in this country. So let's be proud of it. Let's label it. Let's talk about what is in it. Let's let consumers have the choice. Consumers are smart, and they will absolutely make a choice that is best for their family.

Food is very important. Food, in my opinion, is medicine. If you know what you are eating, you will have a healthier family. If you pay attention to these kinds of things, your health care costs will go down.

The truth is that other countries require GMO labeling—countries like Russia, China, Saudi Arabia—not exactly countries that we would think would be very helpful to their consumers or transparent. But they think it is important to label it. We ought to here in this country too.

Big Money is coming in here saying: We don't want the consumers to know if they have GMO products in food; we want consumers to be ignorant. That is

not something this body should do. Let's give consumers the information they deserve. Let's allow this labeling to move forward, as Vermont has already done. Other States like Maine and Connecticut also are taking steps in that direction.

The bottom line is, to put in an amendment that stops States or municipalities from requiring labeling is a step in the wrong direction. It is not fair to consumers, and, quite frankly, it is not fair to the folks who produce food in this country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I want to talk a little about the legislation before us to repeal and replace ObamaCare, otherwise known as the Affordable Care Act.

When I travel around my home State of Ohio, I hear about a couple things a lot. One is the tough job market and flat wages, which makes it difficult to get ahead. The other is—and it is related—escalated health care costs. People are seeing in their lives that it is tough to find that job, and if they do have a job, they are finding their wages aren't going up as they would normally expect. Unfortunately, when we look nationally this is true. Wages on average are not just flat; they are slightly down. In other words, they have declined, which is not typical. On the other hand, expenses are up, and the biggest expense: health care.

So the middle-class squeeze is very real. It is affecting the people I represent as they see, again, unusually low wages, not the growth that we normally expect on the one hand, and on the other hand higher expenses, with health care taking the lead in those expenses.

Today in the Senate and tomorrow, as we debate this and vote on it, we have a chance to move the ball forward and show people that at least a majority in the Congress agree we ought to address this issue—the health care issue, of course—and try to stop the incredibly fast increase in premiums, deductibles, copays. Families, small businesses are getting hit hard. Also, we can help give the economy a shot in the arm by coming up with smarter ways to deal with health care.

This vote will show there are some in Congress who are listening and have some answers. Our job is to do what is right, and that is to pass this legislation to repeal and replace ObamaCare, to give us a chance to get rid of some of the most detrimental aspects of it that are eliminating jobs, that are pushing health care costs higher and higher.

The legislation—the Affordable Care Act—was sold as actually reducing costs. It was sold under false pretenses.

Specifically, the President said it would bring down premiums. He talked about it going down $2,500 on average per family. No; in fact, premiums are going up.

We were told Americans would be able to keep their insurance. Of course, millions have lost their health care insurance.

We were told that if you have a doctor whom you like, you can keep your doctor. Of course, a lot of people are now being told that under their new plan, they can't keep the doctor they have had.

We were told the Affordable Care Act could keep our economy strong, that it would grow jobs, create jobs. Instead, again, it has made things worse. If we look at the economy and what has happened, a lot of the issue is that people have given up looking for work. The so-called labor force participation rate is the lowest it has been since the 1970s—over 30 years. Some of that, again, is because we have this weak economy. Some of that is because a lot of the jobs that are available are part-time jobs, and the Affordable Care Act encourages part-time work, as we will talk about in a second.

So the results are in. We have seen it. We have seen that ObamaCare, with its mandates and centralized control, its top-down approach, has made it more difficult to get a job and has increased health care costs for families and small businesses—not the right way to provide quality health care for the people I represent in Ohio.

I hear stories every day. Sometimes they come in through our Web site, sometimes people call, sometimes I just run into people, and they tell me their stories. I got one this morning. We have our weekly Buckeye coffee, where we bring in people who are here in Washington from around Ohio to talk to us about their issues. I ran into a small business owner, very typical—a manufacturer in this case. He said: ROB, my margins are between 2 and 3 percent. In other words, that is what my profit is, and yet I am seeing my health care costs go up by double digits every year. It just doesn't work. I can't make ends meet. I am having to pass this along, either to my employees with higher premiums, higher deductibles, higher copays, or to try to pass them on to my customers. But I am in a very competitive market and I can't really do that. That could mean having to lay some people off, downsize the business.

Take another small business owner who wrote to me recently who said this is going to hurt his business. He said he is going to have to tell his 35 employees their insurance will be canceled and that the cheapest replacement policies would include a 35-percent increase in premiums as well as a 33-percent increase in deductibles. This is another small business in Ohio.

Take the father of five who saw the cost of his family's insurance double under the Affordable Care Act or the man who saw his $100 deductible go to $4,000. Does that sound familiar? There are probably some people listening tonight who had that same experience where their deductible goes up so high, it is almost like you don't have insurance. This guy said he saw his deductible soar to $4,000 while his premiums went up to $1,000 a month.

Batavia is in Clermont County, OH, right near my home. Recently, a woman from Batavia wrote to me and said:

> I am a single mother. I pay for my own health insurance. I am active and fit. I have cycled over 4000 miles this year. I am seldom sick. In the three years that I've paid for my own insurance, I went to the doctor once for illness. My rate was $146 [a] month. In September, I received a letter from Anthem saying my plan does not meet the requirements of the Affordable Care Act and will be discontinued. I was offered the same coverage for $350 per month.

This is a real problem for this single mom, but it is for families all over Ohio. I am concerned about the impact on those families, concerned about the impact on our small businesses. I am also concerned about the indirect impact on employees who work for those small businesses.

We talked earlier about the fact that there is more and more part-time work and that jobs are hard to come by in Ohio. More and more small businesses in Ohio are becoming what they call 49ers or 29ers. Forty-niner refers to the fact that employers sometimes feel they have no choice but to freeze their growth, and they are hiring at 49 employees rather than 50 employees because when you hit 50, you come up with new requirements and mandates under ObamaCare.

Others have tried to reduce the hours their employees work. If you work less than 30 hours a week, you are not covered by the mandates under ObamaCare. So some employers have reduced hours from 40 hours to 29 hours. Those are the 29ers. That is one reason full-time work is harder to come by.

It is no surprise to me that the underemployment figure—those working part time but wanting to return to work full time—has been on the rise. When you see the jobs numbers coming out every month, look at the number of people who are part time rather than full time. It is concerning. Some of this has to be driven by what is happening with the Affordable Care Act. I am certainly hearing about it. I am certainly hearing about it from people on the ground, real-world situations. It is sad.

This morning I talked to Todd, the president of a small manufacturing company, and he talked about a double-digit increase in his health care expenses. Mike from Westlake wrote to me and said:

> I own a small business. Our health insurance rates for single employees under 30

went from $198 per month last year to $560 per month this year. That's a 260% increase thanks to ObamaCare! This bill is going to put small businesses out of business.

This one is from Tim in Canton. He said:

The ACA fees being charged to us are $3,250 per year for 11 covered employees, which will be passed on to them. We are paying for the insurance premium increase of $15,186 by reducing our year-end bonus program. We also are offering an even higher deductible plan than we have now. (I will take the higher plan to lower the overall cost to soften the blow for my staff).

This is an interesting one because it is what I hear around Ohio. They are discontinuing their bonus program because of this. Other companies say we are discontinuing a research project. Others say we are discontinuing our match on our 401(k). Others say we are just plain cutting back; in other words, not hiring as many people as they would have.

It is happening out there. I know some economists have debates on this issue, but I hope they are talking to people in the real world who are being affected by this Affordable Care Act, the top-down approach, the mandates, and the inflexibility.

Not only are these small businesses affected by these new mandates, but a lot of them are now subject to one of the new taxes included in the Affordable Care Act. I think there are 21 new taxes in the Affordable Care Act. One of them is a tax on medical devices. This is an industry that is very important to Ohio and to our country. We have had a competitive edge in medical devices. We have a lot of great innovators in this country, including my home State of Ohio. We have been able to not only create some great opportunities in this country but we are exporting medical devices around the world. It is hard to overstate the impact the industry has on our State of Ohio and the ripple effect through our communities.

Over the past decade, we have added about 370 new bioscience and medical device companies in Ohio alone. It has been a growth area. These companies have brought high-paying jobs. I am told that for every one job, they create another 2.3 additional jobs. I visited a lot of these companies around the State of Ohio. I have been to companies in Cleveland, Cincinnati, and Columbus. Recently, I visited Zimmer Surgical, which is a company that employs about 300 workers in Dover, OH. They expressed the same concern I have heard at all these other companies I talk about, which is that this new tax under the Affordable Care Act makes it hard for them to be able to compete.

It is a very interesting tax. Normally you would have a tax on profits. If a company makes money, it pays taxes on those earnings and those profits. This is a tax on revenue, whether there is profit or not. It is an excise tax. Since this tax has taken effect, the companies I am talking about have seen a decrease in their operating margins. They are resulting in fewer jobs, they tell me, and less investment in the United States. Again, a lot of them say they are cutting back on research because they cannot afford to do the research they used to do because of the excise tax on their revenue—again, not on their profits, the money they are making, but just their revenue. That means their seed corn, as they call it, is being cut back.

I talked about the great innovation and the fact that this has been a cutting-edge industry for us in Ohio and around the country. The seed corn is research. That is what makes America a cutting-edge country in terms of these great medical device companies. A bunch of them are cutting back on research and that concerns me. Some have gone overseas. Some have moved their research overseas, even though they stayed headquartered in the United States.

If this tax continues, some have told me that they will be forced to close down manufacturing facilities. At a time when we need, more than ever, more made-in-America products in innovation, the medical technology industry is one where we are a leader on the world stage, and we should not be coming up with this kind of burdensome tax. That is why I am so glad that on this legislation that we will vote on tomorrow or the next day, that we will have the opportunity to repeal the medical device tax. By the way, there is a bipartisan consensus around that, I think. I know a lot of my colleagues on the other side of the aisle have talked about the need for us to do that as well.

If we do not do that, we are going to find out we have lost ground. Again, this goes to our economy. One thing that concerned me was that the founder of Zimmer Surgical in Dover, OH, told me that had this tax been in place when he started his company, he doesn't think he ever would have made it off the ground. I talked earlier about the number of new startups. This is going to keep some of those startups from taking root in the first place and creating those jobs and opportunities.

Repealing a job-killing medical device tax, therefore, is a great step forward to promote policies to get Americans back to work. Even though we need to repeal these top-down mandates we talked about and get rid of some of these taxes that are so onerous on workers and hurt our economy, I don't think we should go back to the pre-Affordable Care Act status quo. I don't think it is enough to say we should repeal this bad law. I think we also should say: Let's come up with a better way to deal with health care costs. Health care costs are going to be a big problem unless we deal with them in a much more sensible way than the Affordable Care Act does. I think real reform is needed. It must be patient-centered. In other words, it must be about the patient giving them the incentive to be able to save costs by focusing on prevention and wellness, focused on their families, focused on what they need for themselves and family rather than these mandates that say you can't have this insurance policy you had for years, as this young woman in Clermont County told me who has seen her premiums go up so dramatically. She had a policy she was very happy with. Let people have the policies they want for themselves and their families.

Let's have less government and bureaucracy and more focus on patients. Let's be sure it is responsible in terms of keeping the tax burden down and does not kill jobs as the medical device tax does. ObamaCare should be repealed. It should be repealed and replaced with a system that actually works. The failures to ObamaCare actually point the way as to how we can do that. As I said, patient-centered, costs should be the focus. There are steps we can take—and take them today—to remove some of the shackles of government regulations from the market and help make health insurance and health care less expensive. We should start by allowing health care to be sold across State lines. Let's be sure we can compete, and the people who live in Cincinnati, OH, can get health care across the river in Kentucky or across the border in Indiana. It makes no sense. Some people live in Indiana and work in Ohio and vice versa or work in Kentucky and live in Ohio and they only get health care in the place where they live.

We should be able to look for our health care in New York or California. Whatever works best for our family. Make these companies compete for our business. We should take commonsense steps to rein in the staggering costs of frivolous lawsuits. This could save billions and billions of dollars in our health care system. There is a CBO estimate of the cost to the Federal Government that could be saved alone. It is tens of billions of dollars, but the medical profession will tell you it is more like hundreds of billions of dollars as it applies to all of us. That will help to make health care more affordable.

We should cover more Americans by creating a healthy, vibrant individual health care market, giving people a tax incentive to purchase health care insurance comparable by the incentives they receive at their employer-provided plan. Why shouldn't they have that same opportunity in the individual market that is part of the way you cover more people?

The sad truth about ObamaCare is that the coverage numbers are very

disappointing, even to those who strongly supported the bill. Why? Because what has happened is that some people have gotten coverage, but others have lost coverage. The estimates by the Congressional Budget Office are that still 10 years after this legislation is in place there will be something like 30 million Americans without coverage.

We can do it and do it in a more cost-effective way and be sure people do have the opportunity to have access to quality health care. The bill we have before us this week will take that first step at removing the shackles of government regulation and put the country on the path forward to real health care reform. Not only does the legislation remove the mandates ObamaCare placed on individuals and businesses to purchase insurance, but it also rolls back some of the new programs, while giving the new President, the next President, and the new Congress, the next Congress, the time to be able to enact alternative reforms that will ensure all families have access to quality, affordable health care. It has to be a top priority to actually come up with not just repealing what is there but replacing it with something that makes more sense for families in Ohio and around the country.

I look forward to this vote and this debate because it gives us an opportunity to send to the President sensible legislation that gets rid of so many of the detrimental impacts of ObamaCare and sets us down the path of debating about what that future ought to be.

Some Democrats have said: Why are you doing this—because the President said he will veto it. I would ask them to look at what the majority of the American people are saying, which is that they do not believe the Affordable Care Act is the right way to go. I guess I would look at the fact that the majority in the Senate may feel that way as well. We should represent those folks back home. Because the President doesn't support it doesn't mean we shouldn't act and do what is right. Every President who served in this great country has had the opportunity to veto legislation coming from Congress. It doesn't mean Congress shouldn't send them legislation. I hope the President will not veto it. He probably will. It doesn't mean the Senate shouldn't act. I am glad we are acting.

I stand ready to work with my colleagues going forward on both sides of the aisle to enact real reforms that do provide the people I represent and people all around this great country the access to the quality care they deserve.

Mr. President, I yield my time.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, for those who are keeping score, this is the 17th time that the Senate will be asked by the Republicans to vote to end ObamaCare, and they have added to this to defund Planned Parenthood. As one individual said the other day, here is a breakthrough press release: President Barack Obama is not going to end ObamaCare. That seems pretty obvious. So this is a political exercise. It doesn't solve the problems of America. It doesn't even address the problems of America.

The Affordable Care Act finds health insurance for 17 million Americans. We have reduced the number of uninsured Americans by 45 percent with this bill. The Republicans have opposed it from the start, never providing a single vote in support, never willing to sit down after it was passed to talk about changes that would make it even stronger or better. They want to end it. It is ObamaCare. It has the President's name on it—enough said for many of them. They want it to go away.

The reality is if it goes away, so does health insurance protection for millions of Americans. So you would expect that the Grand Old Party, the Republican Party, would have an alternative for us, right? Wrong. They have never come forward with any alternative that would provide coverage for these millions of Americans and the others who should have health insurance coverage as well. It just tells you that they are prepared to go back to the bad old days before ObamaCare and the Affordable Care Act.

Remember those days? Remember when a health insurance company could say to you: Sorry, you happen to have a sick child in your family, and we are not going to give you health insurance. Preexisting conditions were enough to say no, and if they said yes, it was at a premium that an average family couldn't even consider. We ended that discrimination against families and sick children. We ended it.

The Republicans today want to go back to those good old days when health insurance companies could turn you down in a New York minute and say: There will be no health insurance for you or your kids. They want to go back to those good old days. They are wrong.

They want to go back to the days when a family's health insurance plan wouldn't cover the graduate from college until he reached the age of 26. That is what the Affordable Care Act does. It says that a family can keep that youngster—young man or woman—on their health insurance plan for their family while they are looking for a job, serving an internship or have a part-time opportunity.

I will tell you, as a father who has raised three children, I can remember those days after college when those kids didn't have coverage, and I used to ask them about that. I asked my daughter, Jennifer: Do you have health insurance now? She said: Dad, I don't need it; I feel just fine. That is not what a father wants to hear. The Republicans want to return to those good old days when those young men and women, after just having graduated from college, had to buy their own health insurance and couldn't stay on the family plan.

What about senior citizens with prescription drugs? The Affordable Care Act, which they want to repeal, helped seniors pay for their prescription drugs. They want to go back to the bad old days when seniors had a gap in coverage and had to go to their life savings to buy lifesaving prescription drugs. Those are the good old days that the Republicans want to return to. Well, those days weren't so good, and they certainly shouldn't return.

We have seen for the last 5 years the slowest rate of increase in health care costs in the last several decades. We have slowed down that rate of growth. We can do better. We should work together to do better on a bipartisan basis.

But instead, we are faced with a 17th vote by Republicans in the Senate to eliminate ObamaCare, to return to the old days of discrimination because of preexisting conditions and to take your kids who have graduated from college off your family health insurance plan. That is what they want to go back to.

America is not going to let that happen. Thank goodness this President won't let that happen. But we are going to waste several days on the floor of the Senate while they go through speeches that have been carefully rehearsed and delivered 17 different times with the same ultimate result, and nothing is going to happen. Instead, they should join us in a bipartisan effort to make the Affordable Care Act even stronger, fairer, and to help people have affordability and access to health insurance.

SHOOTING IN SAN BERNARDINO

Mr. President, earlier today there was a mass shooting in San Bernardino, CA. News reports are saying that up to three heavily armed gunmen attacked a social services center that helps developmentally disabled people and their families in the community.

Preliminary reports say that there have been 14 people killed and 14 wounded, although we don't know the exact number yet. There are videos of wounded people actually lying in the streets. The suspects apparently fled the scene in a black SUV, and a manhunt is underway.

This story is horrific, but it is also horribly familiar. There have been over 350 mass shootings in America this year. On average, 297 Americans are shot every single day, 89 fatally. Listen to this grim and sad statistic: There have been over 50 school shootings this year in America.

Our thoughts and prayers are with the victims and first responders in San Bernardino. But they and all the victims across our country deserve more

than our thoughts and prayers. They deserve action. It is time for Congress—in a level-headed, commonsense moment—to vote on and pass legislation to protect innocent people across America from this horrific gun violence.

SYRIAN REFUGEES

Mr. President, I don't know if it was George Washington who said—although I think he is given the credit—when describing this institution of the Senate: It is the saucer that cools the tea.

I served in the House for 14 years and was proud to do it. We were elected every 2 years. It was a more volatile atmosphere because we were constantly running for reelection. The Senate is a different institution, with 6-year terms and a little more reflection, I hope, in what we do. I hope that we take the time that is necessary to exercise our constitutional opportunity here and think things over clearly and not react emotionally.

Well, it was about 2 weeks ago when the House of Representatives took action on the Syrian refugees and passed a measure that would give what they called a pause to receiving Syrian refugees in the United States. It was a heated moment. It was after the terrible tragedies that occurred in Paris and Beirut, and there were concerns about ISIL and the spread of their terrorist ways around the world. It was an emotional moment that really needs some reflection.

The simple fact of the matter is this. Over the last 4 years, during the course of the Syrian war, the United States has received about 2,000 refugees from Syria into our country. It is an elaborate, lengthy process.

Mr. President, I ask unanimous consent to have an article from last weekend's New York Times, which outlines all of the steps that need to be taken in order for a Syrian refugee to enter the United States, printed in the RECORD.

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

[From the New York Times, Nov. 20, 2015]

WHY IT TAKES TWO YEARS FOR SYRIAN REFUGEES TO ENTER THE U.S.

(By Haeyoun Park and Larry Buchanan)

Syrians must pass many layers of security checks before being admitted to the United States, a process that can take two years or longer. In most cases, the refugees do not enter the United States until the very end. They are also subject to an additional layer of checks beyond those for refugees of other nationalities; after the Paris attacks, the House voted to further tighten screening procedures. Since 2011, the United States has admitted fewer than 2,000 Syrian refugees.

1. Registration with the United Nations.

2. Interview with the United Nations.

3. Refugee status granted by the United Nations.

4. Referral for resettlement in the United States. The United Nations decides if the person fits the definition of a refugee and whether to refer the person to a country for resettlement. Only the most vulnerable are referred, accounting for fewer than 1 percent of refugees worldwide. Some people spend years waiting in refugee camps.

5. Interview with State Department contractors.

6. First background check.

7. Higher-level background check for some.

8. Another background check. The refugee's name is run through law enforcement and intelligence databases for terrorist or criminal history. Some go through a higher-level clearance before they can continue. A third background check was introduced in 2008 for Iraqis but has since been expanded to all refugees ages 14 to 65.

9. First fingerprint screening; photo taken.

10. Second fingerprint screening.

11. Third fingerprint screening. The refugee's fingerprints are screened against F.B.I. and Homeland Security databases, which contain watch list information and past immigration encounters, including if the refugee previously applied for a visa at a United States embassy. Fingerprints are also checked against those collected by the Defense Department during operations in Iraq.

12. Case reviewed at United States immigration headquarters.

13. Some cases referred for additional review. Syrian applicants must undergo these two additional steps. Each is reviewed by a United States Citizenship and Immigration Services refugee specialist. Cases with ''national security indicators'' are given to the Homeland Security Department's fraud detection unit.

14. Extensive, in-person interview with Homeland Security officer. Most of the interviews with Syrian refugees have been done in Amman, Jordan and in Istanbul.

15. Homeland Security approval is required. If the House bill becomes law, the director of the F.B.I., the Homeland Security secretary and the director of national intelligence would be required to confirm that the applicant poses no threat.

16. Screening for contagious diseases.

17. Cultural orientation class.

18. Matched with an American resettlement agency.

19. Multi-agency security check before leaving for the United States. Because of the long amount of time between the initial screening and departure, officials conduct a final check before the refugee leaves for the United States.

20. Final security check at an American airport.

Sources: State Department; Department of Homeland Security; Center for American Progress; U.S. Committee for Refugees and Immigrants.

Mr. DURBIN. It starts with registration with the United Nations, interview with the United Nations, refugee status granted by the United Nations, referral for resettlement in the United States, interview with State Department contractors, the first background check, higher level background checks, another background check, fingerprint screening with a photo taken, the second fingerprint screening, the third fingerprint screening, the case reviewed by U.S. immigration headquarters and then in some cases referred for additional review, extensive in-person interviews with Homeland Security officers, and then—and only then—could Homeland Security approval be required. At that point the potential refugee is screened for contagious diseases, goes through a cultural orientation class, matched with an American resettlement agency, goes through a multiagency security check before leaving to enter the United States, and then faces a final security check when they arrive at an American airport.

I am entering this into the RECORD because those who are suggesting that we are taking Syrian refugees without appropriate screening are not aware of the reality. It is a process that takes 18 to 24 months, and in the 4 years we have accepted about 2,000 Syrian refugees, not a single one has been found to be involved in a terrorist activity.

We accept about 70,000 refugees in the United States each year, and I am glad that we do because for some people in some parts of the world, it is the only place they can turn to.

The public reaction against the House action that bars Syrian refugees is interesting. There was a Congressman, and I don't know him personally, but his name is Congressman STEVE RUSSELL of Oklahoma.

This is according to the POLITICO article:

He voted for the bill with serious reservations but in the hopes of affecting the debate as it moved ahead. If the existing bill were to come before the House again, ''I would vote against it,'' Russell said. ''I think it creates impossible barriers to refugees.''

Just 2 weeks ago, he voted for it, but he has thought it over. Why? This article says:

For Russell, the issue is personal. One of his close friends is an American citizen who was trying to get his mother out of Syria. The mother died this past summer before she could leave that war-torn country. Out of respect for his friend's privacy, [Congressman] Russell [of Oklahoma], a retired Army lieutenant colonel, declined to offer specifics, including exactly what happened to the woman. But he said: ''I'm certain had he been able to get her to the United States, she would still be alive.''

[Congressman] Russell urged [his fellow] Republicans in the Senate to think carefully before supporting the House bill, saying they should not get refugees confused with the broader issue of immigration. He pointed out that in the past the U.S. has denied entry to people in need of help, including Jews [who were] fleeing the Nazis [in Europe during World War II].

''We have had dark periods when we have done this in the past,'' he said. ''History never judges it kindly—never.''

That was a quote by Congressman RUSSELL, a Republican from the State of Oklahoma.

I think it is important to note, too, that ''in a letter to lawmakers released [yesterday], a group of national security experts, including figures prominent in Republican circles such as former Secretary of State [Henry] Kissinger, retired Gen. David Petraeus and former Homeland Security Secretary Michael Chertoff, urged [us] to stop the House bill.''

''Refugees are victims, not perpetrators of terrorism,'' the signatories wrote. ''Categorically refusing to take them only feeds the

narrative of [the Islamic State] that there is a war between Islam and the West, that Muslims are not welcome in the United States and Europe, and that the [Islamic State] caliphate is their true home.''

Perhaps the saucer is cooling the tea, and perhaps the Senate will have the good sense not to follow the action of the House of Representatives in passing this provision.

I have two other items to add to the RECORD before I yield the floor to my colleagues who have gathered here today.

The first is an article that comes out of the city of Chicago, which I am honored to represent. I ask unanimous consent that the article be printed in the RECORD.

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

[From the Chicagoist.com, Dec. 1, 2015]

MEET THE NUNS WHO ARE PREPARING THEIR WEST RIDGE HOME TO TAKE IN SYRIAN REFUGEES

(By Tony Boylan)

Three nuns living in West Ridge plan to take in a Syrian refugee family not just with the blessing of their local community, but at its urging.

Despite Illinois Gov. Bruce Rauner's decision last month to join a number of other state governors in vowing to make it tougher for Syrian refugees to resettle in the U.S. in the wake of a recent terrorist attack on Paris, these women are preparing their home to make life a little easier for a refugee family.

The sisters, part of the Society of Helpers, live in a historic home once owned by the Dr. Scholl's Family with a finished basement they in the process of turning into a family apartment. The Society is an international order with progressive values based on the teachings of St. Ignatius. In other words, they get their hands dirty working with lots of issues other people of faith aren't always quick to embrace; the homeless, addicts, teenage mothers, domestic violence and those most in need of support and assistance.

From their mission statement: ''As contemplatives in action, we don't just pray for social justice and for peace—we make it our life's work.''

Putting their faith in action, the sisters moved swiftly to ready themselves to provide shelter to a refugee family they think could be with them as soon as January. Political leaders can debate and demagogue on the issue all they'd like, but the sisters don't care about that. Their faith declares what it declares, they say, and offering help is their faith.

''We would rather not make our decision on fear, we would rather make our decision on compassion,'' said Sister Mary Ellen Moore, a registered psychologist and one of three nuns who lives in the house. ''We were certainly disappointed in Gov. Rauner's statement on this issue. That kind of mentality if frightening and we know what it's led to in Europe and in other places in the past. It's really very sad.''

The plan predates the attacks in Paris, which have somehow been blamed on refugees—the same people trying to flee the horrific powers behind the carnage. The nuns and the members of St. Gertrude's parish in Edgewater took to heart the Pope's call for every congregation in America to help ease the international crisis and find a way to accommodate refugees.

The sisters do find it important to note that this isn't an entirely free ride. Refugee families from Syria, or anywhere else, are required as part of their status to obtain work almost immediately after getting settled. Catholic Charities will assist them with that. The family will also be asked to contribute something for electricity and other utilities in due time, and after a store of donated food is exhausted, the family will rely on its own income and some help from charity for food.

In this case, though, a family couldn't ask for hosts more qualified and prepared to help them assimilate. And the sisters think the multicultural nature of their neighborhood—near Devon Avenue and Loyola University—will be helpful.

Members of the parish, where the sisters attend church, but have no official attachment, almost immediately began collecting donations of money, furniture, bedding, kitchen supplies, and all the mundane things a family starting over with nothing might need to get by. (There still is a need for everything except clothing, which will wait until they know who is coming and can collect items appropriate to ages and size. Any help is appreciated and can be donated through either the Society of Helpers Facebook Page or website.

It's not as if the parishioners or sisters are entering into this without thinking through any potential risks. It's just that they know the risks are being wildly overstated and their mission is clear.

A letter written by parishioner John Neafsey was circulated among church members recently read, in part:

''Security concerns are understandable in the aftermath of the Paris attacks. But our understanding is that there is already a thorough and lengthy screening process in place for checking the backgrounds of refugees (agreed upon between the UNHCR and host countries, including the U.S.) prior to approving them for resettlement to the United States. We believe that an arbitrary refusal to allow Syrian refugees to come to our state is unnecessary, unfair, and un-Christian. This would needlessly scapegoat and penalize innocent men, women, and children who are fleeing violence and persecution. It deprives them of the chance to get a new start in a safe place where they are welcome. The motto of our parish is 'All Are Welcome.' For us, ''all'' includes Syrian refugees, whether they are Christian or Muslim.''

While neither the church members nor the sisters want this matter to be political, they understand the climate that has been created.

''It's very sad people just jump to judgement because people are different,'' said Sr. Jean Kielty, Director of the House of Good Shepherd and a social worker who has aided the homeless for a quarter century. She shares the house with Sister Mary Ellen, Sister Anna Maria Baldauf, and their dogs, Mocha and Snowball.

''This is just a different kind of homelessness—a more tragic one.''

There is a one ramification Sister Jean is concerned about, though: ''I'm not sure if my family will come visit me anymore.''

Here's a little more information about the nuns behind this initiative and the residence where they are providing a basement apartment to a refugee family next year:

JEAN KIELTY, SH

As a social worker, Jean's ministry has focused on addressing homelessness in the Chicagoland area for more than 25 years. She has served as Director of Interim Housing with Catholic Charities of the Archdiocese of Chicago and is currently the Executive Program Director of the House of Good Shepherd. Jean is the founder and current chairperson of the board for Casa Esperanza, a transitional housing program for women and their children located in South Chicago. Jean is one of three leaders of the U.S. Province of the Society of Helpers and resides in her West Ridge home with two other Helpers and their dogs.

MARY ELLEN MOORE, SH, PH.D.

Mary Ellen is a registered psychologist and co-founder of Claret Center in Hyde Park that offers psychotherapy, workshops, and professional development that support wholeness in mind, body, and spirit. In addition to her advisory role at Claret Center, Mary Ellen provides psychotherapy and supervision to clients and students and is the director of training for the practicum at ''The Circle,'' a Helpers-sponsored resource center for Latina immigrant women in Brighton Park. Mary Ellen served served two previous terms as the Helpers' U.S. Provincial from 1985–1995 and another term from 2008–2014.

THE MILLER HOUSE

This West Ridge modified Georgian Colonial Revival was built by the Hutchins Brothers in 1911. In 1923, the Hutchins family sold the home to Frank Scholl, brother of Dr. William M. Scholl who founded the company Dr. Scholl's. Frank joined the business in 1910 and oversaw European operations. Featured on the 1996 Annual Fall House Tour and the 2013 Annual House Tour, this historical home boasts 5000 square feet with 5 bedrooms, 5.5 bathrooms and related living quarters.

Although this ''large home'' has undergone changes with each of the five previous owners, it maintains many qualities of its original historic charm. The Society of Helpers purchased the home in 2014, planning to utilize its space to welcome other Helpers visiting from around the world. They were thrilled to be able to offer the related living quarters to a Syrian refugee family when their parish, St. Gertrude, and Catholic Charities provided an opportunity to present a family in need of a safe home.

Mr. DURBIN. The article talks about a house in West Ridge, Chicago. It is a place where an order of Catholic nuns called the Society of Helpers has a house that they have turned into a refuge for homeless people. They have announced that they are going to accept Syrian refugees into their home so that the refugees know they will have a safe place to stay in the United States.

Sister Mary Ellen Moore, a registered psychologist and one of the nuns who lives in the house, said:

We would rather not make our decision on fear, we would rather make it on compassion . . . We were certainly disappointed in Gov. Rauner's statement on this issue. That kind of mentality is frightening and we know what it's led to in Europe and other places in the past. It's really very sad.

The people of France, after these horrific terrorist incidents, announced that they are going to accept 30,000 Syrian refugees. The people of Canada, after the terrible incident in Paris, announced virtually the same thing. And

what has been the response of the United States and the House of Representatives? It has been an irrational response of fear.

Mr. President, I ask unanimous consent that this letter, which comes from a group called HIAS, and has the headline ''1000 Rabbis in Support of Welcoming Refugees'' be printed in the RECORD.

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

[From hias.org, Dec. 1, 2015]

1,000 RABBIS IN SUPPORT OF WELCOMING REFUGEES

We, Rabbis from across the country, call on our elected officials to exercise moral leadership for the protection of the U.S. Refugee Admissions Program.

Since its founding, the United States has offered refuge and protection to the world's most vulnerable. Time and time again, those refugees were Jews. Whether they were fleeing pogroms in Tzarist Russia, the horrors of the Holocaust or persecution in Soviet Russia or Iran, our relatives and friends found safety on these shores.

We are therefore alarmed to see so many politicians declaring their opposition to welcoming refugees.

Last month's heartbreaking attacks in Paris and Beirut are being cited as reasons to deny entry to people who are themselves victims of terror. And in those comments, we, as Jewish leaders, see one of the darker moments of our history repeating itself.

In 1939, the United States refused to let the S.S. *St. Louis* dock in our country, sending over 900 Jewish refugees back to Europe, where many died in concentration camps. That moment was a stain on the history of our country—a tragic decision made in a political climate of deep fear, suspicion and antisemitism. The Washington Post released public opinion polling from the early 1940's, showing that the majority of U.S. citizens did not want to welcome Jewish refugees to this country in those years.

In 1939, our country could not tell the difference between an actual enemy and the victims of an enemy. In 2015, let us not make the same mistake.

We therefore urge our elected officials to support refugee resettlement and to oppose any measures that would actually or effectively halt resettlement or prohibit or restrict funding for any groups of refugees.

As Rabbis, we take seriously the biblical mandate to ''welcome the stranger.'' We call on our elected officials to uphold the great legacy of a country that welcomes refugees.

Mr. DURBIN. I will close by reading just a portion of this letter that was handed to me this morning by this group that represents these Jewish rabbis all across the United States, from virtually every State in the Union.

It says:

We, Rabbis from across the country, call on our elected officials to exercise moral leadership for the protection of the U.S. Refugee Admissions Program.

Since its founding, the United States has offered refuge and protection to the world's most vulnerable. Time and time again, those refugees were Jews. Whether fleeing the pogroms in Tzarist Russia, the horrors of the Holocaust or persecution in Soviet Russia or Iran, our relatives and friends found safety on these shores.

We are therefore alarmed to see so many politicians declaring their opposition to welcoming refugees.

Last month's heartbreaking attacks in Paris and Beirut are being cited as reasons to deny entry to people who are themselves victims of terror. And in those comments, we, as Jewish leaders, see one of the darker moments of our history repeating itself.

They go on to talk about the United States turning away the SS *St. Louis* in 1939, and 900 Jews were sent back to Europe. The Holocaust Museum tells us that 200 of them perished in the Holocaust because the United States refused to accept them as refugees.

They end by saying:

As Rabbis, we take seriously the biblical mandate to ''welcome the stranger.'' We call on our elected officials to uphold the great legacy of a country that welcomes refugees.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Oklahoma.

Mr. INHOFE. Madam President, before we get too wrapped up with our concern for the Syrian refugees, let's keep in mind that this administration doesn't have a policy in the Middle East today and hasn't had one since it came into office. It doesn't have a policy in Syria. They don't know where we are. He has drawn a line in the sand and just ignored his commitments. We wouldn't have all of these Syrian refugees if we had a policy in the first place.

Secondly, it was this administration's own Director of National Intelligence, James Clapper, who said that it is a fact that the refugees who come in from Syria could very well be bringing terrorists into the United States, and I think we need to consider that and consider our citizens before we consider some of the others. There are other options. We could have no-fly zones and have refugees settled in their own country, and that would be a lot safer for America and a lot cheaper.

Anyway, that is not why I am here.

President Obama made a lot of points to the American people in 2010 about how ObamaCare would improve health care for everyone. He said it would lower costs, it would expand access, and it would make health care more affordable for everyone. Yet, 5 years after this law's passage, ObamaCare has only increased premiums and increased deductibles, cut down employee work hours, and threatened the religious liberty of many employers who are providing needed jobs in a slow economy.

Since Obama's disastrous rollout, I have listened to heartbreaking accounts of how ObamaCare has negatively impacted middle-class Oklahoma families. I go back every weekend and I talk to these people. Their budgets are taking the hardest hits. The longer this law has been on the books, the worse the stories have become.

Oklahoman Fred Imel's premium is going from $1,100 a month to $1,700 a month. In fact, it was just announced that next year Oklahomans will see an average increase of 35.7 percent in premium prices, which is the highest in the Nation. That is why I am concerned about this. We have an opportunity, actually, tomorrow to act on something that can change all of this.

In addition, BlueCross BlueShield notified 40,000 Oklahomans earlier this year that they will no longer offer their current plans and that policyholders would be forced to move to other plans in the two other networks in the State. Both plan options have fewer participating doctors, hospitals, and other providers. In other words, access to care is going down for these people, all the while costs are going up.

At the same time, many other insurance companies are dropping out of the Affordable Care Act market altogether, leaving Oklahomans with even fewer choices, not more, as President Obama promised back in 2010. In fact, nationwide, ObamaCare offers, on average, 34 percent fewer providers than health care networks outside the exchanges.

But ObamaCare isn't delivering bad news just to Oklahoma. Across the Nation, federally backed co-ops are going under due to ObamaCare. On October 16, the Wall Street Journal had an article that said that these cooperatives are ''collapsing at such a rapid clip that some co-ops and small insurers are forming a coalition to consider legal action to try to change health-law provisions they blame for their financial distress.''

Twelve out of the 23 ObamaCare established co-ops have gone under. More than half of them have gone under, leaving more than 500,000 currently insured Americans to find new insurance once again or face a steep penalty from the Federal Government. These co-ops also received over $1 billion in taxpayer loans from the Federal Government, most of which will never get repaid. So it is really worse economically for this country.

Since the beginning of this Congress, I have sponsored 12 bills to dismantle and fully repeal ObamaCare, and my colleagues and I are committed to maintaining our promise to repeal and replace ObamaCare. This reconciliation bill is a step in that direction. The House passed reconciliation on October 23 with a vote of 240 to 189.

This bill repeals the major components of ObamaCare, including the individual and employer mandate. It also repeals the medical device tax and the Cadillac tax, which is a tax placed on certain high-value, employer-sponsored insurance plans.

The Senate reconciliation bill also takes repeal of ObamaCare a lot further by repealing $1 trillion in ObamaCare taxes and fully repealing the Medicare expansion and all ObamaCare subsidies by 2018.

Importantly, the reconciliation bill also prohibits Federal funding for

Planned Parenthood and instead uses that money that is saved by that repeal to increase funding for community health care centers. We hear people talk about health care for woman who are going to be hurt if we get rid of Planned Parenthood, yet we have more than 9,000—9,000—community health centers. These facilities are better equipped to provide women with the health care they need when compared to only 700 Planned Parenthood facilities. So keep in mind that there are 700 Planned Parenthood facilities and 9,000 community health centers, so they actually have the opportunity to get better care.

This issue is of particular importance given the sting videos that were released over the last few months showing the lengths Planned Parenthood affiliates have gone to profit from the sale of fetal tissue following abortions.

Planned Parenthood is a private institution that largely serves urban areas. While abortion may not be the only service they provide, it is what they are primarily known for. Everybody knows that. Whether they have broken the law or not, the taxpayer money they currently receive would be better directed toward the community health centers, which, on a ratio of 12 to 1, would be able to help with women's services.

Life is one of the single most important issues we consider here in the Senate, and I am proud of what we have already done this year. A few months ago, a majority of Senators voted to defund Planned Parenthood. That vote has already taken place. A majority of us here—although the tally did not pass the 60-vote threshold that was necessary to break a filibuster, it did show that more than a majority of Senators support ending subsidies to the largest abortion provider in America.

More important than the Senate's views of this, a majority of the American people support protecting life of the unborn. Every survey demonstrates that very clearly. When I go back home, people say: Why is it that if this is something the American people want, this taking of life continues?

The American people support it, and it is very important to me and my constituents that we do everything possible to protect the sanctity of life. That is among the top reasons why it is necessary to vote for this reconciliation bill. We have the chance to end the Federal financing of the institution that has chopped up babies and negotiated the most profitable price for their organs. There is no moral gray area here.

Let me tell my colleagues something about Oklahoma. I am going to tell my colleagues about how immoral and abrasive ObamaCare has been. In my State of Oklahoma—I was in the State senate back in 1970. I had a good friend then whose name is David Green. He developed a business in his garage—this was in 1970—where he made picture frames. He had only one employee, and then he started growing. Over a period of time, he has grown to where he now has Hobby Lobby. Hobby Lobby has 600 stores, 23,000 employees, and it started in a garage in 1970.

David Green is a real Jesus guy. He loves the Lord. He has his own principles, his own morality, and his employees do too. So ObamaCare came along and required a contraceptive type of pill taken after fertilization that is very similar—it is a type of abortion, in the eyes of this man. Well, he refused to force his employees to do that.

ObamaCare—the Federal Government—came along and they sued him and they—no, they were fining him $1 million a day—$1 million a day for refusing to take human life. He filed a suit. Now, keep in mind, $1 million a day. He went to district court, and he won the case by a close decision over ObamaCare. Then they appealed the case to the circuit court. He won there, and he won ultimately in the U.S. Supreme Court by a split vote of 5 to 4. Here is a guy who is willing to risk $1 million a day because he knew what was morally right. This is something that actually happened.

I will tell my colleagues, we have to get rid of ObamaCare and get out of the abortion business. We will have that chance tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, nearly 6 years ago this body was on the verge of passing the Patient Protection and Affordable Care Act. Today the Senate is poised to repeal that insultingly misnamed law.

Back in the winter of 2009, of course, we still had yet to pass the bill to see what was in it, although one didn't need a Ph.D. in economics to foresee that the Affordable Care Act would be a mess. It wasn't just conservatives and Republicans raising concerns; every sensible observer saw the obvious flaws and the inevitable disasters embedded in the rickety, ideological scheme congressional Democrats were foisting on the American people in an exercise of unprecedented partisanship.

Six years later, the Democratic Party's dream of ObamaCare has become the American people's nightmare. For the past 5 years, the American people have lived with and have suffered through the chaos and dysfunction wrought by ObamaCare's assault on American health care. At every step along the way, opposition to the law has grown stronger and calls for its repeal by the American people have grown louder, which brings us here today.

Last year Republicans running for Congress promised to repeal ObamaCare as a first step toward replacing it with real health care and real insurance reform. It was largely on the basis of this pledge that the American people elected to put the GOP in charge of both the House of Representatives and the U.S. Senate. The bill we are scheduled to vote on later this week brings us as close to fulfilling that promise as is possible under the Senate rules, pursuant to the instructions from the budget resolution that Congress passed just a few months ago.

I applaud the majority leader for his steadfast leadership over the past several days and weeks, and I commend the Senate Budget Committee for its tireless efforts, as Republicans have worked together to craft a reconciliation package that doesn't just tinker around the edges of ObamaCare but lays the groundwork for ObamaCare to be erased from the books altogether. This is the only responsible step for Congress to take because by the law's own standards, according to the promises of the ideologues who imposed it on an unwilling country, ObamaCare has been a failure.

As its name suggests, the overriding objective and promise of the Affordable Care Act was to make health care more affordable for Americans. Yet, nearly 5 years after its passage, no one seriously claims the law has made it easier or more affordable for the American people to access the health care services they need. Facts are not optional, and the facts prove that quality, affordable health care is harder to find in America today than it was 6 years ago, especially for low- and middle-income Americans.

With so much political and ideological capital invested in propping up and defending ObamaCare, President Obama and his allies here in Congress are forced to simply try to skirt the facts. Take, for instance, the left's favorite half-truth—the notion that ObamaCare has succeeded because there are fewer uninsured Americans today than before the Affordable Care Act was signed in the law. But the other salient fact routinely omitted by the President and congressional Democrats is that the vast majority of the newly insured receive their coverage through Medicaid. The reason ObamaCare supporters have made a habit of ignoring this fact is obvious: For 50 years, Medicaid has served as the preeminent case study of how not to run a health insurance program. Medicaid's abysmal track record of failing our most vulnerable populations will only get worse as millions of new, able-bodied adults join the program.

Then there is the fact that in 2016, insurance premiums are set to continue their steep ascent toward unaffordability. That goes for insurance plans on the ObamaCare exchanges as well as commercial plans purchased in the private market.

ObamaCare supporters have long promised that rising premiums would be at worst a brief detour on the centrally planned road to affordable health care, but as it turns out the iron laws of economics have once again triumphed over ideological wishful thinking. According to a survey of commercial insurance brokers conducted by Morgan Stanley, the average rate hike in 2016 for individual insurance plans will be 12.6 percent—slightly higher than the 11.2-percent increase last year—and the increase in small group rates will be 13.5 percent, up from a hike of 11.7 percent last year. So this creep continues. It keeps getting worse for the American people.

The outlook for insurance plans on the ObamaCare exchanges is just as bleak. Last month the Department of Health and Human Services announced that insurance premiums will rise an additional 7.5 percent next year in the 37 States using the notoriously defective and flawed healthcare.gov, and that is just the average, which obscures the more dramatic premium increases for residents in several States in particular, such as Oklahoma and Alaska, both of which are projected to see their ObamaCare premiums spike more than 30 percent next year.

Compounding the continued acceleration of premium hikes is the simultaneous increase in deductibles and the narrowing of choices that patients face in the health care market. In my home State of Utah, for instance, the residents of 20 out of my State's 29 counties are limited to only one health insurance plan option.

This toxic combination of rising health care costs and limited health care choices has already had serious consequences, especially for low- and middle-income Americans who are most severely affected by the law and who are the least capable of dealing with adverse consequences. According to a recent Gallup poll, nearly one in three Americans report that they or a family member have postponed or delayed medical treatment within the past year because of the cost, and they are more likely to have done so for a serious medical condition than for a medical condition deemed nonserious. What is even more remarkable is that the proportion of Americans who delay medical treatment because of the cost has remained basically unchanged for the last decade, even as the number of Americans with insurance coverage has increased. It is not just patients who have found ObamaCare to be too expensive. Insurance providers are coming to the same conclusion. To date, half of the 23 cooperatives created by ObamaCare collapsed despite receiving billions of dollars of taxpayer subsidies. The shuttering of the once-celebrated ObamaCare co-ops is not just a sign of the law's unsustainability, it is also a major source of the stress and anxiety that millions of Americans are experiencing as a result of this unfortunate law.

Just ask the hundreds of thousands of Utahans who recently found out that Arches Health Plan, a co-op that served roughly one-quarter of the State's exchange enrollees could not afford to stay in business next year. The announcement came only 5 days before open enrollment began this fall, leaving families across Utah scrambling to find a new plan and hoping they can afford it—like so many before them, the collateral damage of the President's repeated broken promise that if you like your health care plan, you can keep it.

Then there was the recent warning from United Healthcare. United is the Nation's largest health insurance provider. It was supposed to be big enough and with enough efficiencies built into its operations to absorb the new costs associated with doing business within the ObamaCare regulatory framework. Yet just a few weeks ago, United announced that the financial realities of its ObamaCare plans may soon force the insurance giant to stop offering insurance plans through the public exchanges.

The Affordable Care Act has been described by some of its supporters as a train wreck. It certainly looks that way as we watch hard truths and economic realities unravel the coalition of insurers that were once great champions of ObamaCare, but when you think about it, the term ''train wreck'' isn't quite the right metaphor to describe the calamity that is the Affordable Care Act. It misses the crucial point. Train wrecks are accidents, aberrations, anomalies. The failures of ObamaCare were no such thing. They were entirely predictable. We knew they were coming, despite the President's repeated assurances to the contrary.

There was nothing unexpected about the collapse of a national health care pseudo market, governed by a perverse set of incentives and exemptions that encouraged young and healthy individuals to stay out of the health insurance market. Now, nearly 5 years after its passage, there is no denying the manifest failures of ObamaCare. The only question left is, What are we going to do about it?

For the Democratic Party, the answer is—as we have come to expect—more of the same. Shield the ramshackle architecture and bloated bureaucracy of ObamaCare from any meaningful reform, and whenever possible double down—more ill-conceived and costly regulations, more Federal micromanagement of the health decisions of individuals, families, doctors, hospitals, and insurance companies, more price controls, all peddled using the same hackneyed promises and proclamations of compassion and fairness that have nearly drowned out any honest discourse during the past 6 years regarding health care.

ObamaCare has given the American people a preview of this approach to health care policy, and they have emphatically rejected it, which is why the Senate will soon vote to repeal the Affordable Care Act, but just saying no is not by itself enough.

Conservatives and Republicans must also offer the country a health care reform agenda to be for, something they can support affirmatively, proactively. Already there are a number of conservative leaders in Congress who have developed reform plans that would replace ObamaCare's cumbersome, bureaucratic, and expensive health care system with one that is flexible, decentralized, and affordable. We must build on these plans and advance legislation that empowers patients and families—not distant, coercive, powerful bureaucracies—to decide how they want to spend their health care dollars, and that encourages innovation and investment across all health care sectors. Repealing the Affordable Care Act is the first step in that process—the beginning, not the end of our road to building a market-based, patient-centered health care system in America.

I look forward to joining my colleagues in voting to repeal ObamaCare and entering this new phase of health care reform. I thank my colleagues who cooperated and worked together in developing this bill that I wholeheartedly support.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Madam President, last year when I decided to run for Montana's open Senate seat, I promised the people of Montana I would work tirelessly to repeal ObamaCare. I am upholding that promise. Tomorrow the Senate will vote to repeal President Obama's broken health care law because for many Montana families the President's health care law hasn't been what it was promised to be.

Too many Montanans have seen their work hours cut, have been forced off the plans they liked, and were told they couldn't see the doctors they trusted. Health care premiums are not as affordable for Americans as President Obama claimed they would be. We are seeing premiums rising once again. In Montana, folks who are purchasing plans from the ObamaCare exchanges are getting hit with double-digit rate increases. More than 40,000 Montanans are expected to receive notices that their insurance rates have increased by double digits—an average of 34 percent for some plans. To put that into perspective, that is another $1,000 a year for a 40-year-old on one of Montana's silver plans.

Some Montanans have been hit with even higher rate increases. Take Cindy

from Missoula, MT, who received a letter from her health insurance company that her premiums were increasing by 40 percent. Unfortunately, these rate hikes are the predictable result of forcing a partisan piece of legislation through Congress without transparent consideration or bipartisan input. Sadly, those impacted the hardest by these steep rate increases are often those who can least afford it.

Americans need access to affordable care, but ObamaCare not only takes uninsured Americans in the wrong direction, it is failing to reliably provide the basic coverage Americans deserve. Look no further than the health co-op system established under ObamaCare. All but one lost money in the last year—all but one. More than half have collapsed, forcing more than 700,000 Americans to find new health insurance options.

In 2007, President Obama said himself that by the end of his first term ObamaCare would ''cover every American and cut the cost of a typical family's premium by up to $2,500 a year.''

Montanans haven't seen their premiums decreased by $2,500 a year. It is not even close. Montanans are forced once again off the health care plans they liked and away from the doctors they trusted because when Washington, DC, bureaucrats take over a health care system, inevitably prices go up and the quality of care goes down. That is exactly what we have seen happen with ObamaCare. After more than 5 years of this Obama experiment, it is clear ObamaCare isn't working.

I grew up in Montana. Spending time outdoors is an important way of life for us back home. I was fly fishing before Brad Pitt made it cool in the movie ''A River Runs Through It.'' When you are in one of Montana's blue-ribbon streams and your fishing line gets tangled up, you have a couple different options. Sometimes you can take some time to untangle it and make another cast, but other times, your line gets so tangled up and knotted up that the best option is to cut the line and start over. It is time to cut the line on President Obama's failed health care law and tie on a new fly. That is what the Senate is going to do this week.

This bill dismantles President Obama's bungled health care law. It also puts our States on a glide path away from ObamaCare. It will build a bridge to replace this broken law with State-led solutions that put patients back in the center of the health care equation and return the health care decisions to Americans, to families, to their doctors and away from a bunch of DC bureaucrats. When we pass this historic legislation tomorrow, it will be the first time an ObamaCare repeal bill will be on President Obama's desk for his signature. He is going to have to decide whether to put the American people first or if he will continue imposing fines and substandard care on the hard-working people of this country.

Even if the President rejects the will of the American people and vetoes this bill, I will continue working to protect Montanans from rising health care costs, and I will keep working to ensure that all Americans receive the quality health care they deserve.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

BUDGETARY REVISIONS

Mr. ENZI. Madam President, section 4305 of S. Con. Res. 11, the concurrent resolution on the budget for fiscal year 2016, allows the chairman of the Senate Budget Committee to revise the allocations, aggregates, and levels in the budget resolution for legislation related to health care reform. The authority to adjust is contingent on the legislation not increasing the deficit over either the period of the total of fiscal years 2016–2020 or the period of the total of fiscal years 2016–2025.

I find that Senate amendment 2874 fulfills the conditions of deficit neutrality found in sec. 4305 of S. Con. Res. 11. Accordingly, I am revising the allocations to the Committee on Finance; the Committee on Health, Education, Labor, and Pensions, HELP; and the budgetary aggregates to account for the budget effects of the amendment.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

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

BUDGET AGGREGATES—BUDGET AUTHORITY AND OUTLAYS

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$ in millions	2016
Current Aggregates:	
Spending:	
Budget Authority	3,033,488
Outlays	3,091,974
Adjustments:	
Spending:	
Budget Authority	−10,300
Outlays	−9,700
Revised Aggregates:	
Spending:	
Budget Authority	3,023,188
Outlays	3,082,274

BUDGET AGGREGATE—REVENUES

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$ in millions	2016	2016–2020	2016–2025
Current Aggregates:			
Revenue	2,675,967	14,415,914	32,233,099
Adjustments:			
Revenue	−12,800	−83,300	−223,200
Revised Aggregates:			
Revenue	2,663,167	14,332,614	32,009,899

REVISION TO ALLOCATION TO THE COMMITTEE ON FINANCE

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$ in millions	2016	2016–2020	2016–2025
Current Allocation:			
Budget Authority	2,179,749	12,342,551	29,428,176
Outlays	2,169,759	12,322,705	29,403,199
Adjustments:			
Budget Authority	−9,500	−103,700	−282,800
Outlays	−9,500	−103,700	−282,800
Revised Allocation:			
Budget Authority	2,170,249	12,238,851	29,145,376
Outlays	2,160,259	12,219,005	29,120,399

REVISION TO ALLOCATION TO THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$ in millions	2016	2016–2020	2016–2025
Current Allocation:			
Budget Authority	12,137	87,301	174,372
Outlays	14,271	87,783	182,631
Adjustments:			
Budget Authority	−800	−5,500	−15,000
Outlays	−100	−3,600	−12,200
Revised Allocation:			
Budget Authority	11,337	81,801	159,372
Outlays	14,171	84,183	170,431

BUDGET SCOREKEEPING REPORT

Mr. ENZI. Madam President, I wish to submit to the Senate the budget scorekeeping report for December 2015. The report compares current law levels of spending and revenues with the amounts provided in the conference report to accompany S. Con. Res. 11, the budget resolution for fiscal year 2016. This information is necessary to determine whether budget points of order lie against pending legislation. It has been prepared by the Republican staff of the Senate Budget Committee and the Congressional Budget Office, CBO, pursuant to section 308(b) of the Congressional Budget Act.

This is the fourth report I have made since adoption of the fiscal year 2016 budget resolution on May 5, 2015. My last filing can be found in the CONGRESSIONAL RECORD on October 27, 2015. The information contained in this report is current through November 30, 2015. This will be the final scorekeeping report for calendar year 2015.

Table 1 gives the amount by which each Senate authorizing committee is below or exceeds its allocation under the budget resolution. This information is used for enforcing committee allocation pursuant to section 302 of the Congressional Budget Act of 1974, CBA. Over the fiscal year 2016–2025 period, which is the entire period covered by S. Con. Res. 11, Senate authorizing committees have spent $3.3 billion less than the budget resolution calls for.

Table 2 gives the amount by which the Senate Committee on Appropriations is below or exceeds the statutory spending limits. This information is used to determine points of order related to the spending caps found in section 312 and section 314 of the CBA. While no full-year appropriations bills have been enacted for fiscal year 2016, subcommittees are charged with permanent and advanced appropriations that first become available in that year.

Table 3 gives the amount by which the Senate Committee on Appropriations is below or exceeds its allocation for overseas contingency operations/globaI war on terrorism, OCO/GWOT, spending. This separate allocation for OCO/GWOT was established in section 3102 of S. Con. Res. 11 and is enforced using section 302 of the CBA. No bills providing funds with the OCO/GWOT designation on a full-year basis have been enacted thus far for fiscal year 2016.

The budget resolution established two new points of order limiting the use of changes in mandatory programs in appropriations bills, CHIMPS. Tables 4 and 5 show compliance with fiscal year 2016 limits for overall CHIMPS and the Crime Victims Fund CHIMP, respectively. This information is used for determining points of order under section 3103 and section 3104, respectively. No full-year bills have been enacted thus far for fiscal year 2016 that include CHIMPS.

In addition to the tables provided by the Senate Budget Committee Republican staff, I am submitting additional tables from CBO that I will use for enforcement of budget levels agreed to by the Congress.

For fiscal year 2016, CBO annualizes the effects of the Continuing Appropriations Act, P.L. 114–53, which provides funding through December 11, 2015. For the enforcement of budgetary aggregates, the Senate Budget Committee historically excludes this temporary funding. As such, the current law levels are $882.6 billion and $521.6 billion below budget resolution levels for budget authority and outlays, respectively. Revenues are $413 million above the level assumed in the budget resolution. Finally, Social Security outlays are at the levels assumed in the budget resolution for fiscal year 2016, while Social Security revenues are $18 million above assumed levels for the budget year.

CBO's report also provide information needed to enforce the Senate's pay-as-you-go rule. The Senate's pay-as-you-go scorecard currently shows deficit reduction of $16.7 billion over the fiscal year 2015–2020 period and $77.5 billion over the fiscal year 2015–2025 period. Over the initial 6-year period, Congress has enacted legislation that would increase revenues by $12 billion and decrease outlays by $4.6 billion. Over the 11-year period, Congress has enacted legislation that would increase revenues by $24.2 billion and decrease outlays by $53.3 billion. The Senate's pay-as-you-go rule is enforced by section 201 of S. Con. Res. 21, the fiscal year 2008 budget resolution.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the accompanying tables be printed in the RECORD.

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

TABLE 1. SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (−) BUDGET RESOLUTIONS

(In millions of dollars)

	2016	2016–2020	2016–2025
Agriculture, Nutrition, and Forestry			
Budget Authority	0	0	0
Outlays	0	0	0
Armed Services			
Budget Authority	−66	−518	−1,117
Outlays	−50	−476	−1,099
Banking, Housing, and Urban Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Commerce, Science, and Transportation			
Budget Authority	130	650	1,300
Outlays	0	0	0
Energy and Natural Resources			
Budget Authority	0	0	0
Outlays	0	0	0
Environment and Public Works			
Budget Authority	0	0	−3,160
Outlays	0	0	−3,160
Finance			
Budget Authority	5	13	28
Outlays	5	13	28
Foreign Relations			
Budget Authority	0	0	0

TABLE 1. SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (−) BUDGET RESOLUTIONS—Continued

(In millions of dollars)

	2016	2016–2020	2016–2025
Outlays	0	0	0
Homeland Security and Governmental Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Judiciary			
Budget Authority	0	1	2
Outlays	0	1	2
Health, Education, Labor, and Pensions			
Budget Authority	0	208	278
Outlays	0	208	278
Rules and Administration			
Budget Authority	0	0	0
Outlays	0	0	0
Intelligence			
Budget Authority	0	0	0
Outlays	0	0	0
Veterans' Affairs			
Budget Authority	−2	−1	−1
Outlays	388	644	644
Indian Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Small Business			
Budget Authority	0	0	0
Outlays	1	2	2
Total			
Budget Authority	67	353	−2,670
Outlays	344	392	−3,305

TABLE 2. SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS [1]

(Budget authority, in millions of dollars)

	2016	
	Security [2]	Nonsecurity [2]
Statutory Discretionary Limits	523,091	493,491
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	9
Commerce, Justice, Science, and Related Agencies	0	0
Defense	41	0
Energy and Water Development	0	0
Financial Services and General Government	0	41
Homeland Security	0	9
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education and Related Agencies	0	24,678
Legislative Branch	0	0
Military Construction and Veterans Affairs, and Related Agencies	0	56,217
State Foreign Operations, and Related Programs	0	0
Transportation and Housing and Urban Development, and Related Agencies	0	4,400
Current Level Total	41	85,354
Total Enacted Above (+) or Below (−) Statutory Limits	−523,050	−408,137

[1] This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.
[2] Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 3. SENATE APPROPRIATIONS COMMITTEE—ENACTED OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM DISCRETIONARY APPROPRIATIONS

(In millions of dollars)

	2016	
	BA	OT
OCO/GWOT Allocation [1]	96,287	48,798
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	0
Commerce, Justice, Science, and Related Agencies	0	0
Defense	0	0
Energy and Water Development	0	0
Financial Services and General Government	0	0
Homeland Security	0	0
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education and Related Agencies	0	0
Legislative Branch	0	0
Military Construction and Veterans Affairs, and Related Agencies	0	0
State Foreign Operations, and Related Programs	0	0
Transportation and Housing and Urban Development, and Related Agencies	0	0
Current Level Total	0	0
Total OCO/GWOT Spending vs. Budget Resolution	−96,287	−48,798

BA = Budget Authority; OT = Outlays
[1] This allocation may be adjusted by the Chairman of the Budget Committee to account for new information, pursuant to section 3102 of S. Con. Res. 11, the Concurrent Resolution of the Budget for Fiscal Year 2016.

TABLE 4. SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

(Budget authority, millions of dollars)

	2016
CHIMPS Limit for Fiscal Year 2016	19,100
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	0
Defense	0
Energy and Water Development	0
Financial Services and General Government	0

TABLE 4. SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)—Continued

(Budget authority, millions of dollars)

	2016
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Related Agencies	0
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	0
Total CHIMPS Above (+) or Below (−) Budget Resolution	−19,100

TABLE 5. SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAM (CHIMP) TO THE CRIME VICTIMS FUND

(Budget authority, millions of dollars)

	2016
2016 Crime Victims Fund (CVF) CHIMP Limit for Fiscal Year 2016	10,800
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	0
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Related Agencies	0
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	0
Total CVF CHIMP Above (+) or Below (−) Budget Resolution	−10,800

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, December 2, 2015.

Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2016 budget and is current through November 30, 2015. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016.

Since our last letter dated October 27, 2015, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2016:

Bipartisan Budget Act of 2015 (Public Law 114–74);

Recovery Improvements for Small Entities After Disaster Act of 2015 (Public Law 114–88); and

National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92).

Sincerely,

KEITH HALL,
Director.

Enclosure.

TABLE 1—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF NOVEMBER 30, 2015

(In billions of dollars)

	Budget Resolution [a]	Current Level [b]	Current Level Over Under(−) Resolution
On-Budget			
Budget Authority	3,033.5	3,159.0	125.5
Outlays	3,092.0	3,172.8	80.8
Revenues	2,676.0	2,676.4	0.4
Off-Budget			
Social Security Outlays [c]	777.1	777.1	0.0
Social Security Revenues	794.0	794.0	0.0

Source: Congressional Budget Office.

[a] Excludes $6,872 million in budget authority and $344 million in outlays assumed in S. Con. Res. 11 for disaster-related spending that is not yet allocated to the Senate Committee on Appropriations.

[b] Excludes amounts designated as emergency requirements.

[c] Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF NOVEMBER 30, 2015

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted [a]			
Revenues	n.a.	n.a.	2,676,733
Permanents and other spending legislation	1,968,496	1,902,345	n.a.
Appropriation legislation	0	500,825	n.a.
Offsetting receipts	−784,820	−784,879	n.a.
Total, Previously Enacted	1,183.676	1,618,291	2,676,733
Enacted Legislation:			
An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114–25)	0	20	0
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114–26)	0	0	5
Trade Preferences Extension Act of 2015 (P.L. 114–27)	445	175	−766
Steve Gleason Act of 2015 (P.L. 114–40)	5	5	0
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41) [b]	0	0	99
Continuing Appropriations Act, 2016 (P.L. 114–53)	700	775	0
Airport and Airway Extension Act of 2015 (P.L. 114–55)	130	0	0
Department of Veterans Affairs Expiring Authorities Act of 2015 (P.L. 114–58)	−2	368	0
Protecting Affordable Coverage for Employees Act (P.L. 114–60)	0	0	40
Bipartisan Budget Act of 2015 (P.L. 114–74)	3,424	4,870	269
Recovery Improvements for Small Entities After Disaster Act of 2015 (P.L. 114–88)	0	1	0

TABLE 2—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF NOVEMBER 30, 2015—Continued

(In millions of dollars)

	Budget Authority	Outlays	Revenues
National Defense Authorization Act for Fiscal Year 2016 (P.L. 114–92)	−66	−50	0
Total, Enacted Legislation	4,636	6,164	−353
Continuing Resolution:			
Continuing Appropriations Act, 2016 (P.L. 114–53)	1,008,053	602,405	0
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	962,619	945,910	0
Total Current Level [c]	3,158,984	3,172,770	2,676,380
Total Senate Resolution [d]	3,033,488	3,091,974	2,675,967
Current Level Over Senate Resolution	125,496	80,796	413
Current Level Under Senate Resolution	n.a.	n.a.	n.a.
Memorandum:			
Revenues, 2016–2025:			
Senate Current Level	n.a.	n.a.	32,262,618
Senate Resolution	n.a.	n.a.	32,233,099
Current Level Over Senate Resolution	n.a.	n.a.	29,519
Current Level Under Senate Resolution	n.a.	n.a.	n.a.

Source: Congressional Budget Office.

Notes: n.a. =not applicable; P.L. = Public Law.

[a] Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. II, the Concurrent Resolution on the Budget for Fiscal Year 2016: the Terrorism Risk Insurance Program Reauthorization Act of 2014 (P.L. 114–1); the Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4), and the Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10).

[b] Pursuant to section 403(b) of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, amounts designated as an emergency requirement pursuant to section 403 of S. Con. Res. 13, shall not count for certain budgetary enforcement purposes. The amounts so designated for 2016, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41)	0	917	0

[c] For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

[d] Periodically, the Senate Committee on the Budget revises the budgetary levels in S. Con Res. 11, pursuant to various provisions of the resolution. The Senate Resolution total below excludes $6,872 million in budget authority and $344 million in outlays assumed in S. Con Res. 11 for disaster-related spending that is not yet allocated to the Senate Committee on Appropriations:

	Budget Authority	Outlays	Revenues
Senate Resolution:	3,032,343	3,091,098	2,676,733
Revisions:			
Pursuant to section 4311 of S. Con. Res. 11	445	175	−766
Pursuant to section 311 of S. Con. Res. 11	700	700	0
Pursuant to section 311 of S. Con. Res. 11	0	1	0
Revised Senate Resolution	3,033,488	3,091,974	2,675,967

TABLE 3. SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 114TH CONGRESS—1ST SESSION, AS OF NOVEMBER 30, 2015

(In millions of dollars)

	2015–2020	2015–2025
Beginning Balance [a]	0	0
Enacted Legislation: [b, c, d]		
Iran Nuclear Agreement Review Act of 2015 (P.L. 114–17) [e]	n.e.	n.e.
Construction Authorization and Choice Improvement Act (P.L. 114–19)	20	20
Justice for Victims of Trafficking Act of 2015 (P.L. 114–22)	1	2
Uniting and Strengthening America by Fulfilling Rights and Ensuring Effective Discipline Over Monitoring Act of 2015 (P.L. 114–23)	*	*
An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado (P.L. 114–25)	150	150
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114–26)	−1	5
Trade Preferences Extension Act of 2015 (P.L. 114–27)	−640	−52
Boys Town Centennial Commemorative Coin Act (P.L. 114–30) [f]	0	0
Steve Gleason Act of 2015 (P.L. 114–40)	13	28
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41)	−1,552	−6,924
Agriculture Reauthorizations Act of 2015 (P.L. 114–54)	*	*
Department of Veterans Affairs Expiring Authorities Act of 2015 (P.L. 114–58)	6224	624
Protecting Affordable Coverage for Employees Act (P.L. 114–60)	−32	−2
Gold Star Fathers Act of 2015 (P.L. 114–62)	*	*
Ensuring Access to Clinical Trials Act of 2015 (P.L. 114–63)	*	*
Adoptive Family Relief Act (P.L. 114–70)	*	*
Surface Transportation Extension Act of 2015 (P.L. 114–73)	*	*
Bipartisan Budget Act of 2015 (P.L. 114–74)	−15,050	−71,315
Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015 (P.L. 114–81)	*	*
Recovery Improvements for Small Entities After Disaster Act of 2015 (P.L. 114–88)	2	2
Improving Regulatory Transparency for New Medical Therapies Act (P.L. 114–89)	*	*
National Defense Authorization Act for Fiscal Year 2016 (P.L. 114–92)	−194	−10
Equity in Government Compensation Act of 2015 (P.L. 114–93)	*	*
Improving Access to Emergency Psychiatric Care Act (S. 599)	*	*
Current Balance	−16,659	−77,472

Memorandum:

	2015–2020	2015–2025
Changes to Revenues	12,032	24,215
Changes to Outlays	−4,627	−53,257

Source: Congressional Budget Office.

Notes: n.e. = not able to estimate; P.L. = Public Law. * = between −$500,000 and $500,000.

[a] Pursuant to S. Con. Res. II , the Senate Pay-As-You-Go Scorecard was reset to zero.

[b] The amounts shown represent the estimated impact of the public laws on the deficit. Negative numbers indicate an increase in the deficit; positive numbers indicate a decrease in the deficit.

[c] Excludes off-budget amounts.

[d] Excludes amounts designated as emergency requirements.

[e] P.L. 114–17 could affect direct spending and revenues, but such impacts would depend on future actions of the President that CBO cannot predict. (http://www.cbo.gov/sites/default/files/cbofiles/attachments/s615.pdf)

[f] P.L. 114–30 will cause a decrease in spending of $5 million in 2017 and an increase in spending of $5 million in 2019 for a net impact of zero over the six-year and eleven-year periods.

COMMENDING SENATOR JONI ERNST

Mr. MCCAIN. Madam President, today I wish to honor a fellow veteran and colleague, Senator JONI ERNST, on her retirement from the Iowa National Guard as a lieutenant colonel after 23 years of distinguished service to our Nation.

Senator ERNST joined the U.S. Army Reserves as a second lieutenant upon her graduation from Iowa State University. After 9 years in the Army Reserves, she transitioned to the Iowa National Guard to continue her dedicated service to this Nation. As a logistics specialist, Senator ERNST has held numerous positions of authority throughout her career, culminating in command of the 185th Combat Sustainment Support Battalion, the largest in the Iowa National Guard.

On February 10, 2003, while serving as commander of the Iowa National Guard's 1168th Transportation Company, Senator ERNST was called to Active Duty and deployed to Kuwait and Iraq in support of Operation Iraqi Freedom. For 14 months, Senator ERNST and her fellow Guard members delivered vital supplies to coalition forces in support of the war effort. Her combat service was a key element in enabling a highly mobile allied force to sustain combat operations.

While this chapter of her career has come to a close, Senator ERNST continues her dedication to service. As the first woman elected to Congress from Iowa and the first female combat veteran in the Senate, Senator ERNST has fought tenaciously for our military and veterans through her work on the Senate Armed Services Committee and on legislation she has authored and sponsored over this past year. I have no doubt that she will continue to be a strong voice for servicemembers, veterans, and their families in the years ahead.

Today I honor Lieutenant Colonel ERNST for her 23 years of dedicated service to the U.S. Army Reserve and the Iowa National Guard. Her service in support of this Nation has been exemplary—and her mission continues. I look forward to working with Senator ERNST for years to come as we tackle the many challenges ahead.

SUPPORT FOR PLANNED PARENTHOOD

Mrs. FEINSTEIN. Madam President, I wish to speak today in support of Planned Parenthood and express how heartbroken I am over last week's shooting in Colorado Springs. My thoughts are with the victims and their families. To experience such violence in a place dedicated to saving lives is unthinkable.

I would also like to thank the staff of the clinic in Colorado Springs—and all Planned Parenthood clinics across the country. The health care services you provide are invaluable. You help so many people, and you do it in the face of so many challenges. I am grateful for your bravery and your compassion.

Following last week's attack, the media reported that staff rushed to the clinic's safe room with their patients. Let me repeat: a health clinic with a safe room. That a clinic dedicated to helping women—many of whom have no other option for health care—needs a safe room is unbelievable.

I have been deeply troubled over the years by the toxic rhetoric targeted at Planned Parenthood—and this dangerous rhetoric has only increased in recent months. It sends a signal that using violence to intimidate health care professionals and shut down clinics is somehow acceptable.

Let me be clear: these actions are not acceptable. It is shameful and disgusting and should be universally condemned. I do believe there is a link between the poisonous rhetoric directed at these health care providers and the violence used against them.

And I hope all of my colleagues in Congress—and every public official around the country—thinks carefully about the effects their words can have.

An FBI intelligence assessment from September said, ''It is likely criminal or suspicious incidents will continue to be directed against reproductive health care providers, their staff and facilities.'' These incidents aren't new.

Over the last 40 years, there have been more than 200 arsons and bombings at women's health care clinics. Doctors and health care staff have been murdered. Since July, four Planned Parenthood facilities have been set on fire, including one in my home State of California. This type of violence is simply abhorrent.

And I strongly believe these aren't just attacks on Planned Parenthood and women's health; they are attacks on our way of life. This isn't what our country stands for.

The individuals who carry out these crimes have one goal: to terrorize doctors, nurses, and clinic staff; to make them quit their jobs; to force these health care clinics to close. They want to make it harder and harder for women to access reproductive health care and make their own health care choices.

In the wake of the Colorado Springs shooting, a former Planned Parenthood worker from Kansas shared some of her experiences. In the 3 years she worked at Planned Parenthood, there were four attempts to burn her clinic to the ground. Two cherry bombs were left at the door after hours. They exploded and forced the clinic to close temporarily. Windows were shot out on three occasions. And butyric acid—essentially a stink bomb—was put in the clinic's ventilation system numerous times. These aren't acts of political protest. These are serious crimes, and the perpetrators must be prosecuted to the full extent of the law.

Before I close, I would like to reiterate just how important Planned Parenthood is for our country. Planned Parenthood serves some of the most vulnerable women in our society. It cares for 2.7 million patients in the United States. Ninety-seven percent of Planned Parenthood services carried out by its 700 clinics involve basic health care.

This includes breast exams, cervical cancer screenings, testing for sexually transmitted diseases, and contraception. One in five women will use Planned Parenthood as their primary health care provider at some point in their lives. Nationwide, 80 percent of Planned Parenthood patients make less than $18,000 per year. And Planned Parenthood is often the only health care option for low-income women and women in rural communities.

Simply put, Planned Parenthood is vital for the women of this country. It is bad enough that some politicians want to limit women's health care options by defunding Planned Parenthood. It is even more inexcusable that violence is being used to achieve what my Republican colleagues have failed to do.

I stand with Planned Parenthood now more than ever. And I call for an end to the sickening campaign of violence against clinics nationwide. Thank you.

CHURCH PLAN CLARIFICATION ACT

Mr. CARDIN. Madam President, I am very pleased that the Senate may soon consider bipartisan legislation which I recently introduced with Senators PORTMAN and KLOBUCHAR: the Church Plan Clarification Act of 2015, S. 2308. By introducing this bill and asking for a unanimous consent agreement regarding its passage, our goal is to ensure the retirement security of clergy, church lay workers, and their families across the country.

The Church Plan Clarification Act addresses several unintended consequences resulting from the application of general tax and pension regulations to the unique structures of church pension plans. Churches and synagogues established some of the first pension plans in the country, several dating back to the 18th century, and they are designed to ensure that our clergy and lay staff have adequate resources during their retirement years.

Church pensions are critically important compensation plans that help support over 1 million clergy members across the country in their retirement—particularly those who dedicated their careers to serving in economically disadvantaged congregations.

Church plans are often structured to reflect the ecclesiastical teachings of their denomination. The resulting diversity of plan structures, coupled with the complexity of the legal and regulatory framework that applies to church plans, has led to the need for this legislation. The bill would correct several technical issues that, while small, are critical to the functioning and operation of church plans and the retirement benefits they provide.

While the corrections contained in S. 2308 would be of tremendous help to church plans, I want to make clear that the bill does not affect the definition of ''church plan'' under the Internal Revenue Code or Employee Retirement Income Security Act of 1974, ERISA. In particular, no inference is intended by this legislation regarding the statutory requirements a pension plan must meet to be considered or treated as a ''church plan'' under IRC section 414(e) of the Internal Revenue Code and section 3(33) of ERISA, and the bill has no bearing on the interpretation of those sections. Rather, the Church Plan Clarification Act is simply about fixing the rules that govern how church plans operate and serve their participants.

Again, the Church Plan Clarification Act is targeted, noncontroversial, and has broad bipartisan and bicameral support. I hope we can work quickly to provide clarity for these plans by enacting this legislation and thereby ensuring that those who dedicate their lives to religious service are not inappropriately and unfairly disadvantaged.

HONORING OUR ARMED FORCES

PRIVATE CHRISTOPHER J. CASTANEDA

Mr. SCOTT. Madam President, today I wish to honor the life of Private Christopher J. Castaneda, of Fripp Island, SC, who died while serving his country on November 19, 2015, in Al Anbar Province, Iraq.

In January of 2015, Private Castaneda made the noble decision to answer the call to serve by joining our Nation's Army at the age of 19 years old. Serving in the Army's 10th Mountain Division as an infantryman allowed Private Castaneda to excel and leave a unique legacy of honor. Since his enlistment, Private Castaneda has been honored with numerous awards outlining his commitment to our country, such as the Global War on Terrorism Service Medal and the Army Achievement Medal.

The legacy of Private Castaneda will undoubtedly continue through his mother and grandfather he leaves behind. It is with great pride and homage we recognize Private Christopher J. Castaneda. May we never forget his service and sacrifice to protect our country.

REMEMBERING ANITA DATAR

Mr. CARDIN. Madam President, I wish to honor the life of Anita Ashok Datar—a loving mother, beloved daughter and sister, and dedicated humanitarian from Takoma Park in my home State of Maryland. She was one of 19 victims killed on November 20 in a terrorist attack in Mali.

Anita's life was one of service to others, both at home and abroad. She was born in Massachusetts and raised in Flanders, NJ. Her friends and classmates remember her as kind and smart, ''one of the good ones.'' After she graduated from Rutgers University, she served as a Peace Corps volunteer in Senegal—the beginning of her career helping the world's most disadvantaged.

From there, she went back to school to obtain master's degrees in public health and public administration and began her work improving the lives of the poorest as a global health professional with expertise in reproductive health, family planning, and HIV prevention and treatment. Ms. Datar spent over a decade working on critical development projects in Africa, Latin America, and Southeast Asia.

As my colleagues know, Mali has been in turmoil for several years. It is the location of the world's most dangerous peacekeeping mission. Despite the presence of a United Nations peacekeeping mission and a French-led military operation, terrorists have continued to carry out periodic attacks on Malians and foreigners.

Despite these dangers, Ms. Datar, who was serving as a senior director for field programs at Palladium, went to Mali as a U.S. Agency for International Development contractor to help those in need. Her dedication to seeing that vulnerable populations are not forgotten, overlooked, or marginalized epitomizes public service, and it exemplifies the best of American values and ideals. For that, she will always be remembered.

The attack on the Radisson Blu Hotel in Bamako was nothing more than a senseless act undertaken by people who have no compassion and clearly no regard for human life. We cannot and will not let actions like this stop us from pursuing the mission that people like Anita Datar are so passionate about: improving the lives of the poorest of the poor.

There is no better way to honor her legacy than to continue to help the needy, the disenfranchised, and those at risk both here at home and around the world.

Anita is survived by her 7-year-old son, a brother, her parents, and countless friends and colleagues. In addition to offering our condolences, we must commit to continuing her work and remembering the sacrifices that she and countless other development workers make each and every day.

REMEMBERING KATE ROGERS McCARTHY

Mr. WYDEN. Madam President, I rise today to honor a distinguished Oregonian who made it her life's work to protect many of Oregon's and the Nation's most beautiful and majestic natural places. On November 3, Kate Rogers McCarthy, a lifelong conservationist, activist, and friend, passed away in her hometown of Parkdale, OR. Born in 1917 adjacent to the snow-capped peaks of Mount Hood in Parkdale, Kate spent most of her life in awe of the natural beauty that surrounded her. Kate drew from that passion as she worked to preserve many of Oregon's most iconic outdoor spaces, eventually taking on many leadership roles in conservation groups at the State and national levels.

Growing up with the wilderness of Mount Hood as her backyard, Kate learned the value of nature and the importance of protecting our natural treasures. By the time she was in high school, Kate and her younger sister Betty ran an outdoor recreation camp for girls on the family property that introduced those girls to the beauty of Mount Hood. Kate attended Reed College, Yale Nursing School, and the University of Oregon Medical School. After earning her degrees and with new commercial development threatening the preservation of the Mount Hood wilderness, Kate began her lifelong campaign to preserve the lands she loved.

In the mid-1970s, with development rapidly expanding into wild areas near Mount Hood, Kate and a group of Parkdale residents began a campaign to encourage county representatives to vote on zoning options. Thanks to her diligence and that of the other residents, the county voted to protect agricultural zones. Agricultural zoning still protects farmland in the upper valley today. In 1977, Kate gathered a few friends and founded the Hood River Valley Residents Committee. The committee grew to 1,200 members under Kate's leadership and continues to protect the natural spaces that are so unique to Oregon.

A tireless advocate and conservationist, Kate was involved in a multitude of other conservation groups as well. She served as a member of the Oregon Natural Resources Council, what is now Oregon Wild; the Board of the Oregon Environmental Council; and Friends of the Columbia Gorge. She was also a charter member of 1000 Friends of Oregon. To motivate still greater involvement by citizens in the protection of Mount Hood, Kate helped form Friends of Mount Hood, a nonprofit organization dedicated to protecting the alpine meadows, wetlands, wildlife, and forests of Mount Hood by working with the Forest Service and the Oregon congressional delegation.

In 2002, Kate McCarthy was recognized as a Women of Distinction honoree by the soroptimists of Hood River for making a difference in the lives of women and girls in her local community. She also received the highest award given by the Mazamas Mountaineering Club, becoming only the 41st person given the top award since the club's founding in 1894. For several years, Kate worked closely with local organizations, as well as my office, to protect the north side of Mount Hood and Cooper Spur from a massive destination resort in the Hood River Valley. After years of hard-fought battles, Congress passed the Mount Hood Wilderness bill. The bill protects the more than 200,000 acres of wilderness and rivers in the Hood River Valley, an accomplishment I am proud to have been a part of.

Because of Kate's lifetime of work to protect some of our most beautiful wetlands, forests, wildlife, and farms, she has given Oregonians and people from around the world opportunities to experience Oregon's natural splendor for generations to come. Kate McCarthy, a mother, grandmother, great grandmother, friend, and advocate of the natural beauty around her, deserves the utmost appreciation for a life fully lived. I honor the prolific life and career of Kate Rodgers McCarthy and express my gratitude for her everlasting impact on our State and Nation.

TRIBUTE TO DR. KATHARINE BLODGETT GEBBIE

Mr. CARDIN. Madam President, I wish to pay tribute to Dr. Katharine Blodgett Gebbie, the past director of the National Institute of Standards and Technology's—NIST—Physics Laboratory and its successor, the Physical Measurement Laboratory. On December 10, 2015, the Precision Measurement Laboratory at NIST's Boulder campus will be formally renamed in honor of Dr. Gebbie, the first time in more than 50 years that a major NIST building has been named for an individual. This incredible recognition underscores and celebrates Dr. Gebbie's 45 years of service to NIST and her contributions on behalf of the scientific community and our Nation.

At a time when a much smaller percentage of women were a part of the American workforce and pursued advanced academic degrees, Dr. Gebbie received an undergraduate degree in physics from Bryn Mawr. She went on to receive a B.S. in astronomy and a Ph.D. in physics from University College London. She began her career in 1966 by doing astrophysics research at the Joint Institute for Lab Physics—JILA—a cooperative enterprise between the University of Colorado at Boulder and NIST. She later joined NIST as a physicist in 1968, working in the quantum physics division of JILA.

Dr. Gebbie's ascent into a leadership role began in 1981, when she was named as a scientific assistant at the National Measurement Laboratory. In 1983, she became a program analyst for then-NIST Director Ernest Ambler and his deputy, Ray Kammer. In 1985, Dr. Ambler appointed Dr. Gebbie as the chief of JILA's quantum physics division, and in 1989, she was named as acting director of the new NIST Center for Atomic, Molecular, and Optical Physics at NIST's main facility, in Gaithersburg, MD.

From there, Dr. Gebbie's responsibilities only grew, reflecting her outstanding leadership, effective integration of emerging technologies, and unwavering dedication to the team of scientists and engineers who served under her. In 1990, Dr. Gebbie was named as the founding director of NIST's physics laboratory, which merged elements of five predecessor facilities based in Maryland and Colorado. Under her management, the NIST physics laboratory flourished. Her extensive support for her staff in the form of increased funding, encouragement, and logistical support contributed to an overall environment of scientific freedom, creativity, and innovation. The physics laboratory's scientific advances under her directorship are too numerous to recount here. Chief among them were progress in atomic clock technology, nanotechnology, advanced research on ultra-cold matter, and Bose-Einstein condensation—all of which prompted developments in a variety of scientific fields and helped to further establish NIST's status as ''America's laboratory.''

Out of this atmosphere, an impressive four physicists in Dr. Gebbie's organizational unit—Bill Phillips, Jan Hall, Eric Cornell, and David Wineland—were awarded Nobel prizes between 1997 and 2012. Other scientists honored under her leadership include MacArthur Fellowship winners Debbie Jin and Ana Maria Rey and International Union of Pure & Applied Physics—IUPAP—Young Scientist Prize winners Till Rosenband, Ian Spielman, Jacob Taylor, and Gretchen Campbell.

Among Dr. Gebbie's greatest contributions to the scientific community include her early promotion of the internet as a means of sharing scientific data at NIST through the laboratory's Electronic Commerce in Scientific & Engineering Data program and her support of a broad range of NIST initiatives and external programming like the Center for Nanoscale Science & Technology and the Joint Quantum Institute, a research partnership between the University of Maryland and NIST, founded in 2006.

Perhaps the most enduring aspect of Dr. Gebbie's legacy, however, will be the programs she pioneered to support diversity and her tireless efforts to promote the inclusion of women and minorities in so-called STEM—science, technology, engineering, and mathematics—fields around the country. In 1993, NIST implemented the Summer Undergraduate Research Fellowships—SURF—program, aimed at integrating under-represented minorities into the laboratory, allowing students to participate in the cutting-edge scientific and mathematical research at NIST. The program has since expanded to every NIST laboratory and is jointly funded by the National Science Foundation.

For her contributions to the scientific community and to the Nation, Dr. Gebbie has been recognized with numerous accolades, including the Women in Science & Engineering Lifetime Achievement Award, the Presidential Rank Awards for Meritorious Senior Executives, the Partnership for Public Service's Samuel J. Heyman Service to America Career Achievement Award, the Women in Science & Engineering WISE Award, and two Department of Commerce gold medals. She also serves as a fellow of the American Academy of Arts & Sciences, a fellow of the American Association for the Advancement of Science, a fellow of the American Physical Society, a fellow of the Washington Academy of Sciences, and she previously participated in the 2nd IUPAP International Conference on Women in Physics.

I ask my colleagues to join me in saluting Dr. Gebbie and in celebrating her legacy as one of the American scientific community's trailblazers. Her work will undoubtedly open the doors for countless scientists to come.

ADDITIONAL STATEMENTS

TRIBUTE TO MATTHEW BROWN

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Matthew Brown for his hard work as an intern in my Cheyenne office. I recognize his efforts and contributions to my office.

Matthew is from Laramie, WY, and a graduate of Laramie High School. He received a degree in history from the University of Wyoming. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Matthew for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

TRIBUTE TO THOMAS MAPES

● Mr. BARRASSO. Madam President, I would like to take the opportunity to

express my appreciation to Thomas Mapes for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Thomas is a graduate of the University of Colorado, where he received a bachelor's degree in economics. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Thomas for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

TRIBUTE TO ANDREW NEWBOLD

● Mr. BARRASSO. Madam President, I wish to take the opportunity to express my appreciation to Andrew Newbold for his hard work as an intern in my Rock Springs Office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Andrew resides in Rock Springs, WY, and attends Western Wyoming Community College, where he is studying public administration. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Andrew for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

TRIBUTE TO ADAM STAHL

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Adam Stahl for his hard work as an intern in my Republican Policy Committee office. I recognize his efforts and contributions to my office.

Adam is from Guilford, CT, and a graduate of the University of Rochester, where he majored in history. He recently received a Master of Philosophy, Russian, and East European Studies degree from the University of Oxford. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Adam for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

TRIBUTE TO HAYDEN TRUE

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Hayden True for his hard work as an intern in my Casper office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Hayden is a native of Casper, WY. He currently attends Casper College, where he is studying science and medicine. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Hayden for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

TRIBUTE TO ALYSSA VOLLMER

● Mr. BARRASSO. Madam President, I wish to take the opportunity to express my appreciation to Alyssa Vollmer for her hard work as an intern in my Casper office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Alyssa is a native of Hanna, WY, and a graduate of Hanna-Elk Mountain Junior/Senior High School. She currently attends Casper College, where she is studying political science. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Alyssa for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

TRIBUTE TO CORPORAL WILLIAM B. SMOAK

● Mr. SCOTT. Madam President, today I would like to honor one of our Lowcountry World War II veterans, 96-year-old, CPL William B. Smoak. After the war, he was awarded multiple medals for his unmatched bravery on the field of battle.

Corporal Smoak was a radio control operator during the war who called in multiple airstrikes on the frontlines. His commanding officer told him that he was the only one of the radio controllers who seemed to be able to keep the radio on the air and thus call in more strikes; and because of this, Corporal Smoak risked his life by volunteering to go to the frontlines daily rather than switching out with the other radio controllers—which is considered by all above and beyond the call of duty.

In and out of the hospital battling malaria during the war and back in the States, he found out his commanding officer had put in for him to receive the Bronze Star. He was also awarded the Asiatic-Pacific Campaign Medal, the World War II Victory Medal, the Philippine Liberation Ribbon, the Good Conduct Medal, the Honorable Service Button WWII, the marksman badge, and the carbine bar.

It is with pride and honor that we recognize William B. Smoak and add his legacy to the CONGRESSIONAL RECORD. We will never forget his sacrifice.●

TRIBUTE TO JOHN MOORE, JR.

● Mr. SCOTT. Madam President, today I wish to acknowledge and honor the outstanding work of Mr. John R. Moore, Jr., of Anderson, SC, for his positive impact on the city. Throughout his over 30 years of exceptional duty, Mr. Moore has greatly enhanced the operations of the city through his hard work and dedication.

John began his journey as a city employee in 1976 and has gone above and beyond the call of duty since then to be a positive addition to city leadership. Displaying a genuine passion to work toward improving the lives of Anderson citizens, John has dedicated much of his career to public service. Appointed to city finance director in 1983 and then to city manager in 1991, Mr. Moore has continually done his due diligence to produce great results. Mr. Moore has taken an active interest in the welfare of the community through his roles in the chamber of commerce, local YMCA, United Way, and other public service organizations.

I acknowledge with pleasure the legacy of service Mr. John R. Moore will be retiring with and thank him for his efforts that will undoubtedly benefit the citizens of Anderson for years to come.●

MESSAGE FROM THE HOUSE

At 10:54 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill and joint resolutions, without amendment:

S. 1170. An act to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S.J. Res. 23. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units''.

S.J. Res. 24. Joint resolution providing for congressional disapproval under chapter 8 of

title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units''.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4127. An act to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

ENROLLED BILL SIGNED

The President pro tempore (Mr. HATCH) reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

S. 611. An act to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 427. An act to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 4127. An act to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, December 2, 2015, she had presented to the President of the United States the following enrolled bill:

S. 611. An act to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, with amendments:

S. 2139. A bill to amend the Small Business Act to prohibit the use of reverse auctions for the procurement of covered contracts.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CASSIDY (for himself and Mr. PETERS):

S. 2340. A bill to require the Director of the Office of Management and Budget to issue a directive on the management of software licenses, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BENNET (for himself, Mr. MARKEY, Ms. CANTWELL, Mr. REID, Mr. DURBIN, Mr. UDALL, Mrs. MCCASKILL, Mr. WHITEHOUSE, Mr. FRANKEN, Mr. WYDEN, Mrs. MURRAY, Mr. CARDIN, Mr. HEINRICH, Mrs. BOXER, Mrs. SHAHEEN, Ms. BALDWIN, Mr. MERKLEY, Ms. STABENOW, Mr. SCHATZ, Mr. BOOKER, Mr. REED, Mr. PETERS, Mr. LEAHY, Ms. KLOBUCHAR, Ms. WARREN, Mr. BLUMENTHAL, Mr. SCHUMER, Ms. MIKULSKI, Mr. BROWN, Mr. SANDERS, Mr. MENENDEZ, Mr. MURPHY, Mr. TESTER, and Ms. HIRONO):

S. 2341. A bill to designate a portion of the Arctic National Wildlife Refuge as wilderness; to the Committee on Environment and Public Works.

By Mr. NELSON (for himself, Mr. SCHUMER, Mr. MENENDEZ, and Mr. BLUMENTHAL):

S. 2342. A bill to amend titles XVIII and XIX of the Social Security Act to make premium and cost-sharing subsidies available to low-income Medicare part D beneficiaries who reside in Puerto Rico or another territory of the United States; to the Committee on Finance.

By Mr. GARDNER (for himself and Mr. PETERS):

S. 2343. A bill to require the Center for Medicare and Medicaid Innovation to test the effect of including telehealth services in Medicare health care delivery reform models; to the Committee on Finance.

By Mr. COTTON:

S. 2344. A bill to provide authority for access to certain business records collected under the Foreign Intelligence Surveillance Act of 1978 prior to November 29, 2015, to make the authority for roving surveillance, the authority to treat individual terrorists as agents of foreign powers, and title VII of the Foreign Intelligence Surveillance Act of 1978 permanent, and to modify the certification requirements for access to telephone toll and transactional records by the Federal Bureau of Investigation, and for other purposes; to the Committee on the Judiciary.

By Mr. BURR (for himself, Mr. ISAKSON, Mr. SCOTT, Mr. ENZI, Mr. GRASSLEY, and Mr. HELLER):

S. 2345. A bill to establish an expedited process for removal of senior executives of the Internal Revenue Service based on performance or misconduct; to the Committee on Finance.

By Mr. NELSON:

S. 2346. A bill to amend the Internal Revenue Code of 1986 to temporarily allow expensing of certain costs of replanting citrus plants lost by reason of casualty; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ISAKSON (for himself and Ms. BALDWIN):

S. Res. 324. A resolution designating December 3, 2015, as ''National Phenylketonuria Awareness Day''; considered and agreed to.

By Mr. ISAKSON (for himself and Mr. BLUMENTHAL):

S. Res. 325. A resolution permitting the collection of clothing, toys, food, and housewares during the holiday season for charitable purposes in Senate buildings; considered and agreed to.

ADDITIONAL COSPONSORS

S. 170

At the request of Mr. TESTER, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 170, a bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 542

At the request of Mr. COATS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 542, a bill to enhance the homeland security of the United States, and for other purposes.

S. 551

At the request of Mrs. FEINSTEIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 551, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 579

At the request of Mr. GRASSLEY, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 579, a bill to amend the Inspector General Act of 1978 to strengthen the independence of the Inspectors General, and for other purposes.

S. 586

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 586, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes, diabetes, and the chronic diseases and conditions that result from diabetes.

S. 613

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 613, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 737

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 737, a bill to amend title XIX of the Social Security Act to extend the application of the Medicare payment rate floor to primary care services furnished under Medicaid and to apply the rate floor to additional providers of primary care services.

S. 786

At the request of Mrs. GILLIBRAND, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 786, a bill to provide paid and family medical leave benefits to certain individuals, and for other purposes.

S. 901

At the request of Mr. MORAN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 901, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that exposure, to establish an advisory board on such health conditions, and for other purposes.

S. 1133

At the request of Mr. FRANKEN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1133, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 1539

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1539, a bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program.

S. 1832

At the request of Mr. SANDERS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1832, a bill to provide for increases in the Federal minimum wage.

S. 1874

At the request of Mr. HATCH, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 1874, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1890

At the request of Mr. HATCH, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1928

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1928, a bill to support the education of Indian children.

S. 1935

At the request of Ms. BALDWIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1935, a bill to require the Secretary of Commerce to undertake certain activities to support waterfront community revitalization and resiliency.

S. 2051

At the request of Mr. CARPER, the names of the Senator from Kansas (Mr. MORAN), the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 2051, a bill to improve, sustain, and transform the United States Postal Service.

S. 2163

At the request of Ms. KLOBUCHAR, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2163, a bill to amend title 23, United States Code, to direct the Secretary of Transportation to require that broadband conduits be installed as a part of certain highway construction projects, and for other purposes.

S. 2178

At the request of Mr. BOOZMAN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2178, a bill to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Heartland, Habitat, Harvest, and Horticulture Act of 2008 relating to timber, and for other purposes.

S. 2203

At the request of Mr. NELSON, his name was added as a cosponsor of S. 2203, a bill to amend the Internal Revenue Code of 1986 to make residents of Puerto Rico eligible for the earned income tax credit and to provide equitable treatment for residents of Puerto Rico with respect to the refundable portion of the child tax credit.

S. 2230

At the request of Mr. CRUZ, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2230, a bill to require the Secretary of State to submit a report to Congress on the designation of the Muslim Brotherhood as a foreign terrorist organization, and for other purposes.

S. 2232

At the request of Mr. PAUL, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2232, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 2235

At the request of Mr. MARKEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2235, a bill to repeal debt collection amendments made by the Bipartisan Budget Act of 2015.

S. 2243

At the request of Mr. JOHNSON, the names of the Senator from Arkansas (Mr. COTTON) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 2243, a bill to amend the fresh fruit and vegetable program under the Richard B. Russell National School Lunch Act to include canned, dried, frozen, or pureed fruits and vegetables.

S. 2311

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2311, a bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to make grants to States for screening and treatment for maternal depression.

S. 2337

At the request of Mrs. FEINSTEIN, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 2337, a bill to improve homeland security by enhancing the requirements for participation in the Visa Waiver Program, and for other purposes.

S. RES. 148

At the request of Mr. KIRK, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 324—DESIGNATING DECEMBER 3, 2015, AS ''NATIONAL PHENYLKETONURIA AWARENESS DAY''

Mr. ISAKSON (for himself and Ms. BALDWIN) submitted the following resolution; which was considered and agreed to:

S. RES. 324

Whereas phenylketonuria is a rare, inherited metabolic disorder that is characterized by the inability of the body to process the essential amino acid phenylalanine and which causes intellectual disability and other neurological problems, such as memory loss and mood disorders, when treatment is not started within the first few weeks of life;

Whereas phenylketonuria is also referred to as ''PKU'' or Phenylalanine Hydroxylase Deficiency;

Whereas newborn screening for PKU was initiated in the United States in 1963 and was recommended for inclusion in State newborn

screening programs under the Newborn Screening Saves Lives Act of 2007 (Public Law 110–204);

Whereas approximately 1 out of every 15,000 infants in the United States is born with PKU;

Whereas PKU is treated with medical food;

Whereas the 2012 Phenylketonuria Scientific Review Conference affirmed the recommendation of lifelong dietary treatment for PKU made by the National Institutes of Health Consensus Development Conference Statement 2000;

Whereas in 2014, the American College of Medical Genetics and Genomics and Genetic Metabolic Dieticians International published medical and dietary guidelines on the optimal treatment of PKU;

Whereas medical foods are medically necessary for children and adults living with PKU;

Whereas adults with PKU who discontinue treatment are at risk for serious medical issues such as depression, impulse control disorder, phobias, tremors, and pareses;

Whereas women with PKU must maintain strict metabolic control before and during pregnancy to prevent fetal damage;

Whereas children born from untreated mothers with PKU may have a condition known as ''maternal phenylketonuria syndrome'', which can cause small brains, intellectual disabilities, birth defects of the heart, and low birth weights;

Whereas although there is no cure for PKU, treatment involving medical foods, medications, and restriction of phenylalanine intake can prevent progressive, irreversible brain damage;

Whereas access to health insurance coverage for medical food varies across the United States and the long-term costs associated with caring for untreated children and adults with PKU far exceed the cost of providing medical food treatment;

Whereas gaps in medical foods coverage have a detrimental impact on individuals with PKU, their families, and society;

Whereas scientists and researchers are hopeful that breakthroughs in PKU research will be forthcoming;

Whereas researchers across the United States are conducting important research projects involving PKU; and

Whereas the Senate is an institution that can raise awareness of PKU among the general public and the medical community: Now, therefore, be it

Resolved, That the Senate—

(1) designates December 3, 2015, as ''National Phenylketonuria Awareness Day'';

(2) encourages all people in the United States to become more informed about phenylketonuria and the role of medical foods in treating phenylketonuria; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the National PKU Alliance, a nonprofit organization dedicated to improving the lives of individuals with phenylketonuria.

SENATE RESOLUTION 325—PERMITTING THE COLLECTION OF CLOTHING, TOYS, FOOD, AND HOUSEWARES DURING THE HOLIDAY SEASON FOR CHARITABLE PURPOSES IN SENATE BUILDINGS

Mr. ISAKSON (for himself and Mr. BLUMENTHAL) submitted the following resolution; which was considered and agreed to:

S. RES. 325

Resolved,

SECTION 1. COLLECTION OF CLOTHING, TOYS, FOOD, AND HOUSEWARES DURING THE HOLIDAY SEASON FOR CHARITABLE PURPOSES IN SENATE BUILDINGS.

(a) IN GENERAL.—Notwithstanding any other provision of the rules or regulations of the Senate—

(1) a Senator, officer of the Senate, or employee of the Senate may collect from another Senator, officer of the Senate, or employee of the Senate within Senate buildings nonmonetary donations of clothing, toys, food, and housewares for charitable purposes related to serving persons in need or members of the Armed Forces and the families of those members during the holiday season, if the charitable purposes do not otherwise violate any rule or regulation of the Senate or of Federal law; and

(2) a Senator, officer of the Senate, or employee of the Senate may work with a nonprofit organization with respect to the delivery of donations described under paragraph (1).

(b) EXPIRATION.—The authority provided by this resolution shall expire at the end of the first session of the 114th Congress.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2875. Mr. JOHNSON (for himself and Mr. GARDNER) proposed an amendment to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

SA 2876. Mrs. MURRAY (for herself, Mr. WYDEN, Mr. SANDERS, Mr. MARKEY, Mr. WARNER, Mr. COONS, and Ms. STABENOW) proposed an amendment to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

SA 2877. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2878. Mr. TOOMEY (for himself and Mr. COATS) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2879. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2880. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2881. Mr. DURBIN (for himself, Mr. REED, Mr. WHITEHOUSE, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2882. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2883. Mr. BROWN (for himself, Ms. STABENOW, Mr. CASEY, Mr. WYDEN, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2884. Mr. MCCAIN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2885. Ms. COLLINS (for herself, Ms. MURKOWSKI, and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2886. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2887. Ms. HIRONO (for herself and Mr. BROWN) submitted an amendment intended to be proposed by her to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2888. Mr. COATS (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2889. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2890. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2875. Mr. JOHNSON (for himself and Mr. GARDNER) proposed an amendment to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

At the appropriate place, insert the following:

SEC. ___. AMENDMENT TO THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.

(a) IN GENERAL.—Part 2 of subtitle C of title I of the Patient Protection and Affordable Care Act (42 U.S.C. 18011 et seq.) is amended by striking section 1251 and inserting the following:

''SEC. 1251. FREEDOM TO MAINTAIN EXISTING COVERAGE.

''(a) NO CHANGES TO EXISTING COVERAGE.—

''(1) IN GENERAL.—Nothing in this Act (or an amendment made by this Act) shall be construed to require that an individual terminate coverage under a group health plan or health insurance coverage in which such individual was enrolled during any part of the period beginning on the date of enactment of this Act and ending on December 31, 2013.

''(2) CONTINUATION OF COVERAGE.—With respect to a group health plan or health insurance coverage in which an individual was enrolled during any part of the period beginning on the date of enactment of this Act and ending on December 31, 2013, this subtitle and subtitle A (and the amendments made by such subtitles) shall not apply to such plan or coverage, regardless of whether the individual renews such coverage.

''(b) ALLOWANCE FOR FAMILY MEMBERS TO JOIN CURRENT COVERAGE.—With respect to a group health plan or health insurance coverage in which an individual was enrolled

during any part of the period beginning on the date of enactment of this Act and ending on December 31, 2013, and which is renewed, family members of such individual shall be permitted to enroll in such plan or coverage if such enrollment is permitted under the terms of the plan in effect as of such date of enrollment.

''(c) ALLOWANCE FOR NEW EMPLOYEES TO JOIN CURRENT PLAN.—A group health plan that provides coverage during any part of the period beginning on the date of enactment of this Act and ending on December 31, 2013, may provide for the enrolling of new employees (and their families) in such plan, and this subtitle and subtitle A (and the amendments made by such subtitles) shall not apply with respect to such plan and such new employees (and their families).

''(d) EFFECT ON COLLECTIVE BARGAINING AGREEMENTS.—In the case of health insurance coverage maintained pursuant to one or more collective bargaining agreements between employee representatives and one or more employers that was ratified before December 31, 2013, the provisions of this subtitle and subtitle A (and the amendments made by such subtitles) shall not apply until the date on which the last of the collective bargaining agreements relating to the coverage terminates. Any coverage amendment made pursuant to a collective bargaining agreement relating to the coverage which amends the coverage solely to conform to any requirement added by this subtitle or subtitle A (or amendments) shall not be treated as a termination of such collective bargaining agreement.

''(e) DEFINITION.—In this title, the term 'grandfathered health plan' means any group health plan or health insurance coverage to which this section applies.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the Patient Protection and Affordable Care Act (Public Law 111–148).

SA 2876. Mrs. MURRAY (for herself, Mr. WYDEN, Mr. SANDERS, Mr. MARKEY, Mr. WARNER, Mr. COONS, and Ms. STABENOW) proposed an amendment to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

Strike section 101 and insert the following:

SEC. 101. SENSE OF THE SENATE.

It is the sense of the Senate that—

(1) comprehensive access to reproductive health care is critical to improving the health and well-being of women and their families and is an essential part of their economic security;

(2) access to affordable contraceptives, including emergency contraceptives, and medically accurate information prevents unintended pregnancies, thereby improving the health of women, children, families, and society as a whole;

(3) it is imperative that women have access to the full range of reproductive health care services;

(4) women's health care providers, including Planned Parenthood, provide critical services such as birth control, cancer screenings, and other services, to millions of men and women across the United States; and

(5) all women and men should be able to access health care services without fear or intimidation or threat of violence.

SEC. 101A. WOMEN'S HEALTH CARE AND CLINIC SECURITY AND SAFETY FUND.

(a) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et. seq.) is amended by inserting after section 1941 the following new section:

''WOMEN'S HEALTH CARE AND CLINIC SECURITY AND SAFETY FUND

''SEC. 1941A. (a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Secretary shall establish under this title a Women's Health Care and Clinic Security and Safety Fund (in this section referred to as the 'Fund') which shall be available to the Secretary for the purpose of making payments to women's health clinics or providers for the provision of eligible services to individuals described in subsection (b) and for expenditures of women's health clinics or providers that are attributable to ensuring the security and safety of such clinics or providers and of their staff and patients. Payments made from the Fund to women's health clinics or providers for eligible services or for security and safety expenditures shall be in addition to any payments that would otherwise be made to any such clinics or providers for such services or expenditures.

''(2) COORDINATION.—The Secretary shall coordinate with the National Task Force on Violence Against Health Care Providers established by the Attorney General for purposes of submitting an annual report to Congress on violence against women's health clinics or providers, including violence against the facilities, staff, and patients of such clinics or providers, and shall identify in the report best practices for ensuring the security and safety of such clinics and providers and their facilities, staff, and patients.

''(b) INDIVIDUALS DESCRIBED.—For purposes of subsection (a), individuals described in this subsection are any of the following:

''(1) Any individual who is eligible for medical assistance under a State plan under this title or a waiver of such plan.

''(2) Any individual who does not have health insurance coverage.

''(3) Any individual who has health insurance coverage but is under insured, or who is otherwise determined by a women's health clinic or provider to need services.

''(c) DEFINITIONS.—In this section:

''(1) ELIGIBLE SERVICES.—The term 'eligible services' means any health care item or service for which medical assistance is available under any State plan under this title or under any waiver of any State plan that is in effect on the date of enactment of this section.

''(2) WOMEN'S HEALTH CLINIC OR PROVIDER DEFINED.—The term 'women's health clinic or provider' means an entity, including its affiliates, subsidiaries, successors, and clinics that, as of the date of enactment of this section—

''(A) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

''(B) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on such date of enactment), that is primarily engaged in family planning services, reproductive health, and related medical care; and

''(C) provides for abortions, other than an abortion—

''(i) if the pregnancy is the result of an act of rape or incest; or

''(ii) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself.

''(d) APPLICATIONS, DETERMINATION OF PAYMENT AMOUNTS, ADVANCE PAYMENT.—

''(1) IN GENERAL.—Not later than March 1, 2016, the Secretary shall establish a process under which a women's health provider may request payments from the Fund.

''(2) DETERMINATION OF PAYMENT AMOUNTS; ADVANCE PAYMENT; RETROSPECTIVE ADJUSTMENT.—As part of the process established under paragraph (1), the Secretary shall establish procedures for—

''(A) ensuring that amounts available for making payments from the Fund are equitably distributed among all the women's health clinics or providers that apply for such payments for a fiscal year;

''(B) making payments under this section for each quarter of a fiscal year on the basis of advance estimates of expenditures submitted by women's health clinics or providers for such payments and such other investigation as the Secretary may find necessary; and

''(C) making reductions or increases in the payments as necessary to adjust for any overpayment or underpayment for prior quarters of such fiscal year.

''(e) FUNDING.—

''(1) IN GENERAL.—There shall be available to the Fund, for expenditures from the Fund, $1,000,000,000 for the period of fiscal years 2016 through 2025.

''(2) FUNDING LIMITATION.—Amounts in the Fund shall be available in advance of appropriations but only if the total amount obligated from the Fund does not exceed the amount available to the Fund under paragraph (1). The Secretary may obligate funds from the Fund only if the Secretary determines (and the Chief Actuary of the Centers for Medicare & Medicaid Services and the appropriate budget officer certify) that there are available in the Fund sufficient amounts to cover all such obligations incurred consistent with the previous sentence.''.

SEC. 101B. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

''Sec. 59A. Fair share tax.

''SEC. 59A. FAIR SHARE TAX.

''(a) GENERAL RULE.—

''(1) IMPOSITITION OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

''(A) the amount determined under paragraph (2), and

''(B) a fraction (not to exceed 1)—

''(i) the numerator of which is the excess of—

''(I) the taxpayer's adjusted gross income, over

''(II) the dollar amount in effect under subsection (c)(1), and

''(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

''(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

''(A) the tentative fair share tax for the taxable year, over

''(B) the excess of—

''(i) the sum of—

''(I) the regular tax liability (as defined in section 26(b)) for the taxable year, determined without regard to any tax liability determined under this section,

''(II) the tax imposed by section 55 for the taxable year, plus

''(III) the payroll tax for the taxable year, over

''(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

''(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

''(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

''(A) the adjusted gross income of the taxpayer, over

''(B) the modified charitable contribution deduction for the taxable year.

''(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

''(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

''(ii) such amount, determined before the application of section 68.

''(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

''(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'high-income taxpayer' means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of $1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a taxable year beginning after 2016, the $1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the next lowest multiple of $10,000.

''(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

''(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such tax is attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during such taxable year, over

''(2) the deduction allowable under section 164(f) for such taxable year.

''(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

''(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SA 2877. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. HEALTH CARE COMPACT PILOT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary''), acting through the Administrator of the Centers for Medicare & Medicaid Services, shall establish a pilot program to permit at least 5 States to enter into the health care compact described in subsection (d).

(b) ELIGIBILITY.—To be eligible to participate in the pilot program established under subsection (a), a State shall certify to the Secretary, that—

(1) the State has, in a manner consistent with that State's constitution, joined the Health Care Compact on or before January 1, 2017;

(2) all funds transferred to the State under subsection (f)(5) will be expended only on health care as defined in subsection (f)(1)(D); and

(3) the State has appointed a member to the Interstate Advisory Health Care Commission established under subsection (f)(6).

(c) EXCLUSIONS TO COMPACT CONSENT.—Notwithstanding the consent to the Health Care Compact granted under this section, the powers granted to member States under paragraphs (2), (3), and (4) of subsection (f) (the Health Care Compact) shall not apply with regard to the agencies described in subsection (d), and the Member State Base Funding Level and Member State Current Year Funding Level shall not include funds expended by such agencies.

(d) EXCLUDED AGENCIES.—The agencies described in this subsection are—

(1) the National Institutes for Health;

(2) the Centers for Disease Control and Prevention; and

(3) the Food and Drug Administration.

(e) REQUEST FOR APPLICATIONS AND ANNOUNCEMENT OF DETERMINATIONS.—

(1) APPLICATIONS.—Not later than January 1, 2017, the Secretary shall publish a request for applications to participate in the program established under subsection (a). The period for accepting such applications shall close on June 30, 2017.

(2) DETERMINATIONS.—Not later than December 31, 2017, the Secretary shall notify States submitting applications under paragraph (1) of the determinations of the Secretary with respect to such applications.

(f) HEALTH CARE COMPACT.—The health care compact described in this subsection is as follows:

(1) DEFINITIONS.—In this subsection:

(A) COMMISSION.—The term ''Commission'' means the Interstate Advisory Health Care Commission established under paragraph (6).

(B) COMPACT.—The term ''Compact'' means the Compact described in this subsection that is entered into by a State under the program established under subsection (a).

(C) EFFECTIVE DATE.—The term ''effective date'' means the date upon which this Compact shall become effective for purposes of the operation of State and Federal law in a Member State, which shall be the later of—

(i) the date upon which this Compact shall be adopted under the laws of the Member State; or

(ii) the date upon which this Compact receives the consent of Congress pursuant to Article I, Section 10, of the United States Constitution, after at least two Member States adopt this Compact.

(D) HEALTH CARE.—The term ''health care'' means care, services, supplies, or plans related to the health of an individual and includes—

(i) preventive, diagnostic, therapeutic, rehabilitative, maintenance, or palliative care and counseling, service, assessment, or procedure with respect to the physical or mental condition or functional status of an individual or that affects the structure or function of the body;

(ii) sale or dispensing of a drug, device, equipment, or other item in accordance with a prescription; and

(iii) an individual or group plan that provides, or pays the cost of, care, services, or supplies related to the health of an individual;

except any care, services, supplies, or plans provided by the Department of Defense and Department of Veteran Affairs, or provided to Native Americans.

(E) MEMBER STATE.—The term ''member State'' means a State that has—

(i) an application for participation in the program established under subsection (a) approved by the Secretary; and

(ii) adopted the Compact under the laws of that State.

(F) MEMBER STATE BASE FUNDING LEVEL.—The term ''member State base funding level'' means a number equal to the total Federal spending on health care in the member State during Federal fiscal year 2010. On or before the effective date, each member State shall determine the member State base funding level for its State, and that number shall be binding upon that member State.

(G) MEMBER STATE CURRENT YEAR FUNDING LEVEL.—The term ''member State current year funding level'' with respect to a member State, means the member State base funding level multiplied by the member State current year population adjustment factor multiplied by the current year inflation adjustment factor for the State.

(H) MEMBER STATE CURRENT YEAR POPULATION ADJUSTMENT FACTOR.—The term ''member State current year population adjustment factor'' with respect to a member State, means the average population of the member State in the current year less the average population of the member State in Federal fiscal year 2010, divided by the average population of the member State in Federal fiscal year 2010, plus 1. The average population in a member State shall be determined by the United States Census Bureau.

(I) CURRENT YEAR INFLATION ADJUSTMENT FACTOR.—The term ''current year inflation adjustment factor'' means the total gross domestic product deflator in the current year divided by the total gross domestic product

deflator in Federal fiscal year 2010. The total gross domestic product deflator shall be determined by the Bureau of Economic Analysis of the Department of Commerce.

(2) PLEDGE.—The member States shall take joint and separate action under this Compact to return the authority to regulate health care to the member States consistent with the goals and principles articulated in this Compact. The member States shall improve health care policy within their respective jurisdictions and according to the judgment and discretion of each of the member States.

(3) LEGISLATIVE POWER.—The legislatures of the member States have the primary responsibility to regulate health care in their respective States under the Compact.

(4) STATE CONTROL.—Each member State, within its State, may suspend by legislation the operation of all Federal laws, rules, regulations, and orders regarding health care that are inconsistent with the laws and regulations adopted by the member State pursuant to this Compact. Federal and State laws, rules, regulations, and orders regarding health care shall remain in effect unless a member State expressly suspends such laws, rules, regulations and orders pursuant to the authority provided under this Compact. For any Federal law, rule, regulation, or order that remains in effect in a member State under this paragraph after the effective date, that member State shall be responsible for the associated funding obligations in its State.

(5) FUNDING.—

(A) IN GENERAL.—Each Federal fiscal year, each member State shall have the right to Federal funds up to an amount equal to its member State current year funding level for that Federal fiscal year, provided by Congress as mandatory spending and not subject to annual appropriation, to support the exercise of member State authority under this Compact. Such funding shall not be conditional on any action of or regulation, policy, law, or rule being adopted by the member State.

(B) INITIAL FUNDING LEVEL.—By the beginning of each Federal fiscal year, Congress shall establish an initial member State current year funding level for each member State, based upon reasonable estimates. The final member State current year funding level shall be calculated, and funding shall be reconciled by Congress based upon information provided by each member State and audited by the Government Accountability Office.

(6) INTERSTATE ADVISORY HEALTH CARE COMMISSION.—

(A) ESTABLISHMENT.—There shall be established by the members States an Interstate Advisory Health Care Commission to be composed of members appointed by each member State through a process to be determined by each member State. A member State may not appoint more than two members to the Commission and may withdraw membership from the Commission at any time. Each Commission member shall be entitled to one vote. The Commission shall not act unless a majority of the members are present, and no action shall be binding unless approved by a majority of the Commission's total membership.

(B) CHAIRPERSON; BYLAWS; MEETINGS.—The Commission shall elect from among its membership a Chairperson. The Commission may adopt and publish bylaws and policies that are not inconsistent with the Compact. The Commission shall meet at least once a year, and may meet more frequently.

(C) STUDIES AND RECOMMENDATIONS.—The Commission may study issues of health care regulation that are of particular concern to the member States. The Commission may make non-binding recommendations to the member States. The legislatures of the member States may consider such recommendations in determining the appropriate health care policies in their respective States.

(D) INFORMATION AND DATA.—The Commission shall collect information and data to assist the member States in their regulation of health care, including assessing the performance of various State health care programs and compiling information on the prices of health care. The Commission shall make this information and data available to the legislatures of the member States. Notwithstanding any other provision in the Compact, no member State shall disclose to the Commission the individually identifiable health information of any individual, nor shall the Commission disclose any such health information of any individual.

(E) FUNDING.—The Commission shall be funded by the member States as agreed to by the member States. The Commission shall have the responsibilities and duties as may be conferred upon it by subsequent action of the respective legislatures of the member States in accordance with the terms of the Compact.

(F) LIMITATION.—The Commission shall not take any action within a member State that contravenes any State law of that member State.

SA 2878. Mr. TOOMEY (for himself and Mr. COATS) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPEAL OF INCREASE IN MINIMUM DEDUCTION FOR MEDICAL, DENTAL, ETC., EXPENSES.

(a) ALLOWANCE OF DEDUCTION.—Subsection (a) of section 213 of the Internal Revenue Code of 1986 is amended by striking ''10 percent'' and inserting ''7.5 percent''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SA 2879. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EXPEDITED REPAYMENT OF LOANS BY CO-OPS.

Section 1322(b)(3) of the Patient Protection and Affordable Care Act (42 U.S.C. 18042(b)(3)) is amended by striking ''loans shall'' and all that follows through ''15 years'' and inserting ''loans and grants shall be repaid within 5 years''.

SA 2880. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. LIMITATION ON CONSIDERING CERTAIN OBLIGATIONS IN THE SETTING OF PREMIUMS.

A person that has received a loan under section 1322(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 18042(b)) shall not take into consideration any payments made or received under sections 1341 and 1342 of such Act (42 U.S.C. 18061 and 18062) in their business plans in setting the premium amounts for enrollment in health insurance coverage offered by such person.

SA 2881. Mr. DURBIN (for himself, Mr. REED, Mr. WHITEHOUSE, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

''(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

''(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting '80 percent' for '60 percent', or

''(B) such corporation is an inverted domestic corporation.

''(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes after May 8, 2014, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

''(B) after the acquisition, more than 50 percent of the stock (by vote or value) of the entity is held—

''(i) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

''(ii) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership.

''(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such

expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term 'substantial business activities' shall have the meaning given such term under regulations in effect on May 8, 2014, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking ''after March 4, 2003,'' and inserting ''after March 4, 2003, and before May 9, 2014,''.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(ii) by inserting ''or (b)(2)(A)'' after ''(a)(2)(B)(i)'' in subparagraph (B),

(B) in paragraph (3), by inserting ''or (b)(2)(B), as the case may be,'' after ''(a)(2)(B)(ii)'',

(C) in paragraph (5), by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(D) in paragraph (6), by inserting ''or inverted domestic corporation, as the case may be,'' after ''surrogate foreign corporation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after May 8, 2014.

SA 2882. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

On page 5, beginning with line 24, strike through page 6, line 3.

SA 2883. Mr. BROWN (for himself, Ms. STABENOW, Mr. CASEY, Mr. WYDEN, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 107. FMAP FOR THE MEDICAID EXPANSION POPULATION.

Section 1905(y)(1) of the Social Security Act (42 U.S.C. 1396d(y)(1)) is amended by striking the semicolon after ''2016'' and all that follows through ''2020''.

SEC. 108. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

''Sec. 59A. Fair share tax.

''SEC. 59A. FAIR SHARE TAX.

''(a) GENERAL RULE.—

''(1) IMPOSITITION OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

''(A) the amount determined under paragraph (2), and

''(B) a fraction (not to exceed 1)—

''(i) the numerator of which is the excess of—

''(I) the taxpayer's adjusted gross income, over

''(II) the dollar amount in effect under subsection (c)(1), and

''(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

''(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

''(A) the tentative fair share tax for the taxable year, over

''(B) the excess of—

''(i) the sum of—

''(I) the regular tax liability (as defined in section 26(b)) for the taxable year, determined without regard to any tax liability determined under this section,

''(II) the tax imposed by section 55 for the taxable year, plus

''(III) the payroll tax for the taxable year, over

''(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

''(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

''(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

''(A) the adjusted gross income of the taxpayer, over

''(B) the modified charitable contribution deduction for the taxable year.

''(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

''(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

''(ii) such amount, determined before the application of section 68.

''(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

''(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'high-income taxpayer' means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of $1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a taxable year beginning after 2016, the $1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the next lowest multiple of $10,000.

''(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

''(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such tax is attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during such taxable year, over

''(2) the deduction allowable under section 164(f) for such taxable year.

''(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

''(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 109. MODIFICATION OF LIMITATION ON EXCESSIVE REMUNERATION.

(a) REPEAL OF PERFORMANCE-BASED COMPENSATION AND COMMISSION EXCEPTIONS FOR LIMITATION ON EXCESSIVE REMUNERATION.—

(1) IN GENERAL.—Paragraph (4) of section 162(m) of the Internal Revenue Code of 1986 is amended by striking subparagraphs (B) and (C) and by redesignating subparagraphs (D) through (G) as subparagraphs (B) through (E), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 162(m)(5) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (E) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(B) Section 162(m)(6) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (D) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(b) EXPANSION OF APPLICABLE EMPLOYER.—Paragraph (2) of section 162(m) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) PUBLICLY HELD CORPORATION.—For purposes of this subsection, the term 'publicly held corporation' means any corporation which is an issuer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c))—

''(A) the securities of which are registered under section 12 of such Act (15 U.S.C. 78l), or

''(B) that is required to file reports under section 15(d) of such Act (15 U.S.C. 78o(d)).''.

(c) APPLICATION TO ALL CURRENT AND FORMER OFFICERS, DIRECTORS, AND EMPLOYEES.—

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

(A) by striking ''covered employee'' each place it appears in paragraphs (1) and (4) and inserting ''covered individual'', and

(B) by striking ''such employee'' each place it appears in subparagraphs (A) and (E) of paragraph (4) and inserting ''such individual''.

(2) COVERED INDIVIDUAL.—Paragraph (3) of section 162(m) of such Code is amended to read as follows:

''(3) COVERED INDIVIDUAL.—For purposes of this subsection, the term 'covered individual' means any individual who is an officer, director, or employee of the taxpayer or a former officer, director, or employee of the taxpayer.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 48D(b)(3)(A) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2016)'' after ''section 162(m)(3)''.

(B) Section 409A(b)(3)(D)(ii) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2016)'' after ''section 162(m)(3)''.

(d) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Paragraph (4) of section 162(m), as amended by subsection (a), is amended by adding at the end the following new subparagraph:

''(F) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Remuneration shall not fail to be applicable employee remuneration merely because it is includible in the income of, or paid to, a person other than the covered individual, including after the death of the covered individual.''.

(e) REGULATORY AUTHORITY.—

(1) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) REGULATIONS.—The Secretary may prescribe such guidance, rules, or regulations, including with respect to reporting, as are necessary to carry out the purposes of this subsection.''.

(2) CONFORMING AMENDMENT.—Paragraph (6) of section 162(m) of such Code is amended by striking subparagraph (H).

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 110. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

''(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

''(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting '80 percent' for '60 percent', or

''(B) such corporation is an inverted domestic corporation.

''(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes after May 8, 2014, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

''(B) after the acquisition, more than 50 percent of the stock (by vote or value) of the entity is held—

''(i) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

''(ii) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership.

''(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term 'substantial business activities' shall have the meaning given such term under regulations in effect on May 8, 2014, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking ''after March 4, 2003,'' and inserting ''after March 4, 2003, and before May 9, 2014,''.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(ii) by inserting ''or (b)(2)(A)'' after ''(a)(2)(B)(i)'' in subparagraph (B),

(B) in paragraph (3), by inserting ''or (b)(2)(B), as the case may be,'' after ''(a)(2)(B)(ii)'',

(C) in paragraph (5), by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(D) in paragraph (6), by inserting ''or inverted domestic corporation, as the case may be,'' after ''surrogate foreign corporation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after May 8, 2014.

SA 2884. Mr. MCCAIN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SAFE AND AFFORDABLE DRUGS FROM CANADA.

Chapter VIII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381 et seq.) is amended by adding at the end the following:

''SEC. 810. IMPORTATION BY INDIVIDUALS OF PRESCRIPTION DRUGS FROM CANADA.

''(a) IN GENERAL.—Notwithstanding any other provision of this Act, not later than 180 days after the date of enactment of this section, the Secretary shall promulgate regulations permitting individuals to safely import into the United States a prescription drug described in subsection (b).

''(b) PRESCRIPTION DRUG.—A prescription drug described in this subsection—

''(1) is a prescription drug that—

''(A) is purchased from an approved Canadian pharmacy;

''(B) is dispensed by a pharmacist licensed to practice pharmacy and dispense prescription drugs in Canada;

''(C) is purchased for personal use by the individual, not for resale, in quantities that do not exceed a 90-day supply;

''(D) is filled using a valid prescription issued by a physician licensed to practice in a State in the United States; and

''(E) has the same active ingredient or ingredients, route of administration, dosage form, and strength as a prescription drug approved by the Secretary under chapter V; and

''(2) does not include—

''(A) a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

''(B) a biological product (as defined in section 351 of the Public Health Service Act (42 U.S.C. 262));

''(C) an infused drug (including a peritoneal dialysis solution);

''(D) an intravenously injected drug;

''(E) a drug that is inhaled during surgery;

''(F) a parenteral drug;

''(G) a drug manufactured through 1 or more biotechnology processes, including—

''(i) a therapeutic DNA plasmid product;

''(ii) a therapeutic synthetic peptide product of not more than 40 amino acids;

''(iii) a monoclonal antibody product for in vivo use; and

''(iv) a therapeutic recombinant DNA-derived product;

''(H) a drug required to be refrigerated at any time during manufacturing, packing, processing, or holding; or

''(I) a photoreactive drug.

''(c) APPROVED CANADIAN PHARMACY.—

''(1) IN GENERAL.—In this section, an approved Canadian pharmacy is a pharmacy that—

''(A) is located in Canada; and

''(B) that the Secretary certifies—

''(i) is licensed to operate and dispense prescription drugs to individuals in Canada; and

''(ii) meets the criteria under paragraph (3).

''(2) PUBLICATION OF APPROVED CANADIAN PHARMACIES.—The Secretary shall publish on the Internet Web site of the Food and Drug Administration a list of approved Canadian pharmacies, including the Internet Web site address of each such approved Canadian pharmacy, from which individuals may purchase prescription drugs in accordance with subsection (a).

''(3) ADDITIONAL CRITERIA.—To be an approved Canadian pharmacy, the Secretary shall certify that the pharmacy—

''(A) has been in existence for a period of at least 5 years preceding the date of such certification and has a purpose other than to participate in the program established under this section;

''(B) operates in accordance with pharmacy standards set forth by the provincial pharmacy rules and regulations enacted in Canada;

''(C) has processes established by the pharmacy, or participates in another established process, to certify that the physical premises and data reporting procedures and licenses

are in compliance with all applicable laws and regulations, and has implemented policies designed to monitor ongoing compliance with such laws and regulations;

''(D) conducts or commits to participate in ongoing and comprehensive quality assurance programs and implements such quality assurance measures, including blind testing, to ensure the veracity and reliability of the findings of the quality assurance program;

''(E) agrees that laboratories approved by the Secretary shall be used to conduct product testing to determine the safety and efficacy of sample pharmaceutical products;

''(F) has established, or will establish or participate in, a process for resolving grievances and will be held accountable for violations of established guidelines and rules;

''(G) does not resell products from online pharmacies located outside Canada to customers in the United States; and

''(H) meets any other criteria established by the Secretary.''.

SA 2885. Ms. COLLINS (for herself, Ms. MURKOWSKI, and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

Strike section 101.

SA 2886. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON FIREARM POSSESSION.

Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)(9), by inserting ''or of a misdemeanor offense described in section 248(a) that involves force, the threat of force, or violent physical obstruction'' before the period at the end; and

(2) in subsection (g)(9), by inserting ''or of a misdemeanor offense described in section 248(a) that involves force, the threat of force, or violent physical obstruction'' before the comma at the end.

SA 2887. Ms. HIRONO (for herself and Mr. BROWN) submitted an amendment intended to be proposed by her to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. _____. FEDERAL PELL GRANTS.

Section 401(b) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)) is amended—

(1) in paragraph (2)(A), by striking ''The amount'' and inserting ''Except as provided in paragraph (8), the amount''; and

(2) by adding at the end the following:

''(8) MANDATORY FUNDING FOR FISCAL YEARS 2016 THROUGH 2020.—

''(A) IN GENERAL.—For each of fiscal years 2016 through 2020, there are authorized to be appropriated, and there are appropriated $26,354,000,000 to carry out this section, which amount shall be increased for each of such fiscal years by a percentage equal to the percentage change in the Consumer Price Index (as determined by the Secretary, using the definition in section 478(f)) for the most recent calendar year ending prior to the beginning of that fiscal year.

''(B) PROHIBITION OF DISCRETIONARY APPROPRIATIONS.—No funds other than funds provided under subparagraph (A) shall be appropriated to carry out this section for the period of fiscal years described in subparagraph (A).''.

SEC. _____. SPECIAL RULES FOR PARTNERS PROVIDING INVESTMENT MANAGEMENT SERVICES TO PARTNERSHIPS.

(a) IN GENERAL.—Part I of subchapter K of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 710. SPECIAL RULES FOR PARTNERS PROVIDING INVESTMENT MANAGEMENT SERVICES TO PARTNERSHIPS.

''(a) TREATMENT OF DISTRIBUTIVE SHARE OF PARTNERSHIP ITEMS.—For purposes of this title, in the case of an investment services partnership interest—

''(1) IN GENERAL.—Notwithstanding section 702(b)—

''(A) an amount equal to the net capital gain with respect to such interest for any partnership taxable year shall be treated as ordinary income, and

''(B) subject to the limitation of paragraph (2), an amount equal to the net capital loss with respect to such interest for any partnership taxable year shall be treated as an ordinary loss.

''(2) RECHARACTERIZATION OF LOSSES LIMITED TO RECHARACTERIZED GAINS.—The amount treated as ordinary loss under paragraph (1)(B) for any taxable year shall not exceed the excess (if any) of—

''(A) the aggregate amount treated as ordinary income under paragraph (1)(A) with respect to the investment services partnership interest for all preceding partnership taxable years to which this section applies, over

''(B) the aggregate amount treated as ordinary loss under paragraph (1)(B) with respect to such interest for all preceding partnership taxable years to which this section applies.

''(3) ALLOCATION TO ITEMS OF GAIN AND LOSS.—

''(A) NET CAPITAL GAIN.—The amount treated as ordinary income under paragraph (1)(A) shall be allocated ratably among the items of long-term capital gain taken into account in determining such net capital gain.

''(B) NET CAPITAL LOSS.—The amount treated as ordinary loss under paragraph (1)(B) shall be allocated ratably among the items of long-term capital loss and short-term capital loss taken into account in determining such net capital loss.

''(4) TERMS RELATING TO CAPITAL GAINS AND LOSSES.—For purposes of this section—

''(A) IN GENERAL.—Net capital gain, long-term capital gain, and long-term capital loss, with respect to any investment services partnership interest for any taxable year, shall be determined under section 1222, except that such section shall be applied—

''(i) without regard to the recharacterization of any item as ordinary income or ordinary loss under this section,

''(ii) by only taking into account items of gain and loss taken into account by the holder of such interest under section 702 (other than subsection (a)(9) thereof) with respect to such interest for such taxable year, and

''(iii) by treating property which is taken into account in determining gains and losses to which section 1231 applies as capital assets held for more than 1 year.

''(B) NET CAPITAL LOSS.—The term 'net capital loss' means the excess of the losses from sales or exchanges of capital assets over the gains from such sales or exchanges. Rules similar to the rules of clauses (i) through (iii) of subparagraph (A) shall apply for purposes of the preceding sentence.

''(5) SPECIAL RULE FOR DIVIDENDS.—Any dividend allocated with respect to any investment services partnership interest shall not be treated as qualified dividend income for purposes of section 1(h).

''(6) SPECIAL RULE FOR QUALIFIED SMALL BUSINESS STOCK.—Section 1202 shall not apply to any gain from the sale or exchange of qualified small business stock (as defined in section 1202(c)) allocated with respect to any investment services partnership interest.

''(b) DISPOSITIONS OF PARTNERSHIP INTERESTS.—

''(1) GAIN.—

''(A) IN GENERAL.—Any gain on the disposition of an investment services partnership interest shall be—

''(i) treated as ordinary income, and

''(ii) recognized notwithstanding any other provision of this subtitle.

''(B) GIFT AND TRANSFERS AT DEATH.—In the case of a disposition of an investment services partnership interest by gift or by reason of death of the taxpayer—

''(i) subparagraph (A) shall not apply,

''(ii) such interest shall be treated as an investment services partnership interest in the hands of the person acquiring such interest, and

''(iii) any amount that would have been treated as ordinary income under this subsection had the decedent sold such interest immediately before death shall be treated as an item of income in respect of a decedent under section 691.

''(2) LOSS.—Any loss on the disposition of an investment services partnership interest shall be treated as an ordinary loss to the extent of the excess (if any) of—

''(A) the aggregate amount treated as ordinary income under subsection (a) with respect to such interest for all partnership taxable years to which this section applies, over

''(B) the aggregate amount treated as ordinary loss under subsection (a) with respect to such interest for all partnership taxable years to which this section applies.

''(3) ELECTION WITH RESPECT TO CERTAIN EXCHANGES.—Paragraph (1)(A)(ii) shall not apply to the contribution of an investment services partnership interest to a partnership in exchange for an interest in such partnership if—

''(A) the taxpayer makes an irrevocable election to treat the partnership interest received in the exchange as an investment services partnership interest, and

''(B) the taxpayer agrees to comply with such reporting and recordkeeping requirements as the Secretary may prescribe.

''(4) DISTRIBUTIONS OF PARTNERSHIP PROPERTY.—

''(A) IN GENERAL.—In the case of any distribution of property by a partnership with respect to any investment services partnership interest held by a partner, the partner receiving such property shall recognize gain equal to the excess (if any) of—

''(i) the fair market value of such property at the time of such distribution, over

''(ii) the adjusted basis of such property in the hands of such partner (determined without regard to subparagraph (C)).

''(B) TREATMENT OF GAIN AS ORDINARY INCOME.—Any gain recognized by such partner

under subparagraph (A) shall be treated as ordinary income to the same extent and in the same manner as the increase in such partner's distributive share of the taxable income of the partnership would be treated under subsection (a) if, immediately prior to the distribution, the partnership had sold the distributed property at fair market value and all of the gain from such disposition were allocated to such partner. For purposes of applying subsection (a)(2), any gain treated as ordinary income under this subparagraph shall be treated as an amount treated as ordinary income under subsection (a)(1)(A).

''(C) ADJUSTMENT OF BASIS.—In the case of a distribution to which subparagraph (A) applies, the basis of the distributed property in the hands of the distributee partner shall be the fair market value of such property.

''(D) SPECIAL RULES WITH RESPECT TO MERGERS, DIVISIONS, AND TECHNICAL TERMINATIONS.—In the case of a taxpayer which satisfies requirements similar to the requirements of subparagraphs (A) and (B) of paragraph (3), this paragraph and paragraph (1)(A)(ii) shall not apply to the distribution of a partnership interest if such distribution is in connection with a contribution (or deemed contribution) of any property of the partnership to which section 721 applies pursuant to a transaction described in paragraph (1)(B) or (2) of section 708(b).

''(c) INVESTMENT SERVICES PARTNERSHIP INTEREST.—For purposes of this section—

''(1) IN GENERAL.—The term 'investment services partnership interest' means any interest in an investment partnership acquired or held by any person in connection with the conduct of a trade or business described in paragraph (2) by such person (or any person related to such person). An interest in an investment partnership held by any person—

''(A) shall not be treated as an investment services partnership interest for any period before the first date on which it is so held in connection with such a trade or business,

''(B) shall not cease to be an investment services partnership interest merely because such person holds such interest other than in connection with such a trade or business, and

''(C) shall be treated as an investment services partnership interest if acquired from a related person in whose hands such interest was an investment services partnership interest.

''(2) BUSINESSES TO WHICH THIS SECTION APPLIES.—A trade or business is described in this paragraph if such trade or business primarily involves the performance of any of the following services with respect to assets held (directly or indirectly) by one or more investment partnerships referred to in paragraph (1):

''(A) Advising as to the advisability of investing in, purchasing, or selling any specified asset.

''(B) Managing, acquiring, or disposing of any specified asset.

''(C) Arranging financing with respect to acquiring specified assets.

''(D) Any activity in support of any service described in subparagraphs (A) through (C).

''(3) INVESTMENT PARTNERSHIP.—

''(A) IN GENERAL.—The term 'investment partnership' means any partnership if, at the end of any two consecutive calendar quarters ending after the date of enactment of this section—

''(i) substantially all of the assets of the partnership are specified assets (determined without regard to any section 197 intangible within the meaning of section 197(d)), and

''(ii) less than 75 percent of the capital of the partnership is attributable to qualified capital interests which constitute property held in connection with a trade or business of the owner of such interest.

''(B) LOOK-THROUGH OF CERTAIN WHOLLY OWNED ENTITIES FOR PURPOSES OF DETERMINING ASSETS OF THE PARTNERSHIP.—

''(i) IN GENERAL.—For purposes of determining the assets of a partnership under subparagraph (A)(i)—

''(I) any interest in a specified entity shall not be treated as an asset of such partnership, and

''(II) such partnership shall be treated as holding its proportionate share of each of the assets of such specified entity.

''(ii) SPECIFIED ENTITY.—For purposes of clause (i), the term 'specified entity' means, with respect to any partnership (hereafter referred to as the upper-tier partnership), any person which engages in the same trade or business as the upper-tier partnership and is—

''(I) a partnership all of the capital and profits interests of which are held directly or indirectly by the upper-tier partnership, or

''(II) a foreign corporation which does not engage in a trade or business in the United States and all of the stock of which is held directly or indirectly by the upper-tier partnership.

''(C) SPECIAL RULES FOR DETERMINING IF PROPERTY HELD IN CONNECTION WITH TRADE OR BUSINESS.—

''(i) IN GENERAL.—Except as otherwise provided by the Secretary, solely for purposes of determining whether any interest in a partnership constitutes property held in connection with a trade or business under subparagraph (A)(ii)—

''(I) a trade or business of any person closely related to the owner of such interest shall be treated as a trade or business of such owner,

''(II) such interest shall be treated as held by a person in connection with a trade or business during any taxable year if such interest was so held by such person during any 3 taxable years preceding such taxable year, and

''(III) paragraph (5)(B) shall not apply.

''(ii) CLOSELY RELATED PERSONS.—For purposes of clause (i)(I), a person shall be treated as closely related to another person if, taking into account the rules of section 267(c), the relationship between such persons is described in—

''(I) paragraph (1) or (9) of section 267(b), or

''(II) section 267(b)(4), but solely in the case of a trust with respect to which each current beneficiary is the grantor or a person whose relationship to the grantor is described in paragraph (1) or (9) of section 267(b).

''(D) ANTIABUSE RULES.—The Secretary may issue regulations or other guidance which prevent the avoidance of the purposes of subparagraph (A), including regulations or other guidance which treat convertible and contingent debt (and other debt having the attributes of equity) as a capital interest in the partnership.

''(E) CONTROLLED GROUPS OF ENTITIES.—

''(i) IN GENERAL.—In the case of a controlled group of entities, if an interest in the partnership received in exchange for a contribution to the capital of the partnership by any member of such controlled group would (in the hands of such member) constitute property held in connection with a trade or business, then any interest in such partnership held by any member of such group shall be treated for purposes of subparagraph (A) as constituting (in the hands of such member) property held in connection with a trade or business.

''(ii) CONTROLLED GROUP OF ENTITIES.—For purposes of clause (i), the term 'controlled group of entities' means a controlled group of corporations as defined in section 1563(a)(1), applied without regard to subsections (a)(4) and (b)(2) of section 1563. A partnership or any other entity (other than a corporation) shall be treated as a member of a controlled group of entities if such entity is controlled (within the meaning of section 954(d)(3)) by members of such group (including any entity treated as a member of such group by reason of this sentence).

''(F) SPECIAL RULE FOR CORPORATIONS.—For purposes of this paragraph, in the case of a corporation, the determination of whether property is held in connection with a trade or business shall be determined as if the taxpayer were an individual.

''(4) SPECIFIED ASSET.—The term 'specified asset' means securities (as defined in section 475(c)(2) without regard to the last sentence thereof), real estate held for rental or investment, interests in partnerships, commodities (as defined in section 475(e)(2)), cash or cash equivalents, or options or derivative contracts with respect to any of the foregoing.

''(5) RELATED PERSONS.—

''(A) IN GENERAL.—A person shall be treated as related to another person if the relationship between such persons is described in section 267(b) or 707(b).

''(B) ATTRIBUTION OF PARTNER SERVICES.—Any service described in paragraph (2) which is provided by a partner of a partnership shall be treated as also provided by such partnership.

''(d) EXCEPTION FOR CERTAIN CAPITAL INTERESTS.—

''(1) IN GENERAL.—In the case of any portion of an investment services partnership interest which is a qualified capital interest, all items of gain and loss (and any dividends) which are allocated to such qualified capital interest shall not be taken into account under subsection (a) if—

''(A) allocations of items are made by the partnership to such qualified capital interest in the same manner as such allocations are made to other qualified capital interests held by partners who do not provide any services described in subsection (c)(2) and who are not related to the partner holding the qualified capital interest, and

''(B) the allocations made to such other interests are significant compared to the allocations made to such qualified capital interest.

''(2) AUTHORITY TO PROVIDE EXCEPTIONS TO ALLOCATION REQUIREMENTS.—To the extent provided by the Secretary in regulations or other guidance—

''(A) ALLOCATIONS TO PORTION OF QUALIFIED CAPITAL INTEREST.—Paragraph (1) may be applied separately with respect to a portion of a qualified capital interest.

''(B) NO OR INSIGNIFICANT ALLOCATIONS TO NONSERVICE PROVIDERS.—In any case in which the requirements of paragraph (1)(B) are not satisfied, items of gain and loss (and any dividends) shall not be taken into account under subsection (a) to the extent that such items are properly allocable under such regulations or other guidance to qualified capital interests.

''(C) ALLOCATIONS TO SERVICE PROVIDERS' QUALIFIED CAPITAL INTERESTS WHICH ARE LESS THAN OTHER ALLOCATIONS.—Allocations shall not be treated as failing to meet the requirement of paragraph (1)(A) merely because the allocations to the qualified capital interest represent a lower return than the allocations

made to the other qualified capital interests referred to in such paragraph.

''(3) SPECIAL RULE FOR CHANGES IN SERVICES AND CAPITAL CONTRIBUTIONS.—In the case of an interest in a partnership which was not an investment services partnership interest and which, by reason of a change in the services with respect to assets held (directly or indirectly) by the partnership or by reason of a change in the capital contributions to such partnership, becomes an investment services partnership interest, the qualified capital interest of the holder of such partnership interest immediately after such change shall not, for purposes of this subsection, be less than the fair market value of such interest (determined immediately before such change).

''(4) SPECIAL RULE FOR TIERED PARTNERSHIPS.—Except as otherwise provided by the Secretary, in the case of tiered partnerships, all items which are allocated in a manner which meets the requirements of paragraph (1) to qualified capital interests in a lower-tier partnership shall retain such character to the extent allocated on the basis of qualified capital interests in any upper-tier partnership.

''(5) EXCEPTION FOR NO-SELF-CHARGED CARRY AND MANAGEMENT FEE PROVISIONS.—Except as otherwise provided by the Secretary, an interest shall not fail to be treated as satisfying the requirement of paragraph (1)(A) merely because the allocations made by the partnership to such interest do not reflect the cost of services described in subsection (c)(2) which are provided (directly or indirectly) to the partnership by the holder of such interest (or a related person).

''(6) SPECIAL RULE FOR DISPOSITIONS.—In the case of any investment services partnership interest any portion of which is a qualified capital interest, subsection (b) shall not apply to so much of any gain or loss as bears the same proportion to the entire amount of such gain or loss as—

''(A) the distributive share of gain or loss that would have been allocated to the qualified capital interest (consistent with the requirements of paragraph (1)) if the partnership had sold all of its assets at fair market value immediately before the disposition, bears to

''(B) the distributive share of gain or loss that would have been so allocated to the investment services partnership interest of which such qualified capital interest is a part.

''(7) QUALIFIED CAPITAL INTEREST.—For purposes of this section—

''(A) IN GENERAL.—The term 'qualified capital interest' means so much of a partner's interest in the capital of the partnership as is attributable to—

''(i) the fair market value of any money or other property contributed to the partnership in exchange for such interest (determined without regard to section 752(a)),

''(ii) any amounts which have been included in gross income under section 83 with respect to the transfer of such interest, and

''(iii) the excess (if any) of—

''(I) any items of income and gain taken into account under section 702 with respect to such interest, over

''(II) any items of deduction and loss so taken into account.

''(B) ADJUSTMENT TO QUALIFIED CAPITAL INTEREST.—

''(i) DISTRIBUTIONS AND LOSSES.—The qualified capital interest shall be reduced by distributions from the partnership with respect to such interest and by the excess (if any) of the amount described in subparagraph (A)(iii)(II) over the amount described in subparagraph (A)(iii)(I).

''(ii) SPECIAL RULE FOR CONTRIBUTIONS OF PROPERTY.—In the case of any contribution of property described in subparagraph (A)(i) with respect to which the fair market value of such property is not equal to the adjusted basis of such property immediately before such contribution, proper adjustments shall be made to the qualified capital interest to take into account such difference consistent with such regulations or other guidance as the Secretary may provide.

''(C) TECHNICAL TERMINATIONS, ETC., DISREGARDED.—No increase or decrease in the qualified capital interest of any partner shall result from a termination, merger, consolidation, or division described in section 708, or any similar transaction.

''(8) TREATMENT OF CERTAIN LOANS.—

''(A) PROCEEDS OF PARTNERSHIP LOANS NOT TREATED AS QUALIFIED CAPITAL INTEREST OF SERVICE PROVIDING PARTNERS.—For purposes of this subsection, an investment services partnership interest shall not be treated as a qualified capital interest to the extent that such interest is acquired in connection with the proceeds of any loan or other advance made or guaranteed, directly or indirectly, by any other partner or the partnership (or any person related to any such other partner or the partnership). The preceding sentence shall not apply to the extent the loan or other advance is repaid before the date of the enactment of this section unless such repayment is made with the proceeds of a loan or other advance described in the preceding sentence.

''(B) REDUCTION IN ALLOCATIONS TO QUALIFIED CAPITAL INTERESTS FOR LOANS FROM NON-SERVICE-PROVIDING PARTNERS TO THE PARTNERSHIP.—For purposes of this subsection, any loan or other advance to the partnership made or guaranteed, directly or indirectly, by a partner not providing services described in subsection (c)(2) to the partnership (or any person related to such partner) shall be taken into account in determining the qualified capital interests of the partners in the partnership.

''(9) SPECIAL RULE FOR QUALIFIED FAMILY PARTNERSHIPS.—

''(A) IN GENERAL.—In the case of any specified family partnership interest, paragraph (1)(A) shall be applied without regard to the phrase 'and who are not related to the partner holding the qualified capital interest'.

''(B) SPECIFIED FAMILY PARTNERSHIP INTEREST.—For purposes of this paragraph, the term 'specified family partnership interest' means any investment services partnership interest if—

''(i) such interest is an interest in a qualified family partnership,

''(ii) such interest is held by a natural person or by a trust with respect to which each beneficiary is a grantor or a person whose relationship to the grantor is described in section 267(b)(1), and

''(iii) all other interests in such qualified family partnership with respect to which significant allocations are made (within the meaning of paragraph (1)(B) and in comparison to the allocations made to the interest described in clause (ii)) are held by persons who—

''(I) are related to the natural person or trust referred to in clause (ii), or

''(II) provide services described in subsection (c)(2).

''(C) QUALIFIED FAMILY PARTNERSHIP.—For purposes of this paragraph, the term 'qualified family partnership' means any partnership if—

''(i) all of the capital and profits interests of such partnership are held by—

''(I) specified family members,

''(II) any person closely related (within the meaning of subsection (c)(3)(C)(ii)) to a specified family member, or

''(III) any other person (not described in subclause (I) or (II)) if such interest is an investment services partnership interest with respect to such person, and

''(ii) such partnership does not hold itself out to the public as an investment advisor.

''(D) SPECIFIED FAMILY MEMBERS.—For purposes of subparagraph (C), individuals shall be treated as specified family members if such individuals would be treated as one person under the rules of section 1361(c)(1) if the applicable date (within the meaning of subparagraph (B)(iii) thereof) were the latest of—

''(i) the date of the establishment of the partnership,

''(ii) the earliest date that the common ancestor holds a capital or profits interest in the partnership, or

''(iii) the date of the enactment of this section.

''(e) OTHER INCOME AND GAIN IN CONNECTION WITH INVESTMENT MANAGEMENT SERVICES.—

''(1) IN GENERAL.—If—

''(A) a person performs (directly or indirectly) investment management services for any investment entity,

''(B) such person holds (directly or indirectly) a disqualified interest with respect to such entity, and

''(C) the value of such interest (or payments thereunder) is substantially related to the amount of income or gain (whether or not realized) from the assets with respect to which the investment management services are performed,

any income or gain with respect to such interest shall be treated as ordinary income. Rules similar to the rules of subsections (a)(5) and (d) shall apply for purposes of this subsection.

''(2) DEFINITIONS.—For purposes of this subsection—

''(A) DISQUALIFIED INTEREST.—

''(i) IN GENERAL.—The term 'disqualified interest' means, with respect to any investment entity—

''(I) any interest in such entity other than indebtedness,

''(II) convertible or contingent debt of such entity,

''(III) any option or other right to acquire property described in subclause (I) or (II), and

''(IV) any derivative instrument entered into (directly or indirectly) with such entity or any investor in such entity.

''(ii) EXCEPTIONS.—Such term shall not include—

''(I) a partnership interest,

''(II) except as provided by the Secretary, any interest in a taxable corporation, and

''(III) except as provided by the Secretary, stock in an S corporation.

''(B) TAXABLE CORPORATION.—The term 'taxable corporation' means—

''(i) a domestic C corporation, or

''(ii) a foreign corporation substantially all of the income of which is—

''(I) effectively connected with the conduct of a trade or business in the United States, or

''(II) subject to a comprehensive foreign income tax (as defined in section 457A(d)(2)).

''(C) INVESTMENT MANAGEMENT SERVICES.—The term 'investment management services' means a substantial quantity of any of the services described in subsection (c)(2).

''(D) INVESTMENT ENTITY.—The term 'investment entity' means any entity which, if it were a partnership, would be an investment partnership.

''(f) EXCEPTION FOR DOMESTIC C CORPORATIONS.—Except as otherwise provided by the Secretary, in the case of a domestic C corporation—

''(1) subsections (a) and (b) shall not apply to any item allocated to such corporation with respect to any investment services partnership interest (or to any gain or loss with respect to the disposition of such an interest), and

''(2) subsection (e) shall not apply.

''(g) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as is necessary or appropriate to carry out the purposes of this section, including regulations or other guidance to—

''(1) require such reporting and recordkeeping by any person in such manner and at such time as the Secretary may prescribe for purposes of enabling the partnership to meet the requirements of section 6031 with respect to any item described in section 702(a)(9),

''(2) provide modifications to the application of this section (including treating related persons as not related to one another) to the extent such modification is consistent with the purposes of this section,

''(3) prevent the avoidance of the purposes of this section (including through the use of qualified family partnerships), and

''(4) coordinate this section with the other provisions of this title.

''(h) CROSS REFERENCE.—For 40-percent penalty on certain underpayments due to the avoidance of this section, see section 6662.''.

(b) APPLICATION OF SECTION 751 TO INDIRECT DISPOSITIONS OF INVESTMENT SERVICES PARTNERSHIP INTERESTS.—

(1) IN GENERAL.—Subsection (a) of section 751 of the Internal Revenue Code of 1986 is amended by striking ''or'' at the end of paragraph (1), by inserting ''or'' at the end of paragraph (2), and by inserting after paragraph (2) the following new paragraph:

''(3) investment services partnership interests held by the partnership,''.

(2) CERTAIN DISTRIBUTIONS TREATED AS SALES OR EXCHANGES.—Subparagraph (A) of section 751(b)(1) of such Code is amended by striking ''or'' at the end of clause (i), by inserting ''or'' at the end of clause (ii), and by inserting after clause (ii) the following new clause:

''(iii) investment services partnership interests held by the partnership,''.

(3) APPLICATION OF SPECIAL RULES IN THE CASE OF TIERED PARTNERSHIPS.—Subsection (f) of section 751 of such Code is amended—

(A) by striking ''or'' at the end of paragraph (1), by inserting ''or'' at the end of paragraph (2), and by inserting after paragraph (2) the following new paragraph:

''(3) an investment services partnership interest held by the partnership,'', and

(B) by striking ''partner.'' and inserting ''partner (other than a partnership in which it holds an investment services partnership interest).''.

(4) INVESTMENT SERVICES PARTNERSHIP INTERESTS; QUALIFIED CAPITAL INTERESTS.—Section 751 of such Code is amended by adding at the end the following new subsection:

''(g) INVESTMENT SERVICES PARTNERSHIP INTERESTS.—For purposes of this section—

''(1) IN GENERAL.—The term 'investment services partnership interest' has the meaning given such term by section 710(c).

''(2) ADJUSTMENTS FOR QUALIFIED CAPITAL INTERESTS.—The amount to which subsection (a) applies by reason of paragraph (3) thereof shall not include so much of such amount as is attributable to any portion of the investment services partnership interest which is a qualified capital interest (determined under rules similar to the rules of section 710(d)).

''(3) EXCEPTION FOR PUBLICLY TRADED PARTNERSHIPS.—Except as otherwise provided by the Secretary, in the case of an exchange of an interest in a publicly traded partnership (as defined in section 7704) to which subsection (a) applies—

''(A) this section shall be applied without regard to subsections (a)(3), (b)(1)(A)(iii), and (f)(3), and

''(B) such partnership shall be treated as owning its proportionate share of the property of any other partnership in which it is a partner.

''(4) RECOGNITION OF GAINS.—Any gain with respect to which subsection (a) applies by reason of paragraph (3) thereof shall be recognized notwithstanding any other provision of this title.

''(5) COORDINATION WITH INVENTORY ITEMS.—An investment services partnership interest held by the partnership shall not be treated as an inventory item of the partnership.

''(6) PREVENTION OF DOUBLE COUNTING.—Under regulations or other guidance prescribed by the Secretary, subsection (a)(3) shall not apply with respect to any amount to which section 710 applies.

''(7) VALUATION METHODS.—The Secretary shall prescribe regulations or other guidance which provide the acceptable methods for valuing investment services partnership interests for purposes of this section.''.

(c) TREATMENT FOR PURPOSES OF SECTION 7704.—Subsection (d) of section 7704 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) INCOME FROM CERTAIN CARRIED INTERESTS NOT QUALIFIED.—

''(A) IN GENERAL.—Specified carried interest income shall not be treated as qualifying income.

''(B) SPECIFIED CARRIED INTEREST INCOME.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'specified carried interest income' means—

''(I) any item of income or gain allocated to an investment services partnership interest (as defined in section 710(c)) held by the partnership,

''(II) any gain on the disposition of an investment services partnership interest (as so defined) or a partnership interest to which (in the hands of the partnership) section 751 applies, and

''(III) any income or gain taken into account by the partnership under subsection (b)(4) or (e) of section 710.

''(ii) EXCEPTION FOR QUALIFIED CAPITAL INTERESTS.—A rule similar to the rule of section 710(d) shall apply for purposes of clause (i).

''(C) COORDINATION WITH OTHER PROVISIONS.—Subparagraph (A) shall not apply to any item described in paragraph (1)(E) (or so much of paragraph (1)(F) as relates to paragraph (1)(E)).

''(D) SPECIAL RULES FOR CERTAIN PARTNERSHIPS.—

''(i) CERTAIN PARTNERSHIPS OWNED BY REAL ESTATE INVESTMENT TRUSTS.—Subparagraph (A) shall not apply in the case of a partnership which meets each of the following requirements:

''(I) Such partnership is treated as publicly traded under this section solely by reason of interests in such partnership being convertible into interests in a real estate investment trust which is publicly traded.

''(II) Fifty percent or more of the capital and profits interests of such partnership are owned, directly or indirectly, at all times during the taxable year by such real estate investment trust (determined with the application of section 267(c)).

''(III) Such partnership meets the requirements of paragraphs (2), (3), and (4) of section 856(c).

''(ii) CERTAIN PARTNERSHIPS OWNING OTHER PUBLICLY TRADED PARTNERSHIPS.—Subparagraph (A) shall not apply in the case of a partnership which meets each of the following requirements:

''(I) Substantially all of the assets of such partnership consist of interests in one or more publicly traded partnerships (determined without regard to subsection (b)(2)).

''(II) Substantially all of the income of such partnership is ordinary income or section 1231 gain (as defined in section 1231(a)(3)).

''(E) TRANSITIONAL RULE.—Subparagraph (A) shall not apply to any taxable year of the partnership beginning before the date which is 10 years after the date of the enactment of this paragraph.''.

(d) IMPOSITION OF PENALTY ON UNDERPAYMENTS.—

(1) IN GENERAL.—Subsection (b) of section 6662 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (7) the following new paragraph:

''(8) The application of section 710(e) or the regulations or other guidance prescribed under section 710(g) to prevent the avoidance of the purposes of section 710.''.

(2) AMOUNT OF PENALTY.—

(A) IN GENERAL.—Section 6662 of such Code is amended by adding at the end the following new subsection:

''(k) INCREASE IN PENALTY IN CASE OF PROPERTY TRANSFERRED FOR INVESTMENT MANAGEMENT SERVICES.—In the case of any portion of an underpayment to which this section applies by reason of subsection (b)(8), subsection (a) shall be applied with respect to such portion by substituting '40 percent' for '20 percent'.''.

(B) CONFORMING AMENDMENT.—Subparagraph (B) of section 6662A(e)(2) of such Code is amended by striking ''or (i)'' and inserting '', (i), or (k)''.

(3) SPECIAL RULES FOR APPLICATION OF REASONABLE CAUSE EXCEPTION.—Subsection (c) of section 6664 of such Code is amended—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(B) by striking ''paragraph (3)'' in paragraph (5)(A), as so redesignated, and inserting ''paragraph (4)''; and

(C) by inserting after paragraph (2) the following new paragraph:

''(3) SPECIAL RULE FOR UNDERPAYMENTS ATTRIBUTABLE TO INVESTMENT MANAGEMENT SERVICES.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to any portion of an underpayment to which section 6662 applies by reason of subsection (b)(8) unless—

''(i) the relevant facts affecting the tax treatment of the item are adequately disclosed,

''(ii) there is or was substantial authority for such treatment, and

''(iii) the taxpayer reasonably believed that such treatment was more likely than not the proper treatment.

''(B) RULES RELATING TO REASONABLE BELIEF.—Rules similar to the rules of subsection (d)(3) shall apply for purposes of subparagraph (A)(iii).''.

(e) INCOME AND LOSS FROM INVESTMENT SERVICES PARTNERSHIP INTERESTS TAKEN

INTO ACCOUNT IN DETERMINING NET EARNINGS FROM SELF-EMPLOYMENT.—

(1) INTERNAL REVENUE CODE.—

(A) IN GENERAL.—Section 1402(a) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of paragraph (16), by striking the period at the end of paragraph (17) and inserting ''; and'', and by inserting after paragraph (17) the following new paragraph:

''(18) notwithstanding the preceding provisions of this subsection, in the case of any individual engaged in the trade or business of providing services described in section 710(c)(2) with respect to any entity, investment services partnership income or loss (as defined in subsection (m)) of such individual with respect to such entity shall be taken into account in determining the net earnings from self-employment of such individual.''.

(B) INVESTMENT SERVICES PARTNERSHIP INCOME OR LOSS.—Section 1402 of such Code is amended by adding at the end the following new subsection:

''(m) INVESTMENT SERVICES PARTNERSHIP INCOME OR LOSS.—For purposes of subsection (a)—

''(1) IN GENERAL.—The term 'investment services partnership income or loss' means, with respect to any investment services partnership interest (as defined in section 710(c)) or disqualified interest (as defined in section 710(e)), the net of—

''(A) the amounts treated as ordinary income or ordinary loss under subsections (b) and (e) of section 710 with respect to such interest,

''(B) all items of income, gain, loss, and deduction allocated to such interest, and

''(C) the amounts treated as realized from the sale or exchange of property other than a capital asset under section 751 with respect to such interest.

''(2) EXCEPTION FOR QUALIFIED CAPITAL INTERESTS.—A rule similar to the rule of section 710(d) shall apply for purposes of applying paragraph (1)(B).''.

(2) SOCIAL SECURITY ACT.—Section 211(a) of the Social Security Act is amended by striking ''and'' at the end of paragraph (15), by striking the period at the end of paragraph (16) and inserting ''; and'', and by inserting after paragraph (16) the following new paragraph:

''(17) Notwithstanding the preceding provisions of this subsection, in the case of any individual engaged in the trade or business of providing services described in section 710(c)(2) of the Internal Revenue Code of 1986 with respect to any entity, investment services partnership income or loss (as defined in section 1402(m) of such Code) shall be taken into account in determining the net earnings from self-employment of such individual.''.

(f) SEPARATE ACCOUNTING BY PARTNER.—Section 702(a) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of paragraph (7), by striking the period at the end of paragraph (8) and inserting '', and'', and by inserting after paragraph (8) the following:

''(9) any amount treated as ordinary income or loss under subsection (a), (b), or (e) of section 710.''.

(g) CONFORMING AMENDMENTS.—

(1) Subsection (d) of section 731 of the Internal Revenue Code of 1986 is amended by inserting ''section 710(b)(4) (relating to distributions of partnership property),'' after ''to the extent otherwise provided by''.

(2) Section 741 of such Code is amended by inserting ''or section 710 (relating to special rules for partners providing investment management services to partnerships)'' before the period at the end.

(3) The table of sections for part I of subchapter K of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 710. Special rules for partners providing investment management services to partnerships.''.

(h) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

(2) PARTNERSHIP TAXABLE YEARS WHICH INCLUDE EFFECTIVE DATE.—In applying section 710(a) of the Internal Revenue Code of 1986 (as added by this section) in the case of any partnership taxable year which includes the date of the enactment of this Act, the amount of the net capital gain referred to in such section shall be treated as being the lesser of the net capital gain for the entire partnership taxable year or the net capital gain determined by only taking into account items attributable to the portion of the partnership taxable year which is after such date.

(3) DISPOSITIONS OF PARTNERSHIP INTERESTS.—

(A) IN GENERAL.—Section 710(b) of such Code (as added by this section) shall apply to dispositions and distributions after the date of the enactment of this Act.

(B) INDIRECT DISPOSITIONS.—The amendments made by subsection (b) shall apply to transactions after the date of the enactment of this Act.

(4) OTHER INCOME AND GAIN IN CONNECTION WITH INVESTMENT MANAGEMENT SERVICES.—Section 710(e) of such Code (as added by this section) shall take effect on the date of the enactment of this Act.

SEC. _____. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

''Sec. 59A. Fair share tax.

''SEC. 59A. FAIR SHARE TAX.

''(a) GENERAL RULE.—

''(1) IMPOSITITION OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

''(A) the amount determined under paragraph (2), and

''(B) a fraction (not to exceed 1)—

''(i) the numerator of which is the excess of—

''(I) the taxpayer's adjusted gross income, over

''(II) the dollar amount in effect under subsection (c)(1), and

''(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

''(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

''(A) the tentative fair share tax for the taxable year, over

''(B) the excess of—

''(i) the sum of—

''(I) the regular tax liability (as defined in section 26(b)) for the taxable year, determined without regard to any tax liability determined under this section,

''(II) the tax imposed by section 55 for the taxable year, plus

''(III) the payroll tax for the taxable year, over

''(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

''(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

''(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

''(A) the adjusted gross income of the taxpayer, over

''(B) the modified charitable contribution deduction for the taxable year.

''(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

''(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

''(ii) such amount, determined before the application of section 68.

''(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

''(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'high-income taxpayer' means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of $1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a taxable year beginning after 2016, the $1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the next lowest multiple of $10,000.

''(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

''(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such tax is attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during such taxable year, over

''(2) the deduction allowable under section 164(f) for such taxable year.

''(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

''(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. _____. MODIFICATION OF LIMITATION ON EXCESSIVE REMUNERATION.

(a) REPEAL OF PERFORMANCE-BASED COMPENSATION AND COMMISSION EXCEPTIONS FOR LIMITATION ON EXCESSIVE REMUNERATION.—

(1) IN GENERAL.—Paragraph (4) of section 162(m) of the Internal Revenue Code of 1986 is amended by striking subparagraphs (B) and (C) and by redesignating subparagraphs (D) through (G) as subparagraphs (B) through (E), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 162(m)(5) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (E) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(B) Section 162(m)(6) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (D) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(b) EXPANSION OF APPLICABLE EMPLOYER.—Paragraph (2) of section 162(m) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) PUBLICLY HELD CORPORATION.—For purposes of this subsection, the term 'publicly held corporation' means any corporation which is an issuer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c))—

''(A) the securities of which are registered under section 12 of such Act (15 U.S.C. 78l), or

''(B) that is required to file reports under section 15(d) of such Act (15 U.S.C. 78o(d)).''.

(c) APPLICATION TO ALL CURRENT AND FORMER OFFICERS, DIRECTORS, AND EMPLOYEES.—

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

(A) by striking ''covered employee'' each place it appears in paragraphs (1) and (4) and inserting ''covered individual'', and

(B) by striking ''such employee'' each place it appears in subparagraphs (A) and (E) of paragraph (4) and inserting ''such individual''.

(2) COVERED INDIVIDUAL.—Paragraph (3) of section 162(m) of such Code is amended to read as follows:

''(3) COVERED INDIVIDUAL.—For purposes of this subsection, the term 'covered individual' means any individual who is an officer, director, or employee of the taxpayer or a former officer, director, or employee of the taxpayer.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 48D(b)(3)(A) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2016)'' after ''section 162(m)(3)''.

(B) Section 409A(b)(3)(D)(ii) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2016)'' after ''section 162(m)(3)''.

(d) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Paragraph (4) of section 162(m), as amended by subsection (a), is amended by adding at the end the following new subparagraph:

''(F) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Remuneration shall not fail to be applicable employee remuneration merely because it is includible in the income of, or paid to, a person other than the covered individual, including after the death of the covered individual.''.

(e) REGULATORY AUTHORITY.—

(1) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) REGULATIONS.—The Secretary may prescribe such guidance, rules, or regulations, including with respect to reporting, as are necessary to carry out the purposes of this subsection.''.

(2) CONFORMING AMENDMENT.—Paragraph (6) of section 162(m) of such Code is amended by striking subparagraph (H).

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SA 2888. Mr. COATS (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXTENSION OF SPECIAL RULE FOR SENIORS RELATING TO INCOME LEVEL FOR DEDUCTION OF MEDICAL CARE EXPENSES.

Subsection (f) of section 213 of the Internal Revenue Code of 1986 is amended to read as follows:

''(f) SPECIAL RULE.—In the case of any taxable year beginning after December 31, 2012, and ending before January 1, 2024, subsection (a) shall be applied with respect to a taxpayer by substituting '7.5 percent' for '10 percent' if such taxpayer or such taxpayer's spouse has attained age 65 before the close of such taxable year.''.

SEC. ____. TEMPORARY SUSPENSION OF THE INFLATION ADJUSTMENT IN THE CALCULATION OF MEDICARE PART B AND PART D PREMIUMS.

Section 1839(i)(5) of the Social Security Act (42 U.S.C. 1395r(i)(5)) is amended—

(1) in the matter preceding clause (i), by striking ''2018 and 2019'' and inserting ''in 2018 through 2025''; and

(2) in clause (ii), by striking ''2020, August 2018'' and inserting ''2026, August 2024''.

SA 2889. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. SUSPENSION OF SPECIFIED ENERGY GRANTS.

Section 1603 of division B of the American Recovery and Reinvestment Act of 2009 is amended by adding at the end the following new subsection:

''(k) SPECIAL RULE.—The Secretary of the Treasury shall not make any grant to any person under this section after the date of the enactment of this subsection and before the date that both the Inspector General of the Department of the Treasury and the Treasury Inspector General for Tax Administration have completed and submitted to Congress a comprehensive investigation relating to fraud with respect to the grants allowed under this section, including fraud—

''(1) through overestimating the cost bases of property for purposes of collecting such grants, and

''(2) through claiming both tax benefits and grants with respect to the same property.''.

SA 2890. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. AUTHORITY TO OFFER ADDITIONAL PLAN OPTIONS.

(a) CATASTROPHIC PLANS.—Notwithstanding title I of the Patient Protection and Affordable Care Act (Public Law 111–148), a catastrophic plan as described in section 1302(e) of such Act shall be deemed to be a qualified health plan (including for purposes of receiving tax credits under section 36B of the Internal Revenue Code of 1986 and cost-sharing assistance under section 1402 of the Patient Protection and Affordable Care Act), except that for purposes of enrollment in such plans, the provisions of paragraph (2) of such section 1302(e) shall not apply.

(b) INDIVIDUAL MANDATE.—Coverage under a catastrophic plan under subsection (a) shall be deemed to be minimum essential coverage for purposes of section 5000A of the Internal Revenue Code of 1986.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on December 2, 2015, at 10 a.m., in room 328A of the Russell Senate Office Building, to conduct a hearing entitled ''Agriculture's Role in Combating Global Hunger.''

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

COMMITTEE ON ARMED SERVICES

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on December 2, 2015, at 9:30 a.m.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the

Senate on December 2, 2015, at 2:15 p.m., to conduct a hearing entitled ''Nominations.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 2, 2015, at 4 p.m., to conduct a classified briefing entitled ''JCPOA Oversight: The IAEA's Report on the Possible Military Dimensions of the Iranian Nuclear Program.''

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

COMMITTEE ON INDIAN AFFAIRS

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on December 2, 2015, in room SD–628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled ''Tribal Law and Order Act (TLOA)—5 Years Later: How have the justice systems in Indian Country improved?''

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

COMMITTEE ON THE JUDICIARY

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on December 2, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Protecting Trade Secrets: the Impact of Trade Secret Theft on American Competitiveness and Potential Solutions to Remedy This Harm.''

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

COMMITTEE ON THE JUDICIARY

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on December 2, 2015, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight of the Administration's Criminal Alien Removal Policies.''

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on December 2, 2015, at 2:30 p.m., in room SR–418 of the Russell Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. ENZI. Mr. President, I ask unanimous consent that the following staff members from my staff and from Senator SANDERS' staff be given all-access floor passes for the duration of the consideration of H.R. 3762: Greg D'Angelo, George Everly, Tori Gorman, and Clint Brown from my staff; and Mike Jones, Josh Smith, Jill Harrelson, and Josh Ryan from Senator SANDERS' staff.

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

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern Jeff Slyfield and my intern Maria Givens be given privileges of the floor for the remainder of the day.

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

NATIONAL PHENYLKETONURIA AWARENESS DAY

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 324, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 324) designating December 3, 2015, as ''National Phenylketonuria Awareness Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 324) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

PERMITTING THE COLLECTION OF CLOTHING, TOYS, FOOD, AND HOUSEWARES DURING THE HOLIDAY SEASON FOR CHARITABLE PURPOSES IN SENATE BUILDINGS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 325, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 325) permitting the collection of clothing, toys, food, and housewares during the holiday season for charitable purposes in Senate buildings.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 325) was agreed to.

(The resolution is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, DECEMBER 3, 2015

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, December 3; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate then resume consideration of H.R. 3762, with the time until 1:30 p.m. equally divided in the usual form; finally, that all debate time on H.R. 3762 be deemed expired at 1:30 p.m. tomorrow.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators TILLIS and ERNST.

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

The Senator from Iowa.

OBAMACARE

Mrs. ERNST. Mr. President, promises, promises, promises. Day in and day out, I hear stories of the broken promises of the President's failed health care law in Iowa and across the country.

President Obama promised health insurance premiums would go down by $2,500. They haven't. In fact, the President's own administration admits that nationwide, premiums in the exchange for the next year have increased by more than 7 percent. The outlook for my State is even worse, with Iowans facing more than a 12-percent increase in premiums.

President Obama's promises don't pay these bills. Real folks in Iowa and across the country do.

Mark from Urbandale shared with me that the double-digit premium increases his family faces for 2016 are unsustainable and that it may be more cost effective to pay the individual mandate penalty instead.

Similarly, Angela from Centerville said that the plan she had hoped to

purchase for 2016 increased by nearly $200, and that was the cheapest option for her. If she keeps her current coverage, her family will be strapped with a nearly $1,000-per-month bill for health insurance. She asks: ''How is it possible that the Affordable Care Act has made health care so unaffordable?''

Let me say that again: How is it possible that the Affordable Care Act has made health care so unaffordable?

It is a question I get when traveling all across the State of Iowa. The answer is pretty simple. ObamaCare is wrongly rooted in a Washington-knows-best mentality. Instead of empowering families and individuals to determine what they want and need in their health care plans, Washington has replaced choice with new one-size-fits-all mandates and taxes. It is another costly example of the Washington way failing everyday Americans.

The sad reality is that the consequences of this failed law go far beyond these unaffordable premium increases. Americans were promised job creation and economic growth, but instead we have seen employers reduce employee hours in an effort to avoid ObamaCare's employer mandate.

Small businesses, such as employers at a marina in Okoboji, have halted their plans to expand and create new jobs because of the mandate. They have even quit hiring folks to fill open jobs and had to cut back on hours for their existing employees to bring them to part time.

As employers brace themselves for the impending Cadillac tax, employees are already feeling the effects: rapidly increasing out-of-pocket costs. In fact, Ryan, from Newton, recently learned that his deductible will be doubling next year in anticipation of the tax going into effect.

ObamaCare is not helping these folks; it is hurting them. At a time when we want to see job growth and rising wages, this is simply the wrong approach. Broken promises don't cut it.

Today we have the opportunity to roll back some of ObamaCare's most harmful provisions. Today we can provide much needed relief from the individual and employer mandates and stop the law's trillion dollars in tax hikes—like the health insurance tax, the medical device tax, and the Cadillac tax—from being passed on to the American people. Today we can put patients and doctors back in the driver's seat when it comes to their health care decision-making.

Today I will stand up for Iowans and people all across America to fulfill our promise to them. I am committed to stopping this failed law and paving the way to implement patient-centered options that ensure folks have affordable coverage and access to needed health care services.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, last year the Presiding Officer and I and a number of us went out to the folks in our great States and we promised that if we were elected into a majority, we would do everything we could to repeal and replace ObamaCare. The process the American people are going to witness over the next 24 hours is our fulfillment of that promise.

It will take 51 votes to send a bill to the President's desk that repeals the most egregious provisions of ObamaCare. Once we do that, we can begin to start the process of addressing the legitimate health care problems instead of an option that has made the problems worse. It is a system that will control costs and put patients first. It is a system that puts choice first. It is a system that puts quality ahead of partisan politics.

This will be an open process that we will go through tomorrow, and that is the way it should be. That means it will require some tough votes. Many of my friends on the right may not particularly like or enjoy the amendments that will be offered and then voted on, but I, for one, when confronted with a vote I may otherwise like to support—if I feel it prevents us from moving forward and being successful in sending this bill to the President's desk, then I am prepared to make those tough votes to be absolutely certain we fulfill that fundamental promise of repealing ObamaCare.

However, in the end, this is about doing everything we can to keep our promise to the American people. While we in Congress will put our conscience over politics—if we do—the President seems to put politics over what I believe he and many of my colleagues on the other side of the aisle know is a failed policy. This is exactly the underlying failure of ObamaCare. It was a never-ending list of promises and assurances that have not and never will be realized.

We all remember the same promise we heard over and over again from the President: If you like your health care, you can keep it. If you like your doctors, you can keep them. That has absolutely not happened in my great State of North Carolina, and I would daresay it hasn't happened across the Nation. Millions of Americans were kicked off their plans and given a set of alternatives that were drastically more expensive. They were told they could no longer see the doctors they had visited and trusted for years.

In North Carolina alone, we had over 470,000 cancellation notices. When they promised that if you liked your health care plan, you could keep it, there was a little asterisk there, and the asterisk was, you can keep it if the Federal Government determines that a policy you are satisfied with, they are satisfied with. That is how they say they kept their promise, but it was an empty promise and they haven't kept it.

We also remember the President's promises to make health care more affordable, boasting that ObamaCare would reduce premiums by $2,500. That hasn't happened either. In North Carolina, during the first full year of the exchange rollout, premium prices increased and outpaced the increases in wages and inflation. The average home is spending more on health care and getting less in their paycheck.

The premium prices in the individual insurance market increased by 147 percent—147 percent. This leads to the problem of people having insurance they can't afford to use because they can't afford their deductible or their copay. It has created real-life horror stories of families struggling to make the choice between paying for their health care and paying to keep food on their table.

Last month I received a letter from a North Carolina couple nearing retirement who are lifelong small business owners. These are their words:

> Last year, our premiums for a bare bones policy was nearly $1,000 a month. It is a terrible policy, but nothing else was available within our budget. I received the 2016 rate late last Friday. The premium is going up 40 percent.

So now that $1,000-a-month policy will cost them $1,400 a month with a higher deductible.

The letter continues:

> For the first time in my adult life we may have to forgo having health insurance and take our chances.

I received another letter from another North Carolinian. He wrote:

> I'm a self-employed person barely making ends meet. My wife works 60 hours a week. We might take home close to $40,000 a year. We have done our best to make it on our own with no government assistance. Back in 2008, the company I worked for shut down. Since then, we have gone through all our life savings to make ends meet. When I first started buying our health insurance in 2008, our premiums were around $600 for me and my two daughters. Just received our letter and found out our new premium will jump to $1,700 a month.

These stories are heartbreaking, and they are not unique to North Carolina. I know each and every Senator, whether they support ObamaCare or want to repeal it, has received similar stories from constituents chronicling how ObamaCare has caused them immeasurable financial and emotional hardship and no better access to affordable health care.

I can tell you that with nearly every one of these letters and calls to my office I receive, my constituents also express their desire for Congress to vote for repeal of the ObamaCare law. It has caused so much pain, and it hasn't solved any problems. That is exactly

what the Senate is going to do tomorrow. We are going to keep our word—something I think sometimes citizens feel we just don't do enough of up here in this Chamber. We are going to send a bill to the President's desk that repeals the most egregious portions of ObamaCare.

Keep in mind that many of the bad things that will occur with ObamaCare are not even in place today. If you don't like it now, I guarantee you will not like it next year even more so.

Again, I want to get back to the process for a minute. This process we are going through is one of the unique instances where we can pass a bill and send it to the President's desk with 51 votes. Normally it takes 60. In order for us to be able to pass it with 51 votes, it is going to require us to be very strict in terms of what this bill may or may not have in it. There are going to be games played tomorrow. There will be amendments put out there that Members know would prevent us from being able to send this bill to the President's desk.

I, for one, am going to stand with the leadership, who I appreciate having the courage to bring this bill forward and make sure that we take votes and send this bill—a fulfillment of my promise to the citizens of North Carolina—to the President's desk. And to those who vote against it, Americans, take notice because they are not listening to you. They are not reading the letters and hearing the stories I hear every single day, and they should be held accountable when they are next up for reelection.

Mr. President, I thank the Chair for his time today, and I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:46 p.m., adjourned until Thursday, December 3, 2015, at 9:30 a.m.

EXTENSIONS OF REMARKS

HONORING DR. ARIANE PALMASANI CONABOY, D.O.

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. MARINO. Mr. Speaker, I rise today to recognize Dr. Ariane Palmasani Conaboy. Dr. Conaboy is the 138th President of the Lackawanna County Medical Society and the youngest President in the Society's history. The Lackawanna County Medical Society is a professional association for physicians and physicians in training that promotes an environment which fosters excellence in medical care.

Dr. Conaboy graduated in 2000 from Scranton Preparatory School and went on to graduate from The University of Scranton, where she majored in biochemistry and philosophy. In 2008, Dr. Conaboy earned her Doctor of Osteopathic Medicine degree from the Lake Erie College of Osteopathic Medicine. She went on to complete her internship and residency at Scranton Temple Residency Program.

Dr. Conaboy is certified in Internal Medicine and is currently employed by Physicians Health Alliance, a division of Commonwealth Health, and practices traditional inpatient and outpatient internal medicine. She serves on the Physicians Health Alliance Advisory Board, the Moses Taylor Hospital Medical Executive Committee, and was recently elected Treasurer of the Medical Staff at the hospital.

Dr. Conaboy serves on the Moses Taylor Hospital Credentials Committee and is the physician lead for the finance and contract committee for NEPA Quality Health Alliance, where she also serves as a board member. She is also a member of The Commonwealth Medical College Volunteer Clinical Faculty. Dr. Conaboy is the daughter of Millie Palmasani and the late Michael Palmasani. She is married to an attorney, Kevin, and they have two children, Clare and Kevin.

On behalf of all Pennsylvanians, I am pleased to recognize Dr. Ariane Conaboy for improving the quality of life for citizens through her leadership as the President of the Lackawanna County Medical Society.

HONORING MAST COMMUNITY CHARTER SCHOOL

HON. BRENDAN F. BOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I rise today in strong support of the Mathematic Science and Technology Community Charter School in my district—known as MaST—which was just recognized as the top charter school in Pennsylvania by the Philadelphia City Council.

Since opening in 1999, MaST has established a proven record as a high-performing charter school in the region, with multiple awards from local, state, and national entities for its advanced curriculum in STEM education. MaST's focus on STEM education has created a high-achieving student body that is well-prepared for and focused on entering post-secondary education. I am proud to say that 93 percent of graduating students have moved directly into a post-secondary institution over the last three years.

Despite these achievements, MaST is only capable of accepting a fraction of the applications it receives every year. This past application year, MaST received 7,165 applications for 96 open spots. I supported a grant application to the U.S. Department of Education which would allow for MaST to meet the needs of a larger body of students who currently lack the tools MaST can provide—particularly advanced education and preparation in STEM fields.

MaST is an impressive model for quality education in Philadelphia. If given the resources to grow, MaST will continue to expand its award-winning curriculum which has contributed to its meteoric rise in the past 16 years. I am proud to support this effort.

RECOGNIZING CARLY IMBIEROWICZ AND DAULTON POINTEK

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. MEEHAN. Mr. Speaker, I rise today to honor the memory of Carly Imbierowicz and Daulton Pointek. Carly and Daulton were two star students at Octorara High School in Chester County, loved and admired by their entire school community. They were the victims of carbon monoxide poisoning. A faulty automobile exhaust pipe allowed the deadly gas to leak into their car. When they were found, the car keys were still in the ignition.

It is important that we spread awareness of this silent killer. The danger of carbon monoxide poisoning is present whenever you combine burning fuel and enclosed spaces, from stoves to gas-powered water heaters and furnaces. These dangers increase in the colder months.

The Imbierowicz and Pointek families have been working to educate our community on these dangers and I admire their dedication to this mission. Their efforts to raise awareness about this issue will save lives and protect more families from having to cope with such terrible tragedies.

HONORING THE LIFETIME MEMBERS OF THE RICHMOND COUNTY VOLUNTEER FIRE DEPARTMENT

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. WITTMAN. Mr. Speaker, I rise today to honor the following Lifetime Members of the Richmond County Volunteer Fire Department: Randy Passagaluppi (22 years), Gary Hayes (23 years), Timmy Brann (25 years), Ray Hinson (25 years), Wayne Mothershead (26 years), Leslie Clark (28 years), Ronnie Mundie (37 years), Fred W. Mothershead (44 years), J.D. Jr. Dawson (45 years), Chris Sanders (45 years), and Webster Sanders (64 years). I thank them for their lifelong service to their community and insuring the safety of Richmond County.

RECOGNIZING THE GRAND OPENING OF SIEGFRIED AND ROY PARK

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Ms. TITUS. Mr. Speaker, on December 3, 2015, the Clark County Commissioners and Department of Aviation are hosting the grand opening of a 20-acre park near McCarran International Airport, appropriately named for Siegfried Fischbacher and Roy Horn.

What began as a simple magic act aboard a cruise ship in 1957, Siegfried and Roy's show became one of the most successful extravaganzas in Las Vegas history.

Ten years later, Siegfried and Roy began performing in Las Vegas at the Tropicana. The duo went on to perform around the world until 1989 when their act found a permanent home at The Mirage in Las Vegas.

Siegfried and Roy entertained in Las Vegas and internationally for over 30 years to sold-out audiences, delighting more than 25 million fans with their amazing magic while showcasing the beauty and majesty of wild animals. Their passion and talent made a lasting impression on everyone who met them, knew them, or just saw their show.

Siegfried and Roy's act came to an end in 2003, but their spirit lives on at the Secret Garden and Dolphin Habitat exhibits at The Mirage Hotel and Casino, and through their charitable work with the SARMOTI Foundation.

For the past 25 years, Siegfried and Roy's Secret Garden and Dolphin Habitat have encouraged better stewardship of the environment by teaching visitors, students, and scholars about the incredible creatures housed

there and about why conservation efforts are so important for maintaining a robust ecosystem and preserving the amazing species that share the earth with us.

Every day at the Secret Garden and Dolphin Habitat, visitors can experience firsthand the enchanting world of bottlenose dolphins, white tigers, white lions, and leopards. In August, the Secret Garden welcomed four tiger cubs to the family, continuing a legacy of commitment to conservation.

The SARMOTI Foundation works to conserve and protect endangered and threatened animals around the world, including tigers, lions, cheetahs, panthers, and leopards.

How appropriate that a park which stands at the gateway to Las Vegas, and District One, should bear their name.

Thank you, Siegfried and Roy, for your service to our community.

RECOGNIZING THE 20TH ANNIVERSARY OF PEACETREES VIETNAM

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. KILMER. Mr. Speaker, I rise today to recognize the 20th anniversary of PeaceTrees Vietnam and their continued service to help heal communities affected by war. PeaceTrees Vietnam's tireless work alongside the Vietnamese people honors those who have given their lives in service and fosters trust and collaboration between our two nations.

The story of PeaceTrees Vietnam began on January 6, 1969, when US Army Helicopter Pilot Lt. Daniel Cheney sacrificed his life in the Vietnam War to save the life of a fellow pilot. From this profound loss, his mother Rae Cheney, sister Jerilyn Brusseau and her late husband Danaan Parry vowed to find a way for families like their own to reach out to the Vietnamese people, to honor losses on all sides of the war, and begin building bridges of friendship and understanding. On November 12, 1995, a group of inspired Washington state citizens joined the three founders and pledged their support to launch an organized effort to clear the land of bombs and landmines and plant trees where landmines used to be. That day, PeaceTrees Vietnam was born.

Since 1995, PeaceTrees Vietnam's steadfast humanitarian service has removed more than 89,000 landmines and dangerous weapons from over 846 acres of land, starting in the former "DMZ" on the site of the former US Marine Combat Base at Dong Ha. As the first international nongovernmental organization to be permitted to conduct humanitarian demining work in Vietnam, PeaceTrees has ushered in a new era by bringing together American and Vietnamese people, including veterans from both sides, to work, play, and plant trees as a means of promoting peace, friendship, and renewal through mutual understanding and respect.

For two decades, PeaceTrees' expansive service in Vietnam has gone beyond landmine removal to include building sustainable communities by enhancing education and economic opportunities. Hand-in-hand with the Vietnamese people, PeaceTrees has invested in a safe and healthy future in the poorest and most war-torn regions of Vietnam through the construction of homes, libraries, and schools.

Mr. Speaker, PeaceTrees Vietnam's work has restored land, assisted communities, and created opportunity in partnership with the people of Quang Tri Province of Vietnam. Making the land safe, returning the environment to its natural beauty, and creating new educational and economic opportunities collectively heals the enduring wounds of war that linger for both the Vietnamese and American people.

I am proud to recognize the 20th Anniversary of PeaceTrees Vietnam and thank the family of Lt. Daniel Cheney, the founders, and all those in the United States and Vietnam who have worked to restore the land, build community and heal the wounds of war.

OUR ONE GOD OF FAITH

HON. E. SCOTT RIGELL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. RIGELL. Mr. Speaker, I rise today to submit a statement on behalf of my constituent, Rabbi Dr. Israel Zoberman. Rabbi Zoberman is the Founding Rabbi of Congregation Beth Chaverim in Virginia Beach, Virginia. Rabbi Zoberman asked me to submit the following remarks:

We are grateful for our one God's blessings, who bring us together to be one family, gratefully united and gloriously diverse through the divine commandments of loving kindness.

We have gathered during our sixth annual Veterans Day service at the enchanting sites of the Reba and Sam Sandler Campus and the Simon Family JCC of our beloved Tidewater Jewish Community, home to the stately Jewish War Veterans Monument and captivating Holocaust sculpture linked to the embracing Gifford Holocaust Memorial Garden. Let us pause for both heartfelt gratitude and sacred reflection in the enviable spirit of our unique Tidewater togetherness.

In this awesome region of perhaps the world's most concentrated military might, we owe much to the descendants of the Maccabees, our heroic sisters and brothers in uniform from past, present and future, for safeguarding our great American nation as well as its undying dream. We continuously advocate for and advance the cause of our leading democracy so that it may ever be a guiding and gracious beacon of light and consecrated resolve to all near and far.

We are painfully mindful of terrorism's darkness unleashed by Iran and its Lebanese and Palestinian proxies, along with Syria's Basher al-Assad and the Islamic State with its affiliates, threatening the very essence of human civilization to which the Jewish people have immeasurably and devotedly contributed. The past Thanksgiving celebration, modeled after the Biblical festival Sukkot, is a poignant reminder of the vital link and unshakeable bond between America's very foundation and the Jewish heritage.

The courageous Pilgrims joyfully regarded themselves as walking in the shoes of the Israelites who fled from Egypt's House of Bondage, and were inspired by the ideals and values of the Hebrew scriptures with which they fell in love. In fact, they wanted Hebrew to be the official language of the New World but there were not enough Hebrew scholars around. Imagine there would have been no need for a separate Hebrew school for our children. The past Thanksgiving eve, my congregation Beth Chaverim and Eastern Shore Chapel Episcopal Church held our 16th annual Joint Interfaith Thanksgiving Service. What an endearing display of the American tradition of sharing across lines of faith.

On November 9, 2015, we commemorated the 77th anniversary of Kristallnacht (The Night of the Broken Glass), the beginning of the end of European Jewry. We shall always cherish our own Arnold Lind, of blessed memory, who at age ten raced into his burning Synagogue in Muhlheim in Germany to retrieve his beautiful Wimple, witness to the Shoah, a memorial to the great German Jewry. He was fortunate to arrive with his family to these shores of freedom and proudly served in the U.S. Marine Corps.

I humbly stand before you as a member of the family of the surviving remnant miraculously plucked from the burning fires. At the mature old age of three and a half, I was already a veteran of Germany's Wetzlar Displaced persons camp in the American zone of occupation, but I am also a veteran of the Israel Defense Forces of a reborn nation. My father Yechiel, of blessed memory, served in the Russian Army's 118th Infantry Division decimated at Stara Rusa by the German onslaught which he survived.

Let the United States and its partners do their best on behalf of the present day multitude of refugees from war-torn countries, particularly Syria, who seek the shelter of a welcoming home. May Shalom's divine blessings of peace enable us to turn violence into vision, pain into promise, fear into faith, and darkness into light. Amen.

100TH ANNIVERSARY OF THE MANATEE COUNTY FAIR

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. BUCHANAN. Mr. Speaker, I rise in recognition of the Manatee County Fair's 100th anniversary.

On October 21st, 1915 a group that eventually became the Manatee Chamber of Commerce approved a project that would draw members of the community together for festive celebrations and friendly competition. The Manatee County Fair was born, and opened its tents to the neighborhood for the first time on February 28th, 1916.

The 1916 Manatee County Fair started with a budget of just $500. Year after year, the fair grew creating an economic boost for the community while providing fun and enjoyment for locals and visitors alike.

Eventually, the fair became so appreciated that the denizens of Bradentown (currently Bradenton, Florida) purchased over 60 acres of land so the fair could continue to thrive for generations to come. As time went on, the Manatee County Fair gave Floridians an opportunity to unite and celebrate in good times and bad.

The Manatee County Fair has fostered community pride for 100 years. Throughout the

past century, the fair strengthened relationships between local business owners, shop keepers, vendors, artisans, and civic leaders. Community Members have shared in the pride of hosting such a well-loved event.

It is my honor to recognize the Manatee County Fair's 100th anniversary. This great event has strengthened our community and been a source of civic pride for the past century.

HONORING DR. JAN SONANDER, M.D.

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Dr. Jan Sonander for his leadership, commitment, and determination over a decade to update the Geographic Practice Cost Index (GPCI) system in California and abolish the flawed Sustainable Growth Rate (SGR).

Medicare's GPCI system pays physicians based on the cost of providing care in their geographic region. However, since 1997, the Medicare geographic payment localities have not been updated, leading many Sonoma County physicians to be underpaid. This problem was exacerbated by concurrent flaws in Medicare's SGR.

Since 2000, Dr. Sonander has been a tireless advocate for GPCI and SGR reforms. His proposed changes would have updated payment localities for physicians, and improved access to high-quality care for all Sonoma County residents. Dr. Sonander led a nationwide letter campaign, encouraging Congress to consider funding the proposed changes while writing articles to keep peers informed of his efforts. Those efforts ultimately paid off, as the geographic payment system has been updated and the SGR has been eliminated. Dr. Sonander was essential to that progress.

Leading by example, Dr. Sonander focuses a significant portion of his practice caring for the disabled, working as a hospitalist at Santa Rosa Memorial Hospital while also serving as Chief of Staff. He has been active in the Sonoma County Medical Association (SCMA) and the California Medical Association for 26 years. He has served on several committees, including a stint as President of the SCMA Board of Directors in 2003. As a civic role model, philanthropist, medical professional, and political activist, Dr. Sonander's work has placed health care for all Sonoma County residents in safe hands.

Mr. Speaker, it is appropriate at this time that we acknowledge Dr. Jan Sonander for his extraordinary work.

PERSONAL EXPLANATION

HON. TOM GRAVES

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. GRAVES of Georgia. Mr. Speaker, on roll call No. 650, had I been present, I would have voted Yea.

PRESERVE THE EITC FOR LEGAL AMERICAN WORKERS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. MARCHANT. Mr. Speaker, the Earned Income Tax Credit is one of our most successful welfare-to-work tax provisions. The EITC has helped millions of Americans move themselves out of poverty. But, the president wants to use it as a cash bonus for those who have been working in the U.S. illegally.

Under the president's unilateral amnesty, millions of illegal immigrants will get access to the EITC. They will then be able to claim tax refunds on previous earnings from unauthorized work. The refunds could be as much as $24,000 for each claimant, which may restrict the EITC's availability for legal American workers.

To ensure this does not happen, I have introduced H.R. 1657—the FAIRR Act. The bill prevents the EITC from going to recipients of the president's unilateral amnesty. This would strengthen the EITC for American families and save taxpayers almost $9 billion over the next 10 years.

Our immigration system should not reward lawbreakers at the expense of taxpayers and legal American workers. Neither should the EITC.

IN RECOGNITION OF THE DEARBORN OPTIMIST CLUB'S 75TH ANNIVERSARY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the Dearborn Optimist Club on their 75th Anniversary. As a Member of Congress, it is an honor and a privilege to recognize the great work they have done for the City of Dearborn.

Founded on December 12, 1940, Optimist International chartered the Dearborn Optimist Club to serve the greater Dearborn Community. Since its founding, the Dearborn Optimists have devoted countless hours volunteering in the community by helping to expand access to quality education through its youth programs and scholarships. They have created collaborations between both the public and private schools and with numerous Dearborn public agencies, including the fire and police departments. Each year, the Dearborn Optimist holds art and essay contests to promote the creativity of our students, where the winners receive scholarship money for their college plans. They host the annual Dearborn Public Safety Awards to honor our fire and police departments and recognize extraordinary individual accomplishments.

At the heart of their mission, the Dearborn Optimists have devoted themselves to community service and providing opportunities to enrich the lives of our youth of Dearborn. Their work for the City of Dearborn is truly appreciated and I know that we will see more of the same over the next 75 years of the group and beyond.

Mr. Speaker, I ask my colleagues to join me in honoring the Dearborn Optimist Club on their 75th Anniversary and to wish them many more years of success.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote numbers 646, 647, 648, 649, 650, 651 and 652. Had I been present, I would have voted no on Roll Call vote number 646, 647, 650, 651 and 652 and aye on 648 and 649.

HONORING THE STE. GENEVIEVE COUNTY MEMORIAL HOSPITAL AUXILIARY

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the Ste. Genevieve County Memorial Hospital Auxiliary and its volunteers before the United States House of Representatives. This group was awarded the Auxiliary of the Year Award by the Missouri Hospital Association at the MHA Annual Conference this year.

These selfless individuals have accumulated over 15,000 volunteer hours this year, with over 11,000 hours in hospitals and over 3,500 hours volunteering in the community. This auxiliary of more than 90 volunteers has also donated more than $58,000 to the hospital, resulting in seven new hospital beds for their patients. The auxiliary provides services to the community through community health education projects and scholarships to students pursuing health careers.

It is my pleasure to recognize these generous individuals before the United States House of Representatives.

KNOXVILLE NEWS SENTINEL ARTICLE BY FRANK CAGLE—RUMORS OF THE GOP'S DEATH EXAGGERATED

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. DUNCAN of Tennessee. Mr. Speaker, almost every week, Frank Cagle writes a thoughtful, intelligent, even courageous column for the Knoxville News Sentinel.

In his column of December 2nd, he wrote: ''Some of us don't think it's a bad thing that people who are here illegally and are not citizens cannot vote.''

I admire Frank Cagle for his willingness to speak out on matters of national importance, and I would like to call to the attention of my Colleagues and other readers this and other columns he has written for the Knoxville News Sentinel.

RUMORS OF THE GOP'S DEATH EXAGGERATED

Last week Hillary Clinton announced she would no longer use the term ''illegal immigrants.'' I can understand a Clinton's aversion to the word illegal, but it will be hard for a president to get control of the border if she doesn't recognize that unauthorized entry into the country is against the law. During the Democratic debate she refused to say the words ''Islamic terrorism.'' It's hard to see how a commander in chief can win a war against our enemies when she's too timid to call them what they are.

I spent Thanksgiving with a houseful of young adults. They are all voting for Bernie Sanders in the primary. What do they do in the general when Clinton is the Democratic nominee? I suspect they will stay home. If the Democrats think they will turn out the young people who voted for President Barack Obama to vote for Hillary, they are delusional.

I keep reading about how the Republicans are doomed. Republicans can't govern. Demographics will make the Republicans a minority party in the future.

Did you notice the recent election in Kentucky? Obama has done to the Kentucky Democratic Party what he has done to the Tennessee Democratic Party—damaged it almost beyond repair. A tea party guy, behind in all the polls, defeated a popular Democrat by 10 points. And Democrats down ballot got hammered. Tennessee Republicans have a supermajority in the Legislature, the governor, two U.S. Senators and seven of nine Congressmen.

Tennessee and Kentucky are not alone. Since Obama has been president, the Democrats have lost over 900 seats in state legislatures, 11 governorships, 13 Senate seats and 69 House seats. Tell me again about the demise of the Republican Party.

Democrats believe that if the Republicans nominate Donald Trump, then Clinton is the next president. Why? Who is closer to the majority opinion of the American people? Trump's bellicosity on immigrants, his anti-Muslim rants and calling for bombing the (you know what) out of ISIS? Or Clinton, who can't bring herself to even identify the perpetrators?

The dire predictions about the Republicans becoming a minority party because of the growing Hispanic vote? If you don't grant amnesty and make all illegal immigrants citizens, they can't vote. Some of us don't think it's a bad thing that people who are here illegally and are not citizens cannot vote.

Go down to the courthouse sometime and watch legal immigrants being sworn in as citizens. Talk to them about the hoops they jumped through in order to become a citizen. Then ask them how they feel about people who want to jump the line.

Americans are tired of political correctness. In the words of the crazy anchor from the movie ''Network,'' they are mad as hell and they aren't going to take it anymore. It's the kind of attitude that fuels the Trump phenomenon. With the fading of Jeb Bush, the establishment seems to be turning to Marco Rubio to stop Trump. The author of an amnesty bill.

Good luck with that.

HONORING DR. BRAD DREXLER, M.D.

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Dr. Brad Drexler for his leadership, commitment and determination over a decade to update the Geographic Practice Cost Index (GPCI) system in California and abolish the flawed Sustainable Growth Rate (SGR).

Medicare's GPCI system pays physicians based on the cost of providing care in their geographic region. However, since 1997, the Medicare geographic payment localities have not been updated, leading many Sonoma County physicians to be underpaid. This problem was exacerbated by concurrent flaws in the SGR.

Since 2000, Dr. Drexler has been a tireless advocate for GPCI and SGR reforms. His proposed changes would update payment localities for physicians, and improve access to high-quality care for all Sonoma County residents. Dr. Drexler led a nationwide letter campaign, encouraging Congress to consider funding the proposed changes while writing articles to keep peers informed of his efforts. Those efforts ultimately paid off, as the geographic payment system has been updated and the SGR has been eliminated. Dr. Drexler was essential to that progress.

Leading by example, Dr. Drexler has been active in the Sonoma County Medical Association (SCMA) and the California Medical Association (CMA) for 29 years. He has served as chair of the government relations committee, as a member of the board of directors at the SCMA, and as a delegate to the CMA. As a civic role model, philanthropist, political activist, and medical professional, Dr. Drexler's work has placed health care for all Sonoma County residents in safe hands.

Mr. Speaker, it is appropriate at this time that we acknowledge Dr. Brad Drexler for his extraordinary work.

PERSONAL EXPLANATION

HON. MARK TAKAI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. TAKAI. Mr. Speaker, on Tuesday, December 1, I was absent from the House due to illness. Due to my absence, I am not recorded on any legislative measures for the day. I would like to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted ''no'' on Roll Call 646, the previous question providing for consideration of the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''no'' on Roll Call 647, the rule providing for consideration of the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''yea'' on Roll Call 648, the Breast Cancer Research Stamp Reauthorization Act.

I would have voted ''yea'' on Roll Call 649, the Intelligence Authorization Act for Fiscal Year 2016.

I would have voted ''no'' on Roll Call 650, final passage of Senate Joint Resolution 24.

I would have voted ''no'' on Roll Call 650, final passage of Senate Joint Resolution 23.

I would have voted ''yea'' on Roll Call 651, the motion to go to conference on the Trade Facilitation and Trade Enforcement Act of 2015.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,827,322,966,908.80. We've added $8,200,445,917,995.72 to our debt in 6 years. This is over $8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO THE PASSING OF NATIONALLY RECOGNIZED ACTIVIST RON SCOTT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. CONYERS. Mr. Speaker, I rise today to honor one of the nation's most dedicated civil rights activists, Ron Scott, who sadly passed away Sunday, November 29, 2015.

During his many invaluable years of public service, Ron Scott was the consummate advocate for social and economic justice, inspiring others through his tremendous work ethic and undying spirit for activism. In particular, he has been in the vanguard of the movement to hold law enforcement accountable for acts of police misconduct.

For twenty years, he was a leading and outspoken critic of the use of force by Detroit police officers. An original founder of the Detroit chapter of the Black Panthers, he created the Detroit Coalition Against Police Brutality in 1996. In 2003, as a leader of the Coalition, he advocated for the city of Detroit to enter into a consent decree with the Department of Justice to reform the Detroit Police Department following years of police misconduct. In 2014, when Detroit's Board of Police Commissioners, the civilian led police oversight board, lost its powers due the city's pending bankruptcy, he used his credibility as a longtime voice against police misconduct to argue for the commission's restoration. In September, the Detroit City Council voted to restore the commission's powers, which will return in December.

Ron Scott fought for civil and human rights and dreamed of a time when people would be judged and treated with dignity and respect. His counsel to me was truly invaluable and he has been such a frequent panelist at Congressional Black Caucus Annual Legislative Conferences that it is difficult to imagine these efforts without his presence.

Those personally close to him will miss him deeply, but I believe that his legacy of determined, reasoned and consistent advocacy on behalf of those who are voiceless will continue to be remembered and inspire our work to bring justice and peace to the world.

RECOGNIZING THOMAS BRADBURY

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. BUCK. Mr. Speaker, I rise today to recognize Mr. Thomas Bradbury on being selected for induction into the Farm Credit Colorado Agriculture Hall of Fame. This honor is reserved for those who have made a significant contribution to the agricultural industry of Colorado and the United States.

Currently, Mr. Bradbury resides in Byers where he has been a leader in the Colorado livestock industry. He is currently a member of the National Western Stock Show Association, an organization that created a scholarship trust which helps over 80 students attend college annually for agriculture and rural medicine. In addition, he has served as President of the Rocky Mountain Quarter Horse Association and the American Hereford Association

Mr. Bradbury also understands the importance of giving back to his community. He is a founder of his local rural telephone cooperative and shares his expertise about livestock with resident 4–H members. Mr. Bradbury has shown true leadership in his industry and community.

On behalf of the 4th Congressional District of Colorado, I extend my best wishes as Mr. Bradbury pursues his future endeavors. His passion and dedication to the agricultural industry makes him more than worthy of this distinct recognition. Mr. Speaker, it is an honor to recognize Mr. Thomas Bradbury for his accomplishments.

HONORING NANCY BAKER

HON. JAIME HERRERA BEUTLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Ms. HERRERA BEUTLER. Mr. Speaker, I rise today to honor the career of an upstanding community leader, and longtime resident of Southwest Washington, Nancy Baker.

Commissioner Baker's dedication to the community can be seen through her long service to the Port. Nancy was first elected as a Port Commissioner for the Port of Vancouver, USA, in 2003—making her the first female commissioner in the Port of Vancouver's 103 year history. This followed a 14 year stint as a Port employee. As a commissioner, she faced tough decisions that she has handled with grace and thoughtful deliberation. She has overseen numerous projects, including most recently the ''trench'' and Waterfront Projects which have greatly improved the functionality of the Port and will continue making the Port of Vancouver an integral part of our community.

Having spent over a quarter century at the Port, Nancy has been a central part of its tremendous growth. Ask anyone in our community—Nancy's name has become synonymous with the Port, and her contributions will be greatly missed. She has received numerous awards throughout her service including the Clark County Women of Achievement from Clark College and the YWCA, the Community Service Award from the Southwest Washington Labor Roundtable and the Central Labor Council, and she was named one of the 100 Most Powerful Women of Clark County by the Columbian newspaper.

Please join me in honoring the selfless and passionate dedication of Nancy Baker and her long career.

IN RECOGNITION OF MAJOR RAYMOND (GLENN) CLANIN & MAJOR RUSSELL (LYNN) CLANIN

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. TED LIEU of California. Mr. Speaker, I rise today to honor both Major Raymond (Glenn) Clanin, USAF (Ret) and Major Russell (Lynn) Clanin USAF (Ret), twin brothers who were born on April 25, 1923 and raised in Bismarck, Missouri. Major Glenn and Major Lynn were raised in a large family of nine children—six boys and three girls.

I would like to commend both Major Glenn and Major Lynn for their tireless service to our nation while serving in the United States Army. Both Major Glenn and Major Lynn were drafted in May of 1943 at Jefferson Barracks, Missouri and were shortly accepted into the Aviation Cadet Program.

After initial cadet training at Michigan State College, they both received more advanced military training at various bases in Texas. After B–26 training, they deployed to Europe on the ''Ille de France'' in January 1945 and were assigned to the 449th Bomb Squadron of the 322nd Bomb group stationed at Beauvais, France. Major Glenn completed 26 missions and Major Lynn completed 21 missions flying out of France and Belgium and deployed back to the United States in July of 1946.

Major Glenn and Major Lynn were discharged from the Army Air Corps in September 1946 at Fort Sheridan, Illinois. They were both decorated with significant medals which include the Air Medal with three Oak Leaf Clusters, The European-African-Middle Eastern Campaign Medal with two battle stars and the World War II Victory Medal.

After their outstanding active military service to this country, Major Glenn and Major Lynn moved to California, and in 1948, they married sisters Carolyn and Elyn Sievers in a joint ceremony. They remained in the United States Air Force reserves, both retiring as Majors in 1983.

In civilian life Major Glenn and Major Lynn worked in their own dry cleaning business until the Korean War and lived next to each other for 10 years in Manhattan Beach. Glenn transitioned into aircraft manufacturing and later the savings and loan industry, from which he retired in 1985. Major Lynn transitioned into aircraft manufacturing and in 1960 moved to Northern California where he worked in real estate, then at a refinery, and eventually retiring from a water district as a service representative in 1978.

Major Glenn and his wife Carolyn currently reside in Manhattan Beach and their family includes two daughters, Diana and Wendie, two grandchildren and five great grandchildren. Major Lynn and his late wife Elyn family include sons Russell and Steven, two grandchildren and seven great grandchildren. Major Lynn has resided in Concord, California since 1960.

I am proud to honor Major Raymond (Glenn) Clanin of Manhattan Beach & Russell (Lynn) Clanin of Concord to thank them for their dedication and service to the United States of America.

IN MEMORY OF AUSTIN KIPLINGER

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. WILSON of South Carolina. Mr. Speaker, on November 20, Austin Kiplinger, an extraordinary visionary as longtime editor of the legendary The Kiplinger Letter, died at age 97. For decades he came to the office every day up to the end to provide thoughtful forecasts for executives and investors. I knew firsthand of his influence as my late father was a loyal subscriber who knew Mr. Kiplinger's judgement was fully trustworthy. The following obituary was published November 21, 2015, in the Wall Street Journal:

WASHINGTON.—Austin Kiplinger, the longtime chairman and editor in chief of a financial publishing company that bore his name, has died, his son said. He was 97.

Mr. Kiplinger died Friday at a hospice in Rockville, Md., where he was treated briefly after receiving hospice care at home, said his son, Knight Kiplinger. The cause of death was brain cancer, most likely a melanoma that had spread to his brain, his son said.

A prominent figure in Washington journalism and civic life, Mr. Kiplinger led the publishing company founded by his father for nearly 35 years. Before taking over Kiplinger Washington Editors Inc., he worked as a newspaper, radio and television reporter. The company publishes newsletters and magazines on personal finance and business.

The company was founded in 1920 by his father, W.M. Kiplinger. Austin Kiplinger took it over upon his father's death in 1967. Even after circumstances forced him to become a businessman, he remained a journalist at heart, his son said.

''He wrote, he edited, he conducted the weekly lead meetings for the Kiplinger Letter,'' Knight Kiplinger, who took over for his

father in the 1990s, said Saturday. ''That's our tradition going back to our founding.''

Mr. Kiplinger's professional journalism career began at age 18 while a student at Cornell University in Ithaca, N.Y. He worked as the campus stringer for the Ithaca Journal, and some of his articles were picked up by The Associated Press.

He served in the Navy during World War II, piloting torpedo bombers off aircraft carriers in the South Pacific.

In 1947, he and his father founded what is now called Kiplinger's Personal Finance, the first publication dedicated to personal-finance advice for American families. In the 1950s, he worked for several television stations in Chicago and for ABC News there. But he turned down an offer to join NBC News in New York to return to the family business.

Mr. Kiplinger was a trustee and board chairman of the National Symphony Orchestra, and he presided over a family foundation that has made millions of dollars in grants to nonprofits education, performing arts, history and journalism training. He lived for decades on a family farm in Seneca, Md.

''He was best known for his exuberance, his positive attitude, his interest in people from every walk of life,'' his son said. ''He talked as easily with a carpenter or the janitor in the building as he did with presidents and senators.''

His wife of 63 years, Mary Louise Cobb Kiplinger, died in 2007, and his older son, Todd, died the following year.

RECOGNIZING CURTIS MOORE

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to recognize Mr. Curtis Moore of Missouri for the patriotism shown by him over the course of his military career as well as his many wonderful accomplishments completed during his civilian years. Throughout his long and illustrious life, Mr. Moore received many impressive awards, including a Purple Heart while serving in the Navy during World War II. He was also the first recipient of the Lifetime Achievement Award presented by the Waterways Journal in 2014 for his work with inland waterway usage.

Mr. Moore began working for Missouri Dry Dock & Repair Co. Inc. in Cape Girardeau, Missouri in the early 1950's as a welder and fitter before soon being promoted to vice president and general manager. He distinguished himself within the industry with his innovations for propellers that are used by inland towboats and barges and their repair process. He continued assisting and advising Missouri Dry Dock about propeller and other boat operation issues into the early 1990's until he fully retired in 2009.

Mr. Curtis Moore modeled what it means to be a hard-working and patriotic citizen of our country and it is my pleasure to recognize him before the United States House of Representatives.

PERSONAL EXPLANATION

HON. MARLIN A. STUTZMAN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. STUTZMAN. Mr. Speaker, on roll call no. 650, 651, 652, on December 1, 2015 I was unable to cast a vote on S.J. Res. 24 due to being unavoidably detained.

Had I been present, I would have voted Yes.

HONORING DR. LEN KLAY, M.D.

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Dr. Len Klay for his leadership, commitment, and determination over a decade to update the Geographic Practice Cost Index (GPCI) system in California and abolish the flawed Sustainable Growth Rate (SGR).

Medicare's GPCI system pays physicians based on the cost of providing care in their geographic region. However, since 1997, the Medicare geographic payment localities have not been updated, leading many Sonoma County physicians to be underpaid. This problem was exacerbated by concurrent flaws in the Medicare Sustainable Growth Rate (SGR).

Since 2000, Dr. Klay has been a tireless advocate for GPCI and SGR reforms. His proposed changes would have updated payment localities for physicians, and improved access to high-quality care for all Sonoma County residents. Dr. Klay led a nationwide letter campaign, encouraging Congress to consider funding the proposed changes while writing articles to keep peers informed of his efforts. Those efforts ultimately paid off, as the geographic payment system has been updated and the SGR has been eliminated. Dr. Klay was essential to that progress.

Leading by example, Dr. Klay continues to assist in surgery and volunteers his services for many local medical organizations. He has worked in the Santa Rosa, California area since 1971, and has been a member of the Sonoma County Medical Association (SCMA) and the California Medical Association (CMA) for 44 years. He has twice served as President of the SCMA and CMA, elected in 1987 and again in 2007, and previously served at the U.S. Army hospital in Frankfurt, Germany. As a civic role model, philanthropist, political activist, and medical professional, Dr. Klay's work has placed health care for all Sonoma County residents in safe hands.

Mr. Speaker, it is appropriate at this time that we acknowledge Dr. Len Klay for his extraordinary work.

TRIBUTE TO FORMER CONGRESSWOMAN SHIRLEY CHISHOLM

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to recognize and celebrate the legacy of former Congresswoman Shirley Chisholm. On November 24, Congresswoman Chisholm was posthumously awarded the 2015 Presidential Medal of Freedom.

In 1968, Chisholm historically won a seat in the House of Representatives in New York's 12th Congressional District, becoming the first African American woman elected to Congress. In 1969, Chisholm was one of the founding members of a group that would become the Congressional Black Caucus. Chisholm served seven terms in Congress with a historical run for the U.S. Presidency in 1972. Chisholm was the first majority-party African American female candidate to run for President.

During her time in Congress, Chisholm worked to improve conditions for inner-city residents. She vocally fought for educational opportunities, better healthcare, increased social services, and reductions in military spending. Chisholm was an outspoken opponent of the Vietnam War, opposing the draft and the expansion of weapon developments. Chisholm fought to ensure that women and people of color had the opportunity to contribute to policy and the legislative process.

After leaving Congress in 1983, she returned to her career as an educator. Chisholm taught undergraduate courses in politics and sociology at Mount Holyoke College from 1983 to 1987, starkly different from her career prior to serving in Congress in early childhood and elementary education. Nonetheless, Chisholm provided valuable contributions to not only Mount Holyoke, but also the 150 campuses where she gave speeches, telling students to avoid polarization and intolerance.

Chisholm passed away in 2005 after suffering several strokes. However, her legacy will always remain with us. As one of the founding members of the Congressional Black Caucus, as the first African American women elected to Congress, Chisholm has provided us with many firsts and has paved the way for more opportunity. I urge my colleagues to honor former Congresswoman Shirley Chisholm and recognize her for winning the 2015 Presidential Medal of Freedom.

RECOGNIZING CHARLES LEWIS SCOTT (CHUCK)

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 2, 2015

Mr. STIVERS. Mr. Speaker, I rise today to recognize Charles Lewis Scott (Chuck), who passed away on November 20, 2015 at the age of 91. Scott was a photographer and co-founder of the widely respected Ohio University School of Visual Communication in Athens, Ohio.

Scott was born in Grayville, Illinois in 1924. He became a Photographer's Mate First Class in the U.S. Navy after training in Pensacola, Florida. Scott went on to receive the Distinguished Flying Cross and three war medals for serving during World War II in the Pacific.

After returning home from the war, Scott earned his degree from the University of Illinois and worked as a photojournalist for the Champaign-Urbana Courier and the student newspaper. Scott worked as a photographer at various newspapers early in his career, and was later named the graphic director for the Chicago Daily News. He earned his master's degree in 1970 and became the picture editor for the Chicago Tribune in 1974. Throughout his career, Scott earned over 100 awards in state, regional, national, and international competitions, including the Photographer of the Year award in 1952 and the Newspaper Editor of the Year award in 1966 from the National Press Photographers Association.

He was first approached by Ohio University in 1969 to expand the visual education program in the School of Journalism. Following two years at the Chicago Tribune, Scott returned to Ohio University in 1976 in the College of Communication. Two years later, Scott co-founded the Institute of Visual Communication with his son-in-law Terry Eiler. By 1986, the Institute became the School of Visual Communication and was eventually moved into the College of Communication. Alumni of this program have gone on to work at The New York Times, National Geographic, The Washington Post, Los Angeles Times, and many other prestigious publications.

There is no doubt of the enormous contribution Chuck Scott has made to the photojournalism industry and the tremendous impact he had on Ohio University and especially, his students.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, December 3, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 8

9:30 a.m.
Committee on Armed Services
To hold hearings to examine improving the Pentagon's development of policy, strategy, and plans.
SD–G50

10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine S. 2257, to prepare the National Park Service for its Centennial in 2016 and for a second century of protecting our national parks' natural, historic, and cultural resources for present and future generations.
SD–366

Committee on Health, Education, Labor, and Pensions
To hold hearings to examine opioid abuse in America, focusing on facing the epidemic and examining solutions.
SD–430

Committee on the Judiciary
Subcommittee on Antitrust, Competition Policy and Consumer Rights
To hold hearings to examine the AB InBev/SABMiller merger and the state of competition in the beer industry.
SD–226

10:30 a.m.
Committee on Foreign Relations
To hold hearings to examine the Millennium Challenge Corporation, focusing on lessons learned after a decade and outlook for the future.
SD–419

3 p.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Space, Science, and Competitiveness
To hold hearings to examine promoting open inquiry in the debate over the magnitude of human impact on earth's climate.
SR–253

DECEMBER 9

9:30 a.m.
Committee on Homeland Security and Governmental Affairs
Business meeting to consider S. 2171, to reauthorize the Scholarships for Opportunity and Results Act, S. 2127, to provide appropriate protections to probationary Federal employees, to provide the Special Counsel with adequate access to information, to provide greater awareness of Federal whistleblower protections, S. 1915, to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, S. 1492, to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska, H.R. 1557, to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal government, an original bill entitled, ''Federal Asset Sale and Transfer Act'', an original bill entitled, ''Federal Real Property Management Reform Act of 2015'', and an original bill entitled, ''Administrative Leave Act of 2015''.
SD–342

10 a.m.
Committee on Commerce, Science, and Transportation
Business meeting to consider pending calendar business.
SR–253

Committee on the Judiciary
To hold an oversight hearing to examine the Federal Bureau of Investigation.
SD–226

10:30 a.m.
Committee on the Budget
To hold hearings to examine moving to a stronger economy with a regulatory budget.
SD–608

2 p.m.
Committee on Armed Services
To hold hearings to examine the nominations of Marcel John Lettre, II, of Maryland, to be Under Secretary of Defense for Intelligence, Gabriel Camarillo, of Texas, to be an Assistant Secretary of the Air Force, John E. Sparks, of Virginia, to be a Judge of the United States Court of Appeals for the Armed Forces for the term of fifteen years to expire on the date prescribed by law, and the following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601: Vice Adm. Kurt W. Tidd, to be Admiral, all of the Department of Defense.
SD–106

Committee on the Judiciary
To hold hearings to examine the nominations of Susan Paradise Baxter, Robert John Colville, and Marilyn Jean Horan, each to be a United States District Judge for the Western District of Pennsylvania, Mary S. McElroy, to be United States District Judge for the District of Rhode Island, and John Milton Younge, to be United States District Judge for the Eastern District of Pennsylvania.
SD–226

2:30 p.m.
Special Committee on Aging
To hold hearings to examine sudden price spikes in off-patent drugs, focusing on perspectives from the front lines.
SD–G50

DECEMBER 10

10 a.m.
Committee on Energy and Natural Resources
To hold an oversight hearing to examine terrorism and global oil markets.
SD–366

Committee on Homeland Security and Governmental Affairs
Subcommittee on Regulatory Affairs and Federal Management
To hold hearings to examine the importance of following through on GAO and OIG recommendations.
SD–342

Committee on the Judiciary
Business meeting to consider S. 247, to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, S. 1318, to amend title 18, United States Code, to provide for protection of maritime navigation and prevention

of nuclear terrorism, and the nominations of Dana J. Boente, to be United States Attorney for the Eastern District of Virginia for the term of four years, and John P. Fishwick, Jr., to be United States Attorney for the Western District of Virginia for the term of four years.

SD–226

HOUSE OF REPRESENTATIVES—*Thursday, December 3, 2015*

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

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

Father of us all, thank You for giving us another day.

In so many ways, the world is exploding with crisis after crisis. We ask Your blessing on the people and city of San Bernardino, but also upon this Nation, which seems plagued by so many problems of violence and resulting death.

We ask Your blessing upon Syria and the Middle East, where the threats and dangers of terrorism are confusing to nations who now find themselves, as traditional foes, vulnerable before a ruthless organization professing a twisted, violent religious fervor.

And we ask Your blessing upon our planet itself, which we all share. No matter the cause, we are well aware of extremes in weather systems which threaten populations in many parts of our world.

All of these are great and complicated problems. As the Members of this assembly consider them, give them the grace to see one another as brothers and sisters, rather than as foes, who must work together for the love of our Nation and our world.

May everything done in this place be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Georgia (Mr. CARTER) come forward and lead the House in the Pledge of Allegiance.

Mr. CARTER of Georgia led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

HONORING TOM COFFEY

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember journalist and community leader Tom Coffey.

Last week, Tom Coffey died at the age of 92. He was one of the old-time newspaper guys. He never missed a chance to speak and listen to people he encountered.

Mr. Coffey entered the news business as a copyboy when he graduated from Savannah High School in 1940. With the exception of a short time away to serve his country in World War II, where he was wounded in the Philippines, and a brief stint from 1969 to 1974, when he served as acting city manager of Savannah twice, he was a journalist until he retired as editor of the Savannah Morning News.

More than 20 years ago, when Mr. Coffey retired in 1989, Representative Lindsay Thomas, my predecessor, referred to Tom as one of the most respected journalists in Georgia.

During his life, Tom wrote about national news, including civil rights and desegregation, but he also wrote about the thrill of playing stickball in the backyards of Savannah and the local bootlegger who bribed local law enforcement.

Tom's extraordinary career as a journalist and his work over the years has made life better for many people. He will truly be missed.

TAX EXTENDERS

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

Mr. SCHRADER. Mr. Speaker, I come to the floor today to state my opposition to the $800 billion of unpaid tax extenders now being discussed in Congress.

It is incomprehensible to me that Republicans and Democrats would entertain adding $800 billion to the $19 trillion debt that we already have, a debt that our children and grandchildren will end up having to pay.

Just as every well-meaning program should be paid for in these tough times, so should every tax incentive. This is especially true when those incentives are being expanded beyond their original purpose and made permanent.

What we really need, colleagues, is having a more comprehensive discussion on tax policy and entitlement reform. We probably have too many tax breaks. We should broaden the tax base, frankly, and reduce our tax load.

We must deal seriously with the long-term debt and deficits. Adding this additional burden to the out-of-control debt we already have is absolutely destructive to our country's future.

As one of the former Chairmen of the Joint Chiefs of Staff said, the greatest threat to our Nation is not from abroad, but our national debt.

SUPPORT FOR THE CRADLE ACT

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

Mr. POLIQUIN. Mr. Speaker, sadly, every year in America, more than 20,000 babies are born addicted to drugs. Last year alone, nearly 1,000 of those babies were born in Maine. We can help these babies by passing H.R. 3865, the Cradle Act, of which I am proud to be an original cosponsor.

Eighty percent of addicted infants are covered by Medicaid and treated at local hospitals; however, our hospitals are overwhelmed. They are not equipped to provide the specialized care that these babies desperately need to recover from the drugs in their tiny bodies.

Residential pediatric recovery centers are designed and professionally staffed to provide this critically important early clinical care. These centers depend on Medicaid dollars to stay open, but need clear certification guidelines in order to receive those funds. The Cradle Act does that.

Every baby born into this world deserves our compassion and care. This is an opportunity to help the most vulnerable among us. This bill offers real hope for a healthy, safe, and loving start for thousands of American babies born addicted to drugs.

MASS SHOOTINGS

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, another mass shooting, another moment of silence. Actually, we will have to do two in a day or back-to-back because of the shooting in Savannah, Georgia. That did not get the attention because 1 person died and 3 people were injured, not like in California, where 14 died and 17 were injured.

You stood already this week for Colorado. I say ''you'' because I don't do it

any more. I can't be hypocritical. You stand up, you sit down, you do nothing.

There have been 355 mass shootings so far this year, not to mention the many who have died alone and get no attention or no moment of silence.

When are we really going to stand up and do something? Just who has to die—your mother? your wife? your son? Or how many? We need to stand up, speak up, and take actions rather than another moment of silence. It is deafening, and it is killing us.

FUNDRAISING EFFORTS FOR PENN STATE THON

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, next February, more than 700 students from Penn State University will come together for the university's annual dance marathon, otherwise known as THON. This event is the culmination of a huge fundraising effort for the Four Diamonds Fund at Penn State Hershey Children's Hospital, which is dedicated to fighting pediatric cancer. THON is the largest student-run philanthropy in the world.

Even though much of Pennsylvania's Fifth Congressional District falls solidly within the territory of Pittsburgh's sports teams, I want to commend the Philadelphia Flyers and the New Jersey Devils hockey teams. The proceeds from tickets purchased for either the Devils game on December 19 or the Flyers game on January 5 will go to benefit THON. Both games fall within Penn State's winter break, allowing students to support this effort even when they are away from the university.

I wish all the students involved in THON the best of luck as they continue in this tremendous effort. They should be deeply proud of the role they are playing in striking a blow to pediatric cancer.

NO HARMFUL OMNIBUS POLICY RIDERS

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

Mr. LOWENTHAL. Mr. Speaker, I came to talk about no harmful omnibus policy riders, and I hope to get to that point, but my thoughts and prayers go out to the people of San Bernardino, the victims, and the families who have been affected by this violence. Again, I hope that this violence wakes up the Congress to begin a really serious discussion about violence in America, by Americans, against Americans.

In 8 days, we are going to find ourselves staring at a deadline to keep the Federal Government open. As negotiations are finalized, we need a clean spending bill, not one that is peppered with toxic policy riders.

We do not need more attacks on environmental protections, Planned Parenthood, the Affordable Care Act, and financial regulations. These are unacceptable policy changes in an appropriations bill, and they are being threatened to be included.

Mr. Speaker, in order for all of us to support this bill, I hope you have the courage to bring a clean bill to the floor.

JOE E. EDWARDS' RETIREMENT

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

Mr. LOUDERMILK. Mr. Speaker, today I want to pay tribute to a true pillar of our community, Pastor Joe E. Edwards.

For the past quarter century, Joe Edwards has served as pastor of the Church of God in Cartersville, Georgia; however, this Sunday, Joe Edwards will deliver his final sermon as senior pastor at The Church At Liberty Square, as he is retiring.

Joe Edwards has been more than just a pastor. He has been a leader who has sought not only to preach the gospel of Christ inside the church, but put his faith into action throughout the community.

While he has made numerous contributions to our community, his vision of unifying local churches to pray for local, State, and national leaders is fundamentally transforming the culture in our entire county. While he will be missed in the pulpit each Sunday, his legacy will live on through the thousands of lives he has touched.

Mr. Speaker, on behalf of the people of Georgia's 11th Congressional District and the United States House of Representatives, I commend Pastor Joe E. Edwards for a life of service to God, community, and country, and congratulate him as he moves on to a new chapter in his life.

Godspeed, Pastor Joe.

GOVERNMENT SHUTDOWN AND THE HIGHWAY BILL

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, I rise to thank my colleagues for working across the aisle to prepare to pass the first long-term highway bill in more than a decade.

For too long, Washington has governed from one manufactured crisis to another. This has hurt our economy by creating an environment of uncertainty for great manufacturers like Caterpillar, John Deere, UTC, and Woodward.

American families shouldn't have to worry when they cross a decrepit bridge on their way to the grocery store or take their kids to school. The men and women of labor who build our roads and bridges deserve this long-overdue, job-creating highway bill. And so do we.

So, Mr. Speaker, I commend my colleagues for working together on this important issue.

FUNDING BILL RIDERS

(Mrs. WATSON COLEMAN asked and was given permission to address the House for 1 minute.)

Mrs. WATSON COLEMAN. Mr. Speaker, I rise today to urge my colleagues on the other side of the aisle to end their calls for shutdown and to work in a bipartisan manner to pass a funding measure without riders.

This body has gotten into the habit of using last-minute Hail Mary votes to save us from one manufactured crisis after another, and it is taking our attention away from the list of things we need to get done—things like reforming our criminal justice system, addressing gun violence, or creating jobs.

There is just 1 week left before funding runs out, and it looks like we are heading into yet another crisis. In the midst of growing threats to national security, we need to take politics out of this equation. We need to take poison pills that threaten working American families off the negotiating table.

Mr. Speaker, I am ready and willing to work to keep the government of the greatest nation in the world open, and I know my Democratic colleagues will as well. I hope every Member of this body is ready to do the same.

I want to express my condolences to San Bernardino and its families on their loss. I urge Congress to get moving on gun safety legislation.

□ 0915

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 22, SURFACE TRANSPORTATION REAUTHORIZATION AND REFORM ACT OF 2015

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 546 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 546

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to

its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

The SPEAKER pro tempore (RODNEY DAVIS of Illinois). The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. WOODALL. Mr. Speaker, I confess to you, I usually use the time that the Reading Clerk is reading the rule to collect my thoughts and think about what the bill is before us today and how I am going to try to persuade my colleagues to vote ''yes.'' But we only got about 15 seconds of the Reading Clerk this morning because this rule is so straightforward and so simple.

I am thinking, why is it—because I sit on the Rules Committee. I think we do good work up there. Good work is sometimes complicated work. Why is it that the rule is so short today? And the answer is because we are in conference report season, Mr. Speaker. We are in conference report season.

We have already done the hard work in committee. We have already done the hard work on the floor. The Rules Committee has already done the hard work of sorting through dozens and dozens and dozens and dozens of amendments. The Senate has done the same hard work.

And we are now here on the conclusion of that work, on the first long-term transportation bill in more than a decade.

Mr. Speaker, Democratic administrations, Democratic Presidents, Democratic Houses, Democratic Senates have failed to do what we are doing today. Republican administrations, Republican Presidents, Republican Houses, Republican Senates have failed to do what we are doing today.

In divided government today, Mr. Speaker, I dare say my friend from Colorado didn't get everything he wanted in this bill, I certainly didn't get everything I wanted in this bill, but we are taking the first big step forward toward certainty for the American people on transportation that we have seen in more than a decade under both administrations.

Mr. Speaker, House Resolution 546 is a standard rule for consideration of a conference report to accompany H.R. 22, the FAST Act, the Fixing America's Surface Transportation Act.

I want to thank Chairman BILL SHUSTER for the way that he conducted this entire process. Mr. Speaker, I have the great pleasure of serving on his committee, and between his leadership, the ranking member's leadership, Mr. DEFAZIO, we have crafted a bipartisan, bicameral bill.

I was privileged to serve on the conference committee, Mr. Speaker, that completed this work, and it worked the way conference committees are supposed to work, I guess, because, Mr. Speaker, it is the first conference committee I have been on.

I have been here 4½ years. We don't see things get to conference that often. I was a staffer around here, chief of staff, for a decade, never saw a conference committee from that perspective.

Mr. Speaker, these things don't happen that often. They should happen more. We considered a conference committee report on education yesterday. We are doing transportation today. I think we might be on to something. I think we might be on to something. It is called doing the long, hard work, Mr. Speaker.

I don't know how many sound bites you have read about the transportation bill. I don't know how much press is being paid to this bill. It has taken not days, not weeks, not even months, but years to bring folks together around this solution, and folks have worked incredibly hard to make that happen.

It is regular order, Mr. Speaker. It is regular order. This is the way it is supposed to happen. We are not supposed to have a bill airdropped into the House of Representatives, into the Senate under a take-it-or-leave-it circumstance.

What you are supposed to have are those days, those weeks, those months, and, yes, even years of discussion and debate and moving people together, finding that common ground, finding those solutions, moving it to a conference report at the end. And that is exactly what we have done here today.

Mr. Speaker, this is a report that contains views from across this conference—Members from rural districts, Members from urban districts, Members from districts that focus on mass transportation, Members from districts that have incredible road needs.

It covers folks from the West in single-Member States, single-district States, and folks from the East, with some of the highest population densities in the country. It is an amazing accomplishment to bring all of those folks together.

I would tell you, Mr. Speaker, historically, that has been the way transportation has been. Transportation is not one of those issues that divides us as Republicans and Democrats or even from the East and West. It is one of those issues that brings people together.

It is one of those issues—and there aren't many—but it is one of those issues that we actually have a constitutional responsibility to perform. The Constitution does not ask much of this United States Congress when it comes to developing policy and practice domestically here in this country, but transportation is one of those issues.

Mr. Speaker, I mentioned it was the first long-term bill in more than a decade. That is absolutely true. Length is important all by itself; certainty in transportation, important all by itself.

We passed a 2-year transportation extension, Mr. Speaker. We put in the requirement to streamline some of the regulatory process. Here we are, more than 2 years later, and those regulations haven't even come out yet.

Building is a long-term process. Rulemaking, so that people can build, is a long-term process.

Having long-term certainty is valuable in and of itself, but that is not just what this bill does. It focuses on the national highway freight network, Mr. Speaker.

Between Washington, D.C., and Baltimore, for example, there are three major Federal arteries. We have the Baltimore-Washington Parkway running those 35 miles north. We have U.S. Route 1 running that distance. We have U.S. Interstate 95 running that distance. Those roads are never separated by more than about 4 miles.

Now, whether or not we need three major Federal arteries running between two cities over a course of 35 miles, that is a debate that we can have. What the scope of Federal transportation funding should be is a debate that we can have, And, in this bill, we did have it, Mr. Speaker.

We are focusing on moving goods to market. This is a bill about getting to your child's soccer game on time. This is a bill about freeing up congestion on America's roads and improving America's mass transit in a way that you don't miss the first pitch. But this is also a bill about moving freight to market. It is a bill about making America's economy work.

In a 21st century world, we cannot have a 20th century transportation system. We focus on those issues that have been left on the sidelines for far too long. We focus on bridges, Mr. Speaker. Bridges. It seems so simple. It is a transportation bill; there ought to be more that goes on than just roads and just buses.

Bridges, Mr. Speaker, turn out to be that chokepoint that so many of us have in our district. It turns out it is expensive to build a bridge. It is environmentally difficult to get the permits. It is an engineering marvel to put together some of the bridges that we have here today.

As dollars have gotten tight, many of our communities have not focused on

the safety of existing infrastructure in ways that we all know our constituents demand. We make that investment in safety and security today.

Mr. Speaker, we streamline a lot of Federal regulation in this bill. There is not a man or woman on this floor who doesn't believe that we have an obligation to protect this great Earth. There is not a man or woman on this floor who doesn't believe that constructing in an environmentally sensitive manner is a priority for us all.

But there is also not a man or woman on this floor who believes it ought to take 10 years to get a yes-or-no answer. There is not a man or woman on this floor that thinks it ought to take 8 years to get a yes-or-no answer. If the answer is no, the answer is no. But we deserve, our constituents deserve some certainty in that construction process.

We eliminate duplication. We speed up delivery. We allow States, through a pilot program, Mr. Speaker, to begin to enforce some of these Federal mandates. In many cases, it is not the mandate itself that is the problem. It is the Federal bureaucracy that is overburdened and can't come through on permitting.

We allow States, under this bill, as long as they abide by the Federal standards, to go ahead and implement those standards on their own so that they can prioritize the projects that are most important to them.

Mr. Speaker, an issue that I know is important to all of our colleagues: We take some steps to get veterans back to work. This isn't the first bill that has done that, of course. We have done bill after bill after bill on this floor, Hire More Heroes most recently, to say, if the only thing standing between you and putting our veterans back to work is Federal regulation, we want to get Federal regulation out of the way. We build on that again in this bill, Mr. Speaker.

I don't know if you have any truck-driving schools in your district, but I can't find a truck-driving school in my district that doesn't have job offers waiting today for folks who sign up today. The demand is so great, Mr. Speaker, for folks to move goods to market.

But we have limitations on who is eligible to drive trucks, and for good reasons. For good safety concern reasons, we don't want folks 19, 20 years of age to be driving these heavy trucks.

But, Mr. Speaker, we have, returning from Afghanistan, returning from Iraq, folks who have been trained by the finest training facility in all the world, the United States military, folks who have been trained in the skills required, the safety skills required, to move heavy equipment from one place to another.

Those men and women are returning from serving us and are looking for work. If they were talented enough to serve us overseas, are they not talented enough to serve us here domestically? Of course they are. We take steps to recognize that here today.

Mr. Speaker, I am still waiting on that opportunity when I can come to the floor and tell you I got absolutely everything I wanted in absolutely every line of the bill. It has only been 4½ years for me; I haven't had that opportunity yet. I am still hoping that opportunity comes.

But what I can tell you, Mr. Speaker, is that I came here to make a difference. I came here to move the ball forward. I came here to do the hard things, not the easy things. The easy things have already been done.

There is a reason we haven't passed a long-term bill in more than a decade. It is because it is hard to do. And I take great pleasure and great pride, as a member of the Rules Committee, the Transportation Committee, and the conference committee, in bringing this rule to the floor today.

If we pass this rule, Mr. Speaker, we can move to that conference report, and we can deliver for America what has been undeliverable for more than a decade.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

I commend my colleagues on the House Transportation and Infrastructure Committee, who we will be hearing from shortly, for their diligence in developing a thoughtful, long-term, sustainably funded surface transportation compromise that really has many of the priorities that Republicans and Democrats brought to the table.

As the gentleman from Georgia said, this is an example of what we call regular order of a conference committee.

I want to inquire of the gentleman from Georgia, what was the vote on the conference committee on this final transportation bill?

I yield to the gentleman from Georgia.

Mr. WOODALL. I thank my friend for yielding. It was a unanimous approval of this provision.

Mr. POLIS. Reclaiming my time, you did even better than the education conference committee. We were 39–1. There was actually one person on that conference committee who didn't support it. What a great job that you and your colleagues did.

The education conference committee was the first chance in 7½ years that I had to serve on a conference committee; my friend from Georgia, his first chance during his time in Congress to do it.

And that is a procedural matter. When the American people hear, oh, conference committee, that sounds procedural. Yet another committee; what does that mean? But the product of these committees are substantial bills.

□ 0930

Part of the problem here in this institution is that it is a bicameral legislature, and the House and the Senate don't talk to each other enough. The formal way they talk to one another is through a conference committee. What that means is there are Senators and Representatives on the same committee working on the same bill, rather than what happens too often around here where the House passes one bill and the Senate, if they pass a bill at all, passes a very different bill, and never the twain shall meet. Mr. Speaker, thanks to this procedural conference committee, the differences between the House and the Senate have been worked out.

So we were on the education bill yesterday. The Senate will likely consider that exact same bill next week, which means it will likely go to President Obama's desk before Christmas. This transportation bill the House considers today, I don't know the Senate's schedule, but hopefully in the next week or two they will consider this exact same bill, and hopefully it will go to President Obama's desk.

So we had a very quick meeting of the Rules Committee yesterday. My goodness, usually when the Rules Committee meets, those are contentious meetings. We have a lot of amendments from Democrats and Republicans that want to have their voice heard. But on a final conference report, it went pretty quickly, and members of our committee on both sides of the aisle had a lot of praise for the chair and the ranking member of the committee that had worked tirelessly to put this deal together.

The Fixing America's Surface Transportation Act—they came up with a clever acronym, FAST. That works well, right? Transportation, fast, we all want to go fast, not too fast. The act commits $305 billion over a 5-year period towards improving our Nation's roads, bridges, transit systems, and railways. This is something that Republicans and Democrats both agree is the job of government. Transportation, infrastructure, and making sure people can get from one place to another is one of the most critical roles that our government plays.

In the first year, FAST increases spending on highways by $2.1 billion. By the final year, the funding levels will reach $6.1 billion in addition to current investment. It also raises transit funding from $8.6 billion to almost $10.6 billion by 2020.

It establishes a Nationally Significant Freight and Highway Projects program that helps focus our attention on projects that increase the competitiveness of American goods and services by expanding and improving upon

heavily trafficked freight routes. Two that affect us in Colorado—very near and dear to my district—are highway 25, from Denver to Wyoming, and highway 70, from Denver to Salt Lake City, which we were able to successfully include an amendment in the House version, which I am proud to say is also reflected in this conference report.

Mr. Speaker, these Nationally Significant Freight and Highway Projects open the door to economic development, improve the flow of goods across our great country, increase the quality of life for residents, ease congestion and safety concerns, and, along our particular corridors, are to the benefit of tourism and the tourism industry as well.

This bill helps leverage private investment in our surface transportation program by promoting the use of public-private partnerships which simply have become a reality for many infrastructure projects today like those used to expand highway 36 from Denver to Boulder, which I drive on most days that I am back home in Colorado.

The FAST Act encourages installation of vehicle-to-vehicle and vehicle-to-infrastructure equipment—which the Colorado Department of Transportation has been at the cutting edge of designing and implementing—to improve congestion, ensure passenger safety, and really help create a 21st century infrastructure. This bill helps increase dedicated bus funding by 89 percent over the life of the bill, a change that was direly needed after the last highway authorization.

The FAST Act maintains local flexibility for STP Metro funding, allows governments to dictate what is best for our communities, and leaves the door open for complex transportation infrastructure projects like the northeast line of the Denver Regional Transportation District's FasTrack system, which our voters approved a decade ago.

The bill requires a feasibility study to determine an impairment standard for drivers under the influence of marijuana, something that I introduced a bill on and have been working hard on to increase the safety of driving in States where marijuana is legalized, like my home State of Colorado.

This bill increases funding for highway railway grade crossings and requires operators to report the movements of hazardous materials along railroads, many of which, again, traverse my district. In Fort Collins, in Loveland, and in Longmont, where trains run through the downtown every day, these types of commonsense safety measures are desperately needed and welcomed.

The bill includes reforms to the Railroad Rehabilitation and Improvement Financing loan program—a loan that can be used to divert cumbersome traffic out of the middle of our downtown areas like in Fort Collins—to ensure speedy approval.

Mr. Speaker, this bill is a good bill. The policy changes are thoughtful and progressive. The funding levels authorized are an improvement upon those of the past. The financing sources we tap, while not ideal, are workable.

Now, it is always fair to say in any compromise that we could have done better. There are a few things I am disappointed that this bill doesn't contain.

We were on the edge of cutting a deal that would have included international tax reform that would have brought American wealth home, used the taxes gained to fund transportation and infrastructure restoration projects nationwide, and prevented the offshoring of corporations, which we continue to see.

Earlier this Congress, Mr. Speaker, I introduced a bill with my friend, Representative DELANEY, that would have deemed repatriation at 8.75 percent to fund both a 6-year highway bill at increased funding levels and create a new, national infrastructure bank. Combining international tax reform—desperately needed in its own right—with bold and robust infrastructure investment is a forward-thinking, problem-solving solution and exactly the type of move that I wish—and the American people wish—that Congress could have made.

Our failure to come to a deal on the repatriation of overseas wealth has, unfortunately, robbed the American people of hundreds of billions of dollars in public investment and continues to abandon the $2 trillion in overseas earnings that could have been brought home.

In addition, we fail to address the tax incentive that American companies have to merge with overseas corporations or relocate their own headquarters overseas to avoid paying American taxes. We came close—we came close—to addressing this in this bill.

Mr. Speaker, I urge Congress to address international tax reform as soon possible to prevent the continuing offshoring of companies and the moving of jobs overseas, as well as to ensure that over $2 trillion in overseas earnings can be invested here in America rather than face an enormous tax penalty if it is brought back, thereby preventing it from being brought back and providing an incentive for companies to invest in overseas growth and infrastructure rather than investing in infrastructure and growth here at home.

Mr. Speaker, the failure to contain corporate tax reform is not my only challenge in supporting this bill. There were certainly other programs that I believe we could have invested in, like improving even more the TIFIA investment which funds important projects like those needed along highways 70 and 25 in my district. I would have liked to have seen a direct funding stream tied to improvement and maintenance projects along designated high-priority corridors.

Finally, I would have liked to have seen the plight of communities with rail running through their downtowns addressed in the bill, an issue very near and dear to the cities in my district, cities like Fort Collins, Loveland, and Longmont, which are changed entirely by constant disruption of train horns and road blockages through our busy downtown areas.

The economic loss that we face in our communities, on top of the disturbance to residents' quality of life, isn't something that we can continue to sit by and do nothing about. We are going to work with every bit of flexibility in the bill. We continue to work with the department on less expensive implementation of quiet zones and of trying to reopen the rulemaking around train horns, which we expect to happen shortly, but there is no specific statutory fix to that issue in this bill itself.

So while I support this bill and commend the effort and the regular order that led to us getting here, we still need to look at what we can do. We see this bill as a floor, not a ceiling. There is even more we can do to bring our transportation infrastructure into the 21st century, to ensure its funding source is reliable and sustained, to repatriate overseas earnings and invest them here at home, and to eliminate an incentive for American companies to move overseas.

I hope my Republican colleagues agree that passage of this bill doesn't mean that we retire from presenting new, thoughtful ideas to improve our Federal highway system. I hope that Republicans and Democrats will continue to partner to address and solve some of these issues that I have raised that are not included in this bill.

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

Mr. WOODALL. Mr. Speaker, I yield myself 30 seconds to tell my friend how much I appreciate what he had to say about international tax reform and what our opportunities are to grow America rather than grow our competitors abroad and to say there are a lot of different provisions in this bill. The Transportation Committee was unanimous in its support of this bill, as were several of the other committees who were involved in the conference, but there were a few stragglers out there on some of the extraneous provisions that were placed in here.

With that, Mr. Speaker, I yield 8 minutes to the gentleman from Wisconsin (Mr. RIBBLE), a member of the freshman class of 2010 and a member of the Transportation Committee.

Mr. RIBBLE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, once again, the Congress has offered Members the classic Sophie's choice. Either vote ''no'' on the transportation bill and guarantee no reforms to road and bridge building happen, or vote ''yes'' and get reforms necessary to save money and streamline construction, but do it without actually paying for it and keep racking up the national debt.

While many of my colleagues are sure to rush to the floor in the next few hours to pat themselves on the back for accomplishing this marvelous, transformational highway bill, we should not be popping champagne. There is no backslapping deserved.

While I am encouraged by the fact that in many ways the policy related to surface transportation takes a significant step forward, I am deeply discouraged by the phony pay-fors.

Mr. Speaker, during the upcoming debate on this legislation, you and the American people are going to hear repeatedly that this bill is fully offset and fully paid for, essentially that new revenue and savings will keep the cost of this bill from adding to our national debt. This is, plain and simple, not the case. Most of the offsets are from general fund transfers.

Now, it would take a magician of miraculous skill to transfer money out of a fund that has a negative balance of $400 billion. If, in fact, there is money to transfer from an empty fund, I might suggest that we instead try to make the fund a bit less empty instead of transferring it to more spending.

But I digress. Let's take a look at the pay-fors.

One of a long series of phony offsets is selling off oil that is currently owned by the American people in the Strategic Petroleum Reserve. While you are stewarding the American people's money, you are supposed to buy low and sell high, not the other way around. Not only are we selling off a public asset at near record low prices, we are also counting on getting over double the current market price in order to make all the math work. If you can find a buyer to pay $94 per barrel for oil, like the authors claim, while the market price is $41, I have got a bridge to nowhere to sell you.

Another phony offset is hiring aggressive private contractors to go after people who are delinquent on their Federal taxes. Now, listen, I am all for collecting all outstanding taxes. But what does that have to do with road building? If, in fact, we can collect an additional $2.5 billion by doing this, shouldn't that money be put against the $400-billion deficit we are facing already?

Why is it an offset that generates its revenue amount over 10 years when the highway bill is only for 5 years? What is going to happen in year 6? Will all the road building the country needs be completed by then? Are there not any other roads going to need to be built in year 6? Are we not, then, just going to have to borrow even more money?

Mr. Speaker, the bill does make a very reasonable point that taxes must be indexed to inflation to keep from losing value every year. I found this quite ironic. That makes total sense. So it is applied to the gas tax; right? Wrong.

Mr. Speaker, here is my favorite phony pay-for. The bill's authors didn't have the political courage to deal with user fees for drivers, but instead are indexing taxes collected by the U.S. Customs Service. Now, that is really ironic, but that tax is easy to hide from constituents. Now Americans returning from overseas will pay more for them in taxes to pave our roads while people who use the roads simply look on and smile.

Yet, Mr. Speaker, there is more. There are modifications to royalty payments. Wow, that has got everything to do with roads. Or how about denying passports to those who have unpaid taxes? This is allegedly going to raise $350 million. Of course, that has nothing to do with roads, and, in fact, may not even be possible without all kinds of court trials and cases.

Mr. Speaker, I know you can sense my frustration. At the end of the day, this bill will pass, the President will sign it, and while everyone is patting themselves on the back for passing a long-term solution, we are going to continue to pile debt on our grandchildren.

We are so close, though, to getting this right. We streamlined the process to get roads built faster saving taxpayer dollars. We have returned more decisionmaking back to the States, and we have reduced the bureaucracy and red tape around transportation construction.

Mr. Speaker, the gentleman from Colorado and the gentleman from Georgia have eloquently explained some of the benefits of the piece of legislation. These are valuable and not insignificant reforms. It is because of these reforms that I am going to reluctantly support this bill in spite of these phony, god-awful pay-fors. Here is why: I realize that if this bill does not pass, what we will get instead is another extension of current policy and more borrowing, because that is what the Congress has done since I have been here.

So this goes back to the classic Sophie's choice I mentioned at the beginning of my conversation here. To get the good, I must accept the bad; to reject the bad, I must reject the good. If only this body, this Congress, had the political courage to tell the American people a simple truth: if something is worth buying, it is worth paying for. Taxing tomorrow should not replace living within our means today. It hurts future generations, and I am profoundly disappointed. We can and should do better for the people who sent us here to speak for them.

□ 0945

Mr. POLIS. Mr. Speaker, I yield myself 30 seconds before I further yield.

I agree with many of the critiques from the gentleman from Wisconsin. I think, when you pick apart a lot of the ways that this bill is paid for, you will find that they either won't generate the amount of revenue we think they will or you are borrowing from the outyears, meaning years 5 through 10, to effectively fund years 1 through 5. I know a lot of Members on both sides of the aisle will weigh that in their vote. I wish that the committee could have done better in finding pay-fors.

I would like to briefly address the national petroleum reserve. I think it is great that Democrats and Republicans are coming together around selling assets the Federal Government has that are nonproductive assets, like the petroleum reserve that was set up for a time when America relied on foreign oil. We are now net producers of crude oil.

I introduced an amendment that was not allowed for the energy bill yesterday to sell down the entire strategic petroleum reserve, which I think we should. However, the accounting for it in this bill shows us magically receiving twice the value per barrel for the price of oil than the futures market actually indicates that we would get. That is simply fictitious accounting in terms of how this bill is paid for.

I yield 5 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I am inclined to yield 5 more minutes to my friend from Wisconsin because I strongly, strongly agree with the framework that he advanced.

I have come to this floor repeatedly with a simple suggestion that we index the gas tax and move forward with paying for our future. It is, I think, an interesting question if we had followed regular order dealing with transportation funding, if we would have had a hearing that would have had the President of the AFL–CIO, had the President of the U.S. Chamber of Commerce, truckers, AAA, legislators from seven red Republican States that have raised the gas tax and the sky didn't fall come forward and talk to Congress about what would make a difference.

Because they have all agreed that we shouldn't be borrowing from the future, that we should right-size this, not playing budget games, and be able to have the most effective way to create millions of family wage jobs and show that we can do our job the same way that was led by President Eisenhower and President Reagan.

That said, I think this bill does represent an important step forward because there was some regular order followed by the committee. I take my hat

off to Chairman SHUSTER and Ranking Member DEFAZIO, who worked their way through a variety of contentious issues and brought forward a piece of legislation that provides modest, but important, increases in our funding programs.

It retains the basic structure. It has some improvements streamlining the process. It protects transit, safety, pedestrian, cycling programs, and a higher speed passenger rail. It speaks to a multiplicity of interests that Americans care deeply about.

It has embedded in it areas of innovation to encourage us to use technology to be able to improve the transportation system. I think there is no question that this is a new frontier, that 10 years from now we will not recognize much of what happens in the transportation space.

We will be able to coax more value out of our transportation system. We will be able to stretch dollars and unleash a great deal of innovation and activity. This legislation encourages that.

Part of the innovation is that, while I think we should index and raise the gas tax to actually adequately fund a robust bill, I think it is important for us to get rid of the gas tax and replace it with something that is sustainable over time.

And, again, this legislation has some provisions that will enable States to experiment with pilot projects like we have had in Oregon for the last 10 years for a fee that is based on road use, that would be sustainable, that would be fair, that actually could be adjusted in ways to help rural and small-town America and be able to give greater access to transportation in a more efficient fashion.

Mr. Speaker, I am hopeful that we will use the 5 years of stability, ending the saga of 35 short-term extensions because we wouldn't face the funding question.

I am hopeful that we will use these 5 years to be able to refine some of the improvements that are in it and to be able to directly face the question of whether or not we are going to pay for our transportation future, that we won't use gimmicks, that we will use the tried-and-true user fee and replace the gas tax with something that is better and more sustainable.

It is time to start building that foundation now. It is not just more money, but it is transforming how the transportation systems work. I think this bill gives us leverage to move forward on that. Rebuilding and renewing America is a nonpartisan issue. It is an issue that can actually bring us together while we make our communities more livable, our families safer, healthier, and more economically secure.

We can put millions of Americans to work at family wage jobs that will improve the quality of life for communities from coast to coast. This bill is a step in that direction. But it is only going to work if we accept our responsibilities to properly fund it, to face the future, and accept responsibility to do our job right. I hope we will.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to not just celebrate the successes that we are having today, but to associate myself with my colleagues who say the next round of hard work begins tomorrow.

There is a reason that we have the funding pay-fors that we have in this bill. It is not a lack of political courage. I have colleagues on both sides of the aisle who have courage to spare. It is a lack of trust.

When my constituents back home send me a dollar's worth of taxes and get 50 cents worth of road out of it, they say: ROB, what is the deal?

The streamlining that goes on in this bill grows that trust. The elimination of duplication, the focus on national priorities instead of pet projects, on and on and on, builds that trust.

The time to build that trust is before the next highway bill, not at the end of a highway bill cycle. There is a lot of work for each and every one of us to do in a bipartisan way to go out and build that trust.

I think about what my friend from Oregon said: We are going to squeeze a lot of efficiency out of our transportation system.

The innovation title in this bill is absolutely going to allow us to do more with less, which is precisely why constituents are worried about an indexed gas tax that puts transportation spending on autopilot, because all of our experience is, if you raise it, someone will spend it.

Balancing efficiency with productivity is a challenge that we all face that begins with trust generated back home, Mr. Speaker. My great hope is that the reforms in this bill, combined with the reforms in MAP–21, combined by the leadership that States and localities are taking with their own revenue bases, are going to create that trust for a generation to come.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Speaker, I thank the gentleman for yielding.

Like the others you have heard from this morning, I commend those who have worked so hard on this bill. But, like them, I, too, have reservations about the final product.

It continues to underfund our Nation's infrastructure and it relies on unsustainable revenue sources and budgetary musical chairs; yet, it does include some policy provisions that I believe will result in better project development and delivery.

I represent the heart of the Las Vegas Valley, a region that is home to over 2 million people. We receive and enjoy the visits of over 43 million people from around the world annually. Having a transportation system to safely and efficiently move these people and products around is vital to our economic success.

That is why I am thankful that this final report includes a number of provisions that I advocated for, including language to ensure our States and MPOs consider the needs of the traveling public when developing their long-term transportation plans.

The bill will also create a national travel and tourism advisory committee comprised of stakeholders from across the industry to develop a plan to identify and invest in infrastructure and operational improvements along the most important travel corridors.

In addition, the final bill includes language I submitted that will extend the authorization for the development of Interstate 11, a major regional project in the Southwest.

Lastly, the conference report includes provisions I advocated for in the committee to make our roadways safer for all users, not just cars and trucks, but pedestrians and cyclists who have seen increased accidents and fatalities in recent years.

For these reasons that affect my district and the rest of the country and for others that have been mentioned, I think the bill deserves support. While it is not perfect, it is a step in the right direction.

For that reason, I will vote for it. I urge others to do so as well.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to say I think my friend from Nevada missed one of those great successes that she had—I will call it the Rodney Davis-Dina Titus amendment—to make sure that localities have even more control over their spending decisions.

It is one of those episodes, Mr. Speaker, where folks didn't get everything they wanted, but because folks were in there advocating for their constituents throughout the entire process, we ended up further down the road today than we would have been yesterday but for the Davis-Titus team pushing forward on that language.

Mr. Speaker, that is what this bill is, and that is what regular order gets us. It is so frustrating. I feel like I am in a room full of racehorses here trying to wait for the doors to open. The gates have just come open, and we all want to get to the finish line.

Our new Speaker has made some commitments about bringing more involvement and individual Member participation in the process. That is new to this institution in many ways, Mr. Speaker, but it is not new to the Transportation Committee. It is not new to the work that you and I have been

doing on the committee for these past many months. That is why this bill is worthy of the support of so many of our colleagues.

I can go through a similar list as my friend from Nevada of ideas that came from the folks who lead back home. Folks who are in the tourism industry know more about tourism than those of us who are not, as do folks who are in the visitor industry, folks who are in the construction industry, folks who are in the concrete industry, on and on and on.

Mr. Speaker, when you open the process up, you end up with fewer folks with political agendas at the table. You end up with more folks with practical agendas at the table. When you open the process up, you don't end up with politicians looking for their own piece of the pie. You end up with the public sharing their expertise and their experience. That is how you end up with a bill like the FAST Act today.

Mr. Speaker, it has been a great pleasure for me to serve on the Transportation Committee with folks like the gentlewoman from Nevada, like the gentleman from Illinois, to be able to have a common goal—very different approaches on how you want to achieve that goal, very different constituencies pushing you towards that goal—but to know that, if you put in the time and if you put in the hours, you will get a result.

So often in this Chamber, Mr. Speaker, it seems like we are tilting at windmills. When I joined the Transportation Committee, I knew that we were not going to be tilting at windmills. We were going to be slaying a dragon. This bill slays that dragon today.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Mr. Speaker, I thank the gentleman for yielding.

I am pleased to be here as a conferee to the conference that worked to resolve the difference between the House and Senate versions on the surface transportation reauthorization.

A huge thank you goes to Chairmen SHUSTER and GRAVES and Ranking Members DEFAZIO and NORTON and their committees and personal staff for all the work that was put in to get us to this 5-year authorization.

The fact is that America is literally falling apart. I am glad that we are going to be sending the President a long-term authorization this week. Making our infrastructure work and work for us smarter is really critical.

□ 1000

The bill does a lot to support research, development, and the deployment of transportation technology.

I am pleased with the overall research title, including specific investments in hazardous materials, R&D, and traffic congestion mitigation, but I do have a couple of concerns with oversight.

The Intelligent Transportation Systems Joint Program Office was moved out of the Office of the Assistant Secretary for Research and Technology and into the Federal Highway Administration. We have to be vigilant that this move doesn't undermine the multimodal coordination of ITS research and development.

A new deployment program was funded through a large tax on existing R&D programs. While I support the deployment program, we shouldn't lose sight of the fact that today's R&D investments enable tomorrow's new deployment opportunities. So we shouldn't be shortsighted.

Nonetheless, I support the FAST Act. It is a bipartisan, bicameral, long-term authorization to fund highway transit, highway safety, motor carrier safety, hazardous material safety, and even passenger rail programs and projects.

Let me be clear. It is not the bill I would have written, and it is definitely not perfect, including some of the problematic pay-fors that have been discussed today. But it will provide certainty, invest in America's infrastructure, and create good-paying American jobs.

The bill is funded at the higher Senate-approved level, which is important.

I am happy to have worked in a bipartisan fashion with my colleagues on the floor and in committee to make a difference in people's lives.

In our region, our Senators, Representatives NORTON and COMSTOCK, and I have provided new and direct Federal oversight of the Washington Metropolitan Area Transit Authority.

We have also worked to include transit-oriented development eligibility in TIFIA. Yes, this would mean that many of the transit-oriented projects across the Nation, in the metropolitan Washington region, and in my county, Prince George's County, along the Green Line, will now be able to qualify for Federal financing because most transit-oriented development infrastructure projects are less than the $50 million threshold that TIFIA currently requires.

In working with several Members, we were able to restore funding for the High Density States program that will allow transit systems in these States to maintain jobs, service, and service frequency and continue to help those who rely on public transportation.

Though I oppose today's rule, we have to enact a bill that will construct and rebuild our road, bridge, transit, and rail infrastructure that creates jobs here at home and enables the United States to compete internationally in the 21st century.

This is a good first step. Let's not stop here. Let's continue to work in this fashion to rebuild America's infrastructure.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MAXINE WATERS), the distinguished ranking member of the Committee on Financial Services.

Ms. MAXINE WATERS of California. I thank Congressman POLIS for the time he has granted me.

Mr. Speaker, after more than 2 years of obstruction by a vocal, ideologically driven minority that led to a 5-month shutdown of the Export-Import Bank, I could not be more pleased to rise and speak in strong support of the provision in the conference report that would finally put the Ex-Im Bank back in the business of supporting U.S. jobs.

After having spoken with and having listened to the stories of countless users of the Ex-Im Bank, both in my district and across the country, I can tell you without a doubt that the 4-year reauthorization of the Bank in this conference report is absolutely necessary and essential to ensure that U.S. businesses, both large and small, can operate and survive in the global marketplace.

From the loss of satellite contracts in California, to the many potential job losses across this country, to offers from our foreign competitors that have urged American exporters to take their operations to Canada or overseas to Europe and China, there is no question that the shutdown of the Ex-Im Bank has done great damage.

In joining with Whip HOYER, Leader PELOSI, Representatives HECK and MOORE, as well as with Representatives FINCHER and LUCAS, we showed that a determined majority of Democrats and Republicans who work together will ultimately prevail.

It is time to put an end to this wholly destructive and entirely unnecessary period that has caused us so much pain and fear and hopelessness for so many businesses and workers across this country whose livelihoods rely on the Ex-Im Bank.

I urge the passage of the conference report.

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

Mr. POLIS. Mr. Speaker, I yield myself 1½ minutes.

Today, I recognize the patriotism and volunteer service of Major Fredric Arnold, a World War II P–38 fighter pilot in the Army Air Corps.

Mr. Arnold flew and survived 50 combat missions and was promoted to the rank of major at the age of 23. He received numerous medals, including the Distinguished Flying Cross and Air Medal with nine oak leaf clusters.

While assigned to the Office of Flying Safety, he wrote and illustrated the first ever flight training manuals for the P–38, P–47, P–51, and P–80 fighter aircraft, and he created educational air combat situation drawings for the P–38

Lightning, which saved the lives of inexperienced American pilots.

Today, at age 93, Mr. Arnold lives in Boulder, Colorado, where he is creating a monumental bronze sculpture, funded by The Radiance Foundation, which depicts 12 life-sized fighter pilots who are engaged in a World War II flight briefing, in order to honor the 88,000 airmen who lost their lives during the war and to ensure future generations remember the sacrifices that were made to protect our freedom.

This sculpture is entitled, ''Lest We Forget: The Mission,'' and it will be exhibited at the World War II Museum in New Orleans, Louisiana.

I am proud to recognize Major Fredric Arnold for his service as a fighter pilot and for his personal commitment to honor and help us all remember the aviators who served this Nation during World War II.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I would ask my friend from Colorado if he has any other speakers remaining.

Mr. POLIS. We are prepared to close if the gentleman is prepared to close.

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

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

If we defeat the previous question, I will offer an amendment to the rule to bring up bipartisan legislation that would close the loophole that allows suspected terrorists to legally buy guns. This bill would bar the sale of firearms and explosives to those on the terrorist watch list.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. POLIS. Mr. Speaker, a third of our Nation's major roads are rated as poor or mediocre, and one in four bridges is in need of significant repair or expansion, many of them dangerous, while 45 percent of Americans don't have access to public transit.

Congestion on our roadways has gotten so bad that Americans are wasting an average of 8.4 billion hours—that is 8.4 billion hours less in productivity—and 4.5 billion gallons of gas over a decade while being stuck in traffic.

The average commuters are wasting nearly $800 of their own money and 5 full days of their lives each year in traffic. In my district alone, population and congestion has far outpaced our ability to maintain our critical thoroughfares.

If you have ever been to Colorado, you will know that there is one way up to our world-class ski resorts and ski areas and unparalleled 14,000-foot peaks from the Denver metro area. It is called highway 70. If you have ever taken it on a Friday evening or on a Sunday evening, you have probably sat in your car at a dead stop, waiting at times perhaps even for hours.

If you have ever been to the largest city in my district, Fort Collins, home to one of our greatest universities, Colorado State University, you have probably found similar circumstances along highway 25 during rush hour.

The expansion of highway 25 and the high-speed rail along highway 70 have been given completion dates of 60 years from now. That isn't good enough. Fort Collins, Loveland, Boulder, Vail, Frisco, Breckenridge—none of these tourism- and recreation-driven communities can survive without making improvements for 60 years.

The future of these projects lies with a long-term, robustly funded surface transportation reauthorization. Our future depends upon our States' and municipalities' ability to rely on what level of Federal support they can expect to receive and what their Federal partnerships will look like year in and year out.

By providing consistency in funding levels and a several-year commitment to critical infrastructure projects, as we do today in this conference report, we open up a future for major highway improvements like those needed with highways 25 and 70 in my district and with highways and roads across the entire Nation.

While I have outlined the issues and misgivings I have with this bill—and I certainly agree with Mr. RIBBLE about the lack of courage this Congress has to actually pay for a bill and to instead devise clever gimmicks that only partially pay for the bill, including assuming that we are going to get twice the money per barrel for oil that the Federal Government owns and the actual market price would bear—I think that this bill, nevertheless, is a step forward over continued short-term reauthorizations, which I have been voting against the last several times they have come before us and which, I should point out, also generally include gimmicky ways of paying for it.

So if this Congress, which it seems to have done, has chosen not to address the real issue of how to pay for something and has chosen to instead use gimmicks, it is still better to do that in a predictable manner rather than to come up with a new gimmick every 60 days—a gimmick of the month, if you will—which is what this Congress has been doing throughout this year.

I thank my colleagues for the inclusion of my amendments in this bill, particularly an amendment to designate Highway 70 from Denver to Salt Lake City as a High Priority Corridor. That provision will open up funding sources and opportunities for a highway that has been a nightmare for residents, for tourists, and for freight truck drivers for decades, particularly during its busiest times.

I appreciate the committee's desire to be transparent and receptive to ideas brought by Members who don't serve on the committee.

I am hopeful that what happened here this week, as my colleague from Georgia started out by saying, not only with the surface transportation reauthorization but also with the Elementary and Secondary Education Act, is only a beginning—a beginning of big things, of good things, of hard compromises, of the success of regular order, of discussions between the House and the Senate that will hopefully bode well for future developments.

I am hopeful that we can get back to work after a long hiatus of gridlock and grandstanding. I hope this is the first of many.

I congratulate my colleagues for coming together on such a pivotal piece of legislation.

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

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

We have talked about how much work has gone into this bill—not days, not weeks, not months, but even years in trying to get here.

I want to say what I said when I began, which is, when Democrats controlled every single lever of government, they could not get a bill like this done. When Republicans controlled every single lever of government, we failed to get a bill like this done. Today, with the leadership of BILL SHUSTER and Mr. DEFAZIO, we are getting that done.

But it is not just at the Member level. And I want to associate all of the hard staff work that goes into making something like this happen, Mr. Speaker. Chris Bertram, our staff director over on the Transportation and Infrastructure Committee; Matt Sturges, our deputy staff director over on the Transportation and Infrastructure Committee; Collin, Geoff, Murphie on my own staff, Alex Poirot—folks who have put in hour after hour after hour, right through the Thanksgiving holiday, making sure that America's priorities get done.

Folks back home don't care how much hard work it takes; they care that we put in the hard work. And this is an example of that success today.

Mr. Speaker, so often, I hear my colleagues say, ''If I had written this bill myself, it would have been different.'' Generally, when I hear my colleagues on the other side of aisle say, ''If I had written this bill it would be different,'' I think, ''Thank goodness you didn't write this bill.'' I have no doubt that they think the same thing when I say that.

We rarely get everything that we want, but we rarely have an opportunity to come together and be as successful as we are today.

The only roadblock between us and a long-term transportation bill for the first time in more than a decade is my yielding back the balance of my time.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 546 OFFERED BY MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule. . . . because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 243, nays 179, not voting 11, as follows:

[Roll No. 666]

YEAS—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—179

Adams
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego

Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Aguilar
Cuellar
Johnson, Sam
Maloney, Carolyn
Meeks
Payne
Rokita
Ruppersberger
Sanchez, Loretta
Takai
Williams

□ 1042

Messrs. WALZ, LEVIN, and Ms. ESHOO changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 384, noes 40, not voting 9, as follows:

[Roll No. 667]

AYES—384

Abraham
Adams
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Benishek
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McDermott
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Palmer
Pascrell
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Rush
Russell
Ryan (OH)
Salmon
Sanford
Sarbanes
Scalise
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—40

Becerra
Bera
Cárdenas
Castro (TX)
Clark (MA)
Clarke (NY)
Crowley
Delaney
Edwards
Fudge
Graham
Grijalva
Gutiérrez
Huffman
Jeffries
Kennedy
Lieu, Ted
McCollum
McGovern
McNerney
Moore
Neal
Pallone
Pelosi
Perlmutter
Peters
Pingree
Rangel
Ruiz
Sánchez, Linda T.
Schakowsky
Slaughter
Speier
Thompson (MS)
Tonko
Van Hollen
Veasey
Velázquez
Visclosky
Yarmuth

NOT VOTING—9

Aguilar
Cuellar
Johnson, Sam
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Williams

□ 1051

Ms. KELLY of Illinois, Messrs. CUMMINGS, ASHFORD, BRAT, MOULTON, and BUTTERFIELD changed their vote from ''no'' to ''aye.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2015

The SPEAKER pro tempore (Mr. HULTGREN). Pursuant to House Resolution 542 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 8.

Will the gentleman from Illinois (Mr. RODNEY DAVIS) kindly take the chair.

□ 1053

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes, with Mr. RODNEY DAVIS of Illinois (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, December 2, 2015, amendment No.

38 printed in House Report 114–359 offered by the gentleman from New Jersey (Mr. NORCROSS) had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114–359 on which further proceedings were postponed, in the following order:

Amendment No. 26 by Mr. CRAMER of North Dakota.

Amendment No. 30 by Mr. ROUZER of North Carolina.

Amendment No. 37 by Mr. PALLONE of New Jersey.

The Chair will reduce to 2 minutes the minimum time for any electronic vote in this series.

AMENDMENT NO. 26 OFFERED BY MR. CRAMER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Dakota (Mr. CRAMER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 252, noes 170, not voting 11, as follows:

[Roll No. 668]

AYES—252

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
DeFazio
DeGette
Denham
Dent
DeSantis
DesJarlais
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Luján, Ben Ray (NM)
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—170

Adams
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costello (PA)
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
O'Rourke
Pallone
Pascrell
Pelosi
Pingree
Pocan
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sanford
Sarbanes
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Aguilar
Cuellar
Diaz-Balart
Johnson, Sam
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Schakowsky
Takai
Williams

□ 1058

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 30 OFFERED BY MR. ROUZER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. ROUZER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 247, noes 177, not voting 9, as follows:

[Roll No. 669]

AYES—247

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)

Kirkpatrick
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pingree
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—177

Adams
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Peterson
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Aguilar
Cuellar
Johnson, Sam
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Williams

□ 1103

Mr. COSTELLO of Pennsylvania changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 37 OFFERED BY MR. PALLONE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. PALLONE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 243, not voting 9, as follows:

[Roll No. 670]

AYES—181

Adams
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meehan
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)

Smith (NJ)	Valadao	Wilson (SC)
Smith (TX)	Wagner	Wittman
Stefanik	Walberg	Womack
Stewart	Walden	Woodall
Stivers	Walker	Yoder
Stutzman	Walorski	Yoho
Thompson (PA)	Walters, Mimi	Young (AK)
Thornberry	Weber (TX)	Young (IA)
Tiberi	Webster (FL)	Young (IN)
Tipton	Wenstrup	Zeldin
Trott	Westerman	Zinke
Turner	Westmoreland	
Upton	Whitfield	

NOT VOTING—9

Aguilar	Meeks	Sanchez, Loretta
Cuellar	Payne	Takai
Johnson, Sam	Ruppersberger	Williams

□ 1106

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. RODNEY DAVIS of Illinois, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes, and, pursuant to House Resolution 542, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. CARTWRIGHT. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CARTWRIGHT. I am opposed to it in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Cartwright moves to recommit the bill H.R. 8 to the Committee on Energy and Commerce, with instructions to report the same back to the House forthwith, with the following amendment:

At the end of the bill, add the following:

TITLE ___—CLIMATE CHANGE

SEC. _____. CLIMATE CHANGE IS REAL.

In response to the overwhelming scientific consensus that climate change is real, United States energy policy should seek to remove market barriers that inhibit the development of renewable energy infrastructure.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. CARTWRIGHT. Mr. Speaker, this motion represents an opportunity for Members of this House to acknowledge that climate damage is a threat, and that we have a moral obligation to fight it, an opportunity for Members to bring themselves into line with the overwhelming weight of scientific research and authority, bring themselves into line with a huge and growing mass of American corporations that have acknowledged climate damage, and have taken green energy pledges.

It is an opportunity for Members to bring themselves into line with over 200 other nations that are gathering, even as we speak, in France, people who are baffled that responsible adults in elected positions in our Nation continue to deny what is reality.

And it is an opportunity for Members to avoid a danger, a danger that their pollsters and their party leaders and their political advisers have failed to warn them about, and that is the danger of the judgment of history.

Make no mistake, future generations are watching. In fact, they are already judging our actions. Our young people in this Nation understand that they are the ones who will pay dearly for the politics that has taken over this issue, the politics that lead this Congress to inaction, despite the outcry from the scientific and worldwide community that we must act before it is too late.

Mr. Speaker, I am not here to condemn Members for initial hesitation on climate damage. Who am I to judge? After all, as humans, when we discover a threat, at first it is reasonable and natural for us to question or attempt to deny that the threat is real, especially when it is the kind of threat that, to meet it, requires strong, immediate, and decisive action.

In fact, denial is such a common reaction that aircraft pilots call it ''normalcy bias,'' the initial refusal to believe that things are not normal, the desire to not believe the warning signals when they say something is gravely wrong. They teach pilots about normalcy bias because, when the warning lights go on, wishing those lights were off or hoping that they are wrong is not a valid course of action. Instead, it is the very most dangerous way of handling the situation.

Mr. Speaker, the warning lights are on. So what we need to do is get past our denial phase, get past our normalcy bias, and take strong, immediate, and decisive action. And I say to you, that is the American way of handling a threat to our people.

What we do here in America, the best of us, we examine it closely, a threat. We put our best minds on the problem, and we tackle the problem and take immediate, strong, and decisive action.

□ 1115

That is how the bravest and the best of us in America have always behaved in the face of threat, and that is how the Greatest Generation did it. Sticking our heads in the sand, pretending a serious problem will go away on its own, and doing nothing in the face of a grave threat is not the American way, and it never was.

Again, Mr. Speaker, I am not here to condemn anyone for his or her initial hesitation on climate damage. Instead, I offer this opportunity to my colleagues across the aisle because I refuse to believe that they truly do not understand the climate crisis we face.

I present this motion to recommit as a chance for this Congress to avoid the harsh light and the implacable judgment of the historians, who will not hesitate to include us on their lists of the greatest ignoramuses of all time, to lump us in without fear of contradiction, with the worst, lantern-jawed simpletons of history, historians who will unmercifully tell our grandchildren and their grandchildren just how dumb we were if we do not take action to prevent damage to our climate.

So I invite my fellow Members, all of you, vote ''yes'' on this motion, acknowledging that climate change is real. The warning lights are on, they are brighter than ever, and the rest of the world is taking them seriously. Let's show the world and all of history that America is ready to take the lead in tackling this threat.

I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Speaker, the world does face many challenges and risks, and when it comes to climate change, we on this side believe that we have to take an economically realistic and pragmatic approach.

To address climate as well as other risks, we support policies that will promote access to affordable and reliable energy that allows our communities to grow economically, to adapt to changes, and to be resilient both now and in the future. We also support technological innovation and the development of resilient, efficient infrastructure both to reduce emissions and to withstand climate-related events regardless of their causes.

The underlying bill that we are about ready to pass promotes access to affordable and reliable energy, diversity, efficiency, and modernization of all of our energy infrastructures. Passage of this bill would help ensure that we have critical energy infrastructure in place to withstand new threats, whether they be from climate or other risks such as terrorism and cyber attacks.

I would note, Mr. Speaker, that here in the United States, thanks to innovation—as we have expanded access to our abundant energy supplies as we have over the last couple of decades—energy-related carbon dioxide emissions have actually significantly declined, and they are projected to remain below 2005 levels through 2040 and will continue to decline as a share of worldwide emissions, particularly when compared to other nations like India and China.

So for those reasons, Mr. Speaker, I urge my colleagues to vote ''no'' on the motion to recommit.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. CARTWRIGHT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 243, not voting 10, as follows:

[Roll No. 671]

AYES—180

Adams
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—10

Aguilar
Cuellar
Delaney
Johnson, Sam
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Williams

□ 1124

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. DELANEY. Mr. Speaker, I was unable to cast my vote on rollcall No. 671. Had I been present to vote on rollcall No. 671, I would have voted ''aye.''

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. PALLONE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 249, noes 174, not voting 10, as follows:

[Roll No. 672]

AYES—249

Abraham
Aderholt
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman

Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—174

Adams
Amash
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Aguilar
Cuellar
Johnson, Sam
Lawrence
Meeks
Payne
Ruppersberger
Sanchez, Loretta
Takai
Williams

□ 1131

Mr. SEAN PATRICK MALONEY of New York and Ms. KAPTUR changed their vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. KUSTER. Mr. Speaker, during rollcall Vote No. 672 on H.R. 8, I mistakenly recorded my vote as ''yes'' when I should have voted ''no.''

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 8, NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2015

Mr. UPTON. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 8, to include corrections in spelling, punctuation, section numbering and cross-referencing, and the insertion of appropriate headings.

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

There was no objection.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill, H.R. 8.

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

There was no objection.

CONFERENCE REPORT ON H.R. 22, SURFACE TRANSPORTATION REAUTHORIZATION AND REFORM ACT OF 2015

Mr. SHUSTER. Mr. Speaker, pursuant to House Resolution 546, I call up the conference report on the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 546, the conference report is considered read.

(For conference report and statement, see proceedings of the House of December 1, 2015, at page 18991.)

The SPEAKER pro tempore. The gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Oregon (Mr. DEFAZIO) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the conference report to accompany H.R. 22.

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

There was no objection.

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

I am very pleased that today the House is considering the conference report to H.R. 22, the Fixing America's Surface Transportation, or the FAST Act.

I believe this bill will be one of the most important things this Congress can accomplish for our country. This conference report is appropriately named the FAST Act for a few reasons.

It will certainly help fix America's surface transportation infrastructure. The process has been fast. In fact, from the day of introduction until today is 44 days that we have moved this bill forward; so, it happened fast.

I think some of our staff, who worked very hard in this process to help get this bill done, actually had to fast over the Thanksgiving holiday. So my thanks go out to staff on both sides of the aisle for working through the holiday as they did to get this bill put together and brought to the floor.

Ranking Member DEFAZIO and I worked diligently with our House and Senate conferees to put together this conference report. I want to thank Mr. DEFAZIO for all his efforts.

Before I describe the transportation provisions in the conference report, I do want to note that the conference report includes numerous other provisions that were in either the House- or the Senate-passed versions of the bill. These provisions are in the jurisdiction

of the Committees on Ways and Means, Financial Services, Energy and Commerce, Natural Resources, and Judiciary.

Mr. Speaker, since I became chairman, one of my top priorities has been to pass a long-term surface transportation reauthorization bill. For the last year and more, I have traveled across the country to talk to transportation and business leaders about the need for a reauthorization bill. What I have heard is that all States and communities have significant infrastructure needs and they all need long-term certainty to address them.

The FAST Act represents a bipartisan and bicameral agreement to provide that certainty. This is the first time we have come together in a long-term bill in 10 years. It is fully paid for and reauthorizes Federal surface transportation programs for 5 years.

It improves our Nation's infrastructure, including our roads, public transportation, and rail systems; reforms our Federal transportation programs; refocuses these programs on national priorities, including the flow of freight and commerce; provides greater flexibility for States and local governments to address our needs; streamlines the Federal bureaucracy and accelerates project delivery; promotes innovation to make our surface transportation system and programs work better; and maintains a strong commitment to highway, rail, and hazmat safety.

This bill also includes robust reforms of Amtrak, which the House already passed overwhelmingly this year. It cuts waste, holds Amtrak accountable, and increases transparency. It enhances opportunities for competition on routes and increases private sector participation in station development and right-of-way leveraging. It gives States more power and control over their Amtrak routes.

This legislation has wide support from throughout the stakeholder community.

The FAST Act invests in America, continues the essential Federal role in transportation, and helps keep our country economically competitive.

I strongly urge all my colleagues to support this conference report.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield myself 4 minutes.

I want to thank the chairman and the chairman of the subcommittee for their tremendous cooperation and hard work.

I certainly want to thank the staff, who spent the whole Thanksgiving break pulling this together and negotiating with the Senate, and I want to thank our colleagues in the Senate.

We have something that is very rare in Washington, D.C., these days here on the floor of the House: a truly bipartisan approach to very real problems confronting our Nation.

I have been to the floor many dozens of times to talk about our country falling apart, and I won't reiterate all those statistics again today. They are in the RECORD.

But this is now 10 years and 3 months since Congress last passed a long-term bill. This 5-year bill will give States and local jurisdictions, cities, and counties the capability of dealing with bigger problems that confront our system of transportation.

The series of short-term fixes we have had over the last 5 years and 3 months, or the MAP–21 bill, did not give them the long-term certainty they needed.

There is predictability in this bill. They know how much money they will be receiving, and the levels are higher than current expenditures.

Sure, I think we should invest more, but the bill also contains a provision I championed that says, should a future Congress allocate more funds to Transportation and Infrastructure, that money will flow through the policies and the formulas in this bill with no further action required and no tampering by this or future Congress; i.e., it would be expedited and it would go right into the investments we need to put more people back to work.

This will be the biggest jobs bill passed by this Congress. There is no way we can do more for the American economy than making these long-term investments, putting hundreds of thousands of people to work rebuilding our critical infrastructure. It also doesn't just go to construction, design, engineering, and small business, as do highway contracts. It also has a major investment in transit.

We increase the Buy America percent for transit vehicles to 70 percent. So that will create more American jobs. There are many other critical things.

We create for the first time—amazingly, for the first time, given the importance of our country—a major Federal freight program, an intermodal Federal freight program, that will help us be more competitive in the world economy and make major investments in more efficiently moving goods into our country and out of our country in accessing ports.

It invests in workers with reforms of the workforce retraining program. It promotes local control. We are increasing the share that flows through to local jurisdictions. The chairman already addressed that. It invests in all modes. It preserves the existing split between transit and highways and includes alternate modes.

It includes a new safety grant program to prevent bicycle and pedestrian deaths, which would go to local or State jurisdictions that put forward comprehensive plans that deal with that growing problem.

It provides grants to States that come up with innovative future ways to fund transportation for them to experiment, laboratories around the country experimenting with vehicle miles traveled or other programs that could pave the way for future bills in terms of spending and investing in our infrastructure.

It improves hazmat safety very significantly in this bill. It also invests in rail—Amtrak—and will help local communities who are dealing with passenger commuter rail implement positive train control.

This is a true bipartisan product. I recommend a ''yes'' vote.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. GRAVES), the chairman of the Subcommittee on Highways and Transit.

Mr. GRAVES of Missouri. Mr. Speaker, I rise today in enthusiastic support for this conference report, which reauthorizes the surface transportation program for 5 years.

Mr. Speaker, I would argue that few investments made by the Federal Government are more important than the ones we are discussing here today. We depend on a very well-run transportation network for just about everything we do in this country. Improving that system becomes more critical as we become more mobile as a society.

In the immediate future, this conference report is going to allow States to plan and execute some much-needed infrastructure repair. In Missouri alone, long-term surface transportation reauthorization translates into improvements for 35,000 miles of highway and 10,000 bridges.

Specifically, this conference report reforms the Federal Motor Carrier Safety Administration and increases transparency within its compliance, safety, and accountability program. These reforms will fundamentally change the way the agency analyzes and develops rules for the trucking industry.

This is an industry that we all rely on as Americans, but Federal regulations continue to make it harder and harder for small and independent truckers to do business.

The FAST Act also increases efficiency within high-cost construction programs. It uses existing funding to develop a new formula for highway freight projects and creates a competitive grant program for projects of national or regional importance.

While this 5-year reauthorization is fully paid for, it doesn't address the long-term funding issues staring down the highway trust fund. That is why we directed research into more sustainable long-term funding sources, including a user-funded model that does more than just rely on the existing gas tax.

But, looking ahead, this bill sets the stage for us to continue reshaping and rethinking America's transportation

network. It will allow us to modernize roads and transit systems using innovations from the private sector. It is going to help us employ advances in technology and interconnectivity to improve safety on America's highways.

Ultimately, this report guarantees that local governments are going to no longer be forced to operate off of one short-term extension after another. This gives the States the certainty and the funding they need to improve their roads, rebuild their bridges, and invest in their infrastructure.

I am proud of the bipartisan work that the House and the Senate have done to finalize this long-term Federal reauthorization. I would like to echo the words of the ranking member.

This was a very bipartisan bill. Thanks to Ranking Member DEFAZIO, Chairman SHUSTER, and Ranking Member NORTON, I think we did a fantastic job when it comes to putting the bill together. I look forward to seeing the President sign it.

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Mr. DEFAZIO. Mr. Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), the ranking member on the subcommittee.

Ms. NORTON. Mr. Speaker, the reputation of our committee is that we are the most bipartisan committee in the Congress, and I think we have shown it with this bill.

I can't thank my partners enough—Mr. GRAVES you just heard from; Chairman SHUSTER; Mr. DEFAZIO, who is the ranking member; both good friends and, of course, the staff—for their countless hours, including missing Thanksgiving. I particularly thank the conference committee Members because this bill needed compromises on both sides if we were going to get it done this year, and that is what we have done.

This bill was improved in conference in many ways. If you are in the States, you will probably say the most important way is that you are getting more funding than anticipated. There was a tradeoff, of course, because it is now a 5-year rather than a 6-year bill, and we needed the longest term bill we could get; but it does mean almost $13 billion more annually in funding for the States, and they were so starved for funds that, I believe, this 5-year tradeoff was most important for us and for them.

The reason I have come to the floor with this chart is not to show you something about my own district, but because this chart is emblematic of what this bill will do for your district and for districts all over the United States. I chose it because one of my major projects is the H Street Bridge. I didn't just choose a bridge; I chose a bridge with intermodality at its vortex. This is the bridge that runs over Union Station. All you have to do is look at it, and you will see the trains; and there is freight beneath this bridge, and major freight is in this bill. You will see Amtrak. Across the H Street bridge itself runs inner-city buses, local buses, and streetcars.

You see how transit is the key to development itself. So, if you don't get the transit done, if you don't get the infrastructure done for our bill, then other infrastructure which depends on it will not occur.

We are trying to expand Union Station here. This bridge has to be done if they are to accomplish this. They are going to expand the Union Station concourse. This bill will allow the improvements in the Northeast corridor, which is so important to so many Members. In a real sense, this bridge and this poster tell the story of this bill.

There were so many of my major priorities in this bill that I would just like to say something about a couple of them.

One is the way we are now trying to get a hold of the highway trust fund which is a trust fund in name only—the $15 million to $20 million—that will allow for the States to experiment with new ideas. States are the only ones that are doing it, which is going to be absolutely necessary before the next long-term bill. We didn't have anything of the kind in MAP–21.

Look what we had to do instead. We took money to pay for this bill, for example, from the Federal Reserve and from the strategic oil reserves, for the first time in history—that is the cutest one—because oil is worth less than when it was used as an offset. We had to face down this highway trust fund, and that is why my major priority was new trust fund ideas.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mrs. NAPOLITANO. I yield the gentlewoman an additional 30 seconds.

Ms. NORTON. Finally, I want to say that I am very pleased that we worked together to get the Disadvantaged Business Enterprises provision done, and there is funding in this bill for a very important issue in our country for grants to address racial profiling.

Mr. SHUSTER. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. DENHAM), the chairman of the Subcommittee on Railroads, Pipelines, and Hazardous Materials. The gentleman did a lot of work on the Amtrak bill, which made it into this final bill.

Mr. DENHAM. Mr. Speaker, first of all, I appreciate the opportunity to have been a conferee on this important piece of legislation.

This piece of legislation was a bipartisan effort between not only Republicans and Democrats in the House, but as a conferee who has been working between the House and the Senate, we have now culminated a number of different issues that, for years, we have had hearings on. Specifically, in the subcommittee that I chair—Railroads, Pipelines, and Hazardous Materials—we are dealing with passenger rail in this bill, with rail safety, and with hazardous material.

Under the hazmat title of this bill, it contains many important provisions on crude-by-rail safety:

First, we require all new tank cars carrying flammable liquids to actually have a thermal blanket and top fittings protection, which is something that the DOT failed to include in its rule;

We also ensure that railroads provide States and local emergency responders with information on crude-by-rail shipments within their States. In my community, this is a huge issue for our first responders, who want to know exactly what is traveling through our community;

We also include a provision that fixes a loophole that would have allowed more than 35,000 legacy DOT–111—these old tank cars—to actually remain in service.

The rail title follows closely the PRRIA bill of 2015—the passenger rail reauthorization—which we passed out of this House in March of this year:

In the bill, we reform Amtrak to actually run more like a business, ensuring that Northeast corridor profits get reinvested into the corridor and make Amtrak more accountable to the States;

In the wake of the Philadelphia crash, we make a number of safety improvements, including having cameras in the locomotives. I will remind you that the purpose of this video footage is to assist crash investigators, which is something that would be important in Philadelphia. Let's make sure that this does not punish or retaliate against the employees.

Separately, this bill includes reforms that I have long championed and have based on legislation that I have authored in committee, the NEPA Reciprocity Act. We need to eliminate the duplicative environmental reviews. It will save us millions of dollars and years in project delivery time while still ensuring that appropriate steps are taken to mitigate the environmental impact. In California, we have the California Environmental Quality Act. We want to make sure that we have a strong environmental policy. Let's just not waste years in duplication to get these projects done. Let's do them quickly. Let's do them efficiently. Let's save millions of dollars in the process.

The bill also provides a much-needed boost in funding to fix our crumbling bridges in our communities. In my community, I continuously talk about the Seventh Street Bridge in Modesto. It is ridiculous that we have any bridges that are below satisfactory, but in this case, this bridge is rated 2 out of 100.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SHUSTER. I yield the gentleman an additional 1 minute.

Mr. DENHAM. It is so bad that we don't allow school buses on this. We have passenger cars as well as trucks—trucks that carry goods through Modesto and through our community—yet it is unsafe for school buses and our kids. This much-needed bridge funding will help us to fix many of these threats around our State and around the country.

Finally, this legislation will codify pets on trains. For years now, pet owners have been able to take their pets on airplanes. I can go from California to D.C. with my dog; yet I can't take my small dog onto Amtrak. This now changes that. I know that it is a big deal for those who travel on trains frequently to be able to take their pets with them.

In conclusion, this is a great bipartisan, long-term highway bill, and I am excited that we are going to finally give certainty to our States.

Again, I thank the chairman, Mr. DEFAZIO, and Mr. CAPUANO—all who worked hard to make this a great bipartisan effort.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Speaker, I rise in strong support of the conference report on H.R. 22, the FAST Act. I do associate myself with the remarks of Chairman SHUSTER, of Ranking Member DEFAZIO, and, of course, of their extraordinary staffs, including mine, who have been very effective in working on this very bipartisan and very thorough bill.

I have been honored to serve on the conference committee, thanks to Leader PELOSI's appointment. I especially thank our transportation stakeholders in my district—California, of course—for their input on the policies included in this bill, which will benefit not only California but many of our Nation's constituencies by improving their commutes, by enhancing the transportation of goods to market, and by increasing transportation safety and air quality.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. DEFAZIO. I yield the gentlewoman an additional 30 seconds.

Mrs. NAPOLITANO. Those entities that really sent good, solid information to this committee were the San Gabriel Valley Council of Governments, the San Gabriel Valley Economic Partnership, the Alameda Corridor-East Construction Authority, the Foothill Transit, the Gold Line Foothill Transit Project, the Gateway Council of Governments, the Access Services of Los Angeles, the LA Metro, the Southern California Association of Governments, Caltrans, the California Department of Natural Resources, and the California Department of Labor.

I ask my colleagues for their support, and I ask for an ''aye'' vote from all of us. This is a great bill thanks to their bipartisan support.

Mr. Speaker, I include for the RECORD a list of the items that were able to be included in the bill.

OVERALL FUNDING LEVELS

The bill authorizes Highway, Transit and Railroad programs at $305 billion over 5 years. $281 billion is directly funded from revenues in the bill (aka ''contract authority programs'') which is for highway programs and most transit programs. This is $12.8 billion higher than the House passed bill. This higher funding level was requested by California transportation agencies including Caltrans, the Metropolitan Planning Organizations (MPOs) and the California Councils of Governments (COGs).

$24 billion is authorized to be appropriated annually. The programs needing appropriations are New Starts Transit construction grants (which the larger California Transit Agencies strongly support) and Amtrak passenger rail investments (California has 3 of the top 5 Amtrak rail corridors).

LOCAL CONTROL—INCREASED LOCAL SUBALLOCATION OF TRANSPORTATION FUNDING

The bill increasie's the percentage of funds that flow directly to local regions (instead of the State) within the Surface Transportation Program (STP) from the current 50% to 55% (1% per year). This issue was supported by CAL COG and local CA Transportation agencies.

TRANSIT FUNDING INCREASES

The bill provides $13 billion over 5 years for the state of good repair transit formula program. These funds are distributed to state and local governments for repairs and upgrading of rail and bus rapid transit systems. This is a 20% increase over current funding. The bill provides $3.7 billion over 5 years for bus and bus facilities and sets aside $1.5 billion for a competitive bus grant program. This is a 75% increase over current funding. California Transit agencies strongly supported increased transit funding.

FREIGHT PROGRAMS

The bill creates two funded freight programs. The first is a Formula Freight program funded at $6.3 billion over 5 years which is allocated to the states. The second is a Nationally Significant Freight and Highway Projects Competitive grant program funded at $4.5 billion over 5 years that state and local governments can apply for.

Creating these funded freight programs was a big priority of California Transportation agencies including Caltrans, California Association of Councils of Governments, League of CA Cities, Metropolitan Transportation Commission of the SF Bay Area, Southern California Association of Governments, San Diego Area Association of Governments, L.A. Metro, and Sacramento Area Council of Governments.

In addition, language was included that many CA Transportation agencies care about to make local transportation agencies (such as JPA's) eligible recipients of grant funds and to address local environmental impacts of freight movement.

TRANSPORTATION ALTERNATIVES—BICYCLE, PEDESTRIAN, TRAILS, SAFE ROUTES TO SCHOOL PROJECTS

The bill funds transportation alternatives at $835 million per year in 2016 and 2017 and $850 million per year in 2018, 2019 and 2020, which is more than the House bill level of $819 million per year. The bill gives Metropolitan Planning Organization's (MPO) new flexibility to use up to 50% of this funding for other Surface Transportation Eligible projects. California transportation agencies, environmental organizations, bike associations, and safe route to school advocates strongly support this program.

TIFIA LOAN PROGRAM

The TIFIA loan program is funded at $275 million/year in FY16 & 17 and $300 million/year in FY18, 19, 20. This is more than the $200M/yr in the House bill. TIFIA is strongly supported by many California transportation agencies (especially those with local transportation funding sources such as sales tax measures) because they can use the government backed loans to expedite their projects and save money in the long run.

Language was included to allow unused TIFIA funds to go back into TIFIA and to provide eligibility to Transit Oriented Development projects. This language was also a priority of CA transportation agencies.

RAILWAY HIGHWAY GRADE CROSSING PROGRAM

The bill maintains the current railway-highway grade crossing program and increases funding by $5 million/year to $245 million in FY20. California Transportation agencies, including the Alameda Corridor East Construction Authority in my district strongly support this program because safety issues around highway rail grade crossings are a big concern in our state.

POSITIVE TRAIN CONTROL GRANTS

The bill provides $199 million for positive train control grants that commuter railroads can apply for. This was a big priority of Metrolink as they are currently developing and implementing positive train control safety systems.

NEW STARTS TRANSIT CONSTRUCTION PROJECT CHANGES

The bill allows local transportation agencies to use Surface Transportation Program funding as the local match for New Starts. This was a priority of CA MPOs and CALTRANs because the original House bill prohibited this flexibility in funding.

TRANSIT WORKFORCE TRAINING PROGRAMS

The bill focuses transit workforce training programs on the front line workforce (bus drivers, rail operators, mechanics, etc.). The bill also focuses on career opportunities for underepresented populations, including minorities, women, veterans, low-income, and the disabled. This was a priority of LA Metro and California Transit Unions.

TRANSIT OPERATOR SAFETY

The bill requires DOT to perform a rulemaking on transit operator safety to address the growing concern of violence against transit workers. This was a priority of California Transit Unions.

ALLOWING PARATRANSIT COORDINATED FARE STRUCTURES TO CONTINUE—LOS ANGELES COUNTY ISSUE

The bill allows Access Services paratransit provider of Los Angeles County to continue using a tiered, distance-based coordinated paratransit fare system. For over 20 years, Access Services has had a DOT approved tiered fare structure that averages all the fares of 44 transit agencies into 2 fares. For riders traveling under 20 miles the fare is $2.75 and for riders traveling over 20 miles the fare is $3.50 (these paratransit fares are dramatically lower than the rest of the country). DOT was going to require Access Services to change their fare structure by Jan. 1,

2016 based on confusing formulas for each individualized trip a disabled customer takes. 95% of the public comments from the ADA community strongly opposed this change. This provision will allow Access to continue operating with their current tiered fare structure.

BUY AMERICA

The bill increases the domestic content requirement for buses and transit rail cars from 60% to 70%.

INNOVATIVE FUNDING ALTERNATIVES GRANT PROGRAM

The bill creates a $15–$20 million/year grant program to allow states to experiment with alternative transportation user fees such as vehicle miles traveled taxes. California would benefit from this program because we are implementing one of the only alternative transportation user fee pilot programs in the country.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

The bill creates a new Bureau within the office of the Secretary to streamline the administration of the TIFIA and RRIF loan programs, private activity bonds, and the new freight program. California and Los Angeles County in particular has been a large recipient of TIFIA and RRIF loans but many agencies have complained at how long, burdensome, and bureaucratic the process is. This Bureau will address these concerns.

FUNDING FOR LOCALLY OWNED BRIDGES ON THE FEDERAL-AID HIGHWAY SYSTEM

The bill fixes a major concern Los Angeles County had with the last transportation bill (MAP–21) which only allowed bridges on the National Highway System to be funded by the National Highway Performance Program. A lot of locally owned bridges in California are on the federal-aid highway system and previously received direct bridge funding but no longer do because they are not on the National Highway System. This bill allows all locally owned bridges on the federal-aid highway system to be eligible for funding in the National Highway Performance Program.

PARK AND RIDE RELINQUISHMENT

The bill allows states to relinquish ownership of park-and-ride lots to local governments if they wish. This was a big priority for CALTRANs and local CA MPOs like LA Metro because some local agencies would like to take ownership of state park-and-rides in order to invest in them and improve their performance within regional, multimodal transportation systems.

HOV DEGRADATION STANDARDS IMPACT ON CALIFORNIA

The bill allows for California or a local transportation agency to apply for a waiver from the current HOV degradation standard. It also requires the state or local agency to have a plan to improve their HOV operations. Fixing problems with how the current HOV degradation standard works in California was a major priority of CALTRANs and local MPOs.

The current HOV degradation standard requires HOV lanes to maintain an average speed above 45 mph 90 percent of the time during peak hours. This standard does not take into account the specific transportation concerns of each state. The most recent data indicates that 60 percent of California's HOV network is degraded under the current federal standard, but it also indicates that ''recurrent congestion'' is not a primary source of degradation in California. Other variables such as inclement weather, traffic incidents, or unforeseeable nonrecurring congestion have a greater impact on HOV lane performance in California. The point of the federal standard is to address manageable traffic policy which is recurrent congestion. Since degraded facilities must be brought back into compliance under this federal law, the high levels of degradation in our state will require scarce resources to correct a problem that, in the majority of cases, is relatively infrequent and unpredictable. This bill allows the state to request a waiver from this unreasonable standard.

CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT (CMAQ) PROGRAM FUNDING FOR LOCAL TRANSPORTATION PROJECTS

The Conference Report continues to allow local California Transportation agencies to fund transit, congestion management, and bicycle/pedestrian projects with Congestion Mitigation and Air Quality (CMAQ) program funds. The original House and Senate bills contained provisions that local CA transportation agencies strongly opposed that would have restricted their ability to use CMAQ funds for actual transportation projects.

NO PREEMPTION OF CA MEAL AND REST BREAK LAWS FOR TRUCKERS

The conference report does not include a provision from the House bill that would have preempted state meal and rest break laws as they apply to the trucking industry. The original provision in the House bill was a direct attack on a recent court decision in California that ruled that California truck drivers were entitled to meal and rest breaks under California labor law.

The California Department of Labor and the California Teamsters strongly opposed the original House bill provision.

NO COMPREHENSIVE OIL SPILL RESPONSE PLAN SECTION THAT WAS OPPOSED BY CALIFORNIA

The bill does not include Section 7011 of the original House bill that required federal oil spill response plans for railroads. This section was strongly opposed by the California Department of Natural Resources because it would preempt state law and California's ability to impose their own rail oil spill response plans.

PRIVATIZING ENGINEERING

The bill does not include language requiring or incentivizing states to outsource public engineering work. We must continue to support states that hire public engineers in order to protect the public interest.

NATION-WIDE TRUCK SIZE AND WEIGHT ISSUES NOT IN THE BILL

The bill does not increase truck sizes with double 33s or weights to 91,000lbs. (l.c. ''el''). There were attempts to increase truck size and weights but they were strongly opposed by CA Sheriffs Association, CA Peace Officers Assoc. (PORAC), and CA highway safety groups.

PORT PERFORMANCE INCLUDED WAS A CONCERN

I am concerned that the bill includes a provision to require the Bureau of Transportation Statistics to collect data on port performance freight statistics at the nation's top 25 ports. I am glad this provision was amended in Conference to create a working group which includes labor representatives and port representatives that will determine how the port performance statistics program will be implemented.

WIFIA FIX INCLUDED

The Conference Report fixes a problem with the Water Infrastructure Finance and Innovation Act (WIFIA) loan program from WRRDA 14 that prohibited local water agencies from combining tax exempt debt (i.e. municipal bonds) with WIFIA loans. This Conference Report changes that and allows water agencies to use municipal bonds (which are a major source of their revenue) as the local match to federal financing provided by the WIFIA. This fix to WIFIA was strongly supported by CA water agencies including ACWA and CASA.

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. GIBBS), the chairman of the Subcommittee on Water Resources and Environment.

Mr. GIBBS. Mr. Speaker, I rise in support of H.R. 22, Fixing America's Surface Transportation Act.

I want to thank Chairman SHUSTER, Ranking Member DEFAZIO, Chairman GRAVES, Ranking Member NORTON, and my colleagues on the committee for coming together to craft bipartisan legislation that provides States with the certainty they need with this 5-year bill, which will provide long-term infrastructure planning.

The FAST Act builds on the reforms that we did in MAP–21 to ensure that projects are completed in a timely manner. I was pleased to see that a number of priorities that are important to my district have been included in this legislation, including that of reforming the broken Compliance, Safety, Accountability program, which ensures that motor carrier safety ratings are fair and accurate.

As the subcommittee chairman on Water Resources and Environment, we worked to get a provision into WRRDA called WIFIA. In this bill, we put in a provision to allow WIFIA loans to be used in conjunction with tax-exempt bonds to leverage private capital. This will help our infrastructure needs and clean water projects. This is an important loan guarantee program that is similar to TIFIA, which provides municipalities with additional funding for water infrastructure projects. This will complement programs like the Clean Water SRF Project.

I urge the support of this bipartisan legislation, which provides certainty and makes a good investment to provide transportation in order to move commerce and people in the future.

Mr. DEFAZIO. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the FAST Act, which authorizes $305 billion over 5 years for highways, transit, and rail, including Amtrak. Although many of us would have preferred much higher funding levels, the conference agreement provides an increase in funding of $12.8 billion above the House bill and $26.8 billion in guaranteed funding above fiscal year 2015 levels. The funding increase allows us to preserve core highway and transit programs and to still invest in new key areas.

New York State will get an additional $1.5 billion above current levels in highway and transit formula funding over the life of the bill, of which an estimated $500 million will go to projects in New York City.

The bill provides $4.5 billion for the new freight program, originally created in the House bill for large-scale, multimodal projects that are critical to our regional and national economy. This was a key recommendation of the freight panel on which I was the ranking member, along with Mr. DUNCAN as chairman, and I am very proud that it is included in the final conference report.

The bill increases funding for transit, including the major programs that benefit New York, such as section 5340—High-Density States program, the State of Good Repair program, and capital investment grants, and it preserves the ability to flex other transportation funding toward major transit projects.

I am mostly pleased that the conference report authorizes $10.2 billion over 5 years for intercity passenger rail, including $8 billion for Amtrak; dedicates resources for Northeast corridor improvements; and provides $200 million to help commuter railroads implement positive train control. It also increases the liability limit on rail passenger accidents to $295 million, retroactively, to help cover claims for those killed or injured in the Amtrak derailment outside of Pennsylvania last May.

I commend Chairman SHUSTER, Ranking Member DEFAZIO, and my fellow conferees for all of their hard work in finally bringing a long-term transportation bill to fruition. It has been too long. I am glad we finally did it. I urge all of my colleagues to vote for this conference report.

Mr. Speaker, I rise in support of the Transportation Conference Report, now called the Fixing America's Surface Transportation (FAST) Act of 2015. I want to thank Chairman SHUSTER, and Ranking Member DEFAZIO, for developing a bipartisan bill that we can all be proud to support.

The Conference Report authorizes $305 billion over five years for highways, transit and rail, including Amtrak. Although many of us would have preferred higher funding levels closer to the Administration's GROW America Act, the conference agreement provides an increase in funding of $12.8 billion above the House bill and $26.8 billion in guaranteed funding above FY15. Every state will get an increase in transportation funding. New York State will get an additional $1.5 billion above current levels in highway and transit formula funding over the life of the bill, of which an estimated additional $500 million will go to projects in New York City. The funding increase allows us to preserve these core programs, and still invest in new key areas.

The bill provides $4.5 billion for the new freight program, originally created in the House bill, for large scale multimodal projects critical to our regional and national economy. This was a key recommendation of the Freight Panel that I co-chaired with Mr. DUNCAN, and I am very proud that it is included in the final Conference Report.

For over a decade, we have made various attempts to address major freight projects that are too big or complex for states to address on their own. The PNRS program that we created in SAFETEA–LU was meant to address such projects, but was divvied up into many, relatively small, earmarks. In MAP–21, the PNRS program was reauthorized, but subject to appropriations, and never received any funding. This bill finally gets it right, and provides guaranteed, dedicated funding to address goods movement throughout the country.

In addition to the grant program for large multimodal projects, the bill includes a new freight formula program to the States passed as part of the Senate bill, and it requires strategic planning at the state and federal level. All of these programs together will bring about unprecedented resources to fund freight projects that are long overdue and critical to our economy. It is a ground breaking achievement, and one of the things that sets this bill apart from its predecessors.

The bill increases funding for transit, including all the major programs that benefit New York. The Conference Report not only restores, but increases, funding for the High Density State program under Section 5340 that provides approximately $100 million for transit projects all across New York State. The bill includes a 20% increase in funding for the State of Good Repair program, and it increases funding for Capital Investment Grants.

The conference report does not include language restricting the ability of transit agencies to use other transportation programs, such as CMAQ and TIFIA, to fill the gap in federal funding for transit New Starts, which Mr. LIPINSKI and I fought against in the House bill. The bill maintains the historic 80/20 split between highway and transit funding, and it provides enough finding to create a robust Bus & Bus Facilities grant program that will benefit all fifty states while dedicating resources to the programs upon which our urban centers rely.

I am also pleased that the Conference Report authorizes $10.2 billion over five years for intercity passenger rail, including $8 billion for Amtrak, and dedicates resources for improvements along the Northeast Corridor. The bill includes language to help the Gateway project compete for future funding, and it authorizes a new consolidated grant program to help railroads make safety and reliability improvements. Additionally, the bill dedicates $200 million to help commuter railroads implement Positive Train Control, and it increases the liability limit on rail passenger accidents to $295 million retroactively to help cover claims for those killed or injured in the Amtrak derailment outside of Philadelphia in May of this year.

Overall, this is a balanced bill that will provide certainty and reliability for transportation agencies over the next five years. It would have been my preference to provide significantly more funding to address the major backlog of investment needs on our roads, bridges, transit and rail, but given the political reality this Conference Report is something we can all be proud to support. It increases funding for core programs, addresses new critical areas, and although it includes a few objectionable provisions, it is generally free of major poison pills.

I commend Chairman SHUSTER, Ranking Member DEFAZIO, and my fellow conferees, for all their hard work in finally bringing a long term transportation bill to fruition. I urge all my colleagues to vote for this Conference Report.

Thank you.

Mr. SHUSTER. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. I thank the gentleman for yielding.

Mr. Speaker, I rise to express concerns regarding a particular provision in the bill before us today. The provision in question retroactively increases a Federal statutory cap on liability to cover one railway accident that occurred earlier this year.

□ 1200

Mr. Speaker, retroactive legislation is not always unconstitutional, but it is clearly disfavored. The Supreme Court outlined in a case called Eastern Enterprises v. Apfel, and I quote:

''Retroactivity is generally disfavored in the law, in accordance with the 'fundamental notions of justice' that have been recognized throughout history. In his 'Commentaries on the Constitution,' Justice Story reasoned: 'Retrospective laws are indeed generally unjust; and, as has been forcibly said, neither accord with sound legislation nor with the fundamental principles of the social compact.' ''

Mr. Speaker, while recognizing that retroactive legislation is constitutional in some instances—limited instances, I might add—none of those instances would clearly appear to apply to the provision in question.

The Supreme Court further stated, ''Our decisions . . . have left open the possibility that legislation might be unconstitutional if it imposes severe retroactive liability on a limited class of parties that could not have anticipated the liability, and the extent of that liability is substantially disproportionate to the parties' experience.''

In the case of the provision in question in the bill before us today, the retroactivity imposes severe increases in liability—almost a 50-percent increase, in this case—on a limited class of parties who could not have anticipated that liability.

While I support reasonable compensation for those who have been done legal injury, I am concerned that this particular provision may not pass constitutional muster. For that reason, I would register my concern.

Mr. DEFAZIO. I yield 2 minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Speaker, I rise in support of the FAST Act, which will

create jobs, boost the economy, ease congestion on our roads and rails, and improve our quality of life.

I want to thank Chairman SHUSTER and Ranking Member DEFAZIO for producing this bill and thank them for working with me in committee, on the House floor, and on the conference committee to make this bill better.

Recommendations made by our Freight Panel, led by Chairman DUNCAN and Ranking Member NADLER last Congress, led to new provisions that will improve the efficiency of freight movement and ease congestion on our roads and rails. This is critical for our Nation's freight hub in northeastern Illinois as we continue the CREATE rail program and other large freight projects.

The bill includes revisions I authored to create Buy America content, deploy zero-emission buses, and improve tank car safety standards, which will produce more American jobs, protect the environment, and improve community safety.

The FAST Act will also improve public transit and active transportation infrastructure and safety. Commuter rail safety will be increased through PTC grants, and this bill prepares us for the future by including research provisions from my FUTURE TRIP Act.

I would like to thank Science, Space, and Technology Committee Chairman SMITH for working with me on this. Thanks, finally, to my staff—Andrew Davis, Jason Day, Eric Lausten, and Shawn Kimmel—and all the committee staff for their work on this bill.

We have more work to do. This bill will not solve all of our transportation problems, but this bill is a big step forward for jobs and for surface transportation in our Nation.

I urge my colleagues to approve this conference report.

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the gentleman from Nevada (Mr. HARDY), a hardworking member of the committee.

Mr. HARDY. Mr. Speaker, I thank the chairman and ranking member for all their hard work.

Mr. Speaker, I rise today to address the long-term nature of this highway bill.

After 35-plus extensions, the upper and lower Chambers of Congress are sending the President a 5-year highway bill. I want you to think about that. We haven't had legislation this long that provided certainty and confidence to our States in over 10 years.

Before coming to Congress, I was a general engineering contractor. I built those highways, roads, bridges, and dams. I also previously served on the Regional Transportation Commission of Southern Nevada, and I know what it takes to invest in infrastructure.

I will be honest. These short-term patches would have been a disservice to our States and our districts. They need long-term certainty to build a master plan for the future.

Many may not understand the aspects of what it takes to actually build infrastructure in our Nation. It is not all about just going out and investing a dollar and going and building a highway, a railroad, or other infrastructure. It takes a lot to go through the NEPA process and the engineering processes before you can even get to the point where you can turn a shovel of dirt.

So we need to make sure that we find other funding mechanisms for the future. We need to start today and recognize that we need to plan for the future and invest in this country so it has quality infrastructure for our safety and the needs of this country.

While the funding mechanisms are not perfect, we are moving in the right direction and putting our Nation back on the path to prosperity. That is why I proudly stand here today as a conferee to support this long-term funding bill.

Mr. DEFAZIO. I yield 2 minutes to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker, this certainly is a great day for the people in this country, and I want to thank the leadership on this committee.

I believe wholeheartedly that this surface transportation bill will give the economy just the type of boost it needs. A long-term transportation bill will strengthen our infrastructure, provide quality jobs, and serve as a tool to put America back to work long-term.

This important legislation includes a critical freight grant program, additional funding for transit systems and pedestrian safety program, includes funds to speed the implementation of positive train control, improves the Railroad Rehabilitation and Improvement Financing loan program, and creates a disadvantaged business enterprise program at the Federal Railroad Administration.

It also includes additional funds for Amtrak, moves us closer to restoring passenger rail for the Gulf States, and protects our ports from unnecessary paperwork.

Transportation and infrastructure funding is absolutely critical to this Nation. If properly funded, it serves as a tremendous economic boost. For every billion dollars we spend in transportation, it generates 44,000 permanent jobs. When we pass this legislation, we will put millions of hardworking Americans back to work to fix our Nation's crumbling infrastructure and prepare our country for the future.

Mr. Speaker, there is no better present for the people in this country than to pass this transportation bill.

Merry Christmas, and God bless America.

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS), a hardworking member of the committee.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, article I, section 8 of the U.S. Constitution grants this body the power to regulate commerce with foreign nations and among the several States as well as the power to establish post offices and post roads.

Maintaining and improving our Nation's infrastructure is an important constitutional responsibility that we, as Members of this body, have, which is exactly why I told voters what I wanted to do when I came to Washington was to work together in a bipartisan fashion to address issues just like this transportation bill is going to address.

What does this bill mean to the voters in central Illinois who sent me here? It means about 80 percent of all of the road projects that are funded in my State of Illinois are funded by Federal dollars.

The vision that has been laid out in this bill—and we could argue about the pay-fors, whether they are not perfect. But we can also show the American people that we can work together to rebuild our Nation's crumbling infrastructure.

I am confident that as soon as this bill passes overwhelmingly today, under the leadership of Chairman SHUSTER, he will begin debating how we move into the future in our next transportation bill. That is what is great about service on this committee.

I want to commend Chairman SHUSTER, Chairman GRAVES, Ranking Member DEFAZIO, and all the hardworking members of this committee who put a great bill together.

Everybody has stood up and said it is not perfect, but no bill that comes out of this institution is perfect. We don't always get everything we want, Mr. Speaker. But what we get is a long-term plan that is allowing our States to continue to plan and rebuild our roads and bridges.

I also want to thank Chairman SHUSTER because he helped new leaders on our committee become leaders in transportation. I want to talk about CRESENT HARDY, who just spoke a few minutes ago. He was able to show his constituents that he is able to lead on transportation issues and work together to get things done.

JOHN KATKO, GARRET GRAVES—these are new members of the committee that are able to go back to their constituents and show governing and bipartisan success.

This is what we came here to address, Mr. Speaker.

Mr. DEFAZIO. I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the minority whip.

Mr. HOYER. I want to congratulate both Mr. SHUSTER and Mr. DEFAZIO for their work on this bill. I want to thank

the Senate, as well, for their work and their leadership.

This is a good week, in many respects. We passed yesterday, on an overwhelmingly bipartisan vote, a bill to make sure that our education system works better. Today, we will pass, by an overwhelmingly bipartisan vote, a bill to give more stability and investment to our infrastructure in America. Those are good things.

I lament the fact that, although the previous speaker talked about a sound, long-term fiscal path for infrastructure investment, my own view is we don't do that. We do better than what is but not what we ought to do.

My own view is that we need to dedicate the user fee we call the gasoline tax at a level which has not been raised since 1993 to a level that will in fact put us on a path to fiscal stability and certainty for our infrastructure package.

But this is a good package, and I want to thank my friend BILL SHUSTER for his leadership. Very frankly, that was critical to getting us to this point, not only on his side on the aisle but on our side of the aisle as well. And I want to thank Mr. DEFAZIO.

As has been said, this is not a perfect reauthorization. We ought to stop saying that because nothing we pass is perfect. What we hope for is the good, and this is good. It is a compromise. All these efforts are critical to creating the kind of environment that encourage private-sector development and job growth.

At the same time, I am very pleased that a wide majority of Members, nearly every Democrat and most Republicans, worked together to ensure that this conference report includes a multiyear reauthorization of the Export-Import Bank, supported by a majority of Republicans and all but one Democrat.

It is unfortunate that Congress, through inaction by the Congress, allowed the Ex-Im Bank to shut down in July. Now, it didn't actually shut down, but it had no authority to guarantee loans, which cost us jobs.

We are changing that policy in this bill. Today, we are coming together to reopen it so that it can help American businesses and workers compete on a level playing field in overseas markets.

During the time the Bank was shut down, businesses began shifting jobs overseas and others refrained from investing here because of the uncertainty over whether it would reopen. Today, that certainty will be restored.

To that extent, the Export-Import Bank is in the same position that Governors and mayors and county executives all over this country will be put in by this bill, giving them some degree of certainty that there will be a cash flow for infrastructure projects, bridges, roads, and other transportation items.

I want to thank again Ranking Member MAXINE WATERS for her work on the Export-Import Bank and DENNY HECK and GWEN MOORE for their work that led to this provision in the transportation bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DEFAZIO. I yield an additional 2 minutes to the gentleman from Maryland.

Mr. HOYER. I also want to thank, who showed great courage and great leadership, STEPHEN FINCHER of Tennessee and FRANK LUCAS of Oklahoma, my Republican colleagues, without whom this Export-Import Bank provision would not be in this bill. I congratulate them for their courage and their leadership.

I thank again PETER DEFAZIO and BILL SHUSTER.

This is a good day for our country. This is a bipartisan day for this Congress. And I urge my colleagues to support this product.

□ 1215

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. MIMI WALTERS), one of the newest members of our committee.

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise today in support of the conference report for the FAST Act.

As a member of the House Committee on Transportation and Infrastructure, I am pleased this bill reflects the committee's hard work. This legislation makes a fundamental investment in our Nation's roads, bridges, and infrastructure, providing long-term certainty for local governments and ensuring the efficient movement of consumer goods.

Importantly, it also streamlines the environmental review and permitting processes to ensure transportation projects stay on time and on budget.

I was pleased that three provisions of significance to my district were included in the final bill. One directs Department of Transportation to study the effects of marijuana-impaired driving. The second would incentivize the use of innovative pavement material. The third would help address congestion in HOV lanes.

This 5-year bill is fully paid for and will put a stop to short-term extensions that are costly to taxpayers and create significant uncertainty for local and State governments.

I am pleased to support this historic bill coming before the House floor today, and I thank Chairman SHUSTER for his hard work in making this bill a reality.

Mr. DEFAZIO. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. FRANKEL).

Ms. FRANKEL of Florida. Mr. Speaker, I rise in support of the FAST Act, our first long-term surface transportation bill in nearly 10 years.

I want to thank Chairman SHUSTER and Ranking Member DEFAZIO for their bipartisan leadership. It has truly been an honor to work on a committee where we can show the American people that we know how to work together.

Mr. Speaker, transportation moves our economy. Passing the FAST Act will shift America's infrastructure into higher gear. This legislation brings American families tens of thousands of new good-paying jobs while promoting safer, more efficient travel on our transportation infrastructure. It sends more dollars to our local communities, who know their needs best.

I will associate myself with the remarks of my colleague Representative BROWN when I say that this is a wonderful gift to the American people for this holiday season.

Mr. SHUSTER. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. MARINO).

Mr. MARINO. Mr. Speaker, I want to thank Chairman SHUSTER and Ranking Member DEFAZIO for their work and express my appreciation for the opportunity to serve as a conferee.

There are several significant items in this bill that fall within the jurisdiction of the Committee on the Judiciary.

Chairman GOODLATTE and I were also deeply involved in another part of this important bill: efforts to enact meaningful and effective permit streamlining reforms. Enacting legislation to streamline the Federal permitting process has been among my primary goals.

The RAPID Act, my bill to improve and review permitting timelines, has passed this House on three occasions on a bipartisan basis. Our goal has been to fix the flaws in our Federal permitting process that too often doom projects, leaving millions of jobs and hundreds of millions of dollars in economic activity on a bureaucrat's desk.

This year, we worked with our colleagues Senators PORTMAN and MCCASKILL on this important project. The amendment we offered on the floor during House consideration of this measure represented a carefully crafted compromise that further achieves these goals. It was the product of a bipartisan cooperation, and I am proud that these provisions were included in the conference report we are considering today.

This conference report is an example of the many ways that we can reach across the aisle to find solutions to problems facing us. Our priorities will make lasting reforms that are sure to improve our infrastructure and strengthen our economy. I am glad they will be made law through the enactment of this conference report.

This 5-year bill establishes certainty, stability, confidence, and, most importantly, trust. I am a States' rights guy,

and the less Federal Government in my life, the better. Congress has removed obstacles for the States, who know best what is needed for their infrastructure. We must continue to remove impediments for our States to move into the 21st century without job-crushing regulations.

Please support this bill. This bill will improve the quality of life for all Americans.

Mr. DEFAZIO. Mr. Speaker, may I inquire as to the time remaining on both sides.

The SPEAKER pro tempore. The gentleman from Oregon has 10½ minutes remaining. The gentleman from Pennsylvania has 8 minutes remaining.

Mr. DEFAZIO. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. NOLAN), a member of the committee.

Mr. NOLAN. Mr. Speaker, I would like to begin by getting the attention of our chairman over there and thanking him for the terrific job that he did, as well as our ranking member, Mr. DEFAZIO. It was a real treat. It was, for me, a take-back to an earlier time when regular order prevailed around this place.

Quite frankly, that is how you fix things and get things done. It is not always just a matter of attitude; it can be a matter of process. When you have a chair and a ranking member that welcome all members to bring their ideas before the committee, to have an opportunity to have them discussed, examined, argued, and debated, that is how you bring people together. That is how you fix things. That is how you get things done.

I would also be remiss if I didn't thank the staff, both the Republican and Democratic staff. You all worked so hard and late into the night and long hours, day after day, getting us to this point. I thank my own staff assistant, Eddie Wytkind, in particular, for the work that he has done on this.

With regard to the bill itself, you know, finally, after kicking this can down the road some 34, 35 times, we finally have the kind of long-term surface transportation legislation that people in this country have been crying for and begging for so that we could begin fixing the roads and the bridges that are falling down and the trains that have been coming off the tracks.

It is a good, nonpartisan piece of legislation that will allow our States, our counties, and our cities to plan accordingly. Of course, that brings with it greater efficiency.

It will put a lot of people back to work. Everyone has told us that infrastructure, transportation is fundamental to our ability to grow jobs, to grow our economy, and to strengthen business opportunities.

I am particularly grateful for our Duluth amendment that solves a particular little problem, but an important one, that we have there with regard to logging trucks on our Main Street.

Last but not least, I want to commend the leadership for including the reauthorization of Ex-Im Bank with this. As we all know, it is a great banking institution that helps us reduce the deficit and creates jobs throughout the country, including the Eighth District of Minnesota.

Thank you to all who were a part of moving this important legislation forward.

Mr. SHUSTER. Mr. Speaker, I yield 4 minutes to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Speaker, I appreciate the opportunity to be here today.

This is a historic event. For 10 years now, we have been doing patches and temporarily providing funding for our roadways. It costs taxpayers money to do that, to do these temporary extensions, to compartmentalize the funding. You have to take projects, and you have to separate them into smaller pieces. You have to pay for contractors to come out and to leave and to come back again. I will say it again: It costs taxpayers money to continue to do these patches and these temporary extensions.

This is historic because it provides 5 years of funding. It provides funding certainty.

Having run a large-scale infrastructure program for a number of years, I am well aware of the difficulty caused by doing these temporary patches and the increased cost. I will tell you, I think it results in less safe roads. It absolutely doesn't deliver what taxpayers deserve.

The other great thing about this bill and a reason that it is historic is that it is bipartisan, something that has been lacking for some time now, to see that Members on both sides come together on something as important as infrastructure funding.

I want to thank Chairman SHUSTER, I want to thank Ranking Member DEFAZIO, respective staff directors Chris and Kathy, and everyone who worked on this bill on the conference staff. I know you put in a lot of time and you gave up your Thanksgiving. I want to thank you very much for all the work that has been done.

This bill also increases funding for transportation. It results in nearly a 10-percent increase in investment in infrastructure. In the case of Louisiana, we will see a $100 million increase in the fifth year of this bill—a $100 million increase just in that one year as compared to current funding levels. We need these funds.

Something else important in this bill is the grant program that was established in the House bill for nationally significant corridors, for freight corridors, $800 million to $1 billion a year to address these large-scale infrastructure needs that have not been addressed.

In the case of my home State of Louisiana, we are in dire need of a new crossing on the Mississippi River. Getting across that extraordinary bottleneck, where the interstate drops down to one lane—the only place in the United States—is a great need that we have. It causes incredible traffic problems.

Addressing roads that need to be upgraded, like LA 1, Highway 30, connecting Walker to Gonzales, addressing a Pecue Lane exit, upgrading Highway 90 to interstate standards—projects that are in dire need and cause national implications because of their inability to efficiently move commerce across this country, Louisiana being one of the top export States in the United States.

This bill also ensures that the roads are safer, ensures that we address at-grade rail crossings, ensures that we have the right safety mechanisms in place to ensure that we are not going to have fatalities associated with driving and traffic accidents.

Importantly, this bill addresses technology. Mr. Speaker, we are still using traffic light technology from the 1920s. It is 2015. We can actually do on our telephones what took mainframe computers decades ago.

This bill establishes a framework to ensure that innovation, to ensure that competition is actually integrated into our traffic management systems so we are not sitting around at traffic lights when no other cars are there, to ensure that our cars can communicate with one another, our phones can communicate with traffic lights, where we can really take intelligent transportation systems to the next level.

It expedites the NEPA and environmental review process to ensure that we are getting dirt turned and getting roads in place as soon as possible while still respecting the environment.

It, importantly, includes something that we were pushing very hard, the Sport Fish Restoration and the Boating Safety Act, ensuring that boat safety, ensuring that sport fish and restoration, ensuring that the CWPPRA program continues to move forward and we have those important restoration activities.

Lastly, Mr. Speaker, I just want to say I appreciated very much the opportunity to be a conferee. This is a historic bill. And I want to urge: Increased funding, safer roads—this is the right direction for this country. Support this conference report.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I thank my colleague from Oregon for yielding.

The bipartisan highway conference compromise before us is just that, a

compromise. But, despite its faults, I will support it.

While this bill adequately funds our Nation's long-term highway infrastructure needs, which our communities desperately need, it does fall short of making the robust long-term investments our crumbling infrastructure truly needs.

I am pleased the bill does take an important step to protect consumers by prohibiting companies from renting or loaning out dangerously recalled vehicles for the first time. I have spearheaded this effort for years in honor of Raechel and Jacqueline Houck, two young sisters who were killed by their rented vehicle that was under recall.

To be clear, this is an important step for consumer safety. But I am disappointed that, during conference, companies with fewer than 35 rental or loaner vehicles were exempted. Unfortunately, by our bowing to special interests, some consumers will still be at risk.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. DEFAZIO. Mr. Speaker, I yield the gentlewoman an additional 30 seconds.

Mrs. CAPPS. However, we will continue to build on the important step of holding large rental companies and auto dealers accountable until, one day, all Americans can be confident that the cars that they drive are safe. This is our goal: that all rental cars be safe for their drivers to engage in as they rent them.

□ 1230

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

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

Mr. Speaker, I have already thanked the committee staff. They did do a fabulous job.

I also want to recognize others who were involved: the Senate staff of the Committee on Environment and Public Works; the Committee on Banking, Housing, and Urban Affairs; the Committee on Commerce, Science, and Transportation; and the Committee on Finance.

Over here, we are a little more consolidated when we deal with these issues. The Senate is a little more spread out, but that is the Senate. They were all involved and all a critical part of this product.

I also want to thank some others, beyond committee staff. The House Legislative Counsel, led by Curt Haensel, has provided a tremendous assistance in the drafting of this very extensive legislation, as well as the staff of the U.S. Department of Transportation, particularly the Federal Highway Administration.

Curt Haensel and Carolyn Edwards of FHWA have been involved in every surface transportation bill since the nineties, and their expertise was invaluable. We come up with policy ideas, but they have to figure out a way to lay down the legislative language so that we accomplish those goals. So they did great work.

Mr. Speaker, this is, as many have said, historic for this Congress and recent Congresses in terms of the bipartisan nature of it and the fact that we are putting in place long-term assurances for major investments that our country needs for our transportation infrastructure. But it is a starting point. This is not the end.

It provides certainty and modest funding increases for the next 5 years, but it does not even rise to the level of assuring that our transportation infrastructure 5 years from today will be in a better state of repair than it is now.

There are tremendous unmet needs out there. This will help, but it is not the overall solution. Numerous times we have moved money from the general fund into the highway trust fund. We are again engaging in that activity here. The total, at this point, is $145 billion.

I don't resent moving general fund money, but I think there are better ways and more certain ways and more robust ways to finance the future of our investments in infrastructure.

So we can say today we are celebrating, as we should, but there is more work to do. Next week, we should begin anew and recognize that we have to work together—Democrats and Republicans, truckers, transit agency, builders, and shippers—to find a way to restore the user fee mechanism to finance these investments.

President Eisenhower is often credited with establishing the Interstate Highway System, which now bears his name. Actually, Congress designated the system in the forties, but it was not until 1956 that Congress, with then-President Eisenhower, developed a user fee system to actually construct our incredible interstate system.

So we need to work together to renew the mandate and find a path forward for long-term, sustainable funding for these critical investments. Celebrate today, but it is back to work tomorrow.

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

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

In my closing, I would like to take this opportunity to thank my House colleagues on both sides of the aisle, members of the committee, and the conferees.

There was broad, bipartisan support of this bill. There are over 250 Members of this House that contributed to the bill. Working together on this important piece of legislation I think proves to the American people that we can get big things done.

I would also like to thank Mr. DEFAZIO. He has been a real partner in this. We certainly had our moments of disagreement, but we were able to work through it and get a bill which he and I say is a good, solid piece of legislation. And, through that effort, we were able to achieve that.

I also want to thank Chairman GRAVES and Ranking Member NORTON for their hard work and support in this effort.

I want to thank the vice chair of the full committee, Mr. DUNCAN, who chaired two important panels last Congress, one on freight movement and one on public-private partnerships. From that work with a cross-section of the committee and across jurisdictional lines of the subcommittees, they were able to produce recommendations that became critical parts of this bill. So I thank Congressman DUNCAN from Tennessee for his work.

Finally, I thank the Speaker of the House. In becoming Speaker, he told the Conference and our House he was going to make sure we did regular order. This bill is a product of regular order. He had an open process on the House floor. We dealt with over 103 amendments specific to the transportation portion of the bill but then another 20 or so that dealt with provisions in this bill.

So it was an open process, and, again, I want to thank Speaker RYAN for keeping his word to the Members of this body to have regular order and an open process.

I also want to thank my Senate colleagues and their conferees for their efforts in putting together this bill.

I want to thank the House and Senate Legislative Counsel, who don't often get a whole lot of credit, but I thank Curt Haensel, Tom Dillon, Rosemary Gallagher, Karen Anderson, and Tim Brown, for their efforts in writing up this bill and helping us throughout this process.

Finally, I want to thank the staffs of both the majority and minority of the Transportation and Infrastructure Committee. As I said in the opening remarks, they worked through the Thanksgiving holiday, a lot of long hours, and they are dedicated to the work of this committee. We wouldn't be here today without their efforts. I thank them from the bottom of my heart for their efforts.

I will include in the RECORD the names of those committee staff people because it is a long list and I don't want to screw anybody's name up. I just want to say thanks again for their long hours in getting this bill put together and brought to the floor.

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Chris Bertram, Matt Sturges, Jennifer Hall, Murphie Barrett, Geoff Gosselin, Mary Phillips, Alex Etchen, Caryn Moore Lund, Nicole Christus, Kristin Alcalde, Jim Billimoria, Clare Doherty, Keith Hall, Justin

Harclerode, Holly Woodruff Lyons, Hannah Matesic, Collin McCune, Tracy Mosebey, Anna Oak, Max Rosen.

Beth Spivey, David Connolly, Arielle Giordano, Fred Miller, George Riccardo, Adam Twardzik, Kevin Rieg, Isabelle Beegle-Levin.

DEMOCRAT T&I STAFF

Liz Cooney, Kathy Dedrick, Jen Gilbreath, Ashley Guill, Russ Kelley, Ward McCarragher, Ben Lockshin, Auke Maher-Piersma, Andrew Okuyiga, Luke Strimer, Helena Zyblikewycz, Ryan Sieger, Jennifer Homendy, Alexa Old Crow.

Mr. SHUSTER. The FAST Act is absolutely critical to America and our economy. I think everybody speaking here today laid out the many provisions. It is important to America.

I would encourage my colleagues to all support this bipartisan, bicameral agreement. And I believe it will have strong support today.

Mr. Speaker, I urge everybody to vote for this bill. It is good for America.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE ON CONFERENCE H.R. 22, FIXING AMERICA'S SURFACE TRANSPORTATION ACT

Title XLIII of the Joint Explanatory Statement provides a summary of section 43001 concerning requirements in agency rulemakings pursuant to this Act. Section 43001 of the House amendments to H.R. 22 was not agreed to in conference and does not appear in the conference report to accompany H.R. 22. The summary of section 43001 in the Joint Explanatory statement therefore appears in error. Accordingly, title XLIII of the Joint Explanatory Statement has no effect.

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

Mr. PALLONE. Mr. Speaker, I am pleased that we were able to come together to find a longer-term solution for our nation's infrastructure. We cannot keep operating on short-term fixes. Investments in our country's infrastructure need certainty. Though I would have preferred to see greater funding levels across the board, I am pleased to see provisions such as the High Density States Program are protected and funded for the next five years. While I will vote for this bill because it puts Americans back to work and allows our state and transit authorities to do long-term planning for our crumbling infrastructure, I must highlight some of the reasons this bill falls short.

The most substantial decreases in injuries and deaths on our roads and highways occurred as a result of major safety advancements, such as requiring seatbelts and airbags in all new cars. Today, we have a vehicle title that does not include such a safety advancement and does little to improve safety. This was a missed opportunity. This bill could have included meaningful safety improvements, such as imminent hazard authority to allow NHTSA to expedite a recall order when necessary, a requirement that ensured recalled used cars are repaired before they are sold, safety standards for rear seat crashworthiness, and the elimination of regional-only recalls that no longer make sense for our increasingly mobile world. And civil penalties should have been higher so that sacrificing safety will not be treated as a ''slap on the wrist'' or just another cost of doing business.

Instead, this vehicle title includes provisions that take a step backwards on safety and that could actually lead to more injuries and deaths on our roads. For example, it includes a provision that exempts an unlimited number of replica cars—that is, new cars made to resemble old cars—from vehicle safety laws, clean air requirements, and state emissions testing. It also includes a whistleblower provision that will not encourage, and may effectively discourage, whistleblowers from reporting serious safety problems to the government. And even the promising rental car provision section, which requires rental car companies and auto dealers to repair recalled cars before renting or loaning them to customers, was weakened by excluding those that have a fleet of fewer than 35 vehicles.

I am disappointed that the bicameral, bipartisan process failed to craft a vehicle title that actually enhances safety.

Mrs. COMSTOCK. Mr. Speaker, I rise in support of this bipartisan transportation authorization, the Fixing America's Surface Transportation Act, also known as the FAST Act.

I thank the Chairman for his leadership on this bipartisan transportation reauthorization.

This is a 5-year bill that provides both budgetary certainty and project flexibility for our states and localities so that they may invest in and upgrade our transportation system and do so with more innovative technologies and approaches.

The certainty provided by this long-term bill also saves money by stopping the short term patches that complicate planning and yield cost overruns.

As a representative in Northern Virginia, I know too well the traffic congestion issues we face and appreciate that this bill provides much-needed assistance in this area.

I am pleased to have served on the Conference Committee for this bill, and pleased that numerous provisions from one of my bills on congestion relief and research were included.

This measure will help promote the development of transportation technologies and tools for congestion relief.

The bill also includes some of my provisions related to Metro safety and accountability that I worked on with my DC and Maryland counterparts, Ms. HOLMES NORTON and Ms. EDWARDS.

Again, I thank everyone involved in this process.

I urge my colleagues to support the FAST Act.

Mr. BEYER. Mr. Speaker, now that the House has approved the conference report I would like to recognize and commend my colleagues on both sides of the aisle for supporting the inclusion of bill language in H.R. 22 (Fixing America's Surface Transportation Act of 2015) that will help protect consumers from the longstanding problem of predatory towing.

For some time now, egregious vehicle towing and storage practices performed by some unscrupulous companies have been a serious concern in many parts of the country. While the vast majority of towing and storage firms are honest and well-intentioned, some have been engaged in predatory business tactics designed to delay access to vehicles and increase costs for consumers. Because these companies have possession of vehicles, they are in a position to take advantage of consumers and charge excessive towing and storage fees.

For reasons that are not entirely clear, current Federal law allows states to regulate some, but not all aspects of tow truck operations, limiting their ability to protect consumers from predatory towing tactics. The language included in the amendment introduced by myself and Rep. VAN HOLLEN broadens the authority of states and localities to regulate tow truck operations, which is limited by current motor carrier law. This additional authority will now allow states and localities to regulate all aspects of tows conducted without the prior consent or authorization of the owner or operator of a vehicle. The language is also intended to apply to accident scene and breakdown towing, to allow states to protect consumers who are often unable to make an informed choice and give meaningful consent or acknowledgment on towing in those situations.

I want to thank the conference chair and vice chair for their support of this important provision. I would also like to thank my predecessor, Jim Moran, who was a champion on this issue for so long and first introduced this language during the 109th Congress.

Mr. BARLETTA. Mr. Speaker, today is a historic day, as we are voting for a five year surface transportation reauthorization bill that provides critical investment to our roads and bridges. This will help keep America competitive and provide certainty to states and communities planning infrastructure projects.

However, it is irresponsible that neither the House nor the Senate has worked on serious reforms. We have not adjusted the user fee for our infrastructure in 20 years or considered new, sustainable revenue streams. Instead, we have spent valuable time searching for short term gimmicks. Make no mistake; I am disappointed with the offsets in this bill. We should not be robbing the banks or Customs to pay for our roads and bridges.

This is fiscally irresponsible. At some point, we have to say enough is enough. That time has come. We need a long-term, robustly funded bill. We missed an opportunity with this legislation, but we in Congress must work together to continue finding common ground on innovative ideas to ensure the Highway Trust Fund has a sustainable revenue source. We cannot allow our children and grandchildren to pay for the investments we should be making now.

As a Conferee, I was happy to work with Chairman SHUSTER, Ranking Member DEFAZIO, and my Senate Colleagues on important roadway safety issues, such as preventing heavier trucks from driving on our local roads.

This bill fully funds the Highway Safety Improvement Program, which invests in infrastructure like guardrails, rumble strips, and retroreflective signs. While you will never read the headline, ''Rumble strip saves family of four,'' this program saves lives every day and for that reason alone, I urge my colleagues to support this bill today.

Additionally, I was pleased to see commonsense provisions that I championed included in the final agreement. For example, I introduced the Local Farm Vehicle Flexibility Act to

make sure farm vehicles are not regulated like long haul trucks. Today, this highway bill includes language to prevent farmers from getting tickets for driving from field to field without covering their load.

It makes crude oil being transported by freight rail safer and gives first responders more time to react in the unlikely event of a derailment by including top fitting protections for the pressure relief valves. It also includes language that I strongly support to reduce paperwork burdens on concrete truck drivers.

I worked with my fellow conferees to encourage the use of U.S. iron and steel in rolling stock frames and car shells. This provision will increase use of U.S. iron and steel in the fabrication of rolling stock frame and car shell components and subcomponents.

Finally, many of the policy ideas that I introduced in the Safer Trucks and Buses Act were incorporated in this final version. We must work to make sure we fix the important safety score program so that good decisions can be made on scores that actually represent truck and bus safety records.

Investing in infrastructure is good for the economy and good for America. I am happy to vote for this long term bill and look forward to working with my colleagues on policy ideas that could be included in a comprehensive tax reform bill to ensure the Highway Trust Fund has a sustainable funding source.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of the Conference Report to H.R. 22, the ''Surface Transportation Reauthorization and Reform Act of 2015,'' a bill to authorize Federal Funding for highways, highway safety programs, and transit programs.

I thank Transportation and Infrastructure Chairman SHUSTER, Ranking Member DEFAZIO and the House and Senate Conferees for their work in bringing the Conference Report for the Surface Transportation Reauthorization and Reform Act to the floor for a vote.

It is good to see the spirit of bipartisanship return to the process of funding our nation's transportation needs.

As the former Ranking Member of the House Homeland Security Subcommittee on Transportation Security, I am well aware of the importance of our nation's transportation system.

A well-functioning transportation system is critical to the nation's prosperity.

Whether it is by road, transit, aviation, rail, or waterway, we rely on our transportation system to move people and goods safely, facilitate commerce, attract and retain businesses, and support jobs.

Houston is the fourth most populous city in the country; but unlike other large cities, we have struggled to have an effective mass transit system.

Over many decades Houston's mass transit policy was to build more highways with more lanes to carry more drivers to and from work.

The city of Houston has changed course and is now pursuing mass transit options that include light rail.

This decision to invest in light rail is strongly supported by the increased use by Houstonians in the light rail service provided by previous transportation appropriations bills.

The April 2014, Houston Metropolitan Transit Authority report on weekly ridership states that 44,267 used Houston's light rail Service—representing a 6,096 or 16% change in ridership in April of last year.

This increase in light rail usage outpaced ridership of other forms of mass transit in the city of Houston: metro bus had a 2.3% increase over April 2013; metro bus-local had a 1.3% increase over April 2013; and Metro Bus-Park and Ride had an 8.0% increase over April 2013.

On February 5, 2013, the Houston Chronicle reported on the congestion Houston drivers face during their daily commute to and from work.

The article reported that Houston commuters continue to experience some of the worst traffic delays in the country, according to the 2012 urban mobility report. Houston area drivers wasted more than two days a year, on average, in traffic congestion, costing them each $1,090 in lost time and fuel.

Funds made available by the legislation will be available for the construction of the University rail line and support of local government decisions by the Houston Metropolitan transit Authority and the city of Houston to expand rail service.

More needs to be done to address the transportation needs of our nation from rural communities to major metropolitan areas.

I appreciate that two Jackson Lee Amendments are included in the underlying bill.

The first Jackson Lee Amendment ensures that the goals of improving transportation efficiency and safety take into consideration the topic of public safety, a rest stop, and public parking that is funded by this bill.

The Jackson Lee Amendment requires the Transportation Secretary to report to Congress on the security of locations that are intended to encourage public use of alternative transportation, as well as personal transportation parking areas.

An essential part of the success of public transportation usage is the ability of automobile drivers to park their vehicles in safety.

More than 1 in 10 property crimes occur in parking lots or garages.

The report will provide an opportunity for Congress to do more to enhance the safety of parking areas that are used by students, women, seniors, disabled, and other vulnerable members of the public.

The Bureau of Justice Statistics provides a detailed report on the place of occurrence for violent and property crimes from 2004 through 2008.

For example, purse snatchings and pocket pickings typically occur away from home.

According to Bureau of Justice Statistics 28.2% of purses snatched occur in open areas such as the street or on public transportation.

The inclusion of this Jackson Lee Amendment will lead to enhanced safety of car pool parking lots, mass transit parking; local, state, and regional rail station parking; college or university parking; bike paths, walking trails, and other locations the Secretary deems appropriate.

The Bureau of Justice Statistics reports that victimization and property crimes occurring between 2004 and 2008 in parking lots and garages include: 213,540 victimization crimes that occurred in noncommercial parking lots and garages; and 864,190 property crimes.

The Bureau's report on victimization crimes that occur at public transportation or in stations was 49,910 and property crimes was 132,190.

The Jackson Lee Amendment will make surface transportation travel safer.

More importantly, it will increase safety of the traveling public, especially women, seniors, students, disabled persons, and children.

The second Jackson Lee Amendment included in the Conference Report provides a report to Congress from the Secretary of the Department of Transportation on the ''Internet of Things'' (IoT) and its potential to improve transportation services to the elderly and persons with disabilities as well as assist local, state and federal transportation planners in achieving better efficiencies and cost effectiveness, while protecting privacy and security of persons who use IoT technology.

The IoT refers to the wireless environment that will support networking of physical objects or ''things'' embedded with wireless electronic components, software, sensors, and network connectivity technology, which enables these objects to collect and exchange data on people, places and things.

The IoT will introduce the functionality of computing into physical space as computing technology is integrated into devices and systems.

It will also challenge the privacy and security of users of the technology if precautions are not taken to ensure that information on these devices is not protected.

This Jackson Lee Amendment will allow Congress to take into consideration how IoT technologies can be used to make public transportation, safer, more convenient to the elderly and disabled, and how it may improve mass and personal transportation efficiency.

The ability to include wireless technology into physical things or support communication among digital devices that may be nearby or at distances will offer many benefits to consumers.

IoT products are already being deployed for personal, recreational, city planning, public safety, energy consumption management, healthcare, and many other applications.

Today, local governments are working to incorporate IoT services into transportation; garbage pickup, as well as the provision of wireless connectivity for their residents.

The Jackson Lee Amendment will help ensure that we harness the benefits of the ''Internet of Things'' for the travelling public and minimize the threats to privacy and cybersecurity presented by this new and exciting technology.

This is a good bill and I encourage my colleagues to support its passage.

Mr. LOBIONDO. Mr. Speaker, I rise today to offer comment on the FAST Act.

I will support the bill. This is a strong, multi-year reauthorization which includes desperately needed funding for infrastructure repair and investment. I commend Chairman SHUSTER and Ranking Member DEFAZIO for their work in producing a bipartisan bill.

I will also take this opportunity to remind my colleagues of a priority of mine to promote storm-resilient construction projects within the Federal Highway Administration (FHWA).

The concrete products industries in my district in southern New Jersey has much to offer

in helping the country build its transportation infrastructure. I know that many of my colleagues have similar constituent companies and workers, and I urge them to take note of my comments.

I was pleased to support language in MAP–21 that was designed to help incorporate permeable pavements into the FHWA mission. Many of us on the eastern seaboard learned the utility of permeable pavements on Superstorm Sandy, and what flooding can do to our districts without warning if we are not prepared. I am happy to report that that language in MAP–21 dealing with permeable pavements is making good progress toward technological innovation that will Improve storm water mitigation, water quality, and more while providing aesthetically appealing paving surfaces.

I will remind my constituents in New Jersey that, while the FAST Act overlooked an opportunity to take that technology further, I am still looking for ways to move permeable pavement technologies into the mainstream where they can benefit our constituents and save taxpayer money as well.

In accordance with that goal, I submit the following material on passage of the FAST Act, and I hope that staff at FHWA and that the House and Senate will take note as well.

MAP–21 authorized the Secretary to conduct technology transfer and adoption of permeable infiltration paving materials, practices, and systems that are designed to minimize environmental impacts, stormwater runoff, and flooding. Prior to MAP–21 and since, extreme rain events like Hurricanes Katrina and Rita, and Superstorm Sandy, have underscored the need for stormwater mitigation. We encourage the Secretary to accelerate work on permeable pavements in anticipation of future events like Katrina, Rita, and Sandy. The Secretary is encouraged to conduct research on full scale load testing in permeable pavements for street, highway, and road shoulders to decrease environmental impacts and enhance sustainability. The Secretary is encouraged to conduct permeable pavement projects that demonstrate flood control and stormwater pollutant and volume reductions, including mitigation of impacts from superstorms and hurricanes, and life cycle cost analysis compared to conventional impervious pavements. Projects may include re-use and integration of permeable pavements with other cost-effective water conservation practices designed to treat, reduce, or remove pollutants by allowing stormwater runoff to retain infiltration capability similar to predevelopment hydrologic conditions, and for stormwater harvesting.

We hope that FHWA will act upon language in Sec. 1428 of the FAST Act and previously existing authority to improve infrastructure integrity by adding innovative segmental wall technology for soil bank stabilization and roadway sound attenuation, and articulated technology for hydraulic sheer-resistant erosion control—areas in which emerging technologies could improve deliver marked benefits in surface transportation. Examples of emerging technologies that could meet the goals of this Act include cost effective segmental retaining walls that can make use of native soils and reduce construction costs, durable geosynthetic soil stabilization and anchoring, more durable articulated segmental unit slope protection and erosion control that are more resistant to hydraulic sheer and overtopping than riprap, and segmental roadway sound attenuation barriers that can give planners more options and help reduce procurement costs. We hope the Secretary will place primary emphasis on activities designed to assist state and local transportation agencies in reducing initial cost of construction of retaining walls, slope protection and erosion control, and sound attenuation barriers using high-quality transportation-grade materials, designs and engineering techniques. Specific activities might include validation of technology materials, soils requirements, design methodologies and engineering data; research to develop current, accurate scientific data on the performance of geosynthetic reinforcement for structural characteristics; a cost-sensitivity analysis to assist state and local authorities in projecting initial construction cost savings to life cycle requirements while providing competitive reliability; calibrating design methodologies based on tests of instrumented, full-scale testing of walls and barriers, slope stability, and segmental sound attenuation assemblies.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of H.R. 22, the Fixing America's Surface Transportation (FAST) Act. This long-term authorization of surface transportation programs will provide the certainty that states and municipalities need to plan and build out critical transportation infrastructure projects.

This 5-year, $305 billion measure represents a bi-partisan compromise to help repair our crumbling infrastructure and secure our economic future while creating thousands of good paying jobs. As both a conferee to the transportation bill and the senior Texan on the House Transportation and Infrastructure Committee, I can say with strong confidence that this legislation is a good-faith effort to make the important investments in our transportation infrastructure that our nation so desperately needs. While there are some shortcomings in the bill and some of us would like to have higher levels of investments be included, this bill will still help to further new and existing projects for the long-term.

I am pleased to see that this bill supports research and development, including expanding university transportation center outreach to women and underrepresented populations. In going forward, I hope that we can do more to elevate our nation as a leader in multimodal transportation innovation.

Mr. Speaker, Americans demand more investment in infrastructure and it is the responsibility of this Congress to make that investment. I applaud Chairman SHUSTER and Ranking Member DEFAZIO and other members from the various committees of jurisdiction for their hard work on this bill. Passage of this legislation is a strong first step in keeping America competitive and helping to build and maintain our nation's critical transportation infrastructure.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in support of the Conference Report on H.R. 22, The Fixing America's Surface Transportation Act. This agreement is long overdue, as communities across the country have been clamoring for a long-term funding bill that provides certainty to infrastructure projects across the country, rather than trying to pay for these projects with flat-line funding and short-term extensions.

This legislative measure provides $281 billion in guaranteed funding for highway, transit, and transportation safety programs for five years. This funding will keep these programs solvent for the entire five-year period. In addition, the agreement provides $24 billion from the General Fund, including $11.5 billion to be used for transit New Starts projects and $10.4 billion for Amtrak and intercity passenger rail grants. Thanks to this measure, California will receive $19.4 billion in highway funding and $6.8 billion in transit funding over the five-year period.

I am also proud to support the four-year reauthorization of the Export-Import Bank included in this conference report. This bank supports millions of dollars in exports by 40th District businesses, and helps level the playing field for American businesses to better compete in today's ever-growing, interconnected economy. I applaud the bipartisan effort which was so critical to including the bank's reauthorization in this agreement, and I look forward to witnessing the bank's further success and its continued support for American businesses.

However, this package is not perfect. The reality is our country needs an even more robust investment in infrastructure than what is provided through this measure. I also have concerns about the funding provisions in this bill. For example, it indexes Customs User Fees to inflation and uses them to offset the cost of the bill at a time when these fees are needed for expenses related to staffing at our borders.

Nevertheless, I hope that the funding stability this agreement provides will allow us to look ahead to the long-term solvency of the highway and transit programs. Congress should utilize the five-year authorization period to develop a reliable and reasonable funding mechanism to pay for future reauthorizations that eliminates the need for multiple short-term extensions. I believe this bipartisan legislation is a step in the right direction, and I urge all members to support this agreement.

Mr. CARNEY. Mr. Speaker, I submit this statement regarding House passage of Fixing America's Surface Transportation (FAST) Act. With many reservations and a sense of frustration, I will vote for this bill. I believe in the bill's core goals—investing in our infrastructure and providing stability to our transportation system. The legislation raises funding levels to meet the needs of our crumbling roads and bridges and avoids the short-term patches that have plagued the bill for years. I'm also glad it's the result of a bipartisan effort, and supports infrastructure projects and programs like the High Density Transit Program and the Export-Import Bank.

That said, once again, Congress missed an opportunity. We had the chance to responsibly and sustainably fund our transportation system with real revenue sources. Instead, we cobbled together one-time funding sources that will put us right back where we are today when the bill expires: in the midst of a funding shortfall and a crisis. I had long advocated for funding our transportation bill by collecting

taxes on corporate profits trapped overseas. This would be a step towards fixing our broken tax system and would discourage American companies from moving overseas. Doing so also would have provided a significant source of funding for the bill, and created the momentum to reform our international tax code. Instead, our tax code is still broken, and we no longer have the leverage of a must-pass transportation bill to fix it.

Passage of this bill means we're better off than we were before. States and local transportation agencies have the certainty they need to map out the infrastructure improvement projects our nation sorely needs. And our public transit system will be strengthened. I remain committed to finding a more responsible way to fund these programs and to fixing our tax system.

Mr. BLUMENAUER. Mr. Speaker, the passage of H.R. 22, Fixing America's Surface Transportation Act, is a significant accomplishment. It ends the embarrassing string of 37 short-term extensions. It provides five years of certainty with modest, but important, increased spending levels. There are provisions that deal with safety, innovation, and integrating passenger rail into overall surface transportation, among many other notable items.

I am pleased that a number of provisions that I have authored and championed have found their way into the final version of this legislation. One of the unheralded provisions potentially has the most significant, far-reaching consequences—the expansion of work on an alternative user-fee to replace the gas tax. This reflects legislation I have introduced that builds upon the Oregon pilot project on road user charges. There is also a specific title dealing with innovation. The next five years will see unparalleled changes in transportation practices and technology that can have a transformational effect on our way of life, and this bill embraces this.

Unfortunately, Congress continues to refuse to address a Highway Trust Fund that is inadequate and losing purchasing power by the month. Refusing to increase the gas tax for 22 years or to have any other source of revenue has complicated passage of a long-term bill. Instead, the collection of budget gimmicks paying for the legislation are, in many cases, questionable. For example, using private bill collectors to hound low-income taxpayers who run into financial difficulty is a money loser, as well as ineffective and unpopular. This is one of many ways the bill is paid for, basically to disguise the use of the Treasury's general fund instead of the traditional user fee model.

I am hopeful that we can use the next five years to build upon the positive framework of the legislation and for Congress to accept the overwhelming consensus of the people who build, maintain, and use our surface transportation system. They want to increase user fees to adequately fund transportation, and so should we as well.

I will vote for this bill because the positive policy features are compelling and because it gives us an opportunity to use this five-year period of stability to get it right. I will spare no effort to do so, and I hope I'm joined by my colleagues so that the next reauthorization truly enables us to rebuild and renew America, put millions of Americans to work at family wage jobs, and strengthen communities from coast to coast.

Mr. GRAVES of Louisiana. Mr. Speaker, while I support the policy merits of this bill, I have strong concern about some of the funding mechanisms used to help pay for it. The concerns include provisions for drawdown and sale of crude oil from the Strategic Petroleum Reserve (SPR), selling 66 million barrels of crude oil from the Strategic Petroleum Reserve in order to provide $6.2 billion in offsets over 10 years.

As is often the case, what we have accomplished here is nothing more than an unsustainable budget gimmick. As adjusted for inflation, the average price per barrel of oil currently stored in the SPR is $74. At a time when the global price of oil hovers at less than $40 a barrel, and as OPEC continues to produce and flood the global market at historic rates, with no end in sight, I simply do not see how we can budget the sale of SPR oil at $94 per barrel on average over the next 10 years to total $6.2 billion in revenue. Our SPR was never intended as a budget gimmick, it is about our energy and national security. Despite our record domestic production of crude oil, I believe it is irresponsible to use a vital national energy security asset as a budget gimmick.

Besides the fact that the math simply doesn't add up, I philosophically oppose the increasing tendency of the federal government to reallocate money intended for one purpose to then fund unrelated policy initiatives. It is disingenuous and irresponsible. And in the case of the surface transportation bill funding mechanisms, this approach is symptomatic of a larger problem.

The Highway Trust Fund was designed to be funded primarily through a user pays, user benefits model in the form of the federal gas tax. The increased fuel efficiency of vehicles, in conjunction with several policy and regulatory factors, has gradually eroded the gas tax's ability to keep pace with investment demands over time.

Mr. Speaker, it is critical that we begin work now to modernize the funding formula for the Highway Trust Fund and return to a user pays model. The longer we turn a blind eye towards addressing the user fee model, which has not been adjusted since 1993, and continue to ignore the need to build a 21st century funding mechanism reflective of the technological advancements at our disposal, the more fearful I am of passing a sustainable, long term investment to address our nation's ailing infrastructure in the future.

I applaud the chamber on its work to pass this 5-year bill, and I look forward to continuing work to ensure the next bill is more fiscally responsible, adhering to a paid for measure more closely aligned to a user pay, user benefit system.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 546, the previous question is ordered.

The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 359, nays 65, not voting 9, as follows:

[Roll No. 673]

YEAS—359

Abraham
Adams
Aderholt
Allen
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Goodlatte
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hunter
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCarthy
McCaul
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Olson
Palazzo
Pallone
Pascrell
Paulsen
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts

Pocan	Schiff	Turner
Poe (TX)	Schrader	Upton
Poliquin	Scott (VA)	Valadao
Polis	Scott, Austin	Van Hollen
Price (NC)	Scott, David	Vargas
Price, Tom	Sensenbrenner	Veasey
Quigley	Serrano	Vela
Rangel	Sessions	Velázquez
Reed	Sewell (AL)	Visclosky
Reichert	Sherman	Wagner
Ribble	Shimkus	Walberg
Rice (NY)	Shuster	Walden
Rice (SC)	Simpson	Walorski
Richmond	Sinema	Walters, Mimi
Rigell	Sires	Walz
Roby	Slaughter	Wasserman Schultz
Roe (TN)	Smith (MO)	Waters, Maxine
Rogers (AL)	Smith (NE)	Watson Coleman
Rogers (KY)	Smith (NJ)	Webster (FL)
Rokita	Smith (WA)	Welch
Rooney (FL)	Speier	Westerman
Ros-Lehtinen	Stefanik	Westmoreland
Ross	Stivers	Whitfield
Rothfus	Stutzman	Wilson (FL)
Rouzer	Swalwell (CA)	Wittman
Roybal-Allard	Takano	Womack
Royce	Thompson (CA)	Woodall
Ruiz	Thompson (MS)	Yarmuth
Rush	Thompson (PA)	Young (AK)
Russell	Thornberry	Young (IA)
Ryan (OH)	Tiberi	Young (IN)
Sánchez, Linda T.	Titus	Zeldin
Sarbanes	Tonko	Zinke
Scalise	Torres	
Schakowsky	Trott	
	Tsongas	

NAYS—65

Amash	Gosar	Nugent
Amodei	Gowdy	Palmer
Blackburn	Grothman	Pearce
Brat	Harris	Pompeo
Bridenstine	Hensarling	Posey
Brooks (AL)	Hice, Jody B.	Ratcliffe
Buck	Holding	Renacci
Burgess	Hudson	Rohrabacher
Chaffetz	Huelskamp	Roskam
Clawson (FL)	Huizenga (MI)	Salmon
Coffman	Hurt (VA)	Sanford
Culberson	Issa	Schweikert
DeSantis	Jones	Smith (TX)
DesJarlais	Jordan	Stewart
Duffy	Labrador	Tipton
Duncan (SC)	Lamborn	Walker
Fleming	Marchant	Weber (TX)
Flores	Massie	Wenstrup
Foxx	McClintock	Wilson (SC)
Franks (AZ)	Miller (FL)	Yoder
Garrett	Mulvaney	Yoho
Gohmert	Neugebauer	

NOT VOTING—9

Aguilar	Meeks	Sanchez, Loretta
Cuellar	Payne	Takai
Johnson, Sam	Ruppersberger	Williams

□ 1325

Messrs. CLAWSON of Florida and WALKER changed their vote from ''yea'' to ''nay.''

Mr. HOYER, Ms. ESTY, and Mr. YOUNG of Indiana changed their vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. WILLIAMS. Mr. Speaker, on rollcall 672 on final passage of H.R. 8, the North American Energy Security and Infrastructure Act of 2015, I would have voted ''aye,'' which is consistent with my position on this legislation.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on December 3, 2015, I was unable to vote on the Conference Report to accompany H.R. 22, the Surface Transportation Reauthorization and Reform Act of 2015 (rollcall No. 673). Had I been present, I would have voted ''yes.''

PERSONAL EXPLANATION

Mr. RUPPERSBERGER. Mr. Speaker, I was not able to vote today for medical reasons.

Had I been present on rollcall vote 666, I would have voted ''no.''

Had I been present on rollcall vote 667, I would have voted ''yes.''

Had I been present on rollcall vote 668, I would have voted ''yes.''

Had I been present on rollcall vote 669, I would have voted ''no.''

Had I been present on rollcall vote 670, I would have voted ''yes.''

Had I been present on rollcall vote 671, I would have voted ''yes.''

Had I been present on rollcall vote 672, I would have voted ''no.''

Had I been present on rollcall vote 673, I would have voted ''yes.''

PERSONAL EXPLANATION

Mr. CUELLAR. Mr. Speaker, on Thursday, December 3rd, I am not recorded on any votes because I was absent due to family reasons. If I had been present, I would have voted: ''nay,'' on rollcall 666, on ordering the Previous Question providing for further consideration of H.R. 22; ''yea,'' on rollcall 667, on H. Res. 546, providing for consideration of the Conference Report to Accompany H.R. 22; ''yea,'' on rollcall 668, on the Cramer Amendment to H.R. 8; ''nay,'' on rollcall 669, on the Rouzer Amendment to H.R. 8; ''nay,'' on rollcall 670, on the Pallone Amendment to H.R. 8; ''yea,'' on rollcall 671, on the motion to recommit H.R. 8; ''yea,'' on rollcall 672, on passage of H.R. 8; ''yea,'' on rollcall 673, on passage of the Conference Report to Accompany H.R. 22.

PERSONAL EXPLANATION

Mr. TAKAI. Mr. Speaker, on Thursday, December 3, I was absent from the House due to illness. Due to my absence, I am not recorded on any legislative measures for the day. I would like the record to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted ''no'' on rollcall 666, the previous question providing for consideration of the Conference Report to Accompany H.R. 22.

I would have voted ''no'' on rollcall 667, the rule providing for consideration of the Conference Report to Accompany H.R. 22.

I would have voted ''no'' on rollcall 668, the Cramer Amendment to the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''no'' on rollcall 669, the Rouzer Amendment to the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''yea'' on rollcall 670, the Pallone Amendment to the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''yea'' on rollcall 671, the Democratic Motion to Recommit H.R. 8.

I would have voted ''no'' on rollcall 672, final passage of the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''yea'' on rollcall 673, Agreeing to the Conference Report to Accompany H.R. 22.

PERSONAL EXPLANATION

Ms. KUSTER. Mr. Speaker, I rise to correct the RECORD regarding my vote on H.R. 8, the North American Energy Security and Infrastructure Act.

On final passage, I voted ''yes'' and I actually intended to vote ''no.''

H.R. 8 contains a number of provisions that would negatively impact the environment and undermine our Nation's ability to move away from fossil fuel.

This legislation would undermine previously enacted initiatives to modernize America's energy infrastructure and increase our energy efficiency and capacity and would provide unnecessary handouts to the fossil fuel industry at a time when we should be focusing on expanding our Nation's clean, renewable energy portfolio.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I yield to the gentleman from California (Mr. MCCARTHY) for the purpose of inquiring of the majority leader the schedule of the week to come.

Mr. MCCARTHY. I thank the gentleman for yielding.

Mr. Speaker, on Monday, the House will meet at noon for morning hour and 2 p.m. for legislative business. No votes are expected in the House in order to accommodate Members going to the White House event.

On Tuesday, the House will meet at 10 a.m. for morning hour and noon for legislative business. Members are advised that the first votes of the week are expected mid-afternoon on Tuesday.

On Wednesday, the House will meet at 10 a.m. for morning hour and noon for legislative business. On Thursday, the House will meet at 9 a.m. for legislative business.

Last votes of the week are still to be determined, but Members are encouraged to keep their schedules flexible as we approach the end of the year.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business tomorrow. Included will be a bill to make urgent and necessary changes to the Visa Waiver Program.

H.R. 158, sponsored by Representative CANDICE MILLER, will close loopholes in the visa waiver system to prevent terrorists from exploiting the system to come to America to wreak havoc.

The House has identified a host of recommendations to improve the visa waiver system in a bipartisan way. I do want to thank the gentleman for his work and cooperation on this critical bill.

In addition, the House will consider H.R. 2130, the Red River Private Property Protection Act, sponsored by Representative MAC THORNBERRY, which

will provide legal certainty to property owners in Texas.

Mr. Speaker, the House may also consider the conference report to H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015, as well as a bill to extend certain provisions of the Tax Code.

Additionally, it is possible that the House will consider an omnibus appropriations act.

Finally, Mr. Speaker, the House may also consider budget reconciliation, if the Senate acts on that measure.

□ 1330

Mr. HOYER. I thank the gentleman for that information.

I want to also thank him for the work that he has done on the Visa Waiver Program. His staff and my staff and the staff on Homeland Security on both sides of the aisle and the staff on the Judiciary Committee on both sides of the aisle, including the leaders on both sides, have worked very hard.

I think we have come up with a bipartisan effort to keep America safer while at the same time providing for access to people who do not pose a threat to America or to Americans.

I thank him for his leadership on that. I am pleased to have had the opportunity to work with him, and I look forward to the bill's passing with big majorities next week. So I thank him for that.

Mr. Leader, there is indication that the appropriation bills, or the omnibus, as we are now calling it, will come to the floor. Can the leader tell me whether or not we are making any progress on riders?

Obviously, as I understand it, essentially, we have agreement on the allocation of the dollars, which of course is the responsibility of the Appropriations Committee, and that is what they do.

Clearly, we seem to be having difficulty with the so-called riders—that is, additions to the appropriations bill—which accomplish legislative objectives either through a ''none of the funds'' provision or a legislative provision which would require a waiver.

Does the gentleman know whether or not we are making progress on eliminating riders that are controversial so that we can move the bill in a bipartisan fashion next week?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

As the gentleman knows, negotiations are ongoing. The appropriators are working hard in trying to wrap up the bill, and I will advise the Members as soon as action is scheduled in the House.

Mr. HOYER. I thank the gentleman for that.

Can I ask the gentleman again in terms of the timing of the omnibus. The existing CR, which is funding the government at the present time, expires as of midnight on the 11th. Does the gentleman have any insight as to the scheduling of the omnibus?

Presumably, we will have to pass it and give enough time for the Senate to consider it and then for the President to sign it.

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

As the gentleman knows, wrapping up legislative business in December is always unpredictable. In knowing that the omni is a larger bill, we want to allow plenty of time for Members to be able to see it and read it, but it is our intention to get it done by the deadline.

If we have to move it a few days later, we shall. We are scheduled to be here until the 18th, but we will get our business done.

Mr. HOYER. I thank the gentleman.

I understand that we are here until the 18th. Does the gentleman contemplate the possibility of a short-term CR from the 11th to the 18th at any point in time?

Mr. MCCARTHY. I thank the gentleman for yielding.

Only if necessary. I would rather get it done by the 11th.

Mr. HOYER. I thank the gentleman, and I certainly share his view on that. It will be better for the country and better for the House if we do that.

The gentleman also referenced tax extenders. Obviously, we have tax extenders that expired in December of 2014, which have not been extended. Does the gentleman have any knowledge as to whether or not we have reached an agreement on a tax extender bill and, if so, the substance of that and when it might be scheduled?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

As the gentleman knows, this side of the aisle did not want to wait on tax extenders, and many times we have passed the bills here to make them permanent.

There are ongoing negotiations. There is good movement, and I hope to see that done very soon. When it is, I will advise the Members of the action to be taking place.

Mr. HOYER. I thank the gentleman.

Let me just observe to the majority leader, Mr. Speaker, that I have great reservations. I want to let the gentleman know that, on this side of the aisle, I think we have great reservations about doing in this short time that we have left any kind of comprehensive tax extender bill, which will adversely impact the possibility of tax reform, which all of us have said we want.

But if we make a major effort on taxes now, particularly making many, many items permanent, some of which I support making permanent, it will have an adverse effect on the ability to do a big tax reform bill, bring corporate rates down, look at preference items, and try to make sure that we have a fiscally responsible piece of legislation.

So I would hope that there is an alternative, obviously, and that is a short-term bill that the Senate has passed and that that would be part of the discussions as a fallback.

I don't know that I am for a larger bill that I have heard about, but I would hope, certainly, that the alternative that the Senate has passed would be an alternative if, in fact, we cannot get agreement on a bigger package so that we will have, at least for last year and the year to come, some certainty with respect to tax consequences of certain actions that private businesses may be taking.

I yield to my friend if he has any comment.

Mr. MCCARTHY. I thank the gentleman.

As the gentleman knows, at times, we have philosophical differences. I think the greater certainty we can give to the American public, the more they can keep in their pockets and the stronger the economy is. I do not believe that if we solve tax extenders that that harms us in any way in getting overall tax reform.

But I do look forward to working with you on overall tax reform, and hopefully we can work in the same manner that we were able to on the Visa Waiver Program.

Mr. HOYER. I thank the gentleman.

As I said on the floor a little earlier today, this was a good week. We passed an education bill in an overwhelmingly bipartisan fashion. Just a few minutes ago, we passed an infrastructure-highway transportation bill with overwhelming bipartisan support.

I hope America feels good about what we have been able to do this week, and I hope America and I and others can feel good about what we will do next week.

Unless the gentleman has any further comments, I yield back the balance of my time.

ADJOURNMENT FROM THURSDAY, DECEMBER 3, 2015, TO MONDAY, DECEMBER 7, 2015

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday, December 7, 2015, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore (Mr. BISHOP of Michigan). Is there objection to the request of the gentleman from California?

There was no objection.

SHIRLEY JOHNSON

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

Mr. OLSON. Mr. Speaker, this morning, the Texas skies were not as big and they weren't as bright. We lost Shirley Johnson, the wife of our hero and our colleague, SAM JOHNSON.

They were high school sweethearts and were married for over 65 years. The entire 8 years that SAM was being tortured in Hanoi, Shirley kept a seat at the family dinner table for SAM. She knew SAM would come home.

SAM came home broken and battered. He worried, how would his family react to the new SAM? As you can see, SAM had nothing to worry about. Led by Shirley, he was swarmed with love back home in Texas.

Shirley is now among the heavens, and those Texas skies tonight will be as bright and big as ever.

God bless Shirley Johnson.

NEW MEXICO'S EDUCATION SYSTEM

(Ms. MICHELLE LUJAN GRISHAM of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise to draw attention to the concerns and frustrations among parents, educators, business leaders, and so many others in my home State of New Mexico.

Today, I voted in favor of the Every Student Succeeds Act because I believe this legislation is better, quite frankly, than the status quo, and it will work to improve our education system.

However, we cannot forget that many of New Mexico's schools are in trouble. These troubled schools stem from a lack of leadership at both the Federal and State levels.

Unfortunately, the U.S. Department of Education has not held New Mexico's leadership accountable for this failure. In fact, the Federal Government has enabled our States, including New Mexico, to put special interests ahead of student success.

That is why Education Week ranked New Mexico as 49th out of 51, with a D-plus in preparing kids for college and a D-minus in K–12 achievement.

This lack of accountability at the State and Federal levels is harming a generation of New Mexico students. New Mexicans deserve far better. It is time we had leaders who take responsibility for improving our schools and that hold each other accountable when their actions are failing students.

While the ESEA moves beyond the status quo, more needs to be done to help our students. I hope we will work together to do that.

JAMES ZADROGA 9/11 HEALTH AND COMPENSATION REAUTHORIZATION ACT

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

Mr. ROONEY of Florida. Mr. Speaker, I rise today to urge the House to bring the James Zadroga 9/11 Health and Compensation Reauthorization Act to a vote before the end of the year.

On September 11, 2001, my wife and I were stationed at Fort Hood, Texas, celebrating the birth of our first son, Tommy. We watched in horror the attacks on the World Trade Center and on the Pentagon. Like many of you, we will never forget the brave efforts of the men and women who served as first responders on that tragic morning.

Today, Tommy is 14 years old, and my children have grown up in a post-9/11 America. They will never know what America was like before those attacks, but they have been taught to look with pride at the heroes who risked their lives to help others.

With that same pride, I rise today to ask my colleagues to support a bill that protects the benefits of those first responders.

How often do we as politicians show up at 9/11 memorials to honor the first responders? How often do we talk about the heroes who rushed into those falling buildings when everybody else was running out?

Now is our chance to do our part and give the men and women we call heroes the benefits they deserve. I encourage all of you to support the James Zadroga 9/11 Health and Compensation Reauthorization Act and bring it to a vote before the end of the year.

GUNS

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

Mr. PETERS. Mr. Speaker, over a month ago, I stood in this Chamber and delivered a message from San Diegans who were calling on Congress to expand background checks for gun purchases. Since then, Congress has done nothing.

Last week, a gunman attacked a Planned Parenthood clinic in Colorado Springs. What did Congress do? Nothing.

Yesterday, there were deadly shootings in Houston, Savannah, and, in San Bernardino, 14 people were killed at a social services center.

Today, here we stand in the only building in the Nation that could do something to curb this awful violence, and we cannot even get the Speaker of this House to let Congress vote to let us act on one of the several proposed laws that many of my colleagues and I support.

Thoughts and prayers are not enough. Moments of silence are not enough. Maybe, Mr. Speaker, instead of a moment of silence, the American people could get a moment of action—a moment of action that might keep their communities from being next.

If we want to honor these victims and their families, then we should do our jobs, and we should act now.

FAIR BURDENS ACT

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

Mr. ROTHFUS. Mr. Speaker, the mass production of cheap, reliable energy has powered the greatest expansion of wealth and opportunity in human history. It has resulted in higher living standards and improved health in the United States and around the globe.

Notwithstanding this too often ignored reality, the President wants to commit the United States to even more stringent, anti-energy regulations than those currently in place. The President's Clean Power Plan alone is expected to increase our energy prices by nearly $300 billion over the next 15 years and reduce annual job creation by over 200,000.

According to the EPA's only models, the impact of all of these rules on global temperature increases will be near zero.

The United States cannot effect change alone. China, the world's largest polluter, and other top emitters of global CO_2 emissions need to come to the table too.

That is why, today, I introduced the Fighting Against Imbalanced Regulatory Burdens Act, or H.R. 4169. This bill will prevent the EPA from imposing any restrictions on CO_2 emissions from power plants unless countries responsible for 80 percent of non-U.S. emissions have enacted similarly stringent policies.

I encourage my colleagues to support me in this effort.

□ 1345

REMEMBERING MRS. BETTY FISCHER

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

Mr. VEASEY. Mr. Speaker, I rise today to honor the life of longtime Tarrant County Democratic leader, Ms. Betty Fischer.

In 1950, Ms. Fischer and her husband moved to Arlington, Texas, with their three children. Eight years later, she completely dedicated herself to Tarrant County Democratic politics. She served as a party volunteer. She was also the first woman chair of the party in 1982. She helped get one of our former Congressmen, Martin Frost, elected to office back during that time period. She was just a great person.

I can tell you that, in addition to her work for the Tarrant County Democratic Party and all her Democratic efforts, that she and her husband were also involved in the labor movement. She strongly believed that every man and woman in Tarrant County deserved the right to be able to take care of their family and make a decent living for them.

In short, Ms. Betty Fischer did it all. There are very few left like her today. We were blessed to have her in Tarrant County. I am glad that our time on this Earth overlapped with each other, and I just wish her family all the best during this time period as they cope with their recent loss.

ACCESS TO GUNS

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

Mr. RICE of South Carolina. Mr. Speaker, yesterday two terrorists murdered 14 people in a gun-free zone in San Bernardino, California, and my heart certainly goes out to the residents of San Bernardino, all of California, and all of this country.

The President's response today, after revelations that these people had been radicalized and had traveled to the Middle East recently was that he felt they had ''mixed motives.'' His solution to this is to propose restrictions for law-abiding citizens' access to guns.

I have two questions for the American public:

One, do you believe that further restricting law-abiding citizens' access to guns would have solved this tragedy?

Two, do you believe that this is the last time we will see radical Islamic terrorism on our shores?

HONORING PARKER WESTBROOK

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

Mr. HILL. Mr. Speaker, I rise today to honor the life and legacy of one of Arkansas' great leaders, my friend, Parker Westbrook, who passed away last month at the age of 89.

Parker and his vast love for historic preservation will be missed in Arkansas and throughout our country. Throughout his life, he was at the forefront of preserving Arkansas' history, earning the nickname, ''Arkansas's father of State preservation.''

Parker received numerous awards for his work, including the Preservation Honor Award from the National Trust for Historic Preservation, and was acknowledged as a national treasure.

For over 20 years, Parker and I worked together on the Historic Arkansas Museum, passionately expanding its exceptional museum and collections of Arkansas-made art, furniture, and mechanical arts. I will miss his encyclopedic knowledge of all things Arkansas.

I extend my warmest regards to and prayers for Parker's many friends and loved ones. Parker Westbrook's name will forever be preserved in our State and national history.

HONORING DARRELL ALLEN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. FLORES) is recognized for 60 minutes as the designee of the majority leader.

Mr. FLORES. Mr. Speaker, I rise today to honor Darrell Allen of Garland, Texas, who passed away on November 10, 2015, as a result of wounds received while he was serving his community.

Darrell Allen was chief of police for the city of Marlin. He selflessly served his community, and he will be greatly missed.

Darrell was born January 17, 1972, in Galveston, Texas. He graduated from Texas City High School and went on to obtain an associate's degree in criminal justice from McLennan Community College in Waco, Texas. In his pursuit to better serve his community, Darrell returned to school and received his bachelor in criminal justice in May of this year.

Since he was a child, Darrell dreamed of becoming a police officer. He began his career in law enforcement in 1994 with the Galveston County Sheriff's Department. Darrell's distinguished career also included service with the Alvin Independent School District, the Hitchcock Police Department, the Danbury Police Department, the Arcola Police Department, the Harris County Precinct 6 Constable's Office, and chief of police at the Lott Police Department.

In 2005, Darrell joined the City of Marlin Police Department, where he proceeded to climb through the department ranks. He was promoted to assistant chief of police in 2006 and elevated to chief of police in 2009.

As Marlin's chief of police, Darrell focused his efforts on building police community relations and increasing juvenile safety. He consistently drove down the community's crime rate. Today Marlin is one of the safest communities in America. His efforts garnered recognition for the Marlin Police Department from the Texas Police Chief Association's Foundation for Law Enforcement Agency Best Practices Programs.

Darrell worked tirelessly to better our central Texas community. He loved his city, and he left an enduring impression on those he served. This is evident from the scores of residents who gathered together recently in memory of their fallen chief. He will forever be remembered for his devotion to public service, as a father to his children, and as a friend to countless Marlin citizens.

My wife, Gina, and I offer our deepest and heartfelt condolences to the Allen family. We also lift up the family and friends of Darrell Allen in our prayers.

As I close, I ask that all Americans continue to pray for our country, for our military men and women who protect us abroad, and for our first responders who protect us here at home.

HONORING DIANA R. GARLAND

Mr. FLORES. Mr. Speaker, I rise today to honor Diana R. Garland of Waco, Texas, who passed away on September 21, 2015.

Diana Garland was a teacher, dean, and a valued leader in the Baylor University community. She led a full life and will be greatly missed in our community.

Diana was born on August 18, 1950, in Oklahoma City. She earned her undergraduate, master's, and doctoral degrees from the University of Louisville. After completing her degree, she went on to serve as professor of Christian family ministry and social work at the Southern Baptist Theological Seminary in Louisville.

In 1997, Diana and her husband, David, moved to Waco and joined the faculty at Baylor University. One year later, Diana was named the director of the university's Center and Community Ministries. Under her leadership, Baylor University expanded its social work program. Later when the university created the School of Social Work, she was appointed its founding dean.

During the following decade, Diana oversaw the school's rise to national recognition. Under her guidance, the School of Social Work grew to 20 full-time faculty members and 240 graduate and undergraduate students. During her tenure, she helped raise more than $7 million for research and established an endowment of $14.5 million.

In 2010, Diana administered the school's move to downtown Waco. This move allowed the school to triple its teaching and lab space. To commemorate her achievements as the school's dean, the Board of Regents recently voted to name the university's School of Social Work in her honor.

In addition to her teaching duties, Diana was the author, coauthor, and editor of 21 books and more than 100 academic articles. Her literary works included: ''Flawed Families of the Bible: How God's Grace Works Through Imperfect Relationships''; ''Inside Out Families: Living the Faith Together''; and ''Why I Am a Social Worker: 25 Christians Tell Their Life Stories.''

Diana was also the first lady of Baylor University while her husband, David Garland, served as the interim president from 2008 to 2010.

Diana stepped down as dean on June 1 of this year due to her battle with

cancer. She enjoyed the last few months of her life taking in God's beauty in Colorado.

Mr. Speaker, Diana Garland left a strong legacy at Baylor University and touched the lives of many. She will be forever remembered as a cherished mentor, a loving wife, and a visionary servant leader.

My wife, Gina, and I offer our deepest and heartfelt condolences to the Garland family. We also lift up the family and friends of Diana Garland in our prayers.

As I close, I ask that all Americans continue to pray for our country during these difficult times, for our military men and women who protect us abroad, and for our first responders who protect us here at home.

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

EXCESSIVE USE OF FORCE BY POLICE

The SPEAKER pro tempore (Mr. BOST). Under the Speaker's announced policy of January 6, 2015, the gentleman from Illinois (Mr. RUSH) is recognized for 60 minutes as the designee of the minority leader.

Mr. RUSH. Mr. Speaker, I rise to address this esteemed House of Representatives on an issue that is facing the American people, an issue that is facing our great Nation from coast to coast. This is the issue of wanton, senseless murders of unarmed young Black men and women throughout this Nation.

This past year, Mr. Speaker, we have all seen on the many news platforms all across this Nation—the morning news, the noon news, the evening news—all have been punctuated with videotapes of unarmed Black men mostly, Hispanic men, men and women, boys and girls, teenagers, being shot down in cold blood by just a few—I want to emphasize ''a few''—rogue cops that hunt our Nation's cities, that hide behind a badge and a gun. These rogue police officers operate not to serve and protect, but to commit murder and mayhem and use their badge, their official status to get away with it.

□ 1400

This popular television show, ''How to Get Away With Murder,'' could use many departments all across this Nation as a formula, indeed as the plot of ''How to Get Away With Murder.''

I bear witness that this has been going on, these murders—wanton, senseless, lawless murders—have been going on in this Nation for far too long.

Last year, Mr. Speaker, at this same time I stood before the Members of this body sharing with the Members of Congress the life and the murder of my best friends in Chicago, Fred Hampton and Mark Clark. They were both members of the Illinois chapter of the Black Panther Party.

They were young men full of leadership abilities, young men who were committed to serving their neighbor, young men who were committed to try to uplift the African American community and similarly situated communities all across this Nation.

At this very time last year, I talked about December 4, 1969, the day that Fred Hampton and Mark Clark were killed by the Chicago Police Department and the State's Attorney's police department in my city of Chicago. They were shot.

Our pathologists indicated that, at the time that the police raided their apartment, Fred Hampton lay sleeping in his bed, that he had been drugged with a drug called Seconal, and that Fred had in his body at the time of his murder enough Seconal to immobilize an elephant. That is what the science and our pathologists indicated to us.

On December 4, 1969, at 4 o'clock in the morning, members of the Chicago Police Department sneaked into the streets on the west side of the city of Chicago in utility trucks, trucks that had been decorated with the signage of the local gas company, and came in with murder in their hearts. They knocked on the door of the apartment.

Mark Clark answered: ''Who is it?''

The police at the front door said: ''Tommy.''

Mark said: ''Tommy who?''

The police at the front answered: ''Tommy Gun, Tommy Gun.''

At that time, after kicking the door down, they came in shooting with a machine gun and other automatic weapons, aiming to kill everybody in that apartment.

After the first shot was fired in the front door, then that was a signal to those who were gathered in the rear, and they came bursting in, firing. Ninety-nine shots all total went into that apartment.

A Federal grand jury indicated after the investigations were concluded that possibly only one shot exited that apartment. One shot fired out and 99 fired in. Cold-blooded murder 46 years ago.

Fast-forward to today. All across this Nation cops are killing citizens, cold blooded, without any justification, and getting away with it. It is not only in Chicago, but all across this Nation, all across America.

Dontre Hamilton was a 31-year-old African American male killed by the Milwaukee Police Department in Milwaukee, Wisconsin, on April 30, 2014, just a little over a year ago.

Eric Garner, an unarmed 43-year-old father, was killed by the New York City Police Department on July 17, 2014, a little over a year ago.

On August 9, 2014, Michael Brown, an 18-year-old unarmed teenager, was killed by the Ferguson, Missouri, police department, a little over a year ago.

A little over a year ago, Mr. Speaker, Ezell Ford, an unarmed 25-year-old mentally ill man, was killed by the Los Angeles Police Department, Los Angeles, California, August 11, 2014, a little over a year ago.

Mr. Speaker, Laquan McDonald, a 17-year-old teenager, was killed by a member of the Chicago Police Department on October 20, 2014, a little over a year ago.

A little over a year ago, Mr. Speaker, in Cleveland, Ohio, Tamir Rice, a 12-year-old boy, was killed by the Cleveland Police Department on November 22, 2014.

In the State of my birth, in DeKalb County, Georgia, Anthony Hill, a 27-year-old unarmed Air Force veteran, was killed by the DeKalb County Police Department on March 6, 2015, less than a year ago.

Less than a year ago, Nicholas Thomas, a 23-year-old unarmed Black man, again in my birth State of Georgia, in Smyrna, Georgia, was killed by the Smyrna Police Department on March 24, 2015, less than a year ago.

Less than a year ago, Mr. Speaker, Freddie Gray, a 25-year-old Black man, while in custody of the Baltimore Police Department in Baltimore, Maryland, was killed on April 12, 2015, less than a year ago.

We all remember Sandra Bland, a 28-year-old woman who was found hanging in a jail cell in Waller County, Texas, on July 13, 2015, less than a year ago.

The list goes on, Mr. Speaker.

November 16, 2015, Jamar Clark, a 24-year-old unarmed Black man, was killed by a member of the Minneapolis Police Department, less than a month ago.

Mr. Speaker, there are many, many others. In my city, a few years back, about 3 years ago, Rekia Boyd was killed by a police officer who was out of uniform, firing over his shoulder and striking Rekia Boyd in her head, killing her.

The now-terminated ex-police superintendent of the Chicago Police Department, Garry McCarthy, at the time of Rekia Boyd's murder had the unmitigated gall to stand before the citizens of Chicago and say that this unarmed, young Black woman who was killed was the target, that the police officer aimed at the person who he killed.

□ 1415

This statement has been repudiated so many, many times. He fired over his shoulder into a crowd of people.

There is a conspiracy in our police departments, a cancer in our police departments, all across our very Nation. State by State, urban area by urban area, large cities and small cities, young Black men and young Black women are targets, fair game, for some who are wearing a badge and a gun and

hiding behind a uniform and a vow that they don't believe in and that doesn't govern their lives and their official and unofficial duty.

They don't believe in serving and protecting. They believe in: How can we commit murder and get away with it? How can we murder those who don't look like us, murder those who we stereotypically view as criminals and thugs? We have a right because we wear a badge. We have a gun and we have a uniform to hide behind. We have an unmitigated right to shoot them down at will.

There are laws in this Nation that protect even wild animals from being killed.

In Chicago, Illinois, my city, there are only about 30 officers who have in excess of 10 citizen complaints against them. This police officer who was just indicted for the first time in the history of our city—only one police officer indicted for the murder of an unarmed Black man in Chicago—had 18 citizen complaints against him—18—mostly for excessive use of force.

Why was he even on the street? Why was he wearing a uniform? Why were our tax dollars being used to pay for his livelihood when he had no appreciation for the lives and the rights of American citizens 18 times?

He shot Laquan McDonald while Laquan was walking away from him. That is what the video showed. Laquan McDonald wasn't even within 20 feet of this police officer, now ex-police officer.

But he shot him 16 times, 15 times when Laquan McDonald was on the ground. He couldn't have threatened him at all. He fired 16 rounds, 15 of them while Laquan McDonald was on the ground. He fired 16 rounds in 15 seconds.

Forty-six years later we have these kinds of police atrocities occurring throughout the Nation. It is up to this body, Mr. Speaker, this Congress, to finally stand up and protect all of the people of this great Nation from these rogue cops who are roaming to and fro in our communities mercilessly, wantonly murdering our citizens, mostly Black and Latino young men and young women.

Mr. Speaker, I will be introducing in a matter of days a resolution to establish a permanent select committee on the excessive use of force by America's police departments, a permanent and select committee on excessive use of force by America's—yours and mine, the Members of this body—police departments.

Mr. Speaker, if we can have a select committee on Planned Parenthood and women's health, we can have a select committee on excessive use of force by America's police departments.

This select committee will be authorized and directed to conduct a full and complete investigation and study and to issue a report and recommendations of its findings to the House of Representatives regarding each of the following:

Number one, a uniform definition of excessive use of force;

Number two, create national guidelines on excessive use of force;

Number three, collect accurate and reliable data on police shootings and use of excessive force, both lethal and nonlethal;

Number four, implement and create a national database to make available public data of citizen complaints filed against police officers and departments;

Number five, include demographic data on police officers involved in shootings in the Uniform Crime Reporting Program;

Number six, require mandatory FBI reporting of police departments on the number of justifiable homicides committed by those departments;

Number seven, create effective training methods and mental counseling of police officers to increase their understanding of the word ''threat'' and weed out any indication of racial animus and hostility;

Number eight, create adequate training for police officers dealing with mentally ill persons.

Yes, we have mentally ill patients and police do not know how to deal with them. Under this resolution, this select committee will require training for our Nation's police to deal with mentally ill patients.

Number nine, require transparency of internal police discipline and police accountability;

Number ten, report to this Congress on the rising cost of lawsuits and settlements that are indicative of problematic policing and civil rights violations and civil rights abuses.

This is the resolution that I will be introducing over the next few days, Mr. Speaker.

Mr. Speaker, I just want to conclude by repeating something that I said last year, and I intend to repeat this throughout the remaining days of my life.

□ 1430

The murders, the political assassinations, the cold-blooded murders of Fred Hampton and Mark Clark on December 4, 1969, will not be in vain.

The murders of American citizens, particularly young, unarmed African American boys and girls, Hispanic American boys and girls, other minorities, unarmed mentally ill Americans, unarmed White Americans, these murders by America's police agencies must come to a screeching halt. Justice demands it. This Congress ought to promote it.

This Congress, this esteemed body, ought to protect all of our citizens. We have to show and demonstrate, beyond a shadow of a doubt, that just because you have a badge, you wear a badge, just because you are dressed in a uniform, just because you have a gun, with a license to arrest and detain, just because you have those assets, those powers, you do not have a right, the authority, the power to commit cold-blooded murder. And don't believe, not for 1 millisecond, that you will continue to get away with it.

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

JUST ANOTHER DAY IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Connecticut (Mr. LARSON) is recognized for the remainder of the hour as the designee of the minority leader.

Mr. LARSON of Connecticut. Mr. Speaker, may I inquire how much time I have.

The SPEAKER pro tempore. The gentleman has 25 minutes remaining.

Mr. LARSON of Connecticut. Mr. Speaker, today, like so many Americans, we are in utter disbelief that our country is once again left reeling after yet another horrific massacre of innocent Americans. There is grave concern that this has become the norm.

In fact, this is how the BBC characterized the shootings in California yesterday:

> Just another day in the United States of America—another day of gunfire, panic, and fear. This time in California.

But it could have been, as it was last week, in Colorado, or in Arizona, or Oregon, or South Carolina, or Nevada, or Wisconsin, or D.C., or in Georgia, where it also transpired.

In the capital city of Connecticut, in Hartford alone, there have been 28 deaths this year as a result of gun violence.

In 11 days, we will be passing and observing the third anniversary of the mass murder of schoolchildren and their teachers at Sandy Hook Elementary School in Newtown, Connecticut.

In the 3 years since that tragic day in 2012, when many thought, ''Well now, finally now, this innocence, this slaughter of innocent children, surely there will be change. Surely the United States Congress will take a vote. Surely Congress will respond. They will take a vote. They will take action,'' but as we did then, we will do next week. We will stand in silence, a respectful and heartfelt silence, for victims of what happened in California and Georgia just yesterday. It is something this Congress repeats in such a way that the BBC characterizes it as just another day in America.

In the 3 years since that tragic day in December, in fact, there have been an additional—additional—1,000 mass shootings in the United States of America. One thousand mass shootings

in the United States of America—that averages almost a mass shooting per day—and yet not a single vote, not a vote. Irrespective of where you stand on the issue, in the great Chamber where the country looks to for leadership, not a single vote.

Mr. Speaker, I want to put up this chart that I think graphically displays what has been going on in this country to illustrate a point—a sad point, no matter how you view this chart.

Between 2001 and 2013, guns killed more people in the United States of America than AIDS, illegal drug overdoses, wars, and terrorism combined. Gun violence has taken more individuals than all these other tragedies and calamities combined.

Far more Americans have faced and, as the families of victims, they hear the remorse, they hear the platitudes, they observe the moments of silence and the laying of wreaths, but there is no action that comes from the United States Congress. These statistics should stagger anyone who reads them and compel Congress to take action, any action, to address this epidemic of gun violence.

Now, I say ''any action.'' Whether you believe, as I do, that we should have commonsense, universal background checks so that we keep guns out of the hands of criminals, the mentally ill, and terrorists on a watch list, this is common sense. This is what I believe the Nation should be doing, and I believe, frankly, so do a majority of people in this Chamber and throughout this country, but we have yet to take a vote. We have yet, though there are bills on the floor, though they are bipartisan. At least the Senate, in a bill sponsored by Senator JOE MANCHIN, Senator PAT TOOMEY, put forward a reasonable proposition.

Whether you believe that it is a panacea or not or that it will somehow help, or maybe not, aren't the citizens of this country, aren't the families of the victims entitled to a vote? What do we owe our constituents if not a vote?

If the United States Congress continues to remain silent, as it has, I submit, we are complicit in these deaths every time we remain silent and every time we take no action.

It doesn't take a lot of courage, frankly, to vote. We are protected in this building by police. We are surrounded by armed guards. There is nothing that threatens any Member of Congress from doing his constitutional responsibility to vote.

What takes courage is what Officer Garrett Swasey did just last week, giving his life in the line of duty, defending and protecting people under siege.

□ 1445

Mr. Speaker, do you want to talk about terrorist threats? There is real terrorism happening in America every day: more than 1,000 mass shootings since Sandy Hook, deaths on our streets due to gun violence.

We could rush in a matter of days to this floor when an outrage occurred in Paris, rush to this floor in days with legislation to deal with refugees, and yet, in our own country, in our own cities across this Nation and throughout our States, can we not have a vote in Congress?

I recognize and respect the fact that people will disagree and perhaps think that background checks are not necessary or won't solve the problem. Maybe that is true. I don't believe so. But aren't we entitled to a vote? Aren't those victims of those families entitled to a vote? Do their voices mean anything?

If the vote fails, the body will have spoken, and if the vote succeeds, this body will have spoken also and will have an opportunity to see its results and observe it.

Mr. Speaker, that is how this great body works. To be denied the opportunity to vote only, in my mind, makes us further complicit to the tragedies that are happening all across this country.

Another day in America, another day of gunfire, panic, and fear. How about a day where Congress actually votes, where Members actually stand up and are accountable for what they say they believe in so no matter how you feel on this issue—and I truly respect people who disagree with me.

But I would like to have the opportunity to vote the conscience of my constituency and the beliefs that I deeply hold. It would seem to me that, in this day and age, in this body, we ought to be able to do that.

I recognize that there are probably not many people listening to my remarks right now, and I realize that Americans are incredibly frustrated with the United States Congress in general because of its inaction on so many levels.

But I urge anyone who is listening across America, whether you are opposed to universal background checks or you are in favor of them, to call their Representatives and demand of them before they go home to enjoy the Christmas holidays, before we adjourn, that we take a vote on this issue. Demand that we show you where we stand on commonsense background checks.

If you really believe in your position, what is there to hide from? We need to take a vote. Americans need to know where we stand. This isn't a profile in courage; this is our responsibility.

This issue has been looked at, it has been studied, and it has supporters on both sides. There is a discharge petition on the floor, but, frankly, this bill ought to be brought to the floor and voted on.

It should be voted on in the Senate Chamber. It is my understanding that HARRY REID will include it as an amendment. The Senate then will have voted twice, and the House remains silent. We need to vote.

In this body, in this great Chamber, I would much rather be known by the votes I have taken than the speeches I have made, the press releases that have gone out, and the 30-second sound bites that will follow. I would like to be known, as I believe all Members of this body would, for the votes I have taken standing up on behalf of my constituents.

Above the podium of the Speaker, there is a famous quote from Daniel Webster, and I paraphrase that quote. Webster asked aloud of all Members of this body whether, in our day and generation, we will perform something for which we will be remembered. I ask this body for a vote for which we will be remembered.

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

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to a perceived viewing audience.

SELF-DEFENSE ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, it was 2 years ago this week that a precious life was cut short tragically. Kari Renee Hunt, a resident of Marshall, Texas, was murdered by her estranged husband in a hotel.

They were in the hotel room. While the estranged husband was assaulting Kari, her 9-year-old daughter, while witnessing the murder, did what most parents teach their kids to do in an emergency. She dialed 911—and got nothing.

Because what this precious 9-year-old—and the family hasn't used her name publicly, so I will not either—what the precious girl didn't know is what a lot of folks dialing 911 in that situation wouldn't know, that you have to dial 9 before you can dial 911. In order to dial the 911, you need to dial the 9 prefix in order to get an outside line.

Mr. Speaker, she didn't know that. She was desperately trying to get help to save her mother before the assault turned into murder. She never got help, not in time.

Kari's father, Hank Hunt, has worked tirelessly to try to get something done. The State legislature in Texas has enacted a law, but from the Federal Government end, we can make it universal across the country.

I do thank my friend Kevin Eltife for his work in the State legislature.

Mr. Speaker, our bill is a little different. I was surprised to find out that,

actually, most of the time, there is no cost whatsoever to requiring that a phone be furnished to a business or a home or anywhere where there might be a need to punch 9 to get an outside line—there is no cost to having a default that you can dial 911 without the prefix, and it will go straight to the emergency help.

Once I learned that, it became clear there was no reason not to have a law that just tells providers, provide the phone so that the default when you dial 911 is to get emergency help, that you don't need a prefix to get an outside line.

So, today, after a lot of help—again, I am thankful to Hank Hunt for his tireless work—a number of groups have made this easier to come together on language that was acceptable to most. There were a couple of objections, but this is the final language.

So I want to thank Mark Fletcher with AH&LA, the American Hotel & Lodging Association; FCC Commissioner Pai; and the 911 Association.

Mr. Speaker, the bill we filed today is H.R. 4167, and, as it says in the bill, the purpose is to amend the Communications Act of 1934 to require multiline telephone systems to have a default configuration that permits users to directly initiate a call to 911 without dialing an additional digit, code, prefix, or postfix. That is the purpose.

It is a short bill of three pages. If it had been the law 2 years ago, help would likely have gotten there before Kari's murder was final. So, while this legislation will not reverse the heartbreaking loss of Kari, Kari's law should prevent it from happening again. And when it doesn't cost anything, why not?

Mr. Speaker, I thank all of those who have helped, and, actually, I want to thank the news media in east Texas for being so helpful in bringing attention to this issue and helping us get to the point where we are.

Now we have to get through committee and get it to the floor. We have Senators, one in particular, looking at it to bring to the Senate floor so we can get this done and make it law.

There has been no veto threat on this bill, so I would doubt the President would refuse to sign it if we would just pass it.

Since the shootings in San Bernardino, I guess it shouldn't have been surprising that so many people would immediately call out for gun control even before they knew how Farouk—the defendants, the shooters, the evil shooters, acquired their guns.

It is interesting that I believe there were 13 bombs already made, a number of bombs already made. So if guns were completely outlawed in the United States, it wouldn't change the evil in the hearts of radical Islamists who are bent on terrorizing and killing people.

Mr. Speaker, it gets tiresome hearing people feel like they always have to say, ''All Muslims we know don't feel this way,'' yet they have no conviction and no compulsion, when they condemn Christians as being guilty of crusades, of saying, ''But we know all Christians don't feel this way.''

I would submit, Mr. Speaker, that the fact is I don't know whether that shooter in Colorado Springs was self-described as a Christian or not. He obviously was confused about his gender.

□ 1500

Maybe the next thing we will hear is that—since he apparently checked off—or it is reported that he had filed a registration where he indicated he was an unaffiliated female, perhaps the next we will be told is that maybe, if he had been allowed to go into the little girl's restroom in elementary school, he wouldn't have later snapped and did those merciless killings.

It has also been interesting—and, as a former prosecutor, a judge, also—I don't know if there is anybody else in this body of 435 representatives or anybody in the Senate—I don't know—who has ever been court-appointed to appeal a death penalty conviction as I was.

Even though I begged the judge not to appoint me, he did. And I do believe in our adversarial system to the point like John Adams said after the Boston Massacre, for our system to work, it requires adversaries on both sides doing the best they can legally and ethically.

When I got into it, it appeared clear he had not gotten a fair trial. I later convinced the highest court in Texas to reverse his capital murder conviction, which it did. I don't know how many others in this body or the Senate have appealed and reversed a capital murder conviction. People always think I am such a heartless guy, but I do believe in the rule of law and I do believe it should be followed.

I don't believe it helps the lawlessness that is breaking out across our land to have an administration that picks and chooses the laws that it likes to enforce and have an IRS that abuses their positions in the law, that has Homeland Security that deletes thousands of documents that would help us identify terrorists and then go after the guy that preserved them on his own classified IronKey.

He is a real hero, but he has now been forced out of Homeland Security. He resigned. But after they empanelled a grand jury to investigate him, became terrorists in the way that the government treated them, not with guns, but with the power of this administration.

I mean, with somebody as law-abiding as some of our whistleblowers have been only to find that this administration will come after you if you try to stand up for truth and integrity, can we not expect lawlessness to break out? John Adams wrote: This government was intended for the governing of a moral and religious people. It is not fit to govern any others.

I know the President and others keep saying there is nowhere in the world that has the frequency of shootings like this or mass murders like we do in the United States. But, as I have mentioned before, there was an article by Kyle Becker 4 months ago. He has a chart and says, if you don't compare apples and oranges, if you actually compare the number of rampage shooting fatalities to the number of people in the country, then Norway is first, 15.3 per million; 1.85 per million in Finland; 1.47 per million in Slovakia; 1.38 in Israel; .75 in Switzerland; and .72 per million in the United States.

The trouble is the loss of even one life is unnecessary, and appropriate steps should be taken to prevent them.

My friend John Lott has an article out today in National Review. He says—this is John Lott:

''On Sunday, Hillary Clinton slammed Republicans for not being serious about protecting Americans from terrorism. 'How many more Americans need to die before we take action?' Clinton asked in response to Friday's shooting at a Planned Parenthood clinic in Colorado Springs. She believes that stopping such attacks involves 'common-sense steps like comprehensive background checks, closing the loopholes that let guns fall into the wrong hands.' Within minutes of the attack in San Bernardino, California, yesterday, Clinton pushed again for more regulations.

''Clinton also wants to crack down on terrorism by prohibiting people on the no-fly list from buying guns. 'If you are too dangerous to fly in America, you are too dangerous to buy a gun in America.' ''

And I will insert parenthetically that I have got one of the most patriotic friends I know who is a highly decorated general in the United States Army who lived just outside Marshall, Texas.

We have had a number of times tried to help the general, this patriotic freedom-loving American, who has put his life on the line repeatedly. We have had to repeatedly work to get his name off the no-fly list because, apparently, there is someone with a similar name. And whoever that person is, this patriot's name is on the list.

Well, John Lott goes on:

''Are Republicans really putting Americans in danger by opposing new gun-control laws?

''After every mass shooting, Clinton and President Obama have called for 'comprehensive' or 'universal' background checks, which would apply not only to the purchase of guns from a dealer, but also to private transfers of guns. However, it wouldn't have stopped any of the mass shootings during Obama's tenure. Last weekend,

Clinton, Obama, and other Democrats issued their calls for new legislation before anyone even knew how the Colorado shooter had obtained his rifle.

''Colorado already had expanded background checks two years ago. So had Oregon before the Umpqua Community College shooting in October. France also has a background-check system. So too does California, which experienced yesterday's attack. Yet, while the existing laws didn't stop shootings of the very kind Clinton claims that they will stop, she uses these failures to justify imposing similar laws on the rest of the country.

''The American background-check system is supposed to prevent the purchase of a gun by anyone who has been convicted of a felony or certain misdemeanors. The Feinstein amendment would also ban the sale of guns to anyone who is on the terrorist watch list. Now, being on the watch list sure sounds bad, but it doesn't mean that a person has been convicted of anything. In fact, it is pretty easy to get on the watch list; you can be on it simply because the FBI wants to interview you about someone you might know. According to the TechDirt website, about 40 percent of the people on the watch list are considered to be under 'reasonable suspicion' even though they have absolutely 'no affiliation with known terrorist groups.'

''The number of people on the list has grown dramatically during the Obama administration; by 2013, there were about 700,000 people on the list. As of 2014, about 50,000 people were on the no-fly list. This is a ten-fold increase since Obama became president.

''Between February 2004 and December 2014, over 2,000 people on the watch list bought one or more guns. The government has not identified a single one of these people as using a gun in a crime.

''Should the government be able to deny you the right to protect yourself simply because it wants to ask you about someone you might know? And that isn't the only problem posed by the proposed expanded background checks. In New York, today's background checks add about $80 to the cost of transferring a gun. In Washington State, they add about $60. In Washington, D.C., they add $200. In effect, these laws put a tax on guns and can prevent less affluent Americans from purchasing them. This disproportionately affects poor minorities who live in high-crime urban areas.

''While some people on 'no-fly' lists are there because they are suspected of terrorist activity, you can also get added because you are a suspect in a criminal case, made controversial statements or tweets unrelated to terrorism, are the victim of a clerical error, or refused to become a government informant.''

And I might add, last November, as I was leaving London, I had a security person tell me they realized I was a U.S. Congressman and, ''We are very sorry,'' but that our Homeland Security Department here in the United States said I was to be thoroughly personally searched along with my bags.

I don't know. Maybe they didn't like my questioning of the Secretary of Homeland Security and were threatened by my questions trying to get truth out of them.

''Between February 2004 and December 2014, over 2,000 people on the watch list bought one or more guns.'' It is pretty amazing there. But not one of them—not a single one of those people have been accused of using a gun in a crime.

So even if these people wanted this law to be changed, it would not have changed the outcome in Oregon, Colorado, or California. It seems as if my well-meaning friends proposing tougher and tougher laws to take away our Second Amendment rights mean well, but they are proposing things without even knowing whether they would save a single life. Certainly they will take away rights of law-abiding Americans, but they certainly would not have changed the outcome in Colorado or California.

''The error rate for identifying potential terror threats is probably similar to the error rate for background checks on gun purchases. Over 94 percent of 'initial denials' for gun purchases are dropped after just a preliminary review. These cases were dropped either because the wrong person had been stopped or because the covered offenses were decades old and the government decided not to prosecute. The total error rate comes to about 99 percent.

''Putting people on a list and prohibiting them from legally purchasing guns doesn't really stop them from getting weapons. The fact that people are prohibited from buying certain drugs doesn't mean people can't get them. It's the same with guns. And, incidentally, drug gangs supply both illegal drugs and illegal guns.

''Indeed, since Clinton wants to make a comparison to last week's Paris attacks, we should point out that France's strict weapon bans didn't stop the terrorists from getting the AK–47s and explosive belts they used in the attacks.

Strangely, the Oregon, Colorado, California, and Paris shootings are being used to push for additional gun-control laws of the sort that failed to prevent those attacks.''

That is John R. Lott, Jr., today writing.

When I proposed and filed Kari's Law today, I had to be sure that it would make a difference and that the added burden would not cause any extra effort, cost money, hardly ever, just something that needed to be done.

Kari's Law would be a great law for our country, whereas, the laws being hailed as something we must pass wouldn't have saved a single one of the lives that we will pause in silence and for whom most of us will pray.

□ 1515

Mr. Speaker, I know that Christians are being reviled. Certainly, in the Middle East, they are being beheaded. Here, in the United States, after leaders talked about praying for the victims' families, there have been belittling comments made.

But I look at the quote that Thomas Jefferson provided. It is inscribed in his memorial:

''God who gave us life gave us liberty. And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the gift of God? that they are not to be violated but with His wrath? Indeed, I tremble for my country when I reflect that God is just; that His justice cannot sleep forever.''

Jefferson, on March 4, 1805, in his second inaugural, said:

''. . . I shall, need to the favor of that Being in whose hands we are, who led our forefathers, as Israel of old, from their native land and planted them in a country flowing with all the necessities and comforts of life.''

James Madison made many declarations and statements.

On July 23, 1813, in the National Day of Public Humiliation and Prayer Proclamation, James Madison, who is given credit for being the most prolific author in the Constitution, said:

''If the public homage of a people can ever be worthy of the favorable regard of the Holy and Omniscient Being to whom it is addressed, it must be that in which those who join in it are guided only by their free choice, by the impulse of their hearts, and the dictates of their consciences; and such a spectacle must be interesting to all Christian nations as proving that religion, that gift of Heaven for the good of man, freed from all coercive edicts, from that unhallowed connection with the powers of this world which corrupts religion . . . and making no appeal but to reason, to the heart, and to the conscience, can spread its benign influence everywhere and can attract to the divine altar those freewill offerings of humble supplication, thanksgiving, and praise, which alone can be acceptable to Him . . .''

We have observed a time now in our country's history where we have gone from, not nine Supreme Court Justices—most of the time, it is just five—who have said, even though the Founders have been requiring every day to start with prayer since the beginning of the new Constitution, we don't think you should have prayer in public places.

That was a shocker. It would have been a shocker to the Founders since

they started with prayer in the very beginning and have continued through to this day.

The Supreme Court goes on to say that they don't think you should talk about Jesus. You can talk about Mohammed, and you can talk all about Islam, but you can't talk about Jesus Christ. We have even had Federal judges say you can't mention the name ''God'' in your graduation ceremony. Our judicial system has a small group of judges who has run amuck, who has lost its way, and it has taken the country with them.

Abraham Lincoln said:

''It is the duty of nations as well as of men, to own their dependence upon the overruling power of God, to confess their sins and transgressions, in humble sorrow, yet with assured hope that genuine repentance will lead to mercy and pardon; and to recognize the sublime truth, announced in the Holy Scriptures and proven by all history, that those nations only are blessed whose God is the Lord.''

It is remarkable that this is 2 years and 40-something days before his assassination.

Abraham Lincoln, with people dying all over the country, put this in print in his National Day of Humiliation, Fasting and Prayer Proclamation.

Abraham Lincoln said:

''We have forgotten God. We have forgotten the gracious hand which preserved us in peace and multiplied and enriched and strengthened us; and we have vainly imagined, in the deceitfulness of our hearts, that all these blessings were produced by some superior wisdom and virtue of our own. Intoxicated with unbroken success, we have become too self-sufficient to feel the necessity of redeeming and preserving grace, too proud to pray to the God that made us.

''It behooves us then to humble ourselves before the offended Power, to confess our national sins, and to pray for clemency and forgiveness.''

I will just share one more, Mr. Speaker.

William Howard Taft is the only man in U.S. history to have been President and Chief Justice—or any Justice—on the Supreme Court.

In 1908, William Howard Taft said:

''No man can study the movement of modern civilization from an impartial standpoint and not realize that Christianity and the spread of Christianity are the only basis for the hope of modern civilization and the growth of popular self-government. The spirit of Christianity is pure democracy. It is the equality of man before God, the equality of man before the law, which is, as I understand it, the most godlike manifestation that man has been able to make.''

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PAYNE (at the request of Ms. PELOSI) for today on account of a medical appointment.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 22 minutes p.m.), under its previous order, the House adjourned until Monday, December 7, 2015, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3630. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting a letter reporting a violation of the Antideficiency Act, Navy case number 14-01, pursuant to 31 U.S.C. 1351; Public Law 97-258, Sec. 1351; (96 Stat. 926); to the Committee on Appropriations.

3631. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting the Bureau's report on the impact of the Credit Card Accountability Responsibility and Disclosure Act of 2009 on the consumer credit card market, pursuant to 15 U.S.C. 1616(d); Public Law 111-24, Sec. 502(d); (123 Stat. 1756); to the Committee on Financial Services.

3632. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's interim final rule — Changes to Accounting Requirements for the Community Development Block Grants (CDBG) Program [Docket No.: FR 5797-I-01] (RIN: 2506-AC39) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3633. A letter from the Chair, Securities and Exchange Commission, transmitting the Commission's 2014 Annual Report of the Securities Investor Protection Corporation, pursuant to 15 U.S.C. 78ggg(c)(2); Public Law 91-598, Sec. 7(c)(2); (84 Stat. 1652); to the Committee on Financial Services.

3634. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — List of Nonconforming Vehicles Decided to be Eligible for Importation [Docket No.: NHTSA-2015-0087] received December 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3635. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's eleventh annual report on Ethanol Market Concentration, pursuant to 42 U.S.C. 7545(o)(10)(B); Public Law 90-148, Sec. 1501(B) (as added by Public Law 109-58, Sec. 1501(a)); (119 Stat. 1074); to the Committee on Energy and Commerce.

3636. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Cyber Security Event Notifications, Regulatory Guide 5.83, received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3637. A letter from the Chairman, Consumer Product Safety Commission, transmitting the Commission's Fiscal Year 2015 Agency Financial Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3638. A letter from the Chief Executive Officer, Corporation for National and Community Service, transmitting the Corporation's semiannual report to Congress for the period from April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3639. A letter from the Secretary, Department of Agriculture, transmitting the Department's semiannual report to Congress covering the 6-month period that ended September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3640. A letter from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

3641. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's Semiannual Report to Congress for the period ending September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3642. A letter from the Chairman, Federal Labor Relations Authority, transmitting the Authority's FY 2015 Performance and Accountability Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3643. A letter from the Chairman and Members, Federal Labor Relations Authority, transmitting the Authority's semiannual report for the period April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3644. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's Performance and Accountability Report for fiscal year 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3645. A letter from the Chairwoman, Federal Trade Commission, transmitting the Commission's Fiscal Year 2015 Agency Financial Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3646. A letter from the Administrator, General Services Administration, transmitting the Administration's Semiannual Management Report to Congress for the period of April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3647. A letter from the Labor Member and Management Member, Railroad Retirement

Board, transmitting the Board's semiannual report for the period April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3648. A letter from the Chairwoman, U.S. Election Assistance Commission, transmitting the Commission's semiannual report for the period from April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3649. A letter from the Chief, Border Security Regulations Branch, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Technical Amendment to List of Field Offices: Expansion of San Ysidro, California Port of Entry to include the Cross Border Xpress User Fee facility [CBP Dec.: 15-17] received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3650. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Limited Airplanes [Docket No.: FAA-2015-3620; Directorate Identifier 2015-CE-029-AD; Amendment 39-18319; AD 2015-23-03] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3651. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Helicopters [Docket No.: FAA-2015-3969; Directorate Identifier 2014-SW-010-AD; Amendment 39-18318; AD 2015-23-02] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3652. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes [Docket No.: FAA-2015-1425; Directorate Identifier 2014-NM-185-AD; Amendment 39-18312; AD 2015-22-07] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3653. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-0244; Directorate Identifier 2014-NM-127-AD; Amendment 39-18313; AD 2015-22-08] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3654. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-4211; Directorate Identifier 2015-NM-150-AD; Amendment 39-18311; AD 2015-22-06] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3655. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2015-0593; Directorate Identifier 2015-NE-08-AD; Amendment 39-18254; AD 2015-17-21] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3656. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0649; Directorate Identifier 2014-NM-132-AD; Amendment 39-18314; AD 2015-22-09] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3657. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0454; Directorate Identifier 2013-NM-138-AD; Amendment 39-18298; AD 2015-21-06] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3658. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-2461; Directorate Identifier 2013-NM-202-AD; Amendment 39-18310; AD 2015-22-05] (RIN: 2120-AA64) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3659. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Van Nuys, CA [Docket No.: FAA-2015-1138; Airspace Docket No.: 15-AWP-3] received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3660. A letter from the Ombudsman, FMCSA, Department of Transportation, transmitting the Department's final rule — Prohibiting Coercion of Commercial Motor Vehicle Drivers [Docket No. FMCSA-2012-0377] (RIN: 2126-AB57) received December 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3661. A letter from the Assistant Administrator, Office of Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — NASA FAR Supplement: Safety and Health Measures and Mishap Reporting (RIN: 2700-AE16) received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Science, Space, and Technology.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. MILLER of Michigan: Committee on House Administration. H.R. 195. A bill to terminate the Election Assistance Commission (Rept. 114–361). Referred to the Committee of the Whole House on the state of the Union.

Mrs. MILLER of Michigan: Committee on House Administration. H.R. 412. A bill to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns (Rept. 114–362, Pt. 1). Ordered to be printed.

Mr. MCCAUL: Committee on Homeland Security. H.R. 3869. A bill to amend the Homeland Security Act of 2002 to require State and local coordination on cybersecurity with the national cybersecurity and communications integration center, and for other purposes (Rept. 114–363). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 3106. A bill to authorize Department major medical facility construction projects for fiscal year 2015, to amend title 38, United States Code, to make certain improvements in the administration of Department medical facility construction projects, and for other purposes; with an amendment (Rept. 114–364). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 2915. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to identify mental health care and suicide prevention programs and metrics that are effective in treating women veterans as part of the evaluation of such programs by the Secretary; with an amendment (Rept. 114–365). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1107. A bill to require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets; with an amendment (Rept. 114–366). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. S. 1580. An act to allow additional appointing authorities to select individuals from competitive service certificates (Rept. 114–367). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. S. 1629. An act to revise certain authorities of the District of Columbia courts, the Court Services and Offender Supervision Agency for the District of Columbia, and the Public Defender Service for the District of Columbia, and for other purposes (Rept. 114–368). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DOLD (for himself and Ms. LINDA T. SÁNCHEZ of California):

H.R. 4165. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for the installation and maintenance of mechanical insulation property; to the Committee on Ways and Means.

By Mr. BARR (for himself and Mr. DAVID SCOTT of Georgia):

H.R. 4166. A bill to amend the Securities Exchange Act of 1934 to provide specific credit risk retention requirements to certain qualifying collateralized loan obligations; to the Committee on Financial Services.

By Mr. GOHMERT (for himself, Mr. FARENTHOLD, Mr. DUNCAN of Tennessee, Mr. THOMPSON of California, and Mr. CULBERSON):

H.R. 4167. A bill to amend the Communications Act of 1934 to require multi-line telephone systems to have a default configuration that permits users to directly initiate a call to 9-1-1 without dialing any additional digit, code, prefix, or post-fix, and for other purposes; to the Committee on Energy and Commerce.

By Mr. POLIQUIN (for himself and Mr. VARGAS):

H.R. 4168. A bill to amend the Small Business Investment Incentive Act of 1980 to require an annual review by the Securities and Exchange Commission of the annual government-business forum on capital formation that is held pursuant to such Act; to the Committee on Financial Services.

By Mr. ROTHFUS (for himself, Mr. MCKINLEY, Mr. BARR, Mrs. NOEM, Mr. MOONEY of West Virginia, Mr. ZINKE, Mr. CRAMER, Mr. STUTZMAN, Mr. PITTENGER, Mr. WEBER of Texas, and Mr. ROUZER):

H.R. 4169. A bill to amend the Clean Air Act to prohibit any regulation under such Act concerning the emissions of carbon dioxide from a fossil fuel-fired electric generating unit from taking effect until the Administrator of the Environmental Protection Agency makes certain certifications, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARTWRIGHT:

H.R. 4170. A bill to require the Secretary of Labor, in consultation with the Secretary of Health and Human Services, to draft disclosures describing the rights and liabilities of customers of domestic care services and require that such services provide such disclosures to customers in any contract for such services; to the Committee on Education and the Workforce.

By Mr. CROWLEY:

H.R. 4171. A bill to amend title 49, United States Code, to prohibit the operation of certain aircraft not complying with stage 4 noise levels, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ELLISON (for himself, Mr. FITZPATRICK, Mr. AL GREEN of Texas, Mr. RENACCI, Ms. MOORE, Mr. DUFFY, Mr. HIMES, Mr. MULVANEY, Mr. CARNEY, Mr. PITTENGER, Mr. HINOJOSA, Mr. JONES, Mr. GRIJALVA, Mr. SCHWEIKERT, Mr. RUSH, Mrs. LOVE, Mr. MCNERNEY, Mr. STIVERS, and Mr. BLUMENAUER):

H.R. 4172. A bill to amend the Fair Credit Reporting Act to clarify Federal law with respect to reporting certain positive consumer credit information to consumer reporting agencies, and for other purposes; to the Committee on Financial Services.

By Mr. BRENDAN F. BOYLE of Pennsylvania (for himself and Ms. MCCOLLUM):

H.R. 4173. A bill to provide that an alien who has traveled to Iraq or Syria during the 5-year period prior to the alien's application for admission is ineligible to be admitted to the United States under the visa waiver program, and for other purposes; to the Committee on the Judiciary.

By Mr. CÁRDENAS (for himself and Mr. ASHFORD):

H.R. 4174. A bill to establish a program that promotes reforms in workforce education and skill training for manufacturing in States and metropolitan areas, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Science, Space, and Technology, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRAWFORD:

H.R. 4175. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for conservation expenditures to reduce groundwater consumption; to the Committee on Ways and Means.

By Mr. DEUTCH:

H.R. 4176. A bill to amend title 18, United States Code, to limit the recovery of damages in a civil action related to the disclosure of certain personal information from State motor vehicle records, and for other purposes; to the Committee on the Judiciary.

By Mr. GOSAR (for himself, Mr. BRAT, Mr. BUCK, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. JONES, Mrs. KIRKPATRICK, Mr. LAMALFA, Mr. MESSER, Mr. PEARCE, Mr. POSEY, Mr. ROUZER, Mr. SALMON, Mr. SESSIONS, Mr. STUTZMAN, Mr. AMODEI, Mr. DESJARLAIS, Mr. WILSON of South Carolina, Mr. FITZPATRICK, Mr. RIGELL, and Mr. BABIN):

H.R. 4177. A bill to amend the Federal Election Campaign Act of 1971 to prohibit the acceptance by political committees of online contributions from certain unverified sources, and for other purposes; to the Committee on House Administration.

By Mr. LOWENTHAL (for himself, Ms. KUSTER, and Mr. CÁRDENAS):

H.R. 4178. A bill to amend the Internal Revenue Code of 1986 to extend the work opportunity tax credit and to allow small employers a credit against income tax for hiring individuals receiving unemployment compensation; to the Committee on Ways and Means.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Mr. PALLONE, Ms. ESHOO, Mr. YARMUTH, Mr. WELCH, Ms. MATSUI, Mr. MICHAEL F. DOYLE of Pennsylvania, and Ms. CLARKE of New York):

H.R. 4179. A bill to direct the Federal Communications Commission to promulgate regulations requiring material in the online public inspection file of a covered entity to be made available in a format that is machine-readable; to the Committee on Energy and Commerce.

By Mr. MEADOWS (for himself and Mr. CONNOLLY):

H.R. 4180. A bill to improve Federal agency financial and administrative controls and procedures to assess and mitigate fraud risks, and to improve Federal agencies' development and use of data analytics for the purpose of identifying, preventing, and responding to fraud, including improper payments; to the Committee on Oversight and Government Reform.

By Mrs. NOEM (for herself, Mr. PASCRELL, and Mr. BLUM):

H.R. 4181. A bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel; to the Committee on Ways and Means.

By Mr. ROONEY of Florida (for himself and Ms. FRANKEL of Florida):

H.R. 4182. A bill to require the lender or servicer of a home mortgage, upon a request by the homeowner for a short sale, to make a prompt decision whether to allow the sale; to the Committee on Financial Services.

By Mr. ROONEY of Florida (for himself and Mr. RYAN of Ohio):

H.R. 4183. A bill to increase the penalties for fentanyl trafficking; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIMES (for himself, Ms. ESTY, Mr. RANGEL, Mr. SCHIFF, Ms. NORTON, Mr. GRAYSON, Mr. HONDA, Ms. SLAUGHTER, Mr. LOWENTHAL, Ms. SPEIER, Mr. CARTWRIGHT, and Mr. POCAN):

H. Res. 548. A resolution expressing support for designation of February 12, 2016, as ''Darwin Day'' and recognizing the importance of science in the betterment of humanity; to the Committee on Science, Space, and Technology.

By Ms. DELBENE (for herself, Mr. LOWENTHAL, Mr. LARSEN of Washington, Mr. POCAN, Mr. JEFFRIES, Mr. HASTINGS, Mr. ENGEL, Mr. TAKANO, Mr. KEATING, Mrs. WATSON COLEMAN, Mr. KILMER, Mr. TED LIEU of California, Mr. VAN HOLLEN, Ms. NORTON, Mr. POLIS, Mr. HINOJOSA, Mr. GRIJALVA, Ms. LEE, Ms. SPEIER, Ms. CASTOR of Florida, Mr. ASHFORD, Mr. GALLEGO, Ms. HAHN, Mr. LOEBSACK, Mr. CARSON of Indiana, Mr. RUSH, Mr. LEWIS, Mr. MOULTON, Ms. VELÁZQUEZ, Mrs. DAVIS of California, Mr. SCHIFF, Ms. MATSUI, Ms. CLARK of Massachusetts, Mr. HIGGINS, Ms. DEGETTE, Mr. SMITH of Washington, Mr. RANGEL, Mr. SWALWELL of California, Mr. CICILLINE, Mr. DELANEY, Ms. TITUS, Ms. SLAUGHTER, Mr. NORCROSS, Mr. PASCRELL, Mr. KENNEDY, Mr. LANGEVIN, Mr. HONDA, Ms. ESTY, Ms. MENG, Mr. BRADY of Pennsylvania, Mr. MURPHY of Florida, Mr. GARAMENDI, Ms. JUDY CHU of California, Mr. PALLONE, Ms. CLARKE of New York, Mr. YARMUTH, Mr. HECK of Washington, Ms. LOFGREN, Ms. MCCOLLUM, Ms. TSONGAS, Mr. MCDERMOTT, Mrs. DINGELL, Mrs. CAPPS, Mr. BLUMENAUER, Ms. BASS, Ms. BROWNLEY of California, Mr. GUTIÉRREZ, Ms. WILSON of Florida, Mr. SERRANO, Mr. NADLER, Mr. KILDEE, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CÁRDENAS, Ms. SINEMA, Mr. SEAN PATRICK MALONEY of New York, Mrs. BUSTOS, Mr. MCNERNEY, Mr. THOMPSON of California, Mr. KIND, Mr. GRAYSON, Ms. MOORE, Ms. BONAMICI, Ms. PINGREE, Miss RICE of New York, Ms. SCHAKOWSKY, Mr. DESAULNIER, Ms. FRANKEL of Florida, Ms. KUSTER, Ms. WASSERMAN SCHULTZ, Mr. CROWLEY, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. CARTWRIGHT, Mr. BEYER, and Ms. DUCKWORTH):

H. Res. 549. A resolution expressing support for the designation of June 26 as ''LGBT Equality Day''; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr. GOODLATTE, Mr. NADLER, Ms. JUDY CHU of California, Mr. COHEN, Mrs. LAWRENCE, Mr. RANGEL, Ms. JACKSON LEE, Mr. DEUTCH, Mr. PALLONE, Ms. DELBENE, Mr. UPTON, Mrs. BLACKBURN, Mr. JEFFRIES, Mrs. DINGELL, Mr. BENISHEK, Mr. RICHMOND, Mr. KILDEE, Mr. CHABOT, Ms. LOFGREN, Mr. BUTTERFIELD, Mrs. MILLER of Michigan, and Mr. CICILLINE):

H. Res. 550. A resolution honoring the achievements of Berry Gordy, Jr. and the musical history he created through Motown Records; to the Committee on the Judiciary.

By Mr. TED LIEU of California (for himself, Mr. POE of Texas, Mr. ROYCE, and Mr. ENGEL):

H. Res. 551. A resolution recognizing the importance of the United States-Israel economic relationship and encouraging new areas of cooperation; to the Committee on Foreign Affairs.

By Mr. PAYNE (for himself, Mr. MULLIN, Mr. BUCHANAN, Mrs. NAPOLITANO, and Mr. RYAN of Ohio):

H. Res. 552. A resolution expressing support for health and wellness coaches and ''National Health and Wellness Coach Recognition Week''; to the Committee on Energy and Commerce.

By Mr. ZINKE (for himself, Mr. COFFMAN, Mrs. LOVE, Mr. WILSON of South Carolina, Mr. ROKITA, Mr. POMPEO, Mr. RUSSELL, Mr. NEWHOUSE, Mrs. WAGNER, Mr. WEBER of Texas, Mr. BABIN, Mr. ADERHOLT, Mr. GUTHRIE, Mr. MESSER, Mr. YODER, Mr. ROYCE, Mrs. LUMMIS, Mr. LONG, Mr. ZELDIN, Mr. SHUSTER, Mr. SCHWEIKERT, Mr. LAMBORN, Mr. MILLER of Florida, Mr. MCCAUL, Mr. CONAWAY, Mr. CHAFFETZ, Mr. SALMON, Mr. COLLINS of New York, Mr. ABRAHAM, Mr. DESANTIS, and Mrs. BLACK):

H. Res. 553. A resolution urging the President and the International Atomic Energy Agency (IAEA) to submit to Congress the text of all side agreements entered into between the IAEA and Iran with respect to the Joint Comprehensive Plan of Action; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DOLD:

H.R. 4165.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. BARR:

H.R. 4166.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. GOHMERT:

H.R. 4167.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the U.S. Constitution, ''The Congress shall have Power . . . to regulate Commerce . . . among the several States.'' Telecommunication devices, such as a multi-line telephone system (MLTS), enable the interstate transmission of voice telephony communication. Additionally, MLTS devices enter the stream of commerce as part of an economic enterprise and affect interstate commerce in that they are bought, sold and transported across state lines, and under Article I, Section 8 Congress has the authority to regulate products in interstate Commerce. See also, U.S. v. Lopez, 514 U.S. 549 (1995).

In addition to Congress's power under the Commerce Clause, ''Congress shall [also] have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution'' its power to regulate Commerce among the several States. U.S. Constitution Article I, §8, clause 18.

By Mr. POLIQUIN:

H.R. 4168.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes:'' as enumerated in Article 1, Section 8 of the United States Constitution.

By Mr. ROTHFUS:

H.R. 4169.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1: All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives. Article I, Section 8, Clause 3: The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. CARTWRIGHT:

H.R. 4170.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8; Clauses 3 and 18 of the U.S. Constitution

By Mr. CROWLEY:

H.R. 4171.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: ''The Congress shall have Power [. . .] To regulate Commerce with foreign Nations, and among the several States . . .''

By Mr. ELLISON:

H.R. 4172.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 4173.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause

By Mr. CÁRDENAS:

H.R. 4174.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. CRAWFORD:

H.R. 4175.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the enumerated powers listed in Article 1, Section 8, Clause 1 of the U.S. Constitution that states ''the Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States.''

By Mr. DEUTCH:

H.R. 4176.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the U.S. Constitution and Clause 18 of Section 8 of Article I of the U.S. Constitution.

By Mr. GOSAR:

H.R. 4177.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18, the Necessary and Proper Clause

In 2011, the United States District Court for the District of Columbia held in Bluman v. FEC that ''It is fundamental to the definition of our national political community that foreign citizens do not have a constitutional right to participate in, and thus may be excluded from, activities of democratic self-government.'' Bluman specifically addressed and prohibited political campaign contributions to U.S. elections.

In 2012, the United States Supreme Court affirmed, holding that the prohibition in 2 U.S.C. 441 (e) on campaign contributions by any ''foreign national'' was narrowly tailored to achieve a compelling government interest.

Given that the Stop Foreign Donations Affecting Our Elections Act supplements the intent of these rulings and the 1966 law that banned such contributions, it is both within the scope of Congress's power and is thus constitutional.

By Mr. LOWENTHAL:

H.R. 4178.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 4179.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. MEADOWS:

H.R. 4180.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mrs. NOEM:

H.R. 4181.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Mr. ROONEY of Florida:

H.R. 4182.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—The clause that states Congress has the power ''to regulate Commerce with foreign nations, and

among several States, and with the Indian Tribes.''

By Mr. ROONEY of Florida:

H.R. 4183.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—The clause that states Congress has the power ''to regulate Commerce with foreign nations, and among several States, and with the Indian Tribes.''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 158: Ms. SINEMA, Mr. FOSTER, Mr. FORTENBERRY, Mrs. WAGNER, Mr. LATTA, Mr. NUNES, Mr. ZINKE, Mr. QUIGLEY, Mr. PITTENGER, Ms. ESTY, Mr. POLIQUIN, Mr. COLLINS of New York, Mr. JOHNSON of Ohio, Mrs. WALORSKI, Mr. STEWART, Mr. COOK, Mrs. BLACK, Mr. BYRNE, Mr. DONOVAN, Mr. CULBERSON, Mr. SMITH of Missouri, Mr. HARPER, and Mr. STIVERS.

H.R. 170: Mr. WILLIAMS.

H.R. 317: Mr. PRICE of North Carolina.

H.R. 344: Ms. ADAMS.

H.R. 363: Mr. KILDEE.

H.R. 379: Mr. GIBSON and Ms. BROWNLEY of California.

H.R. 430: Mr. KILDEE.

H.R. 546: Ms. MCSALLY.

H.R. 592: Mrs. HARTZLER.

H.R. 721: Ms. ROYBAL-ALLARD.

H.R. 746: Mr. CUMMINGS.

H.R. 921: Mr. MACARTHUR and Mr. FARENTHOLD.

H.R. 1076: Mr. HONDA, Ms. MATSUI, Mr. DONOVAN, Ms. DELAURO, Mr. LANGEVIN, Ms. DUCKWORTH, Mr. MEEKS, Ms. DELBENE, and Mr. PETERS.

H.R. 1197: Ms. GRAHAM and Mr. TIBERI.

H.R. 1220: Mr. CÁRDENAS and Mr. GUINTA.

H.R. 1288: Mr. KENNEDY, Mr. FOSTER, and Ms. FRANKEL of Florida.

H.R. 1309: Mr. KATKO.

H.R. 1342: Mr. RIGELL.

H.R. 1399: Mr. WELCH and Mr. COLLINS of New York.

H.R. 1421: Mr. NORCROSS.

H.R. 1427: Mr. KENNEDY.

H.R. 1457: Ms. BROWNLEY of California.

H.R. 1475: Mr. FITZPATRICK.

H.R. 1586: Ms. SPEIER.

H.R. 1670: Mrs. COMSTOCK.

H.R. 1671: Mr. NEUGEBAUER.

H.R. 1728: Mr. SCHRADER, Ms. MATSUI, Mr. DANNY K. DAVIS of Illinois, and Miss RICE of New York.

H.R. 1733: Ms. BROWNLEY of California.

H.R. 1736: Mr. DOLD, Mr. FINCHER, and Mr. MOOLENAAR.

H.R. 1769: Mr. HASTINGS.

H.R. 1786: Mr. COOPER.

H.R. 2058: Mr. MOONEY of West Virginia.

H.R. 2125: Mr. KILDEE.

H.R. 2138: Mr. HUFFMAN.

H.R. 2156: Mr. WILLIAMS.

H.R. 2228: Mr. GARAMENDI.

H.R. 2293: Ms. TSONGAS.

H.R. 2302: Ms. KELLY of Illinois.

H.R. 2342: Mr. GOODLATTE and Mr. LOEBSACK.

H.R. 2382: Mr. MEEHAN.

H.R. 2477: Mr. MOULTON.

H.R. 2493: Mr. DESAULNIER.

H.R. 2612: Mr. BERA.

H.R. 2680: Mr. PASCRELL.

H.R. 2716: Mr. LONG.

H.R. 2802: Mr. LONG.

H.R. 2850: Ms. TSONGAS.

H.R. 2874: Mr. ISSA and Mr. SCHWEIKERT.

H.R. 2880: Mr. RUSH, Mr. ELLISON, and Mr. BLUMENAUER.

H.R. 3036: Mr. COSTELLO of Pennsylvania, Mrs. MCMORRIS RODGERS, and Mr. JENKINS of West Virginia.

H.R. 3051: Mr. KILDEE, Mrs. LAWRENCE, Mr. RICHMOND, Mr. RANGEL, Ms. BONAMICI, and Mr. KEATING.

H.R. 3119: Mr. RODNEY DAVIS of Illinois.

H.R. 3159: Mrs. LOVE.

H.R. 3180: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 3183: Mr. MESSER.

H.R. 3222: Mr. HUNTER.

H.R. 3225: Mr. WILLIAMS.

H.R. 3268: Mr. CONYERS.

H.R. 3314: Mrs. WALORSKI.

H.R. 3323: Mr. LAHOOD.

H.R. 3326: Mr. CHAFFETZ and Mr. JODY B. HICE of Georgia.

H.R. 3437: Mr. BURGESS, Mr. MARCHANT, Mr. BARTON, Mr. FLORES, Mr. SMITH of Texas, Mr. FARENTHOLD, Mr. OLSON, Mr. CULBERSON, Mr. WEBER of Texas, Mr. WESTMORELAND, Mr. BISHOP of Utah, and Mr. PALAZZO.

H.R. 3455: Mr. RUIZ.

H.R. 3497: Mr. KEATING.

H.R. 3520: Ms. SCHAKOWSKY and Mr. GUINTA.

H.R. 3551: Mrs. BEATTY.

H.R. 3565: Mr. THOMPSON of California, Ms. HAHN, Mrs. TORRES, Mr. TAKANO, Mr. SHERMAN, Mr. SCHIFF, and Mr. FARR.

H.R. 3667: Mr. POSEY.

H.R. 3706: Mrs. BEATTY.

H.R. 3713: Mr. CURBELO of Florida, Mrs. LAWRENCE, Ms. LEE, Ms. VELÁQUEZ, Mrs. BEATTY, Mr. O'ROURKE, Mr. PAYNE, Mr. TAKANO, and Mr. HIGGINS.

H.R. 3721: Mr. COURTNEY.

H.R. 3734: Mr. ZINKE.

H.R. 3760: Mr. TAKANO.

H.R. 3785: Ms. VELÁZQUEZ, Miss RICE of New York, and Mr. DELANEY.

H.R. 3808: Mrs. WAGNER and Mr. KING of New York.

H.R. 3846: Mr. MCGOVERN, Mr. KILMER, and Mr. RENACCI.

H.R. 3852: Mr. TAKAI.

H.R. 3880: Mrs. WAGNER and Mr. HULTGREN.

H.R. 3888: Mr. KEATING.

H.R. 3917: Mr. WALBERG, Mr. FLEISCHMANN, Ms. FUDGE, Mr. RODNEY DAVIS of Illinois, and Mr. MARCHANT.

H.R. 3926: Mr. KEATING.

H.R. 3940: Mr. ROTHFUS, Mr. COFFMAN, Mr. CRAMER, and Mr. BISHOP of Michigan.

H.R. 3965: Ms. SPEIER.

H.R. 3986: Mr. CÁRDENAS.

H.R. 3997: Mr. SARBANES.

H.R. 4014: Miss RICE of New York.

H.R. 4019: Mr. CÁRDENAS.

H.R. 4032: Mr. CULBERSON and Ms. GRANGER.

H.R. 4040: Ms. DELAURO.

H.R. 4062: Mr. KELLY of Pennsylvania.

H.R. 4084: Mr. KNIGHT and Ms. ADAMS.

H.R. 4087: Ms. PINGREE.

H.R. 4109: Mr. HINOJOSA.

H.R. 4113: Mr. SWALWELL of California and Mrs. NAPOLITANO.

H.R. 4122: Mr. PERRY.

H.R. 4131: Ms. MCCOLLUM, Mr. SIMPSON, Mr. KIND, and Mr. YOUNG of Alaska.

H.R. 4153: Mr. HANNA.

H.J. Res. 11: Mr. ABRAHAM.

H.J. Res. 23: Mr. GRAYSON.

H.J. Res. 74: Mr. FORBES.

H. Con. Res. 17: Mr. EMMER of Minnesota.

H. Con. Res. 97: Mr. HILL.

H. Con. Res. 98: Ms. JUDY CHU of California.

H. Res. 130: Mr. DIAZ-BALART.

H. Res. 220: Mr. DIAZ-BALART, Mr. LOWENTHAL, and Ms. BONAMICI.

H. Res. 265: Ms. JUDY CHU of California.

H. Res. 343: Mr. THOMPSON of Pennsylvania.

H. Res. 393: Mr. BRADY of Pennsylvania.

H. Res. 419: Mr. SMITH of Washington.

H. Res. 432: Mr. BILIRAKIS, Mr. LANGEVIN, Mr. LAMALFA, and Mr. PETERS.

H. Res. 467: Mrs. TORRES, Ms. LOFGREN, Mr. LANGEVIN, Mr. PAYNE, Mrs. KIRKPATRICK, Ms. LINDA T. SÁNCHEZ of California, Mr. COURTNEY, Mr. CLAY, Ms. LORETTA SANCHEZ of California, Mr. COOPER, and Mr. HIGGINS.

H. Res. 523: Mr. LOEBSACK.

H. Res. 535: Mr. COLLINS of New York.

H. Res. 536: Mr. POE of Texas, Ms. WASSERMAN SCHULTZ, and Mr. CURBELO of Florida.

H. Res. 544: Mr. GRAVES of Louisiana and Mr. MILLER of Florida.

SENATE—*Thursday, December 3, 2015*

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

PRAYER

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

Let us pray.

Eternal God, our helper, as a tragic pattern of insane violence continues to bring pain to our Nation and world, we turn our eyes to You. Thank You that though evil seems undeniably strong, You continue to rule in Your universe. May we refuse to be intimidated by the adversaries of freedom, as we remember Your sacred words, ''There is no fear in love.''

Lord, lead our Senators with Your wisdom. As they focus on Your presence and power, shield their hearts with Your peace. When they seek Your guidance, direct their steps in the path of truth.

Give us all the sensitivity to comprehend the holy meaning and the sacred mysteries that reside in every moment. And, Lord, be near to all who are affected by the mass shooting in San Bernardino, CA.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

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

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

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

GUN VIOLENCE

Mr. REID. Mr. President, I hope all Members of Congress—Democrats and Republicans, Members of the House and Senate—take a long, hard look this morning, maybe in the mirror, and ask themselves: Where do I stand?

Yet again our country is faced with another sickening act of gun violence. Yesterday's shooting rampage took the lives of 14 people and wounded at least 17 more, a number of those grievously injured. That wasn't the only shooting yesterday; a gunman in Georgia killed a woman and injured three others.

So where do we stand? We have an epidemic of gun violence in America, and it is nothing less than sickening.

Fort Hood, 13 dead; Tucson, 6 dead; Carson City, 4 dead; Aurora, 12 dead; Newtown, 20 little children, 6 educators; the Navy Yard in Washington, DC, 12 dead; Las Vegas, 3 dead, two of whom were police officers. And I have heard this talk: Oh, it is so unusual, a husband and wife. These three people killed in Las Vegas were killed by a husband-and-wife team. In Charleston, nine dead; Moneta, VA, two dead—on live television, he came to kill two people. At Umpqua Community College, nine dead; Colorado Springs, three dead.

That tragic list is nowhere close to being comprehensive. The one in Georgia yesterday—one dead, two wounded. It hardly made the press. But the ones I just mentioned are a few that we picked up earlier this morning in my office.

It would be very difficult to list all the mass killings that have taken place in recent years. Why? Because we are 337 days into 2015 and we have had at least 355 mass shootings—355 mass shootings in 337 days. We are averaging more than one a day.

Two months ago I came to the floor very sad. I was here mourning the murder of innocent community college students attending class in Roseburg, OR. I said then that each time our Nation endures one of these mass killings, we go through the same routine. First we are shocked. Then we ask questions about the killers, their motives, and how they got their hands on those guns. Then we wonder, what could we have done to prevent this terrible thing from happening?

As I said, the disturbing part is that we don't do anything. We don't do anything. We, as the legislative body of this country, do nothing. So I have a question for every Member of this body: How can we live with ourselves for failing to do the things that we know will reduce gun violence? Will it get rid of all of it? Of course not. But will it reduce it? Yes. We are complicit through our inaction, and if we continue to fail to act, we will be complicit today and every day into the future. We will keep ending up right where we are, mourning innocent victims in San Bernardino, CA, or Charleston or Newtown. When victims turn to us for leadership and help, we will have nothing to show but empty hands and a few empty gestures. It is despicable.

For far too long we have done nothing, even as the gun violence shakes our Nation to its core. We must do something. We can start by passing improved background check legislation. Is it asking too much that if someone is crazy or a criminal, they shouldn't be able to walk into any gun shop and buy a gun? Of course not. But that is the law in America.

I know the thought of upsetting the National Rifle Association scares everybody—oh, especially my Republican colleagues. Do you know what scares the American people? Gun violence. These mass shootings at holiday parties frighten the American people. Is it unreasonable that they are frightened? Of course not. People are afraid to go to a movie theater or to a concert.

The bill before the Senate today is to get rid of ObamaCare, and everybody knows it is just a gesture in futility. They have tried it 60 times or 48 times—I don't know; we lost track—in the House, and every time, the same answer: No. In the Senate, we have done it 14, 15 times—always the same answer. Einstein said the definition of ''insanity'' is when someone does the same thing over and over again knowing they are going to get the same result. So we are wasting our time today. Everyone knows the result.

But we have the opportunity to cast a vote here today—or we will shortly—because we are focused on doing something. People on this side of the aisle are focused on doing something to stop this gun violence, and we are going to force amendments to that end today—not many but a few. We will try to do something, anything.

Are we going to vote on expanded background checks? Shouldn't we do that at least? We are going to vote to prevent criminals convicted of harassing women's health clinics from buying a gun, owning a gun.

Senators will have to decide where they stand on these amendments. Do they stand with babies who were killed in Connecticut, families who want to do nothing more than go about their day without the daily threat of shootings? My friends in Nevada, two police officers in uniform sitting down to have a lunch break, and two people walk in behind them and shoot them in the back of the head and kill them. They went over to Walmart and killed another person.

People are afraid.

There was a time in my legislative career that I tried to work with the National Rifle Association, but the NRA today is a far cry from the sportsmen's organization I once supported. The NRA once called mandatory background checks ''reasonable.'' That is what they said; I am not making this up. But now its leadership and organization have transformed into a quasi-militant wing of the Republican Party. They are being pushed more and more into the camp of guns for everybody anytime they want them, and they are being pushed by the—they have a competitor now: Gun Owners of America.

Those who choose to do the NRA's bidding will be held accountable by our constituents. Their vote against these sensible measures will be a stain for all of the American people to see.

Something has to be done. We must take a stand. The American people are desperately looking for help—some help, any help. It will never be possible to prevent every shooting. We know that. But we have a responsibility to try. There are certain things we can do. If someone is mentally deranged and a criminal, should they be able to walk in and buy a gun anyplace? Of course not. We have a responsibility as lawmakers to enact commonsense reforms that have been proven to stop attacks and save lives. I hope Republicans will find the courage to join with us and pass meaningful legislation to prevent further gun violence.

I apologize for speaking before the Republican leader, but I was told he was going to be late.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

TRAGEDY IN SAN BERNARDINO

Mr. MCCONNELL. Mr. President, the senseless loss of life in San Bernardino continues to defy explanation. We have faith that law enforcement will continue working hard to uncover the truth behind this tragedy. Today, what we should all agree upon is that we will keep the victims and the families in our thoughts, that we as a Senate offer condolences to them, and that we as a Senate recognize the continuing efforts of law enforcement officials and first responders.

OBAMACARE

Mr. MCCONNELL. Mr. President, middle-class Americans continue to call on Washington to build a bridge away from ObamaCare. They want better care. They want real health reform. For too long, Democrats did everything to prevent Congress from passing the type of legislation necessary to help these Americans who are hurting.

Well, today, Mr. President, that ends. Today, a middle class that has suffered enough from a partisan law will see the Senate vote to build a bridge past ObamaCare and toward better care.

The Restoring Americans' Healthcare Freedom Reconciliation Act we are debating deserves the support of every Member of this body because here is what we know. ObamaCare is a direct attack on the middle class. It is riddled with higher costs and broken promises. It is defined by failure. It is punctuated with hopelessness. And the scale of its many broken promises is matched only by the scale of its defenders' rigid and unfeeling responses to it.

Let us consider just a few right now. Americans were promised they could keep their health plans if they liked them. It was a promise Democrats made to sell ObamaCare and it is a promise they broke. Americans could only keep their plans if the President liked them, not if they liked them. Americans could only keep their plans if the President liked them.

Millions saw the coverage they liked ripped away as a result of a callous and partisan law.

Democrats' response to their broken promise? They tried to dismiss stories about folks losing insurance by saying they had lousy plans anyway and that they should be grateful the government was taking them away. The American people took a different view.

Here is a note I received from a constituent in Caldwell County when her family lost their plan. Here is what she said:

> I was lied to by the President and Congress when we were told the ''Affordable'' Care Act would not require us to switch from our current insurance provider. My husband and I work hard, pay a lot of taxes and ask for little from our government. Is it asking too much for government to stay out of my health insurance?

Americans were promised that ObamaCare would lower costs and even bring down premiums by $2,500 per family. It is a promise Democrats made to sell ObamaCare, and it is a promise they broke.

Just last night, we learned from the government's own actuaries that ObamaCare is leading to higher health care costs. We also know that premiums continue to shoot up by double digits in many areas, including Kentucky.

Democrats' response to their broken promise? President Obama said Americans who already had health insurance ''may not know that they've got a better deal now [under ObamaCare] than they did, but they do.'' Obviously, the President thinks he knows more about our health insurance than we do. Of course, the American people took a different view.

One Kentuckian wrote me after being forced into an ObamaCare plan she called ''subpar'' with a nearly $5,000 deductible. ''I cried myself to sleep,'' she said. ''I work hard for every penny I earn,'' and this ''is unacceptable.''

Americans were promised ObamaCare would create millions of jobs. It is a promise Democrats made to sell ObamaCare, and it is a promise they broke. ObamaCare is leading to fewer jobs, not more of them. In Kentucky, our Democratic Governor once declared it an ''undisputed fact'' that ObamaCare's Medicaid expansion had added 12,000 jobs to Kentucky's economy. But as Kentuckians now know, he was undisputedly wrong. Not only did those jobs fail to materialize, but health care jobs have actually declined in Kentucky since the passage of ObamaCare.

Democrats' response to their broken promise? I think this headline about the comments of a senior Democrat captures it perfectly: ''ObamaCare allows workers to 'escape' their jobs''—to escape their jobs. Well, the American people took a different view.

A constituent from Somerset wrote to tell me that ObamaCare's mandates were causing her to lose up to 11 hours—up to 11 hours—per week at work, which meant about $440 less in her pocket every month. ''ObamaCare,'' she said, ''[is] causing us to lose hours [and] lose wages, yet expecting us to spend more.''

Now, Americans were promised ObamaCare wouldn't touch Medicare. Americans were promised that taxes wouldn't increase. Americans were promised shopping for ObamaCare would be as simple as shopping for a TV on Amazon. Three more promises, three more betrayals, and on and on and on it has gone for more than 5 long years.

Democrats need to understand it is time to face up to the pain and the failure their law has caused. They can keep trying to talk past the middle class. They can keep trying to deny reality. But they have to realize that no one is buying the spin but them.

Americans are living with the consequences of this broken law and its broken promises every single day. Its negative effects are often felt in the most personal and visceral ways, and Americans are tired of being condescended to. They want change, and they want a bridge to better care, not ObamaCare, and this bill offers it.

I think Democrats have a particular responsibility to the millions their law has hurt already to help pass the law we have before us. I think the President has a particular responsibility to the millions his law has hurt already to then sign it. That is the best way to build a bridge to a fresh start—to a better, healthier, and stronger beginning.

ACCOMPLISHMENTS OF THE NEW SENATE

Mr. MCCONNELL. Now, Mr. President, on another matter, every day this week I have mentioned some of the significant accomplishments of a Senate under new management—a Senate that has put its focus back on the American people.

After years of inaction, this Senate took bipartisan action to help the victims of modern day slavery. Many said the Justice for Victims of Trafficking Act would never pass the Senate, but we proved them wrong. We proved it could actually pass by a wide bipartisan margin. In a new and more open Senate, Senator CORNYN was able to work with Democratic partners to ensure it ultimately did.

After years of inaction, the Senate took bipartisan action to protect the privacy of Americans. Many said the Cybersecurity Information Sharing Act would never pass the Senate, but we proved them wrong. We proved it could actually pass by a wide bipartisan margin. In a new and more open Senate, Senator BURR, a Republican, and Senator FEINSTEIN, a Democrat, were able to ensure that it ultimately did.

After years of inaction, the Senate took bipartisan action to lift children up with better educational opportunities. Many said the Every Child Achieves Act would never pass the Senate, but we proved them wrong. We proved it could actually pass by a wide bipartisan margin. In a new and more open Senate, Senator ALEXANDER, a Republican, and Senator MURRAY, a Democrat, were able to ensure that it ultimately did.

And after years of inaction, the Senate took bipartisan action to meaningfully improve our roads and infrastructure over the coming years. Many said that the long-term Highway and Transportation Funding Act would never pass the Senate, but we proved them wrong. We proved it could actually pass by a wide bipartisan margin. In a new and more open Senate, Senator INHOFE, a Republican, and Senator BOXER, a Democrat, were able to ensure that it ultimately did.

Today, we are on the verge of passing that bill again. We are on the verge of passing it into law. The revised legislation we will consider provides 5 full years of highway funding. It would be the longest term bill to pass Congress in almost two decades, and it would provide long-term certainty in a fiscally responsible way. In other words, this bill will finally provide State and local governments with the kind of certainty they need to focus on longer term road and bridge projects. This is a significant departure from years—years—of short-term extensions.

There is a lot more to say about what the new Congress has been able to achieve on behalf of the American people. I look forward to continuing to share these successes here on the floor. Tuesday's announcement on the highway bill is just the latest reminder of what is possible in a new and more open Senate. It builds the basis for more wins into the future. And most importantly, it is an achievement for the American people—an achievement that only a new Congress has been able to deliver.

The PRESIDING OFFICER. The Democratic leader.

WORK OF THE SENATE

Mr. REID. Mr. President, no matter how many times my friend—and we have served together in this body for a long, long time—comes here and talks about how wonderful this Senate is under Republican leadership, the facts aren't on his side. He talked about getting things done after years of inaction. The inaction was the result of Republican filibusters—recordbreaking filibusters.

Bill after bill was blocked. Elementary and secondary education, cyber security, everything that he mentioned—everything, without exception—would have been done a long time ago except for Republican filibusters. To now come to the floor and claim: Isn't it wonderful we were able to get things done during this Congress, because we did not block things—no matter how many times he comes, we and the pundits have already said it is the most unproductive year in the Senate's history. We have had more revotes than at any time in the history of the country and less done than at any time in the country's history.

AFFORDABLE CARE ACT

Mr. REID. Mr. President, I wonder what my Republican friends do when they are not here in Washington, DC. Do they bother to talk to their constituents? Do they sit down and meet them at townhall meetings or across a fence in someone's backyard? I have a hard time believing my Republican friends are spending much time listening to constituents' concerns. I already talked about guns today.

It seems to me what we are doing is counter to the needs of constituents. This absurd—absurd—attempt to repeal the Affordable Care Act through reconciliation is a perfect example. Every day the Republican leader comes to the floor and rails against ObamaCare, yet more than 10 percent of his constituents are benefiting from the Affordable Care Act—500,000 people. I can't believe those people in Kentucky are telling the Republican leader to take away their health care.

Now, he is not alone in pushing the repeal that would expressly hurt people back home. He and the junior Senator from Wyoming both oppose the Affordable Care Act and the law's expansion of Medicaid, but their own Republican Governor—the Governor of Wyoming—is using ObamaCare to expand health coverage for the people of Wyoming.

Wyoming Governor Matt Mead is proposing a Medicaid expansion that will help 17,000 people. Now, 17,000 people in the sparsely populated State of Wyoming is a lot of people. Governor Mead wrote this to the State legislature:

> This economic boost would stabilize services and inject tax dollars paid by Wyoming citizens back into Wyoming communities. The numbers are compelling.

But apparently those facts are not compelling enough for the Senators from Wyoming, who are both voting for repeal.

The Republican Senator from North Dakota has also been a critic of the Affordable Care Act. Once again, his opposition does not jibe with what North Dakota's Governor is saying. North Dakota Governor Dennis Daugaard is fighting in the State legislature to expand Medicaid access to residents. He is a Republican and served for 10 years as JOHN HOEVEN's Lieutenant Governor, but Senator HOEVEN will vote for repeal.

The junior Senator from Montana is opposed to Medicaid expansion. Earlier in the month he seemed supportive of Montana's expansion of Medicaid saying:

> I respect the decision of our Legislature and our governor on Medicaid expansion. I'm one who respects their rights and voices.

But today, I am told, he will perform a breathtaking about-face and vote to do away with Montana's health care.

There is a longer list. Republicans from Ohio, West Virginia, and the State of Nevada have all embraced Medicaid expansion.

In Nevada, Governor Brian Sandoval is considered by many to be a star in the Republican Party. But notwithstanding his party's anti-ObamaCare ideology, he displayed courage by expanding health coverage for tens of thousands of Nevadans.

I hope my friend and fellow Senator from Nevada will follow our Governor's example and stand for our constituents' health care. Too few Republicans will. If ObamaCare is so awful, why are Republicans from Kentucky, Wyoming, North Dakota, and New Hampshire so eager to use it? It is simple: The Affordable Care Act expands coverage and cuts costs. It is good for the States. That is why Arizona expanded Medicaid. It is insuring hundreds of thousands of Arizonans, as we talk now.

I was disappointed with my friend. We served together, we came to the House together, we came to the Senate together, and he is the senior Senator from Arizona. He made it clear that he will vote for repeal, in spite of all the people benefiting from ObamaCare back home. This is what JOHN MCCAIN said: ''Obviously the Governor and Legislature in my state decided that they wanted that program and so it is going

to trouble me in the vote.'' The senior Senator from Arizona acknowledged that he is casting a vote in direct opposition to the needs of the people of Arizona.

So if Republicans aren't listening to their constituents or State leaders, to whom are they listening? As always, the answer is corporations. Billion-dollar companies have no trouble getting congressional Republicans to do their bidding. Even as they try to snatch health coverage from 17 million Americans, Republicans are throwing money at corporations. That is what they plan to do with the money saved by repealing the Affordable Care Act. They will hand it over to corporations in the form of tax breaks.

I have news for my own Republican friends: These multibillion-dollar companies don't need your help. They are doing just fine on their own. The American middle class needs help, but this Republican Congress is doing nothing to aid working families. Why are we here if we are not here to help people back home?

When Republican Presidential candidate John Kasich—somebody whom I came to the House with in 1982—was asked earlier this year why he chose to expand Medicaid in the State of Ohio, he gave this remarkable answer:

When you die and get to the meeting with St. Peter, he's probably not going to ask you much about what you did about keeping government small. But he is going to ask you what you did for the poor. You better have a good answer.

That is from John Kasich. He is right. This is an opportunity to help unfortunate Americans who lack quality health insurance. I only wish Governor Kasich could convince the junior Senator from Ohio of that simple truth.

I say to my Republican friends: Do the right thing; stop this nonsense about repeal of ObamaCare. Everyone knows this repeal of the Affordable Care Act is going nowhere. Instead of wasting everyone's time and instead of ignoring the wishes of the people back home, let's work together to improve health care coverage. There are a lot of things we can do by working together to improve health care coverage for Americans. Let's move beyond repeal and start making the Affordable Care Act work even better for the American people.

Would the Chair announce the business of the Senate today.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ROUNDS). Under the previous order, the leadership time is reserved.

RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3762, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

Pending:

McConnell amendment No. 2874, in the nature of a substitute.

Murray/Wyden amendment No. 2876 (to amendment No. 2874), to ensure that this Act does not increase the number of uninsured women or increase the number of unintended pregnancies by establishing a women's health care and clinic security and safety fund.

Johnson amendment No. 2875 (to amendment No. 2874), to amend the Patient Protection and Affordable Care Act to ensure that individuals can keep their health insurance coverage.

Mr. REID. Mr. President, if I could interrupt and apologize for that, I ask unanimous consent that the time in quorums called by the Chair be divided equally between the majority and minority.

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

Under the previous order, the time until 1:30 p.m. will be equally divided in the usual form.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

CRIMINAL JUSTICE REFORM

Mr. CORNYN. Mr. President, this morning I will be joining—at the President's invitation—a bipartisan group of Congressmen and Senators to discuss the need for criminal justice reform in the country. I am actually very glad the President has shown such an interest in this topic, one we have been working on in the Congress for a number of years.

I have said it before and I will say it again, I don't agree with the President on a lot of things, perhaps most things, but I am glad to know he is making this issue a priority. I think it is one of those rare, magical moments where you see things coming together on a bipartisan basis across the political spectrum, where we can actually make some real progress that will benefit the American people and make our criminal justice system fairer and more effective.

Of course, in the Senate, a diverse bipartisan group has shared this concern for a very long time. While I appreciate the President's vocal support and for convening the group to discuss it this morning, I want to make it clear that this legislation has been years in the making. Actually, the impetus for the part I contributed to the bill emanated from a 2007 experiment in Texas in prison reform. That legislation has manifested itself in the Senate and is now called the Sentencing Reform and Corrections Act of 2015. It is a result of a lot of hard work and some compromise, which is the only way things actually get done around here in order to build a bipartisan consensus, and it brings targeted and much needed reforms to the Federal justice system.

I am very glad to be able to join with the junior Senator from Rhode Island, somebody, again, who is probably at the opposite end of the political spectrum from me in terms of ideology, but we have found common ground on this important prison reform component.

Most prisoners will eventually be released into society, which is something we have forgotten. Unfortunately, our prisons have too often become warehouses for human beings, and we have forgotten the reality that many of them will be released back into society. Yet we have done very little to help prepare them to successfully reenter society rather than get into that turnstile that sometimes characterizes our criminal justice system and many end up right back in prison again. We can't save everybody, but I believe we can offer an opportunity for some who want to save themselves to improve themselves and be better prepared to reenter society as productive individuals.

As I said, this reform was based on an experiment in Texas starting back in 2007. People perhaps think of Texas as being tough on crime, and indeed we are, but we finally realized we also have to be smart on crime. Prisons cost money. Every time somebody reoffends and ends up back in the prison system, we have to pay the salaries of prosecutors, public defenders, judges, and others, and that is expensive. If we can find a way to be fiscally more responsible and actually be more effective when it comes to the results, we ought to grab that opportunity. I happen to think it represents the way we ought to legislate here in Washington, DC, that is based on successful experiments in the States.

It is no coincidence that Louis Brandeis once called the States the laboratories of democracy, but it represents the opposite of what we have seen here in Washington, DC, when, for example, in ObamaCare the President decides we are going to take over one-sixth of the U.S. economy and we are going to mandate from Washington a one-size-fits-all approach for 320 million or so Americans. It just doesn't work, as we have documented time and time again on the floor.

I am optimistic we have found an area where we can work with the President and move this legislation forward. I ask that the President roll up his

sleeves and work with us, along with the Democrats and both Houses of Congress, so we can make this criminal justice reform a reality.

Mr. President, I mentioned ObamaCare. That is my second topic for today.

This afternoon we will keep a promise we made to the American people that we will vote to repeal ObamaCare. ObamaCare—were this legislation signed into law—could not sustain this mortal wound that is going to be inflicted this afternoon. Are we doing this for partisan reasons? I would say, no, absolutely not. What we are doing is listening to our constituents who told us that they have had one bad experience after another with ObamaCare. They have been forced by the Federal Government to buy coverage that they don't want, don't need, and can't afford. So we proposed to send a bill to the President that would repeal ObamaCare and then replace it with affordable coverage that people actually want. We made it clear to the American people that if they gave us the privilege of leading in the Congress, we would keep this promise, and we will fulfill that promise in the Senate today.

I remember voting at 7 a.m. on Christmas Eve in 2009, when 60 Democrats voted to jam ObamaCare down the throats of the American people. They made promise after promise. The President himself said: If you like what you have, you can keep it. That proved not to be true. The President said a family of four would see an average reduction in their premium cost by $2,500, and that wasn't true.

So as somebody who has spent a little bit of time in law enforcement as a former attorney general in my State, I would call this a deceptive trade practice. This is defrauding the American people, selling them a product based on a set of promises that ends up not being true.

I believe it is time to repeal this bad law and to replace it with something that people want and that they can afford.

My State has been hit hard, as all States have been, including the State of the Presiding Officer, by the effects of ObamaCare. Almost every day we read news accounts of escalating health care costs, including premiums and fewer choices and options and less access for our constituents.

Just recently, the Houston Chronicle reported that next year the Houston-area patients won't have access to any plans on the ObamaCare exchange that cover costs at MD Anderson, the premier cancer-treating facility in America. If we can't buy insurance to cover catastrophic events like cancer at the hospital of our choice, what good is it?

As a matter of fact, I remember our former colleague, Senator Tom Coburn from Oklahoma, who has used up most of his nine lives, but he has experienced cancer at least three times, to my recollection, and he actually was seeking treatment at MD Anderson. He said that as a result of ObamaCare, he could no longer get coverage from the insurance policy he had because MD Anderson wasn't an acceptable provider under the ObamaCare policy.

So today I will provide a very quick snapshot of the thousands of letters I have received, and I am sure they are typical of the letters we have all received from our constituents about the problems they have encountered with ObamaCare.

One of my constituents recently wrote to me to tell me her story, and it is similar to the narrative I have heard from many others. Her insurance plan was canceled last fall because it didn't meet the mandates of ObamaCare. As a result, she had to switch to a more expensive policy, one with a higher monthly payment and an $11,000 deductible. What good is it to have an insurance policy with an $11,000 deductible? How many Americans can self-insure and pay that bill so that they can take advantage of what limited coverage they actually have under such a policy?

She went on to say that she was notified that her plan would once again be terminated for the next year, and her monthly costs would go up again as a result. To top it off, she would end up losing her primary care provider. In other words, the doctor she preferred would no longer be available to her under this new policy that she would be forced to buy at a higher price.

She is like a lot of folks around the country—full of questions and frustrations and seemingly nowhere to turn to find any relief for her spouse, for her children, or for their small business.

This particular constituent implored me and Congress to do something about it. She said: ''Senator CORNYN, this has caused turmoil throughout Texas . . . we are terrorized in our own country by the so-called benefit of the Affordable Care Act.'' Those are her words, not mine. She said her family was terrorized by ObamaCare.

The strong message she conveyed is not all that different from what I have heard from other people. Another constituent raised a similar issue. He is now, for the third time in as many years, searching for yet another health insurance plan after his was canceled. He went on to highlight another theme that is impossible to miss when I talk to folks back home about this topic. He said:

> I seem to remember the President saying something about liking your insurance and being able to keep it? For myself and my family it's been just the opposite. We loved our insurance prior to the passage of the act and have since been forced to purchase much more expensive insurance with much higher deductibles.

Well, he is right. And in just a few hours we are going to have a chance to vote on the Johnson amendment to this legislation we are considering, which is an ''If you like it, you can keep it'' amendment, to keep that guarantee. We will see how our friends on the other side of the aisle vote, who forced this flawed legislation down the throats of the American people, based on this experience.

Just like many other Texans, the people I have talked about back home have seen their premiums and their deductibles skyrocket to unaffordable levels. Along with this anemic economy and flat wages, people have found themselves with less and less money in their pockets and found themselves with a decreased and diminished standard of living, which has caused a lot of frustration.

This particular constituent ended his letter to me by asking the Members of Congress to ''do anything within your power to reverse this terrible healthcare trend. . . . I need relief,'' he said.

We have reached a pretty scary time in our Nation's history when we have Americans writing and calling their elected representatives saying they need relief from their own government. The threat is not outside; people are being threatened by their own government and the overreach they see and the negative impact it has on their quality of life and their standard of living.

So we have a duty now—we have a mandate, I believe—to repeal this terrible law and to make it a relic of the past, and we are going to do our duty. We are going to keep our promise to the American people today.

There was an outcry from my constituents back home on another topic that gripped our attention—the horrific videos released showing Planned Parenthood executives callously discussing the harvesting of organs from unborn children. We seem to have forgotten those terrible videos and what they have depicted.

This bill will also do something to defund Planned Parenthood and redirect those funds to the many community health centers that exist in Texas and across the country that day in and day out diligently provide health care to people in my State and around the country. There will be no less money directed toward public health care; it will be redirected away from Planned Parenthood and to the community health centers.

By the way, there are a whole lot more community health centers, so there will actually be improved access for most Americans at community health centers.

By repealing ObamaCare, we are doing more than just delivering on a promise; we are providing a way forward for millions of Americans around this country who have been hurt—not helped but hurt—by ObamaCare. We will do our best to help them find some

relief, as one of my constituents whom I just quoted implored.

We look forward to passing this legislation to scrap ObamaCare and to bring this country one step closer to making it history.

Again, this isn't just about repealing ObamaCare; this is about replacing it with coverage that people want and that suits their personal needs at a price they can afford. One would have thought that health care reform would be about making health care more affordable, but, in fact, ObamaCare was just the opposite. It made it more expensive and less affordable, as we have seen and as I have tried to point out in my remarks.

I don't see any other Senator seeking recognition, so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

TRAGEDY IN SAN BERNARDINO

Mrs. BOXER. Mr. President, when I woke up this morning, I had hoped that yesterday's tragedy in San Bernardino was just an unimaginable nightmare. Then, as I usually do in the morning, I went through the clips from my State and I read the headlines:

''Bloodbath in San Bernardino.''

''14 slain at California office party.''

''Carnage in California.''

''Shooting Rampage Sows Terror in California.''

''At Least 14 Dead in Mass Shooting.''

''Deadly rampage at holiday party.''

''A Day of Horror.''

''Horror Hits Home.''

'' 'Horrific'.'' Just one word.

''Masked Mass Murder.''

These are papers all over my State and a couple of national headlines.

My heart is broken after this rampage that led to the tragic loss of life, so many injuries, so much trauma and pain for the people of San Bernardino.

I thank the medical personnel who are working as we speak to save lives and all the brave, courageous law enforcement officers who rushed to the scene and later stopped these killers.

We know the victims in this attack were county employees at the San Bernardino Department of Public Health. I began my career as a county supervisor, and I oversaw in Marin County the Department of Public Health. I know how dedicated those county employees are. They are right there. They are right there in the communities. And the facility was dedicated to helping disabled people. So for this to happen at a holiday party where these employees were gathering in friendship—it is a stunning shock.

While details about the motive behind this despicable attack are still unknown, here is what we do know: Because these killers used military-style weapons, 14 people died and 17 people were wounded in a matter of minutes.

The purpose of these guns, these military-style guns, is to kill a lot of people very fast. The scene looked like a war zone, and there is a reason for that—again, because these weapons are designed for the military. They are designed for the police.

I have to be honest with my colleagues: I have never heard one persuasive argument about why anyone else would need to have this type of weapon. These weapons of war just don't belong on our streets and in our communities. My colleague Senator FEINSTEIN for years has been pushing sensible legislation that would keep these military-style weapons off our streets. We need to stand with her. We need to stand with her across party lines and pass it.

It is so discouraging that we can't even pass legislation here that would keep suspected terrorists who are on the no-fly list from legally buying a weapon—any kind of a weapon.

It isn't enough for us to keep lamenting these tragedies; we need to take action now, before something else like this happens again in the Presiding Officer's State, in my State. When we take an oath of office, we swear that we will protect and defend the American people. I just don't think we are protecting them when we allow these types of weapons to get into the wrong hands.

This year we are averaging more than one mass shooting every single day—multiple people killed by guns, innocent people, every day. This is America. This doesn't happen in other industrialized nations. Thirty-one people die every day from gun violence. After 10 years of the Vietnam war, we lost nearly 60,000 Americans, and people were in despair. We lose more than that in gun violence in less than 2 years in this great Nation. If there were anything else that caused the death of 30,000 Americans a year, every single Senator would be in their chair and we would be demanding action and we would be crossing over party lines to stop it because that, my friends, is an epidemic.

People deserve to feel safe in their communities. I don't understand it. They deserve to feel safe when they go to a holiday party at work. They deserve to be safe sitting in these galleries. They deserve to be safe going to a movie theater. They deserve to be safe in their school when they are 6 years old or 16 or 26. They deserve to be safe in their workplace, at a shopping mall, at a restaurant, and at a health care clinic.

This is our job, to keep our people safe. We know the threats that face us abroad, and we have threats at home. So we need to do both. We need to protect our people abroad from threats abroad and from threats at home. The very best way to honor the victims of gun violence is to take sensible steps that are supported by the American people, such as universal background checks, safety features on guns, keeping assault weapons in the hands of our military and our police, and keeping guns out of the hands of people who are unbalanced, unstable, criminals. Then we can prevent these tragedies.

Will we prevent every tragedy? No. I know my friends will say: Well, someone can have a knife. Yes. It is a lot easier to get away from a knife than an automatic weapon that mows you down before you can even look up and figure out what is happening.

I am crying out today for support for sensible gun laws, and regardless of motive—regardless of motive—we need to make sure that military weapons belong in the hands of the military and the police. It is pretty straightforward. Our people are not safe. I don't care what State you look at, I don't care what city you look at, I don't care what county you look at.

San Bernardino is a beautiful place. I don't live far from there. I have an office about 15 minutes or less from there. People deserve to feel safe in our communities. So I send my love, my prayers, my solidarity to the community, to the families, to the first responders, and to everyone there. Yes, we are going to pull together, as all these communities do, but we need to prevent these things from happening because if we don't, we are liable.

I believe we are liable. We know what is killing people every day. It is gun violence, and we know it. I am not a lawyer, but I have a lot of family members who are lawyers—my son is, my father was, my husband is—and I think once you know something is happening and you can do something about it and you don't do something about it, you are liable—maybe not in a legal sense, but in a moral sense.

So I hope we can come together around this. Every time the press comes in and asks me, tragedy after tragedy after tragedy: Will something happen now? After Sandy Hook, I said: Absolutely. We are going to come together. We did not. We did not.

I want to close with this. In California we have tough gun laws. I don't know how these weapons got where they were. We will find out. People say: Well, we have these gun laws. Look at this; we have had a 56 percent reduction of gun violence since 1993 in my great State because we have taken action. But this is one Nation under God. If somebody comes from a nearby State, from the North, from the East, and they have a gun—that is why it is so important for us to work together to have sensible national laws and universal background checks. Almost 90

percent of the people support it. The majority of NRA members support it. What is wrong with us that we can't do that? What are we afraid of?

These military assault-style weapons kill so fast—and so many people. We should make sure they are in the hands of the military and the police.

My heart is heavy and will remain so. This is supposed to be a great day for a lot of us who worked so long and hard on the highway bill. This was a moment we were waiting for, and that is what life's about. You know, there are these moments that you savor, and there are moments that you wish to God you never had to talk about or experience. That is the kind of day it is for this particular Senator, and I know Senator FEINSTEIN feels the same way.

I thank you very much, and I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I rise today to discuss an amendment I filed to the reconciliation bill, amendment No. 2887, to strengthen Pell grants.

This amendment provides middle-class families with the kind of stable funding source that they can rely on when it comes to paying for college. Pell grants have historically been the key investment in helping low-income students pay for college. Most of my colleagues would agree that a good education is one of the surest paths to the middle class.

In 1980, the maximum Federal Pell grant covered about 77 percent of in-state, 4-year college tuition. Now Pell grants account for only one-third of those costs. Rising college costs prevent many low-income students, no matter how hard they work, from being able to go to college and thus from reaching the middle class.

If the Senate can accomplish one thing that invests in our Nation's future, it should be to enact policies that help to stabilize and expand the middle class. We all know there is a growing income disparity in our country that is whittling down our middle class and making it harder and harder for people to get ahead in the first place. Key to the path forward for many is college affordability. Pell grants are a critical part of college affordability.

Almost half of all college students in the United States receive Pell grants to help fund their education, including 23,000 students in my home State of Hawaii. Unfortunately, Pell grants—the largest Federal student aid program—which are primarily funded by discretionary, not mandatory, funding appropriations, do not provide the kind of stable funding source that families can rely upon. Each year Congress in its discretion determines how much funding goes to Pell grants. This should change. Federal financial aid should be a resource that students and their families can count on, that they can plan around.

To that end, the amendment I filed would do two things. First, it would convert the Pell Grant Program from the discretionary side of the budget to the mandatory side of the budget for 5 years. That way, eligible families won't have to worry each year about congressional appropriations, at least for 5 years, and they can plan their financing for an entire 4-year degree. Second, my amendment would index Pell grants annually for inflation. That means that as college costs rise, so, too, will they allow Federal aid to low-income students.

Students and their families should have confidence that if they commit to earning an education, Federal support will be there for their hard work. My amendment would give them that stability.

This amendment is paid for by closing tax loopholes for corporate executives and hedge fund managers and by instituting the Buffett rule, to ensure that Americans who earn over $1 million per year pay their fair share of taxes—tax fairness from those who earn more in a year than many college graduates may earn in their lifetimes.

To give a hand-up to the next generation of strivers is more than reasonable to me. Access to educational opportunity is not a handout. Graduates will still have to work hard to get good jobs, start businesses, and succeed, and when they succeed, our country succeeds.

I urge my colleagues to support my amendment to stabilize and strengthen the middle class and to invest in our next generation of leaders.

The amendment to the underlying bill would improve it, but the underlying bill is deeply flawed. The underlying bill before us would take away health care access for millions of women, seniors, and low-income working people by gutting the Affordable Care Act, defunding Planned Parenthood, and undermining investment and prevention and research. The resultant harm to our people is a poison pill that we cannot impose on American families. This Republican bill, which does little for the middle class and working people, will be vetoed by the President. The Republicans know this, and yet they are bound and determined to pass this harmful legislation as soon and as fast as possible.

I ask my colleagues to stop, pause, and get our country back on track by supporting and strengthening the middle class, by giving a hand-up to the people who represent our country's future, and by not yanking the rug out from under the millions of Americans who rely on health care.

I yield back.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, a few months ago I asked my Republican colleagues if they had fallen down, hit their heads, and thought they woke up in the 1950s. Today I am back to check on my Republican colleagues because it appears they are suffering from a serious case of memory loss.

Before I call the doctors at Mass General, I have to say this really isn't a joke. I truly, honestly cannot come up with a better reason why my Republican colleagues have forced us back to the Senate floor once again to talk about another reckless scheme to defund Planned Parenthood. What is with you guys?

Remember this summer? Republicans launched a deliberate, orchestrated plan to defund women's health care centers. Let me just clarify. This was not a plan to defund abortions because for nearly 40 years the Federal Government has prohibited Federal funding for abortion. Nope. The plan was to defund Planned Parenthood health care centers that nearly 2.7 million people use every year, health care centers that one in five women across America has used for cancer screenings, pregnancy and STD tests, birth control, and other basic medical care.

To a lot of women and to a lot of men, the effort to defund Planned Parenthood health care centers was an overt attack on women's access to needed and legal health care. When the Republicans forced the Senate to vote on a bill to defund Planned Parenthood, it failed—and rightly so. That should have been the end of it, but Republican extremists just won't quit. In fact, they are doubling down.

Today Senate Republicans will use a special maneuver to hold another vote to defund Planned Parenthood, this time needing only 50 votes to pass instead of the usual 60. Even if they pass this reconciliation bill, President Obama has said he will veto it, but some Republican extremists vow to press on, using the most extreme tactics possible, taking the government hostage. They want to attach a rider to the government funding bill and threaten to shut down the government 10 days from now unless the Democrats agree to defund Planned Parenthood. Does that sound familiar? Well, that is because it is the very same tactic used in 2013 when Republicans shut down the government over the Affordable Care Act and flushed $24 billion down the drain—the very same tactic that former Speaker John Boehner admitted was a ''predictable disaster.''

Republicans may like playing politics with Planned Parenthood, but this isn't a game for the millions of women who depend on Planned Parenthood for basic medical care every year and who have nowhere else to go. Threatening to shut down the government is certainly not a game. It is not a game for cancer patients who could be turned away from clinical trials at NIH. It is not a game for small businesses that depend on our national parks being

open for tourist visits. It is not a game for seniors who need their Medicare paperwork processed or for the veterans whose benefits could be at risk, and it is not a game for the hundreds of thousands of Federal employees across this country—from park rangers to scientists to cafeteria workers and janitors at government buildings—who could be sent home 2 weeks before Christmas with no paycheck coming in.

This radical assault on women's health care and reproductive rights has gone on long enough. So in case my Republican colleagues are suffering from short-term memory loss, let me spell this out again loud and clear. We will not allow you to turn back the clock on women's health and women's rights. If you try to sneak provisions into the government funding bill to defund Planned Parenthood, we will fight you every step of the way, and we will win. That is not a threat; that is a promise.

I yield back the remainder of my time.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I rise this morning in opposition to the reconciliation bill that we are considering today. There are a number of reasons I have concerns, but one of the most important has to do with its repeal of the Affordable Care Act. The Affordable Care Act, while it is not perfect, is working. More Americans than ever before have access to health care.

In New Hampshire, almost 45,000 people have received health insurance through the exchange. Most of those people did not have health care coverage before the Affordable Care Act, and the majority of these people are getting insurance premium support to make it more affordable.

In New Hampshire, another 44,000 people are getting coverage through Medicaid expansion. The Governor and the State legislature worked long and hard to come to a bipartisan agreement—a Democratic Governor and a Republican legislature—on how to expand Medicaid in a way that works for New Hampshire. The reconciliation bill that we are considering today would turn back the clock on all of that work. It would repeal Medicaid expansion, and it would eliminate coverage for so many of the people who need it the most.

In short, this bill would wreak havoc on the lives of families and individuals, people such as Deborah from Conway, NH. She and her husband own a small business. They work hard, and they live within their means. But for 17 years, they have been without health insurance, and they have had to forego health care services because of costs.

As a result of Medicaid expansion, Deborah was recently able to go to the doctor for her first physical in 18 years. Imagine that; it was her first physical in 18 years. During that exam, she discovered that she has high blood pressure and that she is at risk for cancer. Thanks to the Affordable Care Act, she is able to take the preventive measures. She expects to live a long, healthy life and is probably going to save money because she has received this preventive care. We cannot turn our backs on people such as Deborah and her family.

Finally, the reconciliation bill would defund Planned Parenthood, which would deny access to 12,000 women in New Hampshire access to health care providers they trust and to services they need. For many of those women, Planned Parenthood is the easiest, most affordable, and best way for them, and—in many cases—the only way for them to get the care they need. I proudly stand with the millions of women who rely on Planned Parenthood, and I will continue to oppose any attempt to defund such an important component of our health care system.

While I remain gravely concerned about the underlying bill, I am pleased to join Senators WYDEN and MURRAY today in offering an amendment to address an issue that is vitally important to New Hampshire, to northern New England, and to much of the country, and that is this epidemic of heroin and opioid abuse.

In New Hampshire and across this country, drug abuse has reached epidemic proportions. Each day 120 Americans die of drug overdoses. That is two deaths every hour.

In New Hampshire we are losing a person a day due to drug overdoses. Drug overdose deaths have exceeded car crashes as the No. 1 cause of fatalities in the United States. We just had a report come out that shows that for the first time in years, the lifespan of White Americans is going down. It is going down for one reason that was cited, and that is because of drug overdoses. Mental health illness and drug abuse is a national public health emergency, and it is time for us to act.

What the amendment we are offering will do is to take important steps to provide critical resources for the prevention, intervention, and treatment of mental illness and substance abuse disorders. The amendment will ensure that any health insurance plan purchased on the exchange is held to mental health parity and addiction equity standards, and it will make it easy for consumers to know what benefits are covered and the insurance plan's denial records.

Importantly, the amendment makes it easier for patients to receive medication-assisted treatment drugs—drugs such as methadone, naltrexone and naloxone, commonly known as Narcan, and it prohibits lifetime limits on those drugs.

Our amendment also strengthens Medicaid coverage of services to prevent and treat mental illness and substance abuse disorders. Again, not only do we have this epidemic, but we don't have enough treatment beds, we don't have enough treatment facilities, and we don't have enough providers to assist and support those people who are trying to get clean. For years, Medicaid has been prohibited from reimbursing medically necessary care to patients in residential or treatment facilities with more than 16 beds.

Historically, this has been a barrier for patients who need these treatments for drug abuse and who have limited access to that treatment. Our amendment would enable more people to receive these services by allowing reimbursement for these facilities in States that have expanded Medicaid, such as New Hampshire. The amendment will also provide additional Medicaid Federal funding to help States provide community treatment programs and health homes for those in need of help.

Finally, this amendment provides over $15 billion of needed funding to States and municipalities to help address the public health emergency in those States and communities that are the frontlines of this crisis.

Through the substance abuse prevention and treatment block grants and the community mental health service block grants, this service is targeted to those most at risk for substance abuse and mental illness, giving the States flexibility to develop and fund programs that work best for them. This prevention, intervention, and treatment of substance abuse and mental health disorders have the potential to make the difference in millions of lives.

The amendment is fully paid for by closing tax loopholes. With the tools provided in this amendment, we can change the lives of those struggling with mental illness and substance abuse disorders, and we can turn the tide of this national public health epidemic.

I thank you all, and I hope that as we consider this reconciliation bill, we will have the opportunity to vote on this amendment and that there would be support to address the critical crisis we are facing because of heroin and opioid abuse.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. SULLIVAN. Madam President, I am going to take a few minutes to talk about the reconciliation bill that we are discussing and debating on the Senate floor this week, particularly the

focus on repealing the Affordable Care Act, or what is called ObamaCare. There are many, many aspects of the bill that we are debating—the individual mandate, the Cadillac tax, the employer mandate. These will all be gone. Essentially, we will start the process of what I believe the vast majority of Americans want, which is real, affordable health care, not what we currently have.

I was recently home in Anchorage, AK. A lot of us get a sense of what our constituents are feeling by going about doing our basic chores and running errands when we are back home. Two weeks ago, in the course of 2 hours of getting gas, at a grocery store, and at Lowe's, I had three different Alaskans come up to me and plead to do something about ObamaCare, how it was wiping out their home income and their small business—three in 2 hours.

Similarly, I was in Fairbanks a few days ago and heard from another small business owner. They made the same plea that many small business owners I have heard from in Alaska have talked about. They have had health insurance for their employees for years where they have taken care of them. Yet the increases in the costs of these plans are such that their companies will not be able to operate. They have this huge dilemma: to continue to cover their employees whom they care a lot about—some of whom have been working for decades—or to dump them into the marketplace, because that is the only way the company can survive.

That is the dilemma that this bill is putting people into. Hardly a day passes where I don't hear from constituents about the problems they are having. Let me give you a couple of examples.

A family in Eagle River, AK, will pay $1,200 a month in premiums with a $10,000 deductible under the new Affordable Care Act. A couple in Anchorage will be paying $3,131 a month in premiums—almost $38,000 a year.

Here is an excerpt from a constituent letter:

> The renewal paperwork that I just received estimated our new payment to be just over $1,000/month—doubling our monthly expense. . . . What is a young family to do?

Here is another constituent: ''There is nothing 'affordable' about the Affordable Health Care Act.''

Another constituent said:

> Insurance rates are killing my small business. . . . We have tried to keep our employees and their families covered but don't see how we can continue to [be in business].

Here is another constituent of mine: ''Please, please help us!!'' They are begging for help.

Teachers, construction workers, small business owners, self-sufficient Alaskans—so many of them—are asking for help because of what this Federal Government did to them.

The numbers don't lie. In Alaska and throughout the country, workers and families are suffering. Small businesses are being squeezed. Job creation is being stymied. Nearly every single promise made by the President of the United States and the supporters of this bill in the Congress has been broken.

Let me remind my colleagues what some of those promises were. Here is one from the President: ''If you like your health care plan, you'll be able to keep your health care plan.''

Here is another one from the President: ''If you like your doctor, you can keep your doctor.''

The law, he told the American people, ''means more choice, more competition, lower costs for millions of Americans.''

He told the American public that premiums would be reduced on average for Americans for their health care plans by $2,500. But again, the numbers we see don't lie. Costs are soaring all over our country. For example, a bronze plan under ObamaCare, the least expensive insurance available on the exchange, costs on average—this is a national average—$420 a month, with an average deductible of $5,653 for an individual and close to $11,600 for a family.

Remember former Speaker of the House and ObamaCare promoter NANCY PELOSI with her line about how important it was to pass ObamaCare so we could all figure out what was in it. She promised that ObamaCare would create ''4 million jobs—400,000 jobs almost immediately.'' That was the former Speaker.

Let's see what the Congressional Budget Office says about that promise. Recently, the CBO projected that ObamaCare will result in 2 million fewer jobs in 2017 and 2.5 million fewer jobs in America by 2024. Obviously, that promise didn't come true. Promise after promise was unfulfilled. It is no wonder the American people have such a low opinion of the Federal Government and the Congress.

What is of the laudable goal of health insurance for the uninsured? It is a very laudable goal, and there is no doubt about it—affordable health insurance for the uninsured. ObamaCare is barely moving the needle. Today there are 35 million people who don't have health insurance. According to the CBO, 10 years from now there is still going to be approximately 27 million people who don't have coverage under this system.

Let me get a little more specific in terms of my State. Probably no other State in the country has been more negatively damaged by ObamaCare than Alaska. Five insurance companies originally offered coverage in our exchanges in Alaska, offering a glimmer of hope of what is really needed in the health care market, which is competition. Today only two are left to provide individual insurance on the health care exchange. Both will be increasing premiums by approximately 40 percent this year. In Anchorage, for the lowest level plan—a bronze plan—premiums are going to go up 46 percent.

There you go—major metropolitan areas in the United States. Look at the far left. That is Anchorage, AK, and at 46 percent in 1 year, it will make it one of the most expensive and the biggest increase in terms of metropolitan areas in the United States.

Let me give you another example. A 40-year-old nonsmoker—individual—who doesn't receive subsidies will pay anywhere from $579 to $678 a month in premiums for a bronze plan with a deductible of either $5,250 for the more expensive premium or $6,850 for the less expensive premium.

Remember, ObamaCare requires Alaskans and Americans to purchase these plans. Remember what it did for the first time in U.S. history. The Congress of the United States told the American people: You must buy a product; you have to or you will be penalized.

That brings me to the penalties. Because of the prohibitive costs, some in Alaska and many across the country have chosen to go without coverage and pay the yearly fine under ObamaCare. But that fine is also very expensive. Alaskans and Americans are asking: What is the point? What is the point of having health insurance that has been forced on them by their Federal Government and that they can't afford? Others are foregoing seeing their doctors altogether.

A recent Gallup poll found that in 2014 one in three Americans says they have put off getting medical treatment they or their family members need because with these numbers it is too expensive. They are not going to the doctor. Again, what is the point? You have health insurance, but you can't go see your doctor because it is too expensive. That number, by the way—one in three—is among the highest number in the Gallup poll's 14-year history of posing this question.

As the costs rise, the numbers will continue to rise. Not surprisingly, given all of these numbers, given that number, a recent poll found that despite 6 years of being under ObamaCare, where our citizens of the United States were supposed to finally be comfortable with it, to understand it, to have it working, still 52 percent of Americans have an unfavorable view of it—only 44 percent, favorable.

For Alaskans, this is only going to get worse. The so-called Cadillac tax—one of the numerous taxes embedded in ObamaCare—is going to kick in for 2018. It will be devastating for individual Alaskans, for union members, and for small businesses across Alaska. It has been estimated that as many as 90 percent of Alaska businesses will be faced with the increased Cadillac tax. That is a tax of an additional 40 percent on these benefits. Many small

businesses in Alaska will not be able to afford this. An employer with 20 employees, under the Cadillac tax will pay an estimated $28,000 a year more in taxes—just for the Cadillac tax on a small business. That can be the difference between make or break for that business.

Who is going to get hurt by this? Small businesses, but more importantly, their employees, their workers will. Those extra costs are going to trickle down to the workers, likely in the form of reduced benefits and reduced wages and more problems with their health insurance plan.

As I mentioned, it is not just small businesses. Hard-working Alaskans covered under union plans will also very likely be hit by the Cadillac tax, requiring them to pay much more, and so will State and local government employer plans.

For all of these reasons, one of my campaign promises was to vote to repeal ObamaCare. I certainly plan to do it today when we take up this reconciliation measure. I certainly hope it is going to pass.

When this legislation gets to the President's desk, what will happen then? Well, he is likely going to veto it again. I hope he looks at these numbers and recognizes what a mistake this bill was and agrees with us to work together to replace it, but he is likely going to veto it, and in doing so will likely mislead Americans again by claiming that ObamaCare is working. It is not working.

Let me give you another example of how it is not working. UnitedHealth, one of the Nation's biggest insurance companies, recently announced that because of its huge losses, it may pull out of ObamaCare altogether. If United pulls out, then others are likely to follow.

Premera Blue Cross Blue Shield of Alaska, one of the only health insurers left in Alaska offering coverage on the exchange, said that it can't continue to sustain losses under the exchange.

As bad laws often do, ObamaCare contains the seed of its own destruction. But for the sake of millions of Americans and thousands of Alaskans who have been sold a false bill of goods, we can't simply wait to see it self-destruct. This was not the health care that was promised to Americans, and we can't let it get worse. We need to act, and that is why I am joining with my colleagues today to repeal this law. We need to look at replacing it with one that includes provisions that are missing, such as tort reform. We need a system that encourages purchasing insurance across State lines, encourages patient-centered care, and allows the kind of doctor-patient relationship that has been the hallmark of American care for many years.

Contrary to what some on the other side of the aisle have claimed, there have been many alternatives proposed to ObamaCare. The plan in the Senate has been introduced by Senators HATCH and BURR and Congressman FRED UPTON on the House side. Their legislation includes many of these important reforms. It will allow people to actually get involved in their own health care and not watch this train wreck in terms of health care becoming unaffordable for Americans throughout all of the different States.

When selling the law to the public, President Obama talked about the fierce urgency of now. That is exactly what I am hearing from my constituents when they write: Please, please help us. What is a young family to do? The fierce urgency of now is now.

Finally, I wish to comment on a number of my colleagues on the other side of the aisle who have been lamenting that this reconciliation vote we are going to take today is going to be along party lines. They have been lamenting that this might be some kind of partisan vote.

As the Presiding Officer knows, this is a bit rich and a bit ironic. It is very important to remember that 6 years ago, almost to the day, this legislation passed in the Senate and the House by a party-line vote—a partisan vote—so to hear their concerns now rings a little hollow. That was not a wise move back then.

One important lesson of U.S. history is that most, if not all, major pieces of legislation in the Congress on important social issues have been passed with bipartisan majorities, which helps to make legislation sustainable. That happens when the American people back that kind of legislation.

The American people have never backed this legislation, but democracy has an interesting way of working—not always quickly, but eventually. This law is not popular. It was never supported by the American people, and they are noticing. As a matter of fact, of the 60 U.S. Senators who voted for this law 6 years ago, 30 are no longer in this Chamber. That is democracy working.

We are going to take that vote again today. I am hoping some of my colleagues on the other side of the aisle will join us in repealing a law that doesn't work and is dramatically harming Americans so we can move on to a health care plan that helps us, helps families, and prevents constituents from writing to their Members of the Senate and begging for help, which is what is going on right now because of this bill.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CASEY. Madam President, I ask unanimous consent to speak as in morning business.

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

Mr. CASEY. Madam President, I rise to speak about some of the matters we are working on today with regard to votes that will take place later on.

We now are in a period in our economic history where we have had a significant recovery, but we still have a ways to go and still have families across the country who are living with some economic uncertainty. We can take steps today and certainly over the next couple of days and, we hope, in 2016 to ease some of that uncertainty or to create more economic certainty for our families, especially middle-class families.

One of the most important steps we can take to address some of the challenges our families face is to boost middle-class incomes. The most significant challenge we have as a nation right now, I believe over the long term, is what will happen to incomes—especially what will happen to middle-class incomes—over time.

I have an amendment today that will address part of the solution or part of the strategy to raising incomes. One of those ideas is an expansion of the child and dependent care tax credit, which is a tax credit that helps families afford childcare, and so I will speak about that for a couple of minutes today. The other issue we are going to deal with is the so-called dual-earner tax credit, which helps families who have young children where both parents work outside the home.

I don't think it is a news bulletin to anyone here or across the country that the cost of childcare has skyrocketed, especially in recent years. A recent study by the Pew Foundation found that average weekly childcare expenses rose 70 percent between 1985 and 2013. So the cost every week that a family is paying for childcare is up basically 70 percent in 30 years or 25 to 30 years.

That is one of the many costs that have gone up in the lives of middle-class families. Their childcare costs have gone way up, the cost of higher education has gone way up in that time period, the cost of health care, the cost of energy, and the cost of food. It seems as though for a middle-class family, every cost or every number we would hope would be going down or leveling off is going up. As a result, childcare is increasingly becoming literally unaffordable for middle-class families.

That is a reality in a context where we know that the cost is going up at a time when all the evidence shows that quality childcare can have a substantially positive impact on a child's life. One of the reasons quality childcare

matters so much to a child is because they have opportunities to learn. One thing I have said over and over again is that if our children learn more now—meaning when they are in those early years—when they are in childcare settings, they are going to earn more later. That direct linkage, which all the evidence shows—all the data shows, all the studies show—the linkage between learning and earning is substantial. One of the best ways to make sure kids learn more now and earn more later when they are in the workforce is to make sure they have quality childcare.

To give one example, in Pennsylvania the average cost for full-time daycare for an infant is $10,640. For a 4-year-old, it is $8,072. Those numbers sound almost like approaching college tuition maybe at some public universities. Double-figure, thousand-dollar numbers for childcare is almost hard to comprehend—$10,640 for an infant and $8,072 for a 4-year-old. So what does that mean for, for example, married couples in Pennsylvania? It means that about 12 percent of their annual income is dedicated to childcare. How about for a single-parent family? For a single mother, those numbers translate into 44 percent of her income. Forty-four percent of that single mom's income is going to childcare. And she has to have it because she has to work. This isn't something extra, something nice to do; she has to have that childcare. She has to be able to pay for it. And in a State such as Pennsylvania, which I think is fairly typical of the country when it comes to these costs, if that single mother is having to pay 44 percent of her income on childcare, that makes it very hard for her to makes ends meet, if not impossible.

That is why the Tax Code has long recognized the need to provide families with tax relief to offset childcare expenses through the child and dependent care tax credit. However, the way this tax credit is currently structured, it means that few families can benefit from it.

Here is what we should do. We should make the full credit available to most working families. More than 85 percent of taxpayers in Pennsylvania, for example, with children would receive the full benefit if our amendment passes. We should increase the maximum amount of the credit for children under 5 from $1,500 to $3,000, thereby reducing the cost of childcare by 35 percent. That would be one of the positive benefits of passing the amendment. Third, we should ensure that lower income families are better able to benefit from the credit by making it fully refundable. We have not done that. We should do that. That is what families would benefit from. Finally, we should retain the value over time by indexing the benefits in income thresholds to inflation.

That is what we do on the child and dependent care tax credit—a substantially positive advancement for families trying to pay for childcare as the cost of everything in their life is going up, for middle-class families especially.

Second, we have the so-called dual-earner tax credit. We want to expand those tax credits for working parents with young children. The amendment includes a provision which would provide up to a $700 tax credit on secondary earners' income for parents with children who are under the age of 12.

We know that as our workforce changes, we must develop policy that ensures that our Tax Code rewards work and expands opportunity for working middle-class families. That should be the goal of everyone here. I think on a lot of days it is, but sometimes the Senate doesn't focus on those priorities. Make the Tax Code reward work and expand opportunity. If we enact these policies we will guarantee that these middle-class families see their incomes go up and we can do it in a fiscally responsible way that pays for these tax cuts by closing the most egregious tax loopholes.

The amendment will say that companies can no longer evade U.S. taxes through so-called corporate inversions, which is when a large company buys another company overseas and then claims their headquarters are abroad. The inversion strategy that some companies have employed has been an abuse of the Tax Code and frankly an insult to working Americans.

We also ask, as a way to pay for these changes, that the very wealthy who have received lots of relief over the last decade—the kind of tax relief we have not seen in my judgment in human history, not just U.S. history—those folks at the very top have gotten a very good deal for the last couple of decades, especially the last decade or so, and this Senator thinks a lot of those folks would like to help their country and would like to help us pay for these commonsense tax relief provisions for middle-class families, especially as it relates to paying for the costs of childcare.

How do we do that? We can enact as part of one of the pay-fors the so-called Buffett rule, named after Warren Buffett—a pretty wealthy guy—but he has supported a measure that would ensure that a secretary or teacher doesn't have a higher tax rate than someone making millions of dollars a year or literally billions a year.

Finally, we would ensure that those who run very large corporations aren't able to use loopholes to avoid paying taxes. So these basic, commonsense steps would make sure our Tax Code works for the middle class and not just those at the very top. In particular, the way the Senate can focus on middle-class incomes is to put in place policies that help families pay for some of the biggest expenses they face, such as childcare.

Finally, Madam President, I will move to the issue of Medicaid. I know my colleague Senator BROWN is on the floor and has worked so hard on this issue over many years. I want to talk about a matter we are working on together, and I appreciate his leadership on Medicaid.

The effort we are undertaking would bolster the work we have done over the last 5 years to expand access to Medicaid. When Medicaid was expanded on the Affordable Care Act, the so-called Federal medical assistance percentage, FMAP, basically is when the Federal Government contributes to help States cover the cost of Medicaid. That was set at 100 percent for 2016. Beginning in 2017 the Federal Government's contribution would decrease until it gets to 90 percent in 2020. The amendment that Senator BROWN, I, and others will put forth will keep the Federal contribution at 100 percent until 2020, instead of letting it drop to 90 percent at 2020.

Pennsylvania has expanded into the Medicaid Program. We are happy about that, but in doing that what Pennsylvania did is they ensured that all individuals with incomes up to 133 percent of poverty were covered. Other States have not done this. This has created a so-called coverage gap that is impacting over 3 million people around the country.

One of the reasons States point to in refusing to expand Medicaid is they cannot afford to pay the costs they will incur, beginning in 2017, when the Federal share goes to 90 percent. The States at that point will have to pay more, and some are using that or citing that as a reason they will not expand Medicaid. This amendment would remove that concern that has been asserted by Governors and others around the country. States would be free to expand Medicaid without having to worry about how they pay the bill.

Wrapping up, let's remember what Medicaid means. Medicaid isn't some far-off program that doesn't affect a lot of Americans. It directly affects tens of millions of Americans and tens of millions more indirectly. For example, Medicaid pays for almost half of all the births in the country. Half of all the babies born in the country are paid for by Medicaid. Every Senator in both parties should remember that. So this isn't some program that you don't have to worry about, that can be cut and slashed without consequence. Half of the babies born in our country are paid for by Medicaid.

How about older citizens? Skilled nursing home payments—that is a shorthand way of saying nursing homes—60 percent of those payments are covered by Medicaid, and 65 percent

of almost 23 million publicly paid resident days of care in the State of Pennsylvania are paid for by Medicaid, compared to 13 percent by Medicare. So Medicaid has a huge impact on long-term care for families across the country.

By the way, Medicaid is not just for low-income families. A lot of middle-income families benefit directly from the payments made by Medicaid for long-term care. So if you care about older citizens in your own family getting nursing home placement, if you care about 45 percent of all the babies born in the country, you better care about Medicaid, and you better care about efforts, in a sensible way, to expand Medicaid across the country, which would be better for all of us, especially the children, older citizens, and Americans who have disabilities who are all affected by Medicaid.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, I understood that the Senator from Ohio was seeking consent to speak after me.

I would like to take a few minutes this morning to speak about how the Affordable Care Act is harming the people of the State of Alaska. This Senator has come to the floor a lot to talk about the fact that we in the State of Alaska have the highest insurance premiums. Well, again, we have the highest insurance premiums in the country. Believe me, I am hearing from folks back home all the time about the burden that these costs place on them.

Our State's largest newspaper has been reporting, as we have seen these premium increases coming out over these past several months—they have been detailing the incredible rise of premiums throughout the State. The average monthly premium for a single 40-year-old in the State of Alaska is now over $700 a month—$700 a month for the average single 40-year-old—more than double the national average. People are paying thousands of dollars each month to insure their families. The insurance premium costs have gone up somewhere between 25 percent to 40 percent each year. How do you budget for that?

A family of three in Ketchikan—I got the information from them—are going to be paying almost $2,000 a month next year for one of the cheapest bronze plans available. This is a family of three paying for one of the cheapest plans, and they are going to be paying $2,000 a month. This plan comes with a $10,500 deductible. Heck of a deal. In spite of paying almost $24,000 on insurance, nearly all the medical bills will still be paid out of pocket for this family. They will not see any benefit until they have spent just about $35,000. Contrast the $2,000 per month for health insurance with their mortgage payment. Their monthly mortgage payment is $1,250. Does this seem right to anyone? It should not cost more to provide health care coverage for your family than to own your home.

We have a married couple in Wasilla who were paying $850 a month prior to the ACA, but that plan wasn't acceptable under the new regulations. The promise that you can keep the plan if you like it—well, that didn't hold. They had to find other insurance. Next year this married couple is going to be paying over $2,300 per month. That means they are going to be paying over $17,000 more per year for the same coverage. This is a 268-percent increase in just one calendar year. This is not right. This is unconscionable. It is not that this married couple has somehow increased their income by an additional $17,000 last year. No, this is just the cost to cover their insurance.

A self-employed man down in Homer whose insurance covers him, his wife, and his son has seen his costs increase from $325 per month 2 years ago to $1,325 a month since the ACA was passed. That is an additional $1,000 per month that these folks are now paying for the cheapest bronze plan available with a $12,000 deductible. This is not some Cadillac plan. This is the cheapest plan available. This is a $12,000 deductible. This is what these folks at home are paying.

The ACA repeal bill that we are currently debating addresses the problem by reducing the penalty for not buying insurance to zero. Alaskans could choose to buy insurance or simply save the thousands of dollars they would be paying each month that could be spent on medical bills as needed but would be available for the families to use as they see fit.

On top of the outrageous costs that we are seeing that come with the individual mandate, the Cadillac tax that I just mentioned hits Alaskans harder than anywhere else in the country. Premera is the largest insurer in our State and they tell me that about 62 percent of their customers in Alaska will be forced to pay these tax penalties under the Cadillac tax in 2018, the first year of the tax. The average cost will be $420. That would be the tax on the plan that they would be paying that first year. It is not as if these plans are grand. The problem is with the high cost of health care within our State. The tax penalizes Alaskans because our health care is more expensive in a rural State with a low population.

This tax is going to hit the State, the boroughs, and our school districts. It will take away money from public education and other services that the State provides. I am hearing from school districts. Instead of saying they are concerned about testing or some of the other issues we are dealing with in education, they are saying their No. 1 concern is the implementation of the Cadillac tax. It is the single greatest threat to quality public education. That is how Robert Boyle, the superintendent of the Ketchikan Gateway Borough School District describes the ACA, as the single greatest threat to quality public education. Bob's district faces a tax penalty of over $500,000 due to the Cadillac tax coming up in 2018, the first year of the tax, and the penalties only increase from there. The Ketchikan Gateway Borough School District is looking at a half-million-dollar tax coming due in 2018. They are not getting more money to run their school district. This is money out the door that isn't improving the education of a single child in that district.

We are facing a financial crisis in the State. The State cut the education budget this year, and they are looking hard at cutting it again next year. We are a State that relies on oil revenues, and you see what is going on with the price of oil. That is an impact to us. We are feeling it—desperately feeling it. School districts cannot afford the imposition of hundreds of thousands of dollars of new taxes on top of a budget reduction. The money, as you and I know, would be far better spent paying teachers what they deserve. School districts are now looking to possibly reduce benefits for teachers in order to avoid paying the new tax. With low pay and no benefits, how are our schools going to get ahead? How can we expect to attract and retain quality teachers? The answer is pretty real—we just can't do it. Without quality teachers who suffers? It is going to be the kids.

The bill we are debating solves the problem for 6 years by delaying the Cadillac tax for 6 years until 2024. That gives us time to find a way to address it permanently and in a responsible way. This Senator advocates eliminating the Cadillac tax altogether.

The problems with the ACA don't end with hundreds of thousands of dollars in new taxes on schools or charging individuals outrageous premiums. It also impacts our small businesses. I heard from so many business owners around the State who want to expand but are saying they just can't do it. They can't do it. They cannot afford to both expand their business and then hit the 50-employee threshold at which they are required to provide the insurance. So, at best, these businesses are kind of treading water right now. The ACA requires every business owned by an individual to be grouped together when counting employees.

I have heard from a fellow in my State from Fairbanks. He owns several businesses there. It is a mix of businesses. One is a plumbing distribution company, but he also has a whole handful of little coffee shops. There is quite a difference between plumbing distribution and coffee shops.

For tax purposes, Mr. Vivlamore's businesses are all treated as separate

entities, and for legal purposes, they are all treated as separate entities. That makes sense. But for some reason, for purposes of health insurance, they are all lumped into one bucket. He has his employees from the coffee shop, and he has employees from the plumbing distribution business, so he is going to be required to provide health insurance when the mandate kicks in because he employs more than 50 people across all of his companies together, even though he doesn't have 50 employees in every one of his very different businesses. He has talked to me about what he is going to do about the prospect of possibly downsizing because the cost of doing business under the ACA for him is just too high.

This issue is also resolved in the bill by reducing to zero the penalty for noncompliance with the employer mandate. Employers will once again be free to offer workers more hours, hire more staff, or expand operations without facing a large tax penalty for not offering insurance or an equally significant cost increase when they are forced to provide insurance.

I have been on the floor before, and I have asked the question before, but it is worth repeating: For whom is the Affordable Care Act actually affordable? It is certainly not affordable for the average, hard-working Alaskan who is being forced to shell out thousands of dollars for their premiums each month. It is not affordable for the school districts and other State entities that will pay huge taxes. It isn't affordable for the kids whose educations will potentially suffer.

This law is not affordable for us in Alaska. That is why I support the bill that repeals the ACA and wipes out these harmful impacts. We cannot stand by and see these premiums shoot through the roof 30 percent or more each year, see our businesses artificially constrained, and see the quality of public education decline. It just doesn't work.

I appreciate the time this morning and look forward to the opportunity this afternoon to weigh in on some of these very significant issues that have great and considerable impact on the people of Alaska.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I thank Senator MURKOWSKI for the consent request.

Madam President, I ask unanimous consent to speak for up to 12 minutes as in morning business.

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

OMNIBUS APPROPRIATIONS BILL AND POLICY RIDERS

Mr. BROWN. Madam President, many in Washington and on Wall Street seem to have collective amnesia. They seem to have forgotten, amazingly enough, about the destructive, devastating impact of the financial crisis even though it took place well less than a decade ago.

For millions of Americans, that crisis is unforgettable; millions haven't recovered. My wife and I live in the city of Cleveland in ZIP Code 44105. That ZIP Code in the first half of 2007 had more foreclosures than any ZIP Code in the United States of America. That was in large part because of Wall Street greed and a number of companies that engaged in predatory lending.

In September of 2008, Lehman Brothers collapsed—the largest bankruptcy in U.S. history—following a decade of unfair lending, Wall Street recklessness, lax supervision, and co-optation in too many cases by regulators and Members of Congress.

I recently interviewed former Federal Reserve Chairman Ben Bernanke on C–SPAN about his new book. The book title he was originally writing when he joined the Federal Reserve over a decade ago was going to be called ''The Age of Delusion: How Politicians and Central Bankers Created the Great Depression.'' This was about the Great Depression. I asked him what he would call a similar book or what a historian 20 years from now might call a similar book about the great recession, from which we have emerged over the last decade. He said it would be called ''Asleep at the Switch'' or ''Too Complacent.''

That complacency took a devastating toll on American families. That was the complacency of Congress, of the Bush administration, of regulators, of far too many people at OCC and the Fed who were captured, if you will—cognitive capture, regulatory capture, too close to the banking industry, too close to Wall Street, believing too much in the myths that were woven by Alan Greenspan and that crowd more than a decade ago.

The meltdown triggered a crisis that left America's economy hemorrhaging more than 750,000 jobs a month. Think back to January of 2009, when President Obama took the oath of office. We lost 750,000 jobs that month when Bush left office and Obama took office. The hemorrhaging, of course, didn't stop immediately, although over the last 5½ years, almost 6 years, we have seen job growth every single month.

By the time we hit bottom, we had lost 9 million jobs, the unemployment rate soared to 10 percent, and 5 million Americans lost their homes. The crisis—the worst since the Great Depression—took a shattering financial and psychological toll on a generation of Americans. Thirteen trillion dollars in household wealth was wiped out—again because of complacency and co-optation of the Federal Reserve under Alan Greenspan, of this U.S. Congress, and of the Bush administration.

Congress responded by passing Dodd-Frank. We put in place new rules to bring stability to markets, to ensure strong consumer investor protections, and to crack down on the reckless and irresponsible behavior of Wall Street. Again, to repeat: Since 2010, we have seen 68 months, 69 months, and 70 consecutive months of job growth—I believe the longest in modern economic history.

One of Wall Street reform's most important achievements was the creation of the Consumer Financial Protection Bureau. It has an accountable director to serve as a counterbalance to the Wall Street lobby, and it has an independent funding stream. It was created to ensure that never again would consumers be an afterthought in our Nation's financial system.

Because of Wall Street reform, banks are required to fund themselves using more of their shareholders' money and to hold more cash or assets that can be sold easily—we call that liquidity—when they run into trouble, to undergo strength tests, and to strengthen risk management. That is why this banking system is more stable and safer than it was during the Bush years.

The law also created the Financial Stability Oversight Council to fill gaps in the regulatory framework and establish a forum for agencies to identify risks to preempt, precipitate, and preempt the identifiable risks that could contribute to the next financial crisis.

An overwhelming majority of Americans support regulation of Wall Street. They know that Wall Street did serious damage to our country. But in May the Senate banking committee reported out a sweeping financial deregulation package along party lines. I tried to negotiate with Senator SHELBY during the spring. They broke down once it became clear that the effort wasn't about negotiating; it was really about rolling back the most important parts of Wall Street reform.

Senate Republicans are now working to move this controversial bill—this repeal, this rollback, this slicing of Wall Street, of Dodd-Frank—to roll back these reforms through the appropriations process. This move, unprecedented in its scale, shows the Republicans will try to ram their agenda through Congress any way possible.

Last year, Republicans slipped a repeal of section 716 of Wall Street reform into the end-of-year funding bill. They have tried the same stealth strategy to undermine Wall Street reform, only this time it goes far beyond one provision. Under the guise of so-called regulatory relief for community banks and credit unions, Republicans are trying to undermine consumer protections, sensible regulations for larger bank holding oversight companies, and the Financial Stability Oversight Council. These are a lot of words, perhaps, but what we know is they again want to do Wall Street's bidding—not on the floor of the Senate. We are not

debating these issues on the floor; they want to do back-room deals to take care of their Wall Street friends. That is what all of this is about. That is why we introduced our alternative proposal last year.

Now the good news is this: Republicans and Democrats agreed with our approach in the House of moving noncontroversial bipartisan provisions. I wish to give a couple of examples.

Under the Surface Transportation Conference Report, which we will be voting on later today, we included changes in the bank exam cycle for small banks—a major help for community banks. It was sponsored by Senator TOOMEY and Senator DONNELLY, a Republican and a Democrat. It streamlines privacy notices. It is something I had worked on last session as a sponsor. This session Senator MORAN and Senator HEITKAMP introduced it. It allows privately insured credit unions to become members of the Federal Home Loan Bank system, something I have worked on for some time. We have put these in the Transportation bill. We have done what we should do for community banks—not everything we should do, but we have done much of the agenda for the community banks and the small credit unions.

Our goal is to do this right, to debate these issues on the floor, and to help those institutions under $10 billion. They didn't cause the financial crisis; we know that—nor did banks the size of Huntington, $55 billion; of Fifth Third Bank, $130 billion. KeyCorp was $90 billion and is about to do an acquisition that will make them a little larger.

As the ranking member of Senate banking, I have heard time and again the calls for legislation to undermine the new financial rules. Let's help these community banks, but let's not do the bidding of Wall Street. In this bill, we are helping those community banks be more efficient, be able to cut some of their administrative costs, and still protect consumers.

What people want to do in the back room on the omnibus bill is jam all kinds of issues through the Senate that, frankly, are weakening Dodd-Frank. It will challenge and undermine the financial stability of our system.

It is pretty clear to me that far too many Members of this body have forgotten the lessons and forgotten what happened in 2007 to our country and to people in our great country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

GUN CONTROL

Mr. SHELBY. Madam President, the tragic murders that occurred in California yesterday are unthinkable and by all standards horrific. My thoughts and prayers today go out to all of the victims, their families, and the entire community. Today I would also like to take a moment to thank the brave first responders there who selflessly and honorably risked their own lives in order to protect the lives of others.

Following the tragic events of yesterday, President Obama unsurprisingly called to limit the Second Amendment rights of the American people through stricter gun control. I believe this is yet another example of the President using tragic events to push his political agenda.

Infringing on the rights of law-abiding citizens to keep and bear arms is not the answer to curbing violent crime in America. Restrictive gun control measures only prevent law-abiding citizens from protecting themselves because criminal criminals, by definition, refuse to follow the law.

In addition to President Obama's misguided calls for gun control, he recently issued an Executive order to remove unarmed military surplus vehicles that were obtained through the section 1033 program from local law enforcement. These vehicles have been valuable to local law enforcement officials in my home State of Alabama, specifically in Calhoun County. They were also used by the local law enforcement people seeking to protect those in harm's way yesterday in California.

I have called on the President to reverse the dangerous decision he made in which he abuses the authority of his office, I believe, by making unilateral decisions through executive fiat. During this time of increased uncertainty at home and abroad, I believe the American people are looking to us for certainty that we will do everything in our power to keep them safe.

Unfortunately, I believe President Obama has once again chosen to attack and weaken law enforcement and law-abiding citizens instead of focusing on fighting against criminals and radical Islamic terrorists.

Let me be clear here today. The President's calls to increase gun control and remove equipment from law enforcement used to keep us safe only undermines the safety and security of the American people. We simply cannot and must not continue to let this administration infringe upon our constitutional rights and put law-abiding Americans in harm's way. I hope we will continue to fight for our constitutional rights here.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

NOMINATIONS

Mr. CARDIN. Madam President, shortly I will be asking consent to advance certain nominations of the President for confirmation by the Senate. I do that in my capacity as the ranking Democrat on the Senate Foreign Relations Committee. There are seven that I will bring up today, but there are many more waiting for action. Seven represents some of these nominees. There are others waiting for action.

What these seven all have in common—all seven—is that they are well qualified for the position, they have gone through the process in the Senate Foreign Relations Committee—the committee of jurisdiction—they have had hearings, there have been questions asked, the vetting has been done, and they have cleared the committee by unanimous vote. There is no reason to withhold their confirmation when looking at their qualifications for the positions they have been nominated for.

In some cases, these nominees have been waiting as long as 6 months for confirmation on the floor of the Senate. In each of these instances, we are talking about confirming individuals to positions that have importance for our national security and that will be directly involved in protecting our country. Recent events only underscore the importance to have confirmed executive nominees to handle the challenges that are brought before our country.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR NO. 375

Let me start by first mentioning Tom Shannon. Tom Shannon has been nominated to be Under Secretary of State for Political Affairs and is the Department's fourth ranking official, responsible for the management of six regional bureaus of the Department as well as the Bureau of International Organization Affairs. This is a tremendously important leadership position on key national security issues.

Among the many issues with which the Under Secretary will contend, we have the implementation of the Iran nuclear deal. This is the person who is responsible within the State Department as its top management, and I think every Member of the Senate wants to see this implementation done in a way that prevents Iran from becoming a nuclear weapons state. This individual also will be monitoring the civil wars raging in Syria, Libya and Yemen, which we know have a major impact on the voids created that allow ISIL to be able to gain footholds. The growing turmoil in Venezuela, the conflict in eastern Ukraine, and the need to ensure the full implementation of the Minsk agreement, as it relates to Ukraine, are all on the plate of the person who holds this position.

Tom Shannon has been nominated and has gone through the process. He has received the full support of the Senate Foreign Relations Committee. He is a seasoned diplomat. We are fortunate that Ambassador Tom Shannon, a career member of our diplomatic corps who is held in universal respect and esteem by his colleagues, has been nominated to this position. Few diplomats have served our Nation under

both Republican and Democratic administrations with as much integrity and ability.

In his current role as Counselor of the Department, he provides the Secretary with his insight and advice on a wide range of issues. He has previously served as Ambassador to Brazil, as Assistant Secretary of State, as Senior Director for Western Hemisphere Affairs at the National Security Council, and in challenging posts in Venezuela and South Africa, among others. He has also served as Acting Secretary for Political Affairs. So he already has the experience and the job training in order to accomplish this.

So as I said, there has been no objection raised as far as his qualifications and the need to confirm this appointment.

Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 375; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Madam President, reserving the right to object, in the hours that have followed the tragic shooting in San Bernardino, when all our prayers are with the families of those who were murdered and those who were injured, more and more of us are becoming concerned that this reflects a manifestation of radical Islamic terrorism here in America. The facts are still not entirely clear, but in the wake of the Paris attack, it is appearing more and more likely that is what this was.

In the wake of these horrific attacks by radical Islamic terrorists, it has become abundantly clear that President Obama's Iranian nuclear deal——

Mr. CARDIN. Madam President, I ask unanimous consent that the Senator's comments come off Republican time.

The PRESIDING OFFICER. Is there objection?

Mr. CRUZ. I didn't hear.

Mr. CARDIN. This is your time, not our time.

Mr. CRUZ. Sure.

The PRESIDING OFFICER. Without objection, the time consumed by the Senator from Texas will come off the Republican time.

Mr. CRUZ. In light of these terrorist attacks, President Obama's Iranian nuclear deal looks worse and worse and worse.

The idea that the United States of America would be sending over $100 billion to the Ayatollah Khamenei—the leading financier of terrorism in the world—is profoundly foolhardy. At the time that deal was being negotiated, I sent a letter to Secretary Kerry informing Secretary Kerry that under no circumstances should the Obama administration attempt to go to the United Nations and circumvent Congress with this foolhardy and catastrophic deal. In that letter to Secretary Kerry I said explicitly: Under no circumstances should the executive branch take such action before the congressional review process is complete. Thus, I ask that you provide written assurances that you will take all necessary steps to block any U.N. Security Council resolution approving the JCPOA until the statutory time line for congressional review has run its course. Until you provide such assurances, I intend to block all nominees for the Department of State and hold any legislation that reauthorizes funds for the Department of State.

This was fair warning, given ahead of time, that the State Department should not try to circumvent the Congress, should not try to undermine U.S. sovereignty, and should not go to the United Nations to try to approve a deal—particularly a deal that profoundly endangers the national security of this country. The Obama administration ignored my warnings and went to the United Nations anyway.

I would note that under the terms of the Congressional Review Act, the congressional review period has not yet run. The Congressional Review Act says that time does not begin to run until the President submits the entire deal to Congress. That statute defines the entire deal to include any and all side agreements. We know of at least two side agreements governing inspections that have not yet been given to this body. So, accordingly, the congressional review period has not yet begun, much less ceased.

When I told Secretary Kerry that if the State Department circumvented Congress and went to the United Nations, I would block State Department nominees, that was not an empty threat. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Madam President, I certainly understand the right of the Senator to object. I would just hope that this could be resolved. It is not about the State Department being put at a disadvantage by not having these confirmed positions; it is the American people. These are security positions for which we have to have representatives, and not only of the State Department. As I go through these nominations, we will be talking about the Legal Adviser at the Department of State, and we will be talking about ambassadors.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR NO. 204

Next, Madam President, let me mention Brian Egan to be State Department Legal Adviser. The Legal Adviser is the principal adviser to the Department of State on all legal matters, domestic and international, arising in the context of the work of the Secretary of State and the Department as a whole. The Legal Adviser also advises the President and the National Security Council, as well as other Federal agencies, on all legal matters involving the conduct of foreign relations.

I think we are all familiar with the challenges we have that are raised every day in the Senate—issues raised about whether this is legally acceptable or not. We really should have a confirmed Legal Adviser to the State Department in order to respond to the concerns not only of the Congress but of the American people and our international partners.

Like Ambassador Shannon, Mr. Eagan has also served in both Republican and Democratic administrations. He entered public service in 2005 as a civil servant in the Office of Legal Adviser of the State Department, which was headed at the time by Secretary of State Condoleezza Rice. He has worked in the private sector. He has served as Assistant General Counsel for Enforcement and Intelligence at the Treasury Department. He has served on the National Security Council staff.

His is a nonpartisan, fairminded individual who clearly has the skills and ability to advise our policymakers well and lead the Office of Legal Adviser.

He has been waiting since June for floor action. This is not a matter that just recently came to the floor of the Senate. He has been waiting since June. It has now been 6 months.

Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 204; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Madam President, reserving the right to object, the single greatest national security threat facing the United States today is the threat of a nuclear Iran. The President's catastrophic Iran deal only increases the likelihood the Ayatollah Khamenei will possess nuclear weapons.

There are some in this body who suggest we should trust Iran. Well, I do trust Iran. When the Ayatollah Khamenei, with a cheering crowd, burns Israeli flags and American flags and promises ''Death to America,'' I trust the Ayatollah means what he is saying. Therefore, we should not be giving him over $100 billion and facilitating his getting nuclear weapons. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR NOS. 332 AND 333

Mr. CARDIN. Madam President, I next would like to address the nomination of David Robinson to the position of Assistant Secretary of State for Conflict and Stabilization Operations.

The Bureau of Conflict and Stabilization Operations has an important role to play in helping the Department of State to address the multiplying violent conflicts around the world and the rise of violent extremist groups. I don't have to tell this body how many challenges we have globally in conflicts dealing with extremists. This is the key person to deal with this issue. Ambassador Robinson clearly has the background and skills to excel in the position for which he has been nominated. He is a career diplomat. This is a career diplomat. This is a person who at an early age went into service for our country—at great risk, as we know. With over 30 years of experience, he currently serves as the Principal Deputy High Representative in Bosnia and Herzegovina, where he oversees the implementation of the peace agreement that ended the war in Bosnia and Herzegovina. He has served both Democratic and Republican administrations far and wide under dangerous and demanding circumstances. He was the Assistant Chief of Mission at the U.S. Embassy in Kabul, Afghanistan. Ambassador Robinson has served as the Principal Deputy Assistant Secretary for Populations, Refugees, and Migration, and as U.S. Ambassador to Guyana from 2006 to 2008, and as Deputy Chief of Mission in Guyana and Paraguay.

This is a highly qualified individual, a career diplomat who has shown his commitment and dedication to serving our country. The position he has been nominated for is a critically important position at this time in our history.

Therefore, Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 332 and 333; that the Senate proceed to vote without intervening action or debate on the nominations; that if confirmed, the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Madam President, reserving the right to object, I have not placed a hold on this nomination, because my hold has been limited to political nominees, not to career foreign service officers serving as ambassadors. That being said, Mr. GRASSLEY, the senior Senator from Iowa, has filed a formal notice of intent to object to this nomination, and, therefore, on behalf of the senior Senator from Iowa, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR NOS. 148 AND 263

Mr. CARDIN. Madam President, Azita Raji has been nominated for Ambassador to Sweden and Samuel Heins as Ambassador to Norway. Having representatives on the ground in Scandinavian countries is urgently needed. Both Sweden and Norway are key strategic allies and members of the Arctic Council. Russia's recent military activities in the Arctic and its disputed territorial claims in vast stretches of waters make the presence of a strong American voice in Sweden and Norway essential.

Moreover, nearly 300 Swedish citizens have left to fight in Syria or Iraq, making it the second largest country of origin per capita for foreign fighters in Europe. Put simply, we need representation in Stockholm and Oslo to protect the U.S. strategic interests abroad.

I particularly want to note the close ties and deep friendship the United States and Norway have, symbolized by the 32-foot Christmas tree at Union Station that is annually gifted to the American people by Norway, their gratitude for U.S. assistance during and after World War II.

Norway is a founding member of NATO alliance and has been more than diligent in attending to its obligations. It has contributed personnel to NATO's operations in Afghanistan, Libya, and the Balkans. Its former Prime Minister currently serves as the 13th Secretary General of NATO. Just this year, Norway assumed leadership responsibilities for NATO's air-policing mission over the Baltic States and is participating in a large-scale NATO anti-submarine exercise.

I am also pleased to note that these nominees for these critical positions have incredible backgrounds. Neither were controversial during the consideration by the Senate Foreign Relations Committee. Azita Raji is an accomplished businesswoman with impressive international credentials. She was the vice president of J.P. Morgan Securities in New York, Tokyo, and Japan. She speaks five languages and has published in the Journal of the American Medical Association.

Samuel Heins is not only a highly respected lawyer in his home State of Minnesota, but with over 40 years of legal experience he is also a distinguished human rights advocate. He founded Minnesota Advocates for Human Rights. He was a private citizen member of the 2011 U.S. mission to the United Nations Human Rights Council in Geneva and has won human rights awards.

Samuel Heins has been waiting for 200 days. This is not a recent matter. Azita Raji has been waiting almost a year for confirmation. These are people who are ready to serve our country, critical allies.

Mr. President, therefore, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 148; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

This is the Azita Raji nomination

The PRESIDING OFFICER (Mr. SASSE). Is there objection?

The Senator from Texas.

Mr. CRUZ. Mr. President, reserving the right to object. When Secretary Kerry chose to ignore my request that the State Department not submit this catastrophic Iranian nuclear deal to the United Nations, Secretary Kerry did so with open eyes. He did so knowing the consequences because I had spelled them out explicitly; that the political nominees he would want to put forward at the Department of State would not proceed if Secretary Kerry chose to undermine the authority of the Congress of the United States, to undermine the sovereignty of this country, and to instead treat the United Nations as the relevant decisionmaking body. He did so nonetheless.

As a consequence, the Obama administration is proceeding forward under this Iranian nuclear deal as if it is binding law. The Obama administration is proceeding ultra vires. They are proceeding contrary to law under the explicit terms of the Congressional Review Act. The period of time for congressional review has not begun to commence because the Obama administration has not submitted the entire deal to the U.S. Congress. They have not submitted the side deals. As a consequence, under explicit U.S. law, it is contrary to the law for the Obama administration to lift sanctions on Iran.

I wish to note to any bank at home or abroad that is in possession of Iranian assets, any bank that chooses to release those assets to the Ayatollah Khamenei or to other Iranian interests will be acting directly contrary to Federal statutory law. Even though President Obama and Secretary Kerry are choosing to disregard the law, that does not exonerate the private banks from potential civil liability in the billions or even criminal liability. The stakes are too high. I move to lay that motion on the table.

As we wrestle with the ravages of radical Islamic terrorism, the idea that the President of the United States is trying to send over $100 billion to the Ayatollah Khameini—a theocratic zealot who promises death to America—makes no sense at all. It means that if and when those billions of dollars are used to fund jihadists who murder Americans, the blood of those murders will be on this administration's hands. If you give billions of dollars to jihadists who have pledged to commit

murder, you cannot wash your hands of responsibility for their doing exactly what they have told you they would do. Accordingly, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Let me remind our colleagues we are talking about the Ambassador to Sweden.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 263; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

This is the Samuel Heins nomination.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR NO. 127

Mr. CARDIN. Mr. President, I wish to address the nomination of Cassandra Butts to the post to be Ambassador to the Bahamas. Cassandra Butts is currently a senior advisor to the CEO of the Millennium Challenge Corporation in Washington, DC. She is a leading attorney and former Deputy White House Counsel. She is known for her expertise in both domestic and foreign policy, particularly in economic development and migration policy, due to her work on the board of the National Immigration Forum.

I am confident she will apply these essential skills to the task of furthering the bilateral relationships between the Government of the Bahamas, a key U.S. Caribbean partner.

Therefore, Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 127; that the Senate proceed to vote without intervening action or debate on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Mr. President, reserving the right to object. Today the single greatest national security threat facing America is the threat of a nuclear Iran. President Obama's catastrophic Iranian nuclear deal dramatically increases the likelihood that the Ayatollah Khamenei will possess nuclear weapons and will use those nuclear weapons to commit horrific acts of terror. Moreover, Secretary Kerry's decision to go to the United Nations and circumvent the Congress of the United States, disregard the authority of the people of the United States was unacceptable and was profoundly damaging to this country. Accordingly, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Mr. President, the nominees I went through unanimous consent requests—all are important to our national security. We are talking about Ambassadors. We are talking about career people whom we depend upon for advice, for handling conflict areas. It is in our national security interests to get these nominees confirmed. They have been held up for as long as a year in some cases.

I understand the right of individual Senators. I urge my colleagues, we have a responsibility to act on these nominations. I urge my colleagues to work with us. I applaud Senator CORKER. He has moved these nominations through the committee. For these reasons, I urge my colleagues to work with us so we can get these individuals serving our country. They are public servants and they deserve our consideration.

The PRESIDING OFFICER. The Senator from Oregon.

H.R. 1599

Mr. MERKLEY. Mr. President, I want to note that right at this moment there are Senators of this esteemed body who are doing something that is not so esteemed. They are working to put into some of the must-pass legislation that we will be considering today and in the days to come something known as the DARK Act. The DARK Act is the Deny Americans the Right to Know Act. It takes away the ability of States to make sure the citizens of their State have the knowledge they would like to have about the food they eat.

We have seen in the toxics discussion in the Senate how important it is to individual States to have the ability to identify for their citizens what is in the everyday household products they have: their spoons, their plates, their bedding, and so forth—but it is much more important. It is an order of magnitude more important to citizens to have the right at the State level to decide how to inform individuals about what is in the food they eat.

This proposal to put the DARK Act—taking away the rights of the States, taking away the rights of citizens to use their democracy to be able to know what is in the food they eat—is being proposed to be put into a bill in the dark of night. The DARK Act should never go into legislation in this Senate. It should never be considered airdropped in, in the dark of night, into must-pass legislation. It should be debated openly in committee, thoroughly vetted, thoroughly considered, because that certainly is the type of consideration merited by an issue so fundamental to citizens as knowledge about the food they eat and the food their children eat.

Let us not, as a Senate, commit such a disgraceful act as taking away the State right and the individual desire to have knowledge about the fundamental food that we consume. Let us not have that airdropped in the dark of night. That would be a huge mistake.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, it has now been over 5 years since President Obama signed into law this so-called Affordable Care Act, a sweeping health care overhaul that had passed this Chamber without a single Republican vote. While legislation as important as this should have been held to the highest standard and included broad bipartisan support, President Obama and then the 60-vote congressional Democrats relied on fuzzy math and false promises to jam through this enormous, unwieldy health care measure that the American people overwhelmingly oppose. Such unilateral action has become President Obama's signature domestic policy legacy, but today all that bullying and brinkmanship comes to a screeching halt.

The legislation we will vote on today takes a critical step forward in lifting the burden that ObamaCare has placed on hard-working citizens across the country who have been saddled by rising premiums, increased health care costs, and reduced access to doctors and hospitals. It continues our long fight to repeal this harmful law and build a bridge to health care solutions that work.

Since ObamaCare's enactment, Americans have been left wondering what happened to all the promises: the promise to remove obstacles to obtaining coverage, the President's promise to reduce yearly premiums by up to $2,500 for a typical family, his promise to maintain existing providers. Remember, if you like your doctor you can keep him, his promise to prevent any form of new tax increases, and a promise to increase competition and provide greater choice.

Despite all of the President's assurances, ObamaCare has been full of empty promises that have made our Nation's health care problems worse. One of the reasons I voted against ObamaCare was because despite being portrayed as affordable, there were numerous predictions that Americans across the country would be faced with increased health care costs. Guess what. Such predictions have become reality. Just as recently as this past summer, the President promised that under ObamaCare health insurance premium increases would be ''modest.'' This is despite the fact that the State insurance regulators and actuaries were predicting the exact opposite outcome.

Let's take a look at how modest these cost increases will be for my home State of Arizona. Data released last month by the Department of Health and Human Services shows that Americans enrolled in the Federal marketplace will see an average premium increase of at least 7.5 percent with the second lowest so-called silver plans known as benchmark plans.

In Arizona, 24 exchange plans will see double-digit rate hikes in 2016. In Phoenix, premium increases are projected to top 19 percent. The highest average premium increase in my home State is projected to reach a whopping 78 percent.

My constituents in Arizona call and write me daily, begging and pleading that something be done to alleviate the financial hardship of ObamaCare.

Thomas from Flagstaff wrote to me and said his monthly premiums jumped from $200 to $600 a month. Jim, a resident of Arizona for over 25 years, will soon pay an additional $160 per week. It goes on and on and on. Stories such as these are unacceptable.

While the President and my colleagues on the other side of the aisle continue to describe ObamaCare as a success, families, patients, doctors, and small businesses across America continue to suffer from the disastrous effects of the President's failed health care law.

Today I am proud to once again stand with my Republican colleagues as we continue the fight to repeal and replace ObamaCare. From the start, I opposed this sweeping scope of the health care law and proudly proposed the first Republican amendment to ObamaCare in 2009 which would have prevented the President from slashing Medicare by half a trillion dollars. Since then, I have continued my efforts by sponsoring numerous other pieces of legislation that would lift the burden that has been placed on individuals and small businesses alike.

Most recently, I introduced the Obamacare Opt-Out Act with Senator BARRASSO in this Congress, which would give Americans the freedom to opt-out of the individual mandate for health insurance coverage required by ObamaCare. It is critical that we eliminate this costly mandate which is estimated to cost Americans who decide not to enroll in ObamaCare roughly $695 per adult and $347 per child in 2016 and even more in the years ahead.

This legislation we will vote on today takes an even bigger step forward in freeing Americans from the harmful effects of this law. It provides relief to individuals and employers alike by eliminating costly penalties for those who fail to comply with ObamaCare's mandate. It repeals draconian tax increases—such as the medical device tax and the Cadillac tax—that have made health care more expensive and driven innovative companies to move critical operations and research and development overseas. It ensures that Americans will not experience any disruption in their health care coverage by delaying the implementation date by 2 years. Most importantly, it gets the government out of the way and puts patients in charge of their health care decisions and needs.

The fact is, we can repeal and replace ObamaCare with health care policies that work. For years I have underscored commonsense policy alternatives, such as providing Americans with a direct, refundable tax credit to help them pay for private health care, expanding the benefits of health savings accounts, passing medical liability reform, or ''tort reform,'' and extending the freedom to purchase health care across State lines. These are proposals that would provide immediate relief to Americans and my fellow Arizonans who have been left to choose between buying groceries or paying for health insurance under ObamaCare.

Perhaps the greatest flaw in President Obama's health care law is that it has severely limited consumers' access to quality care. Today, limited access is now commonplace, costs are increasing, and government bureaucrats remain at the center of an individual's health care decisions.

It is clear that any serious attempt to improve our health care system must begin with full repeal and replacement of ObamaCare—a mission I remain fully committed to fighting on behalf of the people of Arizona.

I urge my colleagues to vote yes on this critically important bill today. It will build a bridge from the President's broken promises to a better health care system for hard-working families in Arizona and across the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that during the vote series related to H.R. 3762, there be 2 minutes equally divided between each vote and that the first votes in the series be in relation to the Murray amendment No. 2876 and the Johnson amendment No. 2875, with a 60-vote affirmative threshold required for adoption.

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

Mr. ENZI. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, we are on the verge of a series of votes, and we are also just a few days away from the third anniversary of the hideous and horrific shootings at Sandy Hook.

Once again, the unspeakable has happened in America. The mass murders in San Bernardino reminds us of the inaction by this body. Congress has become complicit by its inaction in this mass slaughter which continues in America. Yet, listening to the debate on the floor, one would think it is business as usual.

We are debating whether to repeal the Affordable Care Act again. How many times have we voted on that issue? How many times have we voted to defund Planned Parenthood? Yet what we see on the floor of the Senate and throughout Congress is a shrug of the shoulders. It can't be done or won't be done.

Now is the time for action. We are past the point of platitudes and prayers. We need them. San Bernardino deserves them. But prayers, thoughts, and hearts need to be matched by action. The time for action is now. We need to pass sensible, commonsense measures that will make America safer and better.

There is no single solution or panacea to stop gun violence, but inaction is not an option. A shrug of the shoulders is not acceptable. That is not what we were elected to do. We were elected to act and provide solutions. Strong laws, such as what we have in Connecticut, are a good start, but State laws will not prevent guns from crossing borders from States without strong laws. The States with the strongest laws are at the mercy of States with the weakest protection because borders are porous.

The question in America today is, What will it take—30,000 deaths a year, a mass shooting every day? A mass shooting is four or more individuals shot. What will it take for this body to act?

We are not going away. We are not giving up. We are not abandoning this fight. We are on the right side of history, and we will prevail. Today will be an opportunity to show which side we are on.

I urge my colleagues to support these sensible, commonsense amendments which will at least take a step—by no means a complete or even a fully adequate step—in the right direction.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, this week we have been debating the future of ObamaCare, which still remains unworkable, unaffordable, and more unpopular than ever. For millions of Americans, the law today represents nothing more than broken promises, higher costs, and fewer choices. Recent polling shows that most Americans still oppose this unprecedented expansion of government intrusion into health care decisions for hard-working families and small businesses.

That is why Leader MCCONNELL promised that we would send a bill to the President's desk repealing ObamaCare using budget reconciliation, and that is exactly what we are

doing. There is a special provision under the budget that allows us to send a bill to the desk with a majority of votes in the House and a majority of votes in the Senate. The majority of votes in the House has occurred, and now we are debating changes to that bill.

The amendment's repeal of ObamaCare allowed under the rules of reconciliation—including its taxes, regulations and mandates—sets the stage for real health care reforms that strengthen the doctor-patient relationship, expands choices, lowers health care cost, and improves access to quality, affordable, innovative health care for each and every American.

As I noted at the start of this debate, ObamaCare will crush American households with more than $1 trillion in new taxes over the next 10 years. This means ObamaCare will cost taxpayers more than $116 billion every year and result in smaller paychecks for families while holding back small businesses from expanding and hiring new workers. For hardworking taxpayers, ObamaCare has meant more government, more bureaucracy, and more rules and regulations, along with soaring health care costs and less access to care.

By the time we are done, the Senate-passed ObamaCare repeal will eliminate more than $1 trillion in tax increases placed on the American people, while saving more than $500 billion in spending. Lifting the burdens and higher costs the President's law has placed on all Americans will help the Nation move forward from ObamaCare's broken promises to a better health care system for hardworking families across the country.

ObamaCare contained more than $1 trillion in tax hikes from over 20 different tax increases. These tax increases included a new excise tax on employer-sponsored insurance plans, the so-called ''Cadillac tax,'' taxes on insurance providers, prescription drugs, medical devices, a new tax on investment income, and additional taxes and other restrictions on Health Savings Accounts, among others. Eliminating these taxes can help boost economic growth.

The Senate bill repeals $1 trillion in tax increases included in ObamaCare: Cadillac tax, which would force companies to shift costs to employees or to reduce the value of the health care benefits they provide; medical device tax, which would harm healthcare innovation, stifle job creation, and increase the difficulty of delivering high quality patient care; health insurance tax, which would increase health insurance premiums; individual and employer mandates, which forced people to purchase a government defined level of health insurance; prescription drugs taxes, which would make critical medication more expensive; and health savings accounts tax, which would essentially make over-the-counter medicines more expensive by making them ineligible as qualified medical expenses.

According to the Congressional Budget Office, CBO, repealing ObamaCare would raise economic output, mainly by boosting the supply of labor. The resulting increase in public and private sector growth, GDP is projected to average .7 percent over the 2021 through 2025 period. Alone, those effects would reduce Federal overspending by $216 billion over the 2016 to 2025 period according to the CBO and Joint Committee on Taxation, JCT, estimate.

ObamaCare included over $800 billion in Medicare cuts. Instead of using those savings to strengthen and secure Medicare, the President, along with Congressional Democrats, took those funds and used them to create new entitlement programs. This bill ends the raid on Medicare to pay for ObamaCare and puts those funds back into Medicare, where they belong.

State exchanges were almost exclusively financed through $5.4 billion in grant money from the Centers for Medicare and Medicaid Services, CMS. While costing billions of taxpayer dollars from hardworking families, most State exchanges have dramatically underperformed or failed. Some exchanges have received hundreds of millions of dollars in Federal grants, yet are or were unable to accomplish their stated goal. In fact, recent news reports highlight more than $474 million of taxpayer funds were spent on failed exchanges for Massachusetts, Oregon, Nevada, and Maryland. Our measure ends this waste of taxpayer dollars.

Medicaid spending currently consumes nearly a quarter of every State dollar, passing education as the largest state budgetary commitment. This expansion under ObamaCare includes an unsustainable and costly guarantee of 90 to 100 percent Federal funds that will likely be shifted back to the States as the Federal Government begins looking for ways to cut spending and addressing its almost $19 trillion national debt. Most importantly, the bill provides for a transition to a more sustainable State partnership.

As I noted earlier, our Nation has made great strides in improving the quality of life for all Americans, but these transformative changes were always forged in the spirit of bipartisan compromise and cooperation. We still need health care reform, but it has to be done the right way. The bill the Senate will approve can help build a bridge from these broken promises to better care for each and every American.

I yield the floor to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

FARM BILL

Mr. GRASSLEY. Mr. President, I rise to speak about the 2014 farm bill and attempts to change it by Members of this Congress. The farm bill process was a long, hard, and frustrating exercise. Nobody got everything they wanted, but in the end we got a new bill for farmers across the country.

I believe our country needs good farm policy, which means an adequate, yet limited safety net for farmers.

Our farmers face real, uncontrollable risks every year. The farm bill provides farmers with a number of programs that help mitigate those risks. That is why I was very concerned when I learned the budget deal was cutting $3 billion from the Federal crop insurance program.

That cut would have forced the Risk Management Agency at the Department of Agriculture to renegotiate the Standard Reinsurance Agreement next year and save $300 million per year. These cuts were almost universally opposed by rural America. Lenders, commodity groups, input suppliers, and many others opposed the cuts to the crop insurance program.

Beyond being bad policy, I opposed the crop insurance cuts because—like many of my colleagues on both the House and Senate Agriculture committees—I do not support reopening the 2014 farm bill. I am very glad the highway bill is going to reverse these cuts to the crop insurance program.

I also want to speak to the importance of not reopening the farm bill in the omnibus.

Section 739 of the House Agriculture Appropriations bill reauthorized commodity certificates. For those who don't remember what commodity certificates are, they are a way around payment limits. The language in the House bill specifically directs the USDA to administer commodity certificates as they were in 2008 when they were not subject to any payment limits at all.

I want to be very clear so there is no misunderstanding by those in this body or the agriculture lobby. Section 739 of the House Agriculture Appropriations bill brings back commodity certificates, which reopens the 2014 Farm Bill. If the agriculture community wants to be taken seriously, we should heed our own advice and not reopen the Farm Bill by reauthorizing commodity certificates.

I am opposing cuts to the crop insurance program today because that would reopen the farm bill. I hope tomorrow I don't have to oppose commodity certificates in the Omnibus because a few people want to reinstate unlimited farm subsidies.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2876

There will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2876, offered by the Senator from Washington, Mrs. MURRAY.

Mrs. MURRAY. Mr. President, I am well aware that there are serious disagreements between Republicans and Democrats when it comes to women's health, but I would hope that despite our disagreements, they would at least allow us to vote on the important amendment I have offered to strike the harmful language defunding Planned Parenthood in this legislation and replace it with a new fund to support women's health care and clinic safety for staff and patients. Unfortunately, apparently my Republican colleagues are going to choose instead to just simply push this amendment aside and everything with it that we are doing for women and families.

Well, Planned Parenthood doctors and staff are not going to be pushed aside, even by the terrible violence we have seen all too often at women's health clinics. They are keeping their doors open. And the women and families who rely on these centers for their care and who believe women should be able to make their own choices aren't letting the political attacks we have seen today get in their way. They are standing up for what they believe.

While Republicans may want to avoid taking this tough vote, Democrats are going to keep making it very clear exactly where we stand: with Planned Parenthood and with women across the country.

I urge my colleagues to vote against the tabling amendment.

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

The Senator from Wyoming.

Mr. ENZI. Mr. President, I urge my colleagues to oppose this amendment.

Senator MURRAY proposes to establish a new women's health care and clinic safety and security fund to ensure that, among other goals, all women and men have access to health care services without threat of violence. No one disagrees with the goal of making sure all Americans have access to health care without fearing threats or violence. We certainly don't condone any of the violence anywhere in the United States.

The best way to ensure that women and men have affordable health care is to pass this repeal bill and repeal ObamaCare. For every American, ObamaCare has meant more government, more bureaucracy, and more rules and regulations, along with soaring health care costs and less access to care.

The most effective solution to improving the quality of and access to women's health care is to lower the cost and provide access to health care, not to create another fund with another new tax. ObamaCare already contains more than $1 trillion in new taxes, funding new and duplicative programs.

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

Mr. ENZI. I yield back any time, although evidently there is none.

Mr. President, I move to table the Murray amendment No. 2876 and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 54, nays 46, as follows:

[Rollcall Vote No. 311 Leg.]

YEAS—54

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

NAYS—46

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

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that the remaining votes be 10 minutes in length and that the following amendments be in order following disposition of the Johnson amendment: the Brown-Wyden amendment No. 2883 and the Collins amendment No. 2885.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2875

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2875, offered by the Senator from Wisconsin, Mr. JOHNSON.

The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, on June 15, 2009, President Obama went to the American Medical Association to sell his health care plan to the doctors and to the American people. President Obama addressed the doctors, and he said:

> I know that there are millions of Americans who are content with their health care coverage—they like their plan and, most importantly, they value their relationship with their doctor. They trust you. And that means no matter how we reform health care, we will keep this promise to the American people: If you like your doctor, you will be able to keep your doctor, period. If you like your health care plan, you will be able to keep your health care plan, period. No one will take that away, no matter what.

Now, Mr. President, we all know, unfortunately, that promise has been broken. So many people who supported the bill made that similar promise. But PolitiFact called it something else; they called it 2013's ''Lie of the Year.''

My amendment would restore that promise. My amendment would keep that promise to the American people.

I urge my colleagues, particularly those who made that promise—you have the opportunity to restore and convert that lie into a promise.

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

Mr. JOHNSON. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I strongly oppose the amendment that has just been described. Our colleague from Wisconsin is seeking to bring back the so-called grandfathered health plans that existed between 2010 and the end of 2013. My view is that this is something of a health care Frankenstein. All the plans that were grandfathered on December 31, 2013, and disappeared on that date would somehow be magically brought back to life by the Senator from Wisconsin. That is not the way the private health insurance market works in America. Many of the plans that were in existence on December 31, 2013, don't exist anymore. In the private market, which I support, plans change continually. Plans changed in 2014 and they changed again at the beginning of 2015.

It seems to me that what this amendment does is it distorts the private marketplace. I urge my colleagues to oppose it.

Mr. ENZI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 2875.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 56, nays 44, as follows:

[Rollcall Vote No. 312 Leg.]

YEAS—56

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

NAYS—44

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

The PRESIDING OFFICER (Mr. HOEVEN). Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Ohio.

Mr. BROWN. Mr. President, I have the floor for Senator ENZI and myself.

AMENDMENT NO. 2883 TO AMENDMENT NO. 2874

(Purpose: To maintain the 100 percent FMAP for the Medicaid expansion population)

I call up amendment No. 2883.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Ohio [Mr. BROWN] proposes an amendment numbered 2883 to amendment No. 2874.

Mr. BROWN. I ask unanimous consent that the reading of the amendment be despensed with.

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

(The amendment is printed in the RECORD of December 2, 2015, under ''Text of Amendments.'')

The PRESIDING OFFICER. There is now 2 minutes of debate on the amendment.

The Senator from Ohio.

Mr. BROWN. Mr. President, the Brown-Casey-Wyden-Stabenow-Hirono amendment would permanently extend the Medicaid expansion matching rate at 100 percent. It would help strengthen Medicaid for 71 million Americans who rely on this program for quality, affordable health insurance.

Because of the ACA, more Americans can access comprehensive affordable care. Because of the Affordable Care Act, people in my State—600,000 Ohioans—now have Medicaid and affordable health insurance, in addition to other provisions of ACA. The best way to support States that have expanded Medicaid is by making the enhanced FMAP permanent.

Mr. President, that means States will now bear none of the cost of Medicaid expansion. We would pay for this amendment by closing corporate tax loopholes. It would provide States with fiscal security and free up State Medicaid budgets, as I have heard Senator ALEXANDER talk about so often. It would free up State Medicaid budgets for higher education and other kinds of State expenditures.

I encourage my colleagues to do the right thing and provide health care and to do smart budgeting.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I urge my colleagues to oppose this amendment. I refuse to ask more American taxpayers, who have sacrificed so much already, to satiate the boundless Washington appetite for spending. Spending on Medicaid has experienced a 137 percent increase from $200 billion in 2000 to $476 billion in 2014, and many expect those figures to increase.

We all want individuals to have access to high quality health insurance. However, a 2011 study found that 31 percent of doctors are unwilling to accept new Medicaid patients. How can Americans access quality health care if doctors will not treat them?

Most importantly, adding more people to Medicaid will lead to a loss of jobs. A 2013 study concluded that for every 21 million adults who joined Medicaid, the economy will employ 511,000 to 2.2 million fewer people. The Obama recovery is a jobless recovery, and I refuse to exacerbate the unemployment. Instead of adding more and more people to the rolls of a failing Medicaid program——

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

Mr. ENZI. Mr. President, the pending amendment No. 2883 offered by the Senator from Ohio would cause the underlying legislation to exceed the authorizing committee's 302(a) allocation of new budget authority or outlays. Therefore, I raise a point of order against this amendment pursuant to section 302(f) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive all applicable sections of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 45, nays 55, as follows:

[Rollcall Vote No. 313 Leg.]

YEAS—45

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

NAYS—55

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

The PRESIDING OFFICER. On this vote, the yeas are 45, the nays are 55.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that the next amendments in order be the following: Casey, No. 2893; and Heller, No. 2882.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Maine.

AMENDMENT NO. 2885 TO AMENDMENT NO. 2874

Ms. COLLINS. Mr. President, I call up amendment No. 2885.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS] proposes an amendment numbered 2885 to amendment No. 2874.

Ms. COLLINS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To improve the bill)

Strike section 101.

Ms. COLLINS. Mr. President, this amendment, which I offer with my colleagues Senator MURKOWSKI and Senator KIRK, would strike the provisions that would eliminate Federal funding,

including Medicaid reimbursements, for Planned Parenthood. Otherwise, the likely result would be the closure of several hundred clinics across the country, depriving millions of women of the health care provider of their choice.

I want to make clear that our amendment does not include any new spending, it does not increase taxes, and it retains the current Hyde amendment language, which prohibits the use of Federal funds for abortions except in cases of rape, incest or where the life of the mother is at risk.

I urge adoption of the amendment.

The PRESIDING OFFICER. Who yields time?

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, Senator COLLINS, who is my friend and colleague from Maine, would strike a provision in this bill defunding Planned Parenthood and would continue directing Federal funds to that organization.

Earlier this year, I joined Senator ERNST, Senator PAUL, and other colleagues, and we introduced legislation that prohibits taxpayer dollars from funding Planned Parenthood and reasserts Congress's support for directing those funds to current providers of women's health care.

We absolutely should support health care choices for women. But Planned Parenthood is the single largest provider of abortions in the country. Directing increased taxpayer dollars to community health centers provides quality health care options to women without supporting the largest provider of abortions in the country. I urge my colleagues to oppose this amendment.

I yield back.

Mr. ENZI. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 48, nays 52, as follows:

[Rollcall Vote No. 314 Leg.]

YEAS—48

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

NAYS—52

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

The amendment (No. 2885) was rejected.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 2893 TO AMENDMENT NO. 2874

(Purpose: To amend the Internal Revenue Code of 1986 to establish a credit for married couples who are both employed and have young children, and for other purposes)

Mr. CASEY. Mr. President, I call up amendment No. 2893.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Pennsylvania [Mr. CASEY] proposes an amendment numbered 2893 to amendment No. 2874.

Mr. CASEY. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

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

Mr. CASEY. Mr. President, I rise to talk about an amendment that deals with a fundamental issue for working families, and that is the cost childcare. By way of example, the weekly cost of childcare in Pennsylvania, roughly over the last 30 years, has gone up by 70 percent. In a State like ours that can mean over $10,600 per infant per family. We want to make sure this credit is fully available to working families. We want to increase the maximum amount to $3,000. Finally, we want to make sure it is fully refundable.

This amendment is paid for by offsets.

I thank Senator BALDWIN for the great work she did with us on this amendment.

I ask unanimous consent that Senators MURRAY and REED of Rhode Island be added as cosponsors of this amendment.

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

The Senator from Wyoming.

Mr. ENZI. Mr. President, I urge my colleagues to oppose this amendment.

Senators CASEY and BALDWIN have proposed an amendment to further shift the tax burden onto high-income taxpayers. It would pay for new tax credits with the Buffett tax through taxing foreign inversion corporations as domestic and by expanding limitations on executive compensation deductibility.

This legislation is not the place to add one-sided cuts that have not been included in regular order negotiations going on between Congress and the administration and in the Finance Committee.

Further, passing this reconciliation legislation will repeal a dozen new taxes used to offset the cost of ObamaCare.

Comprehensive tax reform is needed to examine our system of credits and deductions to create a pro-growth tax policy across income spectrums, but not in this bill.

Washington already takes over $3 trillion per year from the American public, which is more than enough to fund necessary government functions. Increasing the tax burden on the most successful Americans discourages the work and jobs and investment necessary to grow America's economy.

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

Mr. ENZI. I ask my colleagues to oppose this amendment.

Mr. President, the pending amendment No. 2893 offered by Senator CASEY would cause the underlying legislation to exceed the authorizing committees's 302(a) allocation of new budget authority or outlays. Therefore, I raise a point of order against this amendment pursuant to section 302(f) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive all applicable sections of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 46, nays 54, as follows:

[Rollcall Vote No. 315 Leg.]

YEAS—46

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

NAYS—54

Alexander	Barrasso	Boozman
Ayotte	Blunt	Burr

Capito	Graham	Perdue
Cassidy	Grassley	Portman
Coats	Hatch	Risch
Cochran	Heller	Roberts
Collins	Hoeven	Rounds
Corker	Inhofe	Rubio
Cornyn	Isakson	Sasse
Cotton	Johnson	Scott
Crapo	Kirk	Sessions
Cruz	Lankford	Shelby
Daines	Lee	Sullivan
Enzi	McCain	Thune
Ernst	McConnell	Tillis
Fischer	Moran	Toomey
Flake	Murkowski	Vitter
Gardner	Paul	Wicker

The PRESIDING OFFICER (Mr. RUBIO). On this vote, the yeas are 46, the nays are 54.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

The Senator from Wyoming.

Mr. ENZI. Mr. President, continuing this advanced notice of what is coming up, I ask unanimous consent that the next amendment in order be the following: Shaheen amendment No. 2892.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Nevada.

AMENDMENT NO. 2882 TO AMENDMENT NO. 2874

Mr. HELLER. Mr. President, I call up my amendment No. 2882.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. HELLER] proposes an amendment numbered 2882 to amendment No. 2874.

Mr. HELLER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To strike the reinstatement of the tax on employee health insurance premiums and health plan benefits)

On page 5, beginning with line 24, strike through page 6, line 3.

Mr. HELLER. Mr. President, my amendment postpones the implementation of the Cadillac tax for the next 10 years. I think that is a good start on the legislation we have in front of us today. In fact, I think it is a great start, but I think we ought to take the next step. The next step is to repeal it altogether, and that is exactly what this amendment does. It is the only bipartisan piece of legislation that does just that.

To that end, I thank the Senator from New Mexico, Mr. HEINRICH, for his help and support in moving this legislation forward to where we are today.

Mr. President, there is no opposition to this legislation. There is no opposition in America to this legislation. I have 83 groups and organizations around this country. Unions support this amendment. The Chamber supports this amendment. Seniors support this amendment.

The PRESIDING OFFICER. Who yields time?

Mrs. MURRAY. We yield back our time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 90, nays 10, as follows:

[Rollcall Vote No. 316 Leg.]

YEAS—90

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

NAYS—10

Boxer	Durbin	Sasse
Carper	Kaine	Warner
Coats	Manchin	
Corker	McCaskill	

The amendment (No. 2882) was agreed to.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that the next amendments in order be the following: Cornyn amendment No. 2912 and Feinstein amendment No. 2910.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ENZI. Mr. President, for the information of my colleagues, I expect the amendments next in order after those will be Grassley amendment No. 2914, followed by Manchin amendment No. 2908, but that is not locked in yet.

The PRESIDING OFFICER. The Senator from New Hampshire.

AMENDMENT NO. 2892 TO AMENDMENT NO. 2874

(Purpose: To improve mental health and substance use prevention and treatment)

Mrs. SHAHEEN. Mr. President, I call up amendment No. 2892.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Hampshire [Mrs. SHAHEEN] proposes an amendment numbered 2892 to amendment No. 2874.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

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

Mrs. SHAHEEN. Mr. President, we are facing a public health emergency in New Hampshire and States across the country. Heroin and opioid abuse are at epidemic levels. This is important because it affects every State that is represented on the Senate floor. Each day, 120 Americans die of drug overdose; that is 2 deaths every hour. In New Hampshire we are losing one person every day from drug overdose. Drug overdose deaths have exceeded car crashes as the No. 1 cause of fatalities in this country.

This amendment recognizes that this is a public health emergency and that we need to provide additional resources to address it.

It does three things. First, it ensures that all health plans bought on the exchange cover mental health and addiction-related benefits. Second, it eliminates the Medicaid coverage exclusion that currently prohibits reimbursement for critically important inpatient facilities that treat mental illness. That is the 16-bed limit on those inpatient treatment facilities. Finally, it provides much needed funding to help States, municipalities, and their implementing partners prevent and treat mental illness and substance use disorders.

The PRESIDING OFFICER. The time of the Senator has expired.

Mrs. SHAHEEN. This is a public health emergency. This amendment is fully paid for. I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I urge my colleagues to oppose this amendment. I share my colleague's concern with the current state of mental health and substance abuse policies in the United States. Our health care system in many ways has failed to treat those who need care most desperately. However, as deeply as I believe we must strengthen mental health, I believe we have to do it right.

Consideration of mental health legislation should be thoughtful and should examine the real barriers to appropriate treatment. Simply throwing more money at the problem has proven time and again to be ineffective. That is why I am proud of the work being done by the Health, Education, Labor and Pensions Committee. Chairman ALEXANDER, Ranking Member MURRAY, and 26 other Senators, including me, support the Mental Health Awareness

and Improvement Act. That bill takes important steps to increase mental health awareness, prevention, and education; encourages the sharing of relevant mental health information; and assesses the barriers to integrating mental and behavioral health into primary care. It is a good step and should be done through the committee process.

I thank Senator SHAHEEN for offering this amendment and support the intent, but it has to be done right. And this increases taxes.

Mr. President, the pending amendment No. 2892 offered by Senator SHAHEEN would cause the underlying legislation to exceed the authorizing committee's 302(a) allocation of new budget authority or outlays. Therefore, I raise a point of order against this amendment pursuant to section 302(f) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive all applicable sections of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

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

The yeas and nays resulted—yeas 47, nays 52, as follows:

[Rollcall Vote No. 317 Leg.]

YEAS—47

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

NAYS—52

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

NOT VOTING—1

Warner

The PRESIDING OFFICER. On this vote, the yeas are 47, the nays are 52.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

The majority whip.

AMENDMENT NO. 2912 TO AMENDMENT NO. 2874

Mr. CORNYN. Mr. President, I call up amendment No. 2912.

The PRESIDING OFFICER (Mr. CASSIDY). The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN] proposes an amendment numbered 2912 to amendment No. 2874.

Mr. CORNYN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

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

Mr. CORNYN. Mr. President, this is an alternative to the Feinstein amendment we will be voting on next. Under the Feinstein amendment, the government without due process can take away from you valuable constitutional rights. They happen to be Second Amendment rights without notice and the opportunity to be heard. If you believe that the Federal Government is omniscient and all competent, vote for the Feinstein amendment, but I wish to point out that even our former colleague Teddy Kennedy was on this terror watch list at one point. Despite numerous efforts to try to get off of it, he never could—as well as our friend Catherine Stevens, former Ted Stevens' spouse.

My amendment would provide that due process, notice, and an opportunity to be heard, and provide new tools and increased authorities to prevent terrorism and prevent violence by blocking the transfer of firearms following that notice and opportunity to be heard, which would also give the judicial authority an opportunity to grant an emergency terrorism order which would actually detain the person who is identified and proven to be a terrorist.

I encourage my colleagues to support this amendment, to give law enforcement the ability to take terrorists off the streets and prevent them from obtaining firearms while preserving important constitutional rights of law-abiding Americans.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, I have great respect for the senior Senator from Texas, a former member of the Texas Supreme Court. How he could make an argument like this is beyond my ability to comprehend.

This Republican amendment ties the hands of law enforcement. This amendment doesn't keep terrorists from getting guns. It simply delays their efforts for up to 72 hours. This amendment means that all a lawyer needs to do is gum up the works for a short time and an FBI terrorist suspect can walk away with a firearm—a legal firearm. That would be relatively easy to do. There are a lot of lawyers in this Chamber. Courts can't do virtually anything in 72 hours. How long does it take to shoot up a school, a mall, someone's home? Fifteen minutes? Five minutes? You could be on the terrorist watch list, go buy a gun, and let the time go by.

This is outrageous that people would try to run from this amendment. If you are on a terrorist watch list, you shouldn't be able to buy a gun. This would allow a terrorist to not only buy a gun but keep it for up to 72 hours.

The second aspect of this amendment is equally alarming. It takes money away from law enforcement. Here again, we are voting on something again and again. We already voted down this Vitter amendment, sanctuary cities bill, last month, which strips all local law enforcement from vital Federal community policing grants.

I am using a little bit of my leader time right now.

This strips local law enforcement from vital Federal community policing grants, targeted public safety and to build community trust. It cuts community development block grants, and the purpose of this is to ensure affordable housing and provide services to the most vulnerable in our communities.

Very quickly, this amendment takes the FBI out of the equation when it comes to keeping guns away from terrorists, and it takes away from local law enforcement agencies, threatening public safety. Is it any wonder that this is an anti-law enforcement amendment?

The legislation is opposed by the Fraternal Order of Police, Major Cities Chiefs Association, United States Conference of Mayors, and many others. This is a dangerous amendment. First of all, to use Senator Kennedy, let him be on the watch list. He is not going to go buy a gun and hurt anybody. These ridiculous assertions are just that—ridiculous. We are trying to say if you are on a watch list as being a terrorist, you shouldn't be able to buy a gun. It is as simple as that. My friend the Senator from California will lay this out. She has been the leader on guns in this Chamber for two decades.

Mr. CORNYN addressed the Chair.

The PRESIDING OFFICER. No time for debate remains.

Mr. CORNYN. Mr. President, I ask unanimous consent for 10 seconds.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CORNYN. Mr. President, to accept the argument of the Democratic leader, you would have to believe that the Federal Government is always right and is all-knowing and can deprive you of valuable constitutional rights without giving notice and an opportunity to be heard in front of an impartial tribunal—a judge. That is what the Democratic leader is suggesting. I think it is wrong and it is un-American. It violates the very core constitutional protections afforded to all Americans.

I urge Senators to vote for my alternative to the Feinstein amendment and against the Feinstein amendment, which would deprive people of their due process rights under the Constitution.

Mr. REID. Mr. President, there is nothing unconstitutional about keeping a terrorist from buying a gun. That is what this is all about. Do we want people on a terrorist watch list to go buy a gun? The answer is no. That is what this amendment is all about. The Senator from California will explain it.

I raise a point of order against this ridiculous amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of the applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of amendment No. 2912, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

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

The yeas and nays resulted—yeas 55, nays 44, as follows:

[Rollcall Vote No. 318 Leg.]

YEAS—55

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

NAYS—44

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

NOT VOTING—1

Warner

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 44.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

The Senator from Wyoming.

Mr. ENZI. Mr. President, continuing to march through the amendments, I ask unanimous consent that the next amendments in order be the following: Grassley amendment No. 2914 Manchin amendment No. 2908.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from California.

AMENDMENT NO. 2910 TO AMENDMENT NO. 2874

(Purpose: To increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists)

Mrs. FEINSTEIN. Mr. President, I call up amendment No. 2910.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN] proposes an amendment numbered 2910 to amendment No. 2874.

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

Mrs. FEINSTEIN. Mr. President, I rise to speak on an amendment which is identical to a bill I have introduced with Republican Congressman PETER KING. This amendment was proposed by the Bush administration's Department of Justice in 2007. It would allow the Attorney General to prevent a person from buying a gun or explosive if, one, the recipient is a known or suspected terrorist; and, two, the Attorney General has a reasonable belief that the recipient would use the firearm in connection with a terrorist act.

The bill has very broad law enforcement support, including the Major Cities Chiefs Association and the International Association of Chiefs of Police. New York Police Commissioner Bill Bratton, who was also chief of the Los Angeles Police Department, recently said on Meet the Press:

If Congress really wants to do something instead of just talking about something, help us out with that Terrorist Watch List, those thousands of people that can purchase firearms in this country. I'm more worried about them than I am about Syrian refugees, to be quite frank with you.

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

Mrs. FEINSTEIN. I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, if you believe the Federal Government should be able to deprive an American citizen of one of their core constitutional rights without notice and an opportunity to be heard, then you should vote for the Senator's amendment. This is not the way we are supposed to do things in this country. If you think that the Federal Government never makes a mistake and that presumptively the decisions the Federal Government makes about putting you on a list because of some suspicions, then you should vote for the Senator's amendment. But we all know better than that. I have used the example of Teddy Kennedy, Captain Stevens, and others who were placed on these lists.

At the very least we ought to provide those individuals with an opportunity to be notified, and they should have a right to be heard by an impartial judicial tribunal to make those decisions.

I urge my colleagues to vote against the Senator's amendment.

I have one other reason. The whole purpose of this amendment is to destroy the privileged status of this reconciliation bill. If this bill passes, it will destroy our ability to pass this reconciliation bill with 51 votes.

Again, I urge all of my colleagues to vote against it.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, the pending amendment No. 2910, offered by Senator FEINSTEIN, contains matter that is not within the jurisdiction of the Finance Committee or the HELP Committee, and it is extraneous to H.R. 3762, a reconciliation bill. Therefore, I raise a point of order against the amendment pursuant to section 313(b)(1)(C) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive all applicable sections of that act for the purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

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

The yeas and nays resulted—yeas 45, nays 54, as follows:

[Rollcall Vote No. 319 Leg.]

YEAS—45

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

NAYS—54

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

NOT VOTING—1

Warner

The PRESIDING OFFICER. On this vote, the yeas are 45, the nays are 54.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, after we finish the Grassley amendment and the Manchin amendment, I ask unanimous consent that the next amendments in order be the following: Bennet No. 2907 and Paul No. 2899.

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

The Senator from Iowa.

AMENDMENT NO. 2914 TO AMENDMENT NO. 2874

(Purpose: To address gun violence, improve the availability of records to the National Instant Criminal Background Check System, address mental illness in the criminal justice system, and end straw purchases and trafficking of illegal firearms, and for other purposes)

Mr. GRASSLEY. Mr. President, I call up amendment No. 2914.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY] proposes an amendment numbered 2914 to amendment No. 2874.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

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

Mr. GRASSLEY. The Manchin-Toomey amendment that is going to be up next, I am told, won't prevent the next shooting or reduce crime or fix our mental health system. We need to also be worried about protecting the Second Amendment.

My amendment addresses the Obama administration's reduction in gun prosecutions by providing money to expand Project Exile and funding for prosecuting felons and fugitives who fail background checks, targeted to the highest crime jurisdictions. It criminalizes straw purchasing and gun trafficking, provides more resources for Secure Our Schools grants, and increases funding for mental health initiatives. It incentivizes States to provide mental health records to the background check database, clarifies what records should be submitted to the NCIS system, and it provides that military members can buy firearms in their State of residence or where they are stationed, so that what happened in Chattanooga doesn't happen again. Finally, this amendment also reduces funding to those municipalities that continue to defy the law with regard to the enforcement of immigration offenses, otherwise known as sanctuary cities.

I ask for adoption of the amendment.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, the victims of gun violence and their families deserve more than a moment of silence; they deserve a moment of sanity.

We have coming before us a proposal by a Republican Senator and a Democratic Senator, Senator TOOMEY and Senator MANCHIN, a proposal to close the loopholes so that people who are convicted felons and people who are mentally unstable cannot buy firearms. Unfortunately, in the 100-page amendment being offered by the Senator from Iowa, exactly the opposite occurs. The loopholes are opened. When it comes to background checks, unfortunately, this doesn't do anything.

It does do one thing: It reduces the amount of money available to police departments and COP grants all across the United States if the Senator disagrees with their immigration policy. That is why the Fraternal Order of Police opposes it.

Let's have a moment of sanity. Let's please vote no on the Grassley amendment.

Mr. President, I raise a point of order that the pending amendment violates section 313(b)(1)(C) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for the purposes of amendment No. 2914, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

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

The yeas and nays resulted—yeas 53, nays 46, as follows:

[Rollcall Vote No. 320 Leg.]

YEAS—53

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

NAYS—46

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

NOT VOTING—1

Warner

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 46.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

The Senator from West Virginia.

AMENDMENT NO. 2908 TO AMENDMENT NO. 2874

(Purpose: To protect Second Amendment rights, ensure that all individuals who should be prohibited from buying a firearm are listed in the National Instant Criminal Background Check System, and provide a responsible and consistent background check process)

Mr. MANCHIN. Mr. President, I call up my amendment No. 2908.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. MANCHIN] proposes an amendment numbered 2908 to Amendment No. 2874.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

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

Mr. MANCHIN. Mr. President, I rise again today to offer this important piece of legislation with my good friend PAT TOOMEY. It is a bipartisan piece of legislation. It makes all the sense in the world. Most of America supports the background checks that we are talking about.

As a law-abiding gun owner, I can assure you that basically I have been taught not to sell my gun to a stranger, not to sell my gun to a criminal, and not to sell my gun to someone who is severely mentally ill. That is how we were trained, and that is how most American law-abiding gun owners are trained. All this bill does is not infringe upon the rights of a personal transaction.

The only thing this piece of legislation does is to close a loophole in commercial transactions such as gun shows and Internet sales. I don't know if that person is a criminal. I don't know if that person is severely mentally ill. I just don't know that person. I was taught not to sell to that person or to give to that person unless I knew him.

This is the most commonsense idea supported by an overwhelming majority of Americans and an overwhelming majority of law-abiding gun owners in America.

I urge all of my colleagues on both sides of the aisle in this bipartisan legislation to please support this. It is basically something that is long, long overdue, and these tragedies continue to happen.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, on this side, we yield back all of our time.

Mr. President, the pending amendment No. 2908 contains matter that is not within the jurisdiction of the Finance or HELP Committees and is extraneous to H.R. 3762, a reconciliation bill. Therefore, I raise a point of order that the pending amendment violates section 313(b)(1)(C) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive all applicable sections of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Wisconsin (Mr. JOHNSON).

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

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

The yeas and nays resulted—yeas 48, nays 50, as follows:

[Rollcall Vote No. 321 Leg.]

YEAS—48

Baldwin	Gillibrand	Murray
Bennet	Heinrich	Nelson
Blumenthal	Hirono	Peters
Booker	Kaine	Reed
Boxer	King	Reid
Brown	Kirk	Sanders
Cantwell	Klobuchar	Schatz
Cardin	Leahy	Schumer
Carper	Manchin	Shaheen
Casey	Markey	Stabenow
Collins	McCain	Tester
Coons	McCaskill	Toomey
Donnelly	Menendez	Udall
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden

NAYS—50

Alexander	Ernst	Paul
Ayotte	Fischer	Perdue
Barrasso	Flake	Portman
Blunt	Gardner	Risch
Boozman	Graham	Roberts
Burr	Grassley	Rounds
Capito	Hatch	Rubio
Cassidy	Heitkamp	Sasse
Coats	Heller	Scott
Cochran	Hoeven	Sessions
Corker	Inhofe	Shelby
Cornyn	Isakson	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McConnell	Vitter
Daines	Moran	Wicker
Enzi	Murkowski	

NOT VOTING—2

Johnson	Warner

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 50.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

The Senator from Colorado.

AMENDMENT NO. 2907 TO AMENDMENT NO. 2874

Mr. BENNET. Mr. President, I call up amendment No. 2907.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. BENNET] proposes an amendment numbered 2907 to amendment No. 2874.

The amendment is as follows:

(Purpose: To provide additional amounts to the Department of Veterans Affairs to increase the access of veterans to care and improve the physical infrastructure of the Department of Veterans Affairs and to impose a fair share tax on high-income taxpayers)

At the appropriate place, insert the following:

SEC. _____. ADDITIONAL FUNDING TO INCREASE ACCESS OF VETERANS TO CARE AND IMPROVE PHYSICAL INFRASTRUCTURE OF DEPARTMENT OF VETERANS AFFAIRS.

Notwithstanding any other provision of law, with respect to any increase in revenues received in the Treasury as the result of the enactment of section 59A of the Internal Revenue Code of 1986—

(1) $20,000,000,000 shall be made available, without further appropriation, to carry out the purposes described in section 801(b) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note); and

(2) any remaining amounts shall be used for Federal budget deficit reduction or, if there is no Federal budget deficit, for reducing the Federal debt in such manner as the Secretary of the Treasury considers appropriate.

SEC. _____. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

''Sec. 59A. Fair share tax.

''SEC. 59A. FAIR SHARE TAX.

''(a) GENERAL RULE.—

''(1) IMPOSITION OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

''(A) the amount determined under paragraph (2), and

''(B) a fraction (not to exceed 1)—

''(i) the numerator of which is the excess of—

''(I) the taxpayer's adjusted gross income, over

''(II) the dollar amount in effect under subsection (c)(1), and

''(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

''(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

''(A) the tentative fair share tax for the taxable year, over

''(B) the excess of—

''(i) the sum of—

''(I) the regular tax liability (as defined in section 26(b)) for the taxable year, determined without regard to any tax liability determined under this section,

''(II) the tax imposed by section 55 for the taxable year, plus

''(III) the payroll tax for the taxable year, over

''(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

''(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

''(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

''(A) the adjusted gross income of the taxpayer, over

''(B) the modified charitable contribution deduction for the taxable year.

''(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

''(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

''(ii) such amount, determined before the application of section 68.

''(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

''(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'high-income taxpayer' means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of $1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a taxable year beginning after 2016, the $1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the next lowest multiple of $10,000.

''(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

''(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such tax is attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during such taxable year, over

''(2) the deduction allowable under section 164(f) for such taxable year.

''(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

''(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

Mr. BENNET. Mr. President, this amendment will help improve access to care for veterans all across the country and fill a huge unmet need. It provides funding to hire more doctors, nurses, social workers, and mental health professionals to serve our veterans. It will also help improve VA medical facilities by supporting upgrades and minor construction improvements.

In Colorado, our VA system has been plagued by long waiting times and a lack of access. Across the State, we have shortages of physicians, nurses, and mental health professionals, particularly in rural areas such as Alamosa and the San Luis Valley. We also know all too well in Colorado that much more accountability is needed within the VA, and we will continue to work to improve a bureaucracy that has plagued access to quality care.

The 400,000 veterans in Colorado and across the Nation deserve the best care we can offer. They deserve what they have been promised. This amendment is fully paid for, and I urge my colleagues to vote yes on this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I urge my colleagues to oppose this amendment. I commend my colleague from Colorado for working to advance the needs of veterans. However, Senator BENNET proposes a $20-billion increase in spending paid for by a tax increase.

I believe the problem with Washington's finances is that our government spends too much and lives outside its means. I am continually working to put our country's finances on a sustainable path so that more Americans can keep more of their hard-earned money. What we don't need are higher taxes, and we do need bills that go through the proper committees.

Congress has continually rejected this one-sided tax policy. Comprehensive tax reform is needed to examine our system of credits. Washington already takes $3 trillion per year from the American public, which is more than enough to fund necessary government functions, provided we get through the regular process. So I urge my colleagues to oppose this.

Mr. President, the pending amendment No. 2907 would cause the underlying legislation to exceed the authorizing committee's 302(a) allocation of new budget authority or outlays. Therefore, I raise a point of order against this amendment pursuant to section 302(f) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, first, through the Chair, I say thank you to my colleague from Wyoming for his kind words about our efforts with respect to veterans.

Pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive all applicable provisions of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

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

The yeas and nays resulted—yeas 47, nays 52, as follows:

[Rollcall Vote No. 322 Leg.]

YEAS—47

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

NAYS—52

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

NOT VOTING—1

Warner

The PRESIDING OFFICER. On this vote, the yeas are 47, the nays are 52.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, next up of course will be the Paul amendment.

I ask unanimous consent that following the vote on that amendment, the next amendments in order be the following: Cardin amendment No. 2913 and Coats amendment No. 2888.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Kentucky.

AMENDMENT NO. 2899 TO AMENDMENT NO. 2874

(Purpose: To prevent the entry of extremists into the United States under the refugee program, and for other purposes)

Mr. PAUL. Mr. President, I call up amendment No. 2899.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2899 to amendment No. 2874.

Mr. PAUL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The PRESIDING OFFICER. There is 2 minutes evenly divided.

Mr. PAUL. Mr. President, we spend hundreds of billions of dollars defending our country, and yet we cannot truly defend our country unless we defend our border. My bill would place pause on issuing visas to countries that are at high risk for exporting terrorists to us. My bill would also say to visa waiver countries that in order to come and visit, you would have to go through global entry, which would require a background check.

I urge Senators who truly do want to defend our country and have increased border security to vote for this amendment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I hate to say this to my good friend from Kentucky, but this is a bumper sticker kind of amendment. It says it would keep us secure, but it would even stop tourists from visiting this country for at least 30 days.

Let's say you have a relative who is dying in this country, you will have to call them up and say: Don't die for at least 30 days so I can come over and say goodbye to you. It stops some of our closest allies in the Middle East. Jordan is probably our closest ally, and this legislation would stop us from issuing visas there.

It doesn't make us safer. It kills our tourist industry, it damages our economy, but most importantly it makes it look to the rest of the world like we are cowering in our shoes. I don't want to do that.

Mr. President, I raise a point of order that the pending amendment violates section 313(b)(1)(C) of the Congressional Budget Act of 1974.

Mr. PAUL. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of the applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of amendment No. 2899, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The Senator from Vermont.

Mr. LEAHY. Mr. President, I understand that there is going to be a request for a 60-vote margin on this vote. If my understanding of that is correct, I withdraw my point of order.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that there be a 60-vote threshold for adoption of this amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the amendment.

Mr. PAUL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

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

The result was announced—yeas 10, nays 89, as follows:

[Rollcall Vote No. 323 Leg.]

YEAS—10

Barrasso	Lee	Shelby
Cruz	Moran	Vitter
Enzi	Paul	
Kirk	Sessions	

NAYS—89

Alexander	Fischer	Murphy
Ayotte	Flake	Murray
Baldwin	Franken	Nelson
Bennet	Gardner	Perdue
Blumenthal	Gillibrand	Peters
Blunt	Graham	Portman
Booker	Grassley	Reed
Boozman	Hatch	Reid
Boxer	Heinrich	Risch
Brown	Heitkamp	Roberts
Burr	Heller	Rounds
Cantwell	Hirono	Rubio
Capito	Hoeven	Sanders
Cardin	Inhofe	Sasse
Carper	Isakson	Schatz
Casey	Johnson	Schumer
Cassidy	Kaine	Scott
Coats	King	Shaheen
Cochran	Klobuchar	Stabenow
Collins	Lankford	Sullivan
Coons	Leahy	Tester
Corker	Manchin	Thune
Cornyn	Markey	Tillis
Cotton	McCain	Toomey
Crapo	McCaskill	Udall
Daines	McConnell	Warren
Donnelly	Menendez	Whitehouse
Durbin	Merkley	Wicker
Ernst	Mikulski	Wyden
Feinstein	Murkowski	

NOT VOTING—1

Warner

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that Senator MCCAIN be recognized to offer amendment No. 2884.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Arizona.

AMENDMENT NO. 2884 TO AMENDMENT NO. 2874

Mr. MCCAIN. Mr. President, I call up amendment No. 2884.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 2884 to amendment No. 2874.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada)

At the appropriate place, insert the following:

SEC. _____. SAFE AND AFFORDABLE DRUGS FROM CANADA.

Chapter VIII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381 et seq.) is amended by adding at the end the following:

''SEC. 810. IMPORTATION BY INDIVIDUALS OF PRESCRIPTION DRUGS FROM CANADA.

''(a) IN GENERAL.—Notwithstanding any other provision of this Act, not later than 180 days after the date of enactment of this section, the Secretary shall promulgate regulations permitting individuals to safely import into the United States a prescription drug described in subsection (b).

''(b) PRESCRIPTION DRUG.—A prescription drug described in this subsection—

''(1) is a prescription drug that—

''(A) is purchased from an approved Canadian pharmacy;

''(B) is dispensed by a pharmacist licensed to practice pharmacy and dispense prescription drugs in Canada;

''(C) is purchased for personal use by the individual, not for resale, in quantities that do not exceed a 90-day supply;

''(D) is filled using a valid prescription issued by a physician licensed to practice in a State in the United States; and

''(E) has the same active ingredient or ingredients, route of administration, dosage form, and strength as a prescription drug approved by the Secretary under chapter V; and

''(2) does not include—

''(A) a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

''(B) a biological product (as defined in section 351 of the Public Health Service Act (42 U.S.C. 262));

''(C) an infused drug (including a peritoneal dialysis solution);

''(D) an intravenously injected drug;

''(E) a drug that is inhaled during surgery;

''(F) a parenteral drug;

''(G) a drug manufactured through 1 or more biotechnology processes, including—

''(i) a therapeutic DNA plasmid product;

''(ii) a therapeutic synthetic peptide product of not more than 40 amino acids;

''(iii) a monoclonal antibody product for in vivo use; and

''(iv) a therapeutic recombinant DNA-derived product;

''(H) a drug required to be refrigerated at any time during manufacturing, packing, processing, or holding; or

''(I) a photoreactive drug.

''(c) APPROVED CANADIAN PHARMACY.—

''(1) IN GENERAL.—In this section, an approved Canadian pharmacy is a pharmacy that—

''(A) is located in Canada; and

''(B) that the Secretary certifies—

''(i) is licensed to operate and dispense prescription drugs to individuals in Canada; and

''(ii) meets the criteria under paragraph (3).

''(2) PUBLICATION OF APPROVED CANADIAN PHARMACIES.—The Secretary shall publish on the Internet Web site of the Food and Drug Administration a list of approved Canadian pharmacies, including the Internet Web site address of each such approved Canadian pharmacy, from which individuals may purchase prescription drugs in accordance with subsection (a).

''(3) ADDITIONAL CRITERIA.—To be an approved Canadian pharmacy, the Secretary shall certify that the pharmacy—

''(A) has been in existence for a period of at least 5 years preceding the date of such certification and has a purpose other than to participate in the program established under this section;

''(B) operates in accordance with pharmacy standards set forth by the provincial pharmacy rules and regulations enacted in Canada;

''(C) has processes established by the pharmacy, or participates in another established process, to certify that the physical premises and data reporting procedures and licenses are in compliance with all applicable laws and regulations, and has implemented policies designed to monitor ongoing compliance with such laws and regulations;

''(D) conducts or commits to participate in ongoing and comprehensive quality assurance programs and implements such quality assurance measures, including blind testing, to ensure the veracity and reliability of the findings of the quality assurance program;

''(E) agrees that laboratories approved by the Secretary shall be used to conduct product testing to determine the safety and efficacy of sample pharmaceutical products;

''(F) has established, or will establish or participate in, a process for resolving grievances and will be held accountable for violations of established guidelines and rules;

''(G) does not resell products from online pharmacies located outside Canada to customers in the United States; and

''(H) meets any other criteria established by the Secretary.''.

The PRESIDING OFFICER. The Senator is recognized.

Mr. MCCAIN. For how long?

The PRESIDING OFFICER. For 1 minute.

Mr. MCCAIN. Mr. President, I ask my colleagues to pay attention to the following: For a drug called Glumetza, the price in Canada is $157 for 90 tablets; the price in the United States is $4,643 for 90 tablets. Edecrin in Canada costs $607 per vial; in the United States, it costs $4,600 per vial. Biltricide costs $10.50 per tablet in Canada and $81 in the United States.

The list goes on and on.

My dear friends, let our citizens go to Canada and buy their prescription drugs. What is wrong with that? What is wrong with allowing them to be able to spend $157 for 90 tablets in Canada instead of $4,643 for 90 tablets? I will tell my colleagues what it is. It is the power of the pharmaceutical companies that will prevent us from letting Americans go to Canada and get those pharmaceuticals at a reasonable price.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MCCAIN. Tragically, because this will be subject to a 60-vote threshold——

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

Mr. MCCAIN. I ask unanimous consent for an additional 30 seconds.

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

Mr. MCCAIN. Tragically, some stooge of the pharmaceutical company will object on a budget point of order, so I will withdraw the amendment. But, my friends, you have not heard the last of this wonderful issue that I am having so much fun with but which is important to all of our constituents who are paying outrageous prices to the pharmaceutical companies.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senator from Arizona be given an additional half hour to explain his views.

The PRESIDING OFFICER. Is there objection?

Mr. BARRASSO. I object.

The PRESIDING OFFICER. Objection is heard.

AMENDMENT NO. 2884 WITHDRAWN

Mr. MCCAIN. I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

The Senator from Maryland.

AMENDMENT NO. 2913 TO AMENDMENT NO. 2874

Mr. CARDIN. Mr. President, I call up amendment No. 2913.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Maryland [Mr. CARDIN] proposes an amendment numbered 2913 to amendment No. 2874.

Mr. CARDIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To amend the Internal Revenue Code of 1986 to extend the special rule for seniors relating to the income level for deduction of medical care expenses and to require high-income taxpayers to pay a fair share of taxes)

At the appropriate place, insert the following:

SEC. _____. EXTENSION OF SPECIAL RULE FOR SENIORS RELATING TO INCOME LEVEL FOR DEDUCTION OF MEDICAL CARE EXPENSES.

Subsection (f) of section 213 of the Internal Revenue Code of 1986 is amended to read as follows:

''(f) SPECIAL RULE.—In the case of any taxable year beginning after December 31, 2012, and ending before January 1, 2024, subsection (a) shall be applied with respect to a taxpayer by substituting '7.5 percent' for '10 percent' if such taxpayer or such taxpayer's spouse has attained age 65 before the close of such taxable year.''.

SEC. _____. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

''Sec. 59A. Fair share tax.

''SEC. 59A. FAIR SHARE TAX.

''(a) GENERAL RULE.—

''(1) IMPOSITITION OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

''(A) the amount determined under paragraph (2), and

''(B) a fraction (not to exceed 1)—

''(i) the numerator of which is the excess of—

''(I) the taxpayer's adjusted gross income, over

''(II) the dollar amount in effect under subsection (c)(1), and

''(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

''(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

''(A) the tentative fair share tax for the taxable year, over

''(B) the excess of—

''(i) the sum of—

''(I) the regular tax liability (as defined in section 26(b)) for the taxable year, determined without regard to any tax liability determined under this section,

''(II) the tax imposed by section 55 for the taxable year, plus

''(III) the payroll tax for the taxable year, over

''(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

''(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

''(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

''(A) the adjusted gross income of the taxpayer, over

''(B) the modified charitable contribution deduction for the taxable year.

''(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

''(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

''(ii) such amount, determined before the application of section 68.

''(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

''(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'high-income taxpayer' means, with respect to any taxable

year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of $1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a taxable year beginning after 2016, the $1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the next lowest multiple of $10,000.

''(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

''(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such tax is attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during such taxable year, over

''(2) the deduction allowable under section 164(f) for such taxable year.

''(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

''(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

Mr. CARDIN. Mr. President, I am not going to ask for a record vote on this amendment, and I hope that will help others try to move the process along.

This amendment is very similar to the next amendment, the Coats amendment, in that it is a clear indication that the Democrats understand that we want to extend the medical expense deduction of 7.5 percent threshold to seniors, which expires at the end of 2016. The difference is that we don't believe it should be paid for on the backs of our seniors, and that is why this amendment would have it paid for by a minimum tax of 30 percent on those who earn over $1 million dollars, the so-called Buffett rule.

The Coats amendment that is coming up next is on the backs of seniors by denying the indexing of the $85,000 threshold for seniors to pay the additional Medicare premiums. I will have a chance to talk about that in a moment, but this amendment allows us to extend the medical expense deduction of 7.5 percent threshold but does it without attacking our seniors.

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

The Senator from Wyoming.

Mr. ENZI. Mr. President, I want to thank the Senator from Maryland for being willing to take a voice vote, knowing that would be in the minority.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to amendment No. 2913.

The amendment (No. 2913) was rejected.

The PRESIDING OFFICER. The Senator from Indiana.

AMENDMENT NO. 2888 TO AMENDMENT NO. 2874

Mr. COATS. Mr. President, I call up amendment No. 2888.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Indiana [Mr. COATS] proposes an amendment numbered 2888 to amendment No. 2874.

Mr. COATS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To amend the Internal Revenue Code of 1986 to extend the special rule for seniors relating to the income level for deduction of medical care expenses, and for other purposes)

At the appropriate place, insert the following:

SEC. ____. EXTENSION OF SPECIAL RULE FOR SENIORS RELATING TO INCOME LEVEL FOR DEDUCTION OF MEDICAL CARE EXPENSES.

Subsection (f) of section 213 of the Internal Revenue Code of 1986 is amended to read as follows:

''(f) SPECIAL RULE.—In the case of any taxable year beginning after December 31, 2012, and ending before January 1, 2024, subsection (a) shall be applied with respect to a taxpayer by substituting '7.5 percent' for '10 percent' if such taxpayer or such taxpayer's spouse has attained age 65 before the close of such taxable year.''.

SEC. ___. TEMPORARY SUSPENSION OF THE INFLATION ADJUSTMENT IN THE CALCULATION OF MEDICARE PART B AND PART D PREMIUMS.

Section 1839(i)(5) of the Social Security Act (42 U.S.C. 1395r(i)(5)) is amended—

(1) in the matter preceding clause (i), by striking ''2018 and 2019'' and inserting ''in 2018 through 2025''; and

(2) in clause (ii), by striking ''2020, August 2018'' and inserting ''2026, August 2024''.

Mr. COATS. Mr. President, similarly, as Mr. CARDIN has said, what this does is to continue something that was put into the Affordable Care Act, a rise between 7.5 percent of adjusted gross income before you can begin deducting to 10 percent of adjusted gross income before you can deduct. For seniors, an exemption was provided so that seniors could stay at the 7.5 percent level. This expires next year. My amendment essentially extends this for 7 years. It is to the benefit of seniors to do this. For those seniors who find excessive medical expenses facing them, this is something that was supported, obviously, by everyone across the aisle in the Affordable Care Act, and I am extending this for an additional 7 years with this amendment.

I urge my colleagues to support for low-income and middle-income seniors the excessive medical cost by adopting the amendment.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I would urge my colleagues to vote against this amendment because of how it is paid for. Seniors who have $85,000 of income have to pay a higher Part B premium today. We have indexed that because, as I think Members on both sides of the aisle agree, we believe that brackets should have that type of index so that our seniors are protected from inflationary growth.

The problem with the Coats amendment is that he removes that index through 2025. This is an attack on our seniors. There is no way that we should be paying for this worthwhile extender. I don't disagree with the extender, but I do take exception with paying for it on the backs of our seniors, and I urge my colleagues to reject the amendment.

Mr. COATS. Mr. President, if I could just respond.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to amendment No. 2888.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The result was announced—yeas 60, nays 39, as follows:

[Rollcall Vote No. 324 Leg.]

YEAS—60

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

NAYS—39

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

NOT VOTING—1

Sanders

The amendment (No. 2888) was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following disposition of the Paul amendment, Senator MCCONNELL or his designee be recognized to offer amendment No. 2916; further, that Senator REID or his designee be recognized to offer Byrd points of order against amendment No. 2916 and that Senator MCCONNELL or his designee be recognized to make the relevant motion to waive; and that following the disposition of the motion to waive, the only three amendments remaining in order be the following: Reid amendment No. 2917, Baldwin amendment No. 2919, and Murphy amendment No. 2918.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The majority leader.

UNANIMOUS CONSENT AGREEMENT—CONFERENCE REPORT TO ACCOMPANY H.R. 22

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following the disposition of H.R. 3762, the Chair lay before the Senate the conference report to accompany H.R. 22; further, that it be in order for the majority leader or his designee to offer a cloture motion on the conference report; and that notwithstanding the provisions of rule XXII, that there be 30 minutes of debate equally divided between the two leaders or their designees on the cloture motion; I further ask that upon the use or yielding back of time, the Senate vote on the motion to invoke cloture; finally, if cloture is invoked, all postcloture time be yielded back and the Senate vote on adoption of the conference report to accompany H.R. 22.

The PRESIDING OFFICER. Is there objection?

The Senator from California.

Mrs. BOXER. Mr. President, I reserve the right to object.

I am so not going to object. I just wanted to thank you and thank everybody. I think this is a moment all of us have waited for, for a long time, so I am not objecting.

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

Mr. MCCONNELL. Mr. President, I wish to announce to everybody there will be up to five votes, and on those five votes we will have 10-minute rollcall votes. We intend to enforce the 10 minutes, so it would be a good idea for everybody to stay close to the Chamber.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, I appreciate very much the direction we are going, but I would hope that we would have, really, 10-minute votes. One way to enforce that is to have people miss a couple of these votes, OK? Because people come strolling in thinking they are going to be protected, so I would hope it would be 10-minute votes.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent that the next amendment be Paul amendment No. 2915 and that it be subject to a 60-vote affirmative threshold for adoption.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Kentucky.

AMENDMENT NO. 2915 TO AMENDMENT NO. 2874

(Purpose: To restore Second Amendment rights in the District of Columbia)

Mr. PAUL. Mr. President, I call up amendment No. 2915.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2915 to amendment No. 2874.

Mr. PAUL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

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

The PRESIDING OFFICER. There is 2 minutes equally divided on the amendment.

Mr. PAUL. Mr. President, last week the District of Columbia police chief said that if you see an active shooter, take them down. The problem is it is very difficult to own a gun in DC, and it is nearly impossible to have a gun with you if you were to see an active shooter.

So my amendment would create a District of Columbia concealed carry permit program. It would also allow national reciprocity for concealed carry. It would also allow Active-Duty Forces to carry concealed carry-on Department of Defense properties.

I ask the Senate and those Senators who believe in self-defense to vote for this amendment.

Thank you.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I am rather shocked at this amendment by my friend—and he is my friend. If I stood here and said: I don't like the laws in Lexington, KY, and I think that Big Brother ought to decide we should repeal their laws because I don't like it—that is ridiculous. The fact is, I am shocked that a Libertarian would stand here and offer this.

I thought that Libertarians believe in freedom of localities over Big Government. So why would you wipe out duly enacted local laws? DC has its own unique needs. We know how many diplomats come here. We know the rest. It is quite different. We are a definite target, but the fact is, I urge my colleagues to stand and be counted here on behalf of local control.

I started off as a county supervisor. I didn't want other entities telling me what to do. I think we ought to vote no on this.

The PRESIDING OFFICER. The question occurs on agreeing to Paul amendment No. 2915.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 325 Leg.]

YEAS—54

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

NAYS—45

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

NOT VOTING—1

Sanders

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Wyoming.

AMENDMENT NO. 2916 TO AMENDMENT NO. 2874

(Purpose: In the nature of a substitute)

Mr. ENZI. Mr. President, I call up amendment No. 2916.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Wyoming [Mr. ENZI], for Mr. MCCONNELL, proposes an amendment numbered 2916 to amendment No. 2874.

Mr. ENZI. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

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

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, over the last several years our country has taken some important steps forward when it comes to health care. More than 16 million people have gained the peace of mind and security that comes with having health care coverage. Tens of millions of people with preexisting conditions no longer have to worry about insurance companies turning them away. Young adults in our country are able to stay covered under their parents' insurance as they start out in life. And there is so much more. But, as I have said many times, the work did not end when the Affordable Care Act passed—far from it. I am ready to continue working with anyone who has good ideas about how to continue making health care more affordable, expand coverage, and improve quality of care.

Unfortunately, with this latest tired political effort to dismantle critical health care reforms, my Republican colleagues are once again making it clear that they want to take our health care system back to the bad old days. This is a major substitute amendment that my Republican colleagues just offered. It is yet another effort to pander to the extreme political base rather than working with us to strengthen health care for our families.

Even the Parliamentarian agreed with us today that repealing these important premium stabilization programs does not have a sufficient budget impact and is subject to the Byrd rule.

So I am raising a point of order today to strike section 105(b) from the amendment, which repeals the risk corridor program. It is a vital program to make sure premiums are affordable and stable for our working families. Repealing it would result in increased premiums, more uninsured, and less competition in the market.

This amendment represents a step forward for our health care system, not backward. I hope Republicans will drop the politics and join us in supporting it.

Mr. President, I raise a point of order that section 105(b) of the pending amendment violates section 313(b)(1)(D) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, ''premium stabilization'' is a fancy term for bailout. What this basically seeks to strike out is a provision that takes out the money for a bailout fund, for taxpayer money that would be used to bail out insurance companies that participate in ObamaCare. Why should the American taxpayer have to bail out private insurance companies that are losing money on ObamaCare?

Last year, because we passed this provision, we saved the American taxpayers $2.5 billion. But now, because these companies have lobbyists who come up here and lobby to get their money, we are supposed to leave in this fund to bail out private insurance companies. This is outrageous.

If you want to be involved in the exchanges—and of course I want us to repeal the whole lot, but if you want to be involved in these exchanges and you lose money, the American taxpayer should not have to bail you out to the tune of over $2 billion, and that is what they are asking for.

Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of amendment No. 2916, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The yeas and nays resulted—yeas 52, nays 47, as follows:

[Rollcall Vote No. 326 Leg.]

YEAS—52

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

NAYS—47

Baldwin	Gillibrand	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Peters
Booker	Hirono	Reed
Boxer	Kaine	Reid
Brown	King	Schatz
Cantwell	Kirk	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall
Corker	McCaskill	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murphy	

NOT VOTING—1

Sanders

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and section 105(b) is stricken.

The Democratic leader.

AMENDMENT NO. 2917 TO AMENDMENT NO. 2916

Mr. REID. Mr. President, I ask the clerk to report amendment No. 2917.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2917 to amendment No. 2916.

The amendment is as follows:

(Purpose: To strike the reinstatement of the tax on employee health insurance premiums and health plan benefits)

In section 209, strike subsection (c).

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. There is no shortage of contradictions today from my Republican friends. The first amendment was called, ''If you like what you have, you can keep it.'' A couple of hours later, the same Republicans came back and voted to strip the health care for 22 million Americans.

In one of the few bipartisan moments today, 90 Senators voted to remove the provision that would restart the Cadillac tax in 2025. Yet minutes later, the Republican leader offered the pending substitute amendment to put that provision back in.

Do they really believe those who oppose the Cadillac tax will not recognize that they voted with them and then immediately reversed themselves and voted against them? I am offering them a chance to correct the record.

My amendment will again remove the provision that restarts the Cadillac tax in 2025. I urge all Senators, particularly the 90 who just voted yes, to support this amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I appreciate the senior Senator from Nevada protecting the bipartisan amendment that was put forward by the junior Senator from Nevada to make sure that stays in the bill. I suggest that we have a voice vote.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 2917) was agreed to.

The PRESIDING OFFICER. The Senator from Wisconsin.

AMENDMENT NO. 2919 TO AMENDMENT NO. 2916

(Purpose: To ensure that individuals can keep their health insurance coverage)

Ms. BALDWIN. Mr. President, I call up amendment No. 2919.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wisconsin [Ms. BALDWIN] proposes an amendment numbered 2919 to amendment No. 2916.

Ms. BALDWIN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

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

Ms. BALDWIN. Mr. President, I rise to speak in support of my amendment to allow families in Wisconsin and across the country to keep their high-quality affordable health insurance under the Affordable Care Act.

My Republican friends want to repeal the Affordable Care Act and turn back the clock to the days when only the healthy and wealthy could afford the luxury of quality health insurance. The plan before us would strip millions of Americans of their premium tax credits and take away new Medicaid coverage for thousands of people across this country.

My amendment is simple. It would prevent Republicans from taking away these tax credits and Medicaid for millions of low-income Americans. Thanks to the Affordable Care Act, over 183,000 Wisconsinites—hard-working Wisconsinites—have obtained quality, affordable private health insurance coverage through the marketplace. Almost 90 percent of these Wisconsinites are receiving support to make their coverage more affordable.

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

Ms. BALDWIN. I ask unanimous consent for 10 more seconds.

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

Ms. BALDWIN. Americans deserve to know their coverage will be there when they need it the most. I urge my colleagues to support this amendment because in the United States of America, health care should be a right guaranteed to all, not a privilege reserved for the few.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I urge my colleagues to oppose this amendment. This amendment would exempt individuals eligible for advanced premium tax credits from the larger tax credit repeal in the bill. As a matter of policy and fairness, I do not believe that just because an individual is eligible for an advanceable tax credit, they should be exempt from the larger repeal.

I also object to the repeated attempt to pay for this amendment by increasing taxes on hard-working Americans. I urge my colleagues to oppose this message.

The pending amendment No. 2919 would cause the underlying legislation to exceed the authorizing committee's 302(a) allocation of new budget authority or outlays. Therefore, I raise a point of order against this amendment pursuant to section 302(f) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive all applicable sections of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The yeas and nays resulted—yeas 45, nays 54, as follows:

[Rollcall Vote No. 327 Leg.]

YEAS—45

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

NAYS—54

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

NOT VOTING—1

Sanders

The PRESIDING OFFICER. On this vote, the yeas are 45, the nays are 54.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

The Senator from Connecticut.

AMENDMENT NO. 2918 TO AMENDMENT NO. 2916

(Purpose: To protect victims of violence or disease, veterans, workers who have lost their health insurance and their jobs, and other vulnerable populations from the repeal of the advanced premium tax credit)

Mr. MURPHY. Mr. President, I call up amendment No. 2918.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Connecticut [Mr. MURPHY] proposes an amendment numbered 2918 to amendment No. 2916.

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

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

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

Mr. MURPHY. Mr. President, when President Clinton proposed his health care bill in 1993, Republicans were so upset that they came up with a radical idea. This radical idea was to give tax credits to poor people to buy private insurance, to set up an insurance exchange where they could do that, to ban preexisting conditions, and to include an individual mandate—in short, the Affordable Care Act, built by Republicans, many of them still in this Chamber today.

At the heart of that proposal was the idea that people should get a tax cut in order to be able to buy private insurance. At the heart of the underlying Republican amendment is a gutting of that ability of individuals to go out and buy private insurance for themselves.

This amendment is pretty simple. It says that at the very least we can come together on the idea that we should preserve those tax credits for the most vulnerable—for pregnant women, for victims of domestic violence, for people suffering from heart disease, cancer, and Alzheimer's. At the very least, we can come together and decide to protect those tax credits—a Republican idea at the genesis for those vulnerable individuals.

I urge adoption of the amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I urge my colleagues to oppose this amendment.

Under ObamaCare, health insurance plans are decreasing, they are narrower, and they are giving sick individuals fewer choices and fewer options over their health care.

Repealing ObamaCare is the first step in moving toward health care that is better for all Americans, including those who Senators MURPHY and STABENOW intend to help.

This amendment also again proposes the Buffett tax, taxing foreign inversion corporations as domestic, and expanding limitations on executive compensation deductibility.

I believe the problem with Washington's finances is that our government spends too much and lives outside its means. I am continually working to put our country's finances on a sustainable path so that more Americans can keep more of their hard-earned money. We don't need higher taxes.

I urge my colleagues to oppose the upcoming motion to waive.

Mr. President, the pending amendment No. 2918 would cause the underlying legislation to exceed the authorizing committee's 302(a) allocation of new budget authority or outlays. Therefore, I raise a point of order against this amendment pursuant to section 302(f) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive all applicable sections of that act for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The yeas and nays resulted—yeas 46, nays 53, as follows:

[Rollcall Vote No. 328 Leg.]

YEAS—46

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

NAYS—53

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

NOT VOTING—1

Sanders

The PRESIDING OFFICER. On this vote, the yeas are 46, the nays are 53.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

AMENDMENT NO. 2916, AS AMENDED

The PRESIDING OFFICER. The question occurs on amendment No. 2916, as amended, offered by the majority leader.

The Senator from Washington.

Mrs. MURRAY. Mr. President, we are about to have a voice vote on the substitute amendment, and I would not object to a voice vote, since I know we have all been here a long time, but I would just like to point out to everyone that the substitute amendment is a major bill that has just been introduced that we are now voting on. I assume everyone has read every word of it.

We have been debating 20 hours and just got a major amendment a few hours ago that doubles down on all of the deep and harmful bill that is in front of us, and it is really objectionable to those on our side that after 20 hours of debate on a number of amendments we get a major substitute amendment that we are voting on.

I would not object to it being a voice vote, but I urge my colleagues to vote no.

Mr. MCCONNELL. I yield back the time on this side.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2916, as amended.

The amendment (No. 2916), as amended, was agreed to.

VOTE ON AMENDMENT NO. 2874, AS AMENDED

The PRESIDING OFFICER. The question occurs on amendment No. 2874, as amended, offered by the majority leader.

Mrs. MURRAY. I yield back our time.

Mr. MCCONNELL. I yeld back all time on this side.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to amendment No. 2874, as amended.

The amendment (No. 2874), as amended, was agreed to.

Mr. MCCONNELL. Mr. President, for years the American people have been calling on Washington to build a bridge away from ObamaCare. For years Democrats prevented the Senate from passing legislation to do just that, but in just a moment that will change.

It will be a victory for the middle-class families who have endured this law's pain far too long on their medical choices, on the affordability of their care, on the availability of their doctors and hospitals, and on the insurance they liked and wanted to keep. A new Senate that is back on the side of the American people will vote to move beyond all the broken promises, all the higher costs, and all the failures. We will vote to build a bridge away from ObamaCare and toward better care. We will vote for a new beginning.

We hope the House will again do the same, and then President Obama will have a choice. He can defend the status quo that has failed the middle class by vetoing the bill or he can work toward a new beginning and better care by signing it.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, as I have said before, I am very proud of the progress we have made over the last few years toward a health care system that actually works for our families and puts their needs first.

Today more than 16 million people have gained the peace of mind and security that comes with health care coverage. Tens of millions of people with preexisting conditions no longer have to worry about insurance companies turning them away, and young adults in this country are able to stay covered as they start out their lives, but the work didn't end when the Affordable Care Act was passed—far from it.

So I am ready, and I know our colleagues on this side of the aisle are also, to work with anyone who has good ideas about how we continue making health care more affordable, expanding coverage, and improving the quality of care.

The legislation we have now spent the last few days debating, which has no chance for becoming law, will do the exact opposite. This will undo the progress we have made. It is not what our families and communities want.

I hope that once this partisan bill reaches the dead-end it has always been headed for, Republicans will finally drop the politics and work with us to deliver results for the families and communities we serve.

The PRESIDING OFFICER. All time has expired.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having read the third time, the question is, shall the bill pass?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 329 Leg.]

YEAS—52

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

NAYS—47

Baldwin	Gillibrand	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Peters
Booker	Hirono	Reed
Boxer	Kaine	Reid
Brown	King	Schatz
Cantwell	Kirk	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Collins	Markey	Udall
Coons	McCaskill	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murphy	

NOT VOTING—1

Sanders

The bill (H.R. 3762), as amended, was passed.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that a 60-affirmative vote be required for adoption of the conference report to accompany H.R. 22.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, for the information of all of our colleagues, there will be only two votes in relation to the highway bill, and those will be the last votes of the week.

SURFACE TRANSPORTATION REAUTHORIZATION AND REFORM ACT OF 2015—CONFERENCE REPORT

The PRESIDING OFFICER. The Chair lays before the Senate the conference report to accompany H.R. 22, which will be stated by title.

The senior assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 22), to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, having met, have agreed that the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment and the House agree to the same, signed by a majority of the conferees on the part of both Houses.

Thereupon, the Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of December 1, 2015.)

The PRESIDING OFFICER. There are 30 minutes of debate equally divided.

Who yields time?

Mr. VITTER. Mr. President, I wish to clarify today a provision included in the FAST Act conference report.

In order to build and restore the Nation's highway infrastructure without breaking the bank to do so, we are going to need the best and latest in cost-saving construction technologies to help us attain that goal.

I supported a provision in the Senate bill that would do just that with regard to construction for key highway components, such as bridge abutments, erosion control on highway waterways, and sound walls. My language specifically identified ''innovative segmental wall technology for soil bank stabilization and roadway sound attenuation, and articulated technology for hydraulic sheer-resistant erosion control'' as technologies for research and deployment action by the Federal Highway Administration, FHWA.

A core value shared by all three technologies is that they can save taxpayer dollars. And we should certainly encourage FHWA to engage in research and deployment on them.

For example, one of the practical and expensive problems with highway construction is moving and dispensing with excavated dirt. Segmental retaining wall, or SRW, technology can reduce transportation construction costs to the taxpayers by allowing the use of in situ soils in building segmental retaining walls rather than treating the excavated dirt as waste and hauling it away. Using the native soils for bank reinforcement can save the hauling costs and time for dirt removal, also reducing construction time. Similar segmental unit technology can be used to provide additional choices that are also aesthetically appealing for transportation designers to consider for sound attenuation.

And articulated segmented unit technology for erosion control, known as ACB for the concrete blocks usually used for this purpose linked together in a durable matrix, is especially durable and resistant to overtopping in high-water events. Overtopping is a major problem in high-water events that can degrade or ruin the existing erosion control measures. Rebuilding and replacing is always a huge cost that we should seek to avoid.

While the conference report does not retain my provision, we still have options to save the taxpayers money. I would like to point out that provisions appear elsewhere in the conference report that can give FHWA essentially the same mission, albeit articulated in a different way.

Section 1428 of the conference report states that ''the Secretary shall encourage the use of durable, resilient and sustainable materials and practices, including the use of geosynthetic materials and other innovative technologies, in carrying out the activities of the Federal Highway Administration.''

Section 1428 might be an alternate means of articulating the same concepts I supported with regard to the innovative segmental wall, or SRW, technology. SRW walls use concrete block facing materials that are obviously highly durable, resilient, and sustainable. These facing units are anchored into the soils using geosynthetic ties that are also highly tough and durable and described in Section 1428.

In passing the conference report, I would like to clarify for FHWA staff to consider SRW technology, using the durable, resilient, sustainable materials anchored with geosynthetics as one of the technologies envisioned in Section 1428. ACBs and segmental block sound walls also fit the definition of durable, resilient, and sustainable materials and techniques set forth in this section and should enjoy a similar favorable view under the umbrella of Section 1428.

Mr. CARDIN. Mr. President, I rise today to speak about the highway trust fund, HTF, and the conference report we will be considering shortly to accompany the surface transportation reauthorization bill, which is called the Fixing America's Surface Transportation Act, FAST Act.

First, I am pleased to see that this bill provides 5 years of funding for our Nation's transportation infrastructure. That is the kind of long-range certainty our State and local officials and the private sector need to plan transportation infrastructure projects in a thoughtful and responsible way.

While there are many excellent provisions in the bill, I do have significant concerns about the way our Nation's surface transportation infrastructure is being funded.

First, I will speak about the policy within the bill. I am pleased that the conference committee has retained this Nation's commitment to transportation alternatives. This bill includes more than $4 billion for bike and pedestrian infrastructure, making our roads safer for everyone who uses them. My bill creating a dedicated program for nonmotorized safety is also included in the reauthorization, which will support

things like bike safety training programs for both bicyclists and drivers, again making our streets safer for all who use them.

Furthermore, the section 5340 bus program has been kept intact. This program is for high-density areas like Baltimore and Washington, DC, which cannot simply widen a road to accommodate extra travelers. The FAST Act provides more than $2.7 billion to high-density areas. This is significant for Maryland in particular. Over the life of this bill, Maryland should receive more than $4.4 billion in Federal Highway Administration, FHWA, and Federal Transit Administration, FTA, funding combined. That is an extraordinary amount of funding for a State that sorely needs it.

I am concerned, however, that the FAST Act undermines the public input, environmental analysis, and judicial review guaranteed under the National Environmental Policy Act, NEPA. If Congress wants Federal agencies to approve more permits faster, then we should appropriate the requisite funds for sufficient staff and other necessary resources. We should not undermine the integrity of important project reviews. Moreover, the argument that the permitting process takes too long is a red herring. More than 95 percent of all FHWA-approved projects involve no significant impacts and therefore have limited NEPA requirements. If we really want to speed project development, we should recognize the known causes of delay and not use this bill as a Trojan horse to dismantle our Nation's foundational environmental laws. So while I support many of the policies in the bill, I am still very concerned about the impact it will have on our environment.

While I have mixed feelings about the policies in this bill, I am not conflicted with regard to how it is funded. I am extremely disappointed in the hodgepodge of questionable pay-fors that we are using in this bill. We certainly needed to address the problem of funding our Nation's highway and transit systems beyond the myriad short-term extensions that Congress has approved in the past. But instead of opting for a reliable and permanent future revenue stream to pay for this critical government function, the FAST Act falls back on provisions completely unrelated to highways and mass transit. It relies on one-time pay-fors that are simply digging a deeper hole for the next reauthorization. That is a troublesome precedent.

I think we have missed an opportunity here to stick to the ''user pays'' principle with regard to the Federal gasoline excise tax, which hasn't been raised since 1993. According to the Congressional Budget Office, a 10-cent-per-gallon increase in the tax would fully fund the bill for 5 years.

Gasoline prices are plunging around the country, with the national average falling in 24 out of the past 30 days, according to the American Automobile Association, AAA, earlier this week. The price of a gallon of regular gasoline now stands at $2.04 nationally, down 14 cents compared to 1 month ago and 74 cents lower than this time last year. AAA officials and others anticipate that the national average price will dip below the $2.00 threshold within a matter of days.

So, as I said, I think we may be missing an opportunity here to put surface transportation infrastructure funding back on a solid foundation, appropriately based on the ''user pays'' principle.

It is also important from a policy perspective that we price carbon more appropriately to reflect its total costs, promote fuel efficiency, and accelerate the absolutely essential shift from fossil fuels to cleaner, more sustainable sources of energy. Lower gasoline prices let motorists keep more money in their pockets in the short term. But we have to think about the long term, too, and if we needlessly delay making that inevitable shift, the long-term costs to human health and the environment will dwarf any perceived short-term gains.

There is one so-called offset in the bill that I adamantly oppose: the use of private collection agencies, PCAs, to collect tax debt. I oppose this provision not only because it simply will not raise revenue but also because it is terrible tax policy that puts a target on the back of low-income and middle-class families. The Treasury Department, the Internal Revenue Service, IRS, and the National Taxpayer Advocate all join me in opposing this provision.

The Joint Committee on Taxation, JCT, scores this provision at over $2.0 billion over 10 years, but since JCT only takes into account incoming and outgoing tax revenue, its score doesn't take into account the IRS's implementation and oversight costs and the opportunity costs of farming collections out to private collectors.

Twice before, from 1996 to 1997 and from 2006 to 2009, Congress required Treasury to turn over some tax collection efforts to PCAs with miserable results. The first attempt resulted in the loss of $17 million and contractors participating were found to have violated the Fair Debt Collections Practice Act. Under legislation enacted in 2004, the IRS again attempted to use PCAs to collect Federal taxes in 2006. In September of that year, the IRS began turning over delinquent taxpayer accounts to three PCAs who were permitted to keep between 21–24 percent of the money they collected. While the program was supposed to bring in up to $2.2 billion in unpaid taxes, data from the IRS showed that the program actually resulted in a net loss of almost $4.5 million to the Federal Government after subtracting $86.2 million in administration costs and more than $16 million in commissions to the PCAs.

In analyzing the PCA offset last year, the IRS prepared a preliminary estimate of the percentage of individual taxpayers who have ''inactive tax receivables'' that would be subject to private debt collection and who are low-income. After reviewing collection data for fiscal year 2013, the IRS found that 79 percent of the cases that fell into the ''inactive tax receivables'' category involved taxpayers with incomes below 250 percent of the Federal poverty level. So nearly four-fifths of delinquent taxpayers were almost surely in the ''can't pay'' category and would be unlikely to make payments when contacted by a PCA instead of the IRS.

Not only are low-income taxpayers more vulnerable to begin with, PCAs actually provide fewer options for them to meet their tax obligations. IRS employees, unlike the PCAs, have a variety of tools at their disposal they can use to help delinquent taxpayers meet their tax obligations, especially those facing financial difficulties. These tools include the ability to postpone, extend, or suspend collection activities for limited periods of time; making available flexible payment schedules that provide for skipped or reduced monthly payments under certain circumstances; the possibility of waiving late penalties or postponing asset seizures; and offers in compromise, OIC, which are agreements between struggling taxpayers and the IRS that settle tax debts for less than the full amount owed.

In contrast, the PCAs' sole interest is to collect from a taxpayer the balance due amount they have been provided. They have no interest in whether the taxpayer owes other taxes or may not have filed required returns. They cannot provide any advice or use any of the tools IRS employees have, such as extensions or offers in compromise.

In October, I joined 15 other Senators—including several of my Finance Committee colleagues and Ranking Member WYDEN—in signing a letter the senior Senator from Ohio, Mr. BROWN, sent to leadership on the dangers and shortcomings of this provision. Unfortunately, our message was not heard. So, because we refuse to turn to obvious and commonsense financing solutions for our transportation infrastructure problems, we have decided instead to use an offset that has historically lost money, all on the backs of low-income taxpayers.

Mr. President, the FAST Act conference report is a bipartisan, bicameral achievement. I congratulate the House and Senate conferees for reaching an agreement; I know it has been an arduous process. The reauthorization contains many good provisions and provides 5 years of desperately needed funding for our Nation's crumbling transportation infrastructure. I

will vote for the conference report, but I will do so with serious reservations about how this bill is funded. Our surface transportation infrastructure is a crucial component of our national security and economic competitiveness. Reauthorizing our surface transportation programs used to be a relatively routine matter; now it is becoming harder and harder to do and we are relying more and more on gimmicky funding mechanisms. These are worrisome precedents.

Mr. THUNE. Mr. President, over the past few years, the public has grown increasingly skeptical of Congress being able to function.

When Republicans took the majority in January, we promised the American people we would get the Senate working again, and we have been delivering on that promise.

This Transportation bill conference report is another major legislative achievement and the result of hard work by several committees in the House and Senate who put together key provisions to spur long overdue infrastructure investment and safety improvements.

This bill will give States and local governments the certainty they need to plan for and commit to key infrastructure projects. It will also help strengthen our Nation's transportation system by increasing transparency in the allocation of transportation dollars, streamlining the permitting and environmental review processes, and cutting red tape.

Republicans and Democrats alike got to make their voices heard during this process, and the final conference report is stronger because of it.

As chairman of the Commerce, Science, and Transportation Committee, I had the opportunity to work on various sections of the bill with Ranking Member BILL NELSON. The provisions under our committee's jurisdiction comprise roughly half of the 1,300 pages of legislative text.

One particular focus was on enhancing the safety of our Nation's cars, trucks, and railroads, and the final bill we produced makes key reforms that will enhance transportation safety around the country.

Over the past year, the Commerce Committee has spent a lot of time focused on motor vehicle safety efforts. Last year was a record year for auto problems, with more than 63 million vehicles recalled.

Two of the defects that have spurred recent auto recalls—the faulty General Motors ignition switch and the defective airbag inflators from Takata—are responsible for numerous unnecessary deaths and injuries—at least 8 reported deaths in the case of Takata and more than 100 deaths in the case of General Motors. Indications point to the Takata recalls as being among the largest and most complex set of auto-related recalls in our Nation's history, with more than 30 million cars affected.

Given the seriousness of these recalls, when it came time to draft the highway bill, one of our priorities at the Commerce Committee was addressing auto safety issues and promoting greater consumer awareness and corporate responsibility.

The conference report includes our committee's work to triple the civil penalties that the National Highway Traffic Safety Administration can impose on automakers for a series of related safety violations—from a cap of $35 million to a cap of $105 million—which should provide a much stronger deterrent against auto safety violations like those that occurred in the case of the faulty ignition switches at General Motors.

I am also pleased that the conference report includes the Motor Vehicle Whistleblower Safety Act, which I introduced with Ranking Member NELSON and others to incentivize auto companies to adopt internal reporting systems and establish a system to reward employees who ''blow the whistle'' when manufacturers sit on important safety information. The conference report also improves notification methods to ensure that consumers are made aware of open recalls.

The new notification requirements include a provision incentivizing dealers to inform consumers of open recalls when they bring in their cars for routine maintenance, as well as a grant program to allow States to notify consumers of recalls when they register their vehicles.

Our committee also worked with the House Energy and Commerce Committee during the conference process to incorporate a modified provision from my Democrat colleague, the senior Senator from Missouri, which will prevent rental car companies from renting unrepaired cars that are subject to a recall.

In the wake of the recall over the GM ignition switch defect, the inspector general at the Department of Transportation published a scathing report identifying serious lapses at the National Highway Traffic Safety Administration—or NHTSA—the government agency responsible for overseeing safety in our Nation's cars and trucks.

The concerns raised included questions about the agency's ability to properly identify and investigate safety problems—a concern that is further underscored by the circumstances surrounding the Takata recalls.

In addition to targeting violations by automakers, our portion of the highway bill also addresses the lapses at NHTSA identified in the inspector general's report. While the conference report does increase funding for NHTSA's Office of Defects Investigation, that will only happen contingent on the agency's implementation of reforms called for by the inspector general, ensuring that this agency will be in a better position to address vehicle safety problems in the future.

Combating impaired driving is also a priority. I am pleased to announce that the conference report creates a grant for States that provide 24/7 sobriety programs. I have been a long-time champion of these programs, which have been very effective in States, like my home State of South Dakota, where it originated.

This provision is intended to allow States to certify the general practice on minimum penalties which can meet the definition under the repeat offender law, and we expect that NHTSA should reasonably defer to a State's analysis underpinning such a certification.

Another significant portion of the final conference report is made up of a bipartisan rail safety bill put together by the Republican junior Senator from Mississippi and the Democrat junior Senator from New Jersey that we merged in conference with the passenger rail bill that the House passed earlier this year.

The resulting passenger rail title includes a 5-year reauthorization of Amtrak that includes a host of safety provisions that our committee adopted following the tragic train derailment in Philadelphia. I know a number of my colleagues are very pleased with various provisions that will strengthen our Nation's rail infrastructure and smooth the way for the implementation of new safety technologies.

Our transportation infrastructure keeps our economy—and our Nation—going. Our Nation's farmers depend on our rail system to move their crops to market. Manufacturers rely on our Interstate Highway System to distribute their goods to stores across the United States.

And all of us depend on our Nation's roads and bridges to get around every day.

For too long, transportation has been the subject of short-term legislation that leaves those responsible for building and maintaining our Nation's transportation system without the certainty and predictability they need to keep our roads and highways thriving.

I am proud of the final conference report that passed the House earlier today by a strong vote of 359–65. I urge my colleagues to join in passing this long-overdue bill so it can be signed into law by the President without further delay.

I ask unanimous consent that a summary of the Commerce Committee's related provision be printed in the RECORD.

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

COMMERCE COMMITTEE PROVISIONS IN FIVE-YEAR SURFACE TRANSPORTATION BILL

Below is an extended summary of key provisions in the Senate Commerce, Science,

and Transportation Committee's titles in the five-year surface transportation bill:

IMPROVED PROJECT DELIVERY AND DEPARTMENT OF TRANSPORTATION (DOT) MANAGEMENT

Project Streamlining—Provides additional authority to streamline project delivery and consolidate burdensome permitting regulations (similar to the administration's GROW AMERICA proposal).

IMPROVING HIGHWAY SAFETY

Keeps Drug Users Off the Roads—Allows for more effective drug testing for commercial truck drivers. Also increases federal cooperation with state efforts to combat drug impaired driving and directs a study on the feasibility of an impairment standard for driving under the influence of marijuana.

Prohibits Rental of Vehicles Under Recall—Prohibits covered rental companies from renting or selling an unrepaired vehicle under recall. Based upon the Raechel and Jacqueline Houck Safe Rental Car Act of 2015 (S. 1173).

Incentivizes Crash Avoidance Technology—Adds that crash avoidance information be indicated on new car stickers to inform vehicle purchasing decisions and foster competition in the marketplace.

Tire Pressure Monitoring—Requires the National Highway Traffic Safety Administration (NHTSA) to update the rule governing tire pressure monitoring technologies; modified in conference to avoid unintended consequences and clarify that the rule should not be technology specific.

Improves Information on Safety of Child Restraint Systems—Improves crash data collection to include child restraint systems.

IMPROVES VEHICLE RECALL NOTIFICATION

Improves Consumer Awareness of Recalls—Requires NHTSA to improve the safercar.gov website and the consumer complaint filing process. Provides a study on the technological feasibility of direct vehicle notification of recalls. Also requires manufacturers to identify and include applicable part numbers when notifying NHTSA of safety defects, making this information publicly available.

Incentivizes Dealers to Notify Consumers of Open Recalls—Incentivizes auto dealers to inform consumers of open recalls at service appointments.

Creates Program for States to Notify Consumers of Recalls—Creates a state pilot grant to inform consumers of open recalls at the time of vehicle registration.

Improves Tire Recall Efforts—Increases the time tire owners and purchasers have to seek a remedy for tire recalls at no cost to consumers. Creates a publicly available database of tire recall information. Also includes a provision adopted in conference to direct NHTSA to study the feasibility of requiring electronic identification on tires in order to facilitate registration and ease the burden on small businesses.

FREIGHT

Develops a National Freight Strategy and Strategic Plan—Sets goals to enhance U.S. economic competitiveness by improving freight transportation networks that serve our agriculture, retail, manufacturing, and energy sectors. Focuses freight planning efforts in the Office of the Secretary with the Undersecretary for Policy to provide multimodal coordination.

Requires Additional Freight Data—Establishes a working group and an annual reporting requirement to collect additional freight data to help improve the movement of freight throughout the country.

Improves Freight Planning—Improves freight planning efforts to ensure that freight planning is multimodal and addresses the links between highways, railroads, ports, airports, and pipelines.

FLEXIBILITY FOR STATES

Federal Motor Carrier Safety Administration (FMCSA) Grant Consolidation—Consolidates state trucking enforcement grants to provide additional flexibility to states to administer enforcement programs.

NHTSA Grant Flexibility—Increases emphasis on ''Section 402'' highway safety grants to address each state's unique highway safety challenges. Also increases opportunities for states to obtain grants for implementing graduated drivers licensing, distracted driving laws and impaired driving. Creates a new non-motorized grant to create programs to enhance safety for pedestrians and bicyclists.

REGULATORY REFORM & TRANSPARENCY

Petitions—Requires FMCSA to respond to stakeholder petitions for review of regulations or new rulemakings.

Transparency—Requires FMCSA to maintain updated records relating to regulatory guidance, and provides for regular review to ensure consistency and enforceability.

NHTSA OVERSIGHT & VEHICLE SAFETY ENFORCEMENT

Vehicle Safety Enforcement—Triples penalties for auto safety violations per incident and triples the overall penalty cap to $105 million, provided that NHTSA conducts a previously-required rulemaking on penalty assessment factors.

Whistleblower Incentives—Incentivizes auto employees to come forward with information about safety violations by authorizing the Secretary to award a percentage of certain collected sanctions to whistleblowers. Based upon the bipartisan Motor Vehicle Safety Whistleblower Act, which passed the Senate by voice vote in April (S. 304).

Increases Funding for Vehicle Safety—Following the record number of auto recalls in 2014, the bill authorizes additional funding increases to GROW AMERICA levels for vehicle safety efforts, but only if the DOT Secretary certifies that certain reforms have been implemented following the scathing inspector general (IG) audit of NHTSA following the GM ignition switch defect.

Increases Corporate Responsibility—Requires rules on corporate responsibility for reports to NHTSA and updates recall obligations under bankruptcy; increases the retention period during which manufacturers must maintain safety records and expands the time frame for remedying defects at no cost to consumers.

Provides Increased Oversight of NHTSA—Requires DOT IG and NHTSA to provide updates on progress to implement IG recommendations to improve defect identification, requires an annual agenda, clarifies the limits of agency guidelines, and directs IG and Government Accountability Office GAO audits of NHTSA's management of vehicle safety recalls, public awareness of recall information, and NHTSA's research efforts.

CONSUMER PRIVACY

Driver Privacy—Makes clear that the owner of a vehicle is the owner of any information collected by an event data recorder. Based on the bipartisan Driver Privacy Act, which the Committee approved in March (S. 766).

TRUCKING REFORMS & IMPROVEMENTS

CSA Reform—Addresses shortcomings in the Compliance, Safety, and Accountability (CSA) program following concerns raised by the DOT IG, the GAO, and a DOT internal review team about the reliance on flawed analysis in the scores used to evaluate freight companies, while maintaining public information on enforcement data and consumer information on the scores of intercity buses.

Beyond Compliance—Establishes new incentives for trucking companies to adopt innovative safety technology and practices.

Commercial Driver Opportunities for Veterans—Establishes a pilot program to address the driver shortage by allowing qualified current or former members of the armed forces, who are between 18 and 21 years old, to operate a commercial motor vehicle in interstate commerce. Currently, 48 states allow 18–21 year olds to drive intrastate on county, state, and Interstate highways.

RAIL

Passenger Rail Reform—Reauthorizes Amtrak services through 2020, empowers states, improves planning, and better leverages private sector resources. It also creates a working group and rail restoration program to explore options for resuming service discontinued after Hurricane Katrina. Many of these provisions are based on the bipartisan Railroad Reform, Enhancement, and Efficiency Act (S. 1626), which passed the Commerce Committee by voice vote in June.

Railroad Loan Financing Reform—Reforms the existing $35 billion Railroad Rehabilitation and Improvement Financing Program to increase transparency and flexibility, expand access for limited option freight rail shippers, and provide tools to reduce taxpayer risks.

Rail Infrastructure Improvements—Improves rail infrastructure and safety by consolidating rail grant programs, cutting red tape and dedicating resources for best use. It also establishes a Federal-State partnership to bring passenger rail assets into a state of good repair.

Expedites Rail Projects—Accelerates the delivery of rail projects by significantly reforming environmental and historic preservation review processes, applying existing exemptions already used for highways to make critical rail investments go further.

Dedicated Funding for Positive Train Control (PTC)—Establishes a new limited authorization with guaranteed funding for the Secretary of Transportation to provide commuter railroads and States with grants and/or loans that can leverage approximately $2+ billion in financing for PTC implementation.

Testing of Electronically-Controlled Pneumatic (ECP) Brakes—Preserves the DOT's final rule requiring ECP brakes on certain trains by 2021 and 2023, while requiring an independent evaluation and real-world derailment test. It requires DOT to re-evaluate its final rule within the next two years using the results of the evaluation and testing.

Liability Cap—Increases the passenger rail liability cap to $295 million (adjusting the current $200 million cap for inflation), applies the increase to the Amtrak accident in Philadelphia on May 12, 2015, and adjusts the cap for inflation every five years going forward.

Cameras on Passenger Trains—Requires all passenger railroads to install inward-facing cameras to better monitor train crews and assist in accident investigations, and outward-facing cameras to better monitor track conditions, fulfilling a long-standing recommendation from the National Transportation Safety Board.

Thermal Blankets on Tank Cars Carrying Flammable Liquids—Closes a potential loophole in Department of Transportation regulations and reduces the risk of thermal tears,

which is when a pool fire causes a tank car to rupture and potentially result in greater damage.

Real-Time Emergency Response Information—Improves emergency response by requiring railroads to provide accurate, real-time, and electronic train consist information (e.g., the location of hazardous materials on a train) to first responders on the scene of an accident.

Grade Crossing Safety—Increases safety at highway-rail crossings by requiring action plans to improve engineering, education, and enforcement, evaluating the use of locomotive horns and quiet zones, and examining methods to address blocked crossings.

Passenger Rail Safety—Enhances passenger rail safety by requiring speed limit action plans, redundant signal protection, alerters, and other measures to reduce the risk of overspeed derailments and worker fatalities.

Mr. THUNE. Mr. President, I would also like to conclude by underscoring my appreciation regarding the collaborative work with my friend from Florida, Senator BILL NELSON, ranking member of the Commerce, Science, and Transportation Committee, and his Committee staff.

I would also like to thank the following Senate colleagues and staff: Leader MCCONNELL; Senator INHOFE; Senator BOXER; Senator HATCH; Senator CORNYN; Senator FISCHER, who chairs the Surface Transportation subcommittee and who also served on the conference committee; Neil Chatterjee, Hazen Marshall, Scott Raab, Sharon Soderstrom, and Jonathan Burks in Leader MCCONNELL's office for helping to guide this bill through the Senate and ultimately through conference with the House; Dave Schwietert; Nick Rossi; Rebecca Seidel; Adrian Arnakis; Allison Cullen; Patrick Fuchs; Cheri Pascoe; Peter Feldman; Katherine White; Robert Donnell; Andrew Timm; Ross Dietrich; Jessica McBride; Paul Poteet; Jane Lucas; Frederick Hill; and Lauren Hammond.

Mr. LEAHY. Mr. President, Vermonters take great pride in our historic downtowns and small communities. In our cities and towns, we have a culture of getting things done—and finding a way to accomplish our shared goals. That is why, like many Vermonters, I have been frustrated with the back-to-back short-term patches to keep our highway trust fund afloat. I have consistently advocated for a long-term solution that will give States the ability to move forward with building and repairing roads, bridges, and byways; to promote rail safety and transit and to invest in the critical infrastructure that supports our cities and towns; to enable interstate and intrastate commerce; and to create jobs for American workers. The time to pass a plan for long-term transportation funding has finally come.

The FAST Act will bring stability where, for too long, there has been uncertainty. This bill ensures that Vermont will receive the funding it needs, more than $1.1 billion over the next 5 years, to allow Vermonters to move forward on infrastructure projects that have been waiting in the wings. In Vermont, the construction season is short and the need is great, and a series of stopgap measures to kick the can down the road was never the right answer. I am pleased there will finally be the stability needed for Vermont and all States to move forward to bolster our country's infrastructure.

This legislation also reverses changes made to the Federal Crop Insurance program, which was a careful balance first struck in the farm bill, sending a clear message that we should not thoughtlessly tamper with the farm bill until its next expiration in 2018. And while I am glad that the harmful Freedom of Information Act exemptions that we eliminated in the Senate bill remain out of this conference report, I am concerned that a new exemption was added. Nowhere is the free flow of information more important than when the safety of every Vermonter and every American is at stake.

We Vermonters know that, in a democracy, demanding 100 percent of what you want and refusing to negotiate effective compromise is a formula for stalemate and paralysis. As a result, Vermonters know that to actually get something done, compromise is a must, and we have advanced the ball a long way down the field. This legislation provides stability to move our infrastructure forward to support our economy. It supports safety provisions to protect the well-being of those traveling America's highways and rails.

Frankly, to facilitate the thriving communities, commerce, and economic growth that we want and need, we should be doing far more to rebuild our crumbling infrastructure. This process should not be reduced to ''searching under sofa cushions''—as some have described it—to scrape together the budget to pay for the vital roads and bridges that are so important to us in so many ways. But with this bill, we finally are providing our States and communities with longer lead times to plan and accomplish this work on our infrastructure, and that signals at least a flicker of progress. We have had enough kicking the can down the road and generating year after year of uncertainty. It is time to bring stability and certainty back to our infrastructure and transportation.

Mr. REED. Mr. President, I intend to support the surface transportation bill before us. It has been more than a decade since we have had a true multiyear transportation bill. And while this bill gives State transportation and transit agencies funding certainty for the next 5 years, it is not all that it could or should have been.

I worked hard to retain the transit density formula, which the House had tried to eliminate. If the House had prevailed, the Rhode Island Public Transit Authority, RIPTA, would have lost upwards of $8.5 million of its Federal allocation each year—about one-third of its yearly Federal funding. The loss of funding would have been devastating to RIPTA and to the thousands of Rhode Islanders who rely on bus service to get to work, to the store, and to medical appointments. Nonetheless, the funding increase provided under this part of the formula is disappointingly low in comparison to the increase provided to rural and growing States, as well as to States that have established fixed guideway systems.

I am also pleased that the bill addresses some key priorities for transit workers, including mandating new rules to protect drivers from violent assaults, as well as dedicating funding to frontline workforce training. And overall, the bill continues critical worker protections, particularly under the Davis-Bacon Act.

On the highway side of the ledger, the bill includes a vital increase in formula funding that will give the Rhode Island Department of Transportation a baseline from which it can begin to address the high percentage of structurally deficient and functionally obsolete bridges in the State, as well as the high percentage of roads with unacceptable pavement conditions.

In addition, both the transit and highway titles of the bill each have new competitive programs, including the restoration of a competitive bus and bus facility program for transit agencies and the establishment of a grant program for nationally significant freight and highway projects, those that typically exceed $100 million.

The bill also includes other important matters, including a long overdue reauthorization of the Export-Import Bank, which has essentially been shuttered since July due to opposition to an extension by some on the other side of the aisle.

On the other hand, there are provisions in the bill that are concerning, beginning with how it is paid for. Rather than relying on the gas tax or another predicable and related funding source, the bill is built on a hodgepodge of offsets like outsourcing tax collection to private debt collectors, which has been tried before and wound up costing revenue rather than generating it. It also calls for selling off portions of the Strategic Petroleum Reserve under the assumption that oil prices will increase, and it taps into funds held by the Federal Reserve—something current and former Fed officials have cautioned against.

In addition, the bill has a number of extraneous provisions, including a measure that preempts a State's ability to regulate Small Business Investment Companies, SBICs, and allows

certain fund advisers with significant assets under management to escape Securities and Exchange Commission, SEC, registration altogether. In the wake of the financial crisis, it remains unclear to me why we would be so hasty to weaken investor protections. The bill also restores a wasteful agricultural subsidy that I have long fought against and that was just cut under the bipartisan budget agreement last month.

That leads me to a larger point concerning the double standard that is being applied to important legislation that invests in our people, our economy, and our national defense on the one side and to special interest benefits, primarily offered under the Tax Code, on the other. For years, Congress has tied itself in knots to develop offsets to buy down the sequester, to reduce student loan interest rates, to cover emergency unemployment assistance, and to pay for infrastructure investments like this surface transportation bill; yet without a second thought, deficit ''hawks'' in the majority shrug off billions of dollars in tax cuts and tax extenders with little regard for the cost. Both types of expenditures have an impact on the debt and deficit. We should be honest about it and account for both in the same way.

Despite these concerns, I believe that after years of work and waiting, we should adopt this bill so that transportation agencies can move forward with their plans with the confidence that Federal funding will be there.

Mr. BROWN. Mr. President, America's infrastructure was once the envy of the world. But for decades, we haven't maintained these public works.

The quality of U.S. infrastructure now ranks just 16th in the world, according to the World Economic Forum.

The dismal state of our outdated roads, bridges, and railways is costing Ohioans valuable time, money, and energy.

To create jobs and keep America on top of the global economy, Congress must pass a long-term bill that invests in a world-class infrastructure.

The bill that the Senate will soon consider does not contain the robust investment that the President and most experts think we need, but it does make progress over the next 5 years.

In Ohio, a quarter of our bridges are ''structurally deficient'' or ''functionally obsolete.'' Forty-five percent of our State's major urban highways are congested, costing our drivers $3.6 billion a year in additional repairs and operating costs.

During the negotiations on this legislation, I fought to include provisions important to Ohio, and we have made progress on my State's top priorities.

The bill would create a new competitive grant program to fund job-creating projects of regional and national significance, like the replacement of the Brent Spence Bridge between Cincinnati and Kentucky.

Each year, 4 percent of America's GDP crosses the Brent Spence, which was built more than half a century ago.

Replacing this bridge isn't just a top priority for the region's business community—it is a safety issue for the hundreds of thousands of cars that drive over it every week.

The bridge would be eligible for funds from the $800 million per year pot of funding, which would grow to $1 billion annually in fiscal year 2020. It is a big win for the Brent Spence project and Ohio jobs.

The legislation would also boost funding for Ohio's highway and transit programs.

Nationwide, overall highway spending would increase by 15 percent compared to current law, and annual transit spending would grow 18 percent.

By 2020, that growth will deliver more than $200 million of new highway investment to Ohio each year.

In addition to repairing roads, the bill will help Ohio's many transit agencies, providing up to $20 million of new funds each year. In Cleveland, Cincinnati, and Columbus, our transit systems carry more than 250,000 passengers every day.

The bill also provides up to $340 million annually for a new competitive bus program I championed. This was a top priority for Ohio's transit providers, and I am pleased they will have a much-needed source of funding for bus replacement.

And as a long-time supporter of Buy America, I am pleased that the legislation would increase the amount of American-made steel and other components that will go into buses and subway cars.

The bill also would finally reauthorize the Export-Import Bank, which is critical to helping Ohio companies create jobs and sell their products around the world.

After some on the far right allowed the Ex-Im Bank to expire in June—for the first time in the Bank's history—we heard stories of lost contracts, risks to future export business, and manufacturing jobs moving out of the United States to Canada and Europe.

This is about ensuring that U.S. manufacturers can be competitive in a global marketplace.

While we argued about funding U.S. infrastructure and allowed the Ex-Im Bank to expire, China announced that its export-import bank will provide a $78 billion credit line to China Railway Corp to support its infrastructure projects at home and abroad.

With countries like Brazil and China investing in 21st century transportation systems, we cannot let the U.S. fall behind.

This is no way to run a global economic power.

In addition to renewing Ex-Im, the Transportation bill also contains important provisions for community banks and credit unions.

It includes changes to the bank exam cycle for small banks, a bill that Senators DONNELLY and TOOMEY introduced.

It streamlines privacy notices for financial institutions—a bill that Senator MORAN and I introduced last Congress and that had the support of 97 other senators and which Senators HEITKAMP and MORAN reintroduced this year.

The bill also allows privately insured credit unions to become members of the Federal Home Loan Bank System, a proposal I introduced last Congress and Senators DONNELLY and PORTMAN spearheaded this Congress.

Since May, Senate Democrats have been pushing for a package of modest, bipartisan proposals like these to help community banks and credit unions. We have resisted efforts to rollback important Wall Street reforms.

The House agreed with this approach, and that is why these provisions were added to the Transportation bill.

So when you hear that we need to attach ''community bank regulatory relief'' to must-pass appropriations legislation, don't believe it.

Relief for small banks and credit unions is already in the Transportation bill.

Let me be clear: I will not support riders to undermine Wall Street reforms in legislation to fund the government.

Like any bill of this significance, the long-term transportation measure isn't perfect. I have strong concerns with the process that led to this agreement and with some of the proposals used to pay for it.

I think it was a mistake to tap Federal resources that have nothing to do with transportation to cover the bill's cost.

Under this bill, we are funding highways in part by taking money from banks and the Federal Reserve. It is a bad precedent.

We made real improvements to the bill's language on the use of the Federal Reserve Banks surplus fund and to the rate of the dividend paid to banks over $10 billion. But these pay-fors are not a sustainable way to fund transportation projects.

Instead of this shortsighted approach that just delays the problem, Congress should be looking for a long-term solution to replenish the highway trust fund.

I will support this bill because it is the best option we have right now to keep America on top of the global economy and provide the investment that Ohio needs. But I hope that Congress won't lose sight of the need to identify long-term, robust investment in world-class infrastructure.

Ms. WARREN. Mr. President, Senator BOXER deserves tremendous credit

for negotiating a long-term funding bill for our crumbling roads and bridges. The Fixing America's Surface Transportation, FAST, Act is an important turning point in addressing our Nation's infrastructure needs, and the bill will create quality jobs and stimulate economic growth. The FAST Act ends years of short-term congressional extensions and legislative gridlock that prevented our country from making critical investments in our roads, bridges, and mass transit.

The bill reauthorizes Amtrak and provides vital funding for positive train control technology and hazmat training programs. This 5-year reauthorization will allow our States and communities to finally plan for the future and address long-overdue maintenance backlogs. Additionally, the FAST Act takes important steps towards addressing the growing problem of violence against our transit operators. These hard-working men and women deserve a safe working environment, and I will continue to work with my colleagues to make sure we do everything we can to achieve that.

However, I must oppose the bill because Republicans have used this strong bill as a vehicle to roll back rules that protect consumers and our financial system.

This is the third time in the last year that Republicans have used this hostage-taking approach. Last December, Republicans used the government funding bill as a vehicle for a provision written by Citigroup lobbyists that would repeal a critical anti-bailout rule in the Dodd-Frank Wall Street Reform and Consumer Protection Act. Weeks later, Republicans used a broadly popular, bipartisan bill extending the Terrorism Risk Insurance Act to jam through another provision that weakened Dodd-Frank's rules on risky derivatives trading. And now, in the FAST Act, Republicans have handed out more than a dozen goodies to financial institutions, including a requirement that does little but bog down the Consumer Financial Protection Bureau with needless paperwork and administrative tasks.

If Democrats continue to support bills that include these kinds of rollbacks, it will simply encourage Republicans to use other must-pass bills to repeal or weaken even larger portions of Dodd-Frank and our other financial rules. That is why I must oppose this bill—and why I hope the American people weigh in with their representatives against this kind of cynical hostage-taking.

Mr. INHOFE. Mr. President, I ask unanimous consent to have printed in the RECORD a joint statement by the chair and ranking member of the House Transportation and Infrastructure Committee, Representative SHUSTER and Representative DEFAZIO, and the chair and ranking member of the Senate Committee on Environment and Public Works, myself and Senator BOXER, to clarify an issue with the Joint Explanatory Statement of the committee on conference for H.R. 22.

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

JOINT STATEMENT OF THE HONORABLE BILL SHUSTER, THE HONORABLE PETER A. DEFAZIO, AND THE HONORABLE JAMES INHOFE, THE HONORABLE BARBARA BOXER ON THE JOINT EXPLANATORY STATEMENT OF THE COMMITTEE ON CONFERENCE H.R. 22, FIXING AMERICA'S SURFACE TRANSPORTATION ACT

December 3, 2015

Title XLIII of the Joint Explanatory Statement provides a summary of section 43001 concerning requirements in agency rulemakings pursuant to this Act. Section 43001 of the House amendments to H.R. 22 was not agreed to in conference and does not appear in the conference report to accompany H.R. 22. The summary of section 43001 in the Joint Explanatory statement therefore appears in error. Accordingly, title XLIII of the Joint Explanatory Statement has no effect.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, I raise a point of order under rule XXVIII that section 32205 exceeds the scope of conference for the conference report to accompany H.R. 22.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I move to waive the point of order raised under rule XXVIII that section 32205 of the conference report to accompany H.R. 22 exceeds the scope of conference.

The PRESIDING OFFICER. The waiver is debatable.

The Senator from California.

Mrs. BOXER. Mr. President, if I could just be heard for 30 seconds or less. Please, please don't alter this, because if this passes and we don't waive the point of order, this bill is gone. The House bill didn't even have an extension. So if this bill goes down, we have no highway system.

Please vote with Senator INHOFE and myself. It is urgent.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, both sides have agreed to have 5 minutes equally divided.

How much time did the Senator from California take?

The PRESIDING OFFICER. The Senator from California used 30 seconds.

Mr. INHOFE. Mr. President, I recognize Senator ROBERTS for 45 seconds.

The Senator from Kansas.

Mr. ROBERTS. Mr. President, I rise to address the point of order raised against the highway bill.

Among the many provisions of the bill, the legislation realizes a commitment made by House and Senate leadership to restore egregious, harmful, counterproductive, contract-breaking cuts to the Federal Crop Insurance Program. The commitment we reached with the House was to reverse these damaging cuts and policy changes in order to protect our producers. That is their No. 1 priority for risk management.

The message from farm country couldn't be more clear: Do not target crop insurance. The point of order would not only strip out much of the needed crop insurance fix, but it could also prevent the timely passage.

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

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I recognize the junior Senator from Arizona, Mr. FLAKE, for such time as he wants to use of his 2½ minutes.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. I thank the Senator.

Mr. President, what we are doing is targeting a specific provision that was air dropped into the highway bill. This isn't an attack on the highway bill. It is an attack on a provision that increases crop subsidies $3 billion over what is in the budget deal.

We are often accused in this body of reversing cuts that we make before the ink is dry. In this case, we actually made a deal to reverse the cuts before the ink was even put to paper.

Now, if we are ever going to get serious about controlling our deficit and addressing our debt, then we actually have to stick to some of the cuts that we have made. That is what this point of order is all about.

I urge support of it.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I recognize the Senator from Michigan, Senator STABENOW, for 15 seconds.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise to support the transportation bill and crop insurance. We made a deal with farmers when we gave up direct subsidies that, instead, we would ask them to have skin in the game and to have crop insurance to manage their risk.

They have a 5-year bill that gives them certainty. We should not pull the rug out from under them at this time.

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

Mr. INHOFE. Mr. President, I recognize the Senator from Kansas, Mr. MORAN, for 30 seconds.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I rise in opposition to the point of order and ask my colleagues to support the crop insurance program. In Kansas the weather is not always our friend. The most important farm program that farmers benefit from is the crop insurance program.

We have eliminated other farm programs over a long period of time in the

name of reform but have replaced them by crop insurance. Now crop insurance becomes the target.

I yield.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I recognize the Senator from New Hampshire, Mrs. SHAHEEN, for such time as she needs to use for her side.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Thank you, Senator INHOFE. I will be brief.

Mr. President, I think it is important to challenge the provision in this legislation.

I support the highway bill. I think the negotiators did a great job to get us a 5-year bill, but the fact is this provision was not included in either the House transportation or the Senate transportation bill. It is an indefensible reversal of the bipartisan budget bill that became law less than a month ago. It is a $3 billion giveaway to the insurance companies, and I think we need to challenge this kind of move when it gets dropped into a bill.

Mr. INHOFE. Mr. President, I would ask the Chair the time remaining for the proponents and opponents?

The PRESIDING OFFICER. The Senator from Arizona has 1 minute remaining, and the Senator from Oklahoma has 15 seconds.

The Senator from Arizona.

Mr. FLAKE. Mr. President, I wish to end by saying this is not an attack on the highway bill. It has its own issues, but this provision simply attacks the subsidy—the $3 billion subsidy—that was added back in after we had agreed in a bipartisan way to these cuts. We cannot continue to go back on the cuts that we have made. In this case we didn't even wait 1 month or 2 months. The agreement was made on this floor before the bill was even passed. We have to get away from that kind of practice.

So I urge support for this point of order, and I yield back.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, let me make sure everyone understands what we are doing here. The budget act of 2015 had major cuts in the Federal Crop Insurance Program. Some of those were restored in the highway bill. Now, if the highway bill is changed—if this should pass—it has to go back to the House, which means we could not have it this year. In other words, the issue here is not how you feel about crop insurance; it is whether or not you want this bill.

I would suggest to the 65 Members who are here today and who voted for the bill that it would be very difficult to explain how you could vote for the bill and then turn around and vote for the very order against it that would kill the bill for this year in 2015.

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

Mrs. BOXER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Is all time yielded back?

Mr. GRASSLEY. Yes.

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

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The yeas and nays resulted—yeas 77, nays 22, as follows:

[Rollcall Vote No. 330 Leg.]

YEAS—77

Alexander	Feinstein	Murkowski
Baldwin	Fischer	Murphy
Barrasso	Franken	Murray
Bennet	Gardner	Nelson
Blumenthal	Graham	Paul
Blunt	Grassley	Peters
Boozman	Hatch	Portman
Boxer	Heinrich	Risch
Brown	Heitkamp	Roberts
Burr	Heller	Rounds
Cantwell	Hirono	Rubio
Capito	Hoeven	Sasse
Cardin	Inhofe	Schatz
Casey	Isakson	Scott
Cassidy	Johnson	Shelby
Coats	Kaine	Stabenow
Cochran	King	Sullivan
Collins	Kirk	Tester
Cornyn	Klobuchar	Thune
Cotton	Lankford	Tillis
Crapo	Leahy	Udall
Cruz	Markey	Vitter
Daines	McConnell	Whitehouse
Donnelly	Merkley	Wicker
Enzi	Mikulski	Wyden
Ernst	Moran	

NAYS—22

Ayotte	Lee	Schumer
Booker	Manchin	Sessions
Carper	McCain	Shaheen
Coons	McCaskill	Toomey
Corker	Menendez	Warner
Durbin	Perdue	Warren
Flake	Reed	
Gillibrand	Reid	

NOT VOTING—1

Sanders

The PRESIDING OFFICER. On this vote, the yeas are 77, the nays are 22.

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

The question occurs on the adoption of the conference report to accompany H.R. 22.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The Senator from California.

Mrs. BOXER. Thank you, everybody. I love everyone tonight. We are going to have a great vote. But go. Go.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The result was announced—yeas 83, nays 16, as follows:

[Rollcall Vote No. 331 Leg.]

YEAS—83

Alexander	Fischer	Moran
Ayotte	Franken	Murkowski
Baldwin	Gardner	Murphy
Barrasso	Gillibrand	Murray
Bennet	Graham	Nelson
Blumenthal	Grassley	Peters
Blunt	Hatch	Portman
Booker	Heinrich	Reed
Boozman	Heitkamp	Reid
Boxer	Heller	Roberts
Brown	Hirono	Rounds
Burr	Hoeven	Schatz
Cantwell	Inhofe	Schumer
Capito	Isakson	Sessions
Cardin	Johnson	Shaheen
Casey	Kaine	Stabenow
Cassidy	King	Sullivan
Coats	Kirk	Tester
Cochran	Klobuchar	Thune
Collins	Leahy	Tillis
Coons	Manchin	Toomey
Cornyn	Markey	Udall
Daines	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Whitehouse
Enzi	Menendez	Wicker
Ernst	Merkley	Wyden
Feinstein	Mikulski	

NAYS—16

Carper	Lankford	Sasse
Corker	Lee	Scott
Cotton	Paul	Shelby
Crapo	Perdue	Warren
Cruz	Risch	
Flake	Rubio	

NOT VOTING—1

Sanders

The PRESIDING OFFICER. The 60-vote threshold having been achieved, the conference report to accompany H.R. 22 is agreed to.

The majority leader.

Mr. MCCONNELL. Mr. President, I wish to take a few moments to congratulate the chairman of our environment committee, Senator INHOFE, and his ranking member, Senator BOXER, for an extraordinary job. This has been a fascinating experience, particularly for Senator BOXER and me. To say that our relationship got off to a rather rocky start is to put it mildly. We found ourselves 20-some odd years ago on the opposite side of a very contentious issue with a lot of—shall I say—rather feisty exchanges on the floor of the Senate. It is also pretty obvious that we are not exactly philosophical soulmates. But I had heard Senator INHOFE say over the years how much he had enjoyed working with Senator BOXER and that there were actually things they agreed upon.

I made a mental note of that and wondered whether there might be some opportunity at some point down the way to team up with Senator BOXER. That finally happened this year. As Senator INHOFE and Senator BOXER would certainly underscore, we had

challenges. We had the complexity on our side of the Ex-Im Bank issue, which created some serious internal Republican problems. We had a flirtation among some Members on the other side that we could shoehorn a major territorial tax bill into this bill. Senator BOXER and I were skeptical about that from the beginning because it is an article of faith on our side that tax reform is not for the purpose of taking the money and spending it, but of taking the money and buying down the rates.

We had all kinds of odd potential allowances that led to the floor debate last summer, for which we had an administration that was less than enthusiastic with what Senator BOXER and Senator INHOFE and I were trying to do. Senate Democratic leadership hadn't exactly bought in on it either. In the meantime, our good friends in the House on my side of the aisle were calling it the Boxer bill, which of course was really great for me to hear.

We had all kinds of tripwires on the path to getting what we thought was important for the country, which was a multiyear highway bill, which—I believe I am correct, Senator BOXER—we haven't done since 1998.

Mrs. BOXER. Actually, 10 years.

I am told it was 17 years since we had a bill of this size.

Mr. MCCONNELL. It has been 17 years since we had a bill of this duration, which we all thought was important for the States and localities, for people who build and repair the roads to have some certainty. In the end, there wasn't really a philosophical problem here. The question was, How can we pull together these disparate pieces into one mosaic that actually had a chance to get somewhere?

I want to say to Senator BOXER, in particular, that this has been one of the most exhilarating and satisfying experiences I have had in the time that I have been in the Senate. I never would have predicted 20-some-odd years ago that I would be having it with BARBARA BOXER. But this shows, in my opinion—I know Senator INHOFE agrees—the Senate is at its best when people can identify common interests and work together to get a positive result for the country.

I want to say to both of these great colleagues how much I appreciate their extraordinary work, particularly Senator BOXER because we were such opposites in almost every way. What actual fun it was to get to know her better and to work on this together. She has a year left. Maybe we can find something else. Congratulations to both of you on an extraordinary accomplishment for the American people.

Mr. INHOFE. That is great, Mr. Leader.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. We have a lot of requests for speakers to be heard. I am going to put myself at the end of the line so that everyone else can get in there first. The order is going to be Senator BOXER, and I understand she might want to share a little time with the Senator from Florida. Then Senator LEE from Utah, Senator ENZI after that, and then whoever else wants to talk. If nobody else wants to talk, then I will wind it up.

Before I turn it over to Senator BOXER, I am going to tell a story because I want to make sure that Senator SULLIVAN doesn't have to wait for 2 hours to hear it. Ten years ago, in 2005, we had the last bill of this nature. It was a bill that we passed. I was an author of it, and I was very proud. That was 10 years ago. That was the last time we did a bill like this. I remember standing here, as I am standing today. The chairman of that committee wanted to talk about what a great bill that was—the Transportation reauthorization bill—and all of a sudden the alarms went off. They said: The bombs are coming. Everybody run. Evacuate, evacuate.

I wasn't through talking. I talked for about 15 minutes. It is very eerie when you are standing here and are the only one in the U.S. Capitol making a speech with the TV going but no other people are around. I made my speech. Afterward I started going down, and I saw a great big guy walking down the steps very slowly. I went up to Ted Kennedy. I said: Ted, you better get out of here; this place is going to blow up.

He said: Well, these old legs don't work like they used to.

I said: Let me help you.

I put my arm around his waist. Some guy had a camera. The front page of the cover of that magazine said: Who says that conservatives are not compassionate?

That is my story. We will go on to Senator BOXER.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I completely neglected to mention an extraordinarily important player in all of this, and that is Neil Chatterjee of my staff, who befriended Senator BOXER and Bettina before I realized that there might be a possibility that we could do something together. Neil has done an extraordinary job. I think I can safely say he enjoyed the confidence of both sides and allowed us to work together in a positive and constructive way. I want to thank Neil Chatterjee for the great job that he did as well.

Mr. INHOFE. We certainly agree with that.

Senator BOXER.

Mrs. BOXER. I am hardly ever at a loss for words, as you all know. I was so touched tonight. A terrible tragedy happened in my State yesterday. You all know about the emotions of that and then the emotions of this. I am going to set aside the emotions of the tragedy and talk to my friends here.

What we did was the impossible dream. It was, in many ways, a very long and winding road to get to this night. People worked together who never thought they would find that common ground. We found it. The reason we found it is we were willing to set aside the misperceptions I think we had on so many fronts and recognized that our people needed this badly.

As I often say, if you want to buy a house and you go to the bank and the bank says ''Oh, you have great credit, but I can only give you a mortgage for 6 months,'' you are not going to buy the house. You are not going to build a major road if you are worried about the funding. What we have done is extraordinary. For the first time in 17 years, we have a long bill. We have a bill that lasts 5 years.

I have to say—and I did not think of it—I think the pay-for was brilliant, the major pay-for. There are others who don't like it. Many people on my side said we should look at the gas tax. I looked at the gas tax. I agreed with the chamber of commerce on the gas tax, but I am only one of six people here who probably voted for it.

When you come up against these barriers, you need to be very creative. The international tax reform—Leader MCCONNELL was never going to allow that. I got that message. I still encouraged my colleagues on both sides of the aisle to work on it, but it didn't work out. What are we going to do? Just fold up our tent and say the general fund is going to pay for this? We don't have enough in the general fund. We have deficits. We all know that.

What I want to say is that with 60,000 bridges in disrepair—falling down, structurally deficient—and 50 percent of our roads in disrepair, we have a lot of work to do. This gives our States the certainty.

The relationships that developed between the staffs—I am going to withhold my comments on that until later. When everybody finishes, I am going to be here because I am going to mention every single name on both sides. I can't thank you enough. They didn't sleep during the Thanksgiving break. They worked constantly.

Let's face it, this bill was the ''Perils of Pauline.'' Even last night my senior leader asked me to do something I could never do in a million years on this bill. I must have turned so pale that I almost fainted. Bettina almost had a heart attack on the spot because we thought that maybe we would not have this bill. But he knows me well enough to know what I can do, and that makes for a great working relationship.

I will talk about the details of the bill later. Basically, it is a 5-year bill. Over the period, it is a 20-percent increase, which is huge for our States. It

is roads. It is transit. There are new programs, freight programs that Senator INHOFE and MARIA CANTWELL worked on. Ex-Im is in there. I know it is controversial for some, but for our small businesses it is great.

I predict that this bill is going to give the economy a real boost—I really mean it—because of the certainty it is bringing and because of the fact that millions of jobs will be created. That always boosts us. It helps with our deficits.

I will yield the remainder of my time—just 2 minutes—to Senator NELSON, with the deepest thanks to Senator MCCONNELL; Senator INHOFE; Senator THUNE; Senator NELSON, who is just a hero; Senator BROWN; all of the members of the conference committee who signed the conference report.

I yield this time to Senator NELSON, and then we will go back to Senator INHOFE.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I thank the Senator for yielding, Mr. President. I am going to say two short paragraphs, but first, my commendations to the leadership that has already been mentioned by the esteemed majority leader; my commendations to my colleague, our chairman on the commerce committee, Senator THUNE, who has been a pleasure to work with; and my thanks to the staff, including Kim Lipsky, the staff director for our minority staff on the commerce committee.

I want to echo what you have said. Because of this bill, we are going to provide States and communities with over $300 billion over 5 years to repair the roads and bridges of this country and greatly improve rail and port projects, and as a result, we are going to create jobs. In my State of Florida, this translates to $12 million that can be used for improvements on Interstate 95, Interstate 75, and projects, such as SunRail, Tri-rail, and the streetcars in Fort Lauderdale. This is just a small example, and I am so grateful to everyone. I thank everyone very much.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, we will go forward with the previous agreement and hear from the Senator from Utah, Mr. LEE, followed by Senator ENZI from Wyoming.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I rise in opposition to the highway spending bill before us today—and not just the failed substance of the legislation. I rise to oppose the bill's irresponsible and unsustainable funding mechanisms and the cynical process that produced it.

We are told this bill fully funds Federal highway spending for the next 5 years and that it won't add a single dime to the Federal deficit. The math may add up on paper, but does anyone really think the pay-fors in this bill are honest, responsible ways to fund a government program?

Let's look at a few examples. Of the $70 billion this bill uses to bailout the highway trust fund over the next 5 years, more than $50 billion comes from an accounting gimmick that steals money from the rest of the Treasury's general fund.

Here is how the shell game works. Normally, the Federal Reserve sends the profits from its portfolio assets directly to the U.S. Treasury. These surplus profits are actually one of the major reasons our Federal budget deficits have fallen in recent years below where they were a short time ago. However, this bill would siphon off that money and redirect it into the highway trust fund.

Just today, Federal Reserve Chair Janet Yellen testified before the Joint Economic Committee, where she commented on this particular provision—on this particular aspect of this bill.

She said:

> This concerns me, I think financing federal fiscal spending by tapping resources at the Federal Reserve sets bad precedent and impinges on the independence of the central bank; it weakens fiscal discipline, and I would point out that repurposing the Federal Reserve's capital surplus doesn't actually create any new money for the federal government.

That is not the only funding gimmick found in this legislation. It also purports to raise $6.2 billion in revenue for transportation and infrastructure projects by selling oil from the Strategic Petroleum Reserve.

Let's leave aside for a second that the Strategic Petroleum Reserve was never intended to be a piggy bank for congressional appropriators. What makes this pay-for particularly objectionable is that its authors assume they can get $93 for a barrel of oil when it is currently selling for less than $40 per barrel. Only in Washington could we come to love a provision like this. Only in Washington could we come to accept a provision like this as somehow acceptable. If we are going to start selling Federal assets at fantasy prices—prices that do not exist and will not exist in any universe for the foreseeable future—there is absolutely no limit whatsoever to the number of things that we can pretend to pay for. But that is what we will be doing—pretending to pay.

As bad as this bill's funding schemes are, the cynical process used to secure votes in its favor might well be far more troubling. For instance, this bill adds back $3.5 billion in crop subsidy spending that we just cut last month in the budget deal.

Is this really how we do business in the Senate? We reduce spending one month in order to appear fiscally responsible only to reverse course the very next month when we think no one is looking? You don't need to oppose crop subsidies to see the dishonesty and cynicism of this particular maneuver.

Even worse, this bill would never have had a chance of passing the Senate were it not for a deal to include the renewal of the Export-Import Bank as part of this legislation. I have spoken out against the Export-Import Bank many times before, so there is little need to revisit the mountain of evidence proving that it is one of the most egregious, indefensible cases of crony capitalism in Washington, DC. But it is worth highlighting some of the so-called reforms that Ex-Im supporters included in the bill.

First, there is the new Office of Ethics created within the Export-Import Bank. Presumably, this is supposed to help the Bank's management reduce the rate at which Ex-Im employees and beneficiaries are indicted for fraud, bribery, and other wrongdoing. Since 2009, there have been 85 such indictments, or about 14 per year.

The bill also creates a new position called the Chief Risk Officer and requires the Bank to go through an independent audit of its portfolio. Only in Washington will you find people who believe that an organization's systemic ethical failings can somehow be overcome by creating a new ethics bureaucracy or that hiring a new risk management bureaucrat is a suitable replacement for market discipline or that giving another multimillion-dollar contract to a well-connected accounting firm will somehow substitute for real, actual political accountability.

None of these bogus reforms will make an ounce of difference. None of them will change the essential purpose of the Export-Import Bank, which is to use taxpayer money to subsidize wealthy, politically connected businesses.

Finally, it must be stressed that this bill does nothing to fix our fundamentally broken highway financing system. After this legislation is enacted, the highway trust fund will spend more money than the Federal gasoline tax brings in. And after this series of fraudulent pay-fors are exhausted in just 5 years, we will be right back to where we have been for the last decade, and that is trying to find enough money for another bailout without attracting too much attention from the American people.

Let's not forget that the States are big losers under the status quo system too—under the current system that we have. Federal bureaucrats divert at least 25 percent of State gasoline dollars to nonhighway projects, including mass transit, bike paths, and other boondoggles such as vegetation management, whatever that is.

Mr. INHOFE. Will the Senator yield? I have a favor to ask. I will give the

Senator from Utah all the time in the world, but he originally asked to speak for 5 minutes. I plan to respond to the issues he is talking about, which I don't happen to agree with, but I wonder if the Senator from Utah will allow his colleagues to speak in the order we agreed to and then come back and allow the Senator from Utah to finish his remarks.

I ask the Senator through the Chair if that will work?

Mr. LEE. Mr. President, I have less than a page of my remarks that I prepared left.

I ask unanimous consent for permission to have an additional 2 minutes to complete my remarks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEE. As I was saying, Federal bureaucrats divert at least 25 percent of State gas tax dollars to nonhighway projects, including mass transit, bike paths, and other boondoggles such as vegetation management. Federal Davis-Bacon price-fixing regulations then artificially inflate construction costs by at least 10 percent, and Federal environmental regulations, such as those issued under the National Environmental Policy Act, add an average of 6.1 years in planning delays to any federally funded project.

I understand that Washington is not ready for a more conservative approach to infrastructure funding—at least not yet—one where States get to keep their transportation dollars and decide how and on what they will spend those dollars, free from interference by Federal regulators.

We can have honest disagreements from policy, and I know there is more work to do in making the case for conservative transportation reform, but what I refuse to accept is the toxic process that produced this bill—the backroom deals, the about-face on crop subsidies, and the Export-Import Bank. The American people deserve better than this, and I won't stop fighting to ensure that we do better than this in the future.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank the Senator from Oklahoma for letting me interrupt at this time. We passed a bill earlier, and normally I would have spoken after final passage, but I didn't want to hold people up who had transportation plans, so I reserved my comments until later. I appreciate this opportunity to speak at this time.

I congratulate the Senator from Oklahoma and the Senator from California for the significant highway bill they passed tonight. I know there was a lot of work that went into that and a lot of good things will come out of it. It will make a difference for the economy in the United States.

As chairman of the Budget Committee, I know if we can get the private sector to increase by just 1 percent, we bring in $400 billion more in revenue without raising taxes, and raising the economy by 1 percent in the private sector is significant.

RESTORING AMERICANS' HEALTHCARE FREEDOM RECONCILIATION BILL

Mr. ENZI. Mr. President, today we also passed the most comprehensive and far-reaching repeal of ObamaCare that is possible under the reconciliation rules. We expect the House to pass this version shortly and soon this repeal will head to the President's desk for the first time in his tenure.

Our bill will eliminate more than $1.2 trillion in ObamaCare tax hikes and save nearly $400 billion over 10 years. Lifting the burdens this law has placed on hard-working families will help move the Nation forward from ObamaCare's broken promises to better access to patient-centered health care for each and every American.

As I noted earlier, our Nation has made great strides in improving the quality of life for all Americans, but these changes were always forged in the spirit of bipartisan compromise and cooperation. We still need health care reform, but it has to be done the right way. To have good health care, we will have to have ideas from both parties, not just one party.

Tonight we made significant progress to pointing out a bunch of the flaws, and there were a lot of people who were involved in that and I wish to take this opportunity to thank them.

We gave instructions to the Finance Committee and the Health, Education, Labor, and Pensions Committee that they were each to save $1 billion. So Senator HATCH and his staff went to work on it, and Senator ALEXANDER and his staff went to work on it, and they accomplished that task in conjunction with the House. So I thank them for their effort.

I thank the Republican staff of the Senate Budget Committee, and especially my staff director, Eric Ueland; as well as my deputy staff director, Dan Kowalski; the parliamentarian, Tori Gorman; the senior budget analyst, Steve Robinson; the budget analysts, Greg D'Angelo and Tom Borck; the junior budget analyst, Kaitlin Vogt; the chief counsel, George Everly; the assistant counsel, Clint Brown; the director of regulatory review, Susan Eckerly; and the editor, Elizabeth Keys.

I also wish to thank the people on my personal staff who had to put some of their projects kind of secondary at times and then had to pitch in and help with the budget as well.

I also want to express my appreciation to the staff from Leader MCCONNELL's office. Leader MCCONNELL is a tremendous strategist and has opened the process for the Senate so that great things like the highway bill can be done, and that is done by allowing committees to do amendments, and then allowing the committee bill to come to the floor and have amendments from both sides of the aisle in an open process, and then to go to conference committee and have the conference committee do their work to make sure that the House and the Senate are together. Some of the chief people who worked on that are the chief of staff, Sharon Soderstrom; his policy advisor, Scott Raab; his budget and appropriations policy advisor, Jon Burks; and his policy director, Hazen Marshall. In addition, our floor and cloakroom staff has been very helpful, led by Laura Dove and Robert Duncan.

Senator CORNYN and his staff did a marvelous job of helping to find out what difficulties there were and what things needed to be corrected. Senator THUNE did a great job of lining up speakers, and Senator BARRASSO did a great job with his staff in lining up some of the messaging.

Thanks are due to the Senate Finance Committee, including the staff director, Chris Campbell; the chief health counsel and policy director, Jay Khosla; and the health policy advisor, Katie Simeon; the tax counsel, Preston Rutledge; and the health policy advisor, Becky Shipp.

I extend my gratitude to the staff of the Health, Education, Labor, and Pensions Committee, as well as Senator ALEXANDER, who has done a marvelous job there. I thank his staff director, David Cleary, his deputy staff director, Lindsey Seidman, his senior policy adviser and health council, Liz Wroe, and his health policy director, Mary Sumpter Lapinski.

I also need to thank the former budget staff people who lent their expertise on this, particularly Bill Hoagland.

We are in a process that may help with some of the future accounting for projects and things and that is to do some budget reform. A lot of people have talked about budgeting reform and we have been doing some hearings on budget reform. We will be putting together a bill, and to make it a bipartisan bill it will have to go into effect in 2017. At that point nobody will know who will be in the majority, so we will all work to have a process that will be fair to both sides just in case we happen to be in the minority or the other side happens to be in the minority.

So we have a lot of people on both sides who have been working on that issue, and we will hold a number of hearings yet and hopefully come up with a process where we can get rid of old programs, eliminate duplication, and make the programs that we have be far better. Some of the people who have worked on that in the past have

been Senator Domenici, who was the chairman of the committee; Senator Gregg, who was the chairman of the committee; and Senator PATTY MURRAY, who was the chairman of the Budget Committee. One of the early ones, Senator Phil Gramm, has donated some of his time to come and work with both sides to take a look at what some of the future economic problems are, and he is also one of the foremost economic predictors, so we can make sure all of those things will come together as we work on future budgets.

Of course, I would be grossly in error if I didn't mention the House chairman of the Budget Committee, TOM PRICE. He and I have been meeting at least once a week with our staffs and coordinating what is being done on both sides, both from a process standpoint, from a policy standpoint, from a bill standpoint, and from a budget standpoint. I think that paid off in what we are seeing tonight.

Last and particularly not least, I need to thank the Parliamentarians. I need to thank Elizabeth MacDonough, Leigh Hildebrand, Michael Beaver, Thomas Cuffie. These are some unsung heroes of the U.S. Senate who do a bipartisan—a nonpartisan job for us of kind of refereeing when asked, and when you are doing a reconciliation bill, you are forced to ask. I had no idea what the process was and the difficulty and the time that is involved, but all of that was spent by the Parliamentarians.

We are all familiar with the rule book that is in every one of these desks and about this thick. That is a small part of it. In their office, they have file cabinets full of precedents. If you are drafting a bill that has to meet the kind of rules and the tight constraints that a reconciliation bill has, they have to meet with you on a regular basis and give their opinion and review all of these precedents to see if it can be put together the way we think it ought to be put together to be sure that when it comes to the floor, it can be voted on and when it is done, it actually is a bill that will be possible to send to the President's desk.

So I thank the Parliamentarians for presiding. I know the tremendous job they do of advising whoever sits in the Presiding Officer's chair, but this was a whole new level of instruction as I found out all of the things that they have to have as a part of their knowledge, and I really appreciate the effort they go to, the knowledge they already have, and the important role they play in this process.

I know I left out a lot of people, but to anybody who participated, I want to thank them for their efforts and hope that out of all of these budget processes, what we come up with is a better America.

I yield the floor, and I thank the chairman.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, let me first of all thank the Senator from Wyoming. It is interesting that every time we are involved in something—it could be reconciliation, the budget or the highway bill—he is always in the center and he has always been the anchor that holds us all together, and we appreciate that so much.

I will recognize the Senator from Washington, Ms. CANTWELL.

TRANSPORTATION BILL

Ms. CANTWELL. Mr. President, I rise tonight to thank my colleagues who worked so hard on this transportation package that we have just voted on. I thank Chairman INHOFE and Senator BOXER for their hard work, as well as Chairman THUNE and Senator NELSON from the commerce committee for their hard work.

The last thing I would have predicted at the beginning of this year is that Senator BOXER would have joined forces with Senator MCCONNELL to force through a transportation package that many of us probably thought wasn't even a reality. I would like to thank the Senator from California because I think there are times in everybody's career where you have to decide that you are going to stand up and push forward no matter how many arrows are shot in your back or no matter how many questions people ask. You have a vision of a path that you see and you realize that at the end, you think you can produce a package that will really be good for America.

That is what Senator BOXER has done. She has produced a package that will not only be a great legacy for an already great career but will be the very anecdote we need right now to an economy that is greatly challenged by a lack of infrastructure investment.

I say that because the Senator from California and I both represent West Coast States that see Asia as a great economic opportunity and that represent ports up and down the West Coast. We probably have the top one and two and three and four ports on the west coast as far as volume. The key thing that we know is that our own quadrennial review of energy products told us that we can't even move product because we compete so much for room on our rails, and battle congestion on our highways. So for the first time, because of this legislation, the United States of America will have a national multimodal freight policy, along with a national freight strategic plan to say that we have to identify the freight network that is most critical to moving product to the United States of America and through our ports, and that we should have a program to direct funding to those multimodal projects that are going to help get U.S.-made products outside of the United States and to the markets where they need to be delivered.

So again, I thank Senator THUNE and Senator NELSON for fighting for these provisions in the commerce committee bill that got merged into this package and all of the staff on both sides of the aisle in the commerce committee who helped on this and Senator BOXER and Senator INHOFE for including this.

I know that many times I ran into staff in the hall and they said: Yes, we know, freight can't wait. Which is kind of a moniker that we had come to talk about because freight really can't wait. If we are not shipping it in a timely fashion from North America, from the United States, I guarantee to my colleagues that products will be delivered to Asia or to Europe from someplace else and we will lose business.

So I think the U.S. Congress and the Senate tonight has understood that our infrastructure needs a shot in the arm to move freight and to establish this policy I know is going to pay dividends for us. So thank you very much for making sure that provision was in this legislation. It is a very key moment for us looking at the fact that we are an exporter and that we want our products to reach markets in a timely fashion.

I also want to thank the Secretary of Transportation because he gets this policy, and the national advisory committee that his predecessor established on freight will be very helpful for us in identifying the projects and using the resources that are in this legislation to move forward.

I also want to say how happy and grateful I am that the resolution of the Export-Import Bank debate is finally over tonight, and finally we have resolved the fact that the Bank will be reauthorized for 4 years. There are hundreds of millions of dollars of projects that need to be approved and they can hopefully start moving through the process.

I will point out that the Board needs nominees to fill the vacancies, and we should get that done so we can finish this process. But the fact that we are making a commitment for 4 years to the strategy that, yes, we want to manufacture products and, yes, we want to build things and ship them to overseas markets—whether they are grain silos, whether they are airplanes, whether they are music stands, whether they are tractors—whatever they are, we want to build them and we want to reach developing countries and international markets, and we are going to make sure the credit agencies that assist bankers in finalizing those deals exist, and we are making that commitment for 4 years.

So if there is anybody who has arrows in their back over that, I also thank them for continuing to fight to make sure we got through this process. My colleagues know that both a majority of people in the House—a majority

of Republicans—supported this idea and finally got their voices heard through a discharge petition, and the majority of the U.S. Senate supported this position.

So I hope people who have allowed this process to finally take place will understand how valuable the freight provision and the export bank provision is for us as a country to continue our export strategy.

Our strategy is to build great products and to sell them to a developing world. Ninety-five percent of consumers are outside of the United States, so let's sell products, but we have to fix our infrastructure to do it. We have to make sure that credit is available to do it, and we have to make sure we continue to move forward with the other policies that are going to help us with this strategy.

So, again, I want to say how grateful I am. I will tell my colleagues I don't think it is a perfect bill, but everybody here understands it is not a perfect bill. Again, I want to thank the Senator from California for her decision to take what is a challenging process and persevere on an investment strategy that—each and every one of us would have written a different one, but at least it got us to this goal of making needed investment in critical infrastructure at a time that our country needs to be able to move products and get things to customers around the globe, and this will very much help in that process.

Again, I thank the staff on both committees, on both sides of the aisle, and everybody who was involved in making these policies a reality.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I wish to address very briefly the comments made by one of the Senators earlier about how bad this bill is.

I think it is important for us to understand that it shows us how difficult a bill like this is because we are facing accusations, and it is the kind of thing that people would want to believe, but it is just not true. We don't have the things that sound good. The Export-Import Bank, that is something I had to swallow. I have opposed the Export-Import Bank every opportunity I have had for the last 20 years.

Yet this is a huge bill. This is the largest bill in 17 years. The most important part of this to me is those who criticize it fail to realize that when we take an oath of office, we hold up our hand—every Senator does—to uphold the Constitution of the United States. It says in the Constitution, the only two things that we are mandated to do in article I section 8 is to defend America and roads and bridges.

Ever since 1956, when Eisenhower came and did the national bill, the National Highway System, it has been successful, but where we have dropped the ball is we have been failing to have the Transportation reauthorization bill. We take into consideration all of the things that we are supposed to do, and these are things that we are supposed to do in accordance with the Constitution.

It is easy for me to say this because I have been ranked the most conservative Member many times and probably more than anyone else, but I recognize that we do have this responsibility.

Having said that, let me just say that I agree with the comments that were made by the majority leader and by Senator BOXER. She and I have disagreed more than we have agreed on things, but we have gone through a couple of these bills together and people look at us and think, If both of them want to do this, there must be something good about them.

So I have enjoyed working with Senator BOXER. It has been my honor to do it. We have actually shocked a lot of people with how well we get along. That is not going to happen after this bill, but it did before.

So let me just say this. I wish to thank some people. I appreciate the fact that the Senator from Wyoming recognizes his staff. I look around here and I see these two guys. They were up more nights all night long than they were sleeping all night long, and this is for a long period of time. We have been working on this for a long period of time. It is the result of months and months of really hard work.

In particular I want to thank our EPW team of Alex Herrgott, who was trying to drive this thing, and Shant Boyajian, one who does maybe the hardest part, the actual road part; he is the expert that pulled that through. We also had Chaya Koffman, Susan Bodine, Jennie Wright, Andrew Neely, Donelle Harder, Daisy Letendre, and Kristina Baum.

And Senator BOXER's team: David Napoliello, whom I really enjoyed working with. This is funny. I could talk to David just as I talk to one of our people here. We all have the same concerns, and so it makes it easier. I also thank Andrew Dohrman and Jason Albritton. I would include so many others, but I see that Senator BOXER is still here, and I would like to just conclude right now. I know Senator BOXER wants to recognize some of the people that worked so hard in her shop, and we worked with a lot of people.

I will yield to Senator BOXER.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I am so relieved we voted on a 5-year, fully-funded surface transportation bill that increases funding for our highway and transit programs. This is a monumental accomplishment for us all. The Environment and Public Works Committee has led the way to achieving the longest surface transportation bill that this country has seen in 17 years, which is essential for jobs, for our safety, and for our economic standing in the world.

This bill, which passed the House by a vote of 359 to 65, will provide the certainty that our States and local governments need to plan and construct improvements to the Nation's surface transportation system. It will support millions of jobs and thousands of businesses. Our bill has the support of a broad coalition of labor, business, and government organizations, including the AFL–CIO, Transportation Trades Department of the AFL–CIO, U.S. Chamber of Commerce, Americans for Transportation Mobility Coalition, Teamsters, Transportation Construction Coalition, American Road and Transportation Builders Association, National Association of Counties, U.S. Conference of Mayors, National Conference of State Legislatures, National Governors Association, National Association of Manufacturers, American Trucking Associations, Highway Materials Group, Associated General Contractors, American Farm Bureau Federation, American Traffic Safety Services Association, Transport Workers Union, American Society of Civil Engineers, International Union of Operating Engineers, Amalgamated Transit Union, United Steelworkers, Leadership Conference on Civil and Human Rights, Coalition for America's Gateways and Trade Corridors, and American Association of Port Authorities.

The FAST Act is a comprehensive bill that, among other things, modernizes federal highway and transit programs, motor carrier and vehicle safety programs, and includes a passenger rail authorization. We should also not forget that it reauthorizes the Export-Import Bank, which is so important for jobs and our economic competitiveness.

It was a mammoth task to put this bill together and it has been a roller coaster ride from day one. I am pleased that this entire process was jumpstarted when my dear friend JIM INHOFE, who has been my partner on many infrastructure issues, worked with me to pass a highway bill out of the EPW Committee on June 24 by a unanimous 20–0 vote. I truly believe that it was our overwhelming bipartisan vote that set the stage and built momentum for this bill to begin moving through the Senate.

I also want to thank Chairman SHUSTER and Congressman DEFAZIO in the House. They led a strong bipartisan effort in the House of Representatives which allowed us to go to conference with the wind at our back, and while it was never an easy negotiation and neither side got everything that they wanted, I think we are all pleased with the outcome. I want to thank all the

members of the conference committee, with a special thanks to Senators DURBIN and NELSON, who are strong supporters of the conference report.

Let me highlight a few things in this bill that I am so proud of:

The bill creates and significantly funds two new programs: No. 1, the National Highway Freight Program, which will improve goods movement; and No. 2, the Nationally Significant Freight and Highway Projects Program, a competitive grants program to support major projects.

It provides $199 million to help commuter railroads install positive train control. It includes the Raechel and Jaqueline Houck Safe Rental Car Act, to protect consumers from leasing unsafe recalled rental vehicles. This cause has been incredibly important to me. I have worked tirelessly to get this safety provision into law. It will save lives in the future and is an example of the positive things we can do to prevent families from suffering from tragedies resulting from defective rental cars in the future.

I have been working for years to pass a long-term transportation bill, because our Nation's aging infrastructure needs robust investment to keep us competitive in the global marketplace. Our country has over 61,000 structurally deficient bridges and 50 percent of our Nation's roads are in less than good condition. More than 30,000 people die from traffic accidents each year.

The passage of MAP–21, for which I chaired the conference committee in 2012, provided 2 years of certainty and made key innovations for transportation.

Now, the FAST Act, which increases highway and transit funding, will enable our State and local governments to make new investments to improve our roads, bridges, and transit systems, which will improve safety, increase mobility, and keep goods moving efficiently. Improving our transportation infrastructure should not be a partisan issue, and I thank Leader MCCONNELL and Senator INHOFE for working closely with me to do the right thing for our country.

This entire process has been about trust, teamwork, and persistence, and I couldn't be more proud of what we have accomplished.

I would like to thank all of the staff that played an important role in this bill. As I have said, getting to this point has been a process that would make the workings of a sausage factory look appealing in comparison.

Mr. President, I know it is late, and I know we are all exhausted, but you have to mark a moment. I think this bill was such a monumental effort and the staffs that we are mentioning—Senator INHOFE is right—they were working constantly. The reason I know is that I called them constantly.

Senator INHOFE is right again. I called my staff; I called his staff; I called Senator THUNE's staff. I called everybody's staff. Right? I drove them crazy.

One time my little granddaughter was there, and I was getting into a bit of an altercation with a Member from the House, and I whispered to my granddaughter: Tell him to help your grandmother.

She got on the phone and said: Please help my grandmother. She had no idea.

The gentleman on the other end said: Oh, boy, you are tough. OK. We got through that night all right.

I am going to also thank the House family who helped us write the Safe Rental Car Act.

In closing, I am going to read these names on my team: Bettina Poirier, David Napoliello, Andrew Dohrmann, Tyler Rushforth, Jason Albritton, Ted Illston, Mary Kerr, Kate Gilman, Colin McCarthy, and Kathryn Bacher.

From Senator INHOFE's team, I have to mention them again: Alex Hergott, Ryan Jackson, Shant Boyajian, Susan Bodine, Andrew Neely, and Chaya Koffman.

For Leader MCCONNELL: Neil Chatterjee, Hazen Marshall, and many others.

For the Banking Committee staff, I want to thank Mark Powden, Shannon Hines, Jennifer Deci, and Homer Carlisle.

For Senator NELSON: Kim Lipsky, Devon Barnhart, Matt Kelly, and Brandon Kaufman.

For Senator THUNE: Dave Schweitert, Adrian Arnakis, Allison Cullen, and Patrick Fuchs.

We built trust, we worked together, and we forged real friendships. I will never forget this as long as I live. I am grateful to everyone.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

REMEMBERING GOVERNOR OLENE WALKER

Mr. HATCH. Mr. President, I wish to pay tribute today to Governor Olene Walker, a woman beloved in my home State of Utah and regarded across the Nation as a model of civility and selfless service. Governor Walker passed away last Saturday from causes incident to age. In her 85 years of life, she led with compassion and humility, earning the respect and admiration of everyone she served.

Governor Walker's life was one of humble service, and her modest background made her rise in politics all the more impressive. Raised in rural Utah, she developed her trademark work ethic on the family farm and spent much of her childhood milking cows, hauling hay, and harvesting sugar beets. Both as a young woman working in her family's fields and as a Governor serving the people of Utah, no task was ever below Olene—she was always willing to do whatever was necessary to get the job done and to help those in need.

As a State legislator, a Lieutenant Governor, and a Governor, Olene was steadfast in her commitment to help society's most vulnerable, especially small children. Her work in the area of health care reform precipitated the establishment of our State's Children Health Insurance Program, which helps provide medical insurance for Utah's underprivileged youth. After becoming Utah's first female Governor, she continued her advocacy for children by championing education reform.

Governor Walker's Read With a Child Early Literacy Initiative was essential to her reform efforts. This program sought to improve childhood literacy by encouraging parents to read with their kids for at least 20 minutes every day. The initiative's focus on the family speaks to a simple truth: meaningful societal change doesn't begin in the bustling chambers of Congress but in the quiet solitude of the home, through the daily interactions between parent and child. As a former homemaker and as a mother of seven, Olene understood that healthy homes lead to a healthy society. This belief influenced many of her pro-family policies as Governor.

Perhaps more than anyone I know, Governor Walker exemplified the teaching that the greatest among us is the servant of all. She often eschewed the trappings of public office and even refused to use a driver. After leaving the Governorship, Olene volunteered to serve as the primary president for her local church congregation. This humble position was a significant departure from her role as Utah's chief executive. Instead of negotiating with legislators and managing State agencies, Olene led dozens of little children in song and prayer, teaching them about the words of Christ and his early apostles. Anyone preoccupied with prestige or positions of power would surely consider this new responsibility a demotion, but Olene wasn't one of those people. She never concerned herself with titles, standing, or prominence; she cared only about serving others in whatever capacity she could.

And she served until the very end. Even after retiring from office, Olene remained in the public sphere and continued to advocate for education reform. She was also active in ecclesiastical service and would eventually serve a 2-year mission in New York City for the Church of Jesus Christ of

Latter-day Saints. She was equally engaged in academia and was instrumental in establishing the Olene S. Walker Institute of Politics and Public Service at Weber State University. In addition to hosting public forums, the institute helps students find jobs and internships in government and encourages women to become involved in politics.

Through her trailblazing example, Governor Walker leaves a legacy of leadership that is sure to inspire generations of young Americans. With her passing, we have lost not only an exemplary stateswoman but also a loving mother and a friend. I am deeply grateful for my association with Olene Walker. I consider myself lucky to have known Olene and even luckier to have served alongside her. Elaine and I send our deepest condolences to the Walker family. May God comfort them, and may He comfort all of us as we mourn the loss of an exceptional woman.

TRIBUTE TO ROBERT STIVERS

Mr. MCCONNELL. Mr. President, I wish to recognize a good friend of mine and the Kentucky Senate president, Robert Stivers, for the honor he recently received of being named one of the country's top nine public officials of the year by Governing magazine. Senator Stivers certainly deserves this recognition, as he has led the Kentucky Senate admirably since his elevation to the president's post in 2013.

Senator Stivers has served in the Kentucky Senate since 1997. He represents the 25th District in eastern Kentucky, which includes parts of Clay, Knox, Lee, Owsley, Whitley, and Wolfe Counties. Like myself, Robert is a proud graduate of both the University of Kentucky and the University of Louisville. Before becoming senate president in 2013, he served as the senate's majority floor leader from 2009 to 2012.

Senator Stivers is perfectly suited for his leadership role, as he is a man who naturally knows how to build consensus and coalitions. He remains a practicing attorney in his hometown of Manchester and is finely tuned in to the needs of his constituents. The Clay County Chamber of Commerce honored Senator Stivers with its Man of the Year award in 2000. In 2002 he received both the AARP Appreciation Award and the Kentucky River Lincoln Club Outstanding Service Award.

Senator Stivers was recognized as one of the top public officials in the country because he has led the Kentucky Senate to pass some very important measures, including a bill to address the growing scourge of heroin and prescription pain pill abuse in our State. That is an issue I have followed closely over the years, and I can attest firsthand that Senator Stivers has been a real champion in working to find a solution.

Senator Stivers also led the senate to pass a measure providing funding for a new cancer research center at the University of Kentucky. This new facility will prove to be of immeasurable benefit to the people of Kentucky and also helps establish the University of Kentucky as one of the region's top research universities, which will attract more talent and funding to the Commonwealth.

I would ask all of my colleagues to join me in congratulating Kentucky Senate President Robert Stivers on this honor, and I thank him for his service to the people of our State. Those of us in Kentucky who have watched him at work have known for a long time that he is a talented and energetic legislator. And he is a great public servant on behalf of the people of Kentucky.

The Lexington Herald-Leader recently published an article detailing Senator Stivers' recognition by Governing magazine. I ask unanimous consent that the article be printed in the RECORD.

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

[From the Lexington Herald-Leader, Nov. 17, 2015]

MAGAZINE NAMES KENTUCKY SENATE PRESIDENT ROBERT STIVERS A TOP PUBLIC OFFICIAL IN NATION

(By Jack Brammer)

FRANKFORT—Kentucky Senate President Robert Stivers has been named one of the country's nine public officials of the year by Governing magazine.

Stivers, R–Manchester, was nominated for the award by the magazine's editors. The magazine has honored individual state and local government officials for their accomplishments every year since 1994.

The publication commends Stivers for his bipartisan work since assuming the role of Senate president in 2013.

Landmark legislation that has passed during Stivers' presidency include bills to address abuse of prescription drugs and heroin, and providing funding for a new cancer research center at the University of Kentucky.

''It is an honor to receive this award on behalf of our work in the legislature,'' Stivers said in a statement. ''We are fortunate to have so many dedicated servants in the Kentucky General Assembly who were willing to put aside politics and do what was best for the Commonwealth of Kentucky. While there is still plenty of work to be done, I am very thankful to my colleagues and staff for their work on significant pieces of legislation. It has been a great year.''

Stivers was appointed this year as the incoming chairman of the Southern Legislative Conference, which is to hold its annual meeting in Lexington in 2016. Stivers also will be chairman of the Council on State Governments in 2018.

Stivers will travel to Washington, D.C., next month to receive the award. He represents the 25th District, which encompasses Clay, Knox, Lee, Owsley, Whitley and Wolfe counties.

RECOGNIZING THE LAS VEGAS LATIN CHAMBER OF COMMERCE

Mr. REID. Mr. President, I wish to recognize the 40th anniversary of the Las Vegas Latin Chamber of Commerce.

Since its inception, the Latin Chamber of Commerce has been a champion for the Hispanic business community in Nevada. In working to fulfill its mission of promoting the success of its members and the more than 18,000 Hispanic-owned small businesses in the Silver State, the chamber is driving growth in Nevada and enriching the U.S. economy. By cultivating positive business, cultural, and educational relationships and expanding opportunities for Latino businessowners, the Latin Chamber of Commerce has ensured the success of hundreds of new businesses and transformed the very fabric of southern Nevada.

The Latin Chamber of Commerce was founded nearly four decades ago by a handful of determined individuals who were seeking the resources and support necessary to realize their personal and professional goals. Under the leadership of Arturo Cambeiro, the organization's first president, the chamber developed the foundation needed to become a leading advocate for Hispanic-owned businesses and Latino entrepreneurs. Today, the Latin Chamber of Commerce has grown to include more than 1,500 members throughout the Silver State, making it one of the largest organizations of its kind in the country. I applaud the Latin Chamber of Commerce for its 40th anniversary of dedicated service to the Hispanic community. The chamber's work is truly appreciated and admired.

I also commend the leadership of the Latin Chamber of Commerce, particularly Mr. Otto Merida and Ms. Victoria Napoles-Earl. Their tireless commitment to the Latino business community has played a critical role in the growth and success of the chamber. For the last 40 years, Mr. Merida has dedicated his work to developing and expanding the presence of the Latin Chamber of Commerce in southern Nevada. He has worked hard to fulfill the Chamber's mission and led the organization with the highest standards, currently serving as the organization's chief executive officer. Ms. Napoles-Earl joined the chamber in 1987 and recently announced her retirement after 30 years of service. I would like to congratulate her on her upcoming retirement and career accomplishments. From starting as the chamber's office manager to becoming its senior vice president, Ms. Napoles-Earl has dedicated her career to investing in Latino-owned businesses. During their distinguished careers, Mr. Merida and Ms. Napoles-Earl have successfully secured millions of dollars in funding for Latino businessowners, including grants, loans, and contracts. On behalf

of the chamber and the thousands of Hispanic-owned businesses in Nevada, Mr. Merida and Ms. Napoles-Earl have effectively advocated for policies that help Latino entrepreneurs start and expand their business.

In addition to their roles at the Latin Chamber of Commerce, Mr. Merida and Ms. Napoles are active members in the community and have held various leadership positions at the State and local levels. Mr. Merida has worked for the State of Nevada's Department of Education, served as chair of the Las Vegas Housing Authority, and was appointed to the Nevada Commission on Economic Development. Ms. Napoles-Earl has served as a commissioner for the Nevada Commission on Minority Affairs and on the board of directors of Dignity Health's St. Rose Dominican Hospitals. I have had the honor and privilege of working closely with Mr. Merida and Ms. Napoles-Earl throughout my time in Congress, and I can say without reservation that the Hispanic business community in Nevada is fortunate to have them working on its behalf. You will be hard pressed to find more effective advocates.

As the Latin Chamber of Commerce begins its next chapter, I wish them continued success for years to come and thank them for supporting the economic growth and development of Latino entrepreneurs for 40 years and counting.

RECOGNIZING THE 50TH ANNIVERSARY OF PLANNED PARENTHOOD OF NORTHERN NEW ENGLAND

Mr. LEAHY. Mr. President, this week, Planned Parenthood of Northern New England marked its 50th anniversary with a well-attended gathering in South Burlington, VT. The event came less than a week after the deadly tragedy at a Planned Parenthood center in Colorado. The weight of that tragedy, more than 2,500 miles away from Vermont, was evident as those in the crowd bowed their heads in a moment of silence as the names of victims were read. But this South Burlington gathering also illustrated the depth of support for an organization that plays a critical role in health care for women of all ages throughout Vermont, throughout New England, and throughout our country.

The Planned Parenthood Association of Vermont began in 1965 when a small but active band of women gathered at the Unitarian Church in Burlington. Within the next 3 years, Maine and New Hampshire also established family planning centers, and by the mid-1980s, Planned Parenthood of Northern New England was formed.

In 2014 alone, Planned Parenthood centers around Vermont provided vital primary and preventive services to over 16,000 patients. In a rural State like Vermont, the need for health care providers in remote areas is acute. More than 90 percent of Vermont's Planned Parenthood centers are located in rural or medically underserved areas. Many Vermonters describe Planned Parenthood as their primary source of health care. In just one example, without the services that Planned Parenthood provides, thousands of low-income women in Vermont would lose their ability to have regular cancer screenings that could save their lives.

Over five decades, Planned Parenthood has weathered many challenges that include ensuring the safety of its own health care providers. In the aftermath of 9/11, more than 500 anthrax threat letters were sent to Planned Parenthood locations and other reproductive health care providers; yet it seems unimaginable that we are here in December 2015, in the U.S. Senate, once again debating whether to defund an organization that does so much to ensure the health and well-being of women across the country.

In August I spoke in opposition to this misguided, distortion-filled, partisan effort. I said at the time that the issue was unfortunately all too familiar. With the critical issues that face us today, why are we spending our time and energy on this ideologically driven effort to bar funding for women's health centers? I am saddened that we are even talking about this provision today, not even 1 week since a gunman stormed that Planned Parenthood in Colorado and caused such carnage. This is shameful, and it is cynical. It is time for the mean-spirited assault on women's health care to end.

I was heartened by the supporters, both women and men, who turned out to mark the 50th anniversary of Planned Parenthood of Northern New England this week in South Burlington. They included the next generation of young women who have been ''passed the torch'' to stand up for their rights to health care and reproductive freedom. They are committed to making sure Planned Parenthood will be around for another 50 years—and they give me hope. Let us not turn our backs on them by turning back the clock.

SUPPORTING THE COFFEE FARMERS IN THE DEMOCRATIC REPUBLIC OF THE CONGO

Mr. LEAHY. Mr. President, like many Senators, I have followed the appalling situation facing citizens of the Eastern Congo, where armed groups have fought for years over control of minerals and territory, pillaging, raping, and killing civilians in the process.

The innocent people who struggle to survive in the midst of this violence and destruction rely on subsistence agriculture, as well as raising crops for export; yet their own government makes it doubly difficult.

For decades, coffee was an important agricultural export from Eastern Congo. But after years of armed conflict, official coffee exports have reportedly decreased by over 80 percent from peak levels 30 years ago. The majority of this coffee is produced by smallholder farmers, most of whom are women, and for whom coffee is a significant source of income.

Today a consortium, including the Eastern Congo Initiative, the Howard Buffett Foundation, and Starbucks Coffee Company, are trying to help Congolese farmers by revitalizing the industry. Needed infrastructure has been built, a supply chain is in place, and America's largest coffee company has provided a reliable buyer. This is a welcome and worthwhile effort to improve the lives of people in rural Congolese communities that should have the support of the Congolese Government.

Despite this collective effort, Congolese coffee farmers are being crippled by oppressive taxes that make their coffee uncompetitive in the global marketplace. While Congo's official export tax rate is 0.25 percent, many export officials reportedly continue to levy taxes of 7.5 percent, which is the previous rate. In addition, there are often informal tax levies that charge another 3 to 8 percent. These excessive taxes force exporters to pay smallholder farmers less for their coffee, with the result that farmers smuggle their crop into neighboring countries. The livelihoods of these farmers and the success of the Eastern Congo Initiative-Buffett-Starbucks joint venture are put at risk by the Congolese Government's actions.

I want to yield to Senator GRAHAM, who has traveled to Africa and observed the challenges facing small farmers like those I have mentioned.

Mr. GRAHAM. I want to thank my friend from Vermont with whom I have worked for years to help improve the lives of small farmers in Africa and elsewhere. The situation facing coffee farmers in the Eastern Congo should concern all Senators, as there is an opportunity, thanks to the Eastern Congo Initiative, the Buffett Foundation, and Starbucks, to significantly increase the income of people who have long struggled to get out of poverty. The Congolese Government should take immediate steps to eliminate this unofficial tax rate and other specious financial charges that are jeopardizing the livelihoods of their own people. The government must be part of the solution—and not the problem—to Congo's myriad challenges.

Mr. LEAHY. I thank the Senator from South Carolina, the chairman of the Subcommittee on State and Foreign Operations, who chaired a hearing earlier this year when we heard compelling testimony about this subject.

I ask my friend from Delaware, the former chairman of the Subcommittee on Africa, who has traveled to Africa many times, including this year with President Obama, to discuss how this situation in the Eastern Congo relates to the requirements of the African Growth and Opportunity Act.

Mr. COONS. I thank the Senator from Vermont for calling the Senate's attention to the challenges facing coffee producers in the Eastern Congo. The Congress passed the African Growth and Opportunity Act, AGOA, to advance economic growth and political stability in sub-Saharan Africa. AGOA furthers these objectives by offering trade benefits to countries that meet certain requirements, including commitments to policies that alleviate poverty and reflect market based economic principles. Moreover, as part of this year's AGOA renewal, we included provisions to enhance industries where African women are making strong contributions. Since its inception, exports from AGOA countries to the United States have grown 300 percent. Agriculture is the largest employer in Africa, and in the years to come, farming can play a key role in accelerating exports even further and realizing the vision of AGOA.

To meet the standards of AGOA and gain eligibility, the Congolese Government must do away with the excessive export and other taxes currently being levied on its coffee farmers. Impeding the growth of their coffee industry and lowering the standard of living of their own farmers is inconsistent with the language, intent, and spirit of AGOA. Lowering this tax burden should be required before the Democratic Republic of the Congo is granted AGOA benefits.

Ms. STABENOW. I thank the senior Senator from Vermont for his leadership on this issue. Last year, I had the privilege of leading the first all-women Senate delegation to sub-Saharan Africa to examine food, agriculture, and the critical role women play in local economies. According to the Food and Agriculture Organization of the United Nations, nearly 50 percent of all the agricultural work in the region is done by women.

Yet, too often, women are not afforded equal opportunities to own property, earn an education, or participate in the political process. That is why I was eager to lead two bipartisan provisions included in the recent AGOA renewal. The first makes clear that we expect our African trading partners to make progress toward establishing policies that support men and women. And the second expands existing agricultural trade technical assistance programs at USDA and USAID and prioritizes outreach to organizations and sectors that support women.

At its core, AGOA is about creating the building blocks of an improved trading relationship with sub-Saharan African nations. For the Democratic Republic of the Congo, coffee production presents a critical export opportunity. That is why we must insist that the Congolese Government addresses its inconsistent and burdensome export taxes on coffee producers—most of whom are women—before regaining eligibility for AGOA benefits. We have an opportunity to send a strong message to our African trading partners that we expect them to recognize how vital women are to the development of those nations' economies.

Ms. CANTWELL. I thank the senior Senator from Vermont for his leadership on this issue. Last year, I travelled to sub-Saharan Africa with Senator STABENOW. In Africa, we saw firsthand that empowering women and girls as leaders in agriculture is important to promoting economic development. When we returned, we fought to make sure promoting economic opportunities for women was an important aspect of renewal of the African Growth and Opportunity Act.

Investing in women produces a good return on investment. According to the U.N. Food and Agriculture Organization, if women had the same access to economic resources as men, this could increase agricultural productivity by 20–30 percent.

The Congolese Government's export taxes on coffee producers have the opposite effect. It unfairly burdens women. It should be repealed before the Democratic Republic of the Congo receives any additional AGOA benefits.

Mr. ISAKSON. I want to thank the Senator from South Carolina and the Senator from Vermont for their important work in improving United States foreign assistance. I thank Senator LEAHY for bringing this issue to our attention today. The Senator from Delaware and I have worked for years on the Senate Foreign Relations Subcommittee on African Affairs, and I look forward to continuing that work. Throughout our travels on the African continent, we have seen the beneficial effects of increased agriculture productivity and better access to markets, facilitated by U.S. economic development and trade preference programs.

I am proud of our work to reauthorize the African Growth and Opportunity Act. We made it stronger, more accountable, and hopefully more accessible to sub-Saharan African countries and their people. Unfortunately, Congo's ineligibility makes export opportunities more difficult for Congolese businessmen and farmers. I echo my colleagues' call on the Congolese Government to become more transparent and responsive to the needs of its people.

Mr. LEAHY. Mr. President, as you can see, there is bipartisan support for these coffee farmers who face oppressive economic constraints that limit their ability to be competitive in the marketplace and earn a decent living. I join my colleagues who have spoken on this issue today in urging the Congolese Government to address these concerns for the benefit of its people.

VOTE EXPLANATION

Mr. WARNER. Mr. President, due to a prior commitment, I regret I was not present to vote on six amendments to H.R. 3762, the Budget Reconciliation Act. Had I been present, I would have voted yes on amendment No. 2908, Manchin-Toomey expanded background checks, and amendment No. 2910, denying firearms to suspected terrorists. I strongly support these commonsense gun safety proposals.

In addition, I would have supported amendment No. 2892, Senator SHAHEEN's funding for mental illness and substance abuse services, and amendment No. 2907, Senator BENNET's proposal to improving access to care at the Veterans Administration. However, I would have voted no on amendment No. 2912, Cornyn side-by-side to No. 2910; amendment No. 2914, Grassley side-by-side to No. 2908; and amendment No. 2899, Paul refugee resettlement.

BUDGETARY REVISIONS

Mr. ENZI. Mr. President, section 4305 of S. Con. Res. 11, the concurrent resolution on the budget for fiscal year 2016, allows the chairman of the Senate Budget Committee to revise the allocations, aggregates, and levels in the budget resolution for legislation related to health care reform. The authority to adjust is contingent on the legislation not increasing the deficit over either the period of the total of fiscal years 2016–2020 or the period of the total of fiscal years 2016–2025.

I find that Senate amendment 2916 fulfills the conditions of deficit neutrality found in section 4305 of S. Con. Res. 11. Accordingly, I am revising the allocations to the Committee on Finance, the Committee on Health, Education, Labor, and Pensions, HELP, and the budgetary aggregates to account for the budget effects of the amendment. I am also adjusting the unassigned to committee savings levels in the budget resolution to reflect that, while there are savings in the amendment attributable to both the HELP and Finance committees, the Congressional Budget Office and Joint Committee on Taxation are unable to produce unique estimates for each provision due to interactions and other effects that are estimated simultaneously.

The adjustments that I filed on Tuesday, December 2, 2015, are now void and replaced by these new adjustments.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

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

BUDGET AGGREGATES

BUDGET AUTHORITY AND OUTLAYS

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$ Millions	2016
Current Aggregates:*	
Spending:	
Budget Authority	3,033,488
Outlays	3,091,974
Adjustments:	
Spending:	
Budget Authority	−32,200
Outlays	−32,300
Revised Aggregates:	
Spending:	
Budget Authority	3,001,288
Outlays	3,059,674

BUDGET AGGREGATE REVENUES

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$ Millions	2016	2016–2020	2016–2025
Current Aggregates:			
Revenue	2,675,967	14,415,914	32,233,099
Adjustments:			
Revenue	−65,400	−438,000	−1,103,600
Revised Aggregates:			
Revenue	2,610,567	13,977,914	31,129,499

REVISION TO ALLOCATION TO THE COMMITTEE ON FINANCE

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$ Millions	2016	2016–2020	2016–2025
Current Allocation:			
Budget Authority	2,179,749	12,342,551	29,428,176
Outlays	2,169,759	12,322,705	29,403,199
Adjustments:			
Budget Authority	−2,000	−4,600	16,200
Outlays	−2,000	−4,600	16,200
Revised Allocation:			
Budget Authority	2,177,749	12,337,951	29,444,376
Outlays	2,167,759	12,318,105	29,419,399

REVISION TO ALLOCATION TO THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$ Millions	2016	2016–2020	2016–2025
Current Allocation:			
Budget Authority	12,137	87,301	174,372
Outlays	14,271	87,783	182,631
Adjustments:			
Budget Authority	0	−4,200	−13,700
Outlays	0	−2,400	−10,900
Revised Allocation:			
Budget Authority	12,137	83,101	160,672
Outlays	14,271	85,383	171,731

REVISION TO ALLOCATION TO THE UNASSIGNED COMMITTEE

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$ Millions	2016	2016–2020	2016–2025
Current Allocation:			
Budget Authority	−930,099	−6,014,283	−15,268,775
Outlays	−884,618	−5,887,158	−14,949,026
Adjustments:			
Budget Authority	−30,200	−517,500	−1,489,900
Outlays	−30,200	−517,500	−1,489,900
Revised Allocation:			
Budget Authority	−960,299	−6,531,783	−16,758,675
Outlays	−914,818	−6,404,658	−16,438,926

TRIBUTE TO PATRICIA GEADELMANN

Mr. GRASSLEY. Mr. President, I would like to take a moment to pay tribute to a friend of mine, Patricia Geadelmann. Pat serves as special assistant to the president for board and governmental relations at the University of Northern Iowa, my alma mater. Pat is retiring in January after more than 43 years at the university.

She began her career teaching physical education and health at the Malcolm Price Laboratory School and achieved the rank of professor. Since 1984, she has served in the UNI administration under four different presidents. In fact, in total, Pat has worked at UNI under 5 of the 10 presidents the university has had. Before that, she was an undergraduate student at the university.

Her experience and her knowledge of the University of Northern Iowa is unmatched. Needless to say, she has been an invaluable resource for each of the presidents she has served with and to the university as a whole. In fact, it is hard to imagine UNI without her. I have worked with Pat in her capacity as the head of government relations for the University of Northern Iowa for most of my time in the Senate. With someone who has her level of knowledge and experience, you would be tempted to wonder whether she reports to the president or the president reports to her. But, if you know her, you know she is as unassuming as she is dogged in her dedication to the university's best interests.

The University of Northern Iowa was lucky to have her, and on behalf of the UNI family, we are sorry to lose her. We wish her well in her new ''retired'' career as minister of care and visitation at First Presbyterian Church in Waterloo.

TRIBUTE TO MAYOR JIM HAGGERTON

Mrs. MURRAY. Mr. President, today with my colleague Senator CANTWELL, I wish to commemorate Mayor Jim Haggerton for his 30 years of public service. Mr. Haggerton first served the people of Tukwila, WA as a member of the planning commission from 1985 to 1994 and thereafter as a member of the city council from 1994 to 2007. Since 2008, Mr. Haggerton has served as mayor of Tukwila. On December 31, Mr. Haggerton will retire after 30 years of service to Tukwila.

During his tenure, Mr. Haggerton has consistently provided outstanding leadership, kept the interests of the public at the forefront of his work, celebrated the city's diversity, and supported its neighborhoods, businesses, and residents. Mr. Haggerton successfully spearheaded dozens of major development and public infrastructure projects including the new Klickitat interchange, the Tukwila South Development Agreement, opening the LINK Light Rail Station in Tukwila, the South Park Bridge, a permanent Tukwila Commuter Rail and Amtrak Station, the Southcenter Parkway, and the redevelopment of Interurban Avenue. Mayor Haggerton fought to redevelop neglected and crime-ridden property along Tukwila International Boulevard, which culminated in the Tukwila Village Development Agreement. Additionally, Mr. Haggerton fiercely advocated to fund new crimefighting initiatives and led efforts to build sports and recreational facilities in Tukwila. Throughout his career, I was consistently impressed with Mayor Haggerton's commitment and contributions to the local community.

Ms. CANTWELL. Mr. President, I join my colleague Senator MURRAY in commemorating Mayor Haggerton's 30 years of public service. As mayor, Mr. Haggerton led the effort to develop and adopt Tukwila's first strategic plan, providing a clear vision for economic development in the city. Mayor Haggerton was also among the first to offer regional assistance to the Oso, Arlington, and Darrington communities following the devastating State Route 530 mudslide in 2014. Throughout his tenure, Mayor Haggerton has served on multiple regional and national boards and always carried out his job with a passion for and commitment to helping others.

As our constituents in Washington State know, Mr. Haggerton had a genuine interest in learning about the issues facing those he was elected to serve. He has been an integral leader in Tukwila and played a critical role in shaping the city's history. I have no doubt that Mr. Haggerton's work in Tukwila and the greater Puget Sound region will have a lasting impact on generations for years to come.

Mrs. MURRAY. Mr. President, together Senator CANTWELL and I commend Mayor Haggerton for his longstanding dedication to public service. Over the past 30 years, Mayor Haggerton has always been an unwavering partner for the citizens of Tukwila, available with a friendly smile and positive attitude. We express our sincere gratitude, respect, and appreciation to Mr. Jim Haggerton for his service to the city and residents of Tukwila, South King County, and the State of Washington and for his friendship and partnership as we have worked with him in Washington, DC, on behalf of the people of the great State of Washington.

TRIBUTE TO DANIEL J. JONES

Mrs. FEINSTEIN. Mr. President, I wish to praise today the work of Mr. Daniel Jones, a member of the Senate Intelligence Committee staff, who is leaving the Senate tomorrow.

Many of us enter public service for the simple goal of making a difference. After knowing Dan for 9 years, I can say that he is one of the few people working here on Capitol Hill who has helped make history. Without his indefatigable work on the Intelligence Committee staff, the Senate report on the CIA's Detention and Interrogation Program would not have been completed, nor would its executive summary have been released to the public, an effort that led to the recent passage of critically important and long overdue anti-torture legislation.

Dan came to the Intelligence Committee in January 2007 from the Federal Bureau of Investigation, where he served as an intelligence analyst. In his first 2 years on the staff, he played a key role in overseeing counterterrorism efforts and the FBI's transition from a pure law enforcement agency to an intelligence agency—a transition that has proven instrumental to the Bureau's ability to identify and thwart numerous terrorist attacks over the past several years.

However, his service and focus shifted following the revelation in December 2007 that the CIA had previously destroyed interrogation videotapes that showed the brutal treatment and questioning of two detainees, Abu Zubaydah and Abd al-Rahim al-Nashiri. Then-Chairman Jay Rockefeller assigned Dan and fellow staffer Alissa Starzak to review the CIA cables describing those interrogation sessions. For the next several months, Dan worked at his full-time job at the committee while also working nights and weekends at CIA headquarters, poring through the cables.

The report that he and Alissa produced in early 2009 was graphic, and it was shocking. It demonstrated in documented fact and in the CIA's own words treatment by the U.S. Government that stood in contrast to our values and to what the committee had previously been led to believe. The report sparked a comprehensive investigation by the committee, with a 14–1 vote in March 2009, that Dan led and then saw through to its completion.

While carrying out the investigation into the CIA program, Dan also co-led the committee's investigation into the attempted bombing of Northwest Flight 253 over Detroit on Christmas Day 2009 by Umar Farouk Abdulmutallab. Five months later, the committee produced a bipartisan report that found 14 specific points of failure that resulted in Abdulmutallab being able to board the flight and attempt to detonate his explosive device at the direction of al-Qaida in the Arabian Peninsula. The report also made both classified and unclassified recommendations to improve our counterterrorism efforts.

But back to the investigation on the CIA Detention and Interrogation Program—to say that Dan worked diligently on this study is a gross understatement. He, along with other committee staff, worked day and night, often 7 days a week, from 2009 through December 2012. He became an expert in one of the most unfortunate activities in the history of our intelligence community, going through more than 6 million pages of materials produced for the study, as well as immersing himself in the anti-torture provisions in U.S. law, as well as human rights materials, and the background of other similar historic Senate investigations. Throughout this period, Dan regularly briefed me on the team's findings. Each time, I noted the obvious toll that this was taking on him physically, but he always remained committed to concluding the report.

From the end of 2012 through the end of 2014, Dan stewarded the report through two bipartisan committee votes, a lengthy period of review and meetings with the CIA, and an 8-month long redaction review leading to the release of the executive summary of the study on December 9, 2014. He then played a key role in enacting reforms following the release of the executive summary, in particular the passage of a provision in this year's National Defense Authorization Act that will prevent the future use of coercive interrogation techniques or indefinite, secret detention in the future.

While Dan is known most for his leadership on the CIA detention and interrogation review, his public service doesn't end there. Before his Federal service, Dan taught for Teach for America in an inner-city school in Baltimore, MD, and he has served on the board of his alma mater, Elizabethtown College. His dedication to service is also demonstrated by his two master's degrees, a master's of public policy from the Kennedy School of Government and a master's of arts in teaching from Johns Hopkins.

I want to use this opportunity to thank Dan Jones for his indispensable work over the past 9 years and to wish him the very best as he moves on to future endeavors.

TRIBUTE TO LEFFRICH ''TIM'' MAYO, SR.

Mr. SESSIONS: Mr. President, today I wish to say goodbye to one of the great members of the staff of this institution, Leffrich ''Tim'' Mayo, an exceptional individual with a deep devotion to the Senate, who retired from service on December 3, 2015, after over 35 years of service.

Tim, who some called ''Mayo'', began working at the U.S. Capitol in May of 1979 as a bus boy in the Senators dining room on the recommendation of a friend, the late Lawrence Green. Following that position, he held many positions in the Russell Building coffee shop, Senate labor division, and finally in the Architect of the Capitol's furniture division.

Tim really enjoyed working with Senators and their staff. He was exceptional at finding the perfect pieces of furniture that would fit the needs of Members and staff alike. If he knew you were looking for something in particular, he would search the warehouses until he found it. He knew every office and their styles and needs.

Tim would always greet you with a smile and a big hello. He was willing to help others no matter what the task or situation. Nothing was too challenging or difficult for him. He got great pleasure out of meeting new staff, visitors, and people from all over the world.

We will all miss Tim's smiling face and eager assistance in the Halls of the Senate, but also wish him the best as he moves on to bigger and better things in his retirement. Thank you, Mayo.

ADDITIONAL STATEMENTS

TRIBUTE TO RICK YOUNG

● Mr. DAINES. Mr. President, I want to recognize Rick Young, a proud veteran from Forsyth, MT. Montana is blessed with a rich legacy of service, and it is my honor to recognize not only Rick's service to our country, but his work to make quality health care accessible for all Montana veterans.

Rick proudly served our country as a marine from January 1971 to January 1975. Unfortunately, his current illness requires constant care and attention. His wife, Sharon, long served as his primary round-the-clock caretaker and was confined to their home due to Rick's condition, which required an external ventilator to breathe at all times. Eventually his needs surpassed his ability to stay home, and he had to move into a long-term care facility.

While Rick was still at home, the Rosebud Health Care Center, RHCC, facility initiated a contract with the Department of Veterans Affairs, VA, to be able to provide care and services to veterans in its long-term care unit. The previous aging and resource center for Rosebud County was in Glendive, MT, about 1 hour and 40 minutes away from Rick's home in Forsyth, MT. Thankfully, RHCC received approval from the VA to provide care services close to home for Rick on November 1, 2015.

Rick's persistence and advocacy throughout his illness helped serve as the catalyst for RHCC establishing a contract with the VA that allows for veterans to receive long-term care in Forsyth. Our State has one of the largest populations of veterans per capita, and Rick's efforts have led the VA to create additional resources to help to provide health care services to Montana's extensive veteran population.

I am so proud to have advocates like Rick and Sharon fighting for veterans in Montana. Through his inspiring work to increase veterans' access to care, Rick Young has created an unmatchable legacy that will leave a lasting mark on our State. Keep fighting, Rick. I am rooting for you.●

TRIBUTE TO MAYOR JOE RILEY

● Mr. GRAHAM. Mr. President, I wish to speak today about Mayor Joe Riley, who is retiring after decades of service to the people of Charleston, SC.

Simply put, Joe Riley is one of the best mayors in America and a living legend in South Carolina political history. He is a hard-working, dedicated public servant who has spent most of his adult life serving the people of Charleston. I have never known anyone who loves their job more than he.

Years ago, Mayor Riley came into office with a vision for Charleston, but like all great leaders, he understood he couldn't do it alone. He went to work doing what he does best—bringing people together for the common good.

Now, as he retires from serving as mayor of the city he loves, the revitalization of this historic city is absolutely stunning. Thanks to his years of service, Charleston is now recognized as one of the best destinations to visit, not only in the United States but in the world.

Joe Riley will go down in history as a transformative mayor who turned his vision for Charleston into reality. We are all better because of his service.●

TRIBUTE TO PAUL KOESTER

● Mr. HELLER. Mr. President, today I wish to congratulate Paul Koester on his retirement after over 41 years of service to the U.S. Air Force. It gives me great pleasure to recognize his years of dedication to protecting our country and our State.

Mr. Koester grew up in Colorado Springs, CO, and later enlisted in the U.S. Air Force in 1974 with the intention of serving 4 years as a jet engine mechanic. During his time in basic training, he decided to change course and test to become a pararescue airman. After successfully passing his training, he spent the next 4 years at Elmendorf Air Force Base in Alaska as part of the 71st Aerospace Rescue and Recovery Squadron. During his time serving in this squadron, he was credited with saving over 75 lives.

From 1980 to 1986, Mr. Koester served at McClellan Air Force Base in California and Little Rock Air Force Base in Arkansas. He soon after decided to join the Air National Guard. For the next 16 years, Mr. Koester served in the 102nd Rescue Squadron at Francis S. Gabreski Air National Guard Base in New York. On September 11, 2001, Mr. Koester and his squadron assisted as first responders during the collapse of the World Trade Center, aiding in saving the lives of many victims of the attack. His bravery and selflessness during this time of crisis will never be forgotten.

Three weeks later, Mr. Koester was deployed to the border of Kuwait and Iraq to serve as part of Operation Southern Watch. Following his return from this mission, Mr. Koester made the decision to resume Active Duty and was sent to Nellis Air Force Base in 2003 as part of the 58th Rescue Squadron. He concluded his service with this unit after 12 years of service. At his 60th birthday celebration, Mr. Koester was recognized as the oldest enlisted member actively serving in the Air Force and the longest serving pararescue airman with 13 deployments throughout his career. Our country and the Silver State are fortunate to have had someone of such dedication serving to protect our freedoms.

As a member of the Senate Veterans' Affairs Committee, I have had no greater honor than the opportunity to engage with the men and women who served in our Nation's military. I recognize Congress has a responsibility not only to honor the brave individuals who serve our Nation, but also to ensure they are cared for when they return home. I remain committed to upholding this promise for veterans like Mr. Koester in Nevada and throughout the Nation.

Mr. Koester has demonstrated professionalism, commitment to excellence, and dedication to the highest standards of the U.S. Air Force. I am proud to call him a fellow Nevadan, and I ask my colleagues to join me today in recognizing Mr. Koester for his years of service and in congratulating him on his retirement. I wish him well in all of his future endeavors.●

CONGRATULATING BILL LANDON

● Mr. HELLER. Mr. President, today I wish to congratulate Bill Landon on receiving the 2015 Air and Surface Transport Nurses Association Lynn Stevens Excellence in Safety Award. It gives me great pleasure to see him receive this prestigious award after years of hard work within northern Nevada.

In 1998, Mr. Landon began his air ambulance career in Greeley, CO. In 2003, he joined Care Flight in Reno and has since served as safety and training coordinator and flight paramedic. During his time at Care Flight, he has been a key contributor in the founding of a formalized safety committee, which meets twice a month and is comprised of medical flight staff pilots, air communication specialists, managers, and maintenance personnel. This important committee, chaired by Mr. Landon, works to review, develop, and implement safety initiatives for Care Flight and those that it serves. As chair, Mr. Landon spearheads important safety trainings, including an annual training for hospital emergency departments, pre-hospital agencies, and ski patrols servicing a 40,000 square mile area. His unwavering dedication to Care Flight in Reno has helped provide hundreds of hours of safety and medical training needed to save lives throughout northern Nevada. His work for our State is invaluable.

The Lynn Steven's Excellence in Safety Award goes to individuals who have gone above and beyond in the transportation community to promote safety awareness. This accolade is truly prestigious and attained by only the most influential members in this community. Since 1981, Care Flight has served northern Nevada's health organizations as an important resource for transportation with flight paramedics and pilots to respond to a variety of medical emergencies. Our State is fortunate to have someone like Mr. Landon serving Care Flight and its safety initiatives.

Throughout his tenure, Mr. Landon has demonstrated professionalism, commitment to excellence, and dedication to his trade. I am honored by his service and am proud to call him a fellow Nevadan. Today, I ask all of my colleagues to join me in congratulating Mr. Landon on receiving this award, and I extend my deepest appreciation for all that he has done for many across northern Nevada. I offer him my best wishes in his role as safety and training coordinator in the future.●

TRIBUTE TO KRISTI BLACKLER

● Mr. ROUNDS. Mr. President, today I recognize Kristi Blackler, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Kristi is a graduate of Stevens High School in Rapid City, SD. Currently, she is attending the University of South Dakota, where she is majoring in international studies and political science. She is a positive and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Kristi for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO SOPHIE DOEDEN

● Mr. ROUNDS. Mr. President, today I recognize Sophie Doeden, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Sophie is a graduate of Beresford High School in Beresford, SD. Currently, she is attending Northern State University in Aberdeen, SD, where she is majoring in political science and minoring in history and economics.

She is a hard worker who has been dedicated to getting the most out of her internship experience and who has been a true asset to the office.

I extend my sincere thanks and appreciation to Sophie for all of the fine work she has done and wish her continued success in the years to come.●

REMEMBERING DR. JOHN A. KNAUSS

● Mr. WHITEHOUSE. Mr. President, recently the oceans lost one of their greatest champions. With the passing of Dr. John A. Knauss, Rhode Island has lost a beloved teacher, a visionary leader, and a brilliant scientist. We will all miss him a great deal.

John's accomplishments are too many to list, but I will note a few.

In 1966, Dr. Knauss was named to the Commission on Marine Science, Engineering, and Resources, where he and his colleagues recommended that Congress form a new and independent Federal agency to advance marine and atmospheric sciences and better understand our oceans, coastlines, and Great Lakes. That agency became the National Oceanic and Atmospheric Administration, which conducts some of the most important ocean science in the world and where John served as Administrator from 1989 to 1993.

Along with Rhode Island Senator Claiborne Pell and Dr. Athelstan Spilhaus, Dr. Knauss developed the National Sea Grant College Program. Their model was the country's land grant college system—century-old centers of learning that promote better use of America's vast resources of land. Pell and Knauss thought that surely our oceans and Great Lakes needed a similar network of institutions to conduct coastal and marine science and promote conservation of such important natural assets.

Congress agreed. In 2016, Sea Grant will celebrate 50 years of good work on behalf of our oceans and Great Lakes. In recognition of his vision and leadership in forming Sea Grant, NOAA named one of its most prestigious fellowships in his honor—the NOAA Sea Grant John A. Knauss Marine Policy Fellowship. Every year, around 50 of the Nation's top graduate and postgraduate students are selected for Knauss fellowships to spend a year working on marine and coastal policy issues for the Federal agencies and congressional offices in Washington, DC. Two Knauss fellows, Adena Leibman and Anna-Marie Laura, have worked in my Senate office, helping shape national oceans policy.

But perhaps his most significant achievement is the Graduate School of Oceanography, GSO, at the University of Rhode Island. John founded the GSO in 1962, served as its dean for over 25 years, and built it into an international leader in marine research. Today, sitting atop a bluff overlooking Rhode Island's beautiful Narragansett Bay, the GSO is home to 41 faculty and 170 graduate students engaged in cutting-edge oceanographic science and pursuing degrees across a range of specialties, including the country's first marine affairs and ocean engineering programs. It is a true Rhode Island treasure, one we should continue investing in, and a testament to Dean Knauss's leadership and commitment to our oceans.

Easily lost among his accomplishments in founding and leading ocean research institutions are his personal contributions to oceanography. In his dissertation for the Scripps Institution of Oceanography, John was the first to make comprehensive measurements of the Pacific Equatorial Undercurrent—a current that runs for thousands of miles beneath the surface of the Pacific Ocean. He later discovered another major current in the Indian Ocean.

John will be remembered for his collegiality and gift for collaboration among the administrators, faculty, students, and other researchers and ocean-minded professionals that he touched. Like the currents he studied, connecting vast oceans in one system, the institutions and programs he created and led bind together leading minds in ocean science, bettering our understanding of our ocean world and how important it is to us.

I offer my and Sandra's condolences to the Knauss family, to the marine science community, and to the countless people John Knauss taught, mentored, and inspired through the years.●

MESSAGES FROM THE HOUSE

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

At 9:32 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill and joint resolutions:

S. 1170. An act to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S.J. Res. 23. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units''.

S.J. Res. 24. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units''.

The enrolled bill and joint resolutions were subsequently signed by the President pro tempore (Mr. HATCH).

At 10:34 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

The message also announced that the House insists upon its amendment to the amendment of the Senate to the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and on December 2, 2015, appoints Mr. BRADY of Texas, Mr. REICHERT, Mr. TIBERI, Mr. LEVIN, and Ms. LINDA T. SÁNCHEZ of California, as managers of the conference on the part of the House.

At 1:55 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the amendment of the Senate to the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2359. A bill to restore Second Amendment rights in the District of Columbia.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, December 3, 2015, she had presented to the President of the United States the following enrolled bill:

S. 1170. An act to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3641. A communication from the Chair, Securities and Exchange Commission, transmitting, pursuant to law, the 2014 Annual Report of the Securities Investor Protection

Corporation (SIPC); to the Committee on Banking, Housing, and Urban Affairs.

EC–3642. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Special Regulations, Areas of the National Park System, Lake Chelan National Recreation Area, Solid Waste Disposal'' (RIN1024–AE09) received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2015; to the Committee on Energy and Natural Resources.

EC–3643. A communication from the Chief of the Branch of Recovery and State Grants, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Removal of the Delmarva Peninsula Fox Squirrel From the List of Endangered and Threatened Wildlife'' (RIN1018–AY83) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Environment and Public Works.

EC–3644. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Increase in De Minimis Safe Harbor Limit for Taxpayers Without an Applicable Financial Statement'' (Notice 2015–82) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Finance .

EC–3645. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Additional Rules Regarding Inversions and Related Transactions'' (Notice 2015–79) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Finance.

EC–3646. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Publication of the Tier 2 Tax Rates'' (Railroad Retirement Tax Act sections 3201(b), 3221(b), and 3211(b)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Finance.

EC–3647. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Interim Guidance Regarding Certain Provisions of the Proposed Regulations Relating to Qualified ABLE Programs'' (Notice 2015–81) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Finance.

EC–3648. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2015–0150—2015–0165); to the Committee on Foreign Relations.

EC–3649. A communication from Director, Office of Government Relations, Corporation for National and Community Service, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards'' (RIN3045–AA61) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–3650. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–049); to the Committee on Foreign Relations.

EC–3651. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–060); to the Committee on Foreign Relations.

EC–3652. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3653. A communication from the Associate Administrator, Office of Congressional and Legislative Affairs, Small Business Administration, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Administration's fiscal year 2015 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC–3654. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, a report entitled ''Department of Homeland Security Privacy Office 2015 Annual Report to Congress''; to the Committee on Homeland Security and Governmental Affairs.

EC–3655. A communication from the Acting Director, Pay and Leave, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''General Schedule Locality Pay Areas'' (RIN3206–AM88) received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3656. A communication from the Board Chair and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's Semiannual Report of the Inspector General and the Semiannual Management Report on the Status of Audits for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3657. A communication from the Chief Executive Officer, Millennium Challenge Corporation, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2015 through September 30, 2015, and the Millennium Challenge Corporation's response; to the Committee on Homeland Security and Governmental Affairs.

EC–3658. A communication from the Chief Executive Officer, Corporation for National and Community Service, transmitting, pursuant to law, the Semiannual Report of the Inspector General and the Corporation for National and Community Service's Response and Report on Final Action for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3659. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3660. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the Administrator's Semiannual Management Report to Congress for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3661. A communication from the Acting Administrator of the U.S. Agency for International Development, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3662. A communication from the Chairman, Consumer Product Safety Commission, transmitting, pursuant to law, the Agency Financial Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3663. A communication from the Chairwoman of the Federal Trade Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3664. A communication from the Director, U.S. Trade and Development Agency, transmitting, pursuant to law, the Agency's Performance and Accountability Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3665. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a report of proposed legislation entitled ''Servicemembers Legislative Package''; to the Committee on Veterans' Affairs.

EC–3666. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–092); to the Committee on Foreign Relations.

EC–3667. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–106); to the Committee on Foreign Relations.

EC–3668. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No . FAA–2015–2461)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3669. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–4207)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3670. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–4205)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3671. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0498)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3672. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0649)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3673. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0454)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3674. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2015–0593)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3675. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace for the following Missouri Towns: Chillicothe, MO; Cuba, MO; Farmington, MO; Lamar, MO; Mountain View, MO; Nevada, MO; and Poplar Bluff, MO'' ((RIN2120–AA66) (Docket No. FAA–2015–0842)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3676. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the Commission's eleventh annual report on ethanol market concentration; to the Committee on Commerce, Science, and Transportation.

EC–3677. A communication from the Chief of the Border Security Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Technical Amendment to List of Field Offices: Expansion of San Ysidro, California Port of Entry to include the Cross Border Xpress User Fee facility'' (CBP Dec. 15–17) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–108. A resolution adopted by the Senate of the State of Michigan urging the President of the United States and United States Congress and the United States Office of Management and Budget to support plans to upgrade the Soo Locks at Sault Ste. Marie, Michigan, and approve the United States Army Corps of Engineers' reprogramming request to fund an Economic Reevaluation Report for replacing the Davis and Sabin locks; to the Committee on Environment and Public Works.

SENATE RESOLUTION NO. 105

Whereas, The Soo Locks at Sault Ste. Marie, Michigan, are of the utmost importance to Michigan and play a critical role in our nation's economy and security. Each year, approximately 10,000 Great Lakes vessels, carrying 80 million tons of iron ore, coal, grain, and other cargo, safely and efficiently traverse the locks. Nearly 80 percent of domestic iron ore, the primary material used to manufacture steel, travels from mines in Minnesota and Michigan's Upper Peninsula through the Soo Locks; and

Whereas, Only one of the four Soo Locks is large enough to accommodate the modern vessels that commonly traverse the Great Lakes. Seventy percent of cargo is carried on these large ships that can only pass through the Poe Lock. The remainder of cargo goes through the smaller MacArthur Lock, with the smallest 100-year-old Davis and Sabin locks rarely used; and

Whereas, The reliance on one lock poses a serious risk to national security and the economies of the state of Michigan and the United States. A long-term outage of the Poe Lock due to lock failure or terrorist attack could cripple the economy and disrupt steel production in the United States. It is estimated that a 30-day outage would result in economic losses of $160 million; and

Whereas, Upgrades to the Soo Locks are needed to ensure national security and unfettered commerce through the Great Lakes. To this end, the U.S. Army Corps of Engineers has requested funding to conduct a study crucial to moving forward with the construction of a second, large lock. The Economic Reevaluation Report would examine the economic benefits and costs of replacing the Davis and Sabin locks with a lock similar in size to the current Poe Lock: Now, therefore, be it

Resolved by the Senate, That we encourage the President and Congress of the United States and the U.S. Office of Management and Budget to support plans to upgrade the Soo Locks at Sault Ste. Marie, Michigan, and approve the U.S. Army Corps of Engineers' reprogramming request to fund an Economic Reevaluation Report for replacing the Davis and Sabin locks; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the Director of the U.S. Office of Management and Budget.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BARRASSO, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 1704. A bill to amend the Indian Tribal Justice Act to secure urgent resources vital to Indian victims of crime, and for other purposes (Rept. No. 114–172).

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

H.R. 2820. A bill to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes.

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, with an amendment in the nature of a substitute:

S. 2136. A bill to establish the Regional SBIR State Collaborative Initiative Pilot Program, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WHITEHOUSE:

S. 2347. A bill to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HATCH (for himself, Mrs. FEINSTEIN, Mr. LEE, and Mrs. GILLIBRAND):

S. 2348. A bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes; to the Committee on the Judiciary.

By Mr. HELLER:

S. 2349. A bill to amend title XVIII of the Social Security Act to require the annual reporting of data on enrollment in Medicare Advantage plans; to the Committee on Finance.

By Mr. PAUL:

S. 2350. A bill to amend the Internal Revenue Code of 1986 to provide for full expensing of tangible property; to the Committee on Finance.

By Mr. ISAKSON:

S. 2351. A bill to amend title XVIII of the Social Security Act to extend the annual comment period for payment rates under Medicare Advantage; to the Committee on Finance.

By Mr. CASEY:

S. 2352. A bill to amend the Child Abuse Prevention and Treatment Act to require mandatory reporting of incidents of child abuse or neglect, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself and Ms. CANTWELL):

S. 2353. A bill to amend the Internal Revenue Code of 1986 to extend and modify the incentives for biodiesel; to the Committee on Finance.

By Mrs. FISCHER (for herself and Mr. KING):

S. 2354. A bill to amend the Internal Revenue Code of 1986 to provide a credit to employers who provide paid family and medical leave, and for other purposes; to the Committee on Finance.

By Mr. KIRK (for himself and Mr. MANCHIN):

S. 2355. A bill to amend the Fair Credit Reporting Act to clarify Federal law with respect to reporting certain positive consumer credit information to consumer reporting agencies, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KING (for himself and Mr. COTTON):

S. 2356. A bill to amend the Foreign Intelligence Surveillance Act of 1978 to require an electronic communication service provider that generates call detail records pursuant to an order under that Act to notify the Attorney General if the provider intends to retain such records for a period less than 18 months; to the Committee on the Judiciary.

By Mr. WHITEHOUSE (for himself and Mr. BLUMENTHAL):

S. 2357. A bill to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROWN (for himself and Mr. PORTMAN):

S. 2358. A bill to direct the Administrator of the Environmental Protection Agency to carry out a pilot program to work with municipalities that are seeking to develop and implement integrated plans to meet wastewater and stormwater obligations under the Federal Water Pollution Control Act, and for other purposes; to the Committee on Environment and Public Works.

By Mr. PAUL:

S. 2359. A bill to restore Second Amendment rights in the District of Columbia; read the first time.

By Mr. GRAHAM (for himself, Mr. COATS, Mr. HATCH, and Mrs. ERNST):

S.J. Res. 26. A joint resolution to authorize the use of United States Armed Forces against the Islamic State of Iraq and the Levant and its associated forces; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. JOHNSON (for himself, Mrs. SHAHEEN, Mr. MCCAIN, and Mr. INHOFE):

S. Res. 326. A resolution celebrating the 135th anniversary of diplomatic relations between the United States and Romania; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL (for himself, Mrs. SHAHEEN, Mr. BENNET, Ms. BALDWIN, Mr. WARNER, Mr. LEAHY, Mr. MARKEY, Mr. UDALL, Ms. HIRONO, Mr. SCHATZ, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. WHITEHOUSE, Mrs. FEINSTEIN, Mr. CARDIN, Ms. WARREN, Mr. REED, Mrs. BOXER, Mr. MENENDEZ, Mrs. MURRAY, Mr. COONS, Ms. MIKULSKI, Mr. KAINE, Mr. WYDEN, Mr. BOOKER, Mr. DURBIN, Mr. HEINRICH, Mr. SANDERS, Mr. MURPHY, Mr. SCHUMER, Ms. CANTWELL, Mr. BROWN, Mr. CARPER, Mr. KING, Mr. TESTER, Ms. KLOBUCHAR, and Mrs. MCCASKILL):

S. Res. 327. A resolution condemning violence that targets healthcare for women; to the Committee on the Judiciary.

By Mr. UDALL (for himself and Mrs. CAPITO):

S. Res. 328. A resolution supporting the December 3, 2015, National Day of Remembrance for victims of drunk and drugged driving and for victims of the consequences of underage drinking; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 236

At the request of Ms. AYOTTE, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 236, a bill to amend the Pay-As-You-Go Act of 2010 to create an expedited procedure to enact recommendations of the Government Accountability Office for consolidation and elimination to reduce duplication.

S. 290

At the request of Mr. MORAN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 290, a bill to amend title 38, United States Code, to improve the accountability of employees of the Department of Veterans Affairs, and for other purposes.

S. 553

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 553, a bill to marshal resources to undertake a concerted, transformative effort that seeks to bring an end to modern slavery, and for other purposes.

S. 713

At the request of Mrs. BOXER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 713, a bill to prevent international violence against women, and for other purposes.

S. 865

At the request of Mr. TESTER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 865, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 871

At the request of Mr. MCCONNELL, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 871, a bill to provide for an application process for interested parties to apply for an area to be designated as a rural area, and for other purposes.

S. 890

At the request of Ms. CANTWELL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 890, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 928

At the request of Mrs. GILLIBRAND, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 942

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 942, a bill to amend the Internal Revenue Code of 1986 to provide a deduction from the gift tax for gifts made to certain exempt organizations.

S. 1127

At the request of Mr. REED, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1127, a bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration, and for other purposes.

S. 1315

At the request of Mr. ENZI, the names of the Senator from Montana (Mr. DAINES) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 1315, a bill to protect the right of law-abiding citizens to transport knives interstate, notwithstanding a patchwork of local and State prohibitions.

S. 1333

At the request of Mr. GARDNER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1333, a bill to amend the Controlled Substances Act to exclude cannabidiol and cannabidiol-rich plants from the definition of marihuana, and for other purposes.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1668

At the request of Mr. GRAHAM, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1668, a bill to restore longstanding United States policy that the Wire Act prohibits all forms of Internet gambling, and for other purposes.

S. 1698

At the request of Mr. TILLIS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1698, a bill to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits.

S. 1874

At the request of Mr. HATCH, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1874, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1909

At the request of Mr. LEE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1909, a bill to protect communities

from destructive Federal overreach by the Department of Housing and Urban Development.

S. 1919

At the request of Mr. RUBIO, his name was added as a cosponsor of S. 1919, a bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes.

S. 2006

At the request of Mr. PORTMAN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 2006, a bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents.

S. 2022

At the request of Mr. GRAHAM, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2022, a bill to amend title 38, United States Code, to increase the amount of special pension for Medal of Honor recipients, and for other purposes.

S. 2123

At the request of Mr. GRASSLEY, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 2123, a bill to reform sentencing laws and correctional institutions, and for other purposes.

S. 2170

At the request of Ms. HIRONO, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2170, a bill to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes.

S. 2275

At the request of Ms. KLOBUCHAR, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2275, a bill to provide for automatic acquisition of United States citizenship for certain internationally adopted individuals, and for other purposes.

S. 2337

At the request of Mrs. FEINSTEIN, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Indiana (Mr. DONNELLY) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 2337, a bill to improve homeland security by enhancing the requirements for participation in the Visa Waiver Program, and for other purposes.

S. 2344

At the request of Mr. COTTON, the names of the Senator from Kentucky (Mr. MCCONNELL), the Senator from North Carolina (Mr. BURR), the Senator from Florida (Mr. RUBIO), the Senator from Indiana (Mr. COATS), the Senator from Kansas (Mr. ROBERTS) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 2344, a bill to provide authority for access to certain business records collected under the Foreign Intelligence Surveillance Act of 1978 prior to November 29, 2015, to make the authority for roving surveillance, the authority to treat individual terrorists as agents of foreign powers, and title VII of the Foreign Intelligence Surveillance Act of 1978 permanent, and to modify the certification requirements for access to telephone toll and transactional records by the Federal Bureau of Investigation, and for other purposes.

S. RES. 148

At the request of Mr. KIRK, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

AMENDMENT NO. 2876

At the request of Mrs. MURRAY, the names of the Senator from Colorado (Mr. BENNET), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 2876 proposed to H.R. 3762, a bill to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

AMENDMENT NO. 2884

At the request of Mr. VITTER, his name was added as a cosponsor of amendment No. 2884 proposed to H.R. 3762, a bill to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

At the request of Mr. MCCAIN, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of amendment No. 2884 proposed to H.R. 3762, supra.

AMENDMENT NO. 2886

At the request of Mr. REID, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Vermont (Mr. SANDERS), the Senator from California (Mrs. FEINSTEIN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 2886 intended to be proposed to H.R. 3762, a bill to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself and Ms. CANTWELL):

S. 2353. A bill to amend the Internal Revenue Code of 1986 to extend and modify the incentives for biodiesel; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, today I am introducing the Biodiesel Tax Incentive Reform and Extension Act of 2015. I am pleased to be joined by Senator CANTWELL. Our bill will modify the biodiesel fuel blenders credit to a domestic production credit, and extend the credit through 2018.

Congress created the biodiesel tax incentive in 2005. As a result of this incentive, and the Renewable Fuel Standard, biodiesel is providing significant benefits to the nation. Domestic biodiesel production supports tens of thousands of jobs. Replacing traditional diesel with biodiesel reduces emissions and creates cleaner air.

Homegrown biodiesel improves our energy security by diversifying our transportation fuels and reducing our dependence on foreign oil. Biodiesel itself is a very diverse fuel. It can be produced from a wide array of resources such as recycled cooking oil, soybean and other plant oils, and animal fats.

Senator CANTWELL and I have been advocating for years a modification to the current incentive. We have proposed making the credit available for the domestic production of biodiesel, rather than a mixture credit available to the blender of the fuel, going back to 2009.

The bill we are introducing today is similar to an amendment that I offered with Senator CANTWELL during consideration of the tax extenders package in the Senate Finance Committee in July of this year. Our biodiesel reform amendment passed unanimously by voice vote.

Converting to a producer credit improves the incentive in many ways. The blenders credit can be difficult to administer, because the blending of the fuel can occur at many different stages of the fuel distribution. This can make it difficult to ensure that only fuel that qualifies for the credit claims the incentive It has been susceptible to abuse because of this.

A credit for domestic production will also ensure that we are incentivizing the domestic industry, rather than subsidizing imported biofuels. It's projected that imports from Argentina, Singapore, the European Union, South Korea and others could exceed 1.5 billion gallons over this year and next.

We should not provide a U.S. taxpayer benefit to imported biofuels. By restricting the credit to domestic production, we will also save taxpayer money. The amendment adopted in the Finance Committee is estimated to reduce the cost of the extension by $90 million.

Importantly, modifying the credit will have little to no impact on the consumer. Much of the credit will continue to be passed on to the blender and ultimately, the consumer. Additionally, the U.S. biodiesel industry is

currently operating at only 60 percent of capacity. The domestic biodiesel industry has the capacity and access to affordable feedstocks to meet the demand of U.S. consumers.

It is my understanding that representatives from the House and Senate, along with the White House, are currently meeting to finalize a tax extender package before the end of the year. I strongly urge them to maintain the Senate position, and include the biodiesel reform policies that were adopted in the Senate Finance Committee.

This modification will ensure that the credit is doing what Congress intended—incentivizing investment in domestic biodiesel production. Surely, House and Senate leaders recognize that we should not be providing a U.S. taxpayer subsidy to already heavily subsidized foreign biodiesel imports.

I therefore urge my colleagues to support this common-sense, cost reduction modification.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 326—CELEBRATING THE 135TH ANNIVERSARY OF DIPLOMATIC RELATIONS BETWEEN THE UNITED STATES AND ROMANIA

Mr. JOHNSON (for himself, Mrs. SHAHEEN, Mr. MCCAIN, and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 326

Whereas the United States established diplomatic relations with Romania in June 1880;

Whereas the Governments of the United States and Romania strive to continually improve cooperation between government leaders and strengthen the two countries' strategic partnership, focusing on the political-military relationship, law-enforcement collaboration, trade and investment opportunities, and energy security;

Whereas the Governments of the United States and Romania are committed to supporting human rights, advancing the rule of law, democratic governance, economic growth, and freedom;

Whereas Romania joined the North Atlantic Treaty Organization (NATO) in 2004, and has established itself as a resolute ally of both the United States and strong NATO member;

Whereas the Government of Romania continues to improve its military capabilities, and has repeatedly demonstrated its willingness to provide forces and assets in support of operations that address the national security interests of the United States and all NATO members, including deployments to Afghanistan, Iraq, Libya, and Kosovo;

Whereas, in 2011, the United States and Romania issued the ''Joint Declaration on Strategic Partnership for the 21st Century Between the United States of America and Romania,'' reflecting increasing cooperation between our countries to promote security, democracy, free market opportunities, and cultural exchange;

Whereas the United States and Romania signed a ballistic missile defense (BMD) agreement in 2011, allowing the deployment of United States personnel, equipment, and anti-missile interceptors to Romania;

Whereas, in October 2014, the United States Navy formally launched Naval Support Facility Deveselu to achieve the goals of the 2011 BMD agreement and thus established the first new United States Navy base since 1987;

Whereas, in September 2015, Romania stood up a NATO Force Integration Unit;

Whereas Romania will host the Alliance's Multinational Division-Southeast headquarters in Bucharest and commits significant resources to the Very High Readiness Joint Task Force;

Whereas Romania has agreed to host components of the United States' European Phased Adaptive Approach missile defense system, which will be operational by the end of 2015; and

Whereas, for the past 25 years, the Government of Romania has shown leadership in advancing stability, security, and democratic principles in Central and Eastern Europe, the Western Balkans, and the Black Sea region, especially in the current difficult regional context: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 135th anniversary of United States-Romanian diplomatic relations;

(2) congratulates the people of Romania on their accomplishments as a great nation; and

(3) expresses appreciation for Romania's unwavering partnership with the United States.

SENATE RESOLUTION 327—CONDEMNING VIOLENCE THAT TARGETS HEALTHCARE FOR WOMEN

Mr. BLUMENTHAL (for himself, Mrs. SHAHEEN, Mr. BENNET, Ms. BALDWIN, Mr. WARNER, Mr. LEAHY, Mr. MARKEY, Mr. UDALL, Ms. HIRONO, Mr. SCHATZ, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. WHITEHOUSE, Mrs. FEINSTEIN, Mr. CARDIN, Ms. WARREN, Mr. REED, Mrs. BOXER, Mr. MENENDEZ, Mrs. MURRAY, Mr. COONS, Ms. MIKULSKI, Mr. KAINE, Mr. WYDEN, Mr. BOOKER, Mr. DURBIN, Mr. HEINRICH, Mr. SANDERS, Mr. MURPHY, Mr. SCHUMER, Ms. CANTWELL, Mr. BROWN, Mr. CARPER, Mr. KING, Mr. TESTER, Ms. KLOBUCHAR, and Mrs. MCCASKILL) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 327

Whereas the constitutional right of the people of the United States to make healthcare decisions about their own bodies was established more than 43 years ago;

Whereas in Eisenstadt v. Baird, 405 U.S. 438 (1972), the Supreme Court confirmed the constitutional right of all men and women to legally access birth control;

Whereas the Supreme Court decided Roe v. Wade, 410 U.S. 113 (1973) 42 years ago and reaffirmed that women have a constitutional right to comprehensive reproductive healthcare;

Whereas for decades, healthcare providers for women and people who access healthcare services for women have been subjected to intimidation, threats, and violence;

Whereas since 1993, there have been 11 murders and numerous attempted murders of individuals associated with care provided at health centers for women;

Whereas since 1977—

(1) nearly 7,000 violent acts have been reported against providers at health centers for women, including bombings, arsons, death threats, kidnappings, and assaults; and

(2) more than 190,000 acts of disruption, including bomb threats and harassing calls, have been reported;

Whereas between June and December 2015, arson, vandalism, and threats have increased at Planned Parenthood health centers and other health centers for women, including—

(1) health centers in—

(A) Aurora, Illinois;

(B) Pullman, Washington;

(C) Louisville, Kentucky; and

(D) Claremont, New Hampshire; and

(2) on November 27, 2015, an attack by a gunman at a Planned Parenthood health center in Colorado Springs, Colorado, in which 3 people were killed and 9 people were injured;

Whereas extreme and demonizing rhetoric contributes to a climate that is dangerous for individuals who provide or access comprehensive healthcare services;

Whereas since more than 40 percent of the patients of Planned Parenthood are people of color, people of color are disproportionately impacted by attacks on health centers for women; and

Whereas over their lifetimes, 1 in 5 women in the United States will access healthcare at Planned Parenthood, which—

(1) in 2013 provided—

(A) over 1,400,000 emergency contraception kits;

(B) nearly 4,500,000 tests and treatments for sexually transmitted infections; and

(C) nearly 900,000 cervical cancer screenings and breast exams;

(2) continues to be the leading reproductive healthcare provider in the United States; and

(3) along with many other reproductive health providers, continues to provide expert, quality reproductive healthcare in safe and supportive environments across the country: Now, therefore, be it

Resolved, That the Senate—

(1) denounces the attacks on healthcare centers for women, providers of healthcare for women, and patients; and

(2) affirms that all women have the right to access reproductive healthcare services without fear of violence, intimidation, or harassment.

SENATE RESOLUTION 328—SUPPORTING THE DECEMBER 3, 2015, NATIONAL DAY OF REMEMBRANCE FOR VICTIMS OF DRUNK AND DRUGGED DRIVING AND FOR VICTIMS OF THE CONSEQUENCES OF UNDERAGE DRINKING

Mr. UDALL (for himself and Mrs. CAPITO) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 328

Whereas drunk driving is still a leading cause of death and injury on the roadways of the United States and nearly 1 in 3 traffic fatalities involved alcohol-impaired crashes, according to studies conducted by the National Highway Traffic Safety Administration;

Whereas, in 2014, there were 9,967 people killed in alcohol-impaired crashes, representing an average of 27 alcohol-impaired

driving fatalities every day and 1 alcohol-impaired driving fatality every 53 minutes;

Whereas countless victims, survivors, families, and loved ones are left to cope with the aftermath of these terrible crashes;

Whereas victims and survivors of drunk and drugged driving and the consequences of underage drinking are cause for concern;

Whereas Mothers Against Drunk Driving (referred to in this preamble as ''MADD'') was founded in 1980 and today continues with the mission to end drunk driving, help fight drugged driving, support the victims of these crimes and crashes, and prevent underage drinking;

Whereas drunk driving deaths have been reduced dramatically since 1980, from more than 25,000 deaths per year to just under 10,000 in 2014, thanks to efforts from MADD, other community organizations, States, schools, law enforcement agencies, safety technologies and programs, improved laws, and growing public recognition of the risks posed by drunk driving;

Whereas combating drunk and drugged driving is a legislative priority for the Senate in the 114th Congress, advancing a multiyear transportation reauthorization bill that provides incentives to States to adopt measures to reduce impaired driving and authorizes impaired driving research and development;

Whereas, on December 3, 2015, MADD locations across the United States will honor those individuals killed, injured, or emotionally devastated by drunk and drugged driving and underage drinking with a National Day of Remembrance; and

Whereas the National Day of Remembrance is a chance for the public to come together in communities across the United States and online to show that the victims and survivors of these senseless tragedies are not alone: Now, therefore, be it

Resolved, That the Senate—

(1) honors the victims of drunk and drugged driving; and

(2) recognizes the consequences of underage drinking on the first annual National Day of Remembrance.

Mr. UDALL. Mr. President, no family should lose a loved one to a drunk driver. But, sadly, so many families do—every day, every month, every year. It happens in my State. It happens all across our Nation. It is tragic, it is senseless, and it must stop.

Last weekend, according to the Albuquerque Journal, police reported that an ''extremely intoxicated'' driver ran a red light and smashed into the car of three young people.

Robert Mendez was 27 years old. His brother Sergio Mendez-Aguirre was 23, and their friend Grace Sinfield was 20.

The violence of the collision was so great that their car flipped over. They died early Sunday morning—at the end of the Thanksgiving weekend. The police investigation continues. But this much is certain: A holiday that began in joy—for these families—ended in great sorrow.

Sergio Mendez-Aguirre graduated from the University of New Mexico with honors in chemistry. Robert Mendez was a student at UNM. Grace Sinfield was studying to be a writer.

Our hearts go out to the Mendez and Sinfield families. These young people were just beginning, just starting out in life, and just finding their way.

Robert Mendez's family remembers how he believed that, ''Fear is everyone's number one enemy. Take chances, make mistakes, and learn from them. After all, we grow from experience. Life is too short to live timidly.''

The Albuquerque Journal reported that Sergio Mendez-Aguirre once asked, ''What can make you more happy than making others happy?'' His answer was, ''Nothing can.''

Grace Sinfield's family spoke of her great spirit. ''She was a true friend who taught us how to love unconditionally; she was the life of every party. She attracted laughter like she was a magnet. Just as important and relevantly, she was always responsible and by proxy made those around her more responsible and better people.''

Three young lives—full of promise—and now over in one terrible moment—they will be missed by so many in Albuquerque.

Every DWI death is a tragedy—and an unnecessary tragedy. It doesn't have to happen. But, year after year, for too many families, it does. More than 10,000 people are killed every year, and another 290,000 are injured, all as a result of drunk driving.

Those are horrific numbers, but they are more than just numbers. They are stories of profound loss and should outrage us all. In years past, it was even worse. In 1980, 25,000 people—two and one-half times more people than now—died because of drunk driving—25,000 people, in 1 year.

We are making progress thanks to determined families and law enforcement and thanks to groups like Mothers Against Drunk Driving. I am proud to work with them. But we still have work to do. There are 10,000 families—every year—to remind us—10,000 families in grief, in pain, and all because of drunk driving. No parent should have to grieve a child's loss on the holidays—or any day.

When I was elected attorney general in New Mexico 25 years ago, we had the highest rate of DWI deaths in the Nation. We were the worst—too many drunk drivers, too many repeat offenders, too many innocent people dying every year.

We pushed for reform. We identified solutions—in law enforcement and in prevention. But there was a lot of push back, a lot of opposition in the State legislature. And then along came a mom named Nadine Milford. Her daughter and granddaughters were killed by a drunk driver on Christmas Eve 1992. It is hard to imagine such a loss.

So we changed New Mexico's DWI and traffic safety laws. We got it done because of moms like Nadine, because of families and friends who had had enough and would not take no for an answer.

In the early 1990s, my State had up to 500 DWI deaths a year. Last year, it was 166. But that is still 166 too many. We still lose too many innocent lives—young and old alike—in New Mexico and all across our Nation.

I believe new technology will help. That is why I have pushed for the Driver Alcohol Detection System for Safety, or DADSS. This technology is critically important and will make a critical difference. We all know this. The National Highway Traffic Safety Administration knows it. The auto industry knows it. And they are working together to make it happen.

DADSS would be built into new vehicles. It would analyze a driver's breath or blood alcohol content. It would stop drunk drivers from turning on the engine. If you are drunk, you will not drive, period.

This could save 59,000 lives over 15 years. It could save up to $343 billion. The highway bill includes continued funding for DADSS research over the next 5 years. I am grateful the conference committee supported this vital technology.

But technology alone is not enough. In the meantime, the message should be loud and clear. Anyone who gets behind the wheel while impaired should not drive.

That is why I also urge passage of a resolution I am submitting—supporting the December 3, 2015, National Day of Remembrance for victims of drunk and drugged driving. We want to say to their families—we have not forgotten them. We remember. We will do all we can to prevent these tragedies.

There are still far too many, far too often. In the time I have been speaking, two more people have been injured in a drunk driving crash. Every hour, another life is taken.

We all have to say—enough is enough. We have to keep saying it—until every single person in this country gets the message: If you drink, don't drive.

Albuquerque police officer Simon Drobik spoke for all of us—when he said, ''Talk to your kids about drinking and driving. Share these tragic stories with them so they understand driving is a big responsibility. If you see your friend or loved one trying to get behind the wheel after drinking STOP THEM. Do the right thing.''

Officer Drobik is right. We all need to do the right thing. Let's not wait for 10,000 more families to lose their loved ones.

We have to keep up the fight. Nelson Mandela said, ''It always seems impossible—until it is done.'' We can keep drunk drivers off the road. It is not impossible. We can get it done.

For the sake of all families, for those who grieve now—and for those who may grieve in the future—let's do all we can. Let's work together. Let's stop these senseless tragedies. Let's get it done.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2891. Mrs. SHAHEEN (for herself, Mr. WYDEN, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table.

SA 2892. Mrs. SHAHEEN (for herself, Mr. WYDEN, Mrs. MURRAY, and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

SA 2893. Mr. CASEY (for himself, Ms. BALDWIN, Mrs. MURRAY, and Mr. REED) proposed an amendment to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

SA 2894. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2895. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2896. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2897. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2898. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2899. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

SA 2900. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2901. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2902. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2903. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2904. Mr. ROBERTS submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2905. Mr. ROBERTS submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2906. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2907. Mr. BENNET (for himself and Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

SA 2908. Mr. MANCHIN (for himself, Mr. TOOMEY, and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

SA 2909. Mr. MARKEY (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2910. Mrs. FEINSTEIN (for herself, Mr. WHITEHOUSE, Mr. REED, Mrs. GILLIBRAND, Mr. SCHUMER, Mr. DURBIN, Mr. MURPHY, Mr. BLUMENTHAL, Mrs. BOXER, Mr. MENENDEZ, Ms. WARREN, Mr. MARKEY, Mr. SCHATZ, Ms. HIRONO, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. WARNER, Mr. KAINE, Mr. KING, Ms. MIKULSKI, Mrs. MCCASKILL, Mr. BROWN, Mr. CASEY, Mr. SANDERS, Mrs. MURRAY, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

SA 2911. Mr. COONS (for himself, Ms. HIRONO, Mrs. MURRAY, Mr. MERKLEY, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra; which was ordered to lie on the table.

SA 2912. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

SA 2913. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

SA 2914. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

SA 2915. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

SA 2916. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

SA 2917. Mr. REID submitted an amendment intended to be proposed to amendment SA 2916 submitted by Mr. MCCONNELL to the amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

SA 2918. Mr. MURPHY (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 2916 submitted by Mr. MCCONNELL to the amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

SA 2919. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2916 submitted by Mr. MCCONNELL to the amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, supra.

TEXT OF AMENDMENTS

SA 2891. Mrs. SHAHEEN (for herself, Mr. WYDEN, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MENTAL HEALTH AND SUBSTANCE USE PREVENTION AND TREATMENT.

(a) APPLICABILITY OF MENTAL HEALTH PARITY AND ADDICTION EQUITY.—Section 1311(j) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(j)) is amended to read as follows:

''(j) APPLICABILITY OF MENTAL HEALTH PARITY AND ADDICTION EQUITY.—

''(1) IN GENERAL.—Section 2726 of the Public Health Service Act shall apply to qualified health plans in the same manner and to the same extent as such section applies to health insurance issuers and group health plans.

''(2) TRANSPARENCY OF CLAIMS DENIAL.—

''(A) IN GENERAL.—The Secretary shall require an Exchange to collect data on the percentage of health insurance claims denied for mental health benefits and the percentage of such claims denied for substance use disorder benefits. Such Exchange shall maintain an Internet website for the publication of claims denial rates for all qualified health plans offering coverage on the exchange.

''(B) GRANTS TO SUPPORT TRANSPARENCY.—For purposes of implementing this paragraph, there is authorized to be appropriated, and there is appropriated, $5,000,000 to enable the Secretary to award grants, contracts, or cooperative agreements to appropriate entities or Exchanges.

''(3) IMPROVING MENTAL HEALTH AND ADDICTION EQUITY AWARENESS.—

''(A) IN GENERAL.—The Secretary shall award grants, contracts, or cooperative agreements to appropriate entities or Exchanges for the establishment of public education programs to raise awareness about the availability of mental health and substance use disorder benefits within qualified health plans.

''(B) GRANTS TO SUPPORT PUBLIC EDUCATION.—For purposes of implementing this paragraph, there is authorized to be appropriated, and there is appropriated, $30,000,000 to enable the Secretary to award grants, contracts, or cooperative agreements to appropriate entities or Exchanges.

''(4) ACCESS TO MEDICATION ASSISTED THERAPY.—

''(A) REQUIREMENT.—A qualified health plan shall provide coverage for more than one Food and Drug Administration-approved drug that is used in the medication-assisted treatment of addiction.

''(B) NO LIFETIME LIMITS.—A qualified health plan shall not establish a lifetime limit on the coverage of Food and Drug Administration-approved drugs used in the medication-assisted treatment of addiction.

''(C) MEDICAL JUSTIFICATION FOR TREATMENT LIMITATIONS.—Upon the request of an Exchange, a qualified health plan shall provide the medical justification for any treatment limitation on the coverage of drugs for medication-assisted treatment of addiction. If a qualified health plan requires prior authorization as a treatment limitation on the coverage of drugs for medication-assisted treatment of addiction, such plans shall utilize an automated, electronic means of obtaining prior authorization.

''(D) GRANTS.—The Secretary shall award grants, contracts, or cooperative agreements to support the establishment of a standardized system for electronic prior authorization for coverage of drugs for medication assisted treatment of addiction. For purposes of implementing this subparagraph, there is authorized to be appropriated, and there is

appropriated, $5,000,000 to enable the Secretary to ward grants, contracts, or cooperative agreements to appropriate entities.''.

(b) FULL REPEAL OF IMD EXCLUSION IN MEDICAID EXPANSION STATES.—

(1) IN GENERAL.—The first sentence of section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(A) in subsection (a)(29), by inserting ''and subsection (ee)''; and

(B) by adding at the end the following:

''(ee) NONAPPLICATION OF IMD EXCLUSION IN MEDICAID EXPANSION STATES.—Beginning January 1, 2016, in the case of a State that makes medical assistance available pursuant to section 1902(a)(10)(A)(i)(VIII) to individuals described in such section—

''(1) the payments exclusion in subsection (a)(29)(B) shall not apply to the State; and

''(2) the following provisions shall be applied to the State as if '65 years of age or older' and '65 years of age or over' were struck from such provisions each place such phrases appear:

''(A) Paragraphs (20) and (21) of section 1902(a).

''(B) Subsection(a)(14).

''(C) Section 1919(d)(7)(B)(i)(I).''.

(c) IMPROVING ACCESS TO ASSERTIVE COMMUNITY TREATMENT PROGRAMS FOR MEDICAID BENEFICIARIES.—Effective January 1, 2016, section 1903(a)(3) of the Social Security Act (42 U.S.C. 1396a(a)(3)) is amended by inserting after subparagraph (F) the following:

''(G)(i) 90 percent of so much of the sums expended during such quarter as are attributable to payments made for items and services provided to individuals who are eligible for medical assistance under the State plan by Assertive Community Treatment (ACT) programs that provide integrated, evidence-based treatment, rehabilitation, case management, and support services for individuals with serious mental illness; and''.

(d) IMPROVING ACCESS TO MEDICATION ASSISTED TREATMENT FOR MEDICAID BENEFICIARIES.—Effective January 1, 2016, section 1903(a)(3)(G) of the Social Security Act (42 U.S.C. 1396a(a)(3)(G)), as added by section 3, is amended by adding at the end the following:

''(ii) 90 percent of so much of the sums expended during such quarter as are attributable to payments made for items and services provided to individuals who are eligible for medical assistance under the State plan by person-centered health homes that are focused on the treatment of substance use disorders, offer access to evidence-based behavioral health therapies and medication assistance treatment, and offer screening and management of co-occurring physical health issues and screening and management of co-occurring mental health issues; and''.

(e) SUPPORTING STATE STERILE SYRINGE EXCHANGE PROGRAMS.—Effective January 1, 2016, section 1903(a)(3)(G) of the Social Security Act (42 U.S.C. 1396a(a)(3)(G)), as added by section 3 and amended by section 4, is amended by adding at the end the following:

''(iii) 90 percent of so much of the sums expended during such quarter as are attributable to payments for sterile syringe exchange programs (without regard to whether a recipient of items and services under such a program is eligible for medical assistance under the State plan or otherwise has health insurance coverage); plus''.

(f) IMPROVING THE PUBLIC HEALTH RESPONSE TO THE SUBSTANCE USE DISORDER EPIDEMIC.—

(1) PURPOSE.—It is the purpose of this subsection to establish a new Substance Use and Mental Health Capacity Expansion Fund (referred to in this subsection as the ''Fund''), to be administered through the Department of Health and Human Services, to provide for an expanded and sustained national investment in the prevention and treatment of individuals with substance use disorders and mental illnesses.

(2) FUNDING.—There is authorized to be appropriated, and there is appropriated, to the Fund, out of any monies in the Treasury not otherwise appropriated—

(A) for fiscal year 2016, $500,000,000;

(B) for fiscal year 2017, $750,000,000;

(C) for fiscal year 2018, $1,000,000,000;

(D) for fiscal year 2019, $1,250,000,000;

(E) for fiscal year 2020, $1,500,000,000; and

(F) for fiscal year 2021 and each fiscal year thereafter, $2,500,000,000.

(3) USE OF FUND.—The Secretary of Health and Human Services shall transfer amounts in the Fund to accounts serving the Block Grants for Prevention and Treatment of Substance Abuse program under subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x–21 et seq.) and the Block Grants for Community Mental Health Services program under subpart I of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x et seq.). The Fund shall be used to supplement, not supplant, funding that is otherwise allocated to such programs.

(4) STERILE SYRINGE EXCHANGE PROGRAMS.—With respect to fiscal year 2016, and each subsequent fiscal year, in the case of a State that operates a sterile syringe exchange program, the Secretary shall use the funds appropriated in this section to increase such State's allotment under subpart II of part B of title XIX of the Public Health Service Act for such fiscal year, by 5 percent.

SEC. ___. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

''Sec. 59A. Fair share tax.

''SEC. 59A. FAIR SHARE TAX.

''(a) GENERAL RULE.—

''(1) IMPOSITITION OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

''(A) the amount determined under paragraph (2), and

''(B) a fraction (not to exceed 1)—

''(i) the numerator of which is the excess of—

''(I) the taxpayer's adjusted gross income, over

''(II) the dollar amount in effect under subsection (c)(1), and

''(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

''(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

''(A) the tentative fair share tax for the taxable year, over

''(B) the excess of—

''(i) the sum of—

''(I) the regular tax liability (as defined in section 26(b)) for the taxable year, determined without regard to any tax liability determined under this section,

''(II) the tax imposed by section 55 for the taxable year, plus

''(III) the payroll tax for the taxable year, over

''(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

''(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

''(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

''(A) the adjusted gross income of the taxpayer, over

''(B) the modified charitable contribution deduction for the taxable year.

''(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

''(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

''(ii) such amount, determined before the application of section 68.

''(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

''(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'high-income taxpayer' means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of $1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a taxable year beginning after 2016, the $1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the next lowest multiple of $10,000.

''(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

''(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such tax is attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during such taxable year, over

''(2) the deduction allowable under section 164(f) for such taxable year.

''(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

''(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of the

Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. ___. MODIFICATION OF LIMITATION ON EXCESSIVE REMUNERATION.

(a) REPEAL OF PERFORMANCE-BASED COMPENSATION AND COMMISSION EXCEPTIONS FOR LIMITATION ON EXCESSIVE REMUNERATION.—

(1) IN GENERAL.—Paragraph (4) of section 162(m) of the Internal Revenue Code of 1986 is amended by striking subparagraphs (B) and (C) and by redesignating subparagraphs (D) through (G) as subparagraphs (B) through (E), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 162(m)(5) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (E) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(B) Section 162(m)(6) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (D) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(b) EXPANSION OF APPLICABLE EMPLOYER.—Paragraph (2) of section 162(m) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) PUBLICLY HELD CORPORATION.—For purposes of this subsection, the term 'publicly held corporation' means any corporation which is an issuer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c))—

''(A) the securities of which are registered under section 12 of such Act (15 U.S.C. 78l), or

''(B) that is required to file reports under section 15(d) of such Act (15 U.S.C. 78o(d)).''.

(c) APPLICATION TO ALL CURRENT AND FORMER OFFICERS, DIRECTORS, AND EMPLOYEES.—

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

(A) by striking ''covered employee'' each place it appears in paragraphs (1) and (4) and inserting ''covered individual'', and

(B) by striking ''such employee'' each place it appears in subparagraphs (A) and (E) of paragraph (4) and inserting ''such individual''.

(2) COVERED INDIVIDUAL.—Paragraph (3) of section 162(m) of such Code is amended to read as follows:

''(3) COVERED INDIVIDUAL.—For purposes of this subsection, the term 'covered individual' means any individual who is an officer, director, or employee of the taxpayer or a former officer, director, or employee of the taxpayer.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 48D(b)(3)(A) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2016)'' after ''section 162(m)(3)''.

(B) Section 409A(b)(3)(D)(ii) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2016)'' after ''section 162(m)(3)''.

(d) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Paragraph (4) of section 162(m), as amended by subsection (a), is amended by adding at the end the following new subparagraph:

''(F) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Remuneration shall not fail to be applicable employee remuneration merely because it is includible in the income of, or paid to, a person other than the covered individual, including after the death of the covered individual.''.

(e) REGULATORY AUTHORITY.—

(1) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) REGULATIONS.—The Secretary may prescribe such guidance, rules, or regulations, including with respect to reporting, as are necessary to carry out the purposes of this subsection.''.

(2) CONFORMING AMENDMENT.—Paragraph (6) of section 162(m) of such Code is amended by striking subparagraph (H).

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. ____. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

''(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

''(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting '80 percent' for '60 percent', or

''(B) such corporation is an inverted domestic corporation.

''(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes after May 8, 2014, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

''(B) after the acquisition, more than 50 percent of the stock (by vote or value) of the entity is held—

''(i) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

''(ii) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership.

''(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term 'substantial business activities' shall have the meaning given such term under regulations in effect on May 8, 2014, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking ''after March 4, 2003,'' and inserting ''after March 4, 2003, and before May 9, 2014,''.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(ii) by inserting ''or (b)(2)(A)'' after ''(a)(2)(B)(i)'' in subparagraph (B),

(B) in paragraph (3), by inserting ''or (b)(2)(B), as the case may be,'' after ''(a)(2)(B)(ii)'',

(C) in paragraph (5), by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(D) in paragraph (6), by inserting ''or inverted domestic corporation, as the case may be,'' after ''surrogate foreign corporation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after May 8, 2014.

SA 2892. Mrs. SHAHEEN (for herself, Mr. WYDEN, Mrs. MURRAY, and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

At the appropriate place, insert the following:

SEC. ___. MENTAL HEALTH AND SUBSTANCE USE PREVENTION AND TREATMENT.

(a) APPLICABILITY OF MENTAL HEALTH PARITY AND ADDICTION EQUITY.—Section 1311(j) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(j)) is amended to read as follows:

''(j) APPLICABILITY OF MENTAL HEALTH PARITY AND ADDICTION EQUITY.—

''(1) IN GENERAL.—Section 2726 of the Public Health Service Act shall apply to qualified health plans in the same manner and to the same extent as such section applies to health insurance issuers and group health plans.

''(2) TRANSPARENCY OF CLAIMS DENIAL.—

''(A) IN GENERAL.—The Secretary shall require an Exchange to collect data on the percentage of health insurance claims denied for mental health benefits and the percentage of such claims denied for substance use disorder benefits. Such Exchange shall maintain an Internet website for the publication of claims denial rates for all qualified health plans offering coverage on the exchange.

''(B) GRANTS TO SUPPORT TRANSPARENCY.—For purposes of implementing this paragraph, there is authorized to be appropriated, and there is appropriated, $5,000,000 to enable the Secretary to award grants, contracts, or cooperative agreements to appropriate entities or Exchanges.

''(3) IMPROVING MENTAL HEALTH AND ADDICTION EQUITY AWARENESS.—

''(A) IN GENERAL.—The Secretary shall award grants, contracts, or cooperative agreements to appropriate entities or Exchanges for the establishment of public education programs to raise awareness about the availability of mental health and substance use disorder benefits within qualified health plans.

''(B) GRANTS TO SUPPORT PUBLIC EDUCATION.—For purposes of implementing this paragraph, there is authorized to be appropriated, and there is appropriated, $30,000,000 to enable the Secretary to award grants, contracts, or cooperative agreements to appropriate entities or Exchanges.

''(4) ACCESS TO MEDICATION ASSISTED THERAPY.—

''(A) REQUIREMENT.—A qualified health plan shall provide coverage for more than one Food and Drug Administration-approved drug that is used in the medication-assisted treatment of addiction.

''(B) NO LIFETIME LIMITS.—A qualified health plan shall not establish a lifetime limit on the coverage of Food and Drug Administration-approved drugs used in the medication-assisted treatment of addiction.

''(C) MEDICAL JUSTIFICATION FOR TREATMENT LIMITATIONS.—Upon the request of an Exchange, a qualified health plan shall provide the medical justification for any treatment limitation on the coverage of drugs for medication-assisted treatment of addiction. If a qualified health plan requires prior authorization as a treatment limitation on the coverage of drugs for medication-assisted treatment of addiction, such plans shall utilize an automated, electronic means of obtaining prior authorization.

''(D) GRANTS.—The Secretary shall award grants, contracts, or cooperative agreements to support the establishment of a standardized system for electronic prior authorization for coverage of drugs for medication assisted treatment of addiction. For purposes of implementing this subparagraph, there is authorized to be appropriated, and there is appropriated, $5,000,000 to enable the Secretary to ward grants, contracts, or cooperative agreements to appropriate entities.''.

(b) FULL REPEAL OF IMD EXCLUSION IN MEDICAID EXPANSION STATES.—

(1) IN GENERAL.—The first sentence of section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(A) in subsection (a)(29), by inserting ''and subsection (ee)''; and

(B) by adding at the end the following:

''(ee) NONAPPLICATION OF IMD EXCLUSION IN MEDICAID EXPANSION STATES.—Beginning January 1, 2016, in the case of a State that makes medical assistance available pursuant to section 1902(a)(10)(A)(i)(VIII) to individuals described in such section—

''(1) the payments exclusion in subsection (a)(29)(B) shall not apply to the State; and

''(2) the following provisions shall be applied to the State as if '65 years of age or older' and '65 years of age or over' were struck from such provisions each place such phrases appear:

''(A) Paragraphs (20) and (21) of section 1902(a).

''(B) Subsection(a)(14).

''(C) Section 1919(d)(7)(B)(i)(I).''.

(c) IMPROVING ACCESS TO ASSERTIVE COMMUNITY TREATMENT PROGRAMS FOR MEDICAID BENEFICIARIES.—Effective January 1, 2016, section 1903(a)(3) of the Social Security Act (42 U.S.C. 1396a(a)(3)) is amended by inserting after subparagraph (F) the following:

''(G)(i) 90 percent of so much of the sums expended during such quarter as are attributable to payments made for items and services provided to individuals who are eligible for medical assistance under the State plan by Assertive Community Treatment (ACT) programs that provide integrated, evidence-based treatment, rehabilitation, case management, and support services for individuals with serious mental illness; and''.

(d) IMPROVING ACCESS TO MEDICATION ASSISTED TREATMENT FOR MEDICAID BENEFICIARIES.—Effective January 1, 2016, section 1903(a)(3)(G) of the Social Security Act (42 U.S.C. 1396a(a)(3)(G)), as added by section 3, is amended by adding at the end the following:

''(ii) 90 percent of so much of the sums expended during such quarter as are attributable to payments made for items and services provided to individuals who are eligible for medical assistance under the State plan by person-centered health homes that are focused on the treatment of substance use disorders, offer access to evidence-based behavioral health therapies and medication assistance treatment, and offer screening and management of co-occurring physical health issues and screening and management of co-occurring mental health issues; and''.

(e) SUPPORTING STATE STERILE SYRINGE EXCHANGE PROGRAMS.—Effective January 1, 2016, section 1903(a)(3)(G) of the Social Security Act (42 U.S.C. 1396a(a)(3)(G)), as added by section 3 and amended by section 4, is amended by adding at the end the following:

''(iii) 90 percent of so much of the sums expended during such quarter as are attributable to payments for sterile syringe exchange programs (without regard to whether a recipient of items and services under such a program is eligible for medical assistance under the State plan or otherwise has health insurance coverage); plus''.

(f) IMPROVING THE PUBLIC HEALTH RESPONSE TO THE SUBSTANCE USE DISORDER EPIDEMIC.—

(1) PURPOSE.—It is the purpose of this subsection to establish a new Substance Use and Mental Health Capacity Expansion Fund (referred to in this subsection as the ''Fund''), to be administered through the Department of Health and Human Services, to provide for an expanded and sustained national investment in the prevention and treatment of individuals with substance use disorders and mental illnesses.

(2) FUNDING.—There is authorized to be appropriated, and there is appropriated, to the Fund, out of any monies in the Treasury not otherwise appropriated—

(A) for fiscal year 2016, $500,000,000;

(B) for fiscal year 2017, $750,000,000;

(C) for fiscal year 2018, $1,000,000,000;

(D) for fiscal year 2019, $1,250,000,000;

(E) for fiscal year 2020, $1,500,000,000; and

(F) for fiscal year 2021 and each fiscal year thereafter, $2,500,000,000.

(3) USE OF FUND.—The Secretary of Health and Human Services shall transfer amounts in the Fund to accounts serving the Block Grants for Prevention and Treatment of Substance Abuse program under subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x–21 et seq.) and the Block Grants for Community Mental Health Services program under subpart I of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x et seq.). The Fund shall be used to supplement, not supplant, funding that is otherwise allocated to such programs.

(4) STERILE SYRINGE EXCHANGE PROGRAMS.—With respect to fiscal year 2016, and each subsequent fiscal year, in the case of a State that operates a sterile syringe exchange program, the Secretary shall use the funds appropriated in this section to increase such State's allotment under subpart II of part B of title XIX of the Public Health Service Act for such fiscal year, by 5 percent.

SEC. ___. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

''Sec. 59A. Fair share tax.

''SEC. 59A. FAIR SHARE TAX.

''(a) GENERAL RULE.—

''(1) IMPOSITION OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

''(A) the amount determined under paragraph (2), and

''(B) a fraction (not to exceed 1)—

''(i) the numerator of which is the excess of—

''(I) the taxpayer's adjusted gross income, over

''(II) the dollar amount in effect under subsection (c)(1), and

''(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

''(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

''(A) the tentative fair share tax for the taxable year, over

''(B) the excess of—

''(i) the sum of—

''(I) the regular tax liability (as defined in section 26(b)) for the taxable year, determined without regard to any tax liability determined under this section,

''(II) the tax imposed by section 55 for the taxable year, plus

''(III) the payroll tax for the taxable year, over

''(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

''(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

''(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

''(A) the adjusted gross income of the taxpayer, over

''(B) the modified charitable contribution deduction for the taxable year.

''(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

''(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

''(ii) such amount, determined before the application of section 68.

''(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

''(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'high-income taxpayer' means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of $1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a taxable year beginning after 2016, the $1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar

year in which the taxable year begins, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the next lowest multiple of $10,000.

''(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

''(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such tax is attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during such taxable year, over

''(2) the deduction allowable under section 164(f) for such taxable year.

''(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

''(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. ___. MODIFICATION OF LIMITATION ON EXCESSIVE REMUNERATION.

(a) REPEAL OF PERFORMANCE-BASED COMPENSATION AND COMMISSION EXCEPTIONS FOR LIMITATION ON EXCESSIVE REMUNERATION.—

(1) IN GENERAL.—Paragraph (4) of section 162(m) of the Internal Revenue Code of 1986 is amended by striking subparagraphs (B) and (C) and by redesignating subparagraphs (D) through (G) as subparagraphs (B) through (E), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 162(m)(5) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (E) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(B) Section 162(m)(6) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (D) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(b) EXPANSION OF APPLICABLE EMPLOYER.—Paragraph (2) of section 162(m) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) PUBLICLY HELD CORPORATION.—For purposes of this subsection, the term 'publicly held corporation' means any corporation which is an issuer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c))—

''(A) the securities of which are registered under section 12 of such Act (15 U.S.C. 78l), or

''(B) that is required to file reports under section 15(d) of such Act (15 U.S.C. 78o(d)).''.

(c) APPLICATION TO ALL CURRENT AND FORMER OFFICERS, DIRECTORS, AND EMPLOYEES.—

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

(A) by striking ''covered employee'' each place it appears in paragraphs (1) and (4) and inserting ''covered individual'', and

(B) by striking ''such employee'' each place it appears in subparagraphs (A) and (E) of paragraph (4) and inserting ''such individual''.

(2) COVERED INDIVIDUAL.—Paragraph (3) of section 162(m) of such Code is amended to read as follows:

''(3) COVERED INDIVIDUAL.—For purposes of this subsection, the term 'covered individual' means any individual who is an officer, director, or employee of the taxpayer or a former officer, director, or employee of the taxpayer.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 48D(b)(3)(A) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2016)'' after ''section 162(m)(3)''.

(B) Section 409A(b)(3)(D)(ii) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2016)'' after ''section 162(m)(3)''.

(d) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Paragraph (4) of section 162(m), as amended by subsection (a), is amended by adding at the end the following new subparagraph:

''(F) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Remuneration shall not fail to be applicable employee remuneration merely because it is includible in the income of, or paid to, a person other than the covered individual, including after the death of the covered individual.''.

(e) REGULATORY AUTHORITY.—

(1) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) REGULATIONS.—The Secretary may prescribe such guidance, rules, or regulations, including with respect to reporting, as are necessary to carry out the purposes of this subsection.''.

(2) CONFORMING AMENDMENT.—Paragraph (6) of section 162(m) of such Code is amended by striking subparagraph (H).

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. _____. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

''(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

''(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting '80 percent' for '60 percent', or

''(B) such corporation is an inverted domestic corporation.

''(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes after Nov. 30, 2015, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

''(B) after the acquisition, more than 50 percent of the stock (by vote or value) of the entity is held—

''(i) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

''(ii) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership.

''(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term 'substantial business activities' shall have the meaning given such term under regulations in effect on Nov. 30, 2015, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking ''after March 4, 2003,'' and inserting ''after March 4, 2003, and before Dec. 1, 2015,''.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(ii) by inserting ''or (b)(2)(A)'' after ''(a)(2)(B)(i)'' in subparagraph (B),

(B) in paragraph (3), by inserting ''or (b)(2)(B), as the case may be,'' after ''(a)(2)(B)(ii)'',

(C) in paragraph (5), by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(D) in paragraph (6), by inserting ''or inverted domestic corporation, as the case may be,'' after ''surrogate foreign corporation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after Nov. 30, 2015.

SA 2893. Mr. CASEY (for himself, Ms. BALDWIN, Mrs. MURRAY, and Mr. REED) proposed an amendment to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

At the appropriate place, insert the following:

SEC. _____. CREDIT FOR DUAL-EARNER FAMILIES.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 25D the following new section:

"SEC. 25E. DUAL-EARNER FAMILIES.

''(a) ALLOWANCE OF CREDIT.—In the case of an eligible taxpayer, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 7 percent of the lesser of—

''(1) $10,000, or

''(2) the earned income of the spouse with the lower amount of earned income for such taxable year.

''(b) LIMITATION.—The amount of the credit allowable under subsection (a) shall be reduced (but not below zero) by an amount which bears the same ratio to the amount determined under subsection (a) (as determined without regard to this subsection) as the amount of the taxpayer's excess adjusted gross income bears to $20,000.

''(c) DEFINITIONS.—For purposes of this section—

''(1) EARNED INCOME.—The term 'earned income' has the same meaning given such term in section 32(c)(2).

''(2) ELIGIBLE TAXPAYER.—

''(A) IN GENERAL.—The term 'eligible taxpayer' means a taxpayer who—

''(i) files a joint return for the taxable year under section 6013, and

''(ii) has at least 1 qualifying child (as defined in section 152(c)) who has not attained 12 years of age before the close of the taxable year.

''(3) EXCESS ADJUSTED GROSS INCOME.—The term 'excess adjusted gross income' means so much of the eligible taxpayer's adjusted gross income for the taxable year as exceeds $110,000.

''(d) INFLATION ADJUSTMENT.—

''(1) IN GENERAL.—In the case of any taxable year beginning after 2016, each of the dollar amounts in subsections (a)(1) and (c)(3) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) ROUNDING.—If any dollar amount in subsection (a)(1) or (c)(3), after being increased under paragraph (1), is not a multiple of $1,000, such dollar amount shall be rounded to the nearest multiple of $1,000.

''(e) ADDITIONAL ELIGIBILITY REQUIREMENTS.—

''(1) INDIVIDUAL CLAIMING BENEFITS UNDER SECTION 911.—No credit shall be allowed under this section if an individual (or the individual's spouse) claims the benefits of section 911 for the taxable year.

''(2) NON-RESIDENT ALIENS.—No credit shall be allowed under this section if an individual (or the individual's spouse) is a nonresident alien individual for any portion of the taxable year unless such individual is treated for such taxable year as a resident of the United States for purposes of this chapter by reason of an election under subsection (g) or (h) of section 6013.

''(3) IDENTIFICATION NUMBER REQUIREMENT.—No credit shall be allowed under this section if the eligible taxpayer does not include on the joint return of tax for the taxable year—

''(A) the taxpayer identification number of the individual and the individual's spouse, and

''(B) the name, age, and taxpayer identification number of any qualifying children.

''(f) TAXABLE YEAR MUST BE FULL TAXABLE YEAR.—Except in the case of a taxable year closed by reason of the death of an individual, no credit shall be allowable under this section in the case of a taxable year covering a period of less than 12 months.''.

(b) CONFORMING AMENDMENT.—The table of sections for subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 25D the following:

''Sec. 25E. Dual-earner families.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. _____. ENHANCEMENT OF THE DEPENDENT CARE TAX CREDIT.

(a) INCREASE IN DEPENDENT CARE TAX CREDIT.—

(1) INCREASE IN INCOMES ELIGIBLE FOR FULL CREDIT.—Paragraph (2) of section 21(a) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) APPLICABLE PERCENTAGE DEFINED.—For purposes of paragraph (1), the term 'applicable percentage' means 35 percent reduced (but not below zero) by 1 percentage point for each $5,000 (or fraction thereof) by which the taxpayer's adjusted gross income for the taxable year exceeds $110,000.''.

(2) INCREASE IN DOLLAR LIMIT ON AMOUNT CREDITABLE.—Subsection (c) of section 21 of the Internal Revenue Code of 1986 is amended—

(A) by striking ''$3,000'' in paragraph (1) and inserting ''$8,000'', and

(B) by striking ''$6,000'' in paragraph (2) and inserting ''$16,000''.

(3) INFLATION ADJUSTMENT.—Section 21 of the Internal Revenue Code of 1986 is amended—

(A) by redesignating subsection (f) as subsection (g), and

(B) by inserting after subsection (e) the following new subsection:

''(f) INFLATION ADJUSTMENT.—

''(1) IN GENERAL.—In the case of any taxable year beginning after 2016, the $110,000 amount in subsection (a)(2) and each of the dollar amounts in subsection (c) shall each be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, by substituting '2015' for '1992' in subparagraph (B) thereof.

''(2) ROUNDING.—The amount of any increase under paragraph (1) shall be rounded—

''(A) for purposes of the dollar amount in subsection (a)(2), the nearest multiple of $1,000, and

''(B) for purposes of the dollar amounts in subsection (c), the nearest multiple of $100.''.

(b) DEPENDENT CARE TAX CREDIT TO BE REFUNDABLE.—

(1) IN GENERAL.—The Internal Revenue Code of 1986 is amended—

(A) by redesignating section 21, as amended by subsection (a), as section 36C, and

(B) by moving section 36C, as so redesignated, from subpart A of part IV of subchapter A of chapter 1 to the location immediately before section 37 in subpart C of part IV of subchapter A of chapter 1.

(2) TECHNICAL AMENDMENTS.—

(A) Paragraph (1) of section 23(f) of the Internal Revenue Code of 1986 is amended by striking ''21(e)'' and inserting ''36C(e)''.

(B) Paragraph (6) of section 35(g) of such Code is amended by striking ''21(e)'' and inserting ''36C(e)''.

(C) Paragraph (1) of section 36C(a) of such Code (as redesignated by paragraph (1)) is amended by striking ''this chapter'' and inserting ''this subtitle''.

(D) Subparagraph (C) of section 129(a)(2) of such Code is amended by striking ''section 21(e)'' and inserting ''section 36C(e)''.

(E) Paragraph (2) of section 129(b) of such Code is amended by striking ''section 21(d)(2)'' and inserting ''section 36C(d)(2)''.

(F) Paragraph (1) of section 129(e) of such Code is amended by striking ''section 21(b)(2)'' and inserting ''section 36C(b)(2)''.

(G) Subsection (e) of section 213 of such Code is amended by striking ''section 21'' and inserting ''section 36C''.

(H) Subparagraph (A) of section 6211(b)(4) of such Code is amended by inserting ''36C,'' after ''36B,''.

(I) Subparagraph (H) of section 6213(g)(2) of such Code is amended by striking ''section 21'' and inserting ''section 36C''.

(J) Subparagraph (L) of section 6213(g)(2) of such Code is amended by striking ''section 21, 24, or 32,'' and inserting ''section 24, 32, or 36C,''.

(K) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting ''36C,'' after ''36B,''.

(L) The table of sections for subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 36B the following:

''Sec. 36C. Expenses for household and dependent care services necessary for gainful employment.''.

(M) The table of sections for subpart A of such part IV of such Code is amended by striking the item relating to section 21.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. _____. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

"PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

''Sec. 59A. Fair share tax.

"SEC. 59A. FAIR SHARE TAX.

''(a) GENERAL RULE.—

''(1) IMPOSITITION OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

''(A) the amount determined under paragraph (2), and

''(B) a fraction (not to exceed 1)—

''(i) the numerator of which is the excess of—

''(I) the taxpayer's adjusted gross income, over

''(II) the dollar amount in effect under subsection (c)(1), and

''(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

''(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

''(A) the tentative fair share tax for the taxable year, over

''(B) the excess of—

''(i) the sum of—

''(I) the regular tax liability (as defined in section 26(b)) for the taxable year, determined without regard to any tax liability determined under this section,

''(II) the tax imposed by section 55 for the taxable year, plus

''(III) the payroll tax for the taxable year, over

''(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

''(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

''(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

''(A) the adjusted gross income of the taxpayer, over

''(B) the modified charitable contribution deduction for the taxable year.

''(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

''(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

''(ii) such amount, determined before the application of section 68.

''(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

''(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'high-income taxpayer' means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of $1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a taxable year beginning after 2016, the $1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the next lowest multiple of $10,000.

''(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

''(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such tax is attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during such taxable year, over

''(2) the deduction allowable under section 164(f) for such taxable year.

''(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

''(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. _____. MODIFICATION OF LIMITATION ON EXCESSIVE REMUNERATION.

(a) REPEAL OF PERFORMANCE-BASED COMPENSATION AND COMMISSION EXCEPTIONS FOR LIMITATION ON EXCESSIVE REMUNERATION.—

(1) IN GENERAL.—Paragraph (4) of section 162(m) of the Internal Revenue Code of 1986 is amended by striking subparagraphs (B) and (C) and by redesignating subparagraphs (D) through (G) as subparagraphs (B) through (E), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 162(m)(5) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (E) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(B) Section 162(m)(6) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (D) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(b) EXPANSION OF APPLICABLE EMPLOYER.—Paragraph (2) of section 162(m) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) PUBLICLY HELD CORPORATION.—For purposes of this subsection, the term 'publicly held corporation' means any corporation which is an issuer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c))—

''(A) the securities of which are registered under section 12 of such Act (15 U.S.C. 78l), or

''(B) that is required to file reports under section 15(d) of such Act (15 U.S.C. 78o(d)).''.

(c) APPLICATION TO ALL CURRENT AND FORMER OFFICERS, DIRECTORS, AND EMPLOYEES.—

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

(A) by striking ''covered employee'' each place it appears in paragraphs (1) and (4) and inserting ''covered individual'', and

(B) by striking ''such employee'' each place it appears in subparagraphs (A) and (E) of paragraph (4) and inserting ''such individual''.

(2) COVERED INDIVIDUAL.—Paragraph (3) of section 162(m) of such Code is amended to read as follows:

''(3) COVERED INDIVIDUAL.—For purposes of this subsection, the term 'covered individual' means any individual who is an officer, director, or employee of the taxpayer or a former officer, director, or employee of the taxpayer.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 48D(b)(3)(A) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2016)'' after ''section 162(m)(3)''.

(B) Section 409A(b)(3)(D)(ii) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2016)'' after ''section 162(m)(3)''.

(d) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Paragraph (4) of section 162(m), as amended by subsection (a), is amended by adding at the end the following new subparagraph:

''(F) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Remuneration shall not fail to be applicable employee remuneration merely because it is includible in the income of, or paid to, a person other than the covered individual, including after the death of the covered individual.''.

(e) REGULATORY AUTHORITY.—

(1) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) REGULATIONS.—The Secretary may prescribe such guidance, rules, or regulations, including with respect to reporting, as are necessary to carry out the purposes of this subsection.''.

(2) CONFORMING AMENDMENT.—Paragraph (6) of section 162(m) of such Code is amended by striking subparagraph (H).

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. ____. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

''(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

''(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting '80 percent' for '60 percent', or

''(B) such corporation is an inverted domestic corporation.

''(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes after November 30, 2015, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

''(B) after the acquisition, more than 50 percent of the stock (by vote or value) of the entity is held—

''(i) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

''(ii) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership.

''(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term 'substantial business activities' shall have the meaning given such term under regulations in effect on November 30, 2015, except that the Secretary may issue regulations increasing the threshold

percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking ''after March 4, 2003,'' and inserting ''after March 4, 2003, and before December 1, 2015,''.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(ii) by inserting ''or (b)(2)(A)'' after ''(a)(2)(B)(i)'' in subparagraph (B),

(B) in paragraph (3), by inserting ''or (b)(2)(B), as the case may be,'' after ''(a)(2)(B)(ii)'',

(C) in paragraph (5), by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(D) in paragraph (6), by inserting ''or inverted domestic corporation, as the case may be,'' after ''surrogate foreign corporation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after November 30, 2015.

SA 2894. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PAYMENTS IN LIEU OF TAXES.

Section 6903 of title 31, United States Code, is amended—

(1) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''A payment'' and inserting ''Except as provided in subsection (e), a payment''; and

(2) by adding at the end the following:

''(e) ALTERNATE PAYMENT.—

''(1) IN GENERAL.—A unit of general local government may opt out of the payment calculation that would otherwise apply under subsection (b)(1), by notifying the Secretary of the Interior, by the deadline established by the Secretary of the Interior, of the election of the unit of general local government to receive an alternate payment amount, as calculated in accordance with the formula established under paragraph (2).

''(2) FORMULA.—As soon as practicable after the date of enactment of this subsection, the Secretary of the Interior shall establish an alternate payment formula that is based on the estimated forgone property taxes, using a fair market valuation, due to the presence of Federal land within the unit of general local government without raising new revenue.''.

SA 2895. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SUPPORT FOR STATE RESPONSE TO SUBSTANCE ABUSE PUBLIC HEALTH CRISIS AND URGENT MENTAL HEALTH NEEDS.

(a) IN GENERAL.—There are authorized to be appropriated, and are appropriated, out of monies in the Treasury not otherwise obligated, $750,000,000 for each of fiscal years 2016 and 2017, to the Secretary of Health and Human Services (referred to in this section as the ''Secretary'') to award grants to States to address the substance abuse public health crisis or to respond to urgent mental health needs within the State. In awarding grants under this section, the Secretary may give preference to States with an incidence or prevalence of substance use disorders that is substantial relative to other States or to States that identify mental health needs within their communities that are urgent relative to such needs of other States. Funds appropriated under this subsection shall remain available until expended.

(b) USE OF FUNDS.—Grants awarded to a State under subsection (a) shall be used for one or more of the following public health-related activities:

(1) Improving State prescription drug monitoring programs.

(2) Implementing prevention activities, and evaluating such activities to identify effective strategies to prevent substance abuse.

(3) Training for health care practitioners, such as best practices for prescribing opioids, pain management, recognizing potential cases of substance abuse, referral of patients to treatment programs, and overdose prevention.

(4) Supporting access to health care services provided by federally certified opioid treatment programs or other appropriate health care providers to treat substance use disorders or mental health needs.

(5) Supporting initiatives designed to help individuals with a substance use disorder achieve and sustain recovery.

(6) Other public health-related activities, as the State determines appropriate, related to addressing the substance abuse public health crisis or responding to urgent mental health needs within the State.

SA 2896. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. LIMITATION ON REFUGEE ASSISTANCE.

(a) IN GENERAL.—Notwithstanding chapter 2 of title IV of the Immigration and Nationality Act (8 U.S.C. 1521 et seq.), refugees who have been nationals of any of the countries listed in subsection (b) are not eligible to receive any assistance under such chapter.

(b) COUNTRIES.—The countries listed in this subsection are—

(1) Afghanistan;
(2) Algeria;
(3) Bahrain;
(4) Bangladesh;
(5) Egypt;
(6) Eritrea;
(7) Indonesia;
(8) Iran;
(9) Iraq;
(10) Jordan;
(11) Kazakhstan;
(12) Kuwait;
(13) Kyrgyzstan;
(14) Lebanon;
(15) Libya;
(16) Mali;
(17) Morocco;
(18) Nigeria;
(19) North Korea;
(20) Oman;
(21) Pakistan;
(22) Palestinian Territories;
(23) Qatar;
(24) Russia;
(25) Saudi Arabia;
(26) Somalia;
(27) Sudan;
(28) Syria;
(29) Tajikistan;
(30) Tunisia;
(31) Turkey;
(32) United Arab Emirates;
(33) Uzbekistan; and
(34) Yemen.

SA 2897. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REFUGEE ASSISTANCE.

Chapter 2 of title IV of the Immigration and Nationality Act (8 U.S.C. 1521 et seq.) is repealed.

SA 2898. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. GRANTS TO STATES.

(a) TANF.—Section 403(a)(5)(v)(I) of the Social Security Act, 42 U.S.C., is amended by inserting ''(excluding individuals who were admitted to the United States as refugees under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157))'' after ''individuals in the State''.

(b) SSI.—Section 1611(a) of the Social Security Act, 42 U.S.C., is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by inserting ''(excluding individuals who were admitted to the United States as refugees under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157))'' after ''disabled individual''; and

(2) in paragraph (2), in the matter preceding subparagraph (A), by inserting ''(excluding individuals who were admitted to the United States as refugees under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157))'' after ''disabled individual''.

SA 2899. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to

section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

At the end of the amendment, add the following:

TITLE III—HOMELAND SECURITY

SEC. 301. SHORT TITLE.

This title may be cited as the ''Stop Extremists Coming Under Refugee Entry Act'' or the ''SECURE Act''.

SEC. 302. ENHANCED REFUGEE SECURITY SCREENING.

(a) REGISTRATION.—The Secretary of Homeland Security shall notify each alien admitted as a refugee under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) or granted asylum under section 208 of such Act (8 U.S.C. 1158) that the alien, not later than 30 days after the date of the enactment of this Act—

(1) shall register with the Department of Homeland Security as part of the enhanced screening process described in section 303; and

(2) shall be interviewed and fingerprinted by an official of the Department of Homeland Security.

(b) BACKGROUND CHECK.—The Secretary of Homeland Security shall screen and perform a security review on all individuals seeking asylum or refugee status under section 207 or 208 of the Immigration and Nationality Act (8 U.S.C. 1157 and 1158) to ensure that such individuals do not present a national security risk to the United States.

(c) MONITORING.—The Secretary of Homeland Security shall monitor individuals granted asylum or admitted as refugees for indications of terrorism.

(d) REPORTS AND CERTIFICATIONS.—

(1) ANNUAL SCREENING EFFECTIVENESS REPORTS.—Not later than 25 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Homeland Security shall submit a report to Congress that—

(A) describes the effectiveness with which the Department is screening applicants for asylum and refugee status;

(B) identifies the number of aliens seeking asylum or refugee status who were screened and registered during the past fiscal year, broken down by country of origin;

(C) identifies the number of unfinished or unresolved security screenings for aliens described in subparagraph (B);

(D) identifies the number of refugees admitted to the United States under section 207 or 208 of the Immigration and Nationality Act (8 U.S.C. 1157 and 1158) who—

(i) have not yet participated in the enhanced screening process required under section 303(a); or

(ii) have not been notified by the Secretary pursuant to subsection (a);

(E) identifies the number of aliens seeking asylum or refugee status who were deported as a result of information gathered during interviews and background checks conducted pursuant to subsections (a)(2) and (b), broken down by country of origin; and

(F) indicates whether the enhanced screening process has been implemented in a manner that is overbroad or results in the deportation of individuals who pose no reasonable national security threat.

(2) CERTIFICATION AND NATIONAL SECURITY REPORT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security shall certify to Congress that—

(A) the requirements described in subsections (a) through (c) have been completed;

(B) the report required under paragraph (1) was timely submitted; and

(C) all necessary steps have been taken to improve the refugee screening process to prevent terrorists from threatening national security by gaining admission to the United States by claiming refugee or asylee status and refugee status.

(e) TEMPORARY MORATORIUM ON REFUGEE ADMISSION.—

(1) IN GENERAL.—The Secretary of State may not approve an application for refugee status under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) and the Secretary of Homeland Security may not approve an application for asylum under section 208 of such Act (8 U.S.C. 1158) to any national of a high-risk country.

(2) HIGH-RISK COUNTRY.—In this subsection, the term ''high-risk country'' means any of the following countries or territories:

(A) Afghanistan.
(B) Algeria.
(C) Bahrain.
(D) Bangladesh.
(E) Egypt.
(F) Eritrea.
(G) Indonesia.
(H) Iran.
(I) Iraq.
(J) Jordan.
(K) Kazakhstan.
(L) Kuwait.
(M) Kyrgyzstan.
(N) Lebanon.
(O) Libya.
(P) Mali.
(Q) Morocco.
(R) Nigeria.
(S) North Korea.
(T) Oman.
(U) Pakistan.
(V) Qatar.
(W) Russia.
(X) Saudi Arabia.
(Y) Somalia.
(Z) Sudan.
(AA) Syria.
(BB) Tajikistan.
(CC) Tunisia.
(DD) Turkey.
(EE) United Arab Emirates.
(FF) Uzbekistan.
(GG) Yemen.
(HH) The Palestinian Territories.

(f) CONDITIONS FOR RESUMPTION OF APPROVALS.—The moratorium under subsection (e) may be lifted after—

(1) the Secretary of Homeland Security—

(A) submits the reports required under subsection (d)(1);

(B) makes the certifications required in subsection (d)(2); and

(C) certifies to Congress that any backlog in screening existing cases from those aliens already approved, or pending approval, has been eliminated; and

(2) Congress enacts a law to reinstate, based upon the information provided, the approval of applications for refugee or asylee status.

SEC. 303. ADDITIONAL WAITING PERIODS AND SECURITY SCREENINGS FOR NEW VISA APPLICANTS.

(a) ENHANCED SECURITY SCREENINGS.—The Secretary of Homeland Security, in cooperation with the Secretary of State, shall ensure that a new application for a visa to enter the United States is not approved until—

(1) at least 30 days after such application is submitted; and

(2) after the completion of an enhanced security screening with respect to the applicant.

(b) VISA WAIVER PROGRAM COUNTRIES.—Unless otherwise permitted under this title, the Secretary of Homeland Security, in cooperation with the Secretary of State, shall ensure that no alien enters the United States until after 30 days of security assessments have been conducted on such alien, regardless of whether the alien's country of origin is participating in the Visa Waiver Program established under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187).

(c) TRUSTED TRAVELER EXCEPTION.—

(1) IN GENERAL.—Notwithstanding subsections (a) and (b) or section 4(a), the Secretary of Homeland Security shall accept applications, and may approve qualified applicants, for enrollment in the Global Entry trusted traveler program described in section 235.12 of title 8, Code of Federal Regulations, regardless of the nationality or country of habitual residence of the applicant.

(2) PRIORITY.—In review applications for enrollment in the Global Entry trusted traveler program, the Secretary shall assign priority status in the following order:

(A) United States citizens.

(B) United States legal permanent residents.

(C) Citizens of any country that is designated as a Visa Waiver Program country under section 217(c) of the Immigration and Nationality Act (8 U.S.C. 1187(c)).

(D) Aliens that have a documented frequent travel history to and from the United States.

(E) Applicants not described in subparagraphs (A) through (D).

(3) USE OF FEES.—Fees collected from applicants for the Global Entry trusted traveler program shall be used to pay for the cost of enhanced screening required under this title.

(4) RULE OF CONSTRUCTION.—Nothing in this title may be construed as requiring the Secretary of Homeland Security to approve an unqualified or high-risk applicant for enrollment in the Global Entry trusted traveler program.

SEC. 304. ENHANCED SECURITY SCREENING FOR HIGHER-RISK VISA APPLICANTS.

(a) MORATORIUM ON HIGH-RISK VISAS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Homeland Security may not approve any application for entry to the United States from an alien who is a national of, or who is applying from, a high-risk country (as defined in section 302(e)) until after—

(A) the completion of the congressional review process described in subsection (b); and

(B) the enactment of a law that authorizes the termination of the visa moratorium under this subsection.

(2) EXCEPTION.—The visa moratorium under paragraph (1) shall not apply to individuals who are enrolled in the Global Entry trusted traveler program.

(b) CONGRESSIONAL REVIEW OF SCREENING POLICIES.—

(1) CERTIFICATION.—The Secretary of Homeland Security, the Secretary of State, and the Director of National Intelligence shall jointly submit a report to Congress certifying that—

(A) a national security screening process has been established and implemented that significantly improves the Federal Government's ability to identify security risks posed by aliens from high-risk countries who—

(i) seek to travel to the United States; or

(ii) have been approved for entry to the United States;

(B) the process identified in subparagraph (A) requires a 30-day security assessment for each applicant from high-risk countries;

(C) the national security screening process for aliens from high-risk countries will be used to assess the risk posed by applicants from such countries, including a description of such process;

(D) the screening process identified in subparagraph (A) will be used to assess national security risks posed by aliens who are already in the United States or have been approved to enter the United States;

(E) the complete biometric entry-exit control system required under section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1221 note) has been fully implemented;

(F) all necessary steps have been taken to prevent the national security vulnerability of allowing individuals to overstay a temporary legal status in the United States; and

(G) a policy has been implemented to remove aliens that are identified as having overstayed their period of lawful presence in the United States.

(2) CONDITIONS FOR RESUMPTION OF APPROVALS.—After the certifications required under paragraph (1) have been made, Congress may enact a law, based on the information provided, to lift the moratorium described in subsection (a).

SEC. 305. ONE HUNDRED PERCENT EXIT TRACKING FOR ALL UNITED STATES VISITORS.

(a) RECORDING EXITS AND CORRELATION TO ENTRY DATA.—The Secretary of Homeland Security shall integrate the records collected through the automated entry-exit control system referred to in section 304(b)(1)(E) into an interoperable data system and any other database necessary to correlate an alien's entry and exit data.

(b) PROCESSING OF RECORDS.—Before the departure of outbound aliens at each point of entry, the Secretary shall provide for cross-reference capability between databases designated by the Secretary under subsection (a) to determine and record whether an outbound alien has been in the United States without lawful immigration status.

(c) RECORDS INCLUSION REQUIREMENTS.—The Secretary shall maintain readily accessible entry-exit data records for immigration and other law enforcement and improve immigration control and enforcement by including information necessary to determine whether an outbound alien without lawful presence in the United States entered the country through—

(1) unauthorized entry between points of entry;

(2) visa or other temporary authorized status;

(3) fraudulent travel documents;

(4) misrepresentation of identity; or

(5) any other method of entry.

(d) PROHIBITION ON COLLECTING EXIT RECORDS FOR UNITED STATES CITIZENS AT LAND POINTS OF ENTRY.—

(1) PROHIBITION.—While documenting the departure of outbound individuals at each land point of entry along the Southern or Northern border, the Secretary may not—

(A) process travel documents of United States citizens;

(B) log, store, or transfer exit data for United States citizens;

(C) create, maintain, operate, access, or support any database containing information collected through outbound processing at a point of entry that contains records identifiable to an individual United States citizen.

(2) EXCEPTION.—The prohibition set forth in paragraph (1) does not apply to the records of an individual if an officer processing travel documentation in the outbound lanes at a point of entry along the Southern or Northern border—

(A) has a strong suspicion that the individual has engaged in criminal or other prohibited activities; or

(B) needs to verify an individual's identity because the individual is attempting to exit the United States without travel documentation.

(3) VERIFICATION OF TRAVEL DOCUMENTS.—Subject to the prohibition set forth in paragraph (1), the Secretary may provide for the confirmation of a United States citizen's travel documentation validity in the outbound lanes at a point of entry along the Southern border.

(e) REPORT ON INFRASTRUCTURE REQUIREMENTS TO CARRY OUT 100 PERCENT LAND EXIT TRACKING.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that assesses the infrastructure needs for each point of entry along the Southern border to fulfill the requirements under this section, including—

(1) a description of anticipated infrastructure needs within each point of entry;

(2) a description of anticipated infrastructure needs adjacent to each point of entry;

(3) an assessment of the availability of secondary inspection areas at each point of entry;

(4) an assessment of space available at or adjacent to a point of entry to perform processing of outbound aliens;

(5) an assessment of the infrastructure demands relative to the volume of outbound crossings for each point of entry; and

(6) anticipated wait times for outbound individuals during processing of travel documents at each point of entry, relative to possible improvements at the point of entry.

(f) LIMITATIONS ON OUTBOUND SECONDARY INSPECTIONS.—The Secretary may not designate an outbound United States citizen for secondary inspection or collect biometric information from a United States citizen under outbound inspection procedures unless criminal or other prohibited activity has been detected or is strongly suspected.

(g) OUTBOUND PROCESSING OF PERSONS IN THE UNITED STATES WITHOUT LAWFUL PRESENCE.—

(1) PROCESS FOR RECORDING UNLAWFUL PRESENCE.—If the Secretary determines, at a point of entry along the Southern border, that an outbound alien has been in the United States without lawful presence, the Secretary shall—

(A) collect and record biometric data from the individual;

(B) combine data related to the individual's unlawful presence with any other information related to the individual in the interoperable database, in accordance with subsection (b); and

(C) except as provided in subparagraph (B), permit the individual to exit the United States.

(2) EXCEPTION.—An individual shall not be permitted to leave the United States if, during outbound inspection, the Secretary detects previous unresolved criminal activity by the individual.

(h) RULE OF CONSTRUCTION.—Nothing in this title, or in the amendments made by this title, may be construed as replacing or repealing the requirements for biometric entry-exit capture required under section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1221 note).

SEC. 306. REQUIREMENTS TO ENSURE LEGAL VOTING.

(a) RESTRICTIONS.—

(1) AFFIDAVIT REQUIRED.—Any individual in asylum status, refugee status, legal permanent resident status, or any other permanent or temporary visa status who intends to remain in the United States in such status for longer than 6 months shall submit to the Secretary, during the period specified by the Secretary, a signed affidavit that states that the alien—

(A) has not cast a ballot in any Federal election in the United States; and

(B) will not register to vote, or cast a ballot, in any Federal election in the United States while in such status.

(2) PENALTY.—If an alien described in paragraph (1) fails to timely submit the affidavit described in paragraph (1) or violates any term of such affidavit—

(A) the Secretary shall immediately—

(i) revoke the legal status of such alien; and

(ii) deport the alien to the country from which he or she originated; and

(B) the alien will be permanently ineligible for United States citizenship.

(3) BARS TO LEGAL STATUS.—Any individual in asylum status, refugee status, legal permanent resident status, or any other permanent or temporary visa status who illegally registers to vote or who votes in any Federal election after receiving such status or visa—

(A) shall not be eligible to apply for permanent residence or citizenship; and

(B) if such individual has already been granted permanent residence, shall lose such status and be subject to deportation pursuant to section 237(a)(6) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(6)).

(b) RESPONSIBILITIES OF THE SECRETARY OF HOMELAND SECURITY.—

(1) ELIGIBILITY DETERMINATION.—In determining whether an individual described in subsection (a)(1) is eligible for legal status, including naturalization, under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), the Secretary of Homeland Security shall verify that the alien has not registered to vote, or cast a ballot, in a Federal election in the United States.

(2) VERIFICATION OF CITIZENSHIP.—The Secretary shall provide the election director of each State, and such local election officials as may be designated by such State directors, with access to relevant databases containing information about aliens who have been granted asylum, refugee status, or any other permanent or temporary visa status authorized under the Immigration and Nationality Act or by executive action, for the sole purpose of verifying the citizenship status of registered voters and all individuals applying to register to vote.

(3) ANNUAL REPORT.—The Secretary shall submit an annual report to Congress that identifies all jurisdictions in the United States that have registered individuals who are not United States citizens to vote in a Federal election.

(c) RESPONSIBILITIES OF STATES.—

(1) PROOF OF CITIZENSHIP.—Notwithstanding the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), the National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.), and any other Federal law, all States and local governments—

(A) shall require individuals registering to vote in Federal elections to provide adequate proof of citizenship;

(B) may not accept an affirmation of citizenship as adequate proof of citizenship for voter registration purposes; and

(C) may require identification information from all such voter registration applicants.

(2) COOPERATION WITH DEPARTMENT OF HOMELAND SECURITY.—All States and local governments shall provide the Department of Homeland Security with the registration and voting history of any alien seeking registered provisional status, naturalization, or any other immigration benefit, upon the request of the Secretary.

(3) CONSEQUENCE OF NONCOMPLIANCE.—

(A) FIRST YEAR.—If any State is not in compliance with the proof of citizenship requirements set forth in paragraph (1) on or before the date that is 1 year after the date of the enactment of this Act, the Secretary of Transportation shall reduce the apportionment calculated under section 104(c) of title 23, United States Code, for that State for the following fiscal year by 10 percent.

(B) SUBSEQUENT YEARS.—For each subsequent year in which any State is not in compliance with the proof of citizenship requirements set forth in paragraph (1), the Secretary of Transportation shall reduce the apportionment calculated under section 104(c) of title 23, United States Code, for that State for the following fiscal year by an additional 10 percent.

SEC. 307. SECURE THE TREASURY.

(a) NO WELFARE FOR REFUGEES OR ASYLEES BEGINNING 1 YEAR AFTER DATE OF ADMISSION.—Notwithstanding any other provision of law, an alien admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) or granted asylum under section 208 of such Act (8 U.S.C. 1158), beginning 1 year after the date of such admission—

(1) is not be eligible for any assistance or benefits from a Federal means-tested benefit program listed in subsection (c); and

(2) may not claim the earned income tax credit under section 32 of the Internal Revenue Code of 1986.

(b) NO CITIZENSHIP FOR ALIENS WHO APPLY FOR AND RECEIVE WELFARE.—Any alien granted refugee status or asylee admission to the United States under a permanent or temporary visa, and who is prohibited under subsection (a) from applying for, or receiving, assistance or benefits described in subsection (c) or from claiming the earned income tax credit under section 32 of the Internal Revenue Code of 1986, or any other credit allowed by subpart C of part IV of subchapter A of chapter 1 of such Code shall be permanently prohibited from becoming naturalized as a citizen of the United States if the alien—

(1) applies for and receives any such assistance or benefits; or

(2) claims and is allowed any such credit.

(c) FEDERAL MEANS-TESTED BENEFIT PROGRAMS.—The Federal means-tested benefit programs listed in this subsection are—

(1) the temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)

(2) the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

(3) the State children's health insurance program authorized under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.);

(4) the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); and

(5) the program of block grants to States for social services under subtitle A of title XX of the Social Security Act (42 U.S.C. 1397 et seq.).

(d) VERIFICATION PROCEDURES.—In order to comply with the limitation under subsection (a)—

(1) proof of citizenship shall be required as a condition for receipt of assistance or benefits under the Federal means-tested benefit programs listed in subsection (c);

(2) proof of citizenship shall be verified as a condition for receiving assistance or benefits under the Federal means-tested benefit programs listed in subsection (c), including by using the Systematic Alien Verification for Entitlements Program of the U.S. Citizenship and Immigration Services to confirm that an individual who has presented proof of citizenship as a condition for receipt of assistance or benefits under any such program is not an alien; and

(3) officers and employees of State agencies that administer a Federal means-tested benefit program listed in subsection (c) shall report to any suspicious or fraudulent identity information provided by an individual applying for assistance or benefits to the Secretary of Homeland Security.

(e) NONAPPLICATION OF THE PRIVACY ACT.—Notwithstanding any other provision of law, section 552a of title 5, United States Code (commonly referred to as the ''Privacy Act'') may not be construed as prohibiting an officer or employee of a State from verifying a claim of citizenship for purposes of eligibility for assistance or benefits under a Federal means-tested benefit program listed in subsection (c).

SA 2900. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. RESTORATION OF THE MEDICARE COMPARATIVE COST ADJUSTMENT (CCA) PROGRAM.

(a) IN GENERAL.—Section 1102(f) of the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), including the amendment made by such section, is repealed.

(b) CONFORMING AMENDMENTS.—Section 1860C–1 of the Social Security Act (42 U.S.C. 1395w–29), as restored pursuant to the repeal made by subsection (a), is amended—

(1) by striking ''2010'' each place it appears and inserting ''2017'';

(2) in subsection (a)(2), by striking ''2015'' and ''2023''; and

(3) in subsection (d)(3), by striking ''2013'' and ''2021''.

(c) EFFECTIVE DATE.—The provisions of, and the amendments made by, this section shall take effect on the date of the enactment of this Act.

SA 2901. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. ___. REPEAL OF ESSENTIAL HEALTH BENEFITS REQUIREMENT.

On January 1, 2016, section 1302 of the Patient Protection and Affordable Care Act (42 U.S.C. 18022) shall cease to have force or effect.

SA 2902. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPEAL OF AGE RATING RESTRICTIONS.

Section 2701(a)(1)(A)(iii) of the Public Health Service Act (42 U.S.C. 300gg(a)(1)(A)(iii)) is amended by striking '', except that'' and all that follows through ''2707(c))''.

SA 2903. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. GAO ANALYSIS OF CO-OP PLANS.

Not later than 12 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct an analysis, and submit to Congress a report concerning the results of such analysis, of the health insurance issuers that participated in the Consumer Operated and Oriented Plan program under section 1322 of the Patient Protection and Affordable Care Act (42 U.S.C. 18042) and are no longer offering such a Plan under such program.

SA 2904. Mr. ROBERTS submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPEAL OF PATIENT-CENTERED OUTCOMES RESEARCH.

(a) REPEAL OF MEDICARE TRUST FUNDS FUNDING.—Section 1183(a)(2) of the Social Security Act (42 U.S.C. 1320e–2(a)(2)) is amended by striking ''2016, 2017, 2018, and 2019'' and inserting ''and 2016''.

(b) PREVENTION OF LIMITATION OF TREATMENT OPTIONS.—Section 1182 of the Social Security Act (42 U.S.C. 1320e–1) is amended—

(1) by striking subsection (c)(2); and

(2) by striking subsection (d)(2).

(c) REPEAL OF PATIENT-CENTERED OUTCOMES RESEARCH TRUST FUND.—

(1) APPROPRIATION.—Section 9511(b)(1)(E) of the Internal Revenue Code of 1986 is amended by striking ''2016, 2017, 2018, and 2019'' and inserting ''and 2016''.

(2) TERMINATION.—Section 9511(f) of the Internal Revenue Code of 1986 is amended by

striking ''September 30, 2019'' and inserting ''December 31, 2015''.

(d) REPEAL OF FEES ON INSURED AND SELF-INSURED HEALTH PLANS.—

(1) INSURED.—Section 4375(e) of the Internal Revenue Code of 1986 is amended by striking ''2019'' and inserting ''2015''.

(2) SELF-INSURED.—Section 4376(e) of the Internal Revenue Code of 1986 is amended by striking ''2019'' and inserting ''2015''.

SA 2905. Mr. ROBERTS submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPEAL OF DISQUALIFICATION OF EXPENSES FOR OVER-THE-COUNTER DRUGS UNDER CERTAIN ACCOUNTS AND ARRANGEMENTS.

(a) HSAs.—Section 223(d)(2)(A) of the Internal Revenue Code of 1986 is amended by striking the last sentence.

(b) ARCHER MSAs.—Section 220(d)(2)(A) of such Code is amended by striking the last sentence.

(c) HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 106 of such Code is amended by striking subsection (f).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to expenses incurred after December 31, 2015.

SA 2906. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

Beginning on page 5, strike line 24 and all that follows through page 6, line 3, and insert the following:

SEC. 105A. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

''Sec. 59A. Fair share tax.

''SEC. 59A. FAIR SHARE TAX.

''(a) GENERAL RULE.—

''(1) IMPOSITITION OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

''(A) the amount determined under paragraph (2), and

''(B) a fraction (not to exceed 1)—

''(i) the numerator of which is the excess of—

''(I) the taxpayer's adjusted gross income, over

''(II) the dollar amount in effect under subsection (c)(1), and

''(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

''(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

''(A) the tentative fair share tax for the taxable year, over

''(B) the excess of—

''(i) the sum of—

''(I) the regular tax liability (as defined in section 26(b)) for the taxable year, determined without regard to any tax liability determined under this section,

''(II) the tax imposed by section 55 for the taxable year, plus

''(III) the payroll tax for the taxable year, over

''(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

''(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

''(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

''(A) the adjusted gross income of the taxpayer, over

''(B) the modified charitable contribution deduction for the taxable year.

''(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

''(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

''(ii) such amount, determined before the application of section 68.

''(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

''(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'high-income taxpayer' means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of $1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a taxable year beginning after 2016, the $1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the next lowest multiple of $10,000.

''(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

''(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such tax is attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during such taxable year, over

''(2) the deduction allowable under section 164(f) for such taxable year.

''(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

''(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 105B. MODIFICATION OF LIMITATION ON EXCESSIVE REMUNERATION.

(a) REPEAL OF PERFORMANCE-BASED COMPENSATION AND COMMISSION EXCEPTIONS FOR LIMITATION ON EXCESSIVE REMUNERATION.—

(1) IN GENERAL.—Paragraph (4) of section 162(m) of the Internal Revenue Code of 1986 is amended by striking subparagraphs (B) and (C) and by redesignating subparagraphs (D) through (G) as subparagraphs (B) through (E), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 162(m)(5) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (E) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(B) Section 162(m)(6) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (D) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(b) EXPANSION OF APPLICABLE EMPLOYER.—Paragraph (2) of section 162(m) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) PUBLICLY HELD CORPORATION.—For purposes of this subsection, the term 'publicly held corporation' means any corporation which is an issuer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c))—

''(A) the securities of which are registered under section 12 of such Act (15 U.S.C. 78l), or

''(B) that is required to file reports under section 15(d) of such Act (15 U.S.C. 78o(d)).''.

(c) APPLICATION TO ALL CURRENT AND FORMER OFFICERS, DIRECTORS, AND EMPLOYEES.—

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

(A) by striking ''covered employee'' each place it appears in paragraphs (1) and (4) and inserting ''covered individual'', and

(B) by striking ''such employee'' each place it appears in subparagraphs (A) and (E) of paragraph (4) and inserting ''such individual''.

(2) COVERED INDIVIDUAL.—Paragraph (3) of section 162(m) of such Code is amended to read as follows:

''(3) COVERED INDIVIDUAL.—For purposes of this subsection, the term 'covered individual' means any individual who is an officer, director, or employee of the taxpayer or a former officer, director, or employee of the taxpayer.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 48D(b)(3)(A) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2016)'' after ''section 162(m)(3)''.

(B) Section 409A(b)(3)(D)(ii) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2016)'' after ''section 162(m)(3)''.

(d) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Paragraph (4) of section 162(m), as amended by subsection (a), is amended by adding at the end the following new subparagraph:

''(F) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Remuneration shall not fail to be applicable employee remuneration merely because it is includible in the income of, or paid to, a person other than the covered individual, including after the death of the covered individual.''.

(e) REGULATORY AUTHORITY.—

(1) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) REGULATIONS.—The Secretary may prescribe such guidance, rules, or regulations, including with respect to reporting, as are necessary to carry out the purposes of this subsection.''.

(2) CONFORMING AMENDMENT.—Paragraph (6) of section 162(m) of such Code is amended by striking subparagraph (H).

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 105C. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

''(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

''(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting '80 percent' for '60 percent', or

''(B) such corporation is an inverted domestic corporation.

''(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes after May 8, 2014, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

''(B) after the acquisition, more than 50 percent of the stock (by vote or value) of the entity is held—

''(i) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

''(ii) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership.

''(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term 'substantial business activities' shall have the meaning given such term under regulations in effect on May 8, 2014, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking ''after March 4, 2003,'' and inserting ''after March 4, 2003, and before May 9, 2014,''.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(ii) by inserting ''or (b)(2)(A)'' after ''(a)(2)(B)(i)'' in subparagraph (B),

(B) in paragraph (3), by inserting ''or (b)(2)(B), as the case may be,'' after ''(a)(2)(B)(ii)'',

(C) in paragraph (5), by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(D) in paragraph (6), by inserting ''or inverted domestic corporation, as the case may be,'' after ''surrogate foreign corporation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after May 8, 2014.

SA 2907. Mr. BENNET (for himself and Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

At the appropriate place, insert the following:

SEC. _____. ADDITIONAL FUNDING TO INCREASE ACCESS OF VETERANS TO CARE AND IMPROVE PHYSICAL INFRASTRUCTURE OF DEPARTMENT OF VETERANS AFFAIRS.

Notwithstanding any other provision of law, with respect to any increase in revenues received in the Treasury as the result of the enactment of section 59A of the Internal Revenue Code of 1986—

(1) $20,000,000,000 shall be made available, without further appropriation, to carry out the purposes described in section 801(b) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note); and

(2) any remaining amounts shall be used for Federal budget deficit reduction or, if there is no Federal budget deficit, for reducing the Federal debt in such manner as the Secretary of the Treasury considers appropriate.

SEC. _____. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

''Sec. 59A. Fair share tax.

''SEC. 59A. FAIR SHARE TAX.

''(a) GENERAL RULE.—

''(1) IMPOSITION OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

''(A) the amount determined under paragraph (2), and

''(B) a fraction (not to exceed 1)—

''(i) the numerator of which is the excess of—

''(I) the taxpayer's adjusted gross income, over

''(II) the dollar amount in effect under subsection (c)(1), and

''(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

''(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

''(A) the tentative fair share tax for the taxable year, over

''(B) the excess of—

''(i) the sum of—

''(I) the regular tax liability (as defined in section 26(b)) for the taxable year, determined without regard to any tax liability determined under this section,

''(II) the tax imposed by section 55 for the taxable year, plus

''(III) the payroll tax for the taxable year, over

''(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

''(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

''(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

''(A) the adjusted gross income of the taxpayer, over

''(B) the modified charitable contribution deduction for the taxable year.

''(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

''(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

''(ii) such amount, determined before the application of section 68.

''(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

''(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'high-income taxpayer' means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of $1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a taxable year beginning after 2016, the $1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar

year in which the taxable year begins, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the next lowest multiple of $10,000.

''(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

''(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such tax is attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during such taxable year, over

''(2) the deduction allowable under section 164(f) for such taxable year.

''(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

''(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SA 2908. Mr. MANCHIN (for himself, Mr. TOOMEY, and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

At the end, add the following:

TITLE II—PUBLIC SAFETY AND SECOND AMENDMENT RIGHTS PROTECTION ACT

SECTION 201. SHORT TITLE.

This title may be cited as the ''Public Safety and Second Amendment Rights Protection Act of 2015''.

SEC. 202. FINDINGS.

Congress finds the following:

(1) Congress supports, respects, and defends the fundamental, individual right to keep and bear arms guaranteed by the Second Amendment to the Constitution of the United States.

(2) Congress supports and reaffirms the existing prohibition on a national firearms registry.

(3) Congress believes the Department of Justice should prosecute violations of background check requirements to the maximum extent of the law.

(4) There are deficits in the background check system in existence prior to the date of enactment of this Act and the Department of Justice should make it a top priority to work with States to swiftly input missing records, including mental health records.

(5) Congress and the citizens of the United States agree that in order to promote safe and responsible gun ownership, dangerous criminals and the seriously mentally ill should be prohibited from possessing firearms; therefore, it should be incumbent upon all citizens to ensure weapons are not being transferred to such people.

SEC. 203. RULE OF CONSTRUCTION.

Nothing in this title, or any amendment made by this title, shall be construed to—

(1) expand in any way the enforcement authority or jurisdiction of the Bureau of Alcohol, Tobacco, Firearms, and Explosives; or

(2) allow the establishment, directly or indirectly, of a Federal firearms registry.

SEC. 204. SEVERABILITY.

If any provision of this title or an amendment made by this title, or the application of a provision or amendment to any person or circumstance, is held to be invalid for any reason in any court of competent jurisdiction, the remainder of this title and amendments made by this title, and the application of the provisions and amendment to any other person or circumstance, shall not be affected.

Subtitle A—Ensuring That All Individuals Who Should Be Prohibited From Buying a Gun Are Listed in the National Instant Criminal Background Check System

SEC. 211. REAUTHORIZATION OF THE NATIONAL CRIMINAL HISTORY RECORDS IMPROVEMENT PROGRAM.

Section 106(b) of Public Law 103–159 (18 U.S.C. 922 note) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''of this Act'' and inserting ''of the Public Safety and Second Amendment Rights Protection Act of 2015''; and

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

''(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this subsection $100,000,000 for each of fiscal years 2016 through 2019.''.

SEC. 212. IMPROVEMENT OF METRICS AND INCENTIVES.

Section 102(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended to read as follows:

''(b) IMPLEMENTATION PLAN.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Public Safety and Second Amendment Rights Protection Act of 2015, the Attorney General, in coordination with the States, shall establish for each State or Indian tribal government desiring a grant under section 103 a 4-year implementation plan to ensure maximum coordination and automation of the reporting of records or making records available to the National Instant Criminal Background Check System.

''(2) BENCHMARK REQUIREMENTS.—Each 4-year plan established under paragraph (1) shall include annual benchmarks, including both qualitative goals and quantitative measures, to assess implementation of the 4-year plan.

''(3) PENALTIES FOR NON-COMPLIANCE.—

''(A) IN GENERAL.—During the 4-year period covered by a 4-year plan established under paragraph (1), the Attorney General shall withhold—

''(i) 10 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the first year in the 4-year period;

''(ii) 11 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the second year in the 4-year period;

''(iii) 13 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the third year in the 4-year period; and

''(iv) 15 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the fourth year in the 4-year period.

''(B) FAILURE TO ESTABLISH A PLAN.—A State that fails to establish a plan under paragraph (1) shall be treated as having not met any benchmark established under paragraph (2).''.

SEC. 213. GRANTS TO STATES FOR IMPROVEMENT OF COORDINATION AND AUTOMATION OF NICS RECORD REPORTING.

(a) IN GENERAL.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking section 103 and inserting the following:

''SEC. 103. GRANTS TO STATES FOR IMPROVEMENT OF COORDINATION AND AUTOMATION OF NICS RECORD REPORTING.

''(a) AUTHORIZATION.—From amounts made available to carry out this section, the Attorney General shall make grants to States, Indian Tribal governments, and State court systems, in a manner consistent with the National Criminal History Improvement Program and consistent with State plans for integration, automation, and accessibility of criminal history records, for use by the State, or units of local government of the State, Indian Tribal government, or State court system to improve the automation and transmittal of mental health records and criminal history dispositions, records relevant to determining whether a person has been convicted of a misdemeanor crime of domestic violence, court orders, and mental health adjudications or commitments to Federal and State record repositories in accordance with section 102 and the National Criminal History Improvement Program.

''(b) USE OF GRANT AMOUNTS.—Grants awarded to States, Indian Tribal governments, or State court systems under this section may only be used to—

''(1) carry out, as necessary, assessments of the capabilities of the courts of the State or Indian Tribal government for the automation and transmission of arrest and conviction records, court orders, and mental health adjudications or commitments to Federal and State record repositories;

''(2) implement policies, systems, and procedures for the automation and transmission of arrest and conviction records, court orders, and mental health adjudications or commitments to Federal and State record repositories;

''(3) create electronic systems that provide accurate and up-to-date information which is directly related to checks under the National Instant Criminal Background Check System, including court disposition and corrections records;

''(4) assist States or Indian Tribal governments in establishing or enhancing their own capacities to perform background checks using the National Instant Criminal Background Check System; and

''(5) develop and maintain the relief from disabilities program in accordance with section 105.

''(c) ELIGIBILITY.—

''(1) IN GENERAL.—To be eligible for a grant under this section, a State, Indian Tribal government, or State court system shall certify, to the satisfaction of the Attorney General, that the State, Indian Tribal government, or State court system—

''(A) is not prohibited by State law or court order from submitting mental health records to the National Instant Criminal Background Check System; and

''(B) subject to paragraph (2), has implemented a relief from disabilities program in accordance with section 105.

''(2) RELIEF FROM DISABILITIES PROGRAM.—For purposes of obtaining a grant under this section, a State, Indian Tribal government, or State court system shall not be required to meet the eligibility requirement described in paragraph (1)(B) until the date that is 2 years after the date of enactment of the Public Safety and Second Amendment Rights Protection Act of 2015.

''(d) FEDERAL SHARE.—

''(1) STUDIES, ASSESSMENTS, NON-MATERIAL ACTIVITIES.—The Federal share of a study, assessment, creation of a task force, or other non-material activity, as determined by the Attorney General, carried out with a grant under this section shall be not more than 25 percent.

''(2) INFRASTRUCTURE OR SYSTEM DEVELOPMENT.—The Federal share of an activity involving infrastructure or system development, including labor-related costs, for the purpose of improving State or Indian Tribal government record reporting to the National Instant Criminal Background Check System carried out with a grant under this section may amount to 100 percent of the cost of the activity.

''(e) GRANTS TO INDIAN TRIBES.—Up to 5 percent of the grant funding available under this section may be reserved for Indian tribal governments for use by Indian tribal judicial systems.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $100,000,000 for each of fiscal years 2016 through 2019.'';

(2) by striking title III; and

(3) in section 401(b), by inserting after ''of this Act'' the following: ''and 18 months after the date of enactment of the Public Safety and Second Amendment Rights Protection Act of 2015''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections in section 1(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by striking the item relating to section 103 and inserting the following:

''Sec. 103. Grants to States for improvement of coordination and automation of NICS record reporting.''.

SEC. 214. RELIEF FROM DISABILITIES PROGRAM.

Section 105 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by adding at the end the following:

''(c) PENALTIES FOR NON-COMPLIANCE.—

''(1) 10 PERCENT REDUCTION.—During the 1-year period beginning 2 years after the date of enactment of the Public Safety and Second Amendment Rights Protection Act of 2015, the Attorney General shall withhold 10 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

''(2) 11 PERCENT REDUCTION.—During the 1-year period after the expiration of the period described in paragraph (1), the Attorney General shall withhold 11 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

''(3) 13 PERCENT REDUCTION.—During the 1-year period after the expiration of the period described in paragraph (2), the Attorney General shall withhold 13 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.

''(4) 15 PERCENT REDUCTION.—After the expiration of the 1-year period described in paragraph (3), the Attorney General shall withhold 15 percent of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State has not implemented a relief from disabilities program in accordance with this section.''.

SEC. 215. ADDITIONAL PROTECTIONS FOR OUR VETERANS.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

''(a) IN GENERAL.—In any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is determined by the Secretary to be mentally incompetent shall not be considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18 until—

''(1) in the case in which the person does not request a review as described in subsection (c)(1), the end of the 30-day period beginning on the date on which the person receives notice submitted under subsection (b); or

''(2) in the case in which the person requests a review as described in paragraph (1) of subsection (c), upon an assessment by the board designated or established under paragraph (2) of such subsection or court of competent jurisdiction that a person cannot safely use, carry, possess, or store a firearm due to mental incompetency.

''(b) NOTICE.—Notice submitted under this subsection to a person described in subsection (a) is notice submitted by the Secretary that notifies the person of the following:

''(1) The determination made by the Secretary.

''(2) A description of the implications of being considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18.

''(3) The person's right to request a review under subsection (c)(1).

''(c) ADMINISTRATIVE REVIEW.—(1) Not later than 30 days after the date on which a person described in subsection (a) receives notice submitted under subsection (b), such person may request a review by the board designed or established under paragraph (2) or a court of competent jurisdiction to assess whether a person cannot safely use, carry, possess, or store a firearm due to mental incompetency. In such assessment, the board may consider the person's honorable discharge or decoration.

''(2) Not later than 180 days after the date of enactment of the Public Safety and Second Amendment Rights Protection Act of 2015, the Secretary shall designate or establish a board that shall, upon request of a person under paragraph (1), assess whether a person cannot safely use, carry, possess, or store a firearm due to mental incompetency.

''(d) JUDICIAL REVIEW.—Not later than 30 days after the date of an assessment of a person under subsection (c) by the board designated or established under paragraph (2) of such subsection, such person may file a petition for judicial review of such assessment with a Federal court of competent jurisdiction.

''(e) PROTECTING RIGHTS OF VETERANS WITH EXISTING RECORDS.—Not later than 90 days after the date of enactment of the Public Safety and Second Amendment Rights Protection Act of 2015, the Secretary shall provide written notice of the opportunity for administrative review and appeal under subsection (c) to all persons who, on the date of enactment of the Public Safety and Second Amendment Rights Protection Act of 2015, are considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18 as a result of having been found by the Department of Veterans Affairs to be mentally incompetent.

''(f) FUTURE DETERMINATIONS.—

''(1) IN GENERAL.—Not later than 180 days after the enactment of the Public Safety and Second Amendment Rights Protection Act of 2015, the Secretary shall review the policies and procedures by which individuals are determined to be mentally incompetent, and shall revise such policies and procedures as necessary to ensure that any individual who is competent to manage his own financial affairs, including his receipt of Federal benefits, but who voluntarily turns over the management thereof to a fiduciary is not considered adjudicated pursuant to subsection (d)(4) or (g)(4) of section 922 of title 18.

''(2) REPORT.—Not later than 30 days after the Secretary has made the review and changes required under paragraph (1), the Secretary shall submit to Congress a report detailing the results of the review and any resulting policy and procedural changes.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by adding at the end the following new item:

''5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.''.

(c) APPLICABILITY.—Section 5511 of title 38, United States Code (as added by this section), shall apply only with respect to persons who are determined by the Secretary of Veterans Affairs, on or after the date of the enactment of this Act, to be mentally incompetent, except that those persons who are provided notice pursuant to section 5511(e) shall be entitled to use the administrative review under section 5511(c) and, as necessary, the subsequent judicial review under section 5511(d).

SEC. 216. CLARIFICATION THAT FEDERAL COURT INFORMATION IS TO BE MADE AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

Section 103(e)(1) of Public Law 103–159 (18 U.S.C. 922 note), is amended by adding at the end the following:

''(F) APPLICATION TO FEDERAL COURTS.—In this subsection—

''(i) the terms 'department or agency of the United States' and 'Federal department or agency' include a Federal court; and

''(ii) for purposes of any request, submission, or notification, the Director of the Administrative Office of the United States Courts shall perform the functions of the head of the department or agency.''.

SEC. 217. CLARIFICATION THAT SUBMISSION OF MENTAL HEALTH RECORDS TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM IS NOT PROHIBITED BY THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT.

Information collected under section 102(c)(3) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) to assist the Attorney General in enforcing section 922(g)(4) of title 18, United States Code, shall not be subject to the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note).

SEC. 218. PUBLICATION OF NICS INDEX STATISTICS.

Not later than 180 days after the date of enactment of this Act, and biannually thereafter, the Attorney General shall make the National Instant Criminal Background Check System index statistics available on a publically accessible Internet website.

SEC. 219. EFFECTIVE DATE.

The amendments made by this subtitle shall take effect 180 days after the date of enactment of this Act.

Subtitle B—Providing a Responsible and Consistent Background Check Process

SEC. 221. PURPOSE.

The purpose of this subtitle is to enhance the current background check process in the United States to ensure criminals and the mentally ill are not able to purchase firearms.

SEC. 222. FIREARMS TRANSFERS.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended—

(1) by repealing subsection (s);

(2) by redesignating subsection (t) as subsection (s);

(3) in subsection (s), as redesignated—

(A) in paragraph (1)(B)—

(i) in clause (i), by striking ''or'';

(ii) in clause (ii), by striking ''and'' at the end; and

(iii) by adding at the end the following:

''(iii) in the case of an instant background check conducted at a gun show or event during the 4-year period beginning on the effective date under section 230(a) of the Public Safety and Second Amendment Rights Protection Act of 2015, 48 hours have elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section; or

''(iv) in the case of an instant background check conducted at a gun show or event after the 4-year period described in clause (iii), 24 hours have elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section; and'';

(B) in paragraph (3)(C)(ii), by striking ''(as defined in subsection (s)(8))''; and

(C) by adding at the end the following:

''(7) In this subsection—

''(A) the term 'chief law enforcement officer' means the chief of police, the sheriff, or an equivalent officer or the designee of any such individual; and

''(B) the term 'gun show or event' has the meaning given the term in subsection (t)(7).

''(8) The Federal Bureau of Investigation shall not charge a user fee for a background check conducted pursuant to this subsection.

''(9) Notwithstanding any other provision of this chapter, upon receiving a request for an instant background check that originates from a gun show or event, the system shall complete the instant background check before completing any pending instant background check that did not originate from a gun show or event.''; and

(4) by inserting after subsection (s), as redesignated, the following:

''(t)(1) Beginning on the date that is 180 days after the date of enactment of this subsection and except as provided in paragraph (2), it shall be unlawful for any person other than a licensed dealer, licensed manufacturer, or licensed importer to complete the transfer of a firearm to any other person who is not licensed under this chapter, if such transfer occurs—

''(A) at a gun show or event, on the curtilage thereof; or

''(B) pursuant to an advertisement, posting, display or other listing on the Internet or in a publication by the transferor of his intent to transfer, or the transferee of his intent to acquire, the firearm.

''(2) Paragraph (1) shall not apply if—

''(A) the transfer is made after a licensed importer, licensed manufacturer, or licensed dealer has first taken possession of the firearm for the purpose of complying with subsection (s), and upon taking possession of the firearm, the licensee—

''(i) complies with all requirements of this chapter as if the licensee were transferring the firearm from the licensee's business inventory to the unlicensed transferee, except that when processing a transfer under this chapter the licensee may accept in lieu of conducting a background check a valid permit issued within the previous 5 years by a State, or a political subdivision of a State, that allows the transferee to possess, acquire, or carry a firearm, if the law of the State, or political subdivision of a State, that issued the permit requires that such permit is issued only after an authorized government official has verified that the information available to such official does not indicate that possession of a firearm by the unlicensed transferee would be in violation of Federal, State, or local law;

''(B) the transfer is made between an unlicensed transferor and an unlicensed transferee residing in the same State, which takes place in such State, if—

''(i) the Attorney General certifies that State in which the transfer takes place has in effect requirements under law that are generally equivalent to the requirements of this section; and

''(ii) the transfer was conducted in compliance with the laws of the State;

''(C) the transfer is made between spouses, between parents or spouses of parents and their children or spouses of their children, between siblings or spouses of siblings, or between grandparents or spouses of grandparents and their grandchildren or spouses of their grandchildren, or between aunts or uncles or their spouses and their nieces or nephews or their spouses, or between first cousins, if the transferor does not know or have reasonable cause to believe that the transferee is prohibited from receiving or possessing a firearm under Federal, State, or local law; or

''(D) the Attorney General has approved the transfer under section 5812 of the Internal Revenue Code of 1986.

''(3) A licensed importer, licensed manufacturer, or licensed dealer who processes a transfer of a firearm authorized under paragraph (2)(A) shall not be subject to a license revocation or license denial based solely upon a violation of those paragraphs, or a violation of the rules or regulations promulgated under this paragraph, unless the licensed importer, licensed manufacturer, or licensed dealer—

''(A) knows or has reasonable cause to believe that the information provided for purposes of identifying the transferor, transferee, or the firearm is false;

''(B) knows or has reasonable cause to believe that the transferee is prohibited from purchasing, receiving, or possessing a firearm by Federal or State law, or published ordinance; or

''(C) knowingly violates any other provision of this chapter, or the rules or regulations promulgated thereunder.

''(4)(A) Notwithstanding any other provision of this chapter, except for section 923(m), the Attorney General may implement this subsection with regulations.

''(B) Regulations promulgated under this paragraph may not include any provision requiring licensees to facilitate transfers in accordance with paragraph (2)(A).

''(C) Regulations promulgated under this paragraph may not include any provision requiring persons not licensed under this chapter to keep records of background checks or firearms transfers.

''(D) Regulations promulgated under this paragraph may not include any provision placing a cap on the fee licensees may charge to facilitate transfers in accordance with paragraph (2)(A).

''(5)(A) A person other than a licensed importer, licensed manufacturer, or licensed dealer, who makes a transfer of a firearm in accordance with this section, or who is the organizer of a gun show or event at which such transfer occurs, shall be immune from a qualified civil liability action relating to the transfer of the firearm as if the person were a seller of a qualified product.

''(B) A provider of an interactive computer service shall be immune from a qualified civil liability action relating to the transfer of a firearm as if the provider of an interactive computer service were a seller of a qualified product.

''(C) In this paragraph—

''(i) the term 'interactive computer service' shall have the meaning given the term in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)); and

''(ii) the terms 'qualified civil liability action', 'qualified product', and 'seller' shall have the meanings given the terms in section 4 of the Protection of Lawful Commerce in Arms Act (15 U.S.C. 7903).

''(D) Nothing in this paragraph shall be construed to affect the immunity of a provider of an interactive computer service under section 230 of the Communications Act of 1934 (47 U.S.C. 230).

''(6) In any civil liability action in any State or Federal court arising from the criminal or unlawful use of a firearm following a transfer of such firearm for which no background check was required under this section, this section shall not be construed—

''(A) as creating a cause of action for any civil liability; or

''(B) as establishing any standard of care.

''(7) For purposes of this subsection, the term 'gun show or event'—

''(A) means any event at which 75 or more firearms are offered or exhibited for sale, exchange, or transfer, if 1 or more of the firearms has been shipped or transported in, or otherwise affects, interstate or foreign commerce; and

''(B) does not include an offer or exhibit of firearms for sale, exchange, or transfer by an

individual from the personal collection of that individual, at the private residence of that individual, if the individual is not required to be licensed under section 923.''.

(b) PROHIBITING THE SEIZURE OF RECORDS OR DOCUMENTS.—Section 923(g)(1)(D) is amended by striking, ''The inspection and examination authorized by this paragraph shall not be construed as authorizing the Attorney General to seize any records or other documents other than those records or documents constituting material evidence of a violation of law,'' and inserting the following: ''The Attorney General shall be prohibited from seizing any records or other documents in the course of an inspection or examination authorized by this paragraph other than those records or documents constituting material evidence of a violation of law.''.

(c) PROHIBITION OF NATIONAL GUN REGISTRY.—Section 923 of title 18, United States Code, is amended by adding at the end the following:

''(m) The Attorney General may not consolidate or centralize the records of the—

''(1) acquisition or disposition of firearms, or any portion thereof, maintained by—

''(A) a person with a valid, current license under this chapter;

''(B) an unlicensed transferor under section 922(t); or

''(2) possession or ownership of a firearm, maintained by any medical or health insurance entity.''.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 922.—Section 922(y)(2) of title 18, United States Code, is amended, in the matter preceding subparagraph (A), by striking '', (g)(5)(B), and (s)(3)(B)(v)(II)'' and inserting ''and (g)(5)(B)''.

(2) CONSOLIDATED AND FURTHER CONTINUING APPROPRIATIONS ACT, 2012.—Section 511 of title V of division B of the Consolidated and Further Continuing Appropriations Act, 2012 (18 U.S.C. 922 note) is amended by striking ''subsection 922(t)'' and inserting ''subsection (s) or (t) of section 922'' each place it appears.

SEC. 223. PENALTIES.

Section 924 of title 18, United States Code, is amended—

(1) in subsection (a), by adding at the end the following:

''(8) Whoever makes or attempts to make a transfer of a firearm in violation of section 922(t) to a person not licensed under this chapter who is prohibited from receiving a firearm under subsection (g) or (n) of section 922 or State law, to a law enforcement officer, or to a person acting at the direction of, or with the approval of, a law enforcement officer authorized to investigate or prosecute violations of section 922(t), shall be fined under this title, imprisoned not more than 5 years, or both.''; and

(2) by adding at the end the following:

''(q) IMPROPER USE OF STORAGE OF RECORDS.—Any person who knowingly violates section 923(m) shall be fined under this title, imprisoned not more than 15 years, or both.''.

SEC. 224. FIREARMS DISPOSITIONS.

Section 922(b)(3) of title 18, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''located'' and inserting ''located or temporarily located''; and

(2) in subparagraph (A)—

(A) by striking ''rifle or shotgun'' and inserting ''firearm'';

(B) by striking ''located'' and inserting ''located or temporarily located''; and

(C) by striking ''both such States'' and inserting ''the State in which the transfer is conducted and the State of residence of the transferee''.

SEC. 225. FIREARM DEALER ACCESS TO LAW ENFORCEMENT INFORMATION.

Section 103(b) of Public Law 103–159 (18 U.S.C. 922 note), is amended—

(1) by striking ''Not later than'' and inserting the following:

''(1) IN GENERAL.—Not later than''; and

(2) by adding at the end the following:

''(2) VOLUNTARY BACKGROUND CHECKS.—Not later than 90 days after the date of enactment of the Public Safety and Second Amendment Rights Protection Act of 2015, the Attorney General shall promulgate regulations allowing licensees to use the National Instant Criminal Background Check System established under this section for purposes of conducting voluntary preemployment background checks on prospective employees.''.

SEC. 226. DEALER LOCATION.

Section 923 of title 18, United States Code, is amended—

(1) in subsection (j)—

(A) in the first sentence, by striking '', and such location is in the State which is specified on the license''; and

(B) in the last sentence—

(i) by inserting ''transfer,'' after ''sell,''; and

(ii) by striking ''Act,'' and all that follows and inserting ''Act.''; and

(2) by adding after subsection (m), as added by section 222(c), the following:

''(n) Nothing in this chapter shall be construed to prohibit the sale, transfer, delivery, or other disposition of a firearm or ammunition not otherwise prohibited under this chapter—

''(1) by a person licensed under this chapter to another person so licensed, at any location in any State; or

''(2) by a licensed importer, licensed manufacturer, or licensed dealer to a person not licensed under this chapter, at a temporary location described in subsection (j) in any State.''.

SEC. 227. RESIDENCE OF UNITED STATES OFFICERS.

Section 921 of title 18, United States Code, is amended by striking subsection (b) and inserting the following:

''(b) For purposes of this chapter:

''(1) A member of the Armed Forces on active duty, or a spouse of such a member, is a resident of—

''(A) the State in which the member or spouse maintains legal residence;

''(B) the State in which the permanent duty station of the member is located; and

''(C) the State in which the member maintains a place of abode from which the member commutes each day to the permanent duty station of the member.

''(2) An officer or employee of the United States (other than a member of the Armed Forces) who is stationed outside the United States for a period of more than 1 year, and a spouse of such an officer or employee, is a resident of the State in which the person maintains legal residence.''.

SEC. 228. INTERSTATE TRANSPORTATION OF FIREARMS OR AMMUNITION.

(a) IN GENERAL.—Section 926A of title 18, United States Code, is amended to read as follows:

''§ 926A. Interstate transportation of firearms or ammunition

''(a) DEFINITION.—In this section, the term 'transport'—

''(1) includes staying in temporary lodging overnight, stopping for food, fuel, vehicle maintenance, an emergency, medical treatment, and any other activity incidental to the transport; and

''(2) does not include transportation—

''(A) with the intent to commit a crime punishable by imprisonment for a term exceeding 1 year that involves a firearm; or

''(B) with knowledge, or reasonable cause to believe, that a crime described in subparagraph (A) is to be committed in the course of, or arising from, the transportation.

''(b) AUTHORIZATION.—Notwithstanding any provision of any law (including a rule or regulation) of a State or any political subdivision thereof, a person who is not prohibited by this chapter from possessing, transporting, shipping, or receiving a firearm or ammunition shall be entitled to—

''(1) transport a firearm for any lawful purpose from any place where the person may lawfully possess, carry, or transport the firearm to any other such place if, during the transportation—

''(A) the firearm is unloaded; and

''(B)(i) if the transportation is by motor vehicle—

''(I) the firearm is not directly accessible from the passenger compartment of the motor vehicle; or

''(II) if the motor vehicle is without a compartment separate from the passenger compartment, the firearm is—

''(aa) in a locked container other than the glove compartment or console; or

''(bb) secured by a secure gun storage or safety device; or

''(ii) if the transportation is by other means, the firearm is in a locked container or secured by a secure gun storage or safety device; and

''(2) transport ammunition for any lawful purpose from any place where the person may lawfully possess, carry, or transport the ammunition, to any other such place if, during the transportation—

''(A) the ammunition is not loaded into a firearm; and

''(B)(i) if the transportation is by motor vehicle—

''(I) the ammunition is not directly accessible from the passenger compartment of the motor vehicle; or

''(II) if the motor vehicle is without a compartment separate from the passenger compartment, the ammunition is in a locked container other than the glove compartment or console; or

''(ii) if the transportation is by other means, the ammunition is in a locked container.

''(c) LIMITATION ON ARREST AUTHORITY.—A person who is transporting a firearm or ammunition may not be—

''(1) arrested for violation of any law or any rule or regulation of a State, or any political subdivision thereof, relating to the possession, transportation, or carrying of firearms or ammunition, unless there is probable cause that the transportation is not in accordance with subsection (b); or

''(2) detained for violation of any law or any rule or regulation of a State, or any political subdivision thereof, relating to the possession, transportation, or carrying of firearms or ammunition, unless there is reasonable suspicion that the transportation is not in accordance with subsection (b).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by striking the item relating to section 926A and inserting the following:

''926A. Interstate transportation of firearms or ammunition.''.

SEC. 229. RULE OF CONSTRUCTION.

Nothing in this subtitle, or an amendment made by this subtitle, shall be construed—

(1) to extend background check requirements to transfers other than those made at gun shows or on the curtilage thereof, or pursuant to an advertisement, posting, display, or other listing on the Internet or in a publication by the transferor of the intent of the transferor to transfer, or the transferee of the intent of the transferee to acquire, the firearm; or

(2) to extend background check requirements to temporary transfers for purposes including lawful hunting or sporting or to temporary possession of a firearm for purposes of examination or evaluation by a prospective transferee.

SEC. 230. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this subtitle and the amendments made by this subtitle shall take effect 180 days after the date of enactment of this Act.

(b) FIREARM DEALER ACCESS TO LAW ENFORCEMENT INFORMATION.—Section 225 and the amendments made by section 225 shall take effect on the date of enactment of this Act.

Subtitle C—National Commission on Mass Violence

SEC. 241. SHORT TITLE.

This subtitle may be cited as the ''National Commission on Mass Violence Act of 2015''.

SEC. 242. NATIONAL COMMISSION ON MASS VIOLENCE.

(a) ESTABLISHMENT OF COMMISSION.—There is established a commission to be known as the National Commission on Mass Violence (in this subtitle referred to as the ''Commission'') to study the availability and nature of firearms, including the means of acquiring firearms, issues relating to mental health, and all positive and negative impacts of the availability and nature of firearms on incidents of mass violence or in preventing mass violence.

(b) MEMBERSHIP.—

(1) APPOINTMENTS.—The Commission shall be composed of 12 members, of whom—

(A) 6 members of the Commission shall be appointed by the Majority Leader of the Senate, in consultation with the Democratic leadership of the House of Representatives, 1 of whom shall serve as Chairman of the Commission; and

(B) 6 members of the Commission shall be appointed by the Speaker of the House of Representatives, in consultation with the Republican leadership of the Senate, 1 of whom shall serve as Vice Chairman of the Commission.

(2) PERSONS ELIGIBLE.—

(A) IN GENERAL.—The members appointed to the Commission shall include—

(i) well-known and respected individuals among their peers in their respective fields of expertise; and

(ii) not less than 1 non-elected individual from each of the following categories, who has expertise in the category, by both experience and training:

(I) Firearms.

(II) Mental health.

(III) School safety.

(IV) Mass media.

(B) EXPERTS.—In identifying the individuals to serve on the Commission, the appointing authorities shall take special care to identify experts in the fields described in section 243(a)(2).

(C) PARTY AFFILIATION.—Not more than 6 members of the Commission shall be from the same political party.

(3) COMPLETION OF APPOINTMENTS; VACANCIES.—Not later than 30 days after the date of enactment of this Act, the appointing authorities under paragraph (1) shall each make their respective appointments. Any vacancy that occurs during the life of the Commission shall not affect the powers of the Commission, and shall be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

(4) OPERATION OF THE COMMISSION.—

(A) MEETINGS.—

(i) IN GENERAL.—The Commission shall meet at the call of the Chairman.

(ii) INITIAL MEETING.—The initial meeting of the Commission shall be conducted not later than 30 days after the later of—

(I) the date of the appointment of the last member of the Commission; or

(II) the date on which appropriated funds are available for the Commission.

(B) QUORUM; VACANCIES; VOTING; RULES.—A majority of the members of the Commission shall constitute a quorum to conduct business, but the Commission may establish a lesser quorum for conducting hearings scheduled by the Commission. Each member of the Commission shall have 1 vote, and the vote of each member shall be accorded the same weight. The Commission may establish by majority vote any other rules for the conduct of the Commission's business, if such rules are not inconsistent with this subtitle or other applicable law.

SEC. 243. DUTIES OF THE COMMISSION.

(a) STUDY.—

(1) IN GENERAL.—It shall be the duty of the Commission to conduct a comprehensive factual study of incidents of mass violence, including incidents of mass violence not involving firearms, in the context of the many acts of senseless mass violence that occur in the United States each year, in order to determine the root causes of such mass violence.

(2) MATTERS TO BE STUDIED.—In determining the root causes of these recurring and tragic acts of mass violence, the Commission shall study any matter that the Commission determines relevant to meeting the requirements of paragraph (1), including at a minimum—

(A) the role of schools, including the level of involvement and awareness of teachers and school administrators in the lives of their students and the availability of mental health and other resources and strategies to help detect and counter tendencies of students towards mass violence;

(B) the effectiveness of and resources available for school security strategies to prevent incidents of mass violence;

(C) the role of families and the availability of mental health and other resources and strategies to help families detect and counter tendencies toward mass violence;

(D) the effectiveness and use of, and resources available to, the mental health system in understanding, detecting, and countering tendencies toward mass violence, as well as the effects of treatments and therapies;

(E) whether medical doctors and other mental health professionals have the ability, without negative legal or professional consequences, to notify law enforcement officials when a patient is a danger to himself or others;

(F) the nature and impact of the alienation of the perpetrators of such incidents of mass violence from their schools, families, peer groups, and places of work;

(G) the role that domestic violence plays in causing incidents of mass violence;

(H) the effect of depictions of mass violence in the media, and any impact of such depictions on incidents of mass violence;

(I) the availability and nature of firearms, including the means of acquiring such firearms, and all positive and negative impacts of such availability and nature on incidents of mass violence or in preventing mass violence;

(J) the role of current prosecution rates in contributing to the availability of weapons that are used in mass violence;

(K) the availability of information regarding the construction of weapons, including explosive devices, and any impact of such information on such incidents of mass violence;

(L) the views of law enforcement officials, religious leaders, mental health experts, and other relevant officials on the root causes and prevention of mass violence;

(M) incidents in which firearms were used to stop mass violence; and

(N) any other area that the Commission determines contributes to the causes of mass violence.

(3) TESTIMONY OF VICTIMS AND SURVIVORS.—In determining the root causes of these recurring and tragic incidents of mass violence, the Commission shall, in accordance with section 244(a), take the testimony of victims and survivors to learn and memorialize their views and experiences regarding such incidents of mass violence.

(b) RECOMMENDATIONS.—Based on the findings of the study required under subsection (a), the Commission shall make recommendations to the President and Congress to address the causes of these recurring and tragic incidents of mass violence and to reduce such incidents of mass violence.

(c) REPORTS.—

(1) INTERIM REPORT.—Not later than 3 months after the date on which the Commission first meets, the Commission shall submit to the President and Congress an interim report describing any initial recommendations of the Commission.

(2) FINAL REPORT.—Not later than 6 months after the date on which the Commission first meets, the Commission shall submit to the President and Congress a comprehensive report of the findings and conclusions of the Commission, together with the recommendations of the Commission.

(3) SUMMARIES.—The report under paragraph (2) shall include a summary of—

(A) the reports submitted to the Commission by any entity under contract for research under section 244(e); and

(B) any other material relied on by the Commission in the preparation of the report.

SEC. 244. POWERS OF THE COMMISSION.

(a) HEARINGS.—

(1) IN GENERAL.—The Commission may hold such hearings, sit and act at such times and places, administer such oaths, take such testimony, and receive such evidence as the Commission considers advisable to carry out its duties under section 243.

(2) WITNESS EXPENSES.—Witnesses requested to appear before the Commission shall be paid the same fees as are paid to witnesses under section 1821 of title 28, United States Code.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal agency such information as the Commission considers necessary to carry out its duties under section 243. Upon

the request of the Commission, the head of such agency may furnish such information to the Commission.

(c) INFORMATION TO BE KEPT CONFIDENTIAL.—

(1) IN GENERAL.—The Commission shall be considered an agency of the Federal Government for purposes of section 1905 of title 18, United States Code, and any individual employed by any individual or entity under contract with the Commission under subsection (d) shall be considered an employee of the Commission for the purposes of section 1905 of title 18, United States Code.

(2) DISCLOSURE.—Information obtained by the Commission or the Attorney General under this subtitle and shared with the Commission, other than information available to the public, shall not be disclosed to any person in any manner, except—

(A) to Commission employees or employees of any individual or entity under contract to the Commission under subsection (d) for the purpose of receiving, reviewing, or processing such information;

(B) upon court order; or

(C) when publicly released by the Commission in an aggregate or summary form that does not directly or indirectly disclose—

(i) the identity of any person or business entity; or

(ii) any information which could not be released under section 1905 of title 18, United States Code.

(d) CONTRACTING FOR RESEARCH.—The Commission may enter into contracts with any entity for research necessary to carry out the duties of the Commission under section 243.

SEC. 245. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional employees as may be necessary to enable the Commission to perform its duties. The employment and termination of an executive director shall be subject to confirmation by a majority of the members of the Commission.

(2) COMPENSATION.—The executive director shall be compensated at a rate not to exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code. The Chairman may fix the compensation of other employees without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for such employees may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee, with the approval of the head of the appropriate Federal agency, may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status, benefits, or privilege.

(d) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

SEC. 246. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission and any agency of the Federal Government assisting the Commission in carrying out its duties under this subtitle such sums as may be necessary to carry out the purposes of this subtitle. Any sums appropriated shall remain available, without fiscal year limitation, until expended.

SEC. 247. TERMINATION OF THE COMMISSION.

The Commission shall terminate 30 days after the Commission submits the final report under section 243(c)(2).

SA 2909. Mr. MARKEY (for himself and Mr. MURPHY) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. FUNDING FOR RESEARCH BY CDC ON FIREARMS SAFETY OR GUN VIOLENCE PREVENTION.

Notwithstanding any other provision of law, there is authorized to be appropriated to the Centers for Disease Control and Prevention $10,000,000 for each of fiscal years 2016 through 2021 for the purpose of conducting or supporting research on firearms safety or gun violence prevention under the Public Health Service Act (42 U.S.C. 201 et seq.). The amount authorized to be appropriated by the preceding sentence is in addition to any other amounts authorized to be appropriated for such purpose.

SA 2910. Mrs. FEINSTEIN (for herself, Mr. WHITEHOUSE, Mr. REED, Mrs. GILLIBRAND, Mr. SCHUMER, Mr. DURBIN, Mr. MURPHY, Mr. BLUMENTHAL, Mrs. BOXER, Mr. MENENDEZ, Ms. WARREN, Mr. MARKEY, Mr. SCHATZ, Ms. HIRONO, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. WARNER, Mr. KAINE, Mr. KING, Ms. MIKULSKI, Mrs. MCCASKILL, Mr. BROWN, Mr. CASEY, Mr. SANDERS, Mrs. MURRAY, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Denying Firearms and Explosives to Dangerous Terrorists Act of 2015''.

SEC. 2. GRANTING THE ATTORNEY GENERAL THE AUTHORITY TO DENY THE SALE, DELIVERY, OR TRANSFER OF A FIREARM OR THE ISSUANCE OF A FIREARMS OR EXPLOSIVES LICENSE OR PERMIT TO DANGEROUS TERRORISTS.

(a) STANDARD FOR EXERCISING ATTORNEY GENERAL DISCRETION REGARDING TRANSFERRING FIREARMS OR ISSUING FIREARMS PERMITS TO DANGEROUS TERRORISTS.—Chapter 44 of title 18, United States Code, is amended—

(1) by inserting after section 922 the following:

''§ 922A. Attorney General's discretion to deny transfer of a firearm

''The Attorney General may deny the transfer of a firearm under section 922(t)(1)(B)(ii) of this title if the Attorney General—

''(1) determines that the transferee is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

''(2) has a reasonable belief that the prospective transferee may use a firearm in connection with terrorism.

''§ 922B. Attorney General's discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3)

''The Attorney General may determine that—

''(1) an applicant for a firearm permit which would qualify for an exemption under section 922(t)(3) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

''(2) the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.'';

(2) in section 921(a), by adding at the end the following:

''(36) The term 'terrorism' includes international terrorism and domestic terrorism, as defined in section 2331 of this title.

''(37) The term 'material support or resources' has the meaning given the term in section 2339A of this title.

''(38) The term 'responsible person' means an individual who has the power, directly or indirectly, to direct or cause the direction of the management and policies of the applicant or licensee pertaining to firearms.''; and

(3) in the table of sections, by inserting after the item relating to section 922 the following:

''922A. Attorney General's discretion to deny transfer of a firearm.

''922B. Attorney General's discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3).''.

(b) EFFECT OF ATTORNEY GENERAL DISCRETIONARY DENIAL THROUGH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) ON FIREARMS PERMITS.—Section 922(t) of title 18, United States Code, is amended—

(1) in paragraph (1)(B)(ii), by inserting ''or State law, or that the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title'' before the semicolon;

(2) in paragraph (2), in the matter preceding subparagraph (A), by inserting '', or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title'' after ''or State law'';

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) in subclause (I), by striking ''and'' at the end; and

(II) by adding at the end the following:

''(III) was issued after a check of the system established pursuant to paragraph (1);'';

(ii) in clause (ii), by inserting ''and'' after the semicolon; and

(iii) by adding at the end the following:

''(iii) the State issuing the permit agrees to deny the permit application if such other person is the subject of a determination by the Attorney General pursuant to section 922B of this title;'';

(4) in paragraph (4), by inserting '', or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title'' after ''or State law''; and

(5) in paragraph (5), by inserting '', or if the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title'' after ''or State law''.

(c) UNLAWFUL SALE OR DISPOSITION OF FIREARM BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 922(d) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking ''or'' at the end;

(2) in paragraph (9), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(10) has been the subject of a determination by the Attorney General under section 922A, 922B, 923(d)(3), or 923(e) of this title.''.

(d) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 922(g) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking ''or'' at the end;

(2) in paragraph (9), by striking the comma at the end and inserting ''; or''; and

(3) by inserting after paragraph (9) the following:

''(10) who has received actual notice of the Attorney General's determination made under section 922A, 922B, 923(d)(3) or 923(e) of this title,''.

(e) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL FIREARMS LICENSES.—Section 923(d) of title 18, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''Any'' and inserting ''Except as provided in paragraph (3), any''; and

(2) by adding at the end the following:

''(3) The Attorney General may deny a license application if the Attorney General determines that the applicant (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.''.

(f) DISCRETIONARY REVOCATION OF FEDERAL FIREARMS LICENSES.—Section 923(e) of title 18, United States Code, is amended—

(1) by inserting ''(1)'' after ''(e)'';

(2) by striking ''revoke any license'' and inserting the following: ''revoke—

''(A) any license'';

(3) by striking ''. The Attorney General may, after notice and opportunity for hearing, revoke the license'' and inserting the following: '';

''(B) the license''; and

(4) by striking ''. The Secretary's action'' and inserting the following: ''; or

''(C) any license issued under this section if the Attorney General determines that the holder of such license (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.

''(2) The Attorney General's action''.

(g) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN FIREARMS LICENSE DENIAL AND REVOCATION SUIT.—

(1) IN GENERAL.—Section 923(f)(1) of title 18, United States Code, is amended by inserting after the first sentence the following: ''However, if the denial or revocation is pursuant to subsection (d)(3) or (e)(1)(C), any information upon which the Attorney General relied for this determination may be withheld from the petitioner, if the Attorney General determines that disclosure of the information would likely compromise national security.''.

(2) SUMMARIES.—Section 923(f)(3) of title 18, United States Code, is amended by inserting after the third sentence the following: ''With respect to any information withheld from the aggrieved party under paragraph (1), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(h) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN RELIEF FROM DISABILITIES LAWSUITS.—Section 925(c) of title 18, United States Code, is amended by inserting after the third sentence the following: ''If the person is subject to a disability under section 922(g)(10) of this title, any information which the Attorney General relied on for this determination may be withheld from the applicant if the Attorney General determines that disclosure of the information would likely compromise national security. In responding to the petition, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(i) PENALTIES.—Section 924(k) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking ''or'' at the end;

(2) in paragraph (3), by striking the comma at the end and inserting ''; or''; and

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

''(4) constitutes an act of terrorism, or providing material support or resources for terrorism,''.

(j) REMEDY FOR ERRONEOUS DENIAL OF FIREARM OR FIREARM PERMIT EXEMPTION.—

(1) IN GENERAL.—Section 925A of title 18, United States Code, is amended—

(A) in the section heading, by striking ''**Remedy for erroneous denial of firearm**'' and inserting ''**Remedies**'';

(B) by striking ''Any person denied a firearm pursuant to subsection (s) or (t) of section 922'' and inserting the following:

''(a) Except as provided in subsection (b), any person denied a firearm pursuant to subsection (t) of section 922 or a firearm permit pursuant to a determination made under section 922B''; and

(C) by adding at the end the following:

''(b) In any case in which the Attorney General has denied the transfer of a firearm to a prospective transferee pursuant to section 922A of this title or has made a determination regarding a firearm permit applicant pursuant to section 922B of this title, an action challenging the determination may be brought against the United States. The petition shall be filed not later than 60 days after the petitioner has received actual notice of the Attorney General's determination under section 922A or 922B of this title. The court shall sustain the Attorney General's determination upon a showing by the United States by a preponderance of evidence that the Attorney General's determination satisfied the requirements of section 922A or 922B, as the case may be. To make this showing, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security. Upon request of the petitioner or the court's own motion, the court may review the full, undisclosed documents ex parte and in camera. The court shall determine whether the summaries or redacted versions, as the case may be, are fair and accurate representations of the underlying documents. The court shall not consider the full, undisclosed documents in deciding whether the Attorney General's determination satisfies the requirements of section 922A or 922B.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by striking the item relating to section 925A and inserting the following:

''925A. Remedies.''.

(k) PROVISION OF GROUNDS UNDERLYING INELIGIBILITY DETERMINATION BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.—Section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended—

(1) in subsection (f)—

(A) by inserting ''or the Attorney General has made a determination regarding an applicant for a firearm permit pursuant to section 922B of title 18, United States Code,'' after ''is ineligible to receive a firearm''; and

(B) by inserting ''except any information for which the Attorney General has determined that disclosure would likely compromise national security,'' after ''reasons to the individual,''; and

(2) in subsection (g)—

(A) the first sentence—

(i) by inserting ''or if the Attorney General has made a determination pursuant to section 922A or 922B of title 18, United States Code,'' after ''or State law,''; and

(ii) by inserting '', except any information for which the Attorney General has determined that disclosure would likely compromise national security'' before the period at the end; and

(B) by adding at the end the following: ''Any petition for review of information withheld by the Attorney General under this subsection shall be made in accordance with section 925A of title 18, United States Code.''.

(l) UNLAWFUL DISTRIBUTION OF EXPLOSIVES BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 842(d) of title 18, United States Code, is amended—

(1) in paragraph (9), by striking the period and inserting ''; or''; and

(2) by adding at the end the following:

''(10) has received actual notice of the Attorney General's determination made pursuant to subsection (j) or (d)(1)(B) of section 843 of this title.''.

(m) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 842(i) of title 18, United States Code, is amended—

(1) in paragraph (7), by inserting ''; or'' at the end; and

(2) by inserting after paragraph (7) the following:

''(8) who has received actual notice of the Attorney General's determination made pursuant to subsection (j) or (d)(1)(B) of section 843 of this title,''.

(n) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843 of title 18, United States Code, is amended—

(1) in subsection (b), by striking ''Upon'' and inserting ''Except as provided in subsection (j), upon''; and

(2) by adding at the end the following:

''(j) The Attorney General may deny the issuance of a permit or license to an applicant if the Attorney General determines that the applicant or a responsible person or employee possessor thereof is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.''.

(o) ATTORNEY GENERAL DISCRETIONARY REVOCATION OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(d) of title 18, United States Code, is amended—

(1) by inserting ''(1)'' after ''(d)'';

(2) by striking ''if in the opinion'' and inserting the following: ''if—

''(A) in the opinion''; and

(3) by striking ''. The Secretary's action'' and inserting the following: ''; or

''(B) the Attorney General determines that the licensee or holder (or any responsible person or employee possessor thereof) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and that the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.

''(2) The Attorney General's action''.

(p) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN EXPLOSIVES LICENSE AND PERMIT DENIAL AND REVOCATION SUITS.—Section 843(e) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting after the first sentence the following: ''However, if the denial or revocation is based upon an Attorney General determination under subsection (j) or (d)(1)(B), any information which the Attorney General relied on for this determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security.''; and

(2) in paragraph (2), by adding at the end the following: ''In responding to any petition for review of a denial or revocation based upon an Attorney General determination under subsection (j) or (d)(1)(B), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(q) ABILITY TO WITHHOLD INFORMATION IN COMMUNICATIONS TO EMPLOYERS.—Section 843(h)(2) of title 18, United States Code, is amended—

(1) in subparagraph (A), by inserting ''or in subsection (j) of this section (on grounds of terrorism)'' after ''section 842(i)''; and

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by inserting ''or in subsection (j) of this section,'' after ''section 842(i),''; and

(B) in clause (ii), by inserting '', except that any information that the Attorney General relied on for a determination pursuant to subsection (j) may be withheld if the Attorney General concludes that disclosure of the information would likely compromise national security'' after ''determination''.

(r) CONFORMING AMENDMENT TO IMMIGRATION AND NATIONALITY ACT.—Section 101(a)(43)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(E)(ii)) is amended by striking ''or (5)'' and inserting ''(5), or (10)''.

(s) GUIDELINES.—

(1) IN GENERAL.—The Attorney General shall issue guidelines describing the circumstances under which the Attorney General will exercise the authority and make determinations under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this title.

(2) CONTENTS.—The guidelines issued under paragraph (1) shall—

(A) provide accountability and a basis for monitoring to ensure that the intended goals for, and expected results of, the grant of authority under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this title, are being achieved; and

(B) ensure that terrorist watch list records are used in a manner that safeguards privacy and civil liberties protections, in accordance with requirements outlines in Homeland Security Presidential Directive 11 (dated August 27, 2004).

SA 2911. Mr. COONS (for himself, Ms. HIRONO, Mrs. MURRAY, Mr. MERKLEY, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXPANSION AND MODIFICATION OF CREDIT FOR EMPLOYEE HEALTH INSURANCE EXPENSES OF SMALL EMPLOYERS.

(a) EXPANSION OF DEFINITION OF ELIGIBLE SMALL EMPLOYER.—Subparagraph (A) of section 45R(d)(1) of the Internal Revenue Code of 1986 is amended by striking ''25'' and inserting ''50''.

(b) AMENDMENT TO PHASEOUT DETERMINATION.—Subsection (c) of section 45R of the Internal Revenue Code of 1986 is amended to read as follows:

''(c) PHASEOUT OF CREDIT AMOUNT BASED ON NUMBER OF EMPLOYEES AND AVERAGE WAGES.—The amount of the credit determined under subsection (b) (without regard to this subsection) shall be adjusted (but not below zero) by multiplying such amount by the product of—

''(1) the lesser of—

''(A) a fraction the numerator of which is the excess (if any) of 50 over the total number of full-time equivalent employees of the employer and the denominator of which is 30, and

''(B) 1, and

''(2) the lesser of—

''(A) a fraction—

''(i) the numerator of which is the excess (if any) of—

''(I) the dollar amount in effect under subsection (d)(3)(B) for the taxable year, multiplied by 3, over

''(II) the average annual wages of the employer for such taxable year, and

''(ii) the denominator of which is the dollar amount so in effect under subsection (d)(3)(B), multiplied by 2, and

''(B) 1.''.

(c) EXTENSION OF CREDIT PERIOD.—Paragraph (2) of section 45R(e) of the Internal Revenue Code of 1986 is amended by striking ''2-consecutive-taxable year period'' and all that follows and inserting ''3-consecutive-taxable year period beginning with the 1st taxable year beginning after 2014 in which—

''(A) the employer (or any predecessor) offers 1 or more qualified health plans to its employees through an Exchange, and

''(B) the employer (or any predecessor) claims the credit under this section.''.

(d) AVERAGE ANNUAL WAGE LIMITATION.—Subparagraph (B) of section 45R(d)(3) of the Internal Revenue Code of 1986 is amended to read as follows:

''(B) DOLLAR AMOUNT.—For purposes of paragraph (1)(B) and subsection (c)(2), the dollar amount in effect under this paragraph is the amount equal to 110 percent of the poverty line (within the meaning of section 36B(d)(3)) for a family of 4.''.

(e) ELIMINATION OF UNIFORM PERCENTAGE CONTRIBUTION REQUIREMENT.—Paragraph (4) of section 45R(d) of the Internal Revenue Code of 1986 is amended by striking ''a uniform percentage (not less than 50 percent)'' and inserting ''at least 50 percent''.

(f) ELIMINATION OF CAP RELATING TO AVERAGE LOCAL PREMIUMS.—Subsection (b) of section 45R of the Internal Revenue Code of 1986 is amended by striking ''the lesser of'' and all that follows and inserting ''the aggregate amount of nonelective contributions the employer made on behalf of its employees during the taxable year under the arrangement described in subsection (d)(4) for premiums for qualified health plans offered by the employer to its employees through an Exchange.''.

(g) AMENDMENT RELATING TO ANNUAL WAGE LIMITATION.—Subparagraph (B) of section 45R(d)(1) of the Internal Revenue Code of 1986 is amended by striking ''twice'' and inserting ''three times''.

(h) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2014.

SEC. _____. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

''(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

''(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting '80 percent' for '60 percent', or

''(B) such corporation is an inverted domestic corporation.

''(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes after November 30, 2015, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

''(B) after the acquisition, more than 50 percent of the stock (by vote or value) of the entity is held—

''(i) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

''(ii) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership.

''(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term 'substantial business activities' shall have the meaning given such term under regulations in effect on November 30, 2015, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking ''after March 4, 2003,'' and inserting ''after March 4, 2003, and before December 1, 2015,''.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(ii) by inserting ''or (b)(2)(A)'' after ''(a)(2)(B)(i)'' in subparagraph (B),

(B) in paragraph (3), by inserting ''or (b)(2)(B), as the case may be,'' after ''(a)(2)(B)(ii)'',

(C) in paragraph (5), by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(D) in paragraph (6), by inserting ''or inverted domestic corporation, as the case may be,'' after ''surrogate foreign corporation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after November 30, 2015.

SA 2912. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

At the appropriate place, insert the following:

TITLE ____—PROTECT AMERICA ACT OF 2015

SECTION _01. SHORT TITLE.

This title may be cited as the ''Protect America Act of 2015''.

SEC. _02. GRANTING THE ATTORNEY GENERAL THE AUTHORITY TO DENY THE SALE, DELIVERY, OR TRANSFER OF FIREARMS TO DANGEROUS TERRORISTS; REQUIRING INFORMATION SHARING REGARDING ATTEMPTED FIREARMS PURCHASES BY SUSPECTED TERRORISTS; AUTHORIZING THE INVESTIGATION AND ARREST OF TERRORISTS WHO ATTEMPT TO PURCHASE FIREARMS.

(a) SHORT TITLE.—This section may be cited as the ''Preventing Terrorists From Obtaining Firearms Act of 2015''.

(b) AMENDMENTS.—Section 922(t) of title 18, United States Code, is amended by adding at the end the following:

''(7)(A) If the Attorney General is notified of a request to transfer a firearm to a person who is a known or suspected terrorist, the Attorney General shall—

''(i) as appropriate, take further steps to confirm the identity of the prospective transferee and confirm or rule out the suspected nexus to terrorism of the prospective transferee;

''(ii) as appropriate, notify relevant Federal, State, or local law enforcement agencies or intelligence agencies concerning the identity of the prospective transferee; and

''(iii) determine whether the prospective transferee is already the subject of an ongoing terrorism investigation and, as appropriate, initiate such an investigation.

''(B) Upon being notified of a prospective transfer under subparagraph (A), the Attorney General or the United States attorney for the district in which the licensee is located may—

''(i) delay the transfer of the firearm for a period not to exceed 72 hours; and

''(ii) file an emergency petition in a court of competent jurisdiction to prohibit the transfer of the firearm.

''(C)(i) An emergency petition filed under subparagraph (B)(ii) shall be granted upon a showing of probable cause to believe that the transferee has committed or will commit an act of terrorism.

''(ii) In the case of an emergency petition filed under subparagraph (B)(ii) to prohibit the transfer of a firearm, the petition may only be granted after a hearing—

''(I) of which the transferee receives actual notice; and

''(II) at which the transferee has an opportunity to participate with counsel.

''(D) The Attorney General may arrest and detain any transferee with respect to whom an emergency petition is granted under subparagraph (C).

''(E) For purposes of this paragraph—

''(i) the term 'known or suspected terrorist' means a person determined by the Attorney General to be known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism;

''(ii) the term 'material support or resources' has the meaning given the term in section 2339A; and

''(iii) the term 'terrorism' includes international terrorism and domestic terrorism, as defined in section 2331.''.

SEC. _03. STOP SANCTUARY POLICIES AND PROTECT AMERICANS.

(a) SHORT TITLE.—This section may be cited as the ''Stop Sanctuary Policies and Protect Americans Act''.

(b) SANCTUARY JURISDICTION DEFINED.—In this section, the term ''sanctuary jurisdiction'' means any State or political subdivision of a State, including any law enforcement entity of a State or of a political subdivision of a State, that—

(1) has in effect a statute, ordinance, policy, or practice that is in violation of subsection (a) or (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373); or

(2) has in effect a statute, ordinance, policy, or practice that prohibits any government entity or official from complying with a detainer that has been lawfully issued or a request to notify about the release of an alien that has been made by the Department of Homeland Security in accordance with section 236 and 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) and section 287.7 of title 8, Code of Federal Regulations.

(c) LIMITATION ON GRANTS TO SANCTUARY JURISDICTIONS.—

(1) INELIGIBILITY FOR GRANTS.—

(A) LAW ENFORCEMENT GRANTS.—

(i) SCAAP GRANTS.—A sanctuary jurisdiction shall not be eligible to receive funds pursuant to the State Criminal Alien Assistance Program under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)).

(ii) COPS GRANTS.—No law enforcement entity of a State or of a political subdivision of a State that has a departmental policy or practice that renders it a sanctuary jurisdiction, and such a policy or practice is not required by statute, ordinance, or other codified law, or by order of a chief executive officer of the jurisdiction, or the executive or legislative board of the jurisdiction, shall be eligible to receive funds directly or indirectly under the 'Cops on the Beat' program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.).

(iii) ENFORCEMENT.—The Attorney General, in consultation with the Secretary of Homeland Security, shall terminate the funding described in subparagraphs (A) and (B) to a State or political subdivision of a State on the date that is 30 days after the date on which a notification described in subsection (d)(2) is made to the State or subdivision, unless the Secretary of Homeland Security, in consultation with the Attorney General, determines the State or subdivision is no longer a sanctuary jurisdiction.

(B) COMMUNITY DEVELOPMENT BLOCK GRANTS.—

(i) IN GENERAL.—Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) is amended—

(I) in section 102 (42 U.S.C. 5302), by adding at the end the following:

''(25) The term 'sanctuary jurisdiction' means any State or unit of general local government that—

''(A) has in effect a statute, ordinance, policy, or practice that is in violation of subsection (a) or (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373); or

''(B) has in effect a statute, ordinance, policy, or practice that prohibits any government entity or official from complying with a detainer that has been lawfully issued or a request to notify about the release of an alien that has been made by the Department of Homeland Security in accordance with

section 236 and 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) and section 287.7 of title 8, Code of Federal Regulations.''; and

(II) in section 104 (42 U.S.C. 5304)—

(aa) in subsection (b)—

(AA) in paragraph (5), by striking ''and'' at the end;

(BB) by redesignating paragraph (6) as paragraph (7); and

(CC) by inserting after paragraph (5) the following:

''(6) the grantee is not a sanctuary jurisdiction and will not become a sanctuary jurisdiction during the period for which the grantee receives a grant under this title; and''; and

(bb) by adding at the end the following:

''(n) PROTECTION OF INDIVIDUALS AGAINST CRIMINAL ALIENS.—

''(1) IN GENERAL.—No funds authorized to be appropriated to carry out this title may be obligated or expended to any State or unit of general local government that is a sanctuary jurisdiction.

''(2) RETURNED AMOUNTS.—

''(A) STATE.—If a State is a sanctuary jurisdiction during the period for which the State receives amounts under this title, the Secretary—

''(i) shall direct the State to immediately return to the Secretary any such amounts that have not been obligated by the State as of the date on which the State became a sanctuary jurisdiction; and

''(ii) may use any returned amounts under clause (i) to make grants to other States that are not sanctuary jurisdictions in accordance with this title.

''(B) UNIT OF GENERAL LOCAL GOVERNMENT.—If a unit of general local government is a sanctuary jurisdiction during the period for which the unit of general local government receives amounts under this title, any such amounts that have not been obligated by the unit of general local government as of the date on which the unit of general local government became a sanctuary jurisdiction—

''(i) in the case of a unit of general local government that is not in a nonentitlement area, shall be returned to the Secretary to make grants to States and other units of general local government that are not sanctuary jurisdictions in accordance with this title; and

''(ii) in the case of a unit of general local government that is in a nonentitlement area, shall be returned to the Governor of the State to make grants to other units of general local government that are not sanctuary jurisdictions in accordance with this title.

''(o) ENFORCEMENT AGAINST FUNDING FOR SANCTUARY JURISDICTIONS.—

''(1) IN GENERAL.—The Secretary shall verify, on a quarterly basis, the determination of the Secretary of Homeland Security and the Attorney General as to whether a State or unit of general local government is a sanctuary jurisdiction and therefore ineligible to receive a grant under this title for purposes of subsections (b)(6) and (n).

''(2) NOTIFICATION.—If the Secretary verifies that a State or unit of general local government is determined to be a sanctuary jurisdiction under paragraph (1), the Secretary shall notify the State or unit of general local government that it is ineligible to receive a grant under this title.''.

(ii) EFFECTIVE DATE.—The amendments made by clause (i) shall only apply with respect to community development block grants made under title I of the Housing and Community Development Act (42 U.S.C. 5301 et seq.) after the date of the enactment of this Act.

(2) ALLOCATION.—Any funds that are not allocated to a State or political subdivision of a State pursuant to paragraph (1) and the amendments made by paragraph (1) shall be allocated to States and political subdivisions of States that are not sanctuary jurisdictions.

(3) NOTIFICATION OF CONGRESS.—Not later than 5 days after a determination is made pursuant to paragraph (1) to terminate a grant or to refuse to award a grant, the Secretary of Homeland Security shall submit to the Committee on Appropriations and the Committee on the Judiciary of the Senate and the Committee on Appropriations and the Committee on the Judiciary of the House of Representatives a report that fully describes the circumstances and basis for the termination or refusal.

(4) TRANSPARENCY AND ACCOUNTABILITY.—Not later than 60 days after the date of the enactment of this Act, and quarterly thereafter, the Secretary of Homeland Security and the Attorney General shall—

(A) determine the States and political subdivisions of States that are sanctuary jurisdictions;

(B) notify each such State or subdivision that it is determined to be a sanctuary jurisdiction; and

(C) publish on the website of the Department of Homeland Security and of the Department of Justice—

(i) a list of each sanctuary jurisdiction;

(ii) the total number of detainers and requests for notification of the release of any alien that has been issued or made to each State or political subdivision of a State; and

(iii) the number of such detainers and requests for notification that have been ignored or otherwise not honored, including the name of the jurisdiction in which each such detainer or request for notification was issued or made.

(5) CONSTRUCTION.—Nothing in this subsection may be construed to require law enforcement officials of a State or a political subdivision of a State to provide the Secretary of Homeland Security with information related to a victim or a witness to a criminal offense.

(d) STATE AND LOCAL GOVERNMENT AND INDIVIDUAL COMPLIANCE WITH DETAINERS.—

(1) AUTHORITY TO CARRY OUT DETAINERS.—A State, a political subdivision of a State, or an officer, employee, or agent of such State or political subdivision that complies with a detainer issued by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357)—

(A) shall be deemed to be acting as an agent of the Department of Homeland Security; and

(B) shall have the authority available to employees of the Department of Homeland Security with regard to actions taken to comply with the detainer.

(2) LIABILITY.—In any legal proceeding brought against a State, a political subdivision of State, or an officer, employee, or agent of such State or political subdivision, which challenges the legality of the seizure or detention of an individual pursuant to a detainer issued by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357)—

(A) no liability shall lie against the State or political subdivision for actions taken in compliance with the detainer;

(B) if the actions of the officer, employee, or agent of the State or political subdivision were taken in compliance with the detainer—

(i) the officer, employee, or agent shall be deemed to be an employee of the Federal Government and an investigative or law enforcement officer and to have been acting within the scope of his or her employment under section 1346(b) and chapter 171 of title 28, United States Code;

(ii) section 1346(b) of title 28, United States Code, shall provide the exclusive remedy for the plaintiff; and

(iii) the United States shall be substituted as defendant in the proceeding.

(3) CONSTRUCTION.—Nothing in this section may be construed—

(A) to provide immunity to any person who knowingly violates the civil or constitutional rights of an individual; or

(B) to limit the application of the doctrine of official immunity or of qualified immunity in a civil action brought against a law enforcement officer acting pursuant to a detainer issued by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357).

(e) INCREASED PENALTIES FOR REENTRY OF REMOVED ALIEN.—Section 276 of the Immigration and Nationality Act (8 U.S.C. 1326) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(2) by striking subsections (a) and (b) and inserting the following:

''(a) IN GENERAL.—Subject to subsections (b) and (c), any alien who—

''(1) has been denied admission, excluded, deported, or removed or has departed the United States while an order of exclusion, deportation, or removal is outstanding; and

''(2) thereafter enters, attempts to enter, or is at any time found in, the United States, unless—

''(A) prior to the alien's reembarkation at a place outside the United States or the alien's application for admission from foreign contiguous territory, the Secretary of Homeland Security has expressly consented to such alien's reapplying for admission; or

''(B) with respect to an alien previously denied admission and removed, such alien shall establish that the alien was not required to obtain such advance consent under this Act or any prior Act;

shall be fined under title 18, United States Code, or imprisoned not more than five years, or both.

''(b) CRIMINAL PENALTIES FOR REENTRY OF CERTAIN REMOVED ALIENS.—

''(1) IN GENERAL.—Notwithstanding the penalty provided in subsection (a), and except as provided in subsection (c), an alien described in subsection (a)—

''(A) who was convicted before such removal or departure of three or more misdemeanors involving drugs, crimes against the person, or both, or a felony (other than an aggravated felony), shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both;

''(B) who has been excluded from the United States pursuant to section 235(c) because the alien was excludable under section 212(a)(3)(B) or who has been removed from the United States pursuant to the provisions of title V, and who thereafter, without the permission of the Secretary of Homeland Security, enters the United States, or attempts to do so, shall be fined under title 18, United States Code, and imprisoned for a period of 10 years, which sentence shall not run concurrently with any other sentence;

''(C) who was removed from the United States pursuant to section 241(a)(4)(B) who thereafter, without the permission of the Secretary of Homeland Security, enters, attempts to enter, or is at any time found in, the United States (unless the Secretary of Homeland Security has expressly consented to such alien's reentry) shall be fined under title 18, United States Code, imprisoned for not more than 10 years, or both; and

''(D) who has been denied admission, excluded, deported, or removed 3 or more times and thereafter enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both.

''(2) REMOVAL DEFINED.—In this subsection and subsection (c), the term 'removal' includes any agreement in which an alien stipulates to removal during (or not during) a criminal trial under either Federal or State law.

''(c) MANDATORY MINIMUM CRIMINAL PENALTY FOR REENTRY OF CERTAIN REMOVED ALIENS.—Notwithstanding the penalties provided in subsections (a) and (b), an alien described in subsection (a)—

''(1) who was convicted before such removal or departure of an aggravated felony; or

''(2) who was convicted at least two times before such removal or departure of illegal reentry under this section;

shall be imprisoned not less than five years and not more than 20 years, and may, in addition, be fined under title 18, United States Code.''; and

(3) in subsection (d), as redesignated by paragraph (1)—

(A) by striking ''section 242(h)(2)'' and inserting ''section 241(a)(4)''; and

(B) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security''.

(f) SEVERABILITY.—If any provision of this section or the application of such provision to any person or circumstance is held invalid for any reason, the remainder of this section, and the application of such provision to other persons not similarly situated or to other circumstances, shall not be affected by such invalidation.

SA 2913. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

At the appropriate place, insert the following:

SEC. _____. EXTENSION OF SPECIAL RULE FOR SENIORS RELATING TO INCOME LEVEL FOR DEDUCTION OF MEDICAL CARE EXPENSES.

Subsection (f) of section 213 of the Internal Revenue Code of 1986 is amended to read as follows:

''(f) SPECIAL RULE.—In the case of any taxable year beginning after December 31, 2012, and ending before January 1, 2024, subsection (a) shall be applied with respect to a taxpayer by substituting '7.5 percent' for '10 percent' if such taxpayer or such taxpayer's spouse has attained age 65 before the close of such taxable year.''.

SEC. _____. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

''Sec. 59A. Fair share tax.

''SEC. 59A. FAIR SHARE TAX.

''(a) GENERAL RULE.—

''(1) IMPOSITITION OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

''(A) the amount determined under paragraph (2), and

''(B) a fraction (not to exceed 1)—

''(i) the numerator of which is the excess of—

''(I) the taxpayer's adjusted gross income, over

''(II) the dollar amount in effect under subsection (c)(1), and

''(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

''(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

''(A) the tentative fair share tax for the taxable year, over

''(B) the excess of—

''(i) the sum of—

''(I) the regular tax liability (as defined in section 26(b)) for the taxable year, determined without regard to any tax liability determined under this section,

''(II) the tax imposed by section 55 for the taxable year, plus

''(III) the payroll tax for the taxable year, over

''(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

''(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

''(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

''(A) the adjusted gross income of the taxpayer, over

''(B) the modified charitable contribution deduction for the taxable year.

''(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

''(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

''(ii) such amount, determined before the application of section 68.

''(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

''(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'high-income taxpayer' means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of $1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a taxable year beginning after 2016, the $1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the next lowest multiple of $10,000.

''(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

''(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such tax is attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during such taxable year, over

''(2) the deduction allowable under section 164(f) for such taxable year.

''(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

''(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SA 2914. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

At the appropriate place, insert the following:

DIVISION B—PROTECTING COMMUNITIES AND PRESERVING THE SECOND AMENDMENT

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Protecting Communities and Preserving the Second Amendment Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

DIVISION B—PROTECTING COMMUNITIES AND PRESERVING THE SECOND AMENDMENT

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—COMBATING GUN CRIME, NICS REAUTHORIZATION, AND NICS IMPROVEMENT

Sec. 101. Reauthorization and improvements to NICS.

Sec. 102. Availability of records to NICS.

Sec. 103. Definitions relating to mental health.

Sec. 104. Clarification that Federal court information is to be made available to the national instant criminal background check system.

Sec. 105. Reports and certifications to Congress.
Sec. 106. Increasing Federal prosecution of gun violence.
Sec. 107. Prosecution of felons and fugitives who attempt to illegally purchase firearms.
Sec. 108. Limitation on operations by the Department of Justice.
Sec. 109. Straw purchasing of firearms.
Sec. 110. Increased penalties for lying and buying.
Sec. 111. Amendments to section 924(a).
Sec. 112. Amendments to section 924(h).
Sec. 113. Amendments to section 924(k).
Sec. 114. Multiple sales reports for rifles and shotguns.
Sec. 115. Study by the National Institutes of Justice and National Academy of Sciences on the causes of mass shootings.
Sec. 116. Reports to Congress regarding ammunition purchases by Federal agencies.
Sec. 117. Incentives for State compliance with NICS mental health record requirements.
Sec. 118. Firearm commerce modernization.
Sec. 119. Firearm dealer access to law enforcement information.
Sec. 120. Interstate transportation of firearms or ammunition.

TITLE II—MENTAL HEALTH

Sec. 201. Reauthorization and additional amendments to the Mentally Ill Offender Treatment and Crime Reduction Act.
Sec. 202. Additional purposes for Federal grants.
Sec. 203. Protecting the second amendment rights of veterans.
Sec. 204. Applicability of amendments.

TITLE III—SCHOOL SAFETY

Sec. 301. Short title.
Sec. 302. Grant program for school security.
Sec. 303. Applications.
Sec. 304. Authorization of appropriations.
Sec. 305. Accountability.
Sec. 306. Preventing duplicative grants.

TITLE IV—SANCTUARY CITIES

Sec. 401. Stop Sanctuary Policies and Protect Americans.

SEC. 2. DEFINITIONS.

In this division—

(1) the term ''agency'' has the meaning given the term in section 551 of title 5, United States Code;

(2) the term ''NICS'' means the National Instant Criminal Background Check System; and

(3) the term ''relevant Federal records'' means any record demonstrating that a person is prohibited from possessing or receiving a firearm under subsection (g) or (n) of section 922 of title 18, United States Code.

TITLE I—COMBATING GUN CRIME, NICS REAUTHORIZATION, AND NICS IMPROVEMENT

SEC. 101. REAUTHORIZATION AND IMPROVEMENTS TO NICS.

(a) IN GENERAL.—Section 103 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by redesignating subsection (e) as subsection (f) and amending such subsection to read as follows:

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2013 through 2017.''; and

(2) by inserting after subsection (d) the following:

''(e) ACCOUNTABILITY.—All grants awarded by the Attorney General under this section shall be subject to the following accountability provisions:

''(1) DEFINITION.—In this subsection, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

''(2) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this section to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(3) PRIORITY.—In awarding grants under this section, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this section.''.

(b) MODIFICATION OF ELIGIBILITY REQUIREMENTS.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) in section 102(b)(1)—

(A) in subparagraph (A), by striking ''subparagraph (C)'' and inserting ''subparagraph (B)'';

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B);

(2) in section 103(a)(1), by striking ''and subject to section 102(b)(1)(B)''; and

(3) in section 104(d), by striking ''section 102(b)(1)(C)'' and inserting ''section 102(b)(1)(B)''.

SEC. 102. AVAILABILITY OF RECORDS TO NICS.

(a) GUIDANCE.—Not later than 45 days after the date of enactment of this Act, the Attorney General shall issue guidance regarding—

(1) the identification and sharing of relevant Federal records; and

(2) submission of the relevant Federal records to NICS.

(b) PRIORITIZATION OF RECORDS.—Each agency that possesses relevant Federal records shall prioritize providing the relevant information contained in the relevant Federal records to NICS on a regular and ongoing basis in accordance with the guidance issued by the Attorney General under subsection (a).

(c) REPORTS.—Not later than 60 days after the Attorney General issues guidance under subsection (a), the head of each agency shall submit a report to the Attorney General that—

(1) advises whether the agency possesses relevant Federal records; and

(2) describes the implementation plan of the agency for making the relevant information contained in relevant Federal records available to NICS in a manner consistent with applicable law.

(d) DETERMINATION OF RELEVANCE.—The Attorney General shall resolve any dispute regarding whether—

(1) agency records are relevant Federal records; and

(2) the relevant Federal records of an agency should be made available to NICS.

SEC. 103. DEFINITIONS RELATING TO MENTAL HEALTH.

(a) TITLE 18 DEFINITIONS.—Chapter 44 of title 18, United States Code, is amended—

(1) in section 921(a), by adding at the end the following:

''(36)(A) Subject to subparagraph (B), the term 'has been adjudicated mentally incompetent or has been committed to a psychiatric hospital', with respect to a person—

''(i) means the person is the subject of an order or finding by a judicial officer, court, board, commission, or other adjudicative body—

''(I) that was issued after—

''(aa) a hearing—

''(AA) of which the person received actual notice; and

''(BB) at which the person had an opportunity to participate with counsel; or

''(bb) the person knowingly and intelligently waived the opportunity for a hearing—

''(AA) of which the person received actual notice; and

''(BB) at which the person would have had an opportunity to participate with counsel; and

''(II) that found that the person, as a result of marked subnormal intelligence, mental impairment, mental illness, incompetency, condition, or disease—

''(aa) was a danger to himself or herself or to others;

''(bb) was guilty but mentally ill in a criminal case, in a jurisdiction that provides for such a verdict;

''(cc) was not guilty in a criminal case by reason of insanity or mental disease or defect;

''(dd) was incompetent to stand trial in a criminal case;

''(ee) was not guilty by reason of lack of mental responsibility under section 850a of title 10 (article 50a of the Uniform Code of Military Justice);

''(ff) required involuntary inpatient treatment by a psychiatric hospital for any reason, including substance abuse; or

''(gg) required involuntary outpatient treatment by a psychiatric hospital based on a finding that the person is a danger to himself or herself or to others; and

''(ii) does not include—

''(I) an admission to a psychiatric hospital for observation; or

''(II) a voluntary admission to a psychiatric hospital.

''(B) In this paragraph, the term 'order or finding' does not include—

''(i) an order or finding that has expired, has been set aside, has been expunged, or is otherwise no longer applicable because a judicial officer, court, board, commission, adjudicative body, or appropriate official has found that the person who is the subject of the order or finding—

''(I) does not present a danger to himself or herself or to others;

''(II) has been restored to sanity or cured of mental disease or defect;

''(III) has been restored to competency; or

''(IV) no longer requires involuntary inpatient or outpatient treatment by a psychiatric hospital, and the person is not a danger to himself, herself, or others; or

''(ii) an order or finding with respect to which the person who is subject to the order or finding has been granted relief from disabilities under section 925(c), under a program described in section 101(c)(2)(A) or 105 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note), or under any other State-authorized relief from disabilities program of the State in which the original commitment or adjudication occurred.

''(37) The term 'psychiatric hospital' includes a mental health facility, a mental

hospital, a sanitarium, a psychiatric facility, and any other facility that provides diagnoses or treatment by licensed professionals of mental retardation or mental illness, including a psychiatric ward in a general hospital.''; and

(2) in section 922—

(A) in subsection (d)(4)—

(i) by striking ''as a mental defective'' and inserting ''mentally incompetent''; and

(ii) by striking ''any mental institution'' and inserting ''a psychiatric hospital''; and

(B) in subsection (g)(4)—

(i) by striking ''as a mental defective or who has'' and inserting ''mentally incompetent or has''; and

(ii) by striking ''mental institution'' and inserting ''psychiatric hospital''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking ''as a mental defective'' each place that term appears and inserting ''mentally incompetent'';

(2) by striking ''mental institution'' each place that term appears and inserting ''psychiatric hospital'';

(3) in section 101(c)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''to the mental health of a person'' and inserting ''to whether a person is mentally incompetent''; and

(B) in paragraph (2)—

(i) in subparagraph (A)(i), by striking ''to the mental health of a person'' and inserting ''to whether a person is mentally incompetent''; and

(ii) in subparagraph (B), by striking ''to the mental health of a person'' and inserting ''to whether a person is mentally incompetent''; and

(4) in section 102(c)(3)—

(A) in the paragraph heading, by striking ''AS A MENTAL DEFECTIVE OR COMMITTED TO A MENTAL INSTITUTION'' and inserting ''MENTALLY INCOMPETENT OR COMMITTED TO A PSYCHIATRIC HOSPITAL''; and

(B) by striking ''mental institutions'' and inserting ''psychiatric hospitals''.

SEC. 104. CLARIFICATION THAT FEDERAL COURT INFORMATION IS TO BE MADE AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

Section 103(e)(1) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended by adding at the end the following:

''(F) APPLICATION TO FEDERAL COURTS.—In this paragraph—

''(i) the terms 'department or agency of the United States' and 'Federal department or agency' include a Federal court; and

''(ii) for purposes of any request, submission, or notification, the Director of the Administrative Office of the United States Courts shall perform the functions of the head of the department or agency.''.

SEC. 105. REPORTS AND CERTIFICATIONS TO CONGRESS.

(a) NICS REPORTS.—Not later than October 1, 2013, and every year thereafter, the head of each agency that possesses relevant Federal records shall submit a report to Congress that includes—

(1) a description of the relevant Federal records possessed by the agency that can be shared with NICS in a manner consistent with applicable law;

(2) the number of relevant Federal records the agency submitted to NICS during the reporting period;

(3) efforts made to increase the percentage of relevant Federal records possessed by the agency that are submitted to NICS;

(4) any obstacles to increasing the percentage of relevant Federal records possessed by the agency that are submitted to NICS;

(5) measures put in place to provide notice and programs for relief from disabilities as required under the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) if the agency makes qualifying adjudications relating to the mental health of an individual;

(6) measures put in place to correct, modify, or remove records available to NICS when the basis on which the records were made available no longer applies; and

(7) additional steps that will be taken during the 1-year period after the submission of the report to improve the processes by which relevant Federal records are—

(A) identified;

(B) made available to NICS; and

(C) corrected, modified, or removed from NICS.

(b) CERTIFICATIONS.—

(1) IN GENERAL.—The annual report requirement in subsection (a) shall not apply to an agency that, as part of a report required to be submitted under subsection (a), provides certification that the agency has—

(A) made available to NICS relevant Federal records that can be shared in a manner consistent with applicable law;

(B) a plan to make any relevant Federal records available to NICS and a description of that plan; and

(C) a plan to update, modify, or remove records electronically from NICS not less than quarterly as required by the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) and a description of that plan.

(2) FREQUENCY.—Each agency that is not required to submit annual reports under paragraph (1) shall submit an annual certification to Congress attesting that the agency continues to submit relevant Federal records to NICS and has corrected, modified, or removed records available to NICS when the basis on which the records were made available no longer applies.

(c) REPORTS TO CONGRESS ON FIREARMS PROSECUTIONS.—

(1) REPORT TO CONGRESS.—Beginning February 1, 2014, and on February 1 of each year thereafter through 2023, the Attorney General shall submit to the Committees on the Judiciary and Committees on Appropriations of the Senate and the House of Representatives a report of information gathered under this subsection during the fiscal year that ended on September 30 of the preceding year.

(2) SUBJECT OF ANNUAL REPORT.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall require each component of the Department of Justice, including each United States Attorney's Office, to furnish for the purposes of the report described in paragraph (1), information relating to any case presented to the Department of Justice for review or prosecution, in which the objective facts of the case provide probable cause to believe that there has been a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986.

(3) ELEMENTS OF ANNUAL REPORT.—With respect to each case described in paragraph (2), the report submitted under paragraph (1) shall include information indicating—

(A) whether in any such case, a decision has been made not to charge an individual with a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986, or any other violation of Federal criminal law;

(B) in any case described in subparagraph (A), a description of why no charge was filed under sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986;

(C) whether in any case described in paragraph (2), an indictment, information, or other charge has been brought against any person, or the matter is pending;

(D) whether, in the case of an indictment, information, or other charge described in subparagraph (C), the charging document contains a count or counts alleging a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986;

(E) in any case described in subparagraph (D) in which the charging document contains a count or counts alleging a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986, whether a plea agreement of any kind has been entered into with such charged individual;

(F) whether any plea agreement described in subparagraph (E) required that the individual plead guilty, to enter a plea of nolo contendere, or otherwise caused a court to enter a conviction against that individual for a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986;

(G) in any case described in subparagraph (F) in which the plea agreement did not require that the individual plead guilty, enter a plea of nolo contendere, or otherwise cause a court to enter a conviction against that individual for a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986, identification of the charges to which that individual did plead guilty;

(H) in the case of an indictment, information, or other charge described in subparagraph (C), in which the charging document contains a count or counts alleging a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986, the result of any trial of such charges (guilty, not guilty, mistrial);

(I) in the case of an indictment, information, or other charge described in subparagraph (C), in which the charging document did not contain a count or counts alleging a violation of sections 922 and 924, United States Code, and section 5861 of the Internal Revenue Code of 1986, the nature of the other charges brought and the result of any trial of such other charges as have been brought (guilty, not guilty, mistrial);

(J) the number of persons who attempted to purchase a firearm but were denied because of a background check conducted in accordance with section 922(t) of title 18, United States Code; and

(K) the number of prosecutions conducted in relation to persons described in subparagraph (J).

SEC. 106. INCREASING FEDERAL PROSECUTION OF GUN VIOLENCE.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall establish in jurisdictions specified in subsection (c) a program that meets the requirements of subsection (b), to be known as the ''Nationwide Project Exile Expansion''.

(b) PROGRAM ELEMENTS.—Each program established under subsection (a) shall, for the jurisdiction concerned—

(1) provide for coordination with State and local law enforcement officials in the identification of violations of Federal firearms laws;

(2) provide for the establishment of agreements with State and local law enforcement officials for the referral to the Bureau of Alcohol, Tobacco, Firearms, and Explosives and the United States Attorney for prosecution of persons arrested for violations of section 922 or section 924 of title 18, United States Code, or section 5861 of the Internal Revenue Code of 1986, relating to firearms;

(3) provide for the establishment of multi-jurisdictional task forces, coordinated by the Executive Office of the United States attorneys to investigate and prosecute illegal straw purchasing rings that purchase firearms in one jurisdiction and transfer them to another;

(4) require that the United States attorney designate not less than 1 assistant United States attorney to prosecute violations of Federal firearms laws;

(5) provide for the hiring of agents for the Bureau of Alcohol, Tobacco, Firearms, and Explosives to investigate violations of the provisions referred to in paragraph (2), United States Code, relating to firearms; and

(6) ensure that each person referred to the United States attorney under paragraph (2) be charged with a violation of the most serious Federal firearm offense consistent with the act committed.

(c) COVERED JURISDICTIONS.—

(1) IN GENERAL.—Subject to paragraph (2), the jurisdictions specified in this subsection are—

(A) the 10 jurisdictions with a population equal to or greater than 100,000 persons that had the highest total number of homicides according to the uniform crime report of the Federal Bureau of Investigation for the most recent year available;

(B) the 5 jurisdictions with such a population, other than the jurisdictions covered by paragraph (1), with the highest per capita rate of homicide according to the uniform crime report of the Federal Bureau of Investigation for the most recent year available; and

(C) the 3 tribal jurisdictions that have the highest homicide crime rates, as determined by the Attorney General.

(2) LIMITATION.—The 15 jurisdictions described in subparagraphs (A) and (B) shall not include any jurisdiction other than those within the 50 States.

(d) ANNUAL REPORTS.—Not later than 1 year after the date of enactment of this Act, an annually thereafter, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report containing the following information:

(1) The number of individuals indicted for such violations of Federal firearms laws during that year by reason of the program.

(2) The increase or decrease in the number of individuals indicted for such violations of Federal firearms laws during that year by reason of the program when compared with the year preceding that year.

(3) The number of individuals held without bond in anticipation of prosecution by reason of the program.

(4) To the extent the information is available, the average length of prison sentence of the individuals convicted of violations of Federal firearms laws by reason of the program.

(5) The number of multi-jurisdiction task forces established and the number of individuals arrested, indicted, convicted or acquitted of charges for violations of the specific crimes listed in subsection (b)(2).

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out the program under this section $15,000,000 for each of fiscal years 2014, 2015, and 2016, which shall be used for salaries and expenses of assistant United States attorneys and Bureau of Alcohol, Tobacco, Firearms, and Explosives agents.

(2) USE OF FUNDS.—

(A) ASSISTANT UNITED STATES ATTORNEYS.—The assistant United States attorneys hired using amounts authorized to be appropriated under paragraph (1) shall prosecute violations of Federal firearms laws in accordance with subsection (b)(2).

(B) ATF AGENTS.—The Bureau of Alcohol, Tobacco, Firearms, and Explosives agents hired using amounts authorized to be appropriated under paragraph (1) shall, to the maximum extent practicable, concentrate their investigations on violations of Federal firearms laws in accordance with subsection (b)(2).

SEC. 107. PROSECUTION OF FELONS AND FUGITIVES WHO ATTEMPT TO ILLEGALLY PURCHASE FIREARMS.

(a) TASKFORCE.—

(1) ESTABLISHMENT.—There is established a task force within the Department of Justice, which shall be known as the Felon and Fugitive Firearm Task Force (referred to in this section as the ''Task Force''), to strengthen the efforts of the Department of Justice to investigate and prosecute cases of convicted felons and fugitives from justice who illegally attempt to purchase a firearm.

(2) MEMBERSHIP.—The members of the Task Force shall be—

(A) the Deputy Attorney General, who shall serve as the Chairperson of the Task Force;

(B) the Assistant Attorney General for the Criminal Division;

(C) the Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives;

(D) the Director of the Federal Bureau of Investigation; and

(E) such other officers or employees of the Department of Justice as the Attorney General may designate.

(3) DUTIES.—The Task Force shall—

(A) provide direction for the investigation and prosecution of cases of convicted felons and fugitives from justice attempting to illegally purchase a firearm; and

(B) provide recommendations to the Attorney General relating to—

(i) the allocation and reallocation of resources of the Department of Justice for investigation and prosecution of cases of convicted felons and fugitives from justice attempting to illegally purchase a firearm;

(ii) enhancing cooperation among agencies and entities of the Federal Government in the investigation and prosecution of cases of convicted felons and fugitives from justice attempting to illegally purchase a firearm;

(iii) enhancing cooperation among Federal, State, and local authorities responsible for the investigation and prosecution of cases of convicted felons and fugitives from justice attempting to illegally purchase a firearm; and

(iv) changes in rules, regulations, or policy to improve the effective investigation and prosecution of cases of convicted felons and fugitives from justice attempting to illegally purchase a firearm.

(4) MEETINGS.—The Task Force shall meet not less than once a year.

(5) TERMINATION.—The Task Force shall terminate on the date that is 5 years after the date of enactment of this Act.

(b) AUTHORIZATION FOR USE OF FUNDS.—Section 524(c)(1) of title 28, United States Code, is amended—

(1) in subparagraph (H), by striking ''and'' at the end;

(2) in subparagraph (I), by striking the period at the end and inserting ''; and''; and

(3) by inserting after subparagraph (I) the following:

''(J) the investigation and prosecution of cases of convicted felons and fugitives from justice who illegally attempt to purchase a firearm, in accordance with section 107 of the Protecting Communities and Preserving the Second Amendment Act of 2015, provided that—

''(i) not more than $10,000,000 shall be available to the Attorney General for each of fiscal years 2014 through 2018 under this subparagraph; and

''(ii) not more than 5 percent of the amounts made available under this subparagraph may be used for the administrative costs of the task force established under section 107 of the Protecting Communities and Preserving the Second Amendment Act of 2015.''.

SEC. 108. LIMITATION ON OPERATIONS BY THE DEPARTMENT OF JUSTICE.

The Department of Justice, and any of its law enforcement coordinate agencies, shall not conduct any operation where a Federal firearms licensee is directed, instructed, enticed, or otherwise encouraged by the Department of Justice to sell a firearm to an individual if the Department of Justice, or a coordinate agency, knows or has reasonable cause to believe that such an individual is purchasing on behalf of another for an illegal purpose unless the Attorney General, the Deputy Attorney General, or the Assistant Attorney General for the Criminal Division personally reviews and approves the operation, in writing, and determines that the agency has prepared an operational plan that includes sufficient safeguards to prevent firearms from being transferred to third parties without law enforcement taking reasonable steps to lawfully interdict those firearms.

SEC. 109. STRAW PURCHASING OF FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by adding at the end the following:

''§ 932. Straw purchasing of firearms

''(a) DEFINITIONS.—For purposes of this section—

''(1) the term 'crime of violence' has the meaning given that term in section 924(c)(3);

''(2) the term 'drug trafficking crime' has the meaning given that term in section 924(c)(2); and

''(3) the term 'Federal crime of terrorism' has the meaning given that term in section 2332b(g).

''(b) OFFENSE.—It shall be unlawful for any person to—

''(1) purchase or otherwise obtain a firearm, which has been shipped, transported, or received in interstate or foreign commerce, for or on behalf of any other person who the person purchasing or otherwise obtaining the firearm knows—

''(A) is prohibited from possessing or receiving a firearm under subsection (g) or (n) of section 922;

''(B) intends to use, carry, possess, or sell or otherwise dispose of the firearm in furtherance of a crime of violence, a drug trafficking crime, or a Federal crime of terrorism;

''(C) intends to engage in conduct that would constitute a crime of violence, a drug trafficking crime, or a Federal crime of terrorism if the conduct had occurred within the United States; or

''(D) is not a resident of any State and is not a citizen or lawful permanent resident of the United States; or

''(2) willfully procure another to engage in conduct described in paragraph (1).

''(c) PENALTY.—Any person who violates subsection (b) shall be fined under this title, imprisoned not more than 15 years, or both.

''§ 933. Trafficking in firearms

''(a) DEFINITIONS.—For purposes of this section—

''(1) the term 'crime of violence' has the meaning given that term in section 924(c)(3);

''(2) the term 'drug trafficking crime' has the meaning given that term in section 924(c)(2); and

''(3) the term 'Federal crime of terrorism' has the meaning given that term in section 2332b(g).

''(b) OFFENSE.—It shall be unlawful for any person to—

''(1) ship, transport, transfer, or otherwise dispose of 2 or more firearms to another person in or otherwise affecting interstate or foreign commerce, if the transferor knows that the use, carrying, or possession of a firearm by the transferee would violate subsection (g) or (n) of section 922, or constitute a crime of violence, a drug trafficking crime, or a Federal crime of terrorism;

''(2) receive from another person 2 or more firearms in or otherwise affecting interstate or foreign commerce, if the recipient—

''(A) knows that such receipt would violate subsection (g) or (n) of section 922; or

''(B) intends to use the firearm in furtherance of a crime of violence, a drug trafficking crime, or a Federal crime of terrorism; or

''(3) attempt or conspire to commit the conduct described in paragraph (1) or (2).

''(c) PENALTIES.—

''(1) IN GENERAL.—Any person who violates subsection (b) shall be fined under this title, imprisoned not more than 15 years, or both.

''(2) ORGANIZER.—If a violation of subsection (b) is committed by a person acting in concert with other persons as an organizer, leader, supervisor, or manager, the person shall be fined under this title, imprisoned not more than 20 years, or both.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 931 the following:

''932. Straw purchasing of firearms.
''933. Trafficking in firearms.''.

(c) DIRECTIVE TO THE SENTENCING COMMISSION.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and amend its guidelines and policy statements to ensure that persons convicted of an offense under section 932 or 933 of title 18, United States Code, and other offenses applicable to the straw purchases and firearms trafficking of firearms are subject to increased penalties in comparison to those currently provided by the guidelines and policy statements for such straw purchasing and firearms trafficking offenses. In its review, the Commission shall consider, in particular, an appropriate amendment to reflect the intent of Congress that straw purchasers without significant criminal histories receive sentences that are sufficient to deter participation in such activities. The Commission shall also review and amend its guidelines and policy statements to reflect the intent of Congress that a person convicted of an offense under section 932 or 933 of title 18, United States Code, who is affiliated with a gang, cartel, organized crime ring, or other such enterprise should be subject to higher penalties than an otherwise unaffiliated individual.

SEC. 110. INCREASED PENALTIES FOR LYING AND BUYING.

Section 924(a)(1) of title 18, United States Code, is amended in the undesignated matter following subparagraph (D) by striking ''five years'' and inserting the following: ''5 years (or, in the case of a violation under subparagraph (A), not more than 10 years)''.

SEC. 111. AMENDMENTS TO SECTION 924(a).

Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking ''(d), (g),''; and

(2) by adding at the end the following:

''(8) Whoever knowingly violates subsection (d), (g), or (n) of section 922 shall be fined under this title, imprisoned not more than 15 years, or both.''.

SEC. 112. AMENDMENTS TO SECTION 924(h).

Section 924 of title 18, United States Code, is amended by striking subsection (h) and inserting the following:

''(h) Whoever knowingly receives or transfers a firearm or ammunition, or attempts or conspires to do so, knowing that such firearm or ammunition will be used to commit a crime of violence (as defined in subsection (c)(3)), a drug trafficking crime (as defined in subsection (c)(2)), a Federal crime of terrorism (as defined in section 2332b(g)), or a crime under the Arms Export Control Act (22 U.S.C. 2751 et seq.), the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), or the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.), shall be imprisoned not more than 15 years, fined in accordance with this title, or both.''.

SEC. 113. AMENDMENTS TO SECTION 924(k).

Section 924 of title 18, United States Code, is amended by striking subsection (k) and inserting the following:

''(k)(1) A person who, with intent to engage in or promote conduct that—

''(A) is punishable under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46;

''(B) violates any law of a State relating to any controlled substance (as defined in section 102 of the Controlled Substances Act, 21 U.S.C. 802);

''(C) constitutes a crime of violence (as defined in subsection (c)(3)); or

''(D) constitutes a Federal crime of terrorism (as defined in section 2332b(g)),

smuggles or knowingly brings into the United States, a firearm or ammunition, or attempts or conspires to do so, shall be imprisoned not more than 15 years, fined under this title, or both.

''(2) A person who, with intent to engage in or to promote conduct that—

''(A) would be punishable under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46, if the conduct had occurred within the United States; or

''(B) would constitute a crime of violence (as defined in subsection (c)(3)) or a Federal crime of terrorism (as defined in section 2332b(g)) for which the person may be prosecuted in a court of the United States, if the conduct had occurred within the United States,

smuggles or knowingly takes out of the United States, a firearm or ammunition, or attempts or conspires to do so, shall be imprisoned not more than 15 years, fined under this title, or both.''.

SEC. 114. MULTIPLE SALES REPORTS FOR RIFLES AND SHOTGUNS.

Section 923(g)(5) of title 18, United States Code, is amended by adding at the end the following:

''(C) The Attorney General may not require a licensee to submit ongoing or periodic reporting of the sale or other disposition of 2 or more rifles or shotguns during a specified period of time.''.

SEC. 115. STUDY BY THE NATIONAL INSTITUTES OF JUSTICE AND NATIONAL ACADEMY OF SCIENCES ON THE CAUSES OF MASS SHOOTINGS.

(a) IN GENERAL.—

(1) STUDY.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall instruct the Director of the National Institutes of Justice, to conduct a peer-reviewed study to examine various sources and causes of mass shootings including psychological factors, the impact of violent video games, and other factors. The Director shall enter into a contract with the National Academy of Sciences to conduct this study jointly with an independent panel of 5 experts appointed by the Academy.

(2) REPORT.—Not later than 1 year after the date on which the study required under paragraph (1) begins, the Directors shall submit to Congress a report detailing the findings of the study.

(b) ISSUES EXAMINED.—The study conducted under subsection (a)(1) shall examine—

(1) mental illness;

(2) the availability of mental health and other resources and strategies to help families detect and counter tendencies toward violence;

(3) the availability of mental health and other resources at schools to help detect and counter tendencies of students towards violence;

(4) the extent to which perpetrators of mass shootings, either alleged, convicted, deceased, or otherwise, played violent or adult-themed video games and whether the perpetrators of mass shootings discussed, planned, or used violent or adult-themed video games in preparation of or to assist in carrying out their violent actions;

(5) familial relationships, including the level of involvement and awareness of parents;

(6) exposure to bullying; and

(7) the extent to which perpetrators of mass shootings were acting in a ''copycat'' manner based upon previous violent events.

SEC. 116. REPORTS TO CONGRESS REGARDING AMMUNITION PURCHASES BY FEDERAL AGENCIES.

Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget, shall report to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Chairmen and Ranking Members of the House and Senate Committee on Appropriations and the Committee on the Judiciary, the House Committee on Homeland Security, the Senate Committee on Homeland Security and Government Affairs, and the House Committee on Government Reform and Oversight, a report including—

(1) details of all purchases of ammunition by each Federal agency;

(2) a summary of all purchases, solicitations, and expenditures on ammunition by each Federal agency;

(3) a summary of all the rounds of ammunition expended by each Federal agency and a

current listing of stockpiled ammunition for each Federal agency; and

(4) an estimate of future ammunition needs and purchases for each Federal agency for the next fiscal year.

SEC. 117. INCENTIVES FOR STATE COMPLIANCE WITH NICS MENTAL HEALTH RECORD REQUIREMENTS.

Section 104(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking paragraphs (1) and (2);

(2) by redesignating paragraph (3) as paragraph (2);

(3) in paragraph (2), as redesignated, by striking ''of paragraph (2)'' and inserting ''of paragraph (1)''; and

(4) by inserting before paragraph (2), as redesignated, the following:

''(1) INCENTIVES FOR PROVIDING MENTAL HEALTH RECORDS AND FIXING THE BACKGROUND CHECK SYSTEM.—

''(A) DEFINITION OF COMPLIANT STATE.—In this paragraph, the term 'compliant State' means a State that has—

''(i) provided not less than 90 percent of the records required to be provided under sections 102 and 103; or

''(ii) in effect a statute that—

''(I) requires the State to provide the records required to be provided under sections 102 and 103; and

''(II) implements a relief from disabilities program in accordance with section 105.

''(B) INCENTIVES FOR COMPLIANCE.—During the period beginning on the date that is 18 months after the enactment of the Protecting Communities and Preserving the Second Amendment Act of 2015 and ending on the date that is 5 years after the date of enactment of such Act, the Attorney General—

''(i) shall use funds appropriated to carry out section 103 of this Act, the excess unobligated balances of the Department of Justice and funds withheld under clause (ii), or any combination thereof, to increase the amounts available under section 505 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) for each compliant State in an amount that is not less than 2 percent nor more than 5 percent of the amount that was allocated to such State under such section 505 in the previous fiscal year; and

''(ii) may withhold an amount not to exceed the amount described in clause (i) that would otherwise be allocated to a State under any section of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) if the State—

''(I) is not a compliant State; and

''(II) does not submit an assurance to the Attorney General that—

''(aa) an amount that is not less than the amount described in clause (i) will be used solely for the purpose of enabling the State to become a compliant State; or

''(bb) the State will hold in abeyance an amount that is not less than the amount described in clause (i) until such State has become a compliant State.

''(C) REGULATIONS.—Not later than 180 days after the enactment of the Protecting Communities and Preserving the Second Amendment Act of 2015, the Attorney General shall issue regulations implementing this paragraph.''.

SEC. 118. FIREARM COMMERCE MODERNIZATION.

(a) FIREARMS DISPOSITIONS.—Section 922(b)(3) of title 18, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''located'' and inserting ''located or temporarily located''; and

(2) in subparagraph (A)—

(A) by striking ''rifle or shotgun'' and inserting ''firearm'';

(B) by striking ''located'' and inserting ''located or temporarily located''; and

(C) by striking ''both such States'' and inserting ''the State in which the transfer is conducted and the State of residence of the transferee''.

(b) DEALER LOCATION.—Section 923 of title 18, United States Code, is amended—

(1) in subsection (j)—

(A) in the first sentence, by striking '', and such location is in the State which is specified on the license''; and

(B) in the last sentence—

(i) by inserting ''transfer,'' after ''sell,''; and

(ii) by striking ''Act,'' and all that follows and inserting ''Act.''; and

(2) by adding at the end the following:

''(m) Nothing in this chapter shall be construed to prohibit the sale, transfer, delivery, or other disposition of a firearm or ammunition—

''(1) by a person licensed under this chapter to another person so licensed, at any location in any State; or

''(2) by a licensed importer, licensed manufacturer, or licensed dealer to a person not licensed under this chapter, at a temporary location described in subsection (j) in any State.''.

(c) RESIDENCE OF UNITED STATES OFFICERS.—Section 921 of title 18, United States Code, is amended by striking subsection (b) and inserting the following:

''(b) For purposes of this chapter:

''(1) A member of the Armed Forces on active duty, or a spouse of such a member, is a resident of—

''(A) the State in which the member or spouse maintains legal residence;

''(B) the State in which the permanent duty station of the member is located; and

''(C) the State in which the member maintains a place of abode from which the member commutes each day to the permanent duty station of the member.

''(2) An officer or employee of the United States (other than a member of the Armed Forces) who is stationed outside the United States for a period of more than 1 year, and a spouse of such an officer or employee, is a resident of the State in which the person maintains legal residence.''.

SEC. 119. FIREARM DEALER ACCESS TO LAW ENFORCEMENT INFORMATION.

(a) IN GENERAL.—Section 103(b) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), is amended—

(1) by striking ''Not later than'' and inserting the following:

''(1) IN GENERAL.—Not later than''; and

(2) by adding at the end the following:

''(2) VOLUNTARY BACKGROUND CHECKS.—

''(A) IN GENERAL.—Not later than 90 days after the date of enactment of the Protecting Communities and Preserving the Second Amendment Act of 2015, the Attorney General shall promulgate regulations allowing licensees to use the national instant criminal background check system established under this section for purposes of conducting voluntary, no fee employment background checks on current or prospective employees.

''(B) NOTICE.—Before conducting an employment background check relating to an individual under subparagraph (A), a licensee shall—

''(i) provide written notice to the individual that the licensee intends to conduct the background check; and

''(ii) obtain consent to conduct the background check from the individual in writing.

''(C) EXEMPTION.—An employment background check conducted by a licensee under subparagraph (A) shall not governed by the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.).

''(D) APPEAL.—Any individual who is the subject of an employment background check conducted by a licensee under subparagraph (A) the result of which indicates that the individual is a prohibited from possessing a firearm or ammunition pursuant to subsection (g) or (n) of section 922 of title 18, United States Code, may appeal the results of the background check in the same manner and to the same extent as if the individual had been the subject of a background check relating to the transfer of a firearm.''.

(b) ACQUISITION, PRESERVATION, AND EXCHANGE OF IDENTIFICATION RECORDS AND INFORMATION.—Section 534 of title 28, United States Code, is amended—

(1) in subsection (a)—

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

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

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

''(5) provide a person licensed as an importer, manufacturer, or dealer of firearms under chapter 44 of title 18 with information necessary to verify whether firearms offered for sale to such licensees have been stolen.''; and

(2) in subsection (b), by inserting '', except for dissemination authorized under subsection (a)(5) of this section'' before the period.

(c) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, and without regard to chapter 5 of title 5, United States Code, the Attorney General shall promulgate regulations allowing a person licensed as an importer, manufacturer, or dealer of firearms under chapter 44 of title 18, United States Code, to receive access to records of stolen firearms maintained by the National Crime Information Center operated by the Federal Bureau of Investigation, solely for the purpose of voluntarily verifying whether firearms offered for sale to such licensees have been stolen.

(d) STATUTORY CONSTRUCTION; EVIDENCE.—

(1) STATUTORY CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed—

(A) to create a cause of action against any person licensed as an importer, manufacturer, or dealer of firearms under chapter 44 of title 18, United States Code or any other person for any civil liability; or

(B) to establish any standard of care.

(2) EVIDENCE.—Notwithstanding any other provision of law, evidence regarding the use or non-use by a person licensed as an importer, manufacturer, or dealer of firearms under chapter 44 of title 18, United States Code of the systems, information, or records made available under this section or the amendments made by this section shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity.

SEC. 120. INTERSTATE TRANSPORTATION OF FIREARMS OR AMMUNITION.

(a) IN GENERAL.—Section 926A of title 18, United States Code, is amended to read as follows:

''§ 926A. Interstate transportation of firearms or ammunition

''(a) DEFINITION.—In this section, the term 'transport' includes staying in temporary lodging overnight, stopping for food, fuel, vehicle maintenance, an emergency, medical treatment, and any other activity incidental to the transport.

''(b) AUTHORIZATION.—Notwithstanding any provision of any law (including a rule or regulation) of a State or any political subdivision thereof, a person who is not prohibited by this chapter from possessing, transporting, shipping, or receiving a firearm or ammunition shall be entitled to—

''(1) transport a firearm for any lawful purpose from any place where the person may lawfully possess, carry, or transport the firearm to any other such place if, during the transportation—

''(A) the firearm is unloaded; and

''(B)(i) if the transportation is by motor vehicle—

''(I) the firearm is not directly accessible from the passenger compartment of the motor vehicle; or

''(II) if the motor vehicle is without a compartment separate from the passenger compartment, the firearm is—

''(aa) in a locked container other than the glove compartment or console; or

''(bb) secured by a secure gun storage or safety device; or

''(ii) if the transportation is by other means, the firearm is in a locked container or secured by a secure gun storage or safety device; and

''(2) transport ammunition for any lawful purpose from any place where the person may lawfully possess, carry, or transport the ammunition, to any other such place if, during the transportation—

''(A) the ammunition is not loaded into a firearm; and

''(B)(i) if the transportation is by motor vehicle—

''(I) the ammunition is not directly accessible from the passenger compartment of the motor vehicle; or

''(II) if the motor vehicle is without a compartment separate from the passenger compartment, the ammunition is in a locked container other than the glove compartment or console; or

''(ii) if the transportation is by other means, the ammunition is in a locked container.

''(c) STATE LAW.—

''(1) ARREST AUTHORITY.—A person who is transporting a firearm or ammunition may not be—

''(A) arrested for violation of any law or any rule or regulation of a State, or any political subdivision thereof, relating to the possession, transportation, or carrying of firearms or ammunition, unless there is probable cause to believe that the transportation is not in accordance with subsection (b); or

''(B) detained for violation of any law or any rule or regulation of a State, or any political subdivision thereof, relating to the possession, transportation, or carrying of firearms or ammunition, unless there is reasonable suspicion that the transportation is not in accordance with subsection (b).

''(2) PROSECUTION.—

''(A) BURDEN OF PROOF.—If a person asserts this section as a defense in a criminal proceeding, the government shall bear the burden of proving, beyond a reasonable doubt, that the conduct of the person was not in accordance with subsection (b).

''(B) PREVAILING DEFENDANT.—If a person successfully asserts this section as a defense in a criminal proceeding, the court shall award the prevailing defendant reasonable attorney's fees.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by striking the item relating to section 926A and inserting the following:

''*926A. Interstate transportation of firearms or ammunition.*''.

TITLE II—MENTAL HEALTH

SEC. 201. REAUTHORIZATION AND ADDITIONAL AMENDMENTS TO THE MENTALLY ILL OFFENDER TREATMENT AND CRIME REDUCTION ACT.

(a) SAFE COMMUNITIES.—

(1) IN GENERAL.—Section 2991(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(a)) is amended—

(A) in paragraph (7)—

(i) in the heading, by striking ''MENTAL ILLNESS'' and inserting ''MENTAL ILLNESS; MENTAL HEALTH DISORDER''; and

(ii) by striking ''term 'mental illness' means'' and inserting ''terms 'mental illness' and 'mental health disorder' mean''; and

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

''(9) PRELIMINARILY QUALIFIED OFFENDER.—

''(A) IN GENERAL.—The term 'preliminarily qualified offender' means an adult or juvenile accused of an offense who—

''(i)(I) previously or currently has been diagnosed by a qualified mental health professional as having a mental illness or co-occurring mental illness and substance abuse disorders;

''(II) manifests obvious signs of mental illness or co-occurring mental illness and substance abuse disorders during arrest or confinement or before any court; or

''(III) in the case of a veterans treatment court provided under subsection (i), has been diagnosed with, or manifests obvious signs of, mental illness or a substance abuse disorder or co-occurring mental illness and substance abuse disorder; and

''(ii) has been unanimously approved for participation in a program funded under this section by, when appropriate, the relevant—

''(I) prosecuting attorney;

''(II) defense attorney;

''(III) probation or corrections official;

''(IV) judge; and

''(V) a representative from the relevant mental health agency described in subsection (b)(5)(B)(i).

''(B) DETERMINATION.—In determining whether to designate a defendant as a preliminarily qualified offender, the relevant prosecuting attorney, defense attorney, probation or corrections official, judge, and mental health or substance abuse agency representative shall take into account—

''(i) whether the participation of the defendant in the program would pose a substantial risk of violence to the community;

''(ii) the criminal history of the defendant and the nature and severity of the offense for which the defendant is charged;

''(iii) the views of any relevant victims to the offense;

''(iv) the extent to which the defendant would benefit from participation in the program;

''(v) the extent to which the community would realize cost savings because of the defendant's participation in the program; and

''(vi) whether the defendant satisfies the eligibility criteria for program participation unanimously established by the relevant prosecuting attorney, defense attorney, probation or corrections official, judge and mental health or substance abuse agency representative.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—Section 2927(2) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797s–6(2)) is amended by striking ''has the meaning given that term in section 2991(a).'' and inserting ''means an offense that—

''(A) does not have as an element the use, attempted use, or threatened use of physical force against the person or property of another; or

''(B) is not a felony that by its nature involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.''.

(b) EVIDENCE BASED PRACTICES.—Section 2991(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(c)) is amended—

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

(2) by redesignating paragraph (4) as paragraph (6); and

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

''(4) propose interventions that have been shown by empirical evidence to reduce recidivism;

''(5) when appropriate, use validated assessment tools to target preliminarily qualified offenders with a moderate or high risk of recidivism and a need for treatment and services; or''.

(c) ACADEMY TRAINING.—Section 2991(h) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(h)) is amended—

(1) in paragraph (1), by adding at the end the following:

''(F) ACADEMY TRAINING.—To provide support for academy curricula, law enforcement officer orientation programs, continuing education training, and other programs that teach law enforcement personnel how to identify and respond to incidents involving persons with mental health disorders or co-occurring mental health and substance abuse disorders.''; and

(2) by adding at the end the following:

''(4) PRIORITY CONSIDERATION.—The Attorney General, in awarding grants under this subsection, shall give priority to programs that law enforcement personnel and members of the mental health and substance abuse professions develop and administer cooperatively.''.

(d) ASSISTING VETERANS.—

Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended—

(A) by redesignating subsection (i) as subsection (n); and

(B) by inserting after subsection (h) the following:

''(i) ASSISTING VETERANS.—

''(1) DEFINITIONS.—In this subsection:

''(A) PEER TO PEER SERVICES OR PROGRAMS.—The term 'peer to peer services or programs' means services or programs that connect qualified veterans with other veterans for the purpose of providing support and mentorship to assist qualified veterans in obtaining treatment, recovery, stabilization, or rehabilitation.

''(B) QUALIFIED VETERAN.—The term 'qualified veteran' means a preliminarily qualified offender who—

''(i) has served on active duty in any branch of the Armed Forces, including the National Guard and reserve components; and

''(ii) was discharged or released from such service under conditions other than dishonorable.

''(C) VETERANS TREATMENT COURT PROGRAM.—The term 'veterans treatment court program' means a court program involving collaboration among criminal justice, veterans, and mental health and substance abuse agencies that provides qualified veterans with—

''(i) intensive judicial supervision and case management, which may include random and frequent drug testing where appropriate;

''(ii) a full continuum of treatment services, including mental health services, substance abuse services, medical services, and services to address trauma;

''(iii) alternatives to incarceration; and

''(iv) other appropriate services, including housing, transportation, mentoring, employment, job training, education, and assistance in applying for and obtaining available benefits.

''(2) VETERANS ASSISTANCE PROGRAM.—

''(A) IN GENERAL.—The Attorney General, in consultation with the Secretary of Veterans Affairs, may award grants under this subsection to applicants to establish or expand—

''(i) veterans treatment court programs;

''(ii) peer to peer services or programs for qualified veterans;

''(iii) practices that identify and provide treatment, rehabilitation, legal, transitional, and other appropriate services to qualified veterans who have been incarcerated; and

''(iv) training programs to teach criminal justice, law enforcement, corrections, mental health, and substance abuse personnel how to identify and appropriately respond to incidents involving qualified veterans.

''(B) PRIORITY.—In awarding grants under this subsection, the Attorney General shall give priority to applications that—

''(i) demonstrate collaboration between and joint investments by criminal justice, mental health, substance abuse, and veterans service agencies;

''(ii) promote effective strategies to identify and reduce the risk of harm to qualified veterans and public safety; and

''(iii) propose interventions with empirical support to improve outcomes for qualified veterans.''.

(e) CORRECTIONAL FACILITIES; HIGH UTILIZERS.—Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by inserting after subsection (i), as so added by subsection (d), the following:

''(j) CORRECTIONAL FACILITIES.—

''(1) DEFINITIONS.—

''(A) CORRECTIONAL FACILITY.—The term 'correctional facility' means a jail, prison, or other detention facility used to house people who have been arrested, detained, held, or convicted by a criminal justice agency or a court.

''(B) ELIGIBLE INMATE.—The term 'eligible inmate' means an individual who—

''(i) is being held, detained, or incarcerated in a correctional facility; and

''(ii) manifests obvious signs of a mental illness or has been diagnosed by a qualified mental health professional as having a mental illness.

''(2) CORRECTIONAL FACILITY GRANTS.—The Attorney General may award grants to applicants to enhance the capabilities of a correctional facility—

''(A) to identify and screen for eligible inmates;

''(B) to plan and provide—

''(i) initial and periodic assessments of the clinical, medical, and social needs of inmates; and

''(ii) appropriate treatment and services that address the mental health and substance abuse needs of inmates;

''(C) to develop, implement, and enhance—

''(i) post-release transition plans for eligible inmates that, in a comprehensive manner, coordinate health, housing, medical, employment, and other appropriate services and public benefits;

''(ii) the availability of mental health care services and substance abuse treatment services; and

''(iii) alternatives to solitary confinement and segregated housing and mental health screening and treatment for inmates placed in solitary confinement or segregated housing; and

''(D) to train each employee of the correctional facility to identify and appropriately respond to incidents involving inmates with mental health or co-occurring mental health and substance abuse disorders.

''(k) DEMONSTRATION GRANTS RESPONDING TO HIGH UTILIZERS.—

''(1) DEFINITION.—In this subsection, the term 'high utilizer' means an individual who—

''(A) manifests obvious signs of mental illness or has been diagnosed by a qualified mental health professional as having a mental illness; and

''(B) consumes a significantly disproportionate quantity of public resources, such as emergency, housing, judicial, corrections, and law enforcement services.

''(2) DEMONSTRATION GRANTS RESPONDING TO HIGH UTILIZERS.—

''(A) IN GENERAL.—The Attorney General may award not more than 6 grants per year under this subsection to applicants for the purpose of reducing the use of public services by high utilizers.

''(B) USE OF GRANTS.—A recipient of a grant awarded under this subsection may use the grant—

''(i) to develop or support multidisciplinary teams that coordinate, implement, and administer community-based crisis responses and long-term plans for high utilizers;

''(ii) to provide training on how to respond appropriately to the unique issues involving high utilizers for public service personnel, including criminal justice, mental health, substance abuse, emergency room, healthcare, law enforcement, corrections, and housing personnel;

''(iii) to develop or support alternatives to hospital and jail admissions for high utilizers that provide treatment, stabilization, and other appropriate supports in the least restrictive, yet appropriate, environment; or

''(iv) to develop protocols and systems among law enforcement, mental health, substance abuse, housing, corrections, and emergency medical service operations to provide coordinated assistance to high utilizers.

''(C) REPORT.—Not later than the last day of the first year following the fiscal year in which a grant is awarded under this subsection, the recipient of the grant shall submit to the Attorney General a report that—

''(i) measures the performance of the grant recipient in reducing the use of public services by high utilizers; and

''(ii) provides a model set of practices, systems, or procedures that other jurisdictions can adopt to reduce the use of public services by high utilizers.''.

(f) GRANT ACCOUNTABILITY.—Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by inserting after subsection (i), as so added by subsection (e), the following:

''(l) ACCOUNTABILITY.—All grants awarded by the Attorney General under this section shall be subject to the following accountability provisions:

''(1) AUDIT REQUIREMENT.—

''(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

''(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this section to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(C) MANDATORY EXCLUSION.—A recipient of grant funds under this section that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this section during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

''(D) PRIORITY.—In awarding grants under this section, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this section.

''(E) REIMBURSEMENT.—If an entity is awarded grant funds under this section during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

''(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph and the grant programs under this part, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(B) PROHIBITION.—The Attorney General may not award a grant under this part to a section organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this section and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

''(3) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this section may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this section, to host or support any expenditure for conferences that uses more than $20,000 in funds

made available by the Department of Justice, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host the conference.

''(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

''(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

''(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification—

''(A) indicating whether—

''(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

''(iii) all reimbursements required under paragraph (1)(E) have been made; and

''(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.''.

''(m) PREVENTING DUPLICATIVE GRANTS.—

''(1) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this section, the Attorney General shall compare potential grant awards with other grants awarded under this Act to determine if duplicate grant awards are awarded for the same purpose.

''(2) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

''(A) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

''(B) the reason the Attorney General awarded the duplicate grants.''.

(g) REAUTHORIZATION OF APPROPRIATIONS.—Section 2991(n) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as redesignated in subsection (d), is amended—

(1) in paragraph (1);

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(D) $40,000,000 for each of fiscal years 2015 through 2019.''; and

(2) by adding at the end the following:

''(3) LIMITATION.—Not more than 20 percent of the funds authorized to be appropriated under this section may be used for purposes described in subsection (i) (relating to veterans).''.

SEC. 202. ADDITIONAL PURPOSES FOR FEDERAL GRANTS.

(a) MODIFICATIONS TO THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM.—Section 501(a)(1) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(a)(1)) is amended by adding at the end the following:

''(H) Mental health programs and operations by law enforcement or corrections.''.

(b) MODIFICATIONS TO THE COMMUNITY ORIENTED POLICING SERVICES PROGRAM.—Section 1701(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)) is amended—

(1) in paragraph (16), by striking ''and'' at the end;

(2) by redesignating paragraph (17) as paragraph (19);

(3) by inserting after paragraph (16) the following:

''(17) to provide specialized training to law enforcement officers (including village public safety officers (as defined in section 247 of the Indian Arts and Crafts Amendments Act of 2010 (42 U.S.C. 3796dd note))) to recognize individuals who have mental illness and how to properly intervene with individuals with mental illness and to establish programs that enhance the ability of law enforcement agencies to address the mental health, behavioral, and substance abuse problems of individuals encountered in the line of duty;

''(18) to provide specialized training to corrections officers to recognize individuals who have mental illness and to enhance the ability of corrections officers to address the mental health or individuals under the care and custody of jails and prisons; and''; and

(4) in paragraph (19), as redesignated, by striking ''through (16)'' and inserting ''through (18)''.

SEC. 203. PROTECTING THE SECOND AMENDMENT RIGHTS OF VETERANS.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following:

''§ 5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

''(a) PROTECTING RIGHTS OF VETERANS WITH EXISTING RECORDS.—Not later than 90 days after the date of enactment of the Protecting Communities and Preserving the Second Amendment Act of 2015, the Secretary shall provide written notice in accordance with subsection (b) of the opportunity for administrative review under subsection (c) to all persons who, on the date of enactment of the Protecting Communities and Preserving the Second Amendment Act of 2015, are considered to have been adjudicated mentally incompetent or committed to a psychiatric hospital under subsection (d)(4) or (g)(4) of section 922 of title 18 as a result of having been found by the Department to be mentally incompetent.

''(b) NOTICE.—The Secretary shall provide notice under this section to a person described in subsection (a) that notifies the person of—

''(1) the determination made by the Secretary;

''(2) a description of the implications of being considered to have been adjudicated mentally incompetent or committed to a psychiatric hospital under subsection (d)(4) or (g)(4) of section 922 of title 18; and

''(3) the right of the person to request a review under subsection (c)(1).

''(c) ADMINISTRATIVE REVIEW.—

''(1) REQUEST.—Not later than 30 days after the date on which a person described in subsection (a) receives notice in accordance with subsection (b), such person may request a review by the board designed or established under paragraph (2) or by a court of competent jurisdiction to assess whether the person is a danger to himself or herself or to others. In such assessment, the board may consider the person's honorable discharge or decorations.

''(2) BOARD.—Not later than 180 days after the date of enactment of the Protecting Communities and Preserving the Second Amendment Act of 2015, the Secretary shall designate or establish a board that shall, upon request of a person under paragraph (1), assess whether the person is a danger to himself or herself or to others.

''(d) JUDICIAL REVIEW.—A person may file a petition with a Federal court of competent jurisdiction for judicial review of an assessment of the person under subsection (c) by the board designated or established under subsection (c)(2).''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 55 of title 38, United States Code, is amended by adding at the end the following:

''*5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.*''.

SEC. 204. APPLICABILITY OF AMENDMENTS.

With respect to any record of a person prohibited from possessing or receiving a firearm under subsection (d)(4) or (g)(4) of section 922 of title 18, United States Code, before the date of enactment of this Act, the Attorney General shall remove such a record from the National Instant Criminal Background Check System—

(1) upon being made aware that the person is no longer considered as adjudicated mentally incompetent or committed to a psychiatric hospital according to the criteria under paragraph (36)(A)(i)(II) of section 921(a) of title 18, United States Code (as added by this title), and is therefore no longer prohibited from possessing or receiving a firearm;

(2) upon being made aware that any order or finding that the record is based on is an order or finding described in paragraph (36)(B) of section 921(a) of title 18, United State Code (as added by this title); or

(3) upon being made aware that the person has been found competent to possess a firearm after an administrative or judicial review under subsection (c) or (d) of section 5511 of title 38, United States Code (as added by this title).

TITLE III—SCHOOL SAFETY

SEC. 301. SHORT TITLE.

This title may be cited as the ''School Safety Enhancements Act of 2015''.

SEC. 302. GRANT PROGRAM FOR SCHOOL SECURITY.

Section 2701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''Placement'' and inserting ''Installation''; and

(ii) by inserting ''surveillance equipment,'' after ''detectors,'';

(B) by redesignating paragraph (5) as paragraph (6); and

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

''(5) Establishment of hotlines or tiplines for the reporting of potentially dangerous students and situations.''; and

(2) by adding at the end the following:

''(g) INTERAGENCY TASK FORCE.—

''(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of the School Safety Enhancements Act of 2015, the Director and the Secretary of Education, or the designee of the Secretary, shall establish

an interagency task force to develop and promulgate a set of advisory school safety guidelines.

''(2) PUBLICATION OF GUIDELINES.—Not later than 1 year after the date of enactment of the School Safety Enhancements Act of 2015, the advisory school safety guidelines promulgated by the interagency task force shall be published in the Federal Register.

''(3) REQUIRED CONSULTATION.—In developing the final advisory school safety guidelines under this subsection, the interagency task force shall consult with stakeholders and interested parties, including parents, teachers, and agencies.''.

SEC. 303. APPLICATIONS.

Section 2702(a)(2) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797b(a)(2)) is amended to read as follows:

''(2) be accompanied by a report—

''(A) signed by the heads of each law enforcement agency and school district with jurisdiction over the schools where the safety improvements will be implemented; and

''(B) demonstrating that each proposed use of the grant funds will be—

''(i) an effective means for improving the safety of 1 or more schools;

''(ii) consistent with a comprehensive approach to preventing school violence; and

''(iii) individualized to the needs of each school at which those improvements are to be made.''.

SEC. 304. AUTHORIZATION OF APPROPRIATIONS.

Section 2705 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797e) is amended by striking ''2001 through 2009'' and inserting ''2014 through 2023''.

SEC. 305. ACCOUNTABILITY.

Section 2701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a), as amended by section 202 of this title, is amended by adding at the end the following:

''(h) ACCOUNTABILITY.—All grants awarded by the Attorney General under this part shall be subject to the following accountability provisions:

''(1) AUDIT REQUIREMENT.—

''(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

''(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this part to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(C) MANDATORY EXCLUSION.—A recipient of grant funds under this part that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this part during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

''(D) PRIORITY.—In awarding grants under this part, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this part.

''(E) REIMBURSEMENT.—If an entity is awarded grant funds under this part during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

''(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph and the grant programs under this part, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(B) PROHIBITION.—The Attorney General may not award a grant under this part to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this part and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

''(3) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this part may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this part, to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the Department of Justice, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host the conference.

''(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

''(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

''(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification—

''(A) indicating whether—

''(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

''(iii) all reimbursements required under paragraph (1)(E) have been made; and

''(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.''.

SEC. 306. PREVENTING DUPLICATIVE GRANTS.

Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended by adding at the end the following:

''(l) PREVENTING DUPLICATIVE GRANTS.—

''(1) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this part, the Attorney General shall compare potential grant awards with grants awarded under parts A or T to determine if duplicate grant awards are awarded for the same purpose.

''(2) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

''(A) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

''(B) the reason the Attorney General awarded the duplicate grants.''.

TITLE IV—SANCTUARY CITIES

SEC. 401. STOP SANCTUARY POLICIES AND PROTECT AMERICANS.

(a) SHORT TITLE.—This section may be cited as the ''Stop Sanctuary Policies and Protect Americans Act''.

(b) SANCTUARY JURISDICTION DEFINED.—In this section, the term ''sanctuary jurisdiction'' means any State or political subdivision of a State, including any law enforcement entity of a State or of a political subdivision of a State, that—

(1) has in effect a statute, ordinance, policy, or practice that is in violation of subsection (a) or (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373); or

(2) has in effect a statute, ordinance, policy, or practice that prohibits any government entity or official from complying with a detainer that has been lawfully issued or a request to notify about the release of an alien that has been made by the Department of Homeland Security in accordance with section 236 and 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) and section 287.7 of title 8, Code of Federal Regulations.

(c) LIMITATION ON GRANTS TO SANCTUARY JURISDICTIONS.—

(1) INELIGIBILITY FOR GRANTS.—

(A) LAW ENFORCEMENT GRANTS.—

(i) SCAAP GRANTS.—A sanctuary jurisdiction shall not be eligible to receive funds pursuant to the State Criminal Alien Assistance Program under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)).

(ii) COPS GRANTS.—No law enforcement entity of a State or of a political subdivision of a State that has a departmental policy or practice that renders it a sanctuary jurisdiction, and such a policy or practice is not required by statute, ordinance, or other codified law, or by order of a chief executive officer of the jurisdiction, or the executive or legislative board of the jurisdiction, shall be eligible to receive funds directly or indirectly under the 'Cops on the Beat' program under part Q of title I of the Omnibus Crime

Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.).

(iii) ENFORCEMENT.—The Attorney General, in consultation with the Secretary of Homeland Security, shall terminate the funding described in subparagraphs (A) and (B) to a State or political subdivision of a State on the date that is 30 days after the date on which a notification described in subsection (d)(2) is made to the State or subdivision, unless the Secretary of Homeland Security, in consultation with the Attorney General, determines the State or subdivision is no longer a sanctuary jurisdiction.

(B) COMMUNITY DEVELOPMENT BLOCK GRANTS.—

(i) IN GENERAL.—Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) is amended—

(I) in section 102 (42 U.S.C. 5302), by adding at the end the following:

''(25) The term 'sanctuary jurisdiction' means any State or unit of general local government that—

''(A) has in effect a statute, ordinance, policy, or practice that is in violation of subsection (a) or (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373); or

''(B) has in effect a statute, ordinance, policy, or practice that prohibits any government entity or official from complying with a detainer that has been lawfully issued or a request to notify about the release of an alien that has been made by the Department of Homeland Security in accordance with section 236 and 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) and section 287.7 of title 8, Code of Federal Regulations.''; and

(II) in section 104 (42 U.S.C. 5304)—

(aa) in subsection (b)—

(AA) in paragraph (5), by striking ''and'' at the end;

(BB) by redesignating paragraph (6) as paragraph (7); and

(CC) by inserting after paragraph (5) the following:

''(6) the grantee is not a sanctuary jurisdiction and will not become a sanctuary jurisdiction during the period for which the grantee receives a grant under this title; and''; and

(bb) by adding at the end the following:

''(n) PROTECTION OF INDIVIDUALS AGAINST CRIMINAL ALIENS.—

''(1) IN GENERAL.—No funds authorized to be appropriated to carry out this title may be obligated or expended to any State or unit of general local government that is a sanctuary jurisdiction.

''(2) RETURNED AMOUNTS.—

''(A) STATE.—If a State is a sanctuary jurisdiction during the period for which the State receives amounts under this title, the Secretary—

''(i) shall direct the State to immediately return to the Secretary any such amounts that have not been obligated by the State as of the date on which the State became a sanctuary jurisdiction; and

''(ii) may use any returned amounts under clause (i) to make grants to other States that are not sanctuary jurisdictions in accordance with this title.

''(B) UNIT OF GENERAL LOCAL GOVERNMENT.—If a unit of general local government is a sanctuary jurisdiction during the period for which the unit of general local government receives amounts under this title, any such amounts that have not been obligated by the unit of general local government as of the date on which the unit of general local government became a sanctuary jurisdiction—

''(i) in the case of a unit of general local government that is not in a nonentitlement area, shall be returned to the Secretary to make grants to States and other units of general local government that are not sanctuary jurisdictions in accordance with this title; and

''(ii) in the case of a unit of general local government that is in a nonentitlement area, shall be returned to the Governor of the State to make grants to other units of general local government that are not sanctuary jurisdictions in accordance with this title.

''(o) ENFORCEMENT AGAINST FUNDING FOR SANCTUARY JURISDICTIONS.—

''(1) IN GENERAL.—The Secretary shall verify, on a quarterly basis, the determination of the Secretary of Homeland Security and the Attorney General as to whether a State or unit of general local government is a sanctuary jurisdiction and therefore ineligible to receive a grant under this title for purposes of subsections (b)(6) and (n).

''(2) NOTIFICATION.—If the Secretary verifies that a State or unit of general local government is determined to be a sanctuary jurisdiction under paragraph (1), the Secretary shall notify the State or unit of general local government that it is ineligible to receive a grant under this title.''.

(ii) EFFECTIVE DATE.—The amendments made by clause (i) shall only apply with respect to community development block grants made under title I of the Housing and Community Development Act (42 U.S.C. 5301 et seq.) after the date of the enactment of this Act.

(2) ALLOCATION.—Any funds that are not allocated to a State or political subdivision of a State pursuant to paragraph (1) and the amendments made by paragraph (1) shall be allocated to States and political subdivisions of States that are not sanctuary jurisdictions.

(3) NOTIFICATION OF CONGRESS.—Not later than 5 days after a determination is made pursuant to paragraph (1) to terminate a grant or to refuse to award a grant, the Secretary of Homeland Security shall submit to the Committee on Appropriations and the Committee on the Judiciary of the Senate and the Committee on Appropriations and the Committee on the Judiciary of the House of Representatives a report that fully describes the circumstances and basis for the termination or refusal.

(4) TRANSPARENCY AND ACCOUNTABILITY.—Not later than 60 days after the date of the enactment of this Act, and quarterly thereafter, the Secretary of Homeland Security and the Attorney General shall—

(A) determine the States and political subdivisions of States that are sanctuary jurisdictions;

(B) notify each such State or subdivision that it is determined to be a sanctuary jurisdiction; and

(C) publish on the website of the Department of Homeland Security and of the Department of Justice—

(i) a list of each sanctuary jurisdiction;

(ii) the total number of detainers and requests for notification of the release of any alien that has been issued or made to each State or political subdivision of a State; and

(iii) the number of such detainers and requests for notification that have been ignored or otherwise not honored, including the name of the jurisdiction in which each such detainer or request for notification was issued or made.

(5) CONSTRUCTION.—Nothing in this subsection may be construed to require law enforcement officials of a State or a political subdivision of a State to provide the Secretary of Homeland Security with information related to a victim or a witness to a criminal offense.

(d) STATE AND LOCAL GOVERNMENT AND INDIVIDUAL COMPLIANCE WITH DETAINERS.—

(1) AUTHORITY TO CARRY OUT DETAINERS.—A State, a political subdivision of a State, or an officer, employee, or agent of such State or political subdivision that complies with a detainer issued by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357)—

(A) shall be deemed to be acting as an agent of the Department of Homeland Security; and

(B) shall have the authority available to employees of the Department of Homeland Security with regard to actions taken to comply with the detainer.

(2) LIABILITY.—In any legal proceeding brought against a State, a political subdivision of State, or an officer, employee, or agent of such State or political subdivision, which challenges the legality of the seizure or detention of an individual pursuant to a detainer issued by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357)—

(A) no liability shall lie against the State or political subdivision for actions taken in compliance with the detainer;

(B) if the actions of the officer, employee, or agent of the State or political subdivision were taken in compliance with the detainer—

(i) the officer, employee, or agent shall be deemed to be an employee of the Federal Government and an investigative or law enforcement officer and to have been acting within the scope of his or her employment under section 1346(b) and chapter 171 of title 28, United States Code;

(ii) section 1346(b) of title 28, United States Code, shall provide the exclusive remedy for the plaintiff; and

(iii) the United States shall be substituted as defendant in the proceeding.

(3) CONSTRUCTION.—Nothing in this section may be construed—

(A) to provide immunity to any person who knowingly violates the civil or constitutional rights of an individual; or

(B) to limit the application of the doctrine of official immunity or of qualified immunity in a civil action brought against a law enforcement officer acting pursuant to a detainer issued by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357).

(e) INCREASED PENALTIES FOR REENTRY OF REMOVED ALIEN.—Section 276 of the Immigration and Nationality Act (8 U.S.C. 1326) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(2) by striking subsections (a) and (b) and inserting the following:

''(a) IN GENERAL.—Subject to subsections (b) and (c), any alien who—

''(1) has been denied admission, excluded, deported, or removed or has departed the United States while an order of exclusion, deportation, or removal is outstanding; and

''(2) thereafter enters, attempts to enter, or is at any time found in, the United States, unless—

''(A) prior to the alien's reembarkation at a place outside the United States or the alien's application for admission from foreign contiguous territory, the Secretary of

Homeland Security has expressly consented to such alien's reapplying for admission; or

''(B) with respect to an alien previously denied admission and removed, such alien shall establish that the alien was not required to obtain such advance consent under this Act or any prior Act;

shall be fined under title 18, United States Code, or imprisoned not more than five years, or both.

''(b) CRIMINAL PENALTIES FOR REENTRY OF CERTAIN REMOVED ALIENS.—

''(1) IN GENERAL.—Notwithstanding the penalty provided in subsection (a), and except as provided in subsection (c), an alien described in subsection (a)—

''(A) who was convicted before such removal or departure of three or more misdemeanors involving drugs, crimes against the person, or both, or a felony (other than an aggravated felony), shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both;

''(B) who has been excluded from the United States pursuant to section 235(c) because the alien was excludable under section 212(a)(3)(B) or who has been removed from the United States pursuant to the provisions of title V, and who thereafter, without the permission of the Secretary of Homeland Security, enters the United States, or attempts to do so, shall be fined under title 18, United States Code, and imprisoned for a period of 10 years, which sentence shall not run concurrently with any other sentence;

''(C) who was removed from the United States pursuant to section 241(a)(4)(B) who thereafter, without the permission of the Secretary of Homeland Security, enters, attempts to enter, or is at any time found in, the United States (unless the Secretary of Homeland Security has expressly consented to such alien's reentry) shall be fined under title 18, United States Code, imprisoned for not more than 10 years, or both; and

''(D) who has been denied admission, excluded, deported, or removed 3 or more times and thereafter enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both.

''(2) REMOVAL DEFINED.—In this subsection and subsection (c), the term 'removal' includes any agreement in which an alien stipulates to removal during (or not during) a criminal trial under either Federal or State law.

''(c) MANDATORY MINIMUM CRIMINAL PENALTY FOR REENTRY OF CERTAIN REMOVED ALIENS.—Notwithstanding the penalties provided in subsections (a) and (b), an alien described in subsection (a)—

''(1) who was convicted before such removal or departure of an aggravated felony; or

''(2) who was convicted at least two times before such removal or departure of illegal reentry under this section;

shall be imprisoned not less than five years and not more than 20 years, and may, in addition, be fined under title 18, United States Code.''; and

(3) in subsection (d), as redesignated by paragraph (1)—

(A) by striking ''section 242(h)(2)'' and inserting ''section 241(a)(4)''; and

(B) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security''.

(f) SEVERABILITY.—If any provision of this section or the application of such provision to any person or circumstance is held invalid for any reason, the remainder of this section, and the application of such provision to other persons not similarly situated or to other circumstances, shall not be affected by such invalidation.

SA 2915. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

At the appropriate place, insert the following:

TITLE III—DEFEND OUR CAPITAL ACT

SEC. 301. SHORT TITLE.

This title may be cited as the ''Defend Our Capital Act of 2015''.

SEC. 302. RECOGNIZING THE RIGHT OF LAW-ABIDING INDIVIDUALS TO CARRY AND TRANSPORT FIREARMS FOR LEGITIMATE PURPOSES.

(a) LICENSES TO CARRY FIREARMS.—Section 6 of the Act of July 8, 1932 (47 Stat. 650, chapter 465; sec. 22–4506, D.C. Official Code), is amended to read as follows:

''SEC. 6. ISSUE OF LICENSES TO CARRY FIREARMS.

''(a) ISSUANCE AND SCOPE OF LICENSE.—

''(1) IN GENERAL.—The Chief shall issue a license, valid for not less than 5 years, to carry a firearm concealed on or about the person to any individual who—

''(A) is not disqualified under subsection (d); and

''(B) completes the application process specified in subsection (f).

''(2) REQUIREMENTS FOR LICENSE.—A license to carry a firearm issued under this section shall meet the requirements specified in subsection (c).

''(3) PROTECTION FROM OTHER CONDITIONS, LIMITATIONS, AND REQUIREMENTS.—The Chief may not impose conditions, limitations, or requirements that are not expressly provided for in this section on the issuance, scope, effect, or content of a license.

''(4) SCHOOL ZONES.—For purposes of section 922(q)(2)(B)(ii) of title 18, United States Code, an individual who possesses a firearm in a school zone in the District of Columbia and who is licensed under this section or is an out-of-state licensee shall be considered licensed by the District of Columbia.

''(b) CARRYING A FIREARM; POSSESSION AND DISPLAY OF LICENSE DOCUMENT OR AUTHORIZATION.—

''(1) CARRYING A FIREARM.—A licensee or an out-of-state licensee may carry a firearm anywhere in the District of Columbia except as otherwise prohibited by law or by a limitation or prohibition established pursuant to section 11 of this Act (sec. 22–4511, D.C. Official Code).

''(2) POSSESSION AND DISPLAY OF LICENSE DOCUMENT OR AUTHORIZATION.—A licensee shall carry his or her license document and government-issued photographic identification card and an out-of-state licensee shall carry his or her out-of-state license and government-issued photographic identification card at all times during which he or she is carrying a firearm in any location other than on or in real property owned or leased by the licensee or out-of-state licensee.

''(c) LICENSE DOCUMENT; CONTENT OF LICENSE.—

''(1) DESIGN OF LICENSE DOCUMENT.—Subject to paragraphs (2) and (3), the Chief shall—

''(A) design a single license document for licenses issued and renewed under this section; and

''(B) complete the design of the license document not later than 60 days after the date of enactment of the Defend Our Capital Act of 2015.

''(2) REQUIRED CONTENT OF LICENSE.—A license document for a license issued under this section shall contain all of the following on one side:

''(A) The full name, date of birth, and residence address of the licensee.

''(B) A physical description of the licensee, including sex, height, and eye color.

''(C) The date on which the license was issued.

''(D) The date on which the license expires.

''(E) The words 'District of Columbia'.

''(F) A unique identification number for the licensee.

''(3) PROHIBITED CONTENT OF LICENSE.—A license document for a license issued under this section may not contain the licensee's social security number.

''(d) RESTRICTIONS ON ISSUING A LICENSE.—The Chief shall issue a license under this section to an individual who submits an application under subsection (f) unless the individual—

''(1) is less than 21 years of age; or

''(2) is prohibited under Federal law or court order from possessing or receiving a firearm.

''(e) APPLICATION AND RENEWAL FORMS.—

''(1) DESIGN.—The Chief shall design an application form for use by individuals who apply for a license under this section and a renewal form for use by individuals applying for renewal of a license under subsection (n).

''(2) DEADLINES.—The Chief shall complete the design of—

''(A) the application form not later than 60 days after the date of enactment of the Defend Our Capital Act of 2015; and

''(B) the renewal form not later than 4 years from the date of enactment of the Defend Our Capital Act of 2015.

''(3) CONTENTS.—The forms described in this subsection shall—

''(A) require the applicant to provide only his or her name, address, date of birth, state identification card number, race, sex, height, eye color, and, if the applicant is not a United States citizen, his or her alien or admission number; and

''(B) include—

''(i) a statement that the applicant is ineligible for a license if subsection (d) applies to the applicant;

''(ii) a statement explaining the laws of self-defense and defense of others in the District of Columbia, with a place for the applicant to sign his or her name to indicate that he or she has read and understands the statement;

''(iii) a statement, with a place for the applicant to sign his or her name, to indicate that the applicant has read and understands the requirements of this section;

''(iv) a statement that the applicant may be prosecuted if he or she intentionally gives a false answer to any question on the application or intentionally submits a falsified document with the application;

''(v) a statement of the penalties for intentionally giving a false answer to any question on the application or intentionally submitting a falsified document with the application; and

''(vi) a statement describing the places in which a person may be prohibited from carrying a firearm even with a license, with a place for the applicant to sign his or her name to indicate that he or she has read and understands the statement.

''(4) AVAILABILITY OF FORMS.—The Chief shall make the forms described in this subsection available on the Internet and, upon request, by mail.

''(f) SUBMISSION OF APPLICATION.—An individual may apply to the Chief for a license under this section by submitting to the Chief, by mail or other means made available by the Chief—

''(1) a completed application in the form prescribed under subsection (e);

''(2) a statement that states that the information that the individual is providing in the application submitted under paragraph (1) and any document submitted with the application is true and complete to the best of his or her knowledge;

''(3) a license fee in an amount that is equal to the lesser of—

''(A) the cost of issuing the license; or

''(B) $50; and

''(4) a fee for a background check under subsection (h) that is not greater than $25.

''(g) PROCESSING OF APPLICATION.—

''(1) BACKGROUND CHECK.—If a person submits a complete application under subsection (f) and is not prohibited from obtaining a license under paragraph (1) or (3) of subsection (d), the Chief shall conduct a background check in accordance with subsection (h) upon receiving the application.

''(2) DEADLINE.—Not later than 14 days after the date on which the Chief receives a complete application submitted under subsection (f), the Chief shall—

''(A) except as provided in subparagraph (B), issue the license and promptly send the licensee his or her license document by first-class mail; or

''(B) if subsection (d) applies to the applicant, deny the application in accordance with paragraph (3).

''(3) DENIAL.—If the Chief denies an application submitted under subsection (f), the Chief shall inform the applicant of the denial in writing, stating the reason and factual basis for the denial and the availability of an appeal under subsections (l) and (m).

''(h) BACKGROUND CHECKS.—

''(1) IN GENERAL.—The Chief shall conduct a background check on an applicant by contacting the National Instant Criminal Background Check System to determine whether subsection (d)(2) applies to the applicant.

''(2) CONFIRMATION NUMBER.—The Chief shall create a confirmation number associated with each applicant.

''(3) RESULT.—As soon as practicable after conducting a background check under paragraph (1), the Chief shall—

''(A) if the background check indicates that subsection (d)(2) applies to the applicant, create a unique nonapproval number for the applicant; or

''(B) if the background check does not indicate that subsection (d)(2) applies to the applicant, create a unique approval number for the applicant.

''(4) RECORD.—The Chief shall maintain—

''(A) a record of all complete application forms submitted under subsection (f); and

''(B) a record of all approval or nonapproval numbers regarding background checks conducted under this subsection.

''(i) MAINTENANCE, USE, AND PUBLICATION OF RECORDS BY THE CHIEF.—

''(1) MAINTENANCE OF RECORD.—

''(A) IN GENERAL.—The Chief shall maintain a computerized record listing the name and application information of each individual who has been issued a license under this section.

''(B) RESTRICTION.—Subject to paragraph (3), the Chief may not store, maintain, format, sort, or access the information described in paragraph (1) in any manner other than by—

''(i) the names, dates of birth, or sex of licensees; or

''(ii) the identification numbers assigned to licensees under subsection (h).

''(2) USE BY LAW ENFORCEMENT.—A law enforcement officer may not request or be provided information maintained in the record under paragraph (1) concerning a specific individual except for 1 of the following purposes:

''(A) To confirm that a license produced by an individual is valid.

''(B) If an individual is carrying a firearm and claims to hold a valid license issued under this section, but does not have his or her license document, to confirm that the individual holds a valid license.

''(C) To investigate whether an individual submitted an intentionally false statement.

''(D) To investigate whether an individual complied with a requirement to surrender his or her license in accordance with this section.

''(3) FREEDOM OF INFORMATION.—Notwithstanding the Freedom of Information Act of 1976 (sec. 2–531 et seq., D.C. Official Code), information obtained under this section may not be made available to the public except—

''(A) in the context of a prosecution for an offense in which a person's status as a licensee is relevant; or

''(B) through a report created by the Chief that shows the number of licenses issued, revoked, or suspended, but excludes any identifying information about individual licensees.

''(j) LOST OR DESTROYED LICENSE.—

''(1) IN GENERAL.—If a license document is lost, a licensee no longer has possession of his or her license document, or a license document is destroyed, unreadable, or unusable, a licensee who wishes to obtain a replacement license document shall submit to the Chief—

''(A) a statement requesting a replacement license document;

''(B) the license document or any portions of the license document that remain; and

''(C) a $10 replacement fee.

''(2) ISSUANCE.—Not later than 7 days after the date on which the Chief receives a statement, license document or portions thereof (if any), and fee submitted by a licensee under paragraph (1), the Chief shall issue a replacement license document to the licensee.

''(3) ABSENCE OF ORIGINAL LICENSE DOCUMENT.—If a licensee does not submit the original license document to the Chief under paragraph (1), the Chief shall terminate the unique approval number of the original request and issue a new unique approval number for the replacement license document.

''(k) LICENSE REVOCATION AND SUSPENSION.—

''(1) REVOCATION.—The Chief shall revoke a license issued under this section if the Chief determines that subsection (d) applies to the licensee.

''(2) SUSPENSION.—

''(A) IN GENERAL.—The Chief shall suspend a license issued under this section if a court prohibits the licensee from possessing a firearm.

''(B) RESTORATION.—The Chief shall restore a suspended license not later than 5 business days after the date on which the Chief is notified that the licensee is no longer subject to the prohibition described in subparagraph (A) if—

''(i) subsection (d) does not apply to the individual; and

''(ii) the suspended license has not expired under subsection (n).

''(3) PROCEDURES.—

''(A) NOTICE.—If the Chief suspends or revokes a license under this subsection, the Chief shall send by mail to the individual whose license has been suspended or revoked notice of the suspension or revocation not later than 1 day after the suspension or revocation.

''(B) EFFECTIVE DATE.—If the Chief suspends or revokes a license under this subsection, the suspension or revocation shall take effect on the date on which the individual whose license has been suspended or revoked receives the notice under subparagraph (A).

''(C) DELIVERY OF LICENSE DOCUMENT TO CHIEF.—Not later than 7 days after the date on which an individual whose license has been suspended or revoked receives the notice under subparagraph (A), the individual shall—

''(i) deliver the license document personally or by certified mail to the Chief; or

''(ii) mail a signed statement to the Chief stating—

''(I) that the individual no longer has possession of his or her license document; and

''(II) the reasons why the individual no longer has possession of the license document.

''(l) DEPARTMENTAL REVIEW.—The Chief shall promulgate rules providing for the review of any action by the Chief denying an application for, or suspending or revoking, a license under this section.

''(m) APPEALS TO THE SUPERIOR COURT.—

''(1) RIGHT TO APPEAL.—An individual aggrieved by any action by the Chief denying an application for, or suspending or revoking, a license under this section, may appeal directly to the Superior Court of the District of Columbia without regard to whether the individual has sought review under the process established under subsection (l).

''(2) COMMENCEMENT OF APPEAL.—

''(A) IN GENERAL.—To begin an appeal under this subsection, the aggrieved individual shall file a petition for review with the clerk of the Superior Court of the District of Columbia not later than 30 days after the date on which the individual receives notice of denial of an application for a license or of suspension or revocation of a license.

''(B) CONTENTS; SUPPORTING DOCUMENTS.—A petition filed under subparagraph (A)—

''(i) shall state the substance of the Chief's action from which the individual is appealing and the grounds upon which the individual believes the Chief's action to be improper; and

''(ii) may include a copy of any records or documents that are relevant to the grounds upon which the individual believes the Chief's action to be improper.

''(3) SERVICE UPON CHIEF.—A copy of a petition filed under paragraph (2) shall be served upon the Chief either personally or by registered or certified mail not later than 5 days after the date on which the individual files the petition.

''(4) ANSWER.—

''(A) IN GENERAL.—The Chief shall file an answer to a petition filed under paragraph (2) not later than 15 days after the date on which the Chief is served with the petition under paragraph (3).

''(B) CONTENTS; SUPPORTING DOCUMENTS.—An answer filed under subparagraph (A) shall include—

''(i) a brief statement of the actions taken by the Chief; and

''(ii) a copy of any documents or records on which the Chief based his or her action.

''(5) REVIEW BY COURT.—

''(A) IN GENERAL.—The court shall review the petition, the answer, and any records or documents submitted with the petition or the answer.

''(B) CONDUCT OF REVIEW.—The court shall conduct the review under this paragraph without a jury but may schedule a hearing and take testimony.

''(6) REVERSAL.—The court shall reverse the Chief's action if the court finds—

''(A) that the Chief failed to follow any procedure, or take any action, prescribed under this section;

''(B) that the Chief erroneously interpreted a provision of law and a correct interpretation compels a different action;

''(C) that the Chief's action depends on a finding of fact that is not supported by substantial evidence in the record;

''(D) if the appeal is regarding a denial, that the denial was based on factors other than the factors under subsection (d); or

''(E) if the appeal is regarding a suspension or revocation, that the suspension or revocation was based on criteria other than the criteria under subsection (k).

''(7) RELIEF.—

''(A) IN GENERAL.—The court shall provide whatever relief is appropriate regardless of the original form of the petition.

''(B) COSTS AND FEES.—If the court reverses the Chief's action, the court shall order the Chief to pay the aggrieved individual all court costs and reasonable attorney fees.

''(n) LICENSE EXPIRATION AND RENEWAL.—

''(1) PERIOD OF VALIDITY.—A license issued under this section shall be valid for the 5-year period beginning on the date on which the license is issued unless the license is suspended or revoked under subsection (k).

''(2) NOTICE OF EXPIRATION.—

''(A) FORM.—The Chief shall design a notice of expiration form.

''(B) MAILING OF NOTICE.—Not later than 90 days before the expiration date of a license issued under this section, the Chief shall mail to the licensee—

''(i) the notice of expiration form; and

''(ii) a form for renewing the license.

''(3) RENEWAL.—

''(A) IN GENERAL.—The Chief shall renew the license of a licensee if—

''(i) not later than 90 days after the expiration date of the license, the licensee submits the renewal application, statement, and fees required under subparagraph (B); and

''(ii) the background check required under subparagraph (C) indicates that subsection (d) does not apply to the licensee.

''(B) RENEWAL APPLICATION; STATEMENT; FEES.—A licensee seeking to renew his or her license shall submit to the Chief—

''(i) a renewal application on the form provided by the Chief;

''(ii) a statement reporting that—

''(I) the information provided under clause (i) is true and complete to the best of the licensee's knowledge; and

''(II) the licensee is not disqualified under subsection (d); and

''(iii) payment of—

''(I) a renewal fee in an amount that is equal to the lesser of—

''(aa) the cost of renewing the license; or

''(bb) $25; and

''(II) a fee for a background check that does not exceed $25.

''(C) BACKGROUND CHECK.—The chief shall conduct a background check of a licensee as provided under subsection (h) before renewing the licensee's license.

''(D) ISSUANCE OF RENEWAL LICENSE.—Unless a renewal applicant is ineligible under subsection (d), not later than 10 days after the date on which the Chief receives a renewal application, statement, and fees from the applicant under subparagraph (B), the Chief shall issue a renewal license and send it to the applicant by first-class mail.

''(E) MEMBERS OF THE ARMED FORCES.—Notwithstanding paragraph (1), the license of a member of the Armed Forces of the United States, including the National Guard and reserve components, who is deployed overseas while on active duty shall not expire before the date that is 90 days after the end of the licensee's overseas deployment unless the license is suspended or revoked under subsection (k).

''(o) RECIPROCITY AGREEMENTS.—The Chief shall enter into reciprocity agreements with each other state that requires such an agreement to grant recognition to a license to carry a concealed firearm issued by another state.

''(p) IMMUNITY.—

''(1) IN GENERAL.—The Chief and any designee or employee who carries out the provisions of this section shall be immune from liability arising from any act or omission under this section, if the act or omission is in good faith.

''(2) PROVIDERS OF TRAINING COURSES.—A person providing a firearms training course in good faith shall be immune from liability arising from any act or omission related to the course.''.

(b) AUTHORITY TO CARRY FIREARM IN CERTAIN PLACES AND FOR CERTAIN PURPOSES; LAWFUL TRANSPORTATION OF FIREARMS.—The Act of July 8, 1932 (sec. 22–4501 et seq., D.C. Official Code), is amended by inserting after section 4 the following:

''SEC. 4A. AUTHORITY TO CARRY FIREARM IN CERTAIN PLACES AND FOR CERTAIN PURPOSES.

''Notwithstanding any other law, a person not otherwise prohibited by law from shipping, transporting, possessing, or receiving a firearm may carry such firearm, whether loaded or unloaded—

''(1) in the person's dwelling house or place of business or on land owned or lawfully possessed by the person;

''(2) on land owned or lawfully possessed by another person unless the other person has notified the person by posting or individual notice that firearms are not permitted on the premises;

''(3) while it is being used for lawful recreational, sporting, educational, or training purposes; or

''(4) while it is being transported for a lawful purpose as expressly authorized by District or Federal law and in accordance with the requirements of that law.

''SEC. 4B. LAWFUL TRANSPORTATION OF FIREARMS.

''(a) Any person who is not otherwise prohibited by law from shipping, transporting, possessing, or receiving a firearm shall be permitted to transport a firearm for any lawful purpose from any place where he may lawfully possess the firearm to any other place where he may lawfully possess the firearm if the firearm is transported in accordance with this section.

''(b)(1) If the transportation of the firearm is by a vehicle, the firearm shall be unloaded, and neither the firearm nor any ammunition being transported shall be readily accessible or directly accessible from the passenger compartment of the transporting vehicle.

''(2) If the transporting vehicle does not have a compartment separate from the driver's compartment, the firearm or ammunition shall be contained in a locked container other than the glove compartment or console, and the firearm shall be unloaded.

''(c) If the transportation of the firearm is in a manner other than in a vehicle, the firearm shall be—

''(1) unloaded;

''(2) inside a locked container; and

''(3) separate from any ammunition.''.

(c) EXCEPTIONS TO RESTRICTIONS ON CARRYING CONCEALED WEAPONS.—Section 5(a) of the Act of July 8, 1932 (47 Stat. 650, chapter 465; sec. 22–4505(a), D.C. Official Code), is amended—

(1) by striking ''pistol unloaded and in a secure wrapper from'' and inserting ''firearm, transported in accordance with section 4B, from'';

(2) by striking ''pistol'' each place it appears and inserting ''firearm''; and

(3) by adding at the end the following:

''(7) Any person carrying a firearm who holds—

''(A) a valid license issued under section 6; or

''(B) any out-of-state license, as defined in section 1.''.

SEC. 303. RECIPROCITY FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following:

''§ 926D. Reciprocity for the carrying of certain concealed firearms

''(a) IN GENERAL.—Notwithstanding any provision of the law of any State or political subdivision thereof to the contrary—

''(1) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and a valid license or permit which is issued pursuant to the law of a State and which permits the individual to carry a concealed firearm, may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

''(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

''(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes; and

''(2) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and is entitled and not prohibited from carrying a concealed firearm in the State in which the individual resides otherwise than as described in paragraph (1), may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

''(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

''(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes.

''(b) CONDITIONS AND LIMITATIONS.—The possession or carrying of a concealed handgun in a State under this section shall be subject to the same conditions and limitations, except as to eligibility to possess or carry, imposed by or under Federal or State law or the law of a political subdivision of a

State, that apply to the possession or carrying of a concealed handgun by residents of the State or political subdivision who are licensed by the State or political subdivision to do so, or not prohibited by the State from doing so.

''(c) UNRESTRICTED LICENSE OR PERMIT.—In a State that allows the issuing authority for licenses or permits to carry concealed firearms to impose restrictions on the carrying of firearms by individual holders of such licenses or permits, an individual carrying a concealed handgun under this section shall be permitted to carry a concealed handgun according to the same terms authorized by an unrestricted license of or permit issued to a resident of the State.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preempt any provision of State law with respect to the issuance of licenses or permits to carry concealed firearms.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 926C the following:

''Sec. 926D. Reciprocity for the carrying of certain concealed firearms.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 90 days after the date of enactment of this Act.

SEC. 304. FIREARMS PERMITTED ON DEPARTMENT OF DEFENSE PROPERTY.

Section 930(g)(1) of title 18, United States Code, is amended—

(1) by striking ''The term 'Federal facility' means'' and inserting the following: ''The term 'Federal facility'—

''(A) means'';

(2) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(B) with respect to a qualified member of the Armed Forces, as defined in section 926E(a), does not include any land, a building, or any part thereof owned or leased by the Department of Defense.''.

SEC. 305. LAWFUL POSSESSION OF FIREARMS ON MILITARY INSTALLATIONS BY MEMBERS OF THE ARMED FORCES.

(a) MODIFICATION OF GENERAL ARTICLE.—Section 934 of title 10, United States Code (article 134 of the Uniform Code of Military Justice), is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''Though not specifically mentioned''; and

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

''(b) POSSESSION OF A FIREARM.—The possession of a concealed or open carry firearm by a member of the armed forces subject to this chapter on a military installation, if lawful under the laws of the State in which the installation is located, is not an offense under this section.''.

(b) MODIFICATION OF REGULATIONS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall amend Department of Defense Directive number 5210.56 to provide that members of the Armed Forces may possess firearms for defensive purposes on facilities and installations of the Department of Defense in a manner consistent with the laws of the State in which the facility or installation concerned is located.

SEC. 306. CARRYING OF CONCEALED FIREARMS BY QUALIFIED MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, as amended by this title, is amended by inserting after section 926D the following:

''§ 926E. Carrying of concealed firearms by qualified members of the Armed Forces

''(a) DEFINITIONS.—As used in this section—

''(1) the term 'firearm'—

''(A) except as provided in this paragraph, has the same meaning as in section 921;

''(B) includes ammunition not expressly prohibited by Federal law or subject to the provisions of the National Firearms Act; and

''(C) does not include—

''(i) any machinegun (as defined in section 5845 of the National Firearms Act);

''(ii) any firearm silencer; or

''(iii) any destructive device; and

''(2) the term 'qualified member of the Armed Forces' means an individual who—

''(A) is a member of the Armed Forces on active duty status, as defined in section 101(d)(1) of title 10;

''(B) is not the subject of disciplinary action under the Uniform Code of Military Justice;

''(C) is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

''(D) is not prohibited by Federal law from receiving a firearm.

''(b) AUTHORIZATION.—Notwithstanding any provision of the law of any State or any political subdivision thereof, an individual who is a qualified member of the Armed Forces and who is carry identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (c).

''(c) LIMITATIONS.—This section shall not be construed to superseded or limit the laws of any State that—

''(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

''(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

''(d) IDENTIFICATION.—The identification required by this subsection is the photographic identification issued by the Department of Defense for the qualified member of the Armed Forces.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, as amended by this title, is amended by inserting after the item relating to section 926D the following:

''926E. Carrying of concealed firearms by qualified members of the Armed Forces.''.

SEC. 307. REFORMING D.C. COUNCIL'S AUTHORITY TO RESTRICT FIREARMS.

Section 4 of the Act entitled ''An Act to prohibit the killing of wild birds and wild animals in the District of Columbia'', approved June 30, 1906 (34 Stat. 809; sec. 1–303.43, D.C. Official Code), is amended by adding at the end the following: ''Nothing in this section or any other provision of law shall authorize, or shall be construed to permit, the Council, the Mayor, or any governmental or regulatory authority of the District of Columbia to prohibit, constructively prohibit, or unduly burden the ability of persons not prohibited from possessing firearms under Federal law from acquiring, possessing in their homes or businesses, carrying, transporting, or using for sporting, self-protection, or other lawful purposes, any firearm neither prohibited by Federal law nor subject to chapter 53 of the Internal Revenue Code of 1986 (commonly referred to as the 'National Firearms Act'). The District of Columbia shall not have authority to enact laws or regulations that discourage or eliminate the private ownership or use of firearms for legitimate purposes.''.

SEC. _308. REPEAL OF D.C. SEMIAUTOMATIC BAN.

Section 101(10) of the Firearms Control Regulations Act of 1975 (sec. 7–2501.01(10), D.C. Official Code) is amended to read as follows:

''(10) 'Machine gun' means any firearm which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term 'machine gun' shall also include the frame or receiver of any such firearm, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a firearm into a machine gun, and any combination of parts from which a machine gun can be assembled if such parts are in the possession or under the control of a person.''.

SEC. 309. REPEAL OF REGISTRATION REQUIREMENT AND AUTHORIZATION OF AMMUNITION SALES.

(a) REPEAL OF REQUIREMENT.—

(1) IN GENERAL.—Section 201(a) of the Firearms Control Regulations Act of 1975 (sec. 7–2502.01(a), D.C. Official Code) is amended by striking ''any firearm, unless'' and all that follows through paragraph (3) and inserting the following: ''any firearm described in subsection (c).''.

(2) DESCRIPTION OF FIREARMS REMAINING ILLEGAL.—Section 201 of the Firearms Control Regulations Act of 1975 (sec. 7–2502.01, D.C. Official Code) is amended by adding at the end the following:

''(c) A firearm described in this subsection is any of the following:

''(1) A sawed-off shotgun.

''(2) A machine gun.

''(3) A short-barreled rifle.''.

(3) CONFORMING AMENDMENT.—The heading of section 201 of the Firearms Control Regulations Act of 1975 (sec. 7–2502.01, D.C. Official Code) is amended by striking ''**REGISTRATION REQUIREMENTS**'' and inserting ''**FIREARM POSSESSION**''.

(b) CONFORMING AMENDMENTS TO FIREARMS CONTROL REGULATIONS ACT.—The Firearms Control Regulations Act of 1975 is amended—

(1) in section 101 (sec. 7–2501.01, D.C. Official Code), by striking paragraph (13); and

(2) by repealing sections 202 through 211 (secs. 7–2502.02 through 7–2502.11, D.C. Official Code).

SEC. 310. REPEAL OF REDUNDANT DEALER LICENSING REQUIREMENT AND PROVISION FOR THE LAWFUL SALE OF FIREARMS BY FEDERALLY LICENSED DEALERS.

(a) REPEAL OF REQUIREMENT.—

(1) IN GENERAL.—Section 401 of the Firearms Control Regulations Act of 1975 (sec. 7–2504.01, D.C. Official Code) is amended by striking ''(a) No person'' and all that follows and inserting the following:

''(a) No person or organization shall engage in the business of dealing, importing, or manufacturing firearms without complying with the requirements of Federal law.

''(b) Any dealer who is in compliance with Federal law may sell or otherwise transfer a firearm to any person or organization not otherwise prohibited from possessing or receiving such firearm under Federal law. In the case of a sale or transfer of a handgun to a resident of the District of Columbia, a federally licensed importer, manufacturer, or dealer of firearms in Maryland or Virginia shall be treated as a dealer licensed under the provisions of this Act for purposes of the previous sentence, notwithstanding section 922(b)(3) of title 18, United States Code, if the

transferee meets in person with the transferor to accomplish the transfer, and the sale, delivery, and receipt fully comply with the legal conditions of sale in both the District of Columbia and the jurisdiction in which the transfer occurs.''.

(2) PROVIDING FOR THE LAWFUL SALE OF FIREARMS.—Section 501 of the Firearms Control Regulations Act of 1975 (sec. 7–2505.01, D.C. Official Code) is amended by striking '', destructive device or ammunition'' and all that follows and inserting the following: ''or ammunition to any person if the seller or transferor knows or has reasonable cause to believe that such person is prohibited by Federal law from possessing or receiving a firearm.''.

(b) CONFORMING AMENDMENTS TO FIREARMS CONTROL REGULATIONS ACT.—The Firearms Control Regulations Act of 1975 is amended—

(1) by repealing sections 402 through 409 (secs. 7–2504.02 through 7–2504.09, D.C. Official Code);

(2) by repealing section 502 (sec. 7–2505.02, D.C. Official Code);

(3) in section 701 (sec. 7–2507.01, D.C. Official Code)—

(A) in subsection (a), by striking ''firearm, destructive device, or ammunition'' and inserting ''destructive device''; and

(B) in subsection (b), by striking '', any firearm, destructive device, or ammunition.'' and inserting ''any destructive device.''; and

(4) by repealing section 704 (sec. 7–2507.04, D.C. Official Code).

(c) OTHER CONFORMING AMENDMENTS.—The Act of July 8, 1932 (47 Stat. 650, chapter 465; sec. 22–4501 et seq., D.C. Official Code), is amended—

(1) in section 3 (sec. 22–4503, D.C. Official Code)—

(A) in subsection (a), by striking ''if the person'' and all that follows and inserting ''if the person is prohibited from possessing a firearm under Federal law.'';

(B) in subsection (b)(1), by striking ''subsection (a)(1)'' and inserting ''subsection (a)''; and

(C) by repealing subsections (c) and (d); and

(2) by repealing sections 7 through 10 (secs. 22–4507 through 22–4510, D.C. Official Code).

SEC. 311. HARMONIZATION OF D.C. LAW AND FEDERAL LAW REGARDING THE POSSESSION OF AMMUNITION AND AMMUNITION FEEDING DEVICES.

Section 601 of the Firearms Control Regulations Act of 1975 (sec. 7–2506.01, D.C. Official Code) is amended by striking ''(a) No person'' and all that follows and inserting the following: ''No person who is prohibited by Federal law from possessing a firearm shall possess ammunition in the District of Columbia.''.

SEC. 312. RESTORATION OF RIGHT OF SELF DEFENSE IN THE HOME.

Section 702 of the Firearms Control Regulations Act of 1975 (sec. 7–2507.02, D.C. Official Code) is repealed.

SEC. _313. REMOVAL OF CRIMINAL PENALTIES FOR POSSESSION OF UNREGISTERED FIREARMS AND CERTAIN AMMUNITION.

(a) IN GENERAL.—Section 706 of the Firearms Control Regulations Act of 1975 (sec. 7–2507.06, D.C. Official Code) is amended—

(1) by striking ''except that'' and all that follows through ''A person who knowingly'' and inserting the following: ''except that a person who knowingly''; and

(2) by striking paragraphs (2) and (3).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to any violation that occurs after the date that is 60 days after the date of enactment of this Act.

SEC. 314. REGULATING INOPERABLE PISTOLS AND HARMONIZING DEFINITIONS FOR CERTAIN TYPES OF FIREARMS.

Section 1 of the Act of July 8, 1932 (47 Stat. 650, chapter 465; sec. 22–4501, D.C. Official Code), is amended—

(1) by redesignating paragraph (1) as paragraph (1)(A);

(2) by inserting before paragraph (1)(A), as redesignated, the following:

''(1) 'Chief' shall have the same meaning as provided in section 101(4) of the Firearms Control Regulations Act of 1975 (sec. 7–2501.01(4), D.C. Official Code).'';

(3) by inserting after paragraph (2) the following:

''(2A) 'Firearm'—

''(A) means any weapon, regardless of operability, which will, or is designed or redesigned, made or remade, readily converted, restored, or repaired, or is intended to, expel a projectile or projectiles by the action of an explosive; and

''(B) does not include—

''(i) a destructive device, as defined in section 101(7) of the Firearms Control Regulations Act of 1975 (sec. 7–2501.01(7), D.C. Official Code);

''(ii) a device used exclusively for line throwing, signaling, or safety, and required or recommended by the Coast Guard or Interstate Commerce Commission; or

''(iii) a device used exclusively for firing explosive rivets, stud cartridges, or similar industrial ammunition and incapable for use as a weapon.'';

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

''(3A) 'Licensee' means an individual holding a valid license issued under the provisions of section 6 of the Act of July 8, 1932 (sec. 22–4506, D.C. Official Code).'';

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

''(4) 'Machine gun' shall have the same meaning as provided in section 101(10) of the Firearms Control Regulations Act of 1975 (sec. 7–2501.01(10), D.C. Official Code).'';

(6) by inserting after paragraph (4) the following:

''(4A) 'Motor vehicle' shall have the meaning provided in section 101(4) of the Department of Motor Vehicles Reform Amendment Act of 2004 (sec. 50–1331.01(4), D.C. Official Code).

''(4B) 'Out-of-state license' means a valid permit, license, approval, or other authorization issued by a state or territory of the United States that authorizes the licensee to carry a firearm concealed on or about the person.

''(4C) 'Out-of-state licensee' means an individual who is 21 years of age or over, who is not a District resident, and who has been issued an out-of-state license.'';

(7) by striking paragraph (6) and inserting the following:

''(6) 'Pistol' shall have the same meaning as provided in section 101(12) of the Firearms Control Regulations Act of 1975 (sec. 7–2501.01(12), D.C. Official Code).'';

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

''(6A) 'Place of business' shall have the same meaning as provided in section 101(12A) of the Firearms Control Regulations Act of 1975 (sec. 7–2501.01(12A), D.C. Official Code).'';

(9) by striking paragraph (8) and inserting the following:

''(8) 'Sawed-off shotgun' shall have the same meaning as provided in section 101(15) of the Firearms Control Regulations Act of 1975 (sec. 7–2501.01(15), D.C. Official Code).''; and

(10) by inserting after paragraph (9) the following:

''(9A) 'Shotgun' shall have the same meaning as provided in section 101(16) of the Firearms Control Regulations Act of 1975 (sec. 7–2501.01(16), D.C. Official Code).''.

SEC. 315. PROHIBITIONS OF FIREARMS FROM PRIVATE AND SENSITIVE PUBLIC PROPERTY.

The Act of July 8, 1932 (47 Stat. 650, chapter 465; sec. 22–4501 et seq., D.C. Official Code), is amended by inserting after section 3 the following:

''SEC. 3A. PROHIBITIONS OF FIREARMS FROM PRIVATE AND SENSITIVE PUBLIC PROPERTY.

''(a) Private persons or entities owning property in the District of Columbia may prohibit or restrict the possession of firearms on their property by any persons, other than law enforcement personnel when lawfully authorized to enter onto the property or lessees occupying residential or business premises.

''(b) The District of Columbia may prohibit or restrict the possession of firearms within any building or structure under its control, or in any area of such building or structure, that has implemented security measures (including guard posts, metal detection devices, x-ray or other scanning devices, or card-based or biometric access devices) to identify and exclude unauthorized or hazardous persons or articles, except that no such prohibition or restriction may apply to lessees occupying residential or business premises.''.

SEC. 316. INCLUDING TOY AND ANTIQUE PISTOLS IN PROHIBITION AGAINST USING AN IMITATION FIREARM TO COMMIT A VIOLENT OR DANGEROUS CRIME.

Section 13 of the Act of July 8, 1932 (sec. 22–4513, D.C. Official Code), is amended by striking ''section 2 and section 14(b)'' and inserting ''sections 2, 4(b), and 14(b)''.

SEC. 317. REPEAL OF GUN OFFENDER REGISTRY.

Title VIII of the Firearms Control Regulations Act of 1975 (sec. 7–2508.01 et seq., D.C. Official Code), as added by section 205 of the Omnibus Public Safety and Justice Amendment Act of 2009 (D.C. Law 18–88), is repealed.

SEC. 318. REPEALS OF DISTRICT OF COLUMBIA ACTS.

Effective on the day before the date of the enactment of this Act, each of the following Acts is repealed, and any provision of law amended or repealed by any of such Acts is restored or revived as if such Act had not been enacted into law:

(1) The Assault Weapon Manufacturing Strict Liability Act of 1990 (D.C. Law 8–263).

(2) The Illegal Firearm Sale and Distribution Strict Liability Act of 1992 (D.C. Law 9–115).

(3) The Firearms Registration Amendment Act of 2008 (D.C. Law 17–372).

(4) The Inoperable Pistol Amendment Act of 2008 (D.C. Law 17–388).

(5) The Firearms Amendment Act of 2012 (D.C. Law 19–170).

(6) The Administrative Disposition for Weapons Offenses Amendment Act of 2012 (D.C. Law 19–295).

(7) The License to Carry a Pistol Second Emergency Amendment Act of 2014 (D.C. Act A20–0564).

(8) The License to Carry a Pistol Temporary Amendment Act of 2014 (D.C. Law 20–169).

(9) The License to Carry a Pistol Amendment Act of 2014 (D.C. Act A20–0621).

SEC. 319. REPEAL OF FEDERAL INTERSTATE HANDGUN TRANSFER BAN.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A), by striking ''and subsection (b)(3)'';

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

(C) by redesignating paragraph (4) as paragraph (3);

(D) by redesignating paragraphs (6) through (9) as paragraphs (4) through (7), respectively; and

(E) in paragraph (6), as redesignated, by adding ''and'' at the end; and

(2) in subsection (b)—

(A) by striking paragraph (3);

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4); and

(C) in the flush text following paragraph (4), as redesignated—

(i) by striking ''(3), and (4)'' and inserting ''and (3)''; and

(ii) by striking ''(4)'' and inserting ''(3)''.

(b) CONFORMING AMENDMENTS.—

(1) Title 18, United States Code, is amended—

(A) in section 924—

(i) in subsection (a)—

(I) in paragraph (1)(B), by striking ''(a)(4)'' and inserting ''(a)(3)''; and

(II) in paragraph (2), by striking ''(a)(6)'' and inserting ''(a)(4)''; and

(ii) in subsection (d)—

(I) in paragraph (1), by striking ''(a)(4), (a)(6)'' and inserting ''(a)(3), (a)(4)''; and

(II) in paragraph (3)(C), by striking ''section 922(a)(1), 922(a)(3), 922(a)(5), or 922(b)(3)'' each place that term appears and inserting ''section 922(a)(1)''; and

(B) in section 1028A(c)(3), by striking ''section 922(a)(6)'' and inserting ''section 922(a)(4)''.

(2) Section 4182(d) of the Internal Revenue Code of 1986 is amended by striking ''922(b)(5)'' and inserting ''922(b)(4)''.

(3) Section 40733 of title 36, United States Code, is amended by striking ''Section 922(a)(1)–(3) and (5) of title 18 does not'' and inserting ''Paragraphs (1), (2), and (4) of section 922(a) of title 18 shall not''.

(4) Section 161A(b) of the Atomic Energy Act of 1954 (42 U.S.C. 2201a(b)) is amended by striking ''subsections (a)(4), (a)(5), (b)(2), (b)(4), and (o) of section 922'' and inserting ''subsections (a)(3), (b)(2), (b)(3), and (o) of section 922''.

SEC. 320. FIREARMS PERMITTED ON FEDERAL PROPERTY.

Section 930 of title 18, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (2), by striking ''or'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(4) the lawful storage or possession of a firearm or other dangerous weapon within a publically accessible, non-sensitive area of real property owned or leased by the Federal Government.''; and

(2) in subsection (g), by adding at the end the following:

''(4) The term 'publically accessible, non-sensitive area' means an area in which the Federal Government has not implemented security measures, including metal detection devices, x-ray or other scanning devices, or card-based or biometric access devices, at a point of entry.''.

SEC. 321. SEVERABILITY.

Notwithstanding any other provision of this title, if any provision of this title, or any amendment made by this title, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the other provisions of this title and any other amendments made by this title, and the application of such provision or amendment to other persons or circumstances, shall not be affected thereby.

SA 2916. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

Strike all after the first word and insert the following:

I—HEALTH, EDUCATION, LABOR, AND PENSIONS

SEC. 101. THE PREVENTION AND PUBLIC HEALTH FUND.

(a) IN GENERAL.—Subsection (b) of section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11) is amended—

(1) in paragraph (2), by striking ''2017'' and inserting ''2015''; and

(2) by striking paragraphs (3) through (5).

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available by such section 4002, the unobligated balance is rescinded.

SEC. 102. COMMUNITY HEALTH CENTER PROGRAM.

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting after ''Section 10503(b)(1)(E) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b–2(b)(1)(E)) is amended'' the following: ''by striking '$3,600,000,000' and inserting '$3,835,000,000' and''.

SEC. 104. TERRITORIES.

Section 1323(c) of the Patient Protection and Affordable Care Act (42 U.S.C. 18043(c)) is amended by adding at the end the following:

''(3) NO FORCE AND EFFECT.—Effective January 1, 2018, this subsection shall have no force or effect.''.

SEC. 105. REINSURANCE, RISK CORRIDOR, AND RISK ADJUSTMENT PROGRAMS.

(a) TRANSITIONAL REINSURANCE PROGRAM FOR INDIVIDUAL MARKET.—Section 1341 of the Patient Protection and Affordable Care Act (42 U.S.C. 18061) is amended by adding at the end the following:

''(e) NO FORCE AND EFFECT.—Effective January 1, 2016, the Secretary shall not collect fees and shall not make payments under this section.''.

(b) RISK CORRIDORS FOR PLANS IN INDIVIDUAL AND SMALL GROUP MARKETS.—Section 1342 of the Patient Protection and Affordable Care Act (42 U.S.C. 18062) is amended by adding at the end the following:

''(d) NO FORCE AND EFFECT.—Effective January 1, 2016, this section shall have no force or effect.''.

SEC. 106. SUPPORT FOR STATE RESPONSE TO SUBSTANCE ABUSE PUBLIC HEALTH CRISIS AND URGENT MENTAL HEALTH NEEDS.

(a) IN GENERAL.—There are authorized to be appropriated, and are appropriated, out of monies in the Treasury not otherwise obligated, $750,000,000 for each of fiscal years 2016 and 2017, to the Secretary of Health and Human Services (referred to in this section as the ''Secretary'') to award grants to States to address the substance abuse public health crisis or to respond to urgent mental health needs within the State. In awarding grants under this section, the Secretary may give preference to States with an incidence or prevalence of substance use disorders that is substantial relative to other States or to States that identify mental health needs within their communities that are urgent relative to such needs of other States. Funds appropriated under this subsection shall remain available until expended.

(b) USE OF FUNDS.—Grants awarded to a State under subsection (a) shall be used for one or more of the following public health-related activities:

(1) Improving State prescription drug monitoring programs.

(2) Implementing prevention activities, and evaluating such activities to identify effective strategies to prevent substance abuse.

(3) Training for health care practitioners, such as best practices for prescribing opioids, pain management, recognizing potential cases of substance abuse, referral of patients to treatment programs, and overdose prevention.

(4) Supporting access to health care services provided by federally certified opioid treatment programs or other appropriate health care providers to treat substance use disorders or mental health needs.

(5) Other public health-related activities, as the State determines appropriate, related to addressing the substance abuse public health crisis or responding to urgent mental health needs within the State.

TITLE II—FINANCE

SEC. 201. RECAPTURE EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.

Subparagraph (B) of section 36B(f)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

''(iii) NONAPPLICABILITY OF LIMITATION.—This subparagraph shall not apply to taxable years ending after December 31, 2015, and before January 1, 2018.''.

SEC. 202. PREMIUM TAX CREDIT AND COST-SHARING SUBSIDIES.

(a) REPEAL OF PREMIUM TAX CREDIT.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by striking section 36B.

(b) REPEAL OF COST-SHARING SUBSIDY.—Section 1402 of the Patient Protection and Affordable Care Act is repealed.

(c) REPEAL OF ELIGIBILITY DETERMINATIONS.—The following sections of the Patient Protection and Affordable Care Act are repealed:

(1) Section 1411 (other than subsection (i), the last sentence of subsection (e)(4)(A)(ii), and such provisions of such section solely to the extent related to the application of the last sentence of subsection (e)(4)(A)(ii)).

(2) Section 1412.

(d) PROTECTING AMERICANS BY REPEAL OF DISCLOSURE AUTHORITY TO CARRY OUT ELIGIBILITY REQUIREMENTS FOR CERTAIN PROGRAMS.—

(1) IN GENERAL.—Paragraph (21) of section 6103(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(D) TERMINATION.—No disclosure may be made under this paragraph after December 31, 2017.''.

(e) EFFECTIVE DATES.—

(1) PREMIUM TAX CREDIT.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2017.

(2) COST SHARING-SUBSIDIES AND ELIGIBILITY DETERMINATIONS.—The repeals in subsection (b) and (c) shall take effect on December 31, 2017.

(3) PROTECTING AMERICANS BY RESCINDING DISCLOSURE AUTHORITY.—The amendments made by subsection (d) shall take effect on December 31, 2017.

SEC. 203. SMALL BUSINESS TAX CREDIT.

(a) IN GENERAL.—Section 45R of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(j) SHALL NOT APPLY.—This section shall not apply with respect to amounts paid or incurred in taxable years beginning after December 31, 2017.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2017.

SEC. 204. INDIVIDUAL MANDATE.

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B) by striking clauses (ii) and (iii) and inserting the following:

''(ii) Zero percent for taxable years beginning after 2014.'', and

(2) in paragraph (3)—

(A) by striking ''$695'' in subparagraph (A) and inserting ''$0'',

(B) by striking ''and $325 for 2015'' in subparagraph (B), and

(C) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2014.

SEC. 205. EMPLOYER MANDATE.

(a) IN GENERAL.—

(1) Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting ''($0 in the case of months beginning after December 31, 2014)'' after ''$2,000''.

(2) Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting ''($0 in the case of months beginning after December 31, 2014)'' after ''$3,000''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2014.

SEC. 206. FEDERAL PAYMENTS TO STATES.

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term ''prohibited entity'' means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded $350,000,000.

(2) DIRECT SPENDING.—The term ''direct spending'' has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

SEC. 207. MEDICAID.

The Social Security Act (42 U.S.C. 301 et seq.) is amended—

(1) in section 1108(g)(5), by striking ''2019'' and inserting ''2017'';

(2) in section 1902—

(A) in subsection (a)(10)(A), in each of clauses (i)(VIII) and (ii)(XX), by inserting ''and ending December 31, 2017,'' after ''January 1, 2014,'';

(B) in subsection (a)(47)(B), by inserting ''and provided that any such election shall cease to be effective on January 1, 2018, and no such election shall be made after that date'' before the semicolon at the end; and

(C) in subsection (l)(2)(C), by inserting ''and ending December 31, 2017,'' after ''January 1, 2014,'';

(3) in each of sections 1902(gg)(2) and 2105(d)(3)(A), by striking ''September 30, 2019'' and inserting ''September 30, 2017'';

(4) in section 1905—

(A) in the first sentence of subsection (b), by inserting ''(50 percent on or after January 1, 2018)'' after ''55 percent'';

(B) in subsection (y)(1), by striking the semicolon at the end of subparagraph (B) and all that follows through ''thereafter''; and

(C) in subsection (z)(2)—

(i) in subparagraph (A), by striking ''each year thereafter'' and inserting ''through 2017''; and

(ii) in subparagraph (B)(ii), by striking the semicolon at the end of subclause (IV) and all that follows through ''100 percent'';

(5) in section 1915(k)(2), by striking ''during the period described in paragraph (1)'' and inserting ''on or after the date referred to in paragraph (1) and before January 1, 2018'';

(6) in section 1920(e), by adding at the end the following: ''This subsection shall not apply after December 31, 2017.'';

(7) in section 1937(b)(5), by adding at the end the following: ''This paragraph shall not apply after December 31, 2017.''; and

(8) in section 1943(a), by inserting ''and before January 1, 2018,'' after ''January 1, 2014,''.

SEC. 208. REPEAL OF DSH ALLOTMENT REDUCTIONS.

Section 1923(f) of the Social Security Act (42 U.S.C. 1396r–4(f)) is amended by striking paragraphs (7) and (8).

SEC. 209. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.

(a) IN GENERAL.—Chapter 43 of the Internal Revenue Code of 1986 is amended by striking section 4980I.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2017.

(c) SUBSEQUENT EFFECTIVE DATE.—The amendment made by subsection (a) shall not apply to taxable years beginning after December 31, 2024, and chapter 43 of the Internal Revenue Code of 1986 is amended to read as such chapter would read if such subsection had never been enacted.

SEC. 210. REPEAL OF TAX ON OVER-THE-COUNTER MEDICATIONS.

(a) HSAs.—Subparagraph (A) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by striking ''Such term'' and all that follows through the period.

(b) ARCHER MSAs.—Subparagraph (A) of section 220(d)(2) of the Internal Revenue Code of 1986 is amended by striking ''Such term'' and all that follows through the period.

(c) HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 106 of the Internal Revenue Code of 1986 is amended by striking subsection (f).

(d) EFFECTIVE DATES.—

(1) DISTRIBUTIONS FROM SAVINGS ACCOUNTS.—The amendments made by subsections (a) and (b) shall apply to amounts paid with respect to taxable years beginning after December 31, 2015.

(2) REIMBURSEMENTS.—The amendment made by subsection (c) shall apply to expenses incurred with respect to taxable years beginning after December 31, 2015.

SEC. 211. REPEAL OF TAX ON HEALTH SAVINGS ACCOUNTS.

(a) HSAs.—Section 223(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking ''20 percent'' and inserting ''10 percent''.

(b) ARCHER MSAs.—Section 220(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking ''20 percent'' and inserting ''15 percent''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after December 31, 2015.

SEC. 212. REPEAL OF LIMITATIONS ON CONTRIBUTIONS TO FLEXIBLE SPENDING ACCOUNTS.

(a) IN GENERAL.—Section 125 of the Internal Revenue Code of 1986 is amended by striking subsection (i).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 213. REPEAL OF TAX ON PRESCRIPTION MEDICATIONS.

Subsection (j) of section 9008 of the Patient Protection and Affordable Care Act is amended to read as follows:

''(j) REPEAL.—This section shall apply to calendar years beginning after December 31, 2010, and ending before January 1, 2016.''.

SEC. 214. REPEAL OF MEDICAL DEVICE EXCISE TAX.

(a) IN GENERAL.—Chapter 32 of the Internal Revenue Code of 1986 is amended by striking subchapter E.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to sales in calendar quarters beginning after December 31, 2015.

SEC. 215. REPEAL OF HEALTH INSURANCE TAX.

Subsection (j) of section 9010 of the Patient Protection and Affordable Care Act is amended to read as follows:

''(j) REPEAL.—This section shall apply to calendar years beginning after December 31, 2013, and ending before January 1, 2016.''.

SEC. 216. REPEAL OF ELIMINATION OF DEDUCTION FOR EXPENSES ALLOCABLE TO MEDICARE PART D SUBSIDY.

(a) IN GENERAL.—Section 139A of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: ''This section shall not be taken into account for purposes of determining whether

any deduction is allowable with respect to any cost taken into account in determining such payment.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 217. REPEAL OF CHRONIC CARE TAX.

(a) IN GENERAL.—Subsection (a) of section 213 of the Internal Revenue Code of 1986 is amended by striking ''10 percent'' and inserting ''7.5 percent''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 218. REPEAL OF MEDICARE TAX INCREASE.

(a) IN GENERAL.—Subsection (b) of section 3101 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there is hereby imposed on the income of every individual a tax equal to 1.45 percent of the wages (as defined in section 3121(a)) received by such individual with respect to employment (as defined in section 3121(b).''.

(b) SECA.—Subsection (b) of section 1401 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax equal to 2.9 percent of the amount of the self-employment income for such taxable year.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to remuneration received after, and taxable years beginning after, December 31, 2015.

SEC. 219. REPEAL OF TANNING TAX.

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by striking chapter 49.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to services performed on or after December 31, 2015.

SEC. 220. REPEAL OF NET INVESTMENT TAX.

(a) IN GENERAL.—Subtitle A of the Internal Revenue Code of 1986 is amended by striking chapter 2A.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 221. REMUNERATION.

Paragraph (6) of section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(I) TERMINATION.—This paragraph shall not apply to taxable years beginning after December 31, 2015.''.

SEC. 222. ECONOMIC SUBSTANCE DOCTRINE.

(a) IN GENERAL.—Subsection (o) of section 7701 of the Internal Revenue Code of 1986 is repealed.

(b) PENALTY FOR UNDERPAYMENTS.—Paragraph (6) of section 6662(b) of the Internal Revenue Code of 1986 is repealed.

(c) INCREASED PENALTY FOR NONDISCLOSED TRANSACTIONS.—Subsection (i) of section 6662 of the Internal Revenue Code of 1986 is repealed.

(d) REASONABLE CAUSE EXCEPTION FOR UNDERPAYMENTS.—Paragraph (2) of section 6664(c) of the Internal Revenue Code of 1986 is repealed.

(e) REASONABLE CAUSE EXCEPTION FOR NONDISCLOSED TRANSACTIONS.—Paragraph (2) of section 6664(d) of the Internal Revenue Code of 1986 is repealed.

(f) ERRONEOUS CLAIM FOR REFUND OR CREDIT.—Subsection (c) of section 6676 of the Internal Revenue Code of 1986 is repealed.

(g) EFFECTIVE DATE.—The repeals made by this section shall apply to transactions entered into, and to underpayments, understatements, or refunds and credits attributable to transactions entered into, after December 31, 2015.

SEC. 223. BUDGETARY SAVINGS FOR EXTENDING MEDICARE SOLVENCY.

As a result of policies contained in this Act, the Secretary of the Treasury shall transfer to the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i) $379,300,000,000 (which represents the full amount of on-budget savings during the period of fiscal years 2016 through 2025) for extending Medicare solvency, to remain available until expended.

SA 2917. Mr. REID submitted an amendment intended to be proposed to amendment SA 2916 submitted by Mr. MCCONNELL to the amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

In section 209, strike subsection (c).

SA 2918. Mr. MURPHY (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 2916 submitted by Mr. MCCONNELL to the amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

At the end of section 202, add the following:

(f) NONAPPLICATION.—

(1) IN GENERAL.—The amendments made by this section shall not take effect if such amendments would result in an increase of Federal tax liability of any individual described in paragraph (2).

(2) INDIVIDUALS DESCRIBED.—The individuals described in this paragraph are the following:

(A) Individuals who are victims of violent crime, including domestic violence.

(B) Individuals who are victims of cancer, heart disease, Alzheimer's disease, hepatitis C, HIV/AIDS , or other deadly diseases.

(C) Individuals who are veterans, including disabled veterans.

(D) Individuals who lost their health insurance when they lost their jobs, including those who lost their job because their employer moved their job overseas.

(E) Individuals who are survivors of cancer, strokes, or other chronic diseases.

(F) Pregnant women.

SEC. 202A. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

''Sec. 59A. Fair share tax.

''SEC. 59A. FAIR SHARE TAX.

''(a) GENERAL RULE.—

''(1) IMPOSITITION OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

''(A) the amount determined under paragraph (2), and

''(B) a fraction (not to exceed 1)—

''(i) the numerator of which is the excess of—

''(I) the taxpayer's adjusted gross income, over

''(II) the dollar amount in effect under subsection (c)(1), and

''(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

''(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

''(A) the tentative fair share tax for the taxable year, over

''(B) the excess of—

''(i) the sum of—

''(I) the regular tax liability (as defined in section 26(b)) for the taxable year, determined without regard to any tax liability determined under this section,

''(II) the tax imposed by section 55 for the taxable year, plus

''(III) the payroll tax for the taxable year, over

''(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

''(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

''(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

''(A) the adjusted gross income of the taxpayer, over

''(B) the modified charitable contribution deduction for the taxable year.

''(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

''(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

''(ii) such amount, determined before the application of section 68.

''(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

''(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'high-income taxpayer' means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of $1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a taxable year beginning after 2016, the $1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the next lowest multiple of $10,000.

''(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

''(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such tax is attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during such taxable year, over

''(2) the deduction allowable under section 164(f) for such taxable year.

''(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

''(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 202B. MODIFICATION OF LIMITATION ON EXCESSIVE REMUNERATION.

(a) REPEAL OF PERFORMANCE-BASED COMPENSATION AND COMMISSION EXCEPTIONS FOR LIMITATION ON EXCESSIVE REMUNERATION.—

(1) IN GENERAL.—Paragraph (4) of section 162(m) of the Internal Revenue Code of 1986 is amended by striking subparagraphs (B) and (C) and by redesignating subparagraphs (D) through (G) as subparagraphs (B) through (E), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 162(m)(5) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (E) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(B) Section 162(m)(6) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (D) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(b) EXPANSION OF APPLICABLE EMPLOYER.—Paragraph (2) of section 162(m) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) PUBLICLY HELD CORPORATION.—For purposes of this subsection, the term 'publicly held corporation' means any corporation which is an issuer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c))—

''(A) the securities of which are registered under section 12 of such Act (15 U.S.C. 78l), or

''(B) that is required to file reports under section 15(d) of such Act (15 U.S.C. 78o(d)).''.

(c) APPLICATION TO ALL CURRENT AND FORMER OFFICERS, DIRECTORS, AND EMPLOYEES.—

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

(A) by striking ''covered employee'' each place it appears in paragraphs (1) and (4) and inserting ''covered individual'', and

(B) by striking ''such employee'' each place it appears in subparagraphs (A) and (E) of paragraph (4) and inserting ''such individual''.

(2) COVERED INDIVIDUAL.—Paragraph (3) of section 162(m) of such Code is amended to read as follows:

''(3) COVERED INDIVIDUAL.—For purposes of this subsection, the term 'covered individual' means any individual who is an officer, director, or employee of the taxpayer or a former officer, director, or employee of the taxpayer.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 48D(b)(3)(A) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2016)'' after ''section 162(m)(3)''.

(B) Section 409A(b)(3)(D)(ii) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2016)'' after ''section 162(m)(3)''.

(d) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Paragraph (4) of section 162(m), as amended by subsection (a), is amended by adding at the end the following new subparagraph:

''(F) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Remuneration shall not fail to be applicable employee remuneration merely because it is includible in the income of, or paid to, a person other than the covered individual, including after the death of the covered individual.''.

(e) REGULATORY AUTHORITY.—

(1) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) REGULATIONS.—The Secretary may prescribe such guidance, rules, or regulations, including with respect to reporting, as are necessary to carry out the purposes of this subsection.''.

(2) CONFORMING AMENDMENT.—Paragraph (6) of section 162(m) of such Code is amended by striking subparagraph (H).

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 202C. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

''(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

''(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting '80 percent' for '60 percent', or

''(B) such corporation is an inverted domestic corporation.

''(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes after November 30, 2015, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

''(B) after the acquisition, more than 50 percent of the stock (by vote or value) of the entity is held—

''(i) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

''(ii) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership.

''(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term 'substantial business activities' shall have the meaning given such term under regulations in effect on November 30, 2015, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking ''after March 4, 2003,'' and inserting ''after March 4, 2003, and before December 1, 2015,''.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(ii) by inserting ''or (b)(2)(A)'' after ''(a)(2)(B)(i)'' in subparagraph (B),

(B) in paragraph (3), by inserting ''or (b)(2)(B), as the case may be,'' after ''(a)(2)(B)(ii)'',

(C) in paragraph (5), by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(D) in paragraph (6), by inserting ''or inverted domestic corporation, as the case may be,'' after ''surrogate foreign corporation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after November 30, 2015.

SA 2919. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2916 submitted by Mr. MCCONNELL to the amendment SA 2874 proposed by Mr. MCCONNELL to the bill H.R. 3762, to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016; as follows:

At the end of title II, add the following:

SEC. __. FREEDOM TO KEEP HEALTH INSURANCE COVERAGE.

(a) ADVANCE PREMIUM TAX CREDITS.—

(1) IN GENERAL.—The amendments and repeals made by section 202 shall not apply to any individual who—

(A) receives an advanced payment under section 1412 of the Patient Protection and Affordable Care Act of the premium tax credit under section 36B of the Internal Revenue of 1986 for the month of December 2017, and

(B) makes an election under this subsection at such time and in such manner as determined by the Secretary of Health and

Human Services, in consultation with the Secretary of the Treasury.

(2) LIMITATION.—Paragraph (1) shall not apply to an individual for any month after which it is determined that such individual is not eligible to receive such an advanced payment (determined after the application of paragraph (1)).

(b) MEDICAID.—Any State that chooses to make medical assistance available under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)(VIII)) to individuals described in that section may elect on or before December 31, 2017, to have the amendments made by section 207 not apply to the State and for the State to continue to make medical assistance available under its State Medicaid plan to all individuals as if such amendments had not taken effect.

SEC. _. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

"PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

''Sec. 59A. Fair share tax.

"SEC. 59A. FAIR SHARE TAX.

''(a) GENERAL RULE.—

''(1) IMPOSITITION OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

''(A) the amount determined under paragraph (2), and

''(B) a fraction (not to exceed 1)—

''(i) the numerator of which is the excess of—

''(I) the taxpayer's adjusted gross income, over

''(II) the dollar amount in effect under subsection (c)(1), and

''(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

''(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

''(A) the tentative fair share tax for the taxable year, over

''(B) the excess of—

''(i) the sum of—

''(I) the regular tax liability (as defined in section 26(b)) for the taxable year, determined without regard to any tax liability determined under this section,

''(II) the tax imposed by section 55 for the taxable year, plus

''(III) the payroll tax for the taxable year, over

''(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

''(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

''(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

''(A) the adjusted gross income of the taxpayer, over

''(B) the modified charitable contribution deduction for the taxable year.

''(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

''(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

''(ii) such amount, determined before the application of section 68.

''(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

''(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'high-income taxpayer' means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of $1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a taxable year beginning after 2016, the $1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the next lowest multiple of $10,000.

''(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

''(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such tax is attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during such taxable year, over

''(2) the deduction allowable under section 164(f) for such taxable year.

''(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

''(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. _. MODIFICATION OF LIMITATION ON EXCESSIVE REMUNERATION.

(a) REPEAL OF PERFORMANCE-BASED COMPENSATION AND COMMISSION EXCEPTIONS FOR LIMITATION ON EXCESSIVE REMUNERATION.—

(1) IN GENERAL.—Paragraph (4) of section 162(m) of the Internal Revenue Code of 1986 is amended by striking subparagraphs (B) and (C) and by redesignating subparagraphs (D) through (G) as subparagraphs (B) through (E), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 162(m)(5) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (E) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(B) Section 162(m)(6) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (D) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(b) EXPANSION OF APPLICABLE EMPLOYER.—Paragraph (2) of section 162(m) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) PUBLICLY HELD CORPORATION.—For purposes of this subsection, the term 'publicly held corporation' means any corporation which is an issuer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c))—

''(A) the securities of which are registered under section 12 of such Act (15 U.S.C. 78l), or

''(B) that is required to file reports under section 15(d) of such Act (15 U.S.C. 78o(d)).''.

(c) APPLICATION TO ALL CURRENT AND FORMER OFFICERS, DIRECTORS, AND EMPLOYEES.—

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

(A) by striking ''covered employee'' each place it appears in paragraphs (1) and (4) and inserting ''covered individual'', and

(B) by striking ''such employee'' each place it appears in subparagraphs (A) and (E) of paragraph (4) and inserting ''such individual''.

(2) COVERED INDIVIDUAL.—Paragraph (3) of section 162(m) of such Code is amended to read as follows:

''(3) COVERED INDIVIDUAL.—For purposes of this subsection, the term 'covered individual' means any individual who is an officer, director, or employee of the taxpayer or a former officer, director, or employee of the taxpayer.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 48D(b)(3)(A) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2016)'' after ''section 162(m)(3)''.

(B) Section 409A(b)(3)(D)(ii) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2016)'' after ''section 162(m)(3)''.

(d) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Paragraph (4) of section 162(m), as amended by subsection (a), is amended by adding at the end the following new subparagraph:

''(F) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Remuneration shall not fail to be applicable employee remuneration merely because it is includible in the income of, or paid to, a person other than the covered individual, including after the death of the covered individual.''.

(e) REGULATORY AUTHORITY.—

(1) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) REGULATIONS.—The Secretary may prescribe such guidance, rules, or regulations, including with respect to reporting, as are necessary to carry out the purposes of this subsection.''.

(2) CONFORMING AMENDMENT.—Paragraph (6) of section 162(m) of such Code is amended by striking subparagraph (H).

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. ___. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

''(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

''(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting '80 percent' for '60 percent', or

''(B) such corporation is an inverted domestic corporation.

''(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes after November 30, 2015, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

''(B) after the acquisition, more than 50 percent of the stock (by vote or value) of the entity is held—

''(i) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

''(ii) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership.

''(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term 'substantial business activities' shall have the meaning given such term under regulations in effect on November 30, 2015, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking ''after March 4, 2003,'' and inserting ''after March 4, 2003, and before December 1, 2015,''.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(ii) by inserting ''or (b)(2)(A)'' after ''(a)(2)(B)(i)'' in subparagraph (B),

(B) in paragraph (3), by inserting ''or (b)(2)(B), as the case may be,'' after ''(a)(2)(B)(ii)'',

(C) in paragraph (5), by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(D) in paragraph (6), by inserting ''or inverted domestic corporation, as the case may be,'' after ''surrogate foreign corporation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after November 30, 2015.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on December 3, 2015, at 9:30 a.m.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on December 3, 2015, at 10 a.m. in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 3, 2015, at 9 a.m., to conduct a closed briefing entitled ''The U.S. Role in the Middle East.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on December 3, 2015, at 10 a.m.

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

STUDENT SUCCESS ACT—CONFERENCE REPORT

Mr. MCCONNELL. Mr. President, I ask the Chair to lay before the Senate the conference report accompanying S. 1177.

The PRESIDING OFFICER. The Chair lays before the Senate the conference report to accompany S. 1177, which will be stated by title.

The senior assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1177), to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, having met, have agreed that the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment and the House agree to the same, signed by a majority of the conferees on the part of both Houses.

Thereupon, the Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the Record of November 30, 2015.)

CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany S. 1177, an act to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mitch McConnell, Lamar Alexander, Mike Rounds, Deb Fischer, Dan Sullivan, Lisa Murkowski, Orrin G. Hatch, Shelley Moore Capito, Pat Roberts, Chuck Grassley, Richard Burr, Cory Gardner, John Hoeven, John Cornyn, David Perdue, Johnny Isakson, Daniel Coats.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum be waived with respect to the cloture motion.

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

MEASURE READ THE FIRST TIME—S. 2359

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 2359) to restore Second Amendment rights in the District of Columbia.

Mr. MCCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

NATIONAL BISON LEGACY ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 2032 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2032) to adopt the bison as the national mammal of the United States.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 2032) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2032

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Bison Legacy Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) bison are considered a historical symbol of the United States;

(2) bison were integrally linked with the economic and spiritual lives of many Indian tribes through trade and sacred ceremonies;

(3) there are more than 60 Indian tribes participating in the Intertribal Buffalo Council;

(4) numerous members of Indian tribes are involved in bison restoration on tribal land;

(5) members of Indian tribes have a combined herd on more than 1,000,000 acres of tribal land;

(6) the Intertribal Buffalo Council is a tribal organization incorporated pursuant to section 17 of the Act of June 18, 1934 (commonly known as the ''Indian Reorganization Act'') (25 U.S.C. 477);

(7) bison can play an important role in improving the types of grasses found in landscapes to the benefit of grasslands;

(8) a small group of ranchers helped save bison from extinction in the late 1800s by gathering the remnants of the decimated herds;

(9) bison hold significant economic value for private producers and rural communities;

(10) according to the 2012 Census of Agriculture of the Department of Agriculture, as of 2012, 162,110 head of bison were under the stewardship of private producers, creating jobs and providing a sustainable and healthy meat source contributing to the food security of the United States;

(11) on December 8, 1905, William Hornaday, Theodore Roosevelt, and others formed the American Bison Society in response to the near extinction of bison in the United States;

(12) on October 11, 1907, the American Bison Society sent 15 captive-bred bison from the New York Zoological Park, now known as the ''Bronx Zoo'', to the first wildlife refuge in the United States, which was known as the ''Wichita Mountains Wildlife Refuge'', resulting in the first successful reintroduction of a mammal species on the brink of extinction back into the natural habitat of the species;

(13) in 2005, the American Bison Society was reestablished, bringing together bison ranchers, managers from Indian tribes, Federal and State agencies, conservation organizations, and natural and social scientists from the United States, Canada, and Mexico to create a vision for the North American bison in the 21st century;

(14) there are bison herds in National Wildlife Refuges and National Parks;

(15) there are bison in State-managed herds across 11 States;

(16) there is a growing effort to celebrate and officially recognize the historical, cultural, and economic significance of the North American bison to the heritage of the United States;

(17) a bison is portrayed on 2 State flags;

(18) the bison has been adopted by 3 States as the official mammal or animal of those States;

(19) a bison has been depicted on the official seal of the Department of the Interior since 1912;

(20) the buffalo nickel played an important role in modernizing the currency of the United States;

(21) several sports teams have the bison as a mascot, which highlights the iconic significance of bison in the United States;

(22) in the 2nd session of the 113th Congress, 22 Senators led a successful effort to enact a resolution to designate November 1, 2014, as the second annual National Bison Day; and

(23) members of Indian tribes, bison producers, conservationists, sportsmen, educators, and other public and private partners have participated in the annual National Bison Day celebration at several events across the United States and are committed to continuing this tradition annually on the first Saturday of November.

SEC. 3. ESTABLISHMENT AND ADOPTION OF THE NORTH AMERICAN BISON AS THE NATIONAL MAMMAL.

The mammal commonly known as the ''North American bison'' is adopted as the national mammal of the United States.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I now ask unanimous consent that at 5 p.m. on Monday, December 7, the Senate proceed to executive session to consider the following nomination: Calendar No. 214; that there then be 30 minutes of debate on the nomination, and that following the use or yielding of time, the Senate vote on the nomination without intervening action or debate; that following disposition of the nomination, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

ORDERS FOR MONDAY, DECEMBER 7, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, December 7; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each; finally, that at 5 p.m., the Senate proceed to executive session as under the previous order.

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

ADJOURNMENT UNTIL MONDAY, DECEMBER 7, 2015, AT 2 P.M.

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 9:53 p.m., adjourned until Monday, December 7, 2015, at 2 p.m.

EXTENSIONS OF REMARKS

HONORING ERIC ATKINSON, PRESIDENT OF ATKINSON CANDY COMPANY

HON. LOUIE GOHMERT
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. GOHMERT. Mr. Speaker, it is a great honor to recognize today an east Texas man and an east Texas family who have realized the American dream the old-fashioned way—through a lifetime of hard work with complete dedication to his family, to his community, and to his craft.

Eric Atkinson is President of the company founded by his grandfather B.E. Atkinson Sr. in 1932. Atkinson Candy Company of Lufkin, Texas is not only a beloved landmark in Angelina County, it is a Texas tradition with a loyal following of candy lovers all over the world. The company still uses the original family recipes and machinery to make its iconic signature Chick-O-Stick, Peanut Butter Bar, Long Boy, and other legendary candies. In fact, his peppermint recipe uses ingredients of such phenomenal quality that exceptional strategic work was required in order to manufacture it in a way that keeps the costs from being astronomical.

Eric is an active leader in the candy industry who has held a position on the board of the Convenience Distribution Association for more than fifteen years. For his commitment to the industry, Eric has received accolades from numerous trade groups, including the 1990 Candy Man of the Year from Southern Tobacco & Candy Association, the 1998 Dean Award and a 2013 Hall of Fame recognition from the Convenience Distribution Association, and the Doc Reed Silver Candy Dish Award from the National Confectioners' Association in 2008. He also received a 2010 nomination for the Kettle Award, which is the highest recognition an individual working within the U.S. confectionery industry can attain. Most recently, Eric Atkinson was honored by being inducted into the prestigious 2015 National Confectionery Sales Association's Candy Hall of Fame following in the footsteps of his father Dr. Basil E. Atkinson Jr., who was named to the Candy Hall of Fame in 2011.

Away from the confection industry, Eric is an avid supporter of area athletic programs as well as our nation's military and regularly makes product donations to charitable events all over the region. His organization also extends its goodwill worldwide, shipping sweets from the legendary candy kitchen to American military personnel serving overseas.

It is a distinct privilege to honor this remarkable man along with his organization, his family and their cumulative legacy of excellence, extraordinary leadership, exemplary character, boundless enthusiasm, and a work ethic that never ever quits. Eric Atkinson's commitment to time honored quality and the preservation of family values is now recorded in this CONGRESSIONAL RECORD which will endure as long as there is a United States of America.

RECOGNIZING MR. CHARLES THOMAS HEAD FOR HIS LIFETIME OF SERVICE

HON. K. MICHAEL CONAWAY
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. CONAWAY. Mr. Speaker, I rise today to recognize a distinguished citizen in my district, Mr. Charles Thomas Head. Later this month, Tommy will be retiring from banking after 38 years of tremendous service to the Mills County community.

Tommy began his career at Mills State Bank as a loan officer on October 1, 1977. He served in this position for nearly ten years before being elected President of Mills County State Bank. As president, his leadership helped the bank grow from $30 million in assets to over $290 million in assets. Tommy's hard work also helped the bank expand from one location to five throughout the area.

Although his professional accomplishments are impressive, Tommy's work within the community is even more extraordinary. He has been an active leader in countless community initiatives, including Goldthwaite's Texas Botanical Gardens & Native American Interpretive Center. The Native American Interpretive Center allows many residents of Mills County the opportunity to learn firsthand how generations of Native Americans in Texas have utilized the abundant resources Texas has to offer. The Texas Botanical Gardens is a living museum that offers visitors a look at the native plant species that were utilized by civilizations dating back 10–12,000 years ago. Many of these community initiatives would not be possible had it not been for the hard work, time, and dedication of Tommy Head.

In addition, Tommy has also been instrumental in assisting local high school students who have won the Congressional Art Competition. This event is a districtwide art contest where students submit entries to their representative's office. The winner of the competition is recognized with their artwork here in Washington, D.C. Many of these winners have come from Mills County, and Tommy has always voluntarily taken care of the costs associated with this trip for these students and their guardians. For many of these students, this is a trip of a lifetime and it is all possible because of Tommy's generosity.

We are blessed to have individuals in our country like Tommy. His selfless qualities exemplify every aspect of the American spirit and make our communities stronger. Tommy's lifetime of service will forever be an example of how people can make their home a better place.

On behalf of the 11th District, I am honored to recognize Tommy's distinguished career in serving Mills County. I wish nothing but the best for him and his wife, Wynona, as they embark on a new chapter in their life.

IN HONOR OF THE LATE SHIRLEY CHISHOLM

HON. TERRI A. SEWELL
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Ms. SEWELL of Alabama. Mr. Speaker, today I rise in honor of the late Shirley Chisholm whose courage helped pave the way, for a little black girl from Selma to walk the hallowed halls of Congress as the Representative from Alabama's 7th Congressional District.

I strongly believe that in order to be a Congresswoman, I had to first see myself as a Congresswoman. The person who most embodied that was Shirley Chisholm. Through her—I was able to see that I too could be in Congress. I too could represent my community and work towards positive change for people who were denied a seat at the table.

I am fortunate to have met Ms. Chisholm before she passed away. I took a train to Mount Holyoke my senior year at Princeton to interview Ms. Chisholm for my senior thesis, "Black Women in Politics: Our Time Has Come." As luck would have it, it started to snow just as soon as I sat down in the chair across from her. My thirty minute interview turned into a four hour interview, and Ms. Chisholm shared the challenges and struggles she encountered as the first African-American woman ever elected to Congress.

Whenever I feel the weight of the world resting on my shoulder . . . I walk by her portrait hanging in the Capitol to remind myself of her strength, courage, and conviction. I know that whatever challenges I have encountered pale in comparison to the trials she faced. It was not easy for her to walk the halls of Congress as the only black woman. She opened the door for Barbara Jordan, and everyone else who followed including me.

Even though many barriers have been broken since her tenure here, there is still much work to do. Ms. Chisholm once said that "service is the rent we pay for the privilege of living on this earth." I can only hope that my service in this august body will one day inspire others to work for a better, more just society in the same manner that Shirley Chisholm has inspired me.

HONORING THE SERVICE AND ACHIEVEMENT OF RONALD MATHEWS

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. RYAN of Ohio. Mr. Speaker, I rise today to recognize the extraordinary service of Mr. Ronald Mathews. Ronald, a lifelong resident of the City of Struthers, Ohio, has recently retired from a remarkable career as an elected councilman for 26 years spanning 13 election cycles—the longest tenure of service in the town's history. As a union member for the Teamsters local 377, Ron always felt he was representing the middle class and working families. He was most proud when he could vote in favor of projects that would put union members to work and make the City of Struthers a better place to live and raise a family. Public servants like Ronald are what makes the civic fabric of the United States so strong. He will be missed in public life, but can enjoy retirement knowing he contributed greatly to Struthers. Ron loves Struthers, he loves his family, and has earned the respect of the citizens of our region. We were lucky to have him as a leader in our community, and I wish him a wonderful retirement with his wife, Pat, and 6 children.

TRIBUTE TO DETECTIVE FIRST GRADE DENNIS C. DERIENZO

HON. DANIEL M. DONOVAN, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. DONOVAN. Mr. Speaker, today I recognize Detective First Grade Dennis DeRienzo of the New York City Police Department, Aviation Unit, for his dedication to the citizens of New York City and this Nation.

After 22½ years of service in the NYPD—the last ten years as Chief Pilot for the Aviation Unit—he retired on November 30th, 2015. He was appointed to the NYPD in August 1993 and subsequently entered Military Extended Leave from the NYPD. He served with distinction in the United States Marine Corps. Commissioned as a Second Lieutenant in June 1993, he graduated Naval Flight School in August 1996 and served as an AH–1W Super Cobra Pilot. In February 1999, while serving with Marine Light Attack Squadron 269 (HMLA–269), then-Captain DeRienzo suffered serious injuries in a crash. After the mishap, he was medically retired from the Marines as a result of his injuries after the Class A Mishap. Following extensive medical treatment and rehabilitation, he returned to active service with the New York City Police Department.

Detective DeRienzo was transferred to the NYPD Aviation Unit on September 10th, 2001, and was appointed Chief Pilot in July 2005. He has served as Chief Pilot for 10 years. During his years of service in the Aviation Unit, he guided and executed countless rescues of civilians and mariners. He likewise conducted countless support operations for his NYPD brothers and sisters on the ground. Additionally, Det. DeRienzo carried out multiple support operations for the President of the United States and distinguished visitors to the City of New York.

Mr. Speaker, I congratulate Detective DeRienzo on his retirement from the NYPD and thank him for his dedication and service to this Nation and the People of the City of New York. I wish him and his family well in all future endeavors.

HONORING CONGRESSWOMAN SHIRLEY CHISHOLM

HON. MARCIA L. FUDGE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Ms. FUDGE. Mr. Speaker, I rise to honor one of my personal heroes, former Congresswoman Shirley Chisholm, who posthumously received the Presidential Medal of Freedom last week.

Congresswoman Chisholm was the first Black woman elected to the U.S. Congress and the first woman (and African American) to run for a major party's presidential nomination. The Congresswoman was also one of the 12 founders of the Congressional Black Caucus. She was a catalyst for change.

To quote Congresswoman Chisholm, ''You don't make progress by standing on the sidelines, whimpering and complaining. You make progress by implementing ideas.''

Let us remember her words during the remainder of our legislative session. The Members of this House have the opportunity to implement ideas that can transform this nation.

Just yesterday, we approved the Every Student Succeeds Act (ESSA) to reauthorize the Elementary and Secondary Education Act (ESEA) and address some of our nation's most pressing public education issues. The bill protects Title I funding, ensures equitable allocation of resources to schools, recognizes the importance of after-school education, and maintains subgroup disaggregation of data for reporting. The ESSA also gives states and local school districts more flexibility, while preserving the federal role in education and ensuring that states and districts honor the civil rights legacy of ESEA.

I am pleased my colleagues came together to pass this important bill. While not perfect, the ESSA is a step forward for public education in this country.

As Congresswoman Chisholm also said, ''I don't measure America by its achievement but by its potential.'' Yesterday's actions showed the nation this Congress has great potential to put politics aside and serve the best interests of the American people.

May we continue in this spirit, and let us honor Congresswoman Chisholm by working together to improve the lives of all Americans.

HONORING THE LIFE OF PAUL T. O'DOWD, JR.

HON. AMI BERA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. BERA. Mr. Speaker, I rise today to honor the life of Lieutenant Colonel Paul T. O'Dowd, Jr.

Colonel O'Dowd was a father, husband, teacher, and American hero whose life was dedicated to service. After graduating high school in San Francisco, he joined the Marine Corps, fighting for his country in the Pacific Theater of World War II as a tail gunner on B–52 aircraft. Upon his return, he attended the University of San Francisco and was commissioned as a Second Lieutenant in the United States Army Reserve.

In 1949, Paul volunteered for active duty and was stationed in Washington. When fighting in Korea broke out, he was assigned as forward observer in the 2nd Infantry Division. In 1951, Paul was captured by North Korean forces. Declared killed in action, he was held and tortured for 938 days. After nearly three years, he was released. For his meritorious conduct in captivity, Paul was awarded the Bronze Star.

His service in the Army did not end after his ordeal. Paul continued to work for his country throughout the Cold War. He was stationed in Germany for three years and advised the Republic of China and the Chinese National Army, earning the recognitions of ''Good Man of Good Deeds'' and the Medal of Army Brilliance. For his service to his country, Paul O'Dowd was awarded two Bronze Stars, a Purple Heart, the National Defense Service Medal, the Korean Service Medal, the UN Service Medal, the Air Medal, and the Legion of Merit.

Paul was a dad, a teacher, a husband, and an inspiration to many. He was a man who served his country and his family faithfully and fearlessly, and he will be missed.

''AMERICAN HERO, FORMER POW, REMEMBERED''

[From the Seoul Times]

For those who knew him he was Paul, ''Digger,'' ''The Old Man,'' ''Dad,'' and ''Friend'' but others have said ''he was an inspiration to keep the faith between brothers in arms.'' A True American Hero.

Dateline: Arlington National Cemetery. Dec. 3, 3:00 p.m. Full Military Honors. An honor guard marches, the band plays, as the caisson passes with flagged draped coffin to grave side.

Laid to rest and Flag folded, the volley fired, that let all present know that a hero has died, Taps plays the last time. He will receive the Medal of Army Brilliance, A Class from the Republic of China (Taiwan) for service to their defense.

His life was one of service to his country and community. As an educator with two master's degrees,'' he said. ''He and Judy broke the norm with a marriage lasting 67 years.'' A Vets Veteran always helping others who had served. Making sure they received the benefits of their service both in the United States and overseas.

Paul T. O'Dowd Jr. was born in San Francisco Oct. 18, 1924, the son of Paul O'Dowd Sr. and Charlotta Belle Boudreaux O'Dowd.

Grew up there and graduated from Lowell High School.

After graduation Paul enlisted in the Marine Corps for the duration, plus six months, during WWII and as a heavy machine gunner in the Marine Air Wing as tail gunner on B25's, he participated in four combat operations in the Pacific (Solomons, Leyte, Bismarck Archipelago, and Treasury Bougainville).

After the war, he attended the University of San Francisco under the G.I. Bill. In June of 1948 he was commissioned as an Army Reserve Second Lieutenant in the Coast Artillery.

When the Soviets denied Americans access to Berlin in early 1949, Paul volunteered for active duty and was assigned to the 37th Field Artillery Battalion, 2nd Infantry Division (ID), at Fort Lewis, Washington.

Shortly after the Korean War started, the 2nd Division was alerted for movement to Korea. Paul was transferred to ''C'' Battery, 15th Field Artillery as a forward observer.

From Pusan parameter to the breakout and all the way north and back south again supporting the Division and the units they supported.

In mid-February 1951 he was captured and held POW for 938 days. All the while the US Army had him declared KIA without a body. Over and over again he was isolated and beaten and put in solitary confinement for defying them.

The last to cross the bridge of no return, officially repatriated on 6 September 1953 two days after they closed down the POW reception station from operation ''Big Switch.''

At 5′10″ and only 89 lbs. he was truly at deaths door. Arrested, as he was not on any POW rosters, Paul was taken to Tokyo for interrogation, he proved himself and was recognized by Officers.

He went to school with other POW's having stood up against the torture and indoctrination of the Red Chinese and North Korean communist propaganda.

He was released, transferred stateside and spent more than six months at Letterman Army Hospital as a patient recuperating. He was then assigned as an assistant professor of military science in a ROTC program at the University of San Francisco.

While in this position, 1st Lt. O'Dowd was decorated by Major General William F. Dean with the Bronze Star for his meritorious achievements and conduct while a prisoner of war. Very rarely are POWS decorated for their actions while a prisoner.

On the Speakers Bureau; Paul would speak to groups about the brainwashing that occurred in the communists POW camps.

During the Cold War Captain O'Dowd was stationed in Germany for three and a half years as a Nuclear Weapons Employment Officer, working in an Honest John Missile Battalion and later with a 280mm Gun Battalion.

He also spent three years as an advisor to the Chinese National Army on the island of Taiwan. (MAAG) While in Taiwan in 1966, Major O'Dowd also received an award from the Republic of China for ''Good Man of Good Deeds,'' the highest honor in that country.

He stopped and rescued victims trapped in a burning building without considering his own safety and assisted in putting out the fire.

LTC O'Dowd received many medals and commendations for his military and civilian service; some are: two Bronze Stars with V device for Valor, a Purple Heart, the National Defense Service Medal, Korean Service Medal, UN Service Medal (Korea), The Air Medal, Army Commendation Medal, and The Legion of Merit. Chinese: Good Man of Good Deeds.

Teacher and educator, a scholar, a soldier, a good representative of the American way of life, and a family man; Paul was the real deal, a straight shooter and a True American Hero.

Having lived a long life, most of it in service to our country, to his fellow service members, and veterans, Paul O'Dowd died July 27, 2015 in his home in California at the age of 90.

The Defense Attaché: RADM Yang from the Republic of China (Taiwan) will present Paul at the funeral the Medal of Army Brilliance, A Class, signed by their Minister of National Defense to honor LTC O'Dowd's contribution to their defense.

HONORING THE LIFE AND LEGACY OF NORTHWEST FLORIDA'S BELOVED F.M. ''BUBBA'' FISHER

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the life and legacy of Northwest Florida's beloved F.M. ''Bubba'' Fisher. A native son of Northwest Florida, Bubba's contributions to his community are unparalleled, and all of Northwest Florida mourns his passing.

Bubba was born and raised in Santa Rosa County, Florida. The youngest of nine children, he learned the value of hard work from his parents and siblings, while developing a lifelong love of the outdoors. After graduating from Milton High School in 1941, Bubba went to work in the family business until the tragic attack on Pearl Harbor, when he answered the call of duty, enlisting to serve in the U.S. Navy. During World War II, Bubba served with honor and distinction in the Pacific Theatre until the end of the war, when he returned home to Northwest Florida. Back home, Bubba took over the family business from his father and married his wife of nearly 70 years, Mildred.

Bubba's commitment to service and his dedication to his community were exemplified by his many years of public service, including two terms on the Milton City Council, two terms on the Santa Rosa County Board of Commissioners, four and a half terms as the Santa Rosa County Property Appraiser, and two terms as Chairman of the Florida Property Appraiser's Association. In addition to his public service and business success, Bubba was deeply committed to serving the Lord and his church community. A life-long member of First Baptist Church of Milton, Bubba taught Sunday School for 25 years, and he and Mildred raised their children in a strong faith-based home.

Throughout his life, Bubba worked tirelessly to serve his Nation and community, to carry on the family business, and to help raise a family. To some Bubba will be remembered as a veteran, who joined with so many in the Greatest Generation to defeat fascism; to others he will be remembered as a long-time public servant, who went above and beyond to help better the community that he loved; to his friends and family, he will be most fondly remembered as a loving husband, father, grandfather, and great-grandfather.

On behalf of the United States Congress, I am honored to recognize the life and legacy of my friend, Bubba Fisher. My wife Vicki and I extend our heartfelt prayers and deepest condolences to his wife, Mildred; son, F.M. ''Dusty''; grandchildren, Jason, Brandon, and Candice; great-grandchildren, Sarah, Ben, Grayson, Macey and Noah; and the entire Fisher family.

HONORING NAZARETH ACADEMY ON WINNING THEIR SECOND CONSECUTIVE FOOTBALL CHAMPIONSHIP

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Nazareth Academy and the Roadrunners football team. On November 26, the Nazareth Academy Roadrunners won their second consecutive Illinois High School Association football championship with an impressive 42–21 victory over Lincoln-Way West. I want to congratulate Coach Tim Racki, the faculty and staff of Nazareth Academy, and the young men on this team whose dedication led to this achievement.

The Nazareth Academy varsity football team finished the season with a distinguished 12–2 record. In the championship game, Nazareth held an extraordinary 35–0 lead at halftime. Football is a demanding sport that requires teamwork, enthusiasm and perseverance. The Roadrunners demonstrated these qualities with true distinction.

But Nazareth is about more than football for the players. As Nazareth's principal Deborah Tracy said following the championship game, ''More important than any one victory, Nazareth strives to develop more respectful, kind, faith-filled and service-oriented student-athletes.'' That was clear to me when I visited Nazareth after last year's championship.

This impressive victory was the sixth state championship win for Coach Tim Racki. Coach Racki's strong leadership and dedication propelled the Nazareth football team to success. The talents of Coach Racki have been evident throughout his career, and his commitment to sportsmanship is recognized throughout the state of Illinois.

Mr. Speaker, I ask my colleagues to join me in recognizing this truly impressive achievement made by the Nazareth Academy Roadrunners football team and to congratulate them on their state championship. Additionally, I wish each player continued success as he moves forward.

PERSONAL EXPLANATION

HON. NIKI TSONGAS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Ms. TSONGAS. Mr. Speaker, on Roll Call 657, I voted no but I intended to vote yes.

HONORING JOSHUA KEITH DUTCHER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Joshua Keith Dutcher. Joshua is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 714, and earning the most prestigious award of Eagle Scout.

Joshua has been very active with his troop, participating in many scout activities. Over the many years Joshua has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Joshua has contributed to his community through his Eagle Scout project. Joshua replaced the old wooden street signs with new metal signs in his hometown of Camden Point, Missouri. Thirty-four years prior, his father's Eagle Service Project was to build and install the wooden street signs that Joshua updated.

Mr. Speaker, I proudly ask you to join me in commending Joshua Keith Dutcher for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING HARRY SERAYDARIAN

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize Harry Seraydarian, who is retiring this year from his position as the Executive Director of the North Bay Watershed Association (NBWA) in Corte Madera, California. Mr. Seraydarian has worked tirelessly throughout his long and productive career to protect watershed resources and natural spaces in our region, both with the NBWA and the Environmental Protection Agency (EPA).

A lifelong advocate for the environment, Mr. Seraydarian spent most of his working years in government. In his decades of service with the EPA, Mr. Seraydarian distinguished himself as a Director of the Water Management Division, Director of Toxics & Waste Management, and an Associate Regional Administrator in the EPA's Region 9. In his final role, he served as an in-house ''neutral,'' using his extensive problem solving skills and technical knowledge to resolve disputes.

If there's a challenge unsuited to Mr. Seraydarian, it may be retirement. Following a 33-year federal career, he retired in 2002, but quickly reentered the workforce in 2004 as the NBWA's Executive Director. Under his leadership, the NBWA has funded 36 projects the North Bay, totaling nearly one million dollars. The Association, a consortium of 16 regional and local public agencies in Marin, Sonoma, and Napa counties, has encouraged collaboration across different levels of government, and, in no small part to Mr. Seraydarian's efforts, has enhanced stewardship efforts in the North Bay watershed.

Mr. Seraydarian's varied and significant talents, particularly in environmental mediation and conflict resolution, will not soon be forgotten. Our local environment is a better place today thanks to his technical abilities, managerial experience, and dedication to results-driven conservation.

Mr. Speaker, Harry Seraydarian's enduring commitment to improving our watersheds and environment is admirable and worthy of our recognition. I urge my colleagues to join me in extending our congratulations to him on his retirement and our best wishes to him on his next adventure.

IN HONOR OF THE 10TH ANNIVERSARY OF THE IMMIGRANT WELCOME CENTER

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. CARSON of Indiana. Mr. Speaker, I rise today to honor the Immigrant Welcome Center, whose tireless work over the past ten years has blessed countless Hoosiers in my hometown of Indianapolis.

The Immigrant Welcome Center was founded in 2005 by Mayor Bart Peterson and First Lady Amy Minick Peterson who sought to discover ways the City of Indianapolis could be more welcoming to its newest residents. Serving as a trusted liaison between newcomers and the community at large, the Immigrant Welcome Center provides a strong and positive voice for the foreign-born newcomers who represent 120 different nationalities and speak more than 90 languages. Today the organization continues to build connections between immigrants and the city's social, cultural and business communities, making Indianapolis a more diverse and innovative place for all residents.

The Immigrant Welcome Center is built on a model of empowerment that trains immigrants and refugees as Natural Helpers in understanding the resources and opportunities available in our community. These Natural Helpers then help their fellow foreign-born brothers and sisters navigate the maze of available services and connect them to people, places and resources necessary to build successful lives. The organization has also helped make Indianapolis a leader among welcoming cities across the United States as part of the national Welcoming America Initiative's programs and outreach.

Today, I ask my colleagues to join me in recognizing the Immigrant Welcome Center for its efforts to strengthen and integrate our growing foreign-born community, helping make Indianapolis a more welcoming and vibrant international city.

PERSONAL EXPLANATION

HON. MARK TAKAI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. TAKAI. Mr. Speaker, on Wednesday, December 2, I was absent from the House due to illness. Due to my absence, I am not recorded on any legislative measures for the day. I would like to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted ''no'' on Roll Call 653, the previous question providing for consideration of the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''no'' on Roll Call 654, the rule providing for consideration of the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''yea'' on Roll Call 655, the Democratic Motion to Instruct Conferees on the Trade Facilitation and Trade Enforcement Act of 2015.

I would have voted ''no'' on Roll Call 656, the Upton of Michigan Amendment No. 1 to the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''yea'' on Roll Call 657, the Tonko of New York Amendment No. 2 to the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''no'' on Roll Call 658, the Gene Green of Texas Amendment No. 14 to the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''yea'' on Roll Call 659, the Beyer of Virginia Amendment No. 17 to the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''yea'' on Roll Call 660, the Schakowsky of Illinois Amendment No. 19 to the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''yea'' on Roll Call 661, the Tonko of New York Amendment No. 22 to the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''yea'' on Roll Call 662, the Schakowsky of Illinois Amendment No. 19 to the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''yea'' on Roll Call 663, the Castor of Florida Amendment No. 23 to the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''no'' on Roll Call 664, the Barton of Texas Amendment No. 25 to the North American Energy Security and Infrastructure Act of 2015.

I would have voted ''yea'' on Roll Call 665, agreeing to the Conference Report to reauthorize the Elementary and Secondary Education Act of 1965.

CONGRATULATING TURKEY FOR HOSTING THE ANNUAL G20 LEADERS SUMMIT IN ANTALYA, NOVEMBER 15–16, 2015

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. COLE. Mr. Speaker, I want to congratulate the Republic of Turkey for hosting the successful annual G20 Leader's Summit in Antalya, November 15–16, 2015.

While Syria and the fight against terrorists was already on the agenda, the Paris terrorist attacks by ISIS ensured that these issues remained in the forefront. Ultimately, the G20 countries issued a strong statement condemning the heinous terrorist attacks, uniting to combat them, remain committed to fighting the financial tools used, and supporting a comprehensive approach to one of the international community's greatest challenges in this century.

The G20 was established on September 26, 1999 when the Finance Ministers of the G7 countries (Canada, France, Germany, Italy, Japan, the United Kingdom and the United States) came together after the Asian financial crisis. The inaugural meeting was held in Berlin in December 1999.

The G20 countries are Argentina, Australia, Brazil, Canada, China, France, Germany, India, Indonesia, Italy, Japan, the Republic of Korea, Mexico, Russia, Saudi Arabia, South Africa, Turkey, the United Kingdom, the United States, and the European Union. The economies of the countries combined account for 85% of the global economic output, 80% of world trade, and 65% of the world's population.

When the group met for the first time in Washington, DC represented by world leaders in 2008, they discussed ways to respond collectively to the 2008–09 crisis to restore growth, strengthen the global financial system, and reform international financial institutions.

Turkey officially took over the presidency of the G20 from Australia in December 1, 2014 and China will preside over the organization in 2016.

The other three key objectives of the 2015 G20 Leader's Summit in Antalya were strengthening the global recovery, enhancing resilience, and buttressing sustainability.

Turkey's growing economy is significant because Turkey's companies are expanding and trading with not only traditional markets such as neighboring countries or the European Union, but Turkish firms are also increasingly looking to invest in the United States, including Indian country.

I am proud to have sponsored legislation which facilitated the investment from not only Turkey, but all WTO countries in native lands.

As a member of Congress who has long championed US-Turkish relations and economic integration, I congratulate Turkey on hosting this important summit at a challenging time.

IN RECOGNITION OF THE 100TH BIRTHDAY OF CHARLES W. MARSH

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. KEATING. Mr. Speaker, I rise today in recognition of Charles W. Marsh, who celebrates his 100th birthday on December 6th in Hanson, Massachusetts.

Mr. Marsh embodies the quintessential American story. Born in Massachusetts in 1915 to a mother who came to the United States from Ireland with his older sister, Olive, Mr. Marsh lived in the town of Weymouth with his family until he joined the U.S. Army.

After serving overseas in Germany, he returned to the United States and continued to support his country through the critical work of the Quincy Shipyard. Following this time, Mr. Marsh remained in Quincy and began his long and dedicated career as an auto body worker.

A gifted marksman with rifle and bow, Mr. Marsh was an outdoorsman at heart. He was so renowned for his knowledge of New England's beaches and coastline that, during the blizzard of 1978, he was called upon by the U.S. Coast Guard to assist in search and rescue operations.

During his time working in Quincy, Mr. Marsh and his wife, Miriam, built a house on Gurnet Point in Plymouth, Massachusetts. For 16 years, they were the first year-round residents on this small historic peninsula, named by the Pilgrims in the 1600s for its resemblance to headlands in the English Channel where gurnett fish were plentiful. Deciding that a change of scenery was in order, the Marshes then moved north to the picturesque shores of Lake Winnipesaukee in Alton, New Hampshire.

Mr. Marsh will be celebrating his centennial birthday surrounded by four generations of loving family, which has grown to include three children, eight grandchildren, eleven great grandchildren and three great, great grandchildren.

Mr. Speaker, I am proud to honor Charles W. Marsh on his 100th birthday. I ask that my colleagues join me in wishing him many more years of health and happiness.

PERSONAL EXPLANATION

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Ms. STEFANIK. Mr. Speaker, on Wednesday, December 2, 2015 I was inadvertently detained on roll call vote 656, the Manager's Amendment. I was on a very important phone call with my constituents. Had I been present to vote I would have voted 'aye.'

TRIBUTE TO YOUNG STAFF MEMBERS FOR THEIR CONTRIBUTIONS ON BEHALF OF THE PEOPLE OF THE 18TH CONGRESSIONAL DISTRICT OF TEXAS AND THE UNITED STATES

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Ms. JACKSON LEE. Mr. Speaker, as Members of Congress we know well, perhaps better than most, how blessed our nation is to have in reserve such exceptional young men and women who will go on to become leaders in their local communities, states, and the nation in the areas of business, education, government, philanthropy, the arts and culture, and the military.

We know this because we see them and benefit from their contributions every day. Many of them work for us in our offices as junior staff members, congressional fellows, or interns and they do amazing work for and on behalf of the constituents we are privileged to represent.

Mr. Speaker, I believe there is no higher calling than the call to serve a cause larger than ourselves. That is why I ran for public office. I was inspired to serve by President Kennedy who said, "Ask not what your country can do for you, ask what you can do for your country," and by the Rev. Dr. Martin Luther King, Jr. who said: "Everybody can be great because anybody can serve. . . . You only need a heart full of grace. A soul generated by love."

By this measure, there are several other great young men and women who served as volunteers this year in my offices. They may toil in obscurity but their contributions to the constituents we serve are deeply appreciated. That is why today I rise to pay tribute to six extraordinary young persons for their service to my constituents in the 18th Congressional District of Texas and to the American people. They are: Erin Wallace from Texas Tech University; Tyler Ford from North Carolina State University; Brandon Jester from Georgia Southern University; Benjamin Warheit from University of California at Santa Barbara; Talha Jilani from Sidwell Friends School; and Asad Moten from Harvard University and the F. Edward Hébert School of Medicine at the Uniformed Services University of the Health Sciences.

Mr. Speaker, the energy, intelligence, and idealism these wonderful young people brought to my office and those interning in the offices of my colleagues help keep our democracy vibrant. The insights, skills, and knowledge of the governmental process they gain from their experiences will last a lifetime and prove invaluable to them as they go about making their mark in this world.

Because of persons like them the future of our country is bright and its best days lie ahead. I wish them all well.

Mr. Speaker, I am grateful that such thoughtful committed young men and women can be found working in my office, those of my colleagues, and in every community in America. Their good works will keep America great, good, and forever young.

PROMOTING HEALTHY CHILDREN

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. OLSON. Mr. Speaker, I rise to congratulate Harmony Science Academy in Katy, Texas for winning the It's Time Texas (ITT) Growing Healthy Schools campaign.

The Growing Healthy Schools campaign helps organize and fundraise for projects to improve health and wellness in the school's community. For their project, Harmony Science Academy chose to construct a new soccer field to encourage everybody to get outside and get moving. Of the 17 participating schools, Harmony Science was selected to receive $10,000 to complete their project. What an incredible accomplishment for the entire school community.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Harmony Science Academy for promoting healthy living. We're ready to get out on the field and play.

CONGRATULATING MISS ERICKA WHEELER ON HER SELECTION AS A RHODES SCHOLAR

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor an extraordinary young scholar, Miss Ericka Wheeler. Ericka is currently a senior at Millsap College majoring in English and History with plans to become a physician after watching her grandfather suffer from Alzheimer's disease.

Ericka wrote a thesis tracking how police brutality and race have been treated in fiction since the 1930s. She attended Greenwood High School for two years, followed by her junior and senior year at the Mississippi School of Math and Science in Columbus.

Her journeys so far have taken her from Mississippi to Cambodia and Cuba. Her next stop will be England, as a Rhodes Scholar. She is the first African-American woman from Mississippi to claim the prestigious honor and has been chosen as one of 32 U.S. men and women who will enter Oxford University next fall for postgraduate study. Ericka, who plans to attend medical school later, said she will study medical anthropology.

Millsap's President Robert Pearigen said Wheeler's devotion to Mississippi's Delta region is part of what makes her special. ''She encountered some of the greatest poverty and starkest racial divisions found in the developed world,'' Pearigen said in a statement. ''She is bound to the place by a sense of duty but is motivated to care for it by a love for its people.''

Ericka said she was inspired to become a physician after watching her grandfather suffer from Alzheimer's disease. Since his death, she's worked with other Alzheimer's patients to record their life stories, producing documents for their families.

Wheeler credited the impetus for her application to history Professor Robert McElvaine. As a student of McElvaine, Wheeler traveled to Vietnam and Cambodia after her freshman year and to Cuba after her sophomore year. ''I remember him saying the chances weren't very great at all, but it would be a good process to go through,'' Wheeler said. ''They didn't want to get my hopes up.''

I urge Miss Wheeler to continue to break barriers and strive for academic excellence.

Mr. Speaker, I ask my colleagues to join me in recognizing Miss Ericka Wheeler for her dedication to serving others and scholastic achievement.

IN RECOGNITION OF THE CAREER AND CONTRIBUTIONS OF ISMAEL AHMED

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Ismael Ahmed for his extraordinary career in service to our community. Ish, as he is known by friends, family and colleagues, has enriched the lives of so many in our region through his tireless, collaborative efforts for understanding and civil rights.

Born in 1947 in New York, Ish and his family moved to the Detroit area when he was six. After graduating from Dearborn's Fordson High School, he set off to explore the world, working as a deck hand on freighters. Eventually Ish returned to Dearborn, where he gained employment at the Ford Rouge plant and worked his way through college, first at Henry Ford Community College, then graduating from University of Michigan Dearborn. After his graduation, Ish became involved in his community, organizing workers and seeking justice in his community.

In 1971, along with a dedicated group of volunteers and activists, Ish co-founded ACCESS the Arab Community Center for Economic and Social Services in a storefront in Dearborn's south end, to help assist the Arab immigrant population as they adapted to life in the U.S. In 1983, he was appointed as Executive Director of ACCESS and worked diligently on its programming and growth. Today, ACCESS is the largest Arab American human services nonprofit in the country, serving nearly 900,000 people through more than 100 programs aimed at supporting economic, health, social, and educational needs. For this reason among others, Ish is recognized as a national Arab American and civil rights leader committed to ending hatred and bigotry and seeking justice for all Americans.

In 2007, Governor Jennifer Granholm appointed Ish as the director of the Michigan Department of Human Services, where he successfully led the state's second largest department for three years. As Department of Human Services' director, he served on the Michigan State Housing Development Authority board and the Early Childhood Investment Corporation executive committee. In 2011, Ish returned to the University of Michigan Dearborn and has served as the Senior Advisor to the Chancellor and Associate Provost for Metropolitan Impact. In this role, Ish has built bridges and made major positive impacts in our region.

Ish has also generously given his time and support to a wide array of Southeast Michigan organizations further establishing him as a critical leader in a wide array of community, political, non-profit and cultural institutions such as: the Community Foundation for Southeast Michigan, United Way, Reading Works, the Arab American National Museum, Eastern Michigan University's Board of Regents, Arab American Institute, Henry Ford Hospital, Detroit Symphony Orchestra, Association of Performing Arts Presenters, University of Michigan Citizens Advisory Board, Fair Food Network, and the New Detroit Coalition.

Most remarkably, Ish's family has graciously shared his talents and time with our community. He is a loving husband to his wife Margaret, father to his five children, and grandfather to two. I know in his retirement he is looking forward to spending more time with them.

Mr. Speaker, I ask my colleagues to join me today in honoring Ismael Ahmed for his lifetime of service and lasting impact on our region and country. We thank him for his leadership, and wish him many years of happiness and success.

PERSONAL EXPLANATION

HON. ROGER WILLIAMS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. WILLIAMS. Mr. Speaker, on Roll Call 650 on final passage of S.J. Res. 24, a joint resolution providing for congressional disapproval of the EPA's CO_2 rule for existing power plants, I would have voted Aye, which is consistent with my position on this legislation.

PERSONAL EXPLANATION

HON. MICHAEL T. McCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. McCAUL. Mr. Speaker, on roll call no. 658 I mistakenly pressed NAY when I intended to vote YEA.

PERSONAL EXPLANATION

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on December 2, 2015, I was unable to vote on the Conference Report to accompany S. 1177, the Every Student Succeeds Act (Roll Call Number 655). Had I been present, I would have voted Yes.

''BILLIONAIRE BONANZA''—WEALTH INEQUALITY IN AMERICA

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to bring my colleagues' attention to a recent report from the Institute for Policy Studies, ''Billionaire Bonanza: the Forbes 400 and the Rest of Us.''

This report exposes just how drastic wealth inequality in America has become. As a whole, America is now wealthier than it has ever been before. But that wealth is concentrated in the hands of just a few Americans. The 20 wealthiest individual Americans have more wealth than the lowest 50% combined—that is, 20 Americans with more wealth than 152 million Americans.

The report ''Billionaire Bonanza'' found that the wealthiest 186 members of the Forbes 400 own as much wealth as the entire Latino population in America. The wealthiest 100 households in America own about as much wealth as the entire African American population in the United States. Economic inequality is also racial inequality.

Congress needs to enact common-sense policies to close the loopholes that have allowed for this extreme wealth inequality. It is time to raise revenue so we can increase opportunities for those at the lowest rung of the economic ladder to climb toward the top. I thank Chuck Collins and Josh Hoxie, the authors of this critical report, and I urge my colleagues to consider their proposals and to take action against the unsustainable concentration of wealth in America.

PERSONAL EXPLANATION

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mrs. WALORSKI. Mr. Speaker, on roll call no. 659, I was unavoidably detained off the House Floor and was unable to cast a vote. Had I been present, I would have voted no.

PERSONAL EXPLANATION

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. COLE. Mr. Speaker, during Roll Call Vote Numbers 660, 661, 663, and 664, I was unavoidably detained and unable to cast my votes. Had I been present, I would have voted ''no'' on Roll Call Numbers 660, 661, and 663 and I would have voted ''yes'' on roll call vote number 664.

RECOGNIZING HAROLD GRIFFITH

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. BUCK. Mr. Speaker, I rise today to recognize Mr. Harold Griffith on being selected for induction into the Farm Credit Colorado Agriculture Hall of Fame. This honor is reserved for those who have made a significant contribution to the agricultural industry of Colorado and the United States.

Currently, Mr. Griffith resides in Fort Morgan where he has been a leader in the dairy industry. He has been a pioneer by developing programs through the Dairy Catch It Program, which helps youth pursue careers in agriculture. Mr. Griffith clearly understands the importance of giving back to his community.

In addition, Mr. Griffith has extensive knowledge of Colorado water rights. This ultimately led to him being asked to serve on Governor Ritter's Water Task Force. Griffith has shown true leadership in his industry and community.

On behalf of the 4th Congressional District of Colorado, I extend my best wishes as Mr. Griffith pursues his future endeavors. His passion and dedication to the agricultural industry makes him more than worthy of this distinct recognition. Mr. Speaker, it is an honor to recognize Mr. Harold Griffith for his accomplishments.

IN RECOGNITION OF MR. LUTHER CONYERS

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to recognize and commend an outstanding public servant and champion of education, Mr. Luther Conyers. Mr. Conyers will be retiring this month after serving 37 years on the Bainbridge City Council in Bainbridge, Georgia. He was first elected to the Bainbridge City Council in 1977 but his passion as an educator began long before then.

Mr. Conyers earned a Bachelor of Science degree in Agriculture in 1948 from Georgia State Industrial College, now Savannah State University, where he met his wife, Gwendolyn. Their daughters, Audrey and Luthenya, and their granddaughter, Leslie also attended Savannah State University so it is no wonder that the Conyers family was chosen as ''SSU Family of the Year'' in 2009. Mr. and Mrs. Conyers, co-sponsors of the Conyers-Kirbo Endowed Scholarship Fund for the school, were inducted into the 2015 Hall of Fame at Savannah State University.

Mr. Conyers first taught in the Institutional On-Farm Training Program designed for World War II veterans before joining the U.S. Army. He completed basic training at Fort Jackson, South Carolina and advanced training at Fort Bliss, Texas, before deploying to Korea, where he served 16 months and 27 days. He earned three Bronze Stars as a member of the transportation crew and he taught education classes while deployed.

After returning home to Bainbridge in 1942, he served as a substitute teacher and enrolled at Fort Valley State College, now University. He was employed at Randolph County High School for six months, and beginning in 1954, he taught at Bainbridge Elementary School. He earned a Master's in Education from Florida A&M University in 1961. In 1965, he transferred to Hutto High School in Bainbridge to teach social studies before transferring to Hutto Junior High School in 1970, where he taught eighth and ninth grade.

Throughout his tenure of service on the Bainbridge City Council, Mr. Conyers has been a champion of education but most importantly, he has given his all to improving the community he serves. In recognition of his efforts, in 2008, Mr. Conyers was inducted into the Georgia Municipal Government Hall of Fame, which ''recognizes current and former city officials who have made extraordinary contributions to their communities and actively participated in the Association.'' In 2012, he was one of four city officials to receive the prestigious Certificate of Distinction from the Georgia Municipal Training Institute at the Georgia Municipal Association's (GMA) Annual Mayors' Day Conference. He has actively served on GMA committees that oversee employee retirement benefits and training courses for leaders of cities across Georgia.

Mr. Conyers is heavily involved in the community and is a member of the Rotary Club, American Legion Post No. 502, National Association for the Advancement of Colored People, and Bainbridge-Decatur County Chamber of Commerce. He is also the City Council's liaison to the city's Planning Commission and teaches about planning and zoning issues during Bainbridge's annual Student Government Days.

Dr. Benjamin E. Mays often said: ''You make your living by what you get, you make your life by what you give.'' Throughout his life, Mr. Conyers has done so much for so many for so long. He is an example of public service at its finest and his advocacy on behalf of students of all ages has been invaluable throughout the state of Georgia. His service to his country and his community are but a small testimony to the high caliber of character that he embodies.

Mr. Speaker, I ask my colleagues in the U.S. House of Representatives to join me and my wife Vivian, and the more than 730,000 people of Georgia's Second Congressional District, in recognizing and commending Mr. Luther Conyers for his leadership in education and service to his community.

INTRODUCTION OF A RESOLUTION HONORING BERRY GORDY

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. CONYERS. Mr. Speaker, today I am introducing a resolution honoring the achievements of Berry Gordy, Jr. and his musical legacy, Motown Records. By establishing the Motown record label in 1959 in Detroit, MI, Mr. Gordy cultivated the careers of musical legends such as Smokey Robinson, Michael

Jackson, Diana Ross, Stevie Wonder, and many, many more. Not only did the music of Motown advance its way to the top of the charts and the front of the music scene with timeless hits such as ''Please Mr. Postman'' and ''Ain't No Mountain High Enough,'' but it also communicated across race barriers and touched people regardless of the color of their skin. In a racially divided and politically charged time, Motown Records, under the leadership of Mr. Gordy, was the first to integrate an all-white sales department and produce music beloved by all.

Mr. Gordy's accomplishments are reflected in his numerous awards and recognitions including his induction into the Rock and Roll Hall of Fame, his autobiography ''To Be Loved: The Music, the Magic, the Memories of Motown,'' and the Broadway success of ''Motown The Musical.''

Decades after its inception, Motown is remembered as one of the most significant creative outlets of the 20th century, and the music it fostered continues to entertain and inspire us all. Thanks to Mr. Gordy, Motown created a uniquely American sound and defined the American experience for generations. Through this resolution, we recognize and thank Mr. Gordy for creating a timeless musical sound, for being a force of positive social change, and for his countless contributions to American culture.

PERSONAL EXPLANATION

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. HINOJOSA. Mr. Speaker, I was not present in the House chamber for the following roll call votes. Had I been present on November 16th, 17th, 19th and 30th, I would have voted ''yea'' on roll calls 627, 628, 632, 640, 642, 644 and 645 and ''nay'' on roll calls 626, 629, 630, 631, 633, 638, 639, 641 and 643.

PERSONAL EXPLANATION

HON. JERRY McNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. McNERNEY. Mr. Speaker, on December 2, 2015, the House took roll call vote 644. I am recorded as voting ''aye'' on this amendment, but I want to reflect that I intended to vote ''no'' and oppose the Barton of Texas Amendment No. 25 to H.R. 8.

IN REMEMBRANCE OF MAGGIE LOUISE KNIGHT KNOX

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. BISHOP of Georgia. Mr. Speaker, it is with a heavy heart and solemn remembrance that I rise today to pay tribute to a terrific educator and beloved mother, grandmother and cousin, Mrs. Maggie Louise Knight Knox of Martin County, North Carolina. Sadly, Mrs. Knox passed away on Saturday, November 28, 2015. A Homegoing Celebration will be held on Friday, December 4, 2015 at 11:00 a.m. at the Michigan Park Christian Church in Washington, D.C.

Born on February 3, 1928 to the late Annie Slade Knight and Eddie Knight, Maggie Louise Knight Knox, known as Louise or Lou to family and friends, grew up on the family farm in Martin County, North Carolina. She developed a passion for education early on and immediately upon graduation from Winston Salem State University, she began her teaching career within the Charles County Public School System.

Her abiding commitment to education was reflected in her personal academic achievements, as she pursued a higher level of education with her enrollment at the D.C. Teachers' College. She participated in the Teachers' Program at Columbia University, culminating in her receipt of a Master's Degree in Education at Trinity College. Ultimately, Maggie Louise accepted a tenured position as a third grade teacher at J.C. Nalle Elementary School in Southeast Washington, D.C.

After nurturing and educating three generations of students, Maggie Louise retired with more than thirty years of service as an educator. She was considered to be one of the most respected Reading Specialists in District of Columbia Public Schools. Even after her retirement and to this day, she is fondly remembered by many of her students.

Her passion for education mirrored her everlasting faith as a woman of God. Accepting Christ as her Savior at an early age, Maggie Louise began her Christian life in Martin County, North Carolina and continued her Christian journey in Washington, D.C. where she became an active member in Michigan Park Christian Church in 1960. She brought her God-given teaching talents into the church, teaching Vacation Bible School and Sunday school. She was a chairperson of the Diaconate and a member of the Christian Women's Fellowship. As is the church's tradition, in her eightieth year of life, Maggie Louise Knight Knox was humbly inducted into the Diamond Club.

To Maggie Louise, family was everything. It was on May 5, 1950, in Washington, D.C., that Maggie Louise married her loving husband, Mr. Reese Conway Knox. Devoted and committed to each other, the union of Maggie Louise and Reese produced three beautiful daughters: Regina Louise, Denise Yvette and Edna Teresa.

On a more personal note, Maggie Louise and I are born of the same lineage—the Slades of North Carolina. The union of Simon and Anna Slade produced thirteen children. Of those children, Walter Columbus Slade (grandfather of Maggie Louise) and Robert Slade (my grandfather), were born. Maggie retained many valuable lessons from her youth, but the most important one came from her grandfather, Walter Columbus Slade: ''Always stick together.'' Maggie fervently adopted this as a guiding force throughout her life and passed that same value to her daughters and grandchildren. The concept of ''staying together'' is extremely important in our family. We annually gather for reunions throughout the nation and remain close with one another throughout our lives.

George Washington Carver once said, ''How far you go in life depends on your being tender with the young, compassionate with the aged, sympathetic with the striving and tolerant of the weak and strong because someday in your life you will have been all of these.'' Maggie Louise was a gentle and loving woman who treated all people with respect. She loved her God. Her wisdom and kindness goes unmatched, and her gentle soul served humanity in a special way. Each day she graced the people around her with an enthusiastic sincerity of presence. The impression she leaves on earth extends beyond herself to those whom she inspired and supported, and for it she will be remembered for time to come.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me and my wife, Vivian, in paying tribute to Mrs. Maggie Louise Knight Knox for her outstanding achievements, service, and public distinction. We pray that her children, grandchildren and loved ones will be consoled and comforted by an abiding faith and the Holy Spirit in the days, weeks and months ahead.

MOUNT HOLYOKE COLLEGE RECOGNIZED FOR EXCELLENCE IN INTERNATIONAL EDUCATION WITH SENATOR PAUL SIMON AWARD

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. NEAL. Mr. Speaker, I want to take this opportunity to recognize Mount Holyoke College and its accomplishments in international education. On November 17, Mount Holyoke College President Lynn Pasquerella accepted the 2015 Senator Paul Simon Award for excellence in international education at a ceremony in Washington, D.C. The week of November 16 marked the 16th anniversary of International Education Week.

Mount Holyoke College, located in South Hadley, Massachusetts, was among five institutions selected to receive this prestigious honor from NAFSA: Association of International Educators. The designation is given to institutions that demonstrate significant progress in expanding the reach and fostering collaboration among students, faculty, and staff in the interest of internationalization.

Twenty-five percent of Mount Holyoke students are international citizens and the college boasts a rich tradition of leadership in international education. Mount Holyoke was among the first institutions to send women abroad for scholarly study. Additionally, the McCulloch Center for Global Initiatives was established in 2004 to serve as a catalyst for comprehensive international education.

According to Eva Paus, Carol Hoffmann Collins Director of the McCulloch Center for Global Initiatives and professor of economics,

international education became a strategic priority at Mount Holyoke in 2003, following on a legacy of international engagement reaching back to the early days of the college's founding. The McCulloch Center, which Professor Paus helped found, brought greater cohesion and visibility to international education; and its many initiatives across Mount Holyoke have increased students' understanding of the global world and their engagement with other cultures.

In classes and through off-campus experiences, students and faculty analyze questions from cross-disciplinary or cross-cultural perspectives, making connections between the local and the global, and harnessing classroom learning to solve concrete problems. The many forms of integrative and cross-cultural teaching and learning at Mount Holyoke and abroad support the college's goal of educating women to be the global leaders of tomorrow.

Today, Mount Holyoke is committed to giving all students access to the life-changing experiences that learning abroad often provides. Over the past few years, it has funded nearly all students who apply for a Laurel Fellowship in support of study abroad. Additionally, a 2013 pledge to fund one summer internship or research experience for every student now makes it possible for all interested students to have an internship abroad.

Mount Holyoke was joined in receiving the 2015 Simon Award for Comprehensive Internationalization by North Central College of Naperville, Illinois, the University of Delaware, the University of San Diego, and the University of Virginia. President Pasquerella participated in a panel discussion on internationalization in higher education with presidents of the other award-winning institutions to promote this vital pursuit. The award is named for noted Illinois Senator Paul Simon.

Mr. Speaker, through courses, conferences, research, international internships, study abroad, collaborations with external partners, and the unique learning opportunities offered by international student and faculty diversity, Mount Holyoke College students acquire the skills they will need for citizenship and careers in today's global world. At a time when the ability to work across national borders is crucial to addressing global problems, I wish Mount Holyoke College and the McCulloch Center for Global Initiatives continued success in their future endeavors.

WELCOME LUCY GRACE STIPICEVIC

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. WILSON of South Carolina. Mr. Speaker, I am happy to congratulate Deputy Chief of Staff for Floor and Member Services John Stipicevic and his wife, Kristin Stipicevic, Executive Assistant in the Office of the Majority Leader, on the birth of their new baby girl. Lucy Grace Stipicevic was born at 11:15 a.m. on Saturday, November 28, 2015. Born at Sibley Memorial Hospital in Washington, D.C., Lucy weighed seven pounds and two ounces and measured 19 ¾ inches long. She is the first child for the happy couple and I have no doubt her talented parents will be dedicated to her well-being and bright future.

I would also like to congratulate Lucy's grandparents, James and Katherine Stipicevic of Yonkers, New York, and Tim and Jan Thomson of Buttonwillow, California. Congratulations to the entire Stipicevic and Thomson families as they welcome their newest addition of pure pride and joy.

RECOGNIZING DR. KELCEY SWYERS

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. BUCK. Mr. Speaker, I rise today to recognize Dr. Kelcey Swyers on being selected as the 2016 Rising Star in Colorado Agriculture. This honor is reserved for those who have made a significant contribution to the agricultural industry of Colorado and the United States.

Dr. Swyers has an extensive background in Colorado agriculture. She received a Bachelor of Science in Animal Science and Agricultural Business from Colorado State University, where she also worked two internships that taught her about the feed and nutrition industry. She later went on to receive a Master of Science in Equine/Monogastric nutrition at the University of Maryland. She then returned to Colorado where she received her Doctorate in Ruminant Nutrition.

In addition, Dr. Swyers started Grassland Nutrition Consulting where she offers nutritional work for cow-calf, feed yard, and equine among other services. Dr. Swyers has shown true leadership in her industry and community.

On behalf of the 4th Congressional District of Colorado, I extend my best wishes as Dr. Swyers pursues her future endeavors. Her passion and dedication to the agricultural industry makes her more than worthy of this distinct recognition. Mr. Speaker, it is an honor to recognize Dr. Kelcey Swyers for her accomplishments.

IN HONOR OF ROBERTA SANDLER

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. NORCROSS. Mr. Speaker, I rise today to honor Roberta Sandler a New Jersey native who is celebrating her 100th birthday on December 7, 2015.

Roberta was born on December 7, 1915, and was one of nine children. She was born and raised in Camden, New Jersey and moved to Brooklyn to raise her three children, Marvin, Paul and Lynn, along with her husband Max. After her husband's death Roberta went to work to support her family. After her time in New York, she moved back to the state she loved and has been a resident of Cherry Hill for the last 35 years.

Age does not seem to affect Ms. Sandler, she still exercises every day; does all her own cooking and cleaning; and as a loving matriarch, insists on cooking at all family gatherings. She stays very active in the lives of her family including her 4 granddaughters Meridith, Jodi, Julie, and Jillian and her two great granddaughters Isabel and Andrea. She loves to sing, dance, and continues to keep up with current events.

Mr. Speaker, on this momentous occasion, please join me in wishing Roberta Sandler a happy and joyous 100th birthday.

VOTE EXPLANATION ON H.R. 8, THE NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Ms. KUSTER. Mr. Speaker, I wish to clarify my position on a vote cast on December 3, 2015. The vote was on passage of H.R. 8, the North American Energy Security and Infrastructure Act.

H.R. 8 contains a number of provisions that would negatively impact the environment and undermine our nation's ability to move away from fossil fuels and proactively combat climate change. It would undermine previously enacted initiatives to modernize our energy infrastructure and increase our energy efficiency capacity.

Furthermore, H.R. 8 includes unnecessary provisions that would expand FERC's authority to approve natural gas pipeline applications within 90 days—effectively stifling public comment opportunities, regardless of the complexity of the pipeline project.

This legislation would provide unnecessary handouts to the fossil fuel industry at a time when we should be focusing on expanding our nation's clean, renewable energy portfolio.

On Roll Call Vote Number 672, I voted 'aye.' It was my intention to vote ''no.''

PERSONAL EXPLANATION

HON. ROGER WILLIAMS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. WILLIAMS. Mr. Speaker, on Roll Call 651 on final passage of S.J. Res. 23, a joint resolution providing for congressional disapproval of the EPA's CO_2 rule for new power plants, I would have voted aye, which is consistent with my position on this legislation.

IN RECOGNITION OF SERGEANT MICHAEL FOX

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. KEATING. Mr. Speaker, I rise today along with Representative KENNEDY to recognize the distinguished career of Police Sergeant Michael Fox on the occasion of his retirement. Sergeant Fox has served in law enforcement for 42 years—35 years of which were spent with the Easton Police Department in Massachusetts.

It was while attending Massasoit Community College and interning at the Brockton Police department that Sergeant Fox first began working at the Massachusetts Correctional Institution—Cedar Junction in Walpole, Massachusetts as the youngest corrections officer in the prison. During his seven years of service there, he interacted with and bore witness to life within prison walls. These experiences imparted on him a desire to serve on the front lines of community protection, and directly assist and mentor the men and women he had met serving in correctional institutions.

In 1974, Sergeant Fox and his wife, Liz, returned to Easton—a picturesque farm town. He became a special police officer in 1978 and, within two years, a full time patrolman. Among his many proud achievements, Sergeant Fox speaks most passionately about his role as one of the first officers in Massachusetts to be part of the Drug Abuse Resistance Education (D.A.R.E.) program. For decades, he has educated students and the youth in his community about the reality and dangers of drug abuse, encouraging them to make responsible and informed decisions. As testament to this dedication, Sergeant Fox became part of the team that trained new D.A.R.E. officers across more than 10 states, and served as the president of Massachusetts' D.A.R.E. Officers Association.

Over the years, Sergeant Fox's hard work, commitment, and positive demeanor earned him the title of Detective. Through it all, despite the tenuous and at times saddening cases that crossed his desk, Sergeant Fox remained a dedicated officer who is revered and respected by all in the Easton Police Department and the Town.

Mr. Speaker, it brings us great pride to recognize the retirement of Sergeant Michael Fox. While we are sure that his colleagues at the Easton Police Department will miss him dearly, we wish him nothing but the very best in his future plans. We ask that our colleagues join us in thanking Sergeant Fox for over four decades of service and the tremendous ways in which he has benefited and served our community.

HONORING MR. ROBERT YOUNG

HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. MACARTHUR. Mr. Speaker, I rise today to recognize Robert Joseph Young of New Jersey's Third Congressional District, and to express my deepest appreciation to him and his family.

Mr. Young served our country in the United States Navy. He defended our freedom in Okinawa and the Philippines during World War II. His service to our nation secures his spot as a member of our country's Greatest Generation.

Mr. Young was awarded the Asiatic-Pacific Campaign Medal with two Bronze Service Stars, a WWII Victory Medal, the Philippine Liberation Ribbon with one Bronze Star, the Honorable Service Lapel Button WWII, and a Certificate of Recognition for serving the United States during the Cold War.

Mr. Speaker, the people of New Jersey's Third Congressional District are tremendously grateful for Mr. Robert Joseph Young's service to our nation. It is my honor to recognize his achievements before the United States House of Representatives.

RECOGNIZING ONE OF MINNESOTA'S FINEST FAMILIES

HON. TOM EMMER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to honor all Minnesotans, and all Americans, who served in World War II, and I would like to recognize the service of one Minnesota family in particular.

In 1885, Carl Nolte moved to Martin County, Minnesota with his wife Louise. They had twelve children and numerous grandchildren.

Many years after the Nolte family first came to Minnesota; an impressive thirty-six members of the family joined the armed forces and served in World War II.

Fortunately, all thirty-six family members survived the war. However, both Earle Nolte, son of Fred Nolte, and Reinhardt Wessel, son of Amanda Nolte Wessel, were wounded during their service.

It is often said that those who served in World War II belong to the ''Greatest Generation.'' I believe that the heroism and the dedication that this family demonstrated prove this to be true.

I would like to thank this family for their service to our nation and I would also like to wish one of them a very happy birthday. This week, Loren Wessel of Truman, Minnesota, turned ninety-six years old. Happy Birthday Loren.

HONORING THE LIFE AND LEGACY OF THE LATE NAUSEAD LYVELLE STEWART, ESQ

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the life and legacy of an extraordinary public servant, the late Nausead Lyvelle Stewart.

Nausead was born August 15, 1931 in Starkville, Mississippi to Tommy James Stewart and Rosa Rogers Stewart. Upon graduation from Oktibbeha County Training High School, she chose to attend Tougaloo College where she graduated with honors in History and Home Economics. Afterwards, she taught high school history for thirteen years in West Point, Mississippi, while acquiring her M.A. degree from Atlanta University.

Nausead entered the University of Mississippi School Of Law in 1967 and graduated with honors in May, 1970, where she was the first African American law student to serve on the law journal. In law school, she roomed with Constance Slaughter Harvey, who finished the law school a semester earlier, as the first African American female graduate. Nausead contributed immensely to the legal profession and the pursuit of equal justice for all.

Upon graduation, she, along with her classmate Geraldine Harrington Carnes, was hired by the Lawyers Constitutional Defense Committee (LCDC) to assist the then director, Armand Derfner and Jim Lewis with civil rights litigation.

A year later, when LCDC closed its Mississippi Office, Nausead was hired to work across the street at Anderson, Banks, Nichols and Leventhal to assist with the NAACP Legal Defense Fund (LDF) civil rights litigation. That work consisted primarily of dealing with the post desegregation discriminatory practices in teacher and administrator hiring and retention. Nausead played a primary role in litigating several cases to assure the enforcement of the Uniform Singleton Decree. That Decree provided for the utilization of objective non-racial standards in determining which education professionals would be retained should desegregation result in a loss of positions due to duplication. It also provided a first right of refusal for subsequent new openings to any professionals who were not rehired because of such duplication. Additionally, Nausead worked on other successful employment class actions against large employers in our state. A case law query will reveal some of the great work that she did during this era and continuing in to the 1980s.

In 1975, Nausead became a partner and the firm name was changed to Anderson, Banks, Nichols and Stewart.

Three years later, Nausead left the firm to assume the position as head of the Jackson Office for the Lawyers Committee for Civil Rights Under Law, thus completing the circle of having been a lawyer for the three foremost civil rights legal offices in the 1960s and 70s, the Lawyers Committee, NAACP LDF, and LCDC.

In the 1980s, the Lawyers Committee closed its Jackson Office, whereupon, Nausead joined the Walker and Walker firm in Jackson, headed by John L. Walker and William Walker, Jr. While working there, Nausead handled the firm's appellate work and motion practice and was a mentor for James E. Graves, Jr. and Regina Quinn who also worked there during her tenure. In 1982, Nausead offered her services to the citizens of Hinds County for the County Court Judge position thus becoming the first African American female judicial candidate.

After practicing law with the Walker and Walker firm for several years, Nausead assumed a position with Minact Inc. where she engaged in grant writing and compliance until her retirement.

On July 18, 2000 and during her retirement, Nausead served as a Jackson Civil Service Commissioner after having been appointed by Jackson Mayor Harvey Johnson and served until May 2, 2006.

Nausead took great pride in community services on numerous boards of community organizations and received awards for her work with those organizations. She was a member of Alpha Kappa Alpha Sorority, Inc. which she joined while at Tougaloo College.

Nausead was preceded in death by her aforementioned parents. She is survived by her sister, Doris Anderson; brother, and Thomas J. Stewart, Jr.

Mr. Speaker, on November 10, 2015, we lost a treasure in Nausead. I ask that my colleagues join me in recognizing a diligent advocate, a conscientious worker, and a selfless servant leader whose life was dedicated to the cause of humanity, Nausead Lyvelle Stewart.

RECOGNIZING PARKLAND HEALTH AND HOSPITAL SYSTEM

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I would like to recognize Parkland Health and Hospital System for being named a Top Hospital by the Leapfrog Group in 2015. Based on the Leapfrog Group's annual hospital survey measuring three significant areas of hospital care, Parkland earned honors for the first time as one of 62 top urban hospitals across the country.

Parkland Health and Hospital System opened in 1894 and is now one of the largest public hospital systems in the country. Averaging at one million patient visits annually, Parkland recently expanded to a brand new, state-of-the-art 2.8 million-square-foot campus with 862 single-patient rooms. Constantly growing, Parkland includes a Level I Trauma Center, the second largest civilian burn center in the U.S., a Level III Neonatal Intensive Care Unit, 20 community-based clinics, 12 school-based clinics, and numerous outreach and education programs. Parkland is also the primary teaching hospital for the University of Texas Southwestern Medical Center.

The Leapfrog Group is a national nonprofit group that advocates transparency in quality and safety of care in U.S. hospitals. The Leapfrog Hospital Survey collects and reports hospital performance so that patients can make informed decisions regarding where they receive care. The survey measures three areas of hospital care: how patients fare, resource use, and management structures established to prevent errors. Earning this honor means that Parkland has lower infection rates, better health outcomes, decreased length of stay, and fewer hospital readmissions.

Given Parkland's track record, especially their recent transfer of 626 patients from their old facility to the new Parkland Memorial Hospital without incident or interruption in patient care, I believe Parkland deserves to be named a top hospital. The move was conducted on foot via the Mike Myers Sky Bridge that connects the facilities and was planned with precision for months prior. This is just one prime example of Parkland's many contributions to Dallas County.

Congratulations to Parkland on this well-deserved recognition. I am proud to have Parkland in my district and I congratulate the board, clinicians, and staff on this hard-earned honor.

PERSONAL EXPLANATION

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 3, 2015

Mr. GARRETT. Mr. Speaker, on December 2, 2015, during rollcall vote No. 665 on the passage of S. 1177, the Every Child Achieves Act of 2015, I was recorded as not voting. Although I was present on the floor at the time, my vote was misreported, and I fully intended to vote 'no' on rollcall vote No. 665. Therefore, I would like to state that I did not support the passage of S. 1177, the Every Child Achieves Act of 2015.

HOUSE OF REPRESENTATIVES—*Monday, December 7, 2015*

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 7, 2015.

I hereby appoint the Honorable BRADLEY BYRNE to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

IT IS TIME TO RESTORE THE AMERICAN PEOPLE'S FAITH IN GOVERNMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, when a married couple killed 14 people celebrating the holidays in San Bernardino last Thursday, President Obama immediately used this terrible tragedy to renew his call for tougher gun restrictions.

Never mind the fact that the shooting took place in California, which has some of the strictest gun laws in the Nation, or that authorities would quickly determine this rampage was an act of terrorism that appears to have been inspired by the Islamic State.

This messaging blunder led to last night's televised address from the Oval Office where President Obama sought to reassure the American people that his administration is taking the threat of terrorism seriously. Sadly, the only thing he revealed was he has no comprehensive strategy to confront and defeat ISIS. The President continues to cling to failing policy.

This week the House will vote on a bipartisan bill to update our visa waiver program to reduce the risk of an extremist entering the country from abroad. However, only the Commander in Chief can provide the wide-ranging plan that is necessary to eliminate the danger caused by radical Islamist terrorism.

We need more from President Obama about what can be done with our military, our intelligence-gathering, and our international partners. We are facing a new era of violence and terrorism where danger exists both abroad and on American soil. We must do all that we can to eliminate the extremist threat.

It is easy to see why the American people have no faith in the Federal Government. While the United States remains one step behind our enemy and Americans wonder if our country is safe, the Justice Department is undermining Congress' spending authority by funneling money to President Obama's political allies.

The Justice Department prosecutes cases against corporate bad actors, and those companies agree to settlements that often include financial penalties. However, the Department has begun to mandate that at least some of that penalty money be paid in the form of donations to nonprofits that allegedly aid consumers and bolster neighborhoods.

The purpose of financial penalties is to punish the bad actors and provide restitution to real victims. However, the list of government-approved nonprofit beneficiaries reads like a who's who of liberal activist groups. An investigation by the House Judiciary and Financial Services Committees revealed that DOJ has used mandatory donations to direct as much as half a billion dollars to these activist groups.

These payments also occur entirely outside of the congressional appropriations and oversight process. The Miscellaneous Receipts Act requires money received by the government from any source to be deposited in the Treasury. Directing banks to give money to third parties evades that statute.

Thank goodness the House passed an amendment by Chairman GOODLATTE in June that blocks funding for negotiating settlements that require a defendant to donate to an organization or an individual not involved in the litigation. This commonsense amendment passed by voice vote and should absolutely be included in the omnibus spending bill we are expected to vote on this week.

It is time for Republicans to confront this administration and restore the people's faith in their government.

RECESS

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

Accordingly (at 12 o'clock and 5 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

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

PRAYER

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

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

In this season, among the holiest for millions of Americans, many live in fear of the dangers that abound. Just as at Pearl Harbor 74 years ago, violence in our land has been visited upon us.

But in Your Word, You have implored us to have no fear, for You are with us. Help us to put our trust in You and thus live up to our motto, which faces the assembly as a constant call to us. Bless all the peacemakers of our world. May Your eternal spirit be with them and with us always.

May Your special blessings be upon the Members of this assembly in the important and difficult work they are given to do. Give them wisdom and charity, that they might work together for the common good.

May all that is done this day in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Washington (Ms.

DELBENE) come forward and lead the House in the Pledge of Allegiance.

Ms. DELBENE led the Pledge of Allegiance as follows:

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

KARA ECKERT RECYCLING FOR CHARITY

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today I want to recognize a student from Pennsylvania's Fifth Congressional District who is giving back to her community while helping our environment.

Kara Eckert, who is a senior at State College Area High School, teamed up with a waste management company in 2012 to recycle a number of items, including granola bar wrappers and cereal bags. She also set up boxes at her school so her fellow classmates and teachers could contribute to her efforts.

Since 2012, Kara has recycled more than 18,200 granola bar wrappers, around 3,500 cereal bags, and approximately 1,800 oral care products. More importantly, proceeds from those items have gone to local organizations, including the Boalsburg Cemetery Association and the Penn State Figure Skating Club.

Mr. Speaker, it is so impressive to see charitable efforts such as this one in the communities we represent. What makes this even more praiseworthy, though, is Kara Eckert's regard for her community at such a young age.

I wish her the best of luck as she finishes her high school career and in the next step of her education.

TERRORIST WATCH LIST

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

Mr. THOMPSON of California. Mr. Speaker, terrorists shouldn't be able to legally buy guns. However, right now, someone on the FBI's terrorist watch list can go into a gun store and buy a firearm of their choosing—legally. Since 2004, more than 2,000 suspected terrorists have legally purchased weapons in the United States.

Last week, House Republicans voted three times to protect the ability of suspected terrorists to continue buying guns. This made our country less safe.

Mr. Speaker, that is why I just filed a discharge petition that would allow us to vote on a bipartisan bill to close the terror list loophole. The bill makes sure those on the FBI's terrorist watch list can't walk into a gun store, pass a background check, and buy a gun.

If House Republicans are concerned about the accuracy of the list, let's scrub the list. If you agree that terrorists shouldn't be able to have guns, then put your name down in writing, and let's have a vote.

HONORING DOUGLAS ''STRETCH'' BAKER OF NYE COUNTY, NEVADA

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

Mr. HARDY. Mr. Speaker, today I rise to honor Douglas ''Stretch'' Baker of Nye County, Nevada, for his dedicated service to save and preserve the Tonopah Historic Mining Park. The park, a critically acclaimed tourism site, is a crucial part of the mining heritage of Tonopah and the proud history of the State of Nevada.

Mr. Speaker, Mr. Baker has given countless hours of his time and use of his equipment to make the site safe and attractive to visitors, to build a unique welcoming sign and gate, and to promote the park through appropriate signage.

When it became known that the signature Mizpah shaft was in immediate need of repair, the Tonopah Historic Mining Park Foundation undertook a momentous fundraising effort to save the structure and was able to raise over $100,000.

Mr. Baker was invaluable in the effort, even acting as a crane operator and ''adviser in chief.''

Mr. Speaker, Douglas ''Stretch'' Baker is to be commended, along with the Tonopah Historic Mining Park Foundation Board, for bringing the exciting project to a successful conclusion, thereby preserving one of the most important artifacts of Nevada's mining history.

COMBATING CLIMATE CHANGE

(Ms. DELBENE asked and was given permission to address the House for 1 minute.)

Ms. DELBENE. Mr. Speaker, the Pacific Northwest has always been a leader when it comes to climate change. However, it is critical the United States shows the same leadership globally. That is why it is so encouraging to hear the reports from the climate summit in Paris. We need to take action not just domestically, but around the world.

Mr. Speaker, in Washington State, we know firsthand how damaging climate change can be. From longer and worsening fire seasons, increased pests and invasive species, an acidifying ocean to more unpredictable natural disasters, a vast majority of the population recognizes climate change as a growing problem in need of international solutions.

We often hear talk about the debt we will be leaving the next generation but not enough about the environment we are leaving our children and our grandchildren. Mr. Speaker, it is long past time for bold solutions and an international approach to combat climate change. This summit comes at a crucial time, and we look forward to its progress.

PASS THE MICROBEAD-FREE WATERS ACT OF 2015

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

Mr. DOLD. Mr. Speaker, I rise today to urge my colleagues to vote ''yes'' on the Microbead-Free Waters Act of 2015.

Mr. Speaker, I represent a district that borders Lake Michigan. The Great Lakes are the source of fresh drinking water for literally millions of Americans. Jobs, recreation, and tourism all depend on a healthy and flourishing Great Lakes ecosystem, and we must do all that we can to protect this vital natural resource.

Mr. Speaker, microbeads are microscopic pieces of plastic that are included in products like soaps and cosmetics. They are designed to help these products to be more effective. But when these products are used, the microbeads inside them can get into the Nation's waterways. They end up accumulating in lakes, rivers, and oceans—where they stay, and where they eventually collect toxic chemicals and eventually enter the food and water supply.

Mr. Speaker, the Microbead-Free Waters Act is a great step forward to preserving the Great Lakes for our future generations. As a cosponsor of this important bill, I urge its passage.

TERRORIST WATCH LIST

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

Mr. KILDEE. Mr. Speaker, as a Member of Congress, I take seriously my responsibility to protect and defend the American people.

That is why it is so troubling to me that Republicans in Congress last week voted three times to block debate on a bill, offered by Republican Congressman PETER KING, that would close a loophole that allows suspects on the FBI's terrorist watch list to buy assault weapons.

The shocking truth is that, according to the GAO, more than 2,000 suspects on the FBI's terrorist watch list tried to buy weapons in the U.S. over the last 11 years; 91 percent of them walked away with a weapon.

With all of the threats and dangers that we face, this loophole should be closed. We should make it harder for suspected terrorists to buy assault weapons, not easier.

Mr. Speaker, 80 percent of gun owners support keeping guns away from people on the terror watch list. Yet Republicans in Congress and the NRA continue to block commonsense bills to do what? To allow suspected terrorists to purchase weapons? Congress needs to act to protect the American people and close this dangerous loophole.

CLIMATE CHANGE SOUNDS FISHY

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

Mr. SMITH of Texas. Mr. Speaker, President Obama is misleading Americans about climate change. At a news conference in Paris, the President claimed that fish are swimming through the streets of Miami as a result of climate change. There is indeed something fishy about this story.

According to the National Weather Service, south Florida has been under a coastal flood advisory as a result of ''high . . . tides due to the lunar cycle.'' This is the cause of the high tides which subsequently led to flooding in low-lying areas.

The alignment of the Earth, Moon, and Sun, along with strong easterly winds, caused the abnormal tides, not climate change. How could the President not know this?

Mr. Speaker, the administration's alarmism and exaggeration is not good science; it is science fiction. The administration wants to advance an extreme climate change agenda that will damage our economy and have little impact on global warming.

THE 74TH ANNIVERSARY OF PEARL HARBOR

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

Mr. BILIRAKIS. Mr. Speaker, today we recognize the somber 74th anniversary of the attack on Pearl Harbor.

On this day in 1941, our Nation was gripped in shock and sadness. Over 2,000 lives were lost, and over 1,000 servicemembers were wounded. We honor and remember those lives lost during this horrific attack. These brave men and women fought for our freedoms and made the ultimate sacrifice.

We also remember the strength our Nation demonstrated following this tragedy. From the ashes rose the Greatest Generation and a stronger United States of America. As President Roosevelt said: ''The American people, in their righteous might, will win through to absolute victory.''

Mr. Speaker, on this somber day, we honor the lives lost. We are reminded of the sacrifices made and of the strength of our great Nation. I am forever grateful for all those in our armed services and the sacrifices they make for each and every one of us.

IT IS TIME FOR THE UNITED STATES TO BE AT WAR WITH ISIS

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

Mr. POE of Texas. December 7, 1941—a date which will live in infamy. No matter how long it may take us to overcome this premeditated invasion, the American people, in their righteous might, will win through to absolute victory. So help us, Almighty God.

Mr. Speaker, that was Franklin Delano Roosevelt's reaction to an attack on the United States.

Last night, Mr. Speaker, President Obama held a rare Oval Office address to give his update on ISIS. His message—stay the course with the same ineffective strategy. Not as inspiring as Franklin Delano Roosevelt's address when the United States faced another enemy.

The President has promised no ground troops and more gun control. He called ISIS the JV team. They defied American airstrikes and expanded their caliphate, killing everyone in their way.

He declared ISIS was contained hours before 130 people were slaughtered in the City of Light. He said there was no immediate, credible threat to the homeland. Days later, 14 people died in San Bernardino at the hands of ISIS sympathizers.

Mr. Speaker, Congress needs to approve an authorization to use military force, specifically against ISIS. ISIS is at war with the United States. It is time for the United States to be at war with ISIS, and the Commander in Chief should lead us to absolute victory.

And that is just the way it is.

□ 1415

PRESIDENT OBAMA REFUSES TO CONFRONT OUR ENEMY

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute.)

Mrs. BLACKBURN. Mr. Speaker, my colleagues have come to the floor and we do remember Pearl Harbor and we remember this day. And we also remember how our relatives who talked about this who served, how they told these stories. I think we are blessed to have that insight into history. It is such a difference when you compare what the President did last night—13 minutes is what he had to say about terrorism and the war on terror.

I have been reading emails from some of my constituents. Their words are this: He is tone deaf, he is in denial, he is the fearful leader—the fearful leader. They want to see leadership that will communicate the message: we are going to find you, we are going to destroy you, and we are going to destroy your networks. That is not what the President has been saying.

My constituents see him as being very timid and very hesitant in this fight. They feel like that he just does not get it. They have a lot of questions that they are asking me: Why is it that he is so timid in fighting terrorism? Could it be that he does not possess the courage to call them out? That he thinks America is to blame for this? Or he doesn't want to offend our enemies?

They have declared war on us. It is time for us to confront our enemy.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 4, 2015.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 4, 2015 at 10:40 a.m.:

That the Senate agreed to Conference Report H.R. 22.

That the Senate passed S. 2032.

That the Senate passed with an amendment H.R. 3762.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by Speaker pro tempore COMSTOCK on Friday, December 4, 2015:

H.R. 22, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

COMMUNICATION FROM STAFF MEMBER, THE HONORABLE MICHAEL G. FITZPATRICK, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Paul Ritacco, staff member, the Honorable MICHAEL G. FITZPATRICK, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 2, 2015.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules

of the House of Representatives, that I have been served with a grand jury subpoena for testimony issued by the United States District Court for the Central District of Illinois.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

PAUL RITACCO.

COMMUNICATION FROM STAFF MEMBER OF THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from a staff member of the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
Washington, DC, December 2, 2015.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony issued by the United States District Court for the Central District of Illinois.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

NORMAN GUGLIOTTA.

COMMUNICATION FROM STAFF MEMBER OF THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from a staff member of the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
Washington, DC, December 2, 2015.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony issued by the United States District Court for the Central District of Illinois.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

JOHN NADEAU.

COMMUNICATION FROM STAFF MEMBER OF THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from a staff member of the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
Washington, DC, December 2, 2015.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony issued by the United States District Court for the Central District of Illinois.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

JACQUELINE HURDA.

COMMUNICATION FROM STAFF MEMBER OF THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from a staff member of the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
Washington, DC, December 2, 2015.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony issued by the United States District Court for the Central District of Illinois.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

ANDREW TODD CAULK.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:45 p.m. today.

Accordingly (at 2 o'clock and 19 minutes p.m.), the House stood in recess.

□ 1546

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SMITH of Nebraska) at 3 o'clock and 46 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

FEDERAL IMPROPER PAYMENTS COORDINATION ACT OF 2015

Mr. MULVANEY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 614) to provide access to and use of information by Federal agencies in order to reduce improper payments, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 614

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Improper Payments Coordination Act of 2015''.

SEC. 2. AVAILABILITY OF THE DO NOT PAY INITIATIVE TO THE JUDICIAL AND LEGISLATIVE BRANCHES AND STATES.

Section 5 of the Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) is amended—

(1) in subsection (b)(3)—

(A) in the paragraph heading, by striking ''BY AGENCIES'';

(B) by striking ''For purposes'' and inserting the following:

''(A) IN GENERAL.—For purposes''; and

(C) by adding at the end the following:

''(B) OTHER ENTITIES.—States and any contractor, subcontractor, or agent of a State, and the judicial and legislative branches of the United States (as defined in paragraphs (2) and (3), respectively, of section 202(e) of title 18, United States Code), shall have access to, and use of, the Do Not Pay Initiative for the purpose of verifying payment or award eligibility for payments (as defined in section 2(g)(3) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note)) when, with respect to a State, the Director of the Office of Management and Budget determines that the Do Not Pay Initiative is appropriately established for that State and any contractor, subcontractor, or agent of the State, and, with respect to the judicial and legislative branches of the United States, when the Director of the Office of Management and Budget determines that the Do Not Pay Initiative is appropriately established for the judicial branch or the legislative branch, as applicable.

''(C) CONSISTENCY WITH PRIVACY ACT OF 1974.—To ensure consistency with the principles of section 552a of title 5, United States Code (commonly known as the 'Privacy Act of 1974'), the Director of the Office of Management and Budget may issue guidance that establishes privacy and other requirements that shall be incorporated into Do Not Pay Initiative access agreements with States, including any contractor, subcontractor, or agent of a State, and the judicial and legislative branches of the United States.''; and

(2) in subsection (d)(2)—

(A) in subparagraph (B), by striking ''and'' after the semicolon;

(B) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(C) by inserting after subparagraph (C) the following:

''(D) may include States and their quasi-government entities, and the judicial and legislative branches of the United States (as defined in paragraphs (2) and (3), respectively, of section 202(e) of title 18, United

States Code) as users of the system in accordance with subsection (b)(3).''.

SEC. 3. IMPROVING THE SHARING AND USE OF DATA BY GOVERNMENT AGENCIES TO CURB IMPROPER PAYMENTS.

The Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) is amended—

(1) in section 5(a)(2), by striking subparagraph (A) and inserting the following:

''(A) The death records maintained by the Commissioner of Social Security.''; and

(2) by adding at the end the following:

''SEC. 7. IMPROVING THE USE OF DATA BY GOVERNMENT AGENCIES FOR CURBING IMPROPER PAYMENTS.

''(a) PROMPT REPORTING OF DEATH INFORMATION BY THE DEPARTMENT OF STATE AND THE DEPARTMENT OF DEFENSE.—Not later than 1 year after the date of enactment of this section, the Secretary of State and the Secretary of Defense shall establish a procedure under which each Secretary shall, promptly and on a regular basis, submit information relating to the deaths of individuals to each agency for which the Director of the Office of Management and Budget determines receiving and using such information would be relevant and necessary.

''(b) GUIDANCE TO AGENCIES REGARDING DATA ACCESS AND USE FOR IMPROPER PAYMENTS PURPOSES.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Director of the Office of Management and Budget, in consultation with the Council of the Inspectors General on Integrity and Efficiency, the heads of other relevant Federal, State, and local agencies, and Indian tribes and tribal organizations, as appropriate, shall issue guidance regarding implementation of the Do Not Pay Initiative under section 5 to—

''(A) the Department of the Treasury; and

''(B) each agency or component of an agency—

''(i) that operates or maintains a database of information described in section 5(a)(2); or

''(ii) for which the Director determines improved data matching would be relevant, necessary, or beneficial.

''(2) REQUIREMENTS.—The guidance issued under paragraph (1) shall—

''(A) address the implementation of subsection (a); and

''(B) include the establishment of deadlines for access to and use of the databases described in section 5(a)(2) under the Do Not Pay Initiative.''.

SEC. 4. DATA ANALYTICS.

Section 5 of the Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note), is amended by adding at the end the following:

''(h) REPORT ON IMPROPER PAYMENTS DATA ANALYSIS.—Not later than 180 days after the date of enactment of the Federal Improper Payments Coordination Act of 2015, the Secretary of the Treasury shall submit to Congress a report which shall include a description of—

''(1) data analytics performed as part of the Do Not Pay Business Center operated by the Department of the Treasury for the purpose of detecting, preventing, and recovering improper payments through preaward, postaward prepayment, and postpayment analysis, which shall include a description of any analysis or investigations incorporating—

''(A) review and data matching of payments and beneficiary enrollment lists of State programs carried out using Federal funds for the purposes of identifying eligibility duplication, residency ineligibility, duplicate payments, or other potential improper payment issues;

''(B) review of multiple Federal agencies and programs for which comparison of data could show payment duplication; and

''(C) review of other information the Secretary of the Treasury determines could prove effective for identifying, preventing, or recovering improper payments, which may include investigation or review of information from multiple Federal agencies or programs;

''(2) the metrics used in determining whether the analytic and investigatory efforts have reduced, or contributed to the reduction of, improper payments or improper awards; and

''(3) the target dates for implementing the data analytics operations performed as part of the Do Not Pay Business Center''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. MULVANEY) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina.

GENERAL LEAVE

Mr. MULVANEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

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

Mr. Speaker, this is a Senate bill that we take up today, but there has actually been a House bill that is almost exactly the same for the last year or so.

The story behind how this bill comes to the floor is one of those stories that should make folks confident that the system can work. I was on a Facebook townhall meeting about a year and a half ago and got a question from one of the constituents about all the money that they have heard the government wastes by paying the wrong people, paying dead people, or paying people way too much money.

I remember it specifically, Mr. Speaker, because shortly after that, my uncle passed away. When my uncle passed away, I was named executor of his estate. It was the first time I have ever been the executor of an estate. One of the things I remember was that I got a notice 10 days after he had died, very shortly—2 weeks—from the Social Security Administration saying: You are going to get another check for your uncle. Don't cash it or else you can be in a lot of trouble.

I thought that was really neat. Here is a Federal agency that is actually doing its job in very short order and very efficiently. And I filed that away.

A couple months later, Mr. Speaker, my good friend from North Carolina (Mr. MEADOWS), who is the subcommittee chairman of the Government Operations on the Oversight and Government Reform Committee, was having a hearing about all of these payments that we are not supposed to be making. I had a chance to ask some questions, and I told that story to the government witnesses from the executive branch who were there. I said: Look, how is it that this works so well in the Social Security Administration, but we have all these tales of all these improper payments going to other people?

They said: Well, Mr. Congressman, that is because the Social Security Administration has a really, really good database, and they process the information very well when folks die.

I asked what I thought was a relatively straightforward question: Why don't they share the information with the other Federal agencies?

That was the genesis of this bill. What we set out to try and do is try and take circumstances, take examples of where the Federal Government actually does its job well and use that as a model that can be shared by other parts of the government.

Mr. Speaker, the bill, by the way, that we are talking about is S. 614. There was a House version of it that I worked off of, just because I am a little bit more familiar with it. It is H.R. 2320. The language is almost exactly the same.

I want to thank Mrs. BUSTOS, Mr. CONNOLLY, and also Mr. CARTER of Georgia and Mr. WESTMORELAND of Georgia, who are the original cosponsors of this.

Mr. Speaker, the bill does two very specific, large things and one small thing. It expands that Social Security database. So it takes this, again, this example of something that actually works the way that it is supposed to, and lets other folks use the information.

What does that mean? States will now be able to use it. State contractors will now be able to gain access to it. The judicial branch will be able to gain access to it, and the legislative branch will as well.

So the example is that this really good information is not being shared broadly throughout governments—local, State, and Federal—and we are seeking to fix that in the bill.

The other thing the bill does is to expand what is called the Do Not Pay portal. This is a database that is managed by the United States Department of the Treasury and contains, again, really good information about who has passed away, how much money people should be receiving, who has moved, and who is entitled to benefits and who is not.

By the way, there is a third thing that the bill does, Mr. Speaker. It seems inevitable that we cannot pass a bill here without asking for a report that goes along with it. But I think it

is probably common sense to say that at some point in the future, we would like the Treasury to tell us if it is actually working.

It is not very often, Mr. Speaker, that I come up here and tell you that there are examples of the Federal Government doing its job well; but when we do find those examples, I am very happy to get up and admit it. As a small government, conservative Republican, ordinarily I am the one that says government never does anything right; but here, actually, parts and parcels of the Federal Government are doing their job well. If we can take that example, take that model and expand it to other parts of the government, we would actually have a chance to solve what is a real problem.

We spent about $125 billion last year on improper payments, payments to people who should not have received it, payments to people who have passed away, or payments to people in the wrong amount—$125 billion. We just had a major fight on this floor 2 weeks ago over spending $80 billion extra in the budget bill, yet we spend that much, half again, on improper payments every single year. In fact, it is one of the fastest growing line items in our budget. That $125 billion represents a 15 percent increase over the previous year. One of the fastest growing areas of our government is improper payments.

So, Mr. Speaker, I just want to thank Mrs. BUSTOS, Mr. CONNOLLY, Mr. CARTER of Georgia, and Mr. WESTMORELAND in the House for helping bring this bill to the floor. Also, I want to thank Senator CARPER from Delaware and Senator RON JOHNSON from Wisconsin for shepherding it through the Senate.

This is their bill that we are taking. I guess that is another inevitability, that, if the Senate has the same bill as the House does, the Senate gets all the credit. But sometimes it is interesting to see what you can actually accomplish around here, Mr. Speaker, if you don't worry about who gets the credit.

I do want to thank the folks who took the time and the effort to shepherd this very sound, well-considered, and bipartisan bill to the floor today.

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

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

Mr. Speaker, I rise in support of the Federal Improper Payments Coordination Act before the House this afternoon. I am pleased to join my friend from South Carolina (Mr. MULVANEY) in sponsoring the House companion of this bipartisan legislation. He has already mentioned the cosponsors, CHERI BUSTOS, BUDDY CARTER, and LYNN WESTMORELAND among them. I also want to thank our Senate partners for their work on this important initiative.

I want to assure my friend, Mr. MULVANEY, we are going to be marking up a companion bill to this tomorrow in our committee, and hopefully we will send it over to the Senate with a House number on it. Fair is fair.

This is the latest in a series of commonsense, good-government laws we have enacted over the last decade as we work to reduce, if not outright eliminate, billions of taxpayer dollars in improper payments made by Federal agencies. The gentleman from South Carolina (Mr. MULVANEY) pointed out just how large a number this is: $125 billion a year.

Now, over a decade, that is $1.25 trillion. That exceeds all of sequestration. We wouldn't have to make any cuts to investments or raise any taxes to deal with sequestration if we just dealt with this. With the GAO reporting nearly $125 billion of improper payments, it is clear that more can and must be done to deal with government waste and fraud.

Today's legislation would expand the use, as Mr. MULVANEY indicated, of the Do Not Pay Initiative to the legislative and judicial branches and to our State partners. That initiative was the result of the Improper Payments Elimination and Recovery Improvement Act of 2012, which was also a product of our committee, and I was pleased to cosponsor it at that time.

The Do Not Pay Initiative was launched by Treasury and leverages multiple data sources—many of which were formerly siloed—to create a central, comprehensive list that Federal agencies can quickly reference to determine whether an individual or organization is, in fact, eligible to receive a Federal grant, benefit, or contract; and it also allows them to verify such payments after the fact.

For example, this initiative has prompted agencies to better share the reporting of death information to help reduce Federal payments to those, obviously, we have lost or for those who have had their identities stolen. Today's legislation would require the Departments of Defense and State to report information on deaths that occur overseas more quickly so that the agencies can better detect fraudulent payments or recoup improper payments if necessary.

Just last week, Mr. Speaker, the Office of Management and Budget delivered its first report to Congress on the Do Not Pay Initiative, which it says resulted in more than $2 billion in stopped payments—that is to say, savings for the U.S. taxpayer. Obviously, we can, with this bill, increase that number even more.

Based on that early success, it makes good sense for us to expand the use of this valuable tool to the legislative and judicial branches, as well as our State partners, so they have the ability to quickly verify payments or the eligibility of recipients to receive such payments.

This commonsense proposal was a welcomed suggestion from the GAO in its latest report on improper payments. I would also add that the Oversight and Government Reform Committee will continue this work, as I indicated, with a markup tomorrow.

Mr. Speaker, again, I want to thank my colleague, Mr. MULVANEY, for his leadership on this matter, and I urge our colleagues to support this important reform to our government in making it more efficient and accountable to the taxpayer.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois (Mrs. BUSTOS), my good friend and the cosponsor of this legislation.

Mrs. BUSTOS. Mr. Speaker, I thank Congressman CONNOLLY and Congressman MULVANEY for their hard work on this.

Mr. Speaker, as one of the Democratic coleaders of this legislation, I am so proud to rise in support of the Federal Improper Payments Coordination Act of 2015. The goal of this bill is straightforward: simply, to save taxpayer dollars that are currently going to waste and to make the Federal Government more effective and more efficient.

Each year, Mr. Speaker, the Federal Government spends billions of dollars in improper payments. This not only wastes taxpayer dollars, but it also erodes the public trust in government. Just last year, as my colleagues have pointed out, improper payments by the Federal Government rose to $125 billion. That is more than $1 trillion over a decade. That is according to the Office of Management and Budget. It is also an increase of 15 percent up from the year before, where it was $106 billion. So we are talking about real money here.

In tough times, working families have to figure out how to cut costs to get their budgets in line. We all know that. I think it is time that Washington do the same thing. That is why our bill takes reasonable—reasonable—steps to improve information sharing between Federal and State agencies to prevent these improper payments.

This also helps modernize Federal agencies by putting 21st century data analytics to work in identifying and eliminating governmentwide waste and fraud. The status quo is, plain and simple, not acceptable.

At a time when so many working families have to tighten their belts and cut costs, they expect Congress to act responsibly with their hard-earned taxpayer dollars. This bipartisan legislation represents a commonsense approach to a problem that is costing the taxpayers billions of dollars. This is undermining the effectiveness and the credibility of the Federal Government.

I thank Congressman MULVANEY and Congressman CONNOLLY. I think this is an indication that we know how to

work together. I want to applaud my colleagues for joining our efforts to protect taxpayers.

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

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Mr. CONNOLLY. Again, I want to thank my friend, Mrs. BUSTOS, for her leadership on this very important issue.

I, also, in closing, just want to say to my friend from South Carolina, part of improper payments is also fraud, and the biggest chunk of that is Medicare fraud. We need the help of U.S. Attorney's Offices to go after that. I am aware of one U.S. Attorney's Office last year that identified and recovered $3 billion of Medicare fraud. Now, I believe there are 99 U.S. Attorney's Offices in the United States. If every one of them made going after this fraud a priority, I assure you, we could significantly reduce improper payments by a commensurate amount. I would be glad to work with him and my friend, Mrs. BUSTOS, on a bipartisan basis to address that aspect of it as well.

Again, I want to thank Mr. MULVANEY for his leadership and for the bipartisan approach we have approached this legislation.

We have no more speakers on our side, Mr. Speaker.

I yield back the balance of my time.

Mr. MULVANEY. Mr. Speaker, I have no further speakers, and I urge adoption.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from South Carolina (Mr. MULVANEY) that the House suspend the rules and pass the bill, S. 614.

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

A motion to reconsider was laid on the table.

MICROBEAD-FREE WATERS ACT OF 2015

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1321) to prohibit the sale or distribution of cosmetics containing synthetic plastic microbeads, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1321

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Microbead-Free Waters Act of 2015''.

SEC. 2. PROHIBITION AGAINST SALE OR DISTRIBUTION OF RINSE-OFF COSMETICS CONTAINING PLASTIC MICROBEADS.

(a) IN GENERAL.—Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended by adding at the end the following:

''(ddd)(1) The manufacture or the introduction or delivery for introduction into interstate commerce of a rinse-off cosmetic that contains intentionally-added plastic microbeads.

''(2) In this paragraph—

''(A) the term 'plastic microbead' means any solid plastic particle that is less than five millimeters in size and is intended to be used to exfoliate or cleanse the human body or any part thereof; and

''(B) the term 'rinse-off cosmetic' includes toothpaste.''.

(b) APPLICABILITY.—

(1) IN GENERAL.—The amendment made by subsection (a) applies—

(A) with respect to manufacturing, beginning on July 1, 2017, and with respect to introduction or delivery for introduction into interstate commerce, beginning on July 1, 2018; and

(B) notwithstanding subparagraph (A), in the case of a rinse-off cosmetic that is a nonprescription drug, with respect to manufacturing, beginning on July 1, 2018, and with respect to the introduction or delivery for introduction into interstate commerce, beginning on July 1, 2019.

(2) NONPRESCRIPTION DRUG.—For purposes of this subsection, the term ''nonprescription drug'' means a drug not subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)).

(c) PREEMPTION OF STATE LAWS.—No State or political subdivision of a State may directly or indirectly establish under any authority or continue in effect restrictions with respect to the manufacture or introduction or delivery for introduction into interstate commerce of rinse-off cosmetics containing plastic microbeads (as defined in section 301(ddd) of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a)) that are not identical to the restrictions under such section 301(ddd) that have begun to apply under subsection (b).

(d) RULE OF CONSTRUCTION.—Nothing in this Act (or the amendments made by this Act) shall be construed to apply with respect to drugs that are not also cosmetics (as such terms are defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of H.R. 1321, the Microbead-Free Waters Act of 2015.

I am pleased to have partnered with my friend, Energy and Commerce Committee Ranking Member FRANK PALLONE from New Jersey, on this very important bill to begin the phaseout of plastic microbeads, which you can see in this picture, literally the size of a pinhead sometimes on a penny, to begin the phaseout of plastic microbeads from personal care products on July 1, 2017.

Many folks might be wondering, what exactly is a microbead? Well, I am sure many of you here and at home are using products that contain microbeads without even realizing it. Microbeads are those tiny little scrubbers in cleansers, body scrubs, and even toothpaste. On their own, they are nearly invisible, smaller than a pinhead, as I indicated.

But once they are flushed down the drain, that is when the problem really begins. They are so small they easily flow through the water filtration systems and end up in our bodies of water, obviously, including the Great Lakes, where I hail from. They are known to absorb pollutants and often mistaken as food by fish and wildlife. Simply put, microbeads are causing mega-problems.

As someone who grew up on Lake Michigan and represents a large chunk of the Michigan coastline, I understand firsthand how important it is to maintain the beauty and integrity of our Great Lakes and all of our water systems. The Great Lakes have survived many a foe—severe pollution, oil spills, discharge from refineries, zebra mussels, and attempts to steal our water, just to name a few. We are going to fight any activity that puts our beloved Great Lakes in jeopardy.

Many State and local governments have created a patchwork of differing laws, which creates problems for interstate commerce. This bipartisan legislation will also preempt all State and local laws related to microbeads in cosmetics, which will ensure certainty for manufacturers and other job creators across the country.

I urge all my colleagues to join me in ending this pesky problem of microbeads. They are tiny plastic, but big time pollution. As Michigan's Holland Sentinel editorialized this past spring, ''There's no reason keeping our faces feeling clean should require us to trash our lakes.''

I urge all Members to support this legislation, and I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of H.R. 1321, the Microbead-Free Waters Act of 2015.

This legislation sets up a strong Federal program to ban the use of plastic microbeads in personal care products. I would like to personally thank Chairman FRED UPTON for working with me to introduce and move this important legislation.

Plastic microbeads have been in use in cosmetic products, such as face washes and toothpaste, for many years. These tiny plastic beads are often used as exfoliants, removing dead skin cells from the surface of the skin. While

these plastic particles are not harmful to the user of the product, in recent years, studies have shown that these tiny particles that are often washed down the drain are making it through the wastewater treatment process and ending up in our Nation's waterways. We must put a stop to this unnecessary and avoidable pollution.

Mr. Speaker, studies conducted in the Great Lakes, the world's largest source of freshwater, have turned up alarmingly high levels of microplastic. In addition to contributing to the buildup of plastic pollution in waterways, microbeads can often be mistaken by fish and other organisms as food. I have serious concerns about fish and other aquatic life potentially ingesting these particles and the effect this could have on humans who consume fish that have ingested the plastic.

Numerous natural, biodegradable alternatives to plastic microbeads already exist in commerce and product supply chains, including apricot seeds, walnut shells, and pecan shell powder. Several personal care product companies have already announced plans to phase out the use of plastic microbeads in their products in favor of natural exfoliants.

Beginning with Illinois in 2014, nine States have enacted some form of a ban on plastic microbeads in personal care products. Yet, in my opinion, we need a national solution. Our Nation's waterways do not always respect State boundaries. In order to put a stop to these plastic particles making their way into our oceans, lakes, and streams, we need to ban plastic microbeads in every State.

The legislation before us today is the product of bipartisan input since it has moved through the committee process. Chairman UPTON and I have worked to strengthen and clarify a number of provisions in the bill, most notably, by setting up an aggressive timetable for the phaseout of these products, which begins in 2017, earlier than any of the currently enacted State laws.

The legislation exclusively bans the use of biodegradable plastic as an alternative ingredient, a loophole that has been discovered in a number of existing State laws. Many of the State laws contain a provision allowing companies to transition to biodegradable plastic as an alternative ingredient, and little is known about the ability of these biodegradable plastics to break down in a marine environment.

The language we used to define the scope of this bill was carefully chosen. Plastic microbead is defined as any solid plastic particle that is less than 5 millimeters in size and is used to exfoliate or cleanse the human body. This definition limiting the scope to exfoliating products is also in all nine State-passed laws, and it focuses the prohibition on the products currently containing plastic microbeads that are being washed down the drain.

The bill also includes preemption of State laws regulating plastic microbeads and cosmetics. While I am typically not a supporter of preempting State law, the strong Federal standard we have developed is more protective and implementation will occur sooner than in any State law in place.

Mr. Speaker, limiting pollution in our Nation's waterways has always been one of my top priorities. It is an issue that helps further creation of the Environmental Protection Agency in 1970 after the Cuyahoga River in Ohio caught fire. While much progress has been made, we must continue our efforts to protect America's waterways. And by banning plastic microbeads in personal care products, we are taking one more step towards a cleaner and healthier environment in America.

I urge my colleagues to support this important legislation. Again, thank our Chairman UPTON, and I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I want to take this time to thank my colleague, Mr. PALLONE. This was his legislation, which I cosponsored, as he indicated. We moved it through regular order, lots of hearings, a unanimous vote in subcommittee and full committee, and we want to get this bill to the President for him to sign.

As I have talked to Members of the Great Lakes Coalition, our colleagues in the Great Lakes States—Republican and Democrat—but also our Senators from the Great Lakes as well, there is huge interest in getting this bill to the President. It will, indeed, make a difference. The phaseout time was appropriate, so, in essence, we are telling the manufacturers to stop making it, and a time then for them to see the products off the shelf, so that ultimately, they will not be in cosmetics or toothpaste and other personal care products.

Again, I want to thank the gentleman for his leadership on this. I look forward to passing it on a bipartisan vote.

I yield back the balance of my time.

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

Let me thank the chairman again. As he pointed out, this truly has been a bipartisan effort. There is also a Senate bill that is bipartisan that this matches, which I think was a strong indication that we can get this bill not only passed here, but also in the Senate and get it to the President's desk.

I should also point out that this is one of those occasions, which happens quite a bit, even though people don't realize it, where the industry is actually in cooperation with us, and the cosmetic products industry supports this initiative as well.

For all those reasons, let's get the bill passed, and I urge all my colleagues to vote ''yes.''

I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise in strong support of the Microbead-Free Waters Act.

Microbeads, the small plastic particles contained in many face washes and other cleansing products, too often end up in America's lakes, rivers, and other water sources. In fact, a report last year from New York Attorney General Eric Schneiderman found that up to 19 tons of microbeads could find their way into my home state's wastewater stream each year. These particles accumulate pollutants, increasing toxicity of our waters, and pose a threat to fish and other wildlife that ingest plastic.

I commend the many leading companies that voluntarily responded to these concerns by phasing out the use of plastic microbeads in their product lines, including L'Oreal, Unilever, and Avon.

I am pleased Congress acted this week to act on this important issue, with bipartisan legislation that will ban microbeads in personal care products beginning in 2017.

This legislation builds on the momentum from ten states that have passed legislation to ban microbeads—including nine just in 2015. Unlike some proposals that would put in place an unrealistic timeline for implementation, or phase in the restriction years later than H.R. 1321, this federal legislation will grant all parties sufficient time to eliminate microbeads, while ensuring quick action on this growing concern. The Microbead-Free Waters Act will ensure consumers know that the products they use each day will not pollute our precious lakes and rivers.

I urge the Senate to act quickly to pass this legislation, and congratulate Chairman UPTON and Ranking Member PALLONE for their hard work on this important bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 1321, as amended.

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

The title of the bill was amended so as to read: ''A bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit the manufacture and introduction or delivery for introduction into interstate commerce of rinse-off cosmetics containing intentionally-added plastic microbeads.''.

A motion to reconsider was laid on the table.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2032. An act to adopt the bison as the national mammal of the United States; to the Committee on Oversight and Government Reform.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore, Mrs. COMSTOCK, on Friday, December 4, 2015:

An act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 4, 2015, she presented to the President of the United States, for his approval, the following bill:

H.R. 22. To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

ADJOURNMENT

Mr. UPTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 12 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, December 8, 2015, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the third quarter of 2015, pursuant to Public Law 95–384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HON. ANDY BARR, EXPENDED BETWEEN OCT. 9 AND OCT. 17, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Garland "Andy" Barr	10/10	10/11	Israel		500.00	([3])	7,413		90.65		8,003.65
	10/11	10/13	Jordan		810.82		([3])		15.78		826.60
	10/13	10/14	Iraq		11.00	([3])	2,700		1.67		2,712.67
	10/14	10/15	Kuwait		423.81		([3])		75.48		499.29
	10/15	10/16	Afghanistan		12.00		([3])		1.67		13.67
	10/16	10/17	Turkey		304.00		([3])		159.42		463.42
Committee total					2,061.63		10,113.00				12,519.30

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. ANDY BARR, Nov. 10, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO NORWAY, EXPENDED BETWEEN OCT. 9 AND OCT. 13, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Michael Turner	10/10	10/13	Norway		1,131.00		7,016.00				8,147.00
Hon. Gerry Connolly	10/10	10/13	Norway		1,131.00		14,880.00				16,011.00
Hon. Bill Johnson	10/10	10/13	Norway		1,131.00		14,353.00				15,484.00
Hon. Brett Guthrie	10/10	10/13	Norway		1,131.00		11,840.00				12,971.00
Hon. Paul Cook	10/10	10/12	Norway		898.00		12,677.00				13,575.00
Hon. Susan Davis	10/10	10/13	Norway		1,015.00		12,276.00				13,291.00
Hon. Ted Poe	10/10	10/13	Norway		1,015.00		11,751.00				12,766.00
Hon. Theodore Deutch	10/10	10/12	Norway		819.00		3,831.00				4,650.00
Hon. Lois Frankel	10/10	10/13	Norway		1,015.00		11,484.00				12,499.00
Hon. Rich Nugent	10/10	10/13	Norway		1,131.00		2,319.00				3,450.00
Morley Greene	10/09	10/13	Norway		1,132.00		11,134.00				12,266.00
Janice Robinson	10/09	10/13	Norway		1,132.00		11,134.00				12,266.00
Ed Rice	10/09	10/13	Norway		1,132.00		11,134.00				12,266.00
Committee total					13,813.00		135,829.00				149,642.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MICHAEL R. TURNER, Nov. 10, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015*

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Terri Sewell	8/22	8/24	Ethiopia		395.15		1,120.45				1,515.60
	8/24	8/26	Rwanda		483.00		([3])				483.00
	8/26	8/28	Gabon		820.22		([3])				820.22
	8/28	8/28	Cape Verde				([3])				
Committee total					1,698.37		1,120.45				2,818.82

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
* Amended.

HON. JEB HENSARLING, Chairman, Nov. 9, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Stephen Lynch	6/27	6/28	Kuwait		424.00						424.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	6/28	6/29	Iraq		11.00		2,700.00				2,711.00
	6/29	6/30	Jordan		405.00						405.00
	6/30	7/2	Turkey		419.00						419.00
Hon. Peter Welch	6/27	6/28	Kuwait		424.00						424.00
	6/28	6/29	Iraq		11.00		2,700.00				2,711.00
	6/29	6/30	Jordan		405.00						405.00
	6/30	7/2	Turkey		331.00						331.00
Dimple Shah	8/17	8/19	United Kingdom		1,388.00		1,007.00				2,395.00
Cordell Hull	8/17	8/19	United Kingdom		1,388.00		1,007.00				2,395.00
Sean McLaughlin	8/24	8/25	Germany		315.00						315.00
	8/25	8/27	Portugal		224.00						224.00
	8/27	8/29	United Kingdom		1,000.00						1,000.00
Commercial airfare							12,092.00				12,092.00
Art Arthur	8/24	8/25	Germany		315.00						315.00
	8/25	8/27	Portugal		224.00						224.00
	8/27	8/29	United Kingdom		1,000.00						1,000.00
Commercial airfare							12,092.00				12,092.00
Valerie Shen	8/24	8/25	Germany		315.00						315.00
	8/25	8/27	Portugal		224.00						224.00
	8/27	8/29	United Kingdom		1,000.00						1,000.00
Commercial airfare							12,014.00				12,014.00
Sang Yi	8/24	8/25	Germany		315.00						315.00
	8/25	8/27	Portugal		224.00						224.00
	8/27	8/29	United Kingdom		500.00						500.00
Commercial airfare							11,784.00				11,784.00
Committee total					10,862.00		55,396.00				66,258.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JASON CHAFFETZ, Chairman, Nov. 13, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Erik Paulsen	8/25	8/27	Gabon		957.00		15,659.80				16,616.80
Hon. Jason Smith	8/25	8/27	Gabon		957.00		16,279.50				17,236.50
Angela Ellard	8/25	8/28	Gabon		1,385.00		14,318.42				15,703.42
Geoff Antell	8/25	8/28	Gabon		1,395.00		13,441.42				14,836.42
Beth Baltzan	8/25	8/28	Gabon		1,235.00		12,610.22				13,845.22
Hon. Sander Levin	8/23	8/26	Mexico		1,086.00		2,072.33		3,113.00		6,271.33
Hon. Charles Rangel	8/19	8/24	South Korea		1,750.00		4,596.00		1,734.50		8,080.50
Hon. Kenny Marchant	8/5	8/6	Latvia		232.98		3,885.90				4,118.88
	8/4	8/5	Poland		271.54						271.54
	8/9	8/10	United Kingdom		490.12						490.12
	8/7	8/9	Estonia		657.45						657.45
	8/3	8/4	Belgium		336.71						336.71
	8/31	9/1	Switzerland		790.40		3,061.30				3,851.70
	9/1	9/4	France		991.00						991.00
Hon. Linda Sánchez	8/26	8/28	Germany		575.39		9,512.20				10,087.59
	8/28	8/30	France		615.00						615.00
	8/30	9/1	Poland		549.21						549.21
	9/1	9/3	Lithuania		647.51						647.51
Committee total					14,922.31		95,437.09				115,206.90

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. KEVIN BRADY, Chairman, Nov. 20, 2015.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3662. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's small entity compliance guide — Federal Acquisition Regulation; Federal Acquisition Circular 2005-85; Small Entity Compliance Guide [Docket No.: FAR 2015-0051, Sequence No.: 5] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services and Oversight and Government Reform.

3663. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; ND; Update to Materials Incorporated by Reference [EPA-R08-OAR-2013-0047; FRL-9932-60-Region 8] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3664. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Transit System Improvements [EPA-R01-OAR-2013-0786; A-1-FRL-9936-08-Region 1] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3665. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; Albuquerque-Bernalillo County; Infrastructure and Interstate Transport State Implementation Plan for the 2008 Lead National Ambient Air Quality Standards [EPA-R06-OAR-2012-0400; FRL-9939-47-Region 6] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3666. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of California Air Plan Revisions, Placer County Air Pollution Control District [EPA-R09-OAR-2015-0689; FRL-9936-83-Region 9] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3667. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of California Air Plan Revisions, South Coast Air Quality Management District and Yolo-Solano Air Quality Management District [EPA-

R09-OAR-2015-0690; FRL-9937-29-Region 9] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3668. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Etoxazole; Pesticide Tolerances [EPA-HQ-OPP-2014-0681; FRL-9934-60] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3669. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hexythiazox; Pesticide Tolerances; Technical Correction [EPA-HQ-OPP-2014-0804; FRL-9937-02] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3670. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Polyester Polyol Polymers; Tolerance Exemption [EPA-HQ-OPP-2015-0465; FRL-9936-91] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3671. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District, Feather River Air Quality Management District and Santa Barbara County Air Pollution Control District [EPA-R09-OAR-2015-0619; FRL-9936-67-Region 9] received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3672. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Significant New Use Rule on Certain Chemical Substances [EPA-HQ-OPPT-2014-0390; FRL-9939-20] (RIN: 2070-AB27) received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3673. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Accessibility of User Interfaces, and Video Programming Guides and Menus [MB Docket No.: 12-108] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3674. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-210, ''Ward 5 Paint Spray Booth Conditional Moratorium Temporary Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3675. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-211, ''N Street Village, Inc. Tax and TOPA Exemption Clarification Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3676. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-212, ''Gas Station Advisory Board Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3677. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-209, ''Wage Theft Prevention Correction and Clarification Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3678. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-208, ''Truancy Referral Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3679. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-207, ''Emergency Medical Services Contract Authority Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3680. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-206, ''Grocery Store Restrictive Covenant Prohibition Temporary Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3681. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-205, ''Extension of Time to Dispose of the Strand Theater Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3682. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-204, ''Early Learning Quality Improvement Network Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3683. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-203, ''ABLE Program Trust Establishment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3684. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-213, ''Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3685. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendment [FAC 2005-85; Item VII; Docket No.: 2015-0052; Sequence No.: 4] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

3686. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation: Establishing a Minimum Wage for Contractors [FAC 2005-85; FAR Case 2015-003; Item VI; Docket No.: 2014-0050; Sequence No.: 1] (RIN: 9000-AM82) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Oversight and Government Reform and Armed Services.

3687. A letter from the Chief Impact Analyst, Office of Regulations Policy and Management, Office of the General Counsel (02REG), Department of Veterans Affairs, transmitting the Department's interim final rule — Expanded Access to Non-VA Care through the Veterans Choice Program (RIN: 2900-AP60) received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

3688. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Retention Periods [FAC 2005-85; FAR Case 2015-009; Item V; Docket No.: 2015-0009, Sequence No.: 1] (RIN: 9000-AN12) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services, Science, Space, and Technology, and Oversight and Government Reform.

3689. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's summary presentation of interim and final rules — Federal Acquisition Regulation; Federal Acquisition Circular 2005-85; Introduction [Docket No.: FAR 2015-0051, Sequence No.: 5] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services and Oversight and Government Reform.

3690. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Pilot Program for Enhancement of Contractor Employee Whistleblower Protections [FAC 2005-85; FAR Case 2013-015; Item IV; Docket 2013-0015, Sequence 1] (RIN: 9000-AM56) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services, Science, Space, and Technology, and Oversight and Government Reform.

3691. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's interim rule — Federal Acquisition Regulation; Updating Federal Contractor Reporting of Veterans' Employment [FAC 2005-85; FAR Case 2015-036; Item III; Docket No.: 2015-0036, Sequence No.: 1] (RIN: 9000-AN14) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services, Oversight and Government Reform, and Science, Space, and Technology.

3692. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Further Amendments to Equal Employment Opportunity [FAC 2005-85; FAR Case 2015-013; Item II; Docket No.: 2015-0013, Sequence No.: 1] (RIN: 9000-AN01) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services, Oversight and Government Reform, and Science, Space, and Technology.

3693. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's interim rule — Federal Acquisition Regulation: Prohibition on Contracting with Corporations with Delinquent Taxes or a Felony Conviction [FAC 2005-85; FAR Case 2015-011; Item No.: I; Docket No.: 2015-0011; Sequence No.: 1] (RIN: 9000-AN05) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Armed Services, Oversight and Government Reform, and Science, Space, and Technology.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCAUL: Committee on Homeland Security. H.R. 158. A bill to clarify the grounds for ineligibility for travel to the United States regarding terrorism risk, to expand the criteria by which a country may be removed from the Visa Waiver Program, to require the Secretary of Homeland Security to submit a report on strengthening the Electronic System for Travel Authorization to better secure the international borders of the United States and prevent terrorists and instruments of terrorism from entering the United States, and for other purposes; with an amendment (Rept. 114–369, Pt. 1). Order to be printed.

Mr. MCCAUL: Committee on Homeland Security. H.R. 2795. A bill to require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event; with an amendment (Rept. 114–370). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 1321. A bill to prohibit the sale of distribution of cosmetics containing synthetic plastic microbeads; with amendments (Rept. 114–371). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. PINGREE:

H.R. 4184. A bill to decrease the incidence of food waste, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on House Administration, Oversight and Government Reform, Ways and Means, Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BROOKS of Indiana (for herself and Ms. DELBENE):

H. Res. 554. A resolution supporting the goals and ideals of ''Computer Science Education Week''; to the Committee on Education and the Workforce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. PINGREE:

H.R. 4184.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 158: Mr. TROTT, Mr. ROUZER, Mr. LYNCH, Mr. BENISHEK, Ms. LORETTA SANCHEZ of California, Mr. KLINE, Mr. HILL, Mr. THOMPSON of Mississippi, Mrs. HARTZLER, Mr. LANCE, Mr. WESTERMAN, Mr. LONG, Mr. COURTNEY, Mr. ABRAHAM, Mr. ASHFORD, Mr. HENSARLING, Mr. SCHRADER, Mr. COLE, Mr. MCKINLEY, Mr. MEEHAN, Mr. GARAMENDI, Mr. LUETKEMEYER, Mr. HUIZENGA of Michigan, Mr. BOUSTANY, Mr. JENKINS of West Virginia, Ms. DUCKWORTH, Mr. CICILLINE, Mr. ENGEL, Ms. TITUS, Mr. BILIRAKIS, Mrs. LUMMIS, Mr. HUFFMAN, Mr. MILLER of Florida, Mr. BISHOP of Georgia, Mrs. BUSTOS, Mr. WELCH, Mr. ADERHOLT, Mr. SMITH of Nebraska, Mr. POLIS, Mr. MOOLENAAR, Mr. RANGEL, Mr. PERLMUTTER, Mrs. ELLMERS of North Carolina, Mr. DUNCAN of South Carolina, Mr. CARTER of Georgia, Mr. RICHMOND, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MARINO, Mr. PETERSON, Mr. KATKO, Mr. BISHOP of Michigan, Mr. NEWHOUSE, Ms. JENKINS of Kansas, Ms. MCSALLY, and Mr. PERRY.

H.R. 415: Mr. DEFAZIO, Mr. VISCLOSKY, and Mr. CUMMINGS.

H.R. 721: Mr. VARGAS, Ms. NORTON, and Mr. HUFFMAN.

H.R. 865: Mr. TOM PRICE of Georgia.

H.R. 879: Mr. KELLY of Pennsylvania, Mr. JOLLY, Mrs. MIMI WALTERS of California, Mr. ROGERS of Kentucky, and Mr. LAHOOD.

H.R. 985: Mr. PERLMUTTER.

H.R. 997: Mr. FORTENBERRY.

H.R. 1220: Mr. CRAMER.

H.R. 1288: Mr. ROGERS of Kentucky, Mr. HIGGINS, and Mr. O'ROURKE.

H.R. 1321: Ms. MCCOLLUM.

H.R. 1427: Mr. ZELDIN and Mr. KEATING.

H.R. 1482: Mr. SCOTT of Virginia and Mr. ENGEL.

H.R. 1548: Mr. SCOTT of Virginia.

H.R. 1594: Mr. YODER.

H.R. 1595: Mr. DEUTCH and Mr. ROSS.

H.R. 1625: Ms. SEWELL of Alabama, Mr. LARSON of Connecticut, Mr. SEAN PATRICK MALONEY of New York, and Ms. MOORE.

H.R. 1671: Mr. TIPTON and Mr. CHABOT.

H.R. 1769: Mr. STIVERS.

H.R. 2082: Mr. HONDA, Mrs. LAWRENCE, and Mr. CONYERS.

H.R. 2144: Mrs. WALORSKI.

H.R. 2287: Mr. WILLIAMS.

H.R. 2290: Mr. BARLETTA.

H.R. 2302: Ms. CLARKE of New York and Mr. MCGOVERN.

H.R. 2382: Mr. ZELDIN.

H.R. 2404: Mr. MCKINLEY.

H.R. 2500: Mr. LATTA, Mr. BEN RAY LUJÁN of New Mexico, Mr. WEBER of Texas, and Mr. RANGEL.

H.R. 2657: Mr. DENT, Ms. STEFANIK, and Mr. YOUNG of Alaska.

H.R. 2660: Ms. ADAMS and Mr. DANNY K. DAVIS of Illinois.

H.R. 2680: Mrs. DAVIS of California and Ms. BROWNLEY of California.

H.R. 2759: Mr. RUIZ.

H.R. 2847: Mr. FITZPATRICK and Mr. HASTINGS.

H.R. 3061: Mr. VAN HOLLEN.

H.R. 3065: Ms. JUDY CHU of California.

H.R. 3071: Ms. VELÁZQUEZ.

H.R. 3092: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. DAVIS of California, Mr. DOLD, and Mrs. HARTZLER.

H.R. 3222: Mr. LATTA and Mr. MARCHANT.

H.R. 3225: Mr. CRAMER.

H.R. 3280: Mrs. KIRKPATRICK.

H.R. 3323: Mr. COURTNEY.

H.R. 3339: Mr. ROUZER and Mr. BURGESS.

H.R. 3355: Mr. SHERMAN.

H.R. 3381: Mr. YOUNG of Iowa and Mr. SMITH of New Jersey.

H.R. 3384: Ms. SPEIER.

H.R. 3406: Mrs. LOVE.

H.R. 3411: Ms. LORETTA SANCHEZ of California.

H.R. 3437: Mr. DUNCAN of South Carolina, Mr. COLLINS of Georgia, and Mr. HENSARLING.

H.R. 3484: Ms. BROWNLEY of California.

H.R. 3565: Ms. LEE.

H.R. 3639: Mr. LOEBSACK.

H.R. 3700: Mr. MCHENRY.

H.R. 3706: Mr. LANCE and Mr. SERRANO.

H.R. 3734: Mr. MCKINLEY.

H.R. 3760: Ms. ESHOO.

H.R. 3791: Mr. WILLIAMS and Mr. STIVERS.

H.R. 3799: Mr. HARRIS, Mr. AUSTIN SCOTT of Georgia, and Mr. HENSARLING.

H.R. 3848: Mr. LEVIN and Mr. WALBERG.

H.R. 3868: Mr. DOLD.

H.R. 3888: Mr. MEEKS, Ms. KELLY of Illinois, and Mr. TAKANO.

H.R. 3940: Mr. YOUNG of Iowa, Mr. SMITH of New Jersey, and Mr. WALKER.

H.R. 4006: Mr. LOWENTHAL.

H.R. 4007: Mr. ROUZER.

H.R. 4079: Mr. KEATING.

H.R. 4087: Mrs. KIRKPATRICK.

H.R. 4094: Mr. GOSAR, Mr. FRANKS of Arizona, Mr. GRIFFITH, and Mr. SALMON.

H.R. 4132: Mr. YOUNG of Alaska.

H.R. 4138: Mr. HUELSKAMP and Mr. JONES.

H.R. 4163: Mr. MURPHY of Florida.

H.R. 4171: Mr. QUIGLEY and Mr. ISRAEL.

H.R. 4177: Ms. GABBARD.

H.R. 4178: Ms. JUDY CHU of California.

H.J. Res. 33: Mr. JODY B. HICE of Georgia.

H. Res. 32: Mr. CARSON of Indiana and Ms. WILSON of Florida.

H. Res. 110: Mr. ROSKAM.

H. Res. 289: Mr. MCGOVERN.

H. Res. 467: Mr. VARGAS, Ms. BROWNLEY of California, Mr. PETERS, Mr. CROWLEY, Ms. JUDY CHU of California, Mr. PALLONE, Mr. RUIZ, and Mr. NADLER.

H. Res. 494: Mr. COLLINS of Georgia.

H. Res. 536: Mr. WEBER of Texas, Mr. SHERMAN, Mr. CRENSHAW, Mr. KEATING, Ms. WILSON of Florida, Mr. DONOVAN, Mr. DEUTCH, Ms. FRANKEL of Florida, and Mr. CHABOT.

H. Res. 538: Mr. QUIGLEY.

H. Res. 548: Ms. SCHAKOWSKY and Mr. SMITH of Washington.

H. Res. 553: Mr. AUSTIN SCOTT of Georgia and Mr. GRAVES of Missouri.

SENATE—*Monday, December 7, 2015*

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal God, the protector of our dreams, we praise Your righteous Name. Lord, December 7 reminds us of a season of infamy. At that time, our Nation confronted greater challenges than we face today. Remind our Senators and Nation that the only thing we have to fear is fear itself. May our lawmakers not repeat past mistakes, always remembering that eternal vigilance is freedom's price. Help us to remember that we will be buffeted by winds of fear only when we forget how You have protected us in the past. If Your power prevailed in our past, it can still conquer all our present and future dangers, toils, and snares. May we never forget that in everything You are working for the good of those who love You.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The Democratic leader is recognized.

GOVERNMENT FUNDING BILL

Mr. REID. Mr. President, I have heard reports that the Speaker has announced that Congress will be in session next week. I don't know if that is valid. I haven't heard from him myself, but the December 11 deadline was a deadline that the Republicans set and we didn't.

If the Congress fails to finish our business by December 11, it will be because Republicans continue to insist on extraneous poison pill riders in the government funding bill. These are Republican riders, Republican earmarks, and as long as they are there, there can be no legislation.

Without legislation, the government shuts down again—as it did a couple of years ago—because of Republicans.

FIGHTING ISIS

Mr. REID. Mr. President, last night, President Obama spoke in stark terms about the threat terrorism poses to the United States. He detailed the extraordinary efforts our government is taking to protect Americans. He also outlined a strong plan for continuing to combat terrorism at home and abroad. President Obama is right to say the first thing Congress should do is close the loophole that lets the FBI terror suspects buy assault weapons such as those used in the San Bernardino shooting.

Senate Democrats support President Obama's plan to fight ISIS and protect America. President Obama has made it clear that Democrats do not believe we should put thousands of troops on the ground in the middle of another civil war in the Middle East. But we do support the President's strategy of continuing to go after ISIS in the air with our coalition partners, targeting their leadership, oil infrastructure, and heavy weapons.

We know that it must be the local forces on the ground that ultimately fight for and hold their ground because it is their land.

Senate Democrats understand that the Syrian war will only be resolved diplomatically, with all parties supporting the removal of Assad. We also know that we can do more to address the threats from terrorists. That is why beginning today Senate Democrats will unveil a series of proposals to take the fight to ISIS while enhancing our protection of Americans at home.

There are a few important steps we must take in order to combat ISIS's terrorism. The Democratic plan would create a new ISIS czar, one person who is fully empowered and unifies the Federal Government's efforts in fighting ISIS. We did it with Ebola. We certainly can do it with this scourge that is facing our country, ISIS. I am pleased that President Obama has taken a first step in that direction.

To continue targeted airstrikes on ISIS strongholds and oil supplies and to increase support for anti-ISIS local fighters on the ground are part of the plan.

We must also cut off ISIS money through new sanctions.

ISIS runs its reign of terror in Iraq and Syria through extortion, oil sales, and theft. Senate Democrats' legislation imposes new sanctions—and they are tough—including a cutoff from the U.S. and international financial systems if people knowingly facilitate financial transactions with ISIS.

One of the things that would help is that we have a person who has been waiting for hundreds of days to be confirmed. What is his job? He works in the Treasury Department with the State Department to stop financing of terrorism. The Republicans—for reasons totally not understood by anyone—are blocking voting on this person. The job is vacant.

We also believe that we should improve intelligence training between the United States and our allies in the fight against ISIS. Some of that has started, of course.

We believe we must screen and support migrants in Europe and the Middle East. Europe is facing an unprecedented number of migrants landing on their shores, almost 1 million this year. Their screening systems have been overwhelmed by the large number of migrants. Our bill would respond to Europeans' request to provide them with technical assistance to screen migrants and improve their own border security and our security as well.

In the Middle East, the Democrats' plan will help Jordan, a strong U.S. ally at the forefront of the migrant crisis. Four million people are displaced in the region, creating instability in Jordan, our ally, and also harming the neighboring countries. Democrats' legislation includes a new stabilization fund for Jordan and Lebanon, helping those fleeing the conflict in Syria stay in the region, closer to home.

These are just a few of the components of our plan to degrade and destroy ISIS, but we are equally committed to thwarting terrorism here at home. The Democratic plan would close the terrorist's gun loophole.

As of today, there is a legal loophole that prevents law enforcement from verifying that potential gun buyers are not FBI terror suspects. That means if a person has pledged allegiance to ISIS online and is barred from flying due to the threat they pose, that man or woman can still walk into any gunshop and purchase weapons and ammunition. They can do that today, right now. That is wrong.

Last Thursday Democrats tried to pass legislation to give law enforcement the tools needed to prevent the sale of guns to suspected terrorists. Republicans blocked our commonsense measure. We are not finished. We will bring this vote to the floor as often as we can. That is the way it should be.

We need to strengthen the Visa Waiver Program. It was amazing to see the Republicans running for President waffle and weasel out of why someone who is on a flight-risk status, someone who

cannot fly, should be able to buy a gun. It was interesting to see on the Sunday shows the Republicans waffle and weasel through answers on this subject.

We need to strengthen the Visa Waiver Program so ISIS fighters cannot access the program and travel to our country. This includes requiring visa waiver travelers to use machine-readable passports, requiring information sharing rules with visa waiver countries and requiring visa waiver countries to enter into agreements regarding the air marshal program and to comply with U.S. aviation and airport security standards.

We must improve aviation security. We must work to secure our airports. We saw all the news when ISIS brought down a Russian plane with hundreds of passengers aboard.

A recent report from the Homeland Security inspector general found that 73 workers with access to secure areas in airports had links to terrorism—stunning. Our legislation authorizes new vetting for aviation workers and new security measures for the most important areas of our airports.

We must lock down radiological materials to stop a dirty bomb. With both ISIS and Al Qaeda saying they want to get their hands on weapons of mass destruction, it is disturbing that there are 2,300 sites around the United States with radiological material. Our legislation requires a new plan for locking down those materials at the places where they are held, such as universities and hospitals, so we can reduce the threat of a dirty bomb.

Our legislation is concerned—and we are going to do everything we can—with preventing homegrown terrorists by creating an office within the Department of Homeland Security tasked with countering extremism.

We must address encryption by directing the National Academy of Sciences, the intelligence community, and the private sector to work together to identify new encryption technology and how it is used to make sure that our national security needs and technology policies are not working at cross purposes.

Finally, Senate Democrats are proposing legislation to provide law enforcement agencies with grant money to help prepare for active shooter situations. We know how critical first responders are to containing and ending active shooter attacks. So we should ensure they have all the tools necessary.

This is the plan that we, Senate Democrats, are putting forward. It is comprehensive. It addresses international and domestic concerns. The consequences of inaction are too grave for us to waste time seeking political gain.

The security of our Nation and the decimation of ISIS depend on the steps we take now. So I hope Republicans will join us to implement these logical reforms that place the security of Americans first and address the threat of ISIS around the world.

Mr. President, I see no one on the floor wishing to speak.

Would the Chair announce the program for the day.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

FAST ACT

Mr. PETERS. Mr. President, I rise today to applaud the tremendous work that has been done over the course of this year to pass a bipartisan, 5-year, $305 billion highway bill, the Fixing America's Surface Transportation Act, known as the FAST Act. Transportation infrastructure is an essential part of the U.S. economy. It serves as the foundation to support our country's economic global competitiveness and connects communities, people, and markets.

Federal investment in transportation and other infrastructure has, unfortunately, lagged in recent decades, with public expenditures on infrastructure as a percentage of GDP steadily declining to its lowest levels in 20 years. I have consistently called for a highway bill that ensures steady and reliable funding for States so they can make long-term plans for improving our crumbling infrastructure. For too long, stopgap measures to prop up the highway trust fund for just a few months at a time have failed to provide the stability necessary to grow our economy.

The FAST Act comes at a critical time. This legislation will improve our Nation's infrastructure, make our Federal surface transportation programs work better for States, and address our Nation's infrastructure priorities by focusing on critical commerce corridors and emerging freight corridors as well.

The FAST Act also makes key investments in something I am very passionate about, and that is the future of mobility in the United States. Today, the auto industry is working hand in hand with tech, telecom, and software companies and their partners in academia and Federal agencies to collaborate and contribute to the transportation system of the future. This future will be dominated by connected and autonomous vehicles—on-demand services such as ride-sharing and car-sharing—and innovations in vehicle-to-infrastructure communications.

Vehicle-to-infrastructure communications technologies—known as V2I—have the potential to deliver incredible safety, mobility, environmental, and operational benefits to the driving public. For example, V2I technologies will allow bridges that are icing up to be able to communicate directly with an automobile before it gets to the bridge and, as a result, will prevent an accident before it even occurs. Today, stakeholders are working to develop and test V2I technologies, and widespread deployment is expected in the coming years.

We have to make sure the States are making plans for their future in V2I technologies. That is why I introduced legislation earlier this year with Senators STABENOW and BLUNT that promotes investment in vehicle-to-infrastructure technology by authorizing States to use existing surface and highway transportation funding to invest in V2I projects as they upgrade their highway infrastructure. It is called the Vehicle-to-Infrastructure Safety Technology Investment Flexibility Act of 2015, and today I am proud to say this legislation passed as part of the FAST Act.

My vehicle-to-infrastructure provision and the broader bill's other major investments in research and development represent the type of forward-thinking policymaking on which Congress should be focused. By committing now to help usher in the future of mobility and by providing the funding and time to execute these programs, we have the ability to transform our society for the better.

The FAST Act also contains several provisions to improve rail safety in the United States. I am pleased that legislation I authored, in the wake of the devastating Amtrak No. 188 crash earlier this year in Philadelphia that unfortunately took the lives of 8 people and injured over 200, was included in the FAST Act. My provision requires the Department of Transportation, Amtrak, and the National Transportation Safety Board to conduct a post-accident assessment of the Amtrak No. 188 crash to determine if Amtrak followed its emergency preparedness and family assistance response plans and to determine if and how these plans can be improved for the future.

Finally, the FAST Act reauthorizes the Export-Import Bank. Since the beginning of July, the jobs supported by

the Ex-Im Bank have been unnecessarily jeopardized. The Ex-Im Bank helps level the playing field for American companies in a tough global market. Last year it supported more than $27.4 billion in U.S. exports and 164,000 jobs. More than $10 billion of that total—nearly 40 percent—represented exports by small businesses, and 90 percent of its overall transactions directly supported small businesses, including many that serve as suppliers for large companies.

In Michigan, for example, the Ex-Im Bank has supported 229 exporter businesses selling $11 billion worth of goods to places such as Saudi Arabia, Mexico, and Canada. This support is particularly important for our manufacturing industry, and the majority of Michigan exporters using Ex-Im Bank are manufacturers of motor vehicles and parts, machinery and chemicals—basically the backbone of Michigan's economy.

I am proud to see that with the FAST Act's passage, we can get back to the business of doing what makes sense for the economy and for jobs in America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, while my colleague from Michigan is here, let me say that we appreciate so much his participation in the commerce committee, especially the expertise he brings to the table with regard to all things automotive since, in fact, his State is the automotive State. He is a valued member of our commerce committee. I thank the Senator from Michigan.

FIGHTING ISIS

Mr. NELSON. Mr. President, Americans are understandably frightened by the terrorist attacks in Paris and San Bernardino. As we mourn the loss of the victims, our hearts go out to their friends and families.

We were shocked 14 years ago, on September 11, when foreign terrorists struck our homeland. For the first time, two big oceans did not protect us from foreign terrorists. Now we know we have to be prepared to meet the threat not only abroad but here at home.

First, that means we have to see the threat clearly. It doesn't just come from shadowy foreign terrorist groups such as ISIS or Al Qaeda; now we see that it comes from a lone wolf or wolves, individuals who get radicalized. We saw that in the case at Fort Hood. We have seen it in other cases. We saw it in the case that was averted in Times Square, from someone who had come all the way across the country. They are extremely hard to detect.

Of course, ISIS uses the Internet to spread its propaganda, its influence, and to try to inspire disaffected young people with its propaganda far beyond where ISIS is located over in the Middle East. That means we have to use all the tools at our disposal to collect actionable intelligence, harden our defenses, counter radicalization, counter propaganda, and stiffen our resolve.

We ought to ensure that terrorists can't exploit the Visa Waiver Program. There are 38 countries with which we share this visa waiver. We ought to ensure that our law enforcement and intelligence agencies have the access they need to the terrorists' electronic communications to disrupt the attacks—that is a big order—all the while protecting Americans' privacy and constitutional rights.

That is why this Senator thinks it was a mistake to change the previous law, as we did earlier this year, which allowed telecom business bulk records to be readily accessed to trace terrorist communications. We have done this. We do not have the ready access of those bulk business records. Again, I remind our listeners we are not talking about the contents of communications—telephone calls or content of the Internet messages. We are talking about the bulk records which are business records that such and such a number or such and such an IP address on such and such a date transmitted a message to another number or another IP address.

In the past, through a court order, those bulk records were held by the NSA, granting ready access so that if we were trying to stop a terrorist by getting intel ahead of time, we could go back and see where those communications were and with whom and how many hops it had gone in order to try to break up the terrorist activity. The problem with the lone wolf is that if they are disguising their operations, they are not communicating with anybody. That is why it makes it so much more difficult to intercept the lone wolf who has been inspired by ISIS.

Recently we saw that ISIS has claimed the responsibility for the bombing of a Russian airliner over Egypt, and it reminds us that our planes and airports remain a target for terror attacks. That is why I am introducing, and will explain tomorrow, legislation to tighten internal security at airports across the country. We had some good examples of that a year ago in Atlanta. Unbelievably, for several months, guns were brought into the Atlanta airport by airport workers, were transferred to a passenger who had already gone through TSA security, and they were actually transported over a number of months from Atlanta to New York. It is the lack of security on the perimeter of allowing workers into the airport proper that needs to be tightened up at all of our 300 airports. Two have already done that over the last several years, and I am very proud of the Miami airport and the Orlando airport that they have done it and done it very successfully.

Because ISIS exploits war in Syria and the instability and sectarian conflict in Iraq, meeting the terrorist threat means the use of military force as well. With the help of our coalition partners, as we speak, our forces are striking ISIS from the air and training local forces to fight ISIS on the ground. We are intensifying airstrikes against ISIS leadership, against heavy weapons, against oil tankers and oil wells, and have recently deployed U.S. Special Operations forces to help local forces build the necessary battlefield momentum to take back territory.

Special Operations forces will be central to the fight in order to avoid the large-scale deployment of U.S. ground forces. These forces are trained to conduct surgical strikes against terrorist leaders. There are press reports that GEN Joseph Votel, the current commander of the U.S. Special Operations Command, in the next year will become the next commander of Central Command, responsible for operations against ISIS. He already works side by side with General Austin—the commander of U.S. Central Command in Tampa at MacDill Air Force Base—and he will bring tremendous experience to the job.

The Congress is not doing our job. We should authorize the use of military force. It is our responsibility. I believe the President has the responsibility to fight ISIS in Iraq or Syria or wherever, but the unity of the Congress backing the President in law is constitutionally required. We ought to debate these proposals and vote. The authorization would show the world that the United States is united in defeating ISIS.

The military fight is one piece of a broader effort to destroy ISIS and bring about a political transition in Syria to a government where finally Bashar al-Assad will have finally left. That is critical to ending the war, ending the resulting humanitarian crisis, and stemming the flow of the refugees. Our efforts will take time and commitment, but they are clearly necessary to protect our national security.

This is going to be a long, hard war. We can't do it overnight. There has been success in the war effort. We brought together 65 nations. Twelve thousand terrorist fighters have been killed. We have shrunk the territory ISIS occupies and has sanctuary.

I want to show the Senate this map. It has been shown before. It is not classified. All the area in green is what ISIS used to occupy, along with the area in orange—there along the Euphrates River. All of that area in green ISIS occupied but no longer does because of the coalition efforts. There has been success. Someone needs to talk about that success. Going forward, we are going to have to use more Special Operations troops. We are going to have to insist on our Arab neighbors picking up the fight and doing the

fighting on the ground, and we do not need to make the mistake of tens of thousands of Americans on the ground because that plays right into ISIS's hands because it looks like—and ISIS would portray it as—it is the United States versus Muslims.

We should treat Muslims with respect here at home in America; treat them with the respect they deserve. Don't overreact. Otherwise that plays to ISIS's advantage of the image of Americans; in other words, it is us versus them. We are accelerating the fight. We have more and more intense coalition partners. We have extensive intel sharing. We have an outreach to Muslims about the truth of ISIS, and we insist our partners share their intel with us. That includes the visa waiver of those 38 nations.

Fear at this time—like San Bernardino—is a natural response. It happens at times such as this, but we cannot let fear get the best of us. We must overcome the fear and not let it compromise who we are as Americans by overreacting. We need to nail down a truth that our government has no greater obligation than to keep us safe.

I want to share with the Senate, where is the unity that we used to have? I know it is not in vogue to say ''the good old days,'' but I can tell you that when this Senator was a young Congressman and when it came to national security, partisanship stopped at the water's edge. Isn't it time to unify? Isn't it the time to disagree without being disagreeable? Isn't it time to think of ourselves as Americans instead of partisans? Isn't it time to remember that Latin phrase that is up there above the President's desk, ''e pluribus unum''—out of many, one. It is time to come together. God bless America.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

Mr. DURBIN. Madam President, I ask to be recognized in morning business.

The PRESIDING OFFICER. The Senator is recognized.

GUN VIOLENCE

Mr. DURBIN. Madam President, I rise to speak about the devastating impact gun violence has on our families and our communities across America. Every day in America, we have a staggering amount of gun violence. On average, 297 people are shot in America each day, and 89 of them die. On a typical day, there are 31 murders and 55 suicides by gun, as well as several accidental shootings. And every day, on average, 151 Americans are shot and wounded in an assault and 45 are accidentally shot but survive. We have had over 350 mass shootings in America just this year, meaning incidents where at least four people are shot, and we have had over 50 incidents this year where guns have been fired at a school—50 at a school.

These statistics are sobering and a call to action. Most shootings in America have become so routine, they don't even make the news. Sadly, many Americans believe this staggering level of violence is just a normal day in America. But in recent weeks, horrific mass shootings at a Planned Parenthood office in Colorado Springs, CO, and a holiday party in San Bernardino have brought the issue of gun violence back into the forefront.

After high-profile mass shootings, we often hear the gun lobby and their political allies say: Any effort to pass a new gun law is just politicizing a tragedy. They say: We don't need any new gun laws; what we really should do is enforce the laws on the books. We saw this dynamic play out just last week. The day after the San Bernardino shooting, the vast majority of Senate Democrats voted for an amendment by Senator FEINSTEIN to close the loophole that lets suspected terrorists buy firearms in America. The vast majority of Senate Republicans voted no. Senate Democrats also voted overwhelmingly for a bipartisan amendment offered by Senators MANCHIN and TOOMEY. This amendment would close the loopholes that allow guns to be sold without background checks either on the Internet or at gun shows. Again, the Senate Republicans overwhelmingly voted against a background check to keep firearms out of the hands of convicted felons and mentally unstable people.

Make no mistake—the whole world saw what happened last week in San Bernardino, and the whole world now knows that people who want to commit acts of mass violence or terror in the United States sadly have easy access to an arsenal of guns. There are major loopholes in the laws on the books.

This is a serious vulnerability, and Americans know we need to address it. The risk of terrorist-inspired mass shootings like Paris has never been higher. What are most effective ways to guard against this vulnerability? Well, I thought those two amendments we considered last week were a good start. Won't we agree—even those who own guns, value them, use them for sport, hunting, or self-defense—won't we agree that keeping guns out of the hands of convicted felons and mentally unstable people is the starting point? I think we should.

The ATF did a review of the crime guns that were seized in the highest crime areas in the city of Chicago. They found out that 40 percent of the guns used in the commission of crime in some of the deadliest precincts of Chicago came from northwest Indiana gun shows. Why? Well, because you don't go through a background check if you buy from certain people at a gun show. So the thugs, the drug gangs, the drive-by shooters—all they have to do is take the Skyway over the border into Indiana, go to one of those gun shows, fill their trunks with guns, firearms, and ammunition, and drive back for a killing spree in Chicago. There are no background checks. Does that make sense?

When they say, ''Well, you know, it is a shame they have so much gun violence in Chicago because you know they have some of the strictest laws on the books,'' well, those strict laws don't apply when you cross the State line into Indiana. Sadly, those laws don't apply as they should across the United States.

So we called the amendment on the floor, a bipartisan amendment. PATRICK TOOMEY of Pennsylvania and JOE MANCHIN of West Virginia—neither one of them liberal by self-definition—have come forward and said—JOE MANCHIN said: I learned a long time ago that if you want to own a gun in West Virginia, in my family, you didn't sell it to a stranger, you didn't sell it to a criminal, and you certainly didn't sell it to someone who was mentally unstable. He said that is just common sense. Well, it is common sense that escaped the support and attention of the Senate Republicans. They voted against that provision overwhelmingly, against background checks to keep firearms out of the hands of convicted felons and those who are mentally unstable. How would you explain that? Well, it might be easier to explain that than to explain the other amendment they voted against.

Listen to this one. If our government, in their investigation, comes up with the name of a person they believe is involved in terrorism and they put them on a no-fly list so they can't get on an airplane, guess what—they can still go to a licensed gun dealer in America and buy a firearm.

These mad people in San Bernardino had AR–15s, semiautomatic and automatic weapons. They weren't on a terrorist watch list that I know of or a no-fly list, but if their names had been on a list, it wouldn't have slowed them down one bit in making a purchase.

So Senator FEINSTEIN of California offered this amendment, an amendment which had previously been offered by the late Senator Lautenberg of New Jersey repeatedly. Senator FEINSTEIN took up his cause and brought this amendment to the floor for a vote last week in Washington.

I went back and looked at the CONGRESSIONAL RECORD to see what the objections were of the people who said

they had to vote against the amendment which would say if you are on a terrorist fly list, you cannot purchase firearms or explosives in the United States. I read some of the statements that were made by the senior Senator from Texas. In his argument against this, he said:

If you believe the Federal Government should be able to deprive an American citizen of one of their core constitutional rights without notice and an opportunity to be heard, then you should vote for the Senator's amendment.

The Senator from Texas continued:

This is not the way we are supposed to do things in this country. If you think that the Federal Government never makes a mistake and that presumptively the decisions the Federal Government makes about putting you on a list because of some suspicions, then you should vote for this amendment.

So as far as he is concerned—and I suppose those who joined him in voting against this amendment—if your name is on a terrorist watch list in America as somebody we suspect is involved in terrorism, you start off by presuming the government must be wrong and the government has to prove it. You start off, in their position, by saying that the first thing we should do is let that presumed terrorist buy a gun and then let's have a due process hearing. What? What is he thinking? If you thought there was a dangerous person in your city or your community who might engage in terrorism, would you want them to buy an assault weapon? Would you want them to buy explosives? I wouldn't.

Let's err on the side of safety and security and say: No, if you are on that list, you cannot purchase a weapon or an explosive. If you protest being on the list and don't think you belong there, so be it. That is your right. You are entitled to a process to get your name off the list, and the Feinstein amendment provides such a process. And if you prove that our government is wrong, then proceed with buying the gun or the explosives.

But the presumption on the other side is that you are always entitled to buy a gun, you are always entitled to buy explosives, and if the government says otherwise, they have to prove it. It doesn't sound like a recipe for safety in America, but that is what happened on the floor of the Senate.

So we called this measure, and there were 45 who voted yes and 54 voted no—45 to 54 on whether someone on the terrorist watch list should be able to be prohibited from buying firearms and explosives.

There has been a lot of tough talk lately about terrorism, this dozen—13, 14; I forget the number—running for President on the Republican side. They are trying to out trump one another and get tougher with terrorists. Yet when the moment came on the floor of the Senate and the Republicans in the Senate—including three or four running for President—had a chance to vote to keep firearms and explosives out of the hands of suspected terrorists, they voted no. How does that make us any safer? Oh, they are tough as can be in their speeches, but when it comes down to their votes, they are nowhere to be found.

REFUGEES

Mr. DURBIN. Madam President, there is also a question about what we can do to keep our country safe in terms of people coming into our country.

Each year we admit about 70,000 refugees from all over the world. The No. 1 country providing refugees to the United States—Burma. Most people wouldn't have guessed that. About one-fourth of our refugees come from Burma.

How do they get into the United States as refugees? They are first identified by the United Nations Council on Refugees, and then they start a process, a background check and process. This goes on for 18 months to 24 months. It involves repetitive fingerprinting and checking, interviews, examinations, questions. Then, finally, after 24 months, they may be allowed to come to the United States as a refugee. About 70,000 a year come into our country. I have met a lot of them. They are from all over the world—Africa, Asia, all over the world. And now we have a focus on them, a laserlike focus on them.

Some are arguing that the way to keep America safe is to stop refugees from coming in from Syria. Well, we know Syria has been engaged in a civil war for more than 4 years. We know some 4 million people have been displaced. I was in Greece a few weeks back and saw numbers coming across the Aegean Sea from Turkey into Greece. These Syrian and some Iraqi refugees are desperate people. You literally see a family walking—mother, father, carrying babies, walking toddlers—with all that they own on their backs. That is it. We stopped to talk to some of them, and they told the story of what it was like to live in Syria amidst a civil war, what it was like to have barrel bombs going off in your town—the damage that it did, the killing that it did. Many of them had lost members of their families. They were running away from that violence—not only from Assad, the head of Syria, but from ISIL as well.

Some of them decide to ask to become refugees in the United States. They know that if they ask, they are in for a long, long haul—18 to 24 months. Some have made it, fewer than 2,000, during the last 4 years. Some have made it. Not a single Syrian refugee coming into the United States since this war began has ever been charged with terrorism. It just hasn't happened.

What happens with other visitors to the United States? Well, we welcome visitors. Certainly we do. Many of us look forward to visiting their countries too. About 55 million foreign travelers come to the United States each year; about 20 million are from visa waiver countries—38 countries where we have a special relationship and say: You don't need a specific visa to come to our country because we have this agreement between us; you may freely travel to the United States on what we call a visa waiver. That is about 20 million of the 55 million.

We can do better when it comes to these visitors on both sides—Americans traveling overseas and foreigners coming into this country. We need to make sure that before a person gets on a plane, we check their fingerprints, for example. That is a pretty easy thing to do these days. Just put your hands down; it reads them and cross-checks against the data bank of suspected people, suspected criminals, and suspected terrorists. Obviously, the overwhelming majority of people will have no problem whatsoever, but it is a way, just like taking off your shoes, to make sure that we are safer. It is a little inconvenient but worth it.

What we have said on the Democratic side is that if you want to make America safe—and we all do—it is far better to focus on foreign travelers and visa waivers, and make sure we are doing the proper checks before the person gets on the airplane. I believe we should do that. When I travel to their countries, I am prepared to face the same fingerprint check. It is not too much to ask in the 21st century, with the terrorism and violence that we face.

All these things will make us safer, but focusing on 70,000 refugees, among which a few hundred are Syrian, instead of looking at the larger group of 55 million foreign travelers—did you know that most of the terrorists in Paris, France, were carrying European passports which would have allowed them to come to the United States without a visa? So if we want to make our country safer—and I do—let's do things that are practical and thoughtful.

Incidentally, those who come to the United States on visa waivers from 38 countries around the world can currently legally buy firearms. What is that all about? Our law prevents foreign visitors who come in on a visa from buying firearms, but a loophole allows those who qualify under the Visa Waiver Program to come as visitors to buy a firearm. I think we can do better there as well.

Let's tighten up the Visa Waiver Program, and make sure we do the proper checks so dangerous people don't ever get on the plane to come to the United States. Let's make sure as well that if you have a visa waiver and you come

to the United States as a visitor, you are not going to be purchasing firearms. Finally, if you are on a suspected terrorist no-fly list, you should be disqualified from buying a gun or an explosive, period. Those are three practical steps. I think we ought to move forward and do that on a bipartisan basis. It will be something to keep in mind and make America much safer.

In closing, some of the suggestions being made as these Republican Presidential candidates try to out-trump one another are very sad. They reflect the ignorance of history and a willingness to ignore the values of this country. When I hear some of the awful things being said about people of the Islamic faith—I think about a dinner I went to Saturday night. It was in Chicago; it was by the Children's Heart Research Foundation. They were saluting a number of doctors in the Chicago area who were extraordinary in saving the lives of children. One of them is a current surgeon. He started with Children's Memorial Hospital; he is now with the Advocate hospital system. He is considered to be the best in Chicago. If your baby—and 1 out of 100 are—is born with a congenital heart defect, this is the doctor you want to see the child; this is the surgeon you want to save your child's life. This doctor is a Muslim. He is an American. He is an important part of America. Those who are making negative statements about all people in the Islamic faith, calling for registration or exclusion or whatever it may be—their statements and views are not consistent with who we are as Americans. The President said as much last night, and I agree.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

MEASURES PLACED ON THE CALENDAR—S. 2359

Mr. MCCONNELL. Madam President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The bill clerk read as follows:

A bill (S. 2359) to restore Second Amendment rights in the District of Columbia.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

PRESIDENTIAL STRATEGY TO DEFEAT ISIL

Mr. MCCONNELL. Madam President, last evening President Obama addressed the Nation concerning the threat ISIL poses to our people. Unfortunately, the American people did not hear of a strategy or a plan to defeat and destroy this terrorist army. Instead, they heard a restatement of a military campaign crafted to contain—contain—ISIL within Iraq and Syria.

Following the attacks in Paris and California, and the downing of a Russian airliner, about 60 percent of the American people disapprove of the President's handling of terrorism. Nearly two-thirds disapprove of his handling of ISIL.

The American people understand intuitively that ISIL and the wider terrorist threat have not been contained but, rather, that they have evolved into something increasingly more serious and more challenging. Americans also know that the operational concept ordered by the President is insufficient to defeat ISIL. It is not just the American people saying this. It is not just Republicans saying it, either. President Obama's last Defense Secretary recently criticized his approach; so have several other former Obama administration officials.

Here is a sampling of what they have said over just the last week or two: One called on the Obama administration to ''wake up'' to the threat. Another said that the Obama administration ''seems to be really flailing and tone deaf to this latest challenge.'' A third called on the President to ''change your strategy'' because ''by any measure, our strategy in Iraq and Syria is not succeeding.'' And then there is President Obama's former Secretary of State, Secretary Clinton, who put it plainly: ''We're not winning.'' Hillary Clinton said: ''We're not winning.''

The President had a real opportunity last night to show the American people that defeating ISIL is his priority. He had an opportunity to demonstrate his willingness to adapt to the threat. He had an opportunity to explain how he can better prepare our Nation for a fight that will inevitably be passed on to his successor, but he didn't do that. He didn't do it last night.

The American people were looking for a serious strategy and a real vision last night, not a recap of an approach that clearly hasn't worked. Last night was only the President's third Oval Office address, and by any measure a missed opportunity.

Look, throughout his time as Commander in Chief, President Obama has shown an inflexible adherence to policies he advocated as a candidate for office in 2008, most specifically to end our Nation's War on Terror. In his first days in office he issued a series of Executive orders designed to weaken the ability of our warfighter and intelligence community to gather targeted information, to capture terrorists, interrogate, and detain them to advance our understanding of terrorist networks and plans, as well as to protect the American people. Although the President conceded that the complete withdrawal of our forces from Afghanistan would be harmful to our national security interests and slowed our withdrawal in the face of Al Qaeda and Taliban resistance, he inflexibly clung to a fixed date for our drawdown of forces in Iraq, which allowed for the growth of ISIL. As the President inflexibly pursued an end to the War on Terror, the terrorist threat evolved and adapted as Al Qaeda affiliates advanced in presence and capability and Al Qaeda in Iraq grew into the terrorist army we now know as ISIL. ISIL's use of social media and encrypted communications burgeoned at the very moment the President and his allies were working to take away critical electronic surveillance tools from our intelligence community.

Here is what we need from the President now. What we need from the President is for him to clearly outline what it is he aims to achieve, how he aims to achieve it, and what authorities he thinks he will need to make that happen. He needs to match strategic objectives to the means to reach the goals. The President needs to tell us what authorities he needs to defeat encrypted online communications. The President needs to tell us what is needed to establish our capture, interrogation, and surveillance capabilities. The President needs to tell us how the coalition or NATO will forge a ground force capable of not only trying to contain ISIL but actually driving it from Raqqa. The President needs to tell us the force structure and the funding our commanders will need to rebuild our conventional capabilities so we can continue and expand this fight while facing other global threats. The President should also explain why he will not use the secure facility at Guantanamo Bay to safely hold and interrogate newly captured terrorists in order to help prevent the next plot against Americans.

These are the kinds of things the American people are looking for, and by leading on them, President Obama can demonstrate his commitment to protecting our Nation and leaving it better prepared for his successor.

ACCOMPLISHMENTS OF THE NEW CONGRESS

Mr. MCCONNELL. Madam President, on another matter, last November the

American people elected a new Congress to get Washington working again. Nearly every day seems to bring more signs that we are. Over the weekend, President Obama signed the FAST Act, a multiyear highway bill, into law. It represents a significant departure from years of short-term extensions and congressional inaction. In fact, the FAST Act is the longest term highway bill to pass Congress in almost two decades, providing 5 full years of highway funding.

Here is what Kentuckians for Better Transportation—a top transportation advocacy organization in my State—had to say about it:

> After many, many years of short term continuing resolutions we finally have a long term authorization that will give our states the opportunity to plan for and implement major road projects. . . . We can [now] plan for the future.

That is because in a new and more open Senate, Senator INHOFE, a Republican, and Senator BOXER, a Democrat, were able to work together for its passage. Senator BOXER herself called it ''a major accomplishment.''

Here is another major accomplishment: the Every Student Succeeds Act. It is a bipartisan, reformist replacement for No Child Left Behind. Pundits in Washington could never agree on how to replace No Child Left Behind. The issue went unresolved for many years, but in a new and more open Senate, Senator ALEXANDER, a Republican, and Senator MURRAY, a Democrat, worked hard and found success in the bill before us. The House already passed it, 359 to 64. The Senate previously passed a very similar version of the bill, 81 to 17.

Tomorrow we should work together to pass it for a second and final time and send it to the President for his signature. It will be the latest important achievement for the American people from a new Congress that is back to work and back on their side.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

PRESIDENTIAL STRATEGY TO DEFEAT ISIS

Mr. CORNYN. Madam President, last night the President addressed the Nation. It was one of the few times during his Presidency that he addressed the Nation from the Oval Office, signifying that this was going to be an important address by the Commander in Chief. Unfortunately, what the President communicated was that little, if any, change will be made in the current administration's approach on terrorism following the attack on San Bernardino last week. The President's approach to eradicating this terrorist threat has only resulted in a tactical stalemate that has kept the morale of ISIS high and their recruitment efforts robust, as we have seen.

In the wake of the shootings last week, an event the President himself called an act of terrorism, the American people deserve a credible and aggressive strategy to combat this terror threat that clearly poses a danger not just over there but over here. A good start would be for the President to listen to his own military leadership as well as members of the intelligence community. If the reports are true—and they certainly haven't been denied—the President has turned a deaf ear to his own military leadership and leaders of the intelligence community on how to fight and defeat the ISIS threat. Despite the President's rhetoric on his so-called strategy against ISIS, one thing is clear: It is not working. So our country clearly needs to change course, and that should start with a real plan and real candor from the Commander in Chief on how he intends to defend our interests abroad and at home to keep our people safe.

While I was eager to hear what the President might say about the bad results from his current strategy, unfortunately, we didn't hear it last night. However, what we did hear was this recent theme from some of our colleagues across the aisle—as we voted on the repeal-ObamaCare set of votes last week—as well as from the President himself during his weekly address, the Democratic leader, and some other Members of the Senate, that what they are basically trying to do is to change the subject. You will recall that one way they tried to do that was by offering an amendment that said people on watch lists would be denied their core constitutional rights under the Bill of Rights, and in this case it happened to be the Second Amendment; that is, you are presumed to be guilty without the necessity of having to go to court and actually prove what you are claiming is true.

I was struck by the fact that the New York Times, back in 2014, noted in an editorial entitled ''Terror Watch Lists Run Amok'' that ''A 2007 audit found that more than half of the 71,000 names on the no-fly list were wrongly included.'' This is the New York Times making the case that basically I and others argued for, which is that there cannot be any presumption of guilt just because the government includes your name on a list, particularly when it comes to denying your core constitutional rights. If the Second Amendment isn't strong enough to withstand this so-called presumption, neither is the freedom to worship according to the dictates of your conscience, the First Amendment rights to free speech and freedom of association. You get my drift.

Rather than address the real problem, which flowed from another speech the President gave a few years ago out of the Oval Office where he announced the precipitous withdrawal of our troops in Iraq that created the vacuum that is now being filled by ISIS and Al Qaeda—rather than talk about the lessons learned and how a new and different strategy was going to be employed after consultation with our military leadership and members of the intelligence community, the President and his supporters decided to try to change the subject and produce a red herring that has nothing to do with the fight to degrade and defeat ISIS. Of course the threat is not only about people traveling from abroad to our country, it is about Americans here and other people on visas, perhaps from visa waiver countries, traveling from the Middle East to the United States. Perhaps the most dangerous of all is the radicalization of people already in the United States. If the preliminary indications prove to be true, that seems to be the thread that connects so many of these attacks, whether it is in San Bernardino or Garland, TX, a short time back, or MAJ Nidal Hasan at Fort Hood back in 2009.

What we need and what the American people deserve from their Commander in Chief is candor and the willingness to show a little humility and say: You know what. The way we have been handling things really isn't working very well. Instead, the President tries to play partisan politics, and he tries to distract the American people by suggesting that our Constitution is too generous when it comes to the right to keep and bear arms.

For the sake of all Americans, I hope the President reconsiders his flawed strategy and produces a more effective one to eradicate ISIS soon because the safety of the American people is clearly at stake.

SENATE ACCOMPLISHMENTS

Mr. CORNYN. Madam President, we are on the downward trajectory of this year's Congress, the 114th Congress, and I thought it would be appropriate to take a few minutes to talk about what this Chamber has been able to accomplish since we convened in January. I know there is a lot of cynicism and indeed outright fear about the way the Federal Government has been operating, and unfortunately I think a lot of that is attributable to the fact that this President has shown a complete unwillingness to work with Congress in many areas; for example, such as immigration reform. So when people see the President acting unilaterally—thank goodness the courts have stopped it,

but it causes them to lose confidence in the Federal Government's ability to address the problems they live with day in and day out and which they have a right to see us do our very best to address.

I can't help but think about this time last year and how, with great anticipation and high expectations, the American people decided to give our side of the aisle, the Republican side, the opportunity to serve in the majority. Our task was a daunting one. The Senate had basically been ground to a halt, and I think Members on both sides of the aisle came back in January ready to change the way we do things around here. I think some of our friends across the aisle found that the do-nothing strategy didn't work for them either, even though they were in the majority, because a number of Senate incumbents—having to face the voters without anything to show—ended up being defeated in last November's election. It didn't work for the American people. So it didn't work for the American people, and it didn't work for those Senators. As I said, the American people deserve better.

We tried to do better, and I think we have made some progress. We have been getting a few things done, delivering on promises made to the American people and working to find real solutions to the problems faced by those whom we are honored to represent. One of those areas that has been particularly important to me is doing something about an issue that plagues every State in our country; that is, human trafficking. At the beginning of last year, I was honored to lead a bipartisan effort to pass legislation designed to help victims of human trafficking get a helping hand and hopefully find a path to healing.

The Justice for Victims of Trafficking Act, which is now the law of the land, will help these victims, who are too often children, be treated like the victims they are instead of common criminals. After about a month on the floor of the Senate, that bill ultimately ended up passing, 99 to 0, and it was signed into law by the President. It points out that the Congress can work with the President on a bipartisan basis to fight some of the most tragic and troubling issues that face our Nation.

There are other examples. In the fall we passed a major cyber security bill that will help protect the American people from cyber attacks. The Cybersecurity Information Sharing Act fosters information sharing to help address the growing cyber threats we face. Of course we read about them in the news, if we haven't experienced them in person ourselves. The need for this legislation couldn't have been more pressing because over the summer the administration confirmed that hackers had accessed sensitive background information of more than 21 million people on the computer systems of the Office of Personnel Management—21 million Americans. That followed a similar breach at the Internal Revenue Service in which the personal data of more than 100,000 taxpayers was stolen. So passage of the Cybersecurity Information Sharing Act was the right thing to do, and it was done on a bipartisan basis. We are now engaged in a conference discussion with the House to try to reconcile the differences between those bills before it goes to the President.

That is the way we ought to be doing business around here—trying to find solutions that make America stronger and make our cyber infrastructure more resilient.

Another example was from last week. Last week we passed a multiyear highway bill for the first time in more than a decade. My State is blessed to be a fast-growing State, and of course that has encouraged a lot of people to move there—voting with their feet, as I like to say, and coming from places where jobs aren't being produced because the economy is not growing.

This bill helps Texas on the State and local level to prepare for those growing infrastructure needs that come with this increased growth. Just as significantly, it will help the rest of the country as well by creating jobs to build and maintain that infrastructure as well as the commerce that travels on that infrastructure and the environment which will be served by avoiding unnecessary congestion.

This bill also specifically grants States like Texas the flexibility to invest in infrastructure projects—in our case, along the border. We have a 1,200-mile common border with Mexico. It is a unique part of our country. I like to kid my constituents back home. I say: What most of my colleagues in Washington know about the border they read in novels or saw in a movie somewhere. It is a unique and wonderful part of our State, but it is also one that deserves our undivided attention because of the security threats, drug trafficking, and other illegal activity. It is no small thing for the Nation's top exporting State, one that shares almost 1,200 miles with Mexico, to be able to direct some of these funds to help build and maintain that infrastructure.

By the way, I know people frequently talk about Mexico and our relationship with Mexico in a negative way, but we also understand there are enormous benefits to our proximity to Mexico and our shared border. There are about 6 million jobs in America that depend on binational trade with Mexico. While Mexico has its problems—and they certainly have serious problems—we are working with them on their security and corruption issues and the like. It will take all of our efforts in order to address them. By promoting better border infrastructure, Texas can build on our strong trade record, which already includes the export of more than $100 billion in goods to Mexico each year and supports hundreds of thousands of jobs—6 million jobs nationwide.

This multiyear highway bill will also give Texas and other States across the country more certainty. Before this we had been looking at temporary patches, which makes it impossible to plan, and it also makes the expenditure of those dollars enormously inefficient. This bill gives us greater certainty to make sure our States can deliver projects to facilitate greater volumes of trade and travel along interstates and other critical transportation corridors.

An area where we have not yet achieved success but where I think there is great promise—there are other areas, such as criminal justice reform, where I believe we can in the months ahead register another success, again for the benefit of the people we represent.

Last week, at the President's invitation, I joined a bipartisan, bicameral group of legislators to come to the White House to discuss a way forward for bringing substantive criminal justice reform to our country.

For too long, in my State we learned that we treated prisons like warehouses, warehousing people and ignoring the fact—or perhaps just not recognizing the significance of the fact—that sooner or later most of them were going to get out of prison. So what we decided to do in Texas in 2007 was to get smart on crime, not just tough on crime. Nobody doubted how tough we were on crime. But what we realized is that some of the money we spent on corrections could be plowed back into educational programs that would help willing inmates actually learn job skills, deal with their drug and alcohol problems, if they had those, and, in short, better prepare for life on the outside so they didn't end up a frequent flyer or in that turnstile, going from prison to the outside and then back again.

So we have been working on this issue for some time, based on the success we enjoyed in Texas and in other States. The product is a bill called the Sentencing Reform and Corrections Act, which passed out of the Senate Judiciary Committee 15 to 5. I know Chairman GOODLATTE in the House of Representatives is working on a bipartisan bill in that Chamber as well. So I think this is one of those pivotal moments where folks across the political spectrum see the advantage of working together in favor of bringing real progress that will benefit the American people by making our criminal justice system more effective and our communities safer. By the way, we can save money at the same time.

On another matter where we have seen significant progress, this week we will be voting on the conference report that accompanies the Every Child Achieves Act. This is the bill that actually fixes No Child Left Behind. This legislation was passed here in the Senate by wide margins over the summer. Chairman ALEXANDER and the conference committee and Ranking Member MURRAY were able to achieve an amazing thing in this divided, polarized political environment we are in, with, I believe, a 39-to-1 vote in the conference committee for a bill that combines both the House and the Senate product. This is really landmark education legislation that will help parents and local communities take control of their children's education instead of ceding to the Federal Government. Certainly, this bill is another win for the American people.

Where I come from, people like the fact that we essentially have repealed the common core mandate, that we have eliminated the Federal Government as a national school board, and that we have sent the power back where it belongs, which is to parents and teachers and local school districts, and ceded more of that authority from here in Washington, DC, back to them.

I could continue with this list of legislative accomplishments by noting that the Chamber has also passed legislation that replaced the flawed Medicare payment system for physicians. This is the notorious doc fix. This is another example where for years and years we passed temporary patches and never solved the underlying problem. But Congress did, and I think that is another thing we can be proud of, along with the first budget passed since 2009, and there is more I could add to the list. But my point is there is a difference in the new 114th Congress, and elections do make a difference. We have worked together on a bipartisan basis where we can to make progress to solve problems for the American people during this first year of the 114th Congress. A lot of this is due to the steady leadership of the majority leader, the Senator from Kentucky, and all the hard work our colleagues have put in to make this such a productive year.

So we are on track to continue with this momentum into the new year, and with just another week or so of work to do before we break for the holidays, I think we can take some pride in these accomplishments but yet know that there is a lot more we have to do, not only for the remainder of this year but into next year as well.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NOMINATION OF TRAVIS R. McDONOUGH

Mr. CORKER. Madam President, I rise today to support the confirmation of a fellow Chattanoogan, Travis R. McDonough, who has been nominated to serve as U.S. district court judge for the Eastern District of Tennessee. I have known Travis personally for many years, and I have full confidence that he will serve the people of Tennessee honorably if confirmed to the Federal bench.

Travis is well known in Chattanooga as a civic leader and has earned broad respect in our community. He most recently served as chief of staff and counselor to the mayor, having previously served as a partner at the law firm of Miller & Martin, where he specialized in criminal and white-collar litigation. A Truman scholar, he received his undergraduate degree from Sewanee and his law degree from Vanderbilt University.

We had a number of conversations, as you can imagine, during his confirmation process, and he has assured me he will be a fair and independent judge. I wholeheartedly support his nomination and encourage my colleagues to support his confirmation.

Thank you, Madam President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO KENNETH E. MANNELLA

Mr. HATCH. Mr. President, I wish to join my friend and Finance Committee colleague, Ranking Member WYDEN, in offering appreciation to a dedicated public servant, Mr. Kenneth E. Mannella, who has worked steadily for the American people at the Social Security Administration and will soon pursue activities in retirement.

Ken Mannella joined the Social Security Administration in 1996 as a legislative analyst with the Office of Legislation for Congressional Affairs. Currently, he serves as an associate commissioner for the Office of Congressional Affairs.

Before joining the Social Security Administration, Ken worked for 8 years for Governor William Donald Schaefer of Maryland. In Governor Schaefer's final terms, Ken Mannella was director of the Maryland National Relations Office, where he worked with Congress to obtain Federal assistance to help Maryland pursue its priorities. Prior to his work in Maryland, Ken worked for the U.S. Senate for 10 years on the staff of Senator Richard Schweiker and for Senator Charles Mathias as counsel on the Patents, Copyrights, and Trademarks Subcommittee of the Senate Judiciary Committee.

You don't have a career working with the Senate and in congressional relations for as long has Ken has been at it unless you are really good at what you do. And that has been our experience with Ken; he has excelled at developing relations that facilitate useful flows of information and ideas between whom he represents and Congress. It would be hard to find anyone who would not agree that Ken is always an honest broker and always there to help if you need it.

I appreciate Ken's work with Congress, and I know that my good friend Senator WYDEN does as well. We wish him all the very best as he moves on to pursue what lies ahead for him and genuinely appreciate the work he has done with Congress, for the Social Security Administration, and—of most importance—for beneficiaries of the Social Security programs.

RECOGNIZING THE 150TH ANNIVERSARY OF CAVE CITY

Mr. MCCONNELL. Mr. President, today, in the United States Senate, I wish to commemorate the sesquicentennial of the founding of Cave City, KY. Next year in 2016, 150 years will have passed since Cave City was first incorporated in 1866.

Located in the south central region of the Commonwealth, Cave City is proud to be known worldwide as the home of Mammoth Cave, the world's longest known cave system with more than 400 miles explored underground. It is one of the oldest tourist attractions in the United States.

Cave City may only have about 2,500 residents, but more than 2 million visitors flock to Mammoth Cave National Park every year. Cave City is proud to host so many visitors from across the globe and present to them their special brand of Kentucky hospitality and charm.

Cave City is not only the gateway to Mammoth Cave, but also home to fine shops and restaurants, privately owned caves open for tours, and many other tourist attractions and places of interest. It is the zip line capital of Kentucky, with three zip line tours close to town. And the Cave City Convention Center is one of the premier meeting and convention venues in the region.

The year 2016 will be a busy year for Cave City. Not only is it the 150th anniversary of the town's founding, it is also the 200th anniversary of the earliest known organized tours being

given at Mammoth Cave, the 100th anniversary of the National Park Service, and the 75th anniversary of the establishment of Mammoth Cave National Park.

Therefore, I ask my Senate colleagues to join me in recognizing that 2016 is the 150th anniversary of the incorporation of Cave City and in extending a heartfelt congratulations to the people of Cave City as they celebrate this important milestone. I am proud to be their voice here in the Senate as Cave City represents the very best of what Kentucky has to offer our Nation and the world.

TRIBUTE TO TED BEATTIE

Mr. DURBIN. Mr. President, I wish to take a few moments to acknowledge Ted A. Beattie, president and chief executive officer of the Shedd Aquarium in Chicago, IL. Earlier this year, Ted announced that he would be retiring from the world's largest indoor aquarium in late 2016.

The Shedd Aquarium is home to 32,500 fish habitats and attracts more than 2 million people every year. It is an educational and cultural treasure in Chicago—and the most popular family and tourist attraction in the city.

Under Ted Beattie's leadership, the Shedd Aquarium was Chicago's top attended paid cultural attraction for 17 of the last 21 years, welcoming more than 33 million guests. It is an extraordinary accomplishment. After a 35-year affiliation with Shedd, Ted is leaving this beloved institution in good shape. Since joining Shedd in 1994 as the third president and CEO in the aquarium's history, here are just some of his many accomplishments: Ted developed and opened six permanent exhibits, only the second expansion since the aquarium opened its doors in 1930. He created eight special exhibits, the latest being ''Amphibians,'' opening next May, and established the Daniel P. Haerther Center for Conservation and Research, which has grown to include 18 global field research programs. Ted also oversaw the addition of Shedd's onsite animal hospital and lab facilities housed in the A. Watson Armour III Center for Aquatic Animal Health and Welfare.

Throughout his time at Shedd, Ted Beattie demonstrated an exceptional ability to engage and inspire the next generation. As president, Ted opened a teen learning lab, a free, collaborative space for teens—developed by teens—to enhance critical thinking skills while exploring environmental interests and science.

Prior to joining Shedd, Ted Beattie served as director for both the Knoxville Zoo and Fort Worth Zoo and held positions at the Chicago Zoological Society's Brookfield Zoo and Cincinnati Zoo & Botanical Garden. During his tenure as president of the Association of Zoos and Aquariums, AZA, he spent 15 years teaching management courses as part of AZA's professional management schools and received AZA's highest award for professional excellence—the R. Marlin Perkins Award for Professional Excellence.

Time and time again, Ted found creative ways to get around obstacles and make good things happen for Shedd and other zoos and aquariums across the country. I know this is not the final chapter for Ted Beattie. He will continue to be a passionate advocate for conversation and educational initiatives through the Penny Beattie Leadership Fund, a professional development scholarship program established in honor of Ted's late wife.

I congratulate Ted Beattie on his distinguished career and thank him for dedicating a large part of his career to the Shedd Aquarium and the people of Chicago. It has been a pleasure to support his work, and I wish him all the best in the next chapter of his life.

RECOGNIZING CENTERTON ELEMENTARY SCHOOL

Mr. DONNELLY. Mr. President, today I wish to applaud Centerton Elementary School of Martinsville, IN, for being recognized as a 2015 National Blue Ribbon School by the U.S. Department of Education.

Established in 1982, the National Blue Ribbon Schools Program has recognized over 7,500 public and nonpublic schools that have demonstrated a vision of educational excellence for all students, regardless of their social or economic background. Since its inception, this program has offered the opportunity for schools in every State to gain recognition for educational accomplishments in closing the achievement gaps among student groups.

Centerton Elementary School continues to be one of the best performing Indiana schools. It was first named a National Blue Ribbon School in 2008 and has been named an Indiana Four Star School for 18 out of the last 20 years.

In 2014, Centerton Elementary School's ISTEP+ pass rate for English/Language Arts scores increased by approximately 5 percent to 97 percent. Mathematics scores increased to 97 percent and above for third through fifth grades.

Centerton Elementary School's effectiveness can be found in its holistic approach and dedication to student achievement. At Centerton, staff members collaborate to pinpoint and address individual students' needs. In addition, Centerton staff and students' families work together to teach and instill values that develop strong character including responsibility, goal setting, commitment, and communication. With some of the highest English and mathematics scores in Indiana, Centerton Elementary School is a stellar example of the benefits that result from dedication, motivation, collaboration, and family partnership in education.

I would like to recognize Centerton Elementary School principal, Debbie Lipps, the entire staff, the student body, and their families. The effort, dedication, and value you put into education led not only to this prestigious recognition, but will benefit you and our communities well into the future.

On behalf of the citizens of Indiana, I congratulate Centerton Elementary School, and I wish the students and staff continued success in the future.

RECOGNIZING FARMERSVILLE ELEMENTARY SCHOOL

Mr. DONNELLY. Mr. President, today I wish to applaud Farmersville Elementary School of Mount Vernon, IN, for being recognized as a 2015 National Blue Ribbon School by the U.S. Department of Education.

Established in 1982, the National Blue Ribbon Schools Program has recognized over 7,500 public and nonpublic schools that have demonstrated a vision of educational excellence for all students, regardless of their social or economic background. Since its inception, this program has offered the opportunity for schools in every State to gain recognition for educational accomplishments in closing the achievement gaps among student groups.

Farmersville Elementary School continues to be one of the best performing schools in the State of Indiana. It has been named an Indiana Four Star School multiple times.

In 2014, Farmersville Elementary School's ISTEP+ pass rate for English/Language Arts scores increased by more than 5 percent to 99 percent. Mathematics scores increased to approximately 97 percent and above for third through fifth grades.

Farmersville Elementary School's effectiveness can be found in its holistic approach and dedication to student achievement. Farmersville staff and students' families work together to teach and instill values that develop strong character including responsibility, goal setting, commitment, and communication. With some of the highest English and mathematics scores in Indiana, Farmersville Elementary School is a stellar example of the benefits that result from dedication, motivation, collaboration, and family partnership in education.

I would like to acknowledge Farmersville Elementary School principal Dr. Elizabeth Johns, the entire staff, the student body, and their families. The effort, dedication, and value you put into education led not only to this prestigious recognition, but will benefit you and our communities well into the future.

On behalf of the citizens of Indiana, I congratulate Farmersville Elementary School, and I wish the students and staff continued success in the future.

RECOGNIZING MEMORIAL ELEMENTARY SCHOOL

Mr. DONNELLY. Mr. President, today, I wish to applaud Memorial Elementary School of Valparaiso, Indiana for being recognized as a 2015 National Blue Ribbon School by the U.S. Department of Education.

Established in 1982, the National Blue Ribbon Schools Program has recognized over 7,500 public and nonpublic schools that have demonstrated a vision of educational excellence for all students, regardless of their social or economic background. Since its inception, this program has offered the opportunity for schools in every State to gain recognition for educational accomplishments in closing the achievement gaps among student groups.

Memorial Elementary School continues to be one of the best performing schools in the State of Indiana. It has been named an Indiana Four Star School multiple times.

In 2014, Memorial Elementary School's ISTEP+ pass rate for English/Language Arts scores increased by nearly 2 percent to 96.7 percent. Mathematics scores increased to 98 percent combined for third through fifth grades.

Memorial Elementary School's effectiveness can be found in its holistic approach and dedication to student achievement. Memorial staff, students, and students' families work together to teach and instill values that develop strong character and HEART: honesty, effort, attitude, respect, and teamwork. With some of the highest English and mathematics scores in Indiana, Memorial Elementary School is a stellar example of the benefits that result from dedication, motivation, collaboration, and family partnership in education.

I would like to recognize Memorial Elementary School principal, Debra Misecko, the entire staff, the student body, and their families. The effort, dedication, and value you put into education led not only to this prestigious recognition, but will benefit you and our communities well into the future.

On behalf of the citizens of Indiana, I congratulate Memorial Elementary School, and I wish the students and staff continued success in the future.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. EUGENE McKAY

● Mr. BOOZMAN. Mr. President, I wish to honor today Chancellor Eugene McKay of Arkansas State University-Beebe. Chancellor McKay will be retiring at the end of December after nearly half a century of dedication to education, the university, and the State of Arkansas.

Chancellor McKay has been a fixture at ASU-Beebe since 1966. He started as a professor of English and French, became vice chancellor of academic affairs and, in 1994, was named chancellor.

During his time with ASU-Beebe, Chancellor McKay oversaw an extensive campus renovation and expansion. Under his leadership, enrollment nearly tripled, and the ASU-Beebe campus had the highest student success rate of any Arkansas institution of higher education.

His passion helped improve higher education across Arkansas. In 1999, he founded ASU-Heber Springs, and he worked with ASU-Newport to become a stand-alone institution in 2001.

Chancellor McKay's dedication to his community extended beyond the campus. In addition to serving on the Arkansas Community College Board, he also served with the Beebe Chamber of Commerce, the Beebe Economic Development Commission, and United Way of White County, to name a few.

Retirement won't slow him down. Chancellor McKay plans to continue to challenge himself by taking yoga and mathematics classes.

I congratulate Chancellor McKay for his outstanding achievements in education and thank him for his service to ASU-Beebe and the countless students he impacted. I was proud to support his efforts to foster growth at the university and help make his vision for a campus emergency alert system a reality. I greatly appreciate his commitment to the university and higher education and wish him continued success in all of his endeavors. ASU-Beebe has benefited greatly from his leadership and dedication.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:04 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 8. An act to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 8. An act to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2359. A bill to restore Second Amendment rights in the District of Columbia.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2109. A bill to direct the Administrator of the Federal Emergency Management Agency to develop an integrated plan to reduce administrative costs under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes (Rept. No. 114–173).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. McCAIN for the Committee on Armed Services.

*Alissa M. Starzak, of New York, to be General Counsel of the Department of the Army.

*John Conger, of Maryland, to be a Principal Deputy Under Secretary of Defense.

*Stephen P. Welby, of Maryland, to be an Assistant Secretary of Defense.

*Franklin R. Parker, of Illinois, to be an Assistant Secretary of the Navy.

Marine Corps nomination of Lt. Gen. John E. Wissler, to be Lieutenant General.

Navy nomination of Rear Adm. Clinton F. Faison III, to be Vice Admiral.

Army nomination of Maj. Gen. Nadja Y. West, to be Lieutenant General.

Army nomination of Col. Edward E. Hildreth III, to be Brigadier General.

Army nominations beginning with Colonel Jennifer G. Buckner and ending with Colonel Patrick B. Roberson, which nominations were received by the Senate and appeared in the Congressional Record on November 16, 2015.

Air Force nominations beginning with Col. Blake A. Gettys and ending with Col. Karen

E. Mansfield, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Air Force nominations beginning with Col. Todd M. Branden and ending with Col. Fermin A. Rubio, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Air Force nominations beginning with Col. David M. Bakos and ending with Col. Gregory S. Woodrow, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015. (minus 1 nominee: Col. Clifford N. James)

Air Force nomination of Brig. Gen. Edward P. Maxwell, to be Major General.

Air Force nominations beginning with Brig. Gen. Robert C. Bolton and ending with Brig. Gen. Wayne A. Zimmet, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Air Force nomination of Maj. Gen. John D. Bansemer, to be Lieutenant General.

Air Force nomination of Col. Russell A. Muncy, to be Brigadier General.

Air Force nomination of Col. Patricia N. Beyer, to be Brigadier General.

Air Force nomination of Col. Christopher W. Lentz, to be Brigadier General.

Air Force nominations beginning with Col. Lee Ann T. Bennett and ending with Col. Tracey A. Siems, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nomination of Brig. Gen. John C. Thomson III, to be Major General.

Army nomination of Brig. Gen. Sylvia R. Crockett, to be Major General.

Air Force nominations beginning with Col. Kenneth T. Bibb, Jr. and ending with Col. Michael P. Winkler, which nominations were received by the Senate and appeared in the Congressional Record on November 30, 2015.

Mr. MCCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning with Bryan K. Allen and ending with Garrick H. Yokoe, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nomination of James D. Ferguson, to be Major.

Army nominations beginning with Kelvin L. Brown and ending with Paul L. Wagner II, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nominations beginning with Daesoo Lee and ending with Brian D. Ray, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nomination of Wayne W. Santos, to be Colonel.

Army nomination of Anthony J. Fadell, to be Colonel.

Army nomination of Ricardo Alonsojournet, to be Colonel.

Army nomination of Jeffrey M. Sloan, to be Colonel.

Army nominations beginning with Andrew C. Dillon and ending with Andre R. Holder, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nomination of Rebecca R. Tomsyck, to be Colonel.

Army nomination of Everett S. P. Spain, to be Colonel.

Army nomination of Shane R. Reeves, to be Lieutenant Colonel.

Army nominations beginning with David E. Bentzel and ending with Brian U. T. Kim, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nominations beginning with Teresa L. Brininger and ending with Richard A. Villarreal, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nominations beginning with Kevin R. Bass and ending with D003940, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nominations beginning with Kimberlie A. Biever and ending with Pamela M. Wulf, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nominations beginning with David Barrett and ending with Jennifer S. Zucker, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nominations beginning with David W. Laws and ending with John E. Swanberg, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nomination of William A. Altmire, to be Colonel.

Army nomination of Jesus J. T. Nufable, to be Colonel.

Army nominations beginning with Ruben Bermudezpagan and ending with Todd W. Schaffer, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

Army nomination of Joshua A. Carlisle, to be Lieutenant Colonel.

Army nomination of William C. Moorhouse, to be Lieutenant Colonel.

Army nomination of Gregg T. Olsowy, to be Lieutenant Colonel.

Army nomination of Roger S. Giraud, to be Colonel.

Army nomination of Steven M. Wilke, to be Colonel.

Navy nomination of Kenneth C. Collins II, to be Captain.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. MURKOWSKI (for herself and Ms. CANTWELL) (by request):

S. 2360. A bill to improve the administration of certain programs in the insular areas, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself, Mr. NELSON, Ms. AYOTTE, and Ms. CANTWELL):

S. 2361. A bill to enhance airport security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JOHNSON:

S. 2362. A bill to amend the Immigration and Nationality Act to provide enhanced security measures for the Visa Waiver Program, and for other purposes; to the Committee on the Judiciary.

By Mr. MCCAIN (for himself and Ms. AYOTTE):

S.J. Res. 27. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of Agriculture relating to inspection of fish of the order Siluriformes; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INHOFE (for himself, Mr. BLUNT, Mr. MANCHIN, and Mrs. CAPITO):

S. Res. 329. A resolution expressing the sense of the Senate regarding an agreement reached at the United Nations Climate Change Conference held in Paris in December 2015; to the Committee on Foreign Relations.

By Mr. COONS (for himself, Mr. CARDIN, Mr. KAINE, and Mr. PERDUE):

S. Res. 330. A resolution congratulating the Tunisian National Dialogue Quartet for winning the 2015 Nobel Peace Prize; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 330

At the request of Mr. HELLER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 330, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 569

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 569, a bill to reauthorize the farm to school program, and for other purposes.

S. 574

At the request of Mr. SCOTT, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 574, a bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs.

S. 579

At the request of Mr. GRASSLEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 579, a bill to amend the Inspector General Act of 1978 to strengthen the independence of the Inspectors General, and for other purposes.

S. 613

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 613, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 624

At the request of Mr. BROWN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 624, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 885

At the request of Ms. WARREN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 885, a bill to direct the Architect of the Capitol to place in the United States Capitol a chair honoring American Prisoners of War/Missing in Action.

S. 979

At the request of Mr. COTTON, his name was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1152

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1152, a bill to make permanent the extended period of protections for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. 1831

At the request of Mr. TOOMEY, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1831, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 1874

At the request of Mr. HATCH, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1874, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1890

At the request of Mr. HATCH, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1915

At the request of Ms. AYOTTE, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1915, a bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes.

S. 1944

At the request of Mr. SULLIVAN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1944, a bill to require each agency to repeal or amend 1 or more rules before issuing or amending a rule.

S. 2002

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2002, a bill to strengthen our mental health system and improve public safety.

S. 2075

At the request of Mr. BROWN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2075, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage and to express the sense of the Senate that the resulting revenue loss should be offset.

S. 2185

At the request of Ms. HEITKAMP, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from New Mexico (Mr. UDALL), the Senator from Maine (Mr. KING), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 2185, a bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

S. 2196

At the request of Mr. CASEY, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Missouri (Mr. BLUNT) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2292

At the request of Mr. TESTER, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 2292, a bill to reform laws relating to small public housing agencies, and for other purposes.

S. 2311

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2311, a bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to make grants to States for screening and treatment for maternal depression.

S. 2344

At the request of Mr. COTTON, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Iowa (Mrs. ERNST) were added as cosponsors of S. 2344, a bill to provide authority for access to certain business records collected under the Foreign Intelligence Surveillance Act of 1978 prior to November 29, 2015, to make the authority for roving surveillance, the authority to treat individual terrorists as agents of foreign powers, and title VII of the Foreign Intelligence Surveillance Act of 1978 permanent, and to modify the certification requirements for access to telephone toll and transactional records by the Federal Bureau of Investigation, and for other purposes.

S. 2357

At the request of Mr. WHITEHOUSE, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Ohio (Mr. BROWN), the Senator from Hawaii (Ms. HIRONO), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 2357, a bill to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. CON. RES. 25

At the request of Mr. LEE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. Con. Res. 25, a concurrent resolution expressing the sense of Congress that the President should submit the Paris climate change agreement to the Senate for its advice and consent.

S. RES. 113

At the request of Mr. WARNER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 113, a resolution expressing the sense of the Senate that the Citizens' Stamp Advisory Committee should recommend the issuance of, and the United States Postal Service should issue, a commemorative stamp in honor of the holiday of Diwali.

S. RES. 189

At the request of Mr. MCCAIN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 189, a resolution expressing the sense of the Senate regarding the 25th anniversary of democracy in Mongolia.

S. RES. 199

At the request of Mr. THUNE, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 199, a resolution expressing the sense of the Senate regarding establishing a National Strategic Agenda.

S. RES. 326

At the request of Mr. JOHNSON, the names of the Senator from Utah (Mr. HATCH), the Senator from Florida (Mr. RUBIO) and the Senator from Connecticut (Mr. MURPHY) were added as

cosponsors of S. Res. 326, a resolution celebrating the 135th anniversary of diplomatic relations between the United States and Romania.

S. RES. 327

At the request of Mr. BLUMENTHAL, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 327, a resolution condemning violence that targets healthcare for women.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MURKOWSKI (for herself and Ms. CANTWELL) (by request):

S. 2360. A bill to improve the administration of certain programs in the insular areas, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise with Senator CANTWELL of Washington State to introduce the Omnibus Territories Act of 2015, which relates to the U.S. territory of American Samoa, as well as the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau—collectively known as the Freely Associated States. Sections 2 and 3 of the legislation are introduced at the request of the administration and section 4 at the request of the governments of the three Freely Associated States.

Section 2 would permit the use of resettlement and relocation funds provided to the people of Bikini Atoll to be used within or outside of the Republic of the Marshall Islands. As a result of nuclear weapons testing by the United States in the northern islands and atolls of the Marshall Islands, Congress, through Public Law 97–257 in 1982, provided the people of Bikini Atoll a relocation and resettlement trust fund to be used by the people of Bikini to resettle from their traditional homeland of Bikini Atoll to other islands within the Marshall Islands. Currently, most members of the community live on the islands of Kili and Ejit. Today, however, the people on these islands have limited living space, lack suitable sustainable resources to provide water and food for their population, and they are exposed to tidal flooding on an increasingly frequent basis. Under current Federal law, citizens of the Freely Associated States, including the people of Bikini, are able to enter into, reside, work, and study in the United States as nonimmigrants without visas. This section would allow the people of Bikini to use the resettlement and relocation trust funds for relocation and resettlement outside of the Marshall Islands, whether in the United States or elsewhere, if they so choose.

Section 3 seeks to improve air service capabilities in American Samoa. There are currently no U.S. airlines that provide flight service within American Samoa between the islands of Tutuila and Manu'a. The U.S. Department of Transportation has granted a foreign air carrier emergency service capability to provide this service, but that designation must be renewed every thirty days under statutory requirement. This section would amend current statute to allow for a foreign carrier to operate between the islands of Tutuila and Manu'a without the need for an emergency service capability designation.

Section 4 would amend the REAL ID Act of 2005, Public Law 109–13, to allow citizens of the Freely Associated States to document their lawful resident status in the United States in conformance with the Compacts of Free Association between the United States and each of these three nations. Section 141 of the Compact of Free Association Amendments Act of 2003, Public Law 108–188, and the law that implemented the Compact of Free Association with Palau, Public Law 101–219, permits citizens of the FAS to enter into the United States to lawfully engage in occupations and establish residence as nonimmigrants. However, the REAL ID Act of 2005 did not provide a means for FAS citizens to document their lawful status in the United States. As a consequence, FAS citizens are denied anything more than a temporary ID valid only for one year, resulting in practical difficulties in their ability to maintain employment and engage in other lawful activities where they reside. Giving FAS citizens the ability to document their lawful status and obtain a State-issued driver's license or identification card would facilitate employment and provide more stability and certainty as they engage in lawful activity as legal residents in the United States.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 329—EXPRESSING THE SENSE OF THE SENATE REGARDING AN AGREEMENT REACHED AT THE UNITED NATIONS CLIMATE CHANGE CONFERENCE HELD IN PARIS IN DECEMBER 2015

Mr. INHOFE (for himself, Mr. BLUNT, Mr. MANCHIN, and Mrs. CAPITO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 329

Whereas on May 9, 1992, the Senate gave the advice and consent of the Senate regarding the United Nations Framework Convention on Climate Change, with annexes, done at New York May 9, 1992, and entered into force March 21, 1994 (referred to in this preamble as the ''Convention''), a treaty that was intended to address the global emissions of greenhouse gases;

Whereas the Convention was ratified under the express limitation ''that a decision by the Conference of the Parties to adopt targets and timetables would have to be submitted to the Senate for its advice and consent.'';

Whereas after the Convention entered into force, parties began negotiating a subsidiary agreement to contain binding greenhouse gas emissions reductions, which resulted in the Kyoto Protocol to the United Nations Framework Convention on Climate Change, done at Kyoto on December 10, 1997;

Whereas the United States is not a party to the Kyoto Protocol;

Whereas the Clinton Administration did not submit the Kyoto Protocol to the Senate for the advice and consent of the Senate;

Whereas on July 25, 1997, the Senate agreed to S. Res. 98 of the 105th Congress by a vote of 95 to 0; and

Whereas the parties to the Convention operating under the Durban Platform for Enhanced Action will convene in Paris in December 2015 to replace the Kyoto Protocol with ''a protocol, another legal instrument or an agreed outcome with legal force'' aimed at limiting greenhouse gas emissions: Now, therefore, be it

Resolved, That —

(1) it is the sense of the Senate that any protocol, amendment, extension, or other agreement relating to the United Nations Framework Convention on Climate Change, with annexes, done at New York May 9, 1992, and entered into force March 21, 1994, shall have no force or effect in the United States and no funds shall be authorized in support of that protocol, amendment, extension, or other agreement, including for the Green Climate Fund, until that protocol, amendment, extension, or other agreement has been submitted to Senate for advice and consent, if that protocol, amendment, extension, or other agreement—

(A) fulfills mitigation commitments through existing and future regulations that would put our national industries at a disadvantage compared to the industries of developing countries;

(B) includes a financial commitment that will not go into effect without subsequent congressional legislation or authorization;

(C) represents an agreement to be overseen by an international administrative entity covering a wide range of topics, including mitigation, adaptation, finance, technology transfer, capacity building, transparency, implementation, and compliance; or

(D) establishes a mechanism to assess contributions or commitments for future compliance; and

(2) the Senate directs the Secretary of the Senate to transmit an enrolled copy of this resolution to the President.

SENATE RESOLUTION 330—CONGRATULATING THE TUNISIAN NATIONAL DIALOGUE QUARTET FOR WINNING THE 2015 NOBEL PEACE PRIZE

Mr. COONS (for himself, Mr. CARDIN, Mr. KAINE, and Mr. PERDUE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 330

Whereas on October 10, 2015, the Norwegian Nobel Committee (referred to in this Resolution as ''the Committee'') awarded the Tunisian National Dialogue Quartet (referred to in this Resolution as ''the Quartet'') the 2015 Nobel Peace Prize for its work in building on

the promise of the 2011 Jasmine Revolution and preventing Tunisia's democratic transition from descending into violence in 2013;

Whereas the Jasmine Revolution in January 2011 was the spark that led to the Arab Spring protests across the Middle East and North Africa, ultimately leading to the departure of President Zine El Abedine Ben Ali and the end of his authoritarian rule;

Whereas the Quartet is a coalition of 4 civil society organizations: The Tunisian General Labor Union; The Tunisian Confederation of Industry, Trade, and Handicrafts; The Tunisian Human Rights League; and The Tunisian Order of Lawyers;

Whereas the Quartet offered a path away from violence, political assassinations, and civil unrest by promoting mediation and a peaceful political process led by civil society actors committed to the rule of law and human rights;

Whereas an elected National Constituent Assembly adopted a new, progressive constitution in early 2014, and Tunisia held peaceful and fair elections in late 2014, formally ending a series of transitional governments;

Whereas in response to the March 18, 2015 terrorist attack on the Bardo National Museum that killed 21 people, Tunisian citizens and political leaders have reaffirmed their commitment to dialogue, pluralism, and democracy;

Whereas a terrorist attack on July 26, 2015 on a beach in the town of Sousse, left 38 people, including 30 British nationals, dead, and dealt a blow to tourism in Tunisia, an important industry upon which the Tunisian economy depends;

Whereas President Barack Obama stated on October 9, 2015, ''With the Quartet's support, Tunisians voted in free elections, forged a new constitution that upholds human rights and equality for all people, including women and minorities, and formed a national unity government, including secular and Islamist parties, showing that democracy and Islam can indeed thrive together.'';

Whereas Secretary of State John Kerry stated on October 9, 2015, ''The Tunisian model of inclusivity and respecting fundamental freedoms of all its citizens is the best answer to the violence and extremist ideologies that have torn apart other countries in the region'';

Whereas Tunisian President Beji Caid Essebsi stated on October 9, 2015, that the Nobel Peace Prize signified ''a tribute not only to the Quartet and its organizations but is also a crowning of the principle of consensual solutions adopted by Tunisia'';

Whereas the Norwegian Nobel Committee stated on October 10, 2015, ''The broad-based national dialogue that the Quartet succeeded in establishing countered the spread of violence in Tunisia . . . the prize is intended as an encouragement to the Tunisian people, who despite major challenges have laid the groundwork for a national fraternity which the Committee hopes will serve as an example to be followed by other countries'';

Whereas Tunisia continues to face serious threats to its security from violent extremist groups operating within Tunisia as well as in neighboring countries;

Whereas a terrorist attack on November 24, 2015 on Tunisia's Presidential Guard killed 12 people and represents another effort to undermine democracy and stability in Tunisia;

Whereas Tunisia faces economic challenges, including high inflation and high unemployment, especially among young Tunisians;

Whereas the United States is committed to continuing a strong economic partnership with Tunisia as it undertakes reforms to transform its economy to meet the aspirations of all of its citizens;

Whereas the United States and Tunisia have enjoyed friendly relations for more than 200 years;

Whereas in accordance with the United States-Tunisia Strategic Partnership, both countries are dedicated to working together to promote economic development and business opportunities in Tunisia, education for the advancement of long-term development in Tunisia, and increased security cooperation to address common threats in Tunisia and across the region;

Whereas in July 2015, President Obama designated Tunisia a Major Non-NATO Ally;

Whereas Tunisia is a member of the Global Coalition to Counter the Islamic State of Iraq and the Levant (ISIL);

Whereas at the second United States-Tunisia Strategic Dialogue in November 2015, Secretary Kerry reaffirmed the historic friendship and growing strategic partnership between the United States and Tunisia and praised the role of civil society organizations in Tunisia's democratic transition;

Whereas the United States Government allocated approximately $580,000,000 in foreign assistance during fiscal years 2011 through 2014, which is 10 ten times the bilateral assistance appropriated for Tunisia during the previous 4 fiscal years;

Whereas the President's Budget Request for fiscal year 2016 included a substantial increase in bilateral assistance to support Tunisia's democratic transition;

Whereas it is in America's interest to see that a pluralist democracy and a vibrant economy develop in Tunisia;

Whereas the United States should provide a level of funding to strongly assist and reinforce Tunisia's transition to democracy, stability, and prosperity:

Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Tunisian National Dialogue Quartet on winning the 2015 Nobel Peace Prize;

(2) commends the leaders of The Tunisian General Labor Union; The Tunisian Confederation of Industry, Trade, and Handicrafts; The Tunisian Human Rights League; and The Tunisian Order of Lawyers for negotiating solutions to political crises;

(3) commends Tunisian political leaders for their willingness to compromise and work together in the interest of the Tunisian people;

(4) encourages the Government of Tunisia to build upon its successes and move swiftly to implement necessary political and economic reforms that will benefit the Tunisian people and consolidate Tunisia's democratic transition; and

(5) reaffirms the commitment of the United States to support the Government of Tunisia and its people as they continue on the path to democracy and fulfill their desire for a stable and prosperous country.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2920. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 2393, to amend the Agricultural Marketing Act of 1946 to repeal country of origin labeling requirements with respect to beef, pork, and chicken, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2920. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 2393, to amend the Agricultural Marketing Act of 1946 to repeal country of origin labeling requirements with respect to beef, pork, and chicken, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. REPEAL OF DUPLICATIVE MANDATORY INSPECTION PROGRAM.

(a) FOOD, CONSERVATION, AND ENERGY ACT OF 2008.—Effective June 18, 2008, section 11016 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2130) is repealed.

(b) AGRICULTURAL ACT OF 2014.—Effective February 7, 2014, section 12106 of the Agricultural Act of 2014 (Public Law 113–79; 128 Stat. 981) is repealed.

(c) APPLICATION.—The Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) shall be applied and administered as if the provisions of law struck by this section had not been enacted.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. CORKER. Mr. President, I ask unanimous consent that following disposition of the McDonough nomination, the Senate proceed to the consideration of the following nominations: Calendar Nos. 373 and 374; that the Senate vote on the nominations en bloc without intervening action or debate; that following the disposition of the nominations, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

ORDERS FOR TUESDAY, DECEMBER 8, 2015

Mr. CORKER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, December 8; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of the conference report to accompany S. 1177; finally, that notwithstanding rule XXII, the cloture vote with respect to the conference report to accompany S. 1177 occur at 11:30 a.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. CORKER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned after the resumption of legislative session, following the disposition of the Etim nomination.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Travis Randall McDonough, of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate.

Mr. LEAHY. Mr. President, today we will vote on the nomination of Travis McDonough to be a Federal district judge in the Eastern District of Tennessee. He was nominated over a year ago, and his nomination was voted out of the Judiciary Committee by unanimous voice vote nearly 5 months ago. Despite having the support of his home State Republican Senators, Mr. McDonough's nomination has nevertheless been held up by Republican leadership for no good reason.

I will further note that, while Mr. McDonough's vote is long overdue, Republican leadership has skipped over Judge Luis Felipe Restrepo—who is ahead of Mr. McDonough on the Executive Calendar. I recall Republican leadership promising regular order when they took over the majority, so they should explain how skipping over a consensus and eminently qualified nominee with bipartisan support is following regular order.

Judge Restrepo was nominated to a judicial emergency vacancy in the third circuit over a year ago. If confirmed, he would be the first ever Hispanic judge from Pennsylvania on the third circuit. Judge Restrepo has the strong support of the Hispanic National Bar Association and has bipartisan support from his home State Senators, Senator TOOMEY and Senator CASEY. Senator TOOMEY has said not only that he strongly supports Judge Restrepo's confirmation, but that he also recommended him to the President. I cannot explain why Senate Republicans are not allowing Judge Restrepo to be confirmed today.

As we approach the end of the year, the Senate Republican majority is coming closer and closer to matching the record for confirming the fewest number of judicial nominees in more than half a century. While most Senators I have served with over the last 40 years would shudder at this fact, the current Republican leadership seems content to accomplish as little as possible when it comes to confirming nominees to our third branch of government.

In the 11 months that Republicans have controlled the Senate, only 11 judges will have received a confirmation vote, including today. When Senate Democrats were in the majority during the seventh year of the Bush Presidency, we had already confirmed 36 judges by this point. We should take action right now and hold confirmation votes on the 19 other judicial nominees pending on the floor. Confirming the remaining 19 nominees would fulfill a basic duty of the Senate and would result in a total of 30 judicial nominees confirmed this year. That number is still short of the 36 nominees that Senate Democrats confirmed at the same point of the George W. Bush administration, but it would mark a significant effort by this Senate to reduce vacancies. There is no reason not to do this. All 19 of the nominees were voted out of the Judiciary Committee by voice vote, but Republicans still refuse to bring them up for a vote.

This obstruction has resulted in needless delays for hard-working Americans who seek justice in our Federal courts. Currently pending on the Senate floor are nominees who would fill judicial emergency vacancies in Pennsylvania, Tennessee, Minnesota, New Jersey, Iowa, New York, and California. Senate Republicans have not responded to the urgent needs of those States to the detriment of their own constituents.

Throughout his tenure, President Obama has worked with Senators to have the Federal judiciary better reflect the people they serve. Today there are more women and minorities than ever before on the Federal bench. This is an accomplishment that helps ensure the public's confidence in their court system. Unfortunately, that meaningful progress has slowed down under the Senate's Republican control. Today, several nominees of color with outstanding qualifications are being held up for no good reason, including Judge Luis Felipe Restrepo.

Senate Republicans are also holding up four exceptional African-American district court nominees and an exceptional Hispanic district court nominee. Two of the African-American nominees—Waverly Crenshaw and Edward Stanton—have been nominated to district court positions in Tennessee. Both have the support of their home State Republican Senators and were unanimously approved by the Judiciary Committee by voice vote; yet they continue to wait for the majority leader to schedule their votes. The three other nominees of color being held up—Wilhelmina Wright to the District of Minnesota, and John Vazquez and Julien Neals to the District of New Jersey—are all nominated to judicial emergency vacancies. They also all have the support of their home State Senators and were voted out of the Judiciary Committee by voice vote.

In addition to the article III nominees, five nominees to the U.S. Court of Federal Claims, who were all nominated more than a year ago, continue to be held up by a single Republican Senator—the junior Senator of Arkansas. The Court of Federal Claims has been referred to as ''the People's Court'' because it allows citizens to seek prompt justice against our government. Of the five nominees, one is a Cuban American who has devoted his entire career to public service at the U.S. Department of Justice; another is an African-American woman who spent over two decades serving as a judge advocate general and as a military judge. All five were voted out of the Judiciary Committee by unanimous voice vote, but Senator COTTON continues to object to any of them receiving an up-or-down vote. He claims to have concerns with the caseload, but a recent letter from the chief judge of the Court of Federal Claims to the Judiciary Committee has indicated that only one of the nine senior judges is willing to be recalled for full-time duty, and the other three would only agree to be recalled on a limited basis. Moreover, the court's overall caseload has increased 9 percent over the last year. There are no good reasons for Senator COTTON to continue blocking these nominees. They deserve to have their confirmation votes scheduled. Senators can vote for or against them, but they should not be denied a simple up-or-down vote.

In a letter dated December 2, 2015, from the American Bar Association to Majority Leader MCCONNELL, the president of the ABA states that ''our courts are unfortunately worse off today than they were at the start of this Congress.'' The letter urges the majority leader to schedule votes on the confirmation of all the article III judicial nominees currently pending on

the Executive Calendar. I ask unanimous consent that a copy of this letter be printed in the RECORD at the conclusion of my remarks.

The process of confirming judges is about ensuring that the American people have a fully functioning judiciary. Because of Republican obstruction, judicial vacancies have increased by more than 50 percent since they took over the majority, and caseloads are piling up in courts throughout the country. Judicial emergencies have more than doubled since the beginning of this year.

I am concerned that the Republican leadership's refusal to confirm judicial nominations this year is undermining the judicial branch and harming the American people who seek justice. I urge Senate Republicans to conclude this year by showing leadership and by scheduling confirmation votes on the remaining judicial nominees pending on the Executive Calendar.

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

AMERICAN BAR ASSOCIATION,
Chicago, IL, December 2, 2015.

Hon. MITCH MCCONNELL,
Senate Majority Leader, Capitol Building, Washington, DC.
Hon. HARRY REID,
Senate Democratic Leader, Capitol Building, Washington, DC.

DEAR MAJORITY LEADER MCCONNELL AND DEMOCRATIC LEADER REID: On behalf of the American Bar Association, I write to urge you to schedule votes on the confirmation of 15 nominees pending on the Senate floor before the Senate recesses for the year. Seven of the pending nominees have the backing of their Republican home-state senators and all 15 have been reported out of the Senate Judiciary Committee by unanimous voice votes. Most importantly, if confirmed, nine of the pending nominees would fill vacancies that have been declared judicial emergencies by the Administrative Office of the U.S. Courts. Courts with emergency vacancies have too few judges to handle their workload effectively and deliver timely justice.

Regardless of how one views confirmation data comparisons among recent presidents or the fact that the vacancy rate has not reached crisis proportion, our courts are unfortunately worse off today than they were at the start of this Congress. There are 22 more vacancies (with three more in the pipeline this month) and more than twice the number of judicial emergencies today than there were this past January. In some of our courts with judicial emergencies, litigants have to put their businesses or private lives on hold indefinitely while waiting for their day in court. This is unnecessary and unfair.

Action on the 15 pending nominees has proceeded slowly to date. Most of them received their nominations over 200 days ago and had to wait over 4 months to be voted out of committee without objection.

Even though we appreciate the Senate's full agenda and the short amount of time remaining in the session, we urge you to give every pending nominee a floor vote before you leave for your recess. Absent legitimate concerns over a nominee's qualifications, we believe that this can best be accomplished over the next few weeks by voting on multiple nominees at a time.

We know from the daily experience of our more than 400,000 members that vacancies must be filled promptly so that courts have the resources to deliver timely, impartial justice. By putting politics aside, an opportunity is provided for the Senate to use its time in the next two weeks to afford considerable relief to the federal courts.

Thank you for the opportunity to present the views of the American Bar Association.

Sincerely,

PAULETTE BROWN,
President.

The PRESIDING OFFICER. The Senator from Oregon.

EMBRACING ALL RELIGIONS

Mr. MERKLEY. Mr. President, earlier today Donald Trump called for the United States to ban all Muslims from entering our Nation. This is the single worst idea I have heard from any Presidential candidate, ever. It is inconsistent with our American values. It is inconsistent with our national history.

The Nation has looked back on events in our past—for example, the Chinese Exclusion Act or the internment of Japanese American citizens—and realized it was a huge mistake to make one significant group our enemy. It is inconsistent with the vision of our Constitution, in which all came to the United States seeking to escape persecution and to be able to practice whichever religion they chose. The Founders of the United States did not seek to make our Nation one in which only a single religion could be practiced. They did not seek to establish one religion as a preeminent religion. They instead wanted a safe haven where people could worship as they pleased, which is the heart of our First Amendment.

This idea is wrong and wrongheaded. It is wrong in the context that we are not at war with Islam. In fact, we are working in partnership with Islamic nations to take on a terrorist group known as ISIS. It is wrong in that all patriotic Americans of every religion are working together to take on this terrorist group known as ISIS. In addition to being wrong, it is wrongheaded in that making Islam the enemy is playing straight out of ISIS's playbook, which wants to create a war between America and Islam. In that sense, this type of irresponsible statement endangers our national security rather than strengthens it.

So let others stand up and embrace our citizens of every religion and recognize the partnership we are in together to take on terrorist forces, that we are working in partnership with a variety of nations that have a whole variety of religions, including Islam, to take on the terrorist force known as ISIS.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, in a few minutes we will be voting on the President's nominee to fill a vacancy in the Eastern District of Tennessee. Mr. McDonough is well known to me and is well known to my colleague, Senator CORKER.

Mr. McDonough received his undergraduate degree from Sewanee before going on to law school at Vanderbilt. He was a member of a prominent Chattanooga law firm, Miller & Martin. He was chief of staff to Chattanooga's mayor. He is a well-qualified man. We are fortunate that he is willing to serve, and we are fortunate the President nominated him. I urge my colleagues to vote for him.

I yield the floor.

Mr. President, I yield back all time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the McDonough nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Indiana (Mr. COATS), the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), the Senator from Illinois (Mr. KIRK), the Senator from Kansas (Mr. MORAN), the Senator from Kansas (Mr. ROBERTS), the Senator from Florida (Mr. RUBIO), and the Senator from Pennsylvania (Mr. TOOMEY).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The result was announced—yeas 89, nays 0, as follows:

[Rollcall Vote No. 332 Ex.]

YEAS—89

Alexander	Enzi	McConnell
Ayotte	Ernst	Menendez
Baldwin	Feinstein	Merkley
Barrasso	Fischer	Mikulski
Bennet	Flake	Murkowski
Blumenthal	Franken	Murphy
Booker	Gardner	Murray
Boozman	Gillibrand	Nelson
Boxer	Grassley	Paul
Brown	Hatch	Perdue
Burr	Heinrich	Peters
Cantwell	Heitkamp	Portman
Capito	Heller	Reed
Cardin	Hirono	Reid
Carper	Hoeven	Risch
Casey	Inhofe	Rounds
Cassidy	Johnson	Sasse
Cochran	Kaine	Schatz
Collins	King	Schumer
Coons	Klobuchar	Scott
Corker	Lankford	Sessions
Cornyn	Leahy	Shaheen
Cotton	Lee	Shelby
Crapo	Manchin	Stabenow
Daines	Markey	Sullivan
Donnelly	McCain	Tester
Durbin	McCaskill	Thune

Tillis	Warner	Wicker
Udall	Warren	Wyden
Vitter	Whitehouse	

NOT VOTING—11

Blunt	Isakson	Rubio
Coats	Kirk	Sanders
Cruz	Moran	Toomey
Graham	Roberts	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the following nominations, which the clerk will report.

The legislative clerk read the nominations of Kenneth Damian Ward, of Virginia, a Career Member of the Senior Executive Service, for the rank of Ambassador during his tenure of service as United States Representative to the Organization for the Prohibition of Chemical Weapons; and Linda I. Etim, of Wisconsin, to be an Assistant Administrator of the United States Agency for International Development.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Ward and Etim nominations en bloc?

The nominations were confirmed en bloc.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:05 p.m., adjourned until Tuesday, December 8, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

CHARLOTTE P. KESSLER, OF OHIO, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2018. (REAPPOINTMENT)

ESPERANZA EMILY SPALDING, OF OREGON, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2020, VICE LEE GREENWOOD, TERM EXPIRED.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

MARCELA ESCOBARI, OF MASSACHUSETTS, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE MARK FEIERSTEIN, RESIGNED.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 7, 2015:

THE JUDICIARY

TRAVIS RANDALL MCDONOUGH, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE.

DEPARTMENT OF STATE

KENNETH DAMIAN WARD, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES REPRESENTATIVE TO THE ORGANIZATION FOR THE PROHIBITION OF CHEMICAL WEAPONS.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

LINDA I. ETIM, OF WISCONSIN, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. JAIME HERRERA BEUTLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Ms. HERRERA BEUTLER. Mr. Speaker, the day of December 1st, I am not recorded on seven votes because I was absent due to illness.

If I had been present, I would have voted: yes, on rollcall 646; yes, on rollcall 647; yes, on rollcall 648; yes, on rollcall 649; yes, on rollcall 650; yes, on rollcall 651; and yes on rollcall 652.

TRIBUTE TO MAJOR JEFFREY D. SHULMAN, USAF

HON. ROB BISHOP

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Mr. BISHOP of Utah. Mr. Speaker, for the past year, Major Jeff Shulman has served as an Air Force Congressional Fellow in my personal office, and today marks his graduation from that program. Major Shulman has been selected for promotion to Lieutenant Colonel as he will be accepting a new assignment abroad serving our country in the coming year.

Major Shulman's Air Force career began when he was first commissioned as a Distinguished Graduate from Saint Louis University in 2003. He has served with distinction as an F–16 Instructor Pilot, Mission Commander, and a Flight Examiner in the AT–38C. Additionally he has served as an Aide-de-Camp to two Four-Star General officers as well as a fellow at RAND Corporation. Major Shulman has flown the F–16 operationally during Operation NOBLE EAGLE and Operation ENDURING FREEDOM and has 170 combat hours in the F–16 and over 1,500 hours in fighter aircraft.

Major Shulman quickly became a valued and respected member of my staff, and was responsible for making invaluable contributions to several major legislative projects, including preserving and protecting military test and training ranges in the Western United States against various types of encroachments and undue restrictions.

Major Shulman is truly representative of some of the finest of his generation serving in the United States military, and I believe that his actions and conduct so far in his career have demonstrated a commitment to the Air Force's core values of integrity, service before self, and excellence in all he does.

Our nation is well-served to have individuals of Major Shulman's caliber and integrity serving to defend our freedoms. As he leaves his Capitol Hill fellowship, we can all join in saying to him, job well done.

As he and his loving and dedicated family move on to the next assignment, we send with them our best wishes for a happy and successful future.

RECOGNIZING THE SOCIETY OF INNOVATORS OF NORTHWEST INDIANA

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Mr. VISCLOSKY. Mr. Speaker, it is with great respect and enthusiasm that I congratulate Ivy Tech Community College and its regional partners who recently celebrated their 11th Annual Northwest Indiana Innovation Induction Ceremony. At the ceremony, which reflects the "Spirit of Innovation" in Indiana, eleven individuals and fifteen teams were inducted as members of the 2015–2016 Class of The Society of Innovators of Northwest Indiana. Of these individuals, several members were inducted as Society Fellows for their exceptional efforts in innovation. These individuals are Erin Argyilan, Ph.D., Marilyn Brunk, Tom Clark, Joseph Coar, Joseph Ferrandino, Ph.D., and Donald Galbreath. Also honored were two Chanute Prize recipients, the Green Abilities Team at The Arc Northwest Indiana, and Indiana University Health La Porte Hospital. In addition, the "Accelerating Greatness" award was presented to Edgewater Behavioral Health Services and Methodist Hospital, Northlake Campus, for its level III "in the process" trauma center. For their truly remarkable contributions to the community of Northwest Indiana and their continuous efforts to cultivate a culture of innovation, these honorees were inducted at the Horseshoe Casino in Hammond, Indiana, on Thursday, October 22, 2015.

The Society of Innovators of Northwest Indiana was created by Ivy Tech Northwest with the goal of highlighting and encouraging innovative individuals and groups within the not-for-profit, public, and private sectors, as well as building a "culture of innovation" in Northwest Indiana. The importance of innovation in Northwest Indiana, as well as globally, is crucial in today's ever-changing economy.

The fellows selected by the Society of Innovators were chosen for their extraordinary innovative leadership and the impact of their accomplishments throughout Northwest Indiana and beyond. Erin Argyilan, Ph.D., is a geologist at Indiana University Northwest. Dr. Argyilan established a new model of a previously unknown geological hazard in sand dunes. Her discovery is called a "dune decomposition chimney or tunnel," and her extensive research helped to explain why six-year-old Nathan Woessner was trapped in a hole on Mount Baldy in 2013. Marilyn Brunk is a teacher at Griffith High School. Marilyn launched a computer science and programming class involving video games, which is the first of its kind in Northwest Indiana and possibly the entire state. Griffith students are excited about this innovative class and enrollment continues to grow each year. Tom Clark is a teacher at Lake Central High School. Tom started the Gold Star Honor Roll Project thirty years ago, and it is among the longest running experimental learning projects in the state and one of the largest in the nation. The project, which is celebrated by students and faculty, involves learning through the gathering of historic memorabilia, validating records, and visiting families of American soldiers killed in combat. Joseph Coar, of Tonn and Blank Construction, spearheaded a carpenter's apprenticeship program that put Indiana in the forefront of innovative curricula for high school students. In addition, his support led to the implementation of the program at A.K. Smith Career Center in La Porte, the first career center in Indiana to offer this program. Joseph Ferrandino, Ph.D., associate professor of criminal justice at Indiana University Northwest, founded the Northwest Indiana Public Safety Data Consortium, which transforms how public safety communicates throughout the region. This truly innovative project connects data and imaging among nearly thirty participating agencies and across four counties. Donald Galbreath has been an innovator in the waste handling industry for the past sixty years. He is best known for inventing "the most user friendly roll-off hoist in his industry." The majority of roll-off hoists used in the waste, scrap, and construction hauling industries were influenced by his inventions.

The recipients of the Chanute Prize for Team Innovation should be commended for their contributions. The Green Abilities Team at The Arc Northwest Indiana received this honor for its truly innovative and successful on-site training program in which special needs individuals are taught how to recycle granite remnants into landscaping pavers, tile veneers, and other repurposed products. Indiana University Health La Porte Hospital also received this honor for implementing initiatives that promote a "fair and just culture" in which employees are encouraged to report problems. In addition, the hospital launched Rapid Improvement Events in which skilled teams, including physicians, spend a full week focusing on a single opportunity for improvement. These solutions are tested and then implemented within a timeframe goal of thirty days.

The Accelerating Greatness Award for Team Innovation included two recipients. Edgewater Behavioral Health Services is the first in the state to develop a program that helps to provide immediate attention to people in psychiatric crisis. The Rapid Access Center allows adults experiencing these types of problems to get help in a short amount of time regardless of their ability to pay for services.

Methodist Hospital, Northlake Campus, was also honored with this award for opening the first level III ''in the process'' trauma center in Northwest Indiana, which is the sixteenth in the state. This has been a goal for Methodist Hospitals for more than a decade.

Mr. Speaker, I ask you and my distinguished colleagues to join me in commending these outstanding innovators. The contributions they have made to society here in Northwest Indiana and worldwide are immeasurable and lifelong. For their truly brilliant innovative ideas, projects, and leadership, each recipient is worthy of the highest commendation.

VETERANS DAY AND AN AMERICAN POW OF JAPAN

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Mr. ISSA. Mr. Speaker, I rise today to honor the veterans of my district. In particular, I want to call attention to my constituent from Carlsbad, California, Dr. Lester Tenney, 95, a proud member of the 192nd Tank Battalion of the U.S. Army that fought in the defense of Bataan, the Philippines against Imperial Japan in the first battles of World War II.

Surrendered by his commanders on April 9, 1942, he survived the infamous 65-mile Bataan Death March, a Hellship to Japan, and nearly three years of brutal, slave labor in a Mitsui coal in southern Japan that is today an UNESCO World Industrial Heritage site.

On this 70th anniversary of the end of World War II, it is important to call attention to Dr. Tenney's most important achievement. This has been to forgive his capturers and to forge meaningful friendships with Japanese citizens.

In 2008, Dr. Tenney sat down with Japan's ambassador to the United States Ichiro Fujisaki with two simple requests: (1) an official apology to the Allied POWs for the prohibited abuse and slave labor they experienced in the care of Imperial Japan; and (2) a visitation program to Japan to initiate healing and reconciliation. In 2009, the apology was delivered and in 2010 the annual trips began.

The result of efforts and experiences by men like Dr. Tenney is that for 70 years Japan has enjoyed a prosperous peace and the United States and Japan have become unshakeable allies. Dr. Tenney reflects upon this and his POW experiences in his occasional articles for The Wall Street Journal.

For this year's anniversary of surrender on the USS *Missouri*, Dr. Tenney wrote what that time meant to him and the other POWs who had been liberated. He rightly points out that the war and the peace is composed of the deeds and sacrifices of many: foot soldier to general; sailor to fisherman; mother to widow. None should be forgotten.

With profound respect, I submit Dr. Tenney's essay in which he eloquently reminds us to honor our veterans and implores us to pass on and teach future generations of the legacy of World War II in the Pacific.

[From the Wall Street Journal, Sept. 1, 2015]

JAPAN'S WAR LEGACY

THE POSTWAR GENERATION MAY NOW BE THE MAJORITY IN JAPAN, BUT THEY TOO MUST KNOW THE ATROCITIES OF WAR

(By Lester Tenney)

Imperial Japan became history on Sept. 2, 1945. Gen. Douglas MacArthur accepted Japan's unconditional surrender on the deck of the USS Missouri in Tokyo Bay, ending World War II. For me, nearly 600 miles south in a prisoner of war camp outside Nagasaki, unaware of these historic events, I simply remember the pure joy of liberation.

What was V-J Day like for POWs? For those of us in Fukuoka No. 17–B POW Camp, the war ended on Aug. 15, when our Mitsui company overseers, without explanation, stopped sending us down into their coal mine. We were returned to camp for an unusual midday meal of limitless rice and recognizable vegetables. We received our first full Red Cross boxes. And the camp guards said ''hello'' in English instead of striking us with their rifle butts for not bowing.

After lunch, the camp commander, flanked by trucks mounted with machine guns, gathered us on the camp's parade ground. He curtly announced, ''America and Japan now friends. War is over.''

There is no accurate way to describe how it feels to be a slave one moment—starved and abused, forced to work long hours in a treacherous mine, beaten daily for not working fast enough or not bowing low enough—and a free man the next.

After more than two years underground in the dark, narrow seams of a coal mine, it was glorious to be in the sun. American planes soon appeared overhead and with them came parachutes carrying 55-gallon drums of food, clothing, medicines and magazines. One parachute failed to open, its cargo of fruit salad spilling out onto the camp yard. We happily and immediately dined on the scattered remains.

Baron Mitsui, a 1915 Dartmouth graduate who owned our coal mine and many others, hosted a series of dinners for senior Allied commanding officers of our POW camp. The baron had often visited his captive village and was aware of the grim conditions. Over the meals, he reportedly asked the officers for their tolerance and thanked them for their efforts. Photos from the dinner series show a wary indulgence in the eyes of the American, Australian, British and Dutch guests.

Fast forward to last month, when Prime Minister Shinzo Abe used the same word—tolerance—in his statement on the 70th anniversary of the war's end. ''How much emotional struggle must have existed and what great efforts must have been necessary . . . for the former POWs who experienced unbearable sufferings caused by the Japanese military in order for them to be so tolerant nevertheless?'' Mr. Abe marveled.

While I welcome any step, however modest, the Japanese make in addressing war crimes committed against POWs, this word stops me short. It makes a war crime a matter of inconvenience. I can tolerate someone cutting me off in traffic. But being a POW was not a matter of tolerance. It was a matter of life or death—mostly death.

The denial of water and food on the Bataan Death March didn't simply inconvenience us; it killed thousands of soldiers. My fellow prisoners and I didn't tolerate nor have we forgotten the beatings and torture, the starvation and broken bones, or the filth and stench of dying men. What tolerance did I have watching my buddy tortured so viciously that he had to have both legs amputated?

And what of today? Our wait for Japan's apology, offered officially in February 2009, wasn't tolerance. It was patience. Patience for justice.

Still, Mr. Abe's awkward statement on Aug. 15 suggests that our patience may not be in vain. His mention of POWs is the only reference in the statement that clearly matches a noun of wrongdoing to a verb of responsibility. He correctly points out that ''unbearable suffering'' was ''caused'' by Imperial Japan's military. Acknowledging the perpetrator of a crime and the crime itself is the first step toward reconciliation.

For me, the war is hard to forget. But as Mr. Abe points out, the postwar generations are now the majority in Japan. Japanese today aren't responsible for what happened more than 70 years ago. But they also cannot forget or distort the past.

Japan owes me, the descendants of its victims and its own citizens the truth. As Mr. Abe said, ''We Japanese, across generations, must squarely face the history of the past. We have the responsibility to inherit the past, in all humbleness, and pass it on to the future.''

Imperial Japan tormented, enslaved and defiled many people. This is a grave legacy to pass on and to teach future generations. But it is vital to keep memories like mine alive. It's one thing to remember great deeds done by great men, like Gen. MacArthur in Tokyo Bay. But World War II's history is composed of the suffering of many individuals in different circumstances. This, too, should not be forgotten, or else the lessons of the war will be incomplete.

A FATHER'S LOVE: IN HONOR OF BRETT FAVRE ''4'' AT THE RETIRING OF HIS NUMBER AT LAMBEAU FIELD

HON. REID J. RIBBLE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Mr. RIBBLE. Mr. Speaker, I rise today in honor of Brett Favre, who was inducted into the Hall of Fame this past summer, and the halftime ceremony which took place on Thanksgiving retiring his number ''4'' at Lambeau Field. I submit this poem penned in his honor by Albert Carey Caswell.

A FATHER'S LOVE

(By Albert Carey Caswell)

The heart of a champion,
and from where does it all so come
And how is one so born into this among
And where does such a splendid gift originate from
And how may we pass on these gifts of love, to our sons
For its only through our love and time,
and life lessons find, what we have won
For our days on this earth,
are the shortest of all ones
So cherish each moment with your sons
For its all about what we leave behind,
when all is said and done
So who will we touch before our last suns
To raise a son and instill in him all his of hopes and dreams,
and values to come
To bestow upon him all your gifts of love,

to help him rise above
One of our Lord's most precious gifts,
is to raise a child of love
No greater blessing on the wings of a dove
Because a child is the brightest of all lights.
Passing onto him all our wisdom and love.
Watching him grow up into a fine man,
is the culmination of all our dreams begun
There was once a little boy sitting on his father's knee,
as his dad spoke to him about his future dreams,
and what he could be.
''listen my son, you are the one, believe''
''And little man, you will go Favre
and football is in your blood and she'll give you all you need!''
And from that first day as was completed,
such a warm bond in hearts to succeed it
A catch with dad, a fine Father and Son,
as such a love story grew on fields of green
Like Father like Son into this winning team
As a father and a coach passed onto him his creed
Showing him what he would need
And what it was to be a man,
hitting pay dirt in The Game of Life . . . TD
A pat on the back, extending a warm hand, and respect to demand,
to lead his heart towards his future dreams
And throughout the years,
those bumps and bruises here
Nights at home with broken bones,
and contusions as a love story grew so dear.
Pop Warner, High School ball,
and then a College comes to call,
and soon the big leagues Brett's name would fear
To be a Pro, at the Top, To Be The Best,
as Brett's leadership they could not contest
As the cream of the crop,
is an almost impossible quest,
to be in The Hall of Fame one day as one of The Very Best
In football,
the very heart of any team is but The Quarterback
The point from which,
all leadership on fields of green attacks
Where the toughest of the tough react
With only micro seconds to counteract,
on coming mammoths of size and speed
As all around you 300lb men come crashing in,
trying to make you bleed
And throughout the years,
many great names have here played on fields of green
Like Johnny Its U, The Young Man too, The Montana Man,
In the Namath of Football whose legend grew, that Shaw of Football
Terry too, and Peyton's Place, Marino, Captain Comeback Stauback,
a Cool Brees, Brady, Rocket Rogers a list of greats he, and Bart a Star of
the who's who
And now its Brave Brett,
that gunslinger with the quad threat history pursued
And when we close the
door on number ''4''
in The Hall of Fame him we will view
A ''4'' threat man who can beat you with his feet,
his arm, his head, and his heart too.
Because on fields of green,
Brett is one of greatest warriors seen
SMASHING ALL KNOWN RECORDS AS HE DEEMED
A gunslinger who could hit any target,
dislocating receivers fingers on his team
And it did not happen by luck or by circumstance,
but because of a Father's Love which gave him the chance
Who helped him shape his future dreams,
as reflections of him in Brett are seen
Because of this great love which convened.
Which helped him weather the storms of life,
when days turned mean.
As he grew up strong and tall,
to compete on those fields of green
For Football is such a splendid game,
where her life lessons with us remain
Where a Father and Son's reflections,
into future generation can be seen
The year was 2003,
as across our country a great love story was about to convene
As the power of a Father and Son's love,
our Nation was about to glean
As Brett went deep on the TV screen
Just like the Gipper of old,
a new love story was about to unfold
As a Nation for his son so grieved
To win one for DAD on fields of green
With tears in eyes, Brett showed us all why,
in life what the most so really means
As we saw what his Dad had given him,
so deep down inside that which gleams
Solid Gold,
molding one of the greatest of all time so.
Bringing tears to eyes
In life, no greater victory can be achieved.
Then the love of a parent and child believe
From end to end,
no greater drive could be conceived
Sadly though, some children will never know such a friend so very deep
To arm a child,
with their love all the while to compete.
To realize his dreams to seek
Up in heaven this day
Brett your Dad is working out a long term contract with Vince and our Lord for when you come up to play
Where, you can walk with your Best Friend and talk football and go fishing once again.
For Heaven my friends,
is the real Super Bowl for all us to contend.
And there can be no greater gift,
then all of this in a child's heart to help him rise above
And that's why In The Game of Life,
Brett always went deep armed with his Father's Love.

CEDAR CLIFF UNITED METHODIST CHURCH

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the achievements of an outstanding faith community, the Cedar Cliff United Methodist Church (UMC), which celebrated their ministry's 125th Anniversary of successful service to the community of Haledon on Sunday, December 6, 2015.

Since December 7, 1890, when it first opened its doors, the church has stood in its current location, serving as a house of worship in the town of Haledon, on 18 Zabriskie Street. The church has its own unique piece of history, through their bell which was donated by U.S. Vice President Barret A. Hobart. Many members of the church have also served in the military since World War I.

Cedar Cliff UMC is located in a neighborhood that is ethnically diverse and constantly changing. It has one traditional Sunday morning worship service. Current ministries within the church include the prayer shawl ministry, Bible study, Monday night yoga classes, a food pantry and joint fellowship events with a partner church that shares its facilities. The church has also been home to many Boys & Girls Scout troops throughout the years.

The church has been a place where many babies have been baptized, a place where couples get married, and also a place where family members have laid their loved ones to rest in their sanctuary. But most importantly, many lives have been changed by the people that have called Cedar Cliff UMC home since 1890. The ministry has been a major part of the Haledon community and continues to serve all. The Church members and organizers have worked passionately to build many bridges between different groups within the faith community.

The Cedar Cliff UMC has had many leaders throughout its years. Today, it is led by Reverend Pamela Grant James, who has inspired many to follow the path of faith and kindness. Reverend James has helped shape our society and is deserving of every bit of recognition for her selfless actions.

It gives me pride to recognize the excellence of the Cedar Cliff UMC and I thank them for servicing the residents of Haledon. I am grateful to represent the Church and its congregation within the 9th Congressional District of New Jersey.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to recognizing and commemorating the achievements of faith communities such as the Cedar Cliff UMC.

Mr. Speaker, I ask that you join our colleagues, and the Cedar Cliff UMC in celebrating their 125th Anniversary and recognizing their leadership, dedication and loyalty to serving the community.

RECOGNIZING PETER H. CRESSY, EDD.

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Mr. YOUNG of Indiana. Mr. Speaker, I rise to recognize and commend Dr. Peter H. Cressy, Ed.D., the President and CEO of the Distilled Spirits Council of the United States on his remarkable career and wish him well as he is set to retire from this position in January.

Dr. Cressy has led an impressive career that includes 28 years of service to our nation in the United States Navy which concluded with his retirement as a Rear Admiral. His leadership roles continued with some of the nation's most prestigious academic institutions, and in government service roles where he held senior positions at the State Department, on Capitol Hill, and the Pentagon.

Dr. Cressy's most recent leadership role at the Distilled Spirits Council of the United States has led to a stronger, more responsible, and transparent industry. Under his leadership the distilled spirits industry has grown both domestically and internationally all

while placing an emphasis on and commitment to responsible and transparent practices. This commitment is evident in the industry's advertising and marketing Code of Responsible Practices which has been referenced as a model of responsible industry self-regulation as well as the Council's efforts to work with retailers and wholesalers, universities, and health professionals to support programs to prevent alcohol abuse. Dr. Cressy's leadership has demonstrated the value of transparent and responsible ethics and has resulted in tangible successes across all facets of the industry.

Dr. Cressy's passion for responsible business practices and the expansion of business are tremendous but he also takes great pride in preserving the storied history and heritage of the U.S. distilled spirits industry. One of his most notable successes with respect to historical preservation was his leadership in undertaking the $1.6 million dollar reconstruction of George Washington's Distillery at Historic Mount Vernon. Since the project's completion the Council and the industry have maintained an ongoing relationship with the estate which now carries out a historic preservation and educational mission. In fact it is where they hold their annual industry Spirit of Mount Vernon dinner gala which has raised over $4 million to advance the educational mission at Mount Vernon.

Dr. Cressy's leadership will be sorely missed at the Distilled Spirits Council of the United States and by those who have come to know him through his work, but I know the entire distilled spirits industry and many others join me in recognizing his career full of achievements and wishing him the best as he moves into a new chapter of his life. Again congratulations to Dr. Cressy on his retirement and a job well done.

CONGRATULATING THE ROMEO BULLDOGS FOOTBALL TEAM ON WINNING THE DIVISION 1 MICHIGAN STATE CHAMPIONSHIP

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Mrs. MILLER of Michigan. Mr. Speaker, it is my distinct privilege to recognize a special achievement recently accomplished by the Romeo Bulldogs High School Football Team. Romeo capped off a remarkable and extremely memorable 2015 season by taking home to Macomb County the school's first ever Michigan High School Athletic Association (MHSAA) Division 1 State Championship. After a hard fought, one loss regular season the Bulldogs charged into the playoffs facing great adversity, challenging weather conditions and tough competition before upsetting the number four ranked Detroit Cass Tech Technicians at Ford Field.

In 2002, Romeo was in need of a football coach. Assistant coaches Curt Rienas and Jason Couch both applied for the job and were named co-coaches. Coaches Rienas and Couch had Romeo Bulldogs football in their veins, first meeting each other as teammates on the field and the friendship grew. The two had made it to the semifinals together, but never further until this team. Coach Curt Rienas and Coach Jason Couch became the first co-coaches in playoff history to win a state championship. The Bulldogs played strong hard-nosed football focusing on the basic fundamentals and taking each play one at a time. This meant each player executing his designated assignment and beating the man in front of him. This also included playing sound defense with solid tackling and implementing an offensive scheme that would make an NFL playbook look elementary. The Bulldogs kept constant pressure on their opponents by blocking a punt, recovering an onside kick and making big plays on offense.

Before making it to the State Championship game, the Romeo Bulldogs played what will probably be remembered as the second most memorable game of the season. The Romeo Bulldogs faced off against Grand Ledge in Brighton, Michigan for a game of the ages. Over a half foot of snow fell during the game and the Bulldogs ended Grand Ledge's historic undefeated season with a 48–21 victory.

With victories against current state champion Clarkston, Lapeer, Detroit Catholic Central and finally Grand Ledge, the Bulldogs were ready for their final challenge against the Detroit Cass Tech Technicians. The team brushed aside any potential distractions and purely focused on winning the game. Despite the best efforts of Detroit Cass Tech, the Romeo Bulldogs would not be denied because this was their day alone.

After an exciting first quarter and a 13–7 Bulldogs lead, the game remained close at the half with the Bulldogs holding on to a 19–14 lead. Romeo started the second half off by recovering the opening onside kick. The Bulldogs would use the favorable field position to drive 48 yards to the end zone putting the Bulldogs ahead 26–14. On Cass Tech's next possession, the Technicians went three-and-out which forced a punting situation. Romeo blocked the punt, again giving the Bulldogs excellent field position. The following play was a 20-yard run for a touchdown to put the Bulldogs in the lead by a score of 33–14. Nearing the end of the third quarter, Cass Tech would put six points on the board and follow it up with a touchdown halfway through the fourth quarter cutting the Bulldogs lead to 33–27. The Romeo Bulldogs would continue to pressure and push the play, resulting in a touchdown with 1:29 left in the game to seal the victory and make school history.

The Bulldogs throughout the year exhibited the intangible ingredients which make up a winning football team: heart, discipline and a positive attitude. As legendary Hall of Fame Green Bay Packers Coach Vince Lombardi once said, ''A man can be as great as he wants to be. If you believe in yourself and have the courage, the determination, the dedication, the competitive drive and if you are willing to sacrifice the little things in life and pay the price for the things that are worthwhile, it can be done.''

I applaud these young men for remaining both mentally and physically ready to compete. In addition, I want to commend the Bulldogs for staying energized and focused each time they stepped on to the gridiron. I understand this can be an extremely difficult task considering the numerous pressures and distractions high school student-athletes can encounter.

Mr. Speaker, I wish to recognize the hard work and sportsmanship displayed by all the members of this football team. I also want to congratulate administrators, teachers, cheerleaders, parents, students and fans alike for their assistance and for making this an unforgettable season. The Bulldogs proved they had the talent, fortitude and resilience to rise to the challenge and accomplish their ultimate goal—a State Championship. Teamwork, perseverance and friendship all contributed to this title as well. I know the community takes great pride in what these young men were able to achieve.

In closing Mr. Speaker, I share that same pride. I want to offer my personal congratulations and best wishes. All the accolades, awards and trophies are rightfully deserved. Way to go Bulldogs.

HONORING BELINDA ESPINOSA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Mr. THOMPSON of California. Mr. Speaker, I rise to recognize and honor Belinda Espinosa, the City Manager of Pinole, California. After more than thirty years, Ms. Espinosa is retiring from public service.

Ms. Espinosa's city management career has spanned over four cities and two states. Beginning in the cities of San Antonio and Grand Prairie, Texas, Ms. Espinosa worked on budget and financial issues, managed infrastructure projects, and oversaw hundreds of millions of dollars in bond funds. In 1994, Ms. Espinosa moved to California to become City Manager for the City of Soledad, where she supervised critical water and wastewater projects, the construction of new affordable housing, and the completion of the Soledad Community Library.

In 2000, Ms. Espinosa moved to the City of Pinole, California. Initially hired as the Assistant City Manager, she was promoted four years later to City Manager and Chief Executive Officer, overseeing the police and fire departments, public works planning, wastewater services, recreation and redevelopment. Ms. Espinosa spearheaded several efforts to revitalize Pinole, including the construction of the Pinole Shores Industrial Business Park, the Pinole Valley Shopping Center and the Kaiser Permanente Medical Office. Under her leadership, Pinole voters approved two half-cent sales tax measures, which generate $3.6 million for public safety and other supplemental services. Ms. Espinosa also successfully negotiated Pinole's first Project Labor Agreement, for the $48 million Pinole-Hercules Wastewater Treatment Plant project.

Ms. Espinosa has received numerous accolades for her years of public service, including the 1996 Monterey County Public Administrator Award, the 2007 Contra Costa College Woman of the Year Award, and the 2009 Distinguished Project Award. Ms. Espinosa has

also served as President of the Pinole Rotary Club and the International Hispanic Network, and was the first female President of the Grand Prairie Kiwanis Club. Ms. Espinosa has long worked under a philosophy of approaching problems with collaboration, honesty and understanding. She is well-known for being forthright in her dealings, and has always maintained the highest integrity in serving her constituencies.

Mr. Speaker, Belinda Espinosa has had a long and remarkable career in public service. It is fitting and proper that we honor her here today, and wish her the best in retirement.

IN RECOGNITION OF CHERYL JENNINGS

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor one of the most recognizable, watched and listened-to women in the Bay Area: Cheryl Jennings has been in the 5 o'clock news anchor chair at ABC7 KGO–TV for 27 years and worked at the station for 36 years. It is safe to say that she is one of the most trusted and admired reporters/anchors in our area and I am one of her staunchest fans. Cheryl is ostensibly slowing down, but not quite. She will continue to host her weekend show Beyond the Headlines and report more long-format stories like the series she recently did in Afghanistan.

Over the decades Cheryl has reported on just about every topic, but all of her stories have one thing in common: she always finds an angle to help people. Cheryl is one of the most giving, empathetic and genuine people I know. The word ''no'' doesn't exist in her vocabulary.

I have had the distinct honor to work with Cheryl on countless occasions. For years, she has been the masterful emcee at Professional Businesswomen of California and other programs. She has been the keynote speaker at my Congressional events for middleschoolers and seniors. As a journalist, she is warm and inviting, but always professional and insistent on the truth. I took on the issue of rape and sexual assault in the military about five years ago. Many stories have been written and produced about this horrendous epidemic, but it was Cheryl Jennings who produced, wrote and reported the most comprehensive and powerful piece on the subject that I have seen.

Cheryl learned the value of hard work, perseverance and public service early on. She was one of seven children born to a father who served in the U.S. Army and a mother who raised her and her siblings. As the oldest, Cheryl had lots of opportunity to change diapers, feed and take care of babies. The military sent Cheryl's family all over the world. By the time she started high school, she had changed schools more than a dozen times. She says that part was tough, but prepared her well for life in TV.

Her original plans to become a teacher changed when she started college at City College of San Francisco. Her advisor told her to look for another career path because there were too many teachers. Cheryl interviewed two very rare women for a story in the college newspaper. They both worked in television, on air—almost unheard of in that era. The rest is history.

Reporting was not an easy path. While she was earning her Bachelor's degree from San Francisco State University, she was rejected for volunteer-entry-level positions at TV stations 19 out of 20 times. Finally, a woman at the local NBC station hired her to work 50 hours a week while she continued to go to school. Her pay? Nothing. But her hard work and perseverance eventually paid off. The NBC station hired her as a paid receptionist, she worked her way into the newsroom, and in 1979, KGO TV hired her as a night reporter. The entire Bay Area became her classroom and she has taught her lessons exceptionally well.

Cheryl has travelled the world to tell stories—Mexico, Kosovo, Afghanistan, South Africa, Korea, Israel and the West Bank. Here at home, one of the most memorable stories she covered was the 1989 Loma Prieta earthquake. She was the first local reporter on the air thanks to the station's quick power generator. KGO's coverage earned the team two of the most prestigious broadcast awards, a George Foster Peabody Award and the Radio Television News Directors Association Edward R. Murrow Award. Cheryl says this was the moment she understood just how vital television is in providing public service.

Doing good is what drives Cheryl. In 2003, she co-founded the Roots for Peace Children's Penny Campaign, a non-profit that removes landmines in war-torn countries and builds and repairs schools. She works with the Taylor Family Foundation and the Okizu Foundation to help children with life-threatening illnesses. She lends her voice and passion to many non-profit events that raise awareness and funds. All of this amazing work has earned Cheryl many awards, including six Gracie Awards, but what matters most to her are the children and families whose lives she has touched.

Cheryl has been married to the love of her life Richard Pettibone for 29 years. They enjoy sharing adventures together, whether it's a safari in Africa or a hike on a local beach.

Mr. Speaker, I ask the House of Representatives to rise with me to honor Cheryl Jennings, a first-rate journalist and extraordinary woman whom I am honored to call a dear friend. I know that she will continue her outstanding work on the air and off the air. Cheryl is a true treasure to her family, our local community and the world.

PERSONAL EXPLANATION

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Ms. STEFANIK. Mr. Speaker, on Wednesday, December 2, 2015, I inadvertently voted No instead of Aye on roll call vote 661, the Tonko Amendment Number 22 to H.R. 8, the North American Energy Security and Infrastructure Act of 2015. I would like to change my vote to reflect my intended Aye vote.

HONORING THE LEGACY AND IMPORTANCE OF HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCUs)

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Mr. HASTINGS. Mr. Speaker, I am honored to rise today to recognize the importance of Historically Black Colleges and Universities (HBCUs).

As a graduate of the Florida Agricultural & Mechanical University (FAMU), I know all too well the importance HBCUs play in the fabric of our country. They prepare students for careers that span all disciplines, teach students the value of self-worth, the importance of culture, history, and legacy.

Growing up during a time when colleges were not readily available for African-Americans, HBCUs played a vital role in educating African American youth. They continue to play an important role in educating students from all walks of life. They offer students, regardless of race, an opportunity to develop their skills and talents to serve both domestically and internationally. According to the United Negro College Fund. HBCUs are responsible for producing approximately 70% of all black doctors and dentists, 50% of black engineers and public school teachers, and 35% of black lawyers.

I am extremely proud of all the HBCU Caucus is doing to recognize the importance of HBCUs and proud to be a member of the caucus. As a member of the caucus and an HBCU alumnus, I am committed to continue funding these critical institutions and ensuring our nation's youth have access to quality affordable education.

Mr. Speaker, I once again want to stress the importance of HBCUs and urge my colleagues to continue to support them. They are the bedrock of our nation and symbolic of how our nation came together to ensure all students have access to quality affordable education.

CELEBRATING SIXTY YEARS OF U.S.-LAO DIPLOMATIC RELATIONS

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Ms. MCCOLLUM. Mr. Speaker, on December 4th I had the pleasure of attending at the invitation of Ambassador Mai Sayavongs a celebration of both the sixtieth anniversary of diplomatic relations between Laos and the United States and the fortieth anniversary of the founding of the Lao People's Democratic Republic. The event was well attended by ASEAN ambassadors and key U.S. officials including Mr. Ben Rhodes from the White House and Assistant Secretary of State for East Asian and Pacific Affairs, Daniel Russel.

Over the course of these six decades there have been many difficult passages in the bilateral relationship. Today, I look forward and it is my belief that the relationship between the United States and the Lao PDR will improve, strengthen and grow in importance. For me, U.S-Lao relations has a direct impact on the thousands of Hmong and Lao Americans I represent in St. Paul and the surrounding East metro suburbs. It has been forty years since the first refugees from Southeast Asia arrived in Minnesota, but the family, cultural, and economic ties to Laos continue to be very important. As Laos becomes more engaged in the global economy, respects the rule of law, and embraces human rights for all its citizens my constituents feel more comfortable and more excited about returning to their ancestral homeland.

In the coming year Laos will become chair ASEAN and it is expected that President Obama will be the first U.S. president to visit Laos. It is critical that the U.S. encourage the Lao government to make the necessary reforms that will allow its people to escape poverty and contribute to the long-term success of their country. The lethal legacy of U.S. dropped unexploded ordinance from the era of the Vietnam War continues to plague the Lao people. UXO are a constant reminder of the obligation we have as a government to clean up a mess that continues to kill innocent Lao citizens and impedes economic development on lands all across Laos.

It is my feeling that dialogue, cooperation, and common interests will allow the U.S.-Lao bilateral relations to improve significantly in 2016. Both the Obama Administration and Ambassador Sayavongs have my full support in this goal.

The following are remarks I delivered at the December 4th celebration of U.S.-Lao Relations.

Good evening. Ambassador Sayavongs and Madam Sayavongs, I am honored to be with you tonight to celebrate sixty years of diplomatic relations between our countries, as well as the fortieth anniversary of the Lao PDR.

My relationship with the people of Laos is very special and I strongly support strengthening our bilateral relations.

My home is Minnesota. In my congressional district, I represent tens of thousands of Hmong and Lao-Americans who call Laos their ancestral home. They have family in Laos. Their traditions come from Laos. And, they care deeply about the future of Laos.

More than anyone, I would like to acknowledge Mr. Chao Lee who has been on my congressional staff since 2001, for guiding me and advising me. He is with us tonight and I would like to thank him for his work on behalf of U.S.-Lao relations.

Over my fifteen years serving in Congress I have taken many steps to strengthen this relationship. I was a supporter of normalized trade relations with Laos at a time when many people were fighting about the past rather than working to build a new future. I have always supported increased U.S. funding for UXO clean—a terrible legacy of war that harms the Lao people. And, in 2006, I had the pleasure of celebrating a very special Christmas in Vientiane during a visit to your beautiful country.

Ambassador, I am committed to working with you to strengthen our future together. We will work as partners to address issues important to both our countries—economic development, increased trade, and access GSP, as well as improving human rights and human development to ensure that all Lao people, including women and girls, are free to live full, productive lives.

Ambassador, I wish your government much success as Laos chairs ASEAN next year. I know the Obama Administration will work as a partner to ensure next year's ASEAN Summit is a success and they will have my full support.

Again, congratulations Mr. Ambassador on your country's 40 years.

Thank you.

HONORING GEORGE BURKE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Mr. CONNOLLY. Mr. Speaker, I rise to remember and honor a dear friend and colleague, George Burke. Full of passion and energy, he dedicated his life to fighting for our progressive Democratic values. A trusted, wise and gifted political mind, George's vision and leadership helped build and grow our Democratic Party of Virginia.

A man of many talents, he was an accomplished journalist, photographer, congressional staffer, senior labor leader with the International Association of Fire Fighters, the Chair of the 11th Congressional District Democratic Committee, and my trusted confidant and Communications Director.

A constituent and friend of both George and mine, Mike Burke Kirby, recently endeavored to interview many of those who knew George and capture what George meant to so many. I submit Mr. Kirby's eloquent tribute to George.

For more than 30 years I have been fortunate to call George my close friend. We will all miss his stories, his unwavering optimistic approach to life, and his love for his friends and family. His loss will leave a great void in all our lives and I will miss him dearly. I ask my colleagues to join me in remembering George Burke.

GEORGE BURKE [1951–2015]

(By Mike Burke Kirby, Former Chair Fairfax County Democratic Committee)

With all of his spirit, I thought George Burke was going to keep beating cancer for another ten years. He certainly had ten more years of wisdom and advice, laughter and courage for all of us.

After centuries of subjugation on their own island, many Irish Americans were conditioned to thrive in politics in this huge nation of democracy. Fighting for their own freedom here, and for the rights of other minorities and women. Those include Gerry Connolly and Jim Moran. George has been a hero in many of those fights.

George was a ''Connector,'' like Paul Revere. Many people rode from Boston to tell people that the British were sending troops west from the city. For weeks, panicky calls were made. Finally, they only listened to Paul Revere because everyone knew and trusted him. George knew 50 times as many people as you and I. They all thought George was one of the best people they ever met.

George never seemed to parse the issue differences among Democrats. He simply thought that any Democrat was more of a democrat than any Republican. He fought to make sure the nominating processes were fair. With a nominee, he put his shoulder to the wheel.

The print and broadcast media industries declined early in the 21st Century. When George got young people, journalists, press staff and politicians, into the ''Burke Zone,'' he mentored them into the integrity and responsibility, the professionalism and punctuality from that loss. George's effect on Hill staffers was evident the week after his death—with a hundred young faces gathered outside of Rayburn Building for a memorial.

For those who lived through the 1960s, the memory of Civil Rights, the Viet Nam War, the draft, the Kennedy and King Assassinations, the demonstrations, the politics and music can all come through with just a few words, which mean little to later generations. Many of us shared that with George, especially Gerry Connolly who was with him daily for many years.

George often bragged about his independent ways, including his own travel routes. In the Snowmagedon, George left the office well after Gerry and James. Six hours after they left DC, the two were only at Bailey's Crossroads, and on a radio station by phone. George called to say ''hi.'' He had been home already, far beyond Bailey's, had a coffee from Starbucks and was on his way back to Sears to buy a washing machine on sale. Gerry asked where he was; actually George could see them from his inbound car across the street.

After a broken neck George's hearing suffered enough that he couldn't pick up the vibrator on his phone. So, he never turned off the sound. In a medium sized event with President Obama, George's phone went off. With everybody looking, he answered it. It was Rachel.

An ''8 X 10 Glossy'' Penny called him, with vast brain power, a pure political analyst and tactician. A total friend who always remained common, who persevered with a lot more than grace through four bouts with cancer. He attended all of her weekly campaign staff meetings until he went into the hospital for the last time.

George held court at the Mason District Crab Feast. The next day, he showed up again to help dismantle the ''God awful tent.'' Even with the broken neck he still came to sit under the porch and spin tales.

Rachel pestered him early to write the Mason Precinct Letter. George waited until the issues were ripe. Letters almost always perfect.

Mark Levine got George into Public Access TV, where he covered local politics. The stage may have been small; but George covered it like Dan Rather. He was proud of a large new set, and was completely unfazed when the lighting panel dropped and other parts of the set disintegrated,

George's last student, Jake, was grateful for the little time he was able to spend with George. No conversation, no detail, and definitely no person was too big for George—it all mattered to him. Over their 20 to 30 to 90 to 180 minute phone conversations, everything mattered Every question deserves a well thought out response, every roadblock mandates a thoroughly strategized plan to go around it. George's main lesson, looking back on it, was to ''pay attention'' and not to let any opportunity, no matter how small, be wasted.

George hosted the debate among the seven Democratic candidates for the 8th Congressional District nomination in 2014. On the race, he gave political advice to all of them.

George spent 16 years as head of Communications at the International Association of Fire Fighters, a job he loved and talked about all the time. Even after he left the IAFF, at every big political dinner, no matter what other hat he was wearing, he always sat at the Fire Fighters table. He served with the Fire Fighters through September 11.

In Fairfax County, the Fire Fighters called George a mastermind. After years of failing to get a federal grant for the Safety for an Adequate Fire Emergency Response, George and Gerry Connolly stepped in. They now have a grant for millions of dollars that gives the County 49 additional staff on ladder trucks.

George took care of any issue, knew how the legislatures work and could always find a way to fix any problem. John Niemiec, said as a friend, George even helped people get recommendations.

Dan Duncan was Communications Director for the Seafarers Union, while George was president of the International Labor Communications Association. George worked hard to get labor press respected both within the union movement and among the general media. They were all propagandists of one kind or another because, if they didn't promote their members, they certainly could not expect any one else to do so. George understood that and worked hard to transition labor media from membership newspapers and magazines to the emerging world of what would become social media.

Dan Duncan knew George when he was on the 11th District Democratic Committee, which George chaired. When Dan presided at the NoVA Labor Federation, George knew the numbers and he knew the people. He worked hard for consensus, but allowed those with opposing views about candidates and/or issues to get their points across without folks becoming alarmed or challenged.

Long discussions with Cathy Hoffman, a boss at Liberty Mountain Resort in near Gettysburg, of the triumphs and challenges of their teenage kids. Many stories of George, the very patient instructor of the most timid skiers. Many ski instructors are prima donnas, but not George. George's name is still on the instructor schedule at Liberty for this winter. They can't seem to take it off.

Kelly Kurtyka also instructed at Liberty. She tried her son, Spenser, at skiing at the age of three. His response of ''It's really cold, Mommy'' devastated her. The next year, Cathy put Spencer with George Burke. ''Mr. George'' worked on his own time and waved his magic wands, and Spencer joined his family as a great skier. George brought him stuff from skiing in Switzerland, and Spencer drew pictures of him in school.

After George travelled across the U.S., he met Sharon the Nurse, who, ''took him into the woods.'' Great couple for hiking, kayaking, camping in New England. Not many spouses are blessed with a partner who loves the outdoors so. That worked really well for Sharon and George for 45 years.

With different knee and ankle strengths, Sharon lost her downhill ability, but cross country skied a lot. George was better at downhill and loved it, and taught it. Still, he often cross country skied with Sharon.

None of us can quite remember what George was like before he had two cell phones, on in any environment. With the blue tooth in his ear in New England, a little kid walking down the beach noticed that his arm was raised: George's hand with the phone in it, way up to get better reception. An hour later the kid came back and noticed that George's arm was still in the air.

George and Sharon were a team, and you could see that whenever and wherever they were together, more often at Labor events than political ones.

While folks in local politics never knew where he got the time, George was a five star dad. He changed the diapers. Mom nursed on the weekends and dad was full time. Skiing of course, but also an indulgence in swimming, crew, marching band at Jeb Stuart. The Burke kids loved the outdoors with their parents.

None of George's kids got the political infection. But they did get his love of music: the Allman Brothers, Eric Clapton, B.B. King. They still mostly do the music. The youngest however follows more rap and ski boarding.

Family holidays were always a very big event with them. Sharon will especially miss the big holiday related events.

In the spring, Sharon will take Georges' ashes on a two hour hike to his favorite ravine in New England.

When you get the vocation for public service, it can be joyful and rewarding. But you will miss a lot, mostly your wife and kids; and they'll miss you. This is a great country for public service: on the Hill, for the union, and in state and local politics. For almost 250 years, this nation has followed the path to ever more democracy. Rarely as good as spending all your time with your family, and certainly better than leaving your family a fortune, you can leave them a better country to live in. George Burke very much did that.

After he last got out of the hospital, George wanted a party, sort of an early Irish Wake. Some said he wanted his kids to know what he did; some that he wanted to critique whatever we all said. His editing eyes are very much on my shoulder. We will still have George's party, maybe in January. Lots more of the best we know of him and very little of grief. Do you know many people who had such a good run?

Whenever I needed advice or had a question for 30+ years, every voice mail or e-mail got an immediate answer. Nobody else ever does that.

In writing this, I spoke to more than 30 people. Not all were included specifically here; but they brought a flood of great adjectives. Everyone said ''true friend.''

The list of candidates and campaigners who got great advice from George would take many pages. If you are reading this, you are probably one of them.

Whatever you think about after death, the memory of George is softly etched in all of our hearts. He will continue to live in each of us as we remember him almost every day.

Susie Warner with photo of smiling, skiing George on mountain in the west: ''I love to remember George like this.''

HONORING MR. JOSE HURTADO

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Jose Hurtado, a faculty member at Napa Valley College, who is retiring this month after 38 years of service.

Mr. Hurtado's family immigrated to the United States in 1958. I had the pleasure of growing up with Jose, who went on to earn degrees from Napa Valley College, UC Davis, and Sacramento State College. He was the first in his family to earn college degrees, and his younger siblings quickly followed his lead.

In 1977, Mr. Hurtado began work as a counseling assistant at Napa Valley College. In 1980, he became the first Extended Opportunity Programs and Services (EOPS) Counselor hired to a tenure-track position. Nine years later, in 1989, Mr. Hurtado moved to the Counseling Department. He subsequently served as Division Chair of Napa Valley College's Counseling Department, before working temporarily as the school's Coordinator of the non-Credit Matriculation Program. In 2003, Mr. Hurtado moved back to General Counseling on the Napa campus, and began working with the school's student-athletes in 2010. In 2013, Mr. Hurtado became Coordinator of the combined Career and Transfer Programs at Napa Valley College.

Over the course of his 38-year career, Mr. Hurtado earned numerous awards and accolades. He was elected to the Napa Valley Unified School District Governing Board in 2004, and in 2011, he joined Community Action Napa Valley, an organization of which he is currently Chairman. Last year, Mr. Hurtado was appointed by California Governor Jerry Brown to the Napa Valley Expo Board of Directors, and in 2015, he became a member of the Napa County Hispanic Chamber of Commerce.

Looking back, Mr. Hurtado is especially proud of his children and grandchildren, his U.S. citizenship, and his election to the school board. His children's weddings remain among Mr. Hurtado's happiest moments. He remains lovably quirky to the community, reading four newspapers every Sunday and cheerfully interacting with Napa Valley students on a daily basis. Next year, Mr. Hurtado plans to complete a 500-mile trek on Spain's ancient Camino de Santiago trail.

Mr. Speaker, Jose Hurtado has devoted nearly 40 years to his community and to the education of our young people. He has demonstrated exceptional character, confidence, and compassion, and his community has benefitted enormously from his efforts. For these reasons and others, it is fitting and proper that we honor him here today.

PEARL HARBOR REMEMBRANCE DAY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor the victims who were killed during the devastating attack on Pearl Harbor on December 7, 1941—a date which will live in infamy. Seventy-four years ago today, more than 2,000 American citizens lost their lives and more than 1,000 others were injured in a surprise attack by the Imperial Japanese Navy.

The attack on Pearl Harbor shook our nation to its core. Up until this point, the United States had largely remained neutral during the Second World War. However, as a testament

to our strength and our resolve, the United States declared war against the Japanese and entered World War II just one day following the attack. Contrary to what the Japanese had intended, the attack had only emboldened our nation to forge our own path to victory.

Tragedies such as the attack on Pearl Harbor serve as a stark reminder of the great personal sacrifices that our men and women in uniform must make in the service of protecting our nation. While many soldiers are fortunate enough to return from service, plenty of others have given up their lives in the act of duty. We are forever indebted to these men and women who have given their lives to protect our freedoms and way of life.

Pearl Harbor Remembrance Day is also about paying tribute to those who served—and survived—during the attack. Petty Officer Doris ''Dorie'' Miller was one such American who fought bravely during the conflict. Petty Officer Miller displayed remarkable courage when his ship, the USS *West Virginia*, came under attack. As the fighting occurred, Miller dragged his ship's commander, who was mortally wounded by shrapnel, out of the line of fire to safety. He then manned a 50-caliber Browning anti-aircraft machine gun and shot down at least three of the 29 Japanese planes that went down that day until he was ordered to abandon ship. While Petty Officer Miller survived the attack on Pearl Harbor, he sadly lost his life during a second attack during the Battle of Makin Island when a Japanese submarine and aircraft attack sunk his ship.

Mr. Speaker, the attack on Pearl Harbor was a defining moment in United States history. Pearl Harbor Remembrance Day helps to remind us of the importance of defending our freedoms and the heavy cost of doing so. We are reminded on this day of those who lost their lives, but also the countless other veterans—such as Dorie Miller—who have made invaluable contributions to our success during the Second World War.

CONGRATULATING AND HONORING ALAN NAKANISHI

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Mr. DENHAM. Mr. Speaker, I rise today to congratulate and honor Mr. Alan Nakanishi for receiving the Lodi Distinguished Citizen Award from the Greater Yosemite Council, and the Boy Scouts of America. I would also like to personally thank him for his years of service working to better the city of Lodi and the state of California.

Raised in California's state capitol, Sacramento, Alan attended Lincoln School and Jr. High School. In 8th grade, he joined the Boy Scouts of America where he learned many valuable life lessons including always being prepared. Alan successfully reached the rank of First Class and desired to become an Eagle Scout; however, he chose to be involved in sports instead. With much respect for the Boy Scouts of America program, Alan still actively participates by being a speaker for several clubs.

After receiving his Bachelor of Arts degree from Pacific Union College in 1961, Alan continued on to study at the Loma Linda University graduating in 1965 with his Medical Degree. He completed both his medical internship and Ophthalmology Residency from the University of Southern California Medical Center. He later received his Masters of Health Administration from the Virginia Commonwealth University and the Medical College of Virginia in 1990 and 1991.

During Alan's early life, he served as a Captain in the United States Army where he was stationed in Texas. After earning his medical degree he served another two years as Major and led the surgical department as Chief of Ophthalmology for the McDonald Army Hospital in Fort Eustis, Virginia.

Alan Nakanishi had many extensive roles during his medical career including Chief of Ophthalmology, Retinal Fellowship at the Pacific Medical Center, Chief of Staff at Dameron Hospital, President of Dameron Hospital, cofounder of Delta Eye Medical Group and a significant member of the American Board of Ophthalmology,

Alan's political career in California has been substantial. In 2001, he was elected to the Lodi City Council and was selected Mayor of Lodi by his fellow Council members. In 2002, Alan was elected to the California State Assembly and was a member of several committees. He served as the vice-chair of Health, Labor and Employment. Alan was also a member of Appropriation, Higher Education, Rural Caucus, and the Legislative Sporting Caucus. His time in Assembly ended in 2008, and in 2010, Alan was elected to rejoin the Lodi City Council. Only two short years later he was selected again to serve as the Mayor of Lodi.

While Alan's accomplishments are outstanding in the work force, it's his community involvement that is tremendous. He served as a Rotarian, church school board member, church officer, member of the country Ground Basin Authority, alternate member of the Delta Protection Commission, and a member of the Delta Coalition Committee.

Mr. Speaker, please join me in honoring and recognizing Alan for his unwavering leadership and many accomplishments and contributions. He has a great dedication for the people and community he has worked so hard to help.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,787,992,446,946.88. We've added $8,161,115,398,033.80 to our debt in 6 years. This is over $8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

BECAUSE WE ALL NEED MORE HUMAN CONNECTION: HONORING THE WORK OF LILLIAN ROYBAL ROSE

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise to pay tribute to my sister, Lillian Roybal Rose, who made a career of leading nationally acclaimed cross-cultural leadership awareness seminars and workshops which fostered greater understanding between people of diverse backgrounds, and helped lay a foundation for a more peaceful multicultural future.

For over 35 years, Lillian taught her workshops to academic, corporate, civic, and community groups. Her ultimate goal was to increase participants' self-awareness and help them establish mutual understanding and respect for others. She did this by creating a safe and supportive environment for participants to learn how internalized oppression affects thinking and attitudes, and how the resulting patterns of behavior affect communication between individuals, within groups, and between groups.

When Lillian developed this workshop in the late 1970s, it turned the then-current diversity training model of ''blame and shame'' on its head. Her workshops relied on practical theoretical models based on psychology and ethics, and on interactive and experiential activities that allowed participants not merely to engage their minds but to open their hearts.

This workshop approach, coupled with Lillian's ability to see and bring out the best in people, helped participants build powerful frameworks for effective long-term cooperation and communication, and enabled them to reclaim pride in their roots through the exploration of shared experiences.

Lillian understood that the key to appreciating others is developing a better understanding of ourselves. When we can define and recognize forms of oppression that affect all of us, we can begin to relate to each other as individuals and build alliances.

Over and over again, I have met individuals from across the country who have expressed their gratitude for my sister's work. Those who have participated in her workshops have told me countless times, ''She has changed my life and made me a better person.''

While my sister is retired and no longer presents her workshops, she has been convinced by many of those same participants to give a farewell presentation. On December 12th and December 13th on the campus of the University of California at Santa Barbara, Lillian will present an encore workshop. People from different parts of the country will again be there to experience Lillian's brilliance, compassion, authenticity, and humility as she takes this final opportunity to share her life's work.

Lillian has said of the people who participated in her workshops, ''We gave, and continue to give each other support and hope that we can reach a fair and just society, where all can be treated with dignity and respect, have equal opportunity, and where we can love and celebrate our differences. My love and thank you to all.''

Mr. Speaker, I have been blessed to have Lillian as my sister, and I am proud to join Lillian's colleagues and friends for her encore workshop and in honoring her life's work.

HONORING GEORGE H. RYDER

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 7, 2015

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize and honor George H. Ryder, of the Lake County Board of Education, who is retiring after 39 years of dedicated public service.

In 1974, Mr. Ryder joined the Konocti Unified School Board of Trustees, a post he held until 1979. Subsequently, on December 10, 1981, he assumed office as a member of the Lake County Board of Education. In his 34 years on the Board, Mr. Ryder served numerous times as both President and Vice-President, and consistently provided the board with tremendous leadership, unshakeable poise and thoughtful recommendations.

In total, Mr. Ryder has dedicated 39 years of service to the children of Lake County and the surrounding areas. He has demonstrated an unmatched commitment to education, children, and community service, and has touched the lives of countless young people. Mr. Ryder's community has benefitted enormously from his efforts.

Mr. Speaker, George H. Ryder has had a long and uncommonly distinguished career in public service. December 9, 2015 marks his final day as a member of the Lake County Board of Education, and it is fitting and proper that we honor him here today. We wish him the best in retirement.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, December 8, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 9

Time to be announced

Committee on Small Business and Entrepreneurship

Business meeting to consider the nomination of Darryl L. DePriest, of Illinois, to be Chief Counsel for Advocacy, Small Business Administration.

S–216

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the United States strategy to counter the Islamic State of Iraq and the Levant and United States policy toward Iraq and Syria.

SD–106

Committee on Foreign Relations

To hold hearings to examine United Nations peacekeeping and opportunities for reform.

SD–419

Committee on Homeland Security and Governmental Affairs

Business meeting to consider S. 2171, to reauthorize the Scholarships for Opportunity and Results Act, S. 2127, to provide appropriate protections to probationary Federal employees, to provide the Special Counsel with adequate access to information, to provide greater awareness of Federal whistleblower protections, S. 1915, to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, S. 1492, to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska, H.R. 1557, to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal government, an original bill entitled, ''Federal Asset Sale and Transfer Act'', an original bill entitled, ''Federal Real Property Management Reform Act of 2015'', and an original bill entitled, ''Administrative Leave Act of 2015''.

SD–342

10 a.m.

Committee on Commerce, Science, and Transportation

Business meeting to consider S. 571, to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, S. 2276, to amend title 49, United States Code, to provide enhanced safety in pipeline transportation, H.R. 2843, to require certain improvements in the Transportation Security Administration's PreCheck expedited screening program, S. 1886, to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009, S. 1935, to require the Secretary of Commerce to undertake certain activities to support waterfront community revitalization and resiliency, S. 2058, to require the Secretary of Commerce to maintain and operate at least one Doppler weather radar site within 55 miles of each city in the United States that has a population of more than 700,000 individuals, S. 2319, to amend the Communications Act of 1934, an original bill entitled, ''Airport Security Enhancement and Oversight Act'', the nomination of Jessica Rosenworcel, of the District of Columbia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2015 (Reappointment), and routine lists in the Coast Guard.

SR–253

Committee on the Judiciary

To hold an oversight hearing to examine the Federal Bureau of Investigation.

SD–226

10:30 a.m.

Committee on the Budget

To hold hearings to examine moving to a stronger economy with a regulatory budget.

SD–608

2 p.m.

Committee on Armed Services

To hold hearings to examine the nominations of Marcel John Lettre, II, of Maryland, to be Under Secretary of Defense for Intelligence, Gabriel Camarillo, of Texas, to be an Assistant Secretary of the Air Force, John E. Sparks, of Virginia, to be a Judge of the United States Court of Appeals for the Armed Forces for the term of fifteen years to expire on the date prescribed by law, and the following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601: Vice Adm. Kurt W. Tidd, to be Admiral, all of the Department of Defense.

SD–106

Committee on the Judiciary

To hold hearings to examine the nominations of Susan Paradise Baxter, Robert John Colville, and Marilyn Jean Horan, each to be a United States District Judge for the Western District of Pennsylvania, Mary S. McElroy, to be United States District Judge for the District of Rhode Island, and John Milton Younge, to be United States District Judge for the Eastern District of Pennsylvania.

SD–226

2:30 p.m.

Committee on Foreign Relations

Subcommittee on Africa and Global Health Policy

To hold hearings to examine the political and security crisis in Burundi.

SD–419

Committee on Veterans' Affairs

Business meeting to mark up S. 290, to amend title 38, United States Code, to improve the accountability of employees of the Department of Veterans Affairs, and S. 425, to amend title 38, United States Code, to provide for a five-year extension to the homeless veterans reintegration programs and to provide clarification regarding eligibility for services under such programs.

SR–418

Special Committee on Aging

To hold hearings to examine sudden price spikes in off-patent drugs, focusing on perspectives from the front lines.

SD–G50

DECEMBER 10

9:30 a.m.
Committee on Armed Services
To hold hearings to examine increasing effectiveness of military operations.
SD–G50

10 a.m.
Committee on Energy and Natural Resources
To hold an oversight hearing to examine terrorism and global oil markets.
SD–366

Committee on Foreign Relations
To hold hearings to examine independent South Sudan, focusing on a failure of leadership.
SD–419

Committee on Homeland Security and Governmental Affairs
Subcommittee on Regulatory Affairs and Federal Management
To hold hearings to examine the importance of following through on GAO and OIG recommendations.
SD–342

Committee on the Judiciary
Business meeting to consider S. 247, to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, S. 1318, to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, H.R. 1428, to extend Privacy Act remedies to citizens of certified states, S. 483, to improve enforcement efforts related to prescription drug diversion and abuse, S. 1890, to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and the nominations of Dana J. Boente, to be United States Attorney for the Eastern District of Virginia for the term of four years, Robert Lloyd Capers, to be United States Attorney for the Eastern District of New York for the term of four years, John P. Fishwick, Jr., to be United States Attorney for the Western District of Virginia for the term of four years, and Emily Gray Rice, to be United States Attorney for the District of New Hampshire for the term of four years, all of the Department of Justice.
SD–226

2:30 p.m.
Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

DECEMBER 11

2 p.m.
Commission on Security and Cooperation in Europe
To receive a briefing on human rights violations in Russian-occupied Crimea.
RHOB–B318

JANUARY 20

2:30 p.m.
Committee on Armed Services
Subcommittee on Readiness and Management Support
To hold an oversight hearing to examine Task Force for Business and Stability Operations projects in Afghanistan.
SR–232A

HOUSE OF REPRESENTATIVES—*Tuesday, December 8, 2015*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. JOLLY).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 8, 2015.

I hereby appoint the Honorable DAVID W. JOLLY to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

SUPPORTING THE MENTAL HEALTH NEEDS OF OUR SOLDIERS AND VETERANS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, late last month President Barack Obama signed into law the National Defense Authorization Act of 2015, otherwise known as the NDAA.

Included in the legislation was language directing the United States Department of Defense to study a mental health assessment for all incoming military recruits. This assessment would then be used as a baseline throughout the service careers of our servicemen and -women.

This was included in the Medical Evaluation Parity for Servicemembers, or MEPS, Act, which I introduced earlier this year. Now, I believe this assessment is essential in addressing the suicide epidemic which has affected our military members and veterans over the past several years.

Mr. Speaker, when it comes to suicide within the ranks of our American heroes, commissioned studies have been implemented by the Department of Defense in the past.

We have found that, for over 60 percent of those individuals who attempt or commit suicide while serving in the military, it was not their first attempt. Their first attempt was before they joined the military. This is about pre-existing conditions that have failed to have been recognized.

Mr. Speaker, if you are like me and you assume that it is what people see on the battlefield—I have been to Afghanistan. I have been to Iraq in the past. It is the horrors of war that drive people, largely, to suicide.

But these studies, Mr. Speaker, have found that the large majority of those individuals who attempt or commit suicide while in the military never saw deployment. They were not in combat situations. Again, it speaks to pre-existing conditions that have not been adequately identified and addressed. This is a matter that really has been thoroughly examined in recent years.

So while I am happy that it is in the National Defense Authorization Act, I urge the Pentagon to act quickly to take steps to better assess the mental health of our servicemen and -women at the time of enlistment with this commonsense, baseline evaluation.

These heroes deserve all the information that we can provide in order to make their lives a bit easier.

CONGRATULATING THE PORTLAND, OREGON, TIMBERS ON THEIR MAJOR LEAGUE SOCCER CUP VICTORY

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

Mr. BLUMENAUER. Mr. Speaker, I come to the floor this morning barely able to talk. But not having much of a voice is common in Portland, Oregon, these days, as fans shouted themselves hoarse after the Portland Timbers' stunning victory over the Columbus Crew on Sunday, winning the Major League Soccer Cup.

There is no doubt that my hometown of Portland, Oregon, is Soccer City, USA. Fans continue to prove the point with a huge celebration today.

I want to congratulate the Timbers for an amazing season and for being such a huge part, indeed, of Portland, and all of Oregon.

This season had it all: injuries and bumps along the way that made Sunday's result seem highly unlikely. But under the leadership and direction of Coach Caleb Porter, the Timbers stayed focused and made course corrections that led them to a national championship, finishing with a flourish.

This team has so many heroes that it is impossible, in the time I have, to give them their due recognition. But I want to give special mention to new U.S. citizen Darlington Nagbee; Diego Chara; Rodney Wallace; Jake Gleason; and the old, salty dog, Jack Jewsbury, all of whom have been with the Timbers since our inaugural season.

I also want to highlight the Maestro, Diego Valeri; defenders Liam Ridgewell and Nat Borchers, he of the beard; as well as goalkeeper Adam Kwarasay for their heroic efforts this season.

Merritt Paulson and his management team deserve recognition for their passion for the support and their love for our city.

Of course, you can't mention the Portland Timbers without talking about, as the song goes, the greatest football supporters the world has ever seen, the Timbers Army. Your dedication to team, town, and country is an inspiration and very much in evidence in Columbus this weekend.

Mr. Speaker, let me conclude by reminding all of America and several places in Canada that, in case you didn't get the hint with Timber Joey and his chain saw, there is no pity in the Rose City.

DONALD TRUMP MUST END HIS PRESIDENTIAL CANDIDACY

The SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania). The Chair recognizes the gentleman from Florida (Mr. JOLLY) for 5 minutes.

Mr. JOLLY. Mr. Speaker, I rise today to call on Donald Trump to withdraw his candidacy for the White House. We face a security test in this Nation, a national security test. It is a real and audible threat.

I have been most critical of the President's foreign policy. It is an area that, respectfully, I have the greatest disagreement with this administration. I have begged him in correspondence, and I have used the word ''beg'' to do more to defeat the threat of terror.

I believe his Oval Office address Sunday night, frankly, was forgettable. He spent 5 minutes suggesting he was going to do nothing different to defeat ISIS. He spent 5 minutes lecturing Congress, and he spent 5 minutes lecturing the American people.

You see, we do face a security test that I believe the President's policies have underestimated. But we also face a test of our commitment to religious freedom, one of the basic freedoms upon which our Nation was founded. We are either going to defend that religious freedom or we are not.

It should be heartbreaking to every American that we have a frontrunner in the Presidential race that suggests there will be a religious test for anybody who wishes to come to our shores. It is an affront to the very principles upon which our Nation was founded.

We broke from a monarch that suggested all freedom and liberty was vested in the Crown and then the Crown would distribute freedom and liberty to the people. We founded a Nation based on what Jefferson called the natural rights of man, that we were, indeed, endowed by our Creator with very fundamental rights.

Mr. Speaker, I am a born-again Christian. I believe in the saving grace of the Jesus Christ that I call my God. The beautiful thing about this country is I can stand here on the House floor, among my peers and in front of the Nation, and declare that faith without fear of any reprisal.

But if Donald Trump has his way, we may not have the liberty to do that anymore. It is a freedom that has been fought for, from the Founders of our country, and generation upon generation of men and women who have worn the uniform of the Armed Forces and defended it, for the security of our Nation, and for the freedom of people.

We are a Nation worried about our security, rightfully so. It is why we are calling on the President to do so much more to defeat this terror. It is why we are begging the President for a stronger national security test.

We must always insist on a security test, but we must never require a religious test.

It is time that my side of the aisle has one less candidate in the race for the White House. It is time for Donald Trump to withdraw from the race.

CONFIDENTIAL INFORMANTS

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

Mr. COHEN. Mr. Speaker, first of all, I would like to congratulate the gentleman from Florida (Mr. JOLLY) on his statement. I thought that showed some courage. It reflects the values of a lot of people here in this House and in the United States of America. It needed to be said.

Mr. Speaker, some of us on both sides of the aisle have been working hard to reform our marijuana laws to allow more State flexibility in how marijuana is regulated and treated commercially and medically.

What binds us together across a broad ideological spectrum is our strong belief that we must be able to distinguish between marijuana and seriously dangerous and lethal drugs: meth, heroin, crack, cocaine, and prescription drugs as well.

People don't rob corner groceries and liquor stores to get money to supply their habit of marijuana. They do that for meth, crack, cocaine, heroin. It is a different, different drug.

The movement that is occurring here in this Congress and around our country is ongoing and growing rapidly, thanks to open minds, common sense, and some people having the courage to stand up for things they know are true because they, themselves, their friends, their family, and others have smoked marijuana, and they have seen that it is not a great problem.

Sunday night, I and millions of Americans watched a disturbing ''60 Minutes'' piece on the issue of confidential informants. Lesley Stahl was the host. It focused on how local law enforcement appears to be increasingly using young people as informants without regard to their rights or their safety.

It is being done without distinguishing between marijuana and the dangerous drugs that affect our society and our safety: heroin, meth, crack, cocaine, opiates.

Here is how it works. A young person is cited for violating drug laws, usually possessing a small amount of marijuana and perhaps having sold some to a friend, which happens regularly in high school and college—not that high school kids should be doing it, but it is a fact, and so are college kids. The police tell them that, unless they agree to wear a wire and implicate a number of their friends, often close friends, they could be sentenced to a long prison term, the maximum permitted by law.

They are cornered, frightened. Any person in that situation would take that deal. Most of them do it under supreme duress, and they do it without the presence of a lawyer or the knowledge that they have a right to a lawyer.

Most of them seem to do it without even telling their parents because the police tell them: Don't tell anybody. This is just between you and me. You need to do this or you are going to prison for a long time.

In the case of Rachel Hoffman and Andrew Sadek, it cost them their lives. Rachel had dealt a small amount of marijuana. They got her into dealing with people that dealt heavy drugs and guns and got her to try to make a big purchase. They didn't do a very good job of covering her. Rachel was murdered.

Mr. Sadek was murdered, also, as a confidential informant, without police protecting him.

The underpinnings for this counterproductive and dangerous behavior by some of our police are the very drug laws that many of us are trying to reform. This is wrong. I hope my colleagues will work with me to help stop it.

President Eisenhower warned us about the military industrial complex and its effect on our country and our budgets.

We need to be warned about the law enforcement-marijuana industrial complex, which is driven by monies that they get from busts and perverts justice and ruins people's lives and takes away their college scholarships, their opportunity to have housing, on occasion, and their opportunities to get jobs and, indeed, their liberty.

□ 1015

In the meantime, it is time for the Department of Justice to take a close look at how this behavior not only threatens to ruin young lives but, in some cases, to end those lives.

As the Department of Justice, in the aftermath of all too many instances of police overreach and overreaction, works with local communities to educate law enforcement on more just and humane practices, the issue of forcing young people to be confidential informants should be added to its list.

Mr. Speaker, we will be working on legislation. I hope we have people to join us. This is just part of the scourge that has come across this Nation, ruining people's lives because of the misunderstanding of marijuana starting in the 1930s with Harry Anslinger and continuing in the 1970s with Richard Nixon, who used it as a political tool. It needs to stop.

PHARMACY BENEFIT MANAGERS

The SPEAKER pro tempore (Mr. JOLLY). The Chair recognizes the gentleman from Georgia (Mr. COLLINS) for 5 minutes.

Mr. COLLINS of Georgia. Mr. Speaker, I come here today, as I have on many other occasions, to discuss an issue that is close to my heart, but it is also close to every small community and every large community across the country, and that is the plight of our community pharmacists. Community pharmacists are struggling to survive each and every day in light of the anticompetitive behavior of pharmacy benefit managers, PBMs.

Let me state up front: I have no problem with a company doing business. I have no problem with them playing in the bounds of what is fair and what is legal, and PBMs have a role in the marketplace. However, what we found out just in the last few weeks in the Judiciary Committee in a hearing is there is still a lack of regulation, enforcement, and transparency, and it is threatening the very existence of our community pharmacists in which the PBMs are acting not as competitors but, many times, as bullies.

To make matters even worse—and this is what was amazing to me—community pharmacists cannot even speak out about the appalling practices of the PBMs that they are forced to do business with because, when they do, the repercussions are swift and severe. It has been amazing to me to talk all across the country to community pharmacists who simply want to talk about what is going on in their business model in which they are put at a distinct disadvantage, and yet there are many of them saying: I can't say anything publicly because I know I will be reprimanded or my contract will be changed or my contract will be withdrawn, and I will be out of business.

Mr. Speaker, that is just wrong. No matter what is said, we have seen firsthand that in relation to State laws that have been in response to this issue, the States have enacted transparency reform with generic drug prices and reimbursement systems called the MAC transparency laws.

In fact, to date, 24 States have enacted such laws. The goals of these laws is to increase transparency and provide structure around the generic drug pricing and reimbursement system. But when community pharmacists speak out in support of these reasonable reforms, the PBM community has retaliated through business lawsuits against the State and even discussing it in the contracts with community pharmacists saying: Well, it would be better if we get these laws repealed.

There is just a problem here. When you have the ability to force your competitors to be audited by you and to be controlled by you to where there is no transparency, where there are issues of community pharmacists simply barely able to survive, the PBMs are not representing the best interests of consumers; the PBMs are representing themselves. If they were truly acting in the best interest of consumers, as they claim, they would not oppose virtually every single transparency reform effort on the State and the Federal level. In fact, it is really interesting. They come to Congress and say one thing to Members, and then they turn around and behave however they wish in the pharmacy marketplace without fear of enforcement or oversight.

As I said from this floor a few weeks ago, I will continue this fight because they can't audit me. They can audit my community pharmacists, and my community pharmacists are scared because they know their very livelihood is being put out by those who would come with shiny objects and savings that many times never materialize, but at the same time funneling money to their own businesses.

Mr. Speaker, it is time to change, and it is time to change it now. We must preserve pharmacy access for patients, especially those in rural areas like north Georgia, and we must put an end to the bullying that seems to be going on.

What is amazing is a PBM can make a mistake and say that a pharmacy was not part of the new network, and when called on that, saying that we are part of that new network, they say: Well, we will send out a retraction when we get around to it. Pharmacists lose business based on these kinds of letters, and, yet the PBMs say: Oh, well, we will get around to it when we can.

That is why I am proposing H.R. 244, because community pharmacists routinely incur losses of approximately $100 or more on prescriptions because PBMs reimburse pharmacies well below their cost to acquire and dispense generic prescription drugs, and they have skyrocketed in price. The PBMs may wait weeks or months to update the reimbursement benchmarks they use to compensate pharmacies while drug prices increase virtually overnight. This situation jeopardizes pharmacists' ability to continue to serve patients because it leaves community pharmacists with unsustainable losses.

Mr. Speaker, I would urge you and other colleagues to cosponsor H.R. 244. This reasonable legislation would require PBMs to update their maximum allowable cost benchmark every 7 days to better reflect market costs and allow pharmacists to know the source by which PBMs set reimbursements for their community pharmacist.

Many times we come to the floor fighting for businesses both large and small. But this is a time in which we are coming and I am coming to the floor fighting for community pharmacists who many times are the main source of health care in a community. They are the ones that are trusted. They are the ones that are needed. And it is time for this body to stand up for them, against the anticompetitive tactics of PBMs and the bullying behavior that has got to stop.

OUR CONSTITUTIONAL RIGHTS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, in a conversation that I had recently, speaking about the other body, it was mentioned that that body is the deliberative body. There are opportunities for collaboration between Members, Democrat and Republican. But I am in the people's House, and I believe that Members also have the duty and commitment to collaborate and to be deliberative and thoughtful.

This morning, I would like to offer just a number of points about our wonderful Constitution.

I first want to begin by saying this is Restore the Vote Tuesday, and I am wearing a pin that highlights the importance of voting and the responsibilities of our civic constituency. My colleague from Alabama (Ms. SEWELL) is on the floor, and I join her in recognizing how special this right is and to know that many of us—I attempted to register sharecroppers in South Carolina, North Carolina, and Georgia in my college days, people who were still frightened about voting. I saw what the 1965 Voting Rights Act did, and we need to restore it.

We have an election coming up in Houston on Saturday, and I want to say to my constituents that we will do all that we can to prevent any prohibitive barriers from voting, from your voting.

That is a right, Mr. Speaker, just as it is the right to have the right to freedom of expression, freedom of speech, and freedom of religion.

Mr. Speaker, one of our Presidential candidates took to the airwaves in the last 24 hours to pronounce or announce or demagogue, saying that no Muslims should be allowed in this country. Mr. Speaker, I believe that we, as Members of Congress, should be empathetic and sympathetic to the concern of the American people. Maybe some are frightened. I do not make light of that.

I have been on the Homeland Security Committee since 9/11, and I now serve as the ranking member of the Crime, Terrorism, Homeland Security, and Investigations Subcommittee. I take these obligations very seriously. For any of us who have been to Ground Zero even at that time and since that time, it is seared in our minds.

I know the people in San Bernardino, those of us reflecting on Paris, but now our own brothers and sisters realize that government must act in a way for Americans to feel safe and secure. But I would say that having met and stood with the Muslim community in my district on Sunday, late in the afternoon, we stood in front of the Mickey Leland Federal building with Christians alike. Arm in arm we prayed. But I just stood back and listened to one Muslim representative after another come and proclaim their patriotism and denouncing the violence and distortion of their faith.

A young imam who had just moved from New Jersey just moved me. He began to articulate the elements of the Koran: benevolence and love. As a 25-year-old, he stood up to denounce this violence. That is the kind of American partnership that we need.

When we concluded that meeting, we had a press conference and vigil. We said that we would form a task force. I encourage Members throughout this body to have task forces on this very issue: How can we help?

Then as the President spoke—I want to thank him, for maybe people were not listening—the President was very clear that he is going to take the hunt and hunt down terrorist plotters to any

country where they are. The President also indicated he will continue to provide training and equipment to Iraqi and Syrian forces and work with friends and allies to stop ISIL's operations; and with American leadership, the international community has begun to establish a process and timeline to pursue cease-fires and a political resolution to the Syrian war. Our President is focused. The Congress needs to be focused.

Yes, we need to be able to put forward legislative ideas, not contentious. No terrorist should have the ability to get a gun. Therefore, we should pass this bill that indicates that any terrorist on the terrorist watch list should not be able to buy a gun in the United States of America. I have legislation in the Judiciary Committee that we are preparing to come to the floor: no-fly for foreign terrorists, stopping them in their tracks, from wherever they come from, from getting on any plane coming to the United States of America. That is not hostility. That is saying to the American people we care. As they say in the community: We have got your back.

Then we must go back to the alert system, Mr. Speaker. We did it after 9/11. We understand the Secretary is offering that thought, the red alert. It is interesting that I thought about that, to give the American people some sense.

But let me finish, Mr. Speaker, by simply saying that I love this country. What a wonderful set of principles in the Constitution. And I want to say to the American people that, with our God, with our faith vested in a higher power, and the knowledge of democracy, we are going to withstand, survive, fight, and have a better nation. I know that that is the better way, not demagoguery and condemnation of a faith. I would never do that.

MASS SHOOTINGS

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

Mr. QUIGLEY. Mr. Speaker, last week's shooting in San Bernardino, California, happened to be the second shooting of the day and the 355th of the year, equating to more mass shootings than days in the year. The social media pages of some of the most influential leaders in Congress expressed sympathy, thoughts, and prayers to the victims and their families. But what many failed to express was a commitment to act on this issue to make mass shootings and horrendous gun violence a far less common instance in America.

While no grand solution exists to end all gun violence, we know from the experience of other countries that a combination of small but practical policy solutions can severely reduce it. But Congress continues to choose inaction.

Last week, immediately following the devastating news coming out of Paris and San Bernardino, a majority of Members blocked the House from even debating bipartisan legislation to close the outrageous loophole that allows suspects on the FBI's terrorist watch list to buy guns. It may be hard for some to believe, but in the U.S., individuals on the Federal terrorist watch list are shockingly still not prohibited from purchasing firearms.

Quite simply, Mr. Speaker, this means you can be on the terrorist watch list, considered by the Federal Government to be a potential risk to the national security of the United States and be prohibited from boarding a plane, but still have the ability to walk into any Walmart around the country and purchase a semiautomatic weapon.

Current Federal law prohibits nine categories of dangerous people from purchasing or owning firearms; suspected terrorists on FBI watch lists, however, are not one of them. I don't have to explain to Members of the House the growing terrorist threat that this country is facing from lone-wolf extremists which are often unpredictable and incredibly difficult to thwart. Even just one unsophisticated lone-wolf extremist with a gun can do a remarkable amount of damage.

This isn't some sort of theoretical threat either. A GAO investigation found that individuals on terrorist watch lists successfully purchased guns 1,321 times between February 2004 and December 2010. And that was before the rise of ISIS and their persistent social media campaign to recruit homegrown terrorists.

Mr. Speaker, I have worked with Congresswoman LOWEY in the Appropriations Committee on a commonsense amendment to allow the Attorney General to deny firearms sales to individuals known or suspected to be involved in terrorism. Unfortunately, our attempts to pass this amendment in committee have been rebuffed every time. But this week, we have an opportunity to change that. This week, we can show our enemies, intent on destroying Americans and our way of life, that Congress cares more about protecting the safety of its citizens than it does about the gun lobby by finally closing this terror gap in our gun laws.

The American people, gun owning and not, overwhelmingly support responsible, commonsense gun reforms. If this isn't the definition of responsible and commonsense reform, I don't know what is. There is also widespread support specifically among gun owners for closing the gap. In 2013, a survey found that 80 percent of non-NRA gun owners support prohibiting people on the terrorist watch list from obtaining guns. Mr. Speaker, 71 percent of NRA gun owners support prohibiting people on this watch list from obtaining guns.

It is naive to think that al Qaeda and ISIS are not paying attention to what is happening here in Congress. Fixing this loophole is simple, responsible, and the right thing to do for public safety. Let's not pass on this critical opportunity to close a dangerous loophole that threatens our national security.

□ 1030

HOMEOWNERSHIP

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LORETTA SANCHEZ) for 5 minutes.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to highlight an issue that is incredibly important. It is probably the number one issue going on in my district today. And that is the whole issue of housing: housing, and the opportunity to own your own home, to provide a safe haven for your family, to build wealth.

You see, owning your own home for almost everybody in our country is the first rung of the ladder of wealth creation. Yet today, that dream—and it is a dream for many of our citizens, particularly those in the Latino and minority communities—is just that, a dream. Latinos, like all Americans, are committed to building a better and stronger future for their families and for their communities. It starts by becoming a homeowner, to own a piece of America, to have a real stake in America.

That is one of the reasons homeownership is so important. It is important because it creates wealth—as I said, the first rung on the ladder for people to have an investment. It creates social stability. It creates a haven for the family, for family get-togethers. A home is really one of the most important assets for a family to have. Owning a home has far-reaching consequences in our economy for communities.

This fall, I had the opportunity to be a keynote speaker at a bipartisan leadership forum on achieving the American Dream, hosted by First American Financial Corporation, who is headquartered in my district. I was joined by many of my colleagues, including Representative LINDA SÁNCHEZ, Representative EMANUEL CLEAVER, former Governor Luis Fortuno, industry leaders, and community activists.

The decision to become a homeowner is one of the most important decisions, and it commits a person. It commits a family. It commits us towards getting to the middle class. For people in the bottom 40 percent of annual income level, wealth creation is almost exclusively in homeownership.

According to the National Association of Home Builders, ''the primary

residence represents the largest asset category'' in our country, accounting for 30 percent of our Nation's total assets. The importance of homeownership is even greater for the middle class: 62 percent of the median homeowner's assets and 42 percent of their total wealth lies in their home.

Not to mention that access to home equity, being able to pull out some of that equity you have built up, provides families with financial stability when there are financial stresses going on in the family. It is an emergency fund in some cases, and it helps to start a business, it helps to fund college for our children. Homeownership is a key to creating stable, economically successful households and to provide security for existing and future generations.

Households with wealth are able to weather financial shocks and increase upward economic mobility for themselves and for future generations. In fact, analysis provided by First American's Chief Economist, Mark Fleming, highlighted homeownership trends based on household formation rates among Latino and African American Communities. The research identified the importance of homeownership-based wealth formation as the key, the key to wealth creation for middle- and low-income Americans. Providing Americans with equal opportunity to pursue that homeownership is a challenge, and it is very challenging in the Latino, African American, and other minority communities.

This last recession of 5 or 6 years—this really terrible, difficult recession for so many people—saw in the Latino community two-thirds, 66 percent, of the wealth across our Nation within the Latino community went away.

I hope that my colleagues will help us in building back to homeownership for all of our communities in America.

60TH ANNIVERSARY OF MONTGOMERY BUS BOYCOTT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL of Alabama. Mr. Speaker, today I rise in recognition and acknowledgement of Restoration Tuesday and to recognize the 60th anniversary of the Montgomery Bus Boycott. There has been, Mr. Speaker, a renewed and relentless assault on our sacred right to vote in the aftermath of the Supreme Court's ruling in Shelby County v. Holder.

Since elections are held on Tuesdays, my colleagues in the Democratic House caucus and I have declared that every Tuesday that the House is in session shall be declared as Restoration Tuesday. So I stand before you and this august body today in hopes of giving a voice to those who have been excluded from our political process. My hope is that all the Members, Members from both sides of the aisle, will join me and over 140 Members of this august body in supporting the Voting Rights Advancement Act.

This Voting Rights Advancement Act not only restores the Voting Rights Act of 1965, but it advances it. It gives more protection to more people in more States and is, indeed, what our Founding Fathers would have wanted when they declared that our electoral process would be fair.

I think that the events of last week—we celebrated the 60th anniversary of the Montgomery Bus Boycott in my district, in Montgomery, Alabama, last week. The Montgomery Bus Boycott—the 381 days when people refused to sit and use the buses in Montgomery, breaking desegregation of the bus systems in Montgomery—it stands forever as a powerful testimony of the will of disenfranchised people to work collectively to achieve extraordinary social change.

Sixty years ago, Mr. Speaker, Rosa Parks refused to give up her seat on a segregated bus, and her bold stand against racial discrimination sparked a city-wide boycott. I was in Montgomery to commemorate that occasion, along with several Members of this House. I want to thank Congressman BUTTERFIELD and Congresswoman CORRINE BROWN for joining me last week in that celebration, along with Congressman JOHN LEWIS, who forever stands as a beacon, a reminder of what it takes to show strength in the face of discrimination.

Mr. Speaker, I say to all of my colleagues, what will we do to progress this wonderful legacy of social change and democracy? So many average, ordinary Americans have stood up for that proposition in the face of tremendous adversity.

So it is my hope that on this Restoration Tuesday, we will remember their legacy, the legacy of Americans who stand up for social change, and we will do what we know is right to restore the Voting Rights Act of 1965. We can do that today, Mr. Speaker, by joining with all of the 140 or so Members of Congress who have already signed on to the Voting Rights Advancement Act; by remembering that on Tuesdays across this country, people go to vote, and they should do so without barriers, knowing that their polling stations will not be changed, knowing that if they are disabled, they will still be able to get into the ballot box in order to vote. It is so important that we all recognize that modern day barriers still exists to voting, Mr. Speaker.

Mere words are not enough to restore the vote to millions of Americans who have wrongly been shut out of the Democratic process. The voice of those excluded cannot be unheard. The Voting Rights Advancement Act that I introduced alongside Representatives JUDY CHU and LINDA SÁNCHEZ contains a modern-day formula that will determine jurisdictions which should have Federal protections, Federal pre-clearance requirements.

I stand here before you to call on Congress to pass this bill to restore the Voting Rights Act of 1965. We cannot return to the days where only some votes matter. Indeed, Mr. Speaker, all voices, all votes matter. Our vote is our voice, and our voices must be heard.

DENY GUN SALES TO SUSPECTED TERRORISTS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Mrs. LOWEY) for 5 minutes.

Mrs. LOWEY. Mr. Speaker, Federal law prohibits nine categories of dangerous individuals from purchasing a firearm. This includes convicted felons, domestic abusers, and the seriously mentally ill. Yet, while we prevent those on the terrorist watch list from boarding planes, they are welcome in gun stores.

The Government Accountability Office found that between 2004 and 2014, individuals on terrorist watch lists tried to purchase guns or explosives 2,233 times. Of those attempts, 2,043, an astounding 91 percent, were approved.

Terrorists are knowingly exploiting this gap. In fact, in 2011, Adam Gadahn, an American-born member of al Qaeda, issued a video urging violent followers to exploit weaknesses in U.S. gun laws.

Adam Gadahn was not alone. In 2009, Daniel Patrick Boyd was arrested and charged with conspiring to murder U.S. military personnel at the Marine Corps base in Quantico, Virginia. Boyd, who was under investigation by the FBI Joint Terrorism Task Force, had amassed an arsenal of assault rifles and had even traveled to the Middle East to meet with militants to plan future attacks.

It is impossible to hear these facts and not think of the recent horrific attacks in Paris. France has extremely strict gun laws, so it is likely that the terrorists in question turned to black market sources for the weapons they used. But here in the United States, suspects on the terrorist watch list can legally purchase firearms. It simply doesn't make any sense at all.

That is why I am a proud cosponsor of H.R. 1076, the Denying Firearms and Explosives to Dangerous Terrorists Act. This bill, along with an amendment that I have introduced in the Appropriations Committee, would give the U.S. Attorney General the authority to block suspects on the terrorist watch list from purchasing firearms.

Given the repeated mass shootings in the United States and the ongoing threat of terrorism, it is hard to believe that four times, Republicans on the Appropriations Committee have

said no to closing this dangerous loophole.

In 2011, I introduced my amendment. It was rejected. In 2013, I tried again. It was rejected. Again, in 2014, rejected. Even this year, in 2015, with the tremendous threats we face as a Nation, my amendment was rejected for the fourth time.

Even NRA members agree we should pass this commonsense measure. A 2012 poll found that 76 percent of gun owners, including 71 percent of NRA members, support prohibiting people on terrorist watch lists from purchasing guns. Yet, the NRA's stranglehold on the majority in Congress has prevented my amendment from passing and the bipartisan stand-alone bill from even being considered.

The time has long since come for us to cross the aisle and work together to make our country safer. Let's close this glaring loophole immediately and arm our law enforcement with the ability to deny gun sales to suspected terrorists.

RECESS

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

Accordingly (at 10 o'clock and 45 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

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

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

Send Your spirit down upon the Members of the people's House. Grant them wisdom, insight, and vision, that the work they do will be for the betterment of our Nation during a time of struggle for so many Americans.

Fear of violence on all fronts, tensions between people of different races or religion or cultures—so many things weigh upon the citizens of this country and the representatives who serve them.

Empower the Members of this House to rise above the din of anger and confusion, fear and contention, to face the issues of these times with equanimity and good judgment. Help them to trust one another and work with those with whom they have been at odds in times past.

May we all strive to become our better selves and encourage that growth in one another.

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

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Indiana (Mrs. WALORSKI) come forward and lead the House in the Pledge of Allegiance.

Mrs. WALORSKI led the Pledge of Allegiance as follows:

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

RESIGNATION AS MEMBER OF COMMITTEE ON THE BUDGET

The SPEAKER laid before the House the following resignation as a member of the Committee on the Budget:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 4, 2015.

Hon. PAUL D. RYAN,
Office of the Speaker,
Washington, DC.

MR. SPEAKER, In light of my recent appointment as Chairman of the Human Resource Subcommittee on Ways and Means, I hereby resign my position on the House Budget Committee.

Best Regards,
CONGRESSMAN VERN BUCHANAN.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

ELECTING A MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Ms. FOXX. Mr. Speaker, by direction of the House Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 555

Resolved, That the following named member be, and is hereby, elected to the following standing committee of the House of Representatives:

COMMITTEE ON THE BUDGET: Mr. Renacci.

The SPEAKER. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

CONGRATULATING THE ALLEGHANY HIGH SCHOOL LADY TROJAN VARSITY VOLLEYBALL TEAM

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, today I rise to recognize the Alleghany High School volleyball team, which recently won the North Carolina 1A State championship. It is the first NCHSAA State championship in the program's history.

Coach Debbie Weaver led the Lady Trojans on their winning campaign. The nine seniors on the team, including MVP Jade Shepherd, have been playing together since fifth grade, and it showed in their performance. They won three out of four games to defeat the defending State champion Princeton Bulldogs.

Mr. Speaker, I had the opportunity to meet these young ladies at the annual Christmas parade in Sparta. It is clear that everyone in Alleghany County is proud of the teamwork, dedication, and perseverance they exhibited on the way to this great achievement.

I commend these young athletes and congratulate them on a job well done.

ATTACK ON PEARL HARBOR

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

Mr. MCDERMOTT. Mr. Speaker, one of the darkest days in American history was December 8, 1941. Over 2,400 lives were lost in the attack on Pearl Harbor the previous day. Half our Navy was destroyed, and our allies in Europe were on the verge of collapse. It was a terrifying and uncertain time to be in the world.

The world feels particularly dark these days, too. Things feel more uncertain. And for a country that enjoys the privilege of security, we might be forgiven for this growing anxiety. Fear makes it easy to be nervous and cynical.

We allowed our baser instincts to get the better of us in this country, as we did in 1941. We translated the contagion of xenophobia into national policy with the internment of German and Japanese from my area in internment camps.

We are hearing the same contemptible rhetoric today. It is dishonorable, it is false, and to believe it is to reject the fundamental truth that the American people are ultimately made of finer stuff than fear, blame, and prejudice.

We will get through these troubles, Mr. Speaker. Nothing is above our

strength or our endurance as a nation so long as we have the grace and courage to remind ourselves on our darkest days of our essential values and responsibilities as a free and open people.

RECOGNIZING MILLER'S VETS

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute.)

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize Miller's Vets, an organization in my district committed to supporting homeless veterans, and express my appreciation for the service and sacrifice our veterans have made on behalf of our country.

Miller's Vets was founded by Robert Miller, Sr., a former St. Joseph County Superior Court judge and a retired lieutenant commander in the U.S. Naval Reserve, who began the organization to instill confidence and create opportunities for local veterans.

Veterans in the program participate in various services, including color guard, flag raising, and parade marches. Miller's Vets also created a military honors funeral program comprised of 14 local veterans who have been trained to perform honor guard duty at funerals. This program partners with local funeral homes to provide full military service funerals to certain veterans without family or adequate finances to pay for their expenses.

Simply put, Mr. Speaker, Miller's Vets restores the honor that these men and women deserve. I am grateful to Miller's Vets for their dedication to providing dignity and hope to our bravest and finest.

Mr. Speaker, please join me in honoring Miller's Vets for their tireless dedication to helping and honoring our local veterans.

CLOSING THE TERRORIST GUN LOOPHOLE

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

Mr. VEASEY. Mr. Speaker, I rise today to express my deep concern for the safety of our country and urge colleagues to act today on sensible gun safety legislation. Time after time, House Republicans have denied any discussion of voting on a measure that will close a dangerous loophole that currently allows suspects on the FBI's terrorist watch list to buy guns. Last week alone, House Republicans voted not one time, not two, but three times to block debate on the Denying Firearms and Explosives to Terrorists Act.

According to a report by the Government Accountability Office, since 2004, more than 2,000 suspects on the FBI's terrorist watch list have successfully purchased weapons in the United States. More than 90 percent of all suspected terrorists who attempted to buy a gun walked away with the weapon of their choice.

Mr. Speaker, this bill is just common sense: if you are too dangerous to fly, then you are too dangerous to buy a gun. We must do all that we can to prevent senseless acts of violence in our communities and bring this legislation to a vote today.

RECOGNIZING ONE OF MINNESOTA'S FINEST FAMILIES

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

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to recognize the 74th anniversary of Pearl Harbor and to honor all Minnesotans and all Americans who served in World War II. I would like to recognize the service of one Minnesota family in particular.

In 1885, Carl Nolte moved to Martin County, Minnesota, with his wife, Louise. They had 12 children and numerous grandchildren. An impressive 36 members of the Nolte family joined the Armed Forces and served in World War II. Fortunately, all 36 family members survived the war. However, two were wounded during their service.

It is often said that those who served in World War II belong to the Greatest Generation. I believe that the heroism and the dedication that this family demonstrated proves this to be true.

Mr. Speaker, I would like to thank this Minnesota family for their service to our Nation, and I would also like to wish one of them a very happy birthday. This week Loren Wessel of Truman, Minnesota, turns 96 years old. Happy birthday, Loren.

DENYING FIREARMS AND EXPLOSIVES TO DANGEROUS TERRORISTS ACT

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

Mr. KILDEE. Mr. Speaker, last week, House Republicans voted three times to block debate on Republican Congressman PETER KING's Denying Firearms and Explosives to Dangerous Terrorists Act, which would close the outrageous loophole that allows suspects who are on the FBI's terrorist watch list to purchase weapons.

Mr. Speaker, 2,000 suspects on the FBI's watch list tried to buy weapons in the U.S. in the last 11 years, and 91 percent of them walked away with a weapon.

Democrats remain committed to blocking dangerous people from having guns. Eighty percent of gun owners support this. It is a bipartisan effort. PETER KING from the Republican Conference wrote this legislation, yet Republicans and the leadership blocked a chance for us to have a simple yes-or-no vote on what most Americans think would be logical, commonsense ways to keep us safe.

Seriously? Terrorist watch list? Buy a gun of your choice whenever you want? We are better than that. This Congress needs to act. I urge my colleagues to join me in stopping this nonsense.

HONORING THE LIFE AND LEGACY OF CHANCELLOR EUGENE McKAY OF ARKANSAS STATE UNIVERSITY

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

Mr. HILL. Mr. Speaker, I rise to honor the life and legacy of one of Arkansas' great educators, Chancellor Eugene McKay of Arkansas State University at Beebe. He will be retiring in January after 50 years of service to our State's educational system, particularly in helping assure a ready, skilled workforce.

Chancellor McKay has displayed an unrelenting commitment to education in Arkansas that has been a beacon for quality higher education at Arkansas State University.

First as a professor and then as the chancellor, Dr. McKay was responsible for the university's recognition of having the highest student success rate in Arkansas among both 2- and 4-year institutions.

He has been honored for this work as an educator by the Beebe Chamber of Commerce, that also presented him their lifetime achievement award.

Chancellor McKay made an indelible impact on the lives of Arkansans, faculty, alumni, students, and all of our communities. We will miss him. I extend him my warmest regards and best wishes for his retirement.

JAMES ZADROGA 9/11 HEALTH AND COMPENSATION ACT RENEWAL

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, you have told us over and over again that the James Zadroga 9/11 Health and Compensation Act will be passed in this year.

Well, the clock is running out. The time is here to live up to our pledge that ''we will never forget.'' We lost 3,000 innocent people on 9/11, but thousands more lost their health care and are sick and dying. They are coming to this Congress praying for their health care.

It is a national disgrace that we have not responded to our responders. Yet everyone agrees. Leaders on both sides of the aisle have pledged to do this before the end of the year. Yet, even when we all agree, we still seem to do nothing. As Jon Stewart so succinctly

put it: Congress has become the last responders.

It is time for the last responders to respond to the first responders and give them the health care and support they so justly deserve.

CONGRATULATING CATHOLIC HIGH SCHOOL AND COACH DALE WEINER

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

Mr. GRAVES of Louisiana. Madam Speaker, on Friday evening this past Friday, the 5A Division 1 playoffs occurred in high school football in Louisiana, and my high school alma mater of Catholic High in Baton Rouge played against our distinguished majority whip's Catholic high school, the Archbishop Rummel High School.

This was a great game, Madam Speaker, where it went on to the fourth quarter where things were tied up with only a few seconds left with both sides praying, I am sure. We had a little bit of intervention here. And while there is a chance, Madam Speaker, that this poster was fabricated, I assure you that the win that Catholic High had over Archbishop Rummel was very, very real, and the values that each of these schools instill upon their students is also very real.

I want to congratulate Coach Dale Weiner, Catholic High School Bears out of Baton Rouge, and Coach Weiner's over 300 wins in high school football.

□ 1215

RENEW THE ASSAULT WEAPONS BAN

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

Mr. CICILLINE. Madam Speaker, just hours before last week's shooting, I stood in this very same spot and called on Congress to renew the assault weapons ban, which expired in 2004.

Shortly after the shooting in San Bernadino, we learned that one of the weapons used was an AR–15, capable of unloading 800 rounds per minute or 13 rounds per second. Just a week earlier, a gunman in Colorado Springs used an AK–47-style weapon.

We need to get these weapons of war out of the hands of terrorists and criminals. It is easy to say criminals and terrorists will always find a way to get a gun, but certainly we don't need to make it easier for these individuals to get guns capable of killing dozens of innocent people within seconds.

There are simple steps we can take today to address this issue without denying a person's Second Amendment rights. We can start by making sure someone convicted of a violent crime can't buy a gun by exploiting a loophole and prevent someone on the terrorist watch list from buying a gun. If you are too dangerous to get on a plane, you are too dangerous to walk into a gun store and buy an assault weapon or any other gun.

We need to start somewhere to address this epidemic if we have any hope of reducing gun violence in this country. Getting assault weapons out of the hands of criminals and potential terrorists is a good place to start.

COMPUTER SCIENCE EDUCATION WEEK

(Mrs. BROOKS of Indiana asked and was given permission to address the House for 1 minute.)

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today in recognition of national Computer Science Education Week. Established in 2009 to coincide with the birthday of one of the first women in the field of computer science, Grace Murray Hopper, Computer Science Education Week provides a unique opportunity to connect students with opportunities in the computing fields. The Bureau of Labor Statistics predicts that in the year 2020, there will be roughly 10 million jobs in STEM fields. Of those, half are expected to be in computing and information technology.

Despite these opportunities, there is a substantial shortage of individuals with skills needed to fill computing jobs. The more we can expose and engage our students in computer science programs, the better prepared they will be for the jobs in the 21st century.

This week, Representative SUZAN DELBENE of Washington, my co-chair on the Congressional Women's High Tech Caucus, and I introduced House Resolution 554 to encourage schools, parents, and our colleagues to support computer science education, participate in an Hour of Code event this week, and join this national movement in computer science education.

GUN VIOLENCE AND THE TERRORIST WATCH LIST

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, mass shootings have become daily occurrences in this country. There were 355 mass shootings in the first 336 days of this year.

Americans are understandably shaken. As Members of Congress, it is our responsibility to enact policies to protect and defend them.

It is unbelievable that an individual on the terrorist watch list can walk into any gun shop and buy the firearm of their choice. That is completely legal right now, and law enforcement has no ability to stop it.

We all know that our weak gun laws in this country have failed for decades to protect innocent lives. We have a long way to go in reversing the deadly damage done by the lobbying efforts of the NRA, but this is a good place to start.

Closing this glaring loophole is common sense. It is not a cure-all for all gun violence in this Nation, but it is a step in the right direction.

I am calling on Speaker PAUL RYAN to bring H.R. 1076, the Denying Firearms and Explosives to Dangerous Terrorists Act of 2015, up for a vote immediately.

The American people are calling us to do something, and we can start now.

VENEZUELA ELECTIONS

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to congratulate the people of Venezuela on their democratic victory this weekend.

Voters at the polls sent a clear message to the corrupt Maduro regime: We reject your policies and support a return to true democracy, as well as an end to an economic system that has bankrupted an otherwise wealthy nation.

Despite lopsided electoral conditions, state-imposed censorship, and intimidation tactics, the democratic opposition overcame many obstacles to gain control of the National Assembly. But there is still much work that remains to be done. All political prisoners must be freed, including pro-democracy leader Leopoldo Lopez.

There are still a few contestant seats without a winner announced that are very important to the final outcome of the election.

I urge a speedy and transparent declaration of the winners and a full adjudication process for any disputed contests that can occur in certain races.

Congratulations to the people of Venezuela for a great victory.

CLOSE THE TERRORIST GUN LOOPHOLE

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

Mr. GALLEGO. Mr. Speaker, we shouldn't allow terrorists who want to kill innocent Americans to have easy access to guns. It is just that simple, and that is just common sense.

Yet, any individual on the no-fly list considered too dangerous to get on a plane can walk into any gun store in America and walk out with a weapon of their choice.

We are facing an epidemic of gun violence in this country, yet House Republican leadership is unwilling to even close the most dangerous loophole like this one that exists today.

Speaker RYAN has said that ''keeping America safe should not be a partisan issue.'' I strongly agree. We should set politics aside and do what is right for the American people by passing commonsense gun laws and stopping senseless acts of violence in our communities.

The cost of inaction in Congress is borne by thousands of mourning families here in America.

It is time for Congress to step up and take meaningful action by closing the terrorist gun loophole and keeping dangerous people from buying guns.

GOLDEN SPOON

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

Mr. BILIRAKIS. Mr. Speaker, I rise today to recognize two outstanding local businesses in my district recently recognized in Florida Trend magazine.

Local spots all over Florida help boost our economy and strengthen our communities.

Two weeks ago, we celebrated Small Business Saturday and encouraged people to support small, local businesses. It is important we continue to shop small and keep our local communities growing.

Two local establishments in my district recently received Florida Trend's Golden Spoon Awards and rank among the State's best restaurants. I would like to congratulate Dulcet Restaurant and Lounge in New Port Richey and Pearl in the Grove in Dade City.

These awards are very well deserved. I am grateful to have such outstanding businesses in my home district, and I will continue my efforts to help small businesses thrive.

PLANNED PARENTHOOD RESOLUTION

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

Ms. SLAUGHTER. Mr. Speaker, I rise today as co-chair of the House Pro-Choice Caucus in strong support of the caucus' resolution condemning violence toward women.

This month, our Nation has seen unspeakable violence, including in a Planned Parenthood health center in Colorado and the awful things that happened in San Bernardino, California. I condemn this violence in the strongest possible way.

We get so used to it, don't we? Eighty-nine Americans are shot to death every day, over 300 mass killings already this year in this country, and we get up on the floor of the House and we go through our piety and we ask for a moment of silence. That is all we can give. We are not going to give any more relief to the people of the United States from gun culture, but take a moment of silence. Those of us who sit in this Chamber who can do something about it steadfastly refuse to do so.

For heaven's sake, many countries in this world don't have 89 killings in a month, much less every day.

No American should feel intimidated or threatened because of choosing to access health care. Violence is unconscionable and we have to stop it.

RECOGNIZING EDITH LANIER

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Edith Lanier.

Christmas came early this weekend for four disabled veterans. It came in the form of new wheelchairs. These were not just any wheelchairs. These were four custom sport wheelchairs. These more-than-deserving veterans were given these wheelchairs by Ms. Edith Lanier.

Ms. Lanier was born in 1925. She tells stories about picking cotton, about milking cows, and pumping water from the well. She attended North Georgia College before moving to Savannah to build a business that she passed along to her daughter after 32 years of service.

Over the last two decades, she has also dedicated her time to philanthropy. She is an asset to the community and closes her prayers with: May we be ever mindful of the needs of others.

It comes as no surprise that the four custom sport wheelchairs were donated by Ms. Lanier.

Oh, by the way, did I mention that this young lady this week will be celebrating her 90th birthday? I commend Ms. Lanier for continued acts of selflessness, her devotion to the needy, and her continued hope for the greatness of this country.

Happy birthday, Ms. Lanier.

PASS LEGISLATION THAT PROHIBITS PEOPLE ON THE TERRORIST WATCH LIST FROM GETTING A WEAPON

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, since 9/11, 750,000 refugees have been resettled and welcomed into the United States of America. Not one of them has ever appeared on a terrorist watch list or been accused of terrorism. Yet, Republicans say that for homeland security, we should keep these refugees from Syria out of our country.

About 40,000 people in the United States of America are on the terrorist watch list right now and they are not allowed to get on an airplane. But they are allowed to go into any gun store and buy any weapon that they would like, a weapon that looks like this, for example. This is a picture of a Smith & Wesson .223-caliber assault rifle. This is the kind of weapon that the suspects fired in San Bernardino. Sixty-five to 75 rifle rounds were sent, and people are dead.

That was the 355th mass shooting in our country just this year. We need to pass legislation that prohibits people on the terrorist watch list from getting a weapon, and we should do it now. Prayers and thoughts are not enough.

CONGRESS WILL ALWAYS PUT THE SAFETY AND SECURITY OF THE AMERICAN PEOPLE FIRST

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

Mr. YODER. Mr. Speaker, I rise today to address the very real and dangerous threat posed by the Islamic State in Iraq and Syria.

For too long, our Nation has stayed on the sidelines, claiming ISIS was a junior varsity threat or that it had been contained. The unfortunate reality is that America and her allies are under attack by radical Islamic terrorists. Changing the subject or downplaying this threat gives aid and comfort to our enemy, which is bound and determined to strike innocent people around the world in their comfort zones.

As we have seen in Paris or in San Bernardino, these terrorists are emboldened by the President's failed foreign policy. Weakness invites aggression, and only through strength will we have peace.

This is a time for unity of purpose and strong leadership. We need our Commander in Chief to chart a course towards complete destruction of ISIS. Congress should quickly debate and authorize the resources necessary and military force to complete the mission.

Mr. Speaker, we stand ready and willing to work with the President, but Congress will always put the safety and security of the American people first.

VISA WAIVER PROGRAM

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

Mr. MOULTON. Mr. Speaker, I rise today in support of H.R. 158, a bill that would improve the Visa Waiver Program and ensure better information sharing among intelligence and law enforcement agencies.

This is separate from the Republican proposal introduced last week that would have effectively halted refugee resettlement. Refugees already undergo the most stringent screening process of any individual entering the

United States, with an extensive series of background checks.

Refugees are victims, not perpetrators of terrorism. Categorically refusing to take them only feeds the narrative of ISIS.

In contrast, H.R. 158 strengthens the screening of travelers who qualify for the Visa Waiver Program by increasing intelligence and law enforcement cooperation and by making it harder for extremists to falsify their identities and enter our borders.

Rather than betraying our timeless American values by scapegoating refugees, which only plays into ISIS' hands, we should focus on addressing real vulnerabilities to our homeland security.

I urge my colleagues to vote for H.R. 158.

□ 1230

SUPPORTING THE DENYING FIREARMS AND EXPLOSIVES TO DANGEROUS TERRORISTS ACT

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, just last week, another community joined the growing list of those forever scarred by gun violence just as my community of Isla Vista was. It is far past time for Congress to recognize that it has the power to act, and we must.

At a minimum, we should pass H.R. 1076, the Denying Firearms and Explosives to Dangerous Terrorists Act. This bipartisan bill would close the loophole that allows terror suspects on the FBI's terror watch list to legally purchase a gun. In fact, in the last 11 years, more than 90 percent of all terror suspects who attempted to purchase a gun walked away with the weapon they wanted.

It is wrong to think we can do nothing to stop the violence. It is factually wrong. It is morally wrong. This bill is an important step in keeping the American people safe. We should all support it. It is the least we can do.

TERRORIST WATCH LIST AND GUN PURCHASES

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DAVIS of California. Mr. Speaker, the horrific attack in San Bernardino shows us just how much damage can be done when terrorists have access to firearms; and while we discuss sensible policies that may have prevented this tragedy, I hope we can all agree—certainly, at the very least—that people our government suspects of having terrorist ties should not be allowed to walk into a store, pass a background check, and walk out with a gun.

So many Americans have been understandably amazed to hear that people on the FBI's terrorist watch list can legally purchase firearms and that it has happened over 2,000 times in the last 10 years.

I know that some have concerns about the accuracy of the watch list or worry that this bill may somehow prevent some law enforcement officers from obtaining guns. We should ensure that the watch list is as accurate as possible, and we can even start that today. But if we are concerned for our law enforcement officers, the least we can do is protect them from the threat of terrorists who are armed with guns.

Fixing this loophole is immediate. It is a step we can take to make our country safer. It is a commonsense reform that deserves a vote.

VIOLENCE

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

Mr. FARR. Mr. Speaker, I rise today to talk about violence. Republicans may try, but you cannot separate our debate today on women's health clinic violence from our country's gun violence problem.

Since 1993, 11 individuals have lost their lives while seeking or providing health care at women's health care facilities, and 10 of the 11 were victims of gun violence. Since January of this year, the House has voted 10 times to restrict women's health services. That is one vote for every person who died from gun violence at a women's health care clinic; yet there have been zero votes on gun control.

Stop this war on women's health and reproductive care, and start a sane regulatory process on guns.

TERRORIST GUN LOOPHOLE

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Mr. Speaker, it has been said before and it needs to be said again: It is time to get serious about gun violence in America.

Every day, 88 people die because of gun violence. It happens in schools, at work, in our movie theaters, and even in our churches. Making matters worse, in the wake of recent attacks in Paris and here on our own soil, we still have an age-old loophole that allows terrorists to legally get their hands on guns. More than 2,000 suspects on the FBI's terrorist watch list have purchased guns over the last decade.

My colleagues, we have an obligation to protect our communities by keeping guns out of the wrong hands. There are many changes that need to be made, but let's start by closing the gun-buying loophole for terrorists. We have a bipartisan solution in Representative PETER KING's and Representative MIKE THOMPSON's bill to close the loophole.

How many lives must we lose? Let's take a step in the right direction, and let's make sure terrorists can't slip through the cracks and purchase guns. Let's pass Representative KING's and Representative THOMPSON's bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

MOTION TO ADJOURN

Mr. THOMPSON of California. Mr. Speaker, since the House won't take up legislation to prevent the senseless deaths of 30 people killed today by someone using a gun, I move that the House be adjourned.

The SPEAKER pro tempore. The gentleman has not been recognized for debate.

Does the gentleman wish to offer a motion?

Mr. THOMPSON of California. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from California (Mr. THOMPSON).

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. THOMPSON of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 0, nays 399, not voting 34, as follows:

[Roll No. 674]

NAYS—399

Abraham	Blum	Carney
Adams	Blumenauer	Carson (IN)
Aderholt	Bonamici	Carter (GA)
Allen	Bost	Carter (TX)
Amash	Boustany	Cartwright
Amodei	Boyle, Brendan F.	Castor (FL)
Ashford	Brady (PA)	Castro (TX)
Babin	Brady (TX)	Chabot
Barletta	Brat	Chaffetz
Barr	Brooks (IN)	Chu, Judy
Barton	Brown (FL)	Cicilline
Bass	Brownley (CA)	Clark (MA)
Beatty	Buchanan	Clarke (NY)
Becerra	Buck	Clawson (FL)
Benishek	Bucshon	Clay
Bera	Burgess	Cleaver
Beyer	Bustos	Clyburn
Bilirakis	Byrne	Coffman
Bishop (GA)	Calvert	Cohen
Bishop (UT)	Capps	Cole
Black	Capuano	Collins (GA)
Blackburn		Collins (NY)

Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
Diaz-Balart
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibson
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Latta
Lawrence
Lee
Levin
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Pearce
Pelosi
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schrader
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—34

Aguilar
Bishop (MI)
Bridenstine
Brooks (AL)
Butterfield
Cárdenas
DesJarlais
Deutch
Donovan
Fattah
Gibbs
Gohmert
Harris
Hastings
Johnson, Sam
Larson (CT)
Lewis
Meng
Mooney (WV)
Neal
Payne
Perlmutter
Posey
Ribble
Richmond
Rohrabacher
Rooney (FL)
Ruppersberger
Rush
Schiff
Scott, David
Sires
Takai
Young (AK)

□ 1310

Messrs. JEFFRIES, YARMUTH, JOLLY, COSTELLO of Pennsylvania, BILIRAKIS, Ms. CLARKE of New York, and Mr. WHITFIELD changed their votes from ''yea'' to ''nay.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. GIBBS. Mr. Speaker, on rollcall No. 674, I was at an off-campus event and delayed in traffic. Had I been present, I would have voted ''no.''

Mr. LARSON of Connecticut. Mr. Speaker, I was not present for rollcall vote 674. If I had been present for this vote, I would have voted: ''nay'' on rollcall vote No. 674.

Mr. SCHIFF. Mr. Speaker, on rollcall No. 674, had I been present, I would have voted ''no.''

FEDERAL LAW ENFORCEMENT TRAINING CENTERS REFORM AND IMPROVEMENT ACT OF 2015

Mr. CARTER of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3842) to improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to provide training to first responders, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3842

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Law Enforcement Training Centers Reform and Improvement Act of 2015''.

SEC. 2. FEDERAL LAW ENFORCEMENT TRAINING CENTERS.

(a) ESTABLISHMENT.—Section 884 of the Homeland Security Act of 2002 (6 U.S.C. 464) is amended to read as follows:

''SEC. 884. FEDERAL LAW ENFORCEMENT TRAINING CENTERS.

''(a) ESTABLISHMENT.—The Secretary shall maintain in the Department the Federal Law Enforcement Training Centers (FLETC), headed by a Director, who shall report to the Secretary.

''(b) POSITION.—The Director shall occupy a career-reserved position within the Senior Executive Service.

''(c) FUNCTIONS OF THE DIRECTOR.—The Director shall—

''(1) develop training goals and establish strategic and tactical organizational program plan and priorities;

''(2) provide direction and management for FLETC's training facilities, programs, and support activities while ensuring that organizational program goals and priorities are executed in an effective and efficient manner;

''(3) develop homeland security and law enforcement training curricula, including curricula related to domestic preparedness and response to threats or acts of terrorism, for Federal, State, local, tribal, territorial, and international law enforcement and security agencies and private sector security agencies;

''(4) monitor progress toward strategic and tactical FLETC plans regarding training curricula, including curricula related to domestic preparedness and response to threats or acts of terrorism, and facilities;

''(5) ensure the timely dissemination of homeland security information as necessary to Federal, State, local, tribal, territorial, and international law enforcement and security agencies and the private sector to achieve the training goals for such entities, in accordance with paragraph (1);

''(6) carry out acquisition responsibilities in a manner that—

''(A) fully complies with—

''(i) Federal law;

''(ii) the Federal Acquisition Regulation, including requirements regarding agency obligations to contract only with responsible prospective contractors; and

''(iii) Department acquisition management directives; and

''(B) ensures that a fair proportion of Federal contract and subcontract dollars are awarded to small businesses, maximizes opportunities for small business participation, and ensures, to the extent practicable, that small businesses which achieve qualified vendor status for security-related technologies have an opportunity to compete for contracts for such technologies;

''(7) coordinate and share information with the heads of relevant components and offices on digital learning and training resources, as appropriate;

''(8) advise the Secretary on matters relating to executive level policy and program administration of Federal, State, local, tribal, territorial, and international law enforcement and security training activities and private sector security agency training activities, including training activities related to domestic preparedness and response to threats or acts of terrorism;

''(9) collaborate with the Secretary and relevant officials at other Federal departments and agencies, as appropriate, to improve international instructional development, training, and technical assistance provided by the Federal Government to foreign law enforcement; and

''(10) carry out such other functions as the Secretary determines are appropriate.

''(d) TRAINING RESPONSIBILITIES.—

''(1) IN GENERAL.—The Director is authorized to provide training to employees of Federal agencies who are engaged, directly or indirectly, in homeland security operations or Federal law enforcement activities, including such operations or activities related to domestic preparedness and response to threats or acts of terrorism. In carrying out such training, the Director shall—

''(A) evaluate best practices of law enforcement training methods and curriculum content to maintain state-of-the-art expertise in adult learning methodology;

''(B) provide expertise and technical assistance, including on domestic preparedness and response to threats or acts of terrorism, to Federal, State, local, tribal, territorial, and international law enforcement and security agencies and private sector security agencies; and

''(C) maintain a performance evaluation process for students.

''(2) RELATIONSHIP WITH LAW ENFORCEMENT AGENCIES.—The Director shall consult with relevant law enforcement and security agencies in the development and delivery of FLETC's training programs.

''(3) TRAINING DELIVERY LOCATIONS.—The training required under paragraph (1) may be conducted at FLETC facilities, at appropriate off-site locations, or by distributed learning.

''(4) STRATEGIC PARTNERSHIPS.—

''(A) IN GENERAL.—The Director may—

''(i) execute strategic partnerships with State and local law enforcement to provide such law enforcement with specific training, including maritime law enforcement training; and

''(ii) coordinate with the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department and with private sector stakeholders, including critical infrastructure owners and operators, to provide training pertinent to improving coordination, security, and resiliency of critical infrastructure.

''(B) PROVISION OF INFORMATION.—The Director shall provide to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate, upon request, information on activities undertaken in the previous year pursuant to subparagraph (A).

''(5) FLETC DETAILS TO DHS.—The Director may detail employees of FLETC to positions throughout the Department in furtherance of improving the effectiveness and quality of training provided by the Department and, as appropriate, the development of critical departmental programs and initiatives.

''(6) DETAIL OF INSTRUCTORS TO FLETC.—Partner organizations that wish to participate in FLETC training programs shall assign non-reimbursable detailed instructors to FLETC for designated time periods to support all training programs at FLETC, as appropriate. The Director shall determine the number of detailed instructors that is proportional to the number of training hours requested by each partner organization scheduled by FLETC for each fiscal year. If a partner organization is unable to provide a proportional number of detailed instructors, such partner organization shall reimburse FLETC for the salary equivalent for such detailed instructors, as appropriate.

''(7) PARTNER ORGANIZATION EXPENSES REQUIREMENTS.—

''(A) IN GENERAL.—Partner organizations shall be responsible for the following expenses:

''(i) Salaries, travel expenses, lodging expenses, and miscellaneous per diem allowances of their personnel attending training courses at FLETC.

''(ii) Salaries and travel expenses of instructors and support personnel involved in conducting advanced training at FLETC for partner organization personnel and the cost of expendable supplies and special equipment for such training, unless such supplies and equipment are common to FLETC-conducted training and have been included in FLETC's budget for the applicable fiscal year.

''(B) EXCESS BASIC AND ADVANCED FEDERAL TRAINING.—All hours of advanced training and hours of basic training provided in excess of the training for which appropriations were made available shall be paid by the partner organizations and provided to FLETC on a reimbursable basis in accordance with section 4104 of title 5, United States Code.

''(8) PROVISION OF NON-FEDERAL TRAINING.—

''(A) IN GENERAL.—The Director is authorized to charge and retain fees that would pay for its actual costs of the training for the following:

''(i) State, local, tribal, and territorial law enforcement personnel.

''(ii) Foreign law enforcement officials, including provision of such training at the International Law Enforcement Academies wherever established.

''(iii) Private sector security officers, participants in the Federal Flight Deck Officer program under section 44921 of title 49, United States Code, and other appropriate private sector individuals.

''(B) WAIVER.—The Director may waive the requirement for reimbursement of any cost under this section and shall maintain records regarding the reasons for any requirements so waived.

''(9) REIMBURSEMENT.—The Director is authorized to reimburse travel or other expenses for non-Federal personnel who attend activities related to training sponsored by FLETC, at travel and per diem rates established by the General Services Administration.

''(10) STUDENT SUPPORT.—In furtherance of its training mission, the Director is authorized to provide the following support to students:

''(A) Athletic and related activities.

''(B) Short-term medical services.

''(C) Chaplain services.

''(11) AUTHORITY TO HIRE FEDERAL ANNUITANTS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, the Director is authorized to appoint and maintain, as necessary, Federal annuitants who have expert knowledge and experience to meet the training responsibilities under this subsection.

''(B) NO REDUCTION IN RETIREMENT PAY.—A Federal annuitant employed pursuant to this paragraph shall not be subject to any reduction in pay for annuity allocable to the period of actual employment under the provisions of section 8344 or 8468 of title 5, United States Code, or similar provision of any other retirement system for employees.

''(C) RE-EMPLOYED ANNUITANTS.—A Federal annuitant employed pursuant to this paragraph shall not be considered an employee for purposes of subchapter III of chapter 83 or chapter 84 of title 5, United States Code, or such other retirement system (referred to in subparagraph (B)) as may apply.

''(D) COUNTING.—Federal annuitants shall be counted on a full time equivalent basis.

''(E) LIMITATION.—No appointment under this paragraph may be made which would result in the displacement of any employee.

''(12) TRAVEL FOR INTERMITTENT EMPLOYEES.—The Director is authorized to reimburse intermittent Federal employees traveling from outside a commuting distance (to be predetermined by the Director) for travel expenses and to compensate such employees for time spent traveling from their homes to work sites.

''(e) ON-FLETC HOUSING.—Notwithstanding any other provision of law, individuals attending training at any FLETC facility shall, to the extent practicable and in accordance with FLETC policy, reside in on-FLETC or FLETC-provided housing.

''(f) ADDITIONAL FISCAL AUTHORITIES.—In order to further the goals and objectives of FLETC, the Director is authorized to—

''(1) expend funds for public awareness and to enhance community support of law enforcement training, including the advertisement of available law enforcement training programs;

''(2) accept and use gifts of property, both real and personal, and to accept gifts of services, for purposes that promote the functions of the Director pursuant to subsection (c) and the training responsibilities of the Director under subsection (d);

''(3) accept reimbursement from other Federal agencies for the construction or renovation of training and support facilities and the use of equipment and technology on government owned-property;

''(4) obligate funds in anticipation of reimbursements from agencies receiving training at FLETC, except that total obligations at the end of a fiscal year may not exceed total budgetary resources available at the end of such fiscal year;

''(5) in accordance with the purchasing authority provided under section 505 of the Department of Homeland Security Appropriations Act, 2004 (Public Law 108–90; 6 U.S.C. 453a)—

''(A) purchase employee and student uniforms; and

''(B) purchase and lease passenger motor vehicles, including vehicles for police-type use;

''(6) provide room and board for student interns; and

''(7) expend funds each fiscal year to honor and memorialize FLETC graduates who have died in the line of duty.

''(g) DEFINITIONS.—In this section:

''(1) BASIC TRAINING.—The term 'basic training' means the entry-level training required to instill in new Federal law enforcement personnel fundamental knowledge of criminal laws, law enforcement and investigative techniques, laws and rules of evidence, rules of criminal procedure, constitutional rights, search and seizure, and related issues.

''(2) DETAILED INSTRUCTORS.—The term 'detailed instructors' means personnel who are assigned to the Federal Law Enforcement Training Centers for a period of time to serve as instructors for the purpose of conducting basic and advanced training.

''(3) DIRECTOR.—The term 'Director' means the Director of the Federal Law Enforcement Training Centers.

''(4) DISTRIBUTED LEARNING.—The term 'distributed learning' means education in which students take academic courses by accessing information and communicating with the instructor, from various locations, on an individual basis, over a computer network or via other technologies.

''(5) EMPLOYEE.—The term 'employee' has the meaning given such term in section 2105 of title 5, United States Code.

''(6) FEDERAL AGENCY.—The term 'Federal agency' means—

''(A) an Executive Department as defined in section 101 of title 5, United States Code;

''(B) an independent establishment as defined in section 104 of title 5, United States Code;

''(C) a Government corporation as defined in section 9101 of title 31, United States Code;

''(D) the Government Printing Office;

''(E) the United States Capitol Police;

''(F) the United States Supreme Court Police; and

''(G) Government agencies with law enforcement related duties.

''(7) LAW ENFORCEMENT PERSONNEL.—The term 'law enforcement personnel' means an individual, including criminal investigators (commonly known as 'agents') and uniformed police (commonly known as 'officers'), who has statutory authority to search, seize, make arrests, or to carry firearms.

''(8) LOCAL.—The term 'local' means—

''(A) of or pertaining to any county, parish, municipality, city, town, township, rural community, unincorporated town or village, local public authority, educational institution, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, any agency or instrumentality of a local government, or any other political subdivision of a State; and

''(B) an Indian tribe or authorized tribal organization, or in Alaska a Native village or Alaska Regional Native Corporation.

''(9) PARTNER ORGANIZATION.—The term 'partner organization' means any Federal agency participating in FLETC's training programs under a formal memorandum of understanding.

''(10) STATE.—The term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States.

''(11) STUDENT INTERN.—The term 'student intern' means any eligible baccalaureate or graduate degree student participating in FLETC's College Intern Program.

''(h) PROHIBITION ON NEW FUNDING.—No funds are authorized to carry out this section. This section shall be carried out using amounts otherwise appropriated or made available for such purpose.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by amending the item relating to section 884 to read as follows:

''Sec. 884. Federal Law Enforcement Training Centers.''.

The SPEAKER pro tempore (Mr. KELLY of Mississippi). Pursuant to the rule, the gentleman from Georgia (Mr. CARTER) and the gentlewoman from California (Mrs. TORRES) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. CARTER of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

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

There was no objection.

Mr. CARTER of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 3842, the Federal Law Enforcement Training Centers Reform and Improvement Act of 2015. This important bipartisan legislation reforms and improves the Federal Law Enforcement Training Centers, FLETC, in the Department of Homeland Security.

Established in 1970, FLETC aimed at providing basic and advanced training to Federal law enforcement personnel.

FLETC now serves as an interagency law enforcement training organization for Federal, State, local, rural, tribal, territorial, and international law enforcement personnel with over 90 partner organizations.

Since 2003 and FLETC's transfer from the Treasury Department, no legislation has been introduced to reauthorize FLETC within the Department of Homeland Security.

□ 1315

H.R. 3842 amends section 884 of the Homeland Security Act of 2002 to improve domestic preparedness, prevention, and response to terrorism by establishing FLETC to provide consolidated and shared training to law enforcement agencies and partner organizations.

H.R. 3842 strengthens the role of the Director of FLETC and improves training practices by codifying important authorities, including, but not limited to, listing functions and training responsibilities to be carried out by the Director, FLETC, and partner organizations.

With daily threats nationwide, this legislation supports FLETC's mission of providing world-class, expert training that can quickly adapt to emerging threats and training needs.

I wish to thank my colleague, Mrs. TORRES, for her hard work and collaboration on this bill. I also appreciate Chairmen GOODLATTE and SHUSTER for their cooperation.

I urge all Members to join me in supporting this legislation.

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

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, December 8, 2015.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN MCCAUL: I write concerning H.R. 3842, the ''Federal Law Enforcement Training Centers Reform and Improvement Act of 2015''. This legislation includes matters that I believe fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite Floor consideration of H.R. 3842, the Committee on Transportation and Infrastructure agrees to forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill would not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction.

I request that you please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, December 8, 2015.

Hon. BILL SHUSTER,
Chairman, Transportation and Infrastructure Committee, Washington, DC.

DEAR CHAIRMAN SHUSTER, Thank you for your interest in H.R. 3842, the ''Federal Law Enforcement Training Centers Reform and Improvement Act of 2015.'' I appreciate your cooperation in allowing the bill to move expeditiously under suspension of the House Rules on December 8, 2015. Because your assertion of jurisdictional interest was raised after the report for H.R. 3842 was filed, the Parliamentarians were not able render an official decision as to any jurisdictional claim the Transportation and Infrastructure Committee may have had.

I agree that the absence of a decision on this bill will not prejudice any claim the Transportation and Infrastructure Committee may have had, or may have with respect to similar measures in the future.

A copy of this letter will be entered into the Congressional Record.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

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

Mr. Speaker, I rise in support of H.R. 3842, the Federal Law Enforcement Training Centers Reform and Improvement Act of 2015.

Mr. Speaker, H.R. 3842 amends the Homeland Security Act of 2002 to provide specific authorities for the Director of the Federal Law Enforcement Training Centers, or FLETC. I am proud to join Mr. CARTER in introducing this very important legislation.

FLETC, established in 1975 and transitioned from the Treasury Department to the Department of Homeland Security in 2002, provides Federal and other law enforcement agencies with high-quality, cost-effective training. Training is carried out by a group of experienced instructors who use modern facilities and standardized course content at locations in Georgia, Maryland, New Mexico, and South Carolina.

FLETC also has a unique relationship with the Maritime Law Enforcement Training Center at the Port of Los Angeles, where together they have developed comprehensive maritime security training for State and local agencies. Together, this partnership between FLETC and the Port of Los Angeles helps ensure our local law enforcement get the training they need

to protect America's critical ports and waterways, particularly important at a port that accounts for more than 40 percent of the goods that enter the United States.

H.R. 3842 was reported favorably from the Homeland Security Committee with bipartisan approval last month.

Mr. Speaker, I am pleased to note that, during the committee's November 4 markup of H.R. 3842, members unanimously adopted three Democratic amendments to the bill.

The first amendment underscores FLETC's responsibility to conduct acquisition activities in accordance with existing law and regulation, which include both a requirement that FLETC's Director evaluate contractors' integrity and business ethics in performance of previous contracts and vests FLETC's Director with the responsibility of ensuring that a fair proportion of contracting dollars are awarded to small businesses.

The second amendment authorizes strategic partnerships between FLETC and local law enforcement agencies, including the existing partnership between FLETC and the Maritime Law Enforcement Training Center operated by the Port of Los Angeles.

This amendment also authorizes FLETC to work with the DHS National Protection and Programs Directorate to make training available to security professionals in the private sector, particularly those involved with protecting critical infrastructure.

The final amendment authorizes FLETC's Director to detail employees to various components in the Department to assist in the development of critical Departmental programs and initiatives.

The urgency to pass this bill has only grown in the last week. Last Wednesday a shooting just outside of my district, in an area I represented as a State senator, in California, San Bernardino County, affirmed that our local law enforcement are our first line of defense in the fight against terror. We must ensure that they have the most up-to-date training as possible.

I know firsthand how important this kind of coordination is between all levels of enforcement. As a 911 dispatcher for nearly 20 years, I can't tell you how important it is to ensure that our first responders have the tools and resources they need to keep us safe.

Earlier this year I held a roundtable meeting with local law enforcement, the FBI, Homeland Security, and other Federal officials to discuss emergency coordination and emerging threats to our communities. As a part of this discussion, our local police stressed the need for additional resources and better information sharing and training to combat these threats.

During last week's attack, we saw San Bernardino law enforcement respond effectively to protect our community, but there is so much more we can do. If our Nation is to address the threat of future attacks, we must ensure that law enforcement personnel throughout the Nation not only have the tools they need to do so, but also the training, to effectively address the diverse terrorism landscape.

With this in mind, Mr. Speaker, I would commend this bill to the House for consideration.

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

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

Mrs. TORRES. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. I thank the gentlewoman for yielding.

Mr. Speaker, this legislation is a Homeland Security bill. We have a number of these bills coming to the floor today. But it is hard to ignore the fact that there is a glaring weakness in what is being brought here to the floor when it comes to protecting the American people.

Right now at this very moment an individual who is on the FBI terrorist watch list could walk into any gun store and purchase the weapon of their choice. The American people understand this makes absolutely no sense.

In the last 11 years, 2,000 people who are on the terrorist watch list have gone in to purchase weapons and 91 percent of them have walked away with the weapon of their choice. Inexplicably, a piece of legislation authorized by Republican Congressman PETER KING is ready for this House to act. It would close this ridiculous loophole.

When I have talked to people back home about this, they expect that this is already law. They almost have to have it pointed out to them that, no, this is actually not the case. A person on the terrorist watch list can go to a gun store and purchase a weapon.

If we are serious about protecting the safety of the American people, it would seem that the commonsense thing to do would be to take up Representative KING's legislation and close this dangerous loophole.

So we are coming to the floor with important bills. I don't deny that. Right now we have in our hands the ability to act to take guns out of the hands of people who are on the terrorist watch list. If you can't be trusted to fly, you certainly shouldn't be trusted to walk in and just get a weapon of your choice.

Because of this body's failure to bring up this important legislation, I as a Member of Congress can't sit idly by.

MOTION TO ADJOURN

Mr. KILDEE. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Michigan (Mr. KILDEE).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 0, nays 405, answered ''present'' 2, not voting 26, as follows:

[Roll No. 675]

NAYS—405

Abraham	Costello (PA)	Grothman
Adams	Courtney	Guinta
Aderholt	Cramer	Guthrie
Allen	Crawford	Gutiérrez
Amash	Crenshaw	Hahn
Amodei	Crowley	Hanna
Ashford	Cuellar	Hardy
Babin	Culberson	Harper
Barletta	Cummings	Heck (NV)
Barr	Curbelo (FL)	Heck (WA)
Barton	Davis (CA)	Hensarling
Bass	Davis, Danny	Herrera Beutler
Beatty	DeFazio	Hice, Jody B.
Becerra	DeGette	Higgins
Benishek	Delaney	Hill
Bera	DeLauro	Himes
Beyer	DelBene	Hinojosa
Bilirakis	Denham	Holding
Bishop (GA)	Dent	Honda
Bishop (UT)	DeSantis	Hoyer
Black	DeSaulnier	Hudson
Blackburn	DesJarlais	Huelskamp
Blum	Deutch	Huffman
Blumenauer	Diaz-Balart	Huizenga (MI)
Bonamici	Dingell	Hultgren
Bost	Doggett	Hunter
Boustany	Dold	Hurd (TX)
Boyle, Brendan F.	Doyle, Michael F.	Hurt (VA)
Brady (PA)	Duckworth	Israel
Brady (TX)	Duffy	Issa
Brat	Duncan (SC)	Jackson Lee
Brooks (AL)	Duncan (TN)	Jeffries
Brooks (IN)	Edwards	Jenkins (KS)
Brown (FL)	Ellison	Jenkins (WV)
Brownley (CA)	Ellmers (NC)	Johnson (GA)
Buchanan	Emmer (MN)	Johnson (OH)
Buck	Engel	Jolly
Bucshon	Eshoo	Jones
Burgess	Esty	Jordan
Bustos	Farenthold	Joyce
Butterfield	Farr	Kaptur
Byrne	Fincher	Katko
Calvert	Fitzpatrick	Keating
Capps	Fleischmann	Kelly (MS)
Cárdenas	Fleming	Kelly (PA)
Carney	Flores	Kennedy
Carson (IN)	Forbes	Kildee
Carter (GA)	Fortenberry	Kilmer
Carter (TX)	Foster	Kind
Cartwright	Foxx	King (NY)
Castor (FL)	Frankel (FL)	Kinzinger (IL)
Castro (TX)	Frelinghuysen	Kirkpatrick
Chabot	Fudge	Kline
Chaffetz	Gabbard	Knight
Chu, Judy	Gallego	Kuster
Cicilline	Garamendi	Labrador
Clark (MA)	Garrett	LaHood
Clarke (NY)	Gibbs	LaMalfa
Clawson (FL)	Gibson	Lamborn
Clay	Gohmert	Lance
Cleaver	Goodlatte	Langevin
Clyburn	Gosar	Larsen (WA)
Coffman	Gowdy	Larson (CT)
Cohen	Graham	Latta
Cole	Granger	Lawrence
Collins (GA)	Graves (GA)	Lee
Collins (NY)	Graves (LA)	Levin
Conaway	Graves (MO)	Lieu, Ted
Connolly	Grayson	Lipinski
Conyers	Green, Al	LoBiondo
Cook	Green, Gene	Loebsack
Cooper	Griffith	Lofgren
Costa	Grijalva	Long
		Lowenthal

Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

ANSWERED ''PRESENT''—2

Johnson, E. B.
Young (AK)

NOT VOTING—26

Aguilar
Bishop (MI)
Bridenstine
Capuano
Comstock
Davis, Rodney
Donovan
Fattah
Franks (AZ)
Harris
Hartzler
Hastings
Johnson, Sam
Kelly (IL)
King (IA)
Lewis
Loudermilk
Love
Mooney (WV)
Perlmutter
Roskam
Ruppersberger
Rush
Takai
Takano
Wittman

□ 1351

Messrs. WALKER and HUNTER changed their vote from ''yea'' to ''nay.''

Mr. YOUNG of Alaska changed his vote from ''yea'' to ''present.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. LOUDERMILK. Mr. Speaker, on rollcall No. 675, I was unavoidably detained. Had I been present, I would have voted ''no.''

FEDERAL LAW ENFORCEMENT TRAINING CENTERS REFORM AND IMPROVEMENT ACT OF 2015

The SPEAKER pro tempore. The gentleman from Georgia is recognized.

Mr. CARTER of Georgia. Mr. Speaker, I have no more speakers. If the gentlewoman from California has no more speakers, I am prepared to close.

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

Mr. Speaker, H.R. 3842 is bipartisan at its core. It was introduced by my colleague on the committee, Representative BUDDY CARTER, and me and would ensure that the authorities for the Federal Law Enforcement Training Centers are updated and that the centers' ability to train people who play critical roles in the Nation's homeland security is enhanced.

Mr. Speaker, I urge passage of this bipartisan legislation.

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

Mr. CARTER of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I once again urge my colleagues to support H.R. 3842.

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

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise in support of the Federal Law Enforcement Training Centers Reform and Improvement Act (H.R. 3842). This bipartisan bill will codify and reauthorize the duties and responsibilities of Federal Law Enforcement Training Centers (FLETCs). FLETCs improve domestic preparedness, prevention, and response to terrorism by providing basic and advanced training to federal employees involved in federal law enforcement activities or homeland security operations. I am proud that this important national security work occurs in several locations across the country, including in my home state of New Mexico.

However, I have concerns about one particular provision within H.R. 3842: The ability for FLETCs to offer state and local law enforcement agencies training, which is meant for federal security personnel. Although I strongly believe that federal security personnel need to coordinate and work closely with state and local law enforcement agencies to prepare, prevent, and respond to terrorism, I have grave concerns with the ability of community police departments to have complete and unrestricted access to military-style training at FLETCs.

For example, the Albuquerque Police Department (APD) has access to every Department of Energy National Training Center (NTC) class, which are intended for federal law enforcement personnel to protect our nation's nuclear materials. APD has completed dozens of DOE-instructed classes, including lessons on ''vehicle ambush,'' ''tactical leadership assault executions,'' and ''how to lead a small element in a combat situation.'' The U.S. Department of Justice is currently reviewing APD's use of NTC classes, resources, and facilities.

I encourage FLETCs to enact sensible oversight mechanisms and restrictions on state and local law enforcement access to FLETC resources and facilities. FLETCs should have criteria to determine what training topics or classes, if any, are appropriate for state and local law enforcement. FLETCs should also consider the duty assignments and responsibilities of individual officers when determining allowing access. In addition, police departments under a Department of Justice consent decree for violating the constitutional rights of Americans or departments with a history of excessive or unnecessary force, should not receive military-style training provided by FLETCs.

I will continue to work with the Administration on strengthening the mission of FLETCs and on ensuring that state and local law enforcement have appropriate access.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. CARTER) that the House suspend the rules and pass the bill, H.R. 3842, as amended.

The question was taken.

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

Mr. CARTER of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

MOTION TO ADJOURN

Mr. SWALWELL of California. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from California (Mr. SWALWELL).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. SWALWELL of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 3, nays 399, answered ''present'' 2, not voting 29, as follows:

[Roll No. 676]

YEAS—3

Cleaver
DeFazio
Lipinski

NAYS—399

Abraham
Adams
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany

Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (MO)
Smith (NE)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IA)
Zeldin

ANSWERED ''PRESENT''—2

Johnson, E. B.
Young (AK)

NOT VOTING—29

Aguilar
Bishop (MI)
Bridenstine
Cárdenas
Costa
Davis, Danny
Diaz-Balart
Donovan
Edwards
Franks (AZ)
Graham
Hunter
Johnson, Sam
Lewis
Lummis
Lynch
Marchant
Mooney (WV)
Perlmutter
Ribble
Rush
Schrader
Scott, David
Sires
Smith (NJ)
Takai
Tipton
Young (IN)
Zinke

□ 1421

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

HSA TECHNICAL CORRECTIONS ACT

Mr. PERRY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3859) to make technical corrections to the Homeland Security Act of 2002, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3859

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''HSA Technical Corrections Act''.

SEC. 2. REFERENCES TO THE HOMELAND SECURITY ACT OF 2002.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Homeland Security Act of 2002 (Public Law 107–296; 6 U.S.C. 101 et seq.).

SEC. 3. TECHNICAL AMENDMENTS TO THE HOMELAND SECURITY ACT OF 2002.

(a) TABLE OF CONTENTS.—The table of contents in section 1(b) (6 U.S.C. 101 note) is amended as follows:

(1) By striking the items relating to each of the following:

(A) Section 401.
(B) Section 416.
(C) Section 430.
(D) Section 431.
(E) Section 445.
(F) Section 446.
(G) Section 455.
(H) Section 456.
(I) Section 459.
(J) Section 460.
(K) Section 461.
(L) Section 472.
(M) Section 473.
(N) Section 474.
(O) Section 475.
(P) Section 477.
(Q) Section 706.
(R) Section 857.
(S) Section 878.
(T) Section 881.
(U) Section 893.
(V) Section 1204.
(W) Title XIV.
(X) Section 1401.
(Y) Section 1402.
(Z) Section 1403.
(AA) Section 1404.
(BB) Section 1405.
(CC) Section 1406.
(DD) Section 1502.

(2) By striking the items relating to the second section 226 and sections 227 and 228 and inserting the following new items:

''Sec. 227. National Cybersecurity and Communications Integration Center.
''Sec. 228. Cyber incident response plan.
''Sec. 229. Clearances.''.

(3) By striking the item relating to title IV and the item relating to subtitle A of title IV and inserting the following new items:

''TITLE IV—BORDER, MARITIME, AND TRANSPORTATION SECURITY

''SUBTITLE A—BORDER, MARITIME, AND TRANSPORTATION SECURITY RESPONSIBILITIES AND FUNCTIONS''.

(4) By striking the item relating to section 402 and inserting the following new item:

''Sec. 402. Border, maritime, and transportation responsibilities.''.

(5) By striking the item relating to subtitle B of title IV and inserting the following new item:

''Subtitle B—United States Customs and Border Protection''.

(6) By striking the item relating to section 411 and inserting the following new item:

''Sec. 411. Establishment of United States Customs and Border Protection.''.

(7) By striking the item relating to section 441 and inserting the following new item:

''Sec. 441. Transfer of functions.''.

(8) By striking the item relating to section 442 and inserting the following new item:

''Sec. 442. United States Immigration and Customs Enforcement.''.

(9) By striking the item relating to section 451 and inserting the following new item:

''Sec. 451. Establishment of United States Citizenship and Immigration Services.''.

(10) By striking the item relating to section 2103 and inserting the following new item:

''Sec. 2103. Protection and sharing of information.''.

(b) TITLE I.—Title I (6 U.S.C. 111 et seq.) is amended as follows:

(1) In section 102(f)(10) (6 U.S.C. 112(f)(10)), by striking ''Directorate of Border and

Transportation Security'' and inserting ''Commissioner of United States Customs and Border Protection''.

(2) In section 103(a)(1) (6 U.S.C. 113(a)(1))—

(A) by striking the enumerator, the paragraph heading, and the matter preceding subparagraph (A) and inserting the following:

''(1) IN GENERAL.—Except as provided under paragraph (2), there are the following officers, appointed by the President, by and with the advice and consent of the Senate:'';

(B) by moving the margins of subparagraphs (A) through (J) two ems to the right;

(C) in subparagraph (C), by striking ''An Under Secretary for Border and Transportation Security'' and inserting ''A Commissioner of United States Customs and Border Protection'';

(D) in subparagraph (E), by striking ''the Bureau of'' and inserting ''United States'';

(E) in subparagraph (G), by striking ''A Director of the Office of Counternarcotics Enforcement'' and inserting ''A Director of United States Immigration and Customs Enforcement'';

(F) by inserting after subparagraph (J) the following new subparagraphs:

''(K) An Administrator of the Transportation Security Administration.

''(L) A Commandant of the Coast Guard.''.

(c) TITLE II.—Title II (6 U.S.C. 121 et seq.) is amended as follows:

(1) In section 202 (6 U.S.C. 122)—

(A) in subsection (c), by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence''; and

(B) in subsection (d)(2), by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence''.

(2) In section 210E (6 U.S.C. 1241)—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as subsection (e).

(3) In section 223 (6 U.S.C. 143)—

(A) in paragraph (1)(B)—

(i) by striking ''in coordination with the Under Secretary for Emergency Preparedness and Response,''; and

(ii) by striking ''; and'' and inserting a semicolon; and

(B) in paragraph (2), by striking '', in coordination with the Under Secretary for Emergency Preparedness and Response,''.

(4) In section 225 (6 U.S.C. 145)—

(A) by striking subsection (c); and

(B) by redesignating subsection (d) as subsection (c).

(5) By redesignating sections 227 (6 U.S.C. 149) and 228 (6 U.S.C. 150) as sections 228 and 229, respectively.

(6) By redesignating the second section 226 (6 U.S.C. 148) (relating to ''National Cybersecurity and Communications Integration Center'') as section 227.

(7) In section 228 (6 U.S.C. 149), as redesignated by paragraph (6), by striking ''section 226'' and inserting ''section 227(a)(1)''.

(d) TITLE III.—Section 302 (6 U.S.C. 182) is amended by striking ''biological,,'' both places it appears and inserting ''biological,''.

(e) TITLE IV.—Title IV (6 U.S.C. 201 et seq.) is amended as follows:

(1) By striking the title heading and inserting the following:

''TITLE IV—BORDER, MARITIME, AND TRANSPORTATION SECURITY''.

(2) By striking the heading for subtitle A and inserting the following:

''Subtitle A—Border, Maritime, and Transportation Security Responsibilities and Functions''.

(3) By striking section 401 (6 U.S.C. 201).

(4) In section 402 (6 U.S.C. 202)—

(A) by striking the section heading and inserting the following: ''**BORDER, MARITIME, AND TRANSPORTATION RESPONSIBILITIES.**''; and

(B) in the matter preceding paragraph (1), by striking '', acting through the Under Secretary for Border and Transportation Security,''.

(5) By striking the heading for subtitle B and inserting the following:

''Subtitle B—United States Customs and Border Protection''.

(6) In section 411 (6 U.S.C. 211)—

(A) by striking the section heading and inserting the following: ''**ESTABLISHMENT OF UNITED STATES CUSTOMS AND BORDER PROTECTION.**'';

(B) in subsection (a)—

(i) by striking ''the United States Customs Service'' and inserting ''the United States Customs and Border Protection''; and

(ii) by striking ''the Under Secretary for Border and Transportation Security'' and inserting ''the Secretary''; and

(C) in subsection (b)—

(i) in the subsection heading, by striking ''OF CUSTOMS'';

(ii) in paragraph (1), by striking ''the Customs Service a Commissioner of Customs'' and inserting ''United States Customs and Border Protection a Commissioner''; and

(iii) by striking paragraph (3).

(7) In section 412(b)(1) (6 U.S.C. 212), by striking ''United States Customs Service'' and inserting ''United States Customs and Border Protection''.

(8) In section 413 (6 U.S.C. 213), by striking ''available to the United States Customs Service or''.

(9) In section 414 (6 U.S.C. 214), by striking ''the United States Customs Service'' and inserting ''United States Customs and Border Protection''.

(10) By striking section 416 (6 U.S.C. 216).

(11) In section 418 (6 U.S.C. 218)—

(A) by striking ''(a) CONTINUING REPORTS.—''; and

(B) by striking subsection (b).

(12) In section 423 (6 U.S.C. 233)—

(A) by striking subsection (b); and

(B) by redesignating subsection (c) as subsection (b).

(13) In section 424(a) (6 U.S.C. 234(a)), by striking ''Under Secretary for Border Transportation and Security'' and inserting ''Secretary''.

(14) In section 427 (6 U.S.C. 235), by striking subsection (c).

(15) In section 428 (6 U.S.C. 236)—

(A) in subsection (e), by striking paragraphs (7) and (8);

(B) by striking subsections (g) and (h); and

(C) by redesignating subsection (i) as subsection (g).

(16) By striking section 430 (6 U.S.C. 238).

(17) By striking section 431 (6 U.S.C. 239).

(18) In section 441 (6 U.S.C. 251)—

(A) in the section heading, by striking ''**TO UNDER SECRETARY FOR BORDER AND TRANSPORTATION SECURITY**''; and

(B) in the matter preceding paragraph (1), by striking ''the Under Secretary for Border and Transportation Security'' and inserting ''the Secretary''.

(19) In section 442 (6 U.S.C. 252)—

(A) in the section heading, by striking ''**ESTABLISHMENT OF BUREAU OF BORDER SECURITY**'' and inserting ''**UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT**'';

(B) by striking ''the Bureau of Border Security'' each place it appears and inserting ''United States Immigration and Customs Enforcement'';

(C) by striking ''Bureau of Border Security'' each place it appears and inserting ''United States Immigration and Customs Enforcement'';

(D) by striking ''the Bureau'' each place it appears and inserting ''United States Immigration and Customs Enforcement'';

(E) by striking ''Under Secretary for Border and Transportation Security'' each place it appears and inserting ''Secretary'';

(F) by striking ''the Bureau of Citizenship and Immigration Services'' both places it appears and inserting ''United States Citizenship and Immigration Services'';

(G) in subsection (a)—

(i) in the subsection heading, by striking ''OF BUREAU'';

(ii) in paragraph (1) by striking ''a bureau to be known as the 'Bureau of Border Security'' and inserting ''the Bureau of Border Security'';

(iii) in paragraph (2), in the paragraph heading, by striking ''ASSISTANT SECRETARY'' and inserting ''DIRECTOR''; and

(iv) by striking paragraph (5) and inserting the following:

''(5) MANAGERIAL ROTATION PROGRAM.—Not later than 1 year after the date on which the transfer of functions specified under section 441 takes effect, the Director of United States Immigration and Customs Enforcement shall design and implement a managerial rotation program under which employees of United States Immigration and Customs Enforcement holding positions involving supervisory or managerial responsibility and classified, in accordance with chapter 51 of title 5, United States Code, as a GS–14 or above, shall—

''(A) gain some experience in all the major functions performed by United States Immigration and Customs Enforcement; and

''(B) work in at least one local office of United States Immigration and Customs Enforcement.''; and

(H) by striking ''Assistant Secretary'' each place it appears and inserting ''Director''.

(20) In section 443 (6 U.S.C. 253)—

(A) by striking ''Under Secretary for Border and Transportation Security'' and inserting ''Secretary''; and

(B) by striking ''the Bureau of Border Security'' each place it appears and inserting ''United States Immigration and Customs Enforcement''.

(21) In section 444 (6 U.S.C. 254)—

(A) by striking ''Under Secretary for Border and Transportation Security'' and inserting ''Secretary'';

(B) by striking ''pursuant to policies and procedures applicable to employees of the Federal Bureau of Investigation,''; and

(C) by striking ''the Bureau of Border Security'' and inserting ''United States Customs and Border Protection''.

(22) By striking section 445.

(23) By striking section 446.

(24) In section 451—

(A) in the section heading, by striking ''**BUREAU OF**'' and inserting ''**UNITED STATES**'';

(B) by striking ''the Bureau of Citizenship and Immigration Services'' each place it appears and inserting ''United States Citizenship and Immigration Services'';

(C) by striking ''Bureau of Citizenship and Immigration Services'' each place it appears and inserting ''United States Citizenship and Immigration Services'';

(D) by striking ''the Bureau of Border Security'' each place it appears and inserting ''United States Immigration and Customs Enforcement'';

(E) in subsection (a)—

(i) in the subsection heading, by striking ''OF BUREAU'';

(ii) in paragraph (1)—

(I) by striking ''a bureau to be known as the 'Bureau of Citizenship and Immigration Services''' and inserting ''the Bureau of Citizenship and Immigration Services''; and

(II) by striking ''the 'Bureau of Citizenship and Immigration Services'' and inserting ''the United States Citizenship and Immigration Services'';

(iii) in paragraph (2)(C), by striking ''Assistant Secretary'' and inserting ''Director''; and

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

''(4) MANAGERIAL ROTATION PROGRAM.—Not later than 1 year after the effective date specified in section 455, the Director of United States Citizenship and Immigration Services shall design and implement a managerial rotation program under which employees of United States Citizenship and Immigration Services holding positions involving supervisory or managerial responsibility and classified, in accordance with chapter 51 of title 5, United States Code, as a GS–14 or above, shall—

''(A) gain some experience in all the major functions performed by United States Citizenship and Immigration Services; and

''(B) work in at least one field office and one service center of United States Citizenship and Immigration Services.''; and

(F) by striking subsection (g).

(25) In section 452 (6 U.S.C. 272)—

(A) by striking ''the Bureau of'' each place it appears and inserting ''United States''; and

(B) in subsection (f), in the subsection heading, by striking ''BUREAU OF'' and inserting ''UNITED STATES''.

(26) In section 453 (6 U.S.C. 273)—

(A) by striking ''the Bureau of'' each place it appears and inserting ''United States''; and

(B) in subsection (a)(2), by striking ''such bureau'' and inserting ''United States Citizenship and Immigration Services''.

(27) In section 454 (6 U.S.C. 274)—

(A) by striking ''the Bureau of'' each place it appears and inserting ''United States''; and

(B) by striking ''pursuant to policies and procedures applicable to employees of the Federal Bureau of Investigation,''.

(28) By striking section 455 (6 U.S.C. 271 note).

(29) By striking section 456 (6 U.S.C. 275).

(30) By striking section 459 (6 U.S.C. 276).

(31) By striking section 460 (6 U.S.C. 277).

(32) By striking section 461 (6 U.S.C. 278).

(33) In section 462(b)(2)(A) (6 U.S.C. 279(b)(2)(A))—

(A) by striking ''the Bureau of Citizenship and Immigration Services'' and inserting ''United States Citizenship and Immigration Services'';

(B) by striking ''Assistant Secretary'' and inserting ''Director''; and

(C) by striking ''the Bureau of Border Security'' and inserting ''United States Immigration and Customs Enforcement''.

(34) By striking section 472 (6 U.S.C. 292).

(35) By striking section 473 (6 U.S.C. 293).

(36) By striking section 474 (6 U.S.C. 294).

(37) By striking section 475 (6 U.S.C. 295).

(38) In section 476 (6 U.S.C. 296)—

(A) by striking ''the Bureau of Citizenship and Immigration Services'' each place it appears and inserting ''United States Citizenship and Immigration Services''; and

(B) by striking ''the Bureau of Border Security'' each place it appears and inserting ''United States Immigration and Customs Enforcement''.

(39) By striking section 477 (6 U.S.C. 297).

(40) By amending section 478 (6 U.S.C. 298) to read as follows:

''SEC. 478. IMMIGRATION FUNCTIONS.

''(a) IN GENERAL.—One year after the date of the enactment of this Act, and each year thereafter, the Secretary shall submit a report to the President, to the Committees on the Judiciary and Oversight and Government Reform of the House of Representatives, and to the Committees on the Judiciary and Homeland Security and Governmental Affairs of the Senate, on the impact the transfers made by this subtitle has had on immigration functions.

''(b) MATTER INCLUDED.—The report shall address the following with respect to the period covered by the report:

''(1) The aggregate number of all immigration applications and petitions received, and processed, by the Department.

''(2) Region-by-region statistics on the aggregate number of immigration applications and petitions filed by an alien (or filed on behalf of an alien) and denied, disaggregated by category of denial and application or petition type.

''(3) The quantity of backlogged immigration applications and petitions that have been processed, the aggregate number awaiting processing, and a detailed plan for eliminating the backlog.

''(4) The average processing period for immigration applications and petitions, disaggregated by application or petition type.

''(5) The number and types of immigration-related grievances filed with any official of the Department of Justice, and if those grievances were resolved.

''(6) Plans to address grievances and improve immigration services.

''(7) Whether immigration-related fees were used consistent with legal requirements regarding such use.

''(8) Whether immigration-related questions conveyed by customers to the Department (whether conveyed in person, by telephone, or by means of the Internet) were answered effectively and efficiently.''.

(f) TITLE V.—Title V (6 U.S.C. 311 et seq.) is amended as follows:

(1) In section 501(8) (6 U.S.C. 311(8)), by striking ''section 502(a)(6)'' and inserting ''section 504(a)(6)''.

(2) In section 504(a)(3)(B) (6 U.S.C. 314(a)(3)), by striking '', the National Disaster Medical System,''.

(g) TITLE VI.—Section 601 (6 U.S.C. 331) is amended by striking ''Director of Central Intelligence'' each place it appears and inserting ''Director of National Intelligence''.

(h) TITLE VII.—Title VII (6 U.S.C. 341 et seq.) is amended as follows:

(1) In section 701(b)(1) (6 U.S.C. 341(b)(1))—

(A) in subparagraph (A)—

(i) by striking ''the Bureau of Border Security and the Bureau of Citizenship and Immigration Services'' and inserting ''United States Citizenship and Immigration Services and United States Immigration and Customs Enforcement''; and

(ii) by striking ''such bureau'' and inserting ''United States Citizenship and Immigration Services''; and

(B) in subparagraph (B), by striking ''such bureaus'' and inserting ''United States Citizenship and Immigration Services and United States Immigration and Customs Enforcement''.

(2) By striking section 706 (6 U.S.C. 346).

(i) TITLE VIII.—Title VIII (6 U.S.C. 361 et seq.) is amended as follows:

(1) In section 833 (6 U.S.C. 393), by striking subsection (e).

(2) In section 843(b)(1)(B) (6 U.S.C. 413(b)(1)(B)), by striking ''as determined by'' and all that follows through ''; and'' and inserting ''as determined by the Secretary; and''.

(3) By amending section 844 (6 U.S.C. 414) to read as follows:

''SEC. 844. HOMELAND SECURITY ROTATION PROGRAM.

''(a) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall establish the Homeland Security Rotation Program (in this section referred to as the ''Rotation Program'') for employees of the Department. The Rotation Program shall use applicable best practices, including those from the Chief Human Capital Officers Council.

''(b) GOALS.—The Rotation Program established by the Secretary shall—

''(1) be established in accordance with the Human Capital Strategic Plan of the Department;

''(2) provide middle and senior level employees in the Department the opportunity to broaden their knowledge through exposure to other components of the Department;

''(3) expand the knowledge base of the Department by providing for rotational assignments of employees to other components;

''(4) build professional relationships and contacts among the employees in the Department;

''(5) invigorate the workforce with exciting and professionally rewarding opportunities;

''(6) incorporate Department human capital strategic plans and activities, and address critical human capital deficiencies, recruitment and retention efforts, and succession planning within the Federal workforce of the Department; and

''(7) complement and incorporate (but not replace) rotational programs within the Department in effect on the date of enactment of this section.

''(c) ADMINISTRATION.—

''(1) IN GENERAL.—The Chief Human Capital Officer shall administer the Rotation Program.

''(2) RESPONSIBILITIES.—The Chief Human Capital Officer shall—

''(A) provide oversight of the establishment and implementation of the Rotation Program;

''(B) establish a framework that supports the goals of the Rotation Program and promotes cross-disciplinary rotational opportunities;

''(C) establish eligibility for employees to participate in the Rotation Program and select participants from employees who apply;

''(D) establish incentives for employees to participate in the Rotation Program, including promotions and employment preferences;

''(E) ensure that the Rotation Program provides professional education and training;

''(F) ensure that the Rotation Program develops qualified employees and future leaders with broadbased experience throughout the Department;

''(G) provide for greater interaction among employees in components of the Department; and

''(H) coordinate with rotational programs within the Department in effect on the date of enactment of this section.

''(d) ALLOWANCES, PRIVILEGES, AND BENEFITS.—All allowances, privileges, rights, seniority, and other benefits of employees participating in the Rotation Program shall be preserved.''.

(4) By striking section 857 (6 U.S.C. 427).

(5) By striking section 878 (6 U.S.C. 458).

(6) By striking section 881 (6 U.S.C. 461).

(7) In section 882(a)(1) (6 U.S.C. 462(a)(1)), by striking ''Office of the Secretary'' and inserting ''Federal Emergency Management Agency''.

(8) In section 888 (6 U.S.C. 468), by striking subsection (h).

(9) In section 892 (6 U.S.C. 482)—

(A) in subsection (b)(7), by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence''; and

(B) in subsection (c)(3)(D), by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence''.

(10) By striking section 893 (6 U.S.C. 483).

(j) TITLE IX.—Section 903(a) (6 U.S.C. 493(a)) is amended in the subsection heading by striking ''MEMBERS—'' and inserting ''MEMBERS.—''.

(k) TITLE X.—Section 1001(c)(1) (6 U.S.C. 511(c)(1)) is amended by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence''.

(l) TITLE XII.—Title XII is amended by striking section 1204.

(m) TITLE XIV.—Strike title XIV (49 U.S.C. 40101 note et seq.).

(n) TITLE XV.—Title XV (6 U.S.C. 541 et seq.) is amended by striking section 1502.

(o) TITLE XVIII.—Title XVIII (6 U.S.C. 571 et seq.) is amended as follows:

(1) In section 1801(c)(12) (6 U.S.C. 571(c)(12)), by striking ''Assistant Secretary for Grants and Training'' and inserting ''Administrator of the Federal Emergency Management Agency''.

(2) In section 1804(b)(1) (6 U.S.C. 574(b)(1)), in the matter preceding subparagraph (A), by striking ''Assistant Secretary for Grants and Planning'' and inserting ''Administrator of the Federal Emergency Management Agency''.

(p) TITLE XIX.—Section 1902(b)(3) (6 U.S.C. 592(b)(3)) is amended—

(1) in the paragraph heading, by striking ''HAWAIIAN NATIVE-SERVING'' and inserting ''NATIVE HAWAIIAN-SERVING''; and

(2) by striking ''Hawaiian native-serving'' and inserting ''Native Hawaiian-serving''.

(q) TITLE XX.—Title XX (6 U.S.C. 601 et seq.) is amended as follows:

(1) In section 2006(b)(4)—

(A) in subparagraph (D), by inserting ''and'' after the semicolon;

(B) in subparagraph (E), by striking ''; and'' and inserting a period; and

(C) by striking subparagraph (F).

(2) In section 2021 (6 U.S.C. 611)—

(A) by striking subsection (c); and

(B) by redesignating subsection (d) as subsection (c).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PERRY) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PERRY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include any extraneous material on the bill under consideration.

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

There was no objection.

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

I rise today in strong support of H.R. 3859, the HSA Technical Corrections Act.

This important, commonsense legislation amends the Homeland Security Act of 2002, the HSA, by updating obsolete language and by striking outdated offices and reporting requirements.

In the aftermath of September 11, 2001, Congress passed the HSA, the organizing document of the Department of Homeland Security, or DHS, to enhance the ability of the Federal Government to prevent future acts of domestic terrorism.

The passage of this legislation marked one of the most dramatic reorganizations of the Federal Government in decades and introduced a number of new offices and reporting requirements. In the intervening years, agencies have changed; names, roles, and responsibilities have shifted; and a number of reporting requirements have expired. This legislation updates the HSA to ensure it more accurately reflects the mission of DHS, and thereby allows Congress to conduct more effective oversight of the Department.

I urge all Members to join me in supporting this bill.

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

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3859, the HSA Technical Corrections Act of 2015.

Let me, first of all, thank the chairperson and ranking member of the Oversight and Government Reform Committee on H.R. 3859 and thank the ranking member, Mr. THOMPSON, and the chairman of the full committee. The American people are looking for homeland security. They are looking for us to be secure.

Before I briefly discuss H.R. 3859, let me applaud the Carter-Torres bill, which was just passed, giving further authority to train law enforcement all over America. As we can see, law enforcement is a part of our first responders on homeland security.

H.R. 3859 is a technical corrections bill. It updates and revises the Homeland Security Act of 2002 by, among other things, eliminating onetime reporting requirements, removing antiquated positions that no longer exist or have evolved, and striking provisions that were inserted in 2002 before the Department of Homeland Security was officially constituted in 2003.

Mr. Speaker, I am pleased to note that during the Homeland Security Committee's November 4 markup of H.R. 3859, members favorably and unanimously reported this bill.

I acknowledge Mr. PERRY for his leadership on these issues as well as the collaboration we have on this committee. With this in mind, I commend this bill for House consideration.

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

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

Ms. JACKSON LEE. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. I thank the gentlewoman for yielding.

Mr. Speaker, the gentlewoman just referred to H.R. 3859 as a unanimous bill that came out of Homeland Security. She spoke about how this measure is going to get rid of reporting requirements and antiquated elements regarding homeland security.

Meanwhile, Members, we have a travesty on our hands, and we are doing nothing about it. We just witnessed the 353rd mass shooting of the year in this country. We are all concerned about homegrown terrorists. We had a homegrown terrorist who annihilated 14 people and injured many more just last week.

We have a huge loophole in the law that allows persons who are on the no-fly list to purchase guns in this country. If we believe that they should not have the right to fly, why should they have the right to own a gun? People like Faisal Shahzad was already on the no-fly list when he attempted to bomb Times Square on May 1, 2010. If he had decided to walk into a gun store that day and purchase a gun, he would have been able to do so. This makes no sense.

It is time for us to engage in common sense. It is time for the Homeland Security Committee to come together in a unanimous fashion and pass H.R. 1076. There is a discharge petition on the floor. This bill should come before the full House. Vote however you want to, but give each and every Member of this House the opportunity to be recorded on whether or not one wants people who are on suspected terrorist lists to be able to buy a gun.

□ 1430

For those who may be on that list for purposes that are wrong or in error, so they have to wait 3 days before they get the gun. Better to have safety in this country for all Americans, better to have persons who do not belong in a position of owning a gun, but belong on the list not to fly, to not be able to buy a gun.

MOTION TO ADJOURN

Ms. SPEIER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentlewoman from California (Ms. SPEIER).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 4, nays 394, answered ''present'' 2, not voting 33, as follows:

[Roll No. 677]

YEAS—4

DeFazio
Harris
Johnson, E. B.
Peterson

NAYS—394

Abraham
Adams
Aderholt
Allen
Amash
Ashford
Babin
Barletta
Barr
Barton
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Clark (MA)
Clarke (NY)
Clawson (FL)
Cleaver
Clyburn
Coffman
Cole
Collins (GA)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Diaz-Balart
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perry
Peters
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

ANSWERED ''PRESENT''—2

Cohen
Lipinski

NOT VOTING—33

Aguilar
Amodei
Bass
Bishop (MI)
Cicilline
Clay
Collins (NY)
Costa
Davis, Danny
Deutch
Dingell
Donovan
Edwards
Granger
Grijalva
Gutiérrez
Hartzler
Huffman
Jeffries
Johnson, Sam
Lewis
Lummis
Mooney (WV)
Murphy (PA)
Perlmutter
Pittenger
Rush
Russell
Schrader
Scott, David
Takai
Titus
Young (AK)

□ 1452

Messrs. MEEHAN, POMPEO, ELLISON, and BABIN changed their vote from ''yea'' to ''nay.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. HARTZLER. Mr. Speaker, on Tuesday, December 8, 2015, I was unable to vote. Had I been present, I would have voted as follows: on rollcall No. 675, ''nay,'' on rollcall No. 677, ''nay.''

HSA TECHNICAL CORRECTIONS ACT

The SPEAKER pro tempore (Mr. YOUNG of Iowa). The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Speaker, I would like to say thank you to the gentlewoman from Texas (Ms. JACKSON LEE) and the gentlewoman from New Jersey (Mrs. WATSON COLEMAN), my good friend, for the fine work they did on this bipartisan, noncontroversial bill that is common sense and does the right thing. But, unfortunately, it has been hijacked, Mr. Speaker.

It has been hijacked for this ruse. They set it aside. They said: Well, we have got this discharge petition. We want to get this bill on the floor.

Mr. Speaker, they don't have the names to get the bill on the floor. Furthermore, I contend they don't even want to vote for it. They don't want to vote on it. They just want to talk about this. These are the folks who tell everybody that they are here to protect your rights.

Mr. Speaker, they talk about they want the people on the no-fly list to have their right to firearms taken away from them, understanding—hopefully, they understand—they have no idea what it takes to get on the no-fly list. These people on the no-fly list have no idea half the time that they are on it.

Furthermore, the no-fly list is maintained by bureaucrats, the same administration that persecutes its citizens and has them audited by the IRS for their beliefs and what they say at a prayer breakfast.

With that, Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I want to congratulate the gentleman from Pennsylvania (Mr. PERRY), my friend, and the gentlewoman from Texas (Ms. JACKSON LEE), my friend, for having a bill that would actually clean up some problems within Homeland Security.

But, as I listen to the debate, including the last gentlewoman who moved for adjournment, I wonder if people who speak on this floor, Mr. Speaker, sometimes listen to themselves. As the gentlewoman pointed out—we could have the words read back, but she actually said that the Times Square bomber, the guy that was trying to blow up people with a bomb in Times Square, could have gone in and bought a gun. Obviously, he wasn't using a gun.

We also know that, as our friends across the aisle have proposed more stringent background checks and more extensive gun control laws, that not one of the proposals of this administration would have stopped the killings in Colorado, in Oregon at the community college, or at San Bernardino. This body ought to be about doing things that make a difference, not doing things for show.

As far as the no-fly list, when we have a process that is conducted behind closed doors, a process that was not formulated and voted on by the elected Members of Congress, that puts people on a no-fly list, my friends who support that idea are telling people around the country, including the 200,000 people buying guns in the last month, that we

want an arbitrary process by a President, who a Muslim Brotherhood publication in Egypt says is advised by six of their top Muslim brothers, to formulate a list—it is not my words. That is the Egyptian publication back in December of 2012. They want that President formulating behind closed doors a list of Americans who can never buy a gun. This is the same administration that has gone after conservative organizations with the IRS.

Let me also point out that, before you try to clean out the homes of honest, law-abiding Americans, including a general who is a constituent who keeps ending up on the no-fly list, why don't you get rid of the 72 Department of Homeland Security employees who were on the no-fly list before you try to take guns away from law-abiding Americans.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOHMERT. May I have 30 more seconds?

Mr. PERRY. No. I need to keep moving. I reserve the balance of my time.

□ 1500

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Let me just say this: I am not sure if the gentleman from Texas, a dear friend, was asking us to get rid of the no-fly list or the watch list.

Our point today, Mr. Speaker, is very narrow. We are just asking that terrorists not be able to walk into a gun shop and buy a gun. This is a loophole that is most glaring. Eighty percent of the American people believe that this is impossible; it must not be true. We are trying to prevent suspected terrorists from walking into a gun store and buying a deadly weapon.

The investigation, tragically, in California is not yet finished, so we don't have the final answer as to what would have prevented that. But it is astonishing that the loophole has allowed more than 2,000 suspects on the FBI terrorist watch list to buy guns in the U.S. over the past 11 years.

When I started this debate, I was happy that we had come to the floor to deal with Homeland Security bills. The American people want the homeland safe and secure. They don't want demagoguery. They want safety and security.

Legislation blocking terrorists from getting guns makes America no more safer and secure than apple pie. This is a time when more than 90 percent of all suspected terrorists who tried to buy guns in America walked away and bought them. They got the weapon they wanted. This is not criminals, gangs, or others. We are dealing with those individuals who are terrorists. They have the right to get a gun.

Can we do something this week, Mr. Speaker? Can we add to the safety and security of the American people? As we pass this bill, H.R. 3859, which I applaud its correcting technicalities, can we join together and can we pass closing the gun loophole that allows terrorists to go and buy a gun to terrorize innocent Americans? I think we can do better.

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

Mr. PERRY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Speaker, I thank the chairman for yielding.

We have talked a lot in the last couple of weeks about the visa waiver program, visas in general, and Syrian refugees. Let me remind this body and the American people that 49 percent of all illegals in this country didn't cross our southern border; they came here with a permission slip in their hand, known as a visa. And they chose to overstay that visa. Now they are categorized as visa overstays. These overstays are people that we trusted by giving them a permission slip to come into our great country.

There are six words that ought to be brought up as we talk about this issue: secure the border, enforce the laws. That is how you keep America safe.

I want to tell you, national security is at stake here. Americans are concerned. I won't say Americans are afraid, but they are concerned. They expect us to do our job to secure this great Nation. They expect us to look into the visa waiver program. They expect us to look into the refugees and the vetting process. They expect us to keep them safe.

We ought to talk about securing the border and enforcing the laws. We are not chasing footprints in the desert with regard to the visa overstays. We know who these people are. They have had an interview at a consulate or embassy. We probably have a thumbprint, a picture, a name. We probably have an address of where they are going.

Let's keep our eye on the ball here. Americans expect us to keep them safe, and that is by reviewing the visa waiver program, that is considering the vetting process, and that is enforcing the law. Let's secure our Nation.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I started by saying that the American people are looking to us to secure the homeland.

As we look at these series of bills that we have on the floor, H.R. 3859 is a technical corrections bill. This is a bill that should be passed. Americans expect clarity from this body. Clarity from this body means that at the same time as we pass H.R. 3859, we should also be concerned about making sure that we close gun show loopholes so as to avoid having terrorists buy guns.

I believe that that is the appropriate and direct way to handle this question of securing the Nation. Do the obvious to secure the Nation: stop terrorists from getting guns.

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

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

Mr. Speaker, I, once again, urge my colleagues to support H.R. 3859, which is really the issue at hand.

Regarding the other issue that is being discussed here, this is an issue of failure of foreign policy: an open border and a visa waiver program that allows terrorists to come into our Nation unfettered. Other than the issue at hand, that is the issue that we are really talking about.

Mr. Speaker, I ask my colleagues to support H.R. 3859, the HSA Technical Corrections Act. Again, it is important, commonsense legislation. It amends the Homeland Security Act of 2002 by updating obsolete language and striking outdated offices and reporting requirements.

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

The SPEAKER pro tempore (Mr. COLLINS of New York). The question is on the motion offered by the gentleman from Pennsylvania (Mr. PERRY) that the House suspend the rules and pass the bill, H.R. 3859, as amended.

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

A motion to reconsider was laid on the table.

MOTION TO ADJOURN

Mrs. CAPPS. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentlewoman from California (Mrs. CAPPS).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 7, nays 398, answered ''present'' 4, not voting 24, as follows:

[Roll No. 678]

YEAS—7

DeFazio	Johnson, E. B.	Peterson
Farr	Labrador	
Harris	Massie	

NAYS—398

Abraham	Barr	Bilirakis
Adams	Barton	Bishop (GA)
Aderholt	Bass	Black
Allen	Beatty	Blackburn
Amash	Becerra	Blum
Ashford	Benishek	Blumenauer
Babin	Bera	Bonamici
Barletta	Beyer	Bost

Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larson (CT)
Latta
Lawrence
Lee
Levin
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perry
Peters
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

ANSWERED ''PRESENT''—4

Cohen
Lipinski
Richmond
Young (AK)

NOT VOTING—24

Aguilar
Amodei
Bishop (MI)
Bishop (UT)
Cárdenas
Cole
Dingell
Donovan
Garamendi
Grijalva
Johnson, Sam
Larsen (WA)
Lewis
Lummis
Mooney (WV)
Mulvaney
Perlmutter
Roskam
Rush
Russell
Schrader
Scott, David
Simpson
Takai

□ 1535

Mr. GRAVES of Georgia changed his vote from ''yea'' to ''nay.''

Mr. MASSIE changed his vote from ''nay'' to ''yea.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

VISA WAIVER PROGRAM IMPROVEMENT AND TERRORIST TRAVEL PREVENTION ACT OF 2015

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 158) to clarify the grounds for ineligibility for travel to the United States regarding terrorism risk, to expand the criteria by which a country may be removed from the Visa Waiver Program, to require the Secretary of Homeland Security to submit a report on strengthening the Electronic System for Travel Authorization to better secure the international borders of the United States and prevent terrorists and instruments of terrorism from entering the United States, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 158

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015''.

SEC. 2. ELECTRONIC PASSPORT REQUIREMENT.

(a) REQUIREMENT FOR ALIEN TO POSSESS ELECTRONIC PASSPORT.—Section 217(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(a)(3)) is amended to read as follows:

''(3) PASSPORT REQUIREMENTS.—The alien, at the time of application for admission, is in possession of a valid unexpired passport that satisfies the following:

''(A) MACHINE READABLE.—The passport is a machine-readable passport that is tamper-resistant, incorporates document authentication identifiers, and otherwise satisfies the internationally accepted standard for machine readability.

''(B) ELECTRONIC.—Beginning on April 1, 2016, the passport is an electronic passport that is fraud-resistant, contains relevant biographic and biometric information (as determined by the Secretary of Homeland Security), and otherwise satisfies internationally accepted standards for electronic passports.''.

(b) REQUIREMENT FOR PROGRAM COUNTRY TO VALIDATE PASSPORTS.—Section 217(c)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)(B)) is amended to read as follows:

''(B) PASSPORT PROGRAM.—

''(i) ISSUANCE OF PASSPORTS.—The government of the country certifies that it issues to its citizens passports described in subparagraph (A) of subsection (a)(3), and on or after April 1, 2016, passports described in subparagraph (B) of subsection (a)(3).

''(ii) VALIDATION OF PASSPORTS.—Not later than October 1, 2016, the government of the country certifies that it has in place mechanisms to validate passports described in subparagraphs (A) and (B) of subsection (a)(3) at each key port of entry into that country. This requirement shall not apply to travel between countries which fall within the Schengen Zone.''.

(c) CONFORMING AMENDMENT.—Section 303(c) of the Enhanced Border Security and Visa Entry Reform Act of 2002 is repealed (8 U.S.C. 1732(c)).

SEC. 3. RESTRICTION ON USE OF VISA WAIVER PROGRAM FOR ALIENS WHO TRAVEL TO CERTAIN COUNTRIES.

Section 217(a) of the Immigration and Nationality Act (8 U.S.C. 1187(a)), as amended by this Act, is further amended by adding at the end the following:

''(12) NOT PRESENT IN IRAQ, SYRIA, OR ANY OTHER COUNTRY OR AREA OF CONCERN.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C)—

''(i) the alien has not been present, at any time on or after March 1, 2011—

''(I) in Iraq or Syria;

''(II) in a country that is designated by the Secretary of State under section 6(j) of the Export Administration Act of 1979 (50 U.S.C. 2405) (as continued in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)), section 40 of the Arms Export Control Act (22 U.S.C. 2780), section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), or any other provision of law, as a country, the government of which has repeatedly provided support of acts of international terrorism; or

''(III) in any other country or area of concern designated by the Secretary of Homeland Security under subparagraph (D); and

''(ii) regardless of whether the alien is a national of a program country, the alien is not a national of—

''(I) Iraq or Syria;

''(II) a country that is designated, at the time the alien applies for admission, by the

Secretary of State under section 6(j) of the Export Administration Act of 1979 (50 U.S.C. 2405) (as continued in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)), section 40 of the Arms Export Control Act (22 U.S.C. 2780), section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), or any other provision of law, as a country, the government of which has repeatedly provided support of acts of international terrorism; or

''(III) any other country that is designated, at the time the alien applies for admission, by the Secretary of Homeland Security under subparagraph (D).

''(B) CERTAIN MILITARY PERSONNEL AND GOVERNMENT EMPLOYEES.—Subparagraph (A)(i) shall not apply in the case of an alien if the Secretary of Homeland Security determines that the alien was present—

''(i) in order to perform military service in the armed forces of a program country; or

''(ii) in order to carry out official duties as a full time employee of the government of a program country.

''(C) WAIVER.—The Secretary of Homeland Security may waive the application of subparagraph (A) to an alien if the Secretary determines that such a waiver is in the law enforcement or national security interests of the United States.

''(D) COUNTRIES OR AREAS OF CONCERN.—

''(i) IN GENERAL.—Not later than 60 days after the date of the enactment of this paragraph, the Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall determine whether the requirement under subparagraph (A) shall apply to any other country or area.

''(ii) CRITERIA.—In making a determination under clause (i), the Secretary shall consider—

''(I) whether the presence of an alien in the country or area increases the likelihood that the alien is a credible threat to the national security of the United States;

''(II) whether a foreign terrorist organization has a significant presence in the country or area; and

''(III) whether the country or area is a safe haven for terrorists.

''(iii) ANNUAL REVIEW.—The Secretary shall conduct a review, on an annual basis, of any determination made under clause (i).

''(E) REPORT.—Beginning not later than one year after the date of the enactment of this paragraph, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on Homeland Security, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on the Judiciary of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on the Judiciary of the Senate a report on each instance in which the Secretary exercised the waiver authority under subparagraph (C) during the previous year.''.

SEC. 4. DESIGNATION REQUIREMENTS FOR PROGRAM COUNTRIES.

(a) REPORTING LOST AND STOLEN PASSPORTS.—Section 217(c)(2)(D) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)(D)), as amended by this Act, is further amended by striking ''within a strict time limit'' and inserting ''not later than 24 hours after becoming aware of the theft or loss''.

(b) INTERPOL SCREENING.—Section 217(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)), as amended by this Act, is further amended by adding at the end the following:

''(G) INTERPOL SCREENING.—Not later than 270 days after the date of the enactment of this subparagraph, except in the case of a country in which there is not an international airport, the government of the country certifies to the Secretary of Homeland Security that, to the maximum extent allowed under the laws of the country, it is screening, for unlawful activity, each person who is not a citizen or national of that country who is admitted to or departs that country, by using relevant databases and notices maintained by Interpol, or other means designated by the Secretary of Homeland Security. This requirement shall not apply to travel between countries which fall within the Schengen Zone.''.

(c) IMPLEMENTATION OF PASSENGER INFORMATION EXCHANGE AGREEMENT.—Section 217(c)(2)(F) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)(F)), as amended by this Act, is further amended by inserting before the period at the end the following: '', and fully implements such agreement''.

(d) TERMINATION OF DESIGNATION.—Section 217(f) of the Immigration and Nationality Act (8 U.S.C. 1187(f)) is amended by adding at the end the following:

''(6) FAILURE TO SHARE INFORMATION.—

''(A) IN GENERAL.—If the Secretary of Homeland Security and the Secretary of State jointly determine that the program country is not sharing information, as required by subsection (c)(2)(F), the Secretary of Homeland Security shall terminate the designation of the country as a program country.

''(B) REDESIGNATION.—In the case of a termination under this paragraph, the Secretary of Homeland Security shall redesignate the country as a program country, without regard to paragraph (2) or (3) of subsection (c) or paragraphs (1) through (4), when the Secretary of Homeland Security, in consultation with the Secretary of State, determines that the country is sharing information, as required by subsection (c)(2)(F).

''(7) FAILURE TO SCREEN.—

''(A) IN GENERAL.—Beginning on the date that is 270 days after the date of the enactment of this paragraph, if the Secretary of Homeland Security and the Secretary of State jointly determine that the program country is not conducting the screening required by subsection (c)(2)(G), the Secretary of Homeland Security shall terminate the designation of the country as a program country.

''(B) REDESIGNATION.—In the case of a termination under this paragraph, the Secretary of Homeland Security shall redesignate the country as a program country, without regard to paragraph (2) or (3) of subsection (c) or paragraphs (1) through (4), when the Secretary of Homeland Security, in consultation with the Secretary of State, determines that the country is conducting the screening required by subsection (c)(2)(G).''.

SEC. 5. REPORTING REQUIREMENTS.

(a) IN GENERAL.—Section 217(c) of the Immigration and Nationality Act (8 U.S.C. 1187(c)), as amended by this Act, is further amended—

(1) in paragraph (2)(C)(iii)—

(A) by striking ''and the Committee on International Relations'' and inserting '', the Committee on Foreign Affairs, and the Committee on Homeland Security''; and

(B) by striking ''and the Committee on Foreign Relations'' and inserting '', the Committee on Foreign Relations, and the Committee on Homeland Security and Governmental Affairs''; and

(2) in paragraph (5)(A)(i)—

(A) in subclause (III)—

(i) by inserting after ''the Committee on Foreign Affairs,'' the following: ''the Permanent Select Committee on Intelligence,'';

(ii) by inserting after ''the Committee on Foreign Relations,'' the following: ''the Select Committee on Intelligence''; and

(iii) by striking ''and'' at the end;

(B) in subclause (IV), by striking the period at the end and inserting the following: ''; and''; and

(C) by adding at the end the following:

''(V) shall submit to the committees described in subclause (III), a report that includes an assessment of the threat to the national security of the United States of the designation of each country designated as a program country, including the compliance of the government of each such country with the requirements under subparagraphs (D) and (F) of paragraph (2), as well as each such government's capacity to comply with such requirements.''.

(b) DATE OF SUBMISSION OF FIRST REPORT.—The Secretary of Homeland Security shall submit the first report described in subclause (V) of section 217(c)(5)(A)(i) of the Immigration and Nationality Act (8 U.S.C. (c)(5)(A)(i)), as added by subsection (a), not later than 90 days after the date of the enactment of this Act.

SEC. 6. HIGH RISK PROGRAM COUNTRIES.

Section 217(c) of the Immigration and Nationality Act (8 U.S.C. 1187(c)), as amended by this Act, is further amended by adding at the end the following:

''(12) DESIGNATION OF HIGH RISK PROGRAM COUNTRIES.—

''(A) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Director of National Intelligence and the Secretary of State, shall evaluate program countries on an annual basis based on the criteria described in subparagraph (B) and shall identify any program country, the admission of nationals from which under the visa waiver program under this section, the Secretary determines presents a high risk to the national security of the United States.

''(B) CRITERIA.—In evaluating program countries under subparagraph (A), the Secretary of Homeland Security, in consultation with the Director of National Intelligence and the Secretary of State, shall consider the following criteria:

''(i) The number of nationals of the country determined to be ineligible to travel to the United States under the program during the previous year.

''(ii) The number of nationals of the country who were identified in United States Government databases related to the identities of known or suspected terrorists during the previous year.

''(iii) The estimated number of nationals of the country who have traveled to Iraq or Syria at any time on or after March 1, 2011 to engage in terrorism.

''(iv) The capacity of the country to combat passport fraud.

''(v) The level of cooperation of the country with the counter-terrorism efforts of the United States.

''(vi) The adequacy of the border and immigration control of the country.

''(vii) Any other criteria the Secretary of Homeland Security determines to be appropriate.

''(C) SUSPENSION OF DESIGNATION.—The Secretary of Homeland Security, in consultation with the Secretary of State, may suspend

the designation of a program country based on a determination that the country presents a high risk to the national security of the United States under subparagraph (A) until such time as the Secretary determines that the country no longer presents such a risk.

''(D) REPORT.—Not later than 60 days after the date of the enactment of this paragraph, and annually thereafter, the Secretary of Homeland Security, in consultation with the Director of National Intelligence and the Secretary of State, shall submit to the Committee on Homeland Security, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on the Judiciary of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on the Judiciary of the Senate a report, which includes an evaluation and threat assessment of each country determined to present a high risk to the national security of the United States under subparagraph (A).''.

SEC. 7. ENHANCEMENTS TO THE ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION.

(a) IN GENERAL.—Section 217(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)) is amended—

(1) in subparagraph (C)(i), by inserting after ''any such determination'' the following: ''or shorten the period of eligibility under any such determination'';

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

''(D) FRAUD DETECTION.—The Secretary of Homeland Security shall research opportunities to incorporate into the System technology that will detect and prevent fraud and deception in the System.

''(E) ADDITIONAL AND PREVIOUS COUNTRIES OF CITIZENSHIP.—The Secretary of Homeland Security shall collect from an applicant for admission pursuant to this section information on any additional or previous countries of citizenship of that applicant. The Secretary shall take any information so collected into account when making determinations as to the eligibility of the alien for admission pursuant to this section.

''(F) REPORT ON CERTAIN LIMITATIONS ON TRAVEL.—Not later than 30 days after the date of the enactment of this subparagraph and annually thereafter, the Secretary of Homeland Security, in consultation with the Secretary of State, shall submit to the Committee on Homeland Security, the Committee on the Judiciary, and the Committee on Foreign Affairs of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Committee on Foreign Relations of the Senate a report on the number of individuals who were denied eligibility to travel under the program, or whose eligibility for such travel was revoked during the previous year, and the number of such individuals determined, in accordance with subsection (a)(6), to represent a threat to the national security of the United States, and shall include the country or countries of citizenship of each such individual.''.

(b) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of State, shall submit to the Committee on Homeland Security, the Committee on the Judiciary, and the Committee on Foreign Affairs of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Committee on Foreign Relations of the Senate a report on steps to strengthen the electronic system for travel authorization authorized under section 217(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3))) in order to better secure the international borders of the United States and prevent terrorists and instruments of terrorism from entering the United States.

SEC. 8. PROVISION OF ASSISTANCE TO NON-PROGRAM COUNTRIES.

The Secretary of Homeland Security, in consultation with the Secretary of State, shall provide assistance in a risk-based manner to countries that do not participate in the visa waiver program under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187) to assist those countries in—

(1) submitting to Interpol information about the theft or loss of passports of citizens or nationals of such a country; and

(2) issuing, and validating at the ports of entry of such a country, electronic passports that are fraud-resistant, contain relevant biographic and biometric information (as determined by the Secretary of Homeland Security), and otherwise satisfy internationally accepted standards for electronic passports.

SEC. 9. CLERICAL AMENDMENTS.

(a) SECRETARY OF HOMELAND SECURITY.—Section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), as amended by this Act, is further amended by striking ''Attorney General'' each place such term appears (except in subsection (c)(11)(B)) and inserting ''Secretary of Homeland Security''.

(b) ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION.—Section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), as amended this Act, is further amended—

(1) by striking ''electronic travel authorization system'' each place it appears and inserting ''electronic system for travel authorization'';

(2) in the heading in subsection (a)(11), by striking ''ELECTRONIC TRAVEL AUTHORIZATION SYSTEM'' and inserting ''ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION''; and

(3) in the heading in subsection (h)(3), by striking ''ELECTRONIC TRAVEL AUTHORIZATION SYSTEM'' and inserting ''ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION''.

SEC. 10. SENSE OF CONGRESS.

It is the sense of Congress that the International Civil Aviation Organization, the specialized agency of the United Nations responsible for establishing international standards, specifications, and best practices related to the administration and governance of border controls and inspection formalities, should establish standards for the introduction of electronic passports (referred to in this section as ''e-passports''), and obligate member countries to utilize such e-passports as soon as possible. Such e-passports should be a combined paper and electronic passport that contains biographic and biometric information that can be used to authenticate the identity of travelers through an embedded chip.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from California (Ms. LOFGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

□ 1530

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 158 currently under consideration.

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

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that debate on this motion be extended by 10 minutes on each side.

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

There was no objection.

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

Mr. Speaker, I support H.R. 158, the Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015.

The Visa Waiver Program allows nationals of 38 countries to travel to the United States for a maximum of 90 days for business or tourism purposes without obtaining a visa. The travelers must present a valid machine-readable passport and meet certain other immigration and security requirements.

In order to be designated a VWP country, a nation must offer reciprocal visa-free travel to U.S. citizens, agree to share security-related information such as whether citizens of that country traveling to the U.S. represent a threat to U.S. security or welfare, agree to timely report lost and stolen passports, and have less than a 3 percent visa refusal rate in the year prior to designation years, among other requirements.

The VWP was created in 1986 as a way to promote and facilitate travel and tourism to the United States. It has done just that, with hundreds of millions of foreign nationals traveling to the U.S. since the program's implementation. So the positive effects of the VWP on the U.S. economy should not be understated.

Yet no amount of economic stimulation is worth risking the lives of our constituents, and recent events around the world necessitate changes to the VWP in order to help ensure its safety. Of particular concern is the rise of ISIS in the Middle East and the large number of Europeans and other nationalities who have gone to Syria, Iraq, and other countries of concern in order to train and fight alongside ISIS and the radical Islamist terrorists.

With their VWP country passports, those terrorists can board a plane bound for the U.S. and can reach U.S. shores with relative ease. In VWP cases, there is no in-person interview with a U.S. consular officer, and there

is no pretravel enhanced screening. So we must help make sure that the VWP is as secure as possible.

H.R. 158 takes constructive steps in this direction with provisions preventing dual nationals of, or those who have recently traveled to, Iraq, Syria, or other countries of concern, from visa-free travel to the U.S. Among other security enhancements, the bill requires VWP countries to issue e-Passports to their nationals and continuously share terrorism and foreign traveler data with us.

The VWP is only one part of the national discussion that we should be having. There are Islamist terrorists looking at all aspects of our immigration policy to find any way possible to exploit it. We learned that lesson on 9/11, and we learned that lesson last week in San Bernardino.

Mr. Speaker, I hope this body continues to address deficiencies in U.S. immigration policy by taking up and passing additional House Judiciary Committee bills, including those reported out of the Judiciary Committee to reform the U.S. asylum process, to change the way unaccompanied alien minors are treated when they cross the U.S. border so that there is no longer an incentive to run across the border, and to finally prevent the interior immigration enforcement switch from being turned off at the whim of whoever resides at 1600 Pennsylvania Avenue.

Mr. Speaker, I thank the gentlewoman from Michigan (Mrs. MILLER) and the chairman of the Homeland Security Committee, as well as their staff members, for their work on the bill.

Much more needs to be done to prevent exploitation of U.S. immigration policy by terrorists, but H.R. 158 is another good step in helping to ensure the safety of Americans, and I support it.

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

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

Mr. Speaker, today we come together to address vulnerabilities in our Visa Waiver Program to make our country safer.

What is the Visa Waiver Program? It was established long before 9/11. In order for a country to be admitted to the Visa Waiver Program, fewer than 3 percent of its applicants for a visitor visa can be denied. Often, the denial of a visitor's visa has nothing to do with security. Rather, it is frequently based on a judgment of whether the applicant is likely to return to his home country.

It is fair to say that persons who are poor are often judged to be less likely to return to their home country than a more affluent applicant with extensive financial ties to his or her home. That is the reason why there are no impoverished countries in the Visa Waiver Program.

Most of Europe, Japan, Singapore, Australia, South Korea, and the like are in the program—38 countries in all. The 38 countries agree to share security information with the United States.

The Visa Waiver Program also is reciprocal, allowing Americans to travel to these 38 countries without getting a visitor's visa. For these 38 countries, visitors fill out a form in advance that is then checked against databases. An ePassport is required for travel, but no visa. However, at the point of entry, an intending visitor from a visa waiver country can be turned away if he is not found admissible under immigration law. For example, a visa waiver visitor who reveals he intends to study in the United States or to marry and remain in the U.S. will be denied entry at the airport by a Customs and Border Protection officer.

Mr. Speaker, people who do not reside in these 38 countries can still visit the United States, but they have to obtain a visitor's visa to do so, and this is exactly the same for those who are ineligible for the Visa Waiver Program under this bill.

The Visa Waiver Program enables millions of tourists and business travelers to come to the U.S. every year for short trips that altogether bring over $190 billion a year in business and tax revenue. This program is important to our economy and the country.

At the same time, Mr. Speaker, in the wake of the November 13 terrorist attacks, we must review this program to make sure it meets our present-day security needs since it was designed prior to 9/11. This bipartisan bill incorporates simple changes to enhance security in the Visa Waiver Program.

The most important parts of the legislation provide for specific, concrete changes to ensure better information sharing among intelligence and law enforcement agencies.

□ 1545

It requires screening of all travelers against INTERPOL databases. It makes it harder to falsify identity by requiring fraud-resistant e-Passports that contain biometric information. It compels U.S. security agencies to conduct more frequent threat assessments of visa waiver countries, something not currently part of the law.

For those who have traveled to or are nationals of certain high-threat countries, a visa interview, rather than visa-free travel, will be required. These individuals are not barred from traveling to the United States.

We know that thousands of European citizens have traveled to Syria. Some are there on humanitarian missions, like Doctors Without Borders, and we thank them. Some went to fight with ISIS. The visa interview, conducted by a U.S. consular official, will establish the circumstances of the visit. If you are a German citizen who visited Syria last year, you will have the same visa process that every Israeli, every Pole, every Ethiopian, and every Mexican has. None of us has said it is unreasonable that people in Thailand, India, or Brazil undergo interviews for visitor visas. And this change in the Visa Waiver Program is not unreasonable either.

This visa waiver legislation stands in stark contrast to the Republican-led refugee bill that was rushed to the floor 3 weeks ago. That ineffective and mean-spirited bill would shut down the U.S. refugee program for Syrians and Iraqis fleeing civil war and the brutality of ISIS. And it does so notwithstanding the fact that refugees are subject to 18 to 24 months of thorough screening before ever setting foot on U.S. soil, a more rigorous process than any other immigrant or traveler to the United States is subject to.

The refugee bill does absolutely nothing to make us safer, and it is a betrayal of our values. It would have us turn our back on refugee women and children and on our proud history as a country that provides safe haven to the world's most vulnerable. I will continue to do everything in my power to see that it never becomes law.

While the refugee bill showed our country and this body at its worst, today's bill makes sensible improvements to the security of the Visa Waiver Program. I thank my colleagues for working with me and the Department of Homeland Security, the State Department, and the White House to craft this targeted legislation. I strongly urge its support.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield 5 minutes to the gentlewoman from Michigan (Mrs. MILLER), the chief sponsor of this legislation, who is also the chairman of the House Administration Committee.

Mrs. MILLER of Michigan. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the 9/11 Commission said that ''For terrorists, travel documents are as important as weapons.'' And I couldn't agree more. We simply cannot give people from other countries special access to our country if we don't have all of the information that we absolutely need to ensure that they are not a threat to our national security.

I believe that the bill that we are considering today is the first of many, quite frankly, aimed at improving our security protocols. We need to have a comprehensive, complete review of all of our visa programs, including K1 visas, the so-called ''fiance visa,'' which was used by the female terrorist in the San Bernardino attack to enter the United States. As well, the issue of visa overstays also needs to be addressed.

Today, the House is taking a very important step forward by considering this bill, which is focused on those traveling to the U.S. without a visa.

As was said, the Visa Waiver Program actually was established back in the eighties to expedite tourism and trade as well, and it has worked very, very well economically for our country. Today there are 38 companies that participate; and their citizens, although they are required to have a passport, are not required to go to a U.S. Embassy or to a consulate to obtain a visa.

Obviously, the world is a much different place today, and our security measures must evolve to meet any and all threats, which is why I introduced this bill.

This bill has gone through regular order. As chairman of the Border and Maritime Security Subcommittee, I have held two hearings on this. It actually passed out of the full Homeland Security Committee as well on a unanimous vote, every Republican, every Democrat. Because before we are anything else, we are all Americans first, and we all recognize the vulnerabilities of our current program.

Information sharing, especially with our European allies, is vital, absolutely vital to help combat the threat of foreign fighters bound for the United States. There is absolutely no second for having good information. We need to be certain that participating countries are giving us all of the information that we need from either their own terror watch list or travel manifests, and that all of the information protocols are being shared.

As we know, sometimes it is not until after the fact that some of the participating countries actually provide us the names of individuals who they knew were a terror threat. That is unacceptable.

This bill will change that because what this bill does is it gives the authority to the Secretary of Homeland Security to either suspend or terminate a country's participation in this program if we don't feel confident that we are getting all the critical information that we need to stop terrorists from exploiting this program to travel into the U.S.

So, at this time, we still have an information sharing problem with some of our closest allies. And as the 9/11 Commission also accurately noted, we need to move from the mindset of the need-to-know information to the need-to-share information.

Information sharing must happen, and this bill gives America the leverage that it needs to make sure that the information critical to our homeland security is being shared appropriately.

It will also disqualify anyone who has traveled to Syria, Iraq, Sudan, and Iran within the past 5 years from participating in this program. In an abundance of caution, we will now require those individuals to apply for a visa and go through the formal visa screening process.

It will also give the Secretary of Homeland Security the discretion to designate other countries that have significant terror concerns, or become terror safe havens in the future.

Additionally, we will be requiring all participating countries to adopt e-Passports, like we have here in the United States, so that we are able to eliminate passport fraud.

Mr. Speaker, as Americans, we live in a free and open society, and enemies of freedom are looking to use our freedoms against us. This bill will stop the enemies' ability to move internationally by strengthening the Visa Waiver Program. It is a critical component of keeping our homeland safe.

I want to thank the House leadership for ensuring prompt consideration of this bill on the floor. I certainly want to thank Chairman MCCAUL and Chairman GOODLATTE for working as well. And I also want to give a special thanks as well to Representative KATKO from New York, who is the chairman of the Foreign Fighter Task Force, which really helped make this bill a much stronger product.

It is my hope that a very strong, bipartisan vote on this bill today will send a message to terrorists that America is prepared to take any and all measures to protect our homeland.

Ms. LOFGREN. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. CONYERS), the ranking member of the full committee.

Mr. CONYERS. Mr. Speaker, Members of the House, as much as any Member in this body, I appreciate the unique situation our Nation is in as we struggle to effectively combat terrorism, while adhering to our Nation's commitment to freedom and liberty.

I fully recognize and appreciate that the bill before us today represents an effort to craft a more bipartisan response to recent terrorist incidents, particularly when compared to the seriously flawed refugee bill that this body voted on only several weeks ago.

I commend the office for including many commonsense improvements to the Visa Waiver Program that will improve the system in a neutral and nondiscriminatory manner. However, I believe that provisions in the legislation restricting the use of the Visa Waiver Program to individuals who have traveled to Syria or Iraq or are dual nationals of these or other covered nations are discriminatory. I understand that these individuals are not banned from traveling to our Nation and are simply subject to increased questioning and scrutiny before they can travel here.

However, history has shown us that arbitrary across-the-board judgments based on broad characteristics such as these do nothing to enhance our security and only cast a cloud of suspicion over entire communities here in our country.

Equally problematic is the provision's overbreadth. It contains no exceptions for journalists, researchers, human rights investigators, or other professionals. This will make it harder, not easier, to document and respond to human rights violations and other abuses. I also believe the provision should have included a sunset date so that we can assess its efficacy. I am further concerned that the new requirement will result in our partner nations placing new limits on travel by United States citizens to their own countries.

It is because of these problems that numerous civil rights and civil liberties groups have expressed serious concerns or outright opposition to the overall legislation, including the American Civil Liberties Union, the Leadership Conference on Civil and Human Rights, the NAACP, the American-Arab Anti-Discrimination Committee, the American Immigration Lawyers Association, the Council on American-Islamic Relations, the Arab-American Civil Rights League, Human Rights Watch, and the League of United Latin American Citizens, among others.

Mr. Speaker, I include in the RECORD letters from those groups.

DECEMBER 8, 2015.

Re: Visa Waiver Improvement and Terrorism Travel Prevention Act of 2015, H.R. 158

U.S. SENATE,
HOUSE OF REPRESENTATIVES.

DEAR LEGISLATOR: The Arab-American Civil Rights League (''ACRL'') writes with grave concern regarding H.R. 158, the Visa Waiver Improvement and Terrorism Travel Prevention Act of 2015 (''HR 158''). HR 158 would amend the Visa Waiver Program by mandating that individuals who have traveled to Syria or Iraq in the past five years be barred from participation in the Visa Waiver Program. The ACRL strongly opposes such legislation on the grounds that it is both discriminatory and ineffective—an ill-conceived legislative backlash to recent tragedies.

HR 158's blanket ban upon persons who have visited the countries of Iraq and Syria in the past five years will only harm those who have legitimate reasons to visit the United States, and will not effectively deter or prevent terrorists and criminals from seeking to enter this country and do us harm. Simply put, nefarious individuals seeking to enter the United States to commit illegal acts of terror, will not be dissuaded by federal law. It is nothing less than absurd to think that an individual trying to enter the United States to commit acts of terror will abide by our laws.

On the other hand, HR 158 will ban individuals who have visited Syria and Iraq for legitimate reasons in the last five years, for no other reason than their physical presence in said countries. Consider the types of individuals that would be banned: journalists, members of the clergy, family visitors, and myriad others. HR 158 targets and punishes entire swathes of people who have done nothing

wrong, while failing to effectively target those who seek to harm this country. In all essence, HR 158 presumes that there are no reasons for people to visit Syria and Iraq, and that anyone who has been to those two countries should be suspected of terrorism.

Far from enhancing our safety and security, HR 158 will only further isolate and alienate people of Arab, Middle Eastern, and South Asian descent. In this sense, HR 158 is a victory for the terrorists, whose true goal is to disrupt our society through acts of shocking violence and barbarism. Far from playing into their hands, we should reaffirm our national commitment to liberty, and continue to embrace pluralism. At our core, we remain a nation of many cultures, ethnicities, and faiths, and are far stronger when we defend our core values and refuse to act in fear. Federal policy must be carefully drafted and deliberated given its wide-ranging scope and effect. As we have seen in the past with other pieces of national security legislation, such legislative acts can lead to slippery slopes. We at the ACRL urge you to oppose HR 158, and specifically its mandatory exclusion provisions, because they are ineffective, ill-conceived, and un-American.

Respectfully submitted,

ARAB-AMERICAN CIVIL RIGHTS LEAGUE (ACRL).

AILA: CONGRESS SHOULD REJECT H.R. 158 UNTIL ITS VISA WAIVER PROGRAM CHANGES ARE MORE CAREFULLY WEIGHED

WASHINGTON, DC.—The American Immigration Lawyers Association (AILA) expressed concerns regarding the Visa Waiver Program Improvement and Terrorist Prevention Act, H.R. 158, and recommended Congress vote ''NO'' on the bill unless modifications and clarifications are made.

''Protecting our nation from terrorists is absolutely essential, and AILA understands and supports efforts to strengthen the Visa Waiver Program, but Congress must consider any legislative proposal carefully, and this bill is getting rushed to the House floor without ever being reviewed in Committee. In fact, the bill was not even made public until just a day or two ago,'' said AILA President Victor Nieblas Pradis.

''AILA has serious concerns that H.R. 158 would broadly target descendants of Syrian or Iraqi nationals, or those from other countries alleged to be supporting terrorism, who may have little or no connection to those countries except by parentage,'' Mr. Nieblas continued, referring to the bill's blanket termination of participation in the Visa Waiver Program (VWP) for anyone who is a ''national'' of Iraq or Syria, or other designated countries. ''As written, the bill could result in discrimination that will exclude people without consideration of legitimate risk factors. For instance, a child who has never been to Syria, but was born in France to Syrian parents, would be ineligible for the VWP.''

H.R. 158 also excludes from the program anyone who travelled to countries alleged to be supporting terrorism within the past five years, without sufficient authority to waive revocation for those who clearly pose no threat. ''This per se ban will hurt humanitarian workers and journalists who are traveling to Iraq and Syria or other designated countries to do life-saving work or to report on international events. The bill's waiver will not help any of these people who have visited for legitimate, even compelling reasons,'' Mr. Nieblas noted, referring to a provision that allows the Secretary of Homeland Security to waive the exclusion if the waiver is in the interest of law enforcement or national security, but makes no mention of humanitarian or other grounds.

''History has shown overbroad programs that target people based on nationality, race, ethnic origin or religion are not effective at combatting terrorism. After 9/11, our government forced thousands of people from Middle-Eastern countries, and countries with predominantly Arab and Muslim populations, to undergo special processes to register themselves with the federal immigration authorities,'' Mr. Nieblas said, referring to the 2002 special-registration program under National Security Entry-Exit Registration System (NSEERS). The U.S. government described special-registration as an ''inconvenience'' in the same way some are now justifying H.R. 158's exclusion from VWP. He continued, ''Not a single known terrorism-related conviction ever came out of NSEERS. NSEERS is a stain on our nation's history that we should never repeat.''

H.R. 158 would also establish additional reporting requirements to Congress regarding use of the program, additional eligibility requirements for VWP countries, and enhancements to the Electronic System for Travel Authorization (ESTA). The agencies involved in the VWP have sought to continually improve and adapt the program as circumstances change. As Congress aims to enhance the program, it is essential that any changes are both workable and effective.

''Standing by our founding principles of freedom and liberty is what keeps us strong. AILA urges Congress to show leadership by ensuring any legislation it passes is consistent with our values as a nation, and is crafted in a way that is workable, sensible, and based on good policy, not political expediency,'' Mr. Nieblas concluded.

THE LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS,
Washington, DC, December 8, 2015.

Oppose H.R. 158, the Visa Waiver Program Improvement Act of 2015

DEAR REPRESENTATIVE: On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 200 national civil and human rights advocacy organizations, we urge you to oppose H.R. 158, the Visa Waiver Program Improvement Act of 2015. Section 3 of H.R. 158 would open the door to the use of profiling on the basis of national origin, while doing little, if anything, to promote national security.

While H.R. 158 calls for a number of bipartisan improvements to the visa waiver program (VWP), Section 3 would make two significant and unhelpful changes. First, it would bar travelers from utilizing the process if they are dual nationals of a VWP country and also of Iraq, Syria, or other countries that are named as state sponsors of terrorism. Its overly-broad language would apply to nationals of those countries even if they have never set foot there, and are only dual citizens because of the nationality of their parents.

Second, it would exclude visitors from the VWP if they have traveled to Iraq, Syria, or other designated countries, even if they did so to provide medical or humanitarian assistance or many other legitimate purposes. The effect of this on national security is negligible at best, because it would only affect people who entered those countries through legitimate channels and accurately reported their travels—not those who snuck in through the poorly-secured borders in those countries to work with terrorist groups. In other words, it would simply penalize travelers for being honest.

While Iraqi or Syrian dual nationals, or people who have visited those countries, could still apply at a U.S. consulate for a nonimmigrant visa, they would be subjected to a process that raises concerns about ethnic and national origin profiling and other arbitrary practices. Under current procedures, consular decisions are not reviewable, which raises the likelihood that low-risk individuals would be barred from traveling to the United States altogether, while high-risk individuals would simply find other ways of doing harm.

We would support amendments to Section 3 that add due process protections for affected travelers. Because the bill is coming up on the suspension calendar, however, no such amendments will be allowed. We recognize that Congress is highly motivated to enact greater national security protections in the wake of the Paris and San Bernadino terrorist attacks, but we hope that you will reject this bill in its current form and demand that it be improved.

Thank you for your consideration. If you have any questions, please contact either of us or Rob Randhava, Senior Counsel.

Sincerely,

WADE HENDERSON,
President & CEO.
NANCY ZIRKIN,
Executive Vice President.

DECEMBER 7, 2015.

Re ACLU Concerns With the ''Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015'' (H.R. 158)

DEAR REPRESENTATIVE: On behalf of the American Civil Liberties Union (ACLU), we urge you to amend the ''Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015'' (H.R. 158).

I. H.R. 158 ARBITRARILY DISCRIMINATES AGAINST NATIONALS OF IRAQ, SYRIA, IRAN, OR SUDAN WHO ARE CITIZENS OF VISA WAIVER PROGRAM (''VWP'') COUNTRIES—BASED ON THEIR NATIONALITY AND PARENTAGE.

The VWP is a long-established program that permits nationals of certain countries to enter the U.S. as visitors (tourists or business) without a visa, for up to 90 days. H.R. 158 terminates travel privileges for all citizens of VWP countries who are dual nationals of Iraq, Syria, Iran, or Sudan. This revocation of VWP privileges would apply to all nationals of Iraq, Syria, Iran, or Sudan even if they have never resided in or traveled to Iraq or Syria. By singling out these four nationalities to the exclusion of other dual nationals in VWP countries, H.R. 158 amounts to blanket discrimination based on nationality and national origin without a rational basis.

There is no sufficient reason to justify the differential treatment of VWP citizens who are nationals of Iraq, Syria, Iran, or Sudan. There is no evidence to support assertion that citizens of VWP countries, who are dual nationals of these four are more likely to engage in terrorist acts against the U.S.

Not only is H.R. 158 discriminatory, it is arbitrary. Unlike the U.S. which grants citizenship to all children born on U.S. soil, birth within Syria does not automatically confer citizenship. Rather Syrian citizenship is conferred by naturalization or descent. With respect to descent, Syrian citizenship is conferred to children ''born of a Syrian father, regardless of the child's country of birth'' or children ''born of a Syrian mother and an unknown or stateless father.'' The proposal would yield the untenable result of folding such gender-based distinctions into U.S. law.

Therefore, if H.R. 158 were to become law, the following types of travelers would automatically lose their VWP privileges, even if they have never been to Iraq or Syria:

Dual-national French citizen (born to Syrian father) traveling to U.S. for business conferences and meetings;

Dual-national German citizen (born to Syrian father) traveling to U.S. with vacation tour group;

Dual-national Austrian citizen (born to Syrian father) traveling to the U.S. to take care of grandchild.

It is wrong and un-American to punish groups without reason solely based on their nationality, national origin, religion, gender, or other protected grounds.

II. H.R. 158 WOULD END VWP PRIVILEGES FOR ALL RECENT TRAVELERS TO IRAQ OR SYRIA, INCLUDING THOSE WHO TRAVELED THERE FOR PROFESSIONAL PURPOSES

H.R. 158 would terminate VWP travel privileges for all who have been present in Iraq or Syria at any time on or after March 1, 2011. This broad travel restriction contains a very narrow exception for certain military personnel and government officials. All other travelers would automatically lose their VWP privileges. Affected travelers would include journalists, scholars, refugee caseworkers, humanitarian aid workers, human rights investigators, and many others.

Under H.R. 158, the following types of travelers would automatically lose their VWP privileges based on their travel to Syria or Iraq since March 2011:

British citizen, working as a reporter for the London-based Daily Telegraph who traveled to Syria to cover the civil war;

Swiss citizen, working as a social worker in a Kurdish refugee camp in northern Iraq;

Belgian citizen, working as a human rights investigator to document abuses committed by ISIL against Syrians.

Many of these VWP travelers have gone to Syria or Iraq for professional purposes and are producing reports and providing services that the U.S., indeed the whole world, depends upon, now more than ever. They should not lose their VWP travel privileges for their work in Syria or Iraq.

III. CONGRESS MUST PLACE A TIME LIMIT ON MEASURES TO REVOKE VWP TRAVEL PRIVILEGES

When Congress created the VWP years ago, Congress authorized the Attorney General, in consultation with the Secretary of State, to designate certain countries as VWP countries. Congress has never codified any nationality-based prohibitions for VWP program designation. If the House passes this bill, it will be enshrining into statute that VWP citizens, who happen to be Iraqi or Syrian nationals, are categorically ineligible for VWP travel privileges even if they have never been to Iraq or Syria.

In view of this extraordinary discriminatory measure, Congress should limit the duration of this VWP restriction and place a two-year sunset on this travel restriction. A sunset provision would require Congress to reassess in two years whether nationals of Iraq and Syria warrant such selective targeting for VWP travel restriction purposes.

IV. CONCLUSION

While the ACLU recognizes the importance of a Congressional response to the increase in recent terrorist attacks, we urge Congress to exercise caution and to avoid passing legislation that would broadly scapegoat groups based on nationality, and would fan the flames of discriminatory exclusion, both here and abroad. We, therefore, urge the House to amend H.R. 158 by: (1) Deleting the language that categorically strips VWP privileges from all Iraqi and Syrian nationals; (2) Expanding the exemption to include journalists, researchers, human rights investigators, and other professionals; and (3) Inserting a two-year sunset date to the travel restrictions on the use of VWP.

In the absence of such changes, we have grave reservations about this proposal.

For more information, please contact ACLU Legislative Counsel Joanne Lin or Policy Counsel Chris Rickerd.

Sincerely,

KARIN JOHANSON,
Director; Washington Legislative Office.
JOANNE LIN,
Legislative Counsel.
CHRIS RICKERD,
Policy Counsel.

HOUSE OF REPRESENTATIVES,
December 7, 2015.

Re Visa Waiver Program Improvement and Terrorist Travel Prevention Act, H.R. 158.

DEAR REPRESENTATIVE: On behalf of the American-Arab Anti-Discrimination Committee (ADC), I write to strongly urge you to Vote No on the Visa Waiver Program Improvement and Terrorist Travel Prevention Act, H.R. 158. We have serious concerns on the application and enforcement of this bill if it were to become law, specifically Section 3 which 1) imposes a mandatory and categorically bar to the Visa Waiver Program (VWP) on any individual who is a dual citizen of Syria, Iraq, Sudan, and Iran; and 2) prohibits any person whom has traveled to Syria, Iraq, Iran, and Sudan since March 1, 2011.

We understand that the U.S. House of Representatives may push forward H.R. 158 through the omnibus appropriations bill, and strongly request you to Vote No to H.R. 158 and/or its inclusion in an omnibus bill because H.R. 158 is: 1) ineffective to actually secure safety; and 2) intentionally discriminates and profiles persons based on their national origin.

Section 3's blanket exclusion of visitors to Iraq and Syria would not be an effective security measure as it relies on self-reporting accurate tracking of who visits those countries that could be circumvented by someone intending to do harm—the persons who are intent on engaging in terror activities are not getting their passports stamped, they are sneaking into Syria and Iraq. The provision is more likely to screen out health and aid workers, clergymen, journalists, teachers, military personnel, translators, family visitors and others who are helping protect Americans or have legitimate or completely innocent reasons to visit Syria or Iraq—essentially penalizing them for their honesty and performing humanitarian work.

It is not black and white, nor simple to suggest that H.R. 158 just requires individuals to get a visa. H.R. 158 is not just a visa requirement, H.R. 158 is discriminatory. Section 3 imposes a mandatory bar to all persons whom are dual citizens of Syria, Iraq, Sudan, and Iran is blatant profiling on its face. Only nationals of particular countries regardless of whether they have traveled to a terrorist support country or not, have to meet additional requirements they would not otherwise have to go through if they were not Arab. It is premised on the unreliable assumption that Arabs are more prone to terrorism and to commit terrorist acts, and further perpetuates stereotypes that Arabs are terrorists. There is no separate assessment and/or security review is done that determines that specific person on a case by case basis is a security threat, non-related to their identity, place of birth, or country of national origin.

The fact is that terrorism is not limited to one particular race, country of national origin, or religion, nor bound by country borders. However, this bill paints Arabs as the enemy, and makes VWP Arab nationals second class citizens in their own country—they are not afforded the same benefits as their fellow nationals. Many VWP nationals will be arbitrarily denied entry by Customs and Border Patrol with little to no notice of change in VWP requirements and no review if that person actually presents a threat to national security. Currently, Arabs face enormous scrutiny and security checks to enter the U.S. and many have been denied entry even with valid non-immigrant and immigrant visas, based on no other reason but their national origin. You should not support the further arbitrary exclusion of a group of people based on nothing but that person's national origin.

Historically programs with sweeping powers to exclude people based on nationality, race, ethnic origin or religion have proven to be ineffective. In 2002, the U.S. government established the special-registration program under National Security Entry-Exit Registration System (NSEERS) requiring heightened registration and scrutiny of people in the U.S. who came from mostly Arab and Muslim countries. NSEERS was initially portrayed as an anti-terrorism measure which required male visitors to the U.S. from 25 Arab and Muslim countries to be fingerprinted, photographed, and questioned by immigration officers. Many whom complied with registration were arbitrarily detained and deported. NSEERS proved to be an ineffective counter-terrorism tool, and has not resulted in a single known terrorism-related conviction. We also should not forget the detrimental ramifications of blanket immigration exclusion and discrimination against Asians with the Chinese Exclusion Act.

Rather than imposing an ineffective ban from VWP on people who set foot in Syria and Iraq and excluding groups of people based on their national origin, Congress should consider other security measures that would more effectively enhance the Department of Homeland Security's screening process overall. We must also be weary of how VWP countries will treat Americans of Arab and Middle Eastern background, and may single out and exclude our citizens from entry in their respective immigration processes.

ADC strongly urges you to Vote No to H.R. 158 and stand up against profiling. The automatic exclusion of dual citizens of VWP countries and the designated Arab countries, and recent visitors to Iraq and Syria is discriminatory. The reactionary government actions following the Pearl Harbor attack—Japanese Internment camps and 9/11—arbitrary detention and surveillance of Arabs—are cautionary tales that we must heed to now and remember that we cannot let fear erode respect and protection of civil and human rights.

Respectfully Submitted,

SAMER KHALAF, ESQ.;
ADC National President.

HOUSE OF REPRESENTATIVES,
December 4, 2015.

Re Visa Waiver Program Security Enhancement Act, S. 2337.

DEAR REPRESENTATIVE: The undersigned organizations write to express our concern

regarding the Visa Waiver Program Security Enhancement Act, S. 2337, specifically Section 2 of the bill which imposes a mandatory and categorical bar to the Visa Waiver Program (VWP) on any individual who has traveled to Syria or Iraq within the previous five years. We understand that the House of Representatives may look to S. 2337 as it related to pushing forward on H.R. 158, the Visa Waiver Program Improvement Act. In any discussions regarding reforms to the VWP, including the omnibus appropriations bill, we urge you to remove provisions that specifically target people who visit or are from Syria or Iraq.

The bill's blanket exclusion of visitors to Iraq and Syria would not be an effective security measure as it relies on self-reporting accurate tracking of who visits those countries that could be circumvented by someone intending to do harm—the persons who are intent on engaging in tenor activities are not getting their passports stamped, they are sneaking into Syria and Iraq. The provision is more likely to screen out health and aid workers, clergymen, journalists, military personnel, translators, family visitors and others who are helping protect Americans or have legitimate or completely innocent reasons to visit Syria or Iraq essentially penalizing them for their honesty.

The provision is premised on the unreliable assumption that people from those countries are more likely to commit terrorist acts, and it makes anyone who visits those countries automatically suspect of terrorism. While the draft legislation on its face applies to all persons who have traveled to Syria or Iraq, in reality the legislation will have a disparate impact on people of Syrian and Iraqi descent. Historically programs with sweeping powers to exclude people based on nationality, race, ethnic origin or religion have proven to be ineffective. In 2002, the U.S. government established the special-registration program under National Security Entry-Exit Registration System (NSEERS) requiring heightened registration and scrutiny of people in the U.S. who came from mostly Arab and Muslim countries. NSEERS proved to be an ineffective counter-terrorism tool, and has not resulted in a single known terrorism-related conviction. Department of Homeland Security (DHS) suspended NSEERS in 2011.

Rather than imposing an ineffective ban from VWP on people who set foot in Syria and Iraq, Congress should consider other security measures that would more effectively enhance the Department of Homeland Security's ability to identify and screen out terrorists and dangerous individuals who pose threats to our nation.

The automatic exclusion of recent visitors to Iraq and Syria is discriminatory and will alienate Americans of Arab, Muslim, Middle Eastern and South Asian descent. The better way to combat terrorism in the U.S. is to ensure strong relations with these communities. With respect to Syrian refugees, former Sec. of State Madeleine Albright said ''Our enemies have a plan. They want to divide the world between Muslims and non-Muslims, and between the defenders and attackers of Islam. In the aftermath of recent terrorist attacks, America must show its leadership by ensuring we remain an open society that welcomes people of all nationalities, faiths and backgrounds.

Respectfully Submitted,

American-Arab Anti-Discrimination Committee (ADC), American Immigration Lawyers Association (AILA), Asian Americans Advancing Justice (AAJC), Asian Law Caucus, Council on American-Islamic Relations (CAIR), Human Rights Watch, Iraq Veterans Against the War, Just Foreign Policy, League of United Latin American Citizens (LULAC), The Leadership Conference on Civil and Human Rights, NAACP, National Immigration Law Center, National Network for Arab American Communities, Student-Led Movement to End Mass Atrocities (STAND), SustainUS.

Mr. CONYERS. Mr. Speaker, while there are many positive aspects to the legislation, I believe, in the end, we cannot countenance anything in our laws that judges individuals based on their nationality rather than their character.

Mr. GOODLATTE. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. MCCAUL), the chairman of the Homeland Security Committee.

Mr. MCCAUL. Mr. Speaker, I want to thank Chairman GOODLATTE and Chairman MILLER for their leadership.

I rise in support of this bill, the Visa Waiver Program Improvement and Terrorist Travel Prevention Act.

Our Nation faces the highest terror threat environment since 9/11, and we must do everything possible to shut down terrorist pathways into this country. We are working hard to do just that with this bill. Last month, the House voted overwhelmingly to pass bipartisan legislation I drafted to prevent terrorists from entering the United States posing as refugees.

They have already done this to attack Paris. And this year, the Office of the Director of National Intelligence warned me that the National Counterterrorism Center has identified individuals with ties to terrorist groups in Syria attempting to gain entry to the U.S. through the U.S. refugee program.

I am concerned that terrorists are attempting to exploit the U.S. refugee program to enter our country and that we currently lack the ability to confidently vet Syria refugees to weed out individuals with potential terrorist ties. Top law enforcement and intelligence officials have testified before my Committee that terrorist groups have expressed a desire to infiltrate refugee programs to enter the United States and Europe, and ISIS has said in their own words that they intend to do so. In Paris, we saw them follow through on those pledges, sneaking at least two operatives into Europe posing as refugees. It also appears that individuals with extremist links have already tried to gain entry to our country as refugees. This year the Office of the Director of National Intelligence informed me in writing that the National Counterterrorism Center has identified ''. . . individuals with ties to terrorist groups in Syria attempting to gain entry to the U.S. through the U.S. refugee program.'' This is deeply troubling. At this time, I am concerned that serious intelligence gaps preclude us from conducting comprehensive screening to detect all Syrian refugees with terrorist ties, and as a result I have proposed adding additional national security checks to the process before the United States approves any further admissions. Naturally, the States are concerned that the refugees being resettled in their communities may not have been effectively screened—especially given the volume of refugees the Administration has committed to accepting. Refugee resettlement is within the purview of the federal government. However, the Administration must be transparent in sharing information with the States about the people being resettled within their borders. The Refugee Act of 1980 requires that the federal government ''shall consult regularly'' with state and local governments and private nonprofit voluntary agencies concerning the intended distribution of refugees. In Texas, it appears the federal government has not fully held-up its end of the bargain.

But we must go further. More than 30,000 individuals from 100 countries have gone to Syria to join jihadist groups, and 5,000 of them have Western passports. This includes several of the Paris attackers, who could have traveled to the United States without a visa.

That is why this legislation is so important before us here today. It will close security gaps in the Visa Waiver Program to keep terrorists from entering our country undetected. It also includes several recommendations from the bipartisan Task Force on Combating Terrorist and Foreign Fighter Travel, which I created earlier this year.

This Member-led panel uncovered gaping security weaknesses overseas, including the fact that some countries are not sharing intelligence on terrorists, many are not screening travelers against critical counterterrorism databases, and too few of them are cracking down on passport fraud.

This bill would help close those security gaps to keep terrorists from crossing borders. And it would implement several of the task force's top recommendations to ensure Visa Waiver Program countries are living up to their obligations and ramping up security.

With that, Mr. Speaker, I want to thank the chairman of the Judiciary Committee. I also want to thank those on the other side of the aisle for working in a bipartisan spirit, in a cooperative nature on what I consider to be one of the biggest security gaps we have facing this country after the Paris attacks and after San Bernardino. And I want to thank our colleagues on the other side of the aisle.

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Ms. LOFGREN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), a member of the Judiciary Committee as well as of the Homeland Security Committee.

Ms. JACKSON LEE. Let me thank the gentlewoman for her leadership. As well, I thank the gentleman from Mississippi (Mr. THOMPSON), the chairman of the Border and Maritime Security Subcommittee, of which I am a member—Chairman MILLER—and Messrs. MCCAUL and GOODLATTE.

Mr. Speaker, as I have indicated, in my having been on the floor today, America is looking for the homeland to be secure, and they are looking for it to be done in a thoughtful manner.

Just a week ago, I did not vote for a bill that would have stopped innocent refugees who had been in camps for 2 years or more—mothers and fathers and seniors and children—because I knew there was a 21-list vetting system that would ensure that those refugees who had languished in refugee camps and who had been suffering would be a small number—an infinitesimal number—coming into the United States.

We heard debate earlier today about another loophole that could be ended, and that is to stop terrorists from getting guns—a thoughtful proposal. Most Americans didn't realize the loophole existed.

Now we come to a program that is, likewise, a thoughtful program. It has nothing to do with refugees. It has nothing to do with ending the Visa Waiver Program of 38 nations. What it has to do with is, if you have been in the areas where the caliphate is, where the fight has been taken to, Syria and Iraq, we just ask for an added interview. I might imagine that, in the course of that, there will be human rights activists and journalists. I would imagine, as well, that our officials who will be doing the interviews will be sensitive to the fact of legitimate journalists who have gone to do their reporting.

I think it is very important that the American people know that we are working to craft a thoughtful approach. This is a thoughtful approach. It simply asks for individuals to go for an interview who are part of the Visa Waiver Program in the countries that they have them or who are dual nationals.

Likewise, I have introduced legislation, H.R. 48, No Fly for Foreign Fighters, that asks for an added vetting for the terrorist watch list to make sure that no one on that list who is coming from overseas gets on an airplane. This will protect the American people.

In the course of trying to be constructive, I think the hearings that we had in Homeland Security indicated another layer, another level, of just making sure that those who are trying to use the Visa Waiver Program are not abusing the Visa Waiver Program. That is our effort here today, that they not abuse it and, by some ill fate, allow someone who comes to this Nation to do us harm. Homeland security, protecting the national security, is a layer that is constructive and constitutional. This is constructive, and it is constitutional.

I ask my colleagues to support the underlying legislation.

Mr. Speaker, this has been a stressful year in our country and our world with past senseless gun violence and terroristic acts against Americans and citizens the world over.

I rise in support of H.R. 158—the Visa Waiver Program Improvement and Terrorist Travel Prevention Act'' because it facilitates a rigorous vetting of tourists seeking to enter into our country.

In addition to the steps laid out by the President, I also believe there are additional steps the Congress should take, including bringing to the floor for debate and vote H.R. 48, the ''No Fly for Foreign Fighters Act,'' that I introduced earlier this year.

My legislation would require the TSA to check the Terrorist Screening Database and the terrorist watch list used in determining whether to permit a passenger to board a U.S.-bound or domestic flight and to take appropriate steps to ensure that those who pose a threat to aviation safety or national security are included in the Terrorism Database.

From San Bernardino to Paris, to Nigeria, to Mali, to Beirut, the carnage of violence has been perpetrated on the human family by those who should never be in possession of violent weapons or power.

But we cannot allow these atrocities to dissuade us from interacting with and welcoming those interested in traveling to and learning more about our country.

Mr. Speaker, as a Member of Congress and senior member on the homeland security and ranking member on the Judiciary subcommittee on Crime, Terrorism and Homeland, my top priority is the safety of the American people.

In times of conflict and stress and trauma, our natural inclination is to point fingers and seek to cast blame as we have seen Mr. Donald Trump do.

But we all know that deep down, this does us no good and that it runs afoul of our American ideals.

What we must do is focus our efforts on the most likely security threats to our homeland and not scapegoat the thoroughly screened individuals who seek to come to the U.S. through the Waiver Program.

We cannot throw a net of suspicion over an entire nation, even as the United States accepts more refugees—including Syrians.

Our system facilitates the most rigorous screening and security vetting of ANY category of traveler or immigrant to the United States before the refugee sets foot on U.S. soil.

Indeed, the Republican bill, H.R. 4038, that passed the House in November would immediately shut down refugee resettlement from the Syria and Iraq region and severely handicap refugee resettlement in the future.

To date, there is no reliable evidence that the individuals who committed the heinous attacks in Paris on November 13th were refugees.

Currently, the Visa Waiver Program allows citizens from 38 countries from around the world, including the United Kingdom, France, Belgium and Japan, to enter the United States without a visa.

One of the main intents of the Visa Waiver Program is to stimulate the U.S.' economy by encouraging tourism, cultural exchange, business, and job growth between the United States and our international partners.

The travel industry estimates that the VWP contributed $190 billion to our economy in 2014.

It should be noted that Visa waiver travelers cannot simply grab their passports and hop on the next flight to the United States.

Rather, under current law, citizens from participating Visa Waiver Program countries are required to complete a U.S. government online security screening form prior to their admission to the United States.

These participants also undergo an additional level of screening at the port of entry by a Customs and Border Patrol official.

This bipartisan bill provides for specific, concrete changes that will ensure better information-sharing among intelligence and law enforcement agencies.

The Program requires screening of all travelers against INTERPOL databases to identify high-risk travelers.

The Program makes it challenging for extremists to falsify their identities by requiring fraud-resistant e-passports that contain biometric information.

The Program compels U.S. security agencies to conduct more frequent threat assessments of VWP countries.

The bill also requires nationals of Iraq, Syria, and other designated countries, or those who have visited such countries, to have an in-person interview with a U.S. Department of State Consular official and undergo more lengthy screenings prior to travel to the United States.

This bill employs intelligent measures to enhance the security of the American people by improving information sharing between VWP country partners and the United States, including a requirement that WP countries report theft/loss of their citizens' passports to the United States within 24 hrs.

This bill is a more appropriate response than the Republican drafted the ''American SAFE Act of 2015.''

It deserves a vote in the House.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), the majority whip.

Mr. SCALISE. I thank my colleague from Virginia for yielding.

Mr. Speaker, I rise in strong support of this important legislation by the gentlewoman from Michigan (Mrs. MILLER).

To defeat ISIS, it is going to take strong leadership, and it is going to take a strong strategy. I think it is clear that the President's approach isn't working. In fact, our intelligence officials tell us that ISIS is not only not being contained, but now we are seeing that they are coming to America, that they are attacking America, and that has been their stated goal. It is incumbent upon us to do everything we can. Frankly, the American people deserve to know that their government is doing everything in its power to protect them from the threat of terrorists. These are very real threats.

In the House, we have been taking decisive action. We have already passed a bill to address the problems of the lack of vetting in the refugee program, a program that ISIS, itself, has said it plans to exploit in order to bring terrorists into America. The FBI Director

has even confirmed those concerns that we have expressed, and we have passed legislation to address that.

Today, Mr. Speaker, we are bringing forth strong, bipartisan legislation to reform the troubled Visa Waiver Program. We have seen that thousands of people with Western passports, including from the Visa Waiver Program nations, have been going to some of the troubled regions, like Syria, like Iraq, like other countries. There ought to be a higher level of scrutiny. This bill requires the Department of Homeland Security to work with those nations in order to have a higher level of scrutiny so as to ultimately lead to a more secure United States of America.

I encourage all of my colleagues to pass this legislation. Let's continue to do what we need to do in the House of Representatives to protect the American people from the real threat that ISIS poses.

Ms. LOFGREN. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi (Mr. THOMPSON), the ranking member of the Homeland Security Committee.

Mr. THOMPSON of Mississippi. I thank the gentlewoman from California for yielding the time.

Mr. Speaker, I rise today in support of H.R. 158, the Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015.

This bipartisan legislation will help better secure the Visa Waiver Program, which facilitates travel to the U.S. for 20 million visitors from 38 participating countries for both business and pleasure.

While the program provides important security benefits through information-sharing agreements between participating countries and significant economic benefits from tourism, the potential security vulnerabilities of this program have been a concern.

I was a primary author of provisions in the Implementing Recommendations of the 9/11 Commission Act of 2007, which bolstered the security of the Visa Waiver Program by requiring an Electronic System for Travel Authorization, called ESTA. Through the ESTA program, Visa Waiver travelers are vetted prior to their departure to the U.S.

I applaud the Department of Homeland Security for its recent efforts to make further enhancements to the ESTA program. These improvements will better secure the Visa Waiver Program, but Congress needs to do its part. That is why I am pleased to support H.R. 158. The bill was reported unanimously by voice vote from the Committee on Homeland Security earlier this year, and additional security-related provisions were added on a bipartisan basis in recent days.

H.R. 158 would strengthen passport requirements for Visa Waiver travelers and require Visa Waiver participants to report lost or stolen passports within 24 hours. Enhanced information-sharing requirements would also be in place for Visa Waiver countries. In addition to that, it would mandate that Visa Waiver countries screen arriving and departing noncitizens against INTERPOL databases. Mr. Speaker, this is a good bill. Its time has come.

I thank Mrs. MILLER of Michigan for her diligence in bringing it before our committee, and I thank Ms. LOFGREN for her work in this effort. I look forward to the passage of this bill.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. POE), a member of the Judiciary Committee.

Mr. POE of Texas. Mr. Speaker, we all know that ISIS is not contained. ISIS, in fact, is expanding its reign of terror. Its fighters hold passports from different countries around the world. We know they are embedded in Western countries, are able to travel freely, and are hard to track down—and they want to do us harm.

Under the current Visa Waiver Program, individuals from 38 countries are exempt from the standard vetting process to get a visa and come to America. Hold a passport from one of these 38 countries, and you can just jump on a plane and come here. Those 38 countries are supposed to share their watch lists with us, but some of them don't. That makes it easier for the bad guys to fly to America.

So this bill fixes that real loophole in the current system. Those 38 countries will now be required to share their watch lists with us. If they don't, they are prohibited from being in the Visa Waiver Program. Foreign citizens who have recently traveled to Iraq and Syria will also be required to go through additional screening.

Mr. Speaker, terrorist fighters have America in their hateful, evil sights. We must do all we can to stop them from coming here, and the status quo just won't keep us safe. As chairman of the Terrorism, Nonproliferation, and Trade Subcommittee of the House Foreign Affairs Committee, I totally support this commonsense legislation.

And that is just the way it is.

Ms. LOFGREN. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), our whip.

Mr. HOYER. I thank the gentlewoman for yielding.

Mr. Speaker, I rise in support of this legislation.

I want to thank Ranking Member BENNIE THOMPSON, Ms. LOFGREN, who worked very hard on this, and Democrats on the Homeland Security Committee and on the immigration policy and enforcement Judiciary subcommittee for their hard work to ensure that this bill will protect Americans from the threat of terror while we remain true to our highest principles and ideals.

House Democrats and House Republicans have no greater priority than keeping Americans safe. That is neither a partisan issue nor is it a partisan difference.

Many Americans are frustrated with the pace of progress against ISIS in Iraq and Syria. I want to see the administration and Congress working together to protect our Nation. The reforms in this bill are an excellent start. What we have before us today, Mr. Speaker, is an example of what we can achieve when both sides work together to craft responsible reforms in a spirit of unity and common purpose, which is: in the face of the threats we challenge, we ought to summons.

I want to thank the majority leader, Mr. MCCARTHY, for working with me and our side of the aisle, and I want to thank those on the Republican side of the aisle for working together to get this bill done.

The Visa Waiver Program has long been a tool to promote business ties and tourism, both of which are vital to our economy. We cannot—nor should we—simply shut our doors to the world if we want to continue to lead the world. This legislation will make it easier for law enforcement to vet those visitors who are coming from Visa Waiver countries, such as in Europe, to ensure that we are not admitting those who have traveled to places like Iraq and Syria and link up with ISIS.

This is now the third major bipartisan piece of legislation to come to the floor in the past 2 weeks after the highway bill, which included a provision to reopen the Export-Import Bank, and the Elementary and Secondary Education Reauthorization Act. I hope—and I think the American people would expect—again, in light of the challenges that confront us, that we can build on this progress and complete a bipartisan agreement to keep government open before the week is done.

I want to thank, once more, Ranking Member ZOE LOFGREN, who knows so much about this issue and who has been so faithful in her attention to both our values and the protection of the American people. I thank BENNIE THOMPSON as well, the ranking member of the Homeland Security Committee, on our side of the aisle. I also want to thank the chairman of the Judiciary Committee for his leadership on this issue as well as all of those who have worked on a number of issues.

This will not be the last word, but it is a good word, and I urge my colleagues to support it.

Mr. GOODLATTE. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Speaker, I rise today in strong support of the Visa Waiver Program Improvement and Terrorist Travel Prevention Act, which will strengthen the Visa Waiver Program in order to help prevent foreign

terrorists from entering the United States.

This legislation comes at a critical time. The heinous acts of terror and mass murder perpetrated in Paris and San Bernardino demonstrate the alarming strength and reach of ISIS and its allies.

□ 1615

This threat is certainly not contained, and our fight against radical jihadists at home and abroad must be the Nation's most pressing issue.

Passing H.R. 158 will close a dangerous loophole that we know terrorists will exploit to carry out acts of terror here in the United States. Terrorists such as the September the 11th so-called 20th hijacker, Zacarias Moussaoui, and the shoe bomber, Richard Reid, both used a Visa Waiver Program to enter the United States.

We must be ever vigilant in the face of these great threats. I urge a ''yes'' vote on H.R. 158.

Ms. LOFGREN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SCHIFF), the ranking member of the Intelligence Committee.

Mr. SCHIFF. Mr. Speaker, I rise in support of H.R. 158, the Visa Waiver Program Improvement and Terrorist Travel Prevention Act.

The Visa Waiver Program is overall an excellent program that facilitates the travel of more than 20 million people to the United States each year, travelers who encourage cultural exchange and contribute significantly to our economy through tourism and job growth.

The overwhelming majority of travelers who utilize the program are not a threat in any way. However, even a small number of individuals can do us grave harm. Among those of greatest concern are European citizens who return to countries like France and Belgium after traveling to Iraq and Syria to train with terror forces.

It is incumbent upon us to take every precaution to ensure these individuals cannot exploit the Visa Waiver Program to enter the United States.

The reforms we are voting on today are reasonable, and they are appropriately targeted improvements to this important program. Specifically, they will require that nationals of Iraq and Syria as well as other designated countries and those who have traveled to these countries since 2011 undergo an in-person interview with a U.S. official and more rigorous security screening processes prior to traveling to the United States. It will also require DHS to strengthen its background check procedures and ensure improved information sharing among intelligence and law enforcement agencies.

In the wake of the recent terror attacks, we must continue to review our existing security efforts to ensure we are doing all we can to protect the country. Rather than focus on the refugee resettlement program, which is the most heavily screened and lengthy process to enter the United States, Congress should focus our energy on closing known vulnerabilities that could allow those who mean us harm to enter the United States quickly and with little scrutiny. This bill does just that.

I urge my colleagues to vote in favor of this legislation.

Mr. GOODLATTE. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. KING), a member of the Judiciary Committee.

Mr. KING of Iowa. Mr. Speaker, I thank the chairman for working together with others to bring this bill forward.

I rise in full support of H.R. 158, which is the Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015.

We all know that it takes a lot of pieces of legislation to fill some of the holes that exist, but I am pleased that this bipartisan effort has come to the floor of the House of Representatives, Mr. Speaker.

I will say that, as I look at the language that is in here and the pieces of it, to recognize that as the tighter scrutiny to the Visa Waiver Program, which I have had some concern about over the years, 38 countries enjoy the relationship with the United States of a Visa Waiver Program.

The way it functions is, if an individual of one of the participating countries has a valid passport from their own country and they sit down in front of the Internet, they can input that information and essentially clear themselves to be able to travel to the United States without further bureaucracy.

That is a good thing on balance, but a bad thing when we have people that have dual nationalities or people who give indicators, such as having traveled back and forth to some of the countries that we have concerns about as being those countries where terrorists are, let's say, radicalized or sponsored.

I am a little concerned that our list isn't a little longer than this. The countries that are covered with this bill are Iraq, Syria, and, by definition, Sudan and Iran. I am hopeful that the Secretary of Homeland Security will take a look at some other countries to tighten this up a little bit more.

I just returned from that part of the world, Mr. Speaker, probably about a month ago, perhaps a little less. I traveled into Turkey, into Iraq, into the Kurdish region, Erbil, and then west as far as I could go up towards the ISIS lines.

I visited a refugee camp there and then back into Turkey, up to Hungary, down to Serbia, into Croatia, back out of there again, and then determined to skip Germany and Austria this time, but traveled up to Sweden to look at the other end of this.

There I sat with a briefing of our State Department. Some of that in that room is confidential, but we are working with these countries to tighten up our security. We are offering the expertise that we have developed here because we deal with a lot more people and a lot more travel than they do. I am hopeful that we will be able to share more of our intelligence also with the countries that are participating in a Visa Waiver Program.

This will help tighten it up. Mr. Speaker, it will identify those who have traveled to some of these terrorist-sponsoring countries, and it will also require that they exchange information with us so that we can monitor them more closely.

If someone travels and essentially lies about their travel—if they have, say, traveled to Iran, traveled to Iraq, maybe Sudan or Syria, and they apply for a visa waiver—we will either have a software program that will kick that out because it shows up on their passport or we will catch up with that and cancel their visa waiver. In any case, it is heightened scrutiny and heightened security for us. We need to do a lot of things to tighten this up, and this is one.

It is one also that respects our relationship with the visa waiver countries, those 38. It is prudent. It is careful. It puts authority into the hands of the Secretary of Homeland Security. It is the right bill. It is bipartisan. I urge its adoption.

Ms. LOFGREN. Mr. Speaker, I yield 2 minutes to my good friend from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I do support the fact that we are looking at the Visa Waiver Program. However, after scrutinizing this bill, I think that it is not the right bill and I don't plan on supporting it.

It is not that I can't support any part of it. There are key things that I cannot abide, but I urge the parties to keep on working on it because I think the effort is proper.

Here is what I think is specifically wrong with this. If it were to change, I might reconsider my position. The categorical stripping of the Visa Waiver Program privileges from all Iraqi and Syrian nationals I think is problematic. I think it is overbroad. I don't think it is necessary.

Number two, I think there should be exemptions for people who do clearly recognized legitimate work, such as journalists, researchers, human rights investigators, and other such professionals.

Number three, I think the 5-year sunset is too long. I think it should be shorter. I do think 3 years would work just fine.

I just want to say that the Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015 does contain, as we stand here, discriminatory elements, which I don't

believe will effectively stop terrorism. In fact, I think it sends a wrong message to dual nationals and Iraqi and Syrian tourists.

This bill bars people who are dual nationals from Syria, Iraq, Iran, and Sudan from participating in the Visa Waiver Program even if there is no evidence that they are a security risk. I think our focus should be on behavior, not just country of origin.

This bill would also end visa waiver eligibility for people who traveled to Iraq or Syria in the last 5 years. For example, this bill would make an elderly French citizen who is a dual national of Syria go through an often lengthy visa approval process simply because she wanted to travel to the U.S. to attend a wedding or a birthday or something. What does this provision mean for a Swiss doctor who traveled to Iraq to work in a refugee camp providing medical care, but wants to come to the U.S. for a conference or something like that?

While this bill does not restrict entry to the U.S., it creates additional barriers. It should be worked on a little more to fix these problems. I do thank the parties for working in a bipartisan way to bring greater safety to our country.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Arizona (Ms. MCSALLY), the chairman of the Subcommittee on Emergency Preparedness, Response, and Communications of the Homeland Security Committee.

Ms. MCSALLY. Mr. Speaker, I want to thank Chairwoman MILLER for this thoughtful legislation. I rise today in support of H.R. 159.

I was a proud member of the Committee on Homeland Security's task force on combatting terrorists and foreign fighter travel. The task force bipartisan report, which was a culmination of 6 months of investigative activities, contained many troubling findings related to the ease with which foreign fighters from Visa Waiver Program-participating countries could seek entry into the United States.

Of the estimated 30,000 foreign fighters that we are aware of, at least 4,500 hold western passports. This is made even more alarming by the fact that 30 of the 38 Visa Waiver Programs are in Europe.

I am pleased that this legislation that we are considering today takes steps to address many of the task force's findings related to this program. The bill prohibits individuals that travel to Iraq and Syria from using the program. It requires termination of a participating country for failing to screen against INTERPOL's criminal and terrorism databases. It authorizes the Secretary of Homeland Security to suspend participating countries when it is determined that they pose a high risk to the national security of the United States.

ISIS has better resources and is more brutal and more organized than any terrorist organization to date. We must use all the tools at our disposal to defeat them. I am particularly pleased that this bill recognizes the need to continually update and secure the Electronic System for Travel Authorization, or ESTA, a key task force recommendation.

As part of this effort, we must leverage new and innovative technologies. The bill requires the Secretary of Homeland Security to explore opportunities to incorporate technology into ESTA that will detect deception and fraud.

A number of promising deception detection technologies have been developed, including one developed at the University of Arizona in my district. Deception can be difficult to detect when you are interviewing an individual face to face. It is even more difficult to detect the deception in online forums like ESTA uses.

The technology developed at the University of Arizona called Neuro-Screen identifies typing, scrawling, and other computer-use patterns to capture motor nervous system signals associated with deceptive and suspicious behavior. We must leverage technology, such as Neuro-Screen, to enhance screening programs like ESTA.

Mr. Speaker, we all want to ensure that people from around the world can travel here to experience all the wonders and the freedoms of the United States. As we welcome travelers here, we must do so in a way that keeps us safe.

That is why I support H.R. 1158. I urge all our Members to support this thoughtful bipartisan legislation.

Ms. LOFGREN. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Speaker, as the Representative from Las Vegas, one of the world's greatest tourist and business travel destinations, I, too, rise in favor of H.R. 158.

This bill strengthens the Visa Waiver Program to help ensure that potential terrorists are not able to abuse it to bypass security checks and come to the U.S. to do us harm.

We must remain cognizant, however, of the fact that the VWP program is not only a significant aspect of our Homeland Security, but it is also critical to expediting and welcoming tourists and business travelers to the United States.

In 2014, more than 20.4 million visitors arrived in the U.S. through the VWP, representing almost 60 percent of all overseas visitors. These travelers stayed an average of 18 nights and spent $4,400 per visit, generating $190 billion, which supported nearly 1 million jobs. In Las Vegas, 20 percent of our visitors come from foreign countries, many of whom use this program.

So, in short, yes, we must be cautious. We cannot afford to unnecessarily crush the growing tourism industry or risk retaliatory measures by other countries, which would make it difficult for Americans to travel abroad for business or a holiday.

I believe H.R. 158 strikes the right balance between security and accommodation. I urge my colleagues to support it. I also caution against carrying xenophobia too far.

Mr. GOODLATTE: Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ROYCE), the chairman of the Foreign Relations Committee.

□ 1630

Mr. ROYCE. Mr. Speaker, I am recently back from London, where I had an opportunity to speak to British authorities about the challenge that Europeans find themselves in at this point in time. There are literally 5,000 Europeans who have gone to fight in Syria and in Iraq and have come back. Part of the problem here is a manpower problem of managing to be able to have a handle on that.

Now, we cannot have people automatically coming to the United States without being vetted. They should not be allowed to just get on a plane and fly here. This bill is going to bolster our defenses because what it is going to do is to ensure that those who have traveled to a terror hotspot, like Syria, and then come back into Europe or another Visa Waiver country will get that thorough investigation before they are being cleared to travel. That will allow our authorities to prevent that travel.

It is going to give our law enforcement a new tool as well in terms of detecting fraud and stolen passports. You also saw the story in Honduras of five Syrians with stolen passports trying to get into the United States.

So the Visa Waiver Program is good for America's economy and good for our leadership overseas. We can strengthen it. Let's urge our colleagues in the Senate to get this soon to the President's desk.

Ms. LOFGREN. Mr. Speaker, may I inquire how much time remains.

The SPEAKER pro tempore. The gentlewoman from California has 6½ minutes remaining.

Ms. LOFGREN. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. QUIGLEY), a former member of the Committee on the Judiciary.

Mr. QUIGLEY. Mr. Speaker, the Visa Waiver Program plays an absolutely essential role in growing the American economy. If we don't have foreign travel, it is just going to be Michigan competing against Wisconsin, Las Vegas competing against Orlando; and while Chicago has no peer, we are really not being productive. Also, over the last decade, we have successfully used the incentives of this program to require

participating countries to implement the strictest security standards and increase vital intelligence sharing with U.S. law enforcement.

As a member of the House Permanent Select Committee on Intelligence, I can't stress enough the value of intelligence we gather from the 38 Visa Waiver countries in thwarting terror plots and preventing attacks on our homeland. That is why I have been a longtime supporter of the Visa Waiver Program and for including important allies like Poland. But I have also led the effort to strengthen the security requirements of the program to respond to the evolving threats we face.

The bipartisan JOLT Act, sponsored by myself and Mr. HECK, includes many of the security programs and reforms included in this bill we are debating today. It will also strengthen the security of the program and reduce fraud and also provide the U.S. with greater intelligence capacity.

As policymakers, we must continuously reevaluate the reforms that are necessary to respond to keep America safe. The bill before us provides that proper balance by making the Visa Waiver Program even more secure and reaffirming our commitment to the program for the future.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. KATKO), the chairman of our Foreign Fighter Task Force.

Mr. KATKO. Mr. Speaker, I rise today in support of H.R. 158, the Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015.

This bill, which I cosponsored, will close a critical gap in our Nation's security that is vulnerable to exploitation by terrorists and other nefarious actors seeking to do us harm. This bill strengthens the security of the Visa Waiver Program by requiring participating nations to increase counterterrorism information sharing, screen travelers against INTERPOL's databases, and enhance passport security features.

As chair of the Committee on Homeland Security's Foreign Fighter Task Force, I spent countless hours with my colleagues examining weaknesses in our Nation's defenses against the threat posed by foreign fighters. The provisions in this bill address several of the key findings in that report. I thank Mrs. MILLER for her leadership on this important issue.

I also want to thank and note the continuing bipartisan cooperation that is part of the Committee on Homeland Security. I commend my colleagues on the other side of the aisle for their continuing good work on that committee.

In closing, I would like to urge my colleagues to support this important legislation.

Ms. LOFGREN. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, there are some 6 billion people in the world who aren't from one of the 38 favored countries and have to go through an in-person interview to visit the United States. It is not unfair for us to impose the same requirement on those Europeans who have visited ISIS-infested areas.

This bill will do some good, but it is mostly evadable. Most ISIS foreign fighters go to Turkey. Their passport is stamped in Turkey, and then they walk into Syria. ISIS does not stamp their passport, and so they are free to say that they never went to Iraq or Syria. This bill will make sense only if it applies to those who visited Turkey.

Even if they did get their passport stamped, say they flew to Baghdad, got it stamped by the Iraqi Government, all they have to do is go back to Europe and say, ''I want a new passport. My hair style has changed, I want a different picture.'' They get a new passport. Their old passport, holes are punched in it. It is returned to them, and so there is no record that they ever visited Iraq.

Most of our European friends don't have a list of which of their citizens have visited Syria, Iraq, or Iran. If they did have such a list, they wouldn't share it with us because they have privacy laws. Now, they will cooperate with us on individual suspects, but not a list of tens of thousands of people who have visited Iraq, Syria, or Iran, and certainly not the millions who have visited Turkey. So they don't have a list. They won't share a list.

Looking at a passport only tells you that somebody got a new passport. Seeing that it was stamped only in Turkey but not stamped in Syria just shows you that they walked into Syria and ISIS didn't stamp their passport.

I look forward to passing this bill, and then getting serious on a bill that will accomplish its purposes.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Indiana (Mrs. WALORSKI).

Mrs. WALORSKI. Mr. Speaker, I rise in support of H.R. 158. In order to protect our national security and the safety of Americans, we must also adapt our policies to prevent terrorists from entering U.S. soil.

As we have heard earlier, approximately 5,000 Europeans have traveled to Syria and Iraq to join ISIS, many of whom are from countries that participate in the Visa Waiver Program. Many of these countries fail to provide the U.S. intelligence community with critical information needed to ensure those traveling under the program are not a threat to the U.S. Today's legislation addresses and helps fix the vulnerabilities of this program.

Before an individual is permitted to enter the United States, additional vetting is required. This includes enhanced screening of individuals who have visited or are citizens of Iraq, Syria, and terrorist hotspots like Iran and Sudan, or other nations that have seen a rise in significant terrorist activities.

It strengthens intelligence and information sharing with our allies. It cracks down on passport fraud by requiring Visa Waiver countries to upgrade to biometrics and electronic passports and forces Visa Waiver countries to ramp up counterterrorism screenings of travelers.

As our enemies continue to evolve, we must do the same to protect the American people from the risks posed by this threat. I thank Congresswoman MILLER for her hard work on this important piece of legislation.

Ms. LOFGREN. Mr. Speaker, I yield 1 minute to the gentlewoman from Arizona (Ms. SINEMA).

Ms. SINEMA. Mr. Speaker, I thank Chairwoman MILLER for introducing this legislation to address the serious security gaps in the Visa Waiver Program, and I thank Congresswoman LOFGREN for putting our country's security over partisanship to advance this commonsense measure.

I am a cosponsor of this legislation because it makes sensible, bipartisan changes to address the security gaps in the Visa Waiver Program and prevent Islamic State and other terrorist networks from using the program to gain access to the United States.

The Islamic State is one of the world's most violent and dangerous terrorist groups. To keep our country safe, we must be one step ahead of them, preventing them from entering the United States and stopping their efforts.

The Visa Waiver Program allows travelers from approved countries to visit the United States for up to 90 days without a visa. This program is an important tool that grows our economy and supports ease of travel for American citizens.

The reasonable changes included in this bill strengthen the Visa Waiver Program. This bill requires partner nations to issue electronic passports, strengthening the screening process of program participants.

It also addresses the concerns raised by my bill, H.R. 4122, introduced with Congressman MATT SALMON, to suspend the Visa Waiver Program for individuals who have traveled in the last 5 years to Syria and Iraq, to countries that are state sponsors of terrorism, or to countries with active terrorist networks. I thank Chairman MILLER for including this important provision. I thank Congresswomen MILLER and LOFGREN for advancing this important legislation.

Mr. GOODLATTE. Mr. Speaker, may I inquire how much time is remaining on each side.

The SPEAKER pro tempore. The gentleman from Virginia has 5½ minutes

remaining. The gentlewoman from California has 2½ minutes remaining.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Speaker, this legislation is a step in the right direction. The changes that I like particularly to the Visa Waiver Program are a requirement to share counterterrorism information with the United States and that all visa waiver countries must submit lost and stolen passport information to INTERPOL's database within 24 hours.

In May of 2014, a foreign fighter, radicalized on the battlefield in Syria after 1 year, traveled back to Europe. He traveled through Turkey and through Germany. It is believed that Germany had information on this individual, but it failed to share that information with its neighbors France and Belgium. He arrived in Brussels. In a 90-second attack with an automatic weapon on a Jewish museum, he killed 4 people before fleeing to France, making it all the way to the south of France, to the city of Marseille, where he hoped to cross the Mediterranean and disappear into the African continent.

Why do I tell you this story? It is because of the freedom of travel in the Schengen region, or the open borders region in Europe, the radicalization of foreign fighters joining ISIS on the battlefield and having the ability to travel back to Europe and possibly, being undetected, travel to the United States under the Visa Waiver Program if the countries don't share the information.

In addition, in the last 30 days, we have seen numerous instances where stolen or fraudulent passports have been used by migrants and terrorists to travel throughout Europe as well as across Latin America.

Just recently, five Syrians traveled through the tri-border region, which is Argentina, Brazil, and Paraguay. It is a region in the northern area of Argentina. They traveled there from Syria on stolen Israeli passports, and then they purchased, in the tri-border region, Greek passports and were able to transit Latin America into Honduras, where they were stopped with those false passports.

These are real examples of real issues, and it is why I support what we are trying to do today.

Ms. LOFGREN. Mr. Speaker, may I inquire if the gentleman has additional speakers.

Mr. GOODLATTE. I am the only remaining speaker.

Ms. LOFGREN. Then I will close on our side.

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

A lot of things have been said today that will be very helpful, but I think clarifying some of these issues might be useful for Members.

It has been said that there is discrimination in this bill. It is important to note that the Visa Waiver Program discriminates on the basis of nationality. That is why there is only one country, Chile, in Latin America that is in the Visa Waiver Program. Everybody else has to go in for a visa interview.

There are no countries in Africa that are eligible for the Visa Waiver Program. Everybody in Africa has to go in for an interview to get a visitor's visa.

There are only four sites—Singapore, Taiwan, Japan, and South Korea—in Asia that are eligible. Everybody else has to go in for a visa interview.

So a visa interview is not a terrible thing. It helps us understand what people are about.

I include for the RECORD a letter from the U.S. Travel Association in favor of this bill. It is signed by a large number of groups, including the Asian American Hotel Owners Association and The Travel Technology Association.

U.S. TRAVEL ASSOCIATION,
Washington, DC, December 8, 2015.

DEAR MEMBERS OF THE HOUSE OF REPRESENTATIVES: On behalf of the 14.6 million American workers whose livelihood depends on safe international travel to the United States, we are writing in support of H.R. 158, legislation to strengthen homeland security in the wake of the recent terrorist attacks.

The horrific attacks in Paris underscore the need for every possible measure to protect public safety. And no one advocates for security precautions more vigorously than travel professionals. Without public confidence in air security, worldwide commerce will be crippled. The Visa Waiver Program (VWP), originally created to facilitate travel, today is one of our most effective tools against global terror. Because of VWP, governments around the world now are working cooperatively at the highest levels of law enforcement to identify risky travelers—both before boarding flights and upon arrival in the United States.

For the 38 countries that are currently VWP members, the U.S. has unparalleled authority to inspect their counter-terrorism, border control, aviation and travel document security methods and facilities. VWP protocols require participating nations to issue machine-readable passports that are difficult to forge; promptly enter data on all lost and stolen passports into a central INTERPOL database; and collaborate with the United States law enforcement under essential information-sharing agreements. Since this system was established in 2008, we have denied entry to over 4,300 would-be travelers known or suspected of posing a threat. For the many nations that hope to someday become a VWP member, just that aspiration offers a strong incentive to raise security standards unilaterally, even in advance of their admission. The VWP is a rare, exemplary government program that delivers both security and economic benefits.

Even successful programs such as VWP can be improved. In our view, the battery of reforms proposed in H.R. 158 will help make us all safer. We support its provisions to add additional layers of protection, including by increasing preclearance and immigration advisory programs, working with other governments to strengthen their watch lists and vetting systems; and expanding Global Entry to enroll more rigorously screened, trusted travelers. These are thoughtful, effective reforms—and we especially commend bipartisan House leaders for working together toward enacting H.R. 158. As this bill makes its way through the legislative process, we will continue to work constructively with its sponsors.

This is a moment when the United States and our allies can send a global message about the seriousness of our air security protocols and our capacity for bipartisan consensus on matters of national security. Thank you in advance and please call on us if we can serve as a resource for your deliberations.

Sincerely,
U.S. Travel Association,
Airlines for America,
American Gaming Association,
American Hotel & Lodging Association,
American Resort Development Association,
American Society of Travel Agents,
Asian American Hotel Owners Association,
Atlanta Convention & Visitors Bureau,
Dallas Convention & Visitors Bureau,
Destination DC,
Destination Marketing Association International,
Expedia, Inc.,
Hilton Worldwide,
International Association of Amusement Parks and Attractions,
Los Angeles Tourism & Convention Board,
Las Vegas Convention & Visitors Authority,
Loews Hotels and Resorts,
Marriott International, Inc.,
National Retail Federation,
National Tour Association,
PSAV®,
Sabre Corporation,
The San Diego Tourism Authority,
Starwood Hotels and Resorts Worldwide, Inc.,
The Travel Technology Association,
U.S. Tour Operators Association.

Ms. LOFGREN. Why? Because it is important for our country that this program, this Visa Waiver Program, be tightened up, that we are assured that it is being operated in a safe and secure manner.

□ 1645

I am happy that we can work together on a bipartisan basis to do this, because we are at a time in our country when reckless and racist things are being said about some of our fellow Americans—people who are saying that if you are of the Muslim faith, somehow you are a threat to the United States. That is not true. And it is important for us to stand up against that rhetoric, to stand up for all Americans and people of all faiths, but also to work together on sensible, modest reforms to the VW Program.

I am glad that we will, hopefully, stand together in the face of outrageous racist rhetoric and that we will also stand together supporting this modest reform to the program.

I would note also the suggestion that the bill does not solve all the problems. As I said in my opening statement, the most important part of this program is

the database provisions. If countries do not want to share their data, they can't be in the Visa Waiver Program. I think that, as we move forward, more and more countries will understand we need to collaborate together, and I urge support for the bill.

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

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

Mr. Speaker, this is a good bill. I want to thank everybody on both sides of the aisle who have worked together to bring us to the point where we can pass this bill through the House. I hope it is taken up and passed in the Senate. I hope it is signed into law soon.

It will do some good in stopping people who have ill intent from being able to abuse our immigration system and enter our country. But this bill is just one of many, many things with regard to our immigration system that need to be examined. Other legislation that has already passed out of the Homeland Security Committee and the Judiciary Committee needs to be brought to the floor of the House for consideration.

We also need to examine our visa programs and the interview process, which may be called into question following the tragedy in San Bernardino. We also need to make sure that our borders—particularly our southern border, but all of our borders—are secure. People are crossing into our country undetected, and they are not just from South American and Central American countries. They are from all over the world, including from the country that we have been talking about here today.

We need to make sure that our asylum program is not as rampant with fraud as it is today. We need to pass legislation introduced by Congressman CHAFFETZ of Utah that addresses that problem.

We need to make sure that when people cross into our country illegally, no matter where they are from, they are apprehended and that they are not released into the interior of the country with the hope that they will someday reappear for a hearing. Congressman JOHN CARTER has legislation that addresses that problem.

We need to make sure that when people enter the United States, for whatever purpose, they do so lawfully, and they not take jobs away from law-abiding American citizens. We need to make sure that our electronic verification of employment program is made mandatory, as legislation introduced and passed out of the committee, introduced by Congressman LAMAR SMITH, would do.

We need to make sure that we are utilizing all of our law enforcement resources across our entire Nation to keep this country safe, including better cooperation between the Federal Government and our State and local governments on law enforcement issues and on immigration enforcement issues. I hear from judges and sheriffs and other law enforcement officials in my district about the messed up way that our current program is working. We need to have a clear, statutory role for State and local governments to participate in the enforcement of these laws.

All of these things need to be brought to the floor of this House to make sure that our immigration programs are working properly, are working fairly, and are making this country safer than it is today. I urge my colleagues to support this legislation, which is a very good step in the right direction.

I commend the gentlewoman from Michigan (Mrs. MILLER), who is leaving at the end of this Congress. This is a good note to end this debate upon. I thank her for her good work in making sure that we are keeping this country safe by improving the Visa Waiver Program. I urge my colleagues to support this legislation.

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

Ms. LEE. Mr. Speaker, I rise in opposition to H.R. 158, the Visa Waiver Program Improvement Act. I agree that Congress has a responsibility to carefully examine the Visa Waiver Program (VWP) and to take appropriate steps to improve the program and ensure our national security.

Yet I am concerned that this bill would allow for the arbitrary discrimination of individuals based on their nationality. According to the American Civil Liberties Union, the language contained in H.R. 158 is written so broadly that all nationals of Iraq, Syria, Iran or Sudan would have their VWP revoked, even if they have never resided or traveled to Iraq or Syria and only have nationality for those countries as a result of their parents.

This bill would also terminate VWP travel privileges for anyone who has been in Iraq and Syria at any time on or after March 1, 2011, including those traveling to Iraq and Syria for professional purposes. This includes anyone from a journalist to a humanitarian aid worker. Congress can take steps to improve the program and ensure our national security without putting in place blanket provisions that allow for the discrimination of individuals based on their nationality. I look forward to working with my colleagues to address these issues as this legislation moves forward.

Mr. VAN HOLLEN. Mr. Speaker, today while I rise in support of H.R. 158 the Visa Waiver Program Improvement Act of 2015, I must also note my reservations about some of the provisions in this bill.

President Obama in an address to the American people from the Oval Office specifically asked Congress to pass legislation to address any weaknesses within our visa waiver program (VWP) and for a "stronger screening for travelers to the U.S. without a visa to check if they have travelled to warzones."

After the terror attacks in Paris, France and San Bernandino, California we must ensure that a law created to encourage travel and cultural exchange is not exploited by those who would do us harm. We must scrutinize and strengthen our VWP and many of the provisions in this bill do just that. I support the provisions in this bill that encourage our allies to share biometric data, improve data sharing on criminal and security concerns and stronger vetting systems This bi-partisan effort is a significant improvement over H.R. 4038, a bill which did nothing but target innocent refugees and exploited xenophobic and unsubstantiated fears.

While I support the overall thrust of this bill, I do have some reservations. I am concerned that there are not exceptions for journalists, ministers or aid workers who provide vital services to a needy population. The exclusion for law enforcement or military personnel should be extended to include people who visit Syria, Sudan, or Iraq for completely innocent and humanitarian reasons. We should continue to scrutinize the VWF so that we do not unnecessarily target innocent travelers.

I hope our colleagues in the Senate take these reservations into account when they consider this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 158, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2130, RED RIVER PRIVATE PROPERTY PROTECTION ACT, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–375) on the resolution (H. Res. 556) providing for consideration of the bill (H.R. 2130) to provide legal certainty to property owners along the Red River in Texas, and for other purposes, and providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 158, by the yeas and nays;

H.R. 3842 by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

VISA WAIVER PROGRAM IMPROVEMENT AND TERRORIST TRAVEL PREVENTION ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 158) to clarify the grounds for ineligibility for travel to the United States regarding terrorism risk, to expand the criteria by which a country may be removed from the Visa Waiver Program, to require the Secretary of Homeland Security to submit a report on strengthening the Electronic System for Travel Authorization to better secure the international borders of the United States and prevent terrorists and instruments of terrorism from entering the United States, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 407, nays 19, not voting 7, as follows:

[Roll No. 679]

YEAS—407

Abraham
Adams
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Levin
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—19

Bass
Clarke (NY)
Conyers
Dingell
Ellison
Farr
Grijalva
Honda
Johnson (GA)
Kildee
Lawrence
Lee
McDermott
Pocan
Schakowsky
Takano
Waters, Maxine
Watson Coleman
Wilson (FL)

NOT VOTING—7

Aguilar
Bishop (MI)
Donovan
Johnson, Sam
Lewis
Perlmutter
Rush

□ 1718

Ms. LEE, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, and Mr. GRIJALVA changed their vote from ''yea'' to ''nay.''

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

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to amend the Immigration and Nationality Act to provide enhanced security measures for the visa waiver program, and for other purposes.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. SAM JOHNSON of Texas. Mr. Speaker, on rollcall No. 679, I was unable to vote due to the death of my wife Shirley. Had I been present, I would have voted "yes."

Mr. BLUM. Mr. Speaker, on rollcall No. 679, I was unavoidably detained and would have voted "yea."

LEGISLATIVE PROGRAM

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

Mr. MCCARTHY. Mr. Speaker, Members are advised that votes are expected in the House on Friday. Members are further advised that additional votes are possible through the weekend and as well on Monday.

All Members are encouraged to keep their schedules flexible. I will provide more detailed timing information as soon as possible so that you may make necessary travel arrangements.

FEDERAL LAW ENFORCEMENT TRAINING CENTERS REFORM AND IMPROVEMENT ACT OF 2015

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3842) to improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to provide training to first responders, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. CARTER) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 2, not voting 11, as follows:

[Roll No. 680]

YEAS—420

Abraham
Adams
Aderholt
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—2

Amash
Massie

NOT VOTING—11

Aguilar
Bishop (MI)
Donovan
Johnson, Sam
Keating
Lewis
Lieu, Ted
Lowenthal
Perlmutter
Rush
Velázquez

□ 1729

Mr. MASSIE changed his vote from ''yea'' to ''nay.''

Mrs. DINGELL changed her vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 644, TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015

Mr. TIBERI. Madam Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight, December 8, to file the conference report to accompany H.R. 644.

The SPEAKER pro tempore (Mrs. MIMI WALTERS of California). Is there objection to the request of the gentleman from Ohio?

There was no objection.

PROVIDING FOR THE EXTENSION OF THE ENFORCEMENT INSTRUCTION ON SUPERVISION REQUIREMENTS FOR OUTPATIENT THERAPEUTIC SERVICES IN CRITICAL ACCESS AND SMALL RURAL HOSPITALS

Mr. BURGESS. Madam Speaker, I ask unanimous consent that the Committee on Energy and Commerce and the Committee on Ways and Means be discharged from further consideration of the bill (S. 1461) to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2015, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

S. 1461

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

SECTION 1. EXTENSION OF ENFORCEMENT INSTRUCTION ON SUPERVISION REQUIREMENTS FOR OUTPATIENT THERAPEUTIC SERVICES IN CRITICAL ACCESS AND SMALL RURAL HOSPITALS THROUGH 2015.

Section 1 of Public Law 113–198 is amended—

(1) in the section heading, by inserting ''**AND 2015**'' after ''**2014**''; and

(2) by striking ''calendar year 2014'' and inserting ''calendar years 2014 and 2015''.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PHYLLIS E. GALANTI ARBORETUM

Mr. MILLER of Florida. Madam Speaker, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of the bill (H.R. 2693) to designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the ''Phyllis E. Galanti Arboretum'', and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 2693

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

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) Phyllis Eason Galanti, a tireless advocate for the rights of prisoners of war from the United States during the Vietnam War and a beloved member of the Richmond, Virginia, community, died on April 23, 2014.

(2) Ms. Eason graduated from the College of William and Mary in 1963 and shortly afterward was married to Paul Edward Galanti, a pilot with the United States Navy, at the Chapel of the Centurion in Fort Monroe, Virginia.

(3) In June 1966, when Mr. Galanti was shot down over North Vietnam, captured, and held prisoner, Phyllis E. Galanti became active in the National League of Families of American Prisoners and Missing in Southeast Asia, soon becoming chair of the organization.

(4) Mrs. Galanti spearheaded the Let's Bring Paul Galanti Home project as part of the national Write Hanoi campaign—

(A) to raise awareness;

(B) to secure the return of more than 600 soldiers from the United States who were missing in action or held as prisoners of war in Vietnam; and

(C) to ensure that prisoners of war were treated in accordance with the Geneva Conventions.

(5) The efforts of Mrs. Galanti under the Let's Bring Paul Galanti Home project, the most successful of many such campaigns, resulted in more than 1,000,000 letters that were personally delivered to the North Vietnamese embassy in Stockholm, Sweden, in 1971.

(6) Mrs. Galanti became known as ''Fearless Phyllis'', traveling to Versailles, France, seeking an audience with North Vietnamese leaders, and giving hundreds of presentations to policy leaders in the United States, including President Richard Nixon, National Security Advisor Henry Kissinger, and Virginia Governor Mills E. Godwin, Jr., who said of her in 1975, ''One dedicated woman and a handful of others had more influence on the communist world than legions of armies and diplomats.''.

(7) After more than seven years apart, Mrs. Galanti was reunited with her husband Paul Galanti at the Naval Air Station in Norfolk, Virginia, on February 15, 1973.

(8) Mrs. Galanti spent decades confronting the issue of prisoners and hostages from the United States, not only in Vietnam but also in the Soviet Union and Iran.

(9) Mrs. Galanti actively supported the Virginia Home, Theatre IV, and the Virginia Repertory Theatre, visited schools, and continued to meet with lawmakers until she died on April 23, 2014, at age 73, from complications with leukemia.

(10) The work of Mrs. Galanti earned her the American Legion Service Medal, and the Paul and Phyllis Galanti Education Center at the Virginia War Memorial was named in honor of her and her husband.

(11) The leadership at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, including Director John Brandecker, seeks to recognize Mrs. Galanti by naming the arboretum at Hunter Holmes McGuire VA Medical Center in her honor.

(12) It is a fitting tribute that Congress name the arboretum after such an outstanding advocate for members of the Armed Forces of the United States and veterans.

SEC. 2. PHYLLIS E. GALANTI ARBORETUM AT HUNTER HOLMES MCGUIRE VA MEDICAL CENTER IN RICHMOND, VIRGINIA.

(a) DESIGNATION.—The arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, shall after the date of the enactment of this Act be known and designated as the ''Phyllis E. Galanti Arboretum''.

(b) REFERENCES.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the arboretum referred to in subsection (a) shall be considered to be a reference to the Phyllis E. Galanti Arboretum.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record vote on the postponed question will be taken later.

FOREIGN AID TRANSPARENCY AND ACCOUNTABILITY ACT OF 2015

Mr. POE of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3766) to direct the President to establish guidelines for United States foreign development and economic assistance programs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3766

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Foreign Aid Transparency and Accountability Act of 2015''.

SEC. 2. GUIDELINES FOR UNITED STATES FOREIGN DEVELOPMENT AND ECONOMIC ASSISTANCE PROGRAMS.

(a) PURPOSE.—The purpose of this section is to evaluate the performance of United States foreign development and economic assistance and its contribution to the policies, strategies, projects, program goals, and priorities undertaken by the Federal Government, to foster and promote innovative programs to improve effectiveness, and to coordinate the monitoring and evaluation processes of Federal departments and agencies that administer United States foreign development and economic assistance.

(b) ESTABLISHMENT OF GUIDELINES.—Not later than 18 months after the date of the enactment of this Act, the President shall set forth guidelines for the establishment of measurable goals, performance metrics, and monitoring and evaluation plans that can be applied with reasonable consistency to United States foreign development and economic assistance. Such guidelines shall be established according to best practices of monitoring and evaluation studies and analyses.

(c) OBJECTIVES OF GUIDELINES.—

(1) IN GENERAL.—The guidelines established under subsection (b) shall provide direction to Federal departments and agencies that administer United States foreign development and economic assistance on monitoring the use of resources, evaluating the outcomes and impacts of United States foreign development and economic assistance projects and programs, and applying the findings and conclusions of such evaluations to proposed project and program design.

(2) OBJECTIVES.—Specifically, the guidelines established under subsection (b) shall require Federal departments and agencies that administer United States foreign development and economic assistance to take the following actions:

(A) Establish annual monitoring and evaluation agendas and objectives to plan and manage the process of monitoring, evaluating, analyzing progress, and applying learning toward achieving results.

(B) Develop specific project monitoring and evaluation plans, to include measurable goals and performance metrics, and identify the resources necessary to conduct such evaluations, which should be covered by program costs, during project design.

(C) Apply rigorous monitoring and evaluation methodologies to such programs, including through the use of impact evaluations, ex-post evaluations, or other methods as appropriate, that clearly define program logic, inputs, outputs, intermediate outcomes, and end outcomes.

(D) Disseminate guidelines for the development and implementation of monitoring and evaluation programs to all personnel, especially in the field, who are responsible for the design, implementation, and management of United States foreign development and economic assistance programs.

(E) Establish methodologies for the collection of data, including baseline data to serve as a reference point against which progress can be measured.

(F) Evaluate at least once in their lifetime all programs whose dollar value equals or exceeds the median program size for the relevant office or bureau or an equivalent calculation to ensure the majority of program resources are evaluated.

(G) Conduct impact evaluations on all pilot programs before replicating wherever possible, or provide a written justification for not conducting an impact evaluation where such an evaluation was deemed inappropriate or impossible.

(H) Develop a clearinghouse capacity for the collection and dissemination of knowledge and lessons learned that serve as benchmarks to guide future programs for United States development professionals, implementing partners, the donor community, and aid recipient governments, and as a repository of knowledge on lessons learned.

(I) Distribute evaluation reports internally.

(J) Publicly report each evaluation, including an executive summary, a description of the evaluation methodology, key findings, appropriate context (including quantitative and qualitative data when available), and recommendations made in the evaluation

within 90 days after the completion of the evaluation.

(K) Undertake collaborative partnerships and coordinate efforts with the academic community, implementing partners, and national and international institutions that have expertise in program monitoring, evaluation, and analysis when such partnerships provide needed expertise or significantly improve the evaluation and analysis.

(L) Ensure verifiable, valid, credible, precise, reliable, and timely data are available to monitoring and evaluation personnel to permit the objective evaluation of the effectiveness of United States foreign development and economic assistance programs, including an assessment of assumptions and limitations in such evaluations.

(M) Ensure that standards of professional evaluation organizations for monitoring and evaluation efforts are employed, including ensuring the integrity and independence of evaluations, permitting and encouraging the exercise of professional judgment, and providing for quality control and assurance in the monitoring and evaluation process.

(d) PRESIDENTIAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a detailed description of the guidelines established under subsection (b). The report shall be submitted in unclassified form, but it may contain a classified annex.

(e) COMPTROLLER GENERAL REPORT.—The Comptroller General of the United States shall, not later than 1 year after the report required by subsection (d) is submitted to Congress, submit to the appropriate congressional committees a report that analyzes—

(1) the guidelines established pursuant to subsection (b); and

(2) a side-by-side comparison of the President's budget request for that fiscal year of every operational unit that carries out United States foreign development and economic assistance and the performance of such units during the prior fiscal year.

SEC. 3. INFORMATION ON UNITED STATES FOREIGN DEVELOPMENT AND ECONOMIC ASSISTANCE PROGRAMS.

(a) PUBLICATION OF INFORMATION.—

(1) UPDATE OF EXISTING WEB SITE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall update the Department of State's Internet Web site, ''ForeignAssistance.gov'', to make publicly available comprehensive, timely, and comparable information on United States foreign development and economic assistance programs, including all information required pursuant to subsection (b) of this section that is then available to the Secretary of State.

(2) INFORMATION SHARING.—The head of each Federal department or agency that administers United States foreign development and economic assistance shall, not later than 2 years after the date of the enactment of this Act, and on a quarterly basis thereafter, provide to the Secretary of State comprehensive information about the United States foreign development and economic assistance programs carried out by such department or agency.

(3) UPDATES TO WEB SITE.—Not later than 2 years after the date of the enactment of this Act, the Secretary of State shall publish, through the ''ForeignAssistance.gov'' Web site or a successor online publication, the information provided under subsection (b) of this section and shall update such information on a quarterly basis.

(b) MATTERS TO BE INCLUDED.—

(1) IN GENERAL.—The information described in subsection (a) shall be published on a detailed award-by-award and country-by-country basis unless assistance is provided on a regional level, in which case the information shall be published on an award-by-award and region-by-region basis.

(2) TYPES OF INFORMATION.—

(A) IN GENERAL.—To ensure transparency, accountability, and effectiveness of United States foreign development and economic assistance programs, the information described in subsection (a) shall include—

(i) links to all regional, country, and sector assistance strategies, annual budget documents, congressional budget justifications, evaluations and summaries of evaluations as required under section 2(c)(2)(J);

(ii) basic descriptive summaries for United States foreign development and economic assistance programs and awards under such programs; and

(iii) obligations and expenditures under such programs.

Each type of information described in this paragraph shall be published or updated on the Internet Web site not later than 90 days after the date of issuance of the information.

(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to require a Federal department or agency that administers United States foreign development and economic assistance to provide any information that does not relate to or is not otherwise required by the United States foreign development and economic assistance programs carried out by such department or agency.

(3) REPORT IN LIEU OF INCLUSION.—

(A) HEALTH OR SECURITY OF IMPLEMENTING PARTNERS.—If the head of a Federal department or agency, in consultation with the Secretary of State, makes a determination that the inclusion of a required item of information online would jeopardize the health or security of an implementing partner or program beneficiary or would require the release of proprietary information of an implementing partner or program beneficiary, the head of the Federal department or agency shall provide such determination in writing to the appropriate congressional committees, including the basis for such determination and shall—

(i) provide a briefing to the appropriate congressional committees on such information; or

(ii) submit to the appropriate congressional committees such information in a written report.

(B) NATIONAL INTERESTS OF THE UNITED STATES.—If the Secretary of State makes a determination that the inclusion of a required item of information online would be detrimental to the national interests of the United States, the Secretary of State shall provide such determination in writing to the appropriate congressional committees, including the basis for such determination and shall—

(i) provide a briefing to the appropriate congressional committees on such information; or

(ii) submit to the appropriate congressional committees the item of information in a written report.

(C) FORM.—Any briefing or item of information provided under this paragraph may be provided in classified form, as appropriate.

(4) FAILURE TO COMPLY.—If a Federal department or agency fails to comply with the requirements of subsection (a), paragraph (1) or (2) of this subsection, or subsection (c) with respect to providing information described in subsection (a), and the information is not subject to a determination under subparagraph (A) or (B) of paragraph (3) of this subsection not to make the information publically available, the Director of the Office of Management and Budget, in consultation with the head of such department or agency, shall submit to the appropriate congressional committees not later than September 1, 2016, a consolidated report describing, with respect to each required item of information not made publicly available—

(A) a detailed explanation of the reason for not making such information publicly available; and

(B) the department's or agency's plan and timeline for immediately making such information publicly available, and for ensuring that information is made publically available in following years.

(c) SCOPE OF INFORMATION.—The online publication required by subsection (a) shall, at a minimum, provide the information required by subsection (b)—

(1) in each fiscal year from 2016 through 2019, such information for fiscal years 2012 through the current fiscal year; and

(2) for fiscal year 2020 and each fiscal year thereafter, such information for the immediately preceding five fiscal years in a fully searchable form.

SEC. 4. DEFINITIONS.

In this Act:

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

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

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

(2) EVALUATION.—The term ''evaluation'' means, with respect to a United States foreign development and economic assistance program, the systematic collection and analysis of information about the characteristics and outcomes of the program, including projects conducted under such program, as a basis for making judgments and evaluations regarding the program, to improve program effectiveness, and to inform decisions about current and future programming.

(3) UNITED STATES FOREIGN DEVELOPMENT AND ECONOMIC ASSISTANCE.—The term ''United States foreign development and economic assistance'' means assistance provided primarily for the purposes of foreign development and economic support, including assistance authorized under—

(A) part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), other than—

(i) title IV of chapter 2 of such part (relating to the Overseas Private Investment Corporation);

(ii) chapter 3 of such part (relating to International Organizations and Programs); and

(iii) chapter 8 of such part (relating to International Narcotics Control);

(B) chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to Economic Support Fund);

(C) the Millennium Challenge Act of 2003 (22 U.S.C. 7701 et seq.); and

(D) the Food for Peace Act (7 U.S.C. 1721 et seq.).

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

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. POE of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill.

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

There was no objection.

Mr. POE of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to thank Chairman ROYCE and the ranking member, my cosponsor on this legislation, Mr. CONNOLLY from Virginia, for this legislation being brought to the House floor tonight.

The Foreign Aid Authorization Act first passed Congress in 1961. If you mention foreign aid to many Americans, Madam Speaker, it raises their blood pressure. Members of our communities often are concerned about foreign aid to other countries because they are just not quite sure where that aid is going and what that aid is accomplishing.

It is important that we, as Members of the House of Representatives, legislatively communicate to America how America's money is being spent in foreign countries. It is important that we are accountable and that that money, that aid, is accountable to the taxpayers.

It may shock you, Madam Speaker—maybe it won't—but Congress has never passed a law requiring transparency and accountability of foreign aid. I will use a different phrase. We have never audited our foreign aid to see if it is working and to see what it is doing so people can see whether it is successful or not.

The American public is uninformed about how much we spend and why we spend that money. A recent Publish What You Fund study rated half of U.S. agencies in the ''poor'' category when it came to transparency of aid. Transparency is important because it sheds light on where the money is spent. It is a lot harder to steal money if everybody knows where the money went and what it was for.

The American people have a right to know what we are doing with their money. There are a lot of success stories, but many Americans don't know about them. So it is important that we post that information and that the agencies that help in foreign aid assistance post that information on the Web so we know who is getting the money and what they are doing with that money.

Transparency will help foreign aid. It will make it harder for bad actors to steal that aid. It will make those who implement our programs work more vigilantly knowing the information will also be posted online. It will educate the American public about all the ways our country is helping other people around the world. As I said, Madam Speaker, there are a lot of success stories where people are better off because America is helping them.

Transparency by itself, however, won't save all of foreign aid's problems, but without transparency, those problems will not be solved. We also need to evaluate our foreign aid program so we know what works.

The key portions of this bill are transparency of the aid and evaluation of the aid: evaluate that aid to see if it is working, and if it is working may continue to do that aid; evaluate aid—if it is not working, then we cut it off and do something else.

We have all heard about the boondoggles of foreign aid. Big infrastructure projects are especially prone to waste and mismanagement. That is why it is so critically important that, as part of this bill being implemented, licensed engineers who know how to do these infrastructure projects are more involved with their expert input and operational skills.

Let me give you some examples of where foreign aid has been mismanaged. Schools are being built by Americans overseas, but some of those schools never had a student attend them. The Special Inspector for Iraq Reconstruction found out that at least $8 billion in American taxpayer dollars was lost to fraud, waste, and abuse. $44 million was spent on a residential camp to house international police trainers. The camp included an Olympic-sized swimming pool. The problem is, swimming pool and all, it was never used.

The $43 million natural gas station in Afghanistan was built by the Department of Defense when it built the same kind of gas station for $500,000 in Pakistan. Let me explain that again. American taxpayers built a $43 million natural gas station. Besides the enormous, outrageous cost, nobody ever used the gas station in Afghanistan.

So rigorous evaluations of our foreign aid are important because they can tell us whether or not we are really making a lasting impact. We have a long way to go, and the State Department really doesn't have a system in place to keep track of the dollars spent on evaluation of those projects.

The State Department can only tell how much it plans to spend in the future, but as soon as it spends that money on evaluations, it has no way of tracking where the money went. So the State Department can't even tell how many evaluations were even done last year on the aid that we are already spending. Even in its policy, the State Department is moving in the wrong direction. Its new evaluation policy lowers the amount of evaluations that must be done.

USAID has some troubling signs as well. USAID spent less money on evaluations in 2014 than it did in 2013. To solve some of these problems with transparency and with accountability of our foreign aid, Representative CONNOLLY and myself have introduced H.R. 3766, the Foreign Aid Transparency and Accountability Act. This bill requires the President to issue guidelines requiring tough evaluations. And on transparency, it codifies what is already being done and increases the amount of information required to be posted online, including actual expenditures and evaluations so everyone knows what we are doing and whether it is working or not.

We need to be reporting on more foreign aid in a more understandable way. The American people want to know where their aid is going, what it is for, and if that aid is effective.

Transparency and accountability for our foreign aid: this is a commonsense bill, and it doesn't cost any money, Madam Speaker.

I reserve the balance of my time.

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

I rise in support of this measure.

First of all, I want to thank Congressman POE and Congressman CONNOLLY for all their hard work on this bill. Enhancing transparency and accountability in our foreign assistance spending is something with which we can all agree. And it is important that we get our foreign assistance right. Our foreign aid represents just a tiny sliver of the Federal Government's annual budget—less than 1 percent. But if it is put to the right use, it is an investment that pays huge dividends.

Why is that? Because when we support the construction of a water treatment facility in an overcrowded city or train teachers in a rural village, we are doing more than just directly helping those affected. We are helping to bring stability and prosperity to entire communities and populations. And when we have stronger partners around the world, it helps enhance our own security and advance our own interests.

So, as I like to say, foreign assistance is the right thing to do for those who are in desperate need, and it is also the smart thing to do in terms of American foreign policy and national security. But it is important that we are spending our limited foreign assistance dollars efficiently and effectively.

The Obama administration is taking important steps to enhance the monitoring and evaluation of our foreign assistance programs. When she was Secretary of State, Hillary Clinton was at the forefront of those efforts.

This legislation, the Foreign Aid Transparency and Accountability Act, would build on the great progress already made by the administration. It would write into law many of the steps they have already taken, making these

efforts permanent for future administrations.

This will help ensure that our investments are as effective as possible by requiring measurable goals and plans for monitoring and evaluation.

Madam Speaker, this important legislating will help all of us to better understand how our foreign assistance programs help promote stability, prosperity, and democracy around the world, and how these investments advance our own security interests.

I am for accountability, so I strongly support this bill. I urge my colleagues to do the same.

I reserve the balance of my time.

Mr. POE of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Madam Speaker, I rise today with strong concerns over President Obama attempting to unilaterally bypass Congress once again and enter the United States into the so-called ''Paris Protocol'' on global warming.

As the proud Representative of the 36th Congressional District in the State of Texas, I can tell you that my constituents want nothing to do with this expensive, ineffective, and unnecessary proposal.

According to the American Coalition for Clean Coal Electricity, the Paris Protocol will reduce U.S. gross domestic product by an average of 9.1 percent, or $5 trillion per year. And consistent with this, NERA Economic Consulting states this will cost U.S. taxpayers approximately more than $30 billion per year.

Aside from the constitutional issues of the President bypassing the Senate and not submitting this proposal as a treaty, and the outrageous costs, these negotiations will not even accomplish their end goal of substantial climate benefits.

A U.S. pledge to the U.N. is estimated to prevent only one-fiftieth of 1 degree Celsius temperature rise over the next 85 years.

□ 1745

Simply put, our planet will see no measurable benefit at all, but our economy will be wrecked by this accord.

This is just another example of the terrible leadership that we have seen from this administration and of the important role that Congress must play in standing up and fighting back on behalf of the American people.

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

I thought we were debating Mr. POE's and Mr. CONNOLLY's bill. I didn't realize that climate change was on the agenda. Let me say that today, Secretary Kerry met with a bunch of businesspeople and led a meeting, and they talked about climate change because climate change is real.

Madam Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. CONNOLLY), a valued member of the Foreign Affairs Committee and an author of this legislation.

Mr. CONNOLLY. Madam Speaker, I thank my dear friend from New York, the distinguished ranking member of the House Foreign Affairs Committee, for his great leadership and for always being supportive of all of our work.

I also want to thank my dear friend from Texas, TED POE. He has been a wonderful partner and initiator of reform and of thoughtful legislation on our committee. It has been my privilege to cosponsor a lot of legislation with Mr. POE to try to make things better.

Today, I rise in support of another such example, the Foreign Aid Transparency and Accountability Act of 2015.

Madam Speaker, this bill is a project I have worked on with Judge POE for a number of years now. In the 112th Congress, a previous iteration of the bill passed this body by a unanimous vote. We hope for a similar outcome in this Congress and for quick Senate consideration and passage.

The bill directs the President to establish monitoring and evaluation guidelines for the 22 Federal agencies that are charged with implementing some piece of development and economic assistance.

The guidelines will require M&E plans as part of the project development process, and agencies will be encouraged to incorporate the findings of evaluations and impact studies into subsequent foreign assistance programs. This feedback loop will include measurable goals, performance metrics, and a clearinghouse for lessons learned on U.S.-led aid projects, something long overdue after 60-plus years of foreign aid. Additionally, the legislation requires that the documents and reports created under this M&E regime be made available to the public on foreignassistance.gov.

This administration has developed an encouraging record on foreign aid transparency. The Foreign Assistance Dashboard, which was created in 2010, is a great example of demonstrating a promising inclination toward disclosure that we hope to enshrine in this law. This measure will strengthen and codify those transparency best practices to ensure that they exist as agency policy under future administrations that might not be as accommodating of the aid community's demand for this information.

Aid programs that are held accountable for their performance and results can be made more effective, and their impact on communities and countries abroad can be more easily demonstrated. Perhaps, with more information, we can dispel the commonly held belief that 26 percent of our budget goes to foreign aid, when, as my friend Judge POE pointed out, it is actually less than 1 percent.

The U.S. foreign assistance operation does not lack passion. The men and women who put themselves in harm's way overseas and who take their families to remote areas of the world, often dangerous, in the interest of helping vulnerable populations, are certainly not seeking fame, glory, or fortune. They do it because they can envision a path to prosperity in even the most poverty-stricken areas of the world, and they see the promise of democracy in the face of the most repressive and authoritarian regimes.

While our passion is well-defined, our mission and metrics are not.

Regarding our mission, I was a staffer on the Senate Foreign Relations Committee the last time Congress actually passed a foreign aid authorization bill in 1986. The original Foreign Assistance Act of 1961, which Judge POE cited, listed five principal goals for foreign aid. Today, we have more than 260. Some are competing and some are redundant.

What is our core mission today?

Until January 2014, USAID's mission statement read as follows: ''USAID accelerates human progress in developing countries by reducing poverty, advancing democracy, building market economies, promoting security, responding to crises, and improving quality of life. Working with governments, institutions, and civil society, we assist individuals to build their own futures by mobilizing the full range of America's public and private resources through our expert presence overseas.''

That is not a clear mission statement. I am hopeful this bill will help us focus on the foreign assistance operations.

While I think we have some distance to travel in streamlining the legislative construct for foreign assistance and clearly articulating our mission, we have an opportunity today to make immense progress toward establishing badly needed metrics for aid programs with the passage of this bill. It is time to apply a data-driven approach to constructing an assistance operation that has the support of both this Congress and of a well-informed public.

I urge my colleagues to support this bill.

Again, I particularly thank my friend, Judge POE, for his leadership, for his initiative, and for his vision with respect to this subject. I know it is going to actually make U.S. foreign assistance investments in the future a lot more effective and a lot more accountable.

Mr. POE of Texas. Madam Speaker, I yield myself such time as I may consume.

I thank the gentleman from Virginia for his comments. A couple of things that he mentioned are worth mentioning again, I believe.

This very bill that we have been working on for a long time passed

unanimously in this House of Representatives 4 years ago in December. Why didn't it become law? Because, in the Senate's rules, one Senator was able to block the legislation from even being voted on in the Senate. So here we are again, 4 years later, trying to get this legislation passed.

My friend mentioned USAID and their mission statement. Nothing in the definition of ''assistance'' in this bill precludes USAID from reporting on data fields that it currently reports on for the Green Book and for OECD. So, if they are already making reports, this legislation, to be very clear, does not prohibit them from also making those other reports, but they will comply with the legislation in this bill.

I reserve the balance of my time.

Mr. ENGEL. Madam Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE), a valued member of the House Foreign Affairs Committee.

Mr. CICILLINE. I thank the distinguished gentleman from New York for yielding time.

Madam Speaker, I rise in strong support of H.R. 3766, the Foreign Aid Transparency and Accountability Act.

I want to begin by recognizing my colleagues, the distinguished gentleman from Virginia (Mr. CONNOLLY) and the distinguished gentleman from Texas (Mr. POE), for all of the work that they have done to get this important bill to the floor and to thank them for working, as they always do, in a bipartisan way on behalf of the members of our committee.

I also thank Chairman ROYCE and Ranking Member ENGEL for their leadership on this bill and for their creating an environment on the Foreign Affairs Committee, where we work together in a bipartisan way, and this legislation is a product of that work.

Madam Speaker, the Foreign Aid Transparency and Accountability Act will enhance the transparency and effectiveness of U.S. foreign assistance by requiring a framework for monitoring and evaluating foreign development and economic programs and for publicly disclosing the data and results.

The United States carries out a wide variety of assistance programs overseas, and it is important that there is a clearly articulated strategy and monitoring apparatus for our assistance. It is just as important that the American people have access to the information about what activities their tax dollars are funding. This is critical to sustaining public understanding and support for our diplomatic work and our foreign assistance.

I also want to take a moment to commend the Obama administration for making much of this information publicly available online on their Foreign Assistance Dashboard.

I hope that my colleagues support this legislation so that we can continue to increase efficiency and accountability in our foreign assistance programs. The American people deserve this, and it will make our foreign assistance better understood and more impactful. I urge my colleagues to support this excellent legislation.

Mr. POE of Texas. Madam Speaker, as I have no further requests for time, I reserve the balance of my time.

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

In closing, let me, again, thank Chairman ROYCE for bringing this bill forward and thank Representatives POE and CONNOLLY for their hard work.

Our foreign assistance helps improve the lives of countless people around the world, and it helps advance American interests and American values. Foreign assistance deserves the continued support of Congress. At the same time, we need to know that our foreign assistance dollars are being put to the best use possible, that we are getting the biggest bang for our buck. The American people expect no less when it comes to their tax dollars, and they are right.

So let's stand up for foreign assistance and for transparency and accountability by passing this bill. I urge a ''yes'' vote.

I congratulate Judge POE and Mr. CONNOLLY.

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

Mr. POE of Texas. Madam Speaker, I yield myself the balance of my time.

I want to thank Chairman ROYCE, Ranking Member ENGEL, and, of course, my friend, Mr. CONNOLLY from Virginia, for their support on this bill.

Madam Speaker, the Foreign Affairs Committee is probably more bipartisan than any committee in the House of Representatives. Almost everything that we do and the legislation we bring to the floor, the vast majority of Members support. Sometimes every Member supports the legislation. This is another one of those pieces of legislation that is good for the country and is really good for the whole world.

Transparency and evaluation is what this bill is about. As I started out in my comments, many Americans don't know what we do with their money. Let me just give a few examples:

Because of American aid, there are now millions of girls in other parts of the world who are getting an education. Because of Americans and their interest, half of the AIDS epidemic in Africa has been cut. It has been cut in half, the epidemic of AIDS in Africa. The life expectancy of people in Afghanistan, because of American aid, has grown 20 years. When it comes to the youth, many children throughout the world are dying because they have dirty water. It is not clean. Because of USAID and their help, that number has been cut in half. The children are now living because they are getting clean water.

Those are just a few things that are being done. We should be proud of those accomplishments.

We also want to make sure that those accomplishments and what we are doing with American money is transparent. We want to continue to evaluate it to see if it is working. If it is working, let's continue it, and if it is not working, then let's do something else.

I do want to thank those involved for their support, especially the chairman and the ranking member.

H.R. 3766 will give us the tools to make foreign aid programs efficient and effective, two words that sometimes aren't used with ''government.'' I strongly support this legislation.

And that is just the way it is.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. POE) that the House suspend the rules and pass the bill, H.R. 3766, as amended.

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

A motion to reconsider was laid on the table.

LASALLE LANCERS DID IT AGAIN

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

Mr. CHABOT. Madam Speaker, they did it again.

The LaSalle Lancers won the Ohio Division II State football championship for the second year in a row, and they won it convincingly, as they did last year, 42–0, this time over Massillon Perry.

One reason LaSalle was ready to compete and prevail for the State championship was they were challenged throughout the season by other great Cincinnati high school football programs. There is a saying, what doesn't kill you makes you stronger. Having to play Cincinnati powerhouse teams like Colerain, Elder, St. X, and Moeller didn't kill LaSalle, but it certainly made them stronger.

I am proud to say that LaSalle has been an important part of my life. I got my start in politics there by getting elected to the student council, and I played football, starting on the defensive line. Ten years later, my younger brother, Dave, also played defensive back for LaSalle. Of course, there is another saying, the older I get, the better I was.

So congratulations to LaSalle's players, coaches, students, teachers, parents, and supporters. Well done.

Lancers, roll deep. Congratulations.

□ 1800

IMPORTANCE OF ABUNDANT ENERGY

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). Under the Speaker's announced policy of January 6, 2015, the gentleman from Pennsylvania (Mr. ROTHFUS) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. ROTHFUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of my Special Order.

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

There was no objection.

Mr. ROTHFUS. I want to take a little time this evening to take a different look at American energy, Mr. Speaker. As many of you know, one of my core convictions is the importance of upholding the dignity of human life. Our task here in Washington should be to promote ideas and policies that allow people to live longer, healthier, and more rewarding lives.

It is in that spirit that I have joined with my fellow Pennsylvanian, Representative KELLY, and like-minded colleagues to host tonight's Special Order.

Starting last week, world elites gathered in Paris to negotiate climate change commitments and promises that, if enacted, could undo generations of human progress, progress that has provided us with the affordable and reliable energy necessary for humans to truly flourish.

I am here tonight to tell another side of the story, one that abandons the dogma of scarcity put forward by elites in Paris and climate change zealots in Washington. I want to shift this debate to focus on the remarkable story of human abundance. Affordable, reliable energy has been responsible for helping to improve and prolong the lives of billions of people around the world.

Energy powers our businesses. It keeps the lights on in our homes. It allows us to have fresh food and clean water. It powers our schools and our hospitals. Energy is in many respects a life or death matter. It is a moral issue, and it deserves more careful consideration than it has been given by the President.

I would like to highlight a little bit, just taking a look at some charts. In taking a look at what has been happening with the use of energy, a lot of the energy we get is carbon-based fossil fuel energy, whether it is coal, oil, natural gas. Yes, it has increased in recent history.

What also has happened in recent history? As CO_2 emissions have gone up, so has the wealth of this world and of this country. As the population has gone up, so has energy use. What is really striking, Mr. Speaker, is taking a look at how the increase in life expectancy has coincided with this energy revolution as well. As you can see, for much of human history, our lives were short, miserable, and lacking in fulfillment.

Consider that, until the industrial revolution, people lived 27 years, on average, earned little money, and faced limited opportunities. Again, though CO_2 has increased, so has incredible wealth, lifting billions of people out of poverty and life expectancy.

The point now is, in the United States, the average life expectancy is near 80 years old. As people learned to access the bounty of energy available, we turned it to our advantage. As we got better at it, incomes and populations soared.

This is another interesting chart, Mr. Speaker. As we look at the use of world energy, just going back over the last 30 years, the bottom line is energy use. The top line is the world GDP, the increase in wealth that we have seen coinciding with this increase in energy. You could take a look at some specific countries and see how energy has benefited them.

In China and India, both of which have industrialized and increased energy use over the last generation, life expectancy has increased by more than a decade. Infant mortality has plummeted by 70 and 58 percent, respectively, in China and India. This is all correlated with increased energy use and the availability of affordable energy resources.

As Alex Epstein argues in ''The Moral Case for Fossil Fuels,'' hundreds of millions of people have gotten their first light bulb, their first refrigerator, their first decent-paying job.

With all of our world problems, affordable energy has helped make this the brightest, most abundant time in human history. Some disparage the story as one of unseemly consumption and excess. I see it as a tremendous triumph of human ingenuity and a victory for those who put human well-being as our top priority.

We can tell the same story about Western Pennsylvania, where, once again, we are witnessing increasing prosperity attracted by affordable and reliable energy. This entails better opportunities for Pennsylvania's youth and a better quality of life. That is why I am so troubled by the President's actions at home and in Paris.

In negotiating a global compact, which will likely entail further restrictions on our access to energy, the President is unknowingly endangering our future well-being. By not taking his plans to Congress for approval, as should be the case with a treaty, the President is ignoring the will of the American people.

This is not a trivial point. The American people will be denied the opportunity to weigh in on something that will drastically impact their daily lives. Remember, the President said when he was a candidate in 2008 that electricity rates will necessarily skyrocket under his plan.

All of this comes in addition to heavy burdens that the American people are already grappling with. The so-called Clean Power Plan is an example. By forcing more power plant closures and placing stricter requirements on those that remain, the President's plan will raise energy prices by $289 billion through 2030, hurting American families and businesses large and small.

Research suggests that we will see 224,000 fewer American jobs being created each year because of this rule. We will also see reduced disposable income and weaker economic growth.

Minority communities will be especially hard-hit. A study from the National Black Chamber of Commerce found that the Clean Power Plan would increase poverty among African Americans by 23 percent and Hispanics by 26 percent. This is unacceptable, and it is immoral.

Real people will be hurt by these actions. Yet, few in Washington seem to be caring about these real human costs. That is why I have introduced a bill called the Fair Burdens Act. This bill would prevent the burden from endangering our prosperity and well-being until the EPA can verify that a sufficient number of countries have enacted similarly stringent policies.

In other words, the Fair Burdens Act would ensure that Americans aren't made to needlessly suffer and that our jobs aren't forced overseas, as the President unilaterally slows the American economy.

We can't just rely on legislation. We need to change the narrative and educate the public. Affordable, reliable energy is a vital ingredient for human prosperity and well-being. Ignoring this fact and taking ill-conceived policy actions as a result condemns millions of Americans and billions around the world to dimmer futures, higher energy costs, and less prosperity. We owe it to our constituents to defend their ability to live fulfilling, prosperous lives.

I want to thank my colleagues who have joined me here tonight to do just that. I yield to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Speaker, I think tonight is a great night for us all to get together. While we are very concerned about the cost to American taxpayers and the fact that we will be going away from our fossil fuels, which are so abundant, so accessible and so affordable, there is another issue that takes place at the same time.

In the Paris protocol, we have heard the President say very clearly—and he

has used this many times before—that things aren't getting done at the pace that he would like and that he has a phone and he has a pen and, if Congress can't act, he will act.

Well, I would like to suggest to the President, in fact, it is kind of shocking and stunning that a former professor of constitutional law would have a total disregard for the Constitution. I would like to tell the President that the Constitution is not a suggestion. It is who we are. It is what makes us an exceptional Nation.

Now, the United Nations' Framework Convention on Climate Change is taking place right now in Paris. It is stunning that the legacy of one man would overshadow what is good for not only our country, but the world.

Decisions made by this President and the commitments made by this President, he looks at it as an executive decision, not as a treaty, a treaty that requires him returning to the House and to the Senate. Particularly treating this as a treaty, it would take two-thirds of the Senate to concur with whatever it is that we are proposing. Again, as I said, this is a former professor of constitutional law. Yet, he continually defies it. He makes the House irrelevant.

This is not, by the way, a Republican or Democrat issue. This is an American issue. This goes to the very framework and the very foundation of who we are as a Nation. So when you look at this, it is really hard to believe that there is such disregard.

I would just say to the President that, if you go to article II, section 2, clause 2, it is very clearly stated: ''The President . . . shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur . . .''

Again, this is an overreach by an executive. It doesn't matter if it is a Republican sitting in the White House or a Democrat sitting in the White House or an Independent or a Libertarian sitting in the White House. It clearly is defined in our Constitution how these powers work.

Mr. ROTHFUS. I wonder, Mr. Speaker, if one were to ask a question of some high school students in a civics class—if you have an agreement, let's say, between two countries or three countries or four countries and those countries are agreeing to do things that are going to bind their respective citizens, you would ask those students, I would think, Mr. Speaker: What would you call that type of agreement?

I think every one of those students in a civics class might say a treaty. If it looks like a treaty, if it smells like a treaty and it works like a treaty, it is a treaty.

To just highlight what my colleague here has been saying, we have a process in our Constitution for when it is a treaty. It needs to get submitted to the Senate with a two-thirds vote.

I yield to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Speaker, I thank the gentleman for his contribution.

I mean, it really does come down to, well, tonight we are talking about energy and we are talking about setting targets and timetables that will be very expensive for hardworking American taxpayers' money. I would like to remind the President that the money he is talking about committing is not his. It belongs to hardworking American taxpayers.

This insane idea that somehow there is an endless amount of money to be thrown around the world for whatever reason possible and knowing that, really, the Paris protocol is nothing more than a conversation taking place in Paris.

There is no commitment from these countries to do all these things. There is an ask for these countries to do these things. What they are asking is: If we do comply with these suggestions, these targets, these timetables, will we be subsidized by the United States of America?

The President has been unbelievable to make the commitments that he continues to make. He does not have that power. Our Constitution clearly defines the separation of powers. It is clearly structured so that no one body can run roughshod over the other body. This has been a concern forever. Yet, this President consistently time after time disregards the House and the Senate.

□ 1815

As I said earlier, this is not about Republicans or Democrats. This is about America and America's future. In this case, it is about energy. But as we go forward, what other overreaches will this Executive take? What other things will he do because it is about his legacy and not about the well-being of our country and our people. It is shocking. It is stunning that he would continue on this path.

What is even more stunning to me is that the American people sit idly by and watch this happen day after day, week after week, month after month. In 7 years of watching this, they sit back and say: I am not sure that he doesn't have the power to do this. Well, let me tell you, it is clearly defined in our Constitution that this President does not have this authority. In fact, no President, no Executive has the authority to do what this President is continuing to do.

As we meet here in America's House and we look at what can you do, because people back home tell me all the time, ''Look, I agree with you, but what can you do about it?'' and I know that for myself and my colleagues, we refuse to sit by idly and watch our Nation be given away and watch our Constitution be run over roughshod because of one man's legacy. This is not what is good for America. This is what is good for this administration and this President. That is not only shameful, it is unconstitutional and cannot be tolerated.

That is why, with Senator LEE in the Senate and myself, we have come up with H. Con. Res. 97 that states any commitment of funds, hardworking American taxpayer funds, has got to come before the Senate for its advice and consent.

As I said earlier, we can debate and we can talk and we can amend, but what we cannot condone is an Executive who has a total disregard for this House and for the Senate. As I said earlier, we need colleagues on both sides. This is not a Republican issue or a Democrat issue. This comes down to the very foundation of who we are as a country.

If we turn our back on this, what will be next? The continual disregard for the Constitution is not only of grave concern to me, to my colleagues, but every single American, regardless of how you vote or how you register. That is not the issue, my friends.

The issue is, when do the American people in America's House, with the Senate, stand up and say there will be no commitment of hardworking American taxpayer dollars unless it comes before the Senate as a treaty and gets the advice and consent of the Senate, two-thirds of which are required to pass this?

I know we are coming to an end in Paris, and I know there is great concern of getting to Paris to find out exactly what the Paris Protocol is structured with, but I would just say this: Before you pack your bags and leave, take a copy of your Constitution with you.

For those folks sitting back home and watching this happen, please, get out your Constitutions and look. For our schools, please start to preach and teach the Constitution, of which too many Americans are woefully uninformed.

Mr. ROTHFUS. It struck me as my colleague from Pennsylvania was talking about the Constitution. What he was getting at, Mr. Speaker, was a simple concept of authority and whether the President has authority to do what he is doing in Paris. The President is allowed to negotiate certainly. He can conduct foreign affairs. It is pretty clear in the Constitution that he has that authority to do so. But the President, on his own, does not have the authority to obligate American taxpayers to pay into any kind of fund. It is the House and the Senate that do the appropriations.

I am mindful that my colleague came out of the auto business, where he sold cars. I can imagine a situation where

you might have a customer coming in, let's say a 15-year-old, who wants to go in and buy a car. Of course my colleague might welcome this individual to the showroom, and this individual, a 15-year-old kid, might make an offer, but I think he is going to be asking: Well, does this person have the authority at the age of 15 to make an offer? Maybe the kid will say: Well, I am doing it for my mom and my dad. Well, you are going to want to see what authority he has. I am mindful that our Constitution gives the authority to spend money to the Congress, which would then be signed by the President.

I yield to my colleague if he wants to close.

Mr. KELLY of Pennsylvania. I would tell you this, and I think if there is anything more telling of the view that this administration has, all you have to do is go back in time to March of 2015 this year when Josh Earnest, who represents the White House in all the briefings, was asked by a reporter in regard to the Paris Protocol and in regard to the climate control conference that would be taking place.

This is so typical of this administration. The reporter looks to Mr. Earnest and says to him: Is this the kind of agreement that Congress should have the ability to sign off on?

Now, you would think that somebody who works for a former constitutional law professor would have a little bit of an idea when it comes to speaking; and even while they may feel in their heart that they have a total disregard for this body, I don't think that they would be encouraged to speak out the way Josh Earnest did that day. Let me read what Josh Earnest said when the reporter asked him: Is this the kind of agreement that Congress should have the ability to sign off on?

He looks him right in the eye and says: I think it is hard to take seriously from some Members of Congress who deny the fact that climate change exists that they should have some opportunity to render judgment about a climate change agreement.

Is that not stunning? And not only stunning, but chilling that, coming out of the White House, the spokesman for the President of the United States again consistently expresses the attitude of this President in that: Are you kidding me? We are actually going to have the people's House, the people's Representatives weigh in on a climate change initiative? They are not qualified. They only represent the people. No. We will make that decision. And he again totally trashes the House of Representatives.

By the way, for my friends who don't speak up when this happens to them, you got trashed, too, my friends. I have watched you stand and applaud a President who says consistently that: I do not need the House of Representatives to effect change. I will use my phone and I will use my pen, and I am tired of waiting for these people.

Well, Mr. President, once again I say to you that the Constitution is not a suggestion. It is who we are as a nation. It is what makes us great. It is what allows the people to decide how they will be governed, not the government to decide how the people will be governed. This is such upside-down thinking.

While I am concerned, as you are, with the abandonment of our fossil fuels and turning our economic revival upside down, I am more concerned with an administration that consistently turns upside down our Constitution, runs roughshod over the House of Representatives, disregards the Senate, and then sits back and says: This is the way it is going to be because I am the President of the United States.

I tell you, Mr. President, you are the President of the United States. You take the same oath all of us take. If for some reason you can't remember what it is, please take a look at it and remind yourself who you are, what you are, and whom you represent.

The SPEAKER pro tempore. Members are reminded not to engage in personalities toward the President, and Members are reminded to address the Chair and not a perceived viewing audience or other Members in the second person.

Mr. ROTHFUS. I thank my colleague from Pennsylvania for his observations about our Constitution and what it requires.

I yield the floor to my colleague from Missouri (Mrs. HARTZLER), who has been a very strong advocate for her constituents and for the energy policy that we need to have in this country.

Mrs. HARTZLER. Mr. Speaker, I appreciate the opportunity to join with Representatives ROTHFUS and KELLY and all my colleagues here tonight expressing concern about the reports coming from the Conference of the Parties, or COP 21, talks in France of a planned end-around of the Senate.

It is unacceptable to me that this administration is negotiating a major international agreement, promising vast sums of taxpayer dollars, with no intention of allowing the people's representatives to weigh in on a final agreement. While the President's team is in Paris trying to finalize a deal, we have been here listening to our constituents. That should be our goal: to listen to Americans and to fight to lower their electricity costs, not obligating taxpayers to send billions of their hard-earned dollars overseas to implement climate change schemes.

Nor should we continue down this path of forcing rate increases on the hardworking families in America, yet that has been the President's plan all along, Mr. Speaker. In 2008, President Obama proudly announced his vision for energy costs in our country. He said: ''Under my plan of a cap-and-trade system, electricity rates would necessarily skyrocket . . . coal . . . natural gas . . . you name it . . . whatever the plants were, whatever the industry was, they would have to retrofit their operations. That will cost money, and they will pass that money on to consumers.''

His plan: make them pay more. Even though his cap-and-trade legislation failed in Congress, the administration has not given up and continues to ignore the voices of the American people by passing rules that implement them, despite the law, and by traveling to Paris to work a deal to inflict more mandates on the American people.

Even now, with little support here at home, negotiators are working every angle to make sure a deal is secured, no matter how onerous it is to senior citizens and low-income families living paycheck to paycheck and for whom a rate increase will hurt the most.

This agenda has been a hallmark of the administration when it finalized the EPA's recent Clean Power Plan rules on existing and new power plants, which amount to a disguised cap-and-trade program.

But we are listening to the American people. Upon the start of the Paris talks, both Chambers of Congress passed joint resolutions against the EPA's Clean Power Plan rules for new and existing power plants to nullify the rules put in place which were done by ignoring the will of the people.

Twenty-seven States have also taken the EPA to court over these two rules. It is important that we do this. Missourians rely on affordable energy. Americans everywhere rely on affordable energy, and to ignore their needs and wishes is irresponsible.

We do not need extreme, arbitrary mandates that will cost hundreds of billions of dollars over the next 15 years, close power plants across the Nation, eliminate jobs, and close off access to reliable, affordable energy for the most vulnerable in our society.

We need to promote policies that increase access to affordable energy, tap into the abundant energy supply, and create a reliable infrastructure supported by American labor and ingenuity.

We need to make sure that Americans' voices are heard, which is why I proudly stand with my colleagues in support of Congressman KELLY's concurrent resolution requiring the President to send any agreement stemming from these talks in Paris to the Senate as a treaty for advice and consent from those sent here by the people to represent them.

We need American energy policy that works for the American people, not against it. They deserve a fair process that upholds the constitutional authority of checks and balances envisioned by our forefathers.

I urge my colleagues to stand up for the American people and support this resolution so the people's voices will be heard.

Mr. ROTHFUS. Mr. Speaker, those who disagree with us and our colleagues point to the wisdom of the experts on the potential impacts of climate change, but we know that many of the so-called experts have historically been wrong, often significantly wrong.

In 1986, John Holdren, a senior adviser to President Obama on science and technology issues, predicted: ''carbon dioxide, climate-induced famines could kill as many as a billion people before the year 2020.''

Since then, we have added almost 2½ billion people to the planet, an increase of almost 50 percent, and we aren't seeing a billion people dying from famine. We continue to make significant progress with improved technology, and we are feeding more people than ever, and people are living healthier and longer. We could not have done this without accessing abundant, affordable, and consistent energy.

Paul Ehrlich, another so-called expert on this issue, predicted in 1970, that: ''By the year 2000, the United Kingdom will be simply a small group of impoverished islands, inhabited by some 70 million hungry people . . . If I were a gambler, I would take even more money that England will not exist in the year 2000.'' Well, England still exists, and it is doing better than ever.

□ 1830

England's Chancellor of the Exchequer was recently published in The Wall Street Journal bragging about the nation's turnaround under conservative leadership: ''How Britain Got Its Mojo Back.''

To paraphrase Mark Twain, the report of Britain's death is greatly exaggerated, to say the least. If we had listened to the inaccurate and dire predictions of these experts and chicken littles and curtailed energy usage, our world would certainly look differently than it does. It would be poorer, less well fed, and billions of people would be generally worse off.

I yield to the gentleman from Alabama (Mr. PALMER).

Mr. PALMER. Mr. Speaker, I want to thank my colleague from Pennsylvania (Mr. ROTHFUS), and I want to commend my colleague and friend, the gentleman from Pennsylvania (Mr. KELLY), for his eloquent and passionate defense of constitutional government.

It is not just the administration's efforts here to ratify something and bypass Congress without any input from us, but they are also making laws through agencies, such as the EPA. We are engaged right now in a debate over the Clean Power Plan, which is a reiteration of cap-and-trade. It is all about regulating greenhouse gases. They have started this process because in 2007, the Supreme Court, in a 5–4 decision, said that the Clean Air Act gave the EPA the authority to regulate greenhouse emissions. Not everyone agrees with that.

As you see here on the easel, I have a quote from former Representative John Dingell. This is what he had to say about the Supreme Court's decision in EPA v. Massachusetts. He said:

''Like most members of this committee, I think the Supreme Court came up with a very much erroneous decision on whether the Clean Air Act covers greenhouse gases. Like many of the members of this committee I was present when we wrote that legislation. We thought it was clear enough that we didn't clarify it, thinking that even the Supreme Court was not stupid enough to make that finding.''

I want to state for the record, Mr. Speaker, that I am in no way making personal references to the members of the Court, particularly the five who voted for that decision. That is Mr. Dingell's opinion. But I think it is clear that it was never Congress' intent to allow the EPA to do this.

The point here is that we have had a debate over regulating greenhouse gases. We did that in 2010 in the form of the cap-and-trade bill. And Congress, with Democrat majorities in both Houses, said ''no.'' Yet the President is intent on making the United States a party to a legally-binding agreement to reduce greenhouse gas emissions that will have almost no measurable impact on global temperatures. The EPA has admitted that in testimony before the Science Committee.

This is basically a public relations effort to encourage other nations to reduce their greenhouse gas emissions. As Mr. ROTHFUS has pointed out, the cost on the American economy, and particularly on low-income families, will be enormous. Also, on single-income households and senior citizens.

Even the former lead author of the International Panel on Climate Change, Philip Lloyd, asserted in a new paper that there is strong likelihood that the major portion of observed warming is due to natural variation. If it is due to natural variation, there is little to nothing that we can do about it.

Congress has been bypassed by the EPA and other Federal agencies for too long. Is time to stand up and reassert ourselves as the sole body empowered to make law under the Constitution.

The debate over greenhouse gases and climate change is not the central issue. This is really about the EPA and this administration usurping the authority of Congress to make a law.

As my friend from Pennsylvania (Mr. KELLY) explained, the issue is that the authority of Congress, and consequently the right of American citizens to representation and the making of our Nation's laws is being seriously diminished.

Under our Constitution, Congress makes the law and is held accountable by the people through elections. The effort to restrain the EPA is more than a policy position on an issue, but a matter of fidelity to the Constitution and the clear separation of powers doctrine that is essential to the successful functioning of our government.

As the people's elected Representatives, and I want to emphasize it is elected Representatives, not elected bystanders, it should be one of our top priorities to reassert Congress as the originator of law and reestablish congressional accountability for the regulations issued by Federal agencies, by requiring a vote on the regulations that have a significant impact on the economy. This would have a devastating impact on the economy. By doing so, not only will the economy benefit, but the Representative and accountable government will be restored in the process.

I urge all my colleagues to support my friend from Pennsylvania's resolution to require that the President submit any agreement reached in Paris to the Senate for their advice and consent.

Mr. ROTHFUS. I thank my colleague for his comments.

Let's take a look at where we are at in this debate over energy use and what has been going on in Paris. Again, it always seems to be a one-sided conversation about all the negatives and all the dire consequences. I highlighted a few of the examples before of what some of the advocates have been saying, and how their dire predictions did not come to pass.

Too often, Mr. Speaker, we take for granted how easy it is to live with constant access to reliable sources of energy. Our health, indeed our lives, and the lives of those who we love, often depend on our access to reliable energy available to us at every hour, every day. People in the developing world cannot yet say the same.

There is a powerful story of an unborn child who suffocated in utero in Gambia comes to mind. This tiny, three-pound little girl could not be saved, because the hospital did not have access to a reliable source of energy. Her mother required an emergency C-section, but the surgery could not begin until a generator was powered on. Precious minutes were lost, so precious life was lost. Without a reliable, consistent form of energy, the hospital did not even own an incubator, which would have also been necessary to save this baby's life.

We cannot forget how important affordable, reliable energy is for every human person, and how attacks on these sources of energy are attacks on life itself.

I yield to my colleague from Texas (Mr. WEBER).

Mr. WEBER of Texas. Mr. Speaker, I rise today to condemn the President's actions to regulate our power plants and his efforts to commit the United States to such onerous regulations through the United Nations. At no other time in our history has a President been more wrong more times on so may issues that this country is facing today than President Obama, Mr. Speaker.

At a time when our country is being attacked from inside our borders and radical Islamists are gaining ground all over the world, this administration is obsessed with climate change? And, he refuses to admit the radical Islam is our enemy? It makes me wonder if he thinks that Syed Farook in English means ''global warming.''

It is clear that he is intent on regulating our Nation's economy and hurting its citizens instead of focusing on the immediate threat. You can't make this stuff up, Mr. Speaker. I guess you could say the threat he should be focused on is global swarming. He just doesn't seem to get it, Mr. Speaker.

The sad fact, Mr. Speaker, is even if every country abided by its greenhouse gas emissions reduction commitments, temperatures would continue increasing 2.7 to 3.7 degrees Celsius. Without these reductions, temperatures would increase 3.0 to 4.0 degrees Celsius. The difference is miniscule.

Mr. Speaker, there are no positive economic or environmental benefits to the President's unlawful regulatory actions. Instead, the administration's pledge to the U.N. threatens job creation and economic growth right here in the United States of America.

According to one independent analysis, the economic cost to Americans will be approximately $29 to $39 billion each year. Electricity prices for consumers in 40 States could increase by at least 10 percent, or more. He has already been quoted during his campaign saying that under his administration, electricity prices would, by necessity, skyrocket. These are his words, not mine.

This represents nothing less than a war, Mr. Speaker, on low-income families, and would further increase economic inequality.

Mr. Speaker, our country is in a crisis. Instead of its foolhardy and unconstitutional plan to regulate our climate, this administration should be focusing on the livelihood and safety of this Nation and Americans.

It is no secret that there are people around the world who hate the United States and wish to see its demise. There are attacks being planned and plotted even as we speak, Mr. Speaker. Yet this administration claims that that threat is contained and global warming is our main threat. Tell that to the 14 people who were tragically murdered while celebrating Christmas in San Bernardino.

That is how I see it here in America, Mr. Speaker.

Mr. ROTHFUS. I thank my colleague.

I yield to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Mr. Speaker, I thank my colleague for doing this very important Special Order. I commend Mr. ROTHFUS and Mr. KELLY for doing this.

I have got several things I would like to talk about. The first thing is that 190 countries are meeting in Paris to negotiate a new international agreement on climate change at the 21st session of the Conference of Parties.

According to the U.S. Special Envoy for Climate Change, President Obama intends to commit the U.S. to giving tens of billions of dollars per year to finance green energy initiatives in developing countries to reduce emissions by 26 to 28 percent below levels by 2025.

America, wake up. These tens of billions of dollars are coming out of your money. We have seniors that can't buy health insurance or pay their rent or insurance. We have seniors and other families that are suffering here in America. But yet, the President wants to commit tens of billions of our hard-working American taxpayers' money, and mine, too, to these other countries.

The Obama administration has indicated that the President does not intend to submit the Paris agreement to the Senate for its advice and consent as an article II treaty. This is a clear violation of the constitutional laws and ideals of America, and it will not be tolerated. We will hold him accountable.

The lack of progress becomes even more apparent when you start looking at the country level. China, for its part, offered to reach peak carbon dioxide emissions around 2030, while reducing emissions per unit of Gross Domestic Product by 60 to 65 percent by that time from its 2005 levels. But the U.S. Government's Lawrence Berkeley National Laboratory has already predicted China's emissions would peak on their own around 2030, even without climate change initiatives. So they don't have any skin in the game.

A Bloomberg analysis found that China's 60 to 65 percent target is less ambitious than the level it would reach by continuing business as usual. All this came before the country admitted it was burning 17 percent more coal than previously estimated. That is more coal than the entire country of Germany.

So, our government, our President, and this administration want to bind America to a United Nations treaty.

And let's look at the facts. America has been blessed with an abundance of energy sources. We should utilize all those sources to the best of our ability—from coal, petroleum, natural gas, solar, wind, hydro electric, and even manmade nuclear energy. We should use those to the best of our and society's advantage.

□ 1845

We should not cripple the American power companies that supply energy to the manufacturers of America that employ the American citizens at the whim of an administration's green agenda and is paid for on the backs of hard-working American citizens in the way of lost jobs that go overseas because of higher regulations and energy costs, decreased wages because of a decrease in competition in the job market, higher energy costs felt by all of our citizens, but more on the lower end, as has been mentioned here, on the economic income scale because a higher percentage of their money goes to pay their utility bills.

Look at the facts. Geologists think the world may be frozen up again, 1895.

Disappearing glaciers—disappearing glaciers—slowly with a persistence that means there is going to be complete annihilation. That is in 1902.

Professor Schmidt warns us of an encroaching new ice age, 1912.

Scientists say Arctic ice will wipe out Canada, 1923.

The discoveries of changes in the Sun's heat and the southward advances of glaciers in recent years have given rise to the conjectures of the possible advent of a new ice age, 1923 again.

Most geologists think the world is growing warmer and that it will continue to get warmer, 1929.

The point of this is the consensus of scientists has been wrong over the course of the years. If you look at recent facts, that 2-degree Centigrade benchmark that the scientific community says we can't get warmer than 2 degrees or life on Earth is going to stop to exist as we know it, that is not a scientific number. That is an arbitrary number. I did the research on it.

That number comes from an economist in 1970 that the environmental community has gravitated to. They have used that as a benchmark, and it is a fallacy.

The Earth's temperature has increased approximately one-half of a degree Centigrade over the past 20 to 30 years. This comes from the NASA Web site. I encourage the American people that are watching this to go to the NASA Web site. Look at the facts.

Also look at that half-a-degree Centigrade increase in our temperature in the world. It partly is attributed to the new way they are measuring things today. They are more accurate than they were 20 or 30 years ago. So that is a variation.

The other thing is they predict and they estimate that over 50 percent of that half-a-degree Centigrade increase—over 50 percent of that—comes from solar activity, not manmade or anthropogenic causes.

So what does that mean? That means do we just not really even look at the causes of these? No. Not at all.

Let's look at the facts. Even in left-leaning publications—in fact, I brought one here. I don't want to call them left-leaning, but the article in The Economist has a 14-page ''Clear thinking needed'' on climate change.

Even in this article they had some fallacies. One of them was saying the warming in the world is 100 percent by human activity. That is a fallacy. That is false reporting.

The other thing is they go in there and they say that, with all the wind power that we have put into the world, around the globe, and all the solar activity around the globe, and the massive government programs to supplement these, it has failed to make a dent in the so-called manmade CO_2 output on a global scale, and it is not reliable.

All those other forms of energy, the renewables, they are not reliable for baseline production, which is needed for national security.

As I close, I just want to say this: As I said, America has been blessed with an abundance of energy sources. So let us, as leaders of this great Nation, make energy policies that are common sense in nature and don't entangle us, as a Nation, with other nations that cripple us as a Nation not just economically, but they weaken our national security, and they are going to be paid for by all Americans and, again, felt mostly by those that can't afford it.

This treaty is a bad deal, and the President owes the respect to the American people to go through the people's House and the Senate to have any agreement binding.

I thank my colleague from Pennsylvania, and I ask him to continue the good work.

Mr. ROTHFUS. I thank the gentleman from Florida for his remarks.

Again, Mr. Speaker, I would like to just talk about this word denial that we hear thrown around a lot in this debate. There has been no denial, Mr. Speaker, of the benefits that humanity has enjoyed because of fossil fuel use over the last decades.

Again, I am going to pull up this chart here. The benefits are clear. The lower left graph is GDP per person in the world. It has skyrocketed, coincidentally, with the increase of energy use.

But life expectancy has skyrocketed over the last 200 years, again, coincident with increased energy use, access to reliable, clean energy.

It is no wonder. You consider how energy is deployed. Take water, for example. The tremendous progress that we have made with clean water and pumping stations and ways to pull water in and to clean it, that is all done using fossil fuel-based energy, whether it is coal, gas, oil. There has been a tremendous success over the last 200 years as humanity has looked for energy and used fossil fuels-based energy products.

Mr. Speaker, if President Obama and the unelected Federal bureaucrats at EPA had installed today's regulatory regime in the 19th century, my district and this country would look vastly different.

Access to reliable, affordable energy has improved the quality of life of people wherever it is available, which is why the Clean Power Plan is so deeply misguided.

It will also raise energy prices again by $289 billion through 2030, fulfilling a promise that the President made in 2008 when he said electricity rates would necessarily skyrocket.

But minority communities will be especially hard-hit. Again, a study from the National Black Chamber of Commerce found that the Clean Power Plan would increase poverty among African Americans by 22 percent and Hispanics by 26 percent. This is not acceptable.

In addition, the President's energy agenda constrains our energy mix and distorts the market to benefit certain politically favored technologies, regulations that reduce Americans' access to reliable, affordable energy sources, endangers our grid stability, putting millions at risk of losing power during times of peak demand.

Meanwhile, the Clean Power Plan will avert only two one-hundredths of a degree Celsius of warming over the next 85 years. That is less than 2 percent of 1 degree Celsius. It is not a fair tradeoff.

American energy policy should promote economic growth and prosperity so that we can tackle our debt. This is such an important point, Mr. Speaker.

When we have these debates and conversations about whether it is going on in Paris, whether it is going on in Congress, and we talk about American energy and coal and gas, nuclear, other forms, it is not all pain, the pain that those who are running around and saying the sky is falling, the sky is falling. Time and again, their predictions have been proved false.

It is undeniable, Mr. Speaker, that access to affordable, reliable energy has greatly advanced humanity. And humanity can figure it out. We have made tremendous, tremendous progress with the environment over the last 50, 60 years.

Certainly we have seen that in Western Pennsylvania, and that progress is going to continue. It continues, in part, because we have access to great, reliable, abundant, cheap electricity. Fossil fuels have enabled that progress and will continue to enable that progress.

As we meet the challenges of a changing climate, Mr. Speaker, it is human ingenuity that is going to pull us through, human beings, persons, empowered to live lives freely.

Look what Holland has been able to do with the sea over the last 400 years. Before the advent of all the huge machines that can move dirt around, they have been holding back the sea and building levees and dikes. It has been remarkable what the people of Holland have been able to do, even more so now that we have access to the technologies that we have.

Mr. Speaker, we should be leading the world in heavy technology, as we address concerns with rising sea levels.

There is no reason, Mr. Speaker, to doubt the capacity of the human person and human ingenuity to overcome these challenges that may face us. But we can't be in denial about the fact that fossil fuel energy has been a tremendous boon to humanity.

In closing, Mr. Speaker, we have tremendous challenges—tremendous challenges—ahead in the coming years. We are $18 trillion in debt as a Nation, and we have tens of trillions of dollars in unfunded liability.

We need to be growing like you have never seen before. With access to cheap, reliable energy, we will be able to pull ourselves out of debt. We will begin to have that renaissance in our economy.

We have to meet those challenges we have. But if we expect to meet those challenges, if we expect to meet the commitments we have made on Social Security for Grandma and Medicare and meet the commitments we have made to our veterans, tens of thousands who have sustained life-changing injuries over the last 14 years, we need to be growing again.

A key access to that growth is to have access to abundant, reliable, cheap energy. We know what it has done historically: increasing incomes, lifting people out of poverty, increasing life expectancy, increasing food production, increasing water purity.

Mr. Speaker, this is a success story that needs to be told.

I yield back the balance of my time.

OUR FIRST OPPORTUNITY TO MOVE TO PROTECT AMERICANS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, I don't propose to take an hour, but I do propose to bring a very important issue before the House and before the American people. Today we had our first opportunity to really move to protect Americans.

Presently, if you are on the no-fly list, which is not easy to get on—there has to be some very specific reason why you could be a threat to American citizens, to the airplane on which you might be traveling, or you might be entering this country for some nefarious reason, like terrorism.

But if you are on the no-fly list and you do happen to be in America, you can go to a gun store or to perhaps any fairground where there is a gun show and you can buy a weapon, virtually any gun, an assault weapon, a handgun, a shotgun.

And the question arises: If you are too dangerous to fly, are you not too dangerous to buy a gun?

But, under American law today, you can, indeed, be too dangerous to fly. You could be a threat to the other passengers or to a tower, to an airplane. But, apparently, you are not a threat to buy a gun.

In fact, there are some 16,000 people, a very small portion of the American citizenry, that are on the no-fly list. Since 9/11 in 2001, more than 2,000 men, probably women, who are too dangerous to fly on the no-fly list have been able to purchase guns here in the United States.

So let's see if we get this straight. You have been designated by the Department of Homeland Security and the various Federal Government agencies—TSA, FBI, quite possibly the CIA, and others—as being a threat to the security and safety of America and Americans, and you are put on a no-fly list, meaning you can't get on an airplane.

□ 1900

You are not able to buy a ticket, you are not able to travel, and yet you find some way to go down to the local gun store in those States that do not have background checks or maybe a gun show where there are no background checks, you present yourself and say: ''Oh, that is a pretty good-looking AR–14. I'd like to have it.''

''Sure, you got the money?''

''I got the money.''

''Here is the gun.''

This makes no sense whatsoever. Somehow I think the American public gets this. If you are too dangerous to fly, then you are too dangerous to be able to buy a gun in America. It is that simple. There ought to be a law, but there is no law.

Here in the House of Representatives, many of us have been trying for, actually, several years to deal with this crazy loophole in our gun safety laws; yet we have been unable to have a bill come to the House floor where 435 of us that represent all of the American citizens will have an opportunity to vote on whether we believe that, if you are too dangerous to fly, you are too dangerous to buy a gun.

So today my fellow Democratic representatives and I—about 135 of us thus far—have signed what is known as a discharge petition so that a bipartisan piece of legislation introduced by Representative KING of New York, who is a Republican, could be brought to the floor and all of us face the responsibility of selecting whose side do we stand on. Do we stand for the safety of Americans and prevent people that are too dangerous to fly from being able to buy a gun, or do we stand with those on the no-fly list that are presumably dangerous and say: ''Oh, yeah, you ought to be able to buy a gun even though you are too dangerous to fly''?

Now, for my American friends out there, all of you, voters and nonvoters, don't you think it is time for your Representatives, 435 of us, to stand before you in this House and say: ''We agree that if you are too dangerous to fly, then you are too dangerous to buy a gun, and you cannot buy a gun,'' or stand here before all the American public and say: ''No, no, no. If you are too dangerous to fly, go ahead and buy a gun''?

So, Mr. Speaker, that is what a discharge petition will do. It will take our Republican friend's bill, Mr. KING of New York, bring it to the floor and put the issue before your Representatives, before the representatives of the American people, and cause us to make a choice for your safety or for the presumed right of a person who is too dangerous to fly to be able to buy a gun. It is pretty simple stuff. We will see what happens.

That issue is now bubbling around here on the floor. Today there were four motions to adjourn, which is a way of disrupting the normal procedures of the House—which are terribly abnormal to begin with—and causing the attention of the membership of the House and the press from the press box, or wherever they happen to be, to focus on this one—one—issue: whether those 16,000 or so people that are on the no-fly list can also go out and buy a gun. Two thousand already have.

By the way, Mr. Speaker, we ought to quickly discuss this issue of, well, there is a constitutional issue here, an issue in which these people are on a list but they have no ability to get off—no. Not so. Not so. When the no-fly list was first put together following 9/11, the issue was raised of the constitutionality of it by the American Civil Liberties Organization. It went to a Federal court, and the Federal court said: No, we disagree with you. We believe this is a constitutionally authorized protection of the American public, and there is a procedure for an individual to petition to get off the list. So this issue of constitutionality was decided some years ago by a Federal court.

So, Mr. Speaker, the arguments that you will undoubtedly hear here about this being, oh, an infringement of the constitutional right for an individual to buy a gun, no. This issue has already been resolved. If you are on the no-fly list and you think you shouldn't be there, you have got a procedure, a program underway and available to you to remove yourself from the no-fly list, and the court said it meets constitutional muster.

So, taking it a step further, we know a lot of Americans of certain classes that cannot buy a gun: criminals, convicted felons, people that in some States have been involved in domestic violence, and people that have exhibited mental health issues. Those people are barred in many cases from not being able to buy a gun. So we would add to that category people that our law enforcement agencies have deemed to be dangerous, quite possibly terrorists, or abiding and assisting terrorist organizations. If you can't fly, we just simply say that you can't buy a gun also—pretty simple.

My Republican colleague, Mr. KING, is correct. The issue is not resolved. The issue will be back before us tomorrow, the 9th day of December, for those of us that believe that if you are too dangerous to fly, you are too dangerous to buy a gun. Those of us that believe this to be the right policy will continue to push this issue for the safety of Americans.

Mr. Speaker, 16,000 people may not be able to buy a gun if this becomes law, and that is a good thing, because we know already 2,000 people that are on that no-fly list—actually, more than 2,000—have been able to buy a gun. What did they do with it? Well, maybe they went out and shot quail, or maybe—we pray not, but we don't know, do we?

So, Mr. Speaker, the issue is before us, as are many, many important issues, but I don't think there is any issue more important than the safety of the American people. We know that if somebody is thought to be dangerous, then they ought not have a gun.

Mr. Speaker, I hope that this House will see the wisdom of taking a small step and denying some 16,000 people, many of whom are probably not even American citizens, the opportunity to buy a gun.

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

TERRORISM AND OUR RIGHT TO BEAR ARMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, there has been so much in the news, and our friends here on the floor have been raising questions about responsible, reasonable gun control. We want gun control that does not violate the Second Amendment of the Constitution, the purpose of which is to allow citizens to protect themselves. It is not just for hunting, but to allow citizens to protect themselves.

The thing that I noticed, Mr. Speaker, in my decade as a judge, the criminals that came before me for crimes involving a gun, I can't remember any of

them—I think I handled around 6,000 felony cases that went through our court. I can't remember any where they went down to a gun store and bought a gun. They stole them or they bought them from other criminals. With the 100 million guns that I understand have been purchased in recent years, it doesn't look like there will be any chance to remove guns from anyone except law-abiding citizens.

Mr. Speaker, it has been interesting. We inquired, my Republican friends, my colleagues here, we inquired over and over, and still 7 years after President Obama took office, we know that shortly thereafter there was a scheme hatched within his administration to sell guns to criminals that would get to Mexico and fall into the hands of drug cartels. They didn't adequately monitor them. There was nothing put on the guns so they could be traced exactly where they were going. We know one of them was used to kill one of our own government agents. So whether it was intentional, reckless disregard for an American Government agent's life who was working for the President to have one of the President's subsidiaries or employees provide guns in such a way that they would end up killing one American agent and, apparently, hundreds of Mexicans—and we don't even know the full extent because we can't get answers from this administration.

Eric Holder intentionally withheld evidence. He refused to provide information. I felt like he should have been impeached and thrown out of office. We never got answers about Fast and Furious, but we did see emails where, within this administration, even after they got caught, that this administration had facilitated weapons being provided and sold to people who would take them to the drug cartels of Mexico. Even after they got caught, they were still wondering if it might be possible to use the fact that these guns were being used to create violence to justify attacks on the Second Amendment and taking away Americans' gun rights.

Apparently, November was a huge month for the sale of guns; and apparently, Black Friday, in the past week, has been a record for—not a record, but just a massive number of guns being sold. I believe I saw there were 185,000 requests for gun purchases on Friday after Thanksgiving. Regardless of what the number was—that is not completely accurate—it is staggering. How many people are now in fear for themselves and their families because of the policies of this administration?

Now, because of Fast and Furious and how there were people in the administration that were contemplating the sale of guns to drug cartels that this administration facilitated as a reason to have more gun control, it does make you question the motivation of some of the administration's policies. We know that, especially in the last 5 years of George W. Bush's Presidency, his administration was vigorously prosecuting gun violations. But in 7 years, this administration has never prosecuted as vigorously as the Bush administration did in those times. Then we find out that not only were they not prosecuting as vigorously as they did in those last 5 years of the Bush administration, but in recent years, they have been cutting back on the prosecution of gun violations.

So we find out that, in 2013, gun violation prosecutions by this administration diminished. Then we find out that in 2014, they diminished even further by this administration. Then we find out that in 2015, this administration set a record for the last 7 years of prosecuting fewer gun violation crimes than any administration—well, this was the lowest year, this year, any of his last 7 years.

So, Mr. Speaker, the administration, as they have increased the demand for more gun control to take guns away from law-abiding citizens, they have been decreasing the number of gun violations they have prosecuted. In the wake of this administration's involvement in Fast and Furious and trying to use it to promote more gun control on law-abiding citizens, it makes you wonder what is the reason this administration continues to prosecute fewer and fewer gun crimes?

□ 1915

It is as if this administration—and I am not saying, Mr. Parliamentarian, through the Speaker, I am not saying a specific person or the President. I am not violating the House rules. But I am saying this administration in bulk, which doesn't violate the House rules, somehow has had this policy of prosecuting fewer and fewer gun crimes at the same time they are increasing rhetoric to have more gun control. It is as if—and I am not alleging; I am just saying. It is as if they wanted gun violence to increase so that they could get more gun control, as it appears their motivation was in using what happened with gun violence as a result of the 2,000 weapons they forced gun dealers to sell to people they shouldn't have.

Well, when I first heard the proposal, gee, nobody who is on the no-fly list, can't even fly on a plane, should be able to go buy a gun, seemed reasonable. I was talking to my friend, TOM PRICE from Georgia, back here earlier, Mr. Speaker, and he said the same thing, well, that seems reasonable, until you start considering how one gets on the no-fly list, who has been on the no-fly list, the massive abuses of individual constitutional rights by this administration, the abuses of the IRS of law-abiding citizens that Richard Nixon could have only dreamed of abusing the way this administration has.

But the trouble is there is no due process for someone to be adjudicated to put on the no-fly list. There is no due process to get off the no-fly list. And, in fact, one of the men I respect as much as anybody I know—he is a constituent; he is an Army veteran; he is a retired general, lives in east Texas—we have had to help him a number of times, once again, to get off the no-fly list.

And, unfortunately, we never can find out why he is ever put on the no-fly list in the first place. The only thing I know, he is a devout Christian. He is a supporter of mine. He would never knowingly violate the law of the United States.

So, I don't know. Is it because he is a supporter of mine? I mean, a year ago, I was trying to fly back from London and an official there in London airport with their security said: Sir, I understand you are very sorry, but your homeland security says you are somebody that has to be personally, physically searched along with everything that you have.

Gee, maybe somebody didn't like the way I cross-examined them in the judiciary hearing.

But when you know that this administration has abused its power repeatedly and you find out that actually the no-fly list is so obscure, it is like something from a Kafka novel. I never really enjoyed his novels. But the trial, it makes you think of, wow, you mean this obscure government entity can charge you with something, but you can't—just like in a trial, you can't find out what you are charged with. You can't find out why you are on the no-fly list. You can't find out if it is part of an enemies list. You can't find out what is the best way to convince the government to get you off.

Are there mistakes made? Well, gee, Mr. Speaker, could it be that a mistake was made when one of my constituent families from Lufkin was going to take their dream vacation to Disney World? They felt like the kids were old enough to enjoy it now. And when they tried to check their bags, they couldn't because, of their five children, their middle child was on the no-fly list. He was a potential terrorist.

Now, I come from a family of four kids, and if I was going to pick one of my siblings, including me, to be a terrorist, I would say it is probably the young one. Well, this child was 5 years old. He was the middle child, not the youngest. They pulled him aside thinking: Well, gee, his name is on the no-fly list. He must be a terrorist.

Well, thankfully, in Houston, they had some common sense and quickly figured out this is not a terrorist; this 5-year-old kid. He is not. Not so when they tried to leave Orlando to fly back home. He was pulled aside, the 5-year-old. He was separated from his parents. His parents were fit to be tied. They were threatened. They were not allowed to be with their child.

They take him off to interrogate him, a 5-year-old child; but he is on the no-fly list, and they couldn't figure this out. They think he is a terrorist. They ask him his date of birth. He is freaking out. He is separated from his parents and his other siblings. He knows the month and day. He can't tell them the year. So now they think he is withholding information.

They endured a lot of counseling and nightmares because of the abuses of this administration's policies. And yes, mistakes are made like that; and sometimes when people's names get put on the no-fly list, you don't know what it is for.

Here is an article, and I sure don't read from these folks very often, but the Los Angeles Times says:

''It seems simple enough: If the Federal Government, based on intelligence or policing, puts a person on its watch list of suspected terrorists or decrees that he or she is too dangerous to be allowed on an airplane, then surely it would also be foolish to let that person buy a firearm in the United States. Makes sense, doesn't it?''

That was the thrust of a proposed law by Senator DIANNE FEINSTEIN.

It goes on down:

''One problem is that the people on the no-fly list, as well as the broader terror watch list from which it is drawn, have not been convicted of doing anything wrong. They are merely suspected of having terror connections.''

I thought it was outrageous that Senator Ted Kennedy was on the no-fly list. I don't know. Maybe Homeland Security knew something the rest of America didn't know, but it seemed silly to me. Senator Ted Stevens, the late Senator's wife, Catherine Stevens, her name was on the no-fly list. She had those problems.

So it could be that you are guilty of only having a name similar to somebody that was put on the list for who knows why. But that is not a good way to take people's guns away, to say: Yes, we want to pass a law so that this administration, behind closed doors, with the lowest learners of this administration, can put people's name on the list that can never buy a gun, can never fly on a plane. That is a scary proposition.

And how about the 72 Department of Homeland Security employees that are on the no-fly list? And then we find out also, thanks to Senator JEFF SESSIONS, that we have had two—two—refugees in this country who, this year, have been either charged or convicted of terrorist activities. One worked around O'Hare airport and another one worked around here, I believe, as a cab driver working around Reagan airport. How about we take care of the people that we know for sure are a threat to America?

Anyway, the article from The Washington Times says: ''According to the technology website TechDirt.com, 40 percent of those on the FBI's watch list—about 280,000 people—are considered to have no affiliation with recognized terrorist groups. All it takes is for the government to declare it has 'reasonable suspicion' that someone could be a terrorist. There is no hard evidence required, and the standard is notoriously vague and elastic.''

An article from Adam Kredo, from Free Beacon, about the 72 employees. A tip of the hat to Congressman STEPHEN LYNCH for finding that information.

This article from Neil Munro, Breitbart, ''California Shooting Shows Jihad Risk From Muslim Migrants' U.S.-Born Children'':

''The San Bernardino shooter who killed 14 Americans is yet another name on the growing list of U.S.-born children of Muslim migrants who grew up to embrace violent jihad.''

It seems like somebody has talked about that before.

''Before Syed Rizwan Farook, the most notorious example was Anwar al Awlaki, born in New Mexico in 1971 to accomplished, professional-class Yemeni parents. He subsequently embraced the violent commandments of Islam, complete with its many calls for attacks on kaffirs, or non-Muslims. His career as a jihadi adviser, recruiter cheerleader ended when he was killed by a U.S. missile strike in Yemen in September 2011.

''Another example is Nidal Malik Hasan, the Virginia-born son of Arab migrants, who murdered 13 Americans in Fort Hood, Texas, in 2009. That attack was downplayed by Federal officials as 'workplace violence,' even though Hasan had described himself as a 'Soldier of Allah' on his U.S. Army business cards . . . The problem is worse among Muslims, because Muslim culture and religion is hostile to integration, Spencer says. 'Islamic law announces itself as a superior model for society and government so you've got no community-driven reason for Muslims to integrate or adopt American values, because their way is better,' he said.''

Now, that is what Spencer says.

But I do know Muslims here in the United States that don't believe that they should adopt sharia law. I have got Muslim friends in Afghanistan and all over North Africa and the Middle East. They don't want radical Islam. And, in fact, in Egypt—so proud of the people of Egypt—they rose up and said: We don't want radical Islam. Of course, this President, this administration, wants to punish them for throwing out the Muslim Brother president.

But this article—back to Neil Munro's article—he says:

''In August 2015, the FBI arrested the U.S.-born son of a supposedly moderate Imam as he began his journey to join ISIS in Syria. Mohammad Oda Dakhlalla was accompanied by his young, university-educated American wife, who was a convert to Islam. 'That is the quintessential example of the risks involved because the father is supposed to be a moderate and we're supposed to think the son subscribes to a violent Islam completely different from the father . . . but there is no evidence of a rift between father and son,' Spencer said.

''In October 2014, two U.S.-born teenage girls were nabbed by the FBI as they began their journey to Syria.

''The left-wing Southern Poverty Law Center lists at least five additional U.S.-born jihadis, or would-be jihadis, at its site, including James Elshafay who tried to detonate a bomb in 2004, Ehsanul Sadequee, Tarek Mehanna, Walli Mujahidh—his family name comes from the Arab term for 'Holy Warrior'—and Naser Jason Abdo, who planned to attack Fort Hood in 2011.''

So I also would like a tip of the hat, Mr. Speaker, to Secretary Jeh Johnson that went back out to the All Dulles Area Muslim Society, ADAMS for short. I am sure John Adams appreciates that very much. I don't know if the President's friend, Imam Magid—oh, wait. Let's see. Well, this article mentions him.

''One of the 'most meaningful discussions' on his 'tour' ''—talking about Jeh Johnson—''he called it, was in June with the ADAMS Center imam, which began with a Boy Scout Troop leading meeting participants in the Pledge of Allegiance. That imam, Mohamed Magid, is a past president of the Islamic Society of North America, an organization linked to the Holy Land Foundation in its terror-financing trial and to the Muslim Brotherhood.''

And, by the way, it was listed as a coconspirator in the Holy Land Foundation trial for supporting terrorism. And once they got the convictions of the five main people being prosecuted, ISNA, CAIR, and some other folks tried to get their names withdrawn from the pleadings being specifically named as co-conspirators in support of terrorism. But the Federal district judge and also the U.S. Federal Court of Appeals, Fifth Circuit, said: No, there is plenty of evidence to support that you are coconspirators in supporting terrorism.

□ 1930

I was told by a lawyer that the plan was, once they got those first five convictions, they would go after ISNA, Imam Magid, and all of these other people. Fortunately, for Imam Magid and ISNA and CAIR and all of these groups, President Obama got elected, and Eric Holder immediately made clear that nobody was going to prosecute the rest of those named coconspirators in supporting terrorism.

There was also a headline in the news today from The Washington Times that

reads: ''Huma Abedin taunts Donald Trump: 'I'm a proud Muslim.' ''

''Huma Abedin, the longtime confident to Democratic Presidential front runner Hillary Clinton, took aim at Donald Trump's proposal to ban Muslims from entering the United States in an email with the subject line: 'I'm a proud Muslim.'

'' 'Donald Trump is leading in every national poll to be the Republican nominee for President; and earlier today, he released his latest policy proposal: to ban all Muslims from entering our country,' wrote Ms. Abedin—'' or Ms. Weiner, anyway ''—in an email Monday evening to Mrs. Clinton's supporters. 'I'm a proud Muslim, but you don't have to share my faith to share my disgust. Trump wants to literally write racism into our law books. His Islamophobia doesn't reflect our Nation's values.' ''

Here is an article from July 27, 2012, by Andrew McCarthy in which he talks about Senator JOHN MCCAIN's claim that concerns about Huma Abedin are smear-based on a few unspecified, unsubstantiated associations.

Actually, Michele Bachmann and I and three others signed letters in which we just said, Here are some things we know. Would you do an investigation to see the extent of the Muslim Brotherhood's influence in your department? There were five different departments that had five different specific letters, and there were not any vague allegations. We just said, We know these things are true. Would you investigate?

We come to find out a lot in this article, which reads:

''The letter averred that Abedin 'has three family members: her late father, her mother, and her brother, connected to Muslim Brotherhood operatives and/or organizations.'

''It turns out, however, that Abedin, herself, is directly connected to Abdullah Omar Naseef, a major Muslim Brotherhood figure.''

By the way, Mr. Speaker, the Muslim Brotherhood has been named as a terrorist organization by both Egypt and the UAE. They have asked officials in both of those countries when I have been over there: Why do you not recognize that the Muslim Brotherhood has been at war with you since 1979? You keep helping them. You have got people advising the President. They are all Muslim Brothers. Why do you keep doing that? I don't have an answer for them.

The article goes on:

''It turns out Abedin, herself, is directly connected to Abdullah Omar Naseef, a major Muslim Brotherhood figure involved in the financing of al Qaeda. Abedin worked for a number of years at the Institute for Muslim Minority Affairs as assistant editor of its journal. The IMMA was founded by Naseef, who remained active in it for decades, overlapping for several years with Abedin. Naseef was also secretary general of the Muslim World League in Saudi Arabia, perhaps the most significant Muslim Brotherhood organization in the world. In that connection, he founded the Rabita Trust, which is formally designated as a foreign terrorist organization under American law due to its support of al Qaeda.

''You ought to be able to stop right there,'' but he doesn't. It goes on. Further down, it reads:

''In this instance, however, before you even start probing the extensive, disturbing Brotherhood ties of her family members, Huma Abedin should have been ineligible for any significant government position based on her own personal and longstanding connection to Naseef's organization.

''Specifically, Ms. Abedin was affiliated with the Institute of Muslim Minority Affairs, where she was assistant editor of the Journal of Muslim Minority Affairs. The journal was the IMMA's raison d'etre. Abedin held the position of assistant editor from 1996 through 2008, from when she began working as an intern in the Clinton White House until shortly before she took her current position as Secretary of State Hillary Clinton's Deputy Chief of Staff.''

Again, this article was written in 2012.

''The IMMA was founded in the late 1970s by Abdullah Omar Naseef, who was then the vice president of the prestigious King Abdulaziz University in Saudi Arabia.''

It goes on to talk about all of his ties with civilization jihad and with the Muslim World League, over which he presided and with whom Huma Abedin had this relationship in this publication for all of those years that she worked with Hillary Clinton.

''The Muslim World League manages the 'civilization jihad'—the Brotherhood's commitment to destroy the West from within and to 'conquer' it by sharia proselytism, or dawa, as Sheikh Yusuf Qaradawi, the Brotherhood's top sharia jurist, puts it.

''Nevertheless, the Muslim World League has a long history of deep involvement in violent jihad as well.''

Then we have this article today: '' 'Spinning up as we speak': Email shows Pentagon was ready to roll as Benghazi attack occurred.''

We still don't know who stopped the military. The email shows they were ready to go help our people in Benghazi. Somebody stopped them. Was that advice Huma Abedin gave to Secretary Clinton? We don't know. Was this advice that reached the President? We don't know. We don't know whether he went to bed and said, ''You take care of it,'' or whether he went next-door, like was reported, until Osama bin Laden was taken out. He went in the next room and didn't watch and played cards. We don't know what they were doing.

This report from Robert Windrem: ''The ISIS Trail of Death'' goes on to point out all that ISIS is doing. We know there are 1,000 cases being investigated right here.

Look, I am not advocating we get rid of all Muslims in the United States, we have got Muslim friends here in the House, but we do need to take a look to see whether people want to replace our U.S. Constitution with sharia law. We need to take a harder look at who we allow to come into this country and have a child who they will take back to Yemen, or wherever, to teach their child to hate America.

People can make fun of me still, but we know Americans have died because we have allowed this to happen. They come back as American citizens whenever they want, and it gets so bad that even President Obama has to take out an American citizen, who was born here, to parents who trained him to hate America after they went back to Yemen.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MOONEY of West Virginia (at the request of Mr. MCCARTHY) for today until 4:30 p.m. on account of medical reasons.

Mr. LEWIS (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, December 9, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3694. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received December 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

3695. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's Major final rule — Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food; Clarification of Compliance Date for Certain Food Establishments [Docket No.: FDA-2011-N-0920] (RIN:

0910-AG36) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3696. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's Major final rule — Accreditation of Third-Party Certification Bodies To Conduct Food Safety Audits and To Issue Certifications [Docket No.: FDA-2011-N-0146] (RIN: 0910-AG66) received December 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3697. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's Major final rule — Foreign Supplier Verification Programs for Importers of Food for Humans and Animals [Docket No.: FDA-2011-N-0143] (RIN: 0910-AG64) received December 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3698. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's Major final rule — Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption [Docket No.: FDA-2011-N-0921] (RIN: 0910-AG35) received December 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3699. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval and Air Quality Designation; SC; Redesignation of the Charlotte-Rock Hill, 2008 8-Hour Ozone Nonattainment Area to Attainment [EPA-RO4-OAR-2015-0298; FRL-9939-66-Region 4] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3700. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Minnesota; Transportation Conformity Procedures [EPA-R05-2015-0563; FRL-9939-80-Region 5] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3701. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Wisconsin; Wisconsin State Board Requirements [EPA-R05-OAR-2015-0464; FRL-9939-78-Region 5] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3702. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Polyamide ester polymers; Tolerance Exemption [EPA-HQ-OPP-2015-0451; FRL-9939-28] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3703. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's Major final rule — Renewable Fuel Standard Program: Standards for 2014, 2015, and 2016 and Biomass-Based Diesel Volume for 2017 [EPA-HQ-OAR-2015-0111; FRL-9939-72-OAR] (RIN: 2060-AS22) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3704. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Wisconsin; Disapproval of Infrastructure SIP with respect to oxides of nitrogen as a precursor to ozone provisions for the 2006 PM2.5 NAAQS [EPA-R05-OAR-2009-0805; FRL-9939-77-Region 5] received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3705. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to the Government of Turkey, Transmittal No. 14-01, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended, and certification, pursuant to 22 U.S.C. 2373(d); Public Law 87-195, Sec. 620C(d); (92 Stat. 739); to the Committee on Foreign Affairs.

3706. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-092, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

3707. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-106, pursuant to 22 U.S.C. 2776(c)(2)(A); Public Law 90-629, Sec. 36(c) (as added by Public Law 104-164, Sec. 141(c)); (110 Stat. 1431); to the Committee on Foreign Affairs.

3708. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-060, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

3709. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-049, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

3710. A letter from the Assistant Legal Advisor, Office of Treaty Affairs, Department of State, transmitting agreements prepared by the Department of State concerning international agreements other than treaties entered into by the United States, to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(d) Public Law 92-403, Sec. 1; (86 Stat. 619); to the Committee on Foreign Affairs.

3711. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's correcting amendments — Wassenaar Arrangement 2014 Plenary Agreements Implementation and Country Policy Amendments; Correction [Docket No.: 150304217-5727-02] (RIN: 0694-AG44) received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

3712. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to India, Transmittal No. 0B-16, pursuant to Sec. 36(b)(5)(C) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3713. A letter from the Acting Administrator, Agency for International Development, transmitting the Agency's Semiannual Report to the Congress for the period ending September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3714. A letter from the Federal Co-Chair, Appalachian Regional Commission, transmitting the Commission's semiannual report for the period April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3715. A letter from the Secretary, Department of Education, transmitting the Department's Semiannual Report to Congress on Audit Follow-up for the period ending September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3716. A letter from the Assistant Director, Senior Executive Management Office, Department of the Army, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

3717. A letter from the Assistant Director, Senior Executive Management Office, Department of the Army, transmitting a notification of a federal vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

3718. A letter from the Director, Federal Housing Finance Agency, transmitting the Agency's Semiannual Report to Congress for the period ending September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3719. A letter from the Chairman and General Counsel, National Labor Relations Board, transmitting the Board's Semiannual Report for the period April 1, 2015, to September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3720. A letter from the Labor Member and Management Member, Railroad Retirement Board, transmitting the Board's Performance and Accountability Report for Fiscal Year 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3721. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's sixth annual report regarding compliance of federal departments and agencies with providing relevant information to the National Instant Criminal Background Check System, pursuant to 18 U.S.C. 922 note; Public Law 103-159, Sec. 103(e)(1)(E) (as added by Public Law 110-180, Sec. 101(a)); (121 Stat. 2561) (121 Stat. 2561); to the Committee on the Judiciary.

3722. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's 2014 Annual Report of

the National Institute of Justice, pursuant to Public Law 90-351 and Public Law 107-296; to the Committee on the Judiciary.

3723. A letter from the Secretary, Department of Transportation, transmitting the Department's Letter Report to Congress on the 2015 Fundamental Properties of Asphalts and Modified Asphalts — III, pursuant to Public Law 102-240, Sec. 6016(e); (105 Stat. 2183); to the Committee on Transportation and Infrastructure.

3724. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 31048; Amdt. No.: 523] received November 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3725. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Division Turbofan Engines [Docket No.: FAA-2015-0787; Directorate Identifier 2015-NE-10-AD; Amendment 39-18307; AD 2015-22-03] (RIN: 2120-AA64) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

3726. A letter from the Assistant Administrator for Procurement, Office of Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — NASA Federal Acquisition Regulation Supplement: NASA Capitalization Threshold (NFS Case 2015-N004) (RIN: 2700-AE23) received December 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Science, Space, and Technology.

3727. A letter from the Chief Impact Analyst, Regulation Policy and Management, Office of the General Counsel (02REG), Department of Veterans Affairs, transmitting the Department's final rule — Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Updating References (RIN: 2900-AP03) received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

3728. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Applicable Federal Rates — December 2015 (Rev. Rule. 2015-25) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3729. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2016 Section 1274A CPI Adjustments (Rev. Rul. 2015-24) received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3730. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Safe harbor method of accounting for retail establishments and restaurants (Rev. Proc. 2015-56) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3731. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — Medicaid Program; Mechanized Claims Processing and Information Retrieval Systems (90/10) [CMS-2392-F] (RIN: 0938-AS53) received December 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCAUL: Committee on Homeland Security. H.R. 3578. A bill to amend the Homeland Security Act of 2002 to strengthen and make improvements to the Directorate of Science and Technology of the Department of Homeland Security, and for other purposes; with an amendment (Rept. 114–372). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 974. A bill to direct the Secretary of the Interior to promulgate regulations to allow the use of hand-propelled vessels on certain rivers and streams that flow in and through certain Federal lands in Yellowstone National Park, Grand Teton National Park, the John D. Rockefeller, Jr. Memorial Parkway, and for other purposes; with an amendment (Rept. 114–373). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1452. A bill to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance (Rept. 114–374). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWHOUSE: Committee on Rules. House Resolution 556. Resolution providing for consideration of the bill (H.R. 2130) to provide legal certainty to property owners along the Red River in Texas, and for other purposes, and providing for consideration of motions to suspend the rules (Rept. 114–375). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TOM PRICE of Georgia (for himself, Mrs. MCMORRIS RODGERS, Mrs. BLACKBURN, Ms. DUCKWORTH, Mr. LOEBSACK, Mr. RYAN of Ohio, Mr. ROE of Tennessee, Mrs. NOEM, Mr. KING of New York, Mr. ZINKE, Mr. TIPTON, Mr. BLUM, Mr. CRAMER, Mr. MCCLINTOCK, Mr. KEATING, Mr. DUNCAN of Tennessee, Mrs. ELLMERS of North Carolina, Mr. HARPER, and Mr. AUSTIN SCOTT of Georgia):

H.R. 4185. A bill to make adjustments, including by amending title XVIII of the Social Security Act, relating to competitive bidding program and durable medical equipment under the Medicare program, to amend such title to establish a DMEPOS market pricing program demonstration project, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENT (for himself and Mr. ASHFORD):

H.R. 4186. A bill to add support of a foreign terrorist organization to the list of acts for which United States nationals would lose their nationality, and for other purposes; to the Committee on the Judiciary.

By Ms. SCHAKOWSKY (for herself, Mr. PALLONE, Mr. RUSH, Mr. TONKO, Mr. WELCH, Mr. KENNEDY, Mr. SARBANES, and Mr. BUTTERFIELD):

H.R. 4187. A bill to require certain entities who collect and maintain personal information of individuals to secure such information and to provide notice to such individuals in the case of a breach of security involving such information, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HUNTER (for himself, Mr. GARAMENDI, Mr. SHUSTER, and Mr. DEFAZIO):

H.R. 4188. A bill to authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FINCHER (for himself and Mr. LUETKEMEYER):

H.R. 4189. A bill to amend the Foreign Assistance Act of 1961 to require congressional approval of rescissions of determinations of countries as state sponsors of terrorism and waivers of prohibitions on assistance to state sponsors of terrorism under that Act; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MATSUI:

H.R. 4190. A bill to promote innovation, investment, and economic growth by accelerating spectrum efficiency through a challenge prize competition; to the Committee on Energy and Commerce.

By Ms. PLASKETT:

H.R. 4191. A bill to establish a program that enables college-bound residents of the United States Virgin Islands to have greater choices among institutions of higher education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. TIBERI (for himself, Mr. RANGEL, Mr. YOUNG of Indiana, Mr. LARSON of Connecticut, Mr. NEAL, and Mr. PAULSEN):

H.R. 4192. A bill to amend the Internal Revenue Code of 1986 to clarify the valuation rule applicable to the early termination of certain charitable remainder unitrusts; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 4193. A bill to authorize the expansion of an existing hydroelectric project; to the Committee on Natural Resources.

By Ms. FOXX:

H. Res. 555. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. LARSON of Connecticut (for himself and Mr. COLE):

H. Res. 557. A resolution recognizing the establishment of the Congressional Patriot Award and congratulating the first award recipients, Sam Johnson and John Lewis, for their patriotism and selfless service to the

country; to the Committee on House Administration.

By Ms. DEGETTE (for herself, Ms. ADAMS, Mr. ASHFORD, Ms. BASS, Mrs. BEATTY, Mr. BECERRA, Mr. BERA, Mr. BEYER, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Ms. BROWNLEY of California, Mrs. BUSTOS, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. CAPUANO, Mr. CÁRDENAS, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DANNY K. DAVIS of Illinois, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mr. DESAULNIER, Mr. DEUTCH, Mrs. DINGELL, Mr. DOGGETT, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. DUCKWORTH, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Ms. ESTY, Mr. FARR, Mr. FATTAH, Mr. FOSTER, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. GALLEGO, Mr. GARAMENDI, Ms. GRAHAM, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HASTINGS, Mr. HECK of Washington, Mr. HINOJOSA, Mr. HONDA, Mr. HUFFMAN, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KILDEE, Mr. KILMER, Mr. KIND, Mrs. KIRKPATRICK, Ms. KUSTER, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mrs. LAWRENCE, Ms. LEE, Mr. LEVIN, Mr. LEWIS, Mr. TED LIEU of California, Mr. LOEBSACK, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Mr. BEN RAY LUJÁN of New Mexico, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNERNEY, Ms. MENG, Ms. MOORE, Mr. MOULTON, Mr. MURPHY of Florida, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mr. NORCROSS, Ms. NORTON, Mr. PALLONE, Mr. PAYNE, Ms. PELOSI, Mr. PERLMUTTER, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Miss RICE of New York, Mr. RICHMOND, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RUPPERSBERGER, Mr. RYAN of Ohio, Ms. LORETTA SANCHEZ of California, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Mr. SHERMAN, Ms. SINEMA, Mr. SIRES, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKAI, Mr. TAKANO, Mr. THOMPSON of California, Mr. THOMPSON of Mississippi, Ms. TITUS, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VEASEY, Ms. VELÁZQUEZ, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. WILSON of Florida, Mr. YARMUTH, Mr. GENE GREEN of Texas, Mr. CASTRO of Texas, Mr. CARSON of Indiana, Mr. COURTNEY, Mr. HOYER, Mr. LYNCH, Mr. O'ROURKE, Mr. HANNA, Mr. SCHRADER, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, and Mr. COSTA):

H. Res. 558. A resolution condemning violence that targets healthcare for women; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. TOM PRICE of Georgia:

H.R. 4185.

Congress has the power to enact this legislation pursuant to the following:

Consistent with the understanding and interpretation of the Commerce Clause, Congress has the authority to enact this legislation in accordance with Clause 3 of Section 8, Article 1 of the U.S. Constitution.

By Mr. DENT:

H.R. 4186.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Ms. SCHAKOWSKY:

H.R. 4187.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII.

By Mr. HUNTER:

H.R. 4188.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 3 (to regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes) and Clause 14 (to make Rules for the Government and Regulation of the land and naval Forces).

By Mr. FINCHER:

H.R. 4189.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—To regulate Commerce with foreign Nations . . .

By Ms. MATSUI:

H.R. 4190.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. PLASKETT:

H.R. 4191.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 (General Welfare Clause)

Article 1, Section 8, Clause 18 (Necessary and Proper Clause)

By Mr. TIBERI:

H.R. 4192.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I

By Mr. YOUNG of Alaska:

H.R. 4193.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 and Article 1, Section 8, Clause 1.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. CARTER of Georgia.

H.R. 158: Mr. ROYCE, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. WOODALL, and Mr. GRAVES of Louisiana.

H.R. 213: Mr. NADLER.

H.R. 224: Mr. CAPUANO, Mr. SARBANES, Ms. CASTOR of Florida, Mr. MURPHY of Florida, Mr. LARSEN of Washington, and Mr. HIMES.

H.R. 225: Ms. BONAMICI.

H.R. 226: Ms. SCHAKOWSKY and Mr. KEATING.

H.R. 250: Mr. MOULTON.

H.R. 353: Mr. DEFAZIO.

H.R. 358: Mr. DEFAZIO.

H.R. 393: Mr. ZELDIN.

H.R. 472: Mr. COOK.

H.R. 512: Mr. SENSENBRENNER.

H.R. 539: Mr. CARSON of Indiana, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. YARMUTH, and Ms. PLASKETT.

H.R. 546: Mr. LARSEN of Washington.

H.R. 565: Mr. FOSTER.

H.R. 592: Mr. MCNERNEY, Ms. SEWELL of Alabama, and Mr. BARTON.

H.R. 699: Mr. JODY B. HICE of Georgia.

H.R. 731: Mr. CUMMINGS, Mr. DESJARLAIS, Mr. JOHNSON of Georgia, Mrs. WATSON COLEMAN, and Mr. SMITH of Washington.

H.R. 759: Mr. TED LIEU of California.

H.R. 793: Ms. SLAUGHTER and Ms. SEWELL of Alabama.

H.R. 879: Ms. JENKINS of Kansas, Mr. CRAMER, and Mrs. HARTZLER.

H.R. 911: Mr. RYAN of Ohio and Mrs. LUMMIS.

H.R. 920: Mr. MCGOVERN.

H.R. 921: Mrs. BROOKS of Indiana and Mr. COFFMAN.

H.R. 973: Mr. KATKO.

H.R. 1002: Ms. ROS-LEHTINEN and Mr. CARTWRIGHT.

H.R. 1076: Ms. MENG, Ms. BROWNLEY of California, Ms. SINEMA, Mrs. CAPPS, Ms. CLARK of Massachusetts, Mr. SEAN PATRICK MALONEY of New York, Ms. KAPTUR, Mr. POLIS, Mr. SIRES, Mr. WELCH, Mr. BRADY of Pennsylvania, Ms. ESHOO, Mr. YARMUTH, Mr. SWALWELL of California, Mr. AGUILAR, Ms. FRANKEL of Florida, Ms. TSONGAS, Mrs. TORRES, Ms. HAHN, Mr. LYNCH, Ms. ADAMS, Mr. VISCLOSKY, Mr. VARGAS, Ms. LEE, Mr. LOEBSACK, Mr. SHERMAN, Mr. JEFFRIES, Mr. CÁRDENAS, Ms. JACKSON LEE, and Mr. ASHFORD.

H.R. 1116: Mr. HUIZENGA of Michigan, Mr. YODER, Mr. COSTELLO of Pennsylvania, and Mrs. MILLER of Michigan.

H.R. 1197: Mr. KINZINGER of Illinois.

H.R. 1283: Ms. LINDA T. SÁNCHEZ of California.

H.R. 1453: Mr. WALDEN.

H.R. 1457: Ms. LINDA T. SÁNCHEZ of California.

H.R. 1475: Mr. MICA.

H.R. 1505: Mr. FORTENBERRY.

H.R. 1559: Mr. ASHFORD.

H.R. 1571: Mr. PRICE of North Carolina, Mr. JOHNSON of Georgia, and Mrs. KIRKPATRICK.

H.R. 1586: Ms. ESTY.

H.R. 1608: Mr. WILLIAMS, Mr. TONKO, Mr. WALDEN, and Mr. TAKAI.

H.R. 1655: Mr. CUELLAR and Mr. KENNEDY.

H.R. 1713: Mr. LOWENTHAL.

H.R. 1733: Ms. LINDA T. SÁNCHEZ of California.

H.R. 1769: Ms. ESHOO.

H.R. 1786: Mr. NEWHOUSE, Mrs. WALORSKI, Mr. REICHERT, Mr. YOUNG of Alaska, and Mr. LUCAS.

H.R. 1814: Mr. DOGGETT.

H.R. 1818: Mr. BOUSTANY.

H.R. 1854: Mr. CURBELO of Florida and Mr. KATKO.

H.R. 1893: Mr. LATTA.

H.R. 1901: Mr. SESSIONS and Mr. BABIN.
H.R. 2046: Mr. GRIFFITH.
H.R. 2050: Mr. LAHOOD.
H.R. 2191: Ms. LOFGREN.
H.R. 2241: Ms. MCCOLLUM.
H.R. 2264: Mr. CARNEY and Ms. JENKINS of Kansas.
H.R. 2287: Mr. MCHENRY.
H.R. 2311: Mr. LOEBSACK.
H.R. 2315: Mr. YOUNG of Iowa.
H.R. 2380: Mr. CROWLEY.
H.R. 2449: Ms. ESTY, Mr. MCNERNEY, Mrs. KIRKPATRICK, Mr. NORCROSS, Mr. CAPUANO, and Mr. WELCH.
H.R. 2513: Mr. POMPEO.
H.R. 2515: Mr. MCNERNEY, Mr. DOGGETT, Mr. FITZPATRICK, Mr. BEN RAY LUJÁN of New Mexico, Ms. MCCOLLUM, and Mr. CONNOLLY.
H.R. 2521: Mr. SMITH of Washington.
H.R. 2536: Mr. MCKINLEY.
H.R. 2540: Mr. ROE of Tennessee.
H.R. 2566: Mr. LAMALFA.
H.R. 2646: Mr. BRADY of Pennsylvania and Mr. LAHOOD.
H.R. 2649: Mr. MARCHANT.
H.R. 2680: Mr. RYAN of Ohio and Mr. GARAMENDI.
H.R. 2698: Mr. SMITH of Nebraska.
H.R. 2799: Mr. RUIZ and Ms. ESHOO.
H.R. 2818: Mrs. BROOKS of Indiana.
H.R. 2847: Mrs. BROOKS of Indiana.
H.R. 2858: Mr. GUTIÉRREZ.
H.R. 2880: Mr. SMITH of Washington and Ms. TITUS.
H.R. 2894: Mr. DEFAZIO.
H.R. 2896: Mr. SENSENBRENNER.
H.R. 2903: Mr. CLAY, Mrs. DINGELL, and Ms. TSONGAS.
H.R. 2908: Mrs. LAWRENCE, Ms. SCHAKOWSKY, and Mr. KIND.
H.R. 3036: Mr. MEEHAN, Mr. HANNA, Mr. LANCE, Ms. SLAUGHTER, and Mr. STIVERS.
H.R. 3051: Mr. TED LIEU of California, Ms. BROWNLEY of California, Mr. RUPPERSBERGER, and Ms. ESHOO.
H.R. 3099: Mrs. NAPOLITANO and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 3110: Mr. BYRNE.
H.R. 3119: Mr. COHEN.
H.R. 3164: Mr. CAPUANO.
H.R. 3193: Ms. ESHOO.
H.R. 3222: Mr. WEBER of Texas, Mr. PALAZZO, and Mr. KELLY of Mississippi.
H.R. 3229: Ms. MCCOLLUM, Mr. FITZPATRICK, Mr. BLUM, Mr. VALADAO, Mr. AMODEI, Mr. SCHWEIKERT, Mr. LANCE, Mr. CROWLEY, and Mr. KING of Iowa.
H.R. 3237: Mr. GRIJALVA.
H.R. 3326: Mr. KENNEDY.
H.R. 3359: Miss RICE of New York.
H.R. 3406: Mr. CURBELO of Florida.
H.R. 3441: Mrs. HARTZLER.
H.R. 3445: Mr. HONDA.
H.R. 3455: Mr. CROWLEY and Mr. DOLD.
H.R. 3463: Mr. COLLINS of New York.
H.R. 3516: Mr. BISHOP of Utah, Mr. GRIFFITH, Mr. PETERSON, and Mr. THORNBERRY.
H.R. 3532: Mr. ROKITA and Mr. WALBERG.
H.R. 3551: Mr. GRAYSON.
H.R. 3556: Mrs. CAPPS.
H.R. 3565: Mr. SWALWELL of California.
H.R. 3654: Mr. HIGGINS, Mr. KEATING, Mr. ROSS, Ms. FRANKEL of Florida, and Mr. BERA.
H.R. 3683: Ms. TSONGAS.
H.R. 3687: Ms. DUCKWORTH.
H.R. 3706: Mr. DENT, Ms. LOFGREN, Mr. SMITH of Texas, and Ms. ESHOO.
H.R. 3734: Mr. BOST.
H.R. 3742: Mr. RIGELL, Mr. GOODLATTE, Mr. FORBES, Mr. LANCE, and Mr. CARTWRIGHT.
H.R. 3750: Ms. JACKSON LEE.
H.R. 3760: Ms. TSONGAS.
H.R. 3766: Mr. SMITH of Washington, Mrs. BROOKS of Indiana, and Mr. ROYCE.
H.R. 3770: Ms. LOFGREN.
H.R. 3785: Ms. DELAURO and Ms. KAPTUR.
H.R. 3790: Mr. HONDA.
H.R. 3795: Mr. HONDA.
H.R. 3852: Mr. CARTWRIGHT.
H.R. 3861: Mr. CRAWFORD.
H.R. 3872: Ms. LEE, Mr. BUTTERFIELD, and Ms. FUDGE.
H.R. 3917: Mr. KINZINGER of Illinois, Mr. SIRES, Mr. ROSS, and Mr. COSTA.
H.R. 3940: Mr. VISCLOSKY, Mr. ALLEN, Mr. LATTA, and Mr. BROOKS of Alabama.
H.R. 3943: Mr. BUTTERFIELD.
H.R. 3944: Mr. POCAN and Mr. BUTTERFIELD.
H.R. 3946: Mrs. LOVE.
H.R. 3978: Ms. KUSTER.
H.R. 4000: Mrs. BROOKS of Indiana.
H.R. 4007: Mr. LOUDERMILK.
H.R. 4008: Ms. KAPTUR.
H.R. 4016: Mr. MCHENRY.
H.R. 4019: Ms. DELBENE.
H.R. 4029: Mr. ASHFORD and Mr. FORTENBERRY.
H.R. 4032: Mr. YODER.
H.R. 4055: Mr. RANGEL.
H.R. 4063: Mr. POCAN, Mr. RIBBLE, Mr. SENSENBRENNER, and Mr. ASHFORD.
H.R. 4065: Mr. CRENSHAW.
H.R. 4073: Mr. SENSENBRENNER.
H.R. 4076: Mr. LYNCH.
H.R. 4084: Mr. POSEY.
H.R. 4085: Mr. RENACCI.
H.R. 4087: Mrs. DINGELL and Mr. BISHOP of Utah.
H.R. 4100: Mr. LUETKEMEYER.
H.R. 4113: Ms. LOFGREN and Mr. CARTWRIGHT.
H.R. 4122: Mr. PETERSON.
H.R. 4135: Mr. LARSEN of Washington, Ms. FRANKEL of Florida, Mr. CARNEY, and Mr. HONDA.
H.R. 4141: Mrs. NOEM.
H.R. 4144: Mr. LANGEVIN, Ms. DELAURO, Ms. KAPTUR, Mr. HASTINGS, Ms. MATSUI, Ms. TSONGAS, Ms. SLAUGHTER, and Mrs. KIRKPATRICK.
H.R. 4148: Ms. MCCOLLUM.
H.R. 4154: Mr. CONNOLLY.
H.R. 4171: Ms. SCHAKOWSKY, Ms. DUCKWORTH, and Ms. MENG.
H.R. 4180: Mr. MULVANEY.
H.J. Res. 33: Mr. BYRNE.
H.J. Res. 47: Mr. LOEBSACK, Mr. MOULTON, and Mr. KENNEDY.
H.J. Res. 50: Mr. BRAT.
H. Con. Res. 97: Mr. LUCAS, Mrs. HARTZLER, and Mr. PALAZZO.
H. Con. Res. 98: Ms. FUDGE.
H. Con. Res. 99: Mr. ADERHOLT and Mr. BOUSTANY.
H. Res. 54: Mr. BISHOP of Michigan.
H. Res. 265: Mrs. BEATTY, Mr. POCAN, Mrs. DINGELL, Mr. PAYNE, and Mr. COSTELLO of Pennsylvania.
H. Res. 289: Mr. FATTAH.
H. Res. 346: Mr. PITTENGER and Mr. MEADOWS.
H. Res. 383: Ms. KAPTUR.
H. Res. 469: Mr. SENSENBRENNER and Mr. NUGENT.
H. Res. 536: Mr. BILIRAKIS, Mr. HIGGINS, Mr. YOHO, Mr. CLAWSON of Florida, and Mr. CASTRO of Texas.
H. Res. 541: Mr. KEATING.
H. Res. 549: Mr. MCGOVERN, Mr. MEEKS, Mr. PETERS, Ms. JACKSON LEE, Mr. QUIGLEY, Mr. ELLISON, Mr. CARNEY, and Mrs. NAPOLITANO.
H. Res. 551: Mr. DEUTCH and Mrs. WAGNER.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. BISHOP OF UTAH

The amendment filed to H.R. 2130 by me does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of House rule XXI.

SENATE—*Tuesday, December 8, 2015*

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

O Lord, our Lord, the majesty of Your Name fills the Earth. We see Your handiwork in the beauty of the sunrise and the majesty of the sunset.

As the world listens to the American political rhetoric and history waits to judge us, guide our lawmakers. Lord, make this upper Chamber of the legislative branch a truly deliberative body. Learning from the lessons of history, may our Senators strive to defend our Constitution against all foreign and domestic enemies. Grant that this defense will involve looking before leaping. May our Senators make decisions that will not seem foolish in the cool light of retrospection.

Arise, O Lord. Remind the nations that they are merely human.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

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

EVERY STUDENT SUCCEEDS BILL

Mr. MCCONNELL. Mr. President, both parties have long agreed that No Child Left Behind is broken and needs to be fixed. The House of Representatives passed reformist replacements for this law over the past few Congresses, but the Senate didn't consider legislation on the floor for years—until now.

A new majority in Congress thought it was time to finally change that dynamic. So we have demonstrated how a functioning committee process and a functioning Senate could help break through the gridlock. We showed how it could lead to important work across the aisle from a Republican like Senator ALEXANDER and a Democrat like Senator MURRAY, and in so doing, we not only proved that conservative reform was possible, we proved that it could pass by big bipartisan margins.

The version of the Every Student Succeeds Act the Senate considered this summer passed 81 to 17. The Every Student Succeeds Act before us just passed the House 359 to 64, and soon we will have the opportunity to send it to the President for his signature.

The Wall Street Journal dubbed this bill ''the largest devolution of federal control to the States in a quarter-century.'' It will stop Washington from imposing Common Core. It will strengthen the charter school program. It will substitute one-size-fits-all Federal mandates for greater State and local flexibility. In short, the Every Student Succeeds Act will put education back in the hands of those who know our kids best: parents, teachers, States, and school boards. It will help students succeed instead of helping Washington grow. That is something all of us can get behind because all of us represent different States with different children who have different needs.

I know Kentucky's newly appointed education commissioner is enthusiastic about this landmark reform. He wrote me to say that this bill would be good for Kentucky because it would do things such as ensure more flexibility, support rural schools, and help the Commonwealth provide for teacher development.

I thank the senior Senators from Tennessee and Washington for all their hard work on this bill. Some may have questioned whether Washington could ever agree on a replacement for No Child Left Behind, but today we have the Every Student Succeeds Act before us. It is a good replacement. It is a conservative reform with significant bipartisan support and one that will do right by those who matter most in the discussion: our children and our future.

Just days after the President signed an important bipartisan highway bill we passed, we soon expect to send him an important bipartisan education bill to sign as well. We might even pass it as soon as today. Passing either of these bipartisan bills after years of inaction would have represented a very big win for our country. What is more, it is notable that both could now be signed into law within such a short timeframe.

Passage of these bills follows Senate passage of many other achievements for the American people too, on issues ranging from cyber security, to trade, to energy, to entitlement reform, even combatting modern-day slavery.

Sometimes it was assumed that Washington could never come to an agreement on certain issues, but not only did we pass some long-stalled priorities for America, we often did so on a bipartisan basis. The question is, How do you achieve passage of important bills? One way is to foster an atmosphere where both parties can have more of a say on more issues, starting at the committee level. Let me give an example. Consider what the American people saw in the debate over the Education bill. They saw Senators they sent to Washington having their voices heard again, regardless of party. They saw them making meaningful contributions in committee. They saw them working across the aisle. They saw them having more opportunities to offer amendments. The American people actually saw the Senate take more amendment rollcall votes on this single bill than the Senate took all of last year on all bills combined.

This is what Senator MURRAY, a Democrat, said when the Senate first passed this bill in July: ''I am very proud of the bipartisan work we have done on the Senate floor—debating amendments, taking votes, and making this good bill even better.'' I know her Republican counterpart, Senator ALEXANDER, feels exactly the same way, just like Senator INHOFE, a Republican, agrees with Senator BOXER, a Democrat, when she refers to the highway bill as ''a major accomplishment.''

ORDER FOR RECESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate recess from 12:30 p.m. until 2:15 p.m. today for the weekly conference meetings and that if cloture is invoked on the conference report to accompany S. 1177, the time during the recess count toward the postcloture time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

PLATFORM OF THE REPUBLICAN PARTY

Mr. REID. Mr. President, Donald Trump is standing on the platform of hate—I am sorry to say hate that the Republican Party has built for him.

It was just last week that I came to the floor of the Senate and said the Republican Party is running on a platform of hate. Yesterday Donald Trump

provided the strongest evidence yet that it is true. Trump's proposal to bar Muslims from entering this country is hateful, despicable, and really vile. We are a country founded on religious liberty, not a country that imposes religious tests. Trump's statement is a slap in the face to the millions of peace-loving Muslims living here and to those who want to travel and live here. We welcome them all, and to them I say: Donald Trump is not America.

Sadly, however, Donald Trump has become the Republican Party, because it is just not him—many of the leading candidates for the Republican nomination have said the same hateful things, especially about Muslims. Jeb Bush and TED CRUZ proposed religious tests for refugees. You can't condemn Trump when you want to impose a religious test on women and children fleeing death and persecution. Ben Carson has called Muslims ''rabid dogs.'' Chris Christie said they should be tracked.

Today, Donald Trump offered the only true statement he has made for some time, referring to some of his fellow Republicans, those running against him for President. He said:

They have been condemning almost everything I say and then they come to my side.

That is disturbing, but it is true. Republican candidates condemn Trump's remarks and then adopt his racist policies as their own.

We shouldn't try to fool ourselves: This sort of racism has been prevalent in Republican politics for decades. Trump is just saying out loud what other Republicans merely suggest.

Political leaders must condemn these hateful, un-American statements with their words and their actions. Silence only empowers bigots.

NOMINATIONS

Mr. REID. Mr. President, as the year draws to an end, Republicans are doing high fives and celebrating as if they hit a home run when they haven't even singled.

Republicans are seeing a distorted image of reality. All their talk of productivity and progress overlooks many facts and ignores their constitutional duty to provide advice and consent on President Obama's nominations—any President's nominations. Republicans are balking at fulfilling their constitutional role.

The job of Congress is to pass laws and to confirm nominations. By that measure, this Congress has been the least productive ever. The total number of bills passed and nominations confirmed this Congress is lower than any Congress in decades. This Republican majority has confirmed fewer nominations than any Congress in decades. Because of Republicans' obstruction, qualified nominees are prevented from serving the American people.

Yesterday the Senate skipped over the confirmation of Judge Luis Felipe Restrepo and confirmed just the 11th judge this session. There are 18 more judicial emergencies than when the Republicans took control of the Senate. What is a judicial emergency? It means they have more work than the judge can do. Instead of making progress in judicial backlogs across the Nation, we are falling even further behind and creating more emergencies. One of those judicial emergencies is Judge Restrepo. He is a talented Federal district judge from the State of Pennsylvania, and he is a talented Latino nominated for the Third Circuit.

The junior Senator from Pennsylvania—who is responsible for delaying this good man for more than 6 months in the committee—finally engaged on the nomination. On Monday the junior Senator said: I am sending a letter to Senator MCCONNELL requesting a vote on his confirmation. I don't know why he couldn't say to the Republican leader: Will you bring this up for a vote? Why the letter? Where has Senator TOOMEY been since July when this nomination was first reported out of the committee 5 months ago? Why has this nomination been pending for more than a year? I wonder if it is because election time is here. Senate Democrats have waited months to confirm this good man. He should be confirmed now, today. Sadly, though, Republicans are blocking every Latino judicial nominee currently being considered.

Here is a partial list: Judge Restrepo—I already talked about him; Armando Bonilla, who is the first Latino ever nominated to the Court of Federal Claims; John Michael Vazquez, nominated to the District of New Jersey; Dax Eric Lopez, nominated to the Northern District of Georgia, who would make history as the first Hispanic appointed Federal judge in that State. Georgia has a large number of Hispanics in that State.

Because of this obstruction, last night the Senate skipped over Judge Restrepo—I mentioned that earlier—leaving another judicial emergency. Instead, the Senate confirmed Travis Randall McDonough as district judge for the Eastern District of Tennessee. After confirming Judge McDonough, 19 judicial nominees remain on the Executive Calendar who were all voted out of committee unanimously.

Yesterday's confirmation marks only the 11th judicial confirmation this entire Congress. At this point in 2007, Democrats worked with President Bush to confirm 36 judicial nominees—11 compared to 36. It is obvious why they are doing it; they hope Donald Trump will be elected President and Hillary Clinton will not be. Yesterday's confirmation marks the 11th judicial confirmation of this Congress. If the Republican Senate keeps up this pace, many of their recommendations—from Tennessee, Iowa, Georgia, and many other States—are at risk of not being confirmed. These are Republican selections. The American people are paying the price.

Since the Republicans took control of the Senate, the number of judicial emergencies around the country has more than doubled. During this session of Congress, we have only confirmed one circuit judge. Because of the Republicans slow-walking, the Senate is currently on pace to confirm the lowest number of judges in a comparable session in half a century.

As William Gladstone said, ''Justice delayed is justice denied.'' That is true. More than 30,000 people across the country have been waiting for more than 3 years for a resolution to their court case.

Judge Lawrence O'Neill, who was nominated by President George W. Bush to the Eastern District of California, is fed up with the staggering delays in his court. Here is what he said:

Over the years I've received several letters from people indicating, ''Even if I win this case now, my business has failed because of the delay. How is this justice?'' And the simple answer, which I cannot give them, is this: It is not justice. We know it.

The judge is right. What is happening with our judiciary is damaging our country and the litigants depending on a way to get to court to go to trial.

The Republican leader has the power to alter the destructive path Senate Republicans have charted. Before we leave for the holidays, the Senate should act to schedule votes on the dozens of judges who have been denied a vote. Where we have the judicial emergencies, the criminal cases are allowed to go forward but not the civil cases, involving people's businesses. They can't have their day in court. There are too few judges who have to take care of all of the criminal cases first. The civil cases wait—damaging to our economy and certainly damaging to people's lives. Thousands of Americans waiting for years deserve their day in court without further delay by Republicans, which is outrageous.

Mr. President, I see no one on the floor. Will the Presiding Officer announce to the Senate the work of the day.

RESERVATION OF LEADER TIME

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

STUDENT SUCCESS ACT—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the conference report to accompany S. 1177, which the clerk will report.

The senior assistant legislative clerk read as follows:

Conference report to accompany S. 1177, a bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mr. REID. Is the time divided equally on quorums?

The PRESIDING OFFICER. There is no order for division of time.

Mr. REID. I ask unanimous consent that during all quorum calls this morning, the time be equally divided between the two sides.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

RELIGIOUS FREEDOM

Mr. DURBIN. Mr. President, the Founding Fathers took great care when it came to the issue of religion in our Constitution. Many of the people who had come to the United States and became its earliest White settlers came for religious freedom. They had witnessed discrimination. They had witnessed government religion. They had witnessed the type of conduct which not only offended their conscience but motivated them to come to this great Nation. So when the Founding Fathers sat down to craft our Constitution, they made three hard-and-fast rules when it came to religion in this United States of America. The first was our freedom to believe as we choose or not to believe, a personal freedom when it came to religion embodied in the civil rights. The second was prohibition against any Government of the United States establishing a state or government religion. Third, the prohibition of any litmus test before anyone could run for public office when it came to religion.

For over 200 years now, those fundamental principles have guided the United States and have kept us away from some of the terrible conflicts which have occurred in other nations across history when it came to the clash of religious belief. It is hard to imagine that in this 21st century, more than 200 years after the Constitution was written, that in the midst of this Presidential campaign, we would once again be reflecting on religion in America, but we are.

Statements that were made over the last several months, and especially a statement made yesterday by a Republican candidate for President, have called into question again the policy and values of the United States when it comes to the practice of religion. Mr. Donald Trump, Republican candidate for President, has proposed excluding people of the Muslim religion from the United States. He said we need to do that until our government figures out what to do with terrorism. Mr. Trump's statements have been condemned, roundly condemned by most of the other Republican Presidential nominees, as well as former Vice President Richard Cheney. It is an indication that he has gone too far. I hope it is an indication that we in America will reaffirm fundamental values, when it comes to religious beliefs, that have guided this Nation for more than two centuries. I might add, this is just the latest chapter in this story.

REFUGEES

Mr. President, it was only a few weeks ago when there was a conscious effort promoted by the Republican Presidential candidates to exclude Syrian refugees from the United States. They called it a pause. They said we needed to assess whether or not we ought to change our system for refugees coming to this country, and, in so doing, they required the certification by the heads of our national security agencies of each individual refugee before they could come to the United States.

Each year, the United States allows about 70,000 refugees to come to our shores from all across the world. They come from far-flung nations. The largest contributor last year was Burma—those who were escaping persecution in Burma. The second largest group was those coming from Iraq. They included, incidentally, those Iraqis who had served and helped the United States and its military during our period of occupation. Many of them risked their lives for our soldiers, and now they are worried about retribution and have asked for asylum refuge in the United States.

The proposal was made by the Republican side that we should limit—in fact, should delay and then limit—Syrian and Iraqi refugees. One has to wonder whether or not it has anything to do with the fact that the vast majority of people living in those two countries are of the Muslim faith.

I have met some of these refugees in the city of Chicago. Some of them waited up to 2 years after they were being investigated and interviewed and fingerprinted—up to 2 years—before they could come to the United States. Their stories of what they and their families have been through are tragic. They come here simply to start a new life in a safe place and to raise their children. It truly is what has motivated people across the span of history to come to this great Nation, and these refugees are no different.

The fact that the Republicans would start by excluding refugees—and now, Mr. Trump takes it to the extreme of excluding people of a religious faith, the Muslim religion—is an indication of a conversation in American politics that needs to stop. We need to reflect once again on the fundamental principles of this country and the fundamental values of this country as well. I hope this is the beginning of a reevaluation.

It wasn't but 2 weeks ago that the House of Representatives passed the measure, the so-called pause in accepting refugees. It is interesting what has happened since. More than half of Democrats who voted for this—47 of them—have said they don't want to include this measure in any final appropriations bill considered by Congress. They are obviously having second thoughts about their votes. At least one Republican Congressman from the State of Oklahoma said he made a mistake; he never should have voted for this policy when it came to Syrian refugees. So perhaps, as tempers cool and as we reflect on who we are as a Nation and what we want to be, we will have second thoughts about this question of refugees.

GUN VIOLENCE

Mr. President, there was another vote last week which I noted on the floor yesterday and which I still find hard to believe. A measure was offered by Senator FEINSTEIN of California. What it basically said is: If you are on a no-fly list—if you have been identified by our government as a suspected terrorist—you cannot purchase firearms. That, to me, is not a radical suggestion. It is a commonsense suggestion. The two killers in San Bernardino had AR–15s, weapons that can be used to fire many rounds in a hurry. The net result: 14 people died and another 18 or so were seriously injured. So when someone is put on the no-fly list, the suspected terrorist list, I don't think it is unreasonable to say: You can't purchase a firearm as long as you are on that list.

Senator FEINSTEIN addressed the question raised by the Republican Senator from Texas: What if the government is wrong? What if your name should not be on the list? She included in her bill a process to challenge any name on the list and to do it in an orderly way with due process. Apparently, Republicans felt that wasn't enough.

Overwhelmingly, Republicans voted against the Feinstein amendment. Overwhelmingly, they voted against a proposal to ban suspected terrorists from buying firearms in America.

Now, I know there are many people who are skeptical—maybe even cynical—when it comes to the role of our government. But if we are not going to take the government's information and advice when it comes to suspected terrorists, where will we be?

Our government—through our military, our intelligence agency, the FBI, and law enforcement—gathers information about individuals and warns us if those individuals could be a danger to our families and to our communities. The vote by the Republicans rejected that warning and said: We will err on the side of giving people firearms even if they are suspected terrorists. That makes no sense whatsoever. It shows you the extremes you can reach when you listen closely to the gun lobby and not to the vast majority of Americans who simply want to live in a safe country. It shows what happens when your opposition to this President and this government has reached the point where you question even the basic conclusion that someone has been engaged in suspicious, if not outright, terrorist activity. That vote was defeated. The amendment by Senator FEINSTEIN was defeated.

She also offered an amendment originally penned by Senator Lautenberg—the late Senator Lautenberg of New Jersey—related to terrorists, but the Senate also considered an amendment that related to background checks for those who want to purchase firearms. That amendment came to the floor under the sponsorship of Senator MANCHIN, a Democrat from West Virginia, and Senator TOOMEY, a Republican from Pennsylvania. What it said is very basic: If we are going to sell firearms in America, we are going to make every reasonable effort not to sell them to convicted felons or people who are mentally unstable. That makes sense. In fact, it should be a standard we all accept. The vast majority of gun owners accept that standard. They don't want guns in the hands of people who would use them in crime or people who are mentally unstable and can't manage a firearm. That amendment came to the floor; again, it was defeated by the Republicans in the Senate. That is unfortunate.

In the State of Illinois, too many crime guns cross the border from northwest Indiana into the city of Chicago, coming into that city where they are traced to gun shows in Indiana where there are no background checks, where people can fill up the trunks of their cars with firearms and ammunition, cross the border into Illinois and into Chicago, and engage in deadly, violent contact. We should have that come to an end.

The people who own and use guns responsibly and legally have no fear. But those who would buy them for criminal purposes or those who would buy them when they don't have the faculties to truly maintain a firearm or use it should be stopped.

The Republicans disagree. They are listening to the gun lobby when they should be listening to the people of this country.

FOR-PROFIT COLLEGES

Mr. President, last month, the Department of Justice, along with the Department of Education and a group of State attorneys general, announced an agreement to settle litigation against Education Management Corporation, the second largest for-profit college chain in America.

EDMC was found to have been engaged in fraud and deception when it told the Federal Government it was complying with Federal laws that prohibited incentive compensation to be paid to recruiters. For EDMC recruiters, students essentially had a bounty on their heads. The more students they signed up for their for-profit colleges, the more bonuses and perks the recruiters could receive, such as trips to places like Cancun and Las Vegas, Starbucks gift cards, expensive candies, and tickets to sporting events.

To tell the whole story, the same EDMC recruiters—as they were recruiting young people to attend these for-profit colleges—needed only to find students with a ''pulse and a Pell'' to sign up. What they are referring to, of course, is low-income students eligible for over $5,000 in Pell grants—$5,000 that would flow to this for-profit college, regardless of whether the students were getting a good education.

U.S. Attorney General Loretta Lynch referred to this school as a ''recruitment mill.'' What was the result of this recruitment mill? While these illegal practices were taking place, EDMC reportedly took in—listen to this—$11 billion in Federal funds, $11 billion in taxpayer funds. Under the settlement, the company was fined $90 million—$11 billion; $90 million.

Well, how about the executives who masterminded the scheme to sign up young people so that their Pell grants and government loans would flow to the for-profit college, regardless of whether they ever finished school or ended up with a diploma that was worth anything? What happened to these people who engineered this scheme that cost Federal taxpayers $11 billion—students almost $11 billion in debt—and a fine by the government of $90 million? So far, they are getting off scot-free.

Todd Nelson, CEO of EDMC until 2012, personally received over $25 million in total compensation during his 5 years. The settlement didn't include any accountability for him. Now Mr. NELSON is the CEO of the Career Education Corporation, another for-profit education company that is under massive State and Federal scrutiny.

What about the students who were lured by EDMC's illegal recruitment mill, pressured by the company's high-pressure, boiler-room tactics into mountains of student debt? They can't find jobs many times, and they certainly can't repay their loans.

Attorney General Lynch called EDMC's tactics a violation of the trust placed in them by the students. More than 40 State attorneys general accused the company of deception and misleading recruitment.

So let's be clear. This was not just a case of EDMC lying to the Federal Government. Students were the victims.

I encourage the Department of Education to use the evidence the Department of Justice and States attorneys general have in this case to provide Federal student loan relief to students who were harmed by Education Management Corporation. But make no mistake. If the students are spared the student debt from these fly-by-night for-profit colleges, ultimately the taxpayers will be the losers as well. We provided the money to the students that flowed to the schools, and now everyone is a loser, including the taxpayers—oh, not the officers of the company. They walked away with millions of dollars in compensation.

There is one thing I always say at this point to make my case, and I have never, ever heard a rebuttal from the for-profit colleges. For-profit colleges educate about 10 percent of all the high school graduates in America. Who are the major for-profit colleges? The biggest one is the University of Phoenix, Kaplan is another large one, and DeVry University is out of the city of Chicago. These are for-profit schools.

About 10 percent of high school grants go to these for-profit colleges. The for-profit colleges as an industry receive 20 percent of all the Federal aid to education—10 percent of the students, 20 percent of the Federal aid. Their tuition is so high that students have to go deeper into debt than if they had chosen a community college or a public university. But here is the No. 1 number: 10 percent of the students—44 percent of student loan defaults occur with students who attend for-profit colleges and universities. Almost half of the students who end up going to these for-profit schools default on their student loans.

Don't forget that student loans, student debt is not dischargeable in bankruptcy. A 19- or 20-year-old student and their parents who sign up for these student loans have signed up for debt for life. It cannot be discharged. They will take it to the grave. When the student defaults, we actually have seen efforts to secure Social Security payments from the parents who cosigned for these loans. For 10 percent of the students in for-profit schools, there are 44 percent of the student loan defaults.

Well, the EDMC news came on the heels of a major announcement by Westwood College, one of the worst actors in the for-profit college industry. Westwood announced it would stop enrolling students in campuses nationwide, including the four that operate in the Chicago area. Praise the Lord.

Illinois Attorney General Lisa Madigan sued Westwood for engaging in deceptive practices. Madigan's suit focused specifically on Westwood's criminal justice program, one of the first that I have heard about that raised my interest in this for-profit college industry. In order to lure students into their criminal justice program, Westwood College convinced students they could get jobs with the Chicago Police Department and the Illinois State Police. What happened when the students actually graduated from Westwood College, this for-profit school, and took their degrees to the employers? The employers laughed at them. They didn't recognize the Westwood degree. In fact, it reached a point where they told the students they would be better off if they didn't include Westwood College on their resumes. Just say you didn't go to school, and you will have a better chance.

The Attorney General recently reached a settlement with Westwood under which it would forgive $15 million in private student loans for Illinois students. Now it appears the company as a whole may be on its way out. That is the trend in this industry. As students and parents across America are starting to realize these for-profit schools are bad news and State and Federal regulators are shining a light on their illegal tactics, enrollment is declining. At one point, I believe the University of Phoenix had over 500,000 students. Now they are down to less than half of that amount. Along with the decline in enrollment, stock prices on these private corporations are plummeting.

Years of bad behavior is starting to catch up with these companies, but the damage is done for these students. Many of their lives have been harmed, if not ruined, by this debt. And, of course, there has been damage to the Federal Treasury, which shells out billions—that is with a ''b''—of dollars to the for-profit colleges that the taxpayers will never get back. Yet the other party continues to come to the aid of the for-profit college industry, attempting to block any steps to ensure that for-profit colleges are following the law and held accountable. We saw it earlier this year. The junior Senator from Florida came to the aid of the disreputable Corinthian Colleges. While Corinthian was lying to students about its job-placement rates, suckering them into enrolling, and saddling them with debt, the junior Senator from Florida was writing to the Department of Education asking them to demonstrate leniency to Corinthian—leniency to a company that made misrepresentations to the students, lied to the government, and swindled taxpayers out of billions of dollars. That is the answer from the junior Senator from Florida.

If Republicans are willing to defend Corinthian, it shouldn't be a surprise that they want to shield for-profit colleges from what is known as the gainful employment rule. The Department of Education has developed responsible criteria for determining whether career education programs really do prepare students for gainful employment. That is required by law. The gainful employment rule ensures that students who graduate from a covered program of study are able to get a job that allows them to manage the student debt they take on in the process. The point is to protect students from worthless postsecondary programs that leave them saddled with debt and unable to get a good job. The point is to also protect Federal taxpayers by cutting off Federal funding to programs of study that don't really prepare students for a job. But the for-profit college industry and their friends in Congress—they hate this rule. Why? As an industry, for-profit colleges, as I mentioned earlier, enroll 10 percent of the students and account for more than 40 percent of the student loan defaults. They take in $25 billion in title IV dollars annually. If they were a Federal agency, the for-profit colleges and universities would be the ninth largest Federal agency in America.

Is this the private sector, is this the free market, or is this crony capitalism that survives on massive Federal subsidies? The for-profit colleges and universities are the most heavily subsidized private industry in America. Their business model depends on easy access to Federal funds and the ability to spend as little as possible on quality education. They spend more money on advertising than they do on teaching.

Earlier this year, the U.S. District Court for the District of Columbia dealt a devastating blow to this industry's attempt to block the gainful employment rule. The court upheld the rule in its entirety. This was the second U.S. district court to do so. Having been embarrassed in Federal court, the for-profit college industry has turned to my friends on the other side of the aisle to protect them. They attached a rider to the appropriations bills that fund education programs and are pushing to include it in the final spending bill this year to stop the Department of Education from enforcing the existing law on gainful employment.

How can we as Members of Congress block implementation of this commonsense rule in light of what just happened with Corinthian? This company was inflating its job-placement rates to lure students, defrauding the students and taxpayers, and lying to creditors and the Federal Government. When it collapsed, when Corinthian went down, more than 70,000 students were left in peril. Many were left with more debt than they could ever possibly repay and a Corinthian education that is worthless.

Now is not the time for Congress to meddle in the Department of Education's efforts to protect taxpayers, students, and their families, and to prevent another Corinthian collapse. The Department estimates that of the nearly 1,400 programs of study, 99 percent of them at for-profit colleges will fail under this basic rule. That is why the industry is in a mad dash to find political sponsors to save them from accountability. Programs have to fail the rule 2 out of 3 consecutive years to be cut out of Federal funding, so the institutions do have an opportunity to improve. If they don't, we shouldn't just continue to blindly send billions of Federal taxpayer dollars to these companies.

With all we know about the for-profit college industry and their fraudulent and deceptive practices, I can't believe my colleagues on the other side of the aisle are prepared to fight a rule that is nothing more than a way to protect students and taxpayers. But here we are facing the prospect of a policy rider, substantive legislation in a spending bill to shield for-profit colleges from being held accountable and delivering on their promises to students. Well, I am going to resist that, and I hope my colleagues will join me. It isn't just a matter of making certain that these schools follow the law; it is a matter of protecting students and families from being exploited—going in for an education and ending up with nothing other than debt—and protecting taxpayers who are sending $25 billion a year to this industry.

We have had some heated debates on the floor about people receiving food stamps—perhaps $180 a month in food stamps—and whether they are deserving or whether it is a rip-off for taxpayers, but when it comes to $25 billion for an industry that has shown over and over again that it is the source of 44 percent of student loan defaults, to the misery of the students and families who are victims of it, some of these same people who are critical of food stamp fraud turn a blind eye. They say: Oh, this is just business. Don't be afraid of making a profit.

I salute businesses that make a profit if they do it honestly, honorably, and do it with competition. This industry is taking advantage of Federal tax dollars in a way that no other industry is.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

TERRORIST WATCH LIST

Mr. COTTON. Madam President, I will be brief. I wish to respond to what I heard earlier this morning from the

Democratic leader and what we heard from the President on Sunday night.

The Democrats would have us believe that any person on a watch list can go and buy a firearm without any notice whatsoever. That is simply false. The background check system that federally licensed firearm dealers use includes a terrorist watch list, and the FBI counterterrorism division is notified when that occurs. Of course, the list is notoriously inaccurate. A Department of Justice IG report just a few years ago said half of the names on the list are incorrect. The New York Times, which continues its proselytizing for gun control, used to be strongly opposed to the use of this list. Most famously, Ted Kennedy, a U.S. Senator from America's leading political dynasty, was on the list and couldn't get off for weeks, having his flights disrupted time after time. Stephen Hayes, a well-known conservative journalist who I admit looks a little suspicious, also found himself on the list. It took him months of public commentary, and he was only removed from the list when Secretary of Homeland Security Jeh Johnson was challenged on the news about him being on the list.

If it took Ted Kennedy and Stephen Hayes weeks or months to get off that list, how long would it take the little guy in Arkansas? For that matter, how long do we think it would take patriotic Muslim Americans who are on the list—most likely because of confusion about their names with suspected terrorists—to get off that list?

Moreover, what other rights would Democrats like to deprive American citizens of without notice and due process? Their right to free speech? Their right to practice their religion? Their right to petition their government? Their right to enlist unreasonable search and seizures? Their right to a trial by jury? Their right to confront their accusers? Their right to get just compensation when their property is taken?

Democrats should quit being so politically correct. They should focus on winning the war against radical Islam. If they did, maybe fewer Americans would feel the need to buy firearms to protect themselves from terrorist attacks.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, this is a day for opportunity in the Senate. We have an opportunity today to reverse the trend of the last several years toward a national school board. We have an opportunity to make clear that in the future, the path to higher standards, better teaching, and real accountability will be through States, communities, and classrooms and not through Washington, DC.

We have an opportunity to vote in favor of what the Wall Street Journal has called ''the largest devolution of Federal control to States in a quarter century.''

We have an opportunity to inaugurate a new era of innovation and excellence in student achievement by restoring responsibility to States and classroom teachers. Tennessee, after all, was the first State that paid teachers more for teaching well. Minnesota educators created the first charter schools. The real advances in higher standards and accountability and appropriate testing have come from classroom teachers and from Governors, not from Washington, DC, and I believe that is where those advances will come from in the future.

We have an opportunity today to provide much needed stability and certainty to Federal education policy from some very important people who are counting on us: 50 million children, 3.4 million teachers, and 100,000 public schools.

Newsweek magazine recently reminded us what we already know very well: No Child Left Behind is a law everybody wants fixed. Governors, teachers, superintendents, parents, Republicans, Democrats, and students all want the law fixed. There is a consensus about that and fortunately there is a consensus about how to fix it. That consensus is this: continue the law's important measurements of academic progress of students—disaggregate and report the results of those measurements—so teachers, parents, and the community can know what is going on in the schools but restore to States, school districts, classroom teachers, and parents the responsibility for deciding what to do about those tests and about what to do about improving student achievement.

In our Senate hearings, I suppose we heard more about over-testing than any other subject. I believe this new law will result in fewer and better tests because States and classroom teachers will be deciding what to do about the results of the tests.

Building on the consensus I have just described is why the Senate—our Senate education committee—passed our bill 22 to 0 and why it passed on the floor 81 to 17. That is why conferees from the Senate and the House were able to agree 38 to 1, and that is why last Thursday the House of Representatives approved the conference report 359 to 64. That is why the National Governors Association gave our conference report its first full endorsement that the NGA has given to any legislation in nearly 20 years. That is why the Chief State School Officers, the school superintendents, the National Education Association, and the American Federation of Teachers all have supported our result.

This consensus will end the waivers through which the U.S. Department of Education has become in effect a national school board for more than 80,000 schools in 42 States. Governors have been forced to come to Washington, DC, and play ''Mother, May I'' in order for a State to put in a plan to evaluate teachers, for example, or to help a low-performing school.

Our consensus will end the Federal common core mandate. It explicitly prohibits Washington from mandating or even incentivizing common core or any other specific academic standards. That is exclusively the responsibility of the State. It moves decisions about whether schools, teachers, and students are succeeding or failing out of Washington, DC, and back to States and communities and classroom teachers where those decisions belong.

I am grateful to Senator MURRAY, who is here today, and Representatives KLINE and SCOTT, and to all of the members of our Senate education committee, for the leadership they have shown and the bipartisan way in which they have worked on this legislation. I am grateful to both the Democratic and Republican staffs in the Senate and in the House for their ingenuity and hard work. Fixing No Child Left Behind has not been easy. Everyone is an expert on education. This has been a lot like being in a football stadium with 100,000 fans, all of whom know exactly which play to call and usually each one of them says so.

Some Republicans would like even more local control of schools than our consensus provides, and I am one of them, but my Scholarship for Kids proposal, which would have given States the option to allow Federal dollars to follow children to the school their parents choose, only received 45 votes in the Senate. It needed 60.

So I have decided, as a President named Reagan once advised, that I will take 80 percent of what I want and fight for the other 20 percent on another day. Besides, if I were to vote no, I would be voting to leave in place the common core mandate—and I would be voting to leave in place the waivers that permit the U.S. Department of Education to act as a national school board for 80,000 students and 42 states—and I would be voting against the largest step toward locally-controlled schools in 25 years. Let me repeat that. Voting no today is voting to leave in place the common core mandate and the national school board and voting against the largest step toward local control of schools in 25 years.

I say to my friends, especially on the Republican side, many of whom, as I do, would like more local control: That is not the choice. The choice is whether we want to leave in place common core, the national school board, and the largest step toward local control in 25 years. I don't want to do that.

This law expired 8 years ago. It has become unworkable. If it were strictly applied, it would label nearly every

school in America a failing school. So States, teachers, and parents have been waiting 8 years for us to reauthorize this law. If this were homework, they would give Congress an F for being tardy, but I hope they will give us a good grade for the result we have today.

It is a great privilege to serve in the U.S. Senate, but there is no need for us to have that privilege if all we do is announce our different opinions or vote no if we don't get 100 percent of our way. We can do that at home or on the radio or in the newspaper or on a street corner. As U.S. Senators, after we have had our say, our job is to get a principled result. Today we have that opportunity.

I hope today will demonstrate that we understand the privilege we have as Senators and show that we cherish our children by building upon this consensus and vote yes to fix the law that everybody wants fixed and yes for the consensus that restores responsibility for our schools to States, communities, and classroom teachers.

Before Senator MURRAY speaks, I would like to do two things, briefly. The first vote—the vote we are having today at 11:30—is a vote about whether to cut off debate on fixing No Child Left Behind. I hope no Senator thinks we have not had enough debate. We have been at this for 7 years. We failed in the last two Congresses. We have been working in our committee since January. We have had innumerable hearings, more than 50 amendments in committee, more than 70 amendments were dealt with on the floor, a dozen or so amendments in the conference report. Every Senator has had this in his or her office since last Monday—at least for a week. So the question today at 11:30 is, Is it time to cut off debate and move to a final vote? I hope every Senator will vote yes.

Finally, I mentioned Senator MURRAY and her role in this, which has been indispensable in terms of our ability to come to a result. I would like to extend my deep thanks and appreciation to her staff and our staff, the committee staff, that worked on fixing No Child Left Behind. Many of them have been working on this effort for nearly 5 years. They have been ingenious. They have worked hard. They have been understanding, they have been tireless, and they have been indispensable in creating this important bipartisan, bicameral bill. That includes the staffs of Representative KLINE and Representative SCOTT in the House

On Senator MURRAY's exceptional staff I would like to thank especially Evan Schatz, Sarah Bolton, Amanda Beaumont, John Righter, Jake Cornett, Leanne Hotek, Allie Kimmel, and Aissa Canchola. All of those people were very important. For my hardworking and dedicated staff, I would especially like to thank our staff director, David Cleary, Peter Oppenheim, Lindsay Fryer, Bill Knudsen, Jordan Hynes, Hillary Knudson, Jake Baker, Lindsey Seidman, Allison Martin, Bobby McMillan, Jim Jeffries, Liz Wolgemuth, Margaret Atkinson, and Taylor Haulsee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, 50 years ago, President Lyndon Johnson rushed to the old elementary school he had once attended and with him he had a piece of major legislation. At a picnic table on the lawn of the school, President Johnson signed into law the Elementary and Secondary Education Act—or ESEA. He said that with this law, he envisioned ''full educational opportunity as our first national goal.''

Our Nation has always held the ideal of education for all, but in 1965 ESEA put that idea into action. It aimed to close the education gaps between rich and poor, Black and White, kids from rural areas and kids from big cities. In doing so, ESEA took a step forward for civil rights.

Today we have a chance to reauthorize that civil rights law to continue what President Johnson called our ''first national goal.'' We have a chance to finally move away from the No Child Left Behind Act, and we have a chance to send the Every Student Succeeds Act to the President's desk to help ensure all kids have access to a quality education regardless of where they live, how they learn, or how much money their parents make.

I appreciate the tireless work of Chairman JOHN KLINE and Ranking Member BOBBY SCOTT in the House and their staffs. I especially want to thank my partner here in the Senate, the chairman of the HELP Committee and senior Senator from Tennessee, Senator LAMAR ALEXANDER. The chairman had an opportunity to go down a partisan road, but instead he committed to work with me earlier this year to get this important bill done. I was very proud to work with him and with many of our colleagues to break through the gridlock and keep this bill moving forward. Together we passed our bill through the HELP Committee with strong bipartisan support. We passed our bill in the Senate with strong bipartisan support. We got approval from our bicameral conference committee with strong bipartisan support. Last week the House passed this final legislation with strong bipartisan support. And today I hope our colleagues will approve this final bill with the same bipartisan spirit that has guided our progress this far.

Nearly everyone agrees that No Child Left Behind is badly broken. I have heard from parent after parent and teacher after teacher about how the law overemphasized testing and how oftentimes those tests are redundant or unnecessary. I have seen firsthand how this law is not working for my home State of Washington. No Child Left Behind issued one-size-fits-all mandates but failed to give the schools the resources they needed to meet those standards.

These mandates were so unworkable that the Obama administration began giving States waivers from the law's requirements. My State lost its waiver last year. Parents across the State got a letter in the mail saying their child's school was failing, and teachers were left working as hard as ever, knowing their ''failing'' label didn't reflect the reality in their classrooms.

A few months ago, I heard from a teacher in Seattle named Lyon Terry. He has taught school for more than 17 years and pours his energy into engaging with his students. He starts the morning by playing songs on his guitar, keeps his students laughing with jokes, and every day he tries to create an environment where kids want to come to school. Despite Mr. Terry and his fellow teachers' hard work, his school was labeled as failing. That is not fair to teachers like Mr. Terry, it is not fair to the parents who need confidence in the education their kids get at public schools, and it is not fair to students who should never have to bear the consequences of this broken law.

Fixing No Child Left Behind has been one of my top priorities for students, families, and communities back home in Washington State and across the country. Back in January we didn't know there would be a path to compromise on a bill to reauthorize the Nation's K–12 law, but I started out with several principles and Washington State priorities that I would be fighting for.

First, I knew we needed to ensure that schools and States provided a quality education to all our students because we already know what happens when we don't hold them accountable for every child. Inevitably, it is the kids of color or kids with disabilities or kids learning English who too often fall through the cracks. I said back in January and I will repeat that true accountability means holding up our schools to our Nation's promise of equality and justice.

I knew we had to give schools and teachers resources they need so they can help their schools reach full potential because in some schools students don't have the same opportunity to graduate ready for college and careers in the 21st-century economy like other students do.

I knew we should only pass an education bill that would help expand access to early childhood education because giving more students the chance to start kindergarten ready to learn is one of the smartest investments our country can make.

I am proud to report that our bill, the Every Student Succeeds Act, takes

major strides on those priorities and much more. The Every Student Succeeds Act will put an end to the one-size-fits-all mandates of No Child Left Behind. It will end the era of State waivers. That will give teachers and parents in my State of Washington and across the country some much needed certainty.

Our bipartisan bill will also reduce reliance on high-stakes testing so teachers and students can spend less time on test prep and more time on learning. I know that is going to be a major relief for teachers and principals, such as high school principal Lori Wyborney in Spokane, WA. She told me she wants to see some commonsense policies for testing. That is what our bill will help to do.

While the Every Student Succeeds Act gives States more flexibility, it also includes strong Federal guardrails to hold schools and States accountable. Our bill will make sure schools work to close achievement gaps that too often hurt kids from low-income backgrounds, students of color, those learning English, or those with disabilities. For schools that struggle the most to help students succeed and for high schools where more than a third of their students fail to earn a diploma, our bill will take steps to make sure they improve.

A couple of weeks ago, I met a parent named Duncan. He has a son in second grade in the Highland public schools, and Duncan is active in their PTA. Many of the kids in his school district struggle with poverty. Duncan has said he has seen firsthand how, in districts like this, ''every dollar matters.''

In the Every Student Succeeds Act, I fought hard to make sure that Federal resources go to the schools and districts that need them the most by rejecting a proposal known as portability. If enacted, portability would have siphoned off money from the schools with the highest concentration of students in poverty and sent it to more affluent schools. Our bill protects schools with students in low-income areas and upholds our responsibility to invest Federal resources where they are needed the most.

Even so, many schools and districts don't get equal access to the resources they need to help students learn, grow, and thrive. These are things such as offering AP classes, how much funding districts spend on each student, access to preschool, and many more. Our bill will require all schools to report on these issues to help shine a light on resource inequality.

Our bipartisan bill will help improve and expand access to preschool programs. Before I ever thought about running for elected office, I taught preschool in a small community in my home State of Washington. I remember that the first day with new students would always start the same way: Some kids wouldn't know how to hold a pencil or crayon or how to turn a page in a book. But over the first few months, they would start to catch on. They learned how to listen at story time. They learned how to stand in line for recess. By the time they left for kindergarten, they had those basic skills and many more, so they were ready to tackle a full curriculum in school.

I have seen firsthand the kind of transformation early learning can inspire in a child, and I am so glad that for the first time, our Nation's primary education law will invest in early childhood education. I fought hard for this because I know that investing now in preschool will payoff for years to come.

Strong Federal guardrails for accountability, shining a light on resource inequity, reducing the reliance on high-stakes testing, and increasing access to preschool are some of the great things in this bill, but almost as important is what this bill represents. Gridlock and dysfunction have come to define Congress over the past several years, but on an issue as important as education and on a law as broken as No Child Left Behind, we worked together and found a way to find common ground.

It is not the bill I would have written on my own. I know it isn't the bill Republicans would have written on their own. That is the nature of compromise. We put partisanship aside and proved that Congress can get results for the American people, and that kind of bipartisanship is what we need more of here in Congress.

With the legislative process for this bill coming to an end, I am looking ahead to the future. When all students have the chance to learn, we strengthen our workforce, our Nation grows stronger, and our economy grows from the middle out, not from the top down. We empower the next generation of Americans to lead the world.

As proud as I am that we have come this far on the Every Student Succeeds Act, we always have to keep improving educational opportunities. I am going to see to it that this bill is implemented effectively, that schools and teachers get the resources they need, and that students have access to the programs that help them succeed in the classroom and beyond. I am going to keep pushing to build on the progress we have made in this bill and make sure more students start school on a strong footing. I am going to keep fighting to make college more affordable and reduce the crushing burden of student debt. I am going to keep working every single day to make sure our government is doing everything possible to help students in Washington State and across the country. Reauthorizing ESEA isn't the finish line; for me, it is more of a milestone in an ongoing commitment to swing open more doors for Americans.

I am asking all of my colleagues here today to join me. Let's fix this No Child Left Behind law. Let's show teachers and principals that we are on their side. And let's help instill educational opportunity as our first national goal and grow our Nation stronger for generations to come.

In a few minutes, as the chairman said, we will be voting on cloture to end debate so that we can move to passage of this bill. Along with him, I thank all of our staff. When we get to the final bill, I want to name them as well. They have put in an incredible amount of time, work, and hours to help get to this agreement. Again, I thank all of our staffs on both sides of the aisle and in the House. I will say more about that later, but I truly want to thank Chairman ALEXANDER for taking the time to be thoughtful, to work with us, and to find a path forward for compromise on a law that was broken that needed to be fixed and that we are about to pass.

Thank you, Madam President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I have said many times but I would like to say again that at the beginning of this discussion, when the Senator from Washington and I talked about how we had been stuck for two Congresses on this, I started in one direction and she suggested a different direction. As it turned out, she gave me good advice. I took it, and as a result, we have a result. So I thank her for that, and I look forward to working with her on other important issues in the same way.

The Senator from Georgia would like to speak before we vote.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Madam President, as the last surviving person who served on the committee who wrote the original No Child Left Behind Act for the Congress, I am delighted to be here on this day.

I think this Senator speaks for every superintendent, every Governor, every parent, and every child to say thank you to Senator ALEXANDER and Senator MURRAY. We knew when we wrote No Child Left Behind that if it worked, by the time the sixth year came, we would have to reauthorize it or else it would go from a net positive to a negative. We didn't reauthorize it, and AYP became a problem, good schools became needs-improvement schools, and the law worked backward. In fact, we have run education by waivers the last 6 years.

The leadership of these two great Members of Congress. Seeing this bill through in the committee is a great testimony to working together, to finding common ground, and to our collective purpose of seeing to it that our

children are the best educated children in the world.

Senator ALEXANDER, thank you. Senator MURRAY, thank you for what you have done.

To the Members of Congress, the Senate will vote in a few minutes. We need a vote for cloture and a vote for final passage to see to it that we end a chapter in education and open a new chapter—a chapter that focuses on student improvement, student achievement, leaves No Child Left Behind but also sees that every child can succeed and makes sure we disaggregate so we can focus on children as they perform within their own group and we can focus on every child in every school in America.

I am honored to have been a member of the committee that worked hard on this bill, and I am honored to serve with Senators ALEXANDER and MURRAY.

I appreciate the time to speak on behalf of not just myself but for every student, teacher, and parent in America.

Thank you.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I thank the Senator from Georgia, and I salute him. The Senator from Georgia is a former chairman of the Georgia State Board of Education. His experience there, his work with Senator MURRAY on early childhood education, and his insistence on an amendment that gives States the right to allow parents to opt out of federally required tests all were major contributions to this legislation. I think it is fair to say that we could not have fixed No Child Left Behind without JOHNNY ISAKSON's experience and leadership, and I am deeply grateful to him for that.

We yield back all time on our side.

Mrs. MURRAY. Madam President, we yield back all our time as well.

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany S. 1177, an act to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mitch McConnell, Lamar Alexander, Mike Rounds, Deb Fischer, Dan Sullivan, Lisa Murkowski, Orrin G. Hatch, Shelley Moore Capito, Pat Roberts, Chuck Grassley, Richard Burr, Cory Gardner, John Hoeven, John Cornyn, David Perdue, Johnny Isakson, Daniel Coats.

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

The question is, Is it the sense of the Senate that debate on the conference report to accompany S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Indiana (Mr. COATS), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The yeas and nays resulted—yeas 84, nays 12, as follows:

[Rollcall Vote No. 333 Leg.]

YEAS—84

Alexander	Fischer	Mikulski
Ayotte	Flake	Murkowski
Baldwin	Franken	Murphy
Barrasso	Gardner	Murray
Bennet	Gillibrand	Nelson
Blumenthal	Grassley	Perdue
Booker	Hatch	Peters
Boozman	Heinrich	Portman
Boxer	Heitkamp	Reed
Brown	Heller	Reid
Burr	Hirono	Roberts
Cantwell	Hoeven	Rounds
Capito	Inhofe	Schatz
Cardin	Isakson	Schumer
Carper	Johnson	Sessions
Casey	Kaine	Shaheen
Cassidy	King	Stabenow
Cochran	Kirk	Sullivan
Collins	Klobuchar	Tester
Coons	Lankford	Thune
Corker	Leahy	Tillis
Cornyn	Manchin	Toomey
Cotton	Markey	Udall
Donnelly	McCain	Warner
Durbin	McCaskill	Warren
Enzi	McConnell	Whitehouse
Ernst	Menendez	Wicker
Feinstein	Merkley	Wyden

NAYS—12

Blunt	Lee	Sasse
Crapo	Moran	Scott
Cruz	Paul	Shelby
Daines	Risch	Vitter

NOT VOTING—4

Coats	Rubio
Graham	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 84, the nays are 12.

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

The Senator from Tennessee.

Mr. ALEXANDER. Madam President, on behalf of the Senator from Washington, Mrs. MURRAY, I ask unanimous consent that notwithstanding the provisions of rule XXII, the vote on adoption of the conference report to accompany S. 1177 occur at 10:45 a.m., on Wednesday, December 9, which is tomorrow.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ALEXANDER. Madam President, that sets the final vote on our bill to fix No Child Left Behind tomorrow morning at 10:45 a.m. I don't think there is any doubt what the result will be. We have had a series of votes that give a pretty clear indication of where the Senate is. The vote today was 84 to 12 to cut off debate and move to the final vote. Senators who wish to speak between now and then can do that.

Senator MURRAY, in her remarks, mentioned how good this process has been, and I wish to call that to the attention of Senators as well. The Senate can operate pretty well under the rules that it has if Senators will agree to cooperate with one another. I said before that I think one reason Senator MURRAY works so well toward a result, even though she is a partisan leader in the Democratic conference, is because she used to be a preschool teacher, and in kindergarten you learn how to work well with others and that is true in her case. That is actually true with all of the members of our committee. We have as much divergence on our committee, with 22 members, as does any committee. I will not name the names of the Senators, but there is almost no one who can dispute that. Yet we went through a process, which Senator MURRAY and I agreed on at her suggestion, and this is what happened: We had 22 members in the committee vote yes to move the bill to the floor. That is every single member of the committee. Several of those members agreed to withhold amendments that might have been damaging to the bill so we could deal with them on the floor.

In the committee we considered 58 amendments and 29 were adopted. Twenty-four of the adopted amendments were offered by Democrats and five amendments were offered by Republicans. Then we went to the floor. When we moved to the floor, the vote was 81 to 17—not quite as good as today, but it was a very good vote. We had 52 Member priorities incorporated into a substitute amendment. In other words, 52 Senators made suggestions about the final bill. Forty-four of these were priorities requested by Democrats and eight were priorities requested by Republicans. On the Senate floor, 177 amendments were filed and 78 were considered—23 by rollcall vote and 65 amendments were agreed to. Forty of the adopted amendments were offered by Democrats, 25 by Republicans.

Sometimes I have heard it said that we don't have time to deal with amendments. We dealt with 177 amendments on the floor in less than a week. The practice of going around to our colleagues and talking them out of amendments takes more time than it does to actually vote on them and to give them a chance to participate. In conference 17 more amendments were filed, 10 from the House, 7 from the Senate. Of those 17 amendments, 9 were considered and 7 were agreed to—4 Democrats, 3 Republicans.

I suggest to the Senate and President that it is not a secret why we were able to succeed this year in fixing a bill that is very difficult to fix. We know that because we have tried very hard in each of the last two Congresses, working with the Secretary of Education, House Republicans and Democrats, and the Senate Republicans and Democrats. We spent a lot of hours working on a bill, but we failed.

Why did we have more success this time? I think it is because everybody had a part in the process, everybody had a chance to have their say. We had amendments in committee, we had amendments on the floor, and we had amendments in the conference. If you are convinced that you had a chance to have your say, then it is easier to say: Ok. Let's vote. I might win or lose, but at least I had my say and we need to get a result. I would like to see more of that here. We can do that fairly easily, and the key to it is allowing amendments.

It is possible, under the Senate rules, for Senator MURRAY to offer an amendment and to try to make it pending, and I can object. If I then offer an amendment, she might object, and then the whole process collapses. So any one of us can keep the Senate functioning as it should, but in this case—an issue when there are alligators lurking in every corner of the pond that could have brought this to a halt and nearly did several times—we were able to go through the process and get a result for the benefit of 50 million children and 3.4 million teachers in 100,000 public schools.

Someone asked me earlier yesterday what it would take to have the American people have a higher opinion of the U.S. Congress. My answer is actions such as this, where we take an issue that affects real Americans in the schools they attend, the homes where they are doing their homework, and the teachers who are working every day—this affects every single one of them. This empowers them to do their job. This creates an opportunity for a new era of innovation and excellence in student achievement. When we work together to get this result, I think people think better of the process here.

As I said earlier, it is possible to just stand here and say: Here is my opinion, and if I don't get 100 percent, I will vote no. If that were all I wanted to do, I would stay home. I would stand on the street corner or get my own radio show or column, offer my opinion for about 5 minutes, and then go do something else, but I wouldn't waste my time trying to be a U.S. Senator. It is hard to get here, and then it is hard to stay here. So while you are here, you might as well amount to something, and amounting to something as a U.S. Senator is getting a principled result on issues that are important to the American people.

We have done that this year more than most people might think. Senator MURRAY has a well-known reputation in this body, not just for being a Democratic leader but for being someone who is interested in a result. Senator WYDEN is working with Senator HATCH on tax extenders and Senator UDALL worked with Senator VITTER on chemical safety. The Energy bill that came out of committee depended upon Senator CANTWELL as well as Senator MURKOWSKI. The mental health bill that came out of our committee came from Senators MURRAY and ALEXANDER. The cyber security bill that passed the Senate was the work of Senator FEINSTEIN as well as Senator BURR. The trafficking victims law came from Senators MCCASKILL and CORNYN. The terrorism risk insurance was the result of Senators BROWN and SHELBY working together. The Iran Nuclear Review Act, which is a pretty extraordinary bill, started with Senator MENENDEZ, then Senator CARDIN, along with Senator CORKER. The Veterans Suicide Prevention Act came from Senators DURBIN and MCCAIN.

I haven't even mentioned all of the important legislation that came through the Senate this year. So it is perfectly possible for us to deal with very important pieces of legislation if we work together, and both Democratic and Republican Senators have all shown they can work together.

I look forward to the vote tomorrow at 10:45 a.m.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I ask unanimous consent that for the next 20 minutes I be given 4 minutes, Senator SHAHEEN be given 4 minutes, Senator BLUMENTHAL be given 4 minutes, Senator FEINSTEIN be given 4 minutes, and Senator MURPHY be given 4 minutes, concluding in a unanimous consent request.

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

UNANIMOUS CONSENT REQUEST—S. 551

Mr. SCHUMER. Madam President, like so many Americans, my thoughts are with the families and friends of those affected by the terror in San Bernardino last week. Our hearts go out to the victims and their families.

As we learn more about the suspects, it is becoming clear that San Bernardino will serve as a sad—but also shocking—reminder of what needs to be done to address what has become known as the terror gap.

I rise to support that most commonsense proposal to bar individuals on the terrorist watch list from being able to legally get a gun. The GAO found that between 2004 and 2014 suspected terrorists attempted to exploit this loophole. People say: Well, this never happens. Listen to this. Those on the terror watch list tried to purchase guns 2,233 times and succeeded in 2,043 of those—or 91 percent.

It is absolute insanity that this is not already a restriction we have in place. Given what happened in San Bernardino, it is extra insanity that we are not going to move on this and that we haven't moved on this already. It makes no sense. We can't let a small group—an influential, powerful lobbying group—make America less safe. Yet many of my colleagues on the other side of the aisle are doing just that. Because the NRA says no, they say no, even though terrorism is a scourge that we have to deal with on many fronts.

I appreciate my friend from Texas. He says there are certain people on the terrorist watch list who don't belong there. There are a few, but this newly found sympathy for the civil liberties of those who might be causing trouble is surprising. We don't say abolish the criminal justice system because not every single person we convict is guilty—although 99 percent probably are or some large percentage. Why are we doing it here? Are we saying if there are two or three people on this terrorist watch list—20 or 30 who shouldn't be there and they have the right to appeal and correct it; I have done it for constituents—then we should let the other thousands who belong on that watch list and who present a danger to America buy guns? It makes no sense.

I ask my friends on the other side of the aisle: Why should terrorists like the ones who perpetrated the heinous attack in Paris or the ones who did in San Bernardino be allowed to buy a gun? No red herring argument will work. This is plain common sense at a time when we need common sense, and it should not be a partisan measure. Guess who introduced this idea originally? Not Barack H. Obama but George W. Bush in 2007.

The vast majority of gun owners may have a right to have a gun, and I would protect their right to have a gun if they are not felons or adjudicated mentally ill or spousal abusers; therefore, everyone is for it. The other side says no. So I hope now that it has become—

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SCHUMER. I ask unanimous consent for 30 additional seconds.

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

Mr. SCHUMER. Now that it has become clear since our last vote that the two in San Bernardino have terrorist ties, I hope when Senator MURRAY propounds the unanimous consent request, the other side will support it.

I yield the floor.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I come to the floor to join my colleagues

because I also believe we should keep guns out of the hands of terrorists. I don't think that applies to law-abiding citizens, but I think it does apply to terrorists.

I have been a strong supporter of the Second Amendment. In New Hampshire, we have a rich tradition of safe and legal firearm ownership. We have a rich tradition of hunting and sportsman's activities. But like most Granite Staters, I also support pragmatic and sensible ways to keep guns out of the hands of dangerous people who would threaten this country, while also protecting the rights of law-abiding citizens. That is what we are discussing here today.

We have put forward commonsense legislation that adheres to a pretty simple principle: If you are not allowed on a plane because you are on a no-fly list, because you are suspected of threatening the country, then you should not be allowed to buy a gun.

I want to repeat what Senator SCHUMER said because I think people don't think that is real. They think: Oh, well, if you are on the no-fly list, you are not going to be able to buy a gun. But according to the Government Accountability Office, between 2004 and 2014, suspected terrorists attempted to purchase guns from American dealers at least 2,233 times that we know of. In 2,043 of those cases—2,043—91 percent of the time, those suspected terrorists succeeded. That is unacceptable, and it is time we close the loophole that allows suspected terrorists to purchase guns.

After the horrific tragedy last week that was carried out by radicalized individuals in San Bernardino, it is clear that we need to be doing more to prevent violent attacks inspired by ISIS here at home. Closing this loophole in our gun laws is a commonsense thing that we can do today.

I have heard concerns that the legislation we have proposed doesn't allow for adequate due process for those on the list, but that is just not correct. The Department of Homeland Security has a process in place for removing a name from the no-fly list. As Senator FEINSTEIN, the author of the legislation, has noted, the FBI office that handles the firearm background check system must provide a reason for a denial upon request. Individuals who are listed then have a right to correct any inaccurate records in the background check system. So there is a process in place for people who are wrongfully on that no-fly list to be able to remove their names.

I would ask those who oppose this bill: If the no-fly list is not good enough for keeping guns out of the hands of terrorists, why is it worthwhile for protecting commercial airline flights from terrorists? The reasoning is inconsistent.

The PRESIDING OFFICER. The time of the Senator has expired.

Mrs. SHAHEEN. Mr. President, it is time to come together in the interests of national security to pass this bill to close this loophole in our Nation's gun laws.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, we talk in this Chamber every day about the threat of terrorism and many associated terrorist threats with airplanes and explosives, but we have seen in recent horrifying events in Paris and in San Bernardino how much tragic carnage can be wrought by a small number of people using firearms designed for war. They are using assault weapons that have the purpose to kill and maim human beings—no other purpose. For me and for the American people, common sense says a person too dangerous to be permitted on a plane is too dangerous to be permitted a gun. No fly, no gun. No check, no gun. That ought to be the rule. It is a commonsense rule.

When I talk to people in Connecticut and they say to me ''Why didn't the Senate approve that rule?'' there is no commonsense explanation. The reason given by colleagues on the other side that there is some due process violation is nonsense. I hesitate to say it is that frivolous, but it is because, No. 1, there is a right to challenge the designation on the no-fly list through the Department of Homeland Security, which has to provide reasons and an opportunity to challenge it. Also, under Senator FEINSTEIN's bill, there is an additional safeguard to constitutional rights because it can be challenged through the Department of Justice, which is required to establish an administrative process and then an appeal—a right of appeal to the Federal courts. Anybody denied permission to buy a gun has a right of appeal. So the rule no-fly, no gun is based on common sense and legal, constitutional rights.

No right, in fact, is absolute. Whether it is the First Amendment or any other right, there is the guarantee in the Constitution that there will be reasonable restrictions, when necessary, to protect the public interests, and here is a case of the public interests clearly deserving this protection. If there are problems with any individual being on the list, challenge it, but clearly having to wait 72 hours for that check and for the denial of permission to go forward is unreasonable.

I urge that we move forward with this commonsense protection for the public. I am hard-pressed to think of a more clear and staggering example of the gun lobby's influence than the defeat of this bill.

Plainly, the vote last week showed that the gun lobby unfortunately still has a staggering stranglehold on this process. When it comes to law enforcement, they are on our side.

I urge our colleagues to heed this reasonable request: No fly, no gun. If you are on that no-fly list, if you are too dangerous to fly and to board a plane, the Constitution says this reasonable restriction should be adopted.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent to speak for 7 minutes. I understand that wasn't in the original request.

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

Ms. KLOBUCHAR. Mr. President, when I was a prosecutor, we had one straightforward goal: Convict the guilty and protect the innocent. To me, that simple mission still holds true. We must make our world safer by rooting out evil in our midst, while still protecting the rights of people who mean no harm. Those 14 people in San Bernardino, that American aid worker killed in Mali, those innocent families whose plane exploded over Egypt, and those young people killed and maimed in Paris deserve nothing less.

That means, of course, taking out evil at its roots, increasing our efforts, and leading an international coalition against ISIS, and it means keeping our homeland safe. Part of that is tightening the Visa Waiver Program, and some of it is the work that must be done on encryption. But there is one commonsense way to get at this terror that I join my colleagues in supporting today—commonsense action to close a dangerous loophole that allows suspected terrorists to illegally buy guns in the United States.

Incredibly, current U.S. law does not prevent individuals who are on terror watch lists from purchasing guns. A total of 2,233 people on the watch list tried to buy guns in our country between 2004 and 2014, and more than 2,000—or 91 percent of them—cleared a background check according to the information from the Government Accountability Office.

I am a cosponsor—and have been before these tragic events of the last few weeks—of Senator FEINSTEIN's bill to close this loophole. During last week's budget debate, I joined 25 of my Senate colleagues in offering an amendment that would also have stopped these dangerous individuals from buying firearms and explosives.

Passing legislation to ensure that suspected terrorists cannot buy guns has bipartisan support in the House of Representatives, where Republican Congressman PETER KING of New York has long advocated for this change.

As we work to fight terrorists abroad, as we work to stop the recruitment in our own country—which I know well from my own State of Minnesota, where we have over a dozen cases and indictments against those who were trying to go to fight with ISIS and others who were going to fight with al-Shabaab—we have been

very aggressive in going after those cases as well as working to prevent recruitment from occurring in the first place.

This is all a piece of a very difficult puzzle, but to close our eyes and say that people on a terror watch list can go out and buy a gun is wrong. We need to do everything we can to ensure that those suspected of terrorist activities cannot buy guns in the United States. I am hopeful the Senate can come together to advance this commonsense national security measure to keep lethal weapons out of the wrong hands.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I am here to join my colleagues in our call to bring for debate and vote on the Senate floor a measure that is supported, I would argue, by probably 95 to 99 percent of my constituents, and that is the simple idea that if you are on a terrorist watch list, if you are suspected of being involved in terrorist activities, you shouldn't be able to purchase a gun. I will be asking for a unanimous consent agreement in order to move this debate to the floor.

Here is why it matters. What we know right now is that over the last 12 months ISIS has lost about 25 percent of their territory in Iraq and Syria. That is not good enough, and hopefully we will be able to join together to put even more pressure on the so-called caliphate, to shrink it down eventually to elimination. But the growth of ISIS is dependent on two narratives. One is a narrative that the so-called caliphate is growing, and second, the narrative that the East is at war with the West, that the Muslim world is at war with the Christian world. As the first narrative becomes less powerful, the second one becomes even more important. So, as shocking as Paris was, as shocking as San Bernardino was, it is not surprising in the respect that these attacks outside of Syria and Iraq are now becoming more important, more necessary to this terror organization in order to perpetuate this second set of mythology around the Islamic world being at war with the Christian world.

Now is the moment that Republicans and Democrats have to come together around hardening our country from potential attackers and potential attacks and recognize that because these attacks may be more important than ever before to the future expansion of ISIS, we have to take steps to make sure they don't occur. One of the simplest ways we can do that is embodied in Senator FEINSTEIN's piece of legislation. Let's just say together that those who are on the terrorist watch list—and this is a list you get on if you have reason for the FBI or other law enforcement to believe you are affiliated in some way, shape, or form with a terrorist organization. You may not have committed a crime yet, but you have had communications or affiliations with terrorist organizations. Let's just agree that people on that list should by default be prohibited from buying guns.

Importantly, the bill has in it provisions that would allow for those individuals to get off that list, to be able to say that they were put on it mistakenly. But let's say as a default premise that if you are on a terrorist watch list, you shouldn't be able to purchase a gun.

Recent polling tells us that the vast overwhelming majority of Americans support this law. In addition, the vast overwhelming majority of American gun owners support this law, in part because they have seen statistics. It bears repeating. My colleagues have talked about these numbers, but they really are stunning.

Over the last 10 years, someone on the terrorist watch list has attempted to purchase a weapon 2,223 times. In 2,043 of those instances, they were successful in purchasing the weapon, taking it home. That is a 91-percent success rate. It may be that 1 or 2 of those 2,000 shouldn't have been on that list, but this legislation gives them the power to contest that and to get off that list eventually, as it should. But let's not live in a fantasy world in which the majority of people on that list shouldn't be there. The list isn't foolproof, but the vast majority—95 percent, 99 percent—of those on the terrorist watch list are there with reason, and they shouldn't be able to walk out of a store with a weapon. That is why three-quarters of gun owners and 90 percent of Americans support this legislation.

While today it has become partisan—Republicans are standing almost in lockstep against a bill that stops terrorists from getting guns—historically this has been bipartisan. This was initially proposed by President Bush and then-Attorney General Alberto Gonzales. Let's make it bipartisan again. Today on the floor of the Senate, let's decide that we are going to have a debate on this and that we are going to bring it for a vote because that is where the majority of our constituents are. They want us to take steps together to stop terrorists from getting guns.

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

Mr. MURPHY. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 551 and the Senate proceed to its immediate consideration; I further ask that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The majority whip.

Mr. CORNYN. Mr. President, reserving the right to object, would the Senator modify the request to include the Cornyn substitute amendment which is at the desk?

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. MURPHY. Mr. President, reserving the right to object, it is my understanding that this substitute would require the Federal Government to go to court in order to stop someone on the terrorist watch list from purchasing a weapon. As a default, we should all agree that if you are on the terrorist watch list, you can't walk out of a gun store with a gun and that it simply shouldn't be incumbent on the Federal Government to go through a court process in order to stop you from doing that. If you shouldn't be on the list, there are ways you can get off the list. But there is absolutely no reason to delay the process of stopping one of these would-be terrorists from getting a gun by requiring a complicated court process every time someone on the terrorist watch list walks into a gun store. For that reason, Mr. President, I object to the motion to modify.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I am astonished by the proposition of our friend the Senator from Connecticut that you can be on a secret watch list by the Federal Government, and just by virtue of this secret listing of an individual on a government watch list, you can be denied some of your core constitutional rights without any necessity of the government establishing probable cause or producing any evidence that would justify the denial of a core constitutional right. I guess if it is good enough to take the government's word by this list without proof or showing of probable cause to deny a citizen their constitutional rights under the Second Amendment, then I guess that is good enough to deny a citizen's right to worship according to the dictates of their conscience, freedom of speech, freedom of association, and all of the other rights enumerated in the Constitution. It is an outrageous proposition.

I would say to my friend, if these people on this government watch list are truly dangerous, why isn't the Obama administration and the Obama Justice Department indicting them, taking them to court, trying them, and convicting them of crimes? Instead, you have this secret watch list, without any proof, without any evidence.

I would just say that the Senator has mischaracterized the amendment which I proposed last week and which I have now offered by unanimous consent.

What would happen is, if an individual on the watch list goes in to purchase a gun, there would be the National Instant Criminal Background

Check System, which would then access the watch list. If the Department of Justice was worried, based on that notice, that somebody was attempting to buy a gun, they could intervene for 72 hours to stop the individual from purchasing the gun. If they were further worried about this individual, they could go to court and, before a Federal judge, produce evidence to justify the detention of that individual to take them off the street. This is a complete response to the concerns raised by our friends across the aisle.

But I will tell you what is really motivating all of this. First of all, the Feinstein amendment which was offered last week was a complete substitute to the ObamaCare repeal bill that we voted on and passed last week. As such, this was a surreptitious means to try to defeat our ability to repeal the abomination known as ObamaCare, which has only a 37-percent approval rating, and our colleagues across the aisle knew that. Under the Senate procedures, a complete substitute to the reconciliation bill that we passed last week would have been accomplished if the Feinstein amendment had been agreed to.

But they went even further and are trying to distract the American people from the fact that the President of the United States and Commander in Chief has absolutely no strategy to deal with the threat of ISIS here in the United States. I presume the immediate motivation was what happened in San Bernardino, the terrible tragedy, but our colleagues across the aisle are trying to capitalize on that particular tragedy in order to justify this unconstitutional attempt to deny American citizens their core constitutional rights without any proof and without any evidence.

I would just add that if our friends across the aisle think this watch list is so perfect and so infallible, they ought to read an editorial that was produced by the New York Times in 2014 where the American Civil Liberties Union and others objected to the watch list as being a secret government list without any evidence or any proof. They cited a 2007 audit of the 71,000 people on the government watch list and noted that half of those 71,000 were erroneously included in the watch list.

So we all understand what is going on here. This isn't about finding solutions to real problems; this is about trying to change the subject and to distract the American people from the fact that the President and this administration have absolutely no strategy to deal with the threat of ISIS and the President tells us merely to stay the course. So I understand what is going on.

I also would say that the other main purpose of our friends across the aisle, other than to defeat our ability to repeal ObamaCare, which we successfully did in the Senate last week, is to create a ''gotcha'' moment for Senators and candidates who are running in 2016. Already, the Senator from Connecticut has appeared on national news shows, the President of the United States in his weekly speech to the Nation, and the Senate Democratic leader have already misrepresented what was in the Cornyn substitute to the Feinstein amendment last week to suggest that people who voted against the Feinstein amendment really, really wanted to make sure that terrorists got guns. That is an outrageous accusation, and it is as false as it is outrageous.

So I think it is pretty obvious what is going on here. This is an effort to undermine our ability to repeal ObamaCare. It is an effort to distract from the fact that the President of the United States, the Commander in Chief, has no strategy to defeat ISIS. In fact, the Democratic leader said yesterday that really what we need is an ISIS czar. An ISIS czar? I thought that is the job of the Commander in Chief, the President of the United States, to fight and win the Nation's wars and to keep us safe here at home. Give me a break. Then this foolish idea that we ought to simply take the Federal Government's word without any proof or any necessity of producing evidence in a court of law and meeting some basic minimal legal standard before we deny American citizens their core constitutional rights is just outrageous.

So, Mr. President, I think it is pretty obvious what is going on here, and I am happy to have the American people render their judgment. For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Connecticut.

Mr. MURPHY. Mr. President, I ask unanimous consent to speak for 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MURPHY. Thank you, Mr. President.

The Senator is correct that last week Senate Democrats thought that it was more important to talk about terrorism than it was to talk about the repeal of the Affordable Care Act for the 16th time in the U.S. Senate, 55, 60 times in the House of Representatives. We did think it was more important last week to talk about stopping terrorists from getting weapons. I am sorry we didn't find that bipartisan consensus last week.

What we are talking about here today is a different threat than we have ever seen before, and what we want to do is to stop terrorism before it happens.

The Senator from Texas is right that many of the individuals on the terrorist watch list have not committed a crime, but in order to get on the terrorist watch list, you have to have been in communication with those who are trying to create radical jihad here in the United States. By denying those individuals from getting a weapon, you are serving to prevent a terrorist attack from happening.

Why would we wait until after the terrorist attack has occurred in order to stop that individual from buying a gun? It is too late at that point.

This bill includes provisions to get off that list if you are not on it, so it is perfectly observant of our tradition of supporting the rights of law-abiding citizens to buy and purchase a weapon. But to suggest that the only pathway to stopping an individual from buying a weapon is a criminal prosecution when we know there are people right now in the United States who are in contact with radical ideologies and may be contemplating attacks against the United States misunderstands the way in which we are going to prevent future terrorist attacks from happening in this country.

This notion that those of us who want to change the law in order to better protect Americans are capitalizing on a tragedy is ridiculous and it is insulting, frankly. There are a lot of people who say: Well, when it comes to guns, you can't talk about policy changes right after a mass shooting.

On average, there has been a mass shooting every single day in this country. If you had to wait 24 hours or 48 hours to talk about strategies—such as preventing terrorists from buying guns—that would keep this country safe after a mass shooting, then you would never talk about ways to keep this country safe because every day there are mass shootings separate and aside from the 80 people who die each day from the drip, drip, drip of gun violence all across this country.

I don't think any of us mean to suggest, as the Senator from Texas said, that those who oppose this bill, which is supported by three-quarters of American gun owners and 90 percent of Americans, are rooting for terrorists to get guns. That is not what I am saying. What I am saying is that those who oppose this are more concerned with protecting the rights of potential terrorists than they are with protecting this country. That is what we are talking about.

We are worried about the rights of people on the terrorist watch list more than we are about taking steps to protect this country. What we are talking about is a temporary inconvenience. If somebody is on this watch list who shouldn't be—and it is a very small number—then through this legislation they have a means to get off that list. They have to wait a couple of days, maybe a couple of weeks, in order to buy a weapon. A tiny number of people who are inconvenienced is the cost; protecting the country from a potential terrorist attack is the benefit.

That is a trade that my constituents would take in a heartbeat.

I am sorry that we aren't able to proceed with debate on this bill, but I think I can speak for my colleagues that we will be back on the floor in the days, the weeks, and the months to come to continue to ask for a vote on simple legislation to make sure that potential terrorists cannot get their hands on dangerous life-ending weapons.

I yield the floor.

RECESS

The PRESIDING OFFICER. The Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:48 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

STUDENT SUCCESS ACT—CONFERENCE REPORT—Continued

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise to support the passage of the bipartisan Every Student Succeeds Act. I commend Chairman ALEXANDER, Ranking Member MURRAY, and their counterparts in the House, Chairman KLINE and Ranking Member SCOTT, for their commitment to finding common ground and a path forward on this critical legislation.

When President Johnson signed the Elementary and Secondary Education Act into law 50 years ago, he noted that ''from our very beginnings as a nation, we have felt a fierce commitment to the ideal of education for everyone. It fixed itself into our democratic creed.''

Yet many communities today across the Nation, including my home State of Rhode Island, are still wrestling with how to address large achievement gaps based on wealth, race, ethnicity, and disability status. Underlying the achievement gaps we see are gaps in opportunity. We need to ensure our students have access to critical resources for learning, strong teachers, counselors, and principals, a well-balanced program of study that includes arts, humanities, and environmental education, and safe, healthy schools equipped with libraries, technology, and science labs. We also need to support and promote greater parental engagement. These are the issues I have focused on for many years, and I am very pleased that the Every Student Succeeds Act makes important improvements in all of these areas.

This legislation will replace the badly flawed and increasingly unworkable No Child Left Behind Act with a new framework—one that stays true to the transparency and focus on closing achievement gaps that were the hallmarks of No Child Left Behind while eliminating the one-size-fits-all approach to school improvement and allowing States to develop more holistic and robust accountability systems that move beyond test scores as the sole measure of school success.

Increasing accountability for resource equity was the goal of the first bill I introduced this Congress—the Core Opportunity Resources for Equity and Excellence Act. I worked with Senators BALDWIN, BROWN, and KIRK to push for its provisions on the Senate floor, and I am pleased the conference report includes stronger measures to require that school districts address resource inequities in schools identified for comprehensive support and improvement than were even in the bill we passed initially in the Senate.

The original Elementary and Secondary Education Act recognized the vital role school libraries play in supporting student success, and this is an area I have worked on during several of the past reauthorizations of this law. Senator COCHRAN and I introduced the Strengthening Kids' Interest in Learning and Libraries—or SKILLS—Act to ensure that Federal resources continue to support student access to effective school library programs. The Every Student Succeeds Act includes key provisions from our legislation, including authorizing grants for high-need school districts to support effective school library programs and including support for such programs in school district level title I and professional development plans.

In addition to school libraries, children need to have access to books in their homes from a very early age. Senator GRASSLEY and I introduced the Prescribe A Book Act to help address this issue, and I am glad key provisions of that legislation are included here.

We know teachers and principals are two of the most important in-school factors related to student achievement. It is essential that teachers, principals, and other educators have a comprehensive system that supports their professional growth and development, starting on day one and continuing throughout their careers. Senator CASEY and I introduced the Better Education Support and Training Act to create such a system. Again, I am pleased that the Every Student Succeeds Act includes many of the provisions of our legislation, particularly the focus on equitable access to experienced and effective educators.

However, I remain concerned that the failure in this legislation to define ''inexperienced teacher'' could mask inequities and limit the usefulness of the reporting and that some of the provisions related to educator preparation could lower standards in our highest need schools. Soon I will be introducing legislation to strengthen educator preparation and ensure that teachers in our high-need schools are profession-ready.

The Every Student Succeeds Act also supports access for all children to a well-rounded education, including environmental literacy, as I proposed in the No Child Left Inside Act. Family engagement is another critical area this bill addresses. This legislation will support more meaningful, evidence-based family engagement, encourage school districts to dedicate more resources to these activities, and provide a statewide system of technical assistance for family engagement—similar to the Family Engagement in Education Act I introduced with Senators COONS and WHITEHOUSE.

Chairman ALEXANDER and Senator MURRAY have demonstrated extraordinary leadership in crafting this legislation and steering it through an open and inclusive process. This bill is an important step forward, and I encourage all my colleagues to support it. Moreover, I hope this spirit of bipartisanship and compromise will also translate to the appropriations process and result in robust resources to implement the new and vastly improved law.

Mr. President, I also thank Senator COLLINS for graciously letting me go ahead.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise in support of the bipartisan Every Student Succeeds Act. This is landmark legislation that would reform and reauthorize the Elementary and Secondary Education Act, also known as No Child Left Behind. As a member of the Health, Education, Labor, and Pensions Committee, and as a member of the conference committee that resolved the differences between the two bodies' versions of their education reform bills, I want to particularly applaud the leadership of Chairman ALEXANDER and Ranking Member MURRAY for doing a truly extraordinary job in putting together the bipartisan, bicameral reform bill that is before us today.

Congressional action to fix the serious flaws with No Child Left Behind, while preserving the valuable parts of the law, is long overdue, but that day has finally arrived. NCLB was well-intentioned, and its focus on the education of every child and greater transparency in the performance of our schools were welcomed reforms, but some of the law's provisions were simply unachievable and thus discouraging to teachers, parents, administrators, and students alike.

The current system of unattainable standards and a patchwork of State waivers has led to confusion about Federal requirements. High-stakes testing and unrealistic 100 percent proficiency goals do not raise aspirations; instead, they dispirit those who are committed to a high-quality education for our students.

The Every Student Succeeds Act returns much needed flexibility to the State departments of education and to local school districts. The bill would remove the high-stakes accountability system that was simply proven to be unworkable under No Child Left Behind. Instead, the bill would empower States to set the goals for their schools and students and design ways to improve student achievement. The bill would also eliminate the burdensome, overly prescriptive parts of No Child Left Behind, such as the definition of a ''highly qualified teacher,'' which is a perfect example of something that sounds great but in fact proved unworkable in many of the small and rural schools in my State where teachers are called upon to teach a wide range of subjects.

The Every Student Succeeds Act would also reauthorize the Rural Education Achievement Program, known as REAP. I coauthored this law with former Senator Kent Conrad back in 2002. Students in rural America should have the same access to Federal grant dollars as those who attend schools in larger urban and suburban communities. Most Federal competitive grant programs, however, favor larger school districts because they are the ones that have the ability to hire grant writers to apply for those grants, even though that extra money may be needed more by a small rural school. As a result, rural school districts often had to forgo funding because they simply lacked the capacity to apply for the grants. That is the problem the Rural Education Achievement Program Act was intended to solve, and it has provided financial assistance to both schools and districts to help them address their unique local needs.

This program has helped to support new technology in classrooms, distance learning opportunities, and professional development programs, as well as an array of other activities that benefit students and teachers in rural schools. Since the law was enacted in 2002, at least 120 Maine school districts have collectively received more than $42 million from the REAP program. When I talk to those small Maine school districts, they have been enormously creative in using REAP money to improve the education of their students. They have told me that without the law that Senator Kent Conrad and I authored back in 2002, in many cases they would not have been able to introduce technology into the classroom, to further professional development for their teachers or to provide special enrichment activities for their students. That law has been a real success, and I am delighted that this bill reauthorizes it.

I also want to highlight that the final version retains a Senate provision authorizing a pilot program that I worked on with several of my colleagues to require the Secretary of Education to allow seven States to designate alternative assessment systems based on student proficiency and not just on traditional tests. Such systems can give teachers, parents, and students a much fuller understanding of each student's abilities and better prepares them for the college or career path of their choice. The Federal Government should cooperate with States and school districts that are designing brand new assessment systems, and this pilot program is an important step in that direction.

Providing a good education for every child must remain a national priority so each child fulfills his or her full potential, has a wide range of opportunities, and can succeed in an increasingly competitive economy.

From having visited more than 200 schools in my State, I know this legislation will be welcomed indeed. The Every Student Succeeds Act honors these guiding principles while returning greater control and flexibility to States and local school districts, where it belongs. I urge all of my colleagues to support this landmark legislation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

WASTEFUL SPENDING

Mr. FLAKE. Mr. President in the opening scene of ''Star Wars: Return of the Jedi,'' Darth Vader pays an unexpected visit to the construction site of the new Death Star. Of course it was behind schedule and probably overbudget. The commander in charge first claimed that there was no delay, and then he said to Darth Vader that it would be impossible to meet the schedule without more resources. Darth Vader warned the commander that the emperor was ''much displeased'' with the apparent lack of progress, noting that ''the emperor is not as forgiving as I am.''

Government projects being overbudget and behind schedule or just out of this world are not just a problem for the emperor in that galaxy far, far away; they are a problem right here on Earth.

Our own space agency, NASA, can no longer even launch astronauts into orbit, yet NASA is spending $1.2 million to study the impact of microgravity on sheep. NASA is also spending $280,000 to develop plans to build a cloud city on Venus. It is strikingly similar to the cloud city that was featured in ''Star Wars: The Emperor Strikes Back'' where Han Solo was captured in carbonite.

The National Science Foundation is spending $2.6 million in part to design sculptures that would raise awareness of drought and harvest dew, much like the moisture vaporizers on Luke Skywalker's home planet of Tatooine.

The Pentagon is spending $2 million to teach robots how to play jazz and $2.5 million in part to create a robot lobby greeter. These are not the droids taxpayers were looking for.

These are just a few of the examples of projects featured in ''Wastebook: The Farce Awakens,'' which I will release today. This is a spoiler alert, so if you don't want the plot to be ruined, you may want to tune out right now.

Let's walk through some of these other ''Wastebook'' entries. They include $1 million to put monkeys in hamster balls on a treadmill. A couple of years ago, Senator Tom Coburn famously found the example of the study of shrimp on treadmills underwater, but I think this outdoes it. Now we have monkeys not only on a treadmill but monkeys in a hamster ball on a treadmill—$1 million for that study.

We are spending $5 million to throw parties for hipsters. These parties for hipsters are an attempt—and how we define a hipster is quite a work of art as well—to try to keep them from smoking. They admit that it didn't succeed very well, so they ended up just giving out cash to try to induce hipsters to stop smoking. Good work if you can get it, I guess.

Another $43 million went to build a single gas station in Afghanistan that dispenses a type of fuel—natural gas in this case—that very few automobiles in the country can even run on.

Despite all of the public ballyhooing over budget austerity, Washington didn't come up short on outlandish ways to spend and waste money in 2015. All of the examples in the ''Wastebook'' we have here had to have money spent during 2015.

Unfortunately, there is a lot of talk about the gridlock in Washington, but no matter how bad the gridlock gets or how bad it appears, there is always one area of agreement here between the parties, and that is to spend more money. For example, at the end of October Congress passed a budget deal that cut $3 billion in taxpayer-funded subsidies to private insurance companies that service Federal crop insurance policies. That deal was sold, in part, on the savings generated through the spending cut. Last week, this body voted overwhelmingly to restore all $3 billion of those crop insurance subsidies, which, again, only go to private insurance companies. This was part of the highway bill that came to the floor. So spending that we had cut just a month ago in the budget deal was reversed 36 days later in an agreement that passed even before we passed the original bill to obliterate these savings. So it took Congress only 36 days

to go back on these cuts. I am not sure that the Millennium Falcon can pull a 360 with that kind of ease.

Washington equates caring with the amount of dollars spent, but no amount of dollars and cents can make up for the lack of common sense in how millions of dollars of taxpayer money is being spent.

Consider this: We outline in the ''Wastebook'' more than $2 million spent this year by the Agency for International Development, USAID, to promote tourism in Lebanon. Lebanon is the same country that our State Department has warned American tourists not to go to. We are spending $2 million in one agency to promote tourism to a country that another agency, the State Department, says: Please don't go there for tourism. What kind of sense does that make? Suicide bombers have killed more than 60 people and injured hundreds more in the last 2 years there. It is no wonder the State Department is saying don't go, but the Agency for International Development is spending $2 million to say: Please go there for tourism.

The Department of Homeland Security spent $3 million on party buses and luxury coaches to go to the playground of the rich and famous. Taxpayer money is being spent on buses and luxury coaches to go to the playground of the rich and famous by the Department of Homeland Security. How does that make sense?

This one puzzles me. The Department of Housing and Urban Development is spending more than $104 million a year subsidizing the rent of the well-off, including those who make better than six-figure incomes and have millions of dollars in assets, while 300,000 low-income families are on waiting lists for housing assistance. So we are spending $104 million to subsidize those with six-figure incomes to live in public housing while 300,000 people who are truly low income wait on a waiting list. Somebody at one of the local housing authorities was asked why we don't just kick out the people who have incomes far too high to qualify. The answer was revealing. He said: We can't do that because they serve as role models for those who are truly low income in those facilities. Think about that. Those who are fleecing the taxpayers are role models for those in public housing who actually have low income.

As I mentioned before, the Pentagon is spending $2 million to teach robots how to play jazz music. The Department of Agriculture spent $68,000 in foreign food aid to send a group to the Great American Beer Festival to promote beer in Vietnam. So we spent $68,000 in foreign food aid to have a bunch of people go to the Great American Beer Festival.

The National Institutes of Health spent about $1 million, as I mentioned, on the monkey-on-a-treadmill study. The purpose of this research was to determine if other studies could be conducted of monkeys on treadmills. I think everybody will have to agree that this is totally bananas. I mean, we can't continue to spend money like this.

Many other taxpayer-funded science projects sounded like they were concocted in a frat house rather than a government research agency, like the next example. The National Science Foundation spent $103 million to study if koozies really keep a cool drink in a can cool or if it is just wishful thinking. I think we have had plenty of studies on evaporation and condensation to know what really happens, but these studies were conducted with a koozie in somebody's bathroom or laundry room somewhere. It doesn't really qualify as serious science. Yet we spent $1.3 million on a grant to do just that. You have to watch the video. You have to see it.

The National Institute for Drug Abuse spent nearly $1 million to prove that pizza is as addictive as crack. The result of the study will be a surprise to no one.

The NSF is spending over $1 million on dating studies, including why attractive people date those who are not attractive and what makes those looking for love online ''swipe right'' and pursue a romantic relationship. Why in the world we are allowing the NSF to spend money on dating studies in order to find out why people, like my wife, would date somebody less attractive, like me—I mean, some of these things we will just have to let go and not spend taxpayer money on them.

These price tags are pocket change to the big spenders in Washington who collectively burn through $7 million a minute, as we all know. Nobody can really keep track of how or why some of this money is spent. The purpose for ''Wastebook'' this year—it was created to do our best to hold those accountable who are spending this money.

In his farewell address a year ago, Senator Tom Coburn, who created ''Wastebook,'' challenged every Member of Congress to produce their own ''Wastebook'' and start a real debate about national spending and budget priorities. While it is impossible to emulate or replace Dr. Coburn, he has given us a great example to follow.

As a longtime admirer, former colleague, and friend of Dr. Coburn, I feel it is a great and heavy responsibility to join others, like Senator JAMES LANKFORD and JOHN MCCAIN, in carrying forward the Coburn legacy of stopping wasteful Washington spending and bringing some kind of oversight to this. Colleagues can find the full list of 100 ''Wastebook'' entries on my Web site as well.

As you glance through it, ask yourself if the Federal Government is really being as frugal and as underfunded as it claims to be. Ask yourself: Are we really cutting to the bone? Is there no more fat left to cut? We hear that continually. Sequester-level spending has brought us to the brink so there is just nowhere else to cut.

It is my hope—my only hope—that this report gives Congress something to Chewie on—and the end of bad puns, too, I hope—before debt- and deficit-saddled taxpayers finally strike back at this lunacy.

I commend this ''Wastebook'' to all who will read it. As I mentioned, you can reach it on our Web site as well.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I rise in support of the Every Student Succeeds Act. I know we have had one vote on this today already, and we will have another vote tomorrow.

I will begin by applauding Senators MURRAY and ALEXANDER and Congressmen KLEIN and SCOTT for reaching across the aisle and working with their committee colleagues and the Members of both bodies to fixing a long expired and broken law. I think we all understand that education is key to both individual success and to our economic success.

ESSA gives parents, school districts, and States flexibility to close the achievement gaps that the No Child Left Behind helped us explore. ESSA maintains critical assessment requirements, but it also requires schools to track the progress of every child while also allowing States and school districts to set their own goals for improvement and determine what interventions are best when these achievement gaps persist. It invests in early childhood education, it permanently authorizes the Preschool Development Grant Program, and Virginia was one of the first States to receive a challenge grant. The bill recognizes there are factors other than test scores that describe students' success, and that is a significant advance past No Child Left Behind.

I rise particularly because I am proud that a number of provisions that I worked on and that the Presiding Officer worked on were included in the final bill. Let me talk about two of them: Teach safe relationships and career and technical education.

Senator MCCASKILL and I introduced a bill called the Teach Safe Relationships Act that came out of a conversation that I had with students a year ago at the University of Virginia. These students were members of a student organization called One Less, which advocates for survivors of campus rape and sexual assault.

There had been a story in the Rolling Stone magazine about the scourge of campus sexual assault. Many of the statistics were correct, but the story

was controversial because it focused on a particular allegation of sexual assault that was later discredited, and Rolling Stone retracted the article.

I sat down with a group of about 30 students—no press, no faculty, no administrators—to talk about the problem of campus sexual assault. It has been a long time since I was a college student, and I wanted to hear them talk about the challenges they face. It was a robust discussion. These students didn't all agree with each other about various points. But the goal was to get a sense from them about what we in Congress could do that would be helpful and what were things that we might want to do that would make us feel good but that wouldn't be helpful.

Many great ideas came out of that discussion, but there was one in particular that grabbed my attention. Students talked about the fact that they wished when they came to college, living away from home for the first time in their lives, that they knew more about issues such as coercion or consent to intimate behavior or especially where to go for help or what to do if you felt like somebody was pressuring you. I kind of naively said to the students: Well, don't you have an orientation about sexual assault? And they said: We do. Here is what it is. It is 15 minutes about campus sexual assault, and it is 15 minutes about not getting too many credit cards, and it is 15 minutes about not drinking too much. Basically, we are new on campus, and it is just not enough.

Then I asked a follow up question: Don't you learn about this in sex ed classes in high school? One of the young ladies in the room said: We get a sex ed curriculum in high school, but it is about reproductive biology, not about behaviors and relationships and strategies and sort of the right and wrong issues. I thought that was really interesting.

So I came back after hearing from them—and, again, I honor these students, because from the idea to the passage, hopefully tomorrow, it has been a year from hearing from them, and now, because of them, there is going to be an important advance in public safety.

What the students basically forced me to do was to come back and analyze the problem of sexual assault. We have been dealing with it in the military. We deal with it on college campuses. We deal with it in the society at large. We can either have strategies that are specific to the military or college campuses or the workplace or society, or we can actually acknowledge campus sexual assault.

Instead of focusing on where it happens, let's focus on when it happens. If you are a young person—let me put it differently. The most likely time in your life when you will be a victim of a sexual assault is age 16 to 24. It doesn't make a difference whether you are in the military or on a college campus or anywhere else. It is at a time in your life when you are kind of new to adult sexuality issues and kind of grappling with it that you are most likely to be a victim of sexual assaults, and also many perpetrators of sexual assaults are in the same age range.

The students said: What if we had better education in the K–12 space. In February, Senator MCCASKILL and I introduced a bill taking the campus sexual assault problem and trying to do something about it during the K–12 educational timeframe, and we called it the Teach Safe Relationships Act. The bill was rolled into the Senate version of the rewrite of the Elementary and Secondary Education Act, and the final compromise conference report includes it. Provisions are included so that title IV Federal educational funding can now be used specifically for instruction and training on safe relationship behavior among students, and this should help us deal with the issue of sexual assault.

I want to thank the conference committee for including it in the bill. It is my hope that school systems will now take advantage of this title IV funding—most school systems receive it—to prevent sexual assault not just on college campuses but for anybody in that age 16 to 24 age range that is vulnerable.

Second, the Presiding Officer, Senator BALDWIN, and I introduced a number of pieces of legislation dealing with career and technical education that have been included in the bill. The provisions include encouragement to States to use more career readiness indicators in their accountability systems to define what educational success is. This gives the States the opportunity to recognize schools that are successfully preparing students for postsecondary education and workforce tools such as technical skills and college credits. It shouldn't be just about performance on multiple choice tests. If you are getting a validated industry certificate or other measure of success, that should count.

We encourage States and school districts to support the development of a specialized teacher core to help teachers integrate career and technical education into their normal academic subjects. We allow schools to use title IV funds for career counseling, programming, and training on local workforce needs, and for options for postsecondary and career pathways.

Finally, we include CTE in the definition of a well-rounded education. Traditionally, under No Child Left Behind, it was just math, English, social studies, and science. Career and technical education and some other subjects ought to be included in the definition of a well-rounded education.

CTE is an important pathway for students to prepare for the workforce by integrating practical, applied purposes with work-based knowledge and hands-on learning experiences. I am the son of an iron worker and welder. I ran a school in Honduras that taught kids to be carpenters and welders. I believe deeply in the power of CTE. In fact, I see it every day across the Commonwealth of Virginia, just as I know the Presiding Officer sees it every day in the State of Ohio. Carroll County in rural, southern Virginia, right on the border with North Carolina, has a state-of-the-art agriculture CTE program, which I visited this summer, set up with Virginia Tech, as good as any college campus. It not only helps students who want to be farmers, but those students who want to be farmers suddenly find that when they are studying soil chemistry in a CTE lab, their chemistry grades go up as well.

In Ashburn I saw a robotics program in Loudoun County that was successful. In Virginia Beach a CTE program helps students learn how to build houses, training them for construction careers, and the houses they build are pretty impressive.

In closing, this year marks the 50th anniversary that President Johnson signed the Elementary and Secondary Education Act into law. Our Nation's prosperity is dependent upon students' educational success, and this rewrite is incredibly important. I am excited about the reauthorization and these provisions.

Again, I thank Senators MURRAY and ALEXANDER and their staffs, and let me extend thanks to my staff, two of whom are here. Let me extend thanks to my wife, who is the Secretary of Education in Virginia. She sat down with the committee staffs in the Senate to share some Virginia experiences that then factored into the rewrite of the ultimate bill.

It is my hope that this is going to pass with a big bipartisan margin tomorrow. This is a tough, complicated area that was 8 years overdue to be reauthorized because it is so controversial. Yet we found a path forward that is bipartisan, and that tells me we can do it not only on this issue but on other issues as well.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

SENATE ACCOMPLISHMENTS

Mr. CORNYN. Mr. President, yesterday I spent a few minutes talking about the accomplishments of the 114th Congress, and what I have discovered is that if we don't talk about them, nobody else does. People have become so

cynical about Washington and very distressed in so many ways—and I can certainly understand why—that it is important for us to point out a few of the simple facts. It is not that we have completely turned this battleship around, but we have made this incremental progress under the leadership the American people put in charge last November—the Republican leadership in the House and in the Senate, obviously, with a President of the opposite party.

Under the Constitution, the President still has a vote, he has a veto pen, and he is not irrelevant. But notwithstanding the fact that we have some well-publicized differences with the President, and even among Republicans and Democrats, I think in fairness we have to acknowledge that we have had a pretty good run in the last 11 months or so. I don't want to make this a partisan issue because frankly you can't get anything done in the U.S. Senate or in the U.S. Congress or in the U.S. Government without bipartisan cooperation.

So on the bill we are working on today, the fix for No Child Left Behind, there is the ranking member of the Senate Health, Education, Labor, and Pensions Committee, Senator MURRAY, who has worked hand-in-glove with the chairman, Senator ALEXANDER. We also had the pleasure of working with Senator MURRAY on trade promotion authority and on the first human trafficking reform we have seen in about a quarter of a century. Those are all important pieces of legislation.

I think about the Intelligence Committee and the work that has been done in this Congress on cyber attacks and cyber protection by Senator FEINSTEIN from California, the ranking member, working hand-in-glove with the chairman, Senator BURR from North Carolina.

On the first multiyear highway bill we have had in 10 years, that would not have happened without the leadership of Chairman INHOFE and Chairman HATCH on the Finance Committee but also, I would say, BARBARA BOXER, the Senator from California, and RON WYDEN, the ranking member on the Finance Committee.

We worked together on a number of other things that have not yet gone to the President's desk, such as criminal justice reform. I was invited to come to the White House, along with an ideological spectrum of Senators from the right to the left, to talk about criminal justice reform and how we can find consensus to deal with our criminal justice system and make our prison system no longer just a warehouse for human beings but, rather, a place where, if people want the chance, want the opportunity to turn their lives around, they can begin that by participating in programs that will help them learn a skill, perhaps deal with their drug or alcohol addiction or otherwise prepare them for reentry into civilized society.

So while leadership is important, and this agenda of trade promotion authority, anti-human trafficking, cyber security, the highway bill, criminal justice reform, and now education reform—none of this would have necessarily been on the agenda if our friends across the aisle had been in charge. The fact is, leadership is important, and thanks to the majority leader and the leadership he has provided, he has set the agenda. But, again, nothing happens here in Washington on cyber security, on human trafficking, on trade promotion authority, on education, on highways or criminal justice reform without working together to find bipartisan consensus.

So it is important that we acknowledge—and in fairness—what has been accomplished. That is not to say we are breaking our arm by patting ourselves on the back or that we think we have solved all the problems. Certainly many of the major differences that existed last year still exist, and we, frankly, have big disagreements with some of our friends across the aisle and with this President on things such as national security, on the effectiveness—or I should say ineffectiveness of the war to destroy ISIS and to deal with the terror threat both abroad and back home. But we also ought to pause and say that where we can find common ground, we are trying to do this on behalf of the American people.

So tomorrow at about 10:45 a.m. we will be voting on an impressive piece of legislation that will bring effective education reform to help our Nation's children, their parents, and teachers. But it is not just about education; as we frequently like to say, it is about an investment in the future of our country because we are talking about equipping the next generation with what they need to succeed in an ever-changing and ever-challenging world.

Back home in Texas, I have repeatedly seen how schools have created groundbreaking, innovative programs for their students to thrive and benefit everyone involved. I know I mentioned some of these programs before, like a camp for middle school students that focuses on science, technology, engineering, and math—what we frequently refer to as the STEM fields—and it included building robots. In other words, learning science can be fun too. I actually think that is what the best teachers do—they make learning fun.

I saw a cutting-edge program at the United High School in Laredo, TX, which took advantage of the proximity of Laredo to the shale gas plays in South Texas. Actually, ninth grade students who were taking science courses were learning the basics of petroleum geology so they would be equipped after they graduated from high school to get jobs in that field, jobs that pay far more than minimum wage. They do that by starting their education and by exposing them to this field in high school and through internships and other training programs.

These programs are good examples of how the local community and some of the differences in the local economy—for example, the proximity of Laredo to the Eagle Ford Shale—can shape education in a way that benefits students and the community, our States, and our country. The important thing to realize is that not all good ideas emanate from Washington, DC. In fact, the contrary is true.

Louis Brandeis, in an often-quoted statement, once called the States the ''laboratories of democracy.'' The fact is, that is true. The States are the place where innovation can occur. You can succeed or fail, as the case may be, and from that we can learn as a nation what the best practices are in education and a whole raft of subjects.

Actually, the work we are doing in criminal justice reform is based on successful reform done in places such as Texas and other States around the country. To my mind, that is the way we ought to legislate in Washington. We ought to try people's ideas out at the State and local level, and if they work, great. Then we may decide they may need to be scaled up and applied more broadly.

What we have seen and the mistake we have seen in the current administration is to make experiments nationwide with a one-size-fits-all. We have seen that in ObamaCare, for example, where all of a sudden the majority and the administration decided to transform one-sixth of the American economy, of course making extravagant promises on what would work, only to find that it couldn't work and didn't work, and thus those promises and selling points ended up not being true.

Again, on the topic of education, many of the things we realize do work have been created with the help of local teachers, leaders, and parents. These communities were able to create programs that flourished because they weren't operating under a Federal Government mandate. In fact, they were freed of Federal interference in developing that curriculum and coming up with something that works.

The bottom line is that this local ingenuity and response to educational needs can often trump ideas coming out of Washington, DC. Frankly, the ideas emanating from here prove to be impractical or ideological in nature. The bureaucracy in Washington, despite even their best intentions, cannot meet the local educational needs of millions of children across a vast and diverse country such as ours.

Our country is simply too big and too diverse to have a one-size-fits-all approach to anything, including education. That is why I am grateful to Chairman ALEXANDER, Ranking Member MURRAY, and everybody who has participated in producing this conference report to a bill that passed the Senate this summer with more than 80 votes. It is called the Every Student Succeeds Act and returns control of education decisions to States and local communities and to parents and to teachers. It does a pretty good job—not a perfect job but a pretty good job—of keeping the Federal Government out of the way.

I would add parenthetically that I think it is important to make the points I am trying to make in these remarks today because I happen to have a social media habit on Twitter and elsewhere, and I see a lot of information being spread that simply is not true about this legislation and other things. That is why I think it is important to stick with the facts and explain to the American people and my constituents back home why I intend to enthusiastically support this legislation.

First of all, this bill allows States to decide the academic standards and curriculum for their own children. This bill ends Federal test-based accountability. It kills the national school board. It keeps the opinions of the bureaucrats—even the well-meaning opinions that are misguided—out of our children's classrooms. Common core has proved to be a very controversial topic. This legislation ends common core and affirms that the States have the responsibility to decide what academic standards they want to adopt and how to measure success.

By giving responsibility back to local communities and the States and parents and teachers, the Every Student Succeeds Act will allow each State and their school districts the flexibility they need to design and implement their own programs and systems according to the needs of their students and to innovate and to help us and the rest of the country learn from their experience.

States such as Texas can decide how to use federally mandated test results to understand how a student performs. This not only relieves the phenomenon known as teaching to the test, but it gives States the added freedom to provide their students with the well-rounded education they need to compete in an increasingly competitive and globalized world.

Put simply, with this legislation, States can decide for themselves what standards, what curriculum, and what accountability measures they want to adopt. I think we will see, as Justice Brandeis said, how those laboratories of democracy work. I daresay those States, school districts, and students who prosper and do well will raise the bar for everyone else because they will have demonstrated what is possible given the freedom and the flexibility to innovate.

Another important element of this bill is that it rightfully limits the power of the Secretary of Education. With this legislation, a Secretary of Education cannot mandate, cannot direct, and cannot control a State or local education agency or require them to change what they teach in the classroom. That is up to the States and up to local school districts, parents, and teachers.

This bill will replace a law in need of reform, it will stop Washington from imposing common core on our classrooms, and it will let those closest to our country's greatest asset—our children—decide how best to provide for their education.

This bill passed the House of Representatives last week with a tremendous bipartisan vote. I hope to see a similar level of bipartisan enthusiasm here in the Senate as well when we vote to pass this conference report tomorrow morning, and I suspect we will.

As I said, this is the product of a lot of hard work by the chairman of the Health, Education, Labor and Pensions Committee—better known as the HELP Committee—here in the Senate. Senator ALEXANDER, the senior Senator from Tennessee, has been the navigator and leader in this legislation, working closely, as I said earlier, with Senator MURRAY from Washington in a bipartisan way to find consensus on an often contentious subject. I know he looks forward to passage of this legislation tomorrow, as I do too, and to having the President sign it shortly thereafter.

As I said at the beginning, you can't do anything here in Congress or in Washington without bipartisan cooperation, but leadership does matter because leaders set the agenda, they set the tone, and they hold people accountable. I would say that under the leadership of Senator MCCONNELL, the senior Senator from Kentucky, the Senate has been able to begin the process once again of solving real problems for the American people, from dealing with human trafficking, to our children's education. I look forward to continuing this progress for the rest of the week and for the rest of the year as well.

I yield the floor.

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

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

The legislative clerk proceeded to call the roll.

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

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

Mr. HATCH. Mr. President, I am grateful for this opportunity to offer a few remarks on the Every Student Succeeds Act.

To be honest, I wasn't sure we would ever reach this point, given the often contentious and sensitive nature of the educational debate, but it is only fitting that we have spent so much time and energy trying to get the best bill we can. After all, the future of our Nation depends on it, our States depend on it, our schools depend on it, and our families and children depend on it.

I credit the success of this bill to the diligent work of the chairman and ranking member of the Senate HELP Committee, as well as the chairman and ranking member of the House Education and the Workforce Committee. As a former chairman of this committee myself, I know how difficult it can be to strike a deal that is agreeable to both sides, but our committee leaders have done an outstanding job. I wish to thank them for helping us to reach out and reach a compromise. That is exactly what this bill is, a compromise. While neither side considers it perfect, both parties can agree that this bipartisan legislation will significantly improve the quality of education in our country.

I have met with a wide variety of local education leaders in Utah, and each one I have spoken to supports this bill. This legislation helps fix a broken system that is failing our students. Once we have passed this reauthorization, our work will be far from over, but we will once again be moving in the right direction.

For the past several years, my home State of Utah has sought relief from unworkable provisions in No Child Left Behind through the waiver process, but the waiver process is dysfunctional. It forces States to appeal to the Federal Government to fix a problem created by the Federal Government. As our State superintendent in Utah said, ''Results of the waiver process have not been salutary for education, for developments in administrative law, or for the health of our republic. Reforming and revising this deeply flawed statute has and must be the primary work of our federal delegates with respect to education.'' Today we are answering his plea and the plea of many State and local leaders throughout the country.

I am grateful for the opportunity I have had to work on this bill. I am also grateful for the opportunity I have had to help write many of its provisions, including the Education Innovation and Research Program, which will allow schools, districts, nonprofits, and small businesses to develop proposals based on specific local needs. Funding for this program will be awarded based on demonstrated, successful outcomes flowing from the project. This initiative will help us find other incubators of success. It will also remove limitations on flexibility in exchange for

demonstrated outcomes. Money should not be tied to what the Senate or the Federal Department of Energy thinks are good, prescriptive ideas. It should be tied to local innovation and tangible results.

Through this bill, I have also worked to expand technology usage in the classrooms and to equip our teachers with the professional development they need to use technology successfully. Too many of our schools are using outdated or ineffective technological methods and models that are missing critical components of teacher participation and support. Educational technology allows us to personalize learning for students, target where students are struggling, and provide real-time, valuable feedback to teachers so they may adapt their instruction most effectively. I hope we can provide every child access to the same tools and resources and create the individualized learning experiences that we know are critical to success. This bill equips both educators and students with resources they need to succeed.

As the president and CEO of the Salt Lake Chamber of Commerce said, ''This bill empowers willing states to achieve [through] improved early learning and high quality preschool experiences. It also invests in our hardworking teachers with more preparation programs, including those designed to improve literacy, civics education, and STEM education.''

This legislation is a victory both for Utah and for our Nation. The sooner we send this bill to the President and the sooner we can empower our States to help our students achieve their full potential, the better off we are all going to be. I have to say that I think this would be a major watershed bill. Hopefully, we will pass it tomorrow and our elementary and secondary education will greatly benefit from it.

Again, I particularly compliment the distinguished chairman and ranking member for the work they have done on this bill—the hard and effective work they have done on this bill. I am grateful to have the privilege of working with them on the Health, Education, Labor, and Pensions Committee.

I wish to thank everybody who has played a role on this difficult bill. It is difficult for me to see why anybody would vote against this bill because it repairs what has been a very pitiful system under No Child Left Behind.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LEE. Mr. President, tomorrow the Senate will vote on the Every Student Succeeds Act—a bill that reauthorizes the Elementary and Secondary Education Act, or ESEA, which is the legislation governing Federal K–12 education policy.

By all accounts, the Senate is expected to pass this bill with a bipartisan majority, and President Obama is of course expected to sign it into law. This would be a serious setback for America's schools, teachers, and students, one that will have sweeping consequences for decades to come, because when we get educational policy wrong, as this bill does and as we have done at the Federal level for so many years, it affects not just the quality of education students receive as children but the quality of life that will be available to them as adults down the road.

The problem is not just the particular provisions of this particular bill but the dysfunctional and outdated model of education on which it is built—a model that concentrates authority over education decisions in the hands of politicians and bureaucrats, instead of in the hands of parents, teachers, principals, local school boards, and State officials.

For the past 50 years, this model has defined and guided the reauthorization of the Elementary and Secondary Education Act, and the bill before us today is unfortunately no exception. Not coincidentally, this central planning model has also failed to produce any meaningful improvements in academic achievement, especially for students from low-income communities. In fact, since 1969, test scores in reading and math have hardly budged for public school students of all ages, even while per-pupil spending has nearly doubled and school staff has increased by more than 80 percent. Yet here we are once again on the verge of passing another ESEA reauthorization bill built on the same K–12 education model that has trapped so many kids across America in failing schools and confined America's education system to a state of stagnant mediocrity for half a century. This is not simply a failure of policy, it is a failure of imagination.

Our 1960s-era, top-down model of elementary and secondary schooling has endured, essentially unchanged and unchallenged, for so many decades that the education establishment has come to take it for granted. For many policymakers and education officials in Washington and in State capitals around this great country, the status quo isn't just seen as the best way but is seen as the only way to design a K–12 education policy today. Even the most creative policy thinking is confined within the narrow boundaries of the centrally planned status quo. The only reform proposals that are given the time of day are those that seek to standardize America's classrooms, enforce uniformity across school districts, and systematize the way teachers teach and the way their students learn in the classroom at every step along the way. So we insist that the most important teaching decisions—about what to teach, when to teach it, and how to assess learning—are made by individuals outside of the classroom and are uniformly applied and reapplied regardless of the particular character and composition of a class in question.

We expect students of the same age to progress through their curriculum and master each subject at exactly the same pace. We assign students to their school according to their ZIP Codes. We allocate public education funds to education agencies and schools—never directly to parents—and manage their use through bureaucratic restrictions and mandates. We evaluate teachers and determine their compensation not on the basis of job performance in the classroom but according to standards that can be quantified, such as the number of years on the job. Student learning is assessed in much the same way, using standardized tests and age-based benchmarks. We never let stagnant educational outcomes or a persistent achievement gap shake our faith in the ability of central planners to engineer and superintend the education of tens of millions of students in America.

These are the fundamental pillars of the status quo model for elementary and secondary education, and the Every Student Succeeds Act leaves them wholly, entirely intact, but schools are not factories, education can't be systematized, and learning can't be centrally planned. Good teachers are successful not because they are following some magic formula concocted by experts in Washington, DC, but because they do what good teachers everywhere have always done in order to advance the learning of their students: They work harder than just about anyone, and they know their class material—the material they teach their students—inside and out. They communicate early and often with each student's parents so they and their students can be held accountable. They observe and they listen to their students in order to understand their unique learning needs and goals and tailor each day's lesson plans accordingly. They evaluate students honestly and comprehensively, assessing whether they have mastered the material, not just figured out how to take a test.

So instead of imposing an obsolete conformity on an invariably varied environment, we should be empowering teachers and parents with the tools they need to meet the unique educational needs of their students and children. Instead of continuing to standardize and systematize education across the entire country, we should be

trying to customize and personalize education for every single student.

The good news is, we don't need to start from scratch. We know local control over K–12 and even pre-K education is more effective than the prescriptive, heavy-handed approach of Washington, DC, because we have seen it work in communities all over the country.

For years education entrepreneurs in the States—including my home State of Utah—have been implementing and refining policies that put parents, teachers, principals, and school boards back in charge of education policy, back in charge of curriculum, and back in charge of teaching and testing standards. Perhaps the most popular State-initiated reform is the movement toward school choice, which overturns the embarrassingly outdated and manifestly unfair practice of assigning schools rigidly based on ZIP Codes.

We know a good education starting at a young age is an essential ingredient for economic opportunity and democratic citizenship later in life for each child. We also know America has always aspired to be a place to where the condition of your birth doesn't determine your path in life. So why on Earth would we want to prohibit parents from choosing the school that is best for their children, especially if, as is far too common, their local school is underperforming at the moment.

School choice is one of the most important, locally driven reforms aimed at resolving this fundamental injustice that our current assignment by ZIP Code system has attached to it, but it is not the only one. There are also education savings accounts—or ESAs—which give parents control over the per-pupil education dollars that would have been spent on their child by the school system. There is the recent innovation of course choice, pioneered within my home State of Utah, which brings the same kind of education customization and a la carte choice that have spread on college campuses to elementary and secondary schools. Of course, there is the distinctively American notion that parents, principals, school districts, and State officials have the right and should have the ability to opt out of the most onerous, restrictive, and misguided Federal commands. Whether it is parents who don't want their children wasting dozens of hours each year taking standardized tests or State policymakers who develop local education reforms that are more effective and less expensive than the Federal one-size-fits-all policies, we should support the rights of all Americans to have a say in the education of their children.

The point isn't that there is a better way to improve America's schools, but it is rather that there are 50 better ways or even thousands of better ways. In our increasingly decentralized world, in our increasingly decentralized and complex American economy, there are as many ideal education policies as there are children and teachers, communities and schools. But Washington is standing in the way, inherently, if irrationally, distrustful of any alternative to the top-down education status quo. Under the Every Student Succeeds Act, Washington's outdated, conformist policies will continue to be in the way, which is why I urge all of my colleagues to join me in voting against this bill.

Even if most Senators vote in favor of the failed status quo, I am confident I have the majority of moms and dads in America on my side. I often hear from Utah parents, calling or writing my office to express their support for local control over education. I recently received an email from Kierston, a proud mother of four and the PTA president at her local school, who urged me to vote against this ESEA reauthorization. I thought I would let her have the last word today.

Based on years of experience with the public schools in her community, Kierston warns that maintaining Washington, DC's, monopoly over America's public schools will ''force my three incredibly different children who learn in very different ways into a box where my daughter will be forced to learn things she isn't ready to learn . . . my oldest who is ahead of his peers will be forced to slow down or help teach his peers in a way they don't understand . . . and my third will constantly be in trouble for not sitting still and pestering his peers because he understands quickly and is bored.''

''We need standards, we need benchmarks,'' Kierston wrote, ''but we also need to allow children to learn at their own pace. . . . We need child centered education where children have the ability to go as fast or as slow as they need. . . . Please think about the children of Utah. Vote against [the ESEA reauthorization]. Allow our kids the freedom to learn.''

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, we have been living under No Child Left Behind, or NCLB, for 13 years, and during that time we have learned what about NCLB works and a lot more about what doesn't work. Students, teachers, and parents across the country have been waiting for a long time for us to fix this law. As a member of the ESEA conference committee, I am proud to work on the legislation before us today, the Every Student Succeeds Act, and to have helped to get it this far. I thank Representatives JOHN KLINE and BOBBY SCOTT and Senators LAMAR ALEXANDER and PATTY MURRAY for building the bipartisan foundation that got this bill done and will help to reform our national education system.

The bill, of course, is not perfect, but it is a huge improvement over NCLB. Over the last 13 years, we learned that the one-size-fits-all approach to fixing failing schools just wasn't working. That is why this bill is designed to find a balance between giving States more flexibility while at the same time still making sure States intervene and fix schools where students are not learning.

Over the last several years, starting when I got here, I have met with principals, teachers, students, parents, school superintendents, and other school administrators in Minnesota. These conversations have helped me to develop my education priorities to help improve our schools, our communities, and our Nation's future because that is what this is about. I worked with colleagues on both sides of the aisle to find common ground.

I am pleased that many of my priorities to improve student outcomes and close the achievement gap are reflected in the legislation that is before us today. These priorities include things such as strengthening STEM education, expanding student mental health services, increasing access to courses that help high school students earn college credit, and improving the preparation and recruitment of principals for high-need schools.

I also successfully fought to renew the 21st Century Community Learning Centers Program, which provides critical afterschool learning activities for students.

Another one of my priorities helps increase the number of counselors and social workers in our schools.

My provision to allow States to use computer adaptive tests will go a long way toward improving the quality of assessments used in our schools, will give teachers and parents more accurate and timely information on their students' progress, and will measure their growth instead of what NCLB did. In the beginning, NCLB just measured the percentage of kids who exceeded a certain arbitrary line of proficiency. This will measure every kid and how far they have come because I always thought that a sixth grade teacher who takes a kid from a third grade level of reading to a fifth grade level of reading is a hero and not a goat, as that teacher was in No Child Left Behind.

I was also able to include a new Native language immersion program because I believe language is critical to maintaining cultural heritage and helping Native American students succeed.

In addition, I wrote a provision to provide foster children who get new foster parents to stay in their same school district, when that is in their best interest, and not have to move to another school because very often the one essential and stable thing in their lives as foster children is their friends and teachers at school.

I am very pleased that these priorities have been included in the legislation we are considering today, and I thank my colleagues for working with me on them. These provisions will help hundreds of thousands of students in Minnesota and millions of students across the country reach their full potential.

At the same time, I do have to express my deep disappointment that my measure to help protect LGBT students from bullying and discrimination was not included in the final bill. I will keep fighting to get this critical measure passed into law because I think it is our responsibility here in the Senate, as adults, to protect children.

Finally, I want to note that the Every Student Succeeds Act makes critical investments in early childhood education, which has been a priority of mine for a long time. A quality early childhood education doesn't just start kids off on the right foot, it is also good for our budget. Study after study has shown that for every $1 we spend, we get up to $16 back in the long run. A kid who has had a quality early childhood education is less likely to be in special education, less likely to be left back a grade, and has better health outcomes. The girls are less likely to get pregnant and more likely to graduate from high school, go to college, and get a good job so they can pay taxes, and are much less likely to go to prison. That is why it is such a great investment. It is also a great investment because a 3-year-old child is a beautiful thing.

After working on a bill to replace NCLB for years, I am very pleased that we have gotten this reform effort finished. I thank my dedicated staff, both present and past, who has worked hard to move education priorities forward—Sherry Lachman, Amanda Beaumont, Gohar Sedighi.

Thanks, Gohar.

Once the President signs the Every Student Succeeds Act into law, I look forward to making sure the new law is implemented in a way that will benefit students, teachers, and parents in Minnesota.

I thank the Presiding Officer.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. ENZI. Mr. President, I rise today to express my strong support for S. 1177, the Every Student Succeeds Act. This legislation sends the responsibility of educating our Nation's students back to where it belongs—with States and local communities.

I wish to commend Chairman ALEXANDER and Ranking Member MURRAY for their work to advance this legislation through a very ideologically diverse HELP Committee, which they did with a unanimous vote. The full Senate then had a vote. That vote was 81 to 17. Then we had a conference committee. We haven't had many conference committees. It was there that we met with the House of Representatives to iron out differences between the two bills, and that passed by a vote of 38 to 1.

It has been a long time since we have had numbers like that record. In fact, it has been a long time since bills went to committee and had the opportunity to be amended in committee, and then went to the floor of the Senate and had the opportunity to be amended on the floor. Of course, it is even more unusual to have a conference committee—because it passed both Chambers—and come up with a 38-to-1 approval of the conference report, which is what is now before us. This is one of those instances where we get to vote for it or we get to vote against it. I am hoping that almost everybody votes for it, just as in these previous votes.

We in Wyoming are very proud of our school system. We are proud of the way we support our students. We are proud of the way we support our educators. We are proud of the way we support our staff. In fact, the Constitution of Wyoming says there will be equal education for every child. We carry that to an extreme. In Wyoming, that means there has to be equal buildings, as well as opportunities, facilities, and teachers. That is run through the courts every once in a while just to make sure it is observed, and it is, and we are proud of our students, our buildings, and the education we provide. We are very proud of the way it helps to prepare our students for what is next and ensures they have the tools necessary to succeed in a rapidly evolving society.

This bill, the Every Student Succeeds Act, ensures that Wyoming teachers and school leaders have the power to tailor education to meet the needs of all students, even in the most rural and remote communities. Wyoming is the least populated State in the Nation, and we have probably some of the smallest schools. We believe kids shouldn't have to ride a bus to or from school for more than an hour, and as a result, we have some schools that have one student or two students or three students. That is a little different kind of school than most of the Nation has.

For too long now, I have heard stories from teachers, from students, and from parents across Wyoming about the harm inflicted by the prep-for-the-test system that has been in place. That ends with the signing of this bill.

Our Nation's students deserve the opportunity to learn in innovative and creative ways that will stimulate their minds and open their eyes to the countless opportunities we have in this great country. Our Nation's teachers and school leaders deserve the highest levels of support and training to help our students recognize those opportunities and help prepare the next generation. Our Nation's parents deserve the option to choose what educational opportunities are best for their child. This act ensures that all of that can occur by empowering States and local communities to make the decisions they think are best. This is a diverse country. There are a lot of differences among our States. We have some common policies, we have some common laws, but there are still differences.

I am always a little riled when we are compared with some of the other countries around the world on how our students are doing. I have been the Chairman of the Health, Education, Labor, and Pensions Committee before and I did some research into that; I visited some countries to see what their education was like. One of the ways they get better scores on their tests is they kick kids out of school. In India, they guarantee a sixth grade education. They say they guarantee a sixth grade education. They do a cleansing of the schools in fourth grade. They say ''These kids are not participating in their education enough,'' and they kick them out of school. Those kids will make brooms by day and sweep streets at night, and they will earn $1 a day for the rest of their lives. That is it—no opportunity for any advancement. That is in fourth grade, even though they are guaranteed a sixth grade education.

In sixth grade, they have another purge. In fact, those kids will wind up in jobs where they make $2 a day for the rest of their lives, with no opportunity for change. They allow only 7 percent of the kids to go to college. There is tremendous competition that probably makes some difference in their scores. But weeding out kids makes a difference. Thank goodness in this country we don't believe in that. We believe every kid should have an opportunity, and we give them an opportunity as long as we can.

Local school boards are a terrific example of democracy at its finest. In those meetings, individuals in the community can come together to discuss and debate issues related to the education of their youth. It is in those meetings that students can voice their opinions and have a say in their own educational experiences. It is in those meetings that teachers and student leaders can put forth what they think is the best course of action to teach the content in a way that best meets the needs of that community. It is in those meetings that all of those parties can decide how they want to spend educational funds within the budget that the members of that community voted on.

The Every Student Succeeds Act that we will vote on tomorrow gives that

power back to the local school boards. It allows issues to be debated and decisions to be made in a room of parents, students, teachers, school leaders, and community members who know best what works for the students. It is one of the purest forms of democracy I can think of, and certainly it is something I think our Founders had in mind in their idea of America and, in particular, their idea of educating our students.

I know there are some people who are going to vote against this bill, and I have asked why. The most common answer is it doesn't go far enough. It goes further than anything that has been done in this Chamber since the Department of Education was founded. This reverses things back to States' rights.

I work around here under the 80-percent rule. I have found that we can talk civilly about 80 percent of the issues. If we stick to that 80 percent, we can be productive. If we go to the other 20 percent—it is 10 percent on each side, Republicans and Democrats—we both have certain things that we would like to see and that we think are right, and we have been fighting over them for decades. But if we stick to that 80 percent, we can be productive. We can find something that we can have some common ground on. I have found that we usually only have 80 percent common ground on any of the issues because, again, there is that 10 percent that each side feels is right and that we would like to do. So the best way to get some legislation done is to leave out some of those things and go ahead and get what we can. This bill does that.

I think it goes beyond 80 percent, incidentally, but we can get the whole 100 percent. The way to do it is to get both sides together and keep them out of the weeds long enough—the old rhetoric they have been arguing about, where they hear a key word and know the answer to it immediately and don't have to listen. If you can get them to sit down and listen and think of a new way to do it, we would get 100 percent because when we come up with that new idea that both sides can grab on to, they both claim it is their idea, and we move on. We are not at that point yet on education.

I commend the Chairman of the committee, Senator ALEXANDER, and the Ranking Member, Senator MURRAY, for coming together on 80 percent of what can get done and working to get it done. The alternative is to get nothing done. We need to get something done. People have been complaining that this law has been unauthorized for years. This is the first chance we have had to actually move forward with education, to move it back to the States where it will be most effective, where those diverse States can make up their minds on what will work best with their students.

Incidentally, most of our States are as big as any of those countries we compete with, with the exception of China, Russia, and India. They are making decisions for their State when they are making their education decisions. That is what this bill will do.

There aren't any perfect bills. I particularly don't like comprehensive bills. ObamaCare was a comprehensive bill. But my idea of a comprehensive bill is that it is so big that people can't understand it, and it is so big that stuff can get shoved in there that nobody will even notice when it is being done. This is one of those bills that has been worked on for a long time. It has been taken carefully in steps and put together so that we can move forward with it.

The question is, Will it work? Yes, it will work. Will it do everything that everybody wants? Hardly anything ever does. This bill will come as close to doing something—as I said, I believe it is the most progress we have had since we got a Department of Education, which is a whole other debate.

I have been proud to support this legislation from its very early stages, and I will continue to support it tomorrow. The responsibility of the education of our Nation's students belongs to States and local communities. The Every Student Succeeds Act ensures that responsibility is given to those entities.

I urge my colleagues to support this legislation, an improvement in education.

Mr. President, I yield the floor.

Mr. ALEXANDER. Mr. President, the conference agreement to replace No Child Left Behind, the Every Student Succeeds Act, takes unprecedented steps to rein in the Secretary of Education and put the power for education decisions back in the hands of parents and State and local officials. By passing this legislation, it clearly becomes Congress' intent that States be solely responsible for the development and implementation of, and decisions regarding, all aspects of their State accountability systems. This is an intentional and deliberate act to eliminate the ability of the Secretary of Education to use regulatory power or guidance to add new requirements or conditions to State systems that are outside of the specific language in statute.

The legislation prevents the Secretary from influencing, forcing, or coercing a State to adopt specific standards in many ways, including the following:

First, officers and employees of the Federal Government—including the Secretary of Education—are prohibited from conditioning the receipt of any funds, through grants, contracts, or agreements on the adoption of any academic standards, including Common Core.

Second, States do not have to submit their standards to the Secretary for review or approval.

Third, the Secretary is prohibited from exercising any direction or supervision over a State's academic standards.

The Secretary is also prevented from using executive authority to create terms and conditions that should be done through the legislative process, including the following:

First, the Secretary is prohibited from adding new requirements through regulations.

Second, the Secretary is prohibited from adding new requirements as a condition of approval of a State plan.

Third, the Secretary is prohibited from dictating what should happen in early education.

Fourth, the Secretary is prohibited from creating new policies through redefining terms or phrases in the law.

Furthermore, the legislation protects States' rights to control their education system by ensuring the Secretary is prohibited from: coercing a State to adopt any particular curriculum or program of instruction; prescribing the long-term goals or measurements of interim progress, or the weights of State-determined indicators, or the methodology for identifying low-performing schools, in the State's accountability system; requiring any specific assessments be used by a State; dictating any particular school support or improvement strategies or interventions; or requiring any measures of teacher, principal, or other school leader effectiveness.

Section 1111(e) clearly states the Secretary may not add any requirements or criteria outside the scope of this act and further says the Secretary may not take any action that would ''be in excess of statutory authority given to the Secretary.'' This section goes on to lay out specific terms the Secretary cannot prescribe, sets clear limits on the guidance the Secretary may offer, and also clearly states that the Secretary is prohibited from defining terms that are inconsistent with or outside the scope of this Act.

There are also provisions in titles I and VIII that ensure standards and curriculum are left to the discretion of States without Federal control or mandates, and the same is true for assessments.

The legislation also clearly lays out congressional intent by including a sense of Congress that States and local educational agencies retain the right and responsibility of determining educational curriculum, programs of instruction, and assessments.

The legislation makes it clear the Secretary is not to put any undue limits on the ability of States to determine their accountability systems, their standards, or what tests they give their students. The clear intent of this legislation restores responsibility for the authority over education decisions back to the States and severely limits

the Secretary's ability to interfere in any way.

Ensuring a limited role for the U.S. Secretary of Education was a critically important priority throughout the reauthorization process and this legislation meets that priority. For example, the Secretary may not limit the ability of States to determine how the measures of student performance are weighted within State accountability systems. The legislation does not authorize the Secretary to issue regulations that specify a specific weight or a range of weights that any indicator must fall within when States setting up their system. Any weights or ranges of weight of each indicator will be determined by the State. The Secretary also cannot prescribe school support or improvement strategies, any aspect of a State's teacher evaluation system, or the methodology used to differentiate schools in a State.

Also, the Secretary may not create new policy and requirements by creatively defining terms in the law. Definitively, this new law reins in the Secretary and ensures it is State and local education officials making decisions about their schools.

Under current law, the current Secretary and previous Education officials have exceeded their authority by placing conditions on waivers to States and local educational agencies outside the scope of the legislative language or congressional intent. This legislation prevents the Secretary from applying any new conditions on waivers or the State plans required in the law. The language clearly states the Secretary may not add any new conditions for the approval of waivers or State plans that are outside the scope of the law. This means if the law does not give the Secretary the authority to require something, then the Secretary may not unilaterally create an ability to do that through regulation, approval or disapproval of State plans, binding guidance, or any other means of enforcement.

Finally, this legislation sets up a more inclusive and transparent negotiated rulemaking process, particularly for any regulations related to standards, assessments, or supplement, not supplant requirements in the law. All regulations, if any, issued on these items must adhere to agreements reached by negotiators in negotiated rulemaking. The Secretary may not ignore agreements reached. The legislation also requires an alternative process for regulations if consensus is not reached through negotiated rulemaking, including a review of the time, costs, and paperwork burden of any proposed regulations. Congress will also be given an opportunity to review any proposed regulations for 15 days prior to submission to the Federal Register. Additionally, the public will have 60 days to comment on any proposed regulations. The purpose of these new requirements is for the Department of Education to be more transparent in what burden new regulations will place on States, school districts, and schools. Additionally, by giving Congress and the public the opportunity to explicitly weigh in on proposed regulations, the intent is that the Department will listen to thoughts from people on the ground regarding how they will be impacted.

Mr. LEAHY. Mr. President, tomorrow the Senate will approve landmark legislation to reauthorize the Elementary and Secondary Education Act of 1965.

Since 2001, the failed policies of No Child Left Behind have unfairly burdened students, families, educators, and administrators by holding students accountable for snap-shot academic progress. The overwhelming support in Congress for these reforms will reverse the one-size-fits-all approach to education that did not work for Vermont and so many schools across the Nation. This bill gives States more flexibility to ensure that schools are supporting every student, while maintaining the Federal Government's responsibility to ensure that students everywhere have access to the resources they need for lasting academic success.

Since 2001, I have heard from parents, teachers, students, policymakers, and administrators about the negative impacts of No Child Left Behind. I voted against the legislation as I did not agree—and still do not agree—with a one-size-fits-all approach to education. I was also disappointed with the bill's rigid Federal accountability measures, as I truly believe States and local education agencies deserve flexibility when it comes to how schools operate.

The conference report we will consider today reflects the positive changes to the law that the Senate overwhelmingly supported in July. The agreement restores educational flexibility to the States, while safeguarding student access to resources, regardless of race, gender, financial status, and learning level. I am pleased that the bill takes into account the greater needs of students in rural areas, increases funding for early childhood education programs, and improves school safety measures.

I am especially pleased with the bill's innovative assessment and accountability demonstration authority provision, which will allow Vermont to adopt competency and performance-based assessments that prove far more than how well a student can perform on a test on one given day. And while States will design their own system to improve struggling schools, the conference agreement also includes Federal safeguards to protect civil rights and to provide resources for students at the greatest risk.

We are 8 years overdue for a rewrite of No Child Left Behind. I am pleased that we have come together, Members on both sides of the aisle, to support the Every Student Succeeds Act. This bill truly reflects the needs of all students, educators, parents, and administrators; and I urge all Senators to support its passage.

Mr. MCCAIN. Mr. President, today I come to the floor to express my strong support for the Every Student Succeeds Act. This legislation is a major step forward in taking the responsibility of educating our children back from Washington and giving it to the States. Senator ALEXANDER and the Republican majorities in Congress have been successful working in with parents, teachers, and school districts in putting together a bipartisan elementary education reform bill that would restore the role of States in creating accountability standards, testing requirements, and other education policies that best fit the needs of students in local public and charter schools.

One of the most important pieces of this bill is that it would effectively end Common Core once and for all by allowing States to develop their own education standards. For far too long, Federal bureaucrats in Washington have tied the hands of States and parents by mandating one-size-fits-all education policies such as Common Core that have failed America's students. Let me be clear: I strongly support education standards that make Arizona students prepared to compete in this global economy. But these standards should be developed by Arizona's State and local education officials in consultation with parents of Arizona schoolchildren. This bill would do just that.

The Every Student Succeeds Act would also end the Federal test-based accountability system that was established by the No Child Left Behind Act. No longer would these required Federal tests be the sole measure of educational success. States will now be allowed to use testing along with other measures of accountability such as attendance, teacher performance, and other student achievement and school performance metrics when developing accountability systems.

In addition to helping take control of elementary education back from Washington, this bill includes provisions that would strengthen charter schools. I am proud of the fact that Arizona is home to some of the best charter schools in the Nation. According to the Arizona Charter School Association, over 190,000 Arizona students have access to more than 600 charter schools, giving Arizona parents more educational choices for their children. I am also proud of the fact that BASIS Charter Schools in Scottsdale and Tucson are the first and third-ranked charter schools in America, according to U.S. News & World Report.

I am also pleased that the Every Student Succeeds Act includes language I

offered on the Senate floor in July that would enhance educational choice and expand access to high-performing schools for student in Arizona and across the nation.

Specifically, this provision would let Arizona and other States propose how they could use limited Federal education funds to replicate and expand access to high-performing charter, magnet, and traditional public schools for low-income students—in other words, education options that are proven to provide the best-quality learning environments for Arizona children.

Right now, public funds meant to help low-income students are largely reserved for poor-performing schools, failing the children who are most in need. We must give Arizona and other States the ability to direct these funds to develop high-performing charter, magnet and traditional public schools which have been proven to be successful.

The provisions I offered give Arizona the ability to show how they can do just that, while paving the way to give parents the freedom to choose which schools are best for their kids.

The Every Student Succeeds Act also includes measures that would offer additional support for rural schools in Arizona by providing more flexible use of Federal funding and maintaining the authorization of the Small, Rural School Achievement Program, SRSA, and the Rural and Low Income School, RLIS, program. The bill also helps States support English learners by providing resources to establish strong English proficiency programs to enable these students to meet high education standards.

I am proud of the strong progress that Arizona students are making in the classroom. According to the most recent National Assessment of Educational Progress, NAEP, Arizona students are making significant progress compared to students in other States. In a recent op-ed in the Arizona Republic, former Arizona Superintendent Lisa Graham Keegan and the Foundation for Excellence in Education's Matthew Lander wrote, ''[w]hile the national NAEP news this week was grim, with flat scores in fourth grade reading and declining scores in all three subjects, Arizona students bucked that trend by notching gains in three of the four tests.'' They went on to highlight Arizona's success, stating ''Arizona's charter-school students . . . matched the scores for the highest-scoring states on the 2015 NAEP. On eighth grade mathematics, for instance, Arizona charter students scored in a statistical dead heat with Massachusetts, the highest scoring of the 50 states.''

I am extremely proud of the success we are seeing in Arizona elementary education, but more needs to be done to ensure our students have the best opportunities by increasing educational choice and enabling States and school districts to expand and replicate high-performing schools. Every American has an obligation to help prepare the next generation for the future, and this bill is a step in the right direction. I encourage all of my colleagues to support this bill.

Ms. MIKULSKI. Mr. President, today I wish to talk about the Every Student Succeeds Act.

I want to thank Chairmen KLINE and ALEXANDER and Ranking Members SCOTT and MURRAY for their work in putting together a bipartisan, bicameral framework to reauthorize the Elementary and Secondary Education Act, ESEA. I know that it was not easy, especially in this political climate, but politics were put aside; and children, teachers, and schools were put first.

I am really pleased how this process played out—it was truly a bipartisan effort. I have always believed that one of the pathways to success is restoring regular order, and they did just that. While this bill is not perfect—it is not one that Democrats nor Republicans would have written—it is a step in the right direction towards overhauling and improving the failed tenets of No Child Left Behind.

ESEA was passed 50 years ago to ensure that kids living in poverty would receive the extra help they needed in order to succeed. It was a part of President Lyndon B. Johnson's War on Poverty. It was the first time that the Federal Government really got involved in education. Before then, education was considered a local responsibility, not something for the Feds to meddle in; but President Johnson's vision changed that. He wanted to lift kids out of poverty and give them their fair shot to excel.

Since then, we passed the bipartisan No Child Left Behind Act of 2001, NCLB. While done with the best of intentions, it was deeply flawed. With NCLB, instead of us ''racing to the top,'' we ended up with ''racing to the test'' and excessive testing. NCLB is also bad because it gave us a one-size-fits-all approach out of Washington, despite whether you lived in a big city like Baltimore or in a rural county like Somerset County on the Eastern Shore.

We wanted to get rid of ''race to the test,'' understanding that one size does not fit all, and implement a system that understands we must have Federal guidelines with local solutions and initiatives; then we needed to back up our guidelines with money because school districts were struggling to meet their bottom line.

So I went to work on a bipartisan basis to try and deal with that. My first rule was: do no harm. That is why I beat back the Southern strategy that was going to change the title I formula for funding. Maryland would have lost $40 million—that means every single school district in Maryland would have lost money. I couldn't let that happen, so I put together a coalition of other Senators to beat that back, and we did just that. Maryland will keep its $40 million. For Baltimore City, they won't lose $6 million. For Baltimore County, they won't lose $6 million. For places like Prince George's County, they won't lose $7 million.

The bill before us—the Every Student Succeeds Act—is good for all of Maryland's 874,514 students. It supports at-risk populations; empowers high quality choice for parents; and strengthens critical programs such as science, technology, engineering, and mathematics, STEM, education, accelerated learning, and afterschool programming.

The Every Student Succeeds Act is good for all of Maryland's 59,315 teachers. Our teachers have to deal with children who have so many problems—whether suffering from a peanut allergy or asthma—and need so much help. That is why I fought to make sure that Federal funds can be used to provide for the coordination of integrated services like vision and hearing screenings and other support services to help improve student academic achievement.

The Every Student Succeeds Act helps all of 1,446 Maryland public schools. While we maintain annual statewide assessments in reading and math, we allow States to develop and implement other mechanisms that reduces overtesting and ''racing to the test.''

In addition to supporting the large-scale changes in the Every Student Succeeds Act, I am especially proud to see that this compromise includes other provisions I fought for. This bill ensures that States continue to measure how students are performing at each level of achievement. This bill will make sure that States find ways to assist school districts in addressing the needs of gifted and talented students. It will also make sure that teachers get the professional development they need and deserve in order to better identify gifted kids.

I am pleased that the bill before us also recognizes the vital role that school nurses play. They truly are a valuable member of a school's education team and should be recognized as such. Because of this bill, schools nurses will now be eligible to receive ESEA professional development funds.

This bill, the Every Student Succeeds Act, ensures that at-risk kids get the support they need in order to succeed. It supports teachers and principals in providing high quality instruction. It supports States and school districts in turning around low-performing schools and closing achievement gaps. This bill is a down payment on our children's future and on our Nation's future.

I urge my colleagues to support the bipartisan progress that has been made

here and vote to send a strong bill to the President's desk that will improve our schools and put all of our children on a path to success.

ASSESSMENT SECURITY

Mr. HATCH. Mr. President, I wish to engage in a colloquy with the chairman of the Health, Education, Labor, and Pensions Committee, Senator ALEXANDER, to clarify questions that have arisen since S. 1177 was introduced.

Under the Every Student Succeeds Act, pursuant to section 1201, we authorized Federal funding to provide grant opportunities for States to administer academic assessments and to carry out activities that ensure ''the continued validity and reliability of state assessments.'' Furthermore, under the same provision, we authorized funds to allow States to collaborate with organizations to provide services that will ''improve the quality, reliability, validity, and reliability of State academic assessments.''

I ask the chairman, is it your understanding that the references in section 1201 to activities and services that ensure and improve the ''validity and reliability of state assessments'' were intended to allow funds to be used for test security activities and services designed and utilized to prevent, detect, and respond to testing irregularities and incidents that threaten the validity of assessment results?

Mr. ALEXANDER. Mr. President, the Senator is correct. Student assessments must be designed and administered with a high degree of quality assurance. State assessment results can be used as the basis for critical decisions affecting the lives of students and the funding and operation of schools, and given the significant taxpayer investment for statewide assessments, we must provide States with the flexibility to use funds to preserve and maintain the integrity and validity of these important assessments.

The PRESIDING OFFICER. The Senator from Alaska.

SENATE ACCOMPLISHMENT

Ms. MURKOWSKI. Mr. President, I would like to take a few moments this afternoon to talk about where we are at the end of this year, 2015. There has been a lot of talk about wrap-up, a lot of talk about how we knitted together the outstanding issues before us as a Congress. There is much yet to be done, but I do think it is significant to recognize that there has been good work, there has been substantial and substantive work that has come out of the U.S. Senate this year as the Republicans have led the Senate in the majority.

As we think back at year-end on a series of accomplishments, I think it is important to recognize that the business of the Congress has been productive. Sometimes we get so busy around here that we don't stop to even recall what we did yesterday, much less last week or the week before.

Today we have had an opportunity to almost bring to a close the education reform measure that Senator ALEXANDER from Tennessee and Senator MURRAY from Washington have been working so hard on over this past year. As a member of the HELP Committee, I have been very pleased to work with them as we have attempted to advance meaningful and long-overdue education reforms.

Before I speak specifically to the Every Student Succeeds Act, I would like to rattle off a few of the measures.

Of course we recognize that it was just last week that the highway reauthorization bill moved successfully not only through the Senate but through the House, through the full bodies ready to be signed into law by the President. The 5-year highway reauthorization bill is the longest highway reauthorization bill we have seen in 17 years. That is significant. For a State such as mine that is looking for some level of certainty for projects around the State, that is considerable, and that is a good accomplishment to look back to as a marker of success.

The vote we had last week would roll back some of the many harmful effects of the Affordable Care Act—the Not-So-Affordable Care Act, as I mentioned on the floor last week, saying that for far too many Alaskans, the Affordable Care Act was simply not affordable.

There have been other measures we can look to and acknowledge that we are doing the work of the Congress—moving forward the national defense authorization bill, which the President chose not to deal with the first time around but signed it the second time around.

We were able to move forward several measures related to the regulatory environment we are dealing with, whether it was the Clean Power Plan or the waters of the United States, being able to push back on those very burdensome regulations that I think we recognized—the goals for clean air and clean water are something we all want. We need to make sure that we move in this direction in a way that doesn't burden or weigh down our economy.

The first appropriations stand-alone bill that we have seen move through the Senate in 5 years when we advanced the MILCON appropriations measure—that was also significant.

The committees have been doing great work. In our energy committee, we moved forward an energy reform bill that would help to modernize our energy grid, access to all areas of energy, not only by night but our renewable resources as well. That was an effort which was very bipartisan and enjoyed good, strong support within the committee. We moved it out 18 to 4 and hope to have an energy reform bill before the Senate for consideration early in this next calendar year. We haven't seen energy modernization or an energy reform bill since 2007. Again, it is long overdue but is now teed up.

We have a sportsmen's bill that we moved through committee. The Environment and Public Works Committee is working to advance their portion of those very significant measures that will allow for greater access to our sports men and women and our families who seek to recreate on our public lands.

These are good things that we are seeing coming out of committees and coming to the floor and moving forward. This is a level of governance that has been good for the body and, even better, will be good for the country.

Mr. President, I would like to speak very briefly about the Every Student Succeeds Act. I know several of my colleagues have come down to the floor. Just a couple minutes ago, the Senator from Wyoming came to talk about the good things we have seen in this education reform bill and celebrate how it ends the national school board by putting more control of our schools in our States' and locals' hands. I think that is worthy of note. For the schools, administrators, teachers, and the parents, that is worthy of celebration.

I am more than pleased that the Every Student Succeeds Act will finally allow our States to judge our schools by more than just the test results and allow our teachers to do what they want to do to teach our kids and engage them in the art and love of learning and not just prepare for tests. We all know our children are more than what can be described in some of these fill-in-the-bubble exercise tests, and our teachers are certainly more than robots that stand in front of a class and follow a script that has been orchestrated from elsewhere.

I tell many Alaskans that I got my political start, if you will, as the president of my son's PTA, our parent teacher association in our local neighborhood school. I came to understand firsthand and in a very upfront and personal way what No Child Left Behind meant not only for my son's school but for the schools across Alaska, an area where you have a lot of geography and not a lot of numbers in terms of population.

NCLB did not work for us as a very rural State. The one-size-fits-all did not work. My son's public school was deemed a failing school in the first year that adequate yearly progress was the standard of measurement. We were dubbed a failing school because we had one subcategory of students where the numbers were so small, but we didn't have enough students show up to take the test on that day. So we all know there were 31 different ways to fail AYP, and little Government Hill Elementary in Anchorage, AK, failed that first year. That is tough as a neighborhood. They were saying: What is wrong with our school? What is wrong with our neighborhood?

Really, there was nothing wrong with our school. There was nothing wrong with our neighborhood. What we had was a directive that came out of Washington, DC—some 4,000 miles away—and it didn't work for us.

I am more than pleased to join with superintendents, principals, and school board members who celebrate Federal bureaucrats being prohibited from dictating standards, assessments, and school ability plans. No more Federal control. No more waivers with strings. No more one-size-fits-all education mandates that never ever fit us in Alaska.

I also place a high value on the fact that this bill recognizes the rights of our American Indian, Alaskan Native, and Native Hawaiian peoples throughout the country. It makes sure they have a greater say in how public schools will serve their children. Also, this bill will support the revitalization of Native languages by supporting Native language immersion schools. This has always been one of my priorities, and I am pleased we see this in the Every Student Succeeds Act.

I am grateful for the support of colleagues on both sides of the aisle. Senator BOXER worked with me on this to make sure we maintained Federal support for afterschool programs that allow parents to remain at work if they need to after the school day ends, knowing their children are going to be safe and engaged in good, enriching activities that help them learn in a fun way. Making sure we had that critical piece in the bill was important.

I am also grateful for the support for the number of Alaska-specific provisions that will ensure that this bill, unlike the No Child Left Behind Act, will truly fit Alaska's needs. I appreciate a great deal the work Senator ALEXANDER put into working through some of these issues with us, understanding the Alaska piece, recognizing that sometimes we have entities that are different from what you have in the lower 48. How you translate that when you are drafting language to make sure it works is key. His staff worked with mine to make sure we didn't drop the ball in these areas.

Those of us who are parents realize that this legislation will give us a stronger voice in our children's education and encourage parents to take the lead in helping our schools communicate better with parents rather than the other way around. Again, coming into the politics of schools, knowing that your parents have a voice in what is happening at the school is critically important.

Over the years, we have all met with teachers, school board members, parents, principals, superintendents, and students from our States who were so discouraged, very discouraged, sometimes just plain old fed up with the No Child Left Behind top-down control over every decision. The Every Student Succeeds Act guarantees that our parents, teachers, tribes, community leaders, and principals have a seat at the table to design how our schools serve our children. It even guarantees our Governors a voice while drastically reducing the role of the Secretary of Education here in Washington, DC.

I want to acknowledge the good work of the members of the Senate HELP Committee and their staffs. We all know their staffs put in amazing hours to get the bill to this point, working together, compromising, negotiating, making their case for the priorities of their constituents.

This bill is one of the great examples—a poster child, if you will—of how Congress should be working around here. It is hard work, but it requires compromise. It requires an open amendment process in committee, which we absolutely had. We had days of process on the committee and then here on the floor but also within the conference committee. We had a real, live, old-fashioned conference committee, and it was an absolute pleasure to be part of a process where you could go in with your colleagues from the House on the other side of the table and go back and forth in further perfecting a bill.

In just a few days, the baton on education reform will be handed off to the people of our States. I look forward to this. I am encouraging folks back home to get involved, be aware, know what is going on. It will be a responsibility every one of our constituents must take seriously. No matter what role they play in a student's life, what happens next in each of our States will be determined by the people who show up, who share their perspectives with their States, with their departments of education, with their school boards. And I believe that coming together in this way at the local and State level—together it will be a good job for Alaska's children and for all of our Nation's children.

With that, Mr. President, I thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

Mrs. MURRAY. Madam President, I am so pleased that the Senate is taking the last few legislative steps to reauthorize the Elementary and Secondary Education Act or ESEA.

Our bipartisan bill, the Every Student Succeeds Act, will end the one-size-fits-all mandates of No Child Left Behind. It will reduce reliance on high-stakes testing, and it will help ensure that all students have access to a quality education regardless of where they live, how they learn or how much money their parents make. One of the best ways to help students succeed in school is by offering high-quality early learning opportunities for kids.

I am proud our bipartisan bill will also improve and expand access to preschool programs for more of our Nation's youngest learners. Preschool is actually how I got my start in politics in the mid-1980s. At the time I wasn't thinking about running for the U.S. Senate or even the State legislature in Washington. I just had one specific goal in mind. The State legislature at the time was going to close down preschools in my small community because of budget cuts. I knew the impact that would have on my own kids and on the kids I saw in the classroom, but when I went to talk to State legislators about it with my kids, they wouldn't listen. They didn't think our voices mattered, and they didn't think preschool should be a priority.

So I picked up the phone and started calling other parents. We held rallies, we wrote letters, and when it was all said and done, we won. The legislature reinstated the funding for the preschool program and more kids in my State were able to finally start school ready to learn.

I still believe early childhood education is one of the best investments we can make in our country. It is why I fought so hard to improve and expand the preschool program throughout this process to fix No Child Left Behind. It is why I worked across the aisle with Senator ISAKSON and many other colleagues in the HELP Committee to design a preschool program in our bipartisan Senate bill, and it is one of the reasons this final legislation that we will vote on tomorrow will be such a strong step for students in the years to come.

I hope our colleagues join me and everyone in passing the Every Student Succeeds Act for students, for parents, for teachers, and for communities across the country. Early childhood education is so important for our children's future and for the future of our country. Let's go through the research.

Before children ever set foot in kindergarten, studies show they have already developed a foundation that will determine all of the learning, health, and behavior that follows. High-quality early learning programs can strengthen that foundation. Preschool is especially important for kids from low-income backgrounds. By the time an average child growing up in poverty turns 3 years old, she will have heard 30 million fewer words compared to a child from a middle-income or high-income family, according to researchers at the University of Kansas. That is a serious disadvantage.

By the time she starts kindergarten a few years later, the deck will already be stacked against her and her future success. Many families across the country don't have the option of sending their youngest learners to preschool. Today, in fact, just 14 percent of 3-year-olds in America are enrolled in federally or State-funded preschool programs and 41 percent of our 4-year-olds are enrolled.

If we are serious about closing the achievement gap in elementary and secondary education and if we are truly committed to making sure every student has the chance to succeed, we have to invest in quality early childhood education.

On the Senate floor in January, I said we should only pass a bill to reauthorize the ESEA if it expands access to preschool programs. I am very pleased our bill follows through on that commitment. The Every Student Succeeds Act will mark the first time that the Nation's primary, elementary, and secondary education law includes dedicated funding to make sure kids start kindergarten ready to learn. It does so by establishing a competitive grant program for States that proposes to improve coordination, quality, and access to early childhood education for kids from low-income and disadvantaged families. Those grants will help States such as Washington build on the progress it has already made to improve quality and increase access to high-quality preschool programs.

I am very proud of the bipartisan bill we have on the floor and all it does to improve and expand access to preschool, but we still have work to do. I will continue to work to do even more for kids and families in Washington State and across the country. I will continue fighting hard to make sure that if a family wants to send their child to a quality preschool program, there will be an open slot for them, because when all students have the chance to learn, we strengthen our future workforce, our Nation grows strong, our economy grows from the middle out, not the top down, and we empower the next generation of Americans to lead the world.

As a former preschool teacher myself, I saw firsthand the kind of transformation that early learning can inspire in a child. It is something I have never forgotten. On my very last day of teaching preschool, before I left to serve in our Washington State Senate, my students gave me this great big, large, blue quilt. Each square was decorated by a student in my preschool class and that quilt now hangs in my U.S. Senate office. It reminds me every single day that investing in young children is one of the most important things we can do to help them succeed.

Tomorrow the Senate will have the chance to vote in favor of helping more kids start school on a strong footing. We have the chance to fix No Child Left Behind with a bill that recognizes the importance of early learning, and we have a chance to make sure one of the smartest investments we can make in our Nation's youngest learners has begun.

I urge my colleagues to pass this bill for their future and the future of our Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

IRAN

Mr. MENENDEZ. Madam President, I rise to talk about an issue that while we are riveted in our attention, yes, about a good education bill—which I intend to support—and about the challenge of ISIL and terrorism both abroad and at home, I am concerned that in the midst of all of those challenges, Iran is well on its way to once again defy the international community in a way that I think is incredibly dangerous.

We are told that Iran is to be considered a trustworthy member of the international community and that we should be able to count on it to abide by the international commitments they have made and by U.N. Security Council resolutions.

On October 11 of this year, Iran tested a precision-guided, long-range ballistic missile in violation of U.N. Security Council resolutions, and now Iran has carried out a new medium-range ballistic missile test in breach of two U.N. Security Council resolutions. We are told by Western intelligence that test was held November 21. The first one was October 11; now a second one on November 21 near Chabahar, a port city in southeast Iran's Sistan and Baluchestan Province near the border with Pakistan. The launch took place from a known missile test site along the Gulf of Oman. The missile, which is known as a Ghadr-110, has a range of anywhere between 1,800 and 2,000 kilometers or about 1,200 miles and is capable of carrying a nuclear warhead.

The missile fired in November is an improved version of the Shahab-3 and is similar to the precision-guided missile tested by Iran on October 10, which elicited strong condemnation by members of the U.N. Security Council, but those condemnations were in word but not in actions—because what has happened as a result of Iran violating the U.N. Security Council resolutions as it relates to missile testing? Absolutely nothing.

At the Security Council we are still debating how to respond to Iran's last test in October, and I truly believe actions speak louder than words. American and U.N. actions demonstrate to me that with no activity that is visible to anyone as it relates to finding some consequence for Iran violating U.N. Security Council resolutions, Iran can support terror, Iran can develop its nuclear program, Iran can foment sectarian conflict across the Middle East, it can support Assad in its deadly regime against its people, it can test ballistic missiles, it can tell Iraq not to accept U.S. special forces in our fight against ISIL, and yet it will be rewarded with a multimillion-dollar sanctions relief this coming year. Something is wrong because the silence is so deafening.

In October of this year after Iran launched its first missile test in violation of Security Council resolutions, I wrote to the Secretary of State. I wish to read excerpts of that letter because they are still more poignant today in view of the second test that has taken place against international will.

I said:

Dear Mr. Secretary,

The recent test launch of a precision-guided, long-range ballistic missile by Iran was a violation of the United Nations Security Council Resolution (UNSCR) 1929. . . . As we discussed during your July 23 appearance before the Senate Foreign Relations Committee, [that resolution] stipulates that Iran cannot presently engage in activities related to ballistic missiles.

But, with the October 11 launch, Iran has done so—on several levels—whether it is through research, development, planning, concealing or launching this reportedly new technology. And as some of my colleagues on the Senate Foreign Relations Committee have pointed out in separate correspondence to you, Iran's violations of UNSCR 1929 have become common. The Iranian regime is drawing a line in the sand that demonstrates [I believe] with malice that it will only selectively meet its obligations with respect to internationally sanctioned weapons programs. What meaningful steps will the Administration take to respond to the latest Iranian provocations?

As Iran is prone to do, [I view] this is a test of American commitment and resolve, which, I believe, must be met with a decisive response in the language that Iran understands—for every action there is a consequence.

I went on in that letter to say:

I write to recommend to you that you use the Administration's discretionary authority to tighten the full range of sanctions available to you to penalize Iran for violating UNSCR 1929. From your responses at the July 23 [Senate Foreign Relations Committee] hearing, I understand that tightening sanctions for non-nuclear related infractions would not violate the terms of the Iran Nuclear Agreement, even if it were presently in its full implementation phase.

Which it is not.

The Administration should also encourage P5+1 partners to respond with similar measures. Does the Administration plan to use its current authority to tighten available sanctions against Iran?

Iran is not only testing the Administration, it is also testing our international partners. The launch, coordinated on the same day that Iran's Parliament approved the general outline of the Iran Nuclear Agreement should send a clear signal to the United States, the P5+1, and the United Nations Security Council that Iran's nuclear program and its weapons programs are linked—and that the Iranian regime has every intention

of maintaining this status quo. The Administration should lead the P5+1 and the UNSC to respond swiftly, decisively, and unapologetically.

The series of test launches of Iranian ballistic missiles that have led us to this point are part of a larger weapons development program, that when taken together with Iran's history of deception, its opaque nuclear capabilities, past violations of the Nuclear Non Proliferation Treaty, its fiery rhetoric, destabilizing activities throughout the region, and well-documented malign intent, requires a strong international response.

And particularly, I note: The time to act was then and now again—certainly now—before Iran can exploit U.N. Security Council resolution 2231 because that particular resolution failed to incorporate the same mandatory language that U.N. Security Council resolution 1929 has.

In 1929, the world said: You cannot conduct ballistic missile tests and work on the development of ballistic missiles. When we struck the deal with Iran, we went through a different language where we strongly called upon Iran not to do so for the next 8 years. But strongly calling upon a country—from the Security Council—not to do something is not prohibiting those threatening activities.

We do have sanctions that are in place and a Security Council resolution that is in place, because the deal has not gone into full effect until implementation takes place, where Iran is already violating the international will as expressed by those Security Council resolutions.

I would argue that in addition to the fact that they are defying the will of the international community as it relates to their missile weapons program—which can carry a nuclear warhead—I think they are testing the will of the international community when it comes to the question of how serious we will be about violations of the nuclear agreement. And the sooner that we are stronger in our response to their violations of the Security Council resolutions on missile technology and the missile weapons systems, the sooner they will understand we will not allow them to ultimately violate the agreement we struck with them as it relates to their nuclear program, and if they do, there are serious consequences.

Iran has tested the world. I have followed Iran since I first was in the House of Representatives and it came to my knowledge that the United States was sending voluntary contributions to the International Atomic Energy Agency above and beyond our membership dues. When I inquired as to what it was for, it ended up that it was to help the IAEA, help Iran create operational capacity at the Bushehr nuclear facility. Well, that wasn't in the national interests of the United States and certainly not in the national and security interests of our ally the State of Israel. I led a successful drive to stop those voluntary contributions in the House.

From that day, in the beginning of my House career, I followed Iran, because I said: Why does a country that has such huge—I think it is the fourth largest—oil reserves—and right up there as relates to gas reserves—need nuclear power for domestic energy consumption? It doesn't. I have followed Iran since then, and I have seen that by testing the international community's will at every step of the way, they advanced their nuclear program to where it came to the point—almost like our too-big-to-fail banks—well, this was too big to stop, so we tried to manage it. Now they are testing the world as it relates to their missile technology and missile weapons program. Again, we see a lack of response.

My letter to the Secretary of State on October 19—also, separate from that, there was a series of letters from other colleagues about the same issue—has not been responded to. We are going on 2 months since this action took place, and there is silence. As a matter of fact, the only things I have read are press reports about the latest violation, but I haven't seen the administration say a word about it.

So as the Iranians get the sense that they can go ahead and violate the international will as expressed through Security Council resolutions and face no consequence as a result thereof, then based upon history we are going to face an Iran that is going to test the international community as it relates to its commitments in the Iran nuclear program. If we do not send a strong message now, we are only inviting attempts to violate that agreement.

I am very much of the belief that once you violate international agreements, you have to have a consequence just on that basis. When we were having the great debate about the Iran deal, we were told that this is just about the nuclear program; that human rights violations, weapons violations, and violations in terms of their activities to destabilize the region and their hegemonic interests—that we are going to push back on all of those things. Well, I haven't seen that. I haven't seen that. And that, to me, invites a great risk.

So I urge the administration to act decisively, to pursue both in the Security Council and apart from the Security Council, with our P5+1 allies, sanctionable items that can be outside of the nuclear portfolio, that can send a very strong message to Iran that ''Don't think you can get away with these types of actions and have no consequence.''

Secondly, I seriously believe this is another example of why the Iran sanctions act, which I helped author and which was passed overwhelmingly in the Senate and expires this coming year, needs to be reauthorized, because if there is a belief that there will be no sanctions in place as a result of any violations that take place, what are we snapping back to? What are we snapping back to? I believe there is nothing wrong with at least having those sanctions reauthorized and the Iranians having an understanding that if they violate the agreement, there are sanctions to snap back to.

What they are doing in their violations of the Security Council resolutions as it relates to missile weapons programs is already a bellwether of what I believe their actions will be if we cannot ultimately meet the test of their challenge. And they are testing us. This is the same Iran that I saw for years test the international will, being told they cannot advance their nuclear program, to the point that it got to such an extent that we struck a deal. That is the risk we face here.

So I look forward to pursuing a robust response to Iran. For all of my colleagues who supported the agreement, this is actually something we should be in chorus together on to ensure that Iran has a very clear message that ''We intend to push back on you. You cannot violate the international law.'' By doing so, hopefully we will see the performance of an agreement that is supposed to control their nuclear program in a way that does not risk the world security. That is what is at stake in this regard.

I will close by simply saying that if you pass by the Archives Building, over its portal there is this statement: ''What is past is prologue.'' I hope that statement isn't a reality as we face the challenge of an Iran that feels strongly within the region, that creates greater instability through its support of Hezbollah, that supports Assad and continues a civil war in which thousands and thousands are dying, creating the rise of ISIS at the end of the day by a state that is virtually a failed state at this point in time and putting undue influence on its neighbor, Iraq, a country for which we have shed so many lives and national treasure. Something is wrong in that equation, and I hope my colleagues will wake up to it and will join us in an effort to try to make sure we push back in a way that is not only appropriate and within the international order but necessary if we truly do not want Iran to achieve nuclear power for nuclear weapons.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I thank my colleague who just spoke for his vigilance in reminding us how we have to pay attention every single day to what is happening in Iran and to be smart and strategic and let them know we are very serious about pushing back.

RELIGIOUS FREEDOM

Madam President, in this country one of our core values is that you can

come here and build a better life for yourself and for your family. That is the American dream. Our Nation was founded by people who had that dream, people who dreamt of religious freedom. Many of our ancestors followed that dream to these shores, from the early Puritans and Quakers, Irish and German immigrants, Italian and Jewish immigrants, and so many others. Life was not easy for them. They faced discrimination and even violence by those who were suspicious of them, who saw them as different, who challenged their right to have the American dream. But those Americans worked very hard and built a life for themselves. They raised families and became successful. They opened small businesses and large businesses. They became doctors and lawyers. They served in our armed services. They served as police officers and firefighters. They ran for office. They made amazing contributions to our Nation's economy and culture. They helped make America great.

That core value, our American dream, is being challenged today. Donald Trump, who is running for President of the United States of America, has suggested that we ban all Muslims from coming into our country based purely on their faith, on their religion. As someone who represents the most densely populated Muslim population in America, I find this suggestion, this statement, to be outrageous and absolutely un-American because I know the rich history that people of Muslim faith have created in my State and the contributions they make every single day to our economy, to our wonderfully diverse culture, and the quality of life in our communities.

Hundreds of thousands of people from Muslim countries came to southeastern Michigan in the early part of the last century, like so many others from the South and around the country and the world, after Henry Ford offered a $5-a-day wage to work in America's first automobile factories. Those Muslim Americans were still working in those plants during World War II, building the so-called arsenal of democracy—the planes, the ships, the tanks that won the war and defeated the enemies of democracy.

Many thousands of Muslim Americans have served our Nation during times of war, and many thousands are serving our country right now, at this very moment. They are putting their lives on the line right now for the freedoms we all hold dear. Take a walk through Arlington National Cemetery, and you will see many graves bearing the crescent and star. How can anyone question the patriotism of those Americans who made the ultimate sacrifice for our country? They helped make America great. Those men and women who defended us in the Armed Forces loved America, and they died for America because America is their home, their family's home. So of course they see ISIS as the enemy, just as every non-Muslim American does as well. Their families are the ones who are on the front lines of the violence in the Middle East. Their families have lost their homes, their businesses, and in many cases their lives because of the brutality and violence of ISIS. Their families are the ones fleeing the violence to save their children. Muslim Americans understand that ISIS does not represent Islam.

Within every religion, there are violent individuals who twist the meaning of sacred texts and symbols to justify acts of violence and murder—every religion. The KKK used blessed symbols of Christianity while terrorizing and murdering African Americans. Just as the Ku Klux Klan does not speak for Christians, ISIS does not speak for Muslims.

Furthermore, we must recognize that our culture of inclusion and our tradition of welcoming people of different faiths since the beginning of our country are our greatest weapons in defeating ISIS.

What ISIS desires more than anything else is to see our country discriminate against Muslim Americans so they can use that as a recruiting tool all over social media, which we know they are very effective at doing. They want Muslim Americans to believe that America is not their home, that we do not value their leadership and contributions in our communities, that America does not welcome their faith, and that America hates them. They want that. That cannot be who we are. That is not who we are.

All of us were shaken by the violence in Paris and San Bernardino, but we know that fear cannot be our guide in America. President Franklin Roosevelt understood that fear makes America weak. America is great when America is united and not pitting neighbor against neighbor, which is happening in too many places in my State and across the country. When we are united and dedicated to our principals of freedom and liberty, we are great. The first liberty of our Constitution's First Amendment is the freedom of worship.

When I think about the Muslim American children in Michigan who were afraid to go to school today because of what might happen to them after hearing what Donald Trump was saying about them and their families, it makes me sick to my stomach. I want those children to know that his words are not what America stands for. It is not what makes America great. It is not. It is those children—Muslim and Christian and Jewish—all of whom are full of hope and promise for the future who will make America great again, and I stand with them.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from South Dakota.

SENATE ACCOMPLISHMENTS

Mr. THUNE. Madam President, just a few days ago on the Senate floor, the Senate Democratic leader said:

> One of the newspapers here has a Pinocchio check, and they look at the facts and analyze them and then they can give up to four Pinocchios meaning people simply didn't tell the truth. . . . So, this is the most unproductive Senate in the history of the country, and there are facts and figures to show that.

That was said by the Senate Democratic leader on December 2 on the floor of the Senate. Well, unfortunately for him, the Washington Post, which runs the fact checker, fact checked his statement and it came back with three Pinocchios. The most you can get is four Pinocchios, and they gave him three Pinocchios. There are degrees of falsehood, and I think three Pinocchios denotes a pretty big whopper. The Senate Democratic leader, by suggesting that this is one of the most unproductive Senates in the history of the country, was busted by the fact checker with three Pinocchios for making what was a false statement.

The truth of the matter is, contrary to the assertions of the Senate Democratic leader, it has been a very busy year here in the Senate—from voting to repeal ObamaCare to passing the first long-term Transportation bill in a decade and, I might add, the first balanced budget bill in 14 years. Republicans have been working hard to fulfill our promise to get Washington working again for American families.

If you listen to the media, sometimes they would have you believe that nothing ever gets done in Washington, but the truth is that we have been able to make progress on a number of important issues this year. One accomplishment I am particularly proud of is the long-term Transportation bill that Congress passed this last week. It is the first long-term Transportation bill in a decade.

Over the past several years, Congress has made a habit of passing numerous short-term funding extensions for Federal transportation programs. In fact, I think prior to the passage last week of this long-term highway bill, there have been no fewer than 37 short-term extensions. That is an incredibly inefficient way to manage our Nation's infrastructure needs, and it wasted an incredible amount of money. It also put a lot of transportation jobs in jeopardy. Hundreds of thousands of jobs around the country depend on the funding contained in Transportation bills. When Congress fails to provide certainty about the way transportation funding will be allocated, States and local governments are left without the certainty they need to authorize projects or to make long-term plans for addressing various transportation infrastructure needs. That means essential construction projects get deferred, necessary repairs may not get made, and

jobs that depend upon transportation get put in jeopardy.

The Transportation bill we passed last week changes all of that. It reauthorizes transportation programs for the long term and provides 5 years of guaranteed funding. That means States and local governments will have the certainty they need to invest in big transportation projects and the jobs that they create, and that in turn means a stronger economy and a more reliable, safe, and effective transportation system.

This new Transportation bill will also provide much needed accountability and transparency about where taxpayer dollars are spent. As chairman of the commerce committee, I spent a lot of time working with committee members on both sides of the aisle to develop the bill's safety provisions.

One portion of the bill includes a host of important safety improvements, including enhancements to the notification process to ensure consumers are informed of auto-related recalls and important reforms of the government agency responsible for overseeing safety in our Nation's cars and trucks.

Another important bill we passed this year is the Cybersecurity Information Sharing Act. Cyber attacks are increasing, and it seems that every week we hear of a new breach putting Americans' private information at risk. According to the security firm Symantec, last year alone more than 300 million new types of malicious software or computer viruses were introduced on the Web. That is nearly 1 million new threats every single day.

In October, the Senate passed the Cybersecurity Information Sharing Act, which will help keep Americans' data safe from hackers by increasing the exchange of cyber threat information between the public and private sectors.

As Members of Congress, we have a responsibility to ensure we are meeting the needs of our men and women in uniform and of our Nation's veterans. This year, under the new Republican majority and the leadership of Chairman ISAKSON, the Senate has worked in a bipartisan manner to advance numerous bills to serve our veterans. We passed the Clay Hunt Suicide Prevention for American Veterans Act, which provides additional resources to help combat the tragedy of veteran suicides.

We have improved the Veterans Choice Act to better realize the intent of Congress, and that was to make sure veterans don't have to face significant wait times or travel distances over 40 miles to receive the care they need. We expanded eligibility to permit more veterans to seek care close to home and increase the number of non-VA providers in our communities that can deliver that care.

Congress also continues to examine the issue of VA accountability to make sure our veterans never again have to suffer delays in treatment, as we saw with the national embarrassment of falsified wait times that the VA revealed last year. I believe this oversight by Congress is an important first step in making sure the VA works for our veterans and not for the VA bureaucracy.

Congress also passed the Defense authorization bill this year, which incorporated a number of critical reforms that will expand the resources available to our military men and women and strengthen our national security.

The National Defense Authorization Act for 2016 tackles waste and inefficiency at the Department of Defense and focuses funding on our war fighters rather than on the Pentagon bureaucracy. This bill also overhauls our military retirement system. Before this bill, the system limited retirement benefits to soldiers who had served for 20 years or more, which means there were huge numbers of soldiers, including many veterans of the wars in Iraq and Afghanistan, who retired after years of service without having accrued any retirement benefits. The National Defense Authorization Act replaces this system with a new retirement system that would ensure the majority of our Nation's soldiers receive retirement benefits for their years of service to our country, even if they have not reached the 20-year mark.

One thing Republicans were determined to do this year as well was to send legislation repealing ObamaCare to the President's desk. Five and a half years after the so-called Affordable Care Act was signed into law, it has become abundantly clear that the law is not working. It is not lowering premiums. Premiums are going up. It is not reducing health care costs. Health care costs are going up dramatically. It costs $4,000 for the average family. It is not protecting access to doctors or to hospitals. In fact, for some Americans, ObamaCare has driven up the cost of health care to unimaginable levels. I heard from 1 constituent in Hill City, SD, whose family's 2016 health care bill will be $25,653—$25,653. In the words of this constituent: How can a yearly bill of $25,653 be affordable to a retired couple? The answer, of course, is that it can't be; $25,653 or $2,137 a month is approximately double the average family's monthly mortgage payment. People are paying twice as much for their health insurance as they are paying for their mortgage.

The ObamaCare repeal bill that the Senate passed last week starts the process of moving away from ObamaCare and toward the kind of real health care reform that Americans are looking for—an affordable, accountable, patient-focused system that gives individuals control of their health care decisions.

I am also pleased that the ObamaCare repeal bill protects unborn Americans by redirecting funding for Planned Parenthood, an organization that performs well over a quarter million abortions each year. It shifts that funding to organizations like community health centers, which provide affordable, essential health services to women across the country, and funding them is a far better use of taxpayer dollars.

In my State of South Dakota, these centers are in more than two dozen rural communities and in towns where there is no Planned Parenthood, so redirecting these funds makes it easier for women across my State to have access to affordable, essential health care services.

While all Americans agree that we should protect our air and water and use our natural resources responsibly, under President Obama the Environmental Protection Agency has run amok. During the course of the Obama administration, this Agency has implemented one damaging rule after another, from a massive national backdoor energy tax that would hurt poor and working families the most to a new rule that would subject ponds and puddles in America's backyards to a complex array of expensive and burdensome regulatory requirements. Containing this out-of-control government bureaucracy is a priority for Republicans, and we have taken up multiple pieces of legislation this year to check the EPA's overreach. While the President may have blocked our efforts for now, we are going to keep working to protect Americans from damaging rules like the waters of the United States rule and the national energy tax.

Over the course of the Obama administration, our national debt has gone from $10.6 trillion to a staggering $18.8 trillion. Meanwhile, entitlement programs like Medicare and Social Security are heading rapidly toward bankruptcy. If action isn't taken soon, our financial situation could end up crippling our economy.

While there is a lot more work left to do, this year's Senate Republicans took steps toward improving our Nation's fiscal health. In the spring, we passed a balanced budget—the first joint House-Senate balanced budget in 14 years. Every American family has to stick to a budget and Congress should be no different. This year's balanced budget needs to be the first of many going forward.

Entitlement reform is also essential if we want to protect Americans' entitlement security. This year we began the process of putting both Social Security and Medicare on a more stable financial footing so these programs will continue to be available to current and future generations of Americans.

I could go on and talk about the Education bill that we are considering

right now that will return power to States and local school boards or the legislation that we passed to give law enforcement new tools to fight human trafficking and expand the resources available to victims or the bill that we passed to expand opportunities for American workers and open new markets for goods marked ''Made in the USA.''

I want to stop here and say, while Republicans are proud of what we have accomplished this year, we know there is a lot left to do. Wages are still stagnant, our economy is still sluggish, and too many families are still struggling under huge health care bills.

In addition to the challenges facing Americans at home, we face a number of challenges abroad, foremost among them the threat posed by ISIS, which is responsible for the deadly attacks in Paris last month, as well as a campaign of havoc and bloodshed throughout the Middle East. Even here at home we received a grim reminder of the global influence of ISIS's twisted ideology last week with what appears to be a terrorist-inspired attack that took 14 American lives in San Bernardino. Our thoughts and prayers go out to the victims and the families.

While the President should be playing the leading role in building a coalition to destroy this terrorist organization, unfortunately his speech Sunday night demonstrated that he has little to offer beyond the same failed strategy that has helped us end up where we are right now—with an emboldened terrorist organization carrying out and inspiring mass casualty attacks far beyond Iraq and Syria.

We are at a tipping point in the fight against ISIS, and if we don't come up with an effective political military response in the very near future, we will be facing the prospect of even greater bloodshed in the Middle East and more terrorist attacks here in the homeland.

While we succeeded in having a number of bills become law this year, unfortunately many others were stopped by the President. Still others, such as our efforts to protect unborn children capable of feeling pain from being killed by abortion, were stopped by Democrats in the Senate. While we have temporarily lost some of these battles, the debate will continue. Republicans will not give up. Whether it is protecting families from the President's national energy tax or repealing ObamaCare, we will redouble our efforts to make sure Washington is meeting the needs of American families and addressing the American people's priorities.

We plan to spend the second year of the 114th Congress the way we spent the first: fighting to make our economy stronger, our government more efficient and more accountable, and our Nation and our world safer and more secure.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

PARIS CLIMATE CHANGE TALKS

Mr. MERKLEY. Madam President, I rise to share a little bit of details about the climate talks that are going on in Paris at this very moment. A number of us in the Senate were able to go to Paris last weekend and to be engaged in that dialogue.

What I was terrifically struck by was that 150 heads of state had come together to kick off these climate talks. That is the largest gathering of heads of state in human history. Why did that landmark event occur? It occurred because the challenge of global warming is the most grave concern facing human civilization on this planet, so heads of state wanted to be there to acknowledge the fact that we must come together as a community of nations across this globe and work together to take this on for the good of our stewardship of this planet. A larger number of nations have put forward pledges on the efforts they are going to make to reduce global warming gases, and 186 nations have put forward those pledges.

One of the issues that is embedded in these climate talks is how ambitious the international community should be. There is this broad goal of limiting global warming to 2 degrees centigrade over the course of this century. We have already gone up to 0.9. We are almost halfway to that level that has been identified by scientists as a catastrophic level, but the pledges that are being made in Paris are not sufficient to keep us to 2 degrees. So that is one of the points of discussion—how can the community of nations be more ambitious.

One of the points being made is that we should come back together every 5 years to keep redoubling our efforts; that we know the pledges being made in Paris will not be enough, so we have to keep coming back to this challenge.

We also have observed how dramatically the amount of information has changed over the last 5 years. We know that in another 25 years we will have a lot more information about what is occurring in the world and how successful the initial efforts have been.

Then there is a group that is saying we need to go even further and work to reduce the amount of damage that could be done, and that means limiting global warming to 1.5 degrees, which would take an even faster transition from a fossil fuel energy economy to a renewable energy economy. So that is an area of conversation—how ambitious can we be as an international community at this point and how can we improve on the efforts being put forward in Paris in the years to come.

A second point is that there is a profound need for working together between developed nations and developing nations, between richer nations and poorer nations. Poorer nations are saying: We have a lot of folks who have never had access to electricity, and we need to provide the cheapest pathway to provide that electricity. Often, that is coal. Well, then, how do we make renewable, clean energy as inexpensive as coal energy so that nations can bypass establishing that utility-scale fossil fuel infrastructure. So that is a key piece of conversation.

A third point is about reporting requirements. In order for us to have good policy now and in the future, we have to have good numbers on what is happening around the world, nation to nation. Nations feel a little sensitive about this idea of having an international community kind of working to double check the way they evaluate what is going on at home, but we need to convey the notion that these numbers—good numbers coming from each nation—are essential for nations to be able to participate in this international effort that will lead to success in curbing runaway global warming.

I think it is enormously clear that Paris is a tremendous step forward. The number of heads of state that have attended, the number of nations that have put forward pledges, the intensity of the conversation at this very moment—people are recognizing that we are the first generation that has been impacted by global warming, and we are the last that can do something significant about it because, unfortunately, as we go forward a generation from now, we have not succeeded in curbing global warming gases. The carbon dioxide and methane gas will have such a profound feedback mechanism that it will be much harder to address this issue.

I am pleased the administration has taken this so seriously and that nations throughout the world are taking it so seriously.

H.R. 1599

Also, Madam President, I want to turn to the budget and spending negotiations underway right now. I came to the floor last week to note that there were conversations occurring about possibly taking away States' rights to be able to pass laws labeling food that is GE or GMO food; that is, genetically engineered or genetically modified food. To do so would simply be wrong—wrong in the absence of a cohesive, coherent, easy-to-use system of labeling at the Federal level, which we do not have. It would be an intrusion on States' rights in one of the most sensitive areas to citizens, and that is the food they put in their mouth.

This act of taking away States' rights and citizens' rights to know what is in their food is known as the DARK Act, the Deny Americans the Right to Know Act—the acronym DARK. Isn't it ironic that there are legislators here who are not only pursuing the DARK Act, but they are pursuing it in the dark of night. They are

afraid to have a conversation in the relevant policy committee to address it. Whenever legislators fear public reaction, fear addressing the pros and cons in a public forum, you can bet there is something wrong with what they are up to. So that is why we must all be vigilant in these coming days to make sure this DARK Act is not inserted into the must-pass spending bill in the dark of night.

EMBRACING ALL RELIGIONS

Madam President, I want to close, to follow up on the comments I made yesterday about the proposal from Donald Trump to bar Muslims from entering our country under any avenue—not as refugees, not as business men and women, not as tourists, not as students—and again say how absolutely wrong it would be. This is the single worst idea I have heard from a Presidential candidate, ever.

We should all recognize that right now our men and women in uniform of every religion—Christian and Protestant and Catholic and Jewish and Muslim and Buddhist and who knows what other religions—they are working together to take on the terrorist threat known as ISIS. Islam is not our enemy. ISIS is our enemy. Right now we are working in partnership with nations that are Islamic nations, and those leaders are Islamic. We are saying to them: We will work in partnership with you because Islam is not our enemy. ISIS is our enemy.

I can tell my colleagues that ISIS has a strategy. Their strategy has been to create their mission as the United States against Islam, and the comments of Donald Trump played right into the playbook of the terrorists, making our Nation less safe, increasing the radicalization of folks around the world who have been listening to the message from ISIS and now have some reason to believe it might have some foundation—that America is against Islam. We are not, and we have been hearing that from Democratic voices and we have been hearing that from Republican voices. We have been hearing it from Senators and from House Members across Capitol Hill. We have been hearing it from legislators and we have been hearing it from citizens, Americans standing up and saying that Donald Trump is wrong. That is certainly something to be applauded. I praise my colleagues of both parties. I praise our citizens of both parties who have stood up to say we stand shoulder to shoulder with all patriotic Americans regardless of their religion, and we are united in taking on ISIS.

Thank you, Madam President.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise today to speak about the education reform conference report that we will be voting on tomorrow, which I think is a good bill for two big reasons. First, it restores a significant level of decision-making power to the States and local school districts, which is where decisions about things like curriculum should occur. It diminishes the ability of the administration to pressure school districts and States into adopting the Common Core curriculum, for instance, leaving it to the discretion of the States and school districts to decide exactly what their curriculum will be. I think that is a sensible and appropriate approach.

There is another big reason I think this education reform bill is an important bipartisan victory for kids, and that is for the first time I am aware of, the Congress is acting to protect our kids from pedophiles who infiltrate our schools and who have sexually abused children in the classroom.

I know you are actively supportive of this effort, as many of our colleagues are, and I am delighted we were able to make it through the entire process, as painful and slow as it was. This important provision survived this process, and we will be voting tomorrow on the overall bill.

I want to talk about this a little bit, but let me make it clear right up front that I understand—as I assume we all do—that the vast, overwhelming majority of teachers and school employees would never harm children in their care. They would never hurt them. They would never do it. They care deeply about the kids, and that is probably a big part of the reason they pursued a career in education. But it is also a fact that schools are where the children are and pedophiles in our midst are very aware of that, and they are attracted to schools for exactly that reason. The number of pedophiles who are succeeding in abusing children in schools is absolutely shocking; it is to me. Last year there were 459 school employees, mostly teachers—not all teachers but employees in schools—arrested for sexual misconduct with the children they are supposed to be taking care of. That is more than one a day, and unfortunately 26 of them were in Pennsylvania.

So far, 2015 is almost over. We have already exceeded the number from 2014. We are on a path to have well over 460 teachers and other school employees arrested for sexual misconduct with kids. Let's be honest; an arrest occurs only when there is sufficient evidence to press charges, to make a criminal case in a court of law. How many more cases are occurring where we haven't had sufficient evidence to prosecute?

The story that put this need on my radar is the absolutely horrendous story of a child named Jeremy Bell. This story begins in Delaware County, PA. One of the schoolteachers was molesting young boys. In time, the school administrators discovered what was going on. The local district attorney didn't feel there was enough evidence to actually prosecute a case. You know, it is hard to fire a teacher, so what the school did is it sat the teacher down and said: Here's the deal. You need to leave, but don't worry. We will give you a letter of recommendation so you can get a job somewhere else. That is exactly what happened.

This monster went to West Virginia, got hired as a teacher, and eventually became a principal. Of course along the way he continued to abuse children. In the end he raped and murdered a 12-year-old boy named Jeremy Bell. Justice finally caught up with this monster. He is serving a life sentence in prison as we speak, but it was too late for Jeremy Bell.

As a father of three young children, I find this whole idea so appalling that it is hard to talk about it and hard to think about it. We would all like to think that a story like the story of Jeremy Bell is a freak occurrence, a once-in-a-million-years kind of thing, but that is not the case. It is just not true. In fact, it has happened so frequently that it has its own name. It is called passing the trash. The people who spend their lives serving and helping the victims of these horrendous crimes to cope with them know about this phenomenon all too well.

I will give you more recent examples. Just this year, WUSA News 9 reported that the school district of Montgomery County, MD, had a record of passing the trash. An elementary school teacher named Daniel Picca abused children for 17 years. The Maryland school district knew what was going on. What did they do? The teacher's punishment was to be moved from school to school to school, reassigning him every time a problem emerged, as though the problem was the school and not the pedophile. For 17 years they were passing a known child molester from one group of victims to another.

Consider a case of the Las Vegas, NV, kindergarten teacher who was recently arrested for kidnapping a 16-year-old girl and infecting her with a sexually transmitted disease in the course of abusing her. That same teacher had molested six children—all fourth and fifth grade children—just a few years before when he was working in the Los Angeles school district. The Los Angeles school district knew about the allegations, but when the Nevada school specifically asked if there were any criminal concerns regarding this teacher when he was applying for a job there, the Los Angeles school district not only hid the truth, it provided three references for the teacher—so strong was their interest in making him become someone else's problem.

These are examples that are all the more disturbing when you consider that, according to a study by the GAO—Government Accountability Office—the average pedophile working at

a school victimizes 73 children over the course of a lifetime.

We have an opportunity tomorrow to say enough is enough. This is enough. This has been way too much—no more children falling prey to these monsters who have been able to infiltrate our classrooms, no more childhoods shattered, no more families devastated with grief, no more Jeremy Bells.

The amendment itself is just common sense—really just common decency. It simply holds that if a State accepts Federal education funds, it has to have a law that bans the practice of knowingly recommending a pedophile to another school. Is there anybody in Pennsylvania or Colorado who thinks that is unreasonable? I don't think so.

I am delighted that we have gotten to this point. There are a lot of people I would like to thank for their help. I have to start with Senator JOE MANCHIN of West Virginia, who joined me at the very beginning. We introduced this legislation over 2 years ago as a freestanding bill. In addition to banning passing the trash, it would require thorough and rigorous background checks for any school worker who has unsupervised access to children. That part was not included in this. I am not giving up on that. We will have that fight again. The part that bans passing the trash did succeed and demonstrates that with perseverance the right outcome can occur.

I would like to thank the other cosponsors of this legislation, Senators MCCONNELL, ALEXANDER, CAPITO, COTTON, GARDNER, HELLER, INHOFE, JOHNSON, MCCAIN, ROBERTS, VITTER, and WICKER. I would particularly like to thank the chairman of the HELP Committee, Senator ALEXANDER, and Senator MURRAY, the ranking member. We talked about how we could make this work mechanically and make sure that we have legislation that will in fact achieve the desired outcome.

I also need to send out a huge thankyou to all the child advocates and the law enforcement folks around the country, especially in Pennsylvania, who worked so hard to make this legislation happen. They were invaluable. I hope they realize how much of a difference they made in helping to persuade our colleagues to get this done.

I thank Terri Miller and John Seryak of S.E.S.A.M.E., who have been fighting to protect children in the classroom for decades. I also thank the National Children's Alliance and the many child advocacy centers across Pennsylvania, most of which I have been able to visit, for the wonderful work they do for kids who need it badly; the Pennsylvania Coalition Against Rape; the National Center for Missing and Exploited Children; the Center For Children's Justice; MassKids; the American Academy of Pediatrics; the Association of Prosecuting Attorneys; the National District Attorneys Association; the Pennsylvania District Attorney's Association; the Federal Law Enforcement Officers Association; the National Sheriffs' Association; and the National Association of Police Organizations. Every one of these groups weighed in on this legislation and helped us to get this over the goal line over the course of a long, protracted series of negotiations.

Tomorrow I think we are going to have an important victory in our ongoing effort to protect children from sexual abuse. It is the first time that the U.S. Congress has acted to protect children in this way. There is more that needs to be done. I still think we need to revisit the state of the background checks that are applied. There are States that do not have an adequate background check system in place, and if they are taking Federal funding—which they are—they ought to have an adequate background check system.

The truth is that this is a big step forward, and I am delighted we were able to get here. I am grateful for the help of every Senator who helped us get to this point. For this reason, for the sake of this amendment as well as the general thrust of the legislation, which is to move decisionmaking power back to the States and school districts where it belongs, I would urge my colleagues to vote in favor of the conference report tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, thank you very much. I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

PARIS CLIMATE CHANGE NEGOTIATIONS

Mr. WHITEHOUSE. Mr. President, the ranking member of the Senate Foreign Relations Committee, Senator BEN CARDIN, led a delegation of 10 Senators to Paris this past weekend. We went to support the ''high-ambition coalition'' on the international climate agreement. It was truly impressive to see so many nations represented at the meeting, active and trying to help. All of us in the codel came away from Paris with a good feeling about the prospects for a strong climate agreement.

I had the chance to speak at Oceans Day, where people were keenly aware that the effects of carbon pollution on our oceans are undeniable. You can measure the warming oceans with thermometers. You measure sea level rise with basically a yardstick. You can measure acidification of the seas with simple pH tests. You can replicate what excess CO_2 does to seawater in a basic high school science lab. That is why the big, phony climate denial apparatus the fossil fuel industry is running never talks about oceans. It is undeniable there.

I also had a chance in Paris to cheer on our bright, young negotiating team staff, who worked late hours in their windowless common workspace but were very enthusiastic and made me very proud.

The delegation also met with Todd Stern, who was leading the U.S. negotiating team, and we visited the NOAA scientists who were at the U.S. Pavilion. The U.S. presence there was great.

One thing was sad, and that is that our Senate delegation of 10 Senators was all Democrats. The last political bastian of the fossil fuel industry worldwide is now the American Republican Party. No Republican was able to come with us. The fossil fuel industry would never let them.

I will say the fossil fuel industry is behaving reprehensibly. The power it exerts over Congress is polluting American democracy. The spin and propaganda it emits through a vast array of front groups are polluting our public discourse. Of course, its carbon emissions are polluting our atmosphere and oceans.

These fossil fuel companies are sinning, and on a monumental scale. Remember what Pope Francis said in his encyclical: ''Today . . . sin is manifest in . . . attacks on nature. . . . [A] sin against ourselves and a sin against God.''

Their behavior is truly reprehensible. They have a lot to atone for.

But this is not exactly the American Republican party's finest hour, either. It is the world's only major political party so in tow to the fossil fuel industry that it cannot face up to the realities of carbon pollution and climate change. Some ''City on a Hill'' that leaves us.

Notwithstanding all the Republican intransigence, we were able to tell the world that we would have the President's back, and we will. We will protect the Clean Power Plan, we will protect the Clean Air Act, and we will protect any agreement that comes out of Paris.

One nice thing in Paris was the presence of American companies, such as PG&E of California, VF Corporation of North Carolina—one of our biggest apparel manufacturers—Citigroup of New York, Kellogg of Michigan, Ben and Jerry's of Vermont, and Facebook of basically everywhere. They were there to cheer on a good deal, and so was the American Sustainable Business Council. And they have been doing this for a long while.

Some of America's leading food companies took out this ad in the Washington Post and Financial Times on October 1 urging a strong agreement in Paris. The companies that have signed it include Mars—if you like M&Ms, you know about Mars—General Mills, Nestle USA, Unilever Corporation, Kellogg Company, Stonyfield Farm, and Dannon USA. On November 24, it was

updated with new signatories, including PepsiCo, Coca-Cola, and Hershey.

Quoting from the ad:

Dear US and Global Leaders:

Now is the time to meaningfully address the reality of climate change. We are asking you to embrace the opportunity presented to you in Paris. . . . We are ready to meet the climate challenges that face our businesses. Please join us in meeting the climate challenges that face the world.

This is an ad taken out in Politico by another group of well-known apparel companies, including Levi's—if you know blue jeans, you know Levi's; Gap; Eileen Fischer, VF Corporation, which makes Timberland, North Face, and a number of other well-known brands, urging a strong agreement in Paris. This ad ran during talks on Thursday, December 3:

To US and Global Leaders:

As the world gathers in Paris this week for the 2015 United Nations Conference of the Parties, we come together, as some of the largest, best known global apparel companies, to acknowledge that climate change is harming the world in which we operate. . . . We recognize that human-produced greenhouse gas emissions are a key contributor to climate change. . . . We support a strong global deal that will accelerate the transition to a low carbon economy.

Those industries are not alone. Here is an ad from a coalition of about 70 major American corporations again urging a strong agreement in Paris. They include Coca-Cola, Adidas, Intel, Colgate Palmolive, the Hartford Insurance Company, Johnson & Johnson, Procter & Gamble, National Grid, DuPont, the Outdoor Industry Association, and others. They say:

Failure to tackle climate change could put America's economic prosperity at risk. But the right action now would create jobs and boost competitiveness. We encourage our government to . . . seek a strong and fair global climate deal in Paris.

Seventy major American corporations, every single one whose name you know, are saying: We seek a fair climate deal in Paris.

Finally, this is a financial sector statement on climate change from the financial giants: Bank of America, Citi, Goldman Sachs, JPMorgan Chase, Morgan Stanley, and Wells Fargo, again calling for a robust global agreement out of Paris. They state:

We call for leadership and cooperation among governments for commitments leading to a strong global climate agreement.

They want frameworks ''that recognize the costs of carbon.''

They say:

We are aligned on the importance of policies to address the climate challenge.

It is time people started listening.

And let's not forget the more than 150 American companies that have signed on to the White House's American Business Act on Climate Pledge, joining that call for a strong outcome on the Paris climate negotiations. Those companies on the White House American Business Act on Climate Pledge have operations in all 50 States, employ nearly 11 million people, represent more than $4.2 trillion in annual revenue, and have a combined market capitalization of over $7 trillion. Yet, if you believe some of my friends on the other side, they are all just part of a big old hoax trying to fool everybody. Really?

Unfortunately, while the world is listening to these strong corporate voices for a strong Paris agreement, these companies' own home State Republican Senators are right here in Congress trying to undercut their home State companies' work. But the world listens to the companies, not the deniers.

One of their best voices is Unilever, whose CEO Paul Polman met with our delegation to express the growing support in the corporate community for climate action and to describe Unilever's work to catalyze that support.

We met with Ban Ki-moon, Secretary General of the United Nations, and heard about a meeting scheduled for May here in Washington, DC, for corporate CEOs to come to Congress and let us know they want climate action.

The grip of the fossil fuel companies on Congress will slip, as other corporate leaders come forward to urge strong climate action. Pretty soon, there is going to be a very small island of denial and obstruction left in a rising sea of reality. Pretty soon, there will be nobody left on the shrinking Denial Island but the fossil fuel industry, the Koch brothers and their front groups, and the Republican Members of Congress—oh yes, of course, can't forget the Republican Presidential candidates who are so desperate to toady up to the fossil fuel industry that they won't acknowledge this issue. Mark my words: As the rest of corporate America stands up, the fossil fuel industry's fortress of denial and deceit will tumble down.

Paris sends a strong message of hope that echoes Pope Francis's strong encyclical on climate change. Governments, corporations, and civil society groups are a gathering force behind that message.

Vice President Gore, who has labored long in these vineyards, met with us in Paris and had a strong message of hope. Against the gloomy falsehoods the fossil fuel industry propagates, hope burns bright for this gathering force.

The Vice President observed to us that ''things take longer to happen than you think they will, and then they happen faster than you thought they could.'' From a man who has been through—uniquely—this all taking a long, his confidence in fast happenings was heartening.

So not only is it time to wake up, but the world is waking up. Corporate America is waking up outside of the narrow, selfish confines of the fossil fuel industry. Wise Republicans are starting to stir—and the sooner the better.

Mr. President, I ask unanimous consent to have printed in the RECORD materials I referred to during my remarks.

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

DEAR US AND GLOBAL LEADERS:

This could be a turning point.

When you convene in Paris later this year for climate negotiations, you will have an opportunity to take action that could significantly change our world for the better.

As heads of some of the world's largest food companies, we have come together today to call out that opportunity.

Climate change is bad for farmers and for agriculture. Drought, flooding and hotter growing conditions threaten the world's food supply and contribute to food insecurity.

By 2050, it is estimated that the world's population will exceed nine billion, with two-thirds of all people living in urban areas. This increase in population and urbanization will require more water, energy and food, all of which are compromised by warming temperatures.

The challenge presented by climate change will require all of us—government, civil society and business—to do more with less. For companies like ours, that means producing more food on less land using fewer natural resources. If we don't take action now, we risk not only today's livelihoods, but also those of future generations.

We want the women and men who work to grow the food on our tables to have enough to eat themselves, and to be able to provide properly for their families.

We want the farms where crops are grown to be as productive and resilient as possible, while building the communities and protecting the water supplies around them.

We want to see only the most energy-efficient modes of transport shipping products and ingredients around the world.

We want the facilities where we make our products to be powered by renewable energy, with nothing going to waste.

As corporate leaders, we have been working hard toward these ends, but we can and must do more.

Today, we are making three commitments—to each other, to you as our political leaders, and to the world.

We will:

Re-energize our companies' continued efforts to ensure that our supply chain becomes more sustainable, based on our own specific targets;

Talk transparently about our efforts and share our best practices so that other companies and other industries are encouraged to join us in this critically important work;

Use our voices to advocate for governments to set clear, achievable, measurable and enforceable science-based targets for carbon emissions reductions.

That's where you come in.

Now is the time to meaningfully address the reality of climate change. We are asking you to embrace the opportunity presented to you in Paris, and to come back with a sound agreement, properly financed, that can affect real change.

We are ready to meet the climate challenges that face our businesses. Please join us in meeting the climate challenges that face the world.

Signed,

Grant Reid (President & CEO; Mars, Incorporated), Kendall J. Powell (Chairman of the Board & CEO; General Mills, Inc.), Muhtar Kent (Chairman & CEO; The Coca-Cola Company), Paul Polman (Chief Executive; Unilever), Mariano Lozano (President & CEO Dannon & Regional VP; Danone Dairy North America), John P. Bilbrey (Chairman of the Board, President & CEO; The Hershey Company), Jostein Solheim (CEO; Ben & Jerry's), John Bryant (Chief Executive Officer; Kellogg Company), Indra K. Nooyi (Chairman & CEO; PepsiCo), Paul Grimwood (Chairman & CEO; Nestle USA), Kimberly Jordan (Cofounder & CEO; New Belgium Brewing Company), Irwin D. Simon (Founder, President, CEO & Chairman of the Board; The Hain Celestial Group, Inc.), Esteve Torrens (President & CEO; Stonyfield Farm, Inc.), Kevin Cleary (CEO; Clif Bar).

TO US AND GLOBAL LEADERS

As the world gathers in Paris this week for the 2015 United Nations Conference of the Parties, we come together, as some of the largest, best known global apparel companies, to acknowledge that climate change is harming the world in which we operate.

From the farmers in cotton fields to the workers in garment factories, we know that people in some of the least climate-resilient regions are being negatively impacted by a warming world. Drought, changing temperatures and extreme weather will make the production of apparel more difficult and costly.

We recognize that human-produced greenhouse gas emissions are a key contributor to climate change. Climate change mitigation and technological innovation are vital to the health and well being of those who make and use our products, as well as to the future supply of materials needed to make those products.

Therefore . . .

We call upon you to reach a global agreement that provides the certainty businesses need and the ambition that climate science demands.

We support a strong global deal that will accelerate the transition to a low carbon economy and that includes:

A global goal of net zero greenhouse gas emissions well before the end of the century.

National carbon emission mitigation commitments that are strengthened every five years starting in 2020 with a clear timetable for new commitments in 5-year blocks from 2030 onwards.

Adaptation funding to build climate-resilient economies and communities.

Today we pledge to:

I. Continue to reduce our emissions while increasing the purchase of renewable energy and pursuing energy efficiency in our operations.

II. Advocate for climate and energy policies that meaningfully address climate change at the global, national and state/regional levels.

III. Engage our respective trade associations in thoughtful discussions on meaningful climate and energy policy and advocacy that promotes the long-term growth and prosperity of our sector and the health of the global economy.

We are prepared to be held accountable to our pledge.

We are ready to meet the climate challenges that face our businesses. Please join us in meeting the climate challenges that face our world.

Eric Wiseman (Chairman & CEO; VF Corporation), Herbert Hainer (CEO; Adidas Group), Jake Burton Carpenter & Donna Carpenter (Founders; Burton Snowboards), Eileen Fisher (Founder & Chairwoman; Eileen Fisher), Chip Bergh (President & CEO; Levi Strauss & Co.), Art Peck (Chief Executive Officer; Gap Inc.), Karl-Johan Persson (CEO; H&M).

[lowcarbonusa.org]

PAID ADVERTISEMENT

BUSINESS BACKS LOW-CARBON USA

We are some of the businesses that will help create the future economy of the United States.

We want this economy to be energy efficient and low carbon. We believe there are cost-effective and innovative solutions that can help us achieve that objective. Failure to tackle climate change could put America's economic prosperity at risk. But the right action now would create jobs and boost competitiveness.

We encourage our government to

1. seek a strong and fair global climate deal in Paris that provides long-term direction and periodic strengthening to keep global temperature rise below 2 °C

2. support action to reduce U.S. emissions that achieves or exceeds national commitments and increases ambition in the future

3. support investment in a low-carbon economy at home and abroad, giving industry clarity and boosting the confidence of investors

We pledge to continue efforts to ensure a just transition to a low-carbon, energy efficient U.S. economy and look forward to enabling strong ambition in the U.S. and at the Paris climate change conference.

Autodesk, Inc.; The Coca-Cola Company; Unilever; Adidas Group; Johnson Controls, Inc.; Clif Bar & Company; Intel; Kingspan Insulated Panels; Microsoft; Qualcomm; Sprint; Colgate-Palmolive Company; Smartwool; The Hartford; Volvo, Volvo Group North America; Burton; Snowbird; eBay; Seventh Generation; Johnson & Johnson Family of Companies; Vail Resorts; Levi Strauss & Co.; EMC; New Belgium Brewing Company; Squaw Valley Alpine Meadows; Annie's; Alta; General Mills; Dignity Health; BNY Mellon; Jupiter Oxygen Corporation; Hewlett Packard Enterprise; Outdoor Industry Association; Procter & Gamble; Ben & Jerry's; Schneider Electric; Xanterra; Nike; The North Face; Symantec; JLL; Powdr Corporation; Gap Inc.; Owens Corning; EnerNOC; Hilton Worldwide; VF Corporation; Guggenheim; Timberland; L'Oreal; IKEA; Aspen Snowmass, Aspen Skiing Company; Vulcan; Eileen Fisher; DuPont; CA Technologies; Nestle; Pacific Gas and Electric Company; Catalyst; Sealed Air; National Grid; Saunders Hotel Group; Hewlett Packard; Kellogg's; Teton Gravity Research; Dell; Mars, Incorporated; NRG; Ingersoll Rand.

IN SUPPORT OF PROSPERITY AND GROWTH: FINANCIAL SECTOR STATEMENT ON CLIMATE CHANGE

Scientific research finds that an increasing concentration of greenhouse gases in our atmosphere is warming the planet, posing significant risks to the prosperity and growth of the global economy. As major financial institutions, working with clients and customers around the globe, we have the business opportunity to build a more sustainable, low-carbon economy and the ability to help manage and mitigate these climate-related risks.

Our institutions are committing significant resources toward financing climate solutions. These actions alone, however, are not sufficient to meet global climate challenges. Expanded deployment of capital is critical, and clear, stable and long-term policy frameworks are needed to accelerate and further scale investments.

We call for leadership and cooperation among governments for commitments leading to a strong global climate agreement. Policy frameworks that recognize the costs of carbon are among many important instruments needed to provide greater market certainty, accelerate investment, drive innovation in low carbon energy, and create jobs. Over the next 15 years, an estimated $90 trillion will need to be invested in urban infrastructure and energy. The right policy frameworks can help unlock the incremental public and private capital needed to ensure this infrastructure is sustainable and resilient.

While we may compete in the marketplace, we are aligned on the importance of policies to address the climate challenge. In partnership with our clients and customers, we will provide the financing required for value creation and the vision necessary for a strong and prosperous economy for generations to come.

Bank of America; Citi; Goldman Sachs; JPMorgan Chase; Morgan Stanley; Wells Fargo.

Mr. WHITEHOUSE. I yield the floor.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

COMBAT ISIS AND PROTECT AND SECURE THE UNITED STATES ACT OF 2015

Mr. LEAHY. Mr. President, Senate Democrats are proposing important legislation to help combat the threat of ISIS and to keep Americans safe. It would strengthen the security of the Visa Waiver Program and close the terrorist gun loophole. I am a cosponsor of these efforts. We need to respond to the threat of ISIS—wherever it exists—and we need to work with our international partners to combat this barbaric terrorist group.

The President has adopted a limited and necessary military response. We stand here, elected by our constituents to give weight to their voices in our democracy. I hear from Vermonters every week concerned about the threat of ISIS. I also hear their concerns about further expanding what has been an unending war.

It is time for Congress to weigh in with more than just talking points and heated rhetoric. Congress has a duty to debate what further military role the United States should take in combating ISIS. Before we send our men and women into harm's way, Congress

should vote on a new, limited authorization for the use of military force. We should sunset any new authorization of military force and require Congress to renew and reauthorize its authority.

The ill-fated war in Iraq cost thousands of lives and trillions of dollars and has left the region no more safe and secure than when it started more than a decade ago. Congress can't make that mistake again. I support strategic, authorized military efforts to dismantle ISIS, but just as I opposed the war in Iraq, I will not support a blank check that perpetuates unending war.

TRIBUTE TO SPECIALIST SKYLAR ANDERSON

Mr. LEAHY. Mr. President, last week, a distinct honor was bestowed upon Vermont Army National Guard Specialist Skylar Anderson and, by extension, the Vermont National Guard. I want to recognize this milestone.

After graduating from a rigorous program at the 164th Regimental Training Institute in North Dakota, Specialist Anderson became the first female soldier in the country to be awarded a military occupation specialty as a combat engineer. In this position, she will enrich the capabilities of our Guard, bringing new skills and expertise to her work. While this is an impressive honor on its own, she did this while managing a full workload. While serving in the Vermont National Guard, she is a student at the University of Vermont. Specialist Anderson has clearly earned this recognition through her hard work and dedication.

Opportunities to serve in our military, whether soldier or sailor, airman, or marine, should be available to the best and brightest, regardless of gender, and Specialist Anderson has shown young women around the country that gender integration in the military is very real. Just last week, the Secretary of Defense declared all positions in the U.S. armed services open to females, removing artificial restrictions so that the United States can have the very best serving, like Specialist Anderson.

As a Vermonter, I am especially proud of her achievements, and I am also appreciative of the members of the Vermont National Guard who supported her throughout the process.

I ask unanimous consent that an article about Specialist Skylar Anderson published by National Guard Online be printed in the RECORD.

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

[From the National Guard Online, Nov. 27, 2015]

VERMONT GUARD MEMBER BECOMES USA'S FIRST FEMALE COMBAT ENGINEER

COLCHESTER, VT.—Spc. Skylar Anderson, a member of the Vermont Army National Guard, became the first female Soldier in the nation to be awarded the 12B Military Occupation Specialty (MOS) code as a combat engineer.

Anderson was previously a Multiple Launch Rocket System Operations/Fire Direction Specialist (13P) prior to re-classing to a combat engineer.

She graduated Aug. 31 from the 164th Regimental Training Institute (RTI) in Devils Lake, North Dakota.

Goarmy.com says that combat engineers primarily supervise, serve or assist as a member of a team when they are tackling rough terrain in combat situations. They provide their expertise in areas such as mobility, counter-mobility, survivability and general engineering. They construct fighting positions, fixed/floating bridges, obstacles and defensive positions, place and detonate explosives, conduct operations that include route clearance of obstacles and rivers, prepare and install firing systems for demolition and explosives, and detect mines visually or with mine detectors.

''I knew that I would be one of the first females to go, but not the first to graduate,'' Anderson said. ''I knew that the MOS had just opened up a few months ago and having previously been field artillery, I wanted to do it.''

Originally enlisting in the New Hampshire National Guard, Anderson interstate transferred to the Vermont Army National Guard (VTARNG) in February of 2014, while pursuing a degree at the University of Vermont. Currently a junior, she is studying Animal Science, Equine Studies, in the pre-Veterinary program.

''I was floating around for a bit in Vermont,'' Anderson said in reference to how she became interested in becoming a 12B. Since the VTARNG didn't have 13Ps, Anderson briefly thought about joining the military police or working in supply. It wasn't until annual training this summer that she found out that the 12B MOS had opened up to women and decided that's what she wanted to do.

''Vermont is incredibly proud of Spc. Anderson and her accomplishments and achievements,'' said Maj. Gen. Steven A. Cray, the adjutant general, Vermont National Guard. ''This is an important milestone not only for Spc. Anderson, but for all women in the integration of females into combat roles.''

According to the 164th Regiment RTIs website, the 12B10 Combat Engineer MOS-T course provides reclassification training for military personnel with prior military experience, so that they may obtain the skills necessary to perform as a Combat Engineer.

There, Soldiers are provided technical training in basic demolitions, wire obstacles, explosive hazards, fixed bridging and urban operations.

''Spc. Anderson displayed tremendous personal courage in seeking out MOS reclassification to a specialty previously closed to women,'' said Capt. Eugene Enriquez, Commander, Headquarters, Headquarters Company, 86th Brigade Special Troop Battalion, 86th Infantry Brigade Combat Team (Mountain).

''The training at the school was awesome,'' Anderson said. ''By the third day we were out in the field and at the range, using TNT, dynamite and det cord, blowing stuff up! This class was really hands on and that's what I loved about it.''

ELECTIONS IN VENEZUELA

Mr. MENENDEZ. Mr. President, I want to express my outrage and horror at the out-of-control electoral situation in Venezuela—at the intimidation, violence, manipulation, and corruption by the Maduro government to manipulate election results in their favor.

For weeks, President Maduro has said that his party will do whatever it takes to stay in power, and I have no doubt that he will do everything he can to stay in power. In recent days, Maduro said: ''If on December 6th the political-right wins, prepare to see a country in chaos, in violence. I will not turn over nor will I betray the revolution''—a clear statement of what's to come, but the world is watching.

In October, he gave a public speech in which he said that if the opposition wins, the country would enter into one of its ''most turbulent periods'' because he will not turn over the revolution, and if necessary, he would rule through what he called ''a civic military union.'' Maduro's cronies have also made alarming, ominous statements in recent weeks warning the public that the ruling party will not lose control. The government has already denied international election observers, so, clearly, we know what is about to happen.

Maduro's term is not yet up, but it is only a matter of time, and this election will be a demonstration of his complete failure. The fact is numbers don't lie, and the crushing poll numbers coming out are further proof the country is ready for fundamental change from a failed economic model that has run its course and needs to be done away with. All of this against a backdrop of continued deceit, repression, and violence.

Last week, in broad daylight, armed supporters of the government assassinated Luiz Manuel Diaz, the state-level head of the Acción Democrática, or Democratic Action Party, at an open-air rally in the state of Guarico—clearly a politically targeted assassination designed to terrorize opposition parties and their supporters. Luiz Manuel Diaz was standing 6 feet away from Lilian Tintori, whom I have met several times, the wife of the high-profile political prisoner, Leopoldo Lopez.

This level of unacceptable, blatant violence is appalling and has been condemned by OAS Secretary General Luis Almagro, the U.N. High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, and by countless human rights organizations. Again, the world is clearly watching and demanding that the rule of law in Venezuela be reestablished.

The fact is the government is engaged in clear election manipulation. The government-controlled National Electoral Council has disqualified seven leading opposition figures from participating in the elections—disqualifications without justification and without a process to appeal. The disqualifications have targeted only members of the opposition: Maria Corina Machado, the diputada—assembly member—that received the single

highest number of votes in the 2010 elections; Manuel Rosales, the former governor of Zulia state and a former Presidential candidate for the opposition; Leopoldo Lopez, currently being held in a military prison, the most high-profile political prisoner in the Americas.

The government has also fabricated a border crisis with neighboring Colombia as a pretext to declare a state of emergency, in 23 municipalities in 3 states along the Colombian-Venezuelan border. This allows the government to arbitrarily suspend the fundamental rights of citizens in these municipalities to a right to assembly, right to peaceful demonstrations—and, guess what, it just so happens that these municipalities are either swing districts or ones where the opposition won handily in the 2010 legislative elections. In these same three states, the opposition won 18 of the 27 seats contested. The government is even resorting to political tricks.

In one district, in the city of Maracay, the leading opposition candidate is named Ismael Garcia, a lifelong political veteran. The government managed to find a 28-year-old parking attendant named Ismael Garcia, who is running under a party name similar to the opposition candidate, with a logo nearly identical.

In another area in the capital of Caracas, the National Statistics Institute and National Electoral Council have determined that, by the end of the year, 128,000 voters are scheduled to move out of a district largely supportive of the opposition to a district supportive of the government. This move is large enough to decrease by one the number of deputies that the opposition district will elect and enough to increase by one the number of deputies that the pro-government district will elect.

The National Statistics Institute and National Electoral Council acknowledge that 134,000 votes will move back to the pro-opposition district by the middle of next year, which means 130,000 people are moving for a period of 6 to 9 months.

The Maduro government can't believe they can hide from these obvious tactics of political tricks to rob the people of Venezuela of their right to a free and fair election. They can't be so naíve to think that these ridiculous tactics are going unnoticed. We are not blind to it. We are watching. And I come to the floor of the Senate to send a clear message that makes it clear that the world is watching and waiting for the results of the election and the aftermath.

Against this backdrop of violence, intimidation, corruption, and election fraud, the Venezuelan Government has routinely denied the presence of credible international election observers. If the Venezuelan Government was interested in guaranteeing the transparency, objectivity, and credibility of the elections, it would have invited the OAS—the region's preeminent multilateral body—to observe the elections.

Since 1989, the OAS has conducted more than 160 election observation missions in 24 countries. The OAS Secretary General has repeatedly offered to observe, but Maduro has turned him down. The EU has also offered to observe—also rejected by the government. Instead, the Venezuelan Government has opted for a mission from Union de Naciones Suramericanas, UNASUR, which conducts ''electoral accompaniment'' rather than ''election observation.'' The technical rigor of the UNASUR mission has been called into question by many members of the international community. Brazil's Supreme Electoral Court banned Brazil's participation in the UNASUR mission. Chile and Uruguay also will not participate in the UNASUR mission. As a Washington Post headline put it this week, ''Venezuela [is heading] to a pivotal election; without a referee.''

As Venezuela heads into this election, nationwide polls are showing a strong and sustained trend in favor of the opposition. National polling shows opposition candidates leading by 28 points. This growing advantage is the result of an increasingly dire outlook that reflects the state of the nation. The people of Venezuela have and are suffering economic hardship. They are subjected to increased societal violence. They have seen more and more evidence that senior government officials are personally and deeply involved in drug trafficking, deeply involved in money laundering. In fact, his own family members have been arrested for drug trafficking.

And, to make matters worse, as President Maduro, a former bus driver, has driven his country's economy off a cliff, there have been shortages of beef and milk, chicken and eggs, rice and pasta; there have been shortages of soap for bathing and diapers for small children. And this trend will likely get worse. This year, the IMF predicts that Venezuela's GDP will contract by 10 percent—the single largest economic contraction in the world this year. The country is also suffering from the highest levels of inflation in the entire world, more than 150 percent in 2015 according to the IMF, and expected to surpass 200 percent in 2016.

As economic hardship grows, it shouldn't be a complete surprise that criminality in the country has worsened—the murder rate more than doubling over the past decade. According to the Venezuela Violence Observatory, the per capita murder rate in Venezuela was 37 per 100,000 in 2005, 54 per 100,000 in 2010, and 82 per 100,000 in 2014. And things are even worse in the capital Caracas, where the per capita murder rate is approaching 125 per 100,000 residents. This puts Caracas among the top five most violent cities in the world and on par with the carnage generally seen only in war zones.

On top of this widespread societal violence, in 2014, the world bore witness to Venezuelan security forces violently deployed on the streets to suppress peaceful protests occurring throughout the country that has left 43 people dead on both sides of the political divide, more than 50 documented cases of torture of opposition activists, and thousands of arrests. Throughout this violence, respected international human rights organization Human Rights Watch found that human rights abuses were a ''systematic practice'' committed by Venezuelan security forces.

To make matters worse, a darker and more sinister narrative has emerged from Venezuela in 2015. In March of this year, the Treasury Department's Financial Crimes Enforcement Network—known as FinCEN—announced the Private Bank of Andorra is a ''foreign financial institution of primary money laundering concern.'' Among other concerns, FinCEN found that the bank had been involved in a scheme that siphoned off roughly $2 billion from Venezuelan state oil company PDVSA, a scheme that surely included widespread involvement and knowledge of Venezuelan Government officials. The world is watching.

In May of this year, in a Wall Street Journal exclusive, the world was informed that the Department of Justice, the Drug Enforcement Agency, and several Federal prosecutors' offices are investigating Diosdado Cabello for involvement in drug trafficking, a man who serves as the head of Venezuela's National Assembly and someone generally regarded as the second most powerful figure in the government's coalition. And now he is apparently wanted for turning Venezuela into a global cocaine hub.

And in October, in another incredibly well-documented piece, the Wall Street Journal revealed how money laundering and embezzlement inside Venezuelan state oil giant Venezuela was directed from the highest levels, including by former PDVSA president Rafael Ramirez. These two incidents are part of a long and troubling series of disturbing revelations about how the highest levels of the power are directly responsible for the Venezuelan state becoming penetrated by drug trafficking and criminality.

With such sinister trends becoming commonplace in Venezuela, it is important to recognize that a sea change of opinion is taking place in Latin America, and increasingly, key political leaders are speaking out forcefully against what they are seeing in Venezuela.

In September of this year, 34 former Presidents and heads of state from

across Latin America and the Caribbean met in Bogota and issued a declaration calling for international election observation, greater safeguards for Venezuelan voters, and the release of political prisoners in the country.

Last month, the secretary general of the OAS Luis Almagro released a scathing letter to the head of Venezuela's National Electoral Council, laying out all of his concerns with the process running up to the December 6 elections and calling for an immediate course correction.

Also, last month, I was proud to join with 17 of my colleagues here in the U.S. Senate, 32 Brazilian senators, 57 Colombian senators, 12 Chilean senators, 26 Costa Rica Assembly members, and 13 Peruvian members of Congress—more than 150 legislators from across the Americas—in an unprecedented showing of unity to call for election observation, speak out against the disqualification of opposition candidates, and call for the release of political prisoners. And just last week, it was important to see Argentina's President-elect Mauricio Macri calling for the South American trade block Mercosur to review whether Venezuela should be suspended from the block for violating its democracy clause and failing to uphold human rights.

The question then remains, what can we do? What can the United States do? As elections are held in Venezuela this weekend, it is imperative that we all remain clear-eyed about the challenges at hand in the country. For 15 years, we have watched as President Maduro and former-President Chavez have systematically dismantled democracy in the country. They have removed checks on the executive. They have corrupted the judiciary and the rule of law. They have usurped the powers of the legislature. They have politicized the military. And they have suppressed freedom of the press.

No one should be surprised that 15 years of democratic deterioration has led to economic ruin, to rampant criminality, and to an increasingly dangerous political polarization. But the first step to correct course and help Venezuelans back from the brink of being a failed state is the exercise this weekend of that most fundamental democratic right with a huge voter turnout that could help move the country back toward democracy and the rule of law.

We should take note that Latin America is speaking out forcefully about the situation in Venezuela, but we in the United States should be preparing our own response. Last week, the Washington Post Editorial Board noted that should the vote be disrupted in Venezuela, the ''U.S. should be ready to respond with censure and sanctions.'' I couldn't agree more.

In December of 2014, the U.S. Congress, with the unanimous consent of both Chambers, approved the Venezuela Defense of Human Rights and Civil Society Act—legislation which I authored and introduced with Senators NELSON, RUBIO, KIRK, and MCCAIN. This bipartisan bill called for mandatory sanctions against violations of human rights and fundamental freedoms and provided the administration with the authorities it needs. The administration has used these sanctions once, but we should be prepared, if necessary, to use them again.

We know what is happening in Venezuela: subversion of democracy through state-sponsored violence; repression; hundreds of thousands of Venezuelans in the streets earlier this year protesting alarming levels of violence and crime; sky-high inflation rates; the scarcity of food and basic consumer goods. That is today's Venezuela. The question is: Can we make tomorrow better for the people of Venezuela?

The world watched as President Maduro and his government responded to protests with a brutal display of force not seen in our hemisphere in over a decade. The results: more than 40 deaths, more than 50 documented cases of torture, and thousands of unlawful detentions. In May, Human Rights Watch released a devastating report that said Venezuelan human rights violations ''were part of a systematic practice by Venezuelan security forces'' and that these abuses were intended to ''punish people for their political views.''

As I have said repeatedly and as is the case today, not one Venezuelan Government official or member of the security forces has been held accountable for their role in beating, shooting, jailing, or torturing peaceful protesters—not one. Now they threaten to highjack the electoral process, and they must know that the world is watching and that there will be consequences to their actions.

TRIBUTE TO ROBERT DICK DOUGLAS, JR.

Mr. BURR. Mr. President, I ask my colleagues to join me in honoring my constituent Robert Dick Douglas, Jr. Mr. Douglas earned Eagle Scout rank 90 years ago today, making him the longest serving Eagle alive.

The Boy Scouts of America recently highlighted Mr. Douglas' life in their magazine, which I think would impress anyone who reads it. I am pleased to highlight some of the points in the article.

A native of Greensboro, Mr. Douglas eagerly joined the Boy Scouts the very same day that he celebrated his 12th birthday. After earning his Eagle Scout award on December 8, 1925, Mr. Douglas was one of three scouts selected for an African safari with famed photographers and adventurers Martin and Osa Johnson. Upon his return from this journey, Douglas coauthored the best selling documentary ''Three Boy Scouts in Africa,'' which went on to sell 125,000 copies in its first year of publication. The book afforded Douglas the opportunity to tour the Nation speaking with the likes of Amelia Earhart at school and civic assemblies.

The publisher was evidently so impressed with Douglas' work that he sent the young Eagle Scout to Alaska to write another adventure book titled ''A Boy Scout in the Grizzly Country.'' From that experience, Douglas became an advocate of land and wildlife conservation and, when he returned home, began sharing his newfound knowledge with the Nation through public appearances.

Douglas' successes continued well into adulthood, going on to graduate from law school at Georgetown University and to become a labor and employment law attorney at his father's legal practice. Mr. Douglas served as a lawyer for over 70 years and managed to make his way before the Supreme Court. Douglas also served in the FBI, where he had the chance to work under J. Edgar Hoover for a time. Mr. Douglas retired at the age of 96.

In recognition of his longevity and commitment to scouting and his community, the 103-year-old Douglas was presented with the Distinguished Eagle Scout Award on September 24, 2015. During the ceremony, Mr. Douglas extolled scouting as a significant influence on his life. He insists to this day that scouting taught him that he could do just about anything that he wanted to undertake. It is with great pleasure that I pay tribute to Robert Dick Douglas, Jr., today on his 90th anniversary of attaining Eagle Scout.

RECOGNIZING MURDOCK ELEMENTARY SCHOOL

Mr. DONNELLY. Mr. President, today I wish to applaud Murdock Elementary School of Lafayette, IN, for being recognized as a 2015 National Blue Ribbon School by the U.S. Department of Education.

Established in 1982, the National Blue Ribbon Schools Program has recognized over 7,500 public and nonpublic schools that have demonstrated a vision of educational excellence for all students, regardless of their social or economic background. Since its inception, this program has offered the opportunity for schools in every State to gain recognition for educational accomplishments in closing the achievement gaps among student groups.

Murdock Elementary School continues to be one of the best performing schools in the State of Indiana. It has been named an Indiana Four Star School for 4 consecutive years.

In 2014, Murdock Elementary School's ISTEP+ pass rate for English/Language Arts scores reached 97.7 percent. Mathematics scores exceeded 95

percent, and the overall score for the school hit 94.3 percent.

Murdock Elementary School's effectiveness can be found in its holistic approach and dedication to student achievement. Murdock staff, students, and students' families work together to teach and instill values that develop strong character and demonstrate that every kid matters: honesty, effort, caring, respect, and teamwork. With some of the highest English and mathematics scores in Indiana, Murdock Elementary School is a stellar example of the benefits that result from dedication, motivation, collaboration, and family partnership in education.

I would like to acknowledge Murdock Elementary School principal, Janell Uerkwitz, the entire staff, the student body, and their families. The effort, dedication, and value you put into education led not only to this prestigious recognition, but will benefit you and our communities well into the future.

On behalf of the citizens of Indiana, I congratulate Murdock Elementary School, and I wish the students and staff continued success in the future.

RECOGNIZING NORTH ELEMENTARY SCHOOL

Mr. DONNELLY. Mr. President, today I wish to applaud North Elementary School of Poseyville, IN, for being recognized as a 2015 National Blue Ribbon School by the U.S. Department of Education.

Established in 1982, the National Blue Ribbon Schools Program has recognized over 7,500 public and nonpublic schools that have demonstrated a vision of educational excellence for all students, regardless of their social or economic background. Since its inception, this program has offered the opportunity for schools in every State to gain recognition for educational accomplishments in closing the achievement gaps among student groups.

North Elementary School continues to be one of the best performing schools in the State of Indiana. It has been named an Indiana Four Star School several times.

In 2014, North Elementary School's ISTEP+ pass rate for English/Language Arts scores increased by over 7 percent to a 94.8 percent. Mathematics scores increased to 97.2 percent combined for third through fifth grades.

North Elementary School's effectiveness can be found in its holistic approach and dedication to student achievement. North Elementary staff, students, and students' families work together to teach and instill values that develop strong character including integrity, responsibility, effort, and kindness. With some of the highest English and mathematics scores in Indiana, North Elementary School is a stellar example of the benefits that result from dedication, motivation, collaboration, and family partnership in education.

I would like to recognize North Elementary School principal, Terri Waugaman, the entire staff, the student body, and their families. The effort, dedication, and value you put into education led not only to this prestigious recognition, but will benefit you and our communities well into the future.

On behalf of the citizens of Indiana, I congratulate North Elementary School, and I wish the students and staff continued success in the future.

RECOGNIZING OAK TRACE ELEMENTARY SCHOOL

Mr. DONNELLY. Mr. President, today I wish to applaud Oak Trace Elementary School of Westfield, IN, for being recognized as a 2015 National Blue Ribbon School by the U.S. Department of Education.

Established in 1982, the National Blue Ribbon Schools Program has recognized over 7,500 public and nonpublic schools that have demonstrated a vision of educational excellence for all students, regardless of their social or economic background. Since its inception, this program has offered the opportunity for schools in every State to gain recognition for educational accomplishments in closing the achievement gaps among student groups.

Oak Trace Elementary School continues to be one of the best performing schools in the State of Indiana. It has been named an Indiana Four Star School several times.

In 2014, Oak Trace Elementary School's ISTEP+ pass rate for English/Language Arts scores increased by over 2 percent to a full 100 percent. Mathematics scores increased to 98.7 percent combined for third through fourth grades.

Oak Trace Elementary School's effectiveness can be found in its holistic approach and dedication to student achievement. Oak Trace staff, students, and students' families work together to teach and instill values that develop strong character including integrity, responsibility, effort, and kindness. With some of the highest English and mathematics scores in Indiana, Oak Trace Elementary School is a stellar example of the benefits that result from dedication, motivation, collaboration, and family partnership in education.

I would like to acknowledge Oak Trace Elementary School principal, Robin Lynch, the entire staff, the student body, and their families. The effort, dedication, and value you put into education led not only to this prestigious recognition, but will benefit you and our communities well into the future.

On behalf of the citizens of Indiana, I congratulate Oak Trace Elementary School, and I wish the students and staff continued success in the future.

ADDITIONAL STATEMENTS

RECOGNIZING THE 100TH ANNUAL NEWPORT WINTER CARNIVAL

● Ms. AYOTTE. Mr. President, today I wish to celebrate the 100th annual Winter Carnival held in Newport, NH.

The maiden Newport Winter Carnival was held in 1916, making it the oldest continuous winter carnival in the country and the largest annual event in Newport. For over a week in early February, Newport will be transformed into a winter wonderland. Families, friends, and visitors will gather for this yearly celebration and participate in events that include the ice fishing derby, hockey games, Main Street 1 Mile Run, horseback riding demos, horse show tournament, and countless gatherings, dinners, and historic remembrances, capped off by fireworks to light up the winter sky.

The Newport Winter Carnival is one of New Hampshire's longest and most exciting winter events. The people of Newport are justifiably proud of this unique and treasured tradition. The carnival epitomizes the spirit of the Granite State and celebrates New Hampshire's beautiful landscape and snow-covered season. Providing wintertime fun for the residents of and visitors to our State, Newport's Winter Carnival brings warmth and cheer throughout the frosty month of February.

On behalf of the people of New Hampshire, I join with the residents of Newport in celebrating the 100th anniversary of the Winter Carnival. I commend the people of Newport for this great New Hampshire tradition and wish the town of Newport continued success for generations to come.●

TRIBUTE TO JIM SMITH

● Mr. THUNE. Mr. President, today I wish to recognize the distinguished career of a great South Dakotan, Mr. Jim Smith.

Jim was born in Aberdeen, SD, in 1930, and was raised in Pierre. He received his Bachelor of Science degree from the South Dakota School of Mines and Technology in 1952 before attending law school at George Washington University. While still in law school, Jim worked as an elevator operator in the U.S. Capitol until he became a legislative assistant to South Dakota Senator Karl Mundt. He eventually served as minority counsel to the U.S. Senate Subcommittee on Intergovernmental Relations. Upon graduation from law school, Jim became the associate Federal legislative counsel at the American Bankers Association from 1963 to 1968.

From 1969 to 1973, Jim headed the Treasury Department's Office of Congressional Relations, completing his tenure as Deputy Undersecretary of the Department under three separate Secretaries. In 1971, Jim was awarded the Alexander Hamilton Award, the highest honor bestowed by the Treasury Department. He was appointed by President Nixon as the 23rd U.S. Comptroller of the Currency in 1973, where he served until the end of the Ford Administration. Jim returned to the Midwest in 1977 to serve as the Executive Vice President of the First Chicago Corporation.

In 1980, Jim reconnected with his old friend, Charls E. Walker, from their days at the American Bankers Association. Jim joined Mr. Walker's consulting firm, Charls Walker Associates, later renamed Walker/Free Associates, until he formed The Smith-Free Group with Jim Free in 1995. For the past 35 years, Jim has advocated for a diverse range of issues before the Federal Government, including pro bono efforts on behalf of victims of Bernie Madoff's Ponzi scheme.

Jim came to Washington during President Eisenhower's administration, and his career has spanned 10 subsequent Presidents. His reputation as a modest, soft-spoken, and principled man is a testament to his South Dakota roots. He embodies the strong-willed, hard-working, and good-natured characteristics that all South Dakotans share; and his life story proves the continued resilience of the American Dream.

Jim is retiring to spend more time with his wife of 37 years, Karen, along with his children, grandchildren, and great-grandchildren. I would like to thank him for his service to both South Dakota and the country and congratulate him on a well-deserved retirement.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a treaty which was referred to the Committee on Foreign Relations.

(The message received today is printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:26 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 614. An act to provide access to and use of information by Federal agencies in order to reduce improper payments, and for other purposes.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1321. An act to amend the Federal Food, Drug, and Cosmetic Act to prohibit the manufacture and introduction or delivery for introduction into interstate commerce of rinse-off cosmetics containing intentionally-added plastic microbeads.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3678. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Decreased Assessment Rate'' (Docket No. AMS–FV–15–0035) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3679. A communication from the Associate Administrator of the Cotton and Tobacco Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Defining Bona Fide Cotton Spot Markets for the World Cotton Futures Contract'' ((RIN0581–AD38) (Docket No. AMS–CN–14–0050)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3680. A communication from the Associate Administrator of the Livestock, Poultry, and Seed Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Soybean Promotion and Research: Amend the Order to Adjust Representation on the United Soybean Board'' (Docket No. AMS–LPS–15–0016) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3681. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Domestic Dates Produced or Packed in Riverside County, California; Decreased Assessment Rate'' (Docket No. AMS–FV–15–0034) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3682. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tart Cherries Grown in the States of Michigan, et al.; Revision of Exemption Requirements'' (Docket No. AMS–FV–15–0046) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3683. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Grapes Grown in a Designated Area of Southeastern California and Imported Table Grapes; Relaxation of Handling Requirements'' (Docket No. AMS–FV–14–0031) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3684. A communication from the Associate Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Hardwood Lumber and Hardwood Plywood Promotion, Research, and Information Order: Termination of Rulemaking Proceeding'' (Docket No. AMS–FV–11–0074) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3685. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that involved fiscal year 2011 Procurement, Marine Corps and Operation and Maintenance, Marine Corps, funds, and was assigned Navy case number 14–01; to the Committee on Appropriations.

EC–3686. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, three (3) reports relative to vacancies in the Department of Defense, received in the Office of the President of the Senate on November 19, 2015; to the Committee on Armed Services.

EC–3687. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–3688. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–3689. A communication from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Changes to Accounting Requirements for the Community Development Block Grant (CDBG) Program'' (RIN2506–AC39) received during adjournment of the Senate in the Office of the President of the Senate on November 23, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3690. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the issuance of an Executive Order declaring a national emergency with respect to the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the situation in Burundi; to the Committee on Banking, Housing, and Urban Affairs.

EC–3691. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the Export Administration Regulations to Add XBS Epoxy System to the List of 0Y521 Series; Technical Amendment to Update Other 0Y521 Items.'' (RIN0694–AG70) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3692. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Wassenaar Arrangement 2014 Plenary Agreements Implementation and Country Policy Amendments; Correction'' (RIN0694–AG44) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3693. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Walnuts Grown in California; Increased Assessment Rate'' (Docket No. AMS–FV–15–0026) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3694. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Refinements to Policies and Procedures for Market-Based Rates for Wholesale Sales of Electric Energy, Capacity and Ancillary Services by Public Utilities'' ((RIN1902–AE85) (Docket No. RM14–14)) received during adjournment of the Senate in the Office of the President of the Senate on November 23, 2015; to the Committee on Energy and Natural Resources.

EC–3695. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Cyber Security Event Notifications'' (Regulatory Guide 5.83) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Environment and Public Works.

EC–3696. A communication from the Admiral, Naval Reactors, transmitting, pursuant to law, reports relative to the Naval Nuclear Propulsion Program's reports on environmental monitoring and radioactive waste disposal, radiation exposure, and occupational safety and health; to the Committee on Environment and Public Works.

EC–3697. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Contract Year 2016 Policy and Technical Changes to the Medicare Advantage and the Medicare Prescription Drug Benefit Programs'' (RIN0938–AS20) received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2015; to the Committee on Finance.

EC–3698. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food; Clarification of Compliance Date for Certain Food Establishments'' ((RIN0910–AG36) (Docket No. FDA–2011–N–0920)) received during adjournment of the Senate in the Office of the President of the Senate on November 23, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–3699. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Artificially Sweetened Fruit Jelly and Artificially Sweetened Fruit Preserves and Jams; Revocation of Standards of Identity'' (Docket No. FDA–1997–P–0007, formerly Docket No. 1997P–0142) received during adjournment of the Senate in the Office of the President of the Senate on November 23, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–3700. A communication from the Deputy Director, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Occupational Safety and Health Research and Related Activities: Removal of Regulations Regarding Administrative Functions, Practices, and Procedures'' (RIN0920–AA55) received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–3701. A communication from the Acting Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Student Assistance General Provisions, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program'' (RIN1840–AD18) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–3702. A communication from the Acting Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Program Integrity and Improvement'' (RIN1840–AD14) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–3703. A communication from the Special Counsel, United States Office of the Special Counsel, transmitting, pursuant to law, the Office of the Special Counsel's Performance and Accountability Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3704. A communication from the Treasurer, National Gallery of Art, transmitting, pursuant to law, the Gallery's Performance and Accountability Report for the year ended September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3705. A communication from the Chair, Securities and Exchange Commission, transmitting, pursuant to law, the Commission's Agency Financial Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3706. A communication from the Chairman, Merit Systems Protection Board, transmitting, pursuant to law, the Board's Agency Financial Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3707. A communication from the Chairwoman, U.S. Election Assistance Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3708. A communication from the Acting Chairman of the National Endowment for the Arts, transmitting, pursuant to law, the Semiannual Report of the Inspector General and the Chairman's Semiannual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3709. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Department of Veterans Affairs' Semiannual Report of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3710. A communication from the President, African Development Foundation, transmitting, pursuant to law, the Annual Report of the Inspector General for the period from October 1, 2014 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3711. A communication from the Chairman, Occupational Safety and Health Review Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3712. A communication from the Administrator, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the Corporation's annual financial audit and management report for the fiscal year ending September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3713. A communication from the Acting Deputy Commissioner for Budget, Finance, Quality, and Management, Social Security Administration, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Administration's Federal Activities Inventory Reform Act Inventory for fiscal years 2012 and 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–3714. A communication from the Secretary of Energy, transmitting, pursuant to law, the Department of Energy's Agency Financial Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3715. A joint communication from the Chairman and the General Counsel, National Labor Relations Board, transmitting, pursuant to law, the Office of Inspector General Semiannual Report for the period of April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3716. A communication from the Chairwoman of the Federal Trade Commission, transmitting, pursuant to law, the Commission's fiscal year 2015 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC–3717. A communication from the Chief Financial Officer and the Chief Operating Officer of the National Tropical Botanical Garden, transmitting, pursuant to law, a report

relative to an audit of the Garden for the period from January 1, 2014, through December 31, 2014; to the Committee on the Judiciary.

EC–3718. A communication from the Chief Impact Analyst, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Updating References'' (RIN2900–AP03) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Veterans' Affairs.

EC–3719. A communication from the Chief Impact Analyst, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Expanded Access to Non-VA Care through the Veterans Choice Program'' (RIN2900–AP60) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Veterans' Affairs.

EC–3720. A communication from the Deputy Inspector General, Office of Inspector General, Department of the Interior, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3721. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''NASA FAR Supplement: Safety and Health Measures and Mishap Reporting'' (RIN2700–AE16) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3722. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Assessment and Collection of Regulatory Fees for Fiscal Year 2014; Assessment and Collection of Regulatory Fees for Fiscal Year 2013; Procedures for Assessment and Collection of Regulatory Fees'' ((FCC 14–88) (MD Docket No. 14–92; MD Docket No. 13–140; MD Docket No. 12–201)) received during adjournment of the Senate in the Office of the President of the Senate on November 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3723. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Accessibility of User Interfaces, and Video Programming Guides and Menus'' ((FCC 15–156) (MB Docket No. 12–108)) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3724. A communication from the Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Prohibiting Coercion of Commercial Motor Vehicle Drivers'' (RIN2126–AB57) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3725. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''List of Nonconforming Vehicles Decided to be Eligible for Importation'' (Docket No . NHTSA–2015–0087) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3726. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Electronic Stability Control Systems for Heavy Vehicles'' (RIN2127–AK97) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3727. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments.'' ((RIN2120–AA66) (Docket No. FAA–2015–0783)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3728. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Extension of the Prohibition Against Certain Flights in the Simferopol (UKFV) and Dnipropetrovsk (UKDV) Flight Information Regions'' ((RIN2120–AK78) (Docket No. FAA–2014–0225)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3729. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''IFR Altitudes; Miscellaneous Amendments'' ((RIN2120–AA63) (Docket No. 31048)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3730. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Placida, FL'' ((RIN2120–AA66) (Docket No. FAA–2015–2890)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3731. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace; Van Nuys, CA'' ((RIN2120–AA66) (Docket No. FAA–2015–1138)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3732. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation of Class E Airspace; Burbank, CA'' ((RIN2120–AA66) (Docket No. FAA–2015–1140)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3733. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2015–3969)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3734. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pacific Aerospace Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–3620)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3735. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sikorsky Aircraft Corporation (Type Certificate Previously Held by Schweizer Aircraft Corporation) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2015–1008)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3736. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Limited'' ((RIN2120–AA64) (Docket No. FAA–2015–4345)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3737. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; GA 8 Airvan (Pty) Ltd Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–1123)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3738. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–3877)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3739. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0128)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3740. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0574)) received in the Office of the President of the Senate

on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3741. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–0244)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3742. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–4211)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3743. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–1425)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3744. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fiberglas-Technik Rudolf Lindner GmbH and Co. KG Gliders'' ((RIN2120–AA64) (Docket No. FAA–2015–3300)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3745. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Schempp-Hirth Flugzeugbau GmbH Gliders'' ((RIN2120–AA64) (Docket No. FAA–2015–3224)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3746. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Division Turboprop Engines'' ((RIN2120–AA64) (Docket No. FAA–2015–0787)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3747. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2015–1658)) received in the Office of the President of the Senate on November 30, 2015; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–109. A resolution adopted by the Senate of the State of Michigan urging the United States Congress to enact legislation for the purpose of enhancing hunting, fishing, recreational shooting, and other outdoor recreational opportunities, as well as strengthen conservation efforts nationwide; to the Committee on Environment and Public Works.

SENATE RESOLUTION NO. 109

Whereas, To this day, conservation is funded primarily by sportsmen and women. This American System of Conservation Funding is a user pays-public benefits approach that includes excise taxes on hunting, fishing, and boating equipment. This strategy is widely recognized as the most successful model of fish and wildlife management funding in the world; and

Whereas, Through the pursuit of their outdoor passions, sportsmen and women support hundreds of thousands of jobs and contribute billions to our economy annually through salaries, wages, and product purchases; and

Whereas, The United States Congress has worked on several pieces of legislation over the years to boost a number of key conservation priorities that are supported by millions in the outdoor recreational community; and

Whereas, Currently pending legislation in both the U.S. House and Senate would create or renew several important programs that are vital to the continued conservation of our natural resources, the health of America's local economies, and the enhancement and protection of our time-honored outdoor pastimes. Known as the Sportsmen's Heritage and Recreational Enhancement (SHARE) Act (H.R. 2406) and the Bipartisan Sportsmen's Act (S. 405), these bills contain a broad array of bipartisan measures, including the Recreational Fishing and Hunting Opportunities Act; the Hunting, Fishing, and Recreational Shooting Protection Act; the Target Practice and Marksmanship & Training Support Act; and the Recreational Lands Self-Defense Act; and

Whereas, A complementary piece of prosportsmen legislation also exists in the U.S. House, called the Sportsmen's Conservation and Outdoor Recreation Enhancement (SCORE) Act (H.R. 3173). It shares several similar titles with the SHARE Act and Bipartisan Sportsmen's Act. Provisions in the SCORE Act include: the National Fish Habitat Initiative Sense of Congress, the Federal Lands Transaction Facilitation Act reauthorization, the North American Wetlands Conservation Act reauthorization, the National Fish and Wildlife Foundation reauthorization, the Neotropical Migratory Bird Conservation Act reauthorization, the Partners for Fish and Wildlife Program Act reauthorization, and the Making Public Lands Public authorization; and

Whereas, By renewing or creating these programs, these bills will enhance opportunities for hunters, anglers, recreational shooters, and other outdoor recreation enthusiasts, improve access to public lands, and help boost the outdoor recreation economy. Conserving our fish and wildlife resources and their habitats and ensuring that future generations have access to public lands and continued recreational opportunities are of great importance and are bipartisan issues: Now, therefore, be it

Resolved by the Senate, That we urge the United States Congress to enact legislation for the purpose of enhancing hunting, fishing, recreational shooting, and other outdoor recreational opportunities, as well as strengthen conservation efforts nationwide; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–110. A resolution adopted by the House of Representatives of the State of Michigan urging the President of the United States and the United States Congress to support the National Breast Cancer Coalition's goal of knowing how to end breast cancer by 2020; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 144

Whereas, Michigan Breast Cancer Coalition and breast cancer prevention advocates across the country are joining their collective voices in the call for an end to breast cancer. State level advocates in conjunction with the National Breast Cancer Coalition (NBCC) are undertaking the challenge referred to as Breast Cancer Deadline 2020; and

Whereas, Breast Cancer Deadline 2020, created by the NBCC has set the goal and developed a strategic plan to know how to end breast cancer by January 1, 2020. NBCC developed a blueprint that involves research, access and influence. This includes leveraging financial resources, ensuring individuals at risk have access to information and medical care; and harnessing the influence of leaders in government and industry; and

Whereas, Breast cancer is the most commonly diagnosed non-skin cancer in women in the United States. Michigan counties have some of the highest incidences of breast cancer in the country. This disease affects women of all ages, claimin 'yes of thousands each year; and

Whereas, The advancement of the NBCC strategic plan for eradicating this disease is imperative. This plan focuses on prevention, including how to prevent the often fatal metastasis of cancer once it is detected. All elements of the NBCC strategic plan are necessary to find an end to this disease: Now, therefore, be it

Resolved by the House of Representatives, That we urge the President and the Congress of the United States to support the National Breast Cancer Coalition's goal of knowing how to end breast cancer by 2020; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–111. A resolution adopted by the Senate of the State of Michigan encouraging the United States Forest Service to issue the owners of privately held hunting camps on leased acres within the Ottawa National Forest special use authorization under the Recreation Residence Program; to the Committee on Agriculture, Nutrition, and Forestry.

SENATE RESOLUTION NO. 79

Whereas, Starting in the late 1950s, Michigan residents were offered an opportunity to lease privately-owned land from the Upper Peninsula Power Company (UPPCO) to build recreational hunting camps. In 1991, the UPPCO announced intentions to sell the land currently under lease to an intermediary

who would simultaneously sell the land to the United States Forest Service (USFS). Existing leaseholders were offered an option to sign a 25-year, nonrenewable lease on the land that was to be sold or to immediately vacate the property. The leases were signed in March of 1992 and the United States Forest Service (USFS) took control of the land in June 1992. The land currently under private lease accounts for less than 1,100 acres in the Ottawa National Forest; and

Whereas, Hundreds of people have experienced the wonders of Michigan's great outdoors at these hunting camps. The Ottawa National Forest is almost one million acres of rolling hills, lakes, rivers, waterfalls, and abundant wildlife. Those who lease land in the forest have built outdoor recreational traditions with their families. The hunting camps allow them to experience the seclusion and isolated environment of the Ottawa National Forest while engaging in varied recreational activities, including hunting, fishing, canoeing, and snowshoeing; and

Whereas, The USFS has informed leaseholders that leases will not be renewed at the end of 2016 because it is national policy not to lease national forest land to individuals. The holders of the active leases will have 90 days after the leases expire to remove the hunting cabins and return the land to its natural state; and

Whereas, The expiration of the leases will hurt local economies in Ontonagon and Gogebic Counties. It will result in over $35,000 in lost lease fee revenue to the townships and almost $10,000 in tax revenue to the counties. Even a greater loss will be realized by local businesses, including gas stations, grocery stores, hardware stores, and restaurants that benefit from the patronage of the camp families; and

Whereas, The expiration of the leases will eliminate refuge for people from the occasionally harsh and unexpected shifts in weather conditions. The Ottawa National Forest covers a large area in the western Upper Peninsula. Camp owners often leave their cabins or outbuildings unlocked to the relief of individuals stranded in the woods who have sought shelter. A Boy Scout troop once sheltered at the Twin Pines camp after being caught in a storm, and a group of snowmobilers is known to regularly rest at one of the camps; and

Whereas, The USFS Recreation Residence Program provides private citizens an opportunity to own single-family cabins in designated areas of national forests. Currently, 15,570 recreation residences occupy national forest system lands throughout the country; and

Whereas, Although the National Forest Service placed a moratorium on the establishment of new tracts under the Recreation Residence program in 1968, the authority to issue special use authorization under the Recreation Residence program remains in federal regulations (36 CFR Part 251). Therefore, lifting that moratorium for the limited purpose of establishing a Recreation Residence tract in the Ottawa National Forest and issuing special use authorization permits is possible and would allow the many families currently leasing in the Ottawa National Forest an opportunity that is provided to thousands of people elsewhere in the country; and

Whereas, Converting to the Recreation Residence Program would maintain a tax base for local governments, provide continuing support for the local economy, and ensure that hunting and recreational traditions held so dear by Michigan residents continue to be experienced in the Ottawa National Forest: Now therefore, be it

Resolved by the Senate, That we encourage the United States Forest Service to issue the owners of privately-held camps on leased acres within the Ottawa National Forest special use authorization under the Recreation Residence Program; and be it further

Resolved, That copies of this resolution be transmitted to the Chief of the United States Forest Service and the members of the Michigan congressional delegation.

POM–112. A resolution adopted by the Senate of the State of Michigan urging the United States Senate to concur with the United States House of Representatives and repeal the country-of-origin labeling regulations; to the Committee on Agriculture, Nutrition, and Forestry.

SENATE RESOLUTION NO. 87

Whereas, The United States and Canada have the largest trading relationship in the world, with bilateral trade valued at $759 billion in 2014, an association that benefits the economies of both countries. Michigan's merchandise exports to Canada in 2014 were valued at $25.4 billion, and 259,000 Michigan jobs depend on trade and investment with Canada; and

Whereas, The U.S. has implemented mandatory country-of-origin labeling (COOL) rules requiring meats sold at retail stores to be labeled with information on the source of the meat. The World Trade Organization (WTO) has repeatedly ruled that COOL discriminates against imported livestock and is not compliant with international trade obligations. Due to the WTO rulings, the U.S. may be subject to $3.6 billion in retaliatory tariffs sought by Canada and Mexico; and

Whereas, COOL regulations also jeopardize the viability of the U.S. packing and feeding industries. The additional $500 million in annual compliance costs could lead to significant job losses and plant closures with potentially devastating impacts to local and state economies. All this for an issue the United States Department of Agriculture has clearly indicated is not about food safety; and

Whereas, The U.S. House of Representatives passed H.R. 2393 to repeal the mandatory labeling for certain meats in June 2015 with 300 votes, showing a strong recognition across party lines, as well as regionally, that COOL must be repealed. However, the U.S. Senate appears less inclined to repeal the COOL requirement, risking the American economy to billions of dollars in retaliatory tariffs: Now, therefore, be it

Resolved by the Senate, That we urge the United States Senate to concur with the United States House of Representatives and repeal the country-of-origin labeling regulations; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate and the members of the Michigan congressional delegation.

POM–113. A joint resolution adopted by the Legislature of the State of California urging the President of the United States and the United States Congress to support legislation which will provide a comprehensive solution to allow banks and credit unions to perform financial services for cannabis businesses without federal retribution; to the Committee on Banking, Housing, and Urban Affairs.

ASSEMBLY JOINT RESOLUTION NO. 25

Whereas, Cannabis use for medical purposes is legal in 23 states and is legal for recreational purpose in four states and in the District of Columbia. The expansion of cannabis businesses across the United States requires action from Congress and the federal government; and

Whereas, While many states have laws permitting various degrees of commercial activity using cannabis, it remains illegal under federal law. The conflict between federal and state laws has left financial institutions serving cannabis-related businesses on uncertain legal ground. Banks and credit unions are concerned that providing financial services for businesses selling a product that is illegal under federal law exposes them to possible charges of money laundering and drug trafficking; and

Whereas, Federal laws, including the Controlled Substances Act, the Bank Secrecy Act, and the Annunzio-Wylie Anti-Money Laundering Act, prohibit financial institutions from providing financial services to cannabis and hemp businesses. Directives from federal regulatory agencies such as the Federal Reserve, the Federal Deposit Insurance Corporation, the National Credit Union Administration, and the Office of the Comptroller of the Currency also prohibit bankers from accepting deposits from cannabis or hemp businesses; and

Whereas, In February 2014, the United States Treasury's Financial Crimes Enforcement Network, or FinCEN, in coordination with the United States Department of Justice, also issued a memo outlining expectations for compliance with the Bank Secrecy Act. Despite this progress, remaining uncertainties under current federal as still prevent banks and credit unions from accepting cannabis-based businesses as customers; and

Whereas, The medical, retail, and hemp agricultural businesses are unable to accept credit or debit cards from customers because electronic payments are handled through the banking system. Therefore, transactions must be conducted in cash. Further, these businesses cannot deposit cash from sales into financial institutions. This is a major problem in California as many businesses now have hundreds of thousands of dollars in cash at their locations, which poses a public safety risk to businesses, employees, and customers; and

Whereas, The lack of financial services makes paying taxes to local governments and the California State Board of Equalization a challenge because tax payments must be made in cash by cannabis-related businesses, leading to hundreds of thousands of dollars in cash being brought directly into government offices. It is difficult for the State Board of Equalization to audit cash-based businesses, especially when records of wholesale transactions are not available; and

Whereas, Cannabis businesses cannot easily comply with California tax laws, which has led to a significant underpayment of revenue owed the state. In response, the State Board of Equalization launched the Cannabis Compliance Pilot Project in January 2015 to help determine both the degree of noncompliance with state tax law and the amount of lost tax revenue. However, state efforts alone cannot solve the problem: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature respectfully urges the President and Congress to support legislation which will provide a comprehensive solution to allow banks and credit unions to perform financial services for cannabis businesses without federal retribution. The current system that requires cash-based transactions poses a risk

to public safety and leads to reduced collection of taxes; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to the Minority Leader of the House of Representatives, to the Majority Leader of the Senate, to the Minority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

POM–114. A joint resolution adopted by the Legislature of the State of California urging the United States Congress to permanently reauthorize and fully fund the Land and Water Conservation Fund; to the Committee on Environment and Public Works.

ASSEMBLY JOINT RESOLUTION NO. 27

Whereas, The Land and Water Conservation Fund (LWCF) was created by Congress in 1965 as a bipartisan commitment for protection of natural areas, water resources, cultural heritage, and outdoor recreational opportunities throughout the country; and

Whereas, Over the 50 years since the LWCF was created, billions of dollars in funding have been provided to protect valuable land and water resources, including, but not limited to, parks, forests, rivers, lakes, wildlife habitat, and recreational opportunities. These investments have resulted in the permanent protection of nearly five million acres of public lands and working landscapes; and

Whereas, Despite being chronically underfunded, the LWCF has had several positive conservation and recreation impacts throughout the country, has protected lands in each state, and has supported over 41,000 state and local park projects; and

Whereas, Since its inception, the LWCF has delivered over $2 billion to California, and has provided hundreds of millions of dollars more for projects through its matching fund program; and

Whereas, The LWCF has helped conserve some of California's most treasured and iconic natural resources in each region of the state, including, but not limited to, Lake Tahoe, the Mojave Desert, Point Reyes National Seashore, the Headwaters Forest Reserve, the San Diego and Don Edwards San Francisco Bay National Wildlife Refuges, working forests in the Sierra Nevada, and Central Valley wetlands; and

Whereas, The LWCF has provided funding for outdoor recreational and park programs benefitting underserved youth and others in urban and rural communities throughout the state, and has established a critical federal partnership with state and local parks and communities; and,

Whereas, Forest Legacy Program grants are also funded through the LWCF to protect working forests, which support jobs and sustainable forest operations and enhance wildlife habitat, water quality, and recreation. The Forest Legacy Program grants have provided $12 million in federal funds, which along with matching funds have provided a total of $62 million in investments in California forests; and

Whereas, The LWCF is critical to the quality of life in California. The LWCF protects watersheds and drinking water supplies; provides sustainable jobs in urban and rural communities; protects the economic asset that federal, state, and local public lands represent; conserves natural areas, wildlife habitats, and open space from urban parks to large landscapes; improves access for sportsmen, sportswomen, and recreationists to natural lands; stimulates local economies and jobs that support tourism and outdoor recreation sectors; preserves wetlands, forests, and watersheds; and provides state and local grants to support healthy communities; and

Whereas, According to the Outdoor Industry Association, active outdoor recreation supports $85.4 billion of consumer spending and 723,000 jobs in California, which annually generates $27 billion in wages and salaries and $6.7 billion in state and local tax revenue; and

Whereas, The United States Census Bureau reports that each year 7.4 million people engage in outdoor recreation in California, which contributes over $8 billion of wildlife-related recreation spending to the state economy; and

Whereas, Despite the LWCF's successes, many more lands and resources remain vulnerable and in critical need of investment, and many urban and rural populations remain underserved; and

Whereas, The LWCF will expire if not reauthorized by Congress before September 30, 2015: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature urges Congress to permanently reauthorize and fully fund the Land and Water Conservation Fund; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM–115. A resolution adopted by the Senate of the State of Michigan urging the United States Congress to restore Great Lakes Restoration Initiative funding to $300 million for fiscal year 2016; to the Committee on Environment and Public Works.

SENATE RESOLUTION NO. 42

Whereas, The Great Lakes are a critical resource for our nation, supporting the economy and a way of life in Michigan and the other seven states within the Great Lakes region. The Great Lakes hold 20 percent of the world's surface freshwater and 95 percent of the United States' surface freshwater. This globally significant freshwater resource provides drinking water for more than 30 million people and is an economic driver that supports jobs, commerce, agriculture, transportation, and tourism throughout the region; and

Whereas, The Great Lakes Restoration Initiative (GLRI) provides essential funding to restore and protect the Great Lakes. This funding has supported long overdue efforts to clean up toxic pollution, reduce runoff from cities and farms, combat invasive species like the Asian carp, and restore fish and wildlife habitat. Since 2010, the federal government has invested nearly $2 billion in more than 2,000 projects through the GLRI. Over its first five years, the GLRI has provided more than $280 million for 580 projects in Michigan alone; and

Whereas, GLRI projects are making a significant difference. They have restored more than 115,000 acres of fish and wildlife habitat; opened up fish access to more than 3,400 miles of rivers; helped implement conservation programs on more than 1 million acres of farmland; and accelerated the cleanup of toxic hotspots. In Michigan, GLRI funding has been instrumental in removing contaminated sediments from Muskegon Lake, the River Raisin, and the St. Mary's River; restoring habitat along the St. Clair River, Cass River, Boardman River, and the Keweenaw Peninsula; and developing improved methods for sea lamprey control; and

Whereas, While this is a significant investment, there is still more work to be done with numerous ready-to-go projects that need funding. Toxic algal blooms, beach closings, fish consumption advisories, and the presence of contaminated sediments continue to limit the recreational and commercial use of the Great Lakes. The 2014 shutdown of the city of Toledo's drinking water system due to a toxic algal bloom, forcing more than a half million people to find another source of drinking water, is just one example of how much still needs to be done; and

Whereas, Proposed cuts to GLRI funding would jeopardize the momentum from a decade of unprecedented regional and bipartisan cooperation. The FY 2016 executive budget recommends a $50 million cut in federal funding to $250 million. This cut would be a shortsighted, cost-saving measure with long-term implications. Restoration efforts will only become more expensive and more difficult if they are not addressed in the coming years: Now, therefore, be it

Resolved by the Senate, That we urge the Congress of the United States to restore Great Lakes Restoration Initiative funding to $300 million for fiscal year 2016; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–16. A joint resolution adopted by the Legislature of the State of California urging the President of the United States to encourage the Secretary of Health and Human Services to adopt policies to repeal the current and upcoming discriminatory donor suitability policies of the United States Food and Drug Administration (FDA) regarding blood donations; to the Committee on Health, Education, Labor, and Pensions.

ASSEMBLY JOINT RESOLUTION NO. 16

Whereas, Since 1983, the United States Food and Drug Administration (FDA), an agency under the United States Department of Health and Human Services (HHS), has prohibited the donation of blood by any man who has had sex with another man (MSM) at any time since 1977; and

Whereas, in December 2014, based on recommendation from the HHS Advisory Committee on Blood and Tissue Safety and Availability, the FDA announced its intent to promulgate regulations to allow an MSM to donate blood only if he has not been sexually active for the past 12 months. Despite these recent steps toward a policy change, a double standard would still exist under the policy as it is proposed to be revised because it would still treat gay and bisexual men differently from heterosexual men; and

Whereas, California law prohibits discrimination against individuals on the basis of actual or perceived sex, sexual orientation, gender identity. and gender-related appearance and behavior, and

Whereas, Spain, Italy, Russia, Mexico, and Portugal have adopted blood donor policies that measure risk against a set of behaviors sexual and otherwise, rather than the sex of a person's sexual partner or partners; and

Whereas, The FDA does not allow gay and bisexual men in committed relationships to

donate blood because, while one partner may be monogamous, that individual cannot guarantee that the other partner is monogamous. The FDA does not apply this same logic to heterosexual relationships, which in effect discriminates against gay and bisexual men; and

Whereas, a 12-month deferral policy for gay and bisexual men to donate blood is overly stringent given the scientific evidence, advanced testing methods, and the safety and quality control measures in place within the different FDA-qualified blood donating centers. The techniques can identify within 7 to 10 days with 99.9 percent accuracy whether or not a blood sample is HIV-positive, and the chance of the blood test being inaccurate within the 10-day window is about 1 in 2,000,000; and

Whereas, The General Social Survey conducted by NORC by NORC at the University of Chicago estimates that 8.5 percent of men in the United States have had at least one male sexual partner since 18 years of age, 4.1 percent of men report at least one male sex partner in the last 5 years, and 3.8 percent report a male sex partner in the last 12 months; and

Whereas, An estimated 45.4 percent of men (54 million) in the United States are eligible to donate blood, but only 8.7 percent of eligible men actually do. There are 15.7 million donations of blood per year made by 9.2 million donors, yielding approximately 1.7 donations per donor; and

Whereas, The Williams Institute of the University of California at Los Angeles School of Law estimates that, based on the population of eligible and likely donors among the MSM community, lifting the federal lifetime deferral policy on blood donation by an MSM would result in 4.2 million newly eligible male donors, of which 360,600 would likely donate, generating 615,300 additional pints of blood. Applying national estimates to the California population, the Institute further estimates that lifting the ban on MSM blood donations would add an additional 510,000 eligible men to the current blood donor pool, of which 43,917 would likely donate, resulting in an additional 74,945 donated pints in California: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the California State Legislature calls upon the President of the United States to encourage the Secretary of the United States Department of Health and Human Services to adopt policies to repeal the current and upcoming discriminatory donor suitability policies of the United States Food and Drug Administration (FDA) regarding blood donations by men who have had sex with another man and, instead, direct the FDA to develop science-based policies such as criteria based on risky behavior in lieu of sexual orientation; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of the United States Department of Health and Human Services, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

POM–117. A resolution adopted by the Senate of the State of Michigan urging the United States Congress to enact legislation that requires uniform and science-based food labeling nationwide; to the Committee on Health, Education, Labor, and Pensions.

SENATE RESOLUTION NO. 59

Whereas, In the absence of a federal genetically modified organism (GMO) labeling standard, some states and localities have developed a patchwork of labeling proposals that can be confusing and misleading to consumers. Multiple local regulations increase agriculture and food production costs, requiring food companies operating in Michigan to create separate supply chains to be developed for each state; and

Whereas, GMOs are found in 70 to 80 percent of the foods we eat and play a vital role in maintaining Michigan's agriculture, food processing, and other industries. In 2014, 100 percent of all sugar beets, 93 percent of all corn, and 91 percent of all soybeans grown in Michigan were genetically modified; and

Whereas, A maze of regulations would cripple interstate commerce throughout the food supply and distribution chain and ultimately increase grocery prices for consumers by hundreds of dollars each year. A Cornell University study found that a patchwork of state labeling laws would increase food costs for a family by an average of $500 per year; and

Whereas, On July 23, 2015, the U.S. House of Representatives passed bipartisan legislation—the Safe and Accurate Food Labeling Act (H.R. 1599)—to avoid this patchwork of regulations and the costly challenges it creates; and

Whereas, Senate passage of the Safe and Accurate Food Labeling Act will allow consumers to have access to accurate and consistent information on products that contain CMOs by ensuring that labeling is national, uniform, and science-based. The bill also establishes a United States Department of Agriculture (USDA)-administered certification and labeling program, modeled after the USDA National Organic Program for non-GMO, organic foods: Now, therefore, be it

Resolved by the Senate, That we urge the United States Congress to enact legislation that requires uniform and science-based food labeling nationwide; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–118. A joint resolution adopted by the Legislature of the State of California urging the President of the United States and the United States Congress to take steps to reform the outdated and inadequate Official Poverty Measure to better reflect poverty and the unmet needs demonstrated by the Supplemental Poverty Measure; to the Committee on Homeland Security and Governmental Affairs.

ASSEMBLY JOINT RESOLUTION NO. 22

Whereas, The Official Poverty Measure is determined by the United States Census Bureau and is instrumental in determining an individual's eligibility for a number of government programs, including the Supplemental Nutrition Assistance Program; Medicaid; School Lunch Program; Women, Infants, and Children Program; Housing Assistance; and others; and

Whereas, The method we use today was developed in 1964 by Mollie Orshansky of the Social Security Administration; and

Whereas, Orshansky's method used before-tax cash income to determine a family's resources, which was then compared to a poverty threshold; and

Whereas, In determining this poverty threshold, Orshansky used a food plan developed by the federal Department of Agriculture that was designed for ''temporary or emergency use when funds are low,'' and then multiplied the cost of the plan by three because, at the time, a family typically used about a third of their income on food; and

Whereas, Other than minor changes, the method has remained the same over time, despite significant economic and governmental changes, including the introduction of Medicare and Medicaid, the shift from a manufacturing to a service economy, welfare reform of the 1990s, and the general stagnation of wages; and

Whereas, The Official Poverty Measure is a one-size-fits-all policy that leads to a distorted perception of poverty and an inefficient allocation of resources to fight poverty; and

Whereas, The Official Poverty Measure has failed to accurately measure poverty because it has not kept up with the changes to our economy and social science research; and

Whereas, The Official Poverty Measure does not take into account that families no longer spend one-third of their income on food; they currently spend between 5 to 10 percent; and

Whereas, The Official Poverty Measure does not account for noncash transfers, such as the Supplemental Nutrition Assistance Program or Medicaid, as income; and

Whereas, The Official Poverty Measure does not account for variations in cost of living in different regions of our country; and

Whereas, Low-income working families in California are especially disadvantaged by the Official Poverty Measure due to our state's high cost of living, which results in the denial of federally funded assistance to families living above the federal poverty line, but who are unable to meet their basic needs; and

Whereas, The Official Poverty Measure does not account for the increase in child care expenses due to the rise in the workforce participation of both parents; and

Whereas, The Official Poverty Measure does not account for variations in health care coverage and out-of-pocket medical costs; and

Whereas, Historically, there has been widespread agreement among analysts, advocates, and policymakers that the Official Poverty Measure is inadequate, leading to a 1990 Congressional appropriation that was made for an independent scientific study on a new calculation method; and

Whereas, This study was performed by The National Academy of Sciences, which established the Panel on Poverty and Family Assistance. The panel released a report in 1995 entitled ''Measuring Poverty: A New Approach'' which established guidelines for creating a new method; and

Whereas, Fifteen years later, in 2010, the Interagency Technical Working Group on Developing a Supplemental Poverty Measure and the Census Bureau and the Bureau of Labor developed an alternative poverty measure known as the Supplemental Poverty Measure; and

Whereas, The Supplemental Poverty Measure was designed to take into account changes in the United States economy over time, cost-of-living variations in different parts of the country, and the changing role of government; and

Whereas, The Supplemental Poverty Measure more accurately measures poverty by using a basic set of goods that includes food, clothing, shelter, and utilities, adjusted to reflect the needs of different family types and to account for geographic differences in

living costs to establish what is known as a poverty threshold; and

Whereas, The Supplemental Poverty Measure defines family resources as the value of cash income from all sources, plus the value of noncash benefits, including nutrition assistance, subsidized housing, home energy assistance, tax credits, and other benefits that are available to buy the basic bundle of goods, minus the necessary expenses for critical goods and services not included in the thresholds; and

Whereas, Necessary expenses include income taxes, Social Security payroll taxes, childcare and other work-related expenses, child support payments, and contributions toward the cost of medical care and health insurance premiums or out-of-pocket medical costs; and

Whereas, The Supplemental Poverty Measure offers a more accurate measure of poverty than the general Official Poverty Measure; and

Whereas, The use of the Official Poverty Measure can have a detrimental effect on policies to combat poverty because it results in less efficient and less accurately targeted policies and expenditures; and

Whereas, It is vital that we implement a fair poverty measure that allows us to efficiently allocate resources and focus on regions and populations that need help the most; and

Whereas, Given the numerous inadequacies of the Official Poverty Measure as a tool to accurately target and efficiently allocate antipoverty resources, the Supplemental Poverty Measure should guide the reform and updating of the Official Poverty Measure for administrative purposes in determining financial eligibility for programs intended to reduce poverty: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California jointly, That the Legislature of California urges the President and the Congress of the United States to take steps to reform the outdated and inadequate Official Poverty Measure to better reflect poverty and the unmet needs demonstrated by the Supplemental Poverty Measure; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States, to the Governor of California, and to the author of this resolution.

POM–119. A joint resolution adopted by the Legislature of the State of California memorializing August 6, 2015, as the 50th anniversary of the signing of the Voting Rights Act of 1965, and urging the United States Congress and the President of the United States to continue to secure citizens' right to vote and remedy any racial discrimination in voting; to the Committee on the Judiciary.

ASSEMBLY JOINT RESOLUTION NO. 13

Whereas, Signed into law on August 6, 1965, by President Lyndon B. Johnson, the Voting Rights Act of 1965 is a landmark piece of federal legislation in the United States; and

Whereas, One hundred and forty-five years ago, in 1870, Congress ratified the 15th Amendment, which declared that the right to vote shall not be denied or abridged on the basis of race, color, or previous condition of servitude; and

Whereas, By 1910, violence and intimidation resulted in nearly all black citizens being disenfranchised and removed from the voter rolls in the former Confederate States, undermining the promise of equal protection under the law; and

Whereas, Native American, Latino, and Asian American/Pacific Islander communities experienced similar attempts to disenfranchise citizens in their communities throughout the United States; and

Whereas, Between 1870 and 1965, voters faced, ''first-generation barriers,'' such as poll taxes, literacy tests, vouchers of ''good character,'' disqualification for ''crimes of moral turpitude'', and other tactics intended to keep African Americans from the polls on Election Day; and

Whereas, During the 1920s, African Americans in Selma, Alabama formed the Dallas County Voters League (DCVL). During the 1960s in partnership with organizers from the Student Nonviolent Coordinating Committee, the DCVL held registration drives and classes to help African Americans in Dallas County pass the literacy tests required to register to vote. On March 7th, 1965, the first march from Selma to Montgomery took place. The march, nicknamed ''Bloody Sunday'' for the horrific attack on unarmed marchers by armed police, was broadcast nationwide and led to a national outcry for the passage of the Voting Rights Act, and

Whereas, Often regarded as one of the most effective civil rights laws, the Voting Rights Act was passed with the intent to ban discriminatory voting policies at all levels of government; and

Whereas, The Voting Rights Act is credited for the enfranchisement of millions of minority voters as well as the diversification of the electorate and legislative bodies throughout all levels of government; and

Whereas, Before Section 203 of the Voting Rights Act was added in 1975, language minorities were disenfranchised from the electoral process. Section 203 required certain jurisdictions to provide registration or voting notices, forms, instructions, assistance, or other materials and information regarding the electoral process in the language of the applicable minority group; and

Whereas, In June of 2013, the Supreme Court struck down key sections of the Voting Rights Act that were designed to prevent discriminatory voting policies that can disenfranchise minority voters; and

Whereas, Despite 50 years of progress, racial minorities continue to face voting barriers in jurisdictions with a history of discrimination; and

Whereas, To build a stronger and more cohesive state and nation, we must continue to help advance the cause of voter equality and equal access to the political process for all people in order to protect the rights of every American and

Whereas, We must continue to educate the next generation about the importance of civic engagement in our communities: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature recognizes August 6, 2015, as the 50th Anniversary of the signing of the Voting Rights Act of 1965, and recognizes the significant progress made by the Voting Rights Act to protect every citizen's right to vote; and be it further

Resolved, That the Legislature honors and remembers those who struggled and died for this freedom; and be it further

Resolved, That the Legislature urges the Congress and the President of the United States to continue to secure citizens' right to vote and remedy any racial discrimination in voting; and be it further

Resolved, That the Chief Clerk of the Assembly transmit, copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority leader of the United States Senate, and to each Senator and Representative from California in the Congress of the United States.

POM–120. A joint resolution adopted by the Legislature of the State of California memorializing the United States Congress to ban the sale or display of any Confederate flag, including the Confederate Battle Flag, on federal property and encourage states to ban the use of Confederate States of America symbolism from state flags, seals, and symbols, and would encourage the donation of Confederate artifacts to museums; to the Committee on the Judiciary.

ASSEMBLY JOINT RESOLUTION NO. 26

Whereas, According to the 1860 United States Census, the United States population was 31,443,321. The total number of slaves in the Lower South was 2,312,352, comprising 47 percent of the total population, and the total number of slaves in the Upper South was 1,208,758, comprising 29 percent of the total population; and

Whereas, South Carolina had a clear Black majority from about 1708 through most of the 18th century. By 1720, there were approximately 18,000 people living in South Carolina and 65 percent of those were African American slaves. South Carolina's slave population grew to match the success of its rice culture. Whereas in 1790, there were slightly more Whites than Blacks, with 140,178 Whites and 108,806 Blacks living in South Carolina. By 1860, the Black population had grown, with 291,300 Whites and 412,320 Blacks, to nearly double the White population; and

Whereas, The Southern United States, including the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Texas, West Virginia, Virginia, and South Carolina, seceded, from the greater union in 1860 to join the Confederate States of America under President Jefferson Davis and General Robert E. Lee; and

Whereas, The symbolism of the Confederate flag when the states seceded in 1860 represented, in its personification, secession and treason; and

Whereas, The first official national flag of the Confederacy, often called the Stars and Bars, was flown from March 4, 1861, to May 1, 1863, inclusive. The Stars and Bars flag was adopted March 4, 1861, in the first temporary national capital of Montgomery, Alabama, and was raised over the dome of that first Confederate Capitol; and

Whereas, At the First Battle of Manassas, the first battle of the Civil War, the similarity between the Stars and Bars and the Stars and Stripes caused confusion and military problems. Regiments carried flags to help commanders observe and assess battles in the warfare of the era. At a distance, the two national flags were hard to tell apart. In addition, Confederate regiments carried many other flags, which added to the possibility of confusion; and

Whereas, After the battle, General Pierre Gustave Toutant Beauregard, a prominent general of the Confederate States Army during the Civil War, wrote that he was resolved then to have the Confederate flag changed if possible, or to adopt for his command a ''battle flag,'' the Stars and Bars, that would be entirely different from any state or federal flag. His aide William Porcher Miles, the former chair of the Committee on the Flag

and Seal, described his rejected national flag design to Beauregard. Miles also told the Committee on the Flag and Seal about the general's complaints and request for the national flag to be changed. The committee rejected this idea by a four to one vote, after which Beauregard proposed the idea of having two flags. He described the idea in a letter to his commander General Joseph E. Johnston: ''How would it do for us to address the War Dept. on the subject for a supply of Regimental or badge flags made of red with two blue bars crossing each other diagonally on which shall be introduced the stars, . . . We would then on the field of battle know our friends from our enemies''; and

Whereas, Although the soldiers of the Confederacy were never tried by the United States government after the Civil War, Jefferson Davis and General Robert E. Lee were indicted and later acquitted of all charges by President Andrew Johnson as he left office in 1869; and

Whereas, After the Civil War ended, groups such as the Ku Klux Klan were formed to promote White supremacy and racial hatred. The Ku Klux Klan, perhaps the most infamous, was one of the first groups to continue using the Confederate flag after the war. The Ku Klux Klan rallied others still vexed after the war to instill fear and spout hate against freed African Americans; and

Whereas, The flag was later resurrected in the 1950s to rally resistance to the Civil Rights movement and support the South's desire to maintain segregation and further the policies of Jim Crow; and

Whereas, In South Carolina the Confederate flag was moved to the top of their State Capitol building in 1962, after President John F. Kennedy called on the Congress of the United States to end poll taxes and literacy tests for voting, and the United States Supreme Court struck down segregation in public transportation; and

Whereas, According to the Southern Poverty Law Center, there are 788 ''hate groups'' in the United States. Of these, 57 are located in the State of California, which is the highest of any state. There are a total of 283 of these hate groups in the former Confederate states. Nineteen of these hate groups reside in South Carolina. Of these 19 hate groups, 16 use the Confederate flag as one of their symbols. These hate groups include the Ku Klux Klan, Neo-Nazis, and Neo-Confederates; and

Whereas, African Americans make up 15.6 percent of the population of the United States, or 45 million people, but in 2013, they were victims of one-third of all hate crimes in the United States, which is the highest number of any group in America; and

Whereas, On June 17, 2015, Dylann Roof went to Emanuel AME Church in Charleston, South Carolina, and opened fire during a Wednesday Bible study, killing nine of the church's attendees; and

Whereas, Over the last five years, friends of Dylann Roof had seen him become increasingly aligned with White supremacist ideologies. They observed his behavior becoming more fanatical than that of the most notorious hate groups in his native South Carolina. Dylann Roof believed that it was up to him to do the work that other hate groups were failing to do. Dylann Roof believed that African Americans were ''stupid and violent'' people and viewed Hispanics and Latinos as the ''enemy''; and

Whereas, Dylann Roof has been photographed on various occasions with the same Confederate flag that many of these hate groups proudly display; and

Whereas, Sixty-nine percent of those surveyed by Public Policy Polling believe that the shooting attack at Emanuel AME Church in Charleston, South Carolina, was a hate crime and 34 percent surveyed believe it was a form of terrorism; and

Whereas, Since the end of the Civil War, private and official use of the Confederacy's flags, and of flags with derivative designs, has continued and generated philosophical, political, cultural, and racial controversy in the United States. These include flags displayed in states, cities, towns, counties, schools, colleges, or universities, or by private organizations, associations, or by individuals; and

Whereas, In some American states the Confederate flag is given the same protection from burning and desecration as the United States flag. It is protected from being publicly mutilated, defiled, or otherwise cast in contempt by the laws of five states: Florida, Georgia, Louisiana, Mississippi, and South Carolina. However, laws banning the desecration of any flag, even if technically remaining in effect, were ruled unconstitutional in 1989 by the United States Supreme Court in Texas v. Johnson and are not enforceable; and

Whereas, In 2000, South Carolina passed a bill to remove the Confederate flag from the top of the state house dome. It had been placed there since the early 1960s by an all-White South Carolina Legislature to mark the 100th anniversary of the Civil War. The flag was moved to the north end of the state house as part of a compromise. However, to this day, there have been protests to have the flag removed from there as well; and

Whereas, To many groups, especially African Americans, the Confederate flag is a symbol of hate, racism, exclusion, oppression, and violence. Its symbolism and history are directly linked to the enslavement, torture, and murder of millions of African Americans; and

Whereas, Today, as in the past, public display of the Confederate flag is believed to instill fear, intimidation, and a direct threat of violence towards others, though a minute number of groups disagree, claiming that the Confederate flag commemorates Southern heritage; and

Whereas, In 2014, the State of California, through the enactment of Assembly Bill 2444, became the first state to ban the state sale and display of the Confederate flag. The State of California may not sell or display the Battle Flag of the Confederacy, also referred to as the Stars and Bars, or any similar image, or tangible personal property inscribed with that image unless the image appears in a book, digital medium, or state museum that serves an educational or historical purpose; and

Whereas, On June 22, 2015, Governor Nikki Haley of South Carolina called upon her state to remove the Confederate flag from the capitol grounds in the wake of the Emanuel AME Church shooting: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of California encourages the United States Congress to identify the states that have a Confederate symbol embedded into their state's flag; and be it further

Resolved, That the Legislature memorializes the United States Congress to encourage states to ban the use of the former Confederate States of America symbolism and seals from all state flags, seals, and symbols; and be it further

Resolved, That the Legislature memorializes the United States Congress to ban the sale and display of any Confederate flag, including the Confederate Battle Flag, on federally owned properties and buildings and to urge those states that sell or display the flag at their capitols to have the flag removed; and be it further

Resolved, That the Legislature encourages the United States Congress to encourage businesses to urge their states to take down any Confederate flag, including the Confederate Battle Flag, from their capitols; and be it further

Resolved, That the Legislature encourages the donation of any effects representing the former Confederate States of America to local, state, and national museums; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Minority Leader of the House of Representatives, to the Majority Leader of the Senate, to the Minority Leader of the Senate, to each Senator and Representative from California, and to the governors of the southern states including Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

POM–121. A resolution adopted by the Senate of the State of Michigan opposing the United States Environmental Protection Agency's efforts to study or commission a study that, if consistent with the agency's past practices, many fear will serve as the first step towards the regulation of grills and barbecues; to the Committee on Environment and Public Works.

SENATE RESOLUTION NO. 56

Whereas, Barbecues are an American tradition enjoyed by families from all walks of life across the country. Whether tailgating for a football game, hosting a backyard get-together, or just grilling a summer meal, barbecues are a quintessentially American experience and an opportunity to eat and socialize with family and friends; and

Whereas, Cooking outdoors on a grill during the summer saves electricity. Using a grill prevents the release of heat into the kitchen and other living spaces, while cooking indoors heats up a kitchen, forcing cooling systems, such as the refrigerator and air conditioner, to work harder and use more energy; and

Whereas, The United States Environmental Protection Agency (EPA), our nation's environmental regulatory agency, has funded a University of California-Riverside student project to develop preventative technology to reduce emissions from residential barbecues. By funding this project, the EPA is apparently intent on finding a solution to a problem that does not exist and demonstrating an unnecessary interest and concern over the impact of backyard barbecues on public health; and

Whereas, Based on the EPA's past practices, today's study, no matter how small, is a concern to Michiganders and Americans, as it is inevitably the first step towards tomorrow's regulation of this American pastime. To fulfill its mission to protect human health and the environment, the EPA's primary tool has been, and continues to be, regulatory mandates that time and again ignore the financial, economic, and social burdens to the state and the country. The regulation of barbecues would be the latest, egregious example of overreach by the EPA; and

Whereas, Funding such a study is a poor use of taxpayer dollars. In the face of record national debts, annual budget deficits, and

other profound problems the country is facing, surely the federal government can better use our resources than on a study of grills and backyard barbecues: Now, therefore, be it

Resolved by the Senate, That we oppose the United States Environmental Protection Agency's efforts to study or commission a study that, if consistent with the agency's past practices, many fear will serve as the first step towards the regulation of grills and barbecues; and be it further

Resolved, That copies of this resolution be transmitted to Administrator of the United States Environmental Protection Agency and the members of the Michigan congressional delegation.

POM–122. A resolution passed by the City Council of San Jose, California, urging the United States Congress to pass H.R. 2140, the ''Vietnam Human Rights Act of 2015'', to hold individuals who commit egregious human rights violations accountable by imposing financial and travel sanctions upon those citizens of the Socialist Republic of Vietnam, and their family members, who are complicit in human rights abuse committed in Vietnam; to the Committee on Foreign Relations.

POM–123. A resolution passed by the City Council of Sebastopol, California urging passage of meaningful, common sense gun control measures; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 1616. A bill to provide for the identification and prevention of improper payments and the identification of strategic sourcing opportunities by reviewing and analyzing the use of Federal agency charge cards (Rept. No. 114–174).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2044. A bill to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes (Rept. No. 114–175).

By Mr. CORKER, from the Committee on Foreign Relations:

Report to accompany S. 2152, a bill to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes (Rept. No. 114–176).

By Mr. HATCH, from the Committee on Finance, without amendment:

S. 2368. An original bill to amend title XVIII of the Social Security Act to improve the efficiency of the Medicare appeals process, and for other purposes (Rept. No. 114–177).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations.

*Catherine Ebert-Gray, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Independent State of Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Solomon Islands and Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Vanuatu.

Nominee: Catherine Ebert-Gray.

Post: Papua New Guinea.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: Ian S. Gray: None.

3. Children: Thomas F. Gray: None; Claire E. Gray: None.

4. Parents: William A. & Myrna Ebert: $50.00, 5/2011, Republican National Committee; $25.00, 8/2011, Republican National Committee; $25.00, 9/2011, Republican Senate Committee; $35.00, 10/2011, Republican Nat'l Congress Committee; $25.00, 1/2012, Republican Senate Committee; $20.00, 3/2012, Republican National Committee; $25.00, 7/2012, Mitt Romney; $20.00, 8/2012, Mitt Romney; $20.00, 8/2012, Republican National Committee; $25.00, 8/2012, Paul Ryan; $25.00, 9/2012, Mitt Romney; $100.00, 9/2012, Mitt Romney; $25.00, 1/2013, Tea Party; $25.00, 2/2013, Republican National Committee; $20.00, 2/2013, Republican Nat'l Congress Committee; $25.00, 3/2013, Republican National Committee; $20.00, 3/2013, Republican Nat'l Congress Committee; $25.00, 3/2013, Conservative Majority Fund; $20.00, 4/2013, Republican National Committee; $25.00, 5/2013, Republican Nat'l Congress Committee; $25.00, 5/2013, Republican Nat'l Congress Committee; $30.00, 6/2013, Republican National Committee; $20.00, 6/2013, Tea Party; $25.00, 8/2013, Republican National Committee; $25.00, 10/2013, Republican National Committee; $25.00, 10/2013, Republican Nat'l Congress Committee; $20.00, 10/2013, Republican Nat'l Congress Committee; $20.00, –11/2013, Republican Nat'l Congress Committee; $20.00, 11/2013, Tea Party; $20.00, 12/2013, Republican Nat'l Congress Committee; $25.00, 1/2014, Republican National Committee; $20.00, 2/2014, Republican Nat'l Congress Committee; $20.00, 2/2014, Tea Party; $25.00, 3/2014, Draft Ben Carson; $50.00, 3/2014, Draft Ben Carson; $20.00, 4/2014, Tea Party; $25.00, 5/2014, Draft Ben Carson; $25.00, 5/2014, Draft Ben Carson; $25.00, 5/2014, Republican Senate Committee; $20.00, 6/2014, Tea Party; $20.00, 6/2014, Tea Party (2 checks); $20.00, 6/2014, Republican National Committee; $25.00, 6/2014, Republican National Committee; $25.00, 6/2014, Republican Party of Wisconsin; $20.00, 7/2014, Republican National Committee; $20.00, 7/2014, Tea Party; $35.00, 7/2014, Draft Ben Carson; $20.00, 8/2014, Tea Party; $20.00, 8/2014, Republican Senate Committee; $20.00, 9/2014, Tea Party.

5. Grandparents: Deceased.

6. Brothers and Spouses: James A. Ebert & Jennifer Gealy: None; Fred M. & Maralee Ebert: None; Robert H. & Cynthia Ebert: $10.00, 1/2010, Diggs Brown for Congress (US H Can.); $25.00, 4/2010, Republican National Committee; $50.00, 9/2010, Buck for Colorado (US Senate Cand); $50.00, 9/2010, Friends of Sharron Angle (US Sen Can); $100.00, 10/2010, Republican National Committee; $50.00, 10/2010, RNC Victory; $50.00, 10/2010, Buck for Colorado (US Sen Candidate); $50.00, 10/2010, Republican National Committee; $10.00, 12/2010, Friends of Sharron Angle (US Sen Can); $15.00, 3/2011, Tea Party Patriots; $25.00, 7/2011, Tea Party Patriots; $100.00, 8/2012, Mitt Romney; $46.50, 8/2012, Mitt Romney; $250.00, 8/2012, Vote Tipton (CO Rep to U.S. House); $50.00, 8/2012, Republican National Committee; $50.00, 8/2012, Republican National Committee; $30.00, 8/2012, Tea Party Patriots; $250.00, 10/2012, Romney/Ryan Romney for President; $250.00, 10/2012, Romney Victory Inc.; $100.00, 10/2012, Mitt Romney; $50.00, 10/2012, Vote Tipton (CO Rep to U.S. House); $25.00, 7/2013, Tea Party Patriots; $25.00, 11/2013, TPP Citizens Tea Party Patriots.

7. Sisters and Spouses: Susan F. Ebert-Stone & Henry J. Stone: None; Christine A. Ebert-Santos & Roque Santos: $200, 2014, U.S. Senator Mark Udall.

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*G. Kathleen Hill, of Colorado, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Malta.

Nominee: Glenna Kathleen Hill.

Post: U.S. Ambassador to Malta.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse.

3. Children and Spouses.

4. Parents: Mary Ann Hill, none; Curtis Ray Hill—deceased.

5. Grandparents: Mabel Ann Girod—deceased; Herschel Curgus Girod—deceased; Johnny Mitchell Hill—deceased; Mamie Elisabeth Hill—deceased.

6. Brothers and Spouses.

7. Sisters and Spouses: Susan Renea Livingstone, none; William Neil Livingstone, none.

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*John D. Feeley, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Panama.

Nominee: John D. Feeley.

Post: Chief of Mission—Panama.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $250.00, October 2012, Sen. Tim Kaine.

2. Spouse: Annette P. Feeley: None.

3. Children and Spouses: Nicholas J. Feeley: None; Julie Defossez (daughter in law): None; John P. Feeley: None.

4. Parents: David T. Feeley: None; Susan F. Feeley: None.

5. Grandparents: Deceased: N/A.

6. Brothers and Spouses: N/A.

7. Sisters and Spouses: Elizabeth Feeley (sister): None; Catherine Agnew (sister): None; Michael Agnew (brother in law): None.

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*Eric Seth Rubin, of New York, a Career Member of the Senior Foreign Service, Class

of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Bulgaria.

Nominee: Eric Seth Rubin

Post: Bulgaria

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $1,000, 8/13/2011, Mark Takano; $500, 9/10/2011, Mark Takano.

2. Spouse: Nicole S. Simmons: $1,000, 09/19/2011, Mark Takano Victory Fund; $1,000, 10/23/2012, Calif. Dem Party; $1,000, 1/24/2012, Mark Takano; $500, 3/31/2012, Mark Takano; $1,000, 10/22/2012, Mark Takano; $500, 9/29/2013, Mark Takano; $500, 3/12/2014, Mark Takano.

3. Children and Spouses: Rachel R. Rubin, child: None; Liana S. Rubin, child: None.

4. Parents: Richard L. Simmons, M.D., none. Myrna L. Rubin and Robert H. Rubin: none.

5. Grandparents: deceased.

6. Brothers and Spouses: Jonathan D. Rubin and Jamie Seidner: none.

7. Sisters and Spouses: Janine M. Simmons and Sean Jones: none.

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*Kyle R. Scott, of Arizona, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Serbia.

Nominee: Kyle R. Scott.

Post: German Marshall Fund of the U.S. Nominated Serbia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, donee, amount, date:

1. Self: None.

2. Spouse: Nevenka F Scott: None.

3. Children and Spouses: Mark F Scott, none; Kristian R. Scott, none.

4. Parents: Jacqueline H. Scott, none; Robert L. Scott Jr.—deceased.

5. Grandparents: Robert L. Scott Sr.—deceased; Mary Scott—deceased; Katherine Hause—deceased.

6. Brothers and Spouses: Robert L. Scott III, none; LeAnn Scott, none; Theodore R. Scott, none; Joan Weber, only for state offices in CA, as follows: $250 each, 2014, Judges Ronald Prager, Lisa Schall, Jacqueline Stern and Michael Popkins; $150, 2012, Commissioner Terrie Roberts; $250 each, 2010, Judges Joel Wohlfeil, Robert Longstreth, Lantz Lewis and Deann Salcido.

7. Sisters and Spouses: None.

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*Todd C. Chapman, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ecuador.

Nominee: Todd C. Chapman.

Post: U.S. Ambassador to Ecuador.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: Janetta Boyd Chapman: None.

3. Children and Spouses: Joshua Boyd Chapman: None; Kristina Loving Chapman: None; Jason Chapman: None.

4. Parents: Bob Chapman—deceased; Marilyn Chapman: None.

5. Brothers and Spouses: N/A.

6. Sisters and Spouses: Ava Michelle Chapman: None reported; Bonnie Neighbour: None reported; Shawn French: None reported; Jerry French: None reported.

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*David McKean, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

Nominee: David McKean.

Post: Ambassador to the Grand Duchy of Luxembourg.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $8,500, 2011, Obama for President; $250.00, 11/09/2011, Setti Warren for Senate.

2. Spouse: Kathleen Kaye: none.

3. Children and Spouses: Shaw Forbes McKean: none. Christian Kallin McKean: none. Kaye Thayer McKean: none.

4. Parents: Katherine Winthrop McKean—deceased; Quincy Shaw McKean—deceased.

5. Grandparents: Henry Pratt McKean—deceased; Marion Shaw Houghton—deceased; Frederick Winthrop—deceased; Sarah Thayer Winthrop—deceased.

6. Brothers and Spouses: John Winthrop McKean: $2,500, 9/29/2011, Obama for President; $1,000, 8/27/2014; Kay Hagen for Senate. Thomas McKean: $1,000, 9/29/2011, Obama for President; $250, 9/25/12, Elizabeth Warren for Senate. Dr. Sylvia Wyman McKean (Spouse): none. Robert Winthrop McKean: $500, 7/11/2011, Obama for President. Sandra McKean (Spouse): none.

7. Sisters and Spouses: Names.

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*Jean Elizabeth Manes, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of El Salvador.

Nominee: Jean Elizabeth Manes.

Post: Chief of Mission—El Salvador.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.

2. Spouse: Hector Cerpa: none.

3. Children and Spouses: Constanza Cerpa: none, Candela Cerpa: none.

4. Parents: Roger and Betty Manes: none.

5. Grandparents: Walter Masters—deceased; Alice Masters—none; Louise Manes—deceased; William Manes—deceased.

6. Brothers and Spouses: Roger Manes Jr., none.

7. Sisters and Spouses: Shannon Horsley, none; Michael Horsley, none.

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*Linda Swartz Taglialatela, of New York, a Career Member of the Senior Executive Service, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Barbados, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federation of St. Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines.

Nominee: Linda Swartz Taglialatela.

Post: Bridgetown (Barbados).

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions; amount; date; and donee.

1. Self: None.

2. Spouse: none.

3. Children and Spouses: none.

4. Parents: Leon E. Swartz—Deceased; Anne V. Swartz—Deceased.

5. Grandparents: Antonio Cimaono—Deceased; Constance Cimaomo—Deceased; Mabel Swartz Barnes—Deceased; Leon Swartz—Deceased; Harold Barnes—Deceased.

6. Brothers and Spouses: Leon D. Swartz: None; Jean Swartz: None; James C. Swartz: None; Karen Swartz: None.

7. Sisters and Spouses: Susan M. Swartz: None; Michael J. Toursignant: None.

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*Carlos J. Torres, of Virginia, to be Deputy Director of the Peace Corps.

Mr. CORKER. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

*Foreign Service nomination of Daniel Sylvester Cronin.

*Foreign Service nomination of Derell Kennedo.

*Foreign Service nominations beginning with Steven Carl Aaberg and ending with Sandra M. Zuniga Guzman, which nominations were received by the Senate and appeared in the Congressional Record on November 10, 2015.

*Foreign Service nominations beginning with James F. Entwistle and ending with Daniel R. Russel, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015. (minus 1 nominee: Richard Gustave Olson, Jr.)

*Foreign Service nominations beginning with Christopher Volciak and ending with Edward L. Robinson III, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mr. CRUZ:

S. 2363. A bill to amend the Immigration and Nationality Act to permit the Governor of a State to reject the resettlement of a refugee in that State unless there is adequate assurance that the alien does not present a security risk and for other purposes; to the Committee on the Judiciary.

By Mr. CARDIN (for himself and Mr. HELLER):

S. 2364. A bill to permit occupational therapists to conduct the initial assessment visit under a Medicare home health plan of care for certain rehabilitation cases; to the Committee on Finance.

By Mr. NELSON (for himself and Mr. SESSIONS):

S. 2365. A bill to amend the Immigration and Nationality Act to protect American jobs, and for other purposes; to the Committee on the Judiciary.

By Mr. UDALL:

S. 2366. A bill to promote innovation, investment, and economic growth by accelerating spectrum efficiency through a challenge prize competition; to the Committee on Commerce, Science, and Transportation.

By Mr. MCCAIN:

S. 2367. A bill to provide for hardship duty pay for border patrol agents and customs and border protection officers assigned to highly-trafficked rural areas; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HATCH:

S. 2368. An original bill to amend title XVIII of the Social Security Act to improve the efficiency of the Medicare appeals process, and for other purposes; from the Committee on Finance; placed on the calendar.

By Mr. CARPER:

S. 2369. A bill to amend the Homeland Security Act of 2002 to establish an Office for Community Partnerships; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROBERTS:

S. 2370. A bill to prohibit the Internal Revenue Service from modifying or amending the standards and regulations governing the substantiation of charitable contributions; to the Committee on Finance.

By Mr. ISAKSON:

S. 2371. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of locum tenens physicians as independent contractors to help alleviate physician shortages in underserved areas; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mr. BURR):

S. 2372. A bill to require reporting of terrorist activities and the unlawful distribution of information relating to explosives, and for other purposes; to the Committee on the Judiciary.

By Ms. CANTWELL (for herself, Mr. GRASSLEY, Mr. KIRK, and Mr. SCHUMER):

S. 2373. A bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment; to the Committee on Finance.

By Mr. MARKEY (for himself and Ms. WARREN):

S. 2374. A bill to amend the Defense Base Act to require death benefits to be paid to a deceased employee's designated beneficiary or next of kin in the case of death resulting from a war-risk hazard or act of terrorism occurring on or after September 11, 2001; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHNSON (for himself, Mr. WARNER, Mr. BLUNT, Mr. PORTMAN, and Mr. LANKFORD):

S. 2375. A bill to decrease the deficit by consolidating and selling excess Federal tangible property, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. COLLINS (for herself and Mr. KING):

S. Res. 331. A resolution designating December 12, 2015, as ''Wreaths Across America Day''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 71

At the request of Mr. VITTER, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S. 71, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 142

At the request of Mr. NELSON, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 142, a bill to require the Consumer Product Safety Commission to promulgate a rule to require child safety packaging for liquid nicotine containers, and for other purposes.

S. 150

At the request of Mr. ISAKSON, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 150, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

S. 334

At the request of Mr. PORTMAN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 334, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 429

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 429, a bill to amend title XIX of the Social Security Act to provide a standard definition of therapeutic foster care services in Medicaid.

S. 849

At the request of Mr. ISAKSON, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 849, a bill to amend the Public Health Service Act to provide for systematic data collection and analysis and epidemiological research regarding Multiple Sclerosis (MS), Parkinson's disease, and other neurological diseases.

S. 961

At the request of Mr. CARPER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 961, a bill to protect information relating to consumers, to require notice of security breaches, and for other purposes.

S. 979

At the request of Mr. NELSON, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1085

At the request of Mrs. MURRAY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1085, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 1133

At the request of Mr. FRANKEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1133, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 1152

At the request of Mr. WHITEHOUSE, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 1152, a bill to make permanent the extended period of protections for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. 1214

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1214, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 1538

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1538, a bill to reform the financing of Senate elections, and for other purposes.

S. 1726

At the request of Mr. MERKLEY, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1726, a bill to create protections for depository institutions that provide financial services to marijuana-related businesses, and for other purposes.

S. 1792

At the request of Mr. SCHUMER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1792, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 1890

At the request of Mr. HATCH, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 2102

At the request of Mr. LEE, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2102, a bill to amend the Clayton Act and the Federal Trade Commission Act to provide that the Federal Trade Commission shall exercise authority with respect to mergers only under the Clayton Act and only in the same procedural manner as the Attorney General exercises such authority.

S. 2200

At the request of Mrs. FISCHER, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2200, a bill to amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements.

S. 2263

At the request of Mr. BLUNT, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2263, a bill to encourage effective, voluntary private sector investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to private sector employers recognizing such investments, and for other purposes.

S. 2292

At the request of Mr. TESTER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2292, a bill to reform laws relating to small public housing agencies, and for other purposes.

S. 2312

At the request of Mr. THUNE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 2312, a bill to amend titles XVIII and XIX of the Social Security Act to make improvements to payments for durable medical equipment under the Medicare and Medicaid programs.

S. 2323

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2323, a bill to clarify the definition of nonimmigrant for purposes of chapter 44 of title 18, United States Code.

S. 2344

At the request of Mr. COTTON, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 2344, a bill to provide authority for access to certain business records collected under the Foreign Intelligence Surveillance Act of 1978 prior to November 29, 2015, to make the authority for roving surveillance, the authority to treat individual terrorists as agents of foreign powers, and title VII of the Foreign Intelligence Surveillance Act of 1978 permanent, and to modify the certification requirements for access to telephone toll and transactional records by the Federal Bureau of Investigation, and for other purposes.

S. 2353

At the request of Mr. GRASSLEY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2353, a bill to amend the Internal Revenue Code of 1986 to extend and modify the incentives for biodiesel.

S. 2354

At the request of Mrs. FISCHER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2354, a bill to amend the Internal Revenue Code of 1986 to provide a credit to employers who provide paid family and medical leave, and for other purposes.

S. 2357

At the request of Mr. WHITEHOUSE, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2357, a bill to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. 2362

At the request of Mr. JOHNSON, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2362, a bill to amend the Immigration and Nationality Act to provide enhanced security measures for the Visa Waiver Program, and for other purposes.

S. RES. 148

At the request of Mr. KIRK, the names of the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Georgia (Mr. PERDUE) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 320

At the request of Mr. MCCAIN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 320, a resolution congratulating the people of Burma on their commitment to peaceful elections.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CARDIN (for himself and Mr. HELLER):

S. 2364. A bill to permit occupational therapists to conduct the initial assessment visit under a Medicare home health plan of care for certain rehabilitation cases; to the Committee on Finance.

Mr. CARDIN. Mr. President, I rise in support of the Medicare Home Health Flexibility Act of 2015, which I am introducing today with my colleague Senator HELLER. This bipartisan, no-cost legislation would allow occupational therapists to perform the initial home health assessment in cases in which occupational therapy is ordered by the physician, along with speech language pathology and/or physical therapy services, and skilled nursing care is not required, ensuring that Medicare beneficiaries receive timely access to essential home health therapy services.

Occupational therapy is frequently ordered as part of a physician's plan of care for patients requiring home health services, and, under certain circumstances, an occupational therapist is allowed to perform the comprehensive assessment to determine a Medicare beneficiary's continuing need for home health therapy services. However, under current Medicare law, occupational therapists are not permitted to conduct the initial assessment for home health cases, even when occupational therapy is included in the physician's order and when the case is exclusively related to rehabilitation therapy.

By permitting occupational therapists to perform initial home health assessments in limited circumstances, the Medicare Home Health Flexibility Act can help prevent delays in Medicare beneficiaries receiving essential home health therapy services, especially in areas where access to physical therapists and speech language pathologists may be limited. It is important to note that this legislation would apply only to rehabilitation therapy cases in which skilled nursing care is not required. Nurses would still be required to conduct the initial assessment for all home health cases in which skilled nursing care is ordered by the physician. Also, although the Medicare Home Health Flexibility Act would allow occupational therapists to conduct initial home health assessments, it would not alter the existing criteria for establishing eligibility for the Medicare home health benefit.

I urge my colleagues to join me and Senator HELLER in supporting the Medicare Home Health Flexibility Act, which will help ensure timely access to essential home health therapy services for Medicare beneficiaries.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2364

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Medicare Home Health Flexibility Act of 2015''.

SEC. 2. PERMITTING OCCUPATIONAL THERAPISTS TO CONDUCT THE INITIAL ASSESSMENT VISIT UNDER A MEDICARE HOME HEALTH PLAN OF CARE FOR CERTAIN REHABILITATION CASES.

(a) IN GENERAL.—Notwithstanding section 484.55(a)(2) of title 42, Code of Federal Regulations, or any other provision of law, an occupational therapist may conduct the initial assessment visit for an individual who is eligible for home health services under title XVIII of the Social Security Act if the referral order by the physician—

(1) does not include skilled nursing care;

(2) includes occupation therapy; and

(3) includes physical therapy or speech language pathology.

(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to provide for initial eligibility for coverage of home health services under title XVIII of the Social Security Act solely on the basis of a need for occupational therapy.

By Mr. HATCH:

S. 2368. An original bill to amend title XVIII of the Social Security Act to improve the efficiency of the Medicare appeals process, and for other purposes; from the Committee on Finance; placed on the calendar.

Mr. HATCH. Mr. President, today Senator WYDEN and I have officially introduced the Audit and Appeal Fairness, Integrity, and Reforms in Medicare, or AFIRM, Act of 2015, a bipartisan bill developed earlier this year in the Senate Finance Committee. The AFIRM Act was actually ordered reported out of the committee in June, passing by voice vote with no recorded opposition.

This legislation, comes mainly in response to the concerns many have expressed with regard to program integrity and the overall solvency of the Medicare Trust Fund.

A recent report from the Government Accountability Office found that, in fiscal year 2014 alone, Medicare covered health services for approximately 54 million elderly and disabled beneficiaries at a cost of $603 billion in Federal funds. And, according to GAO, of that figure, approximately 10 percent of the funds were improperly paid.

That is nearly $60 billion in improper payments—either errors or fraud—in a single fiscal year. That is an astronomical figure, and about 33 percent higher than the number we saw the year before.

This unacceptably high level of improper Medicare payments has led to an increased number of audits to identify and recapture those funds. While officials at the Centers for Medicare & Medicaid Services have been reasonably successful in their mission to conduct audits on the more than one billion claims submitted to Medicare every year, they face an uphill battle in their efforts to recover improper payments.

In 2014, for example, CMS recovery audit contractors recovered over $2.57 billion. While this may sound like a large number, that is less than of the 2014 Medicare improper payments estimate of $45.8 billion, hardly a figure anyone should be proud of.

Coming on the heels of this massive loss in taxpayer funds and our Government's utter failure to retrieve them is an equally massive unintended consequence.

Due to the increasing number of audits, there has been a predictable, yet dramatic, increase in the number of Medicare appeals. Currently, there are so many appeals being filed in response to these audits that the Office of Medicare Hearings and Appeals can't even docket them for 20 to 24 weeks after they are filed.

In fact, within the last month, the total backlog of Medicare appeals eclipsed 900,000. You heard that right: There are more than 900,000 appeals currently pending at the Office of Medicare Hearings and Appeals.

In fiscal year 2009, the majority of Medicare appeals were processed within 94 days. Now, 6 years later, it takes, on average, 547 days—or roughly a year and a half—to process an appeal. This is an incredibly frustrating amount of time, not only for physicians and other health care providers, but for Medicare beneficiaries as well.

Think about that for a second. It takes, on average, a year and a half for Medicare beneficiaries—many of whom live on fixed incomes—filing an appeal to find out whether their services will be covered in the end. It takes a year and a half for doctors—an increasing number of whom are already opting to not accept Medicare patients—to find out if they will be paid.

Contributing to this problem is the fact that large portions of the initial payment determinations are reversed on appeal. The Department of Health and Human Services Office of Inspector General reported that, of the 41,000 appeals made to Administrative Law Judges, or ALJs, in fiscal year 2012, over 60 percent were partially or fully favorable to the defendant.

Such a high rate of reversals raises questions about the quality of initial determinations and whether providers and beneficiaries are facing undue burdens up front.

In order to protect beneficiaries, provide certainty for doctors, and take steps to at least partially shore up the Medicare Trust Fund, we need to address these issues now. That is why Senator WYDEN and I introduced the AFIRM Act.

If enacted, our bill will improve oversight of the Medicare audits and appeals process, effectively addressing the staggering Medicare appeals backlog. It will make the most fundamental changes to the appeals process since Medicare began. It will lay the groundwork for a more level playing field, reducing the burden on providers and suppliers, while giving auditors the tools necessary to better protect the Medicare Trust Fund.

The AFIRM Act will address these issues in five ways.

First, it will improve the audit programs by coordinating efforts between auditors and CMS to ensure that all parties receive adequate training on current policy, increasing transparency in the audit process, and requiring that CMS create new incentives to improve auditor accuracy.

Second, the bill will make reforms to the Medicare appeals process to address the appeals backlog without sacrificing quality. Part of this will be done by raising the amount in controversy for review by an ALJ to match the amount for review required by a District Court. For cases with lower costs, a new Medicare Magistrate program will be created to allow senior attorneys with expertise in Medicare law and policies to decide cases in the same way as ALJs. This will allow more cases to be heard more quickly, while still providing ALJs full focus on the more complex cases.

Third, the bill will allow for the use of sampling and extrapolation of Medicare claims, with the appellant's consent, to expedite the appeals process.

Fourth, the bill will establish voluntary alternate dispute resolution processes for multiple pending claims with similar issues to be settled as a unit, rather than as individual appeals. This will reduce administrative costs while still providing reasonable consideration to pending claims.

Finally, the bill will also require that CMS create an independent Ombudsman for Medicare Reviews and Appeals to help resolve complaints made by appellants and those considering appeal. As with any federal program, continuing oversight and good leadership are required to have any measure of success.

These are thoughtful, bipartisan improvements, agreed on by the entire Finance Committee that will address the appeals backlog while still allowing us to improve program integrity going forward. I believe it is the best approach we can take to continue our efforts to recover lost taxpayer funds

without creating undue burdens for health care providers and suppliers.

Oftentimes in Congress we find ourselves shying away from bipartisan compromises like this. Some may feel that they have more to gain, politically, if they thumb their noses at the other party. Or, inversely, they have something to lose if they actually agree on an issue with members on the other side.

Let me clearly state, for the record, that we have neither the time, nor the money to play partisan games with this issue.

The average amount of time for an appeal to get processed has gone up by more than 550 percent in just 6 years. You heard me correctly—that increase is just in the time it takes to get the appeal processed, not even ruled on. If this trend continues, and absent congressional action, I think we can assume that it will continue, imagine how much more strained, expensive, and ineffective the Medicare appeals system could become.

Truly, there is no time better than now to actually do our job and stem this rising tide.

Before I finish I want to thank Senator WYDEN for working with me on this effort and for making this a truly bipartisan endeavor. I hope all of my colleagues—on both sides of the aisle—will support the AFIRM Act.

By Ms. FEINSTEIN (for herself and Mr. BURR):

S. 2372. A bill to require reporting of terrorist activities and the unlawful distribution of information relating to explosives, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I rise to introduce the Requiring Reporting of Online Terrorist Activity Act, which would require technology companies to inform appropriate law enforcement authorities when they become aware of terrorist activity online.

This provision is modeled after a similar requirement on technology companies under current law, which requires the companies to report instances of child pornography that they become aware of online.

This legislation passed the Intelligence Committee earlier this year by a vote of 15–0 as part of our annual Intelligence Authorization Act, but it was later dropped, along with other provisions, to try to move the broader intelligence bill through the Senate.

I have continued to believe that terrorists' use of the Internet is a problem that we need to address, and that the government can't do it alone. I have had conversations with the senior leaders and general counsels of major technology companies and unfortunately, I don't believe that they will report terrorist activity on their websites without a legal requirement to do so.

So I am reintroducing this provision as a stand-alone bill, especially in the wake of recent terrorist attacks that highlight the problem of terrorist activity on social media.

The investigation into the San Bernardino attack is ongoing, but so far, we have learned that sometime around the time of the attack, the female shooter, Tashfeen Malik, or an account connected to her, posted something on her Facebook page declaring allegiance to the Islamic State in Syria and the Levant or ''ISIL.''

Facebook has publicly confirmed that the company identified and removed the account connected to Malik because praising a terrorist attack or declaring allegiance to leaders of ISIL would violate the company's standards for use.

Facebook has said it is cooperating with law enforcement on the matter as part of the post-shooting investigation, but I would like to see technology companies notify law enforcement about terrorist activity they see online before an attack occurs.

It is important to recognize how ISIL has used social media to reinvent terrorist recruiting and plotting over the past year and a half. I believe that now is the time for Congress to pass legislation to help law enforcement better respond to the threat.

Unlike in the past when terrorists devised intricate plots years in advance, today, thousands of ISIL followers have flooded social media with a vast and persistent effort to find followers inside the United States, identify targets of opportunity, and instruct their new supporters how to conduct more small-scale, yet lethal terrorist attacks—all in a matter of days or weeks and all online without ever meeting or vetting their operative in person.

This new trend shows that terrorism has adapted to the digital age, spreading first its propaganda and then its operational reach across the globe. Its lack of coordination or complexity makes it faster and harder to thwart than ever before, and the ubiquitous use of social media gives ISIL a wider direct audience than al-Qa'ida ever enjoyed.

To respond, we must ensure that law enforcement is aware of the threat. To do this, Congress should pass this legislation immediately, which requires technology companies to inform the appropriate authorities when they become aware of terrorist activity.

This type of requirement is not new. For years, companies have been required to notify law enforcement when they become aware of online child pornography. This bill would do essentially the same thing, but for cases of terrorism. It would not require companies to monitor their customers, nor would it chill free speech protected by the Constitution. Instead, it simply requires that clear acts of terrorist plotting or illegal activity associated with terrorism be conveyed to law enforcement.

Most social media companies already devote considerable resources to remove content or suspend the accounts of individuals who post or transmit blatant terrorist-related content. But under the current system, there is no requirement that a company provide notice to law enforcement when, through the normal course of business, it becomes aware of images, posts, or other online terrorist activity. By closing that gap and requiring that companies notify law enforcement, there is a better chance the attempts by terrorist groups like ISIL to direct an individual inside the United States to conduct a violent act will be discovered and thwarted before it is too late.

When technology companies see a picture of a child being exploited, they are required to inform law enforcement. Terrorist activity should be no different.

I urge my colleagues to support this legislation.

By Mr. MARKEY (for himself and Ms. WARREN):

S. 2374. A bill to amend the Defense Base Act to require death benefits to be paid to a deceased employee's designated beneficiary or next of kin in the case of death resulting from a war-risk hazard or act of terrorism occurring on or after September 11, 2001; to the Committee on Health, Education, Labor, and Pensions.

Mr. MARKEY. Mr. President, in September 2012, an attack on the United States facilities in Benghazi, Libya, resulted in the death of Glen Anthony Doherty, a former Navy SEAL who grew up in Winchester, MA, and three others.

Mr. Doherty was killed while defending the classified annex near the U.S. Consulate in Benghazi against a terrorist attack that also caused the deaths of U.S. Ambassador J. Christopher Stevens, former Navy SEAL and C.I.A. contractor Tyrone Woods, and U.S. State Department officer Sean Smith.

Mr. Doherty was unmarried and had no dependents. It is my understanding that he activated his mandatory Defense Base Act insurance policy before deploying to Libya in 2012 believing this policy would pay benefits to his estate or next of kin in the event of his death.

After his death and despite the Doherty family's extensive efforts, they have been unable to receive financial compensation from the Central Intelligence Agency or from private insurance providers. This issue has compounded the pain the family has endured from the loss of a beloved son and brother.

No family in the CIA community should be left uncompensated if a family member falls in the line of duty.

That is why I am today introducing the Glen Anthony Doherty Overseas

Security Personnel Fairness Act, which was first introduced in the House of Representatives by Congressman Steven Lynch. This legislation will remove a significant omission in federal law that currently prohibits the families of overseas contractors who are killed in the line of duty from receiving full death benefits if the deceased employee is unmarried with no children or other dependents. The bill would amend the Defense Base Act of 1941 to ensure that full death benefits are extended to the families or designated beneficiaries of Federal contractors who have died in service to our country as a result of a war-risk hazard or an act of terrorism.

Specifically, it would allow the payment of death benefits otherwise due a widow, widower, or surviving child of an individual employed at a military, air, or naval base outside of the United States who dies as a result of a war-risk hazard or act of terrorism occurring on or after September 11, 2001, when there is no person eligible for a death benefit under the Longshore and Harbor Workers' Compensation Act.

The bill requires payment in such a case to a beneficiary designated by the deceased or the next of kin or the estate of the deceased under applicable state law if there is no designated beneficiary. The bill requires benefits to be paid from the Employees' Compensation Fund.

More than merely a technical or administrative concern, this issue goes to the heart of the United States government's relationship with the families of those who are killed defending our country. I ask all Senators to support this important legislation for the families of those who have made the ultimate sacrifice for our Nation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 331—DESIGNATING DECEMBER 12, 2015, AS ''WREATHS ACROSS AMERICA DAY''

Ms. COLLINS (for herself and Mr. KING) submitted the following resolution; which was considered and agreed to:

S. RES. 331

Whereas, 24 years before the date of adoption of this resolution, the Wreaths Across America project began with an annual tradition that occurs in December, of donating, transporting, and placing 5,000 Maine balsam fir remembrance wreaths on the graves of the fallen heroes buried at Arlington National Cemetery;

Whereas, in the 24 years preceding the date of adoption of this resolution, more than 2,416,000 wreaths have been sent to locations, including national cemeteries and veterans memorials, in every State and overseas;

Whereas the mission of the Wreaths Across America project, to ''Remember, Honor, Teach'', is carried out in part by coordinating wreath-laying ceremonies in all 50 States and overseas, including at—

(1) Arlington National Cemetery;

(2) veterans cemeteries; and

(3) other locations;

Whereas the Wreaths Across America project carries out a week-long veterans parade between Maine and Virginia, stopping along the way to spread a message about the importance of—

(1) remembering the fallen heroes of the United States;

(2) honoring those who serve; and

(3) reminding the people of the United States about the sacrifices made by veterans and their families to preserve freedoms in the United States;

Whereas, in 2014, approximately 716,000 remembrance wreaths were sent to more than 1,000 locations across the United States and overseas, an increase of more than 100 locations compared to the previous year;

Whereas, in December 2015, the tradition of escorting tractor-trailers filled with donated wreaths from Harrington, Maine, to Arlington National Cemetery will be continued by—

(1) the Patriot Guard Riders; and

(2) other patriotic escort units, including—

(A) motorcycle units;

(B) law enforcement units; and

(C) first responder units;

Whereas hundreds of thousands of individuals volunteer each December to help lay remembrance wreaths;

Whereas the trucking industry in the United States continues to support the Wreaths Across America project by providing drivers, equipment, and related services to assist in the transportation of wreaths across the United States to over 1,000 locations;

Whereas the Senate designated December 13, 2014, as ''Wreaths Across America Day''; and

Whereas, on December 12, 2015, the Wreaths Across America project will continue the proud legacy of bringing remembrance wreaths to Arlington National Cemetery: Now, therefore, be it

Resolved, That the Senate—

(1) designates December 12, 2015, as ''Wreaths Across America Day'';

(2) honors—

(A) the Wreaths Across America project;

(B) patriotic escort units, including—

(i) motorcycle units;

(ii) law enforcement units; and

(iii) first responder units;

(C) the trucking industry in the United States; and

(D) the volunteers and donors involved in this worthy tradition; and

(3) recognizes—

(A) the service of veterans and members of the Armed Forces; and

(B) the sacrifices that veterans, members of the Armed Forces, and their families have made, and continue to make, for the United States, a great Nation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2921. Mr. MCCONNELL (for Mr. CASEY) proposed an amendment to the resolution S. Res. 207, recognizing threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in efforts of the United States Government to promote democracy and good governance.

TEXT OF AMENDMENTS

SA 2921. Mr. MCCONNELL (for Mr. CASEY) proposed an amendment to the resolution S. Res. 207, recognizing threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in efforts of the United States Government to promote democracy and good governance; as follows:

Strike the fifteenth whereas clause, and insert the following:

Whereas, according to Reporters Without Borders, the 5 countries with the highest number of journalists in prison as of December 1, 2014, were China, Eritrea, Iran, Ethiopia, and Vietnam;

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on December 8, 2015, at 9:30 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on December 8, 2015, at 3 p.m., in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled ''Data or Dogma? Promoting Open Inquiry in the Debate over the Magnitude of Human Impact on Earth's Climate.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on December 8, 2015, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 8, 2015, at 10 a.m.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 8, 2015, at 10:15 a.m., to conduct a hearing entitled ''Millennium Challenge Corporation: Lessons Learned after a Decade and Outlook for the Future.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on December 8, 2015, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Opioid Abuse in America: Facing the Epidemic and Examining Solutions.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on December 8, 2015, at 2:30 p.m.

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

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY, AND CONSUMER RIGHTS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights be authorized to meet during the session of the Senate on December 8, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Ensuring Competition Remains on Tap: The AB InBev/SABMiller merger and the State of Competition in the Beer Industry.''

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

PRIVILEGES OF THE FLOOR

Mrs. MURRAY. Mr. President, I ask unanimous consent that Sarah Rosenberg, a fellow with the Senate HELP Committee, and Lauren Burdette, a fellow in Senator CASEY's office, be granted floor privileges during the consideration of the Every Student Succeeds Act.

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

Mr. REED. Mr. President, I ask unanimous consent that Brian Alexander, a fellow in my office, be granted privileges of the floor for the remainder of this Congress.

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

Mr. FRANKEN. Mr. President, I ask unanimous consent that my education fellow, Cristina Veresan, be given floor privileges for the remainder of this Congress.

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

RAISE FAMILY CAREGIVERS ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 306, S. 1719.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1719) to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 1719

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Recognize, Assist, Include, Support, and Engage Family Caregivers Act of 2015'' or the ''RAISE Family Caregivers Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADVISORY COUNCIL.—The term ''Advisory Council'' means the Family Caregiving Advisory Council convened under section 4.

(2) FAMILY CAREGIVER.—The term ''family caregiver'' means an adult family member or other individual who has a significant relationship with, and who provides a broad range of assistance to, an individual with a chronic or other health condition, disability, or functional limitation.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(4) STRATEGY.—The term ''Strategy'' means the National Family Caregiving Strategy established, maintained, and updated under section 3.

SEC. 3. NATIONAL FAMILY CAREGIVING STRATEGY.

(a) IN GENERAL.—The Secretary, in consultation with the heads of other appropriate Federal agencies, shall develop, maintain, and periodically update a National Family Caregiving Strategy.

(b) CONTENTS.—The Strategy shall identify specific actions that Federal, State, and local governments, communities, health care, long-term services and supports and other providers, employers, and others can take to recognize and support family caregivers in a manner that reflects their diverse needs, including with respect to the following:

(1) Promoting greater adoption of person- and family-centered care in all health and long-term services and supports settings, with the person receiving services and supports and the family caregiver (as appropriate) at the center of care teams.

(2) Assessment and service planning (including care transitions and coordination) involving family caregivers and care recipients.

(3) Training and other supports.

(4) Information, education, referral, and care coordination, including hospice, palliative care, and advance planning services.

(5) Respite options.

(6) Financial security.

(7) Workplace policies and supports that allow family caregivers to remain in the workforce.

(c) RESPONSIBILITIES OF THE SECRETARY.—The Secretary, in carrying out this section, shall be responsible for the following:

(1) Collecting and making publicly available information, including evidence-based or promising practices and innovative models (both domestically and internationally) regarding the provision of care by family caregivers or support for family caregivers.

(2) Coordinating Federal Government programs and activities to recognize and support family caregivers while ensuring maximum effectiveness and avoiding unnecessary duplication.

(3) Providing technical assistance, such as best practices and information sharing, to State or local efforts, as appropriate, to support family caregivers.

(4) Addressing disparities in recognizing and supporting family caregivers and meeting the needs of the diverse family caregiving population.

(5) Assessing all Federal programs regarding family caregivers, including with respect to funding levels.

(d) INITIAL STRATEGY; UPDATES.—The Secretary shall—

(1) not later than 18 months after the date of enactment of this Act, develop, publish, and submit to Congress the initial Strategy incorporating the items addressed in the Advisory Council's report in section 4(d)(2) and other priority actions for recognizing and supporting family caregivers; and

(2) not less than every 2 years, update, republish, and submit to Congress the Strategy, taking into account the most recent annual report submitted under section 4(d)(1)—

(A) to reflect new developments, challenges, opportunities, and solutions; and

(B) to assess progress in implementation of the Strategy and, based on the results of such assessment, recommend priority actions for such implementation.

(e) PROCESS FOR PUBLIC INPUT.—The Secretary shall establish a process for public input to inform the development of, and updates to, the Strategy, including a process for the public to submit recommendations to the Advisory Council and an opportunity for public comment on the proposed Strategy.

(f) NO PREEMPTION.—Nothing in this Act preempts any authority of a State or local government to recognize or support family caregivers.

SEC. 4. FAMILY CAREGIVING ADVISORY COUNCIL.

(a) CONVENING.—The Secretary shall convene a Family Caregiving Advisory Council to provide advice to the Secretary on recognizing and supporting family caregivers.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The members of the Advisory Council shall consist of—

(A) the appointed members under paragraph (2); and

(B) the Federal members under paragraph (3).

(2) APPOINTED MEMBERS.—In addition to the Federal members under paragraph (3), the Secretary shall appoint not more than 15 members of the Advisory Council who are not representatives of Federal departments or agencies and who shall include at least one representative of each of the following:

(A) Family caregivers.

(B) Older adults with long-term services and supports needs, including older adults facing disparities.

(C) Individuals with disabilities.

(D) Advocates for family caregivers, older adults with long-term services and supports needs, and individuals with disabilities.

(E) Health care and social service providers.

(F) Long-term services and supports providers.

(G) Employers.

(H) Paraprofessional workers.

(I) State and local officials.

(J) Accreditation bodies.

(K) Relevant industries.

(L) Veterans.

(M) As appropriate, other experts in family caregiving.

(3) FEDERAL MEMBERS.—The Federal members of the Advisory Council, who shall be nonvoting members, shall consist of the following:

(A) The Administrator of the Centers for Medicare & Medicaid Services (or the Administrator's designee).

(B) The Administrator of the Administration for Community Living (or the Administrator's designee who has experience in both aging and disability).

(C) The Assistant Secretary for the Administration for Children and Families (or the Assistant Secretary's designee).

(D) The Secretary of Veterans Affairs (or the Secretary's designee).

(E) The Secretary of Labor (or the Secretary's designee).

(F) The Secretary of the Treasury (or the Secretary's designee).

(G) The National Coordinator for Health Information Technology (or the National Coordinator's designee).

(H) The Administrator of the Small Business Administration (or the Administrator's designee).

(I) The Chief Executive Officer of the Corporation for National and Community Service (or the Chief Executive Officer's designee).

(J) The heads of other Federal departments or agencies (or their designees), as appointed by the Secretary or the Chair of the Advisory Council.

(4) DIVERSE REPRESENTATION.—The Secretary shall ensure that the membership of the Advisory Council reflects the diversity of family caregivers and individuals receiving services and supports.

(c) MEETINGS.—The Advisory Council shall meet quarterly during the 1-year period beginning on the date of enactment of this Act and at least three times during each year thereafter. Meetings of the Advisory Council shall be open to the public.

(d) ADVISORY COUNCIL ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, and annually thereafter, the Advisory Council shall submit to the Secretary and Congress a report concerning the development, maintenance, and updating of the Strategy and the implementation thereof, including a description of the outcomes of the recommendations and priorities under paragraph (2), as appropriate. Such report shall be made publicly available by the Advisory Council.

(2) INITIAL REPORT.—The Advisory Council's initial report under paragraph (1) shall include—

(A) an inventory and assessment of all federally funded efforts to recognize and support family caregivers and the outcomes of such efforts, including analyses of the extent to which federally funded efforts are reaching family caregivers and gaps in such efforts;

(B) recommendations for priority actions—

(i) to improve and better coordinate programs; and

(ii) to deliver services based on the performance, mission, and purpose of a program while eliminating redundancies and ensuring the needs of family caregivers are met;

(C) recommendations to reduce the financial impact and other challenges of caregiving on family caregivers; and

(D) an evaluation of how family caregiving impacts the Medicare program, and Medicaid program, and other Federal programs.

(e) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Council.

SEC. 5. SUNSET PROVISION.

The authority and obligations established by this Act shall terminate on December 31, 2025.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to; that the bill, as amended, be read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 1719), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

RECOGNIZING THREATS TO FREEDOM OF THE PRESS AND EXPRESSION AROUND THE WORLD

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 135, S. Res. 207.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 207) recognizing threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in efforts of the United States Government to promote democracy and good governance.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to; the Casey amendment to the preamble, which is at the desk, be agreed to; the preamble, as amended, be agreed to; and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 207) was agreed to.

The amendment (No. 2921) was agreed to, as follows:

(Purpose: To amend the preamble)

Strike the fifteenth whereas clause, and insert the following:

Whereas, according to Reporters Without Borders, the 5 countries with the highest number of journalists in prison as of December 1, 2014, were China, Eritrea, Iran, Ethiopia, and Vietnam;

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, is as follows:

S. RES. 207

Whereas Article 19 of the United Nations Universal Declaration of Human Rights, adopted at Paris December 10, 1948, states that ''everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers'';

Whereas, in 1993, the United Nations General Assembly proclaimed May 3 of each year as ''World Press Freedom Day'' to celebrate the fundamental principles of freedom of the press, to evaluate freedom of the press around the world, to defend the media from attacks on its independence, and to pay tribute to journalists who have lost their lives in the exercise of their profession;

Whereas, on December 18, 2013, the United Nations General Assembly adopted a resolution (A/RES/68/163) on the safety of journalists and the issue of impunity, which unequivocally condemns all attacks and violence against journalists and media workers, including torture, extrajudicial killings, enforced disappearances, arbitrary detention, and intimidation and harassment in both conflict and non-conflict situations;

Whereas 2015 is the 22nd anniversary of World Press Freedom Day, which focuses on the theme ''Let Journalism Thrive! Towards Better Reporting, Gender Equality, and Media Safety in the Digital Age'';

Whereas the 2015 World Press Freedom prize was awarded to Syrian journalist and human rights activist Mazen Darwish, who remains imprisoned by the Assad regime;

Whereas the Daniel Pearl Freedom of the Press Act of 2009 (Public Law 111–166; 22 U.S.C. 2151 note), which was passed by unanimous consent in the Senate and signed into law by President Barack Obama in 2010, expanded the examination of freedom of the press around the world in the annual human rights report of the Department of State;

Whereas, according to Freedom House, only approximately 14 percent of the world's inhabitants—or one in seven people—live in countries with a press ranked as ''Free'' by Freedom House;

Whereas, according to Reporters Without Borders, 69 journalists and 19 citizen journalists were killed in 2014 in connection with their collection and dissemination of news and information;

Whereas, according to the Committee to Protect Journalists, the 3 deadliest countries for journalists on assignment in 2014 were Syria, Ukraine, and Iraq;

Whereas, according to the Committee to Protect Journalists, more than 40 percent of the journalists killed in 2014 were targeted for murder and 31 percent of journalists murdered reported receiving threats first;

Whereas, according to the Committee to Protect Journalists, 650 journalists have been killed between 1992 and April 2015 without the perpetrators of such crimes facing punishment;

Whereas, according to the Committee to Protect Journalists, the 5 countries with the highest number of journalist murders that go unpunished, measured from 2004 to 2014, are Iraq, Somalia, the Philippines, Sri Lanka, and Syria;

Whereas, according to Reporters Without Borders, 853 journalists and 122 citizen journalists were arrested in 2014;

Whereas, according to the Committee to Protect Journalists, 221 journalists worldwide were in prison as of December 1, 2014;

Whereas, according to Reporters Without Borders, the 5 countries with the highest number of journalists in prison as of December 1, 2014, were China, Eritrea, Iran, Ethiopia, and Vietnam;

Whereas, according to Reporters Without Borders' 2015 World Press Freedom Index, Eritrea, North Korea, Turkmenistan, Syria, and China ranked lowest according to a range of criteria that include ''media pluralism and independence, respect for the safety and freedom of journalists, and the legislative, institutional and infrastructural environment in which the media operate'';

Whereas, according to the Committee to Protect Journalists, in 2014 Syria was the world's deadliest country for journalists for the third year in a row;

Whereas, according to the International Federation of Journalists, more than 40 journalists and media staff have been killed since January 2015;

Whereas, according to Reporters Without Borders, the Government of the Russian Federation continued to intensify its pressure on the media to bring independent news outlets under control or be throttled out of existence;

Whereas Freedom House has cited a deteriorating environment for Internet freedom around the world and ranked Iran, Syria, China, Cuba, and Ethiopia as ''Not Free'' and having the worst obstacles to access, limits on content, and violations of user rights among the 65 countries and territories rated by Freedom House in 2014;

Whereas freedom of the press is absolutely essential to the creation and maintenance of free and open societies and a key component of democratic governance, the activism of civil society, and socioeconomic development; and

Whereas freedom of the press enhances public accountability, transparency, and participation: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates World Press Freedom Day by commending journalists like Mazen Darwish and others around the world for the vital role they play in supporting open and democratic societies, promoting government accountability, and strengthening civil society;

(2) expresses concern about the threats to freedom of the press and expression around the world, and pays tribute to journalists who have lost their lives carrying out their work;

(3) pays tribute to the journalists who have lost their lives carrying out their work;

(4) calls on governments abroad to implement United Nations General Assembly Resolution (A/RES/68/163), by thoroughly investigating and seeking to resolve outstanding cases of violence against journalists, including murders and kidnappings, while ensuring the protection of witnesses;

(5) condemns all actions around the world that suppress freedom of the press, including: the brutal murders of journalists by the terrorist group ISIS, violent attacks against media outlets like the French satirical magazine Charlie Hebdo, and kidnappings of journalists and media workers in eastern Ukraine by pro-Russian militant groups;

(6) reaffirms the centrality of freedom of the press to efforts by the United States Government to support democracy, mitigate conflict, and promote good governance domestically and around the world; and

(7) calls on the President and the Secretary of State—

(A) to improve the means by which the United States Government rapidly identifies, publicizes, and responds to threats against freedom of the press around the world;

(B) to urge foreign governments to transparently investigate and bring to justice the perpetrators of attacks against journalists; and

(C) to highlight the issue of threats against freedom of the press year-round.

WREATHS ACROSS AMERICA DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 331, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 331) designating December 12, 2015, as ''Wreaths Across America Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. COLLINS. Mr. President, I am pleased to have joined with my colleague, Senator ANGUS KING, in sponsoring this resolution to designate December 12, 2015, as Wreaths Across America Day. Since its inception, the Wreaths Across America project has become an annual tradition of donating, transporting, and placing Maine balsam fir remembrance wreaths on the graves of our fallen heroes buried at Arlington National Cemetery, as well as at veterans' cemeteries and memorials in every State and overseas. In the program's 24 years, more than 2.4 million wreaths have been placed in honor of those who have served our country.

The origin of Wreaths Across America is an inspiring example of that generosity and gratitude. During the Christmas season in 1992, Morrill and Karen Worcester took time during their busiest season to donate and deliver wreaths from their company in Harrington, ME, to Arlington National Cemetery to honor the heroes who lie at rest there. At first, a small group of volunteers laid the wreaths with little notice. In recent years, however, the Arlington Wreath Project has grown to become a national phenomenon. The people of Maine are proud that this important and well-deserved tradition began in our State.

This year, on December 12, thousands of volunteers in Arlington, throughout our Nation, and overseas will carry out the mission of Wreaths Across America to ''Remember, Honor, Teach.'' This will conclude a weeklong procession between Maine and Virginia, with stops along the way to pause and remember the men and women who have died to preserve our freedoms, spread the message about the importance of honoring those who serve, and remind the people of the United States about the sacrifices made by our veterans and their families. This procession helps to ensure that those sacrifices are never forgotten.

The Patriot Guard Riders, along with other dedicated escort groups, will accompany tractor-trailers filled with donated wreaths from Maine to Arlington National Cemetery. America's trucking industry has long supported Wreaths Across America by providing drivers, equipment, fuel, and related services to assist in the transportation of wreaths across the country to more than 1,000 locations.

Wreaths Across America not only honors our departed heroes, but also imparts the important message to veterans who are still with us that we honor their service. It tells our men and women in uniform today that we are grateful for their courage and devotion to duty. It tells the families of those serving our country that they are in our thoughts and prayers. And it tells the families of the fallen that we share their grief.

Throughout human history, the evergreen wreath has been offered as a tribute to heroes. On December 12, 2015, we will again offer this enduring symbol of valor and sacrifice as part of our never-ending obligation to thank those who wore the uniform of our country. In this season of giving, we will pay tribute to those who have given us the most precious gift of all, our freedom.

Mr. KING. Mr. President, today I have joined my esteemed colleague, Senator SUSAN COLLINS, in submitting a resolution designating December 12, 2015, as Wreaths Across America Day. What started as a quiet tribute to our Nation's veterans in a small town in Washington County, Maine 24 years ago, has blossomed into one of the greatest honors paid to our servicemembers coast to coast. Every December, donated balsam fir wreaths travel from Harrington, ME, to veterans' cemeteries around the country and are placed on the graves of our fallen heroes. During this season of giving, it is only fitting to recognize this wonderful tradition and the generosity of those who conceived it, and as always, to reaffirm our commitment and appreciation for those who fought to preserve our freedom.

During the 1992 holiday season, Morrill and Karen Worcester of Worcester Wreath Company found themselves with a surplus of unused wreaths. Recalling a boyhood visit to Arlington National Cemetery, Morrill was inspired to use those extra wreaths to honor American servicemembers. So, aided by then-Senator Olympia Snowe and determined to celebrate our veterans and their families, the Worcesters arranged to have the wreaths placed in one of the older sections of Arlington National Cemetery.

Building on the Worcester family's vision, other folks from around Maine stepped up to help out and give back. James Prout, the owner of a Maine trucking company, made sure the wreaths were safely transported to Arlington. The Maine State Society of Washington, D.C., a group of people from Maine living and working in the Nation's capital, helped organize the wreath laying ceremony at the cemetery.

So it went for several years—wreaths were quietly assembled and sent to Arlington National Cemetery to honor our country's veterans. Then in 2005, a photo of the wreaths in Arlington took the internet by storm, and the tradition quickly gained widespread attention. The salient image of the snow-covered wreaths resting on the graves of the fallen transformed what was once a quiet act of kindness to a national sensation. Soon thousands of volunteers were inspired to help in Arlington or to bring the project to their hometowns throughout the country.

Last year alone, Wreaths Across America and its national network of volunteers laid over 700,000 memorial wreaths at 1,000 locations including

sites in all 50 States and numerous national veteran cemeteries on foreign soil. Thanks to truckers and the Patriot Guard Riders who escort the tractor trailers on their motorcycles, the wreaths travel to Arlington and beyond as part of a Veterans Honor Parade—stopping along the way to remember, honor, and teach.

I am proud to stand with Senator COLLINS in sponsoring December 12, 2015, as Wreaths Across America Day. On this day, and every day, let us remember the brave men and women who have served our country and thank the dedicated volunteers who proudly honor their memory and sacrifice.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 331) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 114–4

Mr. MCCONNELL. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on December 8, 2015, by the President of the United States: Treaty with Jordan on Mutual Legal Assistance in Criminal Matters, Treaty Document No. 114–4. I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty between the Government of the United States of America and the Government of the Hashemite Kingdom of Jordan on Mutual Legal Assistance in Criminal Matters, signed at Washington on October 1, 2013. I also transmit, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties negotiated by the United States to more effectively counter criminal activities. The Treaty should enhance our ability to investigate and prosecute a wide variety of crimes.

The Treaty provides for a broad range of cooperation in criminal matters. Under the Treaty, the Parties agree to assist each other by, among other things: producing evidence (such as testimony, documents, or items) obtained voluntarily or, where necessary, by compulsion; arranging for persons, including persons in custody, to travel to another country to provide evidence; serving documents; executing searches and seizures; locating and identifying persons or items; and freezing and forfeiting assets or property that may be the proceeds or instrumentalities of crime.

I recommend that the Senate give early and favorable consideration to the Treaty, and give its advice and consent to ratification.

BARACK OBAMA.

THE WHITE HOUSE, *December 8, 2015.*

ORDERS FOR WEDNESDAY, DECEMBER 9, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, December 9; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of the conference report to accompany S. 1177, with the time until 10:45 a.m. equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator SASSE and Senator WARREN.

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

The Senator from Nebraska.

Mr. SASSE. Mr. President, I ask unanimous consent to speak for 15 minutes as in morning business.

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

FREEDOMS ENSHRINED IN THE CONSTITUTION

Mr. SASSE. Mr. President, I rise to speak about San Bernardino, about the decades-long fight that our free society faces, and about our dangerous unwillingness to tell the truth about the nature of this battle—about who our enemy is.

We are at war. The American people already know this. Our enemies obviously knows this. It is only this town where our so-called leaders dawdle and bicker, pander and misprioritize. It is only this town that seems confused. Washington ignores what it cannot escape, and that is both a tragedy and a crisis, for it is impossible to win a war when one does not even admit that one is in a war.

Let's start by admitting that this war is different from most of the wars of the past. This is not about borders or territory. This is not about gold or other material goods. We typically think about state actors—about traditional governments going to war with traditional governments. In this war, however, the enemy includes many state actors, many armed groups who are developing global reach in this flatter, technologically linked world.

Our enemy is merciless and barbaric. They are willing to kill people who are not on traditional battlefields. They will kill noncombatants. They will kill women and children. They will kill at holiday parties and restaurants, at Jewish delis and sporting stadiums.

Just as sad as the evolution of our enemies, though, this war is hard for the American people to get their heads around because we have so much confusion right now—so much drift, so much orphanhood—not just about our enemies but about exactly who we are and about exactly what we are fighting to defend.

This body, the Congress, tries to do far too many things, and we do very few of them well, but when there are really important tasks that we should be tackling, well then folks seem to be unable to muster the energy or the courage or the time or the will to focus diligently on the task before us.

Today we have such a big task before us, and I will humbly suggest that before another person in this body or another member of the national media stands up to scold the American people about how they could possibly entertain voting for candidate X or Y, perhaps we should look in the mirror at why so many of our people are running to demagoguing leaders.

Do Senators really not understand what is happening? Did anyone really not see this coming? I think it is obvious why the people are doing what they are doing—because they get so little actual leadership out of this town, out of either end of Pennsylvania Avenue and out of either political party. Make no mistake, there were some genuinely dreadful things said on our national stage yesterday, but they were almost completely predictable. Did anyone really not see this coming?

Why is it that these words are so attractive to so many? Why do they find so many followers? Because they are comforting to a people who are scared. They are food to a people who are starved for leadership.

Sunday night was a desert. Monday night was a flood. Neither are what our

people need or really what they, at their best, want, but don't be surprised that a people being misled by a political class that is in denial about the nature of the fight we face—don't be surprised if these people come then quickly to desire very different, much more muscular words and utopian pledges.

This town's conversations are so often so completely disconnected from the people. Do you want to know what people calling my office and stopping me in the grocery store—since Paris and now since San Bernardino—want to talk about? They want to talk about what Sharia law is and how many Muslims actually believe in it. It is a fair question for moms to ask. They want to talk about American exceptionalism. They want to know what we are for, what we are against, and what do we unite around. We should talk more about these things. For a minute tonight let's just step briefly beyond the media cycle and look at where we stand. This is a clash of civilizations. This is a fight between free people and a totalitarian movement. Let me say clearly that recognizing a clash of civilizations is not at all to want one, but recognizing one is simply the truth in this matter.

We are free and our enemies hate it. They hate that my wife leaves our house and drives. They hate that my daughters know how to read. They hate that we decided where we would go to church on Sunday. They hate us not because of any particular thing we have done by omission or by commission; they hate us because of who we are. They hate us because we have a Constitution that enshrines these freedoms, and this is the Constitution that we should be uniting around—uniting to defend. We should fight to defend the framework that has secured the freedom of speech, the freedom of religion, the freedom of the press, and the freedom of assembly for all Americans for 200 years—not initially successfully judging every man by the content of his character instead of merely the color of his skin but eventually guiding us beyond this original American sin and toward a more perfect union.

This weekend I went to San Bernardino. My wife and I laid flowers at a memorial that has popped up on a sidewalk outside the site where 35 of our neighbors bled this week; 14 of them ultimately died in this massacre. We talked to our American neighbors there in a neighborhood that should not be part of a war zone, but that neighborhood will now forever be a battlefield memorial. Some of the people grieving there wondered aloud to us: Why are our politicians so small, so mealy-mouthed? One marine asked my wife if Washington really even cares about the victims of jihadi attacks like this. One woman asked why no one in Washington seems to be a full-throated lover of America. They are wrong, of course, about the caring and the loving. There is a lot of care and love, but they can be forgiven for wondering why we are so unable to be full-throated about the big things.

We owe it to those who died this week, and to their families, to be clear and truthful about the nature of this conflict. We owe it to those 14. We owe it to their families, we owe it to the service men and women in uniform who are fighting abroad right now to defend our freedoms, some of whom will come home in caskets, and we owe it to the families of those who have not yet died—but who will—in the next jihadi attack on our homeland, for it is coming.

All adults know that the next attack is coming. You don't need to see the classified briefings that some of us see to know the future is dangerous. The San Bernardino 14 will not be the last Americans to bleed and die in our homeland because we are a free society. So we should tell the truth about the enemy we face. We should tell the truth about them, and we should dig down deep to be honest not only about them but about who we are. We should now reaffirm our core values that unite us as a people.

We are not at war with terrorism, which is just a tactic. We are not at war with some empty sociological label called radicalism or extremism, as if it has no connection to belief or ideology. We are not just at war with ISIS, though we are obviously at war with ISIS, but there will be another group that will raise the black flag of death long after ISIS has been routed out of Iraq and Syria.

This is not about workplace violence, this is not about global warming or gun shows. This is not about income inequality. This is not about some kid from a broken home somewhere in the Middle East, as tragic as broken homes are both at home and abroad. Again, against a whole load of hand-wringing mush, we need to remember that this attack, and know that our next attack, is not because of anything we have done wrong. This is about who we are. This is about the nature of freedom.

Who are we? We are a people, 320 million of us, who unite around the Constitution and the First Amendment that guarantees the freedom of speech, the freedom of religion, the freedom of the press, and the freedom of assembly to all Americans of every creed and every tradition.

I am a Christian. I am not a Muslim. I am also in this life an American, and I have taken an oath of office to the Constitution, and so, as an American, I stand and defend the rights of American Muslims to freely worship even though we differ about important theological matters.

In America we are free to believe different things and to argue about those beliefs. It matters what you think about the nature of God, about revelation, and about salvation. It matters what you think about Heaven and Hell. In fact, it matters so much and we think these things are so important that you couldn't possibly solve any of them by violence.

America is about the right to argue about our differences with our neighbors but to make those arguments free from violence. We, in this land, under the constitutional creed, come together as a community of Americans to unite around core American values: freedom of religion, speech, press, and assembly.

So now, as it is emphatically and indisputably clear, that we are not in a war with all Muslims, let us tell the truth that we most certainly are at war with militant Islam. We are at war with violent Islam. We are at war with jihadi Islam. We are at war with those who believe in killing in the name of religion.

This is, in fact, precisely what America means. It is about being free to raise your kids, free to build a corner store, and free to worship and to assemble without the fear of violence. We can argue about religion because many of us do disagree, and then we come together as Americans to protect and defend each other against religious killing.

There are many hand-wringers in Washington who refuse to name the enemy we face. They refuse to admit we are at war with militant Islam, with jihadi Islam, with violent Islam. They dance around platitudes and offer empty labels hiding behind a worry—an understandable worry—that Muslims in America could face backlash. I share this fear, and I believe that telling the truth about who is and who is not our enemy is actually the one sure way of avoiding that danger.

I think those who are refusing to tell the truth about our enemies, those who will nonsensically claim that the next jihadi attack is somehow just another random case of workplace violence are making the backlash far more likely, not less likely.

Here is how I think the backlash actually happens: The people who are supposed to be laser-focused on defending the American people—that is us—mouth silly platitudes that show we are either too weak or too confused to keep our people safe.

Then, a megalomaniac strongman steps forward and starts screaming about travel bans and deportation and offering promises to keep all of us safe, which to some—and I think actually to many more than those of us in this body seem to understand—sounds much better than not being protected at all.

You want to stop a backlash against American Muslims? Then stop lecturing Americans that they are supposedly stupid to be frightened about

jihadis who actually do want to bomb their kid's sporting event and instead use your pen and your phone as Commander in Chief to start telling us what your plan is to actually find and kill those who want to do us harm. Start telling us what your actual plan is to have a Middle Eastern map that isn't generating more failed states year over year that become the terror training camps of next year.

This country invented religious liberty. This is the most tolerant Nation the world has ever seen. Our people need a little less elite sermonizing about tolerance in our communities and a little more articulation of the shared constitutional principles around which we are united and a lot more articulating of an actual battle plan to win the war that is going to be ours for the next many decades.

If you are worried about backlash—if you are worried about the obviously over-the-top rhetoric from unserious Presidential candidates—perhaps it will be useful for those of us who have the actual job of protecting the Constitution to tell the truth. We should be clear about who we are and about the freedoms we stand for, and we should be clear about those who would try to kill us because we believe in these freedoms.

We are at war with militant or jihadi Islam, but we are not at war with people who believe in the American creed, which includes the right of people—every people, every faith tradition—to freely worship, to freely speak, to freely assemble, and to argue. We are not at war with all Muslims. We are not at war with Muslim families in Lincoln or in Dearborn who want the American dream amid our pluralistic society for their kids, but we most certainly are at war with those who want to spread a variety of Islam that aims to motivate the killing and the freedom-taking of other Americans.

This fight will be decades long, and we will win it, but we will not win it by denying that the fight exists. We will not win it by being unclear about who we are and who they are. We will win it instead by being clearer about both who they are and who we are. We will win it by reaffirming our core constitutional values. We will win it because of who we are: a people who believes in freedom and a people who is willing to fight and even to die to preserve a free society for all Americans.

Macbeth includes that aching line: ''Life is a tale, told by an idiot, full of sound and fury signifying nothing.'' The context is an aimless people, drifting from who they are, drifting toward nihilism signifying nothing.

This should not be us. This cannot be us. For America does signify something—something special. America is the belief that everyone—Christian, Jew, Muslim, Black and White, man and woman, rich and poor, fifth generation, first generation—everyone is endowed by our Creator with certain inalienable rights. Our government is our shared project to secure and safeguard those rights. Our Constitution—our shared creed—gives us a framework for that order of liberty. When politicians—whether incumbents who seem to have forgotten their oaths or candidates trying to run merely on the bluster of their personality—don't talk about the Constitution, when they don't defend first principles, when they refuse to prefer substance over sound bites, when they nonsensically say either that our enemy has nothing to do with Islam or conversely that every Muslim is to be prejudged guilty—well, then our national conversation crumbles into sound and fury. That is not us, for we are Americans.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

EVERY STUDENT SUCCEEDS BILL

Ms. WARREN. Mr. President, I rise in support of the Every Student Succeeds Act—the bill to reauthorization the Elementary and Secondary Education Act.

We have only one goal in mind: to give all our children the best possible education. The challenge has been to figure out the right role for the Federal Government to do that.

This bill, which will replace No Child Left Behind, moves away from rigid standardized tests and respects the vital work our teachers do every day. I strongly support those changes. However, I voted against this bill when it was first approved by the Senate a few months ago because I felt it lacked even the minimum safeguards necessary to ensure that States would use Federal funds effectively to support teachers and students. I was deeply concerned that without stronger accountability, billions of dollars in taxpayer money would not actually reach those schools and those students who needed them the most.

Unlike the bill initially approved by the Senate, the proposal before us has significantly enhanced those safeguards. I argued that it was essential that billions of dollars a year of Federal funding must be accompanied by some minimum expectations for what States are going to do with that money. One of those expectations must be that States target their efforts toward schools that are most in need of improvement and resources.

That is why I am glad this final bill includes an amendment I offered with Senator CORY BOOKER to ensure that States address the 1,200 high schools in the United States, where fewer than two-thirds of students graduate every year.

When one-third of a high school's students don't graduate, we know we have a crisis on our hands. We can't just turn our backs. This provision will ensure that States can't ignore those kids, and it will ensure additional Federal resources for those schools that clearly need it the most.

This commonsense accountability provision had deep support across the board. It was supported by the Obama administration, the civil rights community, the U.S. Chamber of Commerce, and the NEA. It wasn't in the bill I voted against a few months ago, but I am glad to see it in the final bill before us today because helping schools with chronic dropout rates cannot be optional.

This bill also ensures that States cannot ignore any group of students who are consistently falling behind their peers. Let's face it. Historically, States haven't always stood up for their most vulnerable kids, and this bill makes certain that those kids will not be ignored again. That is why we have a Federal education law in the first place: to ensure that when the Federal Government gives States money to buy a good education for kids, that States have to use that money to support all of our kids—especially kids who need those resources the most. Senator MURPHY and I offered amendments to achieve this goal when the bill came before the Senate. They weren't included back then, but I am glad to see that the final bill ensures that if States want Federal dollars, they cannot turn their backs on vulnerable students.

This has been a very challenging process, but Senator MURRAY and Senator ALEXANDER kept the door open for improvement, and I am grateful for that. Many allies stood together to ensure that Federal dollars would actually be used to improve both schools and educational opportunities for children living in poverty, children of color, children with disabilities, and other groups of kids who have been underserved, mistreated or systematically denied even the most basic opportunities to get a good education.

One final note. States and communities cannot address persistent achievement gaps if they don't have good data. With this bill, parents, researchers, and educators across the country will, for the first time, be able to analyze the performance of African-American boys or Hispanic girls or low-income children with disabilities. The ability to analyze the interaction of race and gender or disabilities and income will help us better understand how our schools are serving students and identify student groups who need more help. I am very grateful to my cosponsor, Senator CORY GARDNER, the Presiding Officer this afternoon, in helping make sure this final bill includes this bipartisan data transparency amendment that we offered to achieve this goal.

When President Johnson first signed ESEA back in 1965, it was a landmark civil rights law. At the time, he said:

> I know that education is the only valid passport from poverty—the only valid passport. . . . I believe deeply no law I have signed or will ever sign means more to the future of America.

Today, the majority of our children in public school live in poverty—the majority. Think about that. This law is more important today than it has ever been. I am voting for this bill because I believe we have been successful in ensuring that it contains a minimum set of safeguards to protect our most vulnerable kids. I still have real concerns about what States will do with the new flexibility it provides, and many of us here will be watching closely to see if the States deliver for our kids.

I am committed to keep fighting for our Nation's public schools, and that includes fighting for more Federal investment. I hope this legislation truly lives up to the promises made half a century ago to support public education fully and fairly enough to create real opportunities for all of our children.

If the changes in this law don't move us closer to providing a world-class education for every single one of our children, then we will be right back here to fix it. We owe it to our students, we owe it to our teachers, we owe it to our history, and we owe it to our future to get this right.

Thank you, Mr. President.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:26 p.m., adjourned until Wednesday, December 9, 2015, at 10 a.m.

EXTENSIONS OF REMARKS

HONORING DR. STEVE KELLEY ON THE OCCASION OF HIS RETIREMENT AFTER 32 YEARS OF SERVICE AS A TEACHER AND ADMINISTRATOR IN THE GRANITE STATE

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. GUINTA. Mr. Speaker, I would like to express my congratulations to Dr. Steve Kelley on his retirement after 32 years working in both the Inter-Lakes School District, and as the Principal at Conway Elementary School for 6 years.

Dr. Kelley's continuous progression within the education community from his time as a teacher at Inter-Lakes Elementary School, to his most recent position as Principal of Inter-Lakes Elementary School, exemplifies his dedication and professionalism, and I know he will remain an exceptional role model for students and faculty throughout New Hampshire.

The creativity, knowledge, and experience Dr. Kelley brought to schools throughout the Granite State has been invaluable, and it's clear he leaves an example of strong leadership for others to emulate in his wake.

It is with great admiration that I congratulate Mr. Kelley on his retirement, and wish him the best on all future endeavors.

TRIBUTE TO PUEBLO EAST HIGH SCHOOL AND BAYFIELD HIGH SCHOOL FOOTBALL TEAMS

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. TIPTON. Mr. Speaker, I rise today to honor both the Pueblo East High School and Bayfield High School football teams, who are the 2015 Colorado State Football champions of the Colorado High School Athletic Association's 3A and 2A divisions, respectively.

The Pueblo East Eagles defeated the Roosevelt Rough Riders, in a 57–30 rout in front of their fans at Dutch Clark Stadium in Pueblo, Colorado. With this victory, the Eagles are now back-to-back State champions, making them the latest in what is a long line of powerhouse high school football teams from the Steel City. The season began with East losing to a team they had beaten a year before, but their resiliency in the face of adversity saw them win 12 consecutive games en route to the state title, and making the Eagles Pueblo's only high school football team to have ever won consecutive state football championships.

The Bayfield Wolverines traveled to Kersey, Colorado and capped their perfect season with a hard fought 28–20 victory over the Platte Valley High School Broncos, winning their first state championship in football since 1996. The last time Bayfield High School won a state championship in any sport was back in 2005, making this victory that much sweeter, and ensuring that the players and coaches of this season can look back and be proud of their hard work which ended the drought.

Mr. Speaker, the Pueblo East Eagles and the Bayfield Wolverines deserve a tremendous amount of recognition for their hard work. A football season in Colorado is filled with long trips over diverse terrain to play unfamiliar opponents, injuries, and the unpredictable elements that Colorado weather provides. With exceptional displays of grit and determination throughout their seasons, the Eagles and the Wolverines have brought an immense amount of pride to the Third Congressional District of Colorado. I am honored to represent these exceptional high schools and congratulate them for their recent accomplishments.

HONORING DR. GREGORY L. EASTWOOD

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. KATKO. Mr. Speaker, I rise today to honor the retirement of Dr. Gregory L. Eastwood who served as President of the State University of New York Upstate Medical University from January 1, 1993 until June 2, 2006. At the time, Dr. Eastwood's tenure was noted as one of the longest in the history of the institution and the longest of all sitting presidents of the State University of New York State Operated campuses. Dr. Eastwood kindly answered the call to return to the President's seat in October 2013 when the campus was in need of experienced and capable leadership. Dr. Eastwood will now say farewell to the presidency of Upstate Medical University as he retires this year.

Dr. Eastwood currently serves on the SUNY Upstate Medical University Foundation Board of Directors. Dr. Eastwood teaches the Ethical, Legal, and Social Issues in Medicine course and the Clinical Bioethics course in the College of Medicine at SUNY Upstate. Dr. Eastwood also teaches ethics courses for the College of Graduate Studies, College of Nursing, and College of Health Professions. Dr. Eastwood has authored over 130 articles and book chapters and has written and edited several books. Dr. Eastwood has served the Central New York community for years with distinction, holding leadership roles and partnering with many different organizations in the region.

During Dr. Eastwood's first tenure as President he advanced an aggressive vision for the Upstate Medical University Campus which has fostered the growth of the clinical enterprise through the establishment of the University Health Care Center, the Joslin Diabetes Center, and an expansion that included the Golisano Children's Hospital. He also supported the educational mission of the campus by supporting a new College of Medicine curriculum, the establishment of the Center for Bioethics and Humanities, and many other projects that supported the educational mission of the campus. During Dr. Eastwood's second tenure he revamped SUNY Upstate Medical University's relationship with SUNY Central Administration and undertook all projects with the explicit goal of leaving the institution in a better place for the next President.

Dr. Gregory L. Eastwood has had a remarkable career, serving at multiple prominent medical schools and influencing the medical community with his participation on countless organizations' boards and committees. Dr. Eastwood has served the SUNY Upstate community and the medical community honorably and he will be missed greatly. On behalf of the entire Central New York community, I would like to thank Dr. Eastwood for his passion and dedication to a community that greatly respects him and is stronger now because of his work.

HONORING PRINCIPAL STEVE HOPE FOR THE 2015 INDIANA PRINCIPAL OF THE YEAR

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize Principal Steve Hope of Penn High School for being named the 2015 Indiana High School Principal of the Year. His success in providing high-quality learning opportunities for students at Penn is nothing short of remarkable.

Every year, the Indiana Association of School Principals (IASP) recognizes outstanding principals who have succeeded in providing high-quality learning opportunities for students. Recipients are chosen based on their performance in showing leadership at the building level, at the district and community level, and at the state level. Every one of us depends on our teachers, and because of that, they deserve our support and appreciation.

For nearly 20 years, Principal Hope has been contributing to the betterment of Indiana education. Since he became the principal of Penn High School in 2008, Indiana's Department of Education has named Penn an A-rated school and a 4-Star Award winner. U.S. News and World Report also named Penn an

Outstanding High School in 2009 and 2015. Because of leaders like Principal Hope, Hoosier classrooms are filled with future doctors, scientists, and entrepreneurs.

Principal Hope's efforts have been instrumental in advancing Indiana's education system. In 2010, he initiated the reorganization of Penn from a traditional high school to personalized approach through a $1.7 million dollar federal grant. This program begins with the Freshman Academy, which helps middle school students acclimate to high school, and offers six other academies which support college and career readiness. This includes Fine Arts & Communications, Management & Business, Health and Human Services, STEM, World Languages, and the Early College Academy. Contributions like these would not be possible without the efforts of passionate educators like Principal Hope.

This smaller learning community structure is successful because of Principal Hope's dedication to both the students and the teachers. As a leader, he sees that students excel when they are taught by highly engaged and trained teachers and staff. Because of this, Principal Hope's vision also focuses on professional development for teachers. Quite simply, his work is bettering the lives of Hoosiers.

I want to take this opportunity to once again thank Principal Hope for helping students and teachers at Penn develop their talents and become our future leaders. On behalf of myself and my fellow Hoosiers, I congratulate him on receiving this prestigious award.

IN RECOGNITION OF SHEA HASSELL, PERRY ANCELL AND CODY COULTER

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. BURGESS. Mr. Speaker, I rise today to recognize and thank three power linemen from Coserv Electric Cooperative from the 26th District of Texas for their service and sacrifice to help three communities far away from their own.

This fall, Shea Hassell, Perry Ancell and Cody Coulter traveled to Haiti where they spent three weeks volunteering to help build the country's first electric cooperative. This work was part of a rural electrification project through the NRECA International Foundation with support from the United Nations Environmental Program and USAID.

During their time in the southwestern part of the country, they built a diesel-solar hybrid electric system which now provides safe, affordable and reliable power to 1,600 consumers in three towns. Their contributions included upgrading and installing new power lines and training locally hired linemen in proper construction methods and safety practices.

In Haiti, less than 15 percent of the population has regular access to electricity. Reliable electricity is a critical element in improving the quality of life and to providing healthcare, education, access to clean water and economic opportunity.

Thanks to the contribution of these power linemen more people in Haiti will now have electricity.

HONORING THE LIFE AND LEGACY OF HOWARD COBLE

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. HUDSON. Mr. Speaker, I rise today to honor the life and legacy of my dear friend Howard Coble, who passed away on November 3, 2015. I join the countless North Carolinians who send our prayers and sincere condolences to his family and friends during this difficult time.

Howard was the embodiment of what it means to be a public servant and is a shining example for those who follow in his footsteps. He was a true Southern gentleman who genuinely cared about bettering the lives of those around him and dedicated his life to serving North Carolina. For his constituents, Howard spent every day of his 30 years in Congress ensuring their thoughts were clearly heard in Washington. What is even more impressive is that he consistently did so with the utmost honor, integrity and kindness.

Howard was known as a passionate leader who was guided by his conservative values and principles. He made it his purpose to serve his constituents with a steadfast commitment to ensuring that government works for the people and not the other way around. Furthermore, Howard was never afraid to reach across the aisle and had many strong friendships with Democrats and Republicans alike. A beloved son of North Carolina, he will be deeply missed by all who had the pleasure of knowing him, but we should find comfort in knowing Howard has found peace with our Savior.

Mr. Speaker, please join me today in remembering the life of Congressman Howard Coble and celebrating his positive legacy that will undoubtedly have a lasting impact on many generations of North Carolinians.

TRIBUTE TO RYAN MOORE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. TIPTON. Mr. Speaker, I rise today in honor of Ryan Moore. Mr. Moore teaches science at the Liberty Point International School in Pueblo West, Colorado, where every day he engages and motivates his students through his unique high-energy teaching style that has resulted in improved achievement scores for his students. In recognition for his hard work and dedication in the classroom, Mr. Moore was recognized recently as one of only 40 educators nationwide to receive the prestigious Milken Education Award. He was the sole recipient from Colorado this year. Mr. Moore's passion for teaching not only keeps his students engaged and interested in learning, but has also consistently improved their performance over the course of his seven year tenure.

Mr. Moore's public service extends beyond teaching. He is a former United States Army Staff Sergeant, with 10 years of service that included three deployments to Iraq. Mr. Moore credits the leadership qualities he developed in the military as helping him succeed in the classroom, earning him a reputation as a well-respected educator among both students and his peers. Mr. Moore is also active in his community, volunteering his free time with the Boy Scouts of America and the Pueblo West Department of Parks and Recreation.

Mr. Speaker, Mr. Moore is an incredible individual with an exceptional history of selfless service. He has a limitless ability to inspire the students he teaches and represents the best of educators in the Third Congressional District of Colorado. I am confident that Mr. Moore will continue to be a tremendous asset to his students and the Pueblo West community. I want to thank him for his service and wish him continued success for many years to come.

INCREASING CHARITIES' ACCESS TO FUNDS

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. TIBERI. Mr. Speaker, charitable remainder trusts present an opportunity for donors to transfer assets for the benefit of charity. Lack of certainty regarding the tax consequences of early terminations of these trusts has deterred early terminations, which has deferred the transfer of substantial assets to charity. Early terminations of charitable remainder trusts should be encouraged because they permit charities to access their share of the trust's assets earlier (and, in some instances, decades earlier) than otherwise would be the case. This is particularly compelling given that, under current economic conditions, many charities have been forced to cut back on many deserving programs.

My bill provides that, on an early termination of a charitable remainder trust, the donor and the charity will apportion the value of the trust using the same methodology that was used to determine the value of the remainder interest on formation. The donor will recognize capital gain on the total value received, the charity will receive its share of the trust's assets, and the early termination will not constitute self-dealing or otherwise disqualify the charitable remainder trust.

Today, Rep. RANGEL and I are introducing this bill which clarifies the tax consequences of early terminations of charitable remainder trusts and encourages the early transfer of funds in such trusts to charities. Mr. Speaker, I urge all my colleagues to support our bill to give charities earlier access to funds for use in their worthwhile endeavors.

HUMANITARIAN ASSISTANCE FOR UKRAINE

HON. BRENDAN F. BOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, as a proud representative of a vibrant Ukrainian community in my district, I rise to echo the requests of an extremely important and time-sensitive meeting with the administration where the Ukrainian community pleaded for necessary humanitarian assistance for Ukraine.

The global community continues to mourn the horrific terrorist attacks in Paris. These attacks remind us of the importance of our freedom and democracy in our turbulent world—these values must be actively safeguarded each day. Ukraine has been doing just that: fighting for its democracy and freedom each day—denouncing Russian authoritarianism and combating Putin's aggression. Ukrainians are on the ground battling Russian separatists and thugs attempting to steal their democratic freedoms and undermine their self-governance.

As a result, Ukraine has suffered 7,883 deaths and 17,610 wounded citizens, according to OCHA's latest report. Five million Ukrainians have been affected by Russia's aggression. It is shocking that this number is hardly discussed. One million Ukrainians have fled Ukraine since 2014, and 1.5 million Ukrainians are considered Internally Displaced People. And these numbers continue to rise.

Ukraine needs more humanitarian assistance, and they need it now. Winter is fast approaching. Time is running out for winterization. Temperatures will plummet to 0 degrees and below. Eastern Ukraine has already experienced its first snowfall. We must act before it is too late.

Today, many Ukrainians have little to no access to humanitarian assistance because very few humanitarian partners have received authorization from the de facto authorities in Donetsk and Luhansk to operate. Restrictions on freedom of movement have resulted in civilians waiting 24 hours before they can cross checkpoints across the ceasefire line which will be impossible to do in the winter. Additionally, a recent assessment has discovered that 20 percent of Internally Displaced People reside in destroyed or damaged homes. These homes need rebuilding materials now as temperatures continue to drop.

These crucial humanitarian supplies need to be airlifted to Ukraine, and the United States should expand its efforts in helping to provide these supplies. It is becoming ever more critical by the day. Let's bring more humanitarian assistance to our partner in democratic freedom, Ukraine, immediately—before the death toll increases any higher.

TRIBUTE FOR KATRINA RUGGLES

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. TIPTON. Mr. Speaker, I rise today in honor of Katrina Ruggles. Ms. Ruggles is a school counselor at Center School in Center, Colorado and has recently been awarded the Colorado Secondary Counselor of the Year for 2015 by the Colorado School Counselor Association.

School counselors throughout Colorado compete for this award and the recipient must demonstrate leadership, professionalism, as well as a willingness to assist in students' ability maximize their personal, social, and academic development. Amongst these qualities, the counselor must demonstrate evidence of implementation of a comprehensive, data-driven counseling program as well as holding responsibility for further development of programs supporting students' career, personal, social and academic development.

Ms. Ruggles is an outstanding counselor, who has served in Center, Colorado schools for 14 years. Not only has she been a statewide name among professionals but she has become a successful grant writer, earning close to $300,000 in scholarships for students year after year.

Mr. Speaker, Ms. Ruggles' passion and drive to help her students succeed should not go overlooked. Students living in rural areas can often find themselves with limited resources. Ms. Ruggles' dedication to her students' success ensures that limited resources do not hinder their academic experience. Ms. Ruggles exemplifies the best qualities of academic professionals from the Third Congressional District of Colorado, and I congratulate her for her achievement and wish her continued success in the future.

IN RECOGNITION OF ART KIESEL

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor Art Kiesel for his eight years of service on the Foster City City Council, twice as Mayor and twice as Vice Mayor. Foster City is losing an outstanding public servant and advocate for well-reasoned public policy, as well as a man widely known for his kindness and sense of humor.

During his tenure, Art supported many city initiatives that were instrumental in shaping Foster City for the better for many years to come. The parks system was built out as Werder Park and Destination Park were completed this year. In 2014, the city's smoking ordinance was implemented. In recent years, the city entered into a fire management shared services model with San Mateo and Belmont, delivering operational efficiencies for residents while strengthening department performance. The city established a gatekeeper ordinance for development projects to create an early vetting process for large developments. It also added a synthetic softball/soccer field at Edgewater Park and a 15-acre site was sold and developed into the new Foster Square. Phase II of the Levee Pedway Repair project was completed in 2009 and in 2013 Phase III was finished. The city also installed a synthetic soccer/baseball field at Sea Cloud Park and a synthetic soccer field/walking track at Port Royal Park, all during Art's tenure on the council. The construction of the VIBE Teen Center, a favorite hangout for 6th–12th graders after school and on weekends, was also completed during Art's time on the council.

The city is embarking on a multi-year effort to increase the height of the levee that protects Foster City, an urgent improvement in an era of rising seas. Art Kiesel has been a strong proponent of this project and of protecting his community for decades to come.

Foster City has a reputation for outstanding financial management. Art and his colleagues on the council have delivered strong financial performance through times that were both good and bad. This stewardship earned the trust of residents, as was demonstrated when the voters approved Business License Tax Measure U and a 10% transient occupancy tax.

It is important to note that serving on a city council is essentially a volunteer job. You would not recognize it as such when reviewing Art Kiesel's additional duties as a councilmember. He served on the Association of Bay Area Governments, the Legislative Committee of C/CAG, the Airport Community Roundtable, the Council of Cities, the League of California Cities, the city's Audit Committee and Arts and Culture Committee, was a member of the Chamber of Commerce, and served as the council's liaison to the San Mateo Union High School District. Art Kiesel is basically the Eveready Energizer Bunny of city councilmembers.

Art and his wife Janis have lived in Foster City for 24 years. They have two sons, Scott and John, and two granddaughters. Art is a third generation San Franciscan and was raised in the city until he was drafted into the U.S. Army in 1965.

While Art has been a successful financial consultant for almost 30 years with some of the largest businesses in the Bay Area as his clients, he has always made it a priority to serve the community. His civic engagement began in 2000 when he served on the Information Technology Advisory Committee for four years. He continued on the Traffic Review Committee and the Planning Commission. He graduated from the Foster City Citizens Police Academy in 2002 and the Community Emergency Response Team in 2007. His community involvement has been just as extensive as he has been involved with the Lions Club, Canine Companions for Independence and San Mateo 4–H Clubs for decades.

Mr. Speaker, I ask the House of Representatives to rise with me to honor a great man, public servant and good friend. Art Kiesel stands for integrity, commitment and perseverance. He will be missed in Foster City's public life, but his contributions will make Foster City a stronger and more vibrant community for decades to come.

TO HONOR THE SERVICE OF CONCORD CITY COUNCILMAN JAMES E. ''JIM'' RAMSEUR

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. HUDSON. Mr. Speaker, I rise today to honor James E. ''Jim'' Ramseur of Concord, North Carolina, for his more than twenty years of service to our community on the Concord City Council.

Jim was first elected to the Concord City Council in 1995 and has served on the Council five consecutive terms. During this time, he served as Mayor Pro-Tem from 1997–99, 2007 and 2013. Jim is a native of Concord, graduating from Concord High School and attending the University of North Carolina at Charlotte.

Jim honorably served our nation for four years in the United States Air Force before going on to a successful business career, where he retired as CEO of Turner-Baxter, Incorporated. In a sign of things to come in his future community leadership, Jim joined the Concord Jaycees in 1973 and within the next year was appointed to the Concord Planning and Zoning Board. He eventually became President of the Concord Jaycees and received the Distinguished Service Award from the organization in 1977. Continuing to be an active member of our community, Jim has served on the Board of Directors of Concord Downtown Development Corporation, and Historic Cabarrus Association, Inc.

As anyone who knows Jim is well aware, he is seen by most folks in Concord as one of the city's foremost historians. He was the Vice Chairman of the City's very successful 1996 Bicentennial Committee and has amassed an impressive collection of historic photographs of Concord that he regularly contributes to the Concord Independent Tribune. Additionally, Jim played a large role in the final design of the new Concord City Hall, which retains many qualities from the design of the 1902 city hall, including the unique tower with the words ''City Hall'' on the glass.

Jim's steady leadership has seen Concord maintain a low tax rate while its population has more than doubled from the 42,000 people who lived in the city when he was first elected in 1995. During a time that saw our area lose thousands of textile and manufacturing jobs while still increasing in population, Jim and the rest of the City Council were instrumental in continuing infrastructure development, growing city schools and recruiting new industry to Concord. Because of his hard work and dedication, Concord's future looks brighter than ever.

Mr. Speaker, please join me today in thanking James E. ''Jim'' Ramseur for his esteemed service on the Concord City Council and wishing him well as he opens the next chapter in his storied life.

HONORING ANCIENT ORDER OF HIBERNIANS NEWTOWN DIVISION 2 25TH ANNIVERSARY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. FITZPATRICK. Mr. Speaker, the initials AOH may tell the story best. Some say the initials stand for, ''Add One Hour''—describing the easygoing, no rush attitude of many of its members. Others believe AOH, ''America's Only Hope'' has been used to define the loyalty of the Irish to the principles of their adopted land. In either case, its members would certainly all agree, that to be Irish, is indeed, a blessing. To be a Hibernian is an Honor.

I offer my gratitude and congratulations to the Ancient Order of Hibernians, Newtown, Division 2, for 25 years of working in harmony with the doctrines of the Catholic Church and fostering a sense of loyalty to country among its members.

AOH, Newtown Division 2, proudly hosts the ''Halfway to St. Patrick's Day Kilt Tilt Run, Warrior Walk and Festival'', featuring the Annual Joe McGinnis Scholarship 5K in addition to the annual Celtic Kilt Night fundraiser for local food banks.

Past president of the Bucks County Board of the AOH and Newtown Division 2 member, ''The Irish Godfather of Bucks County,'' Joseph W. McGinnis, Jr. would be proud of the work that has continued in his name.

Once again, thank you and congratulations to AOH, Newtown Division 2 for 25 years of friendship, unity and Christian charity.

HONORING THOMAS LEE MITCHELL, SR.

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. YOUNG of Indiana. Mr. Speaker, today we honor Thomas Lee Mitchell, Sr. for his service to his country and to his community.

Mitchell served with the 27th Marines while in Vietnam from December 1965 through December 1968. While in the employ of his country, Mitchell and his compatriots came under fire by North Vietnamese troops in the early morning of May 5, 1968.

A firefight ensued and, after a barrage of North Vietnamese mortar rounds, an American weapons platoon tent became engulfed in flames. Mitchell stormed into the conflagration amid exploding ammunition and carried a badly wounded Marine, who was trapped in the tent, to safety.

Later that same day, Mitchell's company was ordered to begin an assault on two villages. The platoon embarked on the mission and eventually encountered an open trench—which was riddled with North Vietnamese soldiers. North Vietnamese soldiers lobbed grenades at the American troops from the trench; in response, Mitchell and two of his fellow Marines fired their weapons into the trench, killing the entire line of North Vietnamese soldiers. With the trench cleared of enemy fire, the American platoon was able to proceed with the attack on the villages.

Mitchell was awarded a Bronze Star for his actions. In addition, Mitchell also earned, among others, a Purple Heart, a Good Conduct Medal, a National Defense Service Medal, Combat Action Ribbons, and a Presidential Unit Commendation Ribbon.

Mitchell coached little league baseball from 1975 until 1985. He is currently a member of St. Michael's Catholic Church in Charlestown and the VFW.

It is a privilege to award Thomas Lee Mitchell with Congressional Commendation, and ensure his story is preserved for future generations.

PERSONAL EXPLANATION

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. WEBSTER of Florida. Mr. Speaker, on roll call numbers 657, 659, 660, 661, 662, and 663, I was unavoidably detained off of the House floor. Therefore, I was unable to cast my vote. Had I been present, I would have voted NO.

IN RECOGNITION OF BARBARA PIERCE

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor Barbara Pierce for her 16 years of outstanding service on the City Council of Redwood City, including one term as Mayor and one term as Vice Mayor. Barbara is the consummate public servant, never tiring of looking for ways to improve the city and the quality of life of its residents.

During her four terms on the council, she served on many committees and represented Redwood City before many organizations—most of them as chair at one point—including the Peninsula Division of the League of California Cities, the League Housing Community Economic Development Committee, C/CAG's Congestion Management Environmental Quality Committee, the Bay Area Water Supply Conservation Agency, the Resource Management Climate Protection Committee, the Association of Bay Area Governments, the Redwood City 2020 Coordinating Council, the Grand Boulevard Task Force and the Bair Island Task Force.

Conservation and environmental protection are core values of Barbara Pierce. She is the spiritual leader of Redwood City's purple pipes project that brought recycled water to Redwood Shores long before our drought made water conservation a necessity. At first, it wasn't easy educating the public about the need to use recycled wastewater, but Barbara's persistent and earnest efforts persuaded the public to choose wisdom in the

use of resources over skepticism based upon ignorance. The experiment began in 2000 but really took off in 2007 when the city expanded the pipes throughout Redwood Shores through pump stations. The recycled water project saves hundreds of millions of gallons of drinking water each year, and leaves Redwood Shores as one of the few areas of green landscaping during the current drought.

Barbara has played a significant role in just about every modern decision and process that has shaped Redwood City and made its vibrant downtown a reality. She played a leadership role in the creation of Courthouse Square, the restoration of the entry to the San Mateo County History Museum, Theatre Way and the retail cinema complex. She was also instrumental in the building of the Redwood Shores Library and the Redwood Shores Child Care Center. She worked hard to address traffic congestion, housing, climate change, water supply, and public safety issues, and to build a successful and sustainable community. Her secret to success is collaboration. She strives to work with members of the community and to find a way for everyone to win.

Her ethic of conservation is a direct consequence of her concern about future generations. In addition to her council duties, Barbara led efforts for 25 years at the Redwood City Education Foundation and saved an outdoor education program and created a music program for 3,500 students.

She has served on the board of the San Mateo County Historical Association, the Community Emergency Response Team, the Chamber of Commerce, the Downtown Business Group and ARTS RWC. She is also a long-time Girl Scout leader, classroom volunteer and site council member. Barbara has a big heart and her love of Redwood City is only secondary to her love of her family.

She was born in Baltimore, Maryland and grew up in Fair Lawn, New Jersey. She graduated with a B.A. and M.A. in Psychology from Moravian College and Catholic University of America, respectively.

Thirty-five years ago she and her husband Jerry made Redwood City their home. They have two grown daughters, Andrea Koenig and Amanda Pierce, both of whom have made them very proud.

Mr. Speaker, I ask the House of Representatives to rise with me to honor Barbara Pierce for her unwavering commitment to the residents of Redwood City. A compassionate steward of the interests of children and the environment, a stalwart supporter of strong public safety services, and a woman who dedicated tens of thousands of hours of her personal time to the interests of others, Barbara is now leaving for some well-deserved rest. It is beyond her ability, however, to simply retire, and retirement for Barbara Pierce will likely involve watching her former council colleagues on the local community access channel rather than being there in person. Barbara Pierce never earned an Emmy for her performance on the City Council, but she earned the love and respect of her community, an award that counts for much more than a statue, and an award that will echo throughout generations yet to come.

IN HONOR OF CHIEF DEPUTY SHERIFF BEN BAILEY'S SERVICE TO UNION COUNTY, NORTH CAROLINA

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. HUDSON. Mr. Speaker, I rise today to honor Union County Chief Deputy Sheriff Ben Bailey for his faithful service over the last 30 years to the citizens of Union County, located in North Carolina's 8th Congressional District. Chief Deputy Sheriff Bailey will be stepping down from his position at the Union County Sheriff's Office in order to pursue a unique career opportunity as a Federal Bureau of Investigation Fellow at the National Counter Terrorism Center in Washington, DC.

Chief Deputy Bailey has dedicated himself to serving and protecting his community throughout his 30 year career in law enforcement. Of those 30 years, he held the position of Chief Deputy Sheriff in Union County for the last 13 years, which makes him the longest serving Chief Deputy Sheriff in Union County's history. In this role, Chief Deputy Bailey served as the second-in-command to the Sheriff of Union County and was responsible for the management of a 300 member law enforcement agency.

In addition to his responsibilities within the Union County Sheriff's Office, Chief Deputy Bailey has also been actively involved in the broader law enforcement community in North Carolina. In 2011, he was given the honor to serve as the North Carolina Chapter President of the FBI National Academy Associates Executive Board. He also serves on several community college boards, such as the Cybercrime Advisory Board at both South Piedmont Community College and Stanly Community College, as well as the Alumni Executive Board of the Justice Academy's Management Development Program under the North Carolina Department of Justice. Chief Deputy Bailey also participates in the FBI's Joint Terrorism Taskforce, the U.S. Secret Service's Electronic Crime Task Force, and is a Department of Homeland Security certified instructor in Weapons of Mass Destruction awareness-level response.

Chief Deputy Bailey has been a devoted member of the Union County community, even when he is not in uniform. Chief Deputy Bailey is a state certified criminal justice instructor, using his gifts as an educator to teach students at South Piedmont Community College about the basics of law enforcement and how to effectively manage a law enforcement agency. He has also served on several local boards, including the Union County Chapter of the American Red Cross and the United Way. Our state and local community have greatly benefitted from his servant leadership, both as an officer of the law and as an extraordinary citizen.

Mr. Speaker, please join me today in thanking my friend Chief Deputy Sheriff Ben Bailey for his outstanding service to the people of Union County and wishing him well as he moves on to the next chapter of his distinguished career.

TRIBUTE TO ANNA KILLPACK

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Anna Killpack of Neola, Iowa, for her selection as the 22nd annual LIFE Group Mother Mary Vincent McDermott Award honoree. The award is sponsored by the CHI Health Life Group. Anna received this award for her commitment, compassion, and dedication to helping those with mental illness.

When Anna's son was diagnosed with schizophrenia at age 13, Anna became passionate about working and advocating for individuals with mental illnesses. Since then, she has gone above and beyond her calling to stand up for those who need it most. Anna has volunteered on a number of Iowa's mental health committees and councils as a tireless advocate.

Mr. Speaker, I commend Anna for her years of hard work and dedication. Her contributions have been invaluable to Iowa's mental health community. I ask that my colleagues in the United States House of Representatives join me in congratulating Anna for her accomplishments in advocating for mental health treatment and understanding, and I wish her nothing but continued success.

UNIVERSITY OF HOUSTON, AMERICAN ATHLETIC CONFERENCE FOOTBALL CHAMPIONS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. POE of Texas. Mr. Speaker, over the weekend, the Houston Cougars capped off their thrilling season with a 24–13 win against the tough Temple Owls in the American Athletic Conference Championship Game. Though Houston only won by 11, the team led from the opening gun until as Willie Nelson says "The Party was Over". With this win, the Cougars finished the regular season 12–1 and now have a matchup against the Number 9 Florida State Seminoles in the Chick-Fil-A Peach Bowl to look forward to.

What's most amazing about the Cougars' successful season is the fact that it was engineered by a rookie head coach. Tom Herman, a national championship winning offensive coordinator at Ohio State and recipient of the Broyles Award for the nation's top assistant coach, stepped in as a first-time head coach this season. Success like that in a coach's first season is hard to come by. Herman's Houston team was led by its do-it-all quarterback, Greg Ward Jr., who finished the season with 2,590 passing yards, 16 touchdowns, and only 5 interceptions. The all-conference quarterback also tacked on 1,041 rushing yards and 19 touchdown runs for good measure. The excitement of watching this team play had me reminiscing back to 1989, when Coach Jack Pardee's run-and-shoot offense led the Cougars to a 9-win season and quarterback Andre Ware took home the Heisman Trophy.

Mr. Speaker, Tom Herman and the Houston Cougars aren't finished yet. After the Cougars' New Year's Eve duel with perennial powerhouse Florida State, the team will refocus its sights on coming back strong again next year. With the Cougars locking in Coach Herman to a contract extension and returning many of its key contributors, this team will be a force next year and hopefully for years to come. As a University of Houston alum, I look forward to spending December 31st ringing in the New Year with friends, family, and another Cougars victory. Go Cougars.

And that's just the way it is.

IN RECOGNITION OF CAPTAIN FREDERICK PETERS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Captain Frederick Peters of Edison, New Jersey on his 50th year of service to the Edison Police Auxiliary. Captain Peters' outstanding commitment to the organization and community will be honored at the Auxiliary's Annual Holiday Dinner on December 19, 2015 and it is my privilege to join them in recognizing this remarkable achievement.

Captain Peters joined the Edison Police Auxiliary on August 1, 1966. Throughout his 50 years as a volunteer officer, Captain Peters has distinguished himself as a leader, holding positions as Sergeant, Lieutenant and Captain. Currently Captain of Administration, Captain Peters maintains his commitment to serving the organization.

Captain Peters has dedicated his life to serving his community and nation. In addition to his service to Edison, Captain Peters is a veteran of the United States Navy. Captain Peters received an honorable discharge from the Navy after 3 years and 2 months of active duty aboard the USS *Harwood*. From his service to our country to his service to his community, Captain Peters continues to exhibit an unwavering commitment to duty.

Mr. Speaker, once again, it is my great honor to pay tribute to Captain Frederick Peters for his 50 years of service to the Edison Police Auxiliary and I sincerely hope that my colleagues will join me in thanking Captain Peters for his honorable service to our great nation. His remarkable dedication and duty to his community and nation are truly deserving of this body's recognition.

IN RECOGNITION OF DAVID BRAUNSTEIN

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor David Braunstein for his eight years of service on the Belmont City Council, once as Mayor in 2009 and again in 2015. Mayor Braunstein leaves with a distinguished legacy of service to the residents of Belmont.

During his tenure on the council, he served as a member of the Joint Notre Dame de Namur and Belmont City Council committee, the city's audit committee, is the former chair of the library community task force, former chair of the library steering committee and former chair of the library bond committee. David Braunstein has also been a board member of the Center for Independence of the Disabled, and was a member of the city's economic development committee.

Education is a core value in Belmont. David Braunstein is deeply committed to this value as evidenced by his career as a teacher at Carlmont High School and through his related council activities. While on the council, he has served as part of the city-school district committee known as 2 + 2 which identifies ways in which the district and city may collaborate to the benefit of Belmont residents.

Belmont is a city filled with the joyful sounds of children laughing. Three of those children are Mayor Braunstein's: Isaac, Noah and Yakira. They attend Ralston Middle School and Fox Elementary School where David and his wife, Patricia, are actively involved in school life. Even though he is incredibly busy as Mayor and as a teacher, David Braunstein made time in his life to be an AYSO and Little League coach, and served as a volunteer football coach at Carlmont High School. For David Braunstein, kids count.

Community building is in Mayor Braunstein's DNA. He has served on the National Night Out Planning Committee and helped to create one of the largest National Nights Out on the Peninsula. He is a tireless advocate to make our neighborhoods better and safer places, and served on the San Mateo County Emergency Services Council.

During his time on the council, Mayor Braunstein has conducted himself in a collaborative manner, both with his council colleagues and elected officials from other cities. He is proud to have been part of purchase of Ralston Avenue Vista Point which offers incredible views. The city purchased 34 acres, sold some land, made a profit and was able to preserve open space.

David was born in San Jose. He earned his Bachelor's degree in Political Science at UCLA and his Master's in Public Policy and Management at Carnegie Mellon University. He also holds a California Teacher Credential from San Francisco State University.

After his retirement from the city council, David Braunstein is looking forward to spending more time with his family and watching his young children grow up. He is also hoping to find more time for travel, reading, cooking and photography—children's schedules permitting.

Mr. Speaker, as the people of Belmont contemplate Mayor Braunstein's contribution to their well-being, they will recognize that he possessed superior leadership skills and leaves having accomplished his objective, and having set an outstanding example for his successors. I know the House of Representatives joins me in wishing him well in his future adventures.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,786,830,545,682.60. We've added $8,159,953,496,769.52 to our debt in 6 years. This is over $8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

IN HONOR OF THE VICTIMS OF THE SAN BERNARDINO ATTACK

HON. NORMA J. TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mrs. TORRES. Mr. Speaker, I rise today to commemorate the tragic shooting in San Bernardino last week and to recognize and honor the victims who lost their lives.

Despite the increasing frequency with which these kinds of events seem to occur, we never expect them to happen in our community. But this December 2nd, that is exactly what happened and tragedy hit home.

I knew the Inland Regional Center well and represented the city of San Bernardino during my time in the State Senate. And on this tragic day, five individuals who lived in cities I represent were taken from this world.

Isaac Amanios was a Fontana resident who came to this country from Eritrea looking for a better life for his children. He was described as an amazing father, brother, an amazing everything.

Sierra Clayborn, a UC Riverside graduate, previously lived in Ontario. Those who knew her say she was energetic, thoughtful, and always smiling, and she loved what she called her blooming career in public and environmental health.

Larry Daniel Kaufman, a resident of Rialto, considered himself a free spirit, loved horror movies, and talked to everyone he met.

Yvette Velasco was 27 and a Fontana resident who was full of life and loved by all who knew her. Those close to her say she embodied intelligence and ambition.

And Benetta Bettadal of Rialto was a graduate of Cal Poly Pomona, also in my district. She came to the United States fleeing Islamic extremism and the persecution of Christians following the Iranian revolution. In a horrible twist of fate, she lost her life at the hands of the same kind of extremism that brought her to this country.

Isaac, Sierra, Larry, Yvette, Benetta. These were our neighbors. They could have been our children, our loved ones, or our friends. As our community begins to heal, we owe it to them and to the other nine victims to ask ourselves how to best honor the vibrant lives that were taken from us much too soon.

Mr. Speaker, far too many communities have felt the pain that the San Bernardino and Inland Empire community is facing right now. Far too many Americans have lost loved ones in similar acts of violence. It is now up to us in Congress to use this tragedy as a catalyst for a serious, productive, and respectful dialogue on the actions we can and must take to prevent this kind of tragedy from ever happening again. Inaction is inexcusable and an affront to the lives lost on that tragic day.

IN RECOGNITION OF RAYMOND C. MILLER

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor Raymond C. Miller for his extraordinary 16 years of service on the Brisbane City Council, four terms as Mayor. Dr. Miller served from 1984–1995 and again from 2011–2015 and has made significant contributions to the city and San Mateo County.

Dr. Miller cares deeply about government transparency, accountability and responsiveness. The fiscal and environmental health of Brisbane are of utmost importance to him. This is very well reflected in the work he has done on a long list of committees, subcommittees and boards. He served on the Airport Land Use Committee, the Complete Streets Safety Committee, the City Sustainability Committee, the Open Space & Ecology Committee, the Facilities/Water Sewer Subcommittee, the Finance Subcommittee, and several others.

As a retired Political Economy and Interdisciplinary Social Science professor at San Francisco State University for 44 years, Councilman Miller has an extensive understanding of the public policy process. For example, Dr. Miller has been deeply involved in the contract negotiations for the development of the Baylands, a 600-acre site on the edge of San Francisco Bay, the evaluation of the draft Environmental Impact Report, and the development of sustainability goals.

During his last term as Mayor, Dr. Miller helped restructure the city budget to create a more user-friendly document. He worked with the council to place a business license tax for liquid storage facilities on the ballot, to approve a contract for a hotel feasibility market study for Sierra Point, and to conduct labor negotiations during tough financial times. He also spent many hours as editor of Brisbane's 50th Anniversary History Book Project.

Raymond Miller was born in Baltimore, Maryland in 1934. He graduated with a Bachelor's degree in Business Administration/Public Administration from the University of Denver in 1955, a Master's degree in Social Science from the University of Chicago in 1958 and a Ph.D. in Social Science from Syracuse University in 1966. He served as president of the Society of International Development and the Association for Integrative Studies where he was a founding editor of Issues in Integrative Studies. He also is the author of International Political Economy: Contrasting World Views and the recipient of the Kenneth Boulding Award from the Association for Integrative Studies.

Dr. Miller married his wife of 55 years, Anja, in Helsinki. They moved to Brisbane in 1966 and she also served on the Brisbane City Council in 1970. They have a daughter, Elna, who lives in town with her twin daughters Julianne and Marissa. In his well-deserved retirement, Dr. Miller is looking forward to spending more time with his family and enjoying theater, ballet and Dixieland jazz.

Mr. Speaker, I ask the House of Representatives to rise with me to honor an exceptional scholar and public servant whose intellect and expertise have greatly benefitted the City of Brisbane. Raymond C. Miller's retirement will leave a big void on the city council, but his significant contributions will be felt for years to come.

IN RECOGNITION OF THE DANTE CLUB'S 100TH YEAR ANNIVERSARY

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. NEAL. Mr. Speaker, I would like to take this opportunity to recognize the 100th year anniversary of the Dante Club in West Springfield, Massachusetts. The Dante Club has served as a place for Italians to embrace their culture, celebrate their history, and promote athleticism. Today, the Dante Club has over 900 members, a competitive racquetball league, and hosts widely attended social and cultural events throughout the year.

On November 7, 1915, a group of Italian men gathered in Springfield with the goal of creating a club promoting ''culture, good fellowship, athletics, and good American citizenship.'' They named the club after Dante Alighieri, a highly acclaimed Italian poet and constructor of the Italian language. The Dante Club originally only accepted Italian members and sons of Italians, but later eased its membership restrictions, allowing men of other ethnic groups married to Italian women. In 1935, the Dante Women's Club division was formed, and in 1963 the Club's constitution was amended, allowing non-Italians to become members.

The Dante Club purchased its first site in 1924 in West Springfield. Thirty years later, the Club received notice that its property would be taken away in order to construct the Route 5 highway, so the members purchased the old Memorial School Building in West Springfield. This remains its current home today. The Club has had numerous improvements since its founding, and now includes a kitchen, banquet hall, and health center with racquetball courts. The Dante Club hosts a successful racquetball league, which runs from September to May of every year and includes six divisions with over 100 players. The health center was opened in 1970, and has trained several notable athletes, including the Michigan State hockey coach Amo Bessone, and Gene Grazia, 1960 U.S. Hockey Team Olympic Gold Medalist.

Mr. Speaker, the Dante Club's founders have succeeded in organizing a center in America to preserve and celebrate Italian culture and values, while fostering friendships and promoting athleticism and community. I wish the Dante Cub the best in its future endeavors, and look forward to watching it prosper for years to come.

HONORING MAJOR BRYAN WHITTIER

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor Major Bryan Whittier of the United States Army for his extraordinary dedication to duty and service to the Nation. After nearly four years of faithful service in the Nation's capital, Major Whittier will transition from his present assignment as an Army Liaison in the Office of the Chief Legislative Liaison to the Army's 2nd Scout Cavalry Regiment in Vilseck, Germany.

Major Whittier has demonstrated the invaluable service that Army Congressional Liaisons provide to the Congress. He enabled countless Members and staff to develop better understandings of Army policies, operations, and requirements. His first-hand knowledge of military needs, culture, and tradition was a tremendous benefit to Congressional offices. Prior to service as a Liaison, Major Whittier was assigned to my office as a Military Fellow where he quickly became an indispensable asset to our team. His performance was superb and he earned my utmost respect during his tenure on my staff. Major Whittier also completed a Master's Degree from George Washington University during his time here, demonstrating his commitment as a Warrior and a Scholar.

Major Whittier is a native of Scottsdale, Arizona; he commissioned through Norwich University ROTC in 2003. During his twelve year active duty Army career, he has excelled in numerous leadership and staff assignments as an Officer and UH–60 Blackhawk aviator. Major Whittier served as a Rear Detachment Commander and as an Assault Company Commander for 36 months in the 101st Airborne Division at Ft. Campbell, KY. From there, he deployed in support of Operation Enduring Freedom for twelve months. Prior to command, Major Whittier successfully executed duties as a Battalion Operations Officer, Battalion Adjutant, Company Executive Officer, and Platoon Leader, during which time he conducted a twelve month deployment in support of Operation Iraqi Freedom.

His dedication to excellence has not gone unnoticed. Major Whittier was awarded the Bronze Star Medal, Meritorious Service Medal, Air Medal, Afghanistan Campaign Medal, Iraqi Campaign Medal, Global War on Terrorism Service Medal, the NATO Medal, and numerous others. He has earned the Parachutist Badge, the Air Assault Badge, Army Senior Aviator Badge, Combat Action Badge and the Army Staff Badge.

Mr. Speaker, it is my distinct honor to recognize the selfless service of Major Bryan Whittier and the support and dedication of his wife

Shelley and their two children, Bryley and William. I wish them the very best as they continue their service to our great nation and proceed to the next chapter in their lives.

IN RECOGNITION OF THE STATE CHAMPIONSHIP VICTORY OF PIEDMONT HIGH SCHOOL

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to congratulate the Piedmont High School football team on their state championship win in the 3A class.

The Piedmont Bulldogs defeated the Bayside Academy Admirals 44–7, on December 3 at the Bryant-Denny Stadium in Tuscaloosa, Alabama.

Taylor Hayes, Piedmont quarterback, and Darnell Jackson, running back, were the standout players of the game with a combined 124 yards on 18 carries and four touchdowns between them. Hayes also made the play of the game, with a 48-yard touchdown run in the second quarter.

Piedmont's coach Steve Smith said, ''Our kids played their best football when it mattered the most—at the end of the year.''

This victory marks the second state football title in the school's history, and set school records for wins in a season as well as points scored.

Mr. Speaker, please join me in congratulating Piedmont High School on their achievement. Go Bulldogs.

IN RECOGNITION OF WEMU 89.1'S 50TH ANNIVERSARY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to congratulate WEMU 89.1 radio station on their 50th Anniversary. As a Member of Congress and a long-time listener and supporter, it is my honor and privilege to recognize their commitment to providing first class news and entertainment to our community.

Founded on December 8, 1965, WEMU 89.1 began its broadcasting service from the Quirk Building for Eastern Michigan University with the goal of delivering local news and showcasing jazz, blues, and community musicians. Since then, WEMU has grown into one of the most popular news and entertainment stations serving the Ann Arbor and Ypsilanti area. WEMU is an affiliate of National Public Radio, which allows the station to provide first rate national news and programming while continuing to maintain its focus on the community and region it calls home.

WEMU has become a part of the fabric of our southeast Michigan community. Over the course of fifty years, they have transformed themselves from a small university radio station into a go-to destination for balanced, informative news and entertainment. In an age of media consolidation, they have maintained their commitment to meaningful local news coverage focused on the people, issues and events that make our region tick. Their dedication to fair and honest reporting of the news and promoting local music and artists has had a profound positive impact on our region, and we cannot thank them enough for their commitment to this important work.

Mr. Speaker, I ask my colleagues to join me today to honor WEMU 89.1 on their 50th Anniversary and to wish them many more years of success.

IN RECOGNITION OF JOHN ''JACK'' MATTHEWS

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor John ''Jack'' Matthews for his twelve years of service on the San Mateo City Council—two terms as Mayor—and his many contributions to our community.

Councilman Matthews served on the Housing Endowment and Regional Trust (HEART), C/CAG, the Emergency Services Council, and the Local Policy Maker Group for Caltrain Electrification and High Speed Rail. These names with obscure meanings mask organizations of enormous importance to our community. Fortune smiled on us when Jack Matthews agreed to these assignments.

Jack also served on the Grand Boulevard Initiative, the Civic Arts Committee and the homeless outreach team. One of his proudest moments was the 40th anniversary celebration of San Mateo's relationship with the 101st Airborne Division during Memorial Day Weekend in 2012 when the city also hosted its sister city Toyanaka, Japan.

During his tenure on the council, he has been a voice of reason. In subtle contrast to his otherwise quiet nature he has been insistent about the issue of equal opportunity for all. This core value of Jack Matthews is best demonstrated by the very active role he played in the development of affordable housing in San Mateo. Jack and his council colleagues have helped create Peninsula Station, an affordable development for 60 families, as well as Delaware Pacific, housing 120 low income families at the former site of the police station. Rather than wring its hands over the problem of homelessness, San Mateo, in large part through Jack's leadership, grappled with the problem and developed a solution—buying and redeveloping the Hotel Vendome. Upon opening, one new resident remarked to a reporter that she had taken her first shower in many years. Jack and his enlightened colleagues on the San Mateo City Council offered that woman more than a shower. She regained her dignity.

Jack also supported construction of an award-winning, beautiful new library, a Transit Center, the creation of Draeger's Market, a new downtown cinema, a new police station, the emergence of Bay Meadows as a regional transit and housing hub, and new transit-oriented development at the Hayward Park Caltrain station. He also supported historic changes to the organization of the fire department. Some councilmembers serve and never witness any of these types of changes. Jack helped shepherd all of them.

Mr. Matthews is an architect and has his own firm, John Matthews Architects, located in downtown San Mateo since 1986. His firm is responsible for the design and significant storefront improvements at the St. Matthew Hotel, Kaffee Haus, Tomatina, AcquaPazza Ristorante, Vault 164, M is for Mystery Bookstore and others. In 1992, he served as president of the American Institute of Architects for San Mateo County and from 1994 to 1996 he was a board member of the AIA California Council.

Community service is in Jack's DNA. A long-time volunteer with the Boy Scouts, he has additionally served on the Board of Directors of H.I.P. Housing, a non-profit providing housing to over 1,000 people.

Born in San Francisco, Jack grew up in San Carlos and attended Carlmont High School. He graduated from California State Polytechnic University in San Luis Obispo with a degree in architecture in 1972. Two years later, he and his wife of 45 years, Patricia, moved to San Mateo and raised their four children, Domenic, Anthony, Benjamin and Desiree. Today they have four grandchildren, Delphine, Tessa, Stephen and Lorenzo. After his retirement from the city council, Jack is looking forward to spending more time with his family and pursuing his passion for the outdoors including hiking, backpacking and fly fishing.

Mr. Speaker, I ask the House of Representatives to rise with me to honor my good friend and colleague Jack Matthews for his dedicated service to the residents of his city. His outstanding work has helped make San Mateo a more beautiful and livable community. He has demonstrated by personal example that San Mateo has an enormous heart. We are losing a local leader who will soon become a man with additional time for leisure. There is no doubt that Jack will, even during times of quiet repose, be dreaming big dreams for his extended family—the people of the City of San Mateo.

RECOGNIZING TED B. WAHBY

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. LEVIN. Mr. Speaker, I rise today to recognize the life and accomplishments of Ted B. Wahby, who passed away on Saturday, December 5, 2015. He was a warm friend who leaves a legacy of superb public service in its best sense. He will be deeply, personally missed by so many of us privileged to work hand-in-hand, and I am honored to pay tribute to his remarkable life accomplishments.

Ted Wahby was a pillar in the City of St. Clair Shores, Macomb County and the greater region for over 50 years. He and his wife Yvonne moved to St. Clair Shores in 1964 and

raised six children there. The Wahby family planted strong roots in the city as faithful members of St. Margaret of Scotland Catholic Church and the Shorewood Kiwanis. During this time Ted embarked upon a successful career working at Comerica Bank, serving in numerous high-level capacities for 31 years, including Vice President.

In addition to Ted Wahby's love of family and pride in his successful business career, he held a deep belief of the importance of giving back to the community. He first sought public office in 1979 and was elected to Lake Shore School Board. Two years later he was elected to the St. Clair Shores City Council, and two years after that as Mayor, where he provided strong, forward thinking leadership from 1983 to 1995. Ted then decided to take his local experience to the next level by serving as Treasurer of Macomb County from 1995 until his passing. Over this twenty year period Ted devoted his immense talents to serving residents in a way that focused on the human element, while using his profound management skills to place the county in a strong fiscal position.

Whatever public office he held, for him the test always was how his actions would improve the lives of others, and in our many discussions, he was most proud how as county Treasurer, he helped keep thousands of families who experienced financial stress from losing their homes to foreclosure.

His community and civic involvement was rivaled by few. The leadership he provided on so many boards locally and throughout the region is yet another testament to his strong desire to serve the public. Ted was not one to seek credit for his work, yet he was the recipient of numerous prestigious awards and recognitions from charitable and philanthropic organizations, far too many to list.

If there is one legacy of Ted Wahby's service that will be remembered and valued above all else, it is his premier leadership and advocacy for better health care. As a member of McLaren Macomb Hospital's Board of Trustees since 2000 and in the role of Chairman since 2002, Ted strategically leveraged his business and political skills to make critical advances in the health care field. Ted's mission of opening the Ted B. Wahby Cancer Center in 2004 was very personal for him and Yvonne, who both lost family members to cancer. He saw the need for compassionate, high quality care close to home, since at the time nearly 70% of Macomb cancer patients had to drive a far distance for care. He was a tireless supporter and fund-raiser from the very beginning, and worked for many years to influence local leaders to invest in the capital campaign. For his dedicated efforts, Ted earned many accolades, including the 2005 Health Care Leadership Award from the Michigan Health & Hospital Association, and the 2005 Thanks for Giving Award, presented for extraordinary volunteer service to hospitals in the Metro Detroit area.

Over these last few days since Ted's passing, there have been countless heartwarming statements made by so many, but the one that sums it up for me is that above all, Ted Wahby was a family man, as stated by his children. His love for his wife, children, nine grandchildren; and three great-grandchildren defined who he was and he set an example for these generations to follow.

Mr. Speaker, in closing, I am profoundly honored to have called Ted Wahby my friend, and thankful for the opportunity to work side-by-side during his career and witness first-hand his effective leadership and compassion. I am humbled to join with his family, friends and the community at-large in mourning his loss, while celebrating his life and honoring his accomplishments.

HONORING BERT DODDS

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. YOUNG of Indiana. Mr. Speaker, today we honor Bert Dodds for his service to the United States Navy and to his country.

A Hospital Corpsman, Dodds was a medical professional attached to the 1st Platoon, 2nd Combined Action Group, 3rd Marine Amphibious Force, 1st Marine Division in Vietnam from November 1967 through November 1968. During his tour of duty in Vietnam, Dodds provided medical expertise to Vietnamese orphans and various local villages. On November 4, 1967, while on patrol with his detachment, a booby trap exploded on a nearby rice paddy dike and injured Dodds' leg and head.

In spite of his injuries, Dodds continued to treat the Marines in his detachment until a medical evacuation was arranged. Dodds' heroism earned him, among other awards, a Purple Heart, a Navy Commendation, a Meritorious Unit Citation, and a Combat Action Ribbon.

Dodds' drive for selfless service continued beyond his tenure in the Navy. After his homecoming, Dodds lectured at the Officer Candidate School in Quantico, Virginia and served as a medical corpsman during a massive peace march in Washington, DC, in which hundreds of thousands of demonstrators converged on the Capitol to protest the Vietnam War.

Today, Dodds' heart for his community is reflected by his volunteerism. He visited local grade schools on Veterans Day to teach the children about proper flag etiquette. In conjunction with the Marine Corps League, he has visited numerous veterans in a VA hospital and local nursing homes.

He is an active member of the Marine Corps League Morgan County Detachment #1367 and was elected Commandant in April 2015. Earlier this year, Dodds organized a celebration of the 70th anniversary of the Battle of Iwo Jima at the American Legion in Martinsville.

It is a privilege to award Bert Dodds with Congressional Commendation, and ensure his story is preserved for future generations.

PERSONAL EXPLANATION

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. WEBSTER of Florida. Mr. Speaker, on roll call no. 655, I was unavoidably detained off of the House floor. Therefore, I was unable to cast my vote on the Motion to Instruct Conferees on H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015.

Had I been present, I would have voted NO.

IN RECOGNITION OF MARGE COLAPIETRO

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor Marge Colapietro for eight years of dedicated service on the Millbrae City Council, including a term as Vice Mayor in 2011 and as Mayor in 2012. Marge's commitment to her community is unparalleled. She has logged precisely 24,274 hours of public service since she was elected to the council in 2007. This is the kind of precision and accountability that characterizes Marge's way of approaching problem solving in service to her constituents. I am proud to call her a colleague and dear friend.

During her tenure on the city council, Marge has always sought the greatest good for Millbrae's residents and businesses. She worked hard to protect safety services, helped attract businesses to the city, used prudent spending practices to control the budget during very difficult fiscal times in our nation's history, and she has always been attentive to her constituents both young and old. My staff reports that she regularly sought assistance for her constituents with federal issues, and always wanted to be kept up-to-date on whether or not a problem was resolved. Marge Colapietro's public service has been marked by thorough analysis of opportunities facing the City of Millbrae, constant interactions with an ever-changing city population, and a staunch belief that local decision making about land use and public services is a key tool in maintaining Millbrae's outstanding quality of life.

With a 37-year career in global transportation services, Marge brought invaluable experience and expertise to the table. Millbrae, in addition to being a tree-lined community of families and multiple generations, is a transportation hub resting adjacent to San Francisco International Airport. Due to its strategic location, Millbrae has wonderful prospects in its future. To bolster these prospects while preserving Millbrae's small-town character, Marge served on a long list of committees, including the Cultural Arts Committee, the Downtown Process Committee, Millbrae Community Television, the Senior Advisory Committee, the Tourism Committee, and the Youth Advisory Committee. She also played an essential role in ballot measures to save Millbrae's fire services.

Marge is passionate about bolstering the middle class and working families of her community, as well as housing and emergency preparedness. This passion is reflected in her multiple assignments through the city council. Regionally Marge represented Millbrae on the Airport Community Roundtable, the Airport Land Use Committee, C/CAG's Board of Directors, the League of California Cities Public Safety Advisory Committee, the San Mateo Council of Cities, the San Mateo County Office of Emergency Services, the San Mateo County Coalition for Safe Schools and Communities, and the San Mateo County Regional Housing Needs Allocation Policy Advisory Committee.

From this long, yet incomplete, list you can see how she arrived at more than 24,000 hours of service. Marge is the ultimate volunteer on behalf of Millbrae's best interests. She made time for the American Cancer Society, the Special Olympics, the Lions Club, Rotary, the Millbrae library, the historical society, and Millbrae's outstanding schools. In 2001 Marge was honored as Millbrae Woman of the Year. In 2004, she received the California's Park and Recreation Society District IV Volunteer Award. In 2009, she received the Lifetime Achievement Award from President Obama. RSVP, a senior volunteer organization, honored her with another Lifetime Achievement award for volunteering 4,000 hours in less than three years.

Mr. Speaker, I ask the House of Representatives to rise with me to honor one of the most dedicated and hands-on public servants our region will ever see. As a Councilmember and Mayor, Marge Colapietro's fingerprints are all over Millbrae and will be there for generations to come. If her colleagues and future members of the council learn even half of the lessons of stewardship that Marge has taught by example throughout these years, these council members will earn PhD's in public service. Marge Collapietro, the committed, energetic and completely thorough professor of stewardship is retiring from her post to become an emeritus professor of public life. We wish her all the best in her many years to come.

TRIBUTE TO 1ST AVENUE COLLECTIVE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Sarah Reed and Sandra Geronimo on the opening of their new business 1st Avenue Collective in Winterset, Iowa.

Sarah and Sandra recently moved to Madison County and fell in love with Winterset and the old county jail building that is now home to their new business. They describe 1st Avenue Collective as an artisan collective and hope to promote arts and creativity in central Iowa.

1st Avenue Collective is home to artwork from nine local artists and 10 artists from the surrounding area. Each piece of artwork is handmade and ranges from pottery and jewelry to wood works and candles. The welcoming atmosphere and culture of Winterset is what drew Sarah and Sandra to this rural Iowa town.

Mr. Speaker, I commend Sarah and Sandra for the service they provide to the community of Winterset and their willingness to open a small business. I ask that my colleagues in the United States House of Representatives join me in congratulating them for the opening of their new business and in wishing them nothing but continued success.

HONORING EIGHTH DISTRICT PUBLIC SERVANT

HON. TAMMY DUCKWORTH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Ms. DUCKWORTH. Mr. Speaker, I rise today to recognize a dedicated public servant from the Eighth Congressional District of Illinois who is turning 50 years old this week.

Twenty-five years ago, Steve Tufenkjian graduated from the Illinois State Police Academy and has served the people of Illinois in several different ways ever since. In that time, he has served as everything from a K9 officer to a member of the Special Enforcement Team and from Sergeant to his current role where he oversees a team of Troopers as Platoon Commander.

In each of his roles, Mr. Tufenkjian has been recognized by the Illinois State Police for his great work. He has received several awards for his dedication and, as a member of the Special Enforcement Team, he made more than 1,000 reckless driving arrests.

Our state and our nation need more dedicated public servants like Steve Tufenkjian. I wish him and his family—his two sons Zachary and Jacob as well as his wife of 17 years Michelle, who is also a State Police officer—a happy 50th birthday and thank them for their continued public service and efforts to keep our community safe.

TO HONOR THE SERVICE OF CONCORD CITY COUNCILMAN DAVID W. PHILLIPS

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. HUDSON. Mr. Speaker, I rise today to honor David W. Phillips of Concord, North Carolina, for his more than twenty years of service to our community on the Concord City Council.

Dave was first elected to the Concord City Council in 1995 and has served on the Council five consecutive terms. During this time, he served two terms as Mayor Pro-Tem. Born and raised in Concord, Dave has a history of service to our community, starting at an early age with his leadership in Boy Scouts. He graduated from Concord High School and continued on to the University of North Carolina at Charlotte where he attained a Bachelor's Degree in Business Administration. After graduating, Dave worked for a short time back in Concord at Cannon Mills before starting a long and successful career at Duke Energy.

Over the years, Dave has served his community in many different capacities. He is a member and former President of the Concord Rotary Club, a member of the UNC Charlotte Alumni Association, and serves on the Boards of Directors for Historic Cabarrus Association, Inc. and Cabarrus County Community Foundation. Additionally, he formerly served on the Board of Directors of the Union County Chamber of Commerce and the Archdale-Trinity Chamber of Commerce.

Dave's steady leadership has seen Concord maintain a low tax rate while its population has more than doubled from the 42,000 people who lived in the city when he was first elected in 1995. During a time that saw our area lose thousands of textile and manufacturing jobs while still increasing in population, Dave and the rest of the City Council were instrumental in continuing infrastructure development, growing city schools and recruiting new industry to Concord. Because of his hard work and dedication, Concord's future looks brighter than ever.

Mr. Speaker, please join me today in thanking David W. Phillips for his esteemed service on the Concord City Council and wishing him well as he opens the next chapter in his storied life.

HONORING KIRK GREGG

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. REED. Mr. Speaker, I am proud that my Congressional district is the home of Corning Incorporated, an American company that has risen over its 164-year history to become one of the most innovative manufacturers in the world.

Today, I rise to take a moment to honor Kirk Gregg, Corning's Executive Vice President and Chief Administrative Officer, who is retiring from the company after 22 years of executive leadership. Over his tenure, Kirk has made an enormous contribution to the company's success and to the community's development. I am most grateful to Kirk for his unparalleled commitment to the community. He has had an enormously positive impact on my constituents and my extended family that live in the district.

Kirk joined Corning in 1993 and was named Chief Administrative Officer in 2002. The same year, he was appointed to serve on Corning's Management Committee, a small, very senior group of executives who lead the company. Over the last decade, Kirk has risen up the corporate ladder to become the third highest ranking executive in the company.

As Chief Administrative Officer, Kirk has built the core infrastructure that makes Corning efficient and effective. He has had global responsibility for the corporate staff, including human resources, information technology, supply management, transportation, business services, community relations, government affairs, and aviation. In total, he has managed

over $1B annually in corporate infrastructure, making Coming's staff one of the top performers among its peers in the country's corporate community.

It has been Kirk's work for the community that distinguishes him among corporate leaders and for which I am most grateful. He has played a huge role in meeting the needs of New York's ''Southern Tier.''

For 17 years, he chaired the Three Rivers Development, attracting tens of millions of dollars of investment to diversify the local community and create jobs. For 15 years, he led the Corning Classic LPGA Tournaments, raising millions of dollars for area hospitals. And statewide, he served for a decade on the Board of Directors for the Business Council of New York State, two years as the Board's chairman, Last, but not least, he has been an enthusiastic supporter of local charities, cultural institutions, and human service organizations.

Every Member of Congress seeks the perspective of people with broad insight into and who contribute generously to the communities we represent. For me, Kirk is one of those rare people. He understands the people, the community, and the responsibility that corporate leaders have to support their local institutions.

At the same time, he is modest and self-effacing. Kirk is one of those people who works quietly and effectively to make our communities better.

I am very happy to call Kirk Gregg my friend. I know that I speak for the entire Corning, New York community when I thank him for his citizenship and service. We wish him and his wife Penny the very best in a well-deserved retirement. May they enjoy many more happy days entering this new chapter in their lives.

HONORING MAGNUS JOHNSON

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. YOUNG of Indiana. Mr. Speaker, today, we honor Magnus Johnson for his service to his country and community.

Johnson is a veteran of the United States Army and a former Green Beret, completing consecutive tours in both Afghanistan and Iraq. Johnson's record of service included work with Improvised Explosive Devices (IEDS) and Unexploded Ordnances which garnered him a Bronze Star; moreover, Johnson's service overseas earned him a Combat Medal.

Following Johnson's final tour, he was struck with grief when a close friend and fellow service member committed suicide in 2013. Johnson's personal experience with suicide led him to create ''Elder Heart,'' an organization dedicated to healing. His organization strives to repair the divide between veteran and civilian by encouraging both to engage in projects that enhance the community. Elder Heart's approach led to the creation of public art; a sculpture built by veterans and civilians in Nashville, Indiana which highlights Elder Heart's hands-on approach to a veteran's healing process.

Moreover, Johnson aims to raise awareness of veterans who commit suicide—twenty-two every day—through social media, magazine and newspaper advertisements, and other forms of media. Coined ''Mission 22,'' Johnson hopes to educate the public about the plight of some of our service members. Elder Heart is currently planning to construct a national memorial to bring attention to suicide among America's veterans.

Johnson's work has not kept him from being a loyal husband and father. He hopes his 6-year-old daughter and newborn son will come to know the sacrifice of America's veterans.

I have had the pleasure of meeting Mr. Johnson on a number of occasions and can speak without hesitation to his ethical character and his dedication to his brothers-and-sisters in arms. It is a privilege to award him with Congressional Commendation, and ensure his story is preserved for future generations.

TRIBUTE TO THE GIRLS' VARSITY SOFTBALL TEAM OF VALOR CHRISTIAN HIGH SCHOOL

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the Girls' Varsity Softball team of Valor Christian High School in Highlands Ranch, Colorado on winning the 2015 Colorado 4A State Championship game on October 25, 2015.

The students and staff who were a part of the title winning Eagle team deserve to be honored for finishing what had already been a fantastic season by winning the State Championship for the second time in two years. Recording 15 shutouts from their 23 victories, and outscoring their opponents 285–29 helps to illustrate just how dominant the Valor Christian Eagles were this past season.

Throughout their performances in the State Championships, the girls of Valor Christian High School's softball team proved that hard work, dedication, and perseverance is the perfect recipe for champions. The team was led to the championship title through the tireless leadership of their head coach, Dave Atencio, and his commendable staff.

I also congratulate the teachers and parents of this great team. The faculty who supported the Eagles throughout the season must be recognized. No team, no matter how talented and committed, can rise to the level of State Champions without exceptional support and guidance from their teachers and parents.

It is with great pride that I join with the families of Highlands Ranch, Colorado, in congratulating the Valor Christian Eagles on their second straight State Championship.

HONORING ASSISTANT FIRE CHIEF JOHN IZAK OF THE NOTTINGHAM FIRE DEPARTMENT

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. FITZPATRICK. Mr. Speaker, I rise today to congratulate Assistant Fire Chief John Izak of the Nottingham Fire Dept. for the swift action that saved the life of a 14-year-old boy who had collapsed on the soccer field. A trained first responder, Mr. Izak, was able to do the right thing at the right time. He assessed the patient, called 911, provided CPR and helped other responders with defibrillation that restarted the heart of Trevor Newhouse.

All of these vital steps led to Trevor's quick diagnosis, treatment and recovery. The Newhouse family, and the entire 8th Congressional District, would like to thank Assistant Chief Izak for his life-saving work and dedication to our community. The greater community also acknowledges all of the first responders who helped in this incident. We appreciate your 24-7 commitment to the residents of Bucks County.

John Izak's selflessness and quick thinking saved a young life. He has set a powerful example for others to follow.

IN RECOGNITION OF MICHAEL SALAZAR

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor Michael Salazar for his six years of service on the San Bruno City Council, the last year as Vice Mayor. I came to know Michael during his first year on the council when a horrendous tragedy killed eight residents and destroyed a neighborhood in the city he represented. Michael rose to the unthinkable challenges related to the PG&E gas pipeline explosion of 2010 and helped guide the city through the aftermath.

Michael served on the council subcommittee on schools, on the subcommittee on utilities and garbage, and he represented San Bruno on the county's Peninsula Clean Energy Advisory Board. He also served on the council committee known as Project Pride. The committee's goal is to instill in San Bruno residents a feeling of pride about the community by increasing communication between ever-larger numbers of San Bruno residents. San Bruno is a wonderful community, and the city's focus on community spirit is an important objective of the council.

During his time on the council, Michael Salazar was also instrumental in establishing the guidelines for the San Bruno Community Foundation, a non-profit created by the City Council to manage a $70 million restitution fund to benefit the entire San Bruno community after the PG&E explosion. Establishing this independent non-profit allows the city to

engage very large numbers of residents in setting goals and building more community benefits that will last for decades. Michael has encouraged residents to let their voices be heard before the board of the nonprofit, and to actively engage in helping to set priorities.

On every issue that came before the council, Michael showed deep understanding and commitment to the best possible outcome. Councilman Salazar works in technology, biotechnology and finance, and has done so for over two decades. The council and the residents benefited greatly from his years of experience in the private sector. He was exhaustive in his examination of the city's budgets, and encouraged city staff to explore new ways to deliver city services.

There have been many difficult issues confronted in the remarkable community of San Bruno during the time that Michael served on the council. These include but are not limited to downtown height limits, grade separating Caltrain, dealing with the aftermath of the 2010 gas pipeline explosion, reducing city expenditures during the recession, and identifying priorities and funding mechanisms for the replacement of aging public infrastructure. Michael was unfailingly respectful towards his colleagues and the public during these long conversations.

San Bruno is a city that pays special attention to children, and it has many active houses of worship. Michael coached several youth sports leagues, such as Tee Ball, Jr. Giants Baseball and AYSO Soccer. He has been very active in the schools and at Saint Robert's Catholic Church where he serves as a Eucharistic minister, helped with a children's liturgy group and served as a member of the social concerns committee. As a longtime board member of St. Robert's and chairman of the parish festival, he volunteered many hours of his time. He also regularly participates in San Bruno's Building Together projects and the annual Clean Sweep event.

Michael was born in San Francisco and holds a Bachelor's degree in Aerospace Engineering from California Polytechnic State University at San Luis Obispo and a Master of Business Administration degree from the University of Rochester, New York.

Michael and his wife, Sandra, have been married for 18 years and have two sons, Michael and Nicholas.

Mr. Speaker, I ask the House of Representatives to rise with me to honor my good friend and colleague Michael Salazar. I deeply admire and respect him for his integrity, diligence and commitment to others. As an unfailingly polite voice during times of challenge, he set the gold standard for patience when tried by circumstance. He will be missed but fondly remembered as he begins a new life of private endeavor after his distinguished years in service to his outstanding community of San Bruno.

SENSE OF CONGRESS ON ENSURING PROMPT PAYMENT OF DEPARTMENT OF TRANSPORTATION DISADVANTAGED BUSINESS ENTERPRISES

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Ms. MOORE. Mr. Speaker, small businesses owned by disadvantaged minorities (DBEs) are significantly affected when they are not promptly paid for the work that they do. Lack of prompt payment constitutes a very real barrier to the ability of DBEs to compete in the marketplace. Non-DBE small businesses are also affected by late payment problems.

That is the reason the Department issued its Prompt Payment regulation in the first place.

Under this regulation, ''Payment is required only for satisfactory completion of the subcontractor's work.'' So we are not talking about cases where the prime and subcontractor have a disagreement about the work that was done.

In a recent briefing to my office, the Department of Transportation Inspector General cited the case of a DBE from Florida that got certified as a DBE, bid and won work on an airport project, and satisfactorily completed the work. However, she didn't get paid in a timely manner and eventually was sued by her suppliers who she couldn't pay.

A prompt payment requirement for all subcontractors is a race-neutral measure that assists all subcontractors if they are complied with. However, the concern is that they are not and small disadvantaged businesses which have small margins already, are further squeezed when they aren't paid in a timely manner for work already performed.

In its recent report, the Department of Transportation's Inspector General reaffirmed that failure to promptly pay DBEs continues to be a major barrier and obstacle for these small businesses in the transportation arena.

According to that report, ''for several firms we interviewed, payment delays caused cash flow problems, prevented them from paying subcontractors and suppliers, and subjected them to costly lawsuits.''

That report further noted oversight weaknesses of prompt payment issues raised by DBEs to the FAA. This is not just an FAA issue. Those same concerns are applicable across the Department.

Despite progress in this area, major barriers impede the success of new and existing disadvantaged firms. One of those is delayed payments. If these small businesses don't get paid on time, their likelihood of remaining a viable business drastically decreases.

That is why I am grateful for the inclusion of my amendment to H.R. 22 calling on the Department of Transportation to enforce its current rules better. With that bill now law, I urge the Department to make this a priority and to strengthen efforts to make sure that these small businesses get paid on time for doing the quality work they contracted to do.

TRIBUTE TO HEATHER MCKAY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to honor and congratulate Heather McKay of Atlantic, Iowa, for being selected as the Administrator of the Year by the Iowa Press Association. This award is given to administrators for their dedication and commitment to journalism education in their schools or school districts.

Heather has a background in journalism education and understands the importance that it plays in our society today. She was an English and Journalism teacher at Atlantic High School before becoming the school principal. Throughout Heather's career she has always strived for the best from herself and especially for her students. She is devoted to helping her Atlantic High School students grow and learn so that they have the opportunity to be successful in all they pursue.

Mr. Speaker, I applaud and congratulate Heather for earning this award. She is a shining example of how hard work and dedication can affect the future of our youth. I urge my colleagues in the United States House of Representatives to join me in congratulating Heather and wishing her nothing but continued success.

MEK IN IRAQ

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. POE of Texas. Mr. Speaker, I am very concerned that we are not doing enough to get the MEK out of Iraq. The MEK are Iranians stuck in a camp in Iraq because they oppose the Supreme Leader of Iran. The Iraqi government has capitulated time and again to the Supreme Leader by allowing armed militants to attack the MEK camp, even though the MEK voluntarily gave up their weapons and have no way to defend themselves. Dozens have died in this inexcusable brutality. The MEK has given us valuable information about Iran's nuclear program and simply wants freedom for all Iranian people. The United States State Department has been dilatory in helping protect these Iranian dissidents. We need to do more to resettle the MEK in another country besides Iraq. They are not safe there.

And that's just the way it is.

IN RECOGNITION OF JEFFREY HAY'S TENURE AS PRESIDENT OF THE BRITISH-AMERICAN BUSINESS COUNCIL

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. HUDSON. Mr. Speaker, I rise today to commemorate the successful tenure of Mr.

Jeffrey Hay as President of the British-American Business Council of North Carolina (BABC–NC). For the past three years, Mr. Hay has provided exceptional leadership at the BABC–NC that has resulted in the reemergence of the BABC–NC as a premier chapter in the BABC and has strengthened the business relationship between North Carolina and the United Kingdom.

The BABC is a transatlantic business network designed to give companies and individuals access to partner organizations, both domestic and foreign, in order to strengthen and improve their own businesses. As President of the BABC–NC, Mr. Hay is responsible for ensuring North Carolina businesses and individuals reap the full rewards of being BABC members and expand their presence in North Carolina and the United Kingdom. As a result of his efforts, the BABC–NC has been able to reach more businesses in the state, greatly impacting our state's economy.

In addition to his business-related work within the BABC–NC, Mr. Hay's impact on our community can also be seen through his efforts to help our state's future business leaders. Mr. Hay was instrumental in raising the necessary funds to continue the annual British Studies Summer Program (BSSP), a program that sends a select group of students from the Charlotte area on a two-week travel and study experience to the United Kingdom. This program allows students to gain valuable educational and life experiences which will have a lasting impact on their careers. It is with this focus on enriching the lives of others, coupled with his keen legal and business insights, which made Mr. Hay so successful during his tenure as President of the BABC–NC.

Mr. Speaker, please join me in congratulating Mr. Jeffrey Hay for his successful tenure as President of the British-American Business Council of North Carolina, and thanking him for his dedication to strengthening businesses across the state of North Carolina.

HONORING THE SERVICE OF MAYOR JOHN C. ADDLEMAN

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. TED LIEU of California. Mr. Speaker, I rise today to honor the Mayor of Rolling Hills Estates, California, John C. Addleman, who is retiring on December 8, 2015, after 18 years of dedicated service on the City Council.

I want to commend Mayor Addleman for his commitment to our mutual constituents of Rolling Hills Estates, as well as residents of the entire Palos Verdes Peninsula and South Bay areas.

Mayor Addleman began his service to Rolling Hills Estates in 1994 by serving on the city's Planning Commission. He served three years on the Planning Commission prior to his election to the City Council in January 1997. Over the years he has served on the Budget and Audit Committee, Regional Law Enforcement Committee, Stable Concessionaire Search Committee, Economic Development Committee and Chamber Liaison, Traffic and Safety Committee Chair, L.A. County Sanitation Districts Board of Directors.

Mayor Addleman has also served on the Palos Verdes Peninsula Transit Authority as Chair, Vice Chair to the South Bay Cities Council of Governments Metro South Bay Governance Council, and as Finance Committee Chair and Executive Member to the Los Angeles County Workforce Investment Board. He has also served on the Executive Board of the California Joint Powers Insurance Authority and on the Transportation Committee of the Southern California Association of Governments.

Through his outstanding service to the community, Mayor Addleman has exemplified the best ideals of a public servant. I am proud to honor Mayor John C. Addleman of Rolling Hills Estates and thank him for his dedication to so many of the residents of the 33rd Congressional District.

PERSONAL EXPLANATION

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. LOWENTHAL. Mr. Speaker, I wish to clarify my position on Roll Call vote 665. On agreeing to the Conference Report to reauthorize the Elementary and Secondary Education Act (ESEA) of 1965, I voted Aye. I wish to explain further why I voted in favor of this reauthorization.

The Every Student Succeeds Act (ESSA) is a good fix to the monolithic standards of No Child Left Behind. Now we have an environment that lets teachers teach and students learn, while maintaining and enhancing the original civil rights intent of the original ESEA.

While ESSA is a significant improvement over current elementary and secondary education standards, I will not claim ESSA is a perfect bill—no bill can ever claim that title. In particular, I was disappointed that all AAPI students will continue to be categorized together as one group when student performance data is aggregated and reported. The data on AAPI students does not reveal the intricacies of the disparate ethnic groups and at worst, it will mask the hard truth of low-performing subgroups. I am cautiously optimistic that report language included in the accompanying conference report to provide for technical assistance to states who do wish to disaggregate AAPI data will be made a reality.

With ESSA in on its way to becoming the law of the land, it is now the responsibility of the states to hold their schools accountable. I firmly believe the state of California will rise to the occasion and develop the standards which work for our state and our institutions of higher education. I look forward to successful implementation of ESSA which emphasizes equal opportunities for all students.

IN RECOGNITION OF ROBERT G. GOTTSCHALK

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor Robert G. Gottschalk, the current Mayor of Millbrae, California, for his twelve years of service on the Millbrae City Council. Mr. Gottschalk served on the council from 2001–2009 and then again from 2011–2015. He was Mayor for three terms and Vice Mayor for three terms.

Just a few years ago, Millbrae, like most cities on the San Francisco Peninsula, undertook a retrenchment involving substantial budget cuts and changes to service delivery. Although many of these changes arrived shortly before Robert Gottschalk returned to the city council, the city's residents counted on Robert and his colleagues to nurture the experiment into a success. Recently, changes occurred to Millbrae's fire department. In both instances, Robert and his colleagues worked hard to ensure that change delivered value for city residents.

Robert also worked hard to identify a sound development partner for the city in several areas near the Millbrae BART station. Surrounding properties, and BART's own property, hold great promise for residents and the city's treasury. Robert Gottschalk sought to support transit-oriented development throughout this area while also ensuring that existing Millbrae residents benefitted through additional sales tax that may support city services.

For the last three years, Mr. Gottschalk has served on the HEART Board of Directors, an affordable housing fund, that helps to relieve the hardship that too many of our neighbors suffer due to the skyrocketing housing prices in the Bay Area. The lack of affordable housing is unfortunately the defining problem of our time and the leadership of our elected officials is needed to address it.

In his duties on the council, Mayor Gottschalk served on the Finance Committee, the Loan Review Committee, the Airport Land Use Committee and the SFO Airport Community Roundtable. I've been working closely with him and other local and federal officials to solve the airport noise crisis that has become a health problem for many residents in San Mateo County. In his service on the Airport Community Roundtable, and on the council, his legal expertise is invoked to ensure that Millbrae remains as noise-free as possible, and that the community's interests are understood by airport and federal officials.

During his 12 years on the council, Councilman Gottschalk has been part of many milestones in town. He was instrumental in completing the construction of the Millbrae library and the expansion of the countywide library system. As a long-time board member of the Sister Cities Commission, he led the effort and signed friendship city agreements with Kai Ping, China in 2009 and with Hanyu, Japan in 2014. He has traveled to China five times. He has also been very active in improving county emergency services and in relieving traffic congestion.

Mr. Gottschalk brought impressive experience to the city council. He earned a BA from San Jose State University in 1968, an MBA in Finance from UC Berkeley in 1975 and a JD from UC Hastings College of the Law the same year. He has practiced law in Millbrae for 15 years. Prior to that, he had a 21-year-career in the banking industry. He served for 26 years in the military, including on an aircraft carrier in Vietnam, and retired as Captain in the U.S. Navy Reserves.

Mr. Speaker, I ask the House of Representatives to rise with me to honor Robert Gottschalk for his service to the city of Millbrae and to our country. Few are called to serve, and even fewer go willingly into the daily toil of democracy. Whether in our nation's armed forces or as a thoughtful voice of reason on a city council, Robert Gottschalk is one who has contributed greatly to his city and country. It is now time for him to turn over the reins of responsibility to another council, but he does so knowing that he not only did his best on behalf of his community, but that his service is an example of why local democracy in America is the most trusted level of government. We sincerely thank him for a job exceedingly well done.

HONORING JAMES ''LEE'' HUTCHINSON

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. YOUNG of Indiana. Mr. Speaker, today, we honor James ''Lee'' Hutchinson for his service to his country and to his community.

A southern Indiana native, Hutchinson served with the U.S. Army Air Corps during the final years of World War II. After attending training to become a radio operator, Hutchinson shipped out with the 490th Bombardment Group of the 8th Air Force. While serving with the ''Mighty Eighth,'' Hutchinson was aboard a B–17 Flying Fortress; he and his crew executed missions deep within Nazi Germany, and often faced anti-aircraft fire and attacks by the German Luftwaffe.

Hutchinson's numerous awards and commendations include, among others, a World War II Victory Medal, European African Middle Eastern Service Medal, and an American Theater Service Medal.

He arrived home at the age of 20 and enrolled in Indiana University with a desire to study history and journalism. He pursued further education after graduating with a Bachelor of Science degree in Education in 1949, and enjoyed a 37 year career in education in the Bedford-North Lawrence school system.

Hutchinson's experiences in World War II inspired him to author ''Through These Eyes: A World War II Eighth Air Force Combat Diary,'' which chronicled his life in the U.S. Army Air Corps. Hutchinson published three more books that detail memorable moments from his life and highlight his record of service.

An accomplished author, educator, and serviceman, Hutchinson remains involved in his home church. Moreover, he served as the president of the local Rotary Club, and is an active member of his Masonic Lodge.

It is a privilege to award James ''Lee'' Hutchinson with Congressional Commendation, and ensure his story is preserved for future generations.

PERSONAL EXPLANATION

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. WEBSTER of Florida. Mr. Speaker, on Rollcall no. 665, I was unavoidably detained off of the House floor. Therefore, I was unable to cast my vote on adoption of the conference report to accompany S. 1177, the Student Success Act.

Had I been present, I would have voted YES.

A TRIBUTE TO SHIRLEY GREGORY-JOHNSON

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor my dear friend and colleague, Shirley Gregory-Johnson. Shirley has served the people of Philadelphia since her early years. She was active in her Germantown neighborhood in her youth. Subsequently, the people of Logan were lucky enough to have her move into their community and to continue her public service.

Shirley has been a dynamic leader of that community for over thirty years. In 1986, 950 homes in the Logan Triangle were found to be sinking, leaving families homeless and without a future. Shirley led the efforts to rescue affected families, participating in the creation and operations of the nonprofit Logan Assistance Corporation to help relocate Logan residents. She extended her efforts to help her neighbors and constituents by serving on boards such as Albert Einstein Hospital and Bebashi, one of the nation's HIV/AIDS organizations which serves low-income people of color with HIV disease.

Mr. Speaker, Ms. Gregory-Johnson also has a distinguished record of service to this House. She worked in the office of my predecessor, Hon. Tom Foglietta for fifteen years. She was one of my first hires, when I persuaded her to join my staff as District Director in 1998. She retired from the House in January of this year, but continues her public service in various volunteer and political positions.

Shirley will be celebrating her 80th birthday on December 13. Dignitaries and residents of Philadelphia will come together to honor that milestone and the life of this dynamic leader. I ask that all of my colleagues in the House join me in honoring her today.

This is an honor she richly deserves.

PARIS CLIMATE SUMMIT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Ms. LEE. Mr. Speaker, I rise today in strong support of the Paris Climate Summit.

This international summit provides us with a historic opportunity to collectively tackle climate change head on.

An agreement from this summit would—for the first time—produce an ambitious, effective, and transparent international work plan.

Thanks to President Obama, our nation has already made real progress in addressing climate change.

The President has taken bold steps with the Clean Power Plan, which sets the first-ever carbon pollution standards for power plants. By 2030, this plan would prevent up to 3,600 premature deaths and 90,000 asthma attacks in children—while spurring economic growth by creating tens of thousands of jobs and saving average families nearly $85 a year in energy costs.

It's a win-win for families, public health and our planet.

Sadly, Republicans are trying to dismantle these and other limits on polluters and pollution at every turn.

Mr. Speaker, we have a moral obligation to protect our world for future generations by investing in renewable energy sources.

I am proud that my district is home to more than 70 solar companies. In the East Bay, our green energy future is rapidly being transformed into a reality.

Now, our nation and the world must join this movement. Too many people, especially in communities of color and low-income communities, are already feeling the impact of climate change on their daily lives. It's past time to address this issue. Our children and grandchildren deserve a planet worth inheriting.

PERSONAL EXPLANATION

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. WEBSTER of Florida. Mr. Speaker, on roll call numbers 656, 658, and 664, I was unavoidably detained off of the House floor. Therefore, I was unable to cast my vote. Had I been present, I would have voted YES.

TRIBUTE TO THE GIRLS' VARSITY VOLLEYBALL TEAM OF CHEROKEE TRAIL HIGH SCHOOL

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the Girls' Varsity Volleyball team of Cherokee Trail High School in Aurora, Colorado on winning the 2015 Colorado 5A State Championship game on November 14, 2015.

The students and staff who were a part of the title winning Cougar team deserve the utmost respect and commendation for winning in what has been a season full of challenges. Following the tragic death of one of their players, Celeste James, and a serious injury to another, Amazing Ashby, the Cherokee Trail Cougars showed courage in the face of true adversity to complete an amazing title winning season which honored their teammates.

In their dominant performances in the State Championships, the girls of Cherokee Trail High School's volleyball team proved that hard work, dedication, and perseverance is the perfect recipe for champions. These volleyball players were led to the championship title through the tireless leadership of their head coach, Terry Miller, and his commendable staff.

I also congratulate the educators and parents of this superb team. The faculty who supported the Cougars throughout the season must be recognized. No team, no matter how talented and committed, can rise to the level of State Champions without exceptional support and guidance from their teachers and parents.

It is with great pride that I join all of the residents of Aurora, Colorado, in congratulating the Cherokee Trail Cougars on their State Championship.

IN RECOGNITION OF ROSANNE S. FOUST

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor Rosanne S. Foust for twelve years of exemplary service on the City Council of Redwood City, including two years as Mayor and Vice Mayor. She leaves with a distinguished legacy of leadership, innovation and lasting contributions to the residents of Redwood City. I've had the great pleasure to work with Rosanne on many occasions and am fortunate to call her a good friend.

Rosanne brought decades of business experience to the council. She is the President and CEO of the San Mateo County Economic Development Association, SAMCEDA, the oldest countywide business organization on the Peninsula. Before that, Rosanne had a successful 20-year career with Alsace Development International USA, an international trade and development company.

During her time on the council, Rosanne served on the San Mateo County Transportation Authority. The transportation authority creates roads and mass transit infrastructure. Service on the board is difficult because there is never enough money to meet the needs of a booming economy. While prioritizing local projects and negotiating amongst local agencies, Rosanne Foust quickly became known for her fair and well-reasoned approach to identifying community transportation priorities. Her transportation decisions exemplified the maxim ''Think globally, act locally.''

Her dedication to the community is also demonstrated by her service on the city's Planning Commission, the San Francisco Bay Restoration Authority, the Bay Area Council Economic Institute and through her public service programming at Peninsula Television. She is also a long-time member of the Redwood City-San Mateo County Chamber of Commerce and the Rotary Club.

Business cannot survive without water. When the water supply for San Francisco and the Peninsula was endangered by an ill-conceived ballot measure in San Francisco, Rosanne led the local effort in the successful campaign to defeat the measure.

Rosanne Foust never loses sight of the people left behind by our booming economy. She is a champion of affordable housing and understands how skyrocketing housing prices and rents are squeezing working families out of the Bay Area. Just recently, she led the city council to increase the number of affordable housing units within a new downtown project of 2,500 housing units from the proposed 250 apartments to the final agreement—375. More than 125 additional working families will now be able to live in downtown Redwood City. This is just one of many examples of her advocacy on behalf of equal economic opportunity.

Redwood City is fortunate to have a leader in Rosanne Foust. She has served as the treasurer and board member of Casa de Redwood, a low-cost housing complex for 136 senior citizens. Rosanne was willing to take time from her family and business priorities to serve as a steward of housing for these otherwise vulnerable members of our community. In Rosanne Foust, the community has had a vocal advocate for social justice.

Her tireless efforts to benefit our community have not gone unnoticed. The San Francisco Business Times honored her as one of the ''Most Influential Women in Business in the Bay Area'' in 2009 and 2010 and a member of the ''Forever Influential Honor Roll'' for 2011, 2012 and 2013. Notre Dame de Namur University honored her as the first Alumna of Distinction in 2013. The Redwood City Chamber of Commerce named her Person of the Year in 2002 and 2013 and Athena Businesswoman of the Year in 2002.

Rosanne was born and raised in Connecticut. She earned an MA in Public Administration and a BA in International Studies and Economics. She also completed executive management programs at Stanford University and UCLA's Anderson Graduate School of Management. Rosanne is married to Jim Hartnett and they are the proud parents of Julia and Lydia Foust and Josh and Jake Hartnett.

Mr. Speaker, I ask the House of Representatives to rise with me to thank Rosanne Foust for twelve years of public service on the City Council of Redwood City. She will now relinquish to others the duties of diligent analysis and thoughtful commentary on the issues that shape her city each day. Her example sets a high standard for those who follow. Rosanne Foust led Redwood City with her heart, and its residents will forever benefit by that remarkable contribution to its future.

TRIBUTE TO BRIGADIER GENERAL JENNIFER WALTER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Brigadier General Jennifer Walter on her retirement from the Iowa Air National Guard. In 2012, General Walter became the first female general officer in the history of the Iowa Air National Guard. She now retires with 40 years of dedicated service to the U.S. Air Force and Air National Guard.

General Walter received her first commission of Second Lieutenant in 1986 after attending Officer Training School at the Academy of Military Science. Before becoming the first female general officer of the Iowa Air National Guard in 2012, General Walter served in numerous command positions, among them as the first female Iowa Air National Guard group commander, squadron commander, and non-medical colonel. General Walter has deployed in operations around the world, including Operation Southern Watch in Al Jaber, Kuwait, and as the 755th Air Expeditionary Group Commander with the Bagram Air Base in Afghanistan.

General Walter's military awards and decorations include the Bronze Star, the Meritorious Service Medal, Air Force Commendation Medal, Air Force Achievement Medal, Meritorious Unit Award, Air Force Outstanding Unit Award, Air Reserve Forces Meritorious Service Medal, National Defense Service Medal, Afghanistan Campaign Medal, Global War On Terrorism Service Medal, Humanitarian Service Medal, Air Force Overseas Ribbon Short, Air Force Expeditionary Service Ribbon with Gold Border, Air Force Longevity Service, Armed Forces Reserve Medal with M Device (more than 37 years of service), Small Arms Expert Marksmanship Ribbon, NATO medal, and the Iowa National Guard Meritorious Service Medal.

Mr. Speaker, it is a profound honor to represent General Walter in the United States Congress, and it is with great pride that I recognize and applaud her for years of dedicated service to the United States of America. I invite my colleagues in the United States House or Representatives to join me in congratulating her on her retirement, and wishing her nothing but the best moving forward.

RECOGNIZING THE LIFE AND LEGACY OF JOY McDUFFIE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. HIGGINS. Mr. Speaker, I stand before you today to recognize and honor the life and legacy of Ms. Joy Wiley McDuffie, whose death on November 21st, 2015 at age 59 was a loss not only to her large and loving family and friends but to my hometown of Buffalo, New York, where she was a true champion for

fairness and equality in the city she loved so much.

A woman of courage and conviction, Joy McDuffie will be long remembered as a highly respected and motivated community activist dedicated to social justice, fair housing and a better future for Buffalo's children.

Born and raised in Buffalo, Joy was the third of twelve children. She personified her belief in the value of life-long education as she earned her associate's and bachelor's degrees and eventually received her master's degree in Urban and Regional Planning from the University of Buffalo at age 50. Her work ethic was indisputable as she served as a business analyst in the private sector, and put her experience and social skills to great success as the owner and operator of ''Club Joy.''

She would later use her experience as the owner of a development company that purchased and restored homes as a GIS analyst and housing counselor with the Western New York Law Center. In this capacity, Joy McDuffie brought real data and a real commitment to ensure increased opportunities and greater access for all those wanting to own their own home.

Her passion for stronger neighborhoods and no-nonsense approach to problem solving made her an ideal Chairperson for the Distressed Properties Task Force in the City of Buffalo. She was a force as, under her leadership, this committee was re-energized with a renewed focus on reducing vacant and abandoned properties in the city she fought for and helped make so much stronger.

COLONEL GLENN W. SANDERS

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Mr. ISSA. Mr. Speaker, I rise to pay tribute to Colonel Glenn W. Sanders for his past three years of dedicated service as a Legislative Liaison for the Army Reserve. I wish him well in his next assignment as an instructor at the U.S. Army War College, Carlisle Barracks, Pennsylvania.

Colonel Sanders is currently assigned as the Legislative Liaison for the 81st Regional Support Command at Fort Jackson, South Carolina. During the last three years, he supported Army Reserve units across the southeastern United States, meeting with Congressional staff and Federal, State and Local elected officials.

Prior to this assignment, Colonel Sanders served one year in the International Security Assistance Force Joint Command in Afghanistan, working as the Executive Officer to the Command's Operations Officer. From 2008 to 2011, he served on Capitol Hill as a Congressional Fellow and then as a Liaison in the Army House Liaison Division. His previous assignments include Mobilization Division Chief, Assistant Professor of Military Science, Battalion Operations Officer, Detachment Commander, Battery Commander, Squadron Fire Support Officer, Battery Executive Officer, Troop Fire Support Officer and Platoon Leader.

Colonel Sanders holds a Masters of Strategic Studies from the United States Army War College; a Masters of Public Administration from California State University, Northridge; a Bachelor of Arts in Political Science from the University of California, Riverside; and a Certificate in Legislative Studies from the Government Affairs Institute at Georgetown University.

He is a graduate of the Army War College, Reserve Component National Security Course, Defense Strategy Course, Command and General Staff College, and the Field Artillery Basic and Advanced Officer Courses.

His awards and decorations include the Defense Meritorious Service Medal, Meritorious Service Medal with three Oak Leaf Clusters, Afghanistan Campaign Medal, Armed Forces Service Medal, United Nations Medal, NATO Medal and Army Staff Identification Badge. He is a recipient of the Order of Saint Maurice from the National Infantry Association.

I wish Colonel Sanders, his wife Kari and his daughters Kira and Kelli well as they move to Carlisle, Pennsylvania.

IN RECOGNITION OF STEVE OKAMOTO

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 8, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor Steve Okamoto for his four years of service on the Foster City City Council, and for his many significant contributions to our community.

During his term, Steve was instrumental in accomplishing many objectives that have shaped Foster City. The parks system was built out as Werder Park and Destination Park were completed this year. In 2014, the city's smoking ordinance was implemented, the implementation of the fire management shared services model with San Mateo and Belmont was completed, a gatekeeper ordinance for development projects was implemented, a synthetic softball/soccer field at Edgewater Park was completed, and a 15-acre site was sold and developed into the new Foster Square. In 2013, Phase III of the Levee Pedway Repair Project was completed, a synthetic soccer/baseball filed at Sea Cloud Park and a synthetic soccer field/walking track at Port Royal Park were completed and finally the voters approved Business License Tax Measure U.

Additionally, Steve served on the Airport Community Roundtable, the Airport Land Use Committee, the Peninsula Traffic Congestion Relief Alliance, as the liaison to the San Mateo-Foster City Elementary School District, and as the liaison to the City's Parks and Recreation Commission.

Steve's commitment to the residents and community of Foster City has been unshakable. He has been a resident for over 34 years and he and his wife Diana have raised their family there. They are the proud parents of two grown children, Brad, 32 and Katie, 31.

Steve was born in San Francisco, attended Lowell High School, and graduated from UC Berkeley with a degree in business. He had a successful career in the financial industry for almost four decades and then worked for the American Cancer Society for ten years raising tens of millions of dollars for the agency. When he was elected to the city council, he retired from the American Cancer Society so that he could devote all of his time and energy to his new responsibilities.

During his service, he's been a voice of reason and responsibility while on the city council, and a person deeply concerned about the future of his community. I take special note of his concern about the impact of airport noise on the residents of Foster City. For several years, he has served on the San Francisco Airport Community Roundtable and worked closely with my office to reduce the number of overflights of jet aircraft approaching San Francisco International Airport. His work culminated in a recent agreement with the FAA that would, in part, have the FAA examine whether it is feasible to use a slightly different approach to the airport. If, at some point in the future, the residents of Foster City sleep better at night, they will have Steve Okamoto, in part, to thank for that outcome.

In his broader public service, Steve has for years educated our community about the civil rights tragedy that we know as the internment of Japanese American citizens at the start of World War II. He and his committee of volunteers are actively raising funds to create a memorial at the site of the Tanforan Assembly Center that was the starting point for the transportation of Japanese Americans into the heartland of America during a time when racism and a failure of political leadership allowed our fellow citizens to be incarcerated for no reasons other than fear and bigotry. Steve was himself interned in his early years. America has since apologized for this historic injustice, and when the Tanforan Memorial is constructed it will be a lasting reminder in our community that we can never let anger and bigotry trample the civil rights of our fellow Americans.

Deeply dedicated to the dignity of seniors, Steve also serves as honorary chair of Komochi, San Mateo, a community service organization that delivers services in the Japanese tradition of respect and care for the elderly.

Mr. Speaker, I ask the House of Representatives to rise with me to honor an extraordinary public servant, human being and good friend. Steve Okamoto is one of the most conscientious people I know, and he has always dedicated himself entirely to any task at hand. When Steve speaks, our community listens. When we look amongst us for an outstanding citizen, we see Steve Okamoto. We will miss him in public life, but will certainly have his guidance through private actions for years to come.

SENATE—*Wednesday, December 9, 2015*

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal God, the Earth belongs to You and everything in it. Thank You for continuing to bless our lives. Give our lawmakers absolute trust in Your faithfulness and power. May the unfolding of Your loving providence in our history inspire them to persevere. Lord, fill them with Your Spirit, guiding their words and helping them to avoid risky rhetoric. Tune their hearts to the frequency of Your inner voice, making them responsible stewards of freedom.

Lord, thank You for blessing the United States of America throughout our history. Continue to unite us in the common cause of justice, righteousness, and truth.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. COTTON). Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

EVERY STUDENT SUCCEEDS BILL

Mr. MCCONNELL. Mr. President, some questioned whether Washington could ever agree on a replacement for No Child Left Behind. They needn't question any longer. Just consider today's headline from the Associated Press: ''Outdated education law up for major makeover in the Senate.''

This morning we expect that a new Senate that is back to work will send the Every Student Succeeds Act to the President for his signature. This forward-looking replacement for a broken law would open new opportunities for our kids and put education back in the hands of those who understand their needs best: parents, teachers, States, and school boards.

This bipartisan legislation would strengthen charter schools. This bipartisan legislation would prevent distant bureaucrats from imposing common core. This bipartisan legislation would substitute one-size-fits-all Federal mandates for greater State and local flexibility. In short, it is conservative reform designed to help students succeed, instead of helping Washington grow. It is a significant achievement for our country.

I thank everyone who helped make this moment possible. At the top of the list are two Senators. There is Senator ALEXANDER, a former Education Secretary from Tennessee, a Republican; and there is Senator MURRAY, a former preschool teacher from Washington State, a Democrat. They worked very hard. They worked across the aisle, and they worked in good faith.

Their success in this effort is our country's gain. It is a win for parents, and it is a win for dedicated teachers. Most importantly, it is a win for children because these young Americans deserve the enhanced opportunities the bill would provide.

There is something else we know about Senator ALEXANDER and Senator MURRAY about their accomplishment. It is a testament to what a new and more open approach can bring to the legislative process. It gives Senators of both parties more of a say. It gives Senators of both parties more of a stake. So Senators are more likely to be interested in working together and seeing good ideas through to completion. That is just what we have seen here.

Senator MURRAY said: ''I am very proud of the bipartisan work we have done on the Senate floor—debating amendments, taking votes, and making this good bill even better.''

Senator ALEXANDER said: ''The bill is just one more example that Congress is back to work.''

I couldn't agree more. Finding a serious replacement for No Child Left Behind eluded Washington for years. Today it will become another bipartisan achievement for our country.

I urge every colleague to join me in voting to send this forward-looking, conservative reform to the President's desk. Let's help every student by passing a bill NPR calls a ''sea change in the federal approach'' and the Wall Street Journal hails as ''the largest devolution of federal control to the states in a quarter-century.''

BIPARTISAN ACHIEVEMENTS

Mr. MCCONNELL. Mr. President, the new Congress and the new Senate this year have had a habit this year of turning third rails into bipartisan achievements. You might say we did so on highways and transportation last week. You might say we are doing so on schools and education this week.

We have also overcome significant obstacles to pass important legislation that would protect America's privacy online through the sharing of cyber threat information that would help fight against unfair trade barriers, that would help our military modernize and prepare for future threats, and that would bring hope to victims of deplorable crimes who suffer in the shadows.

But when it comes to the truest of third rails in American politics, some boil that down to just two phrases: Medicare and Social Security. We all know that positive action will be needed if we care about saving these programs for future generations. Republicans and Democrats are both aware of this inescapable fact. Yet too many politicians have been conditioned to believe that bringing one comma of positive reform to either law is political suicide.

Well, bipartisan majorities in the new Congress voted to change a lot more than just commas in both laws this year. We took bipartisan action on Medicare, reforming a broken payment system that has threatened seniors' care. We took bipartisan action on Social Security's disability component, enacting the most significant reform in a generation. As a result of these bipartisan reforms, we put a permanent end to Congress' annual doc fix drama. We brought reform to a program for disabled Americans that was scheduled to go broke next year. And we broke through on a bipartisan basis—an important psychological barrier that has held back broader positive action for the American people.

The scale of what this new Congress was able to achieve on these issues is noteworthy, but it is important for another reason. It clears a path for future wins for our constituents. That is good news for our country today, it is good news for future generations tomorrow, and it is another example of a Congress that is back to work for the American people and back on their side.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

EVERY STUDENT SUCCEEDS BILL AND FILIBUSTERS

Mr. REID. Mr. President, today we are taking a long, overdue step in moving beyond the Bush No Child Left Behind law.

The Every Student Succeeds Act will reduce the focus on testing while still ensuring that all students are making progress. This reauthorization of the Elementary and Secondary Education Act also includes new investments for early childhood education—a priority for Democrats.

The senior Senator from Washington, Mrs. MURRAY, and the chairman of the HELP Committee, Senator ALEXANDER, did good work in getting this bill passed. But while we pat ourselves on the back for passing this legislation, we shouldn't forget that we could have done this a long time ago. It was not long after the bill passed that we knew it was full of flaws, and we tried valiantly to change it for a number of years.

Why didn't we change it? Because there were Republican filibusters. We couldn't bring the bill to the floor. In fact, nearly every major bipartisan bill we passed this year could have become law in years past if Republicans had not blocked them, obstructed them, and filibustered them.

What are we talking about? We are talking about the bill we are going to vote on at 10:45 a.m., the Elementary and Secondary Education Act, and the so-called doc fix. My friend referred to that, the SGR. For years, because of something the Bush administration had done to fix it on paper to make the budget look good, we could not get past that. It was terrible for Medicare patients and very bad for Medicare physicians. We tried to change it not once, not twice, not three times, but numerous times. Every time we couldn't do it because of Republican obstructionism.

We passed the Terrorism Risk Insurance Act. Why didn't we do it earlier? Because the Republicans filibustered it, blocked it, and obstructed it.

The Department of Homeland Security funding that nearly shut down the government—we tried to do it earlier. We couldn't because of obstruction by Republicans.

The Suicide Prevention for American Veterans Act, also called the Clay Hunt Suicide Prevention for American Veterans Act—why didn't we do that earlier? Because they wouldn't let us. They filibustered it, they blocked it.

For the Shaheen-Portman energy efficiency bill it was the same thing; the USA FREEDOM Act, the same thing. As to cyber security legislation, my friend comes and boasts about all the good things done, and it includes cyber security. It takes a lot of gall to come here and boast about that. It was filibustered time and again by the Republicans.

My friend also talks about how great the Senate is operating. When he signed up for this job, he said that, as Republicans, they would take all bills through the committee of jurisdiction—absolute falsehood. They have not done that.

What am I talking about? Well, S. 534, the Immigration Rule of Law Act of 2015, went directly to the floor. DHS, Department of Homeland Security appropriations, directly bypassed the committee. For the Keystone Pipeline it was the same thing; Iran nuclear agreement, same thing; vehicle for the Trade Act, same thing; Trade Preferences Extension Act, same thing. H.R. 644, Trade Facilitation and Trade Enforcement Act, same thing, went directly to the floor and skipped the committee. Patriot Act extension, same thing—it skipped the committee. Highway bill, same thing—it skipped the committee. Defund Planned Parenthood skipped the committee and came right here. The vehicle for the Iran bill skipped the committee and came directly to the floor. The pain-capable bill, same thing—it skipped the committee and came here. And there are many other instances.

The bills I have talked about, with some exception, were good bills in the last Congress, and they were good bills this Congress. The only difference between then and now is that Republicans no longer blocked them.

I am not amused. I know that some may think this is amusing, but it is not. It is too serious. When my Republican colleagues take victory laps on legislation they filibustered last Congress, that is not a laughing matter. I say to my Republican friends: You get no credit for passing legislation now that Republicans blocked then. It doesn't work that way. We have not obstructed; we have been constructive. If Republicans are intent on claiming credit for moving forward bills they have blocked in the past, I hope they will change course this coming year and finally start to do something for the middle class.

Where have we done anything for the middle class during the first year of this Congress? I don't see a place. We are halfway through the 114th Congress, and I have seen little hope that they are planning on doing anything in the next few months. Let's see what happens next year.

This Congress so far has been a failure for middle-class Americans. We can change that next year. We can do something about the minimum wage that has been filibustered numerous times by the Republicans. Increasing the minimum wage is good for American workers, businesses, and the economy. Under Senator MURRAY's proposal, 38 million Americans stand to benefit from an increase in the minimum wage. In Nevada, almost 400,000 workers will get a raise. That is almost one-third of our State's workforce.

Next year we can finally address unfair wage disparity that takes money out of American women's paychecks. On average, women make about 77 cents for every dollar their male colleague makes for doing the same work. For women of color, the disparity is even worse. African-American women make 64 cents for every dollar their male colleagues make for doing the same work. Latino women make 53 cents for every dollar doing the same work that a man does. That is really unconscionable. I encourage the Republican leader to take up Senator MIKULSKI's Paycheck Fairness Act, which would help close the wage-gap disparity for American women.

Next year we could pass legislation to ease the burden of student loans, which are so costly. Americans now owe more than $1 trillion in student loan debt. Student loans are the second largest source of personal debt in the United States—even more than credit cards or auto loans. I hope Republicans will work with us to do something about this next year. Americans with student loans need the help.

These are just a few of the important matters I urge Republicans to undertake in the coming year. There are many things we can do to help the middle class. So instead of telling us how the Senate is working, why not work with Democrats? Instead of telling us how productive this year has been in spite of all the empirical data that proves otherwise, why not make this coming year productive for America's working families? If we do that, then we can honestly tell the American people that the Senate is working again—not obstructing—because they would be working with us. We have worked with Republicans to pass legislation outlined by the Republican leader and previously filibustered by them.

STUDENT SUCCESS ACT—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the conference report to accompany S. 1177, which the clerk will report.

The senior assistant legislative clerk read as follows:

Conference report to accompany S. 1177, a bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

The PRESIDING OFFICER. Under the previous order, the time until 10:45 a.m. is equally divided between the two leaders or their designees.

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the American people have a lot on their minds this week about things happening in our world and in our country, but today we turn our attention to something at home. The Senate and Congress—and I believe the President—by the end of the week will have a Christmas present for 50 million children and 3.4 million teachers in 100,000

public schools across this country, something they have been eagerly awaiting. Today the Senate should pass by a large margin our bill to fix No Child Left Behind.

A lot has been said about how the bill repeals the common core mandate, how it reverses a trend toward a national school board that has gone on through the last two Presidential administrations, and how it is the biggest step toward local control in a quarter of a century for public schools. That is all true.

The legislation specifically prohibits the U.S. Secretary of Education from specifying in any State that it must have the common core standards or any other academic standards—not just this Secretary but future Secretaries. It gets rid of the waivers the U.S. Department of Education has been using to act, in effect, as a national school board, causing Governors to have to come to Washington and play ''Mother May I'' if they want to evaluate teachers or fix low-performing schools or set their own academic standards. And it is true that it moves a great many decisions at home. It is the single biggest step toward local control of schools in 25 years.

This morning, as we come to a vote, which we will do at 10:45, I would like to emphasize something else. I believe the passage of this legislation—and if it is signed later this week, as I believe it will be, by President Obama—will unleash a flood of innovation and excellence in student achievement across America, community by community and State by State. Why do I say that? Look at where the innovation has come from before. My own State, Tennessee, was the first State to pay teachers more for teaching well, creating a master teacher program in the 1980s. Florida came right behind. That didn't come from Washington, DC. The Democratic-Farmer-Labor Party in Minnesota created what we now call charter schools in the early 1990s. That didn't come from Washington. The Governors themselves met with President George H.W. Bush in 1989 to establish national education goals—not directed from Washington but with Governors working together, with the President involved in leading the way and providing the bully pulpit support. Then the Governors since that time have been setting higher standards, devising tests to see how well students were doing to reach those standards, creating their own State accountability systems, and finding more ways to evaluate teachers fairly.

My own State has done pretty well without Washington's supervision. Starting with the master teacher program in the 1980s, then-Governor McWherter, in his time in the 1990s, helped Tennessee pioneer relating student achievement to teacher performance. Then Governor Bredesen, a Democratic Governor, realized that our standards were very low—we were kidding ourselves—so he, working with other Governors, pushed them higher. Our current Governor Bill Haslam has taken it even further, and our children are leading the country in student achievement gains. So the States themselves have been the source of innovation and excellence over the last 30 years.

We have learned something else in the last 10 or 15 years: Too much Washington involvement causes a backlash. You can't have a civil conversation about common core in Tennessee or many other States. It is the No. 1 issue in Republican primaries, even in general elections, mainly because Washington got involved with it. Now Washington is out of it, and it is up to Tennessee and Washington and every State to decide for themselves what their academic standards ought to be. The same is true with teacher evaluation.

I was in a 1½-year brawl with the National Education Association in 1983 and 1984 as Governor, when we paid teachers more for teaching well. It carried by one vote in our State senate. So when I came to Washington a few years ago, people said: Well, Senator ALEXANDER is going to want every State to do that. They were absolutely wrong about that. The last thing we should do is tell States they must evaluate teachers and how to evaluate teachers. It is hard enough to do without somebody looking over your shoulder. Too much Washington involvement has actually made it harder—harder to have higher standards and harder to evaluate teachers. I believe we are changing that this week.

I had dinner with a Democratic Senator last night who plans to vote for the bill. He said he would have given me 5-to-1 odds at the beginning of the year that we wouldn't be able to pass this bill. Why are we at the point where we are likely to get votes in the mid-eighties today in favor of the bill? No. 1, because we worked on it in a bipartisan way. And I have given credit many times to Senator MURRAY from the State of Washington for suggesting how we do that. I see Senator MIKULSKI from Maryland on the floor. She has been a force for that as well. Our committee worked in a bipartisan way, and so did the House of Representatives as we worked through the conference.

The President and his staff members and Secretary Duncan have been professional and straightforward in dealing with us all year long, and I am grateful for that. We knew from the beginning, when we said to the President: Mr. President, we know we can't change the law; we can't fix No Child Left Behind unless we have your signature. We know that. He dealt with us in a straightforward way.

Then we found a consensus. Once we found that consensus, it made a very difficult problem a lot easier. The consensus is this: We keep the important measurements of student achievement so that parents, teachers, and schools will know how schools, teachers, and parents are doing. There are 17 tests designed by the States, administered from the 3rd grade through the 12th grade, about 2 hours per test. That is not very many tests. Keep those, report the results, disaggregate the results, and then leave to classroom teachers, school boards, and States the decisions about what to do about the tests. That should result in better and fewer tests. That consensus underpins the success we have had.

Six years ago, in December, we had a big disagreement in this Chamber. We passed the Affordable Care Act, with all the Democrats voting yes and all the Republicans voting no. The next day, the Republicans went out and started trying to repeal it, and we haven't stopped. That is what happens with that kind of debate. This is a different kind of debate.

If the President signs this bill, as I believe he will, the next day, people aren't going to be trying to repeal it. Governors, school board members, and teachers are going to be able to implement it, and they will go to work doing it. They will be deciding what tests to give, what schools to fix and how to fix them, what the higher academic standards ought to be, and what kind of tests should be there. It will be their decision. They will be free to do it from the day the President signs this bill. It lasts only for 4 years until it is supposed to be reauthorized, but my guess is that this bill and the policies within it will set the standard for policy in elementary and secondary education from the Federal level for the next two decades.

It is a compromise, but it is a very well-crafted piece of work. It is good. It is good policy.

There are some things that are undone. Senator MURRAY has her list of things that couldn't get in the bill, and I have mine. I was glad to see us make more progress on charter schools. I have watched that go from the time I was Education Secretary in the early 1990s, when I wrote a letter to every school superintendent asking them to try at least one of those Minnesota start-from-scratch schools. I watched it go from there to today where over 5 percent of our children in public schools go to charter schools. That is a lot of kids—almost 3 million children—going to schools where teachers have more freedom and parents have more choices.

What we haven't made as much progress on is giving low-income parents more choices of schools for their children so they have the same kind of opportunity that financially better off parents do. My Scholarship for Kids proposal got only 45 votes here. I

thought it was a very good idea that would give States the option—not a mandate—to turn all their Federal education dollars into scholarships for low-income children. That would be $2,100 for each of those children, and it would follow them to the school their parents chose under the State's rules, not Washington's rules. That is not a part of this bill, but we can fight about that and discuss that another day, and I intend to try to do that.

Today I think we celebrate the fact that we have come to a very good conclusion. We are sending to the President a bill I hope he will be comfortable with. While it does repeal the common core mandate and it does reverse the trend to a national school board and it is the biggest step toward local control in 25 years, what excites me about the bill is I believe it will unleash a flood of innovation and excellence in elementary and secondary education that will be a wonderful Christmas present for 50 million children in 100,000 public schools being taught by 3.4 million teachers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise in support of the Every Child Succeeds Act. Today will be a great day for the Senate because we will actually pass a bill that is a result of a bipartisan effort led by two very able and dedicated leaders, Chairman ALEXANDER and Ranking Member PATTY MURRAY. They have done an outstanding job in guiding the committee and encouraging open debate with extensive hearings, consultation with Members, and committee markups that were long, hard, and sometimes quite feisty to say the least. That is the way the Congress ought to be, and I thank them.

I think their dedication showed that in the Senate—we acknowledge the work of Chairman KLINE and Ranking Member SCOTT in the House, but here, we were led by two educators: Senator ALEXANDER, the former president of a university and former Secretary of Education and Senator MURRAY, a teacher herself, who has taught us many lessons in our caucus on how to do the right job in the right way.

Today we come with the rewrite of a bill that started 50 years ago, when Lyndon Johnson wanted to have a war on poverty and passed the Elementary and Secondary Education Act. It was the first time the Federal Government was going to be involved in education and wanted to be sure there were Federal resources to help lift children out of poverty.

Many us agree with what the great former Secretary of State Condoleezza Rice said, that education is the civil rights issue of this generation because education is what opens doors today and opens doors tomorrow. The legislation we pass today will make sure that we correct the problems of the past and do the right thing in the future.

When I knew that the committee was going to be serious about the doing the bill, I crisscrossed Maryland consulting with parents, teachers, and administrators of our school system to get the best ideas. The first thing I asked was, what are we doing right, what are we doing wrong, what do you want us to do more of, and when do you want us to get the heck out of the way?

They said to me: Senator BARB, the problem in Washington is that you have a one-size-fits-all mentality. Washington wants to take the same rules that apply in New York City and apply them to Ocean City, MD. You cannot have a one-size-fits-all for every school district in the United States of America.

The second thing they said is, yes, you need accountability; yes, you do need metrics. But what we have come up with is overtesting that still does not result in high performance.

I worked on a bipartisan basis with the leadership to do what we could to get rid of the excesses of one-size-fits-all, all decisions that are made in Washington, and the fact that we shouldn't be racing to the test, we should be racing to the top.

My first rule in working on this legislation was to do no harm. I was deeply disturbed that there was an effort to change the formula—the formula that meant what Federal funds do come in the area of title I. We worked very hard to make sure the formula was fair and equitable, along with the rules of the game now and the groundwork for the rules of the game for the future.

What that meant was that initially Maryland would have lost $40 million and Baltimore City and Baltimore County would have each lost $6 million. In Prince George's County, which is experiencing a new wave of immigrant children, we would have lost $7 million. We were able to make sure the formula works the way it should.

We also made sure our teachers have the support they need. Our teachers have been overregulated. They have had demands placed on them to solve problems that are not theirs when a child comes to the classroom. Their job is to teach the child, but they can't solve every problem the child has. Many of our children come to school with significant and severe health problems. Some have peanut allergies. Some have asthma. Some are challenged by autism. The school system needs help with supportive services.

I am so proud of the effort I led to make sure we have opportunities for school nurses to be in those schools; to make sure Federal funds can be used for the coordination of the services that will be needed to provide and oversee the health needs of our children, such as vision screening, hearing screening, and important mental health services—this is what we need to be able to do; also, to make sure that while we maintain testing in reading and math, we make sure we get rid of the overtesting and the race to the test.

The Every Student Succeeds Act is good for all of Maryland's students. There are 874,000 boys and girls in school today. Some are from at-risk populations. What we do here is get them ready for school. We make investments in preschool education, which is so important. We have afterschool programming because children don't learn only during the school day but through structured afterschool programming. Children continue to learn all day while they are in a safe and secure environment. We empower families, we empower teachers, and we empower the local level.

I think this is a very good job in what has been done here. What we hope to be able to do is to make sure our children are ready for the 21st century. I believe this bill is a downpayment on our children's future and therefore on our Nation's future. When we spend money on education, the benefit not only accrues to the child, it accrues to our society. Every time a child can read, every time a child can participate in the demands and the knowledge of what the 21st century requires, we are going to be in a better place.

I congratulate Senator ALEXANDER and Senator MURRAY on a great job.

I urge adoption of the conference report.

I yield the floor.

Mr. CARDIN. Mr. President, today I wish to celebrate a truly bipartisan, bicameral accomplishment. For the first time in 14 years, Congress is on the precipice of reauthorizing the Elementary and Secondary Education Act, ESEA. First enacted 50 years ago as a part of the civil rights era, this legislation sought to ensure all children, regardless of ZIP code, were able to obtain a high-quality education. The latest reauthorization of ESEA was signed into law in 2001 as the No Child Left Behind, NCLB, Act. Due for reauthorization since 2007, an entire generation of students have matriculated through our Nation's public school system under this Federal education policy while reforms have been desperately needed. I am proud of the compromises that Senate HELP Committee Chairman ALEXANDER and Ranking Member MURRAY were able to craft together starting back in January and for the tireless work of their staffs to get us to this point we are at today.

Ensuring access to a high-quality education is one of the most important duties of Federal, State, and local governments. While Congress enacted the NCLB Act with the best of intentions and a comforting name, in reality the red tape and overreliance on the Federal assessments it codified have left

far too many children behind since its passage. In the years leading up to today, I have heard from parents concerned about the pressure their children feel when taking certain assessments, I have been disheartened to hear educators in my State say that they are falling out of love with teaching with consistently changing mandates and the unpredictability of high stakes testing, and I have met with education leaders who are trying to make the best of an untenable situation. All of those involved in education—from students, parents, educators, school support personnel, education leaders, volunteers, and organizations which hold our schools accountable to ensure every child obtains a high-quality education—deserve to move on from the failed NCLB Act.

I have often heard from educators in my State who stress that a child is more than a single or collective set of test scores. I am pleased the Every Child Achieves Act, ECAA, will replace the Federal, one-size-fits-all ''adequate yearly progress'' accountability system and allow States to design their own accountability systems to identify, monitor, and assist schools. Rather than relying on a collective set of test scores to determine student performance, accountability systems will be able to take into consideration student growth over the course of a school year. States will be able to consider multiple measures of student learning, including access to academic resources, school climate and safety, access to support personnel, and other measures which can allow for differentiation in student performance. All of this will be done while ensuring that students are held to the high yet achievable standard of being college- and career-ready upon completion of high school.

I am proud that the ECAA recognizes that, to support a successful student, schools should support the whole child, both physically and mentally. The approved bill includes a provision I coauthored with Senator ROY BLUNT that will allow schools in low-income areas to use Federal resources under title I to provide school-based mental health programs. School-based mental health programs have been proven to increase educational outcomes, decrease absences, and improve student assessments. The ECAA also makes an effort to ensure students in our Nation have a deeper understanding of how our government functions, and I would like to thank Senators CHUCK GRASSLEY and SHELDON WHITEHOUSE for working with me to modify the American history and civics title of ECAA to accomplish this goal. Our provision allows evidence-based civic and government education programs that emphasize the history and principles of the U.S. Constitution, including the Bill of Rights, to receive Federal funding for expansion and dissemination for voluntary use. For too long, a singular focus on assessments pushed out other important subjects like these which ensure a student receives a well-rounded education.

My home State of Maryland has made a commitment to funding education adequately over the past decade that has allowed Maryland to be a consistent national leader in student performance and student outcomes. Each day, our State's nearly 875,000 students make their way to the classrooms of more than 60,000 educators and thousands more support personnel and education leaders in nearly 1,446 Maryland schools. I appreciate the service of educators not only from the perspective of a lawmaker, father, and grandfather, but also as a husband of a teacher. I appreciate my colleague Senator BARBARA MIKULSKI, for standing with me to prevent a proposal from Senator RICHARD BURR from being included in the final conference report which would have harmed Maryland's hardest to serve low-income students. Senator BURR's proposal would have reduced Maryland's share of title I-A funding for educating low-income children by $40 million per year, punishing States like Maryland that have made the decision to make proper investments in funding education for our children. Thanks to the work of Senator MIKULSKI and a strong coalition of members from similar States, the final conference report does not include this provision.

The legislative process is about comprise. In many respects, this bill is a vast improvement over the No Child Left Behind Act, and the hard work of HELP Committee Chairman ALEXANDER, Ranking Member MURRAY, House Education and the Workforce Chairman JOHN KLINE, and Ranking Member BOBBY SCOTT have led us to this point. However, work remains to address a current lack of protections to make our schools safer places for lesbian, gay, bisexual, and transgender, LGBT, students. In addition, Congress must not repeat the same mistakes we learned from under the NCLB Act by underfunding our Nation's public schools. I stand ready to work with Members from both parties to ensure that all Americans can obtain a high-quality education.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, Duncan Taylor is the parent of a second grader in Highline public schools in my home State of Washington. Like so many parents in my State, he got a letter in the mail saying his son's school was failing.

Last year, Washington State lost its waiver from No Child Left Behind's requirements. Not only did that mean most of the schools in the State are now labeled as failing, it meant Washington State lost flexibility over how to spend some of its Federal funding.

As an active member of the PTA, Duncan volunteers in the classroom. So he knew that the label of ''failing'' did not reflect the kind of education his son was getting, but as an education advocate, he also knew that losing out on that funding—in effect punishing schools that serve students from all kinds of backgrounds—was not going to help. Like so many parents and teachers across the Nation, Duncan has been following our work to reauthorize the Nation's elementary and secondary education bill. We cannot let them down.

I thank Chairman ALEXANDER for working with me since February on a bipartisan path to get us to this point today. This process started when Chairman ALEXANDER and I agreed that No Child Left Behind is badly broken and needed to be fixed. He has been a great partner, and I am thrilled we have reached this point together.

I also thank all of our colleagues on the HELP Committee for their work and dedication in moving this bill forward. In particular, I thank my committee Democrats for their tireless work on behalf of families, schools, and communities in their States. This is a stronger bill thanks to their commitment and effort.

I thank the two leaders, Senator MCCONNELL and Senator REID. In particular, I thank Senator REID for his guidance and support.

We would not be where we are without Chairman KLINE and Ranking Member SCOTT in the House. While Chairman KLINE and I do not see eye to eye on everything, he has been a great partner on this bill, and I look forward to getting more done with him before he retires next year. Ranking Member BOBBY SCOTT has been a partner in getting this deal done. Without him and the passion he brings around dropout factories and creating a real accountability system for our schools so all children can succeed, we would not have been able to get this bill to a place where Democrats and the President could support it.

There have been many late nights and weekends for our staff this year. I want to take a moment now to recognize their extraordinary efforts and service. On Senator ALEXANDER's staff, I want to particularly acknowledge and thank his staff director, David Cleary, as well as Peter Oppenheim and Lindsay Fryer, his education and K–12 policy leads, who worked closely with our staff over many months. I also want to acknowledge and thank Jordan Hynes, Bill Knudson, Lindsey Seidman, Hillary Knudsen, Bobby McMillin, and Jim Jeffries, who all did great work on this important bill.

In the House, I was proud to work with Chairman JOHN KLINE, and I recognize and thank his staff director, Juliane Sullivan, as well as Amy

Jones, Brad Thomas, Mandy Schaumburg, Leslie Tatum, Kathlyn Ehl, Matthew Frame, Sheariah Yousefi, Krisann Pearce, and Brian Newell.

I was glad to work with my friend, Ranking Member BOBBY SCOTT, and I truly appreciate all of his hard work and dedication to this bill. I want to recognize and thank his staff director, Denise Forte, along with Jacque Chevalier, Helen Pajcic, Alex Payne, Christian Haines, Kiara Pesante, Brian Kennedy, and Rayna Reid.

In addition, I thank our committed floor staff, who provide outstanding guidance to us every day. In particular, I thank Gary Myrick, Tim Mitchell, Tricia Engle, and Daniel Tinsley.

Finally, I cannot say enough about my own incredible staff, who have put their time and talents into this bill from the word ''go.'' In particular, I want to thank my staff director, Evan Schatz, and my public education policy director, Sarah Bolton, for their extraordinary efforts on this legislation.

I want to acknowledge the long and hard work of Amanda Beaumont, Allie Kimmel, Leanne Hotek, Jake Cornett, Aissa Canchola, Sarah Rosenberg, Aurora Steinle, Leslie Clithero, Eli Zupnick, Helen Hare, Mary Robbins, Jeff Crooks, John Righter, Beth Stein, Beth Burke, Sarah Cupp, Melanie Rainer, Stacy Rich, Emma Rodriguez, and my chief of staff, Mike Spahn. I noticed all of your long, hard work on the unwavering commitment.

As a former teacher, I want to thank you for standing up for the best interests of our students, our educators, and our communities in Washington State and across the country. We would not be where we are today without all of your efforts. Thank you.

Every Senator here has heard from teachers, parents, and students in their home State about how No Child Left Behind is badly broken. For one thing, the law overemphasized testing, and oftentimes those tests are redundant or unnecessary. It issued one-size-fits-all mandates but then failed to give States the resources to meet those standards. I have seen firsthand how this law is not working in my home State of Washington.

Thankfully, we were able to work in a bipartisan way on a solution. Together, we passed our bill through the HELP Committee with strong bipartisan support. We passed our bill here on the Senate floor with strong bipartisan support. We got approval from our bicameral conference committee with strong bipartisan support. Last week the House passed this final legislation with strong bipartisan support. Today I hope our colleagues here will approve this final bill with the same bipartisan spirit that has guided our progress so far.

The Every Student Succeeds Act will reduce reliance on high-stakes testing. It will invest in improving and expanding access to early learning programs so more kids start kindergarten ready to learn. It will help ensure that all students have access to a quality education regardless of where they live, how they learn, or how much money their parents make.

With today's vote, I am looking forward to going back home and telling teachers and principals that we are on their side. I am looking forward to showing the American people that Congress can actually work when both sides work together.

I am looking forward to making sure this bill is implemented in a way that works for Washington State students, parents, teachers, and communities, but first we have to clear this last legislative hurdle before we can send it to the President's desk. I urge my colleagues to vote yes to pass the Every Student Succeeds Act. Vote yes to fix No Child Left Behind. Vote yes to prove Congress can break through gridlock, work together, and get results. Vote yes to pass this bill for students, parents, teachers, and communities across the country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

ORDER OF PROCEDURE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that following the vote on the adoption of the conference report, the Senate be in a period of morning business until 6 o'clock p.m., with Senators permitted to speak for up to 10 minutes each.

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

Mr. ALEXANDER. Mr. President, yesterday I extended my appreciation to Senator MURRAY's staff and to mine—some she noted yesterday. Some of them have been working on this bill for 5 years. I am deeply grateful to them. I have deep appreciation for their hard work, their ingenuity, and their skill in helping us come to this result. Without their hard work and tireless effort, we wouldn't have been able to reach the successful conclusion on the passage of this important bipartisan, bicameral bill.

On Senator MURRAY's exceptional staff, I would like to thank Evan Schatz, Sarah Bolton, Amanda Beaumont, John Righter, Jake Cornett, Leanne Hotek, Allie Kimmel, and Aissa Canchola.

On my hardworking and dedicated staff, I would like to thank David Cleary, Peter Oppenheim, Lindsay Fryer, Bill Knudsen, Jordan Hynes, Hillary Knudson, Jake Baker, Lindsey Seidman, Allison Martin, Bobby McMillin, Jim Jeffries, Liz Wolgemuth, Margaret Atkinson, and Taylor Haulsee.

I would like to thank some of my former staff who participated in this multiyear effort, but have moved on to other endeavors, including Marty West, Diane Tran, Matthew Stern, Patrick Murray, and Haley Hudler.

On Chairman KLINE's staff, I would like to thank Juliane Sullivan, Amy Jones, Brad Thomas, Mandy Schaumburg, Leslie Tatum, Kathlyn Ehl, and Sheriah Yousefi.

On Congressman SCOTT's staff, I would like to thank Denise Forte, Brian Kennedy, Jacque Chevalier, Helen Pajcic, Christian Haines, Kevin McDermott, Alex Payne, Kiara Pesante, Arika Trim, Rayna Reid, Michael Taylor, Austin Barbera, and Veronique Pluviose.

I would like to thank the hard-working staff of our Senate HELP Committee members and conferees, who played important roles in reaching this agreement, including Steve Townsend with Senator ENZI, Chris Toppings with Senator BURR, Brett Layson with Senator ISAKSON, Natalie Burkhalter with Senator PAUL, Katie Brown with Senator COLLINS, Karen McCarthy with Senator MURKOWSKI, Cade Clurman and Natalia Odebralski with Senator KIRK, Will Holloway with Senator SCOTT, Katie Neal with Senator HATCH, Josh Yurek with Senator ROBERTS, Pam Davidson with Senator CASSIDY, Brent Palmer with Senator MIKULSKI, David Cohen with Senator SANDERS, Jared Solomon with Senator CASEY, Gohar Sedighi with Senator FRANKEN, Juliana Hermann with Senator BENNET, Brenna Barber with Senator WHITEHOUSE, Brian Moulton with Senator BALDWIN, Mike DiNapoli with Senator BALDWIN, Eamonn Collins with Senator MURPHY, and Josh Delaney with Senator WARREN.

Much of the hard-working staff from the White House and Department of Education also provided great help in getting this conference agreement completed.

From the White House, I would like to thank Chief of Staff Denis McDonough, Domestic Policy Adviser Cecilia Muñoz, James Kvaal, Roberto Rodriguez, Kate Mevis, Don Sisson, and Mario Cardona.

From the U.S. Department of Education, I would like to thank Secretary Arne Duncan, Emma Vadehra, and Lloyd Horwich for their technical assistance.

The Senate legislative counsel staff work long hours on the many drafts of this bill and the amendments we considered on the floor in July, so I would like to especially thank Amy Gaynor, Kristin Romero, and Margaret Bomba.

We always rely on the experts at the Congressional Research Service to give us good information in a timely manner, so I extend my thanks to Becky Skinner, Jeff Kuenzi, Jody Feder, and Gail McCallion.

On Senator MCCONNELL's staff, I would like to thank Sharon Soderstrom, Don Stewart, Jen Kuskowski, Katelyn Conner, Erica Suares, John Abegg, Neil Chatergee, and Johnathan Burks.

On the Senate floor staff, I would like to thank Laura Dove, Robert Duncan, Chris Tuck, Mary Elizabeth Taylor, Megan Mercer, Tony Hanagan, Mike Smith, and Chloe Barz.

On Senator CORNYN's staff, I would like to thank Monica Popp, Emily Kirlin, and John Chapuis.

From the Republican Policy Committee, I would like to thank Dana Barbieri.

Finally, I would like to thank some in the education community for their persistent help with this bill, including Mary Kusler with the National Education Association, Tor Cowan with the American Federation of Teachers, Chris Minnich, Peter Zamora Carissa Moffat Miller, and Jessah Walker with the Council of Chief State School Officers, Stephen Parker and David Quam with the National Governors Association, and Noelle Ellerson and Sasha Pudelski with the School Superintendents Association.

Mr. President, as I said earlier—and I am speaking mainly to my colleagues on the Republican side now—Senator MURRAY's preference for a large early childhood program is not in the bill. My preference for a large program to give parents more choices of schools is not in the bill. We are not voting on that today.

Today we are voting on one of two things: the status quo or the change. You are either voting yes to repeal the common core mandate or no to keep it. You are either voting yes to get rid of the waivers through which the U.S. Department of Education has been operating as a national school board for 80,000 schools in 42 States or a vote no is saying: I like the national school board. Your voting yes means the largest step toward local control of schools in 25 years or no means you are voting against the largest step toward local control in 25 years. A vote yes means you like the fact that this bill should produce less testing; no means you like the testing the way it is. Those are the choices. We are past the time when each of us has a chance to offer an amendment. We all offered our amendments. I have offered mine. Some of mine got 45 votes, and I needed 60 votes, so they are not in the bill, but the choice today is a choice to unleash a flood of excellence in student achievement across this country the way it should be—State by State, community by community, classroom by classroom.

I urge my colleagues to vote yes.

I yield back any time we have remaining.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on the adoption of the conference report.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted ''nay.''

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

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

The result was announced—yeas 85, nays 12, as follows:

[Rollcall Vote No. 334 Leg.]

YEAS—85

Alexander	Fischer	Murkowski
Ayotte	Franken	Murphy
Baldwin	Gardner	Murray
Barrasso	Gillibrand	Nelson
Bennet	Graham	Perdue
Blumenthal	Grassley	Peters
Booker	Hatch	Portman
Boozman	Heinrich	Reed
Boxer	Heitkamp	Reid
Brown	Heller	Roberts
Burr	Hirono	Rounds
Cantwell	Hoeven	Schatz
Capito	Inhofe	Schumer
Cardin	Isakson	Sessions
Carper	Johnson	Shaheen
Casey	Kaine	Stabenow
Cassidy	King	Sullivan
Coats	Kirk	Tester
Cochran	Klobuchar	Thune
Collins	Lankford	Tillis
Coons	Leahy	Toomey
Corker	Manchin	Udall
Cornyn	Markey	Warner
Cotton	McCain	Warren
Donnelly	McCaskill	Whitehouse
Durbin	McConnell	Wicker
Enzi	Menendez	Wyden
Ernst	Merkley	
Feinstein	Mikulski	

NAYS—12

Blunt	Lee	Sasse
Crapo	Moran	Scott
Daines	Paul	Shelby
Flake	Risch	Vitter

NOT VOTING—3

Cruz	Rubio	Sanders

The conference report was agreed to.

VOTE EXPLANATION

● Mr. RUBIO. Mr. President, today the Senate voted on the adoption of the conference report to accompany S. 1177, the Every Child Achieves Act. The conference report is commonly referred to as the Every Student Succeeds Act. While the Every Student Succeeds Act takes important steps in restoring some control over education decisions back to the States, it does not go far enough. Unfortunately, the bill does not grant States autonomy in all education decisionmaking, expands the Federal Government's role in pre-K, and fails to include important measures that broaden school choice. Due to these shortcomings, I am unable to lend my support to this bill.●

MORNING BUSINESS

The PRESIDING OFFICER. The Senator from Tennessee.

EVERY STUDENT SUCCEEDS BILL

Mr. ALEXANDER. Mr. President, today the U.S. Senate, by a vote of 85 to 12, has sent a Christmas present to 50 million children across this country. First, it has to go down Pennsylvania Avenue to the White House, where we hope President Obama will wrap a big red bow around it, sign it, and send it to the children and the 3.4 million teachers who are looking forward to it.

This is a bill that is so important that the Nation's Governors gave it their first full endorsement of any piece of legislation in 20 years. It has the full support of the Chief State School Officers, it has the full support of the school administrators, and it has the support of the American Federation of Teachers and the National Education Association.

This is very good policy, and the reason it is, is it is bipartisan, it is a consensus, and instead of arguing about it after the President signs it—which I hope he will—classroom teachers, school board members, Governors, community by community, State by State can go to work implementing it, and making their plans to make their own decisions about what kind of tests to give, how many to give, what the standards should be, how to fix failing schools, how to reward outstanding teachers. We have created an environment that I believe will unleash a flood of excellence in student achievement, State by State and community by community.

I thank the Members of the Senate. I especially thank the members of the Health, Education, Labor, and Pensions Committee who have worked so well together—all 22 of them. I especially thank Senator PATTY MURRAY of Washington for her leadership and her effectiveness in helping to get such a remarkable event.

To take an issue this complex and difficult and have a vote of 85 to 12 proves that when the Senate puts its mind to it, it can do some very good work. We have done that today.

ORDER FOR RECESS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate recess today from 1 p.m. to 2 p.m.

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

The PRESIDING OFFICER. The Senator from Washington.

EVERY STUDENT SUCCEEDS BILL

Mrs. MURRAY. Mr. President, let me echo the words of our chairman and thank him, our staff and everyone who has worked on this and everyone who has supported this in a bipartisan way to send it now to the President to be signed into law.

It is a great step forward. As the chairman, Senator ALEXANDER, just

said, the work must now begin in our schools, in our communities, and in our States to find ways to make sure all of our students achieve. We have put them on that, we expect them to live up to that, and that is the promise of this bill.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

UNANIMOUS CONSENT REQUEST—S. 1774

Mr. SCHUMER. Mr. President, I am going to ask for a unanimous consent request but speak for a couple of minutes, engaging in some discussion with my dear friend, the senior Senator from the State of Utah.

First, I thank him for coming to the floor today on this issue. I am heartened that he has expressed interest in working with us to get something done to help our fellow citizens in Puerto Rico. I also thank my friends, the Senators from Connecticut, New Jersey, Oregon, Washington, Illinois, and my colleague from New York who is here for their steadfast support for helping Puerto Rico in this time of crisis.

I rise deeply troubled by the dire economic, financial, and health care situation in Puerto Rico. The island is facing a financial crisis, a health care system on life support, and the situation grows more dire each month.

Puerto Rico is $73 billion in debt already and large bond payments will continue to become due next month and in the months to come. Sadly, as Puerto Rico's economy and health care system has floundered, residents have started to flee their homeland. As the economic situation worsens, the population shift from the island to the mainland will continue until the only ones left are those who don't have the resources to move. At that point we are going to have a humanitarian crisis on our hands, if there isn't one already.

There are 3.5 million people, Puerto Ricans, living on the island today and another 5.2 million living in the United States, including over 1 million in my State of New York. We have a basic American responsibility to aid all American citizens in times of crisis, no matter where they live. Beyond that basic imperative, if we fail to offer Puerto Rico assistance now, the problem will not be contained to the island.

We need to be concerned with these issues, not only because Puerto Ricans are part of the American family and deserve the quality of life we all expect but also because our failure to act now could result in a Puerto Rican financial crisis that becomes a drag on our entire economy. I want to underscore this point. Congress must intervene before the crisis deepens and widens. We have the tools to fix this problem. They are sitting in the toolbox. The problem is Puerto Rico isn't allowed to use them.

Similar to chapter 9 protections offered under the Bankruptcy Code, every State in the United States can access chapter 9 protections for municipal and public corporate debt, but Puerto Rico, because it is a territory, cannot. Providing Puerto Rico the ability to restructure its debt is absolutely necessary if Puerto Rico is going to get out from this financial crisis.

Senator BLUMENTHAL and I have introduced legislation along with many of my other colleagues who will join us today that will put Puerto Rico on an equal footing when it comes to chapter 9. At the very least we should pass it right away. There are other proposals as well. We could widen bankruptcy protections. There are health and economic issues as well and we have to look at those.

I stress to my colleagues on the other side of the aisle that giving Puerto Rico the restructuring authority in our bill isn't a bailout and will not require any additional spending. It will not cost the taxpayers one plug nickel, but it will do a whole lot of good to our friends in Puerto Rico.

On the health care front, I have introduced a bill with many of my same colleagues to address several aspects of the health care crisis, issues such as Medicaid funding and fairness, appropriate reimbursement rates, and equitable physician payments. Disparities in how the Medicare and Medicaid Programs treat Puerto Rico and our other territories are significant and need to be addressed.

In conclusion, I am going to be the first to admit that neither of these bills is a silver bullet to solve all of Puerto Rico's problems, nor are they the only potential solutions. We are more than willing to work with the chairman of the Finance Committee, a good friend who I know cares about the Puerto Rican issue, to find other solutions and craft bipartisan legislation so long as it provides help to Puerto Rico, but the clock is ticking. We are running out of time. Congress must act now to address these issues that are stifling Puerto Rico's economy and way of life. We must give them the tools they need to solve these problems.

Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1774 and the Senate proceed to its immediate consideration, the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. HATCH. Mr. President, reserving the right to object, I want to say first that I appreciate what my colleague is trying to do with regard to Puerto Rico. I think it is fair to say that we all share his concerns, and I don't know of anyone in this Chamber who is indifferent to the issues facing our fellow American citizens in Puerto Rico. I agree with the senior Senator from New York that Congress should act to address these problems and we need to act very quickly. However, a number of Senators, myself included, have some concerns about the specific policy in the bill he has brought up today on the floor. Setting aside those concerns, there are a number of questions about whether this approach would effectively address Puerto Rico's problems.

I want to work with my colleagues and especially my colleague from New York to find a path forward on this issue. Once again, there is bipartisan agreement that something needs to be done. I have been working closely with the ranking member of the Senate Finance Committee on this issue. He has been a great help. I have also been in some pretty involved discussions with the chairs of the Judiciary and Energy and Natural Resources Committees, which also have jurisdiction in this matter, as we have been working to draft a legislative proposal to address a number of these concerns. In fact, we are planning to introduce our bill later today.

I am sure I will have more to say on that piece of particular legislation in the coming days. For now I will say I would be happy to engage the senior Senator from New York on this matter as well and would hope that he would be willing to do the same with me. Going forward, I hope we can work together to make sure we have all the information we need about the situation in Puerto Rico in order to craft informed policies and effective solutions and do so in short order, in the interest of helping the people of Puerto Rico.

As of right now, I think we need additional deliberation on this matter rather than simply deeming any piece of legislation to be the correct approach. For these reasons I must object to the good Senator's request at this time, but once again I will commit to working with him and others to address these important issues.

I do object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New York.

Mr. SCHUMER. Mr. President, just briefly. I thank my colleague from Utah for his remarks. I want to work with him, as I know Senator WYDEN, Senator GILLIBRAND, Senator MENENDEZ, and so many others on the floor want to get this done. We have to work together quickly and I appreciate him acknowledging that.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I want to express my strong disappointment that we are unable to do this legislation now. There is a grave sense of urgency for the people living in Puerto Rico, so I share the goals of my colleagues to get this done sooner than later. This has to be moved forward. No American parent or child should have to face economic stress simply because of where they live. Congress has the responsibility to actually help these families. The economic situation in Puerto Rico is a serious problem that we can only begin to solve with meaningful legislation.

This bill is the fiscally responsible way to help the people of Puerto Rico. It is the fiscally responsible way to alleviate the dire economic situation in Puerto Rico. Let's be very clear. This is not a bailout. It is a means for our fellow Americans in Puerto Rico to get themselves out of serious economic distress. Congress must come together to pass this bill. The situation in Puerto Rico is desperate and these families need our help. There is no other way to see it. We have to help them.

I urge my colleagues to reconsider this objection. Congress must help the people of Puerto Rico.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I will be very brief.

I ask unanimous consent that Senator MENENDEZ speak after me.

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

Mr. WYDEN. Mr. President, I very much appreciate Chairman HATCH's willingness to work with all of us—Senator SCHUMER, Senator GILLIBRAND, Senator MENENDEZ, and myself—the many Senators who care deeply about this issue.

My view is that the situation in Puerto Rico will get far, far worse, particularly with inaction. That is why it is so important for this body to come together, Democrats and Republicans, and move quickly.

As Chairman HATCH has noted, we have been working on this in the Finance Committee. We are appreciative of Chairman HATCH's willingness to listen to colleagues on both sides of the aisle, and I think it is fair to say we have made some tangible progress.

Recently, the talks have bogged down, in particular because of efforts to change national programs that have nothing to do with Puerto Rico. I wish to emphasize what has been the challenge in recent days. We are trying to deal with the very real and significant questions facing Puerto Rico. Some have said in order to do that, you would have to make substantial changes in national programs.

One of the reasons I wanted to speak briefly on the floor this morning is I believe that any legislation to assist Puerto Rico needs to be focused on the territory and not get into unrelated provisions. In addition, any legislation to assist Puerto Rico ought to include some type of debt restructuring authority. Unfortunately, I think things have moved past the point where any sort of austerity in Puerto Rico can allow them to climb out of debt without causing a humanitarian crisis. That is why some type of debt restructuring is so important.

Wrapping up, I also wish to point out that debt restructuring and debt restructuring authority does not add a penny to the Federal deficit. In my discussions with Chairman HATCH—and we are very appreciative of our relationship and discussions we have had—that has been very important to him. So I do want to point out that debt restructuring authority does not add one penny to the Federal deficit.

This issue is too important to get lost in yet another partisan fight. I am going to work closely with our many colleagues, the two Senators from New York, Senator MENENDEZ, who knows an enormous amount about this issue, and the chairman because, as I touched on in my statement, things will get much, much worse and sooner than people think, in my view, if Congress fails to act.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I have a lot of respect for Chairman HATCH. I am privileged to sit with him and the ranking member on the Senate Finance Committee. He does try to work in ways that are bipartisan, so I appreciate his willingness to acknowledge that this is a problem. But I am disappointed that this rather modest measure to help Puerto Rico address its challenges in an orderly and legal way seems to be in a vortex in which we can't get it out.

There are four things I think we need to be clear about. Every single municipality in the United States already has access to chapter 9. Puerto Rico had access to it until 1984, when a provision was stuck into a larger bill with no explanation or debate. Restoring chapter 9 to the island doesn't cost the U.S. Treasury a single penny, nor will it raise the deficit. Perhaps most importantly, all other measures both the mainland and the island can take are virtually meaningless without this restructuring authority.

I appreciate the chairman's remarks about being open to negotiate, but we have been negotiating this issue for several months now. We have heard from stakeholders representing every interest on the island. We have had three congressional hearings. And while there may be some differences on the exact prescription, virtually everyone agrees that some restructuring authority must be part of the cure.

Again, this is something we can do right now. This is something that doesn't cost anything or need an offset, and it is something tangible that will give—and I want to focus on this—the 3.5 million American citizens who live in Puerto Rico a fighting chance.

This is not about some foreign country. The citizens of Puerto Rico are citizens of the United States. If all 3.5 million came to the mainland, they would have the rights and privileges as any other U.S. citizen. They would be fully eligible for any benefit that any citizen of the United States has.

Sometimes we look at the people of Puerto Rico—and I have had Members in the past when I served in the House of Representatives who have asked me: Do I need a passport to go to Puerto Rico? Pretty amazing. This is not some foreign country, this is the United States of America. They are U.S. citizens. They deserve to be treated as U.S. citizens.

The people of Puerto Rico have fought in virtually every war the United States has ultimately had. If you go to the Vietnam Veterans Memorial with me, you will see a disproportionate number of names from the island of Puerto Rico who served in that war or the 65th Infantry Regiment Division in the Korean War, which was an all-Puerto Rican division and the most highly decorated in the history of U.S. military actions, and on and on. It is shameful that we treat 3.5 million U.S. citizens this way.

This crisis didn't develop overnight, nor will it be fixed in a day, but the present Governor, Governor Padilla, and the Government of Puerto Rico have done everything they can to right the ship of insolvency. Governor Alejandro Padilla didn't create this crisis, which has gone on through various administrations in Puerto Rico, but he has made the tough choices. He has closed schools and hospitals. He has laid off police and firefighters. He has raised taxes on businesses and individuals. They have gone beyond what a sovereign nation such as Greece, for example, would ever have imagined doing, but they have run out of options. All the cuts and tax hikes will not make a dent in this crisis without the breathing room that restructuring authority provides.

This problem isn't going to go away, but I do say that as Congress fiddles, Puerto Rico burns. It would be outrageous if the Congress goes home for a holiday and leaves a brewing catastrophe for the 3.5 million citizens of Puerto Rico who have fought for and died for this country.

So I hope these negotiations, which, as the distinguished ranking member has said, should be focused on the issue of Puerto Rico and the 3.5 million U.S. citizens who live there, who wear the uniform of the United States, who have fought for it proudly and who have died

for it, ultimately are not linked to something that has nothing to do with those 3.5 million U.S. citizens.

Puerto Rico isn't asking us to pull them out of this hole; they are just asking us to give them the tools with which they can help themselves. For over a century, we have had an inextricable bond with the island of Puerto Rico and its people, and we should not turn our backs on their great commitment to our country.

I am going to come to the floor again and again, and I am going to remind my fellow Americans of Puerto Rican descent in Pennsylvania, in Ohio, in Florida, in New York, in New Jersey, and elsewhere around this country about their need to raise their voices on behalf of their fellow citizens. This is pretty outrageous to me.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am proud to follow my colleague from New Jersey, my other esteemed colleagues, and the ranking member on the Finance Committee—Senator WYDEN—and Senator SCHUMER simply to make a few very starkly apparent points about the situation in Puerto Rico. It affects not only the 3.5 million citizens in Puerto Rico—and they are American citizens of the United States—but also the financial markets, the bondholders, and citizens who depend on the viability of our financial system across the country and potentially around the globe.

There is a reason for bankruptcy laws. They try to make the best of a bad situation. Bankruptcy is never pleasant or welcome. The reason for the bankruptcy laws is to create an orderly, structured process for avoiding the chaotic and costly race to the courtroom and then endless litigation. It simply consumes scarce resources. That is what will happen if bankruptcy protection is not provided in some way to the municipal entities, governmental function, and others in Puerto Rico.

By a quirk of history, Puerto Rico is not covered by chapter 9. That quirk of history could be extraordinarily costly, not only in dollars and cents but in the humanitarian catastrophe that threatens the people of Puerto Rico in depriving them of essential services, energy, medical care, and all kinds of very necessary governmental functions that may be impossible if there is no orderly resolution to its financial situation.

We can debate how Puerto Rico arrived at this place. We should learn from history so we don't repeat it, but right now this crisis demands action, and that action has to come now.

Many of us remember when New York City faced similar financial straits and the headlines in some of the tabloids. One said ''Ford to City: Drop Dead.'' It was a reference to President Ford and his lack of action when New York City was in dire fiscal trouble.

The Nation would not let New York City drop dead. It should not let Puerto Rico drop dead financially. It should not send a message to Puerto Rico: Drop dead.

For this Chamber to say ''drop dead'' to Puerto Rico is absolutely intolerable and unacceptable, just as it would be if we were to say ''drop dead'' to the people of Alaska, represented so ably by the Presiding Officer, in a similar situation or to the people of Oregon, Connecticut, or any of our States or municipal entities. We know we came to the aid of Detroit, Stockton, and other municipalities when they needed it. That message, ''Drop dead, Puerto Rico,'' is antithetical to the democracy we represent here.

Puerto Rico can and must reform itself, but no amount of long-term reform will address the short-term reality that Puerto Rico cannot pay its current debts when due. That is the definition of ''insolvency''—the inability to pay debts as they come due. The denial of chapter 9 will not create more money that makes Puerto Rico solvent and enables it to pay those debts. The only question is whether this reality results in a chaotic and costly default, with nobody winning except the legions of creditors' attorneys who will spend years and countless billable hours fighting each other litigating through the State or Commonwealth courts, through Federal courts, through courts of appeals, and maybe to the U.S. Supreme Court, over years, maybe over decades. The alternative is an orderly restructure, which serves the public interests as well as the interests of our fellow Americans in Puerto Rico. It is an orderly, deliberate, rational process that only Congress can provide.

The actions in the long term that are necessary in the interest of economic justice, as well as fairness and the welfare of our fellow citizens in Puerto Rico, include addressing issues relating to Medicare, the earned-income tax credit, and other obligations that we have recognized for the citizens of the country who live in the 50 States. The financial gymnastics have enabled Puerto Rico so far to avoid the chaos, and enabled Puerto Rico to avoid going over a cliff that, in effect, is irremediable. But we need to be very blunt and real. Those financial gymnastics cannot be sustained or continued indefinitely. The financial somersaults and headstands must end. The prospect of a humanitarian catastrophe within a U.S. territory is very real and immediate. Congress can act to prevent it. It can choose not to do so. But the responsibility is ours if there is no action.

I urge the Members of this body, our colleagues, to give Puerto Rico—our citizens and fellow Americans there—the respect they deserve and approve the bill that we have offered.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MENTAL HEALTH

Mr. BLUNT. Mr. President, I wish to talk for a few minutes today about mental health. It is a topic that gets a lot of attention every time somebody does something that we don't think makes sense, when people do harm to others in ways that we don't seem to be able to rationalize in any other way but to say that we are almost 100-percent sure that this is a person who has a significant mental health problem.

Before I go any further with that idea, I wish to say that if you have a mental health problem, you are much more likely to be the victim of a crime than you are to be the perpetrator of a crime. But when we see things happen in schools—whether it is an elementary school such as Sandy Hook or a community college—and when we see things happen on a military base such as Fort Hood or in the last week at a holiday party, there is no way to explain those things except to say that something has gone dramatically wrong in somebody's life. But it does bring us to a topic that seems to be brought only by the worst of circumstances.

Fifty-two years ago President Kennedy signed the last bill he signed into law, which was the Community Mental Health Act. On the 50th anniversary, the last day of October 2013, Senator STABENOW and I came to the floor to talk about that. When you look at the Community Mental Health Act, there were lots of great goals to be set for the country. Almost none of those goals have been achieved. The goals of closing facilities that people were concerned about, which they thought didn't meet the mental health needs in the best possible way, were often achieved, but replacing those facilities with other places to go to and get care didn't happen. In fact, surprisingly, the worst partner in behavioral health is the government.

We have mandated that some of these issues be taken care of by private insurance in what we would consider mental health equity or mental health parity, but seldom have we mandated that the Federal Government step up and treat behavioral health issues in the same way. While we have done that, we have largely turned to the law enforcement community in the country and emergency rooms and said that is

our mental health program. The truth is we never said that. We just allowed that to happen.

The biggest program for dealing with a behavioral health issue is the local police and the emergency room—neither of which is the best place to do this or the right place to do this. Sometimes that is the only option, and it is understandable when it is the only option. But it doesn't have to be the only option so much of the time.

The National Institutes of Health says that one out of four adult Americans has a diagnosable and almost always treatable behavioral health issue. This is not something that we don't have any relationship with. By the way, they don't say that one out of four adult Americans has a diagnosis and is undergoing treatment. They say that one out of four adult Americans has a diagnosable behavioral health issue and it is almost always treatable. In a hearing we had a year or so ago, they went on to say that about one out of nine adult Americans has a behavioral health issue that impacts the way they live every day, many times in a dramatic way.

We need to do something about this. The Congress took a big step to do something about it over a year ago when we passed the Excellence in Mental Health Act. What did the Excellence in Mental Health Act do? The Excellence in Mental Health Act set up an eight-State pilot where in those eight States the facilities that met the requirements that the act specifies—community health centers, federally qualified health centers, community mental health centers that have the right kind of staff and have that staff available 24 hours a day, 7 days a week, and meet other criteria—in those centers and in those eight States, behavioral health would be treated like all other health.

What I think we will find out that happens in those eight States is that there is no increase in cost. There are a few studies that would lead me to believe that. They are going on around the country right now. Nobody will argue that if you treat behavioral health like all other health, the overall societal cost is going to more than pay for whatever you invest in treating that mental health issue. But I think what we are likely to find out, and what studies are beginning to prove, is that even with the health care space itself, if you treat behavioral health like all other health, your overall health spending doesn't increase. It decreases because the other issues are so much easier to deal with. If you are taking your medicine, if you are feeling better about yourself, if you are eating better, if you are sleeping better, if you are seeing the doctor, suddenly the cost that was being spent on your diabetes or the cost that was being spent to deal with hypertension gets so much more manageable that your overall cost goes down.

What we think will happen is that the eight States that move in this direction will never go back even though it is a 2-year pilot. We think all the facts are going to show that it should be a permanent commitment. In fact, what happened was that we didn't have just 8 States apply or 10 States apply or even the 20 States that the Senator from Michigan and I were told would be the maximum if we made this mandatory for the whole country from day one. We might have as many as 20 States that would be willing to participate, but 24 States applied to come up with the framework to hope to be one of the 8 States. Those 24 States have all been given a little planning money. They will have a few more months to come up with a plan that says: Here is what we would like to try to prove—that if you treat behavioral health like all other health, good things happen, and it is the right thing to do.

The more I talk about that and the more others talk about that, the more I think we all wonder why would we even think we have to prove this. But these pilot States are going to prove that. I am beginning to wonder why we don't figure out how to make all 24 States pilot States. A very small commitment leads to a very big result. What we would find out is that doing the right thing produces the right kind of results. If half the States in the country not only went on this 2-year pilot program but find out that this is really what you need to do, half the States in the country would permanently be on a program that for the first time begins to achieve the goals of the Community Mental Health Act.

There are great discussions going on in both the House and Senate about how the Senate bill can focus on expanding some of the grant programs that will encourage people to become behavioral health professionals. The House legislation talks about how we can get families more involved so they are able to keep up with the family member who has a behavioral health challenge. However, none of those things actually matter very much if they don't have anywhere to go. We can have all the mental health professionals we can imagine we would want to have, but if there is no access point for mental health treatment, it doesn't do any good to have all those mental health professionals.

What the Excellence in Mental Health Act does and will do is create an access point where everybody can go. Based largely on the community federally qualified health center model, those expenses will be submitted to the person's insurance company or they may have some other capacity to pay. Some individuals will have a copayment for every visit, which is part of that system. They can use whatever government program they might apply for, and then the difference will be made up when they submit their legitimate expense, and those payments will be carefully audited.

The goal of the federally qualified center is year after year to get the money back that they have invested in treatment so that it then becomes an access point for those people.

I wish to point out that the access point is what really matters here and is the underpinning for everything else. There is no reason to have a big debate about how they share somebody's record with the people who are closest to them if they don't have anywhere to go and get that analysis. There is no reason to think about how many mental health professionals we could use in the country if there is no facility for people to go to so they can meet their mental health professional.

This is a real opportunity for us. Congress has agreed to do this. I will be searching—and I hope my colleagues will join me in ways to search—to see what we can do to not only have an 8-State pilot program but to see if we can expand it and have a 24-State pilot program, assuming that all 24 of those States come back with a credible plan on how we can meet the goals of not just the Excellence in Mental Health Act but, frankly, the goals the country set for itself 50 years ago on the last day of October in 1963.

We are still woefully short of meeting the potential we need to meet in order to bring people fully into society based on what happens if you treat their behavioral health issue the same way you would treat every other single health problem they may have. There is no reason not to do that. We have the capacity and ability to do that. We have the program Congress has agreed to, and suddenly the number of States that are taking this seriously exceeded everybody's estimation of States that would want to be a part of this program.

I think one could argue that 50-plus years later, we may have finally come to a moment when everybody is willing to talk about this issue and do something about it. We shouldn't miss this moment. It is never too late to do the right thing. We are not doing the right thing now. Treating behavioral health like all other health issues and fully utilizing the skills and potential of mental health caregivers by giving them just a little more assistance than they currently have will enable those suffering from a behavioral health issue to become a full part of a functioning society.

I am proud that my State has always been forward-leaning on these issues, whether it is Mental Health First Aid or trying to involve different kinds of care that work. I hope my State will be one of the pilot States. Frankly, I would like to see every State do this

that wants to do this and can put together a planning grant that shows they have made the local investment that is necessary so they, too, can be a part of the program that is moving forward to improve behavioral health issues.

We still have one or two opportunities this year. We have the rest of this Congress if we don't get it done this year, but let's not miss this moment to improve mental health issues. We are already 50 years behind. Let's not get any further behind when there is a chance to do the right thing for the right reasons at the time we have to do it in.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUESTS—NOMINATIONS

Mr. BROWN. Mr. President, I rise again today to support Adam Szubin's nomination to serve as Under Secretary for Terrorism and Financial Crimes at the Treasury Department, as well as to support several other nominees whose nominations have been pending before the Senate banking committee for many months—some for almost a full year—with no vote.

All of these nominees have had hearings. They have all completed a thorough committee vetting process and they are ready to be approved. Yet the Senate banking committee is the only committee in the Senate that has not yet held a single vote on any administration nominee in this Congress—not one vote on any of the more than a dozen nominees this Congress.

There are 13 nominees pending before the committee. Here we are in the final month of the year, and Republicans still have not held a vote on any of them.

This inaction stands in stark contrast to this committee's record on nominees over the past 15 years. When we look at this chart, we see for the 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th—eight Congresses, 15 years—this Congress is only half completed—Republican Presidents during much of this time and Democratic Presidents during much of this time; a Republican majority in the banking committee during some of this time and a Democratic majority in the banking committee during some of this time. Yet when we look at these numbers, we see lots referred to committee, but when we look at the number of approved by committee for this Congress: zero. The number confirmed by the Senate coming out of banking for these nominations: zero. The number returned to the President: zero. The number withdrawn: zero.

In other words, time after time, year after year, President after President, Senate majority after Senate majority, we have seen the Senate banking committee actually do its work, until the 114th Congress, 2015: nothing in terms of approval. In this Congress, the committee has failed to carry out its duty to consider and act upon the President's nominees.

Let me start with Mr. Szubin, who is currently serving in his critical position in an acting capacity. Despite having bipartisan support—the Presiding Officer I know is also on the banking committee—his nomination has languished for 200 days because of Republican obstruction.

This is a critical national security post that must be filled permanently. Mr. Szubin heads what is in effect Treasury's economic war room, managing U.S. efforts to combat terrorist financing and fight financial crimes. He can do his job better if he is not acting but if he is in fact the confirmed nominee of the President of the United States. He is helping to lead the charge to choke off ISIL's funding sources. We are introducing legislation today, in part, answering the threat of ISIL and the threat of terrorism and, in part, by coming up with new ways to choke off funding for the terrorists. Nobody is in a better position in our government—nobody—than Mr. Szubin, and I want him confirmed so he can do his job better. It would prevent developing additional capacity to strike war targets around the world. He is working to hold Iran—regardless of how one voted on the Iran nuclear deal, he is going to hold Iran to its commitments under the nuclear deal and lead a campaign against the full range of Iran's other destructive activities.

Mr. Szubin has served in senior positions first in the Bush administration and now in the Obama administration. I don't know if he is a Democrat or Republican. I don't really care. He is an acknowledged expert in economic sanctions and counterterrorist financing. There is no question—no question—that he is qualified for this position. Over the last 15 years he has distinguished himself as an aggressive enforcer of our Nation's sanctions laws against Russia, against Iran, against North Korea, and against money launderers, against terrorists, and against narcotraffickers. Given all the concerns surrounding terrorist financing—legitimate concerns that Senator SHELBY has and that I have and probably all other 98 Members of the Senate have—one would think a nomination would be a priority. In the past, it has been.

Szubin's mentor, Bush Under Secretary Stuart Levey, was confirmed by the Senate just 3 weeks after his nomination came to the banking committee. The Senate took just 2½ months to consider Mr. Szubin's immediate predecessor.

Mr. Szubin has support across the political spectrum. Even many groups opposed to the Iran nuclear deal support his nomination. The banking committee chairman, Senator SHELBY, my friend who is in the Chamber, described Mr. Szubin as ''eminently qualified.'' He deserves the strong backing of the Senate. Without it, his ability to operate here and abroad is less than it should be.

So I ask unanimous consent that the Senate proceed to executive session and the banking committee be discharged from further consideration of PN371, the nomination of Adam J. Szubin to be Under Secretary for Terrorism and Financial Crimes; that the Senate proceed to its consideration and vote without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. SHELBY. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard from the Senator from Alabama.

Mr. BROWN. Mr. President, I am frustrated that my colleagues have chosen to continue to object without giving a reason why we are not going to vote on this nomination; not talking about Mr. Szubin's lack of qualifications—because that just wouldn't be true—and not ultimately helping us deal with terrorism around the world in this critical national security nomination.

Let me turn to another key Treasury official who has been nominated to serve in a dual economic security and national security role, Adewale Adeyemo, to be Assistant Secretary of the Treasury for International Markets and Development. The person in this role is responsible for key national security issues and recommendations made in the CFIUS process, which assesses the major national security implications of large investments in the United States made by foreign firms.

Like Mr. Szubin, Mr. Adeyemo has been waiting for months for the banking committee to act on his nomination.

I ask unanimous consent that the Senate proceed to executive session and the banking committee be discharged from further consideration of PN86, the nomination of Adewale Adeyemo to be Assistant Secretary for

International Markets and Development; that the Senate proceed to its consideration and vote without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. SHELBY. I object.

The PRESIDING OFFICER. Objection is heard from the Senator from Alabama.

Mr. BROWN. Mr. President, I am further frustrated because of a lack of information as to why we are not confirming this nominee. We have had hearings and they have been vetted. There is no opposition to qualifications. There is no dispute over how important these positions are.

Let me turn to a nomination for another key economic security position in the administration: Patricia Loui-Schmicker to serve on the Board of Directors of the Export-Import Bank.

The Export-Import Bank has been around since the days of Roosevelt. There were efforts by tea party Republicans to put the Export-Import Bank out of business. They did, for a period of time, even though for 75 years it has been reauthorized, kept in existence, helped our country, made a difference in creating jobs, helping big companies such as Boeing and GE and others, and helping all kinds of small companies. Many of the companies they have helped people haven't even heard of, that are in Ohio and that are part of the economic supply chain, the supply chain for these companies.

This week I was with a group of people who do this kind of work in Ohio. They were just flabbergasted that because of intransigence on the part of tea party Republicans, we can't get them—we didn't authorize it for months and months, and now, when we finally did and it can operate, the Ex-Im Bank can't operate because the Senate banking committee will not do its job.

So I ask unanimous consent that the Senate proceed to executive session and the banking committee be discharged from further consideration of PN288, the nomination of Patricia Loui-Schmicker to be a member of the Board of Directors for the Ex-Im Bank of the United States; that the Senate proceed to its consideration and vote without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. SHELBY. I object.

The PRESIDING OFFICER. Objection is heard from the Senator from Alabama.

Mr. BROWN. Mr. President, the objections from my Senate colleague, my friend Senator SHELBY, costs us American jobs. When you shut down the Export-Import Bank, it means that workers get laid off, it means that companies can't expand, it means companies can't do what they want.

So the first objection means our country is less safe, the second objection causes us all kinds of problems with making sure our companies and national security is what it should be, and this third objection costs us American jobs. None of these do I understand.

Mr. President, I want to turn to another Treasury Department nominee. Amias Gerety has been nominated to be Assistant Secretary for Financial Institutions, Department of the Treasury. Mr. Gerety has played an important role since the beginning of the current administration, helping our country recover from the worst financial crisis since the Great Depression. He deserves the full backing of the banking committee.

I ask unanimous consent that the Senate proceed to executive session and the banking committee be discharged from further consideration of PN208, the nomination of Amias Moore Gerety to be Treasury's Assistant Secretary for Financial Institutions; that the Senate proceed to its consideration and vote without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. SHELBY. I object.

The PRESIDING OFFICER. Objection is heard from the Senator from Alabama.

Mr. BROWN. Mr. President, I will move on to another nomination.

This nomination is for the Federal Transit Administration. This distinguished nominee, Therese McMillan, has been awaiting confirmation since January of this year. She joined FTA as the Administrator in 2009. She has been Acting Administrator for a year and a half.

Apparently the Republican majority doesn't want anybody in the Obama administration because the President they don't much like has nominated these people. It is pretty hard to understand.

Mr. President, I ask unanimous consent that the Senate proceed to executive session and the banking committee be discharged from further consideration of PN41, the nomination of Therese McMillan to be Administrator of the Federal Transit Administration; that the Senate proceed to its consideration and vote without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the Record; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. SHELBY. I object.

The PRESIDING OFFICER. Objection is heard from the Senator from Alabama.

Mr. BROWN. Mr. President, a nominee to be inspector general of the FDIC, Jay Lerner, has been awaiting confirmation since January of this year.

We know the Republican majority doesn't much like Obama nominees, even though President Obama is one of, I believe, two Democrats in the last 150 years who has actually—correct me if I am wrong—won at least 51 percent of the country's votes twice. Since the Civil War, the only other was Franklin Roosevelt, who won more than half of the popular vote four times in the country. I know some of my colleagues don't seem to want to recognize that he is the President of the United States and, as we have always done in this country, the President gets to nominate people. If they are qualified, they should be confirmed. Even if there is disagreement on their qualifications, they should be voted on and voted down. We are even asking you to do that if that is what you choose to do. But, particularly since they don't much like the people the President puts on the FDIC, maybe we need an inspector general who can find out if they are doing things wrong. That is the whole point of the inspector general—to root out corruption and other problems, such as incompetence, in an agency. That is what Jay Lerner would do as the inspector general of the FDIC.

Mr. President, I ask unanimous consent that the Senate proceed to executive session and the banking committee be discharged from further consideration of PN65, the nomination of Jay Neal Lerner to be inspector general of the FDIC; that the Senate proceed to its consideration and vote without intervening action or debate; that

if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. SHELBY. I object.

The PRESIDING OFFICER. Objection is heard from the Senator from Alabama.

Mr. BROWN. Mr. President, I guess that is the conclusion of my efforts today. Senator SHELBY can return to the Republican luncheon if he would like or debate me a little bit on this, but I don't get this—first of all, in terms of our national security, the importance of Adam Szubin; in terms of honesty in government, the importance of Jay Lerner; in terms of creation of jobs, the nominee to the Export-Import Bank.

I will not belabor this process anymore. I will not raise nominees anymore for reasons of time. I think I have made my point, but especially for critical national and economic security, the nominees on this list should move forward.

I don't understand this. I haven't seen anything quite like this in the Congress of the United States. I continue to press this case. I am willing to talk one-on-one with Senator SHELBY on this. He has been open to that in the past. I hope my colleagues will join me in bipartisan approval of these national and economic security nominees who will matter for the continued greatness of our great country.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

PARIS CLIMATE CHANGE CONFERENCE

Mr. BARRASSO. Mr. President, this week the United Nations climate change conference is continuing in Paris. I understand over the weekend a number of Democrats went to Paris to watch a part of the discussion.

I have been talking to folks back home in Wyoming about this climate conference and what the Democrats are proposing, and I will tell you, the people in Wyoming are not happy. They are not happy about President Obama's plan to destroy American energy jobs and also to destroy the communities that depend on these jobs.

They are not happy about the President's plan to give away billions of U.S. taxpayer dollars to other countries. They are not happy about the President's plan to ignore the will of the American people and to sign an expensive, destructive treaty on climate change in Paris. That is what they think the President is planning to do, and I believe they are exactly right.

Last Friday, the Foreign Relations subcommittee that I chair released a new report called ''Senate Outlook on United States International Strategy on Climate Change in Paris 2015,'' a new report on President Obama's plan to bypass Congress and transfer American taxpayer funds overseas. This report shows how President Obama is supporting an effort to bypass Congress and to sign a climate deal that gives money to developing nations.

The subcommittee report found four things.

First, the report says that the President is making false promises to other countries about his ability to meet his own greenhouse gas reduction targets. President Obama has promised to cut back American energy production dramatically. The administration is pushing powerplant regulations that will destroy jobs and make electricity more expensive and less reliable. Bipartisan majorities in Congress, in the House and in the Senate, have rejected these regulations. President Obama wants to use this international agreement to force new regulations on the American people.

This administration has been doing all that it can to cripple American energy producers all across the country. It has piled new regulations on coal producers. It is blocking exports of American crude oil and liquefied natural gas. It set emission standards that are designed to put powerplants out of business, and that is the second thing that the report found—that the President's unrealistic targets and timetables for reducing targeted emissions are threatening jobs and threatening communities all across America.

The third main point in this report is that the President is forcing American taxpayers to pay for it—to pay for our past economic successes through his contributions to the so-called Green Climate Fund. I did a townhall event the other day in Wyoming and asked what they thought about the President's plan of using their taxpayer dollars in this way, and 94 percent of the people in the townhall said they opposed President Obama's plan to send their hard-earned taxpayer dollars to the United Nations climate slush fund.

President Obama doesn't care. He says he wants the money anyway. He knows American emissions have actually been declining over the last decade. He knows we are not the biggest source of carbon dioxide in the world. Far more emissions are coming from developing countries. We see it in China; we see it in India. Those countries say that if they are going to cut their emissions, if they are going to be part of President Obama's plan, somebody else is going to have to pay up. They expect developed countries such as the United States to foot the bill.

How much money do they want? What are we talking about? So far, developing countries have said they want—the number is astonishing—at least $5.4 trillion—not million, not billion, but trillion. That is what 73 developing countries are demanding over the next 15 years. It doesn't even count another 90 developing countries that haven't made their demands public yet. The reality is a great deal of this money is going to end up lining the pockets of government officials in these developing countries. The American people know it. They see through it, even though the Obama administration will not admit it.

That brings up the fourth thing that this report found. Our subcommittee found that the President plans to reach a climate change deal that ignores the American people and cuts them out of the process entirely. The American public doesn't want these policies. Congress has passed laws to change these policies. The Obama administration just goes on and on and makes the rules that it wants anyway. This administration refuses to have accountability to the American people.

What are we talking about with regard to the money? It is interesting because just today, this morning from Paris, there is a report from the New York Times: ''U.S. Proposes Raising Spending on Climate-Change Adaptation.''

Here is the byline from France:

> In an effort to help smooth the passage of a sweeping new climate accord here this week, Secretary of State John Kerry announced on Wednesday a proposal to double its grant-based public finance for climate-change adaptation. . . . Mr. Kerry's announcement came as the momentum toward a deal appeared to have hit a momentary snag.

Why? Well, reading further: ''The issue of money has been a crucial sticking point in the talks, as developing countries demand that richer countries open up their wallets. . . . ''

So John Kerry is there to open up the wallet of the American taxpayers—because it is not his money—doubling what he is offering, to try to buy a solution that he wants to accomplish even though it is directly in opposition to the American public. This administration, President Obama and Secretary Kerry, are out of touch with the American people, who reject this expensive and destructive energy and climate policy.

The Obama administration is also out of touch with the rest of the world. The Obama administration says that some parts of the agreement reached in

Paris will be legally binding and other parts will not because, obviously, we are the Congress. We are the elected representatives of the American people, and we have a say. So the President is saying that parts of the agreement are binding and parts are not. China says the whole thing is binding. The European Union says the entire thing is binding. Who is right? President Obama or the rest of the world?

The Obama administration says it is going to give billions of our taxpayer dollars to these countries, including to a lot of countries that don't like us very much. That doesn't seem to matter to the President. The developing countries say they want trillions. John Kerry is in Paris today, doubling the amount of money, doubling to try to buy support for something the American people don't support.

It is interesting because, if you think back just a couple of months, President Obama was frantic—desperate—to get a deal with Iran over its nuclear programs because of his legacy. He signed a terrible deal—by all accounts, a terrible deal.

Now he is doing it again. He is once again frantic, once again desperate, to get a climate deal in Paris. Why? Because of his so-called legacy. He is planning once again to sign a terrible deal, and he has his Secretary of State, John Kerry, there giving the speeches and making promises that the American public will have to pay for if they get their way.

Iran says it will play the Obama administration's game on emissions and reduce its carbon emissions as the President wants, but before it does, it expects the Obama administration to lift all of the remaining sanctions from the Iranian deal. It wants the United States and other countries to give them $840 billion over the next 15 years. That is what is at stake, and those are the things the President continues to give away as he surrenders our energy security, our energy reliability, our energy jobs—a surrender by the President. He is desperate for approval by the other countries when he should be focusing on the United States. He seems to want to promise any policy, pledge any amount of money to get it, but the American people oppose sending their money to a United Nations climate slush fund. As their elected representatives, Congress must not allow the President to continue to try to buy popularity for himself using American taxpayer dollars.

Congress must not allow the President to use this meeting in Paris to advance his own legacy at the expense of the American people and the American economy.

Thank you, Mr. President.

RECESS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 1 p.m., recessed until 2:01 p.m. and reassembled when called to order by the Presiding Officer (Mr. SCOTT).

The PRESIDING OFFICER. The Senator from Maryland.

UKRAINE

Mr. CARDIN. Mr. President, today is International Anti-Corruption Day. As the United States works to support good governance and anti-corruption efforts around the world, I wish to highlight one country, Ukraine, where these efforts are vital to the future viability of that state. The U.S. Congress has stood by the people of Ukraine since the Maidan demonstrations in November of 2013.

The Senate Foreign Relations Committee passed two landmark pieces of legislation that are now law. This sent a clear signal to Kiev, Moscow, and the capitals of Europe that the United States stands squarely for the development, democratic aspirations, sovereignty, and territorial integrity of Ukraine and its people.

However, Ukraine's political leadership must also continue to hold up its end of the bargain. Ukraine is a country that has been plagued for many years by weak democratic institutions and rampant corruption. This internal threat of corrupt institutions poses the greatest long-term threat to Ukraine's future.

Ukraine's reformers have made some progress. Last year Ukraine ratified an association agreement with the EU, which includes extensive commitments to governance reforms. The Parliament adopted a broad package of anti-corruption laws and established a set of institutions to fight corruption. The government made changes to the tax and budget codes and is starting to clean up its banking system. The government has also made reforms of the energy sector a top priority, adopting legislation to harmonize its natural gas markets with the EU's and raising tariffs to incentivize more efficient energy usage.

Importantly, on Monday, November 30, a new special anti-corruption prosecutor was appointed with the backing of the civil society, which is a big step forward in the fight against corruption.

Despite progress on these fronts, much work remains, and the political commitment to combat corruption among Ukraine's leaders is uneven. I acknowledge the pressure faced by the government. We all want to support Ukraine's positive path, but the Ukrainian people need more concrete anti-corruption results—not just legislation, not just commissions, as important as these are, but actual results.

For example, there remain thousands of allegedly corrupt officials in the judicial branch, where judges and prosecutors are susceptible to bribes. While corruption in Ukraine's legal system cannot be resolved overnight, I urge Ukrainian officials to take measures that would remove these most egregious violators from the judicial branch and prosecutorial ranks and to retrain those who are not corrupt to build the next generation of jurists.

The Government of Ukraine has taken positive steps in this regard, including the establishment of a constitutional commission tasked with recalibrating the checks and balances between the judiciary and the rest of the government. In September, the commission submitted new draft amendments to the Constitution on the justice system. However, concerns remain regarding the independence and integrity of the judicial institutions, including the newly established institution, the High Council of Justice, or HCJ, which has been called the ''gatekeeper to the court system.''

It is critical that the civil society and watchdog organizations are empowered to continue their work of holding the HCJ and elected officials accountable to ensure that any weakness in the checks and balances of the judicial system are not exploited for personal gain.

I am also concerned about the process for vetting the current pool of judges. The Government of Ukraine is developing standards for judicial reappointment, which will be conducted by the HCJ. This process will test the political will of both the Government of Ukraine and the HCJ itself. Unfortunately, initial results are not positive. As of June of this year, the HCJ had received 2,200 complaints of judicial misconduct. Of this number, only 47 judges were disciplined and none were dismissed.

Ukrainian citizens expect a clean government that abides by the rule of law. In July, I wrote to President Poroshenko, urging him to make anti-corruption reforms a priority by considering the appointment of a special anti-corruption prosecutor and special anti-corruption courts. While the government recently selected a special anti-corruption prosecutor with the backing of the civil society, the government must now ensure that this office remains free from state influence and interference to fulfill its mandate to root out corruption within Ukraine.

I commend President Poroshenko for listening to the demands of civil society and amending the composition of the selection committee to include two candidates backed by civil society, which led to the selection of Nazar Kholodnytskiy. This was a step in the right direction. However, the National Anti-Corruption Bureau of Ukraine itself is still woefully understaffed, which impacts its ability to fulfill its mandate to prosecute corrupt acts. I

call on the Government of Ukraine to ensure that the National Anti-Corruption Bureau of Ukraine is fully staffed and prosecuting cases without delay.

Polls show that most Ukrainians confront petty corruption in their daily lives, and our focus on corruption at the national level should not diminish the importance of programming that addresses corruption at the municipal and local levels. The Government of Ukraine must invest in training and education to identify and root out petty corruption in higher education, health care, and law enforcement. A clear commitment to attacking corruption in health care, education, and law enforcement within a measurable framework will pay dividends for citizens across the country and will help to restore faith in Ukraine's democratic institutions.

The United States is prepared to make a long-term commitment to Ukraine and, along with our European partners, we can provide support to Ukraine's efforts to tackle corruption within the judiciary, the civil service, and law enforcement while preparing these institutions to attract and retain talented individuals who are committed to eradicating graft and entitlement.

I firmly believe that Ukraine could be a case study for how a country with the political will can work with the international community to root out pervasive corruption, but that political will must manifest itself concretely and soon. When you look at public opinion polls in Ukraine, fighting corruption is the Ukrainian people's No. 1 demand. On this International Anti-Corruption Day, I look forward to supporting Ukraine's leaders if they are willing and committed to answering this demand.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized for such time as I might consume.

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

BURUNDI

Mr. INHOFE. Mr. President, I am here today to speak a bit about Burundi—something the Presiding Officer is familiar with.

I had occasion to be in Burundi at their request some 16 years ago. At that time, the President's name was Buyoya. He is not there anymore; they have changed Presidents. There is something going on there on which I think the State Department has dropped the ball one more time in not interpreting, not understanding what the people of a country want: their self-determination.

Despite its history of outside interference, civil wars, and social unrest, Burundi has emerged as a largely cohesive society, overcoming the ethnic divisions that plagued it in the 20th century, back at the time when I was first there.

On April 3, I led a congressional delegation of six Members to Burundi, where we visited with President Nkurunziza. President Nkurunziza is in the middle of his second elected term in office. We talked to members of the Parliament, had really intimate relations with the members of the Parliament. We actually prayed together. We met together, and we got to know them quite well.

We saw continued growth as a democracy and signs of movement toward a diversified economy under the leadership of President Nkurunziza. He announced on April 25 that he would run for President again and was met by increased protests and criticism from the international community, primarily led by us. Our State Department, the United Nations, and a few other countries seem to think they know more about an independent nation than they know. So they were criticizing him for running for office again.

Here is the problem: A provision in their Constitution says that no one can run for the Presidency of Burundi more than two times. The problem is that he was not elected the first time; he was appointed by Parliament. So essentially, yes, he was elected once, but he hadn't been elected again until this recent election. But, again, why would we even want to get involved in it?

On May 4, Burundi's Constitutional Court ruled that President Nkurunziza's first term did not count because he was picked by Parliament rather than elected by the people. That was followed by a failed coup, which took place right after that.

Leading up to the Presidential elections, the Peace and Security Council of the African Union urged ''all Burundian stakeholders to respect the decision of the Constitutional Court, when delivered.'' So now we have the African Union, we have the courts, and we have the people in an election talking about the fact that, yes, he is qualified to run a third time—all except our government, which wants to impose its desires on another country.

On May 29, six of us were in Burundi. We voiced our support for the decision of Burundi's Constitutional Court and called on the international community to support the court's ruling.

President Nkurunziza won his reelection for President on July 21; he got 69 percent of the vote. Instead of working with Burundi and its people, the international community has been denouncing the election and stepped up pressure on the newly elected government via sanctions and withdrawal of support. The United States suspended military training in July.

That is one of the things we do around the world that are really working now—a train-and-equip program, going to the country and working with them, helping to train those individuals. Of course, when that happens, we have the allegiance of those countries. If we don't do it, we can be sure that China or somebody else is going to do it. It is something that works. We withdrew that training. We are creating vacuums that are going to be filled by people who might be prone toward terrorism.

We suspended the military training. We announced that Burundi will no longer benefit from the trade preferences under the African Growth and Opportunity Act beginning in 2016 and sanctioned four individuals who have contributed to the turmoil, including threats to peace, security actions that undermine democratic institutions, and human rights abuses.

I am concerned that the responses by the United States and the international community will do more harm than good in terms of finding a resolution to the current political crisis. Young people are going to be denied jobs. They are not going to have the economic opportunities to participate.

According to a New York Times article written on December 5, the violence seems to have shifted from what appeared to be government-sponsored to rebel-sponsored. ''There have been more assassination attempts, more grenades tossed at government property and more random shootings . . . all thought to be the handiwork of the opposition.''

Yesterday, December 8, nearly 100 Burundian protesters who opposed President Nkurunziza during the months of violence in Bujumbura were released from prison.

We have to continue to support and stand with the people of Burundi and their growth as a democratic nation. The United States and international community should support and encourage a political resolution, not drive division and further unrest.

While the violence and the loss of life that has occurred in Burundi can't be condoned, the situation could have been much worse if it were not for the actions taken by President Nkurunziza, the opposition forces, and the people of Burundi.

I have been working to bring all parties together to resolve their differences and was encouraged by comments made at Burundi's National Prayer Breakfast by President Nkurunziza and the representatives of

different political parties about looking forward and not looking back. There was tremendous applause.

These countries on the continent of Africa meet in small groups on a regular basis, in the Spirit of Jesus, actually, and they have the National Prayer Breakfast now. Except for the outside interference, peace has been settling in and people are living with the decision they made—of course, 69 percent of them having voted for this President.

I echo Uganda's President Museveni's—whom we are very close to—confidence that a lasting solution to the conflict in Burundi will be found. I encourage all sides to meet together in Kampala or have a meeting there as soon as possible to begin resolving political differences. I consider President Museveni a friend. I believe he is the leader who can facilitate efforts to find a lasting solution to the political situation in Burundi. The way forward begins first with putting the elections behind us and acknowledging that Pierre Nkurunziza is the President of Burundi; second, an immediate agreement by all sides to work together to end the violence and to provide the time needed to resolve differences in Kampala, and this also includes the international community, which I charge to take positive actions to help enhance peace versus merely demanding it through punishment; and finally, beginning all-inclusive meetings in Kampala under the leadership of President Museveni from Uganda.

I understand the fears that Burundi may regress toward ethnic violence, but I do not agree that it is a likely outcome of the current situation. We are going have to work on Burundi and not isolate it and its people. Only by working together to maintain stability and calm can we avoid widespread bloodshed, and the harshest critics are predicting that will come true.

I know there are some good people there, but I have intimate relations with the leadership in many of the countries. I see what we are doing that is wrong. I remember that the same group of people—the United Nations, the State Department, and France—got involved in Cote d'Ivoire when President Gbagbo had won a legitimate election. It was rigged by someone who wasn't even from Cote d'Ivoire.

I have been making several critical speeches on our involvement. It seems like we seem to want to impose our ideas on other countries when it is not to their best interest. I want everyone to be aware that this is a problem that is real.

PARIS CLIMATE CHANGE CONFERENCE

Mr. INHOFE. Mr. President, I just found out that supposedly the big party that is taking place in Paris—it is interesting. For those people who are not familiar with this issue, the United Nations puts on a big party every year. This is the 21st year that they have done this. It goes back to the Kyoto treaty and to the fact that through the United Nations they have been trying to develop some type of a thing where global warming is coming and it is going to be the end of the world.

I remember way back when I was chairing a subcommittee that had jurisdiction over this type of an area, back when this first started. We might remember when Al Gore came back, and they had developed this thing called the Kyoto treaty. They signed it on behalf of the United States, but they never submitted it to be confirmed by the Senate. Obviously, that is something that has to happen. They now are going to go in there to do a climate agreement. It was a real shocker on November 11 when the Secretary of State John Kerry made a public statement that the United States would not be a part of anything that is binding on the United States. The President of France didn't know that. He went into shock. He said that the Secretary must have been confused. They had to reconcile themselves at that time. That was 2 weeks before people arrived for the big party in Paris. They decided that we will put together something where we can have an understanding of what we want to do in the future—nothing binding.

The reason I am mentioning this now is that this afternoon there is supposed to be a plan that is going to be unveiled that is going to reflect what they want everybody to do with this. I want to keep one thing in mind. The last event I went to was in Copenhagen. They are designed to try to get 192 countries to agree that the world is coming to an end and that we are going to have to do something about cap and trade to stop the global warming. This has been going on for a long time. There are significant problems that remain. The negotiators can't agree on whether it is binding or what part of the agreement might be binding and still comply with our laws and constitutional restrictions. They can't agree on financing.

This morning, in order to entice the developing countries, Secretary Kerry, on behalf of the President, announced that the United States would contribute another $800 million a year to help developing countries adapt to the effects of climate change. Let's keep in mind that this is in addition to the $3 billion that the President expects Congress to appropriate to this cause.

Yesterday, in Paris, EPA Administrator Gina McCarthy again misrepresented to the international community the EPA's authority and confidence in the U.S. commitments. The highlight of her remarks was her claim that ''the Clean Power Plan will stick and is here to stay.'' When attending international delegates asked questions about their legal vulnerability and the possibility of the future administration changing anything that is adopted by this administration, she reportedly walked around the question and many in the audience were upset that she wouldn't answer the question. The reason she wouldn't is because there is no answer to it.

I chair the committee called the Environment and Public Works Committee. We have the jurisdiction over these things. When the President came out with the Clean Power Plan, we said: All right, you are saying that you are committing the United States to a 28-percent reduction in CO_2 emissions by 2025. How are you going to get there?

They wouldn't say. No one to this day has talked about how they are going to do it. He said: Let's have a hearing.

We are the committee of jurisdiction. I don't recall any time when a bureaucracy that is in a committee's jurisdiction refused to testify, but they did refuse to testify. I think we all know why. We know there is no way of coming up with that type of a commitment. If you have all these costs and what it is going to cost us, does it address climate change? The Clean Power Plan will have no impact on the environment. It would reduce CO_2 emissions by less than 0.2 percent. It would reduce the rise of global temperature by less than one one-hundredth of a degree Fahrenheit, and it would reduce the sea level rise by the thickness of two sheets of paper. In fact, the EPA has testified before the environment committee that the Clean Power Plan is more about sending a signal that we are serious about addressing climate change than it is about clearing up pollution. The Justice Department requested that the DC Circuit Court of Appeals not rule on the Clean Power Plan, the principal domestic policy which supports our commitments to the climate conference, until after the conference concludes.

What they did was they went to the courts, knowing that the courts were going to be acting on this power plan and probably acting against it, and they didn't want that to happen before the party in France. I think it is the biggest signal to the international community that the administration lacks the confidence in their own rules.

Administrator McCarthy also claimed that the next administration cannot simply undo the Clean Power Plan because of the extensive comment period supporting the rule. The international community is not fooled by this either. Congress disagrees. Not only can Congress withhold funding from any element of an agreement that the administration refuses to send to Congress for approval, but the Congress

has explicitly rejected the Clean Power Plan in the bipartisan Congressional Review Act, saying that we do not agree with this and we want to do away with this Clean Power Plan before it is finalized.

That should be the signal to the people who are at the party in Paris. I think that a lot of them do understand that. Even President Obama is now conceding that specific targets each country is setting to reduce greenhouse gas emissions may not have the force of treaties. He is hoping that 5 years or some type of periodic reviews of those countries would be in the form of a binding commitment. But even if that is the case, that would merely be a review. Although the European Union and 107 developing countries are hoping for a legally binding long-term deal with review mechanisms and billions of dollars, any truly binding agreement must be sent to the Senate for approval.

Back when they first went down on the Kyoto treaty, we had the Byrd-Hagel rule. The Byrd-Hagel rule says that we are not going to ratify any treaty if it either is bad on our economy or it doesn't apply to countries such as China. So they have to do the same thing that we are doing. That passed 95 to 0. That was way back at the turn of the century.

Everyone knows that he can't unilaterally do these things, even though he tries. In 1992, when the Senate approved President H.W. Bush's agreement to have the United States participate in the conference of parties—that is the one that is going on right now, the 21st one—the process, any emissions, targets or requirements were going to have to be approved by the Senate. This is the President who was in charge at that time, George H.W. Bush. That was the agreement in 1992, and that agreement hasn't changed. Legally binding agreements must go before the Senate for consideration, and there is no way around it.

This is the message I conveyed when I attended the COP convention in 2009 in Copenhagen, and nothing has changed since that time. Nothing is happening over there now. They are having a good time. I am sure there are lots to drink and lots to eat, but that party will be over.

Let me share one experience I had. I have been very active in Africa for a number of years. There is an officeholder in the tiny country in West Africa of Benin. I saw him at the convention that was in Copenhagen.

I said: What are you doing here? You don't believe all this stuff.

He said: No, but they are passing out hundreds of billions of dollars, and we want to get some of ours. Besides that, this is the biggest party of the year.

Enjoy your party over there. Nothing is going to happen. Nothing binding is going to take place on this issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

EVERY STUDENT SUCCEEDS BILL

Mr. MURPHY. Mr. President, I come to the floor today to congratulate my colleagues on passage of the repeal and replacement of No Child Left Behind, the Every Child Succeeds Act. In particular, I want to thank Chairman ALEXANDER and Ranking Member MURRAY. It is really an example of how things can work in the Senate when we put our minds to trying to get to good policy instead of simply trying to get to good politics. There is a lot of politics surrounding early childhood education and elementary education. There is a lot of hyperbole out there about the role the Federal Government should play in local education—issues such as the common core. Yet we were able to set aside all of those potentially inflammatory and toxic politics and get to a bill that despite those challenges has broad consensus from Republicans and Democrats. It ends up in a place that is really going to support a lot of teachers, students, parents and administrators out there.

When you look at that vote tally, it is impressive. It is a piece of legislation that has been able to unite progressive Democrats and conservative Republicans. In many ways it is a credit in this Chamber to debate that Senator ALEXANDER and Senator MURRAY set us upon. They were determined to get to a product that both parties could support. When you start with the idea that we can achieve a bipartisan solution, rather than your starting point being having a debate in order to maximize political impact and political division, it is miraculous what we get. We can all be blamed for falling into that trap far too often.

Mr. President, like you, my entire life has been spent in and around public education. I went to Connecticut's public schools. My mother was a public school teacher. My wife is a former public school teacher. I have two beautiful boys—one of whom is in the public school system as well. As it is for many of us, this conversation is deeply personal. It is also deeply personal for me as someone who is going to raise two boys in a country whose greatness depends more than ever on the quality of our public schools. The reality is that when my great-grandfather got off of a boat and showed up in New Britain, CT, he was guaranteed to get a good job in one of the ball bearing factories there, regardless of his education. He could get a good wage, a pension, and a decent health care benefit without a lot of skills that he couldn't learn on the job inside that factory.

Of course, our economy has radically changed since those days. We are lucky that we have declining unemployment. We are lucky we continue to grow jobs, as we have over the course of the last several years. They are totally different kinds of jobs than were available to my forefathers, immigrants who came to this country from places such as Ireland and Poland and worked in those factories. We now have jobs that require highly skilled professionals. We are competitive globally, not because of the price of our workforce but because of the productivity, competence, and educational level of our workforce. We are more dependent now than ever on the quality and capacity of our workforce, which is, of course, dictated by the quality and capacity of our educational system. So getting an education policy right is not just about serving kids; it is about serving our economy.

The fact is, we have been doing a disservice to students and teachers all across America since the passage of No Child Left Behind. This is a law that by and large was a disaster for us in Connecticut. I am somebody who believes that a strong Federal Government can play a beneficial role in people's lives, whether it is smoothing out the rough edges of the financial system, building roads and bridges, or protecting America from attacks, but the Federal Government has not done a good job in guaranteeing universal, quality education. Why? Because bureaucrats in Washington ultimately have a hard time intersecting with the provision of a service which has largely been administered at a local level. The prescriptive rules that were inherent in No Child Left Behind haven't matched the realities of how Connecticut assesses schools and student performance or how we think it is best to turn schools around.

No Child Left Behind did at least have one redeeming quality. The legislation required an assessment of every single student no matter where they lived, what their background was, or what their learning ability was. The law did shed light on some unjustifiable, unconscionable disparities that existed in this country, and it put pressure on school districts and States to address those disparities. The law brought attention to the fact that there were disparities, such as the fact that the graduation rate for African Americans in this country is 16 points lower than that of their white peers. The results showed disparities with Latino fourth graders. Only 25 percent of them are meeting expectations for their grade level in math, which is half the rate of their white peers.

The law also shed light on the practices within school districts, such as school discipline. If you are an African American and commit the exact same offense in this country inside of a school, you are twice as likely to get suspended or expelled as your white peer.

No Child Left Behind forced us to understand, recognize, and address those disparities. The challenge with this repeal and rewrite was to hand control back to States and local districts without removing the imperative to identify those disparities and cure them.

I voted against the version of this bill that was originally passed by the U.S. Senate, and I did so because I labored under the belief, as a member of the HELP Committee, that it is not worth passing a national education law if it isn't also a civil rights law. I wasn't convinced that we had that balance in the bill that initially came before the Senate. I am grateful to Chairman ALEXANDER, Ranking Member MURRAY, Representatives KLINE, SCOTT, and others who managed to get that balance right in the conference committee.

Today we were able to pass a bill that is both a proper return of authority to the States and a preservation of civil rights protections that are going to guarantee the perpetuity of the small, positive legacies of No Child Left Behind.

What we have in the bill is a recognition that school systems should identify the 5 percent of schools that are the lowest performing schools and have specific plans to attack those schools and turn them around. Those interventions will be decided at the local and State level rather than at the Federal level.

There is a requirement in this bill to identify what we call dropout factories—schools in which a disproportionate number of students show up freshman year but don't graduate. Similarly, States have to have a plan to turn those schools around, dictated by decisions that are made at the local level.

Lastly, this bill contains a provision that requires us to continue to track the performance of certain subsets of students, whether they are minority students, disabled students, poor students, or non-English speaking students. Again, it requires those vulnerable populations that may not be hitting the goals that are set by the State or school district to have interventions to try to do better. All of the accountability will occur locally, but the mandate is to pay attention to those lower performing schools or those populations that sometimes get the short end of the stick within a school system or State educational system and ensure that they get special attention.

I think this is the right balance. This is a bill that rightfully returns power to States and school districts but retains civil rights protections that have been the foundation of our Federal education policy since the 1950s and 1960s.

I am also happy that there were a number of other civil rights wins in this bill. States have to note on their report cards indicators of school climate and safety. They have to disclose rates of suspension and expulsion, school-based arrests, and referrals to law enforcement so we can get a better handle on whether minority students are being treated fairly when it comes school discipline policies.

States have to submit plans on how they will reduce the use of discipline practices that threaten student safety, including seclusion and restraint. Increasingly, school districts are relying on the restraint of kids by binding their hands and feet or the seclusion of children by locking them in padded rooms as a means of discipline. In almost all cases, those means of discipline make the underlying behavior worse, not better. They disproportionately affect disabled kids and children with autism whose school districts unfortunately don't understand their students' issues as well as they should. This legislation will require States to submit plans as to how they will reduce the use of seclusion and restraint.

Finally, this bill retains the requirement that every kid, regardless of learning ability, should be expected to meet the same standard. This bill still allows for 1 percent of students to take an alternate assessment, but it requires the majority of special education students, or students with learning disabilities, to be tested against their nondisabled peers. They will have to compete against their nondisabled peers in the workforce, so they should be measured against their nondisabled peers while they are in the school system. Those are all important wins as well.

In the end, as someone who was educated in the public school system and spent his lifetime around teachers, I know that No Child Left Behind not only sucked the effectiveness out of schools, but it also sucked the joy out of learning and teaching because so much of it was driven toward that test which became the only measurement of what a good school is.

I am a parent who is deeply involved in looking at schools and deciding which one is right for my kid. While I pay attention to the test scores that come out of that school, that is not the beginning and end of my analysis. I take careful pains to meet with the administrators, talk to other parents, look at their curriculum, and look at other measurements, such as attendance and graduation rates, in order to build a full picture of what a good school is.

Now States will be able to devise systems of measuring schools that mirror the way almost every responsible parent measures schools—in a comprehensive, robust way that doesn't just look at that test. Perhaps more importantly, as we try to grow a healthy economy that recognizes the strengths we have and the quality of our workforce under this new law, the Every Child Succeeds Act, we will be able to create a new generation that will have great innovators, great leaders, great mold breakers, and not just great test takers.

Congratulations to Senator ALEXANDER and Senator MURRAY, and many others, like Senator BOOKER and Senator WARREN, who worked closely with me on the accountability provisions.

This is a really important day for teachers, students, and parents all across the country. It is also a pretty good day for us when we get to come together and do something very important in a bipartisan pay way.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. MURKOWSKI. Mr. President, I ask unanimous consent to speak in morning business for 15 minutes.

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

BIPARTISAN SPORTSMEN'S ACT

Ms. MURKOWSKI. Mr. President, I have come to the floor to speak about a measure that has moved through the Energy and Natural Resources Committee. This legislation is a pretty significant bipartisan accomplishment and I would like to share our progress with my colleagues.

On November 19, our committee reported S. 556. We refer to it as the Sportsmen's Act. This is a measure I have been working on, and we were able to report it out by voice vote. This is a bill that would benefit millions of sportsmen and sportswomen all across our country. It includes some key items within our jurisdiction that are part of a broader Sportsmen's package. That portion is being worked on by another committee. I have been working on our iteration of this bill with Senator HEINRICH of New Mexico, and I truly appreciate his leadership, his support, and his guidance on this measure.

As many Members in this Chamber are aware, the broader Sportsmen's bill has had a long history of bipartisan support in the Senate, but year after year it has failed to advance for a host of different reasons. It has been the victim of political brinkmanship in what for years was a Chamber that wasn't working, but I think this year is different. I outlined some of the successes yesterday when I came to speak on the floor and I think we are getting back to regular order. The committees are working hard—certainly the Energy and Natural Resources Committee

is working hard—and we are working to advance legislation to go to the floor, whether it is this Sportsmen's bill or whether it is our Energy Policy Modernization Act that we reported out of the committee on an 18-to-4 margin back in July.

Our Sportsmen's Act is the latest example of a bipartisan bill that encompasses both good policy and good process. I think both of those are key. Staff from both sides of our committee—and the Sportsmen's Caucus, which is led by Senator RISCH and Senator MANCHIN, worked diligently with outside stakeholders to improve and refine the bill. So I want to briefly summarize some of the contents found within the Sportsmen's Act.

First, we included a congressional declaration of national policy to require all Federal agencies and departments to facilitate the expansion and the enhancement of hunting, fishing, and recreational shooting on Federal lands. This is our clear goal. It is a pretty clear and explicit direction for the executive branch.

The next component within the bill—and this is the heart of the bill—is a provision we are referring to as ''open unless closed.'' Through these, we are setting a new national standard, and that standard is that our Federal lands will be open unless they are closed. They are going to be open unless they are closed, not closed due to bureaucratic inertia. What we are trying to do is pretty simple. We are trying to allow all Americans to be able to access and enjoy their public lands. Under our bill, if Federal lands are going to be closed even temporarily, agencies will have to notify the public and provide opportunities for meaningful public comment. The agencies, whether they are the BLM or the Forest Service, will need to justify any proposed closures and address issues that have been raised by the public.

Our bill will also prevent temporary closures from becoming permanent by limiting any of these designations to just 180 days. Currently the BLM can close lands for 2 years and does not guarantee the opportunity for any public comment. BLM has acknowledged to us that they regularly implement what they call temporary closures while they prepare the paperwork to make them permanent. My Sportsmen's Act will allow BLM and the Forest Service to renew temporary closures, but they can only do it up to three times. Each and every time they do so, we are going to require them to engage in a public comment and notification process. What this ''open unless closed'' policy does is it reverses the practice of public lands being closed until opened or closed altogether. As a result of it, our sportsmen and sportswomen will have increased access to our public lands, they will have a real voice in decisions regarding any temporary closure, and they will also receive justifications for any temporary closures that are deemed necessary. So we are providing a more fulsome public process but also a more genuine opportunity for access to our public lands.

My Sportsmen's bill also addresses concerns raised about the unnecessary difficulty of securing permission for commercial filming on our public lands. Among other steps in the bill, we require the publication of a single joint land use fee schedule within 180 days, but we also say there are small crews that shouldn't have to go through this big rigmarole and pay this big fee. So small film crews of three or fewer people will be exempt from having to pay a fee.

I have heard a lot of stories about the horrors some of our outfitters or guides have experienced while they were trying to film some kind of promo-type material on a trip. Agencies are making them jump through hoops by telling them that they need a separate permit and have to pay additional fees. It gets to the point where you can't take a video or a picture on our public lands. That is just wrong. These folks already have a permit to be out there, and filming may be incidental to that.

In this bill we ensure that small crews and businesses can film on public lands without having to pay to do it. That seems pretty reasonable and fair to me. We also protect First Amendment rights by preventing content from becoming a factor in issuing permits, and we protect free speech by clarifying that journalism is not commercial activity.

Some might say: What is this issue all about? Think about it. If you have an agency that doesn't want to have filming or pictures in a certain part of a wilderness area or certain part of public land because a different story might be told that doesn't fit with the agency's view, that is not right. This bill will ensure that we are not going to regulate content in terms of whether or not a permit is issued.

I will give a specific example of why this is needed. Back in 2014, a producer for Oregon Public Broadcasting wanted to film a piece in the Willamette National Forest to commemorate the 50th anniversary of the Wilderness Act. To ensure that the piece had the ''primary purpose of dissemination of information about the use and enjoyment of wilderness,'' officials from the Forest Service asked to review the script. They wanted to look at the script before issuing a permit. That was not right. I believe giving Federal officials veto power over content can have a very chilling effect on journalism.

The final title of the Sportsmen's Act—this is a new title we came up with in committee—provides for reforms in the Land and Water Conservation Fund—LWCF. The reforms in the bill do not go as far as I would like to see them go, but they do reflect what our committee could agree on.

We also agreed to reauthorize the Historic Preservation Fund and to create a fund to address the maintenance backlog at the National Park Service. This is the same language we included in the broad, bipartisan Energy bill back in July—the same language now incorporated as part of the sportsmen's bill.

As I said before, my own proposal to reauthorize LWCF would look different from what our committee reported. When LWCF was created decades ago, monies were to be allocated each year so that Federal agencies would receive no less than 40 percent. States were to receive 60 percent. But what has happened in the ensuing years is that now nearly 85 percent of LWCF dollars have gone to Federal land acquisition, and we are not seeing the original congressional intent being met. Again, keep in mind that when LWCF was first created, it was going to be so that Federal agencies would get about 40 percent and States would get about 60 percent. We have now turned that on its head.

What our LWCF title does is recognize that States are leaders on recreation and conservation. Our reforms are trying to restore balance to the State-Federal split by ensuring that at least 40 percent of LWCF dollars are allocated to States for the State-based programs, including the traditional stateside program. This is an improvement, in my mind, but doesn't go far enough to restore the original congressional intent.

The title also recognizes the importance of accessing existing Federal lands and sets aside the greater of 1.5 percent or $10 million per year to improve access for sportsmen. This is an important provision for our sports men and women.

Like many western Members, I remain concerned about Federal acquisition. In Alaska, close to 63 percent of our lands are already controlled by the Federal Government. To begin to address the issue, the LWCF title also emphasizes conservation easements. This will keep lands in private ownership as working lands and will require agencies to take into account certain considerations when acquiring lands, including whether the acquisition would result in management efficiencies and cost savings.

To prioritize the backlog of deferred maintenance needs, this title establishes a National Park Service Maintenance and Revitalization Conservation Fund. This fund will help shift our focus to a more appropriate place, which is taking care of the lands we already have rather than an endless acquisition of new acreage.

Our country is fortunate to have an abundance of lands that are designated for recreation, conservation, and preservation. It is time we reached a consensus on how to care for and how to

manage them. I believe we can do that best by allocating more than 40 percent of the LWCF to State-based programs.

People on the ground, who see what is happening day in and day out, provide the greatest insight into management, and we should recognize that. We should pair increased funding for State-based programs with increased authority for States to manage public lands. And we should consider giving Governors a say on Federal land acquisitions. After all, these are their States we are talking about—and opportunities for all sorts of activities on their land—are often affected by these decisions.

The LWCF reforms in the sportsmen's bill are a step in the right direction. I believe they provide a greater framework for further discussion. If we work hard and work together, we can agree on additional reforms to make LWCF even more effective in the years to come.

Those of us on the Energy and Natural Resources Committee have now completed our work on the Sportsmen's Act, and that brings us to the next step, which will be taken by our friends on the Environment and Public Works Committee. They are now considering a separate bill, S. 659, with provisions that are jurisdictional to them. I think it is fair to say that EPW's portion of the sportsmen's bill is also quite vital.

As I wrap up, there is one provision I would like to call attention to briefly, and that is the reauthorization of the North American Wetlands Conservation Act. The NAWCA program helps conserve waterfowl, fish, and wildlife through partnerships involving governments, nonprofits, and community groups. In Alaska, we are not in any danger of running out of wetlands and this program has funded a lot of good wetlands projects in my State. For example, on the Kenai Peninsula, partners in the private sector provided $1.6 million to match and exceed an $800,000 grant provided through NAWCA. Those funds were then used to implement habitat protection for over 300 acres of land along the Kenai River.

I think it is important that we reauthorize this program and provide funding to it so we can see important work like this continue, particularly in States that have fewer wetlands and thus have greater need for conservation.

NAWCA is just one of the provisions the EPW Committee can and hopefully will report in the future. Once their work is complete, all who support America's sportsmen and sportswomen and all of us here in the Senate who are sports men and women ourselves, should look forward to considering the full Sportsmen's Act here on the floor next year.

I am pleased that we are on a better track for this legislation in the 114th Congress. I again thank the many Members who have worked with us to get S. 556 to where it is today. As a result of this good work, millions of hunters, fishermen, recreational shooters, and other outdoor enthusiasts will soon have greater access and greater opportunities on our public lands and Federal lands, and I think that is something we should all be proud to support.

Mr. President, I see that my colleague from New Jersey is here. I think my time has expired. I do have a further statement about a truly mighty Alaskan leader who has been known throughout the education community in the State of Alaska who passed just yesterday at the age of 100. The death of Sidney Huntington in Galena, AK, is news that has brought great sadness to us all.

In deference to my colleague from New Jersey and in recognizing his time, I would like to come back to the floor later this afternoon and provide tribute to a great man who provided so much in terms of leadership and direction to so many, whether they be Alaskan Native children in the small, remote, rural communities or in our urban centers. It is fair to say that as of yesterday, we have lost a great Alaskan, and our hearts go out to him and his family. I look forward to coming back to the floor later to provide greater tribute to the great Sidney Huntington.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

ZADROGA BILL FUNDING

Mr. MENENDEZ. Mr. President, as we are all awaiting those who are negotiating a multibillion-dollar omnibus package and tax extender package, I wanted to come to the floor at this time of the year, as we approach the holidays, and say that it would be unconscionable that we would go home to celebrate with our families without doing everything we can to make sure we send a clear and unambiguous message to our first responders—in the name of Jim Zadroga from New Jersey, for whom the 9/11 bill, the Zadroga bill, is named, and all those who responded on that fateful day—that we will never forget what they did for our fellow citizens, for this Nation on September 11, the day that changed the world.

We shouldn't have had to wait this long for the law to expire. At the same time, we are being told that we can't pass the legislation because we have to offset it. Yet we are talking about passing an $800 billion tax package, much of which goes to large corporations. I haven't heard any of my colleagues speak about the need to pay for this nearly trillion-dollar package which will deprive the Federal Treasury of anywhere between $800 billion and $1 trillion. Only the men and women who put their lives on the line on September 11 and the days that followed are waiting for Congress to act because we supposedly have to pay for the way in which we take care of their health care or the way in which we take care of the families, for those who lose a loved one as a result of the toxins and other circumstances that have led to their illnesses, that have led to their deaths. And unfortunately, we have seen a rising number of those individuals who responded on that fateful day who have died, including one very recently.

I don't understand how the rules don't apply to large corporations that will reap billions of dollars, but somehow those rules are asserted when we are trying to take care of the men and women who responded on that fateful day of September 11. I don't understand how there is any moral equivalency between them. There is none, and no one can claim there is any.

None of us can leave Washington for the holidays without passing this bill.

I would remind my colleagues of the immortal words of Charles Dickens in ''A Christmas Carol'':

> I have always thought of Christmas time, when it has come round as a good time: a kind, forgiving, charitable, pleasant time: the only time I know of, in the long calendar of the year, when men and women seem by one consent to open their shut-up hearts freely, and to think of people below them as if they really were fellow-passengers to the grave, and not another race of creatures bound on their journeys.

We should keep those words in mind as we approach the holidays. Beyond that, this isn't about the holiday spirit, it is about obligation. We should accept our profound, collective responsibility—not charity but responsibility—to act on this legislation. If we do not, and if we continue to insist on pay-for provisions when we don't insist on the same provisions that would provide benefits to America's largest corporations to the tune of hundreds of billions of dollars, we should be ashamed of ourselves.

I don't know which one of my colleagues can go to a September 11 commemoration and look those first responders in the eye. I don't know how you do that. The reauthorization bill I have cosponsored is necessary to provide the security and reassurances to those first responders that these critical programs will last longer than just what the next couple of months' funding will provide. It also permanently lists the statute of limitations on the Victim Compensation Fund to provide for those first responders and their families who need access beyond next year and, very importantly, it exempts these key programs from the budget sequestration cuts. The sequestration, which I voted against, imposes arbitrary and capricious cuts to funding that will continue to provide care and

support for those September 11 heroes who sacrificed everything to help those in need on that tragic day.

The fact is, Congress must act. I don't think we should wait for a public outcry before we ensure that these heroes receive the care and support they deserve. I don't think we should wait for a future tragedy to observe what we should have done. The brave men and women who rushed into the towers to save others did not wait or hesitate to respond. They did not think about themselves. They did not think about the risk. They valiantly responded, and we—we—should not hesitate or wait to respond to their needs. To do so would be absolutely shameful.

With that, I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING DR. SIDNEY CHARLES HUNTINGTON

Ms. MURKOWSKI. I wish to take a few minutes this afternoon to pay tribute to an amazing Alaskan, a man who lived a life that many would say was remarkable. Yet I think in his humble words he would respond that he just lived his life and did the best he could.

Dr. Sidney Charles Huntington was truly a great Alaskan. He died yesterday at the age of 100 years old in Galena, AK, which is on the Yukon River.

Sidney Huntington was a respected Athabascan elder. He was a culture bearer. He was a role model—definitely a role model. He was a mentor to so many, not only in his village but in his region and in his State. He was a prolific storyteller. He was a philosopher. He had words of wisdom. He was a reservoir of traditional knowledge. He was an outdoorsman who knew, understood, loved, and feared the land. He was a businessman. He was truly a public servant, especially when it came to education and conservation, and he was a warrior in the fight against youth suicide. These are just some of the words by which we remember one of our State's most treasured, cultural icons.

Sidney Huntington was known to his family and his friends as Grandpa Sid, and probably, for many good reasons, he had a lot of grandkids. There were the personal stories, and I think as we reflect on the 100 years of this great Alaskan, we will begin to share these many stories and tributes. He was certainly a savvy poker player. That is going to come out. He was a very generous man.

We were talking about him earlier today in my office. He was one of those guys who would truly give the shirt off his back. Sidney once encountered a young Native student who he thought had left the village and gone off to school, and the young man said: I couldn't go because I need to stay home and earn some money. Sidney literally took out his wallet, gave him eight hundred-dollar bills, and he told him to get to school. That was vintage Sidney. School was important. School had to be a priority, and Sidney wasn't going to let the fact that this young man thought he needed to stay home and make money stop him from going to school. He literally took out his wallet and solved the problem.

Sidney Huntington was one tough Alaskan. He was a man of very impeccable standards. He told it like it was. He would hold back not one iota.

I was in Galena after they had experienced some terrible flooding several years back, and the community had come together to talk about the FEMA response, how that was working with the State. You had the Federal Agency reps, you had the State people, and everybody was trying to figure out how to get through a difficult situation. Sidney Huntington—not sitting in the back of the room but sitting right up front at that table—said: By gosh, we have to get to work. No mincing words about it; he told it like it truly was. He was hardy. He was determined. He was very resilient. He was the real deal.

I was very privileged to know Sidney, and I was honored to be called his friend. That is quite an honor because you didn't choose Sidney to be your friend. Sidney chose you. He had identified me as somebody who could not only be helpful but that he could relate to, that we could have conversation back and forth.

It wasn't too many years ago that I flew into Galena. Galena is a very small village on the Yukon River, as I mentioned. You fly into the little airport there. I went to the very small terminal, and there was Sidney sitting on a chair right outside the little airport terminal.

I asked him: Where are you going, Sidney? I am sorry you are not going to be here while I am visiting Galena.

And he said: No, no, no. I am here because I have some talking to do with you. Where are we on some of these education things? He was talking to me about No Child Left Behind. So Sidney was like: I am not going to miss her coming to Galena and perhaps not getting a chance to talk to her. He wasn't leaving. He was parked there to visit.

If Sidney Huntington chose to call you a friend, you didn't take it for granted, and you accepted that gift with great humility. I think about the relationships, the friendships I have made over the years. I can say nothing can make me, a third-generation Alaskan, feel more like an Alaskan than knowing I had earned the respect of Sidney Huntington.

Eric Mack, a journalist who worked in Galena, tells the story of how Sidney managed to survive when his snow machine fell through the ice. He was coming back from a trip. He had been out tending his trap line, and it was cold. It was about 30 degrees below zero. It was night. It was dark. He was on his snow machine. His snow machine went through a hole in the ice into a shallow section of the Yukon, and he was a long way from home. He dragged that snow machine out of the water, out of the icy water by himself. He made a fire from the gasoline and some frozen wood he had, and he kept himself from freezing to death. Think about how you do all of that. That is one tough Alaskan there.

Sidney Huntington was born in Huslia, which is on the Koyukuk River. He was born in 1915 to a Scots-Irish father who arrived from New York in 1897 to participate in the Gold Rush. His mother was Athabascan Indian. Sidney's mother died when Sidney was about 5 years old, and for about 2 weeks it left Sidney and two younger siblings to survive in the wilderness. Think about that.

This is all laid out in an exceptional book that Sidney wrote called ''Shadows on the Koyukuk.'' The details in the opening chapters are about the situation when he, as the oldest of three children, at 5 years old, was in a cabin in the middle of the wilderness with his mother and his mother died. At 5, he was the only one to care for his two siblings. This was the beginning of, again, a remarkable life for a remarkable man.

His father lived off the land as a trapper and a trader, and so the stories that are shared through Sidney's book, again, are just remarkable about what was happening in Alaska in the early 1900s. Sidney and his siblings first were sent to the Anvik Mission for schooling, and then he later attended the BIA school at Eklutna. He basically got the equivalent of a third-grade education. That was it. That was it for his formal schooling—third grade.

You need to keep that in mind as I talk about the rest of Sidney's story and his life. When he was 12 years old he returned to help his father work the trap line and learn the subsistence lifestyle, so he was out in the middle of Alaska. He was out in the wilderness. He was not in school. By the age of 16 he was earning a living hunting and trapping and at age 22 he went to work in a gold mine. In 1963 Sidney moved to Galena to work for the Air Force as a carpenter, and then in the 1970s he went into the fish-processing business. So he had been everything. He had been a gold miner, he had been a carpenter, he had been in fish processing, he had

been a hunter and a trapper and a subsistence guy. He was truly living a traditional life in rural Alaska, sustaining himself and his family through a mixture of subsistence and participation in the cash economy. Many around the State share this life story, but that was just one dimension of Sidney.

This man, who had the equivalent of a third-grade education, served two decades on the Alaska boards of fish and game. In 1993 he published the best-selling biography I just mentioned entitled ''Shadows on the Koyukuk.'' In fact, this book he wrote is so good, is so compelling, it is the book I take around to the high schools when I go to visit students. I never leave a school visit without leaving something there, and I leave a book for their library. The book I have chosen to leave with students all over the State is ''Shadows on the Koyukuk'' because of the amazing accomplishments of this amazing Alaskan.

The University of Alaska Fairbanks in 1989 awarded Sidney an honorary doctorate in public service. Here again is an extraordinarily accomplished man, a man with a third-grade education, focused on public service, education, helping his community, his State, and publishing a best-selling biography.

Through the University of Alaska system, Sidney participated in oral history interviews that will be examined by historians and students for decades to home.

He was truly the stuff of which legends are made. Alaska holds a lot of legends. It is a big State with tall stories. But Sidney, once again, was the real deal. His life was a profile of courage and inspiration. It has not only been chronicled in books and interviews—it was even played out in theater in a stage play called ''The Winter Bear.''

''The Winter Bear'' tells the fictional story of a young Native man who contemplated suicide. In this play, this young Native man is sentenced to cut wood for Sidney Huntington. Making a pact with Sidney to live, he goes on to construct a traditional bear spear under Sidney's guidance. That spear is used to bring down this marauding bear. But Sidney is injured in the incident, and the young man, who is very insular and very afraid of public speaking, must now speak for Sidney before thousands of people at the Alaska Federation of Natives convention. At this point, the young man finds himself and his voice, recognizes the value of his life, and emerges as a leader.

While this play, ''The Winter Bear,'' may be fictional, Sidney Huntington's experience with suicide is absolutely not. In real life, Sidney lost children to suicide. He grieved for them every day and shared his loss with schoolchildren who visited his cabin. As we visited in quiet conversations, he shared with me the loss and grief that he felt, as not only his children but others in his community and his region have suffered because of suicide.

Sidney was a champion for young people. He believed in the future of our young people, urging that they choose life, that they get a good education, and that they take pride in their proud heritage.

Sidney Huntington was the patriarch of a large and extended family. I know so very many of them, and they are all very accomplished in their own right. He is survived by his wife, Angela. They were married 72 years; that is a pretty good marriage there. He has some 30 children, both biological and adopted, and many, many grandchildren. On May 10 of this year, they gathered in Galena to celebrate the centennial of Sidney's birth, and they all wore T-shirts that bore some of Sidney's words of wisdom: Make life worth living; work hard; keep up a good spirit; have a good attitude toward others—this will take you a long way in life. These are words to live by and words to remember an Alaskan who was truly larger than life and as large as the great State that he called home.

I was privileged by the gift of the friendship of Sidney Huntington. Alaska is privileged by the gift of his legacy. This man is a true hero of our homeland. He is now gone, but his life of inspiration will long, long be remembered. I am grateful for the opportunity to again pay tribute to a great Alaskan and to extend my condolences and that of the U.S. Senate to his family, his many extended relatives, and those of us throughout the State who cherish a great Alaskan leader.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

EVERY STUDENT SUCCEEDS BILL

Mr. CORNYN. Mr. President, earlier today the U.S. Senate added to its list of accomplishments this year by passing important education reform. The Democratic leader, our friend from Nevada, has called this Senate ''unproductive,'' but the Washington Post took a look at what he had to say and gave him three Pinocchios for that one.

When we look at the accomplishments of this year, they are bipartisan, to be sure—as they must be. That is the nature of this institution. Even the minority can, and frequently does, stop us from doing things the majority would like to do. But what has been remarkable is where we have been able to find consensus and work together. Certainly, the education bill—the Every Student Succeeds Act—is an example of that, as is the leadership not only of Majority Leader MCCONNELL, who scheduled the vote on this legislation, but also Chairman ALEXANDER of the Health, Education, Labor, and Pensions Committee and Ranking Member MURRAY.

Senator MURRAY has also been very important in working with us on important anti-human trafficking legislation that passed the Senate 99 to 0. She worked with us on the President's request for us to pass trade promotion authority that only 13 Democrats voted for. This is an important piece of economic legislation.

Then, in recent days, we passed the first multiyear highway bill. That was due to the partnership of Senator INHOFE, chairman of an important committee, Chairman HATCH, chairman of the Finance Committee, and Senator BOXER on the Democratic side basically trying to take on her own leadership that didn't want us to pass a multiyear highway bill, at least at first, because they wanted to use the pay-fors in that bill to spend on other things.

My point is that leadership is important not only at the Presidential level; it is important here at the level of Congress in terms of setting the agenda. But the hard work of legislation is actually trying to find areas of common ground and consensus so we can actually get things done.

There are some times that stopping what the majority wants to get done is the right thing to do—when the legislation is misguided, when it is the wrong kind of policy. But we found places where we can work together in order to deliver results for the American people, and the Every Student Succeeds Act is an example of that. It replaced a law which was sorely in need of reform, and it stopped Washington from imposing common core mandates on our classrooms. It will ensure that power is devolved from Washington back to the local communities, to parents and teachers, where that power should exist.

In the words of Chairman ALEXANDER, it has eliminated the Department of Education as a national school board. Our country is simply too big and too diverse, and the needs of our students in local communities are so different that the power to innovate, the power to set the standard, and then to find the most creative and innovative way to achieve those standards I believe is best determined at the local level and not here in Washington, DC. This legislation does just that.

I use as an example Laredo, TX, where I went to a ninth grade science class. Due to the proximity of the Eagle Ford Shale in South Texas, they were teaching ninth graders the fundamentals of petroleum geology as a way to teach their science courses. So the students could see the future of a job in the oil and gas sector because of the proximity of the Eagle Ford Shale and the prosperity that has brought and a direct connection between the otherwise abstract lessons of science

that they might be learning in class. Washington, DC, is not going to be able to come up with that kind of creative solution or way of making science relevant to students in Laredo, TX. So I use that as an example of why this legislation is so important to leave to the States and local school districts, parents, and teachers the ability to determine the curriculum and accountability measures they want to adopt.

I am proud we have come together in true bipartisan fashion to strengthen the hands of parents, teachers, and local communities and to provide real education reform for our children.

PRESIDENTIAL STRATEGY TO DEFEAT ISIS

Mr. CORNYN. Mr. President, I want to talk about the speech the President gave on the Islamic State, or ISIS. He spoke about this to the Nation last Sunday night. I read all the newsclips after having listened to what the President had to say, and I think the universal reaction was that the President did not come up with anything new. Basically, the message was that we are going to stay the course.

Of course, this is the same President who called ISIS ''contained.'' I don't know of any other person—any other person with any knowledge of the subject matter—who would share the view the President expressed, that ISIS was somehow contained. Indeed, we have learned that the threat of ISIS is threefold: We have the battle raging in the country, what started out as a civil war in Syria. Now the borders between Iraq and Syria have essentially been erased, and ISIS is controlling large portions of those two countries. It is also about the foreign fighters who come from Europe and other places within the region and even from the United States. There have been examples of people who come from the United States over to the fight in Syria and Iraq in order to help ISIS. Then, as we sadly learned again, just as we learned in Paris recently, we have seen in San Bernardino, CA, the radicalization of people already in our country, using things such as social media and the Internet.

It is troubling that the President did not choose to tell us what new strategy he was going to use in order to actually make sure we were able to accomplish his own stated objective of degrading and destroying ISIS. Instead, we heard that he had no interest in changing course. As I said a moment ago, this has dangerous and dramatic consequences right here at home too. In light of the terrorist attacks in San Bernardino—one that killed 14 people and wounded more than 20—you would think that the President would reconsider whether the course we are on needs a midcourse correction.

We saw that, for example, in Iraq. President Bush saw the war in Iraq going poorly, despite our best efforts—and then took a huge chance, upon advice of General Petraeus and other military leaders, to conduct a surge. It was a big risk, but it paid off.

President Obama, on the other hand, does not seem to want to learn from his experience or his mistakes. This ''wait and see'' approach has served only to strengthen the stranglehold ISIS has on the Middle East, and it has enabled the recruitment of thousands of jihadists from all over the world.

What we really need from the President is to listen to his military and national security leadership and to formulate a comprehensive strategy against ISIS and bring additional military means against them. The President likes to say this is a choice between what we are doing now and American boots on the ground. That is a false choice. That is not the choice. Those aren't all the options available to the President. But we need to bring means against ISIS that would inflict sizable losses, shatter their false narrative about their actually prevailing and making advances in their effort to reestablish or establish a Caliphate in the Middle East, and stop them from spreading their hateful ideology and their violence—not only in Syria, Iraq, and in that region, but around the world.

In short, what we need is a dramatically different approach. This concern for our current trajectory in the fight against ISIS is not shared only by folks on this side of the aisle. A number of our colleagues across the aisle agree that the President's strategy isn't working, but some of their solutions are pretty puzzling. Just this week, the Democratic leader and some of the other senior leaders across the aisle said that the solution is for the President to appoint another czar—a czar that can eliminate ISIS.

We don't need another appointed bureaucrat. We need a Commander in Chief who is willing to recognize the reality on the ground, one who will step up and lead, and one who will lay out for Congress and the American people a strategy that has a reasonable chance of success.

Because of the President's refusal to change course and develop a serious and aggressive strategy to eradicate ISIS, several of my colleagues and I have sent a letter to the President with some hopefully constructive suggestions. We have urged him to take commonsense measures that are designed to accomplish his own stated goal of degrading and ultimately destroying ISIS.

It is evident that any way forward must inflict significant territorial losses to ISIS. Right now we are engaged in bombing missions, which are necessary but not sufficient to actually hold any territory. That takes people on the ground. It takes military advisers. It takes the United States' leadership—not our U.S. military on the ground—but it takes somebody there to reclaim territory that Americans fought to secure just a few short years ago, such as in Ramadi, Fallujah, and Mosul.

I said before that I think the President made a terrible mistake when he precipitously pulled the plug on the American presence in Iraq, because what happened is we simply squandered the lives and the treasure lost in securing cities such as Ramadi, Fallujah, and Mosul. It breaks my heart to think about the Gold Star Mothers and other people who lost family members in those fights only to see now that territory squandered. Think about our veterans who perhaps lost a limb from an IED, a roadside bomb. It is really a terrible thing. Now the President does have a chance to try to change his strategy in order to reclaim the territory from Iraq and, again, to undercut this false narrative of ISIS invincibility.

First, in this letter that we wrote to the President we suggested that the United States should embed military advisers alongside of the Iraqi Security Forces, the Kurdish Peshmerga, and Sunni tribal forces to strengthen their hand on the battlefield. These are some of the people who can be the boots on the ground and not American soldiers and service men and women. This could include additional U.S. troops to serve as joint terminal attack controllers—or JTACs—who can help ensure that our airstrikes against ISIS are much more accurate, timely, more lethal, and avoid collateral damage to innocent civilians.

We know the United States has the most powerful military in the world—equipped with the most advanced aircraft and the best trained pilots to fly them. But in order to leverage the advantage in the air, we need to work more closely with those on the ground. Again, this isn't going to happen without American leadership. By deploying additional close air support platforms—including Apache attack helicopters—for use in coordination with embedded JTACs, we can bring real support to those who find themselves in close contact with ISIS.

Again, the President likes to say ''no American boots on the ground'' but the fact is there are about 3,500 or so U.S. service men and women in Iraq, and the President recently announced he was going to deploy a contingent of special operators to help do exactly what I described here. But he has not yet come up with a strategy that will actually help them accomplish their goal.

The President also needs to understand the real need for a thorough review of the current approval process for coalition airstrikes. By making this review process less unwieldy, we can

remove barriers that inhibit our pilots from striking strategically significant ISIS targets and doing it in a timely manner. On the battlefield, seconds matter. Our pilots who are engaging ISIS and putting their lives on the line should be allowed a shorter strike-approval timeline.

Finally, the letter my colleagues and I sent to the President asks him to establish safe zones inside Syria to protect the Syrian refugees. I have had the occasion to travel to some of the refugee camps in Turkey and Jordan, for example. Ever since the Syrian civil war occurred a couple of years ago, there have been massive dislocation of people from Syria into adjoining countries, further destabilizing those countries and, obviously, being a huge burden upon them. But what we need is a no-fly and no-drive zone so Syrians can stay in Syria rather than having to flee to adjacent countries or Europe or now come to the United States, for example. It would help safeguard innocent men, women, and children who are getting caught up in the crossfire.

We can do this. We have done it before in Northern Iraq. It takes a plan, and it takes American leadership. We can help take a lot of pressure off of Europe and surrounding countries in the Middle East, as well as our own country, by people who understandably are fleeing the devastation and the danger in their own country. Of course, the President and the United States can't do it alone. That is why we also encourage the President to leverage our partnerships in the region and hopefully find ways to mobilize NATO, or the North Atlantic Treaty Organization, in the planning and implementation process. NATO is very much engaged in Afghanistan, for example, and there is no reason why NATO, with American leadership, can't make a big contribution to what is happening in Syria and Iraq.

I hope President Obama reads our letter, and I hope he seriously considers how the United States can move forward with our partners in a much needed direction to accomplish the goal that he himself stated of degrading and destroying ISIS. Unfortunately, the current plan is not ever going to succeed. Just bombing, as I said earlier—airstrikes—is not sufficient.

Unfortunately, the recent attack in San Bernardino reveals that the extremist ideology of ISIS is not contained in the Middle East, as I mentioned earlier—the radicalization of people already here in the United States. We saw that, for example, in 2009 with MAJ Nidal Hasan at Ft. Hood, TX. We saw it earlier this year in Garland, TX. Unfortunately, we saw that in San Bernardino last week.

By the way, this is another item on the President's and on our to-do list. The FBI Director this morning testified that before the attacks in Garland, TX, where two people traveled from Phoenix in full body armor and with automatic weapons and tried to attack an exhibit in Garland, TX, one of the attackers sent 109 encrypted messages overseas to a terrorist contact there. But because they are encrypted, even with a court order, the FBI has not been able to see the contents of those messages. The FBI Director and the Deputy Attorney General have said this is a big problem for the United States because many technology companies are marketing their ability to encrypt their messaging and, thus, keep it out of the eyes—away from the eyes—of law enforcement, even with a court order.

Again, recently we voted to eliminate the bulk data collection at the National Security Agency. To remind everybody, this was about taking a known terrorist's phone number overseas and comparing that against call records here in the United States that don't reveal content but do reveal the domestic phone number so that the law enforcement authorities can go to a court and ask the court to allow them to look into the content of that communication. But, of course, this was misrepresented by some who claimed the privacy interests trumped national security interests.

Certainly, we have to find the right balance between privacy and security. But this encryption technology, which, again, is being marketed by certain companies in order to increase their market share, is being used by terrorist organizations. In fact, the FBI Director said this has now become part of the terrorist tradecraft—that is the way he put it—to use these encrypted devices.

My point is that whether it is the fight in Syria and Iraq or whether it is the foreign fighters traveling from the United States or Europe to Iraq and Syria and returning to the United States or whether it is radicalization of people already in place here in our own country, this is a war we cannot afford to lose. In a way, it seems like we are not using all of the resources available to us to fight a war against the terrorist threat when clearly they are using every resource they have available to fight a war against the United States and our freedom.

I hope the President will reconsider his course of action dealing with ISIS. I am sorry to say that unless the President does, I think we are going to see other attacks—not just in Europe, not just people dying unnecessarily in Syria and Iraq, but further attacks here in the homeland.

The President has some very talented military advisers. General Dunford and General Milley, the Army Chief of Staff, and others can provide him a strategy that actually will have a better chance of succeeding if he will listen and if he will reconsider. I know that sometimes when people like me have criticized the President for having no effective strategy, people have said: What is your strategy? Well, it is not our responsibility. It is the Commander in Chief's responsibility to come up with a strategy. But taking that challenge on, my colleagues and I have sent this letter where we list some options for the President that I hope he will consider.

We need a more focused, a more effective, a more robust strategy—one that is undergirded with a political framework that can sustain a lasting rejection of the bankrupt ideology pedaled by ISIS. We don't have time to stick to a plan that has proven not to work.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. TOOMEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR AGREEMENT WITH IRAN

Mr. TOOMEY. Mr. President, I wish to address an issue that has kind of been pushed into the background by virtue of a series of events that has, quite understandably, captured all of our attention. The atrocities committed by ISIS has justified a focus of attention on how we can make America more secure from this very frightening and dangerous threat, but we shouldn't lose sight of an ongoing threat that is simultaneously developing, and I am referring to the Iran nuclear deal and the very disturbing developments that have occurred just in the short period of time since the JCPOA, the agreement between the Western powers, including the United States, and Iran, was announced.

This is a deal that in its own right is very disturbing. I found it impossible to defend. Since then, it has gotten worse, and in my view additional developments clearly indicate that we don't really have an agreement here, and the President should not be lifting sanctions in a few weeks. My fear is that is exactly what the President intends do. Let me walk through several of the items that have occurred recently that are particularly disturbing.

Item No. 1, almost immediately after the deal was announced, the Iranian leadership insisted they would essentially rewrite some very important parts of the deal. Specifically, they demanded that the sanctions had to be permanently lifted rather than suspended indefinitely. The JCPOA language says the United States will ''cease the application of sanctions.''

The administration has been very clear. They told us that means the sanctions are suspended, but the framework remains in place in case they need to be reapplied. They have predicated the entire viability of this agreement on the ability to reimpose sanctions, so it is essential that they in fact be available to reapply. The Iranians have said: No, absolutely not. That is not what the agreement says. It says these sanctions are to be lifted and permanently removed and they cannot be restored for any reason under any circumstance.

Well, which is it? The Iranians have clearly indicated that they have a very different understanding than our administration does, and this matters because whether sanctions can be reimposed in the event of a violation is absolutely central to the enforcement of this agreement, and that is according to the administration.

Item No. 2, shortly after the deal was announced, a couple of our colleagues—a House Member and a Senator—discovered the existence of two secret side deals. While on a trip to Europe, they discovered that these agreements were negotiated between the IAEA, the International Atomic Energy Agency, charged with much of the enforcement of this agreement, and the government in Tehran. It went to the heart of the past nuclear weapons activity that the Iranian Government was involved in. The administration didn't tell us about these side agreements or give us these side agreements, but it turns out they exist.

The nuclear review act stated very clearly that the President was obligated to give us all related documentation—all of it. The actual language is ''any additional materials related thereto, including annexes, appendices, codicils, side agreements, implementing materials, documents, and guidance.''

I think it is abundantly clear that the legislation actually in fact says, and intended to say, that anything in any way related to this agreement had to be handed over to Congress. It never happened. We never got it. To this day, we haven't gotten it. In fact, no Member of Congress has seen these agreements—these two documents. It is not just that no Member of Congress has seen them, nobody in the administration has seen them because the administration thought it was OK to just trust some other entity to negotiate a very central enforcement provision of this agreement without ever being able to even see it. It is unbelievable. No. 1, the President is in violation of the law if he lifts these sanctions because the law clearly states that process can't begin until we have gotten all the documents, and we still haven't, and a very important aspect of this agreement is something that the administration has never seen.

Item No. 3, October 3, just a few weeks ago, Iran launched a new long-range, precision-guided ballistic missile. Even the Obama administration acknowledges that this is a violation of U.N. Security Council Resolution 1929, which prohibits any ballistic missile activities on the part of Iran. Let me briefly quote from that resolution. It is a resolution that, by the way, supports the JCPOA. It is an integral part of the nuclear deal with Iran. It states that Iran is ''not to undertake any activity related to ballistic missiles designed to be capable of delivering nuclear weapons, including launches using such ballistic missile technology, until the date eight years after the JCPOA.'' The intermediate-range ballistic missiles that the Iranians launched could absolutely hold nuclear weapons. They have a 1,000-mile range and could reach Israel.

A few weeks after that, on November 21, Iran launched a second ballistic missile. In spite of everybody pointing out that they were in violation of the JCPOA with the first launch, they demonstrated just how concerned they were about that by a second launch. It was a slightly different system, quicker setup time, more mobility, more maneuverable, and still capable of delivering nuclear weapons. Why does this matter? Well, it matters because it demonstrates that Iran has every intention to continue to improve its ability to deliver nuclear weapons great distances, with great precision. It demonstrates the continued intent of Iran to develop the capability to threaten and attack Israel and U.S. allies.

It is a fact that with this technology in place, if and when they violate this agreement and develop nuclear weapons—or even if they just wait until it is over and develop nuclear weapons, which the agreement permits—they will be immediately prepared to launch these weapons great distances. Maybe most fundamentally, Iran is in open violation of the JCPOA. They obviously have contempt for this agreement. How can we trust them when they are blatantly and flagrantly violating central parts of it?

Item No. 4, October 29, Iran sends weapons to the Assad regime on Russian cargo planes, violating another U.S. Security Council Resolution, as was part of a bigger deal. It included, in the negotiation of the deal, that Commander Soleimani travel to Russia, which is in violation of the U.S. Security Council Resolutions because a travel ban had been imposed personally on him. That didn't matter. He went to Russia and negotiated an agreement that included weapons for Assad, in violation of another U.N. Security Council resolution, and Russian delivery of the SA–300 Air Defense System for Iran.

Why is this important? Well, it is yet another flagrant violation of international law and U.N. Security Council resolutions but also because the delivery of these surface-to-air missiles diminishes the ability and credibility of a military strike against Iran, which we have been told is always the ultimate backstop. You would think that maybe the administration would have some concern about this.

Item No. 5, October 29, Iran arrests an American and convicts another American. The Iranian regime arrested the Iranian-American businessman Siamak Namazi and convicted Washington Post reporter Jason Rezaian in a show trial. This American reporter has now been held for over 500 days. Meanwhile, of course, the Iranian hardliners continue to hold their anti-American rallies, burn American flags, and shout ''Death to America.''

Why does all of this matter? After all, this was not contemplated by the JCPOA directly. It matters because it reveals the ongoing open hostility of the Iranian leadership to the United States. In response, of course, America has taken no steps and no action, but it is fundamentally clear that this deal has not changed the mindset or attitude of the regime toward America, and now it appears that Iran is holding some additional chips, if you will, in the form of American hostages and that should be pretty disturbing.

Item No. 6, December 2, just a few days ago, the IAEA report came out on the previous military dimensions of Iran's weapons program. What did they conclude? They concluded that up until and through at least 2009, Iran was, in fact, working on a nuclear weapons capability. That is from the IAEA's report. That is not my opinion. That is their conclusion. They confirmed, among other things, that the Iranians were working on neutron triggers for detonation purposes, miniaturization efforts for warheads so they could be put on ballistic missiles, and specific designs for fitting them on weapons.

In addition to confirming the nuclear weapons activity of the Iranian regime, the IAEA report highlighted that the Iranians were not fully cooperating as they were trying to determine the extent of the past military dimensions. Again, according to the IAEA, the Iranians consistently tried to mislead investigators.

At the Parchin site, where much of the research and weaponization process was underway, the Iranians were heavily sanitizing the site. In recent months, they were trying to destroy the evidence prior to the IAEA investigation and determination, and the Iranians did not provide all of the information that was requested of them. This is all from the IAEA.

Why does all of this matter? First and foremost, it is absolutely indisputable proof positive that Iran has been lying through this entire process. They have always said they have no

nuclear weapons program and that all of their nuclear research has always been exclusively for peaceful purposes. It has been a lie. It was always a lie. It was a lie through the entire negotiations. If they are willing to lie about this, what else are they lying about? Since they were not willing to fully cooperate, how much do we really know about exactly how far along their weapons process was? And if and when we discover future weapons developments, we might not know whether that was prior to the agreement or post-agreement. It just creates a great deal of dangerous ambiguity.

Finally—and this to me is maybe the most shocking—on November 24, the State Department acknowledged that the Government of Iran had never ratified and had not signed the JCPOA. They haven't signed the agreement. The administration acknowledges this. In a letter to a Member of Congress, Congressman MIKE POMPEO, on November 19, 2015, the State Department said, among other things, the ''JCPOA is not a treaty or an executive agreement, and is not a signed document. The JCPOA reflects political commitments. . . .''

The President had previously called it a negotiated diplomatic agreement and attached great weight to it. The President said:

> The agreement now reached between the international community and Iran builds on this tradition of strong principled diplomacy. After two years of negotiations, we have achieved a detailed arrangement that permanently prohibits Iran from obtaining nuclear weapons.

Except that it doesn't and Iran hasn't signed it. The President even compared it to the START treaty and the nonproliferation treaty. It is very different. The fact is, the State Department letter openly admits that this agreement, if you can call it that, is not legally binding on Iran, and the Iranians have refused to sign it. Instead, it is supposed to depend on extensive verification, and we have talked about the problems with that, and the ability to snap back sanctions, which, likewise, have been dramatically undermined at best.

Then let's look at what the Iranians have done. President Ruhani pushed the Iranian legislature specifically not to adopt the JCPOA. They have ignored it. They have not voted on it. They have not ratified it. They have not affirmed it. So, in addition to not signing it, they have not had an eradication vote to approve it. In fact, they voted on some other framework. Ayatollah Khamenei has suspended further negotiations with the United States, so they have not signed the agreement, they have not voted on the agreement, and they have announced that they have no intentions of discussing any more with us the substance of it.

It looks pretty clear to me that the Iranians are creating the ability to completely deny any obligation on their part to honor the terms of the agreement. It looks pretty obvious to me that that is what is going on here. Yet we are just a few weeks away from what this agreement, which hasn't really been agreed to, calls the ''implementation day.'' That is the day on which the sanctions will be lifted.

By all accounts, it appears as though the administration intends to go ahead and lift the sanctions. Principally among them is the release of many tens of billions—maybe $100 billion—to Iran, despite the fact that the Iranians have demanded that these sanctions be permanently lifted, despite the discovery of these secret agreements, despite at least two ballistic missile launches in direct violation of the agreement, despite the violations of the arms embargoes, despite the arrest of Americans, despite the confirmation that we all now know that Iran has been lying throughout this entire process about the past weaponization, and despite the fact that they refuse to sign or pass this agreement. Despite all that, we apparently are just a few weeks away from lifting the sanctions, releasing upwards of $100 billion to the Iranians, and, of course, at that moment, losing virtually all leverage over Iran and their pursuit of nuclear weapons.

I think it is time the President of the United States realizes and acknowledges that there is no agreement here. There is not a deal. Any reason one would think of at this point that Iran is going to honor this agreement that is not really an agreement I think is extremely naive at best.

I hope that in the very short time that remains, we are able to persuade the administration to reconsider their apparent intent to lift these sanctions and reward this regime with a staggering amount of money with which they will do, in my view, very likely great harm.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I ask unanimous consent for an additional 10 minutes to the 10 minutes I have been allotted.

The PRESIDING OFFICER. Without objection, it is so ordered.

EVERY STUDENT SUCCEEDS BILL

Mr. BENNET. Mr. President, I am sorry the Senator from Colorado has the misfortune of presiding over the Senate when I am giving a speech, but it is nice to see him.

I wanted to come to the floor today to mostly say thank you but also to make some observations on a day where I am actually proud of the Senate. I am proud of the work we have been able to do to reauthorize the Elementary and Secondary School Act with a vote in the Senate of 85 yes votes. This came after a vote in the House of Representatives that was 359 yes votes. And this comes after a time when just months ago it seemed as though we were paralyzed on this bill and unable to get a vote in the House and in the Senate. In fact, the House passed a very partisan bill that didn't get one Democratic vote. And when the Democrats were in charge, we passed bills that didn't get Republican votes, and then we couldn't even get them to the floor. Now we find ourselves just a few months later with a huge bipartisan result.

I want to start by commending LAMAR ALEXANDER, the Senator from Tennessee, the chairman of the Health, Education, Labor, and Pensions Committee, for his extraordinary leadership, as well as PATTY MURRAY, the ranking member of the committee, for her leadership. They ran this committee and they ran this process in a way that ought to set the standard for the rest of the committees in the Senate. They followed regular order. They started with a bipartisan product. They asked every single member of the committee whether we had ideas to try to improve the legislation. They moved it out of committee unanimously—unanimously. This is a committee that has on it the junior Senator from Kentucky and the junior Senator from Vermont, just to pick two examples, and they got a unanimous vote. Then we brought it to the floor, we had amendments, an open process, passed it off the floor, the House passed their version of the bill, and we had an actual conference committee. Can my colleagues imagine that? I think it is the second one or maybe the third; there was one fake one and then two real ones since I have been here in the last 7 years. I have actually had the good fortune to be on two of them, including this one. So we produced a product and got it to the floor, and now it is going to the President's desk.

I say to the pages who are here today that we are 8 years away in the reauthorization of No Child Left Behind. The bill expired, in effect, 8 years ago, and we have taken 8 years to get this work done, which, if you were grading us in terms of getting our homework done in time—if the teachers at the Page School had the opportunity to scold us for being 8 years late with our homework, they probably would. But I am going to celebrate because I am glad this day has finally come. For teachers and for principals and for students and for families all across the country, this change is going to come as a great relief.

Some people ask: Why should the Federal Government have any role in education at all? I think it is a fair question because of what we spend on K–12 education, only 9 percent of it is Federal. The rest of it is all State and

local. The reason why the Federal Government is involved is because of the civil rights impulse that says kids ought to have a great education no matter what ZIP Code they are born into. That is what we tell ourselves. If you are lucky enough to be born to wealthy parents or unlucky enough to be born to poor parents, when it comes to education, you ought to be able to get a good education.

The Federal Government is meant to help ameliorate the differences that exist in too many places all across the country. That was the idea when we got involved in this in the 1960s. Then we fast-forward to No Child Left Behind, the idea that George Bush had and Ted Kennedy had and the others who worked on that bill, including Margaret Spellings and others, had. The idea was that our kids are not succeeding all across the country and they are not remotely having the same opportunities, and we ought to expose that to the country.

Notwithstanding all of the things about No Child Left Behind that I can't stand, the one thing I will be forever grateful for was the requirement that districts across the country annually assess kids and disaggregate the data so people can see how kids are doing by ethnic group and by their level of poverty or affluence and that we expose that to the country and stop hiding from what are terrible results for many kids living in the United States.

Over the period of time that No Child Left Behind has been in place, we have been unable to hide from the results we have seen. What are those results? It is very clear now that we have studied it that if you are a kid born into poverty, you arrive in kindergarten having heard 30 million fewer words than a more affluent peer. Ask any kindergarten teacher in America whether that is going to affect the outcomes in kindergarten, and she will tell us.

We now know that there are whole communities in America, across cities and across rural areas, where there is not a single school that anybody in this body would be willing to send their kid or their grandkid to—not one. And those of us who are proponents of school choice, as I am, need to recognize that there are huge parts of geography in the United States where there is no choice. The choice is illusory. You have one lousy school to choose from and another lousy school to choose from.

Then what we have discovered is that we have made it harder and harder for people to be able to afford college. As other countries around the world are understanding more than ever, we need something north of a high school diploma to compete.

When George Bush, the son—and I say to the Presiding Officer that this is a temporal observation, not a partisan observation—when George Bush the son became President, we led the world in the production of college graduates. Today we are something like 16th. My question is, Do we want to be 32nd or do we want to do something different to give people greater opportunity?

As I have said on this floor before, where this all ends is in a situation where if you are a kid born into poverty in America, your chances of getting a college degree is equivalent to roughly 9 in 100. They are not roughly 9 in 100; they are 9 in 100. That means that if these Senate chairs and these desks—there are 100 in this Chamber—were inhabited by poor kids instead of by Senators, there would be those 3 seats, then those 3 seats, and then 3 of those seats in that row that would be inhabited by college graduates, and the entire rest of this Chamber would not be. I think that if we faced those odds for our own kids in this body—if Senators faced those kinds of odds for their own kids—we would quit the Senate and we would go home and we would try to fix whatever we could fix to ensure that our children didn't have a 9-in-100 chance but maybe had a 90-in-100 chance of being able to make a decision about whether they wanted to go to college.

I think one of the reasons why we find ourselves with those kinds of results for our kids—not just around education but around health care and around many other issues—is that too often we are treating America's children like they are someone else's children, not like they are our own children. And if we treated them like they were our own children, I think it would focus our mind.

I think that not just on education but on all kinds of issues, we would stop figuring out how to get through the week, stop trying to figure out how to keep the lights on for 1 more week or 1 more month or do a temporary tax deal that we could call a yearlong deal and it is actually a 2-week tax deal at the end of the year, and we would actually start doing what the American people want us to do, which is invest in the next generation—investment in the next generation in terms of infrastructure, in terms of immigration policies, in terms of energy; approaching the next generation by saying we have a theory about how we are going to right the fiscal problems this country faces. And we would be doing a lot—State, local, and Federal Government—to ensure that we had an education system that was much more aligned to the outcomes we want for our kids than the system we have.

Having said all of that, I am so glad we have made the decision that we have made to pass this bill today because if we had a rally tomorrow on the steps of the Capitol to keep No Child Left Behind the same, literally no one would show up, which maybe explains why we have been able to get this bipartisan result in the end.

I think the other thing that explains it is the fact that the No Child Left Behind bill, when it was passed, represented perhaps the biggest and greatest Federal incursion on State and local governments that we have seen in modern American history. Part of what we are doing here by changing the way this bill works is retreating, which I think is appropriate and what we should do.

When I was superintendent of the Denver public schools, I used to wonder all the time why people in Washington were so mean to our kids and to our teachers. What I realize being here is that they are not mean; it is just that they have absolutely no idea what is going on in our schools and our classrooms.

I think it is perfectly reasonable for the Federal Government to say: We expect you to do better. We expect you to close these achievement gaps. We have a national interest in knowing that kids are moving forward no matter where they are born, just as I think we have a national interest in understanding where the next 1.5 million teachers are going to come from to replace the teachers we have lost. But when I was a superintendent, the last thing I wanted was anybody in Washington telling me how to do the work or telling my teachers and principals how to do the work. That is not the province of anybody in Washington, DC, and there was too much of that with No Child Left Behind.

I want to talk a little bit about a few aspects of the bill today that I think are important. I am not going to talk about everything because there is an awful lot that changed. The first thing that is important to me was thinking about how we spend money when it comes to schools and understanding better how those resources are used.

I mentioned earlier that the whole reason the Federal Government is involved in education is because of a civil rights impulse. It might surprise the Presiding Officer to know that we are only one of three countries in the OECD that spend more money on affluent kids than we do on kids in poverty as a country. Part of that has to do with the way we fund education through property taxes, but part of it is compounded by the way the Federal Government has required reporting from school districts and States, going back to the 1960s, where we said to States and school districts: You need to report not an actual teacher's salary but an average teacher's salary, and that is what we are going to require you to do. For reasons that I am not going to belabor here today, that became something called the comparable loophole and meant that it was unclear where the resources were going, including the title I resources which are meant for kids living in poverty.

I wanted to close the comparability loophole as part of this legislation. We

got a vote in the committee, but it didn't make it into the bill. But we have made a change in reporting, which is that we are now requiring districts and States to report on actual teachers' salaries, not average teachers' salaries, and what that is going to mean is much more transparency about where money is going in our school districts.

It is pretty easy to think about it this way. If you imagine an average salary for a school district, if you are in a high-poverty school, it tends to be that younger teachers, newer teachers are in that school. Those newer teachers are paid not at the average salaries but an actual salary down here. If you go to a more affluent school, teachers tend to be more experienced and paid more, and they are paid up here. So in the wealthier schools, the school is billed as though it is paying lower average salaries even though it is paying higher salaries. The poor schools are being billed as if they are paying higher salaries, but they are paying lower salaries. That is a travesty. That is a massive subsidy going from poor kids to wealthier kids in this country because of the requirements of the Federal Government going back to the 1960s. We have to change that reporting, and I believe in the next incarnation of this legislation we will finally change the budgeting itself.

We also focused on teacher leadership as part of this bill and teachers in general. They are the most important thing when it comes to a quality education. We know that the most important thing a kid who is living in poverty can get is 3 years of tremendous instruction. If they do, we can close the achievement gap. We know we can.

There is a lot of attention paid to this question of how we get rid of low-performing teachers, and having been a superintendent, I am all for it. But the most important question or fact we need to observe is that we are losing 50 percent of our teachers from the profession in the first 5 years. What is it we can do to keep teachers longer than that? We can't keep them for 30 years anymore. It is not going to happen. We imagine that is going to happen. We have exactly the same system that was designed when we had a labor market that discriminated against women and said: You have two choices—one is being a teacher and one is being a nurse. So come teach Julius Caesar every year for 30 years of your life in the Denver public schools.

Those days are over. They are over. Our compensation system and the way we train people and the way we inspire people to teach needs to change to match the labor market we have today. We could not solve that problem in this bill. That problem is not going to be solved here, but we did create more flexibility when we rewrote title II, which has been essentially a slush fund of lousy professional development, and we focused our funding on opportunities for teachers to serve as mentors and academic coaches. Eagle, Durango, and Adams 12 in our State are leading the way in these innovative practices.

We create support for teacher residency programs inspired by the Denver and Adams State teacher residency programs so that we are not saying we are going to have to rely on higher education programs that are not going to prepare our teachers to do the work we need them to do. Instead, we are going to train them in classes with master teachers so they can perfect the craft of teaching. They can bring their content-matter expertise, and they can learn how to teach in the place that matters, which is in school.

We have resources to train great principals because there is nothing more frustrating for teachers than somebody in their building who doesn't know how to lead.

We have funding to help modernize the teacher profession for preparation, recruitment and hiring, replacement and retention, compensation, and professional development.

I am often asked what is the one thing that will change outcomes in our schools. What I tell people is that there is not one thing, it is everything. There is almost nothing about the incentives and disincentives in our K–12 system that are aligned to the outcomes we want for kids—almost nothing. What we say is: On all of these different dimensions, school districts, feel free to innovate and feel free to use some Federal resources on the most important thing you can do, which is making sure you have a great workforce in your building.

We have funding to create differentiated compensation systems and increased school leader autonomy to support the reshaping of instructional time, planning time, and professional development. We are not going to hire teachers in Washington. We shouldn't hire teachers in Washington, but as I said earlier, we do have a vital national interest in knowing we have a pipeline of the very best people who are coming to teach our kids.

I did not mean this to sound political or sound like a politician or sound a little bit like that, but, believe me, there is nobody in this room who has a job that is harder than being a teacher. There is nobody in this building who has a job that is harder than being a teacher in a high-poverty school—nobody. Nobody. That is the hardest job you can have. We train people in ways that don't prepare them for the work, we give them leadership that doesn't support them in the work they are trying to do, and we pay them a crummy wage that no one in their college class would subject themselves to. No wonder that fewer than one-third of eligible voters under the age of 30 would recommend teaching as a job to a friend.

Until we change that, until we have a system that says that teaching is a great and noble profession, that it is something we can do as a way to give back to the community, a way to build the future of this country, and 70 percent of American voters are saying ''I would recommend that to a friend,'' we know we are not on the right track. This bill doesn't solve the problem, but it points the way to flexibility that I think is vitally important—flexibility around teachers and also innovation to try new things, funding for schools and districts to innovate. St. Vrain instituted a STEM academy that ought to be replicated all over. Northwest BOCES is modernizing professional development and support for rural educators. We have some very important parts of this bill related to rural schools, and Denver Public Schools has developed a unique English learners program. These are the kinds of things that can be replicated with the innovation dollars that are in this bill.

Very important to me, the bill supports the replication and expansion of high-quality charter schools, which we have seen have great success in Denver.

I mentioned support for rural schools and districts. We have support for rural districts that I heard from that said: MICHAEL, it is all well and good that Denver is able to get that grant money, but we don't have a grant writer to be able to do it.

This will give them assistance to be able to write those grants, and it will allow rural communities for the first time—like the community the Presiding Officer is from—to be able to come together, as they want to do, and apply jointly for funds from the Federal Government.

On accountability, very importantly, we kept the requirement for annual testing in this bill. I hate testing as much as anybody else. Believe me, the Bennet girls who are students in the Denver public schools hate testing more than anybody else. But it is critically important that until we can figure out another measure, the only way we can measure growth of kids is through that annual test. I commend Chairman ALEXANDER for keeping that option alive in his opening bill, and we kept it in the end.

It still requires that we break down data so we can see how kids of color are doing compared to their peers and how low-income kids are doing compared to wealthier kids. It requires that States address the bottom 5 percent of schools and requires States to deal with the stubborn cases of high-performing schools where there are kids in subgroups—kids of color and in particular special needs kids—who aren't succeeding and aren't performing.

It also relents in important respects and says that decisions about how to

change schools don't belong in the Federal Government, don't belong with the Department of Education, but they belong at home. I agree with that completely.

I want to close, and I say to the Presiding Officer, forgive me for asking for a few more additional moments. I want to thank all the Coloradoans who helped us write this bill. I thank the Colorado Association of School Executives, the Colorado Association of School Boards, the Colorado Department of Education, the Colorado Board of Cooperative Educational Services, the Colorado Education Association, the American Federation of Teachers in Colorado, the dozens of teachers who took time to speak with us, numerous school districts and superintendents who provided us feedback and ideas, civil rights groups across the State, including the NAACP, the Urban League, and Padres & Jovenes Unidos, the Colorado Impact Aid advocates, Colorado's Children Campaign, Colorado Succeeds, the Charter School League, Rural Schools Alliance, Colorado PTA, Clayton Early Learning, the Merage Foundation, the Colorado Education Initiative, and many more.

This is a great day in the Senate. It is proof that we can overcome our differences and come together and actually solve problems. But it is only the start of what we have to do. It is the next generation of Americans that is going to have the opportunity we have. In this global economy, this shrinking economy, in some ways this savage economy, it is going to be harder and harder to get by without an education. It is going to be harder to get by with something north of a high school diploma, harder to get by with something less than a college education. It is hard to get by if you don't have access to midcareer education so you can change your profession. But we have taken a step forward in this bill.

I look forward to the day when I can come to the floor based on the results that we see to demonstrate that the ZIP Code you are born into doesn't determine the education you get; when we are actually funding what we say we are funding in order to close the achievement gap; when we see that kids 0 to 5 actually have access to those 30 million words that their more affluent peers have; when we can say that every kid in America is going to a school that any Senator in this place would be proud to send their kids; when we can say to anybody in America who has worked hard through their K–12 education and been admitted to the best college they could get into that ''You can go there and not bankrupt yourself or your family.'' Then we can come to the floor and say we are not treating children like they are someone else's children; we are treating America's children like they are America's children. And I think we can get there working together.

I will close by again saying thank you to my colleagues on the HELP Committee. Thank you to Senator ALEXANDER and Senator MURRAY and their counterparts in the House of Representatives. Thank you for all of your good work.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Nevada.

Mr. HELLER. Mr. President, I ask unanimous consent to enter into a colloquy with my colleague, the Senator from New Mexico.

The PRESIDING OFFICER. Without objection, it is so ordered.

MIDDLE CLASS HEALTH BENEFITS TAX REPEAL ACT

Mr. HELLER. Mr. President, together we rise to share our concerns about the devastating impact of the Cadillac tax enacted as part of ObamaCare. As the Presiding Officer knows, I know, and those around the country know, the Cadillac tax is a 40-percent excise tax set to take effect in 2018 on employer-sponsored health insurance plans.

My colleagues from across the country have heard the same concerns that I have. As both my friend from New Mexico and I have heard, this 40-percent tax will increase costs, significantly reduce benefits, or result in employers getting rid of their employer-sponsored health care coverage all together.

This is precisely why Senator HEINRICH and I have offered the Middle Class Health Benefits Tax Repeal Act of 2015, the only bipartisan piece of legislation that would fully repeal this onerous tax. Our bill has 22 bipartisan cosponsors. We all agree that this tax should be fully repealed because we know it will have a negative effect on hard-working, tax-paying Americans. This was clearly demonstrated last week when the Senate overwhelmingly supported and adopt our amendment to fully repeal the Cadillac tax by a vote of 90 to 10.

Organized labor, the chamber of commerce, local and State governments, small businesses, seniors, and, together, 90 percent of the Senate—we put forth a solution to fix a problem affecting many Americans and their families. It is very rare these days to see this much agreement in Washington. Members on both sides of the aisle—Senator HEINRICH and I—came together, listened to what our constituents had to say, and sent a mandate to the President to repeal this tax. Today we will discuss why fully repealing the 40-percent excise tax is so important for middle-class families. Whether it is through our legislation, which is S. 2045, the Middle Class Health Benefits Tax Repeal Act of 2015, or through other must-pass legislation, we hope to address this by the end of the year. Senator HEINRICH and I will do everything we can within our power to repeal this tax.

I thank the Senator from New Mexico for his leadership in making real progress in fully repealing the Cadillac tax a reality, as we are here to speak about today. With our vote last week, the Senate sent a clear message that we can, and we should, fully repeal this tax. It takes both sides of the aisle listening to the American people.

With that, I ask Senator HEINRICH what he has heard from his constituents that makes full repeal of the Cadillac tax so important.

Mr. HEINRICH. Mr. President, I start by thanking my colleague, Senator HELLER of Nevada, for his partnership and his leadership in pushing this issue forward and doing so effectively. I think the amendment we saw last week speaks to just how bipartisan this has become and how important it is. These days, there truly aren't many things around this place where we get a 90-to-10 vote.

This tax, which will go into effect in 2018, was meant to help pay for other parts of the Affordable Care Act by charging a 40-percent tax on the highest cost, employer-based health plans. It was supposed to target only overly generous health plans—the ''Cadillacs on the health care highways,'' so to speak. In practice, however, the tax has become more of a ''Ford Focus tax.'' It will impact middle-income families who, for reasons that are largely outside their control, have health plans that already or soon will reach their policy limits.

The tax will force many employers to pay steep taxes on their employees' health plans and flexible spending accounts. It will possibly eliminate some employer-provided health care plans altogether.

The Cadillac tax has already limited options for New Mexicans to curb costs and keep plans affordable. Let me give an example. I recently heard from Jamie Wagoner, the benefits and compensation manager for the city of Farmington, NM. Under her leadership, the city began implementing wellness programs to slow the increase in health spending—exactly what we all wanted. Unfortunately, the city recently learned that its wellness programs would ultimately be factored in as a benefit subject to the Cadillac tax.

It doesn't make sense that benefits designed to promote health and wellness, and ultimately drive down costs, actually end up triggering this new tax. This creates an inverted incentive for employers to avoid preventive benefits, such as wellness programs, that we all know are central to keeping our health care costs under control.

There are better ways to pay for the good things in the Affordable Care Act.

Doing away with this onerous tax on employees' health coverage before it goes into effect will protect important benefits for workers and ensure that businesses and families get a fair deal.

I have always opposed this tax on the middle class, and I worked to strip it from the ACA when I was a freshman legislator in the House of Representatives. In New Mexico, small business owners, labor unions, counties, rural electric co-ops, municipalities—you name it—all oppose the tax. When was the last time we had a piece of legislation that united all of those constituencies?

That is why Senator HELLER and I introduced the Middle Class Health Benefits Tax Repeal Act of 2015 to fully repeal this tax. This bipartisan effort also has companion legislation in the House of Representatives—legislation that has 178 cosponsors from both sides of the aisle. There was a vote on an amendment that Senator HELLER offered to include a full repeal of the Cadillac tax in the budget reconciliation bill, and the amendment was adopted 90 to 10, as my colleague pointed out.

The landmark reforms in the ACA have given thousands of my constituents access to affordable, quality health care for the first time in their lives. But even the strongest supporters of this law know it is not perfect, and there are some parts of it that we absolutely need to fix. This is one of them.

Republicans and Democrats need to put aside the partisan politics, put aside the grandstanding, and remember why Congress passed the ACA in the first place—to expand access to quality health care for all Americans. We need to work together to produce pragmatic policy that helps us achieve that goal.

So I ask my colleague from Nevada specifically how this Cadillac tax, as it is called, would impact his residents and constituents in the State of Nevada.

Mr. HELLER. Mr. President, I thank the Senator from New Mexico for the question. It is a simple answer. That answer is 1.3 million people—1.3 million Nevadans are affected by this Cadillac tax. There are 1.3 million workers who have employer-sponsored health insurance plans, and they will all get hit by this Cadillac tax.

Let me tell you what I am talking about. In this case, we are talking about public employees across the State. We are talking about service industry workers, those who work in Las Vegas on the Strip. They will be impacted by this legislation. We are talking small business owners across the State of Nevada. They all know they are going to get hit by this 40-percent excise tax. Not to be left out, of course, are the retirees, the seniors in the State of Nevada that will also be affected by this particular tax.

We are talking about three things: reducing benefits, increasing premiums, and also higher deductibles. Let me repeat the three things that this excise tax does: It reduces benefits, increases premiums, and raises deductibles. These are three things that none of us want to see, not in this Chamber. All these lead to more money being taken out of the pockets of taxpayers and hard-working families.

For those who supported this law, this tax was intended to go after high-cost plans provided to the very wealthiest Americans. Clearly, we see in this colloquy back and forth that is not the case. This is going to hurt every middle-class, hard-working, taxpaying American.

We know this tax is hard hitting, and it will affect the middle class. For that purpose, the Senator from New Mexico and I have brought this legislation to this floor. Again, we will repeat, it was a 90-to-10 vote—something we don't see very often in this Chamber. I believe that kind of a vote is a message for every American.

I said on the floor recently when we were having this debate that nobody in America supports this; nobody in America supports a 40-percent excise tax on their health care benefits. Nobody does. There may be a few here in Washington, DC, but when you get outside of Washington, DC, nobody supports it. That is why we are having this discussion today, so we can inform not only Nevadans, not only New Mexicans but our colleagues here in this Chamber how important and how onerous this is.

Having said that, maybe we can get more information on what the Cadillac tax really does, and we will hear the answer to that question from Senator HEINRICH.

Mr. HEINRICH. I thank my colleague.

Mr. President, the whole policy objective of the Cadillac tax was supposed to cap excessive spending as a way to reduce health care spending and to generate revenue for other parts of the ACA. Obviously, the popular name of the tax implies that it is only going to hit a few individuals with gold-plated health insurance plans. When this was proposed and included in the ACA, people cited Goldman Sachs' executive health benefits plans as sort of the poster child for the Cadillac plan. Obviously, they chose very wisely in the way that they branded this. But this tax targets many plans that aren't gold plated; they are barely bronze plated. It solidly taxes middle-class workers.

Proponents of the Cadillac tax are operating under the clearly flawed premise that plans with overly generous benefits are the primary drivers of increased health insurance programs, and we know today that is not the case. The data doesn't back it up.

According to a 2014 report, the richness of plan benefits accounts only for about 6 percent of the overall increases in a plan's premium growth. The costs of employer health plans are actually driven by factors that are largely out of the control of the actual beneficiary—things like the group's size, the health status of the firm's employees, or the age band for those employees. Geography alone accounts for 69.3 percent of a plan's premium growth, which obviously would be completely unaffected.

It is clear that the Cadillac tax will hurt millions of workers, their families, retirees—all with health plans of modest value. This includes low- and moderate-income families, people on fixed incomes because they are retirees, public sector employees, small businesses, the self-employed, including three-quarters of a million New Mexicans. Let me put that in perspective: There are only 2 million of us.

I ask Senator HELLER, my colleague from the Silver State: What are employers in the State of Nevada expecting will happen when the Cadillac tax goes into effect if we aren't able to pass this legislation?

Mr. HELLER. Mr. President, to answer the question of the Senator from New Mexico: As he just mentioned, three-quarters of a million New Mexicans will be affected by this legislation. As I said earlier, 1.3 million Nevadans will be affected. I think we have 3 million, so roughly half of Nevadans are going to be affected by this excise tax—a 40-percent excise tax.

Fortunately, through Senator HEINRICH's hard work and our efforts here on this floor, again, I repeat, we passed this legislation 90 to 10. I think it bears heavily on the hard work my friend from New Mexico did to get this in front of this Chamber.

As we can imagine, if 1.3 million Nevadans are affected by this, you will hear from all of them. You do. You hear from all of them. I have heard from large companies, I have heard from small businesses, and I have heard from health care employees such as hospitals and the American Cancer Society. Organized labor in Nevada has contacted my office, as have senior citizens throughout my State. They are all saying the same thing. They are saying: The Cadillac tax needs to be fully repealed or our employees will experience massive changes to their health care. I think that bears repeating. The Cadillac tax needs to be fully repealed or our employees will experience massive changes to their health care.

Large employers who negotiate multiyear contracts are seeing this tax come up quickly for 2018. Yes, this tax goes into effect in the year 2018. As my friend from New Mexico and I know, they are negotiating these contracts today. For 2018, they are negotiating contracts for large companies, labor organizations, and even public employees—today for 2018. That is why it is so

important at this moment. They are planning and negotiating with employers now for how this tax will impact their employees' benefits within the next 2 years.

I was talking with D. Taylor from the Culinary Union, a prominent organized labor group in my home State of Nevada, as well as in New York City and California. D. told me that if Congress doesn't repeal the Cadillac tax, culinary employees will see massive changes to their health care plans.

In a letter he sent me in September, urging Republicans and Democrats to work together on this issue—which we are—he called the 40-percent excise tax a ''dark cloud . . . that has already started to impact negotiations and shift costs to [their] members.'' That is what it is doing to the Culinary Union in Nevada. It is a dark cloud, according to D. Taylor, and it is already impacting negotiations, shifting costs over to the employers.

To make matters worse, the chief financial officer of a waste recycling company, Action Environmental, recently told the Wall Street Journal that his company would consider getting rid of its employee coverage altogether because of ObamaCare's Cadillac tax.

Mr. SASSE. Mr. President, will the Senator yield for a question at some point?

Mr. HELLER. Certainly.

Mr. SASSE. It doesn't need to be now.

Mr. HELLER. Let me finish this.

He said: ''I'd be lying if I said we haven't had that discussion.'' Again, this goes back to the chief financial officer of a waste and recycling company.

Delta Airlines expects ObamaCare will cost it $100 million per year. Imagine that, one company—Delta Airlines—and the ACA will cost them $100 million per year. One reason for new costs is the 40-percent excise tax on Delta's employee health benefits.

As if Americans don't have enough trouble as it is with issues with airlines these days, just add a 40-percent excise tax. Some have identified the Cadillac tax as a tax that just hits unions or a tax that just hits wealthy Americans, but the Cadillac tax is a tax on the middle class. I think we know that. I think we understand that. That is why we saw the vote we did last week. It is a tax on small businesses, it is a tax on the middle class, and it is a tax on retirees.

With that, I know we have a question from my friend from Nebraska. I wish to give him an opportunity to raise that question.

Mr. SASSE. Thank you, sir, and the Senator from New Mexico. Thank you for letting me get in.

I know we don't have a lot of genuine open debates around here, so I want to be honest. This is a little bit awkward to delicately step onto the floor.

I was listening to the debate. I wasn't planning to speak, but I thought I would ask the question. I think the pay-fors in ObamaCare are problematic across the board. I am not a particular defender of any of these pay-fors, but I would ask sincerely, Why would you two be interested in prioritizing changing the tax deductibility or the limits for people who already have tax-protected insurance, but we are not talking about any sort of tax break for the small business people who have none?

The simple fact is we have the particular problems we have in America in health care because of wage and price controls at the end of World War II, where if an employee could get an extra dollar of wages, they would clearly be taxed, but if they got an extra dollar of benefits through their large employer group, that would be tax-free. That is limitless, but that tax benefit only applies to people who are in large groups. If you are in a small business, you don't get any deductibility.

I am not disagreeing with the specific policy you are advocating, but I would ask why would we prioritize this policy when there is no conversation happening on the floor for all the small business men and women in America, the farmers and ranchers who get absolutely zero tax protection? I am trying to understand the prioritization.

Mr. HEINRICH. I want to first welcome our colleague from Nebraska to this conversation. I am sure he has heard a lot about this from his constituents as well. I think the reason the timing of this is so critical is because we see the impacts of this coming at the moment. We still have enough time to do something about it, but we are already seeing the impacts on people who are negotiating contracts now, the impacts of business plans for this.

I think the Senator from Nebraska raises a valid question in that we have a certain incentive built into the current system by virtue of having large health care plans, employer-based plans not be taxed. I actually think it points a way to a more reasonable and elegant way to potentially pay for things in the ACA that some of us value, but that doesn't mean we shouldn't also have that conversation about individual plans and small business and farm and ranch plans because obviously those are people who have a very hard time attaching themselves to these large pools.

Mr. SASSE. I thank the Senator. I think we all know we need to do genuine health care reform sometime soon in the future because the reality is, the No. 1 driver of uninsurance in America is not preexisting medical conditions, although we all should empathize with the 4 million of the 320 million of us in America who have uninsurable preexisting medical conditions, but we are dealing with something on the order of 70 to 80 million Americans in a given calendar year who pass through a period of uninsurance, and the vast majority of them are uninsured because of our insurance pooling arrangements that are still an artifact of the 1940s and 1950s, where people had one job for decades at a time.

When I was a college president, until a year ago coming to join you all here, and I would shake kids' hands at graduation when they walked across the stage, they were not going to just change jobs, they were going to change industries three times in their first decade postcollege. The No. 1 driver of uninsurance in America is job change. These kinds of policies that we are debating on the floor today make it harder to create portable health insurance plans that go with people across job and geographic change, which is actually what is driving the uninsurance in America.

I thank the Senator for allowing me to sneak in for a minute. I am a rookie learning my way around here, but I was on the floor listening to your debate. Thank you for the opportunity.

Mr. HELLER. Mr. President, I thank the Senator from Nebraska for his input. He is right. There is a broader discussion that has to be had. The Senator from New Mexico and myself are trying to hit on an issue that we feel is vitally important going forward as this new excise tax hits the American people in 2018.

To the Senator from Nebraska, I have no doubt that there is a much broader discussion that needs to be discussed on health care. In fact, this discussion the Senator from New Mexico and I are having isn't on the Affordable Care Act at this point. We are not discussing the Affordable Care Act. We are talking about a principle within it—a tax increase that we believe is onerous and important today. What you are saying is important. Don't get me wrong. It ought to be discussed. We have to find a venue to have that discussion. Thank you very much for your involvement.

I want to ask the Senator from New Mexico how this 40-percent excise tax would affect workers in New Mexico.

Mr. HEINRICH. According to one source, the Kaiser Family Foundation, one in four employers that offer health care benefits will be affected by the Cadillac tax in 2018 if their plans remain unchanged. Despite the fact that the tax doesn't go into effect until then, many employers have already begun scaling back their coverage to avoid that. Despite the fact that the tax itself is set to go into effect in 2018, we are already seeing the impacts to small businesses, to economies now.

As employers consider ways to lower the costs of their health care plans, many are shifting costs to their employees. Increased deductibles, copays, out-of-pocket maximums, higher copayments and deductibles leave many,

especially low- and middle-income workers, underinsured, who are exactly the folks who were not supposed to be touched by the Cadillac tax. These are definitely people in my State who are not driving Cadillacs. I can assure you of that.

According to a study by the American College of Emergency Physicians, higher out-of-pocket costs result in delayed medical care as many forgo essential care when they get sick and become less likely to fill their prescriptions or stick to their doctors' treatment plans, and those with higher out-of-pocket costs are also more likely to seek medical treatment in emergency rooms—the most expensive way to get health care treatment. This is precisely what we were trying to avoid with the advent of the Affordable Care Act.

I want to ask my colleague from Nevada, in particular, you mentioned a number of different constituencies whom you have heard from about this tax—people such as the culinary workers. Are they upper class, Cadillac-driving constituents or are they middle-class folks who are just trying to put food on the table and maybe send their kids to college someday? Who is going to be impacted by this?

Mr. HELLER. I thank the Senator from New Mexico. I want to go to the same report. I think it clarifies his point and the question he just asked me.

Again, as he mentioned, 1.3 million Nevadans are going to be affected by this 40-percent excise tax. Three-quarters of a million New Mexicans are going to be affected by this excise tax. So I have hard time believing that most of them are wealthy enough to have to pay and for their employers to have to pay this kind of tax.

Let's go back to the Kaiser Family Foundation—a report that you quoted from. I have a number of statistics. I think it will better clarify. There is a quote in here that I want to emphasize that answers the point and the question you brought out. According to the Kaiser Family Foundation, employees who have job-based insurance have witnessed their out-of-pocket expenses climb from $900 in 2010 to $1,300 in 2015. That is an average. That is on average a 50-percent increase in their health care costs in the last 5 years. Employees working for small businesses now have deductibles over $1,800 on average. Kaiser also noted that the deductibles have risen nearly seven times faster than workers' earnings since 2010.

If you are the average middle-class family, with an average income, can you imagine your deductibles rising seven times faster than your earnings have since 2010? Here is the quote from Kaiser's president, Drew Altman, that really answers your question:

It's quite a revolution. When deductibles are rising seven times faster than wages . . . it means that people can't pay their rent . . . they can't buy their gasoline. They can't eat.

If that doesn't answer the question of who is getting affected by this—they are individuals who go month to month, week to week, day to day on their wages. When you have deductibles rising seven times faster than your earnings, you get to a point, as Mr. Altman said, that you can't pay your rent, you can't pay your gas, and you can't afford to eat.

As deductibles rise, another way employers are planning on avoiding a massive new tax is by eliminating their popular health savings accounts—HSAs—and FSAs. Over 33 million Americans who have FSAs and 13.5 million Americans who are using HSAs may see these accounts vanish in the coming years as companies scramble to avoid this 40-percent excise tax. HSAs and FSAs are used for things such as hospital and maternity services. HSAs and FSAs are used for things such as childcare and dental care, physical therapy, and access to mental health services. Access to these lifesaving services could all be gone for tens of millions of Americans if the Cadillac tax is not fully repealed. Deductibles are rising, premiums are rising, and services are being cut.

Today we have talked a lot about how employers are making major changes to their workers' health care in order to avoid this tax. If employers—whether it is a union or private company—are changing their employees' health care benefits to avoid the Cadillac tax, this tax is not going to generate the kind of revenue the Congressional Budget Office originally anticipated.

To that question directly, I ask Senator HEINRICH, are CBO's cost assumptions accurate?

Mr. HEINRICH. I thank the Senator for the question because I think this is incredibly important. The CBO estimated that the ACA would generate $93 billion over 10 years with this tax, but when you drill down on that, only one-quarter of that—about $23 billion—actually comes from excise tax receipts themselves. The remaining three-quarters comes from revenue that would be theoretically generated from increases in taxable wages that some economists expected would be coupled with reductions in health care benefits. In other words, all the money you are saving, you are going to pass on to the employees in the form of a raise. We simply know that is not what happens in the real world. In fact, employer surveys over the past few years have conclusively pointed to one unifying fact, that at best employers will not raise wages for their workers to compensate for downgrading of employee health insurance benefits.

In fact, a recent American Health Policy Institute study found that three-quarters of employers said that they would not raise wages in order to make up for less comprehensive health insurance plans.

I say to Senator HELLER, I know we are being joined by the leader here, and I am going to have to run to another event in a few minutes, but I want to ask you if you would maybe consider a quick wrapup. I want to make the point that I think we have gotten as far as we have with this effort because of the incredible leadership you have shown, because of the bipartisan nature of this effort, because it is simply common sense that we need to make sure people have easier access to affordable care, and that the Cadillac tax may have sounded good at the time, but we are clearly learning today that this is a Ford Focus tax that will hit your middle-class families, my middle-class working families, and it is something we ought to be able to agree should be repealed.

Mr. HELLER. Mr. President, I want to wrap this up. I know the leader is here, and I want to give him ample time.

I thank the Senator from New Mexico for his comments and for his help and support on this legislation moving forward. I appreciate all the work to get this bipartisan bill to the finish line, and I know we will continue to work together to repeal this bad tax. Once again, whether it is my bipartisan bill, our bipartisan bill, this Chamber's bipartisan bill or a year-end package like tax extenders, we need to repeal this bad tax. Fully repealing the Cadillac tax is an opportunity for Republicans and Democrats to work together and join forces to appeal a bad tax for one purpose, and that is to help 151 million workers keep the health insurance they love.

Mr. President, I yield the floor.

TRIBUTE TO WILL RIS

Mr. DURBIN. Mr. President, I would like to take a moment to thank Will Ris for his service to American aviation and to congratulate him on his well-deserved retirement.

For nearly 20 years, Will has been senior vice president of government affairs for American Airlines—the principal government relations executive for the airline. His diverse responsibilities include directing all of American's activities with Congress, the administration, and several Federal agencies. And what could possibly be better than waking up every day and helping Congress and the Federal Government better understand the airline industry?

Earlier this year, Will announced that he will retire from American Airlines at the end of this month.

Will Ris's impact on American Airlines and its people cannot be overstated. Since joining American in 1996, Will has been a dedicated representative and the voice of the airline and its

people; but, more importantly, he has been a trusted advocate on Capitol Hill. I have worked with Will and his American Airlines team on countless issues that affect passenger air service at Chicago O'Hare International Airport and throughout downstate Illinois. His honesty, professionalism, patience, and sense of humor have made him one of the most sought after advisors on airline industry issues. He will be missed.

During Will's tenure at American, he led the effort to protect the domestic aviation industry, assure the continued viability of passenger service, and establish new security measures in the wake of the attacks in 2001. He has also led the effort to gain public and political support for the merger between American and U.S. Airways—creating a strong, competitive airline employing more than 100,000 people all over the world.

American Airlines chairman and CEO Doug Parker recently honored Will with these words: ''Will understands commercial aviation and cares about the frontline professionals who are the backbone of our business. Will embodies all of the best things about American Airlines, and thanks to his extraordinary efforts, American will be great for years.''

Prior to joining American, Will represented the airline as outside counsel for 13 years as the executive vice president of the Wexler Group. He also served as a trial attorney for the U.S. Civil Aeronautics Board from 1975 to 1978. In 1978, Will was appointed counsel to the U.S. Senate Committee on Commerce, Science, and Transportation and its Aviation Subcommittee. In this post, Will played a major role in drafting the Airline Deregulation Act of 1978 and successfully navigating the legislative maze all the way to President Jimmy Carter's desk for his signature. This landmark law changed the face of commercial aviation in this country.

Will Ris's love of aviation and passion for American Airlines is well known, but more importantly, Will is known as one of the most decent men in Washington. He spends countless hours committed to community service. He serves as chairman emeritus of the board of directors of the Green Door, Inc., the oldest and largest behavioral health providers—helping nearly 1,600 people every year battling chronic mental health and substance abuse conditions. Additionally, he serves as vice chair of the American Association of People with Disabilities—the country's largest cross-disabilities membership organization. He is also a director of the Ford's Theater board of governors, the Business-Government Relations Council, the Advanced Navigation and Positioning Corporation in Hood River, OR, and a member of the board of trustees for the Woolly Mammoth Theater right here in Washington, DC. Where does he find the time?

I want to congratulate Will Ris on his distinguished career and thank him for his service to American Airlines. I have had the privilege in public life to meet some outstanding people; I count Will Ris as one of those people. I wish him and his wife, Nancy, all the best in the next chapter of their lives.

Thank you.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION CBO COST ESTIMATE—S. 2044

Mr. THUNE. Mr. President, when the Committee on Commerce, Science, and Transportation filed its report on S. 2044, the Consumer Review Freedom Act of 2015, the estimate of the Congressional Budget Office was not available. The estimate has since been received.

I ask unanimous consent that the estimate from the Congressional Budget Office be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, December 9, 2015.

Hon. JOHN THUNE,
Chairman, Committee on Commerce, Science, and Transportation, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2044, the Consumer Review Freedom Act of 2015.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Susan Willie.

Sincerely,

KEITH HALL.

S. 2044—CONSUMER REVIEW FREEDOM ACT OF 2015

S. 2044 would void provisions of certain types of contracts that:

Restrict the ability of a party to the contract from publishing a review or analysis of the performance of another party under the contract;

Impose a penalty or fee for publishing such a review; and

Transfer or require the transfer of any rights to the intellectual property of the person who created the review.

The bill would prohibit the use of contracts that contain those provisions and authorize the Federal Trade Commission (FTC) to enforce those new prohibitions. In addition, the FTC would be authorized to seek civil penalties for violations of the new prohibitions. Finally, S. 2044 would direct the FTC to develop an education and outreach program to provide businesses with best practices for complying with the new restrictions.

Based on information from the FTC, CBO estimates that the cost of implementing S. 2044 would not be significant because the agency is able to enforce similar prohibitions and provide compliance assistance under its existing general authorities. CBO estimates that enacting S. 2044 would increase federal revenues from the added authority to collect civil penalties; therefore, pay-as-you-go procedures apply. However, we expect those collections would be insignificant because of the small number of cases that the agency would probably pursue. Enacting the bill would not affect direct spending.

CBO estimates that enacting S. 2044 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2026.

S. 2044 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

Although the Federal Trade Commission has begun to enforce prohibitions on contract provisions similar to those outlined in the bill under its existing authorities, to the extent that such provisions are not currently considered void in all jurisdictions, the bill would impose a private-sector mandate as defined in UMRA on entities that use such provisions in their contracts. The cost of the mandate would be the value of forgone income from out-of-court settlements and compensation for damages the entities could be awarded under a breach of contract claim. However, reliable and comprehensive information concerning the number of businesses that continue to use contracts containing such provisions, the number of those that require monetary payment, and the level of any such payments is not available. In addition, although the court cases in which consumers have challenged these provisions have resulted in judgments in favor of the consumer, the limited sample of such cases cannot be used to generalize about the results of such cases in other jurisdictions. Therefore, CBO cannot determine whether the cost of the mandate would exceed the annual threshold established in UMRA for private-sector mandates ($154 million in 2015, adjusted annually for inflation).

The CBO staff contacts for this estimate are Susan Willie (for federal costs) and Logan Smith (for the impact on the private sector). The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

BUDGETARY REVISIONS

Mr. ENZI. Mr. President, section 4305 of S. Con. Res. 11, the concurrent resolution on the budget for fiscal year 2016, allows the chairman of the Senate Budget Committee to revise the allocations, aggregates, and levels in the budget resolution for legislation related to health care reform. The authority to adjust is contingent on the legislation not increasing the deficit over either the period of the total of fiscal years 2016–2020 or the period of the total of fiscal years 2016–2025.

I find that H.R. 3762, as passed the Senate, fulfills the conditions of deficit neutrality found in section 4305 of S. Con. Res. 11. Accordingly, I am revising the allocations to the Committee on Finance, the Committee on Health, Education, Labor, and Pensions, HELP, and the budgetary aggregates to account for the budget effects of the bill. I am also adjusting the unassigned to committee savings levels in the budget resolution to reflect that, while there are savings in the bill attributable to both the HELP and Finance Committees, the Congressional Budget Office

and Joint Committee on Taxation are unable to produce unique estimates for each provision due to interactions and other effects that are estimated simultaneously.

The adjustments that I filed on Thursday, December 3, 2015, are now void and replaced by these new adjustments.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BUDGET AGGREGATES—BUDGET AUTHORITY AND OUTLAYS

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$ in millions	2016
Current Aggregates:	
Spending:	
Budget Authority	3,033,488
Outlays	3,091,974
Adjustments:	
Spending:	
Budget Authority	−24,200
Outlays	−24,300
Revised Aggregates:	
Spending:	
Budget Authority	3,009,288
Outlays	3,067,674

BUDGET AGGREGATE—REVENUES

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$ in millions	2016	2016–2020	2016–2025
Current Aggregates:			
Revenue	2,675,967	14,415,914	32,233,099
Adjustments:			
Revenue	−57,000	−381,500	−992,700
Revised Aggregates:			
Revenue	2,618,967	14,034,414	31,240,399

REVISION TO ALLOCATION TO THE COMMITTEE ON FINANCE

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$ in millions	2016	2016–2020	2016–2025
Current Allocation:			
Budget Authority	2,179,749	12,342,551	29,428,176
Outlays	2,169,759	12,322,705	29,403,199
Adjustments:			
Budget Authority	−2,000	−4,600	16,200
Outlays	−2,000	−4,600	16,200
Revised Allocation:			
Budget Authority	2,177,749	12,337,951	29,444,376
Outlays	2,167,759	12,318,105	29,419,399

REVISION TO ALLOCATION TO THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$ in millions	2016	2016–2020	2016–2025
Current Allocation:			
Budget Authority	12,137	87,301	174,372
Outlays	14,271	87,783	182,631
Adjustments:			
Budget Authority	0	−4,200	−13,700
Outlays	0	−2,400	−10,900
Revised Allocation:			
Budget Authority	12,137	83,101	160,672
Outlays	14,271	85,383	171,731

REVISION TO ALLOCATION TO UNASSIGNED TO COMMITTEE

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 4305 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$ in millions	2016	2016–2020	2016–2025
Current Allocation:			
Budget Authority	−930,099	−6,014,283	−15,268,775
Outlays	−884,618	−5,887,158	−14,949,026
Adjustments:			
Budget Authority	−22,100	−463,500	−1,368,800
Outlays	−22,100	−463,500	−1,368,800
Revised Allocation:			
Budget Authority	−952,199	−6,477,783	−16,637,575
Outlays	−906,718	−6,350,658	−16,317,826

TRIBUTE TO THOMAS LOGSDON

Mr. DONNELLY. Mr. President, today I wish to recognize and honor the extraordinary service of Thomas ''Al'' Logsdon. A dedicated educator and a longtime community leader, Al represents Hoosier values at their finest.

Beginning his career in 1964 after graduating from Western Kentucky University with a degree in biology and Spanish, he taught science and coached several sports. From 1970 to 2003, Al has served as the principal of several schools across Indiana, Kentucky, and Illinois.

During this time, Al continued his education earning a Master of Science and Education Specialist degrees from Murray State University in 1970 and 1980, respectively.

As principal, Al led his schools to great success and they received well-deserved awards for their hard work and achievement. In both 2000 and 2003, Heritage Jr./Sr. High School was selected as one of the top six schools in Indiana, as well as being honored with the International Reading Association's National Award in 2000 for having an outstanding high school reading

program. Al was honored as the Indiana High School Principal of the Year in 1989 and was selected by his peers to serve both on the executive committee of the Indiana Principal's Association and to represent them for 8 years as State coordinator to the National Association of Secondary School Principals.

In 2005, Al was elected Spencer County Commissioner. In that capacity, Al maintains various responsibilities, but one that he considers to be among the most rewarding and challenging has been serving as president of the drainage board. The board's initiative of creating a nine-member advisory board, which makes recommendations across the county, won statewide recognition by the Indiana Association of County Commissioners. Al later served on the State board of the Indiana Association of County Commissioners and eventually as president, as well as serving on the Association of Indiana Commissioners Executive Board.

Never one to leave teaching completely, Al became involved in national, State, and local teacher retirement organizations currently serving as the president of the Spencer County Retired Teachers Association.

Since his retirement, Al has been serving as a private consultant for an organization in southwestern Indiana that is engaged in assisting 32 schools implement school improvement plans. He is also spending time with several school districts in West Virginia, Pennsylvania, Ohio, and Indiana, helping them in efforts to begin schoolwide reading programs for all students.

In addition to his longstanding community service, Al is a loving husband, father, and grandfather. Al's wife, Jeanne, is a retired schoolteacher, and together, they have four children and six grandchildren. In his free time, Al has enjoyed coaching three sports and officiating basketball and baseball contests. He is a member of the Knights of Columbus Chapter at St. Francis of Assisi Church, a member of Optimist Club, and serves on the Spencer County Bank Board of Directors. He enjoys visiting with family and friends, as well as traveling, reading, fishing, and, of course, playing golf.

Today I honor Al's legacy of service and wish to express my sincere gratitude for his leadership and dedication to his community and our great State of Indiana.

RECOGNIZING OUR LADY OF MOUNT CARMEL SCHOOL

Mr. DONNELLY. Mr. President, today I wish to applaud Our Lady of Mount Carmel School of Carmel, IN, for being recognized as a 2015 National Blue Ribbon School by the U.S. Department of Education.

Established in 1982, the National Blue Ribbon Schools Program has recognized over 7,500 public and nonpublic schools that have demonstrated a vision of educational excellence for all students, regardless of their social or economic background. Since its inception, this program has offered the opportunity for schools in every State to gain recognition for educational accomplishments in closing the achievement gaps among student groups.

Our Lady of Mount Carmel School continues to be one of the best performing schools in the State of Indiana. It has been named an Indiana Four Star School.

In 2014, Our Lady of Mount Carmel School's ISTEP+ pass rate for English/Language Arts scores increased reached 96.9 percent. Mathematics scores increased to 98.8 percent combined for third through fifth grades.

Our Lady of Mount Carmel School's effectiveness can be found in its holistic approach and dedication to student achievement. Our Lady of Mount Carmel staff, students, and students' families work together to teach and instill values that develop strong character including integrity, responsibility, and service. With some of the highest English and mathematics scores in Indiana, Our Lady of Mount Carmel School is a stellar example of the benefits that result from dedication, motivation, collaboration, and family partnership in education.

I would like to acknowledge Our Lady of Mount Carmel School principal, Sister Mary Emily Knapp, the entire staff, the student body, and their families. The effort, dedication, and value you put into education led not only to this prestigious recognition, but will benefit you and our communities well into the future.

On behalf of the citizens of Indiana, I congratulate Our Lady of Mount Carmel School, and I wish the students and staff continued success in the future.

RECOGNIZING PRAIRIE VISTA ELEMENTARY SCHOOL

Mr. DONNELLY. Mr. President, today I wish to applaud Prairie Vista Elementary School of Granger, IN, for being recognized as a 2015 National Blue Ribbon School by the U.S. Department of Education.

Established in 1982, the National Blue Ribbon Schools Program has recognized over 7,500 public and nonpublic schools that have demonstrated a vision of educational excellence for all students, regardless of their social or economic background. Since its inception, this program has offered the opportunity for schools in every State to gain recognition for educational accomplishments in closing the achievement gaps among student groups.

Prairie Vista Elementary School continues to be one of the best performing schools in the State of Indiana. It has been named an Indiana Four Star School for the last 7 consecutive years.

In 2014, Prairie Vista Elementary School's ISTEP+ pass rate for English/Language Arts scores increased to 98.7 percent. Mathematics scores increased over 3 points to reach 98.7 percent combined for third through fifth grades.

Prairie Vista Elementary School's effectiveness can be found in its holistic approach and dedication to student achievement. Prairie Vista Elementary staff, students, and students' families work together to teach and instill values that develop strong character and a sense of PRIDE—the capacity to be Prepared, Respectful, Independent, Dependable, and Excellent learners. With some of the highest English and mathematics scores in Indiana, Prairie Vista Elementary School is a stellar example of the benefits that result from dedication, motivation, collaboration, and family partnership in education.

I would like to recognize Prairie Vista Elementary School principal, Keely Twibell, the entire staff, the student body, and their families. The effort, dedication, and value you put into education led not only to this prestigious recognition, but will benefit you and our communities well into the future.

On behalf of the citizens of Indiana, I congratulate Prairie Vista Elementary School, and I wish the students and staff continued success in the future.

RECOGNIZING SAINT PIUS X CATHOLIC SCHOOL

Mr. DONNELLY. Mr. President, today I wish to applaud Saint Pius X Catholic School of Granger, IN, for being recognized as a 2015 National Blue Ribbon School by the U.S. Department of Education.

Established in 1982, the National Blue Ribbon Schools Program has recognized over 7,500 public and nonpublic schools that have demonstrated a vision of educational excellence for all students, regardless of their social or economic background. Since its inception, this program has offered the opportunity for schools in every State to gain recognition for exceptional educational accomplishments. St. Pius X Catholic School was named an Exemplary High Performing School.

Saint Pius X Catholic School continues to be one of the best performing schools in the State of Indiana. It has been named an Indiana Four Star School multiple times.

In 2014, Saint Pius X Catholic School ISTEP+ assessment averaged a 96 percent passing rate for English/Language Arts and a 98 percent passing rate in math.

Saint Pius X Catholic School's effectiveness can be found in its holistic approach and dedication to student achievement. Saint Pius X Catholic School staff, students, and students'

families work together to teach and foster values that develop strong character including academic excellence, spiritual development, and service. With some of the highest English and mathematics scores in Indiana, Saint Pius X Catholic School is a stellar example of the benefits that result from dedication, motivation, collaboration, and family partnership in education.

I would like to recognize Saint Pius X Catholic School principal, Elaine Holmes, the entire staff, the student body, and their families. The effort, dedication, and value you put into education led not only to this prestigious recognition, but will benefit you and our communities well into the future.

On behalf of the citizens of Indiana, I congratulate Saint Pius X Catholic School, and I wish the students and staff continued success in the future.

RECOGNIZING SOUTH ADAMS HIGH SCHOOL

Mr. DONNELLY. Mr. President, today, I wish to applaud South Adams High School of Berne, IN, for being recognized as a 2015 National Blue Ribbon School by the U.S. Department of Education.

Established in 1982, the National Blue Ribbon Schools Program has recognized over 7,500 public and nonpublic schools that have demonstrated a vision of educational excellence for all students, regardless of their social or economic background. Since its inception, this program has offered the opportunity for schools in every State to gain recognition for educational accomplishments in closing the achievement gaps among student groups.

South Adams High School continues to be one of the best performing schools in the State of Indiana. It has been named an Indiana Four Star School in 2012 and 2014.

In 2014, South Adams High School improved its average standard score more than 23 points over the previous year to 73.83 points. It is the only high school in Indiana to receive the National Blue Ribbon School recognition in 2015.

South Adams High School's effectiveness can be found in its holistic approach and dedication to student achievement. South Adams High staff, students, and students' families work together to teach and foster values that develop strong character including academic excellence, spiritual development, and service. South Adams High School is a stellar example of the benefits that result from dedication, motivation, collaboration, and family partnership in education.

I would like to acknowledge South Adams High School principal, Trent Lehman, the entire staff, the student body, and their families. The effort, dedication, and value you put into education led not only to this prestigious recognition, but will benefit you and our communities well into the future.

On behalf of the citizens of Indiana, I congratulate South Adams High School, and I wish the students and staff continued success in the future.

ADDITIONAL STATEMENTS

REMEMBERING DOUGLAS SHORENSTEIN

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the extraordinary life of Douglas Shorenstein, a loving husband, father, brother, passionate philanthropist, and pillar of the San Francisco community who passed away on November 24 after a long and courageous battle with cancer.

A proud San Francisco native, Douglas Shorenstein was born on February 10, 1955. After graduating from the University of California, Berkeley and the University of California, Hastings College of the Law, Doug worked as a real estate attorney in New York before returning to his beloved hometown in 1983 to join his father's real estate investment and management firm, Shorenstein Properties. Doug became chairman and CEO in 1995 and over the years transformed his local development company into a major national real estate group. A true visionary, Doug had a keen ability to keep his thumb on the pulse of San Francisco's evolving market. Because of him, key neighborhoods of San Francisco have been revitalized, and the company once started by his father now owns iconic buildings in cities across America.

Doug also dedicated his immense talents to supporting many important causes that were dear to his heart. He was a board member of the Environmental Defense Fund, a member of the University of California San Francisco Medical Center Executive Council, and on the boards of several educational institutions, including the Shorenstein Center on Media, Politics, and Public Policy at Harvard's Kennedy School of Government, Vanderbilt University, and the Yale School of Management. He was also appointed to serve on the board of directors of the Federal Reserve Bank of San Francisco in 2007, becoming chairman of the board in 2011.

San Francisco has lost a true civic leader, and Doug will be deeply missed by all of us fortunate enough to have known him. I send my deepest condolences to his wife, Lydia; his children, Brandon, Sandra, and Danielle; and his sister, Carol Shorenstein Hays.•

MESSAGES FROM THE HOUSE

At 10:56 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1461. An act to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2015.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 158. An act to amend the Immigration and Nationality Act to provide enhanced security measures for the visa waiver program, and for other purposes.

H.R. 2693. An act to designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the ''Phyllis E. Galanti Arboretum''.

H.R. 3766. An act to direct the President to establish guidelines for United States foreign development and economic assistance programs, and for other purposes.

H.R. 3842. An act to improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to provide training to first responders, and for other purposes.

H.R. 3859. An act to make technical corrections to the Homeland Security Act of 2002.

ENROLLED BILL SIGNED

At 12:42 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 614. An act to provide access to and use of information by Federal agencies in order to reduce improper payments, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

ENROLLED BILLS SIGNED

At 1:37 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1177. An act to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

S. 1461. An act to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2015.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2693. An act to designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the ''Phyllis E. Galanti Arboretum''; to the Committee on Veterans' Affairs.

H.R. 3842. An act to improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to provide training to first responders, and for

other purposes; to the Committee on the Judiciary.

H.R. 3859. An act to make technical corrections to the Homeland Security Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3766. An act to direct the President to establish guidelines for United States foreign development and economic assistance programs, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, December 9, 2015, she had presented to the President of the United States the following enrolled bills:

S. 614. An act to provide access to and use of information by Federal agencies in order to reduce improper payments, and for other purposes.

S. 1177. An act to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

S. 1461. An act to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2015.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3748. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Polyester Polyol Polymers; Tolerance Exemption'' (FRL No. 9936–91) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3749. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Hexythiazox; Pesticide Tolerances; Technical Correction'' (FRL No. 9937–02) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3750. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Etoxazole; Pesticide Tolerances'' (FRL No. 9934–60) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3751. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Polyamide ester polymers; Tolerance Exemption'' (FRL No. 9939–28) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3752. A communication from the Director of the Issuances Staff, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Mandatory Inspection of Fish of the Order Siluriformes and Products Derived From Such Fish'' (RIN0583–AD36) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3753. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the Department of Defense (DoD) intending to assign women to previously closed positions and units across all Services and U.S. Special Operations Command; to the Committee on Armed Services.

EC–3754. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Stanley E. Clarke III, Air National Guard of the United States, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–3755. A communication from the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the Office of the Comptroller's 2014 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC–3756. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Margin and Capital Requirements for Covered Swap Entities Joint Agency Final Rule'' (RIN2590–AA45) received in the Office of the President of the Senate on November 19, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3757. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Margin and Capital Requirements for Covered Swap Entities Joint Agency Interim Final Rule'' (RIN2590–AA45) received in the Office of the President of the Senate on November 19, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3758. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Nondiscrimination on the Basis of Disability Minority and Women Outreach Program Contracting'' (RIN3064–AE35) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3759. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Temporary Liquidity Guarantee Program; Unlimited Deposit Insurance Coverage for Noninterest-Bearing Transaction Accounts'' (RIN3064–AE34) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3760. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Filing Requirements and Processing Procedures for Changes in Control with Respect to State Nonmember Banks and State Savings Associations'' (RIN3064–AE24) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3761. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Removal of Transferred OTS Regulations Regarding Safety and Soundness Guidelines and Compliance Procedures; Rules on Safety and Soundness'' (RIN3064–AE28) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3762. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Removal of Transferred OTS Regulations Regarding Fair Credit Reporting and Amendments; Amendment to the 'Creditor' Definition in Identity Theft Red Flags Rule; Removal of FDIC Regulations Regarding Fair Credit Reporting Transferred to the Consumer Financial Protection Bureau'' (RIN3064–AE29) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3763. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Stress Testing of Regulated Entities'' (RIN2590–AA74) received in the Office of the President of the Senate on November 19, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3764. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the continuation of a national emergency declared in Executive Order 13222 with respect to the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC–3765. A communication from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting, pursuant to law, a report entitled ''The Consumer Credit Card Market''; to the Committee on Banking, Housing, and Urban Affairs.

EC–3766. A communication from the Chief of the Regulations and Standards Branch, Bureau of Safety and Environmental Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Decommissioning Costs'' (RIN1014–AA24) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2015; to the Committee on Energy and Natural Resources.

EC–3767. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Natural Gas Act Pipeline Maps'' ((RIN1902–AE89) (Docket No. RM14–21–000)) received during adjournment of the Senate in the Office of the President of the Senate on November 23, 2015; to the Committee on Energy and Natural Resources.

EC–3768. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval and Air Quality Designation; SC; Redesignation of the Charlotte-Rock Hill, 2008 8-Hour Ozone Nonattainment Area to Attainment'' (FRL No.

9939–66–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2015; to the Committee on Environment and Public Works.

EC–3769. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Wisconsin; Disapproval of Infrastructure SIP with respect to oxides of nitrogen as a precursor to ozone provisions for the 2006 PM2.5 NAAQS'' (FRL No. 9939–77–Region 5) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2015; to the Committee on Environment and Public Works.

EC–3770. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Renewable Fuel Standard Program: Standards for 2014, 2015, and 2016 and Biomass-Based Diesel Volume for 2017'' ((RIN2060–AS22) (FRL No. 9939–72–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2015; to the Committee on Environment and Public Works.

EC–3771. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Wisconsin; Wisconsin State Board Requirements'' (FRL No. 9939–78–Region 5) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2015; to the Committee on Environment and Public Works.

EC–3772. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Minnesota; Transportation Conformity Procedures'' (FRL No. 9939–80–Region 5) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2015; to the Committee on Environment and Public Works.

EC–3773. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Aureobasidium pullalans strains DSM 14940 and DSM 14941; Exemption from the Requirement of a Tolerance'' (FRL No. 9936–50) received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2015; to the Committee on Environment and Public Works.

EC–3774. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Saflufenacil; Pesticide Tolerances'' (FRL No. 9936–71) received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2015; to the Committee on Environment and Public Works.

EC–3775. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''PM10 Plans and Redesignation Request; Truckee Meadows, Nevada; Deletion of TSP Area Designation'' (FRL No. 9939–48–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2015; to the Committee on Environment and Public Works.

EC–3776. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''NESHAP for Brick and Structural Clay Products Manufacturing; and NESHAP for Clay Ceramics Manufacturing: Correction'' ((RIN2060–AP69) (FRL No. 9939–35–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2015; to the Committee on Environment and Public Works.

EC–3777. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Aerospace Manufacturing and Rework Facilities Risk and Technology Review'' ((RIN2060–AQ99) (FRL No. 9936–64–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2015; to the Committee on Environment and Public Works.

EC–3778. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revision to the Definition of Volatile Organic Compound'' (FRL No. 9939–38–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2015; to the Committee on Environment and Public Works.

EC–3779. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; ME; Repeal of the Maine's General Conformity Provision'' (FRL No. 9939–24–Region 1) received during adjournment of the Senate in the Office of the President of the Senate on November 24, 2015; to the Committee on Environment and Public Works.

EC–3780. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Significant New Use Rule on Certain Chemical Substances'' ((RIN2070–AB27) (FRL No. 9939–20)) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Environment and Public Works.

EC–3781. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District, Feather River Air Quality Management District and Santa Barbara County Air Pollution Control District'' (FRL No. 9936–67–Region 9) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Environment and Public Works.

EC–3782. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of California Air Plan Revisions, South Coast Air Quality Management District and Yolo-Solano Air Quality Management District'' (FRL No. 9937–29–Region 9) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Environment and Public Works.

EC–3783. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of California Air Plan Revisions, Placer County Air Pollution Control District'' (FRL No. 9936–83–Region 9) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Environment and Public Works.

EC–3784. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New Mexico; Albuquerque-Bernalillo County; Infrastructure and Interstate Transport State Implementation Plan for the 2008 Lead National Ambient Air Quality Standards'' (FRL No. 9939–47–Region 6) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Environment and Public Works.

EC–3785. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Transit System Improvements'' (FRL No. 9936–08–Region 1) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Environment and Public Works.

EC–3786. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; ND; Update to Materials Incorporated by Reference'' (FRL No. 9932–60–Region 8) received in the Office of the President of the Senate on December 2, 2015; to the Committee on Environment and Public Works.

EC–3787. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Manhattan, Kansas, Local Protection Project; to the Committee on Environment and Public Works.

EC–3788. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Computation of Annual Liability Insurance (Including Self-Insurance) Settlement Recovery Threshold''; to the Committee on Finance.

EC–3789. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2016 Section 1274A CPI Adjustments'' (Rev. Rul. 2015–24) received in the Office of the President of the Senate on December 3, 2015; to the Committee on Finance.

EC–3790. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Program; Mechanized Claims Processing and Information Retrieval Systems'' (RIN0938–AS53) received in the Office of the President of the Senate on December 3, 2015; to the Committee on Finance.

EC–3791. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—December 2015'' (Rev. Rul. 2015–25) received in the Office of the President of the Senate on December 3, 2015; to the Committee on Finance.

EC–3792. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the

report of a rule entitled ''Safe Harbor Method of Accounting for Retail Establishments and Restaurants'' (Rev. Proc. 2015–56) received in the Office of the President of the Senate on December 3, 2015; to the Committee on Finance.

EC–3793. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to revoking the designation of a group designated as a Foreign Terrorist Organization (OSS–2013–1913); to the Committee on Foreign Relations.

EC–3794. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2015–1858); to the Committee on Foreign Relations.

EC–3795. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2015–1859); to the Committee on Foreign Relations.

EC–3796. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2015–1860); to the Committee on Foreign Relations; to the Committee on Foreign Relations.

EC–3797. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2015–1895); to the Committee on Foreign Relations.

EC–3798. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fiscal Year 2014 Annual Progress Report to Congress on the C.W. Bill Young Cell Transplantation Program and the National Cord Blood Inventory Program''; to the Committee on Health, Education, Labor, and Pensions.

EC–3799. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''National Health Service Corps Report to the Congress for the Year 2014''; to the Committee on Health, Education, Labor, and Pensions.

EC–3800. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Foreign Supplier Verification Programs for Importers of Food for Humans and Animals'' ((RIN0910–AG64) (Docket No. FDA–2011–N–0143)) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–3801. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption'' ((RIN0910–AG35) (Docket No. FDA–2011–N–0921)) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–3802. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Accreditation of Third-Party Certification Bodies To Conduct Food Safety Audits and To Issue Certifications'' ((RIN0910–AG66) (Docket No. FDA–2011–N–0146)) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–3803. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Interpretive Bulletin Relating to the Fiduciary Standard Under ERISA in Considering Economically Targeted Investments'' (RIN1210–AB73) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–3804. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Interpretive Bulletin Relating to State Savings Programs That Sponsor or Facilitate Plans Covered by the Employee Retirement Income Security Act of 1974'' (RIN1210–AB74) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–3805. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–204, ''Early Learning Quality Improvement Network Temporary Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–3806. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–205, ''Extension of Time to Dispose of the Strand Theater Temporary Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–3807. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–206, ''Grocery Store Restrictive Covenant Prohibition Temporary Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–3808. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–207, ''Emergency Medical Services Contract Authority Temporary Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–3809. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–208, ''Truancy Referral Temporary Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–3810. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–209, ''Wage Theft Prevention Correction and Clarification Temporary Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–3811. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–210, ''Ward 5 Paint Spray Booth Conditional Moratorium Temporary Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–3812. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–211, ''N Street Village, Inc. Tax and TOPA Exemption Clarification Temporary Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–3813. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–213, ''Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–3814. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–203, ''ABLE Program Trust Establishment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–3815. A communication from the Acting Director, Pay and Leave, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate Systems; Redefinition of the Harrisburg, PA and Scranton-Wilkes-Barre, PA Appropriated Fund Federal Wage System Wage Areas'' (RIN3206–AN18) received in the Office of the President of the Senate on December 7, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3816. A communication from the Acting Director, Pay and Leave, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Human Resources Management Reporting Requirements'' (RIN3206–AM69) received in the Office of the President of the Senate on December 7, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3817. A communication from the Secretary of Education, transmitting, pursuant to law, the Department of Education Agency Financial Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3818. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the Corps' Performance and Accountability Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3819. A communication from the Secretary of Labor, transmitting, pursuant to law, the Department of Labor's Semiannual Report of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3820. A communication from the Director, Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3821. A communication from the Secretary of Labor, transmitting, pursuant to

law, the Pension Benefit Guaranty Corporation's Office of Inspector General's Semiannual Report to Congress and the Pension Benefit Guaranty Corporation Management's Response for the period from April 1, 2015, through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3822. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3823. A communication from the Staff Director, U.S. Commission on Civil Rights, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3824. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the semi-annual report of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3825. A communication from the Acting Director, Planning and Policy Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Long Term Care Insurance Program Eligibility Changes'' (RIN3206–AN05) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3826. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's Agency Financial Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3827. A communication from the Chair of the Securities and Exchange Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General and a Management Report for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3828. A communication from the Chairman, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3829. A communication from the Secretary of Education, transmitting, pursuant to law, the Department's Semiannual Report of the Office of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3830. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, the Board's Performance and Accountability Report for fiscal year 2015, including the Office of Inspector General's Auditor's Report; to the Committee on Homeland Security and Governmental Affairs.

EC–3831. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3832. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Pilot Program for Enhancement of Contractor Employee Whistleblower Protections'' ((RIN9000–AM56) (FAC 2005–85)) received in the Office of the President of the Senate on December 3, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3833. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Updating Federal Contractor Reporting of Veterans' Employment'' ((RIN9000–AN14) (FAC 2005–85)) received in the Office of the President of the Senate on December 3, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3834. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Further Amendments to Equal Employment Opportunity'' ((RIN9000–AN01) (FAC 2005–85)) received in the Office of the President of the Senate on December 3, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3835. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation: Prohibition on Contracting with Corporations with Delinquent Taxes or a Felony Conviction'' ((RIN9000–AN05) (FAC 2005–85)) received in the Office of the President of the Senate on December 3, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3836. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–85; Introduction'' (FAC 2005–85) received in the Office of the President of the Senate on December 3, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3837. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Technical Amendment'' (FAC 2005–85) received in the Office of the President of the Senate on December 3, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3838. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–85; Small Entity Compliance Guide'' (FAC 2005–85) received in the Office of the President of the Senate on December 3, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3839. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation: Establishing a Minimum Wage for Contractors'' ((RIN9000–AM82) (FAC 2005–85)) received in the Office of the President of the Senate on December 3, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3840. A communication from the Treasurer, National Gallery of Art, transmitting, pursuant to law, the Gallery's Performance and Accountability Report for the year ended September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3841. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Retention Periods'' ((RIN9000–AN12) (FAC 2005–85)) received in the Office of the President of the Senate on December 3, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3842. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–212, ''Gas Station Advisory Board Temporary Amendment Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–3843. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''2013 Report to Congress on Outcome Evaluations of Administration for Native Americans (ANA) Projects''; to the Committee on Indian Affairs.

EC–3844. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''2014 Annual Report of the National Institute of Justice''; to the Committee on the Judiciary.

EC–3845. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area; Correction'' (RIN0648–XE223) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3846. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reapportionment of the 2015 Gulf of Alaska Pacific Halibut Prohibited Species Catch Limits for the Trawl Deep-Water and Shallow-Water Fishery Categories; Correction'' (RIN0648–XE180) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3847. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Media Bureau Finalizes Reimbursement Form for Submission to OMB and Adopts Catalog of Expenses'' (GN Docket No. 12–268, DA 15–1238) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3848. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled, ''Fundamental Properties of Asphalts and Modified Asphalts—III''; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 571. A bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

*Jessica Rosenworcel, of the District of Columbia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2015.

Mr. THUNE. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination lists which were printed in the RECORDs on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

*Coast Guard nominations beginning with Corinna M. Fleischmann and ending with Kimberly C. Young-Mclear, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

*Coast Guard nominations beginning with Michael S. Adams, Jr. and ending with James R. Zoll, Jr., which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

*Coast Guard nominations beginning with Jason C. Aleksak and ending with Yamasheka Z. Young-Mclear, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2015.

By Mr. VITTER for the Committee on Small Business and Entrepreneurship.

*Darryl L. DePriest, of Illinois, to be Chief Counsel for Advocacy, Small Business Administration.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CARDIN:

S. 2376. A bill to require the Attorney General to make competitive grants to State, tribal, and local governments to establish and maintain witness protection and assistance programs; to the Committee on the Judiciary.

By Mr. REID (for himself, Mr. DURBIN, Mr. SCHUMER, Mrs. MURRAY, Mr. LEAHY, Mrs. FEINSTEIN, Mr. REED, Mr. NELSON, Mr. CARPER, Mr. CARDIN, and Mr. BROWN):

S. 2377. A bill to defeat the Islamic State of Iraq and Syria (ISIS) and protect and secure the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. CASSIDY (for himself and Mr. BENNET):

S. 2378. A bill to amend the Internal Revenue Code of 1986 to provide for an energy equivalent of a gallon of diesel in the case of liquefied natural gas for purposes of the Inland Waterways Trust Fund financing rate; to the Committee on Finance.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 2379. A bill to provide for the unencumbering of title to non-Federal land owned by the city of Tucson, Arizona, for purposes of economic development by conveyance of the Federal reversionary interest to the City; to the Committee on Energy and Natural Resources.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 2380. A bill to require the Secretary of the Interior to establish a pilot program for commercial recreation concessions on certain land managed by the Bureau of Land Management; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself, Ms. MURKOWSKI, and Mr. GRASSLEY):

S. 2381. A bill to provide assistance and support to the Commonwealth of Puerto Rico; to the Committee on Finance.

By Mr. HELLER (for himself, Mr. BENNET, and Mr. BLUNT):

S. 2382. A bill to amend title XVIII of the Social Security Act to strengthen intensive cardiac rehabilitation programs under the Medicare program; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. MIKULSKI:

S. Res. 332. A resolution commemorating the 140th anniversary of the Marine Engineers' Beneficial Association; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 215

At the request of Mr. BURR, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 215, a bill to amend the Internal Revenue Code of 1986 to increase the exclusion for employer-provided dependent care assistance.

S. 298

At the request of Mr. GRASSLEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 298, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option of providing services to children with medically complex conditions under the Medicaid program and Children's Health Insurance Program through a care coordination program focused on improving health outcomes for children with medically complex conditions and lowering costs, and for other purposes.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 551

At the request of Mrs. FEINSTEIN, the names of the Senator from Delaware (Mr. COONS) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 551, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 804

At the request of Mrs. SHAHEEN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 1559

At the request of Ms. AYOTTE, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1559, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1833

At the request of Mr. CASEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1833, a bill to amend the Richard B. Russell National School Lunch Act to improve the child and adult care food program.

S. 1865

At the request of Ms. KLOBUCHAR, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1865, a bill to amend the Public Health Service Act with respect to eating disorders, and for other purposes.

S. 1890

At the request of Mr. HATCH, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S.

1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1913

At the request of Mr. TOOMEY, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1913, a bill to amend title XVIII of the Social Security Act to establish programs to prevent prescription drug abuse under the Medicare program, and for other purposes.

S. 1919

At the request of Mr. LANKFORD, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 1919, a bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes.

S. 1926

At the request of Ms. MIKULSKI, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1926, a bill to ensure access to screening mammography services.

S. 2002

At the request of Mr. CORNYN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2002, a bill to strengthen our mental health system and improve public safety.

S. 2067

At the request of Mr. WICKER, the names of the Senator from Utah (Mr. HATCH), the Senator from Vermont (Mr. LEAHY), the Senator from South Dakota (Mr. ROUNDS) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2109

At the request of Mr. JOHNSON, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 2109, a bill to direct the Administrator of the Federal Emergency Management Agency to develop an integrated plan to reduce administrative costs under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes.

S. 2127

At the request of Mr. JOHNSON, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 2127, a bill to provide appropriate protections to probationary Federal employees, to provide the Special Counsel with adequate access to information, to provide greater awareness of Federal whistleblower protections, and for other purposes.

S. 2178

At the request of Mr. BOOZMAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2178, a bill to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Heartland, Habitat, Harvest, and Horticulture Act of 2008 relating to timber, and for other purposes.

S. 2196

At the request of Mr. CASEY, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2215

At the request of Mr. BURR, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2215, a bill to prohibit discretionary bonuses for employees of the Internal Revenue Service who have engaged in misconduct or who have delinquent tax liability.

S. 2312

At the request of Mr. THUNE, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2312, a bill to amend titles XVIII and XIX of the Social Security Act to make improvements to payments for durable medical equipment under the Medicare and Medicaid programs.

S. 2351

At the request of Mr. ISAKSON, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 2351, a bill to amend title XVIII of the Social Security Act to extend the annual comment period for payment rates under Medicare Advantage.

S. 2353

At the request of Mr. GRASSLEY, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2353, a bill to amend the Internal Revenue Code of 1986 to extend and modify the incentives for biodiesel.

S. 2357

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2357, a bill to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. 2367

At the request of Mr. MCCAIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 2367, a bill to provide for hardship duty pay for border patrol agents and customs and border protection officers assigned to highly-trafficked rural areas.

S. 2372

At the request of Mrs. FEINSTEIN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2372, a bill to require reporting of terrorist activities and the unlawful distribution of information relating to explosives, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself, Mr. DURBIN, Mr. SCHUMER, Mrs. MURRAY, Mr. LEAHY, Mrs. FEINSTEIN, Mr. REED, Mr. NELSON, Mr. CARPER, Mr. CARDIN, and Mr. BROWN):

S. 2377. A bill to defeat the Islamic State of Iraq and Syria (ISIS) and protect and secure the United States, and for other purposes; to the Committee on the Judiciary.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2377

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Defeat ISIS and Protect and Secure the United States Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
TITLE I—DEFEATING ISIS
Subtitle A—National Security Positions
Sec. 101. United States Coordinator for Strategy to Defeat the Islamic State in Iraq and Syria.
Sec. 102. Sense of Congress on confirmation by Senate of pending National Security nominations.
Subtitle B—Combating ISIS
Sec. 111. Findings.
Sec. 112. Sense of Congress.
Subtitle C—Combating ISIS Financing
Sec. 121. Sense of Congress on defeating terrorist financing by the Islamic State of Iraq and Syria.
Sec. 122. Sanctions with respect to financial institutions that engage in certain transactions that benefit the Islamic State of Iraq and Syria.
Subtitle D—Improving Intelligence Sharing With Partners
Sec. 131. Intelligence sharing relationships.
Subtitle E—Combating Terrorist Recruitment and Propaganda
Sec. 141. Countering violent extremism.
Sec. 142. Countering ISIS propaganda.
Subtitle F—Improving European Migrant Screening and Stabilizing Jordan and Lebanon
Sec. 151. Working with Europe to improve migrant screening.

Sec. 152. Migrant stability fund for Jordan and Lebanon.
TITLE II—PROTECTING THE HOMELAND
Subtitle A—Reforming the Visa Waiver Program
Sec. 201. Short title.
Sec. 202. Electronic passports required for visa waiver program.
Sec. 203. Information sharing and cooperation by visa waiver program countries.
Sec. 204. Biometric submission before entry.
Sec. 205. Visa waiver program administration.
Subtitle B—Keeping Firearms Away From Terrorists
Sec. 211. Closing the visa waiver program gun loophole.
Sec. 212. Closing the terrorist gun loophole.
Subtitle C—Strengthening Aviation Security
Sec. 221. Definitions.
PART I—TRANSPORTATION SECURITY ADMINISTRATION WORKFORCE TRAINING AND PROCEDURES
Sec. 226. Transportation security officer training.
PART II—ACCESS CONTROLS
Sec. 231. Insider threats.
Sec. 232. Aviation workers vetting.
Sec. 233. Infrastructure.
Sec. 234. Visible deterrent.
PART III—TRANSPORTATION SECURITY ADMINISTRATION INNOVATION AND TECHNOLOGY
Sec. 241. Research.
Sec. 242. Public-private partnerships.
Sec. 243. Report.
PART IV—IMPROVING INTERNATIONAL COORDINATION TO TRACK TERRORISTS
Sec. 251. Coordination with international authorities.
Sec. 252. Sense of Congress on cooperation to track terrorists traveling by air.
Subtitle D—Strengthening Security of Radiological Materials
Sec. 261. Preventing terrorist access to domestic radiological materials.
Sec. 262. Strategy for securing high activity radiological sources.
Sec. 263. Outreach to State and local law enforcement agencies on radiological threats.
Subtitle E—Stopping Homegrown Extremism
Sec. 271. Authorization of the Office for Community Partnerships of the Department of Homeland Security.
Sec. 272. Research and evaluation program for domestic radicalization.
Subtitle F—Comprehensive Independent Study of National Cryptography Policy
Sec. 281. Comprehensive independent study of national cryptography policy.
Subtitle G—Law Enforcement Training
Sec. 291. Law enforcement training for active shooter incidents.
Sec. 292. Active shooter incident response assistance.
Sec. 293. Grants to State and local law enforcement agencies for anti-terrorism training programs.

TITLE I—DEFEATING ISIS

Subtitle A—National Security Positions

SEC. 101. UNITED STATES COORDINATOR FOR STRATEGY TO DEFEAT THE ISLAMIC STATE IN IRAQ AND SYRIA.

(a) DESIGNATION.—Not later than 30 days after date of the enactment of this Act, the President shall designate a single coordinator, who shall be responsible for coordinating all efforts across the Federal Government and with international partners for defeating the Islamic State in Iraq and Syria (ISIS) both within the United States and globally.

(b) STATUS.—The coordinator designated under subsection (a) shall report to the President.

(c) DUTIES.—The coordinator designated under subsection (a) shall coordinate all lines of effort, activities, and programs related to defeating ISIS, including—

(1) coordinating with the Special Presidential Envoy to the Global Coalition to Counter ISIL;

(2) coordinating with the Department of Defense and international partners regarding United States military operations, training, and equipment undertaken to defeat ISIS and to deny ISIS safe haven, as appropriate;

(3) coordinating with the Department of Defense, the Department of State, the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))), and international partners regarding United States efforts to build the capacity of local forces in the Middle East committed to defeating ISIS and rebuilding Iraq and Syria based on secular, inclusive, and representative governance frameworks;

(4) coordinating with the Department of State, the Department of the Treasury, the intelligence community, and international partners regarding United States efforts to counter, undermine, and disrupt ISIS financing;

(5) coordinating with the Department of State, the Department of Homeland Security, the Department of Justice, the intelligence community, and international partners regarding United States efforts to counter, halt, and prevent movement of foreign fighters into and out of Iraq and Syria;

(6) coordinating with the Department of State, the United States Agency for International Development, and international partners regarding United States efforts to counter and undermine ISIS messaging and propaganda around the world;

(7) coordinating with the Department of State, the United States Agency for International Development, the United Nations, and international partners regarding United States contributions and support for addressing the humanitarian crisis resulting from ISIS activities; and

(8) coordinating with the Department of State and the United States Agency for International Development regarding United States diplomatic engagement toward long-term sustainable political solutions in Iraq and Syria, including promoting responsible, inclusive governance in Iraq and a transitional governing body in Syria without Bashar al-Assad, as well as coordinating support for other nations at risk of ISIS influence.

(d) CONSULTATION.—The coordinator designated under subsection (a) shall consult with Congress, domestic and international organizations, multilateral organizations and institutions, and foreign governments committed to defeating ISIS to the extent the Coordinator considers appropriate to fulfill the purposes of this section.

SEC. 102. SENSE OF CONGRESS ON CONFIRMATION BY SENATE OF PENDING NATIONAL SECURITY NOMINATIONS.

It is the sense of Congress that—

(1) the terrorist attacks in November 2015 demonstrate the need for renewed vigilance to prevent an attack on the United States homeland;

(2) national security positions throughout the United States Government are essential to protect the safety of the American public, and vacancies in such positions hurt our efforts to combat terrorists;

(3) greater global coordination will be required to defeat the Islamic State of Iraq and Syria (ISIS), so the Senate should promptly confirm pending nominations to positions of ambassador in order to represent United States national security interests abroad;

(4) to assist with negotiations on global anti-terror efforts, the Secretary of State should have a full complement of political and career senior advisors, so the Senate should confirm pending nominations to such positions;

(5) intelligence sharing with our allies could prevent an attack on the United States homeland, so the Senate should confirm pending nominations to intelligence positions of the Department of Defense and in other elements of the intelligence community;

(6) service members are on the front lines of the fight against terror, so the Senate should confirm pending nominations for promotion in the Armed Forces;

(7) cutting off the money supply for the Islamic State of Iraq and Syria is a critical part of United States strategy to defeat the Islamic State of Iraq and Syria, so the Senate should confirm pending nominations to positions in the Department of the Treasury with responsibility for disrupting terrorist financing networks; and

(8) the Senate should confirm the pending nominations to national security positions described in this resolution without further delay.

Subtitle B—Combating ISIS

SEC. 111. FINDINGS.

Congress makes the following findings:

(1) The terrorist organization known as the Islamic State of Iraq and Syria (ISIS) poses a grave threat to the people and territorial integrity of Iraq and Syria, to regional stability, and to the national security interests of the United States and its allies and partners.

(2) ISIS holds significant territory in Iraq and Syria and is a growing threat in other countries and has stated its intention to seize more territory and demonstrated the capability to do so.

(3) ISIS has claimed responsibility for or conducted horrific terrorist attacks, including hostage-taking and killing, in Sousse, Tunisia; Ankara, Turkey; the Sinai in Egypt; Beirut, Lebanon; Paris, France, against a Russian charter plane, and elsewhere.

(4) ISIS has brutally murdered United States citizens, as well as citizens of many other countries.

(5) ISIS has stated that it intends to conduct further terrorist attacks internationally, including against the United States, its citizens, and interests.

(6) ISIS has committed despicable acts of violence and mass executions against Muslims, regardless of sect, who do not subscribe to the depraved, violent, and oppressive ideology of ISIS, and has targeted innocent women and girls with horrific acts of violence, including abduction, enslavement, torture, rape, and forced marriage.

(7) ISIS has threatened genocide and committed vicious acts of violence against other religious and ethnic minority groups, including Iraqi Christians, Yezidi, and Turkmen populations.

(8) ISIS finances its operations primarily through looting, smuggling, extortion, oil sales, kidnapping, and human trafficking.

(9) As a result of advances by ISIS and the civil war in Syria, there are more than 4,000,000 refugees, more than 7,500,000 internally displaced people in Syria, and nearly 3,200,000 internally displaced people in Iraq.

(10) President Barack Obama articulated a multi-dimensional approach in the campaign to counter ISIS, including supporting regional military partners, stopping the flow of foreign fighters, cutting off the access of ISIS to financing, addressing urgent humanitarian needs, and exposing the true nature of ISIS.

(11) In August 2014, President Obama directed the United States Armed Forces to build and work with a coalition of partner nations to conduct airstrikes in Iraq and Syria as part of the comprehensive strategy to degrade and defeat ISIS.

(12) Since August 2014, United States and coalition nation aircraft have flown more than 57,000 sorties in support of operations in Iraq and Syria, including airstrikes that have destroyed staging areas, command centers, thousands of armored vehicles, oil and other financing infrastructure, and other facilities and equipment of ISIS.

(13) Coalition airstrikes have killed at least 100 high-value individuals, including a United States strike against Mohamed Emwazi, known as ''Jihadi John''.

(14) ISIS is under pressure from a coalition of 65 nations, which is conducting air strikes, supporting local forces on the ground, and cutting off financial support to ISIS, thereby evicting ISIS from as much as a quarter of the territory it previously controlled.

SEC. 112. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States condemns the horrific and cowardly attacks by ISIS, particularly the recent attacks in Tunisia, Turkey, Egypt, Lebanon, and France;

(2) it is critical that the response to ISIS by the United States and the Anti-ISIS coalition, including countries within the region, be multi-dimensional and consist of coordinated and intensified efforts on intelligence sharing and on the military, civilian, and humanitarian aspects of the current campaign;

(3) ISIS will only be defeated if there are enduring, inclusive, sustainable political solutions in Iraq and Syria that enable all citizens to realize their legitimate aspirations;

(4) the only path to a sustainable end to the civil war in Syria is a diplomatic solution that removes Bashar al-Assad;

(5) the United States and our coalition partners must continue to conduct the campaign of airstrikes against ISIS in both Syria and Iraq to counter ISIS forces and deny it a safe haven;

(6) no matter how effective the air campaign, defeating ISIS requires reliable, effective, and committed local forces on the ground in Syria and Iraq to clear and hold territory retaken from ISIS, including continuing to work with Kurds in Syria and Iraq, Sunnis in Iraq, and the moderate opposition in Syria;

(7) the United States and our coalition partners must work with local forces in Iraq and Syria to identify and strike ISIS targets and support local forces in the fight on the ground;

(8) the United States and our coalition partners must build the capabilities and capacities of our local partner forces in Syria and Iraq and across the region to sustain an effective long-term campaign against ISIS;

(9) United States and coalition advisors and enablers are critical to improving the ability of local forces to plan, lead, and conduct operations against ISIS;

(10) the United States and our coalition partners must continue to target the leadership of ISIS, deny it sanctuary and resources to plan, prepare, and execute attacks, and degrade its command and control infrastructure, logistical networks, oil and other revenue networks, and other capabilities;

(11) the United States and our coalition partners must work to improve the security of the borders of Syria and end the flow of new foreign recruits to ISIS, including working with Turkey and local forces to control the entire Turkey-Syria border;

(12) the United States and our coalition partners must make sure that the commanders on the ground have the operational flexibility required to execute the mission against ISIS, particularly related to the activities of special operations forces in Syria; and

(13) appropriate resources and attention should be applied to stopping the spread of ISIS and its apocalyptic ideology to other countries and regions, including North Africa, Afghanistan, and elsewhere.

Subtitle C—Combating ISIS Financing

SEC. 121. SENSE OF CONGRESS ON DEFEATING TERRORIST FINANCING BY THE ISLAMIC STATE OF IRAQ AND SYRIA.

It is the sense of Congress that—

(1) the United States should—

(A) strongly support coordinated international efforts by the G–20, the international Financial Action Task Force, the United Nations, and other appropriate international bodies to bolster comprehensive programs to target and combat terrorist financing by ISIS, and to expand international information-sharing related to activities of ISIS;

(B) provide necessary funding and support for the international Counter-ISIS Financing Group and ensure robust information-sharing within that Group and among allied countries participating in efforts to combat terrorist financing by ISIS;

(C) expand technical assistance, support, and guidance to the governments of countries that are allies of the United States and to foreign financial institutions in such countries to enable those governments and institutions to rapidly expand their capacity—

(i) to identify and designate for the imposition of sanctions persons that are part of ISIS or that knowingly fund or otherwise facilitate activities of ISIS;

(ii) to identify and disrupt financing networks used by ISIS and terrorists allied with ISIS; and

(iii) to cut ISIS off completely from the international financial system;

(D) urge governments of countries that are allies of the United States—

(i) to aggressively implement programs to combat terrorist financing by ISIS; and

(ii) to prosecute, to the fullest extent of the laws of those countries, persons that are part of ISIS or that knowingly fund or otherwise facilitate activities of ISIS and are within the jurisdiction of those governments;

(E) encourage the governments of all G–20 countries to implement measures with respect to persons designated as part of ISIS, or as persons that knowingly fund or otherwise facilitate activities of ISIS, by the United States as of the date of the enactment of this Act, and to designate promptly and impose sanctions with respect to such persons under their own laws;

(F) continue to support efforts by the Government of Iraq—

(i) to secure the financial system of Iraq, including banks, exchange houses, and other similar entities, from ISIS-related terrorist financing; and

(ii) to dismantle and disrupt ISIS terrorist financing networks;

(G) continue to disrupt efforts by the Government of Syria—

(i) to engage in oil purchases or other financial transactions with ISIS or affiliates or intermediaries of ISIS; or

(ii) to engage in extortion or any other criminal activity that might benefit ISIS; and

(H) seek to expand cooperation among G–20 and countries that are allies of the United States to strengthen the protection of antiquities and prevent ISIS from engaging in the theft, transport, and sale of cultural objects for the purpose of financing terrorism; and

(2) the Senate should promptly approve, on a bipartisan basis, the nomination, pending on the date of the enactment of this Act, of the Under Secretary for Terrorism and Financial Crimes of the Department of the Treasury, who leads the efforts of the United States to counter terrorist financing by ISIS.

SEC. 122. SANCTIONS WITH RESPECT TO FINANCIAL INSTITUTIONS THAT ENGAGE IN CERTAIN TRANSACTIONS THAT BENEFIT THE ISLAMIC STATE OF IRAQ AND SYRIA.

(a) IN GENERAL.—The President may prohibit, or impose strict conditions on, the opening or maintaining in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines engages in an activity described in subsection (b) on or after the date of the enactment of this Act.

(b) ACTIVITIES DESCRIBED.—A foreign financial institution engages in an activity described in this subsection if the foreign financial institution—

(1) knowingly facilitates a significant transaction or transactions for ISIS;

(2) knowingly facilitates a significant transaction or transactions of a person that is identified on the specially designated nationals list and the property and interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) for acting on behalf of or at the direction of, or being owned or controlled by, ISIS;

(3) knowingly engages in money laundering to carry out an activity described in paragraph (1) or (2); or

(4) knowingly facilitates a significant transaction or transactions or provides significant financial services to carry out an activity described in paragraph (1), (2), or (3).

(c) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under this section to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.

(d) PROCEDURES FOR JUDICIAL REVIEW OF CLASSIFIED INFORMATION.—

(1) IN GENERAL.—If a finding under this section, or a prohibition or condition imposed as a result of any such finding, is based on classified information (as defined in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.)) and a court reviews the finding or the imposition of the prohibition

or condition, the President may submit such information to the court ex parte and in camera.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to confer or imply any right to judicial review of any finding under this section or any prohibition or condition imposed as a result of any such finding.

(e) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(f) DEFINITIONS.—In this section:

(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''account'', ''correspondent account'', and ''payable-through account'' have the meanings given those terms in section 5318A of title 31, United States Code.

(2) FINANCIAL INSTITUTION.—The term ''financial institution'' means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (M), (N), (P), (R), (T), (Y), or (Z) of section 5312(a)(2) of title 31, United States Code.

(3) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning given that term in section 1010.605 of title 31, Code of Federal Regulations.

(4) ISIS.—The term ''ISIS'' means—

(A) the entity known as the Islamic State of Iraq and Syria and designated by the Secretary of State as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

(B) any person—

(i) the property or interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); and

(ii) who is identified on the specially designated nationals list as an agent, instrumentality, or affiliate of the entity described in subparagraph (A).

(5) MONEY LAUNDERING.—The term ''money laundering'' includes the movement of illicit cash or cash equivalent proceeds into, out of, or through a country, or into, out of, or through a financial institution.

(6) SPECIALLY DESIGNATED NATIONALS LIST.—The term ''specially designated nationals list'' means the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury.

Subtitle D—Improving Intelligence Sharing With Partners

SEC. 131. INTELLIGENCE SHARING RELATIONSHIPS.

(a) REVIEW OF AGREEMENTS.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, shall complete a review of each intelligence sharing agreement between the United States and a foreign country that—

(1) is experiencing a significant threat from ISIS; or

(2) is participating as part of the coalition in activities to degrade and defeat ISIS.

(b) INTELLIGENCE SHARING RELATED TO THE ISLAMIC STATE.—Not later than 90 days after the date that the Director of National Intelligence completes the reviews required by subsection (a), the Director shall develop an intelligence sharing agreement between the United States and each foreign country referred to in subsection (a) that—

(1) applies to the sharing of intelligence related to defensive or offensive measures to be taken with respect to ISIS; and

(2) provides for the maximum amount of sharing of such intelligence, as appropriate, in a manner that is consistent with the due regard for the protection of intelligence sources and methods, protection of human rights, and the ability of recipient nations to utilize intelligence for targeting purposes consistent with the laws of armed conflict.

Subtitle E—Combating Terrorist Recruitment and Propaganda

SEC. 141. COUNTERING VIOLENT EXTREMISM.

(a) IN GENERAL.—The President, in collaboration with the Secretary of State and the Administrator of the United States Agency for International Development, shall design, implement, and evaluate programs to counter violent extremism abroad by—

(1) strengthening inclusive governance in nation states whose stability and legitimacy are threatened by ISIS and other violent extremist groups;

(2) creating mechanisms for women, teenagers and other marginalized groups, including potential and former violent extremists, to participate in designing and implementing such programs in coordination with local and national government officials;

(3) addressing the drivers of grievances that lead to violent extremism, such as corruption, injustice, marginalization, and abuse, through programming and reforms focused on—

(A) good governance and anti-corruption;

(B) civic engagement;

(C) citizen participation in governance;

(D) adherence to the rule of law;

(E) opportunities for women and girls; and

(F) freedom of expression;

(4) strengthening law enforcement training programs that foster dialogue and engagement between security forces and the public around drivers of grievance; and

(5) strengthening the capacity of civil society organizations to combat radicalization and other forms of violence in local communities.

(b) PROMOTING YOUTH LEADERSHIP.—Programs established under this section shall prioritize youth engagement to prevent and counter violent extremism, including youth-led messaging campaigns—

(1) to delegitimize the appeal of violent extremism;

(2) to engage communities and populations to prevent violent extremist radicalization and recruitment;

(3) to counter the radicalization of youth;

(4) to promote rehabilitation and reintegration programs for potential and former violent extremists, including prison-based programs; and

(5) to support long term efforts to promote tolerance, co-existence and equity.

(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated—

(1) for the Department of State, $200,000,000 for fiscal year 2017 and $250,000,000 for fiscal year 2018; and

(2) for the United States Agency for International Development, $100,000,000 for fiscal year 2017 and $125,000,000 for fiscal year 2018.

(d) ASSISTANCE FOR FRAGILE NATION STATES.—The Secretary of State shall make existing counterterrorism funding available for programs that strengthen governance and security in fragile nation states that share a border with a country that ISIS or other violent extremists have threatened to destabilize or delegitimize.

SEC. 142. COUNTERING ISIS PROPAGANDA.

(a) COMPREHENSIVE STRATEGY TO COUNTER ISIS PROPAGANDA.—The President, in consultation with technology companies, faith-based Muslim groups, foreign governments, and international nongovernmental organizations, shall develop, as part of the National Strategy for Counterterrorism, a comprehensive strategy to counter the propaganda disseminated by operatives of ISIS, including through online activities.

(b) INCREASED USE OF EFFECTIVE MEDIA TOOLS.—The Under Secretary of State for Public Diplomacy, through the Center for Strategic Counterterrorism Communications (referred to in this section as the ''Center''), is authorized to contract to produce media products to counter ISIS propaganda.

(c) DIGITAL PLATFORM DEVELOPMENT TEAM.—The Under Secretary of State for Public Diplomacy, through the Center, shall establish a digital rapid response team—

(1) to build and employ digital platforms for the dissemination of information to counter ISIS propaganda; and

(2) to integrate the platforms described in paragraph (1) with existing technologies supported by the Bureau of International Information Programs and with popular social networking sites.

(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated to the Department of State $25,000,000 for fiscal year 2017 and $30,000,000 for fiscal year 2018.

Subtitle F—Improving European Migrant Screening and Stabilizing Jordan and Lebanon

SEC. 151. WORKING WITH EUROPE TO IMPROVE MIGRANT SCREENING.

The President, in consultation with the heads of relevant Federal agencies, is authorized to provide requested technical and operational assistance for the European Union and its member states, including assistance—

(1) to improve border management, including the screening of migrants;

(2) to increase capacity for refugee reception and processing in transit countries, especially in the Western Balkans; and

(3) to enhance intelligence sharing with European Union member states and Europol regarding criminal human trafficking, smuggling networks, and foreign fighters identification and movement.

SEC. 152. MIGRANT STABILITY FUND FOR JORDAN AND LEBANON.

(a) INTERNATIONAL DISASTER ASSISTANCE.—In addition to amounts otherwise authorized to be appropriated for such purposes, there is authorized to be appropriated to the International Disaster Assistance account, $525,000,000, which shall remain available until expended, for emergency and life-saving assistance, including for the care of internally displaced persons within Syria and Iraq and to mitigate the outflow of refugees to Lebanon, Jordan, and elsewhere and other locations designated by the Secretary of State.

(b) MIGRATION AND REFUGEE ASSISTANCE.—In addition to amounts otherwise authorized to be appropriated for such purposes, there is authorized to be appropriated to the Migration and Refugee Assistance account, $545,000,000, which shall remain available until expended, for necessary expenses to respond to the refugee crisis resulting from conflict in the Middle East, including for the basic needs of refugees in Lebanon, Jordan, and elsewhere as well as the costs associated with the resettlement of refugees in the United States and the secure screening of refugee applications.

(c) EMERGENCY REFUGEE AND MIGRATION ASSISTANCE.—In addition to amounts otherwise authorized to be appropriated for such

purposes, there is authorized to be appropriated to the Emergency Refugee and Migration Assistance account, $200,000,000, which shall remain available until expended, for unexpected urgent overseas refugee and migration needs in accordance with section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)).

(d) TRANSFER OF FUNDS.—

(1) IN GENERAL.—The Secretary of State may transfer amounts authorized to be appropriated by this Act between accounts and to other relevant Federal agencies—

(A) to optimize assistance to refugees; and

(B) to ensure the secure screening of refugees seeking resettlement in the United States.

(2) CONSULTATION AND NOTIFICATION REQUIREMENTS.—Each transfer authorized under paragraph (1) shall be subject to prior consultation with, and the regular notification procedures of, the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

(3) RETURN OF UNNEEDED FUNDS.—If the Secretary of State, in consultation with the head of any Federal agency receiving funds transferred pursuant to this subsection, determines that any portion of such funds are no longer needed to meet the purposes of such transfer, the head of such agency shall return such funds to the account from where they originated.

TITLE II—PROTECTING THE HOMELAND

Subtitle A—Reforming the Visa Waiver Program

SEC. 201. SHORT TITLE.

This subtitle may be cited as the ''Visa Waiver Program Security Enhancement Act''.

SEC. 202. ELECTRONIC PASSPORTS REQUIRED FOR VISA WAIVER PROGRAM.

(a) REQUIRING THE UNIVERSAL USE OF ELECTRONIC PASSPORTS FOR VISA WAIVER PROGRAM COUNTRIES.—

(1) IN GENERAL.—Section 217 of the Immigration and Nationality Act (8 U.S.C. 1187) is amended—

(A) in subsection (a), by amending paragraph (3) to read as follows:

''(3) MACHINE-READABLE, ELECTRONIC PASSPORT.—The alien, at the time of application for admission, is in possession of a valid, unexpired, tamper-resistant, machine-readable passport that incorporates biometric and document authentication identifiers that comply with the applicable biometric and document identifying standards established by the International Civil Aviation Organization.''; and

(B) in subsection (c)(2), by amending subparagraph (B) to read as follows:

''(B) MACHINE-READABLE, ELECTRONIC PASSPORT PROGRAM.—The government of the country certifies that it issues to its citizens machine-readable, electronic passports that comply with the requirements set forth in subsection (a)(3).''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the date that is 90 days after the date of the enactment of this Act.

(3) CERTIFICATION REQUIREMENT.—Section 303(c) of the Enhanced Border Security and Visa Entry Reform Act of 2002 (8 U.S.C. 1732(c)) is amended—

(A) in paragraph (1), by striking ''Not later than October 26, 2005, the'' and inserting ''The''; and

(B) by amending paragraph (2) to read as follows:

''(2) USE OF TECHNOLOGY STANDARD.—Any alien applying for admission under the visa waiver program established under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187) shall present a passport that meets the requirements described in paragraph (1).''.

SEC. 203. INFORMATION SHARING AND COOPERATION BY VISA WAIVER PROGRAM COUNTRIES.

(a) REQUIRED INFORMATION SHARING FOR VISA WAIVER PROGRAM COUNTRIES.—

(1) INFORMATION SHARING AGREEMENTS.—

(A) FULL IMPLEMENTATION.—Section 217(c)(2)(F) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)(F)) is amended by inserting '', and fully implements within the time frame determined by the Secretary of Homeland Security,'' after ''country enters into''.

(B) FEDERAL AIR MARSHAL AGREEMENT.—Section 217(c) of such Act is amended—

(i) in paragraph (2), by adding at the end the following:

''(G) FEDERAL AIR MARSHAL AGREEMENT.—The government of the country enters into, and complies with, an agreement with the United States to assist in the operation of an effective air marshal program.

''(H) AVIATION STANDARDS.—The government of the country complies with United States aviation and airport security standards, as determined by the Secretary of Homeland Security.''; and

(ii) in paragraph (9)—

(I) by striking subparagraph (B); and

(II) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively.

(C) FAILURE TO FULLY IMPLEMENT INFORMATION SHARING AGREEMENT.—Section 217(c)(5) of such Act (8 U.S.C. 1187(c)(5)) is amended—

(i) by redesignating subparagraph (C) as subparagraph (D); and

(ii) by inserting after subparagraph (B) the following:

''(C) FAILURE TO FULLY IMPLEMENT INFORMATION SHARING AGREEMENT.—

''(i) DETERMINATION.—If the Secretary of Homeland Security, in consultation with the Secretary of State, determines that the government of a program country has failed to fully implement the agreements set forth in paragraph (2)(F), the country shall be terminated as a program country.

''(ii) REDESIGNATION.—Not sooner than 90 days after the Secretary of Homeland Security, in consultation with the Secretary of State, determines that a country that has been terminated as a program country pursuant to clause (i) is now in compliance with the requirement set forth in paragraph (2)(F), the Secretary of Homeland Security may redesignate such country as a program country.''.

(2) ADVANCE PASSENGER INFORMATION EARLIER THAN 1 HOUR BEFORE ARRIVAL.—

(A) IN GENERAL.—Section 217(a)(10) of such Act (8 U.S.C. 1187(a)(10)) is amended by striking ''not less than one hour prior to arrival'' and inserting ''as soon as practicable, but not later than 1 hour before arriving''.

(B) TECHNICAL AMENDMENT.—Section 217(c)(3) of such Act is amended, in the matter preceding subparagraph (A), by striking ''the initial period—'' and inserting ''fiscal year 1989:''.

(b) FACTORS THE DEPARTMENT OF HOMELAND SECURITY SHALL CONSIDER FOR VISA WAIVER COUNTRIES.—

(1) CONSIDERATION OF COUNTRY'S CAPACITY TO IDENTIFY DANGEROUS INDIVIDUALS.—Section 217(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(4)), is amended to read as follows:

''(4) REQUIRED SECURITY CONSIDERATIONS FOR PROGRAM DESIGNATION AND CONTINUATION.—In determining whether a country should be designated as a program country or whether a program country should retain its designation as a program country, the Secretary of Homeland Security shall consider the following:

''(A) CAPACITY TO COLLECT, ANALYZE, AND SHARE DATA CONCERNING DANGEROUS INDIVIDUALS.—Whether the government of the country—

''(i) collects and analyzes the information described in subsection (a)(10), including advance passenger information and passenger name records, and similar information pertaining to flights not bound for the United States, to identify potentially dangerous individuals who may attempt to travel to the United States; and

''(ii) shares such information and the results of such analyses with the Government of the United States.

''(B) SCREENING OF TRAVELER PASSPORTS.—Whether the government of the country—

''(i) regularly screens passports of air travelers against INTERPOL's global database of Stolen and Lost Travel Documents before allowing such travelers to enter or board a flight arriving in or departing from that country, including a flight destined for the United States; and

''(ii) regularly and promptly shares information concerning lost or stolen travel documents with INTERPOL.

''(C) BIOMETRIC EXCHANGES.—Whether the government of the country, in addition to meeting the mandatory qualifications set forth in paragraph (2)—

''(i) collects and analyzes biometric and other information about individuals other than United States nationals who are applying for asylum, refugee status, or another form of non-refoulment protection in such country; and

''(ii) shares the information and the results of such analyses with the Government of the United States.

''(D) INFORMATION SHARING ABOUT FOREIGN TERRORIST FIGHTERS.—Whether the government of the country shares intelligence about foreign fighters with the United States and with multilateral organizations, such as INTERPOL and EUROPOL.''.

(2) FAILURE TO REPORT STOLEN PASSPORTS.—Section 217(f)(5) of such Act is amended by inserting ''frequently and promptly'' before ''reporting the theft''.

SEC. 204. BIOMETRIC SUBMISSION BEFORE ENTRY.

(a) DEMONSTRATION PROGRAM FOR COLLECTION OF BIOMETRIC INFORMATION.—

(1) INITIATION.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Homeland Security shall initiate a demonstration program to conduct the advance verification of biometric data from a random sample of aliens entering the United States under the visa waiver program established under section 217(a) of the Immigration and Nationality Act (8 U.S.C. 1187(a)) that considers the factors set out in paragraph (2).

(2) FACTORS.—In carrying out the demonstration program initiated under paragraph (1), the Secretary shall consider—

(A) how to verify biometric data through a standardized and reliable process or means by which an applicant under the visa waiver program may submit biometric information with relatively limited expense to the applicant;

(B) how to ensure necessary quality of biometric information data verified prior to travel to minimize false positive matches upon an applicant's seeking admission at a United States port of entry;

(C) how to verify biometric information from an applicant in a manner that confirms the identity of the applicant and prevents, to the greatest extent practicable, the fraudulent use of a person's identity; and

(D) other elements the Secretary determines are necessary to create a scalable and reliable means of biometric information verification for the visa waiver program.

(3) COMPLETION.—The demonstration program initiated under paragraph (1) shall be completed not later than 15 months after the date of the enactment of this Act.

SEC. 205. VISA WAIVER PROGRAM ADMINISTRATION.

Section 217(h)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1187(h)(3)(B)) is amended—

(1) in clause (i), by amending subclause (II) to read as follows:

''(II) an amount to ensure recovery of the full costs of providing and administering the System and implementing the improvements to the program provided in the Visa Waiver Program Security Enhancement Act.''; and

(2) by amending clause (ii) to read as follows:

''(ii) DISPOSITION OF AMOUNTS COLLECTED.—Amounts collected under clause (i)(I) shall be credited to the Travel Promotion Fund established under subsection (d) of the Trade Promotion Act of 2009 (22 U.S.C. 2131(d)). Amounts collected under clause (i)(II) shall be transferred to the general fund of the Treasury and made available to pay the costs incurred to administer the System and the improvements made by the Visa Waiver Program Security Enhancement Act. The portion of the fee collected under clause (i)(II) to recover the costs of implementing such improvements may only be used for that purpose.''.

Subtitle B—Keeping Firearms Away From Terrorists

SEC. 211. CLOSING THE VISA WAIVER PROGRAM GUN LOOPHOLE.

Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)(5)(B), by inserting ''or pursuant to the visa waiver program established under section 217(a) of the Immigration and Nationality Act (8 U.S.C. 1187(a))'' before the semicolon at the end;

(2) in subsection (g)(5)(B), by inserting ''or pursuant to the visa waiver program established under section 217(a) of the Immigration and Nationality Act (8 U.S.C. 1187(a))'' before the semicolon at the end; and

(3) in subsection (y)—

(A) in the subsection heading, by inserting ''OR PURSUANT TO THE VISA WAIVER PROGRAM'' after ''VISAS'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking ''visa,'' and inserting ''visa or pursuant to the visa waiver program established under section 217(a) of the Immigration and Nationality Act (8 U.S.C. 1187(a)),''; and

(C) in paragraph (3)(A), in the matter preceding clause (i), by inserting ''or pursuant to the visa waiver program established under section 217(a) of the Immigration and Nationality Act (8 U.S.C. 1187(a))'' after ''visa''.

SEC. 212. CLOSING THE TERRORIST GUN LOOPHOLE.

(a) STANDARD FOR EXERCISING ATTORNEY GENERAL DISCRETION REGARDING TRANSFERRING FIREARMS OR ISSUING FIREARMS PERMITS TO DANGEROUS TERRORISTS.—Chapter 44 of title 18, United States Code, is amended—

(1) by inserting after section 922 the following:

''§ 922A. Attorney General's discretion to deny transfer of a firearm

''The Attorney General may deny the transfer of a firearm under section 922(t)(1)(B)(ii) of this title if the Attorney General—

''(1) determines that the transferee is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

''(2) has a reasonable belief that the prospective transferee may use a firearm in connection with terrorism.

''§ 922B. Attorney General's discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3)

''The Attorney General may determine that—

''(1) an applicant for a firearm permit which would qualify for an exemption under section 922(t)(3) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

''(2) the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.'';

(2) in section 921(a), by adding at the end the following:

''(36) The term 'terrorism' includes international terrorism and domestic terrorism, as defined in section 2331 of this title.

''(37) The term 'material support or resources' has the meaning given the term in section 2339A of this title.

''(38) The term 'responsible person' means an individual who has the power, directly or indirectly, to direct or cause the direction of the management and policies of the applicant or licensee pertaining to firearms.''; and

(3) in the table of sections, by inserting after the item relating to section 922 the following:

''922A. Attorney General's discretion to deny transfer of a firearm.

''922B. Attorney General's discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3).''.

(b) EFFECT OF ATTORNEY GENERAL DISCRETIONARY DENIAL THROUGH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) ON FIREARMS PERMITS.—Section 922(t) of title 18, United States Code, is amended—

(1) in paragraph (1)(B)(ii), by inserting ''or State law, or that the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title'' before the semicolon;

(2) in paragraph (2), in the matter preceding subparagraph (A), by inserting '', or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title'' after ''or State law'';

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) in subclause (I), by striking ''and'' at the end; and

(II) by adding at the end the following:

''(III) was issued after a check of the system established pursuant to paragraph (1);'';

(ii) in clause (ii), by inserting ''and'' after the semicolon; and

(iii) by adding at the end the following:

''(iii) the State issuing the permit agrees to deny the permit application if such other person is the subject of a determination by the Attorney General pursuant to section 922B of this title;'';

(4) in paragraph (4), by inserting '', or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title'' after ''or State law''; and

(5) in paragraph (5), by inserting '', or if the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title'' after ''or State law''.

(c) UNLAWFUL SALE OR DISPOSITION OF FIREARM BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 922(d) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking ''or'' at the end;

(2) in paragraph (9), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(10) has been the subject of a determination by the Attorney General under section 922A, 922B, 923(d)(3), or 923(e) of this title.''.

(d) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 922(g) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking ''or'' at the end;

(2) in paragraph (9), by striking the comma at the end and inserting ''; or''; and

(3) by inserting after paragraph (9) the following:

''(10) who has received actual notice of the Attorney General's determination made under section 922A, 922B, 923(d)(3) or 923(e) of this title,''.

(e) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL FIREARMS LICENSES.—Section 923(d) of title 18, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''Any'' and inserting ''Except as provided in paragraph (3), any''; and

(2) by adding at the end the following:

''(3) The Attorney General may deny a license application if the Attorney General determines that the applicant (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.''.

(f) DISCRETIONARY REVOCATION OF FEDERAL FIREARMS LICENSES.—Section 923(e) of title 18, United States Code, is amended—

(1) by inserting ''(1)'' after ''(e)'';

(2) by striking ''revoke any license'' and inserting the following: ''revoke—

''(A) any license'';

(3) by striking ''. The Attorney General may, after notice and opportunity for hearing, revoke the license'' and inserting the following: '';

''(B) the license''; and

(4) by striking ''. The Secretary's action'' and inserting the following: ''; or

''(C) any license issued under this section if the Attorney General determines that the holder of such license (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.

''(2) The Attorney General's action''.

(g) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN FIREARMS LICENSE DENIAL AND REVOCATION SUIT.—

(1) IN GENERAL.—Section 923(f)(1) of title 18, United States Code, is amended by inserting after the first sentence the following: ''However, if the denial or revocation is pursuant to subsection (d)(3) or (e)(1)(C), any information upon which the Attorney General relied for this determination may be withheld from the petitioner, if the Attorney General determines that disclosure of the information would likely compromise national security.''.

(2) SUMMARIES.—Section 923(f)(3) of title 18, United States Code, is amended by inserting after the third sentence the following: ''With respect to any information withheld from the aggrieved party under paragraph (1), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(h) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN RELIEF FROM DISABILITIES LAWSUITS.—Section 925(c) of title 18, United States Code, is amended by inserting after the third sentence the following: ''If the person is subject to a disability under section 922(g)(10) of this title, any information which the Attorney General relied on for this determination may be withheld from the applicant if the Attorney General determines that disclosure of the information would likely compromise national security. In responding to the petition, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(i) PENALTIES.—Section 924(k) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking ''or'' at the end;

(2) in paragraph (3), by striking the comma at the end and inserting ''; or''; and

(3) by inserting after paragraph (3) the following:

''(4) constitutes an act of terrorism, or providing material support or resources for terrorism,''.

(j) REMEDY FOR ERRONEOUS DENIAL OF FIREARM OR FIREARM PERMIT EXEMPTION.—

(1) IN GENERAL.—Section 925A of title 18, United States Code, is amended—

(A) in the section heading, by striking ''**Remedy for erroneous denial of firearm**'' and inserting ''**Remedies**'';

(B) by striking ''Any person denied a firearm pursuant to subsection (s) or (t) of section 922'' and inserting the following:

''(a) Except as provided in subsection (b), any person denied a firearm pursuant to subsection (t) of section 922 or a firearm permit pursuant to a determination made under section 922B''; and

(C) by adding at the end the following:

''(b) In any case in which the Attorney General has denied the transfer of a firearm to a prospective transferee pursuant to section 922A of this title or has made a determination regarding a firearm permit applicant pursuant to section 922B of this title, an action challenging the determination may be brought against the United States. The petition shall be filed not later than 60 days after the petitioner has received actual notice of the Attorney General's determination under section 922A or 922B of this title. The court shall sustain the Attorney General's determination upon a showing by the United States by a preponderance of evidence that the Attorney General's determination satisfied the requirements of section 922A or 922B, as the case may be. To make this showing, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security. Upon request of the petitioner or the court's own motion, the court may review the full, undisclosed documents ex parte and in camera. The court shall determine whether the summaries or redacted versions, as the case may be, are fair and accurate representations of the underlying documents. The court shall not consider the full, undisclosed documents in deciding whether the Attorney General's determination satisfies the requirements of section 922A or 922B.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by striking the item relating to section 925A and inserting the following:

''925A. Remedies.''.

(k) PROVISION OF GROUNDS UNDERLYING INELIGIBILITY DETERMINATION BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.—Section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended—

(1) in subsection (f)—

(A) by inserting ''or the Attorney General has made a determination regarding an applicant for a firearm permit pursuant to section 922B of title 18, United States Code,'' after ''is ineligible to receive a firearm''; and

(B) by inserting ''except any information for which the Attorney General has determined that disclosure would likely compromise national security,'' after ''reasons to the individual,''; and

(2) in subsection (g)—

(A) the first sentence—

(i) by inserting ''or if the Attorney General has made a determination pursuant to section 922A or 922B of title 18, United States Code,'' after ''or State law,''; and

(ii) by inserting '', except any information for which the Attorney General has determined that disclosure would likely compromise national security'' before the period at the end; and

(B) by adding at the end the following: ''Any petition for review of information withheld by the Attorney General under this subsection shall be made in accordance with section 925A of title 18, United States Code.''.

(l) UNLAWFUL DISTRIBUTION OF EXPLOSIVES BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 842(d) of title 18, United States Code, is amended—

(1) in paragraph (9), by striking the period and inserting ''; or''; and

(2) by adding at the end the following:

''(10) has received actual notice of the Attorney General's determination made pursuant to subsection (j) or (d)(1)(B) of section 843 of this title.''.

(m) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 842(i) of title 18, United States Code, is amended—

(1) in paragraph (7), by inserting ''; or'' at the end; and

(2) by inserting after paragraph (7) the following:

''(8) who has received actual notice of the Attorney General's determination made pursuant to subsection (j) or (d)(1)(B) of section 843 of this title,''.

(n) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843 of title 18, United States Code, is amended—

(1) in subsection (b), by striking ''Upon'' and inserting ''Except as provided in subsection (j), upon''; and

(2) by adding at the end the following:

''(j) The Attorney General may deny the issuance of a permit or license to an applicant if the Attorney General determines that the applicant or a responsible person or employee possessor thereof is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.''.

(o) ATTORNEY GENERAL DISCRETIONARY REVOCATION OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(d) of title 18, United States Code, is amended—

(1) by inserting ''(1)'' after ''(d)'';

(2) by striking ''if in the opinion'' and inserting the following: ''if—

''(A) in the opinion''; and

(3) by striking ''. The Secretary's action'' and inserting the following: ''; or

''(B) the Attorney General determines that the licensee or holder (or any responsible person or employee possessor thereof) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and that the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.

''(2) The Attorney General's action''.

(p) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN EXPLOSIVES LICENSE AND PERMIT DENIAL AND REVOCATION SUITS.—Section 843(e) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting after the first sentence the following: ''However, if the denial or revocation is based upon an Attorney General determination under subsection (j) or (d)(1)(B), any information which the Attorney General relied on for this determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security.''; and

(2) in paragraph (2), by adding at the end the following: ''In responding to any petition for review of a denial or revocation based upon an Attorney General determination under subsection (j) or (d)(1)(B), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(q) ABILITY TO WITHHOLD INFORMATION IN COMMUNICATIONS TO EMPLOYERS.—Section 843(h)(2) of title 18, United States Code, is amended—

(1) in subparagraph (A), by inserting ''or in subsection (j) of this section (on grounds of terrorism)'' after ''section 842(i)''; and

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by inserting ''or in subsection (j) of this section,'' after ''section 842(i),''; and

(B) in clause (ii), by inserting '', except that any information that the Attorney General relied on for a determination pursuant to subsection (j) may be withheld if the Attorney General concludes that disclosure of the information would likely compromise national security'' after ''determination''.

(r) CONFORMING AMENDMENT TO IMMIGRATION AND NATIONALITY ACT.—Section 101(a)(43)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(E)(ii)) is amended by striking ''or (5)'' and inserting ''(5), or (10)''.

(s) GUIDELINES.—

(1) IN GENERAL.—The Attorney General shall issue guidelines describing the circumstances under which the Attorney General will exercise the authority and make determinations under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this Act.

(2) CONTENTS.—The guidelines issued under paragraph (1) shall—

(A) provide accountability and a basis for monitoring to ensure that the intended goals for, and expected results of, the grant of authority under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this Act, are being achieved; and

(B) ensure that terrorist watch list records are used in a manner that safeguards privacy and civil liberties protections, in accordance with requirements outlines in Homeland Security Presidential Directive 11 (dated August 27, 2004).

Subtitle C—Strengthening Aviation Security

SEC. 221. DEFINITIONS.

In this subtitle:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Transportation Security Administration.

(2) TSA.—The term ''TSA'' means the Transportation Security Administration.

PART I—TRANSPORTATION SECURITY ADMINISTRATION WORKFORCE TRAINING AND PROCEDURES

SEC. 226. TRANSPORTATION SECURITY OFFICER TRAINING.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall conduct a review of the initial and recurrent training provided to transportation security officers who operate airport security checkpoints and conduct baggage screening.

(b) REQUIREMENTS.—The review under subsection (a) shall include—

(1) training to identify and respond to evolving terrorism and security threats; and

(2) an identification of any gaps in current training.

(c) COMPREHENSIVE TRAINING PLAN.—

(1) IN GENERAL.—The Administrator shall develop a comprehensive plan for training transportation security officers based on the review under subsection (a).

(2) REQUIREMENTS.—The training plan shall include—

(A) training for new hires;

(B) recurrent training for employees, at regular intervals;

(C) training for managers;

(D) education regarding TSA functions and responsibilities outside the scope of the transportation security officer's own position;

(E) education regarding TSA's mission and role in the Federal interagency counter-terrorism efforts;

(F) training on the tools and equipment that may be used in security operations; and

(G) regular briefings highlighting current threats.

(d) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Administrator shall report to Congress on the progress of implementing the comprehensive training plan developed under subsection (b).

PART II—ACCESS CONTROLS

SEC. 231. INSIDER THREATS.

(a) IN GENERAL.—The Administrator shall conduct a review of airport security to identify any insider threat vulnerabilities in aviation, and of the programs and practices currently in place to mitigate the risk of insider threats to aviation security.

(b) REQUIREMENTS.—In conducting the review required by subsection (a), the Administrator shall consider—

(1) available intelligence from domestic and international law enforcement and intelligence agencies;

(2) a review of vulnerabilities across the national aviation system; and

(3) possible attack scenarios or adversary pathways that represent the greatest insider threat to aviation security.

(c) PLAN.—Upon completion of the review required by subsection (a), the Administrator shall develop a plan to address any identified insider threat vulnerabilities, including any recommended changes to the programs and practices the Administrator considers necessary to successfully address the vulnerabilities.

(d) REPORT.—Not later than 30 days after the date the plan under subsection (c) is developed, the Administrator shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives a report detailing the plan.

(e) STAFFING.—If in conducting the review under subsection (a), the Administrator determines that additional TSA staffing is required to reduce any insider threat risk that an aviation worker may pose to airport security, the Administrator shall transmit to Congress a report describing the additional TSA staffing needs, including additional officers to conduct random aviation worker screening.

(f) TESTING.—The Administrator shall direct the Office of Inspection to increase testing to identify insider threat vulnerabilities within the entire airport system, including red-team and covert testing.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out subsections (e) and (f).

SEC. 232. AVIATION WORKERS VETTING.

(a) TSDB INFORMATION.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation, in coordination with the heads of all appropriate agencies, shall make available to the Administrator all names and identifying information from records within the Terrorist Screening Database of the Federal Bureau of Investigations' Terrorist Screening Center in a manner that will permit the Administrator to conduct such automated vetting as the Administrator determines to be necessary to effectively administer the credential vetting program for individuals with unescorted access to sensitive transportation environments, such as but not limited to secure areas of airports, on board aircraft, or in the vicinity of cargo or property that will be transported by air.

(2) PERMISSIBLE USES.—The Administrator is authorized to use the information described in paragraph (1) when determining whether to approve an airport or air carrier to issue an individual credentials, access to a trusted population, or other security privileges.

(b) REVIEW OF DISQUALIFYING CRIMINAL OFFENSES.—The Administrator shall review the existing list of disqualifying criminal offenses for aviation workers to determine the applicability of the list and potential need for modification in light of current threats.

(c) COMPREHENSIVE DATABASE.—

(1) IN GENERAL.—The Administrator shall review the existing database for aviation workers who have been issued identification media by an airport and take appropriate measures to enhance the database to include—

(A) for each aviation worker with unescorted access to a secured area—

(i) the record of the aviation worker's background check, including the status and date it was performed;

(ii) a photo or other biometric data the Administrator determines necessary to improve aviation security, either from identification credential or other verified means;

(iii) legal name, as shown on an acceptable Federal or State government issued identity document;

(iv) current address;

(v) any instances of misuse or loss of credentials issued to individuals for unescorted access to sensitive air transportation environments; and

(vi) if applicable, length of authorization to work in the United States;

(B) the capability to add additional information requirements; and

(C) such other categories of information as the Administrator considers necessary to effectively administer the Administration's credential vetting program for individuals with unescorted access to sensitive air transportation environments.

(2) DATABASE CONSTRUCTION.—In enhancing the database information required under paragraph (1), the Administrator may work with Federal agencies, contractors, or other third parties.

(3) GAO REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a review of, and report to Congress on, the progress to implement the database changes required by paragraph (1), including a review of any obstacles to implementation.

(d) NAME FORMATS.—The Administrator shall communicate clear instructions to all airport operators and air carriers regarding the recommended or required name format and method of submission for background checks and aviation worker vetting for unescorted access to sensitive air transportation environments.

(e) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Administrator shall submit to Congress a report detailing any obstacles to the effective vetting of aviation workers with, or applying for, unescorted access to sensitive transportation environments, including—

(1) any issues accessing databases maintained by other Federal agencies, including the Federal Bureau of Investigation and any other agency that contributes to watch lists;

(2) incomplete identification information provided by aviation workers or airport operators;

(3) specific airport operators that consistently fail to report information required under subsection (c)(1) to the TSA; and

(4) any unnecessary delay in inputting aviation worker data into the database.

(f) WAIVER PROCESS FOR DENIED CREDENTIALS.—The Administrator shall establish a waiver process for issuing credentials for unescorted access to sensitive air transportation environments, such as Security Identification Display Area (SIDA) credentials,

for an individual found to be otherwise ineligible for such credentials. In establishing the waiver process, the Administrator shall—

(1) give consideration to the circumstances of any disqualifying act or offense, restitution made by the individual, Federal and State mitigation remedies, and other factors from which it may be concluded that the individual does not pose a terrorism risk warranting denial of the card; and

(2) consider the appeals and waiver process established under section 70105(c) of title 46, United States Code.

(g) REVIEW OF CREDENTIAL MEDIA.—

(1) IN GENERAL.—The Administrator shall review available media credentials used for unescorted access to sensitive air transportation environments to determine whether technology is available—

(A) to make a meaningful improvement upon existing credentials technology;

(B) to strengthen airport security, through biometrics or other technologies;

(C) to effectively or more effectively prevent fraudulent replication of credentials; and

(D) that is cost-effective.

(2) PILOT PROGRAM.—Based upon the findings of the review in paragraph (1), the Administrator may conduct a pilot program to test new access media at airports.

(h) REAL-TIME, CONTINUOUS VETTING FOR CRIMINAL HISTORY RECORDS CHECK.—The Administrator shall work with the Director of the Federal Bureau of Investigation to implement the Rap Back Service from the Federal Bureau of Investigation's Next Generation Identification program for purposes of vetting individuals with unescorted access to sensitive transportation environments.

(i) REVIEW.—The Administrator may review and update the procedures for aviation workers with escorted access to sensitive transportation environments.

SEC. 233. INFRASTRUCTURE.

(a) GRANT PROGRAM.—To assist airports in reducing the number of secure access points for employees to the practical minimum, the Secretary of Homeland Security shall create a grant program to assist airports in carrying out the necessary construction to address attack scenarios or adversary pathways and mitigate the insider threat.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out the grant program under subsection (a).

SEC. 234. VISIBLE DETERRENT.

Section 1303(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1112(a)) is amended—

(1) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (4), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(5) shall require that a VIPR team deployed to an airport conduct operations in the areas to which only individuals issued security credentials have unescorted access.''.

PART III—TRANSPORTATION SECURITY ADMINISTRATION INNOVATION AND TECHNOLOGY

SEC. 241. RESEARCH.

(a) IN GENERAL.—The Administrator, in coordination with the Under Secretary for Science and Technology, and in consultation with the Secretary of Defense, the Secretary of Energy, and the heads of other relevant Federal agencies, shall review existing or ongoing Federal research that may contribute to the development of screening tools and equipment for TSA's mission.

(b) ADDITIONAL RESEARCH.—After completing the review under paragraph (1), the Administrator and the Under Secretary for Science and Technology shall coordinate with the heads of relevant Federal research agencies to pursue research that may lead to advances in passenger and baggage screening technology.

(c) RESEARCH UNIVERSITIES.—To the extent the TSA is authorized to disclose information relating to its threat detection capabilities, the Administrator may partner with 1 or more research universities in the United States to conduct research into the hardware and software to screen passengers and baggage.

SEC. 242. PUBLIC-PRIVATE PARTNERSHIPS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator or Under Secretary for Science and Technology shall convene a working group of screening technology users from the private sector for the purpose of fostering public-private partnerships.

(b) MEMBERS.—The working group shall include representatives of private sector entities, such as major sports leagues and operators of large scale resort parks, which have implemented or are investing in the development of screening security solutions intended to expeditiously screen high volumes of individuals and personal belongings.

(c) DUTIES.—The focus of the working group shall be to provide recommendations to the Administrator—

(1) to ensure better coordination between the TSA and such private sector entities;

(2) to enable the TSA to take advantage of new screening technologies developed for the private sector;

(3) to foster public-private partnership principles; and

(4) to leverage and maximize the use of private sector capital, whenever appropriate.

SEC. 243. REPORT.

Not later than 180 days after the date of the enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives a report regarding TSA's efforts to encourage public-private cooperation and encourage innovative airport security ideas.

PART IV—IMPROVING INTERNATIONAL COORDINATION TO TRACK TERRORISTS

SEC. 251. COORDINATION WITH INTERNATIONAL AUTHORITIES.

The Administrator shall—

(1) encourage maximum coordination with international counterparts to ensure security best practices are shared and implemented to enhance aviation security globally; and

(2) whenever appropriate, seek to increase the opportunities the TSA has to leverage its knowledge and expertise to promote greater international cooperation in enhancing aviation security globally, including increased information sharing, personnel exchanges, and aviation worker vetting.

SEC. 252. SENSE OF CONGRESS ON COOPERATION TO TRACK TERRORISTS TRAVELING BY AIR.

It is the sense of Congress that the United States should—

(1) closely cooperate with the European Union as the European Union develops and implements its new program to store information on passengers traveling on commercial air carriers in and out of the European Union; and

(2) encourage the dissemination of such information within the European Union and the United States for law enforcement and national security purposes.

Subtitle D—Strengthening Security of Radiological Materials

SEC. 261. PREVENTING TERRORIST ACCESS TO DOMESTIC RADIOLOGICAL MATERIALS.

(a) COMMERCIAL LICENSES.—Section 103 of the Atomic Energy Act of 1954 (42 U.S.C. 2133) is amended—

(1) in subsection d., in the third sentence, by inserting ''under a circumstance described in subsection g., or'' after ''within the United States''; and

(2) by adding at the end the following:

''g. In addition to the limitations described in subsection d. and the limitations provided at the discretion of the Commission, the Commission shall not grant a license to any individual who is—

''(1) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

''(2) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

''(A) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism;

''(B) providing material support or resources for terrorism; or

''(C) the making of a terrorist threat.

''h. The Commission shall suspend immediately any license granted under this section if the Commission discovers that the licensee is providing unescorted access to any employee who is—

''(1) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

''(2) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

''(A) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism;

''(B) providing material support or resources for terrorism; or

''(C) the making of a terrorist threat.

''i. The Commission may lift the suspension of a license made pursuant to subsection h. if—

''(1) the licensee has revoked unescorted access privileges to the employee;

''(2) the licensee has alerted the appropriate Federal, State, and local law enforcement offices of the provision and revocation of unescorted access to the employee; and

''(3) the Commission has conducted a review of the security of the licensee and determined that reinstatement of the licensee would not be inimical to the national security interests of the United States.''.

(b) MEDICAL THERAPY AND RESEARCH AND DEVELOPMENT.—Section 104 of the Atomic Energy Act of 1954 (42 U.S.C. 2134) is amended—

(1) in subsection d., in the third sentence, by inserting ''under a circumstance described in subsection e., or'' after ''within the United States''; and

(2) by adding at the end the following:

''e. In addition to the limitations described in subsection d. and the limitations provided at the discretion of the Commission, the Commission shall not grant a license to any individual who is—

''(1) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

''(2) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

''(A) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism;

''(B) providing material support or resources for terrorism; or

''(C) the making of a terrorist threat.

''f. The Commission shall suspend immediately any license granted under this section if the Commission discovers that the licensee is providing unescorted access to any employee who is—

''(1) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

''(2) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

''(A) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism;

''(B) providing material support or resources for terrorism; or

''(C) the making of a terrorist threat.

''g. The Commission may lift the suspension of a license made pursuant to subsection f. if—

''(1) the licensee has revoked unescorted access privileges to the employee;

''(2) the licensee has alerted the appropriate Federal, State, and local law enforcement offices of the provision and revocation of unescorted access to the employee; and

''(3) the Commission has conducted a review of the security of the licensee and determined that reinstatement of the licensee would not be inimical to the national security interests of the United States.''.

SEC. 262. STRATEGY FOR SECURING HIGH ACTIVITY RADIOLOGICAL SOURCES.

(a) IN GENERAL.—The Administrator for Nuclear Security shall—

(1) in coordination with the Chairman of the Nuclear Regulatory Commission and the Secretary of Homeland Security, develop a strategy to enhance the security of all high activity radiological sources as soon as possible; and

(2) not later than 120 days after such date of enactment, submit to the appropriate congressional committees a report describing the strategy required by paragraph (1).

(b) ELEMENTS.—The report required by subsection (a)(2) shall include the following:

(1) A description of activities of the National Nuclear Security Administration, ongoing as of the date of the enactment of this Act—

(A) to secure high activity domestic radiological sources; and

(B) to secure radiological materials internationally and to prevent their illicit trafficking as part of the broader Global Nuclear Detection Architecture.

(2) A list of any gaps in the legal authority of United States Government agencies needed to secure all high activity radiological sources.

(3) An estimate of the cost of securing all high activity domestic radiological sources.

(4) A list, in the classified annex authorized by subsection (c), of all high activity domestic radiological sources at sites at which enhanced physical security measures that comply with the requirements of the Office of Global Material Security of the National Nuclear Security Administration are not in effect.

(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form and shall include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Armed Services, the Committee on Energy and Commerce, and the Committee on Homeland Security of the House of Representatives.

(2) HIGH ACTIVITY DOMESTIC RADIOLOGICAL MATERIAL.—The term ''high activity domestic radiological source'' means Category 1 or 2 quantities of radiological material, as determined by the Nuclear Regulatory Commission, located at a site in the United States.

(3) SECURE.—The terms ''secure'' and ''security'', with respect to high activity radiological sources, refer to all activities to prevent terrorists from acquiring such sources, including enhanced physical security and tracking measures, removal and disposal of disused sources, replacement of such sources with nonradiological technologies where feasible, and detection of illicit trafficking.

SEC. 263. OUTREACH TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES ON RADIOLOGICAL THREATS.

Section 201(d) of the Homeland Security Act of 2002 (6 U.S.C. 121(d)) is amended by adding at the end the following:

''(26)(A) Not later than every 2 years, the Secretary shall submit a written certification to Congress that the field staff of the Department have briefed State and local law enforcement representatives about radiological security threats.

''(B) A briefing conducted under subparagraph (A) shall include information on—

''(i) the presence and current security status of all high activity domestic radiological sources housed within the jurisdiction of the law enforcement agency being briefed;

''(ii) the threat that high activity domestic radiological sources could pose to their communities and to the national security of the United States if these sources were lost, stolen or subject to sabotage by criminal or terrorist actors; and

''(iii) guidelines and best practices for mitigating the impact of emergencies involving high activity domestic radiological sources.

''(C) The National Nuclear Security Administration, the Nuclear Regulatory Commission, and Federal law enforcement agencies shall provide information to the Department in order for the Secretary to submit the written certification described in subparagraph (A).

''(D) A written certification described in subparagraph (A) shall include a report on the activity of the field staff of the Department to brief State and local law enforcement representatives, including, as provided to the field staff of the Department by State and Local law enforcement agencies—

''(i) an aggregation of incidents regarding high activity domestic radiological sources; and

''(ii) information on current activities undertaken to address the vulnerabilities of these high activity domestic radiological sources.

''(E) In this paragraph, the term 'high activity domestic radiological sources' means category 1 quantity and category 2 quantity radiological materials, as determined by the Nuclear Regulatory Commission.''.

Subtitle E—Stopping Homegrown Extremism

SEC. 271. AUTHORIZATION OF THE OFFICE FOR COMMUNITY PARTNERSHIPS OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Title I of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by adding at the end the following:

''SEC. 104. OFFICE FOR COMMUNITY PARTNERSHIPS.

''(a) DEFINITIONS.—In this section—

''(1) the term 'countering violent extremism' means proactive and relevant actions to counter efforts by extremists to radicalize, recruit, and mobilize followers to violence and to address the conditions that allow for violent extremist recruitment and radicalization; and

''(2) the term 'violent extremism' means ideologically motivated violence as a method of advancing a cause.

''(b) ESTABLISHMENT.—There is in the Department an Office for Community Partnerships.

''(c) HEAD OF OFFICE.—The Office for Community Partnerships shall be headed by an Assistant Secretary for Community Partnerships, who shall be designated by the Secretary.

''(d) DEPUTY ASSISTANT SECRETARY; ASSIGNMENT OF PERSONNEL.—The Secretary shall—

''(1) designate a career Deputy Assistant Secretary for Community Partnerships; and

''(2) assign or hire, as appropriate, permanent staff to the Office for Community Partnerships.

''(e) RESPONSIBILITIES.—The Assistant Secretary for Community Partnerships shall be responsible for the following:

''(1) Leading the efforts of the Department to counter violent extremism across all the components and offices of the Department that conduct strategic and supportive efforts to counter violent extremism. Such efforts shall include the following:

''(A) Partnering with communities to address vulnerabilities that can be exploited by violent extremists in the United States and explore potential remedies for government and non-government institutions.

''(B) Working with civil society groups and communities to counter violent extremist propaganda, messaging, or recruitment.

''(C) In coordination with the Office for Civil Rights and Civil Liberties of the Department, managing the outreach and engagement efforts of the Department directed toward communities at risk for radicalization and recruitment for violent extremist activities.

''(D) Ensuring relevant information, research, and products inform efforts to counter violent extremism.

''(E) Developing and maintaining Department-wide plans, strategy guiding policies, and programs to counter violent extremism. Such plans shall, at a minimum, address each of the following:

''(i) The Department's plan to leverage new and existing Internet and other technologies and social media platforms to improve non-government efforts to counter violent extremism, as well as the best practices and lessons learned of other Federal, State, local, tribal, territorial, and foreign partners engaged in similar counter-messaging efforts.

''(ii) The Department's countering violent extremism-related engagement efforts.

''(iii) The use of cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism.

''(F) Coordinating with the Office for Civil Rights and Civil Liberties of the Department to ensure all of the activities of the Department related to countering violent extremism fully respect the privacy, civil rights, and civil liberties of all persons.

''(G) In coordination with the Under Secretary for Science and Technology and in consultation with the Under Secretary for Intelligence and Analysis, identifying and recommending new research and analysis requirements to ensure the dissemination of information and methods for Federal, State, local, tribal, and territorial countering violent extremism practitioners, officials, law enforcement, and non-governmental partners to utilize such research and analysis.

''(H) Assessing the methods used by violent extremists to disseminate propaganda and messaging to communities at risk for recruitment by violent extremists.

''(2) Developing a digital engagement strategy that expands the outreach efforts of the Department to counter violent extremist messaging by—

''(A) exploring ways to utilize relevant Internet and other technologies and social media platforms; and

''(B) maximizing other resources available to the Department.

''(3) Serving as the primary representative of the Department in coordinating countering violent extremism efforts with other Federal departments and agencies and non-governmental organizations.

''(4) Serving as the primary Department-level representative in coordinating with the Department of State on international countering violent extremism issues.

''(5) In coordination with the Administrator of the Federal Emergency Management Agency, providing guidance regarding the use of grants made to State, local, and tribal governments under sections 2003 and 2004 under the allowable uses guidelines related to countering violent extremism.

''(6) Developing a plan to expand philanthropic support for domestic efforts related to countering violent extremism, including by identifying viable community projects and needs for possible philanthropic support.

''(7) Administering the assistance described in subsection (f).

''(f) GRANTS TO COUNTER VIOLENT EXTREMISM.—

''(1) IN GENERAL.—In accordance with this subsection, the Secretary may award grants or cooperative agreements directly to eligible recipients identified in paragraph (2) to support the efforts of local communities in the United States to counter violent extremism.

''(2) ELIGIBLE RECIPIENTS.—The Secretary may award competitive grants or cooperative agreements based on need directly to—

''(A) States;

''(B) local governments;

''(C) tribal governments;

''(D) nonprofit organizations; or

''(E) institutions of higher education.

''(3) USE OF FUNDS.—Each entity receiving a grant or cooperative agreement under this subsection shall use the grant or cooperative agreement for 1 or more of the following purposes:

''(A) To train or exercise for countering violent extremism, including building training or exercise programs designed to improve cultural competency and to ensure that communities, government, and law enforcement receive accurate, intelligence-based information about the dynamics of radicalization to violence.

''(B) To develop, implement, or expand programs or projects with communities to discuss violent extremism or to engage communities that may be targeted by violent extremist radicalization.

''(C) To develop and implement projects that partner with local communities to prevent radicalization to violence.

''(D) To develop and implement a comprehensive model for preventing violent extremism in local communities, including existing initiatives of State or local law enforcement agencies and existing mechanisms for engaging the resources and expertise available from a range of social service providers, such as education administrators, mental health professionals, and religious leaders.

''(E) To educate the community about countering violent extremism, including the promotion of community-based activities to increase the measures taken by the community to counter violent extremism.

''(F) To develop or assist social service programs that address root causes of violent extremism and develop, build, or enhance alternatives for members of local communities that may be targeted by violent extremism.

''(G) To develop or enhance State or local government initiatives that facilitate and build overall capacity to address the threats post by violent extremism.

''(H) To support such other activities, consistent with the purposes of this subsection, as the Secretary determines appropriate.

''(4) GRANT GUIDELINES.—

''(A) IN GENERAL.—For each fiscal year, before awarding a grant or cooperative agreement under this subsection, the Secretary shall develop guidelines published in a notice of funding opportunity that describe—

''(i) the process for applying for grants and cooperative agreements under this subsection;

''(ii) the criteria that the Secretary will use for selecting recipients based on the need demonstrated by the applicant; and

''(iii) the requirements that recipients must follow when utilizing funds under this subsection to conduct training and exercises and otherwise engage local communities regarding countering violent extremism.

''(B) CONSIDERATIONS.—In developing the requirements under subparagraph (A)(iii), the Secretary shall consider the following:

''(i) Training objectives should be clearly defined to meet specific countering violent extremism goals, such as community engagement, cultural awareness, or community-based policing.

''(ii) Engaging diverse communities in the United States to counter violent extremism may require working with local grassroots community organizations to develop engagement and outreach initiatives.

''(iii) Training programs should—

''(I) be sensitive to Constitutional values, such as protecting fundamental civil rights and civil liberties, and eschew notions of racial and ethnic profiling; and

''(II) adhere to the standards and ethics of the Department, ensuring that the clearly defined objectives are in line with the strategies of the Department to counter violent extremism.

''(iv) Establishing vetting procedures for self-selected countering violent extremism training experts who offer programs that may claim to counter violent extremism, but serve to demonize certain individuals or whole cross sections of a community.

''(v) Providing a review process to determine if countering violent extremism training focuses on community engagement and outreach.

''(vi) Providing support to law enforcement to enhance knowledge, skills, and abilities to increase engagement techniques with diverse communities in the United States.

''(g) ANNUAL REPORT.—Beginning in the first fiscal year beginning after the date of enactment of this section, and in each of the next 5 fiscal years, the Assistant Secretary for Community Partnerships shall submit to Congress an annual report on the Office for Community Partnerships, which shall include—

''(1) a description of the status of the programs and policies of the Department for countering violent extremism in the United States;

''(2) a description of the efforts of the Office for Community Partnerships to cooperate with and provide assistance to other Federal departments and agencies;

''(3) qualitative and quantitative metrics for evaluating the success of such programs and policies and the steps taken to evaluate the success of such programs and policies; and

''(4) an accounting of—

''(A) grants awarded by the Department to counter violent extremism; and

''(B) all training specifically aimed at countering violent extremism sponsored by the Department.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 103 the following:

''Sec. 104. Office for Community Partnerships.''.

SEC. 272. RESEARCH AND EVALUATION PROGRAM FOR DOMESTIC RADICALIZATION.

(a) IN GENERAL.—The Attorney General, acting through the Office of Justice Programs, may engage in research and evaluation activities, including awarding grants to units of local government, nonprofit organizations, and institutions of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)), to identify causes of violent extremism and related phenomena and advance evidence-based strategies for effective prevention and intervention.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $4,000,000 for each of fiscal years 2016 through 2019.

Subtitle F—Comprehensive Independent Study of National Cryptography Policy

SEC. 281. COMPREHENSIVE INDEPENDENT STUDY OF NATIONAL CRYPTOGRAPHY POLICY.

(a) STUDY BY NATIONAL RESEARCH COUNCIL.—Not later than 90 days after the date of the enactment of this Act, the National Research Council shall commence a comprehensive study on cryptographic technologies and national cryptography policy.

(b) MATTERS TO BE ASSESSED IN STUDY.—The study required under subsection (a) shall—

(1) assess current and future development in encryption technology, including how such technology is likely to be deployed by both United States and international industries;

(2) assess the effect of cryptographic technologies on—

(A) national security interests of the United States Government;

(B) law enforcement interests of the United States Government;

(C) commercial interests of United States industry;

(D) privacy interests of United States citizens; and

(E) activities of the United States Government to promote human rights and Internet freedom; and

(3) consider the conclusions and recommendations of the report issued by the National Research Council in 1996 entitled ''Cryptography's Role in Securing the Information Society''.

(c) COOPERATION WITH STUDY.—

(1) IN GENERAL.—The Director of National Intelligence, the Attorney General, the Secretary of Defense, the Secretary of Commerce, and the Secretary of State shall direct all appropriate departments and agencies to cooperate fully with the National Research Council in its activities in carrying out the study required under subsection (a).

(2) NATIONAL RESEARCH COUNCIL.—The National Research Council shall cooperate with United States entities that have an interest in encryption policy, including United States industry and nonprofit organizations.

(d) REPORT.—The National Research Council shall complete the study and submit to the Committee on the Judiciary, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate and to the Committee on the Judiciary, the Committee on Foreign Affairs, the Committee on Energy and Commerce, and the Permanent Select Committee on Intelligence of the House of Representatives, a report on the study within approximately two years after full processing of security clearances under subsection (e). The report on the study shall set forth the Council's findings and conclusions and the recommendations of the Council for improvements in cryptography policy and procedures. The report shall be submitted in unclassified form, with classified annexes as necessary.

(e) EXPEDITED PROCESSING OF SECURITY CLEARANCES FOR STUDY.—For the purpose of facilitating the commencement of the study under this section, the appropriate departments, agencies, and elements of the executive branch shall expedite to the fullest degree possible the processing of security clearances that are necessary for the National Research Council to conduct the study required under subsection (a).

Subtitle G—Law Enforcement Training

SEC. 291. LAW ENFORCEMENT TRAINING FOR ACTIVE SHOOTER INCIDENTS.

Section 2006(a)(2) of the Homeland Security Act of 2002 (6 U.S.C. 607(a)(2)) is amended—

(1) by redesignating subparagraphs (E) through (I) as subparagraphs (F) through (J), respectively; and

(2) by inserting after subparagraph (D) the following new subparagraph:

''(E) training exercises to enhance preparedness for and response to active shooter incidents and security events at public locations;''.

SEC. 292. ACTIVE SHOOTER INCIDENT RESPONSE ASSISTANCE.

(a) IN GENERAL.—The Secretary of Homeland Security shall, in consultation with the Attorney General and other Federal agencies as appropriate, provide technical assistance to State, local, tribal, territorial, private sector, and nongovernmental partners for the development of response plans for active shooter incidents in publicly accessible spaces, including facilities that have been identified by the Department of Homeland Security as potentially vulnerable targets.

(b) TYPES OF PLANS.—The response plans developed under subsection (a) may include, but are not limited to, the following elements:

(1) A strategy for evacuating and providing care to persons inside the publicly accessible space, with consideration given to the needs of persons with disabilities.

(2) A plan for establishing a unified command, including identification of staging areas for law enforcement and fire response.

(3) A schedule for regular testing of communications equipment used to receive emergency calls.

(4) An evaluation of how emergency calls placed by persons inside the publicly accessible space will reach police in an expeditious manner.

(5) A practiced method and plan to communicate with occupants of the publicly accessible space.

(6) A practiced method and plan to communicate with the surrounding community regarding the incident and the needs of Federal, State, and local officials.

(7) A plan for coordinating with volunteer organizations to expedite assistance for victims.

(8) To the extent practicable, a projected maximum time frame for law enforcement response to active shooters, acts of terrorism, and incidents that target the publicly accessible space.

(9) A schedule for joint exercises and training.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives a report on findings resulting from technical assistance provided under subsection (a), including an analysis of the level of preparedness to respond to active shooter incidents in publicly accessible spaces.

(d) BEST PRACTICES.—The Secretary of Homeland Security, in consultation with the Attorney General, shall—

(1) identify best practices for security incident planning, management, and training for responding to active shooter incidents in publicly accessible spaces; and

(2) establish a mechanism through which to share such best practices with State, local, tribal, territorial, private sector, and nongovernmental partners.

SEC. 293. GRANTS TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES FOR ANTITERRORISM TRAINING PROGRAMS.

(a) IN GENERAL.—The Attorney General may award grants to develop and implement antiterrorism training and technical assistance programs for State, local, and tribal law enforcement.

(b) USE OF GRANT AMOUNTS.—A grant awarded under subsection (a) may be used—

(1) to provide specialized antiterrorism detection, investigation, and interdiction training and related services to State, local, and tribal law enforcement agencies and prosecution authorities, which may include workshops, on-site and online training courses, joint training and activities with and focusing on community stakeholders and partnerships, educational materials and resources, or other training means as necessary; and

(2) to identify antiterrorism-related training needs at the State, local, and tribal level and conduct customized training programs to address those needs.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $5,000,000 for each fiscal year.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 332—COMMEMORATING THE 140TH ANNIVERSARY OF THE MARINE ENGINEERS' BENEFICIAL ASSOCIATION

Ms. MIKULSKI submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 332

Whereas the Marine Engineers' Beneficial Association (in this preamble referred to as the ''M.E.B.A.'') was founded in 1875 and is the oldest maritime union in the United States;

Whereas, soon after the founding of the M.E.B.A., the M.E.B.A. battled for beneficial legislation to certify, license, and protect waterborne engineers;

Whereas the M.E.B.A. prevailed in securing deck and engine officers of the United States aboard flagships of the United States, displacing foreign seamen;

Whereas, since 1875, the M.E.B.A. has been the premier maritime labor union for the officers of the United States Merchant Marine;

Whereas the members of the M.E.B.A., including thousands of marine engine and deck officers, are unparalleled in maritime training and experience;

Whereas M.E.B.A. members crew the most technologically advanced ships in the flag fleet of the United States, including container ships, tankers, Great Lakes and liquefied natural gas vessels, and a cruise ship;

Whereas M.E.B.A. members sail aboard Government-contracted ships of the Military Sealift Command of the United States Navy and the Ready Reserve Force of the Maritime Administration, on tugs and ferry fleets around the United States, and in various capacities in shoreside industries;

Whereas M.E.B.A. members provide critical support to the United States by carrying cargo to aid the Armed Forces of the United States in overseas conflicts;

Whereas, during Operation Iraqi Freedom, the commercial, privately-owned fleet, crewed by civilians of the United States, carried more than 85 percent of the materials and equipment needed by the United States and the allies of the United States to achieve victory;

Whereas, since 1875, M.E.B.A. members have served in every conflict and war in which the United States has been involved, including the Spanish-American War, World Wars I and II, Operation Enduring Freedom, and Operation Iraqi Freedom;

Whereas the M.E.B.A. brings critical food aid to starving people in Ethiopia, Somalia, and dozens of other countries around the world;

Whereas, as the people of the United States watched the tragedy of September 11, 2001 unfold, members of the M.E.B.A. ferried thousands of people to safety in New York;

Whereas, during the aftermath of Hurricanes Katrina and Rita, the tsunami in Southeast Asia, and countless other disasters, the M.E.B.A. was there with the professionalism, pride, and patriotism that has long been the hallmark of mariners of the United States;

Whereas the M.E.B.A. has its own maritime training center, the Calhoon M.E.B.A.

Engineering School in Easton, Maryland, which keeps seafaring members on the cutting edge of the industry; and

Whereas the Calhoon M.E.B.A. Engineering School was originally located in Baltimore because of the rich maritime tradition in that city but later moved to the Eastern Shore of Maryland when the school needed to expand: Now, therefore, be it

Resolved, That the Senate commemorates the 140th anniversary of the Marine Engineers' Beneficial Association.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on December 9, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on December 9, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on December 9, 2015, at 10 a.m., in room SR–253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 9, 2015, at 9:30 a.m., to conduct a hearing entitled ''United Nations Peacekeeping and Opportunities for Reform.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on December 9, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on December 9, 2015, at 11 a.m. to conduct a hearing entitled ''Strengthening the Visa Waiver Program After the Paris Attacks.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on December 9, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight of the Federal Bureau of Investigation.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on December 9, 2015, at 2 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on December 9, 2015.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on December 9, 2015, at 2:30 p.m., in room SR–418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH POLICY

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on Africa and Global Health Policy be authorized to meet during the session of the Senate on December 9, 2015, at 2:30 p.m., to conduct a hearing entitled ''The Political and Security Crisis in Burundi.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on December 9, 2015, in room SDG–50 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a hearing entitled ''Sudden Price Spikes in Off-Patent Drugs: Perspectives from the Front Lines.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. INHOFE. Mr. President, I ask unanimous consent that Alicia Kielmovitch, an education legislative fellow in Senator HATCH's office, be granted floor privileges for the remainder of this calendar year.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 415 through 420, 422, and 423.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nominations en bloc.

The legislative clerk read the nominations of Catherine Ebert-Gray, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Independent State of Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Solomon Islands and Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Vanuatu; G. Kathleen Hill, of Colorado, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Malta; John D. Feeley, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Panama; Eric Seth Rubin, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Bulgaria; Kyle R. Scott, of Arizona, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Serbia; Todd C. Chapman, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ecuador; Jean Elizabeth Manes, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of

America to the Republic of El Salvador; and Linda Swartz Taglialatela, of New York, a Career Member of the Senior Executive Service, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Barbados, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federation of St. Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I know of no further debate on the nominations.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Ebert-Gray, Hill, Feeley, Rubin, Scott, Chapman, Manes, and Taglialatela nominations en bloc?

The nominations were confirmed en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

STEM CELL THERAPEUTIC AND RESEARCH REAUTHORIZATION ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 311, H.R. 2820.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2820) to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

H.R. 2820

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stem Cell Therapeutic and Research Reauthorization Act of 2015''.

SEC. 2. REAUTHORIZATION OF THE C.W. BILL YOUNG CELL TRANSPLANTATION PROGRAM.

(a) IN GENERAL.—Section 379(d)(2)(B) of the Public Health Service Act (42 U.S.C. 274k(d)(2)(B)) is amended—

(1) by striking ''remote collection'' and inserting ''collection''; and

(2) by inserting ''including remote collection,'' after ''cord blood units,''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 379B of the Public Health Service Act (42 U.S.C. 274m) is amended—

(1) by striking ''$30,000,000 for each of fiscal years 2011 through 2014 and''; and

(2) by inserting ''and $30,000,000 for each of fiscal years 2016 through 2020'' before the period at the end.

(c) SECRETARY REVIEW ON STATE OF SCIENCE.—The Secretary of Health and Human Services, in consultation with the Director of the National Institutes of Health, the Commissioner of the Food and Drug Administration, and the Administrator of the Health Resources and Services Administration, including the Advisory Council on Blood Stem Cell Transplantation established under section 379(a) of the Public Health Service Act (42 U.S.C. 274k(a)), and other stakeholders, where appropriate given relevant expertise, shall conduct a review of the state of the science of using adult stem cells and birthing tissues to develop new types of therapies for patients, for the purpose of considering the potential inclusion of such new types of therapies in the C.W. Bill Young Cell Transplantation Program (established under such section 379) in addition to the continuation of ongoing activities. Not later than June 30, 2019, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives recommendations on the appropriateness of such new types of therapies for inclusion in the C.W. Bill Young Cell Transplantation Program.

SEC. 3. CORD BLOOD INVENTORY.

Section 2 of the Stem Cell Therapeutic and Research Act of 2005 (42 U.S.C. 274k note) is amended—

(1) in subsection (a), by striking ''one-time'';

(2) by striking subsection (c);

(3) by redesignating subsections (d) through (h) as subsections (c) through (g), respectively;

(4) in subsection (d) (as so redesignated)—

(A) in paragraph (1), by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (2), (3), and (4)'';

(B) in paragraph (2)(B), by striking ''subsection (d)'' and inserting ''subsection (c)''; and

(C) by adding at the end the following:

''(4) CONSIDERATION OF BEST SCIENCE.—The Secretary shall take into consideration the best scientific information available in order to maximize the number of cord blood units available for transplant when entering into contracts under this section, or when extending a period of funding under such a contract under paragraph (2).

''(5) CONSIDERATION OF BANKED UNITS OF CORD BLOOD.—In extending contracts pursuant to paragraph (3), and determining new allocation amounts for the next contract period or contract extension for such cord blood bank, the Secretary shall take into account the number of cord blood units banked in the National Cord Blood Inventory by a cord blood bank during the previous contract period, in addition to consideration of the ability of such cord blood bank to increase the collection and maintenance of additional, genetically diverse cord blood units.'';

(5) in subsection (f) (as so redesignated)—

(A) by striking paragraph (4); and

(B) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively; and

(6) in subsection (g) (as so redesignated)—

(A) in paragraph (1)—

(i) by striking ''$23,000,000 for each of fiscal years 2011 through 2014 and''; and

(ii) by inserting ''and $23,000,000 for each of fiscal years 2016 through 2020'' before the period at the end; and

(B) by striking paragraph (2).

SEC. 4. DETERMINATION ON THE DEFINITION OF HUMAN ORGAN.

Not later than one year after the date of enactment of this Act, the Secretary of Health and Human Services shall issue determinations with respect to the inclusion of peripheral blood stem cells and umbilical cord blood in the definition of human organ.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 2820), as amended, was passed.

COMMEMORATING THE 20TH ANNIVERSARY OF THE OPENING OF THE AMERICAN VISIONARY ART MUSEUM

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 317 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 317) commemorating the 20th anniversary of the opening of the American Visionary Art Museum.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 317) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of November 18, 2015, under ''Submitted Resolutions.'')

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that on Monday, January 11, at 5 p.m., the Senate

proceed to executive session to consider the following nomination: Calendar No. 213; that there be 30 minutes for debate on the nomination, equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination; that following the disposition of the nomination, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, scheduling a vote on this nomination has been a top priority for Senator TOOMEY, and we are happy to do that just now.

ORDERS FOR THURSDAY, DECEMBER 10, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, December 10; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each; finally, that the Senate recess from 3 p.m. until 4:30 p.m. for the all-Members briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator PETERS.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Michigan.

EVERY STUDENT SUCCEEDS ACT

Mr. PETERS. Mr. President, I rise today to express my support for the Every Student Succeeds Act.

I am pleased that the Senate was able to come together on a bipartisan basis to pass meaningful education reform, and I commend Senator MURRAY and Senator ALEXANDER for their leadership on this bill.

I would like to speak about three things this bill does that I strongly support and that I believe are of particular importance. First, the bill supports financial literacy programming. Family financial literacy programming can ensure that our Nation's parents and children have the skills necessary to properly utilize credit, finance an education, manage a household budget, and plan for retirement. I believe that we must do all we can to help our Nation's parents and students succeed in every aspect of their lives.

Second, the Every Student Succeeds Act addresses the lack of data on dual status youth—children who come into contact with both the child welfare and juvenile justice systems. Many at-risk children lack stable home lives, and they are frequently funneled through the school-to-prison pipeline. I was happy to work with the chairman and ranking member to include language in the bill that will help us identify and assist our most vulnerable youth.

Finally, I was happy to join Senator GARDNER in introducing language that will begin to help schools address the dual enrollment availability gap by enabling high schools to expand access to such programs using title I funding. I applaud the bill's focus on dual enrollment and early/middle college programs. At a time when student debt is crushing young Americans' economic prospects, dual enrollment and early/middle college programs allow high school students to begin earning college credit by taking college-level courses either at their school, online or through a local higher education institution. These models improve access to college while reducing degree completion time and tuition costs.

Findings from the ACT's most recent ''Condition of College and Career Readiness'' report suggest that many students are ready for dual enrollment programs. Forty-two percent of the most recent cohort of high school graduates who took the ACT test were ready for college-level mathematics. Nearly 30 percent were college ready in all four subject areas: English, reading, mathematics, and science.

Unfortunately, hurdles to assessing dual enrollment are particularly pronounced for low-income students who also face the greatest obstacles to college completion. After participating in these programs, many students who may not have planned on attending college realize their potential and go on to attain higher levels of education. A recent study found that dual and concurrent enrollment participation increases the probability of a student completing a degree by 6 percent.

In addition to a Gardner-Peters amendment, the Every Student Succeeds Act includes several other provisions that support dual enrollment and early/middle college programs. The bill supports professional development for teachers, principals, and other school leaders, focused on building their capacity to deliver dual or concurrent enrollment opportunities.

Additionally, States and school districts will be able to use resources provided through the student support and academic enrichment grants to improve students' access to dual enrollment programs, either online or in person. These policy improvements will make an incredible difference for the Nation's students.

There are a number of Senators who support dual enrollment and early/middle college programs, and I plan on introducing legislation to support dual enrollment and early/middle college programs in the near future.

My legislation would amend the Higher Education Act to expand access to dual and concurrent enrollment programs as well as early/middle college programs that enable students to earn college credit while in high school. I look forward to working with my colleagues in the coming months to expand access to these programs.

Again, I applaud the passage of the Every Student Succeeds Act.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 5:54 p.m., adjourned until Thursday, December 10, 2015, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 9, 2015:

DEPARTMENT OF STATE

CATHERINE EBERT–GRAY, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE INDEPENDENT STATE OF PAPUA NEW GUINEA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SOLOMON ISLANDS AND AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF VANUATU.

G. KATHLEEN HILL, OF COLORADO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALTA.

JOHN D. FEELEY, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PANAMA.

ERIC SETH RUBIN, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BULGARIA.

KYLE R. SCOTT, OF ARIZONA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SERBIA.

TODD C. CHAPMAN, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ECUADOR.

JEAN ELIZABETH MANES, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF EL SALVADOR.

LINDA SWARTZ TAGLIALATELA, OF NEW YORK, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BARBADOS, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATION OF ST. KITTS AND NEVIS, SAINT LUCIA, ANTIGUA AND BARBUDA , THE COMMONWEALTH OF DOMINICA, GRENADA, AND SAINT VINCENT AND THE GRENADINES.

HOUSE OF REPRESENTATIVES—*Wednesday, December 9, 2015*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. FLEISCHMANN).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 9, 2015.

I hereby appoint the Honorable CHARLES J. ''CHUCK'' FLEISCHMANN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

HONORING THE SERVICE OF MICHAEL HAROLD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, one of my pleasures in public service is the opportunity to work with some extraordinarily motivated and talented staff. Nowhere in my career has it been more evident than here on Capitol Hill.

The joy of working with smart, dedicated, committed young people, often under very difficult, even chaotic, situations, who are here because they make a difference, brightens every day I work here.

There are inevitably bittersweet moments when it is time for some trusted members of your team to move on to other careers, graduate school, or move to follow their families. Today in my office we are celebrating one such moment.

Michael Harold has been in our office for over 7 years in positions of increasing responsibility until ultimately becoming our Legislative Director.

He is preparing to leave for graduate school. Long before he assumed the management of our legislative operations, Michael had made significant impacts far beyond my office. One specific area that he carved out was international water and sanitation.

Thanks to Michael's heroic efforts on the Paul Simon Water for the World Act and dealing with funding for related programs, literally millions of lives will be saved.

Another key achievement has been Mr. Harold's personal commitment to the Special Immigrant Visa Program to protect those Iraqis and Afghans who put their lives on the line to help American personnel as drivers, interpreters and guides under the most difficult of circumstances.

Michael understood and fought for their protection to avoid leaving those who are relying on us to the tender mercies of the Taliban and al Qaeda.

Now, one would think that that would be a relatively simple issue. They risked their lives to help us. We made a commitment to protect them. But it became hopelessly confused and complex, with frayed nerves, long hours, and frustration.

Now, unlike his work on international water and sanitation, which was massive, long term, and dealt with millions of people he would never meet, this was intensely personal.

There were a few thousand people, having been confronted with the most personal and searing examples, often on a one-on-one basis. But whether it was saving millions with water policies or saving thousands with Special Immigrant Visas, Michael was relentless. He managed key efforts on public broadcasting and started our Neuroscience Caucus. I could go on and on.

He was resolute, focused, and determined. He built a network of partners at the staff level with legislative leadership, with the committee staff, and other member offices in both the House and the Senate.

It was a textbook example of how progress on often overlooked sets of issues have profound consequences for the United States' credibility, our moral standing, and for future generations around the world.

Michael and his wife Brynne are pursuing new academic and career opportunities in Boston that will make them more effective in the long run, but also enable the ability to share their attitude and experience and effectiveness, the results of his model, that so much of the public will never see that takes place behind the scenes.

While Members are obviously essential to the process, it is absolutely critical that men and women like Michael Harold make it happen.

It has been amazingly satisfying for me to watch Michael progress professionally, to marry, start a family, all the while advancing some of the most consequential actions in Congress.

Everyone who works with Michael Harold knows what he has done and appreciates all his special efforts to make the world and Capitol Hill a better place.

PENNSYLVANIA HUNTERS SHARING THE HARVEST

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize an important program which is assisting needy Pennsylvanians at a pivotal time of the year.

In my State, this is deer season, with hundreds of thousands of Pennsylvanians estimated to participate through the end of this week.

It is also the holiday season, which is, of course, a very difficult time for people across the Commonwealth who are less fortunate.

This is why the Hunters Sharing the Harvest is so important. Through this program, hunters across Pennsylvania can take a deer they have harvested to a participating meat processing facility, and it will be donated to a food pantry, a soup kitchen, or other organization which assists the needy.

This program is in its 24th year of assisting people across the Commonwealth of Pennsylvania. One deer alone can provide enough meat for up to 200 meals. Last year more than 2,300 deer were donated, amounting to nearly 100,000 pounds of venison.

This is a season of giving, and I am proud of the hunters, the meat processing facilities, and charitable organizations across Pennsylvania who are participating in this program.

THE URGENT NEED FOR CONGRESSIONAL ACTION ON PUERTO RICO

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Mr. Speaker, as my colleagues are aware, the heavily indebted U.S. territory of Puerto Rico is ensnared in a severe economic crisis.

My constituents are not responsible for this crisis, but they are its primary

victims. I know they would prefer to live, work, and raise a family in Puerto Rico, but thousands are departing for the States every month in search of quality of life, which is not available in Puerto Rico. Each time an individual leaves because they feel compelled to go, it represents a small human tragedy.

I have participated in five congressional hearings on Puerto Rico this year. The message I delivered about the roots of the crisis was clear and consistent. I have acknowledged that, over the years, Puerto Rico's leaders, with a few exceptions, have demonstrated a lack of discipline and transparency in managing Puerto Rico's public finances. For this, we have no one to blame but ourselves.

But, as I have reiterated time and again, the crisis has a second, equally significant source. It is the relationship between the Federal Government and Puerto Rico, which is like the relationship between a master and his servant.

This relationship is a national disgrace. It denies my constituents, countless numbers of whom have served this country in uniform, the fundamental right to vote for their national leaders. Remember this the next time you hear our country lecture another country about the importance of democracy.

As an advocate for statehood for Puerto Rico, I am a proud American citizen. But protesting the mistreatment of my people will always take precedence over being polite.

The relationship between the Federal Government and Puerto Rico allows you to treat us decently when it suits you and to treat us poorly whenever it does not. We live at your whim, subject to your impulses, which are bound by virtually no legal rules or moral standards.

If there is a silver lining in this crisis, it is that the crisis has caused a clear majority of my constituents to conclude that the relationship between the Federal Government and Puerto Rico must change.

Puerto Rico must have equality in this Union or independence outside of it. No longer should we be reduced to begging this Congress for crumbs and hoping you throw some our way. We must get off our knees, stand up straight, look you in the eye, and say ''No more.''

However, until Puerto Rico becomes a State or a sovereign nation, our fate rests largely in the hands of Congress. I have introduced a series of bills that would empower Puerto Rico to help itself. These bills don't seek a handout or special treatment. They seek the same or similar treatment as the States receive under the Federal health and other safety net programs, Federal tax credit programs, and the Federal law that authorizes debt restructuring.

If Congress declines to act, it will not be because my colleagues did not have options to choose from. It will be because they made a conscious decision not to choose at all.

Federal action is necessary to prevent a default by the Puerto Rico Government on its obligations to creditors, which would be catastrophic for all parties. To avoid this outcome, Congress should authorize Puerto Rico to restructure a meaningful portion of its bonded debt, but in a way that honors the territory's constitution.

Such authority can be provided at no cost to American taxpayers. If it is, I will not oppose the creation of a temporary, independent board that respects the Puerto Rico Government's primary role in crafting its budget and making fiscal policy, but that is authorized to ensure that the Puerto Rico Government complies with appropriate budgeting standards and fiscal metrics.

Ultimately, what Puerto Rico needs is good elected leadership, not heavy-handed Federal intervention that further erodes democracy in the territory. It is in the national interest for Congress to act and to act now.

OBAMACARE IS COSTING JOBS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACK) for 5 minutes.

Mrs. BLACK. Mr. Speaker, just this past week the nonpartisan Congressional Budget Office confirmed again what we already knew: ObamaCare is costing jobs. Yes, 2 million of them over the next 10 years, to be exact.

But those aren't just numbers. Represented within this study are real people whose lives and livelihoods are being upended by a Government-knows-best law that, more than 5 years later, still remains underwater with the American public.

We saw a real-life picture of the damage of ObamaCare in my home State of Tennessee when a Music City institution, the Noshville Deli, announced this week that it would close its doors after 19 years because of the onerous mandates and high cost of this law.

The restaurant's owner, Tom Loventhal, said this: The administrative time and cost of managing a mandated healthcare insurance in the restaurant industry create an untenable burden, and that's before the cost of premiums.

He goes on to say: I've spent many hours, including some sleepless nights, trying to find a solution, but I can't find one.

Mr. Speaker, the Noshville Deli is one of a kind, but, sadly, its story is not. It is being repeated across the country every single day.

While I continue to believe that the only real solution to the damage of ObamaCare is to repeal this law, root and branch, I am pleased that the House and the Senate have passed a reconciliation bill combating the most onerous portions of this law.

When we put this bill on the President's desk, I hope he will think of the real people, like Tom and the employees there at the restaurant, who are being hurt by ObamaCare.

□ 1015

The next time that my colleagues across the aisle want to call ObamaCare a jobs bill, as Leader PELOSI infamously said, I would invite them to come to the Noshville Deli, where they can get a good meal and a healthy dose of reality. But they had better do it quickly because, thanks to their votes, time for this beloved Nashville icon is running out.

DENYING FIREARMS AND EXPLOSIVES TO DANGEROUS TERRORISTS ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Connecticut (Ms. ESTY) for 5 minutes.

Ms. ESTY. Mr. Speaker, we are approaching the third anniversary of the day 20 6- and 7-year-old children and 6 brave educators were gunned down at the Sandy Hook Elementary School in my district in Newtown, Connecticut.

Many advocates and families from Newtown are here in Washington this week. They are joining with survivors and families of victims all across America. We are holding a vigil tonight—the third, sadly. The third annual national vigil to end gun violence will be held at St. Mark's Church near Capitol Hill. The vigil will be held from 7 to 8:30 p.m., and I encourage all of my colleagues and staff members to join us.

Mr. Speaker, the Members of this House should spend more time with the families and victims of gun violence. I say that because, in the 3 years since the shootings at Sandy Hook, the majority of this House hasn't even allowed a single vote—not one vote—on gun safety legislation. It has now become the habit that, after every new, tragic mass shooting that claims the lives of more innocent Americans, this House merely acknowledges a moment of silence and then goes back to business as usual.

I am heartsick, and I am outraged. Every time one of these mass shootings happens, people are retraumatized in my communities: the families, the first responders who went into the school, all of us. It is appalling and it is unacceptable that this keeps happening in America, and this Congress, the American Congress, does nothing.

Mr. Speaker, the time has passed for moments of silence. It is time for days of action. As vice chair of the House Gun Violence Prevention Task Force, I am working on several commonsense measures, bills that would help prevent

gun violence in this country while respecting and protecting the Second Amendment. It is time for congressional leaders to bring these bills to the floor to allow a vote.

The cost of the inaction is being paid by American families all across this great Nation. The families of victims and survivors of gun violence deserve a vote. They deserve a vote on a bipartisan bill that will close background check loopholes and save lives. They deserve a vote on legislation to end the prohibition on Federal research funding for public health research on our gun violence epidemic, and they deserve a vote on a bipartisan bill this week to close the loophole that allows suspected terrorists to walk into a gun shop and legally buy a weapon.

More than 2,000 suspects on the FBI terrorist watch list have successfully bought guns in the United States in the past 11 years. I am a cosponsor of the Republican bill to fix this. H.R. 1076, the Denying Firearms and Explosives to Dangerous Terrorists Act, would bar the sale or distribution of firearms to anyone the Attorney General has determined to be engaged in terrorist activities.

The time for silence is over. We in Congress have a sworn duty to protect and defend the American people, but that is not what we are doing when we observe a moment of silence and do nothing.

Mr. Speaker, I ask unanimous consent that the House bring up H.R. 1076, the Denying Firearms and Explosives to Dangerous Terrorists Act.

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the House is in session solely for the purpose of conducting morning-hour debate. Therefore, that unanimous consent request cannot be entertained.

Ms. ESTY. Mr. Speaker, I will therefore stand quietly for the remainder of my time to protest the appalling silence and inaction of this House's refusal to take meaningful action to protect the American people from the ravages of gun violence.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

HONORING KIRK P. GREGG UPON HIS RETIREMENT AS EXECUTIVE VICE PRESIDENT AND CHIEF ADMINISTRATIVE OFFICER, CORNING INCORPORATED

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. REED) for 5 minutes.

Mr. REED. Mr. Speaker, I rise today to talk about a great company in my district, Corning Incorporated, an American company that has risen over its 164-year history to become one of the most innovative manufacturers in the world. But, Mr. Speaker, in particular, I rise to take a moment to honor one of the individuals of that company that has made it one of the leading manufacturers across the world. That individual is Kirk Gregg, Corning's executive vice president and chief administrative officer, who is retiring from the company after 22 years of executive leadership.

Over his tenure, Kirk has made an enormous contribution to the company's success and to the community's development. I am most grateful to Kirk for his unparalleled commitment to the community. He has had an enormously positive impact on our constituents and our extended family who live in the district.

Mr. Speaker, Kirk joined Corning in 1993 and was named chief administrative officer in 2002. The same year, he was appointed to serve on Corning's management committee, a small, very senior group of executives who lead the company on a day-to-day basis. Over the last decade, Kirk has risen up the corporate ladder to become the third highest ranking executive in the company.

As chief administrative officer, Kirk has built the core infrastructure that makes Corning efficient and effective. He has had global responsibility for the corporate staff, including human resources, information technology, supply management, transportation, business services, community relations, government affairs, and aviation—a long list indeed. In total, he has managed over $1 billion annually in corporate infrastructure, making Corning's staff one of the top performers among its peers in the country's corporate community.

It has been Kirk's work for the community that distinguishes him among the corporate leaders and for which I am most grateful. He has played a huge role in meeting the needs of New York's southern tier. For 17 years, he chaired the Three Rivers Development board, attracting tens of millions of dollars of investment to diversify the local community and create jobs. For 15 years, he led the Corning Classic LPGA tournaments, raising millions of dollars for our area hospitals. And statewide, he served for a decade on the board of directors for the Business Council of New York State, 2 years as the board's chairman. Last, but not least, he has been an enthusiastic supporter of our local charities, cultural institutions, and human service organizations.

Mr. Speaker, every Member of Congress seeks the perspective of people with broad insight into and who would contribute generously to the communities we represent. For me, Kirk is one of those rare people. He understands the people, the community, and the responsibility that corporate leaders have to support their local institutions. At the same time, Kirk is modest and self-effacing. Kirk is one of those people who works quietly and effectively to make our communities better.

Mr. Speaker, I am very happy to call Kirk Gregg my friend. I know that I speak for the entire southern tier-Corning, New York, community when I thank him for his citizenship and service. We wish him and his wife, Penny, the very best in a well-deserved retirement. May they enjoy many more happy days entering this new chapter in their great lives.

CLIMATE CHANGE IS THE GREATEST THREAT TO OUR PLANET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona (Mr. GALLEGO) for 5 minutes.

Mr. GALLEGO. Mr. Speaker, as the world looks to its leaders convened in Paris this month to act on the greatest threat to our planet, I rise today in support of a strong and fair global climate agreement. Now is the time to demonstrate our leadership and our obligation to the security and protection of our communities and our economy by committing to a robust agreement that puts us on a safer path for future generations.

Last week, Mr. Speaker, House Republicans showed the American people, once again, where they stand when it comes to tackling the threat of climate change. By casting political votes against the Clean Power Plan, their message is loud and clear that any meaningful action will be met with attacks and political theater.

Mr. Speaker, political theater does nothing to stop rising sea levels, extreme weather, and land erosion. Failure to act will risk American economic prosperity and will disproportionately impact the poorest and most vulnerable communities across our Nation.

In the American Southwest, Latino and African American populations are more vulnerable to heat exposure and heat stress due to factors like substandard housing and the lack of affordable utility costs. Native American communities face additional unique challenges. They rely directly on natural resources for food, medicine, and jobs, all of which are expected to be negatively affected by climate change. These communities have all called for action on a national and international scale, and we must listen.

Mr. Speaker, my Democratic colleagues on the Natural Resources Committee have called on the Republican leadership to tackle this problem. But time and time again, we have been met with silence and inaction when it comes to discussing and acting on these critical issues. We must do better. Around the world, nations are looking to the United States for leadership on this serious issue. We must step up and join other nations who have already made commitments to act on climate change.

The facts are clear: Action on climate change will not undermine our economy; it will support economic growth. In fact, acting will produce real benefits for our environment and our economy, including new businesses, better jobs, lower poverty, and reduced mortality rates. And businesses agree.

Last week, in a full-page ad in The Wall Street Journal, over 100 top companies, including Coca-Cola, Microsoft, Sprint, and DuPont, all called for strong action to tackle climate change in order to minimize climate risk and boost the economy. These businesses recognize what I hear from folks in my district from Phoenix and across Arizona: The time to act is now. We must build on the progress made in Paris.

Mr. Speaker, I stand with the scientific, environmental, and public health communities who all agree that Paris must be the floor, not the ceiling, of our ambition. If the world takes a step forward in Paris, our partners will be prepared to build stronger climate policies and agreements moving forward. Local governments, States, and businesses will be empowered to reaffirm their commitments to low-carbon pathways for decades to come.

Some argue that America cannot lead on climate. Mr. Speaker, America led the way into space, to the creation of the Internet and computers, to cellphones and so much more. We can and must lead into this new energy future. Our innovations and our leadership are going to fuel a cleaner and safer environment and economy, and our policies must reflect these realities.

When future generations look back on the progress made in Paris, I hope it will be to thank us for what we have accomplished in order to leave them a healthier and safer environment. Let's not let politics and grandstanding prevent us from taking responsibility for the planet we are leaving behind for our children and our grandchildren.

MENTAL ILLNESS AND GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Pennsylvania. Mr. Speaker, next week is the third anniversary of the sad tragedy at Sandy Hook Elementary School; but it is also time to recall all those other cities in America where tragedies have occurred: Tucson, Colorado Springs, Lafayette, Charlotte, Chattanooga, Dallas, Houston, Roseburg, Isla Vista, the Navy Yard, and closer to my district in Pittsburgh, Franklin Regional High School.

What is common among these tragedies is the lives lost. I keep in my office photographs of some of the children whose lives were lost at Sandy Hook—Benjamin Andrew Wheeler, Dylan Hockley, and Daniel Barden—as well as those of teachers and other people from the school. A day doesn't go by that I greet them in the morning and throughout the day and remember their lives, snuffed out too early.

But, sadly, the body count is more than just them when it comes to dealing with what people with severe mental illness and violence do. The body count this year is amazing. There will be 41,000 suicide deaths, 43,000 deaths from drug overdose, perhaps 1,000 to 1,500 homicides, perhaps a couple hundred people who encounter the police and are mentally ill and end up with their death, an unknown number of homeless who die that slow-motion death of homelessness, and those who are mentally ill that die 25 years sooner because of other chronic illness.

The body count this year will be greater than the U.S. combat deaths in Korea and Vietnam combined. Will that wake us up to do something in this Chamber?

□ 1030

There are several things we must do:

We must reform the agency called SAMHSA, which has used Federal money over the years for the most ludicrous and preposterous things; from designing art for pillowcases to collages and other aspects. We must reform the 112 Federal agencies that we pump money into every year to deal with mental illness. We have to deal with the shortage of beds. We have to get rid of the same-day doctor rule. We have to bring in more psychiatrists and psychologists who can provide treatment. We have to provide more early intervention and prevention, a greater workforce. And this Chamber has to stop postponing action on reforming our mental health system and bring to the floor H.R. 2646.

I have been working with a wide range of Democrats and Republicans over the last couple of years to reform this bill, revise it, and perfect it. But at some point, if we are serious about helping those with serious mental illness, we have to bring it for action.

Part of what happened is we closed all these asylums years ago and thought that if we provided some treatment for people, things would get better. States failed to provide that treatment. We shut down hundreds of thousands of psychiatric hospital beds and leave people still dumped into a system where they don't get care.

Our current mental health system is hugely discriminatory. The most fundamental, dangerous, and destructive hidden undercurrent of prejudice is low expectations; that your disability is as good as it gets. The shift to consider changes in how we treat severe mental health is a pendulum swinging the other way.

The grand experiment has failed of closing down all the institutional care and stopping all treatment. It is a principle that operated under the misguided self-centered and projected belief that all people at all times are fully capable of deciding their own fate and direction, regardless of their deficits and disease, and that the right to self-decay and the right to self-destruction overrides the right to be healthy.

Those children at Sandy Hook had rights. The people throughout the country who are mentally ill have the right to be well and not just the right to be sick.

But to maintain the current philosophy that many have, we abdicate comfortably our responsibility to action and live under the perverse redefinition that the most compassionate compassion is to do nothing at all.

It further bolsters the most evil of prejudices that a person with disabilities deserves no more than what they are. Under that approach, no dreams, no aspirations, no goals to be better can even exist. Indeed, to help a person heal is a head-on collision with a bigoted belief that the severely mentally ill have no right to be better than they are and we have no obligation to help.

This is the corrupt evil of the hands-up approach in the anti-treatment model. That perversion of thought is embedded in the glorification that to live a life of deterioration, paranoia, filth, squalor, and emotional torment trumps a healed brain and a true chance to choose a better life.

We have to change this trajectory. When we leave for the holiday period here, we will go by another month before we can bring this bill to the floor. Two hundred and forty people will die each day being a victim or perpetrator because of the mentally ill. For goodness sake, if we are going to do anything to help this country, Mr. Speaker, let's bring H.R. 2646 for a vote on this floor and fix this problem in America.

TERRORISM AND ISIS STRATEGY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mississippi (Mr. PALAZZO) for 5 minutes.

Mr. PALAZZO. Mr. Speaker, I rise today to address the imminent danger facing our Nation in the wake of the terrorist attacks in California.

Earlier this week, the President addressed the country to talk about the impact of the Islamic State and the attacks in California. From what I saw, he gave his usual very brief and very naive analysis of the threat of global terrorism. Yet, once again, he still failed to provide any actual plan or strategy.

He made very clear that he believes his plan is working. He talked a lot about how we would continue to do the same things we have been doing for months. Meanwhile, ISIS continues to

grow, expanding their influence, and hitting targets far from their home in Syria.

It is unfortunate that very few people I have spoken to feel surprised by the lack of focus and direction coming from the White House. This is the same President that has been dismantling our military piece by piece. He has continued to push for unsustainably low funding for our military in favor of social programs, while making dangerous deals that jeopardize the safety and security of our Nation and our allies overseas.

All the while, he claims to be putting the safety and security of the American people first. It seems abundantly clear to me and the rest of the country that the most important thing to this President is his personal legacy of instituting social change and other liberal wish-list items.

During the same address, where he claimed all of his plans were working and we should continue along the same course, he also argued that part of the solution to Muslim extremism was more gun control here in America. Obviously, the President's memory is pretty weak. The Boston bombers did unthinkable harm with household items. The San Bernardino terrorists—yes, terrorists—had a dozen pipe bombs in their residence. These people are dedicated to destroying the West and instituting a caliphate. Do you really think that telling them that they can't buy an AR–15 is going to stop them from hurting people?

Let me be clear: this is not a gun issue. This is a terrorism issue. To combine the two is a blatant attempt to capitalize on a tragedy that should be looked at with disdain. But you never know. It wasn't too long ago that Rahm Emanuel, former chief of staff to President Obama, would always remind his party to ''never let a good crisis go to waste.''

This isn't the first time though. Last week, while everyone was talking about the terrorist attack in California—and despite pleas from the Marine Corps to make exemptions to certain military occupational specialties—the Secretary of Defense made the historic, but unbelievably dangerous, decision to open all combat jobs to women.

But if there is one thing the President loves to do, it is to ignore his senior military leadership. Many people believe that the emergence of ISIS is directly related to his premature withdrawal from Iraq, and I agree.

These are just a few examples of the AWOL nature of this President. But in this case, AWOL stands for ''absent without leadership.''

What happened in Paris and here in California was a brutal reminder of just how dedicated our enemy is in fighting this war against us. Yet, the President only acknowledges it as a setback, similar to how he refused to acknowledge ISIS at all over a year ago. And when he finally did, he brushed it off, calling them the JV team. The night before the Paris attacks, he stated that ISIS had been contained.

This President is either delusional or unbelievably misinformed. Either way, it does not inspire confidence for the next year of his Presidency. Now here we are. He was wrong then, and he is wrong now.

Mr. Speaker, while the President held his annual holiday ball on Monday night, I held a tele-town hall with my constituents. When asked if they felt more safe or less safe under this administration's handling of our national security and foreign affairs, 92 percent of my constituents said they felt less safe, and 73 percent said that we should do anything in our power to destroy ISIS. I have got to say, this is a clear message that I think would resonate nationwide.

Time and again, the President, our Commander in Chief, has proven to be oblivious to the real threat that ISIS poses to our national security. He said that what we are doing is working, when it is clearly not.

Folks, we are under attack, and we cannot be afraid to call it what it is: This enemy is radical Muslim extremism.

The American people don't feel safe under this President's failed policies. The time has come to change course in this new war against ISIS, secure our borders, halt the Syrian refugee program, and start listening to the American people.

The SPEAKER pro tempore. Members are reminded not to engage in personalities toward the President.

REMOVE ESSURE FROM THE MARKET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, I rise today to tell the story of Angie Firmalino of Tannersville, New York, one of the tens of thousands of women harmed by the permanent sterilization device, Essure.

Essure is a nickel-based coil that is designed to be inserted into the fallopian tube and cause tissue scarring, leading to blockage of the tube. However, tens of thousands of women have complained of terrible side effects and excruciating pain. Women have died. And when the device has failed and women have become pregnant, this device has killed their unborn child. Yet, despite its failings, this device remains on the market with the full support of the Food and Drug Administration and industry.

In 2009, 3 months after the birth of Angie and her husband's last child, she underwent the Essure procedure. While the procedure itself was extremely painful, the pain didn't stop when she went home, as she began having side effects immediately thereafter.

For almost 2 years, Angie suffered from a sharp, stabbing pain in her lower left side, back pain, heavy and constant bleeding, joint pains, fevers, fatigue, and depression. Her doctor reassured her that it was just her body recovering from the pregnancy, C-section, and Essure procedure, and that she would eventually get back to her old self. That did not happen.

In 2011, after nearly 2 years of pain and complications, Angie's doctor ordered an ultrasound to try to determine a cause. What was discovered was shocking. An Essure coil had dislodged itself from her right fallopian tube and had become embedded in the wall of her uterus. Meanwhile, the left coil was almost completely expelled, but twisted and coiled. These were the causes of her pain.

Overwhelmed and alone, Angie tried to comprehend the situation. She was never told that the coils could expel, migrate, or embed in other organs. She wondered how this could happen. Searching online for answers, she found little information and little comfort.

It took Angie weeks after identifying the problem to find a doctor she felt comfortable with for the removal surgery. With no information available about Essure removal, Angie located a doctor who seemed to know what they were doing and seemed to have a plan for the device's removal. Unfortunately, during the procedure, the Essure coils broke as they were removed, sending metal fragments, like shrapnel, further into her body.

In the years since, Angie has undergone four surgeries directly resulting from Essure, and eventually lost her fallopian tubes, uterus, cervix, and one ovary. And as her joints mysteriously began deteriorating, she has undergone an additional three surgeries on her joints.

Today, after a hysterectomy and surgery after surgery, Angie still lives with daily, chronic pain, joint issues, and debilitating headaches. And while some of her pain may be gone, the emotional scars have stayed with her.

At the age of 43, the mother of four, Angie says she is still not, nor will she ever be, her old self. But as a result of all this pain and suffering, she was able to do something pretty incredible: Angie started a Facebook group called the Essure Problems Group—something to fill the void that she found. It was a place to tell her story and to see if others had been impacted the same way that she had.

Mr. Speaker, in the years since, this online community has surged to more than 24,000 members. Sadly, Angie now knows that she was not alone. Every day, this group connects women living

through their own Essure nightmares; and every day, Angie is brought to tears at seeing the stories, many so similar to her own, of thousands of women around the country. Together with her Essure sisters, they now work toward one common goal: to remove this dangerous device from the market so that no more women are harmed.

I am proud to rise today as a voice for these women, to tell the Chamber that their stories are real, their pain is real, their fight is real. If the manufacturer or the regulatory industry tasked with oversight won't act, then we, as representatives of the thousands of harmed women, must act.

That is why I rise in support of the E-Free Act, a one-page bill to remove Essure from the market by forcing the Food and Drug Administration to revoke the pre-market approval that let this product into the public back in 2002.

Mr. Speaker, the E-Free Act can halt this tragedy. I urge my colleagues to join this fight because stories like Angie's are too important to ignore.

HOLY ANGELS

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. MCHENRY) for 5 minutes.

Mr. MCHENRY. Mr. Speaker, I rise today to recognize two fine institutions in my home community that I grew up in: Gaston County, North Carolina. I grew up in that community and spent most of my life living in Gaston County, and there is an incredible story.

Beginning in 1955, a newborn baby named Maria Morrow was brought to the Sisters of Mercy's motherhouse in Belmont, North Carolina.

□ 1045

Maria was born with severe physical disabilities, and her mother was overwhelmed and unable to care for her. The Sisters of Mercy nuns took Maria in, and, thus, Holy Angels was born.

As word about Maria spread throughout the community, State—and country, in fact—more children with special needs began arriving at Holy Angels. As each new child arrived, the Sisters of Mercy worked to meet their needs. Funds were raised, and the necessary facilities were built. Over time, more professional nursing and medical staff were hired. Today, Holy Angels provides full-time resident care as well as physical therapy, day programs, and vocational programs through their Cherubs Cafe and Life Choices locations.

Holy Angels' CEO, Dr. Regina Moody, and her dedicated team of professionals continue to fulfill the promise that the Sisters of Mercy made when they took Maria in 60 years ago. That promise is now enshrined in Holy Angels' motto: Loving, living, and learning for the differently able.

Holy Angels has been serving those in need for 60 years, and their timeless spirit will be around forever in the families they have touched, in the lives they have touched, and in how they have helped shape our community in Gaston County. I honor Holy Angels, and I thank them for their service, not just for those people in their midst for whom they are providing care, but for what they mean to our community.

TONY'S ICE CREAM

Mr. MCHENRY. Mr. Speaker, we also hear stories of small businesses being around for 10 or 20 or 30 years, and it is amazing, in and of itself, that a small business can survive that long. In my hometown of Gastonia, North Carolina, Tony's Ice Cream has been a landmark for over 100 years. In fact, this year marks its 100th anniversary.

In 1915, an Italian immigrant named Carmine Coletta began Tony's as a horse-drawn wagon that served ice cream to those in Gastonia's Loray Mill Village. Eventually, the first store was opened and took the name ''Tony's'' in honor of Carmine's brother-in-law, who managed the store. The current location was built in the 1930s and now is run by Carmine Coletta's grandson and his children. Generations of Gaston County kids—me included—have grown up knowing there is no better milkshake than one from Tony's. In fact, my favorite is chocolate.

To the Coletta family, I thank them for their service to our community. Really, building an enduring institution for a century is such a significant achievement, especially given the challenges that we face as a country and with the economy. They have meant a lot to their employees. They have also meant so much to generations of children, like me and so many others, in what they have provided.

I thank the Coletta family, and I honor them on their 100th anniversary. I also thank Holy Angels, on their 60th anniversary, for their significant contribution.

Mr. Speaker, it is an amazing place in which to grow up, Gaston County. It has such great values and also wonderful institutions there that I learned so much from as a child, growing up there with my two brothers and two sisters and my parents, from whom I learned so much. So I take this moment to recognize these fine institutions in Gaston County.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 48 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BOST) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Merciful God, we give You thanks for giving us another day.

Recent events and current international tensions have many living in fear. Continue to be ''God With Us'' through these days of contentious debate around the issue of our security.

As true statesmen and -women, may the Members of this assembly find the fortitude to make judgments to benefit all Americans at this time, and protect those who are vulnerable from those who would do them harm.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Maine (Ms. PINGREE) come forward and lead the House in the Pledge of Allegiance.

Ms. PINGREE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests

for 1-minute speeches on each side of the aisle.

FAREWELL, JACOB BARTON

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, today I am grateful to express my appreciation for Major Jacob Barton. He has been serving in the office of South Carolina's Second Congressional District on loan from the Army for the past year as a defense fellow.

Major Barton enlisted in the United States Army in 1996 and quickly distinguished himself, being commissioned as an intelligence officer in 2005. He served as a member of the 75th Ranger Regiment from 2006 to 2013, with 3 years' service in Iraq. He is also an esteemed scholar, earning two bachelor's degrees, a master of arts in national security, a master of professional studies in legislative affairs, and a doctor of philosophy in public policy administration. Jacob's extensive experience has been successful for the American people.

Beginning in January, Mr. Speaker, Major Barton will serve as a legislative liaison within the program's division of the Office of Chief Legislative Liaison, specifically working on the intelligence portfolio. I wish him and his wife, Darlene, and their four children, Douglas, Nya, Alyssa, and Jene, all the best in the future. Godspeed.

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

FOOD RECOVERY ACT

(Ms. PINGREE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PINGREE. Mr. Speaker, every day in kitchens across the country, someone pulls a can of soup right out of their cupboard or a box of pasta off the shelf. They look at the ''best by'' date on the package, and then they try to decide whether to throw it out or not. Is the food no good because it is past the date, or does it still have weeks or even years of shelf life left?

Too often perfectly good food gets thrown out, contributing to the 40 percent of all food that is wasted every year in this country. Much of it ends up in a landfill, where it produces methane, a potent greenhouse gas.

Currently, Mr. Speaker, there is no standard for date labeling, which is one reason I have introduced the Food Recovery Act this week. My bill has nearly two dozen proposals to reduce food waste, including a provision that would require manufacturers who do put a date on their food to include the words ''manufacturer's suggestion only.'' It doesn't mean that the food is bad just because the date has gone by.

Mr. Speaker, if we cut food waste by just 15 percent and direct the food that would be wasted to those in need, we can reduce the number of Americans struggling with hunger by one-half. I urge my colleagues to join me to help reduce food waste in the United States.

GEORGE CANON AND FRED MONROE

(Ms. STEFANIK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. STEFANIK. Mr. Speaker, I rise today to honor two giants of our Adirondack community. George Canon and Fred Monroe have led distinguished careers fighting to protect their constituents over the past quarter century. I had the honor of celebrating their public service at a meeting of the Adirondack Association of Towns and Villages just this past weekend, a critical organization to our region that they helped create.

Fred Monroe has been the supervisor of the town of Chester since 1992, overseeing a cultural, commercial, and environmental revitalization of the town and being one of our foremost leaders on the issue of combating invasive species.

George Canon has been serving the town of Newcomb as supervisor for 13 terms, working to preserve the town's history and architectural treasures, including the Santanoni Great Camp.

Mr. Speaker, these two men are true godfathers of the Adirondacks, and it is my pleasure to honor them and celebrate their distinguished careers today.

CLIMATE CHANGE

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, right now, representatives from 195 nations are gathered in Paris to talk about the future of this planet. I am hopeful that these climate talks produce a strong commitment to reduce greenhouse gas emissions and tackle climate change, because the impacts of climate change have moved from theory to fact.

Now, there are some in this building who still want to debate this. For those who want the Paris talks to fail, I have a simple request: Come. Come visit my region. Come to the Pacific Northwest.

I would ask them to visit a tribal village a stone's throw away from the Pacific Ocean where water continues to rise toward homes, cultural centers, and sacred sites. I would ask them to come and visit with shellfish growers whose futures and the jobs that are tied to them are at risk because of changing ocean chemistry. I would ask them to talk to folks who are threatened every single year by wildfires. And I would ask them to talk to military leaders who view climate change as what they call a threat multiplier.

For a brighter future for my daughters and for all of our children, it is a good thing that the United States and the rest of the world are taking steps to confront this challenge.

JEWISH NATIONAL FUND

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, today I rise to recognize the Jewish National Fund, an organization that works tirelessly to advocate for the safety and security of the people of the State of Israel.

Just one example of the amazing work that the JNF is doing is a pilot initiative to ensure the safety of the Israeli children in the town of Sderot. Residents of the town of Sderot have endured constant rocket attacks from the Gaza Strip.

Children have grown up with the psychological trauma that comes from living under the constant threat of attack. Because they must always be within about 15 to 30 seconds of a rocket shelter, even an afternoon in the park is dangerous.

In response, Mr. Speaker, the JNF built a 21,000-square-foot secure indoor playground at a community center in Sderot. The recreation center has provided young people with a safe place to simply be kids again, and also it provides parents with the peace of mind that their children are safe from terror.

Mr. Speaker, I look forward to continuing to work with the JNF and thank them for all that they do.

MODERN DINER

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, the Modern Diner in Pawtucket, Rhode Island, was recognized last week for its legendary custard French toast, which the Food Network named the best diner dish in America.

Rhode Island is the birthplace of the diner, with the first horse-drawn canteen established in Providence by Walter Scott in the year 1872.

Since 1940, Mr. Speaker, the Modern Diner has been a landmark for the city of Pawtucket. Situated in a vintage Sterling Streamliner, the Modern Diner is known for its breakfast specials and great meals.

In the late 1980s, it became the first diner to be placed on the National Register of Historic Places. Last week's award told the world what Rhode Island already knows—that the Modern

Diner and its offerings are second to none.

Mr. Speaker, as a regular patron of this noteworthy establishment, I want to applaud Modern Diner owner Nick Demou on this significant recognition. I look forward to celebrating with him and his staff on my next visit to the Modern Diner.

HONORING VIRGINIA TECH'S COACH FRANK BEAMER

(Mr. WITTMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WITTMAN. Mr. Speaker, I rise today to honor Virginia Tech's Coach Frank Beamer, who, after 29 years, will retire at the end of this season as a football coach, mentor, friend, and role model on and off the field.

Coach Beamer was a 3-year starting cornerback for the Hokies, and after taking over as the Hokies' head coach in 1987, he built the football program at his alma mater into a national power. Coach Beamer stands as the winningest active Division I football coach and the sixth all-time, with 279 career wins.

Mr. Speaker, during his 29 years at Virginia Tech, he has 237 victories and has guided the Hokies to four ACC titles, 3 Big East championships, 6 appearances in BCS bowl games, and has posted 13 seasons with 10 or more wins. At the end of this month, Virginia Tech will play in a bowl game for the 23rd consecutive year under Beamer's lead, the longest current streak in college football recognized by the NCAA.

Beamer has been the face of the Hokie football team and the Virginia Tech community as a whole for many years, and he will certainly be missed.

Thank you, Coach Beamer, for all that you have contributed to Virginia Tech, to Blacksburg, and to the game of college football.

RECOGNIZING THE CAREER OF D. PATRICK CURLEY AND HIS 50 YEARS OF SERVICE TO WESTERN NEW YORK

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, I rise to recognize the career of D. Patrick Curley and his 50 years of service to western New York.

Pat Curley was born and raised in Buffalo. After a stop at Boston College to earn a mathematics degree, he returned home and became an instructor at D'Youville and Canisius Colleges.

In 1977, Pat started a consulting company where, for decades, he helped western New York businesses stay competitive in the global marketplace.

Pat served on the board of the New York Power Authority and was elected to three terms on the Orchard Park Town Board. He has served in leadership positions for more than two dozen charitable organizations; and for the past 46 years, he has been a member of the Orchard Park Volunteer Fire Company, where he has responded to more than 5,000 emergency calls.

Pat has had a varied career, but the common thread in his life and his work has been his love for his family and western New York.

So, Pat, on behalf of a grateful community, please enjoy your well-earned retirement.

CONGRATULATIONS OSSEO HIGH SCHOOL FOOTBALL

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise today to congratulate the Osseo High School football team for winning the Minnesota State title with a tight victory over East Ridge in the championship game.

The Orioles showed heart with close victories in both the semifinals and in the title game. With only 24 seconds left on the clock, Osseo scored the game-tying touchdown, and the successful extra point gave them the victory and State championship.

Osseo's State run had the entire town buzzing as they sent off the team with a parade before the championship game.

Mr. Speaker, winning a State title is only possible with years of dedication and hard work. At the same time, these student athletes must focus off the field as well, at the same time, in order to succeed in the classroom and make a positive impact in the school community.

The families, friends, and fans of the players at Osseo High School should all be very proud of their fantastic season.

Congratulations to the Orioles on their successful State championship.

□ 1215

TAKE ACTION TO END GUN VIOLENCE IN OUR NATION

(Mr. MCNERNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCNERNEY. Mr. Speaker, last Wednesday, December 2, the Nation was devastated by another mass shooting in San Bernardino, California. On December 2, there were three mass shootings in the United States. The fact that this violence is routine and ordinary is incomprehensible.

Mr. Speaker, it is particularly incomprehensible that people who are on the no-fly list are able to legally purchase assault weapons. How is it that someone considered too dangerous to fly is able to purchase an assault weapon? There is a solution, though, Mr. Speaker. A bill proposed by PETER KING of New York will not allow people on the no-fly list to purchase weapons without a sufficient background check.

Mr. Speaker, gun violence in our Nation kills nearly 90 people every day, roughly 32,000 people a year. I am a gun owner, but there are reasonable approaches to keeping guns out of the hands of dangerous individuals while still protecting our Second Amendment rights.

Mr. Speaker, I urge my colleagues to support legislation that will end daily shootings and protect our citizens.

FRIVOLOUS ADJOURNMENT MOTIONS STALL HOUSE BUSINESS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, responsibly funding the government on time is one of the most basic and fundamental tasks of Members of Congress.

This entire year, Republicans have been at the table pushing the work through the committee process to determine how best to allocate this funding. And coming into this week, there was healthy debate and negotiations on moving forward with these plans.

However, yesterday, the partisan dialogue we witnessed from a number of my colleagues across the aisle was nothing more than a ruse. Five separate motions to adjourn in order to stall a bipartisan bill to tighten our visa system and protect our Nation's security, with purely political procedural votes to push their own gun control agendas is simply ridiculous. It wasted at least 3 hours of legislative time.

Mr. Speaker, this is a time when Americans need their Representatives to come to the table and stop letting politics get in the way of actually getting the people's work done around this place.

DENYING FIREARMS AND EXPLOSIVES TO DANGEROUS TERRORISTS

(Mr. KENNEDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY. Mr. Speaker, I rise today to echo the demands of my colleagues, on both sides of the aisle, for a vote on the Denying Firearms and Explosives to Dangerous Terrorists Act of 2015.

Passing this bill transcends politics. It is about ensuring the safety and security of families, communities, and the country we represent.

In the past 2 years, 94 percent of individuals we suspect of planning terror

attacks have been able to successfully pass background checks and purchase deadly weapons. We are sitting idly by as those planning to do harm to our citizens obtain the tools to do just that. That we would choose to do nothing to stop it is simply unfathomable to me.

We have a chance today to close a loophole in our laws before it is exploited, before we find ourselves standing on this floor once again for another moment of silence. The families who have lost loved ones to gun violence and the victims themselves deserve more than a deafening silence emanating from this Chamber.

65 PERCENT SAY MEDIA HAS ''NEGATIVE EFFECT'' ON COUNTRY

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, Americans' distrust of national news outlets continues to rise because of the media's persistent bias and one-sided coverage.

A recent Pew Research Center survey found that nearly two-thirds, or 65 percent, of Americans believe the national news media has a negative effect on our country. This is because the media slants stories with their opinions instead of reporting the facts.

For example, the media often praises President Obama's regulations involving climate change, but their reports fail to cite the costs of extreme environmental regulations and the loss of jobs. National news stories also fail to mention that these regulations would have little impact on global warming.

Americans will continue to believe the media has a negative impact on the country until the media provides the American people with the facts, rather than tells them what to think.

TERRORIST GUN LOOPHOLE

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute.)

Ms. JUDY CHU of California. Mr. Speaker, my constituents in San Bernardino County are still reeling from the horror of last week's attack in the city of San Bernardino, as is everybody throughout the Nation. Fourteen people died, at least 21 were injured, and thousands are asking: What now?

There are people who are afraid that their office, shopping plaza, or community could be next, which is why already country officials in my area and elsewhere are seeking ways to tighten and improve security so that an attack like this does not happen again. They cannot be alone in this endeavor. It is time for Congress to act.

We cannot let terrorists on our own U.S. terrorist watch list buy guns. If you are considered too dangerous to board a plane, you are too dangerous to buy a gun. That is why closing this loophole is just common sense. Yet, over the past 11 years, 2,000 suspected terrorists have walked out of stores with a lethal firearm. Ninety percent of them have been able to buy guns, no questions asked. We have left a huge hole in our counterterrorism efforts, and it is time we close it.

HONORING MIAMI DADE COLLEGE MEDICAL CAMPUS PRESIDENT DR. ARMANDO FERRER

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to honor Dr. Armando Ferrer, retiring from his post as President of the Medical Campus of Miami Dade College, a state-of-the-art complex in the heart of Miami's health district. Dr. Ferrer has worked at Miami Dade College for over 30 years, including as Dean of both the North and Kendall Campuses.

According to the U.S. Department of Education, Miami Dade College, my alma mater, ranks first in the Nation in awarding health profession and nursing degrees, and Dr. Ferrer's tenure as President of the Medical Campus is a key feature of that success. I thank Armando for his many years of dedicated teaching and professional development efforts in service to the students of Miami Dade College. It is through these students that he leaves a positive and lasting legacy throughout our community.

Congratulations, and Godspeed, Armando Ferrer.

CLIMATE CHANGE PARIS CONFERENCE

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise today in support of our Nation's efforts in Paris to work together with world leaders to combat and address climate change.

The impacts of climate change are real. And as the consequences are being felt here at home and around the world, now is the time to make history.

By taking action here in Congress, the United States has an opportunity to lead by example, while protecting the health of our communities and our environment. This involves supporting efforts like the Clean Power Plan, which will reduce carbon emissions by more than 30 percent by 2030; by promoting critical investments in renewable energy, while eliminating our dependence on fossil fuels; and supporting innovative new technologies to keep up in a global economy. These are steps we must take or risk being left behind by the rest of the world.

For the first time in history, the United States has the opportunity to work together with the world's largest emitters, including China, India, and Brazil, to build the foundation upon which we can take real action to address climate change. We must capitalize on this historic step and be a leader in this fight.

SOCIAL MEDIA, A TOOL OF FOREIGN TERRORIST ORGANIZATIONS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, terrorists have used Twitter to convert thousands of young American minds and recruit new jihadists for ISIS.

Federal law prohibits giving aid or helping a designated foreign terrorist organization. These FTOs use Twitter, an American company, as a tool, and no one is adequately stopping them.

Why are American companies and the U.S. Government allowing social media platforms to be hijacked by terrorists? Some say shutting down terrorists' social media accounts would be violating free speech. That is nonsense. They are wrong. The United States Supreme Court has already ruled there are no constitutional protections for foreign terrorist organizations to incite violence. Allowing terrorists to wage their cyber war with America has helped radicalize thousands of foreign fighters and raise millions of dollars online.

Today, the House Foreign Affairs Committee passed my bill, co-authored by my friend, Mr. CONNOLLY from Virginia, the Combat Terrorist Use of Social Media Act. This bill requires the administration to come up with a comprehensive strategy to counter terrorists' cyber war and use of social media.

Private American companies should not be operating as the war propaganda mouthpiece of designated foreign terrorist organizations like ISIS.

And that is just the way it is.

CONGRESS MUST ACT TO KEEP GUNS AND EXPLOSIVES OUT OF THE HANDS OF TERRORISTS

(Ms. CASTOR of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CASTOR of Florida. Mr. Speaker, I strongly urge the House Republicans to allow a debate and a vote on an important bill that would address a terrorist threat in America and help keep our families safe.

We must address the loophole in the law that allows someone who has been identified as a terrorist to obtain a

firearm or explosive license. Many of these folks are not allowed to board airplanes, yet they can walk into a gun store and buy a firearm. And after the Paris and San Bernardino attacks, no loophole is more glaring than the one that has allowed 2,000 terrorists to buy deadly weapons in the U.S. over the past 11 years.

I urge my GOP colleagues to stop blocking this bill. We must act to keep guns and explosives out of the hands of terrorists, and we must do so as urgently and quickly as possible.

RECOGNIZING PATRICK PROKOP

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Patrick Prokop.

After 38 years as a meteorologist, 35 of which were spent in Savannah, Georgia, Pat Prokop is retiring.

He started his broadcasting career in 1977 and, through the years, worked in Kansas, Missouri, and Georgia. He was an advocate for letting science do the talking and never missed an opportunity to educate people about the weather.

Pat announced his retirement on November 25 and said he is looking forward to spending more time volunteering, marathon training, and traveling. He also said he plans to enjoy the weather, which we should all do more of.

I commend Pat for his years of service to the southeast Georgia community and wish him all the best. You deserve it, Pat.

CLOSING THE TERRORIST WATCH LIST LOOPHOLE

(Ms. MATSUI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, from California to Colorado, the devastating realities of gun violence are hitting home. In the face of more senseless attacks on innocent victims, it is past time that we treat gun violence in America as a national crisis.

Preventable gun violence is inexcusable. We need to enact commonsense gun law reforms, like ensuring that no terrorist suspect is able to walk into a gun shop and buy a deadly weapon.

According to a report by the GAO, since 2004, more than 2,000 suspects on the FBI's terror watch list have successfully purchased weapons in the United States. In fact, more than 90 percent of all the suspected terrorists who attempted to purchase guns in the last 11 years walked away with the deadly weapon they wanted.

These statistics are indefensible. Let's put our political excuses aside and close the terrorist gun loophole because lives are on the line.

RECOGNIZING TOYOTA MOTOR MANUFACTURING KENTUCKY PLANT AS TOYOTA'S LARGEST PRODUCTION PLANT

(Mr. BARR asked and was given permission to address the House for 1 minute.)

Mr. BARR. Mr. Speaker, Kentucky is famous for horses, bourbon, college basketball, and hospitality. And now we can add to that list the fact that the Commonwealth is home to Toyota's largest manufacturing plant in the world.

With production of the 2016 Lexus ES fully up and running, the Toyota Motor Manufacturing Kentucky plant now ranks as the company's largest by production volume. That is right; Toyota now has its largest manufacturing plant in Georgetown, Kentucky.

The addition of the Lexus production line brought with it 750 new jobs to my district. This continued investment in Kentucky is a testament to the skill, perseverance, and dedication of the American workforce.

Mr. Speaker, we must continue to foster the manufacturing renaissance in America by enacting comprehensive tax reform; reining in burdensome regulations; fixing Dodd-Frank and other financial rules that impede access to capital; ending the EPA's destructive war on abundant, affordable energy; and promoting free trade so that American exporters are competitive around the world. When we are able to manufacture in America, companies like Toyota can fulfill the promise of good-paying jobs and secure the American Dream.

□ 1230

GUN VIOLENCE

(Mr. VARGAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VARGAS. Mr. Speaker, I rise today to talk about the epidemic of gun violence in our country.

A number of years ago, James Huberty, heavily armed, walked into a McDonald's in my district and killed 21 people.

A few years later, shortly after delivering his valedictorian speech at Lincoln High School in my district, Willie James Jones, III, was tragically shot and killed in a drive-by shooting.

On March 5, 2001, those in the very high school from which I graduated were victims of a shooting that left two people dead and 13 injured.

It is past time for Congress to act and to save American lives. I am calling on my colleagues to work together to find comprehensive solutions to this dire problem.

I believe that Representative KING's legislation, which prevents people from flying who are deemed too dangerous, would also prevent them from purchasing assault weapons. I believe it is a step in the right direction; so let's work together and get it done.

PRESIDENT OBAMA WANTS A GOVERNMENT SHUTDOWN

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, this Congress and the White House agree, by December 15, the Federal Government will shut down.

No one on Capitol Hill wants a shutdown. I don't. No House Republican does. No House Democrat does. All we want are honest negotiations.

President Obama's spokesman said: ''The President is not going to sign a CR that will give Members of Congress additional time to negotiate.''

Clearly, President Obama wants a shutdown. Why? He thinks a shutdown is good election-year politics. Pain is never good politics. I ask the President to change course. Negotiate. Don't shut down our government.

TALLAHASSEE'S BETHEL AME CHURCH

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, I would like to congratulate Tallahassee's Bethel AME Church on their 150th anniversary.

Bethel was founded in 1865 when a group of courageous Christians walked out of their segregated church. They were led by the Reverend Robert Meacham, a former slave preacher. Since that day, church membership has grown from 116 people in 1865 to more than 1,700 worshippers today; and under the leadership of my friend and neighbor, Reverend Dr. Julius H. McAllister, Jr., the church continues to benefit our community and serve as an inspiration to everyone in north Florida.

I congratulate Bethel AME on a blessed 150 years, and I look forward to personally attending many more services as they continue to grow and thrive.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 9, 2015.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 9, 2015 at 9:33 a.m.:

That the Senate passed S. 1719.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 9, 2015.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 9, 2015 at 11:23 a.m.:

That the Senate agreed to the Conference Report S. 1177.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 2130, RED RIVER PRIVATE PROPERTY PROTECTION ACT, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 556 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 556

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2130) to provide legal certainty to property owners along the Red River in Texas, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. It shall be in order at any time through the calendar day of December 13, 2015, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

POINT OF ORDER

Ms. ESTY. Mr. Speaker, I raise a point of order against House Resolution 556 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution, in waiving all points of order against consideration of the bill, waives section 425 of the Congressional Budget Act, thereby causing a violation of section 426(a).

The SPEAKER pro tempore. The gentlewoman from Connecticut makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentlewoman has met the threshold burden under the rule, and the gentlewoman from Connecticut and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentlewoman from Connecticut.

Ms. ESTY. Mr. Speaker, Americans, understandably, feel a sense of fear and chaos caused by the news of the senseless attacks that have been carried out against civilians in this country and around the world in the past few weeks.

We can and we should help reassure the American people that their Representatives in Congress—that we here in this Chamber—are doing everything in our power to prevent such a brutal attack from happening in any one of our communities.

If we do not act this week, how can we go home? How can we go home and look our constituents in the eyes and tell them that we are doing everything we can? that we are upholding our sworn duty to protect the American people?

But we can act. We can act, and we should act today.

We need to close the loophole that allows dangerous people from buying guns. There is no loophole more egregious, more glaring, or more shocking than the one that allows suspected terrorists in this country to walk legally into a gun shop, to go online or to go to a gun show, and purchase a weapon in order to kill American citizens.

This astounding loophole has allowed more than 2,000 individuals on the FBI's terrorist watch list to buy weapons legally in this country in the last 11 years. In that time, more than 90 percent of the individuals on the watch list who have tried to buy guns have been given a green light. They have been handed a gun. Those numbers are shocking, and they are disturbing.

As Members of Congress, it is our responsibility to protect all Americans wherever they live, and one of those areas of protection is from terror in their communities. It is to keep our citizens safe.

What is terror? There has been a lot of discussion about what terror is. In its most simple sense, terror is spreading fear and chaos, and that is exactly what the American people are feeling right now—fear and chaos here and around the world.

There are no easy answers for mass shootings, and there are no easy answers for combating terrorism; but the fact that the answers are not easy does not absolve us of our responsibility to step up and do what is hard. We are not elected to do what is easy. We are not elected to do what is possible. We are elected and we are sworn to do what is hard and what is necessary to protect and advance the interests of the American people.

Now is the time to act.

Yesterday, the House voted to strengthen the security screening process for those who travel to the United States under the Visa Waiver Program, and I was proud to cosponsor that bill. We acted together in this body to protect the American people.

While reforming the Visa Waiver Program is a good thing, it is not enough. It is insufficient to the task. Keeping guns out of the hands of terrorists in this country, on American soil, is a necessary and an important step for us to take; but until we have the opportunity to vote to close this loophole, suspected terrorists in this country will continue to have and to use the opportunity to buy weapons in our country.

The simple truth for the American people to know is that we have been denied even the opportunity to vote to close this loophole, and we have a bipartisan bill right now that we could act on. It is time for us in this House to stand up for the safety of the American people and to stand up to the NRA and others who are sowing fear and misinformation about what is possible to do to protect people.

I am a proud cosponsor of the bipartisan bill that would protect the American people. The Denying Firearms and Explosives to Dangerous Terrorists Act would close this loophole by banning the sale or the distribution of firearms to anyone the Attorney General deems to be engaged in terrorist activities.

The U.S. Government already maintains a list of known and suspected terrorists. If there are problems with that list—and I have heard my colleagues raise that question—then let's fix the list. If there are problems with the law, let's fix the bill. We can't afford to remain silent. We can't afford to remain passive. We can't afford to be denied the opportunity to exercise our duty to vote as Members of Congress. That is what we do; and, right now, we are being denied that simple and straightforward right.

□ 1245

It is time. It is past time for this Congress to act. Let's keep guns out of the hands of suspected terrorists. Let's bring up the bill. If you can't fly, you shouldn't be able to buy a gun.

Tonight, I will be joining some of my colleagues at the third national vigil to end gun violence. Here on Capitol Hill in a church a few blocks away, we will be meeting with families and survivors of gun violence from across the country, from Newtown, Connecticut, in my district; from Aurora, Colorado; from Chicago; from Harlem; from across this great country. Thousands of Americans are affected every month by our inaction.

I am going to have a very hard time looking these folks in the eye today. I ask you to join me, come with me, and look them in the eye and tell them why you are unwilling to take one single vote, one single step to try to protect people in America. We have an opportunity to change that today. We have an opportunity to act together. We have an opportunity to fulfill our duty to protect and defend the American people from the scourge of gun violence. A simple, straightforward, and important way to start is to allow us to vote on this bipartisan bill that will close an absurd loophole in the law that allows terrorists to buy guns to kill Americans.

I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I claim the time in opposition to the point of order and in favor of consideration of the resolution.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 10 minutes.

Mr. NEWHOUSE. Mr. Speaker, the question before the House is should the House now consider House Resolution 556. While the resolution waives all points of order against consideration of today's measures, the Committee on Rules is not aware of any violation of the Unfunded Mandates Reform Act. In fact, as the gentlewoman from Connecticut clearly agrees, she did not even mention the word ''unfunded'' once in her comments. The waiver is only necessary to ensure that the House can continue with its scheduled business. In fact, the Congressional Budget Office has stated in its analysis of this measure that there are no violations of the Unfunded Mandates Reform Act.

Mr. Speaker, this is a dilatory tactic. This straightforward bill will provide certainty to the landowners on the Red River who are unsure if the land to which they hold title and have paid taxes on will remain in their families.

In order to allow the House to continue its scheduled business for the day, I urge Members to vote ''yes'' on the question of consideration of the resolution.

I reserve the balance of my time.

Ms. ESTY. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentlewoman from Connecticut has 3 minutes remaining.

Ms. ESTY. Mr. Speaker, some say as my colleague just did, my friend across the aisle, that we shouldn't bring up this issue this week; that this is political and, therefore, inappropriate. Well, I have to disagree and disagree strongly.

Politics is about people coming together to solve problems. If we can't come together to help address the crying need of the American citizens to be protected a little bit more from the fear and chaos of terrorists on our soil, armed with guns legally purchased in this country because we have refused to act, I proudly say it is political and that is exactly what we should be doing. We should be coming together as the body politic of the American people.

It is precisely the time to take action, and I support the underlying legislation. I support even more us taking steps now in the wake of mass shootings, now in the wake of terrorism, now at the time when many of the world's religions are praying for peace, hope, and light in the dark time of the year.

It is a dark time in the soul of the American people and in this country, and we have the opportunity to take action. We have the opportunity to be a beacon of light and hope and responsiveness to the needs of the people. That is our job.

I call on my colleagues to join me at the vigil and to join me in allowing us the opportunity to vote, to act, to protect and defend this country.

I yield the remaining time to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, let me thank the gentlewoman from Connecticut (Ms. ESTY) for raising an important issue, for forcing us to talk about something that the Republican leadership is working overtime to prevent us from having a vote on.

Only in this Republican-controlled House of Representatives would the idea of prohibiting terror suspects from getting weapons be considered controversial. It is stunning.

Let me say to the Republican leadership, who are, again, preventing us from being able to deliberate on this issue, you take my breath away. I cannot believe that you will not allow us to have a vote on the floor on this important issue. You are on the wrong side of history. You are certainly on the wrong side of public opinion.

The vast majority of Americans—Democrats, Republicans, Independents—all think we ought to close this loophole, everybody but the leadership of this House, which is beholden to one special interest.

Terror suspects can't fly on airplanes. I fly back and forth from Boston to Washington every week. I am glad that terror suspects can't fly on airplanes. I feel more safe. The people I fly with feel more safe.

Why would it be somehow acceptable, then, to allow those same people who cannot fly to be able to go out and buy weapons, highly sophisticated weapons, weapons that are used by terrorists to kill civilians? Why would that be acceptable?

We ought to have a vote on this. Let us vote. Let us deliberate on this important issue.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. NEWHOUSE. Mr. Speaker, I appreciate the comments from my colleagues from Connecticut and Massachusetts. I can't think of one person out of 535 Members of Congress that wants terrorists to have a firearm. Certainly not. That is not something that is even in question.

I do find it very interesting, especially from my colleague from Massachusetts—and which we sit together on the Rules Committee—to bring up a point of something that, I would say, he advocates for daily on this floor and in this body and, that is, to follow regular order to allow pieces of legislation to go through the committee process, to allow every Member of this body to have their input, to have their say, to be able to amend, to be able to argue, to be able to debate, to allow it to go through the process that this body stands for, until today when it is their

side of the aisle's idea that they have to move an issue forward.

They say: Let's circumvent regular order, let's bring something that has not gone through the committee process, that has not allowed every Member of this body to weigh in on, to debate, to bring up amendments, to make their feelings known. Let's only do it when it is not their idea. That is the message I am getting.

So, Mr. Speaker, I certainly appreciate the enormity of the issue before us. We are working on many bills in this legislative body to deal with the issue of terrorism in front of us as a Nation and as a world. I hope that Members of the other side of the aisle will support those efforts to make this country safer.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in opposition to the rule for H.R. 2130, the ''Red River Private Property Protection Act.''

The President has announced that this bill will be vetoed in the event it reaches his desk.

With just one legislative day before the current continuing resolution expires on December 11, we should be focusing all of our time and attention on matters that address the real problems and major concerns of the American people.

And right now the American people are very concerned about the harm and threat posed by ''lone wolf'' and ''franchise terrorists'' that we saw in Paris last month and just last week in San Bernardino, California.

These tragedies follow on the heels of mass shootings in Tucson, Aurora, Sandy Hook, Charleston, Chattanooga, Roseburg, Colorado Springs, and now, most recently, in San Bernardino, California.

These senseless mass shootings remind us of the imperative of ending gun violence in our country.

It is past time that we come together united by our common humanity and with this simple message: the violence must stop.

And there are actions that can be taken to reduce gun violence beginning with the enactment of the bipartisan ''Denying Firearms and Explosives to Dangerous Terrorists Public Act of 2015'' (H.R. 1076).

This bipartisan legislation, which I am proud to co-sponsor, would close the dangerous loophole that allows terrorist suspects to legally buy deadly weapons.

H.R. 1076 would bar the sale or distribution of firearms to any individual whom the Attorney General has determined to be engaged in terrorist activities.

Mr. Speaker, if a person is considered by the federal government too dangerous to board an airplane or to enter the United States, he or she surely is too dangerous to be permitted to purchase or obtain a firearm.

It is unconscionable that we have not acted to close the loophole in federal law that permits a terrorist lawfully to obtain and carry firearms.

Mr. Speaker, according to a report by the Government Accountability Office, since 2004 more than 2,000 suspects on the FBI's Terrorist Watchlist have successfully purchased weapons in the United States.

It is simply intolerable that more than 90 percent of all suspected terrorists who attempted to purchase guns in the last 11 years walked away with the weapon they wanted, with just 190 rejected despite their ominous histories.

To close this loophole, I call upon Speaker RYAN to bring H.R. 1076 to the floor immediately.

H.R. 1076 grants the Attorney General the authority to deny a firearms license to individuals for whom there is a reasonable belief that the individual may use a firearm or explosive in connection with terrorist activity.

This legislation was originally crafted in 2007 and endorsed by President Bush's Justice Department, has bipartisan support in the House, and is supported by prominent Republicans and counter-terrorism & law enforcement experts.

H.R. 1076 greatly reduces the likelihood that a terrorists can obtain some of the most lethal weapons in America.

Right now a terrorist can buy a firearm in the parking lot of a gun show, over the internet, or through a newspaper ad without needing a background check.

Mr. Speaker, you cannot be against criminals, terrorists and the dangerously mentally ill getting guns and be against H.R. 1076.

Mr. Speaker, H.R. 1076 will save lives and strengthen the rights of law-abiding gun owners.

It deserves a vote in the House.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. ESTY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 241, nays 174, not voting 18, as follows:

[Roll No. 681]

YEAS—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—174

Adams
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
O'Rourke
Pallone
Pascrell

Peters	Schiff	Torres
Pingree	Schrader	Van Hollen
Pocan	Scott (VA)	Vargas
Polis	Serrano	Veasey
Price (NC)	Sewell (AL)	Vela
Quigley	Sherman	Velázquez
Rangel	Sinema	Visclosky
Rice (NY)	Sires	Walz
Richmond	Slaughter	Wasserman Schultz
Roybal-Allard	Smith (WA)	Waters, Maxine
Ruiz	Speier	Watson Coleman
Rush	Swalwell (CA)	Welch
Ryan (OH)	Takano	Wilson (FL)
Sánchez, Linda T.	Thompson (CA)	Yarmuth
Sarbanes	Thompson (MS)	
Schakowsky	Titus	
	Tonko	

NOT VOTING—18

Aguilar	Luetkemeyer	Ruppersberger
Gabbard	Norcross	Sanchez, Loretta
Hoyer	Payne	Scott, David
Hunter	Pelosi	Takai
Johnson, Sam	Perlmutter	Tsongas
Lowey	Rothfus	Turner

□ 1325

Messrs. CICILLINE and RICHMOND changed their vote from ''yea'' to nay.''

Messrs. GRAVES of Missouri, JODY B. HICE of Georgia, CARTER of Georgia, WITTMAN, LATTA, FINCHER, JOLLY, WALBERG, and FITZPATRICK changed their vote from ''nay'' to ''yea.''

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ROTHFUS. Mr. Speaker, on rollcall No. 681, I was unavoidably detained. Had I been present, I would have voted ''yes.''

The SPEAKER pro tempore. The gentleman from Washington is recognized for 1 hour.

Mr. NEWHOUSE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NEWHOUSE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. NEWHOUSE. Mr. Speaker, on Tuesday, the Rules Committee met and reported a rule, House Resolution 556, providing for consideration of an important piece of legislation, H.R. 2130, the Red River Private Property Protection Act.

The rule provides for consideration of H.R. 2130 under a structured rule, making every amendment submitted to the committee in order, which includes a manager's amendment and an amendment by Mr. COLE of Oklahoma.

Mr. Speaker, H.R. 2130, the Red River Private Property Protection Act, is critically important to protecting private property in the great States of Texas and Oklahoma. This bill prevents the Federal Government from seizing thousands of acres of private land that is lawfully owned by American citizens along the 116-mile stretch of the Red River between Oklahoma and Texas.

The Bureau of Land Management, or the BLM, is currently updating its Texas and Oklahoma Resources Management Plan, which covers this stretch of the Red River.

BLM initially stated that there are an estimated 90,000 acres of land along this stretch of the river that may be considered public domain and managed as Federal land. They have since reduced this estimate to 30,000.

Of these 30,000 acres, less than 6,500 acres have actually been surveyed. These revisions and drastically different estimates based upon a fraction of acreage surveyed have caused great concern among landowners and local stakeholders.

□ 1330

H.R. 2130 would commission a survey of the entire 116-mile stretch of the contested area along the Red River using the gradient boundary survey method developed and backed by the Supreme Court of the United States in 1923's decision, Oklahoma v. Texas, that determined the proper boundaries between private and federally owned land.

This decision set the precedent for determining the boundaries, including taking into account the doctrine of erosion, accretion, and avulsion of the Red River, which changes rapidly and materially in flood.

The underlying bill states the survey must be conducted within 2 years by licensed State land surveyors and approved by the Texas General Land Office in conjunction with the Commissioners of the Land Office in Oklahoma.

Once the survey is approved, affected landowners have the ability to appeal the survey to an administrative law judge. After the boundary between public and private land is settled, the BLM is required to sell the remaining Federal land along the Red River at no less than fair market value. Landowners will rightly be given the rights of first refusal.

H.R. 2130 also requires that a resource management plan adhere to the requirements in the bill and explicitly states that nothing in the language will affect the Red River Boundary Compact, which established the visible boundaries between the two States and solves jurisdictional and sovereignty disputes.

Land already patented under the Color-of-Title Act will not be affected nor will the sovereignty of federally recognized Indian tribes regarding land that is located to the north of the South Bank boundary line.

Mr. Speaker, the entire section of this 116-mile stretch has never even been surveyed by the BLM, and the small portions that the agency has surveyed appear to stray widely from the accepted gradient boundary survey method endorsed by the Supreme Court.

Uncertainty clouds all decisions being made with regard to this land. The BLM has never actively managed the small strip of land they actually do own, as they are unsure of exactly what land it is they own.

Meanwhile, the agency appears incapable of understanding basic natural movements of the river. While the approved survey method makes clear that ownership boundaries between private and public land will change with the movements of the river over time, BLM surveys do not.

A major determinant of land ownership must reflect the location of the existing median line of the river while taking into account past changes in the river's movement.

While BLM fails to understand the very land they claim to be surveying, landowners along the river are left unsure if the land they have held titles to and have paid taxes on will remain their property or be subject to Federal ownership.

This uncertainty threatens the value of privately owned lands. It clouds the title and causes landowners to think twice before making improvements on their land. This insecurity is harming local landowners and local economies, stifling any potential economic development in the area.

H.R. 2130 will solve this problem and clear up the uncertainty caused by BLM's decision, after over 90 years, to suddenly decide to claim the rights to this land. In conjunction with the States and affected tribes, this legislation will make clear the true ownership of the property.

The House Natural Resources Committee, which I sit on, favorably ordered this bill in September. It is important to note that this legislation is an updated version of legislation introduced in the 113th Congress and reflects the input received from landowners, both States in subject, as well as feedback provided by the minority members on the Natural Resources Committee.

So I believe the updates reflect the bipartisan nature in which this legislation was drafted and highlights the necessity of solving this problem for the people of Texas and the people of Oklahoma.

This legislation is necessary to not only right an obvious wrong in this specific instance regarding the Oklahoma-Texas border, but is essential to ensuring that local landowners have a judicious, practical process to firmly

establish title to their rightfully owned land.

Government exists to protect our natural rights. Those include property rights. H.R. 2130 will put in place the proper process to ensure government agencies assist, rather than impede, with the protection of private property.

So, Mr. Speaker, this rule allowing for consideration of H.R. 2130, the Red River Private Property Protection Act, will support the protection of private property and prevent the Federal Government from falsely claiming thousands of acres of land lawfully owned by American citizens.

I support the rule's adoption. I urge my colleagues to support both the rule and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Washington (Mr. NEWHOUSE) for yielding me the customary 30 minutes.

Mr. Speaker, what we should be talking about today is keeping the government open before funding runs out. With the horrific terrorist attack in San Bernardino taking place just 1 week ago, we should also be talking about how to keep guns out of the wrong hands.

House Democrats are united in making these our top priorities so that we can address the pressing issues the American people elected us to tackle. Instead, we are talking about H.R. 2130, the Red River Private Property Protection Act.

This is a bill that Republicans know is going nowhere, but they still insist that we take it up. Today I rise in strong opposition to the rule and the underlying legislation.

Proponents of this bill claim that the Bureau of Land Management's effort to survey land along the Red River is a Federal land grab. In fact, H.R. 2130 is a land grab by the State of Texas which will harm local Native American tribes and taxpayers nationwide.

H.R. 2130 would set aside existing Federal surveys of land along the 116-mile stretch of the Red River in Texas and would require the Secretary to commission and to accept, without Federal participation, surveys of the land approved by the Texas General Land Office.

We should be helping to provide legal certainty to property owners along the Red River, but we should not use the approach of voiding or nullifying Federal surveys.

BLM's survey and public planning process is not a land grab or a government overreach, but simply a Federal agency trying to resolve a very complex situation. If Texas wants to challenge the BLM's survey methods, they should do it in the normal way, in the courts, not through Congress.

Additionally, this legislation would require the Interior Department to delegate its authority for determining Federal estate to a State agency, would be counter to near 100 years of settled law, and could reduce mineral revenue opportunities for the Kiowa, Comanche, and Apache tribes and the State of Oklahoma.

Passing this bill could potentially complicate oil and gas leases that local tribes rely on for income. The Kiowa, Apache, and Comanche tribes receive 62.5 percent of any royalty generated for oil and gas development along this section of the Red River.

If part of this land no longer belongs to the Federal Government, then this agreement would disappear and the important source of revenue relied on by these tribes could vanish into thin air. These tribes view this bill as a threat to their livelihood and an assault on their property.

In addition to potentially losing revenues from mineral revenues, tribes have also expressed concern about access to water. Water is scarce in this arid region, and tribes rely on access to the Red River significantly. So H.R. 2130 could threaten that critical access.

If we want to do what is right by the people of Texas, the people of Oklahoma, the affected tribes, and the people of the United States, we have got to reject this bill in its current form.

We all know that it is going nowhere and will be just another waste of the House's precious time. I ask my colleagues: Shouldn't we be tackling pressing issues, like gun violence or funding for our government?

Mr. Speaker, Congress only has 1 legislative day left to avert a government shutdown. Let me remind my Republican friends about the last time that they shut down the government:

The economy lost $24 billion and 120,000 private sector jobs. Veterans' disability claims were stalled. Head Start centers were forced to close. Small businesses were cut off from SBA loans. $4 billion in tax refunds were delayed. Hundreds of Americans were prevented from enrolling in NIH clinical trials.

So instead of heading down that road again and damaging our recovering economy, I hope my friends on the other side of the aisle will do the right thing.

I urge the Republican leadership to drop their demands for radical policy riders that put an omnibus funding bill in jeopardy. Work with our leadership. Work in a bipartisan way to advance a bill that will keep the government open and avert yet another Republican-manufactured crisis.

There is a lot of work that needs to be done, Mr. Speaker, and it needs to be done right now.

My friend from Washington earlier made reference to regular order, saying that those of us who are trying to get a vote on a bill to basically close a loophole that allows terrorist suspects to be able to buy weapons are not adhering to regular order.

Well, I have news for my friend from Washington State. Regular order is dead in this House of Representatives. It died a long time ago. My Republican friends killed it a long time ago. There is no regular order in this House.

Whether it is on your bills to defund Planned Parenthood, the energy package, the Syrian refugee bill, the oil bill, none of that came before us in regular order. We are on this floor day after day, demanding votes on procedural motions precisely because there is no regular order in this House.

The committees of jurisdiction are not doing their job, are not even doing hearings or reporting a bill out of committee that would prevent terrorist suspects from getting access to weapons.

So we are using procedural motions to try to put some pressure on the leadership in this House—if not pressure, maybe to shame the leadership of this House to bring a bill to the floor that the overwhelming majority of the American people want.

As I said earlier, only in this Republican-controlled House of Representatives would the idea of prohibiting terrorist suspects from getting weapons be considered controversial.

These people that we are talking about are on the no-fly list. They can't fly on airplanes, and I am glad that they can't fly with me when I go back and forth from Washington to Boston every week. I think the majority of Americans, Democrats and Republicans, are glad that terrorist suspects are not on their plane flying around the country when they are on these planes.

Why, then, would it somehow be a good idea to say that these people who cannot fly on our airplanes because we suspect them of links to terrorism can somehow go out and buy a weapon of war that could potentially be used against our citizens?

There are a lot of things we need to do. This is one of them. I get it that there is a particular special interest out there that is putting a lot of pressure on the leadership and on some Members on the other side to not be able to bring this bill to the floor. But I would say that a majority of the members of the National Rifle Association actually agree with us on this issue.

By the way, this idea that we are putting forward here today is not a democratic idea. It is introduced by a Republican Member of Congress, Congressman PETER KING of New York. It is an idea that has been endorsed by a Republican President and its administration, the Bush administration prior to this one. Their Justice Department thought this was a good idea.

Former New Jersey Governor Tom Kean, who is the co-chair of the 9/11 Commission, said this is a good idea. I mean, reasonable, rational people think this is good idea.

Yet, in this House of Representatives, we can't even get it on the floor for a vote. If you don't want to vote for it, then have the courage to vote ''no.'' Allow it to come to the floor. Let your constituents know where you stand on this issue.

Mr. Speaker, I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Massachusetts (Mr. MCGOVERN), my colleague on the Rules Committee. I appreciate his opening comments and take great interest in some of the things that were pointed out.

Certainly, nobody in this body on this side of the aisle or on your side is interested in closing down the government and shutting the government. In fact, just yesterday Leader McCarthy stood at this very podium and told everyone to make sure that they kept their travel plans flexible enough to be able to stay here and get their work done.

So I think there is a commitment on both sides of the aisle in order to get work done for the American people. Also, protecting Americans in this very dangerous time that we face in the world today is one of the highest priorities that we have as a Congress and is certainly a constitutional duty that all of us take very seriously.

□ 1345

We are working very hard. We have committees of jurisdiction working very hard and coming up with workable ideas in order to accomplish just that. In fact, we just passed something this week that had to do with the waiver program for visas that I think will go a long way in keeping this country safe.

We can walk and chew gum at the same time. We can deal with the important issues of the American people as well as not only keeping the government open, keeping Americans safe, but also protecting property rights when a Federal agency creates a problem by trying to take private property away from citizens. In this case, it is not in my State, but tomorrow it could be, and it could be in your State tomorrow. So we can do multiple important things that the American people expect us to do on their behalf.

Mr. Speaker, we talked a lot about regular order in my colleague's opening statements, so here we go again. As I said earlier, we are lectured on a daily basis on the importance of regular order. This bill that we are considering here is a perfect example of regular order. It went through the committee process. We have accepted two amendments in the Rules Committee that were offered to perfect this bill that the Members of this full body will get an opportunity to voice their opinions on and to vote whether they accept them or not.

Just last week, Mr. Speaker, we heard two conference reports: one on the highways bill and one on education. That is a great example of regular order being reestablished in this House of Representatives. Speaker RYAN is committed to regular order, working from the ground up, letting the committees do their jobs, and allowing every Member to have a voice in this process.

So I am very happy. I am very optimistic about the future of this body and our ability to get work done under Republican leadership. I think we have shown that we can get work done, and we are doing a great job doing it.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. THORNBERRY). He would like to speak on this issue of the Red River Valley.

Mr. THORNBERRY. Mr. Speaker, I appreciate very much the gentleman from Washington yielding me the time and his work on this issue, as well as the chairman of the Natural Resources Committee for bringing it to the floor.

Mr. Speaker, I do not intend to spend a great deal of time debating the merits of the bill at this point on the rule. I think it is important, however, that I try to clear up some misunderstandings, apparently, that have been generated.

Let me just say that one misunderstanding that I have heard referred to on the floor is that the committees in this House are not taking action against terrorism. I can say that the committee I am privileged to chair, the Armed Services Committee, has had a briefing this very morning about how we can be more effective against ISIS and the threat of terrorism. So there is a great deal of work that is going on around this House. It may not be every bill that every Member wants to see debated, but a variety of committees and committees working together are working to take action to try to keep this country safe, and I think that is important for the American people to know.

Mr. Speaker, the Red River Private Property Protection Act is an important act not only for the landowners on both sides of the river along this 116-mile stretch in Texas and Oklahoma, but it is important for property owners across the country; because, if an agency of the Federal Government can wake up one day and say, ''We own more land than we ever have thought we owned over the last 90 years,'' it puts in doubt the property rights of landowners everywhere because it is very difficult to fight the Federal Government.

The suggestion was made that this underlying legislation is a landgrab by Texas. Of course, my opinion, Mr. Speaker, is that reflects a fundamental understanding of the situation and certainly of what this legislation does.

Let me take just a moment to explain that, when Thomas Jefferson bought the Louisiana Purchase from France in 1803, he bought for the United States all of the land in the riverbed of the Red River down to the south bank of the river. That was affirmed in numerous treaties between the United States and Spain, the United States and Mexico, and the United States and the Republic of Texas. That is the boundary, the south bank. But in 1867, the United States made a treaty with three Indian tribes, and that reservation that was the subject of that treaty just went to the middle of the river.

I have the exact treaty which I may well enter into the RECORD at a future point.

So, Mr. Speaker, the bottom line is, any reservation which later became private property in the State of Oklahoma extended only to the middle of the river, while Texas did not go further north than the south bank of the river. That leaves a narrow strip from the middle of the river to the south bank that is absolutely Federal territory.

That is the way it has been since, as I say, at least 1867, with nobody else making a claim that they owned it—until 2 years ago; and then the Bureau of Land Management said: We think we own a lot more land, not just the south bank, but a lot more land. And that is what has caused this controversy.

So how do you solve a controversy like that? You do a survey. You follow the Supreme Court decision from the 1920s. You get professionals out there who know what they are doing, and you conduct a survey exactly along the line the Supreme Court said we should. And that is what this bill does. It requires a survey along the whole 116-mile stretch, which has never been done. As the gentleman from Washington states, as a matter of fact, they have only surveyed 6,000 acres in a spot sort of fashion.

So this tries to answer this issue once and for all. Survey the whole thing. We know where the line is, and, therefore, people who are private property owners on both sides of the river know where the line is as well.

Now, clearly, Mr. Speaker, there is no intention of infringing upon any of the rights that the tribes or anybody else has. Let me just quote a few provisions from the underlying legislation:

Nothing in this act shall be construed to ''alter the valid rights of the Kiowa, Comanche, and Apache Nations to the mineral interest trust fund created pursuant to the act of June 12, 1926.''

''Nothing in this act shall be construed to modify the interest of Texas or Oklahoma or sovereignty rights of any federally recognized Indian tribe over lands located to the north of the South Bank boundary line as established by the survey.''

''The sale of a parcel under this section shall be subject to . . . valid existing State, tribal, and local rights.''

There are more protections in here than even I can count. So the point is not to change anybody's rights. It is to prevent the Federal Government from confiscating the land that private property owners have deeds to, often for generations, and have paid taxes on for years and years. That is what this is trying to solve.

The suggestion has been made, well, all this ought to be worked out in court. Number one, private landowners sometimes don't have the pockets to work it out—especially a fight with the Federal Government—in court.

Secondly, while you are working it out in court, this cloud hangs over your title. You can't sell your land. You can't borrow money on it because nobody knows if that is really Federal land or private land.

This was not a problem until 2 years ago, when the Bureau of Land Management said: We are going to take in more land than anybody has ever alleged that the Federal Government owns.

The way to fix a BLM overreach is for this House to take action and answer the question once and for all. That is what this legislation does.

Mr. Speaker, I appreciate very much the gentleman from Washington and the chairman of the committee for giving us the opportunity to debate it.

Mr. NEWHOUSE. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I include in the RECORD the Statement of Administration Policy on H.R. 2130, which says that if the President were presented with H.R. 2130, his senior advisers would recommend that he veto the bill.

STATEMENT OF ADMINISTRATION POLICY

H.R. 2130—RED RIVER PRIVATE PROPERTY PROTECTION ACT

(Rep. Thornberry, R–TX, Dec. 8, 2015)

The Administration strongly opposes H.R. 2130, which would set aside existing Federal surveys, divest the Secretary of the Interior of responsibility as surveyor of record for the United States, and transfer lands out of Federal ownership without ensuring a fair return to the taxpayer.

H.R. 2130 would set aside existing Federal surveys of land along the Red River in Texas and would require the Secretary to commission and to accept, without Federal participation, surveys of the land approved by the Texas General Land Office. This legislation would require the Secretary to delegate her authority for determining Federal estate to a state agency, would be counter to nearly 100 years of settled law, and could reduce mineral revenue opportunities for the Kiowa, Comanche, and Apache Tribes and the State of Oklahoma.

The Administration shares the goal of providing legal certainty to property owners along the Red River, but strongly opposes the approach of voiding or nullifying Federal surveys.

If the President were presented with H.R. 2130, his senior advisors would recommend that he veto the bill.

Mr. MCGOVERN. Mr. Speaker, I include that in the RECORD, first of all, to make it clear to my colleagues that what we are doing here is a waste of time. This bill isn't going anywhere.

I would say to the gentleman from Washington that, if his idea of regular order is bringing bills to the floor that are going nowhere, we have a different definition of what regular order is all about. I have listed for you a series of major bills that did not go through regular order. Most of them never went through committee. This whole process, since we are 1 day away from a government shutdown, of putting an omnibus together is not regular order.

Mr. Speaker, my friends control the House, they control the Senate, and yet we are going to get this big bill no matter whether it passes or not. We are not going to know what is in this bill for weeks and months afterwards, all these riders and all these different deals on the omnibus bill and the tax extender bill. So, please, regular order is dead.

We are again pursuing these procedural motions to try to force you, to try to shame my friends on the other side of the aisle, to bring a bill to the floor that the overwhelming majority of the American people want us to vote on.

Mr. Speaker, I am going to urge my colleagues to defeat the previous question. If the previous question is defeated, I will offer an amendment to the rule to bring up bipartisan legislation that would close a glaring loophole in our gun laws allowing suspected terrorists to legally buy firearms. Mr. Speaker, this bill would bar the sale of firearms and explosives to those on the FBI's terrorist watch list. Why that is so controversial for the Republican leadership is beyond me.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. To discuss our proposal, I yield 1½ minutes to the distinguished gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Speaker, I thank Mr. MCGOVERN.

Mr. Speaker, with just 2 days until the government runs out of funding, House Republicans have chosen to bring a bill to the floor to solve a dispute between two States: Texas and Oklahoma.

Mr. Speaker, we have an epidemic of gun violence in this country, and Congress is doing nothing to end the killing. Right now, a person on the FBI's terrorist watch list can go to a gun store or a gun show and purchase a firearm legally.

If a person on the terrorist watch list is too dangerous to buy a plane ticket, why are they allowed to purchase unlimited quantities of weapons and ammunition?

Mr. Speaker, Congress needs to act now to protect the American people. The Denying Firearms and Explosives to Dangerous Terrorists Act is a bipartisan bill which prohibits the sale of firearms to people on the Federal Bureau of Investigation's terrorist watch list. Congress needs to take the most basic step we can by passing this bill to keep Americans safe from those who wish to do us harm.

Mr. Speaker, I thank the gentleman from Massachusetts again for the time.

Mr. NEWHOUSE. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from Rhode Island (Mr. CICILLINE.)

Mr. CICILLINE. I thank the gentleman for yielding.

Mr. Speaker, we have a gun violence epidemic in this country. There have been nearly 50,000 incidents of gun violence in our country this year. More than 12,400 people have lost their lives. There have been more than 350 mass shootings in the United States this year, more than there have been days in the year. For many killers in these mass shootings, assault weapons are the weapons of choice.

Right now, Mr. Speaker, someone who is on the terrorist watch list, someone law enforcement has deemed too dangerous to board an airplane, can walk into a gun store and buy an assault rifle. This is insane. H.R. 1076 will fix this.

Mr. Speaker, I thank Congressman KING of New York for introducing this commonsense bill, and I applaud him for actually working with the Democrats. I am proud to be an original cosponsor of the bill. We need more people on his side of the aisle to stop kneeling at the altar of the NRA and actually do something about this urgent threat to public safety.

Mr. Speaker, if we don't pass this into law, then shame on us for doing nothing while thousands of Americans are dying each year from gun violence. Instead of spending time on this Texas landgrab, as Mr. MCGOVERN says, we should be focused on the urgent issues facing our country.

Mr. Speaker, I urge my colleagues to defeat the previous question so we can take up H.R. 1076 and do something to protect our constituents from gun violence in this country.

Mr. NEWHOUSE. Mr. Speaker, I have just one comment to make in response to the gentleman from Massachusetts.

If the definition of regular order is only considering those issues that the administration approves of, then what really is our function here as a Congress? Should we just put a sign out that says that we are closed until a new administration comes along? It seems to me that we have a duty to the American people to consider issues that are important from the majority's perspective.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I will just respond to the gentleman by saying that my objection is that we have become a place where trivial issues get debated passionately and important ones not at all. The difference between debating a Texas landgrab bill that is going nowhere versus a bill that could protect the American people from terror suspects who now have access to buy guns, I don't think there is any comparison here. The difference between doing this Texas landgrab bill and actually passing a bill to keep the government running, I think passing a bill to keep the government running is more important.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. HAHN).

□ 1400

Ms. HAHN. Mr. Speaker, I thank my colleague from Massachusetts for the few moments to talk about something really important.

Colleagues, it is our responsibility to take action on behalf of the American people that we represent, and right now they are begging us to take action to keep them safe. We should not be wasting our time debating this legislation on the floor today when so many lives are at stake.

The American people are anxious, many are afraid, and they have reason to be. Guns kill 36 people every day in our country. No other developed country comes close to that level.

Some would say it is we, in this body, who are to blame because we have failed to enact even the most reasonable policies to keep guns out of the hands of dangerous criminals.

It is unbelievable that an individual on the terrorist watch list can walk into a gun shop and buy the firearm of their choice in this country. Among all the gaps in our gun laws, this loophole is the most glaring. In fact, in the past 11 years, 2,000 suspects on our FBI's terrorist watch list have walked into a gun store and bought the weapon of their choice.

All we are asking for is the commonsense legislation that PETER KING has introduced that would close this loophole be brought to this floor for a vote. This bill, introduced by PETER KING, has bipartisan support. Of course, this bill is not a cure-all for all gun violence in this Nation, but it is a step in the right direction.

I join my colleagues in asking Speaker RYAN to bring this legislation to the floor for a vote.

Mr. NEWHOUSE. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. Mr. Speaker, I thank the gentleman for yielding.

I had to take this opportunity to come to the floor to urge my GOP colleagues to allow a vote on closing the loophole that allows terrorists and terrorist suspects to go and purchase firearms and get a license for explosives. It is unbelievable that this loophole still exists. This is something that we can work together on to help keep our families safe all across America.

And here is the state of the law. Currently, if you are a felon, you cannot purchase a firearm. If you are a fugitive, you cannot purchase a firearm. If you are a drug addict, you cannot purchase a firearm. If you have been convicted of domestic violence, you cannot purchase a firearm.

Here is the loophole: If you are on the terrorist watch list and you cannot fly, you can still go into the gun store and purchase a firearm. This really is truly unbelievable.

I ask the gentleman from Massachusetts (Mr. MCGOVERN) to tell us again the statistic, based upon the GAO report, of how many people, terrorists, suspected terrorists, have been able to purchase firearms.

Do you know?

Mr. MCGOVERN. Will the gentlewoman yield?

Ms. CASTOR of Florida. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. This astounding loophole has allowed more than 2,000 suspects on the FBI's terrorist watch list to buy guns in the United States over the last 11 years.

Ms. CASTOR of Florida. Reclaiming my time, I include in the RECORD a page that summarizes the GAO report from a few years ago, because I know folks think this is a partisan fight. And don't take it from us. Take it from the independent GAO. It states:

''Membership in a terrorist organization does not prohibit a person from possessing firearms or explosives under current Federal law.''

[From GAO Highlights, May 5, 2010]

TERRORIST WATCHLIST SCREENING: FBI HAS ENHANCED ITS USE OF INFORMATION FROM FIREARM AND EXPLOSIVES BACKGROUND CHECKS TO SUPPORT COUNTERTERRORISM EFFORTS

WHY GAO DID THIS STUDY

Membership in a terrorist organization does not prohibit a person from possessing firearms or explosives under current federal law. However, for homeland security and other purposes, the FBI is notified when a firearm or explosives background check involves an individual on the terrorist watchlist. This statement addresses (1) how many checks have resulted in matches with the terrorist watchlist, (2) how the FBI uses information from these checks for counterterrorism purposes, and (3) pending legislation that would give the Attorney General authority to deny certain checks. GAO's testimony is based on products issued in January 2005 and May 2009 and selected updates in March and April 2010. For these updates, GAO reviewed policies and other documentation and interviewed officials at FBI components involved with terrorism-related background checks.

WHAT GAO RECOMMENDS

GAO is not making new recommendations, but has made prior recommendations to the Attorney General to help ensure that background checks involving individuals on the terrorist watchlist are properly handled and that allowable information from these checks is shared with counterterrorism officials, which the FBI has implemented. GAO also suggested that Congress consider adding a provision to any future legislation that would require the Attorney General to define when firearms or explosives could be denied, which has been included in a subsequent bill.

WHAT GAO FOUND

From February 2004 through February 2010, FBI data show that individuals on the terrorist watchlist were involved in firearm or explosives background checks 1,228 times; 1,119 (about 91 percent) of these transactions were allowed to proceed because no prohibiting information was found—such as felony convictions, illegal immigrant status, or other disqualifying factors—and 109 of the transactions were denied. In response to a recommendation in GAO's January 2005 report, the FBI began processing all background checks involving the terrorist watchlist in July 2005—including those generated via state operations—to ensure consistency in handling and ensure that relevant FBI components and field agents are contacted during the resolution of the checks so they can search for prohibiting information.

Based on another recommendation in GAO's 2005 report, the FBI has taken actions to collect and analyze information from these background checks for counterterrorism purposes. For example, in April 2005, the FBI issued guidance to its field offices on the availability and use of information collected as a result of firearm and explosives background checks involving the terrorist watchlist. The guidance discusses the process for FBI field offices to work with FBI personnel who conduct the checks and the Bureau of Alcohol, Tobacco, Firearms and Explosives to obtain information about the checks, such as the purchaser's residence address and the make, model, and serial number of any firearm purchased. The guidance states that any information that FBI field offices obtain related to these background checks can be shared with other counterterrorism and law enforcement agencies. The FBI is also preparing monthly reports on these checks that are disseminated throughout the FBI to support counterterrorism efforts.

In April 2007, the Department of Justice proposed legislative language to Congress that would provide the Attorney General with discretionary authority to deny the transfer of firearms or explosives to known or suspected ''dangerous terrorists.'' At the

time of GAO's May 2009 report, neither the department's proposed legislative language nor related proposed legislation included provisions for the development of guidelines further delineating the circumstances under which the Attorney General could exercise this authority. GAO suggested that Congress consider including a provision in any relevant legislation that would require the Attorney General to establish such guidelines; and this provision was included in a subsequent legislative proposal. If Congress gives the Attorney General authority to deny firearms or explosives based on terrorist watchlist concerns, guidelines for making such denials would help to provide accountability for ensuring that the expected results of the background checks are being achieved. Guidelines would also help ensure that the watchlist is used in a manner that safeguards legal rights, including freedoms, civil liberties, and information privacy guaranteed by federal law and that its use is consistent with other screening processes. For example, criteria have been developed for determining when an individual should be denied the boarding of an aircraft.

Ms. CASTOR of Florida. Mr. Speaker, we have got to act in a bipartisan fashion to close this loophole.

I urge my GOP colleagues to stop blocking the bill from consideration. Bring it up for debate, and let's have a vote.

Mr. NEWHOUSE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. I thank the gentleman for yielding.

Mr. Speaker, I ask, why are we not addressing gun violence? People who aren't allowed to fly because they are suspected of terrorism should not be allowed to purchase firearms.

I can't believe that in 2015 this is a problem that needs fixing. Democrats have tried three times over to open debate on a bill—a bill, by the way, authored by a Republican that would block people on the no-fly list from walking out of a gun shop with their firearm of choice—and three times, the Republican House majority has blocked that opportunity. Ninety-one percent of the time, suspected terrorists pass a background check because the system we have in place does not check to see if a potential buyer is on the no-fly list. This is absolutely unacceptable.

I ask the leadership in this House to immediately bring to the floor Republican Congressman PETER KING's bill to close the loophole that allows suspected terrorists to buy guns. And if they won't, I call upon my colleagues from both sides of the aisle to sign the discharge petition, a petition currently before the House to force a vote on this bill.

We must allow the House to work the will of the people instead of those in Congress who are more concerned with losing their ''A'' rating with the NRA than keeping Americans safe.

Let us address gun violence. Bring the bill to the floor.

Mr. NEWHOUSE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Speaker, I want to thank my colleague from Massachusetts (Mr. MCGOVERN) for yielding me the time and for the tremendous work that he has done on this issue over his career in elected office and, before that, as a staff member here on Capitol Hill.

Mr. Speaker, I join my colleagues today in calling for this House to move a bipartisan piece of legislation because we have an opportunity to close a loophole that allows suspected terrorists to legally purchase firearms and explosives. I believe we have a responsibility to do so before this House takes another moment of silence, as we have done countless times already this session.

Mr. Speaker, in the last 2 years alone, 94 percent of individuals suspected of planning terrorist attacks have been able to successfully pass background checks and purchase deadly weapons. If we don't trust somebody to board a plane, why on Earth would we trust them to buy a gun?

That is why I led over 60 colleagues, along with my colleague from California, MIKE THOMPSON, to write a letter to Speaker RYAN asking him to bring up our colleague PETER KING's bill for a vote.

Our response to gun violence, this body's response to gun violence, can no longer be moments of silence and thoughts and prayers by Members in this Chamber. We can do more than that. We are expected to do more than that. My hope today is that we will.

Mr. NEWHOUSE. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Mr. Speaker, I thank my friend from the State of Washington (Mr. NEWHOUSE).

Again, I want to emphasize with him, as I was down here listening to my friend, that this is regular order. And, frankly, the one thing I have learned in the Rules Committee, especially under this administration, is, it wouldn't be a Rules Committee party if we didn't get a letter from the administration saying, I am not going to sign it.

I am not sure, many times, what they are for. Again, if we are just going to talk about issues today—we are talking about a piece of legislation that affects Americans. And it is amazing to me, every time I come down here to hear my colleagues actually talk about trivial pieces of legislation—if it affects the American public and it is something that affects American lives, then it is not trivial on the floor of this House.

This bill is worth it. This Red River Private Property Protection Act, we are going to vote on the rule. It needs to be supported. The underlying bill is going to be debated. It came through regular order. These are the things that we need to be doing.

But if we also want to talk about things that are going on in the world right now, I want to talk about the absolutely anemic response that we have seen in the world situation from the administration, especially when it comes to where terrorists are moving and growing and being unfettered while we stand by and watch. Especially now. In fact, for this, we have had a debate, and we are looking through it.

Iran, you know, oops, here we go again; it is not just a song on the radio. Iran has decided that they are just going to flaunt what we have been saying for years.

But this is the key thought of our administration on attacking and being at peace with the world. They just tested nuclear missiles again in violation of two U.N. directives, just did it. Where is the outrage? There is none.

We want to hang dangly little things out here. And let's talk about this: The real terrorists in the world, who hate us just because we are free, are still unabated.

It is time not to tell Congress, we will work with AUMF. But, Mr. President, it is time for you to actually give us a plan. It is time for you to stop passing the buck. It is time for the administration to give us an actual idea of how you want to address this, how you want to go about it.

Iran says: I will make a deal with America, flaunt it whenever I want to. I will do whatever I need.

We come to the floor. We debate things that matter to Americans. The majority understands that national security is projecting a strong national security. The majority is putting forth bills that actually work for people. The majority is looking today to work on a piece of legislation that affects real people's lives.

We will continue to have debates with my friends across the aisle on a number of issues. But today, let's move forward. And let's also have a time to say, Mr. President, we are looking for direction. It is time to lead. Check in, or check out.

The SPEAKER pro tempore (Mr. YOUNG of Iowa). Members are reminded to address their remarks to the Chair.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

If my colleagues on the other side of the aisle wanted to defend the record of this House in terms of regular order, they can have it at. It is laughable, the record. This is the most closed Congress in the history of the United States Congress. That is the record that they are proud of.

We are here, again, trying to pressure the leadership of this House to let this House do what it is supposed to do:

have the committees of jurisdiction report this bill to shut down this terrible loophole which is a potential danger to our citizens. Bring it to the floor. We can't get you to bring anything to the floor related to this issue.

But to get up here and to somehow talk like my friends on the other side care about regular order or even are in the most minimal way committed to an open process here is laughable. Look at the record of this Congress.

The Speaker and the previous Speaker all get up here and talk about their commitment to regular order. And then what do they do? They do the opposite time and time again.

I read to you some of the bills that you brought up recently that have come to the floor not under regular order. We don't need lectures on regular order from my friends on the Republican side who, again, are presiding over the most closed Congress in the history of the United States of America.

With that, I yield 2 minutes to the gentlewoman from California (Mrs. TORRES).

Mrs. TORRES. Mr. Speaker, despite the increasing frequency with which mass shootings seem to happen in this country, we never expect it to happen in our community. But a week ago today, that is exactly what happened when tragedy hit home.

I knew the Inland Regional Center well, represented the city of San Bernardino during my time in the State senate; and on this tragic day, five individuals who lived in cities that I represent were murdered.

Far too many communities have felt the pain that the San Bernardino and Inland Empire community is facing right now. Far too many Americans have lost loved ones in similar acts of violence.

Mr. Speaker, the loophole that allows suspects on terrorist watch lists to purchase a gun, to walk into a gun store and purchase a high caliber weapon, must be fixed.

This is an urgent, commonsense, widely supported reform that we can make to reduce gun violence, but we haven't. We haven't been able to have a serious conversation about any of these issues.

Those who want to support changes to our gun laws need to make their voices heard and say, enough is enough; check in, or check out.

Before we gather for yet another moment of silence, I remind my colleagues that this House floor is for action, not inaction. Doing nothing is inexcusable. It is an insult to the lives lost on that tragic day.

Mr. NEWHOUSE. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

□ 1415

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

Mr. Speaker, I would challenge any one of my colleagues to go out on any street corner in the United States of America and ask people who are walking by: Do you think the people who are on the terrorist watch list who are not allowed to get on an airplane should be able to go into any gun store and buy a weapon of their choice?

For example, a weapon that looks like this. This is a Smith & Wesson .223-caliber assault rifle. This is a weapon that is available to people who are on the terrorist watch list. It is also the weapon that was used by the shooters in San Bernardino to fire off 65 to 75 rounds and kill the coworkers of one of those shooters.

Since 2004, over 2,000 suspects on the FBI's terrorist watch list have successfully purchased weapons in the United States. More than 90 percent of all suspected terrorists who attempted to purchase guns in the last 11 years were able to do that. It may not be the biggest issue, but, clearly, the American people don't think that potential terrorists should be able to buy guns.

Let's do it.

H.R. 1076 would ban the sale of weapons to any individual, according to the Attorney General, who is considered to be engaged in terrorist activities. Introduced by a Republican, this is bipartisan. Let's support PETER KING's bill, the bill that many of us have gotten together to sponsor, as a beginning in order to say we are serious about protecting our communities.

Mr. NEWHOUSE. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. I thank my friend from Massachusetts.

Mr. Speaker, I rise more in sadness than in anger. This debate has gone on long enough. Too many of our fellow Americans have been victimized by gun violence because we are enthralled by the gun lobby.

Who do we serve in this body if it isn't the American people? It is the sacred responsibility of every Member of this body to protect that public, not a special interest lobby. Are we ever going to be willing to put aside what we perceive we owe that lobby and act on behalf of the American people?

If we can't do it in this example—preventing guns from getting in the hands of people on a terrorist watch list—I would venture to guess, Mr. Speaker, that the American people who are watching this debate think it is made up, that it can't be true, that it can't be true that somebody on the terrorist watch list qualifies and is going to be protected by this body to exercise his Second Amendment right and buy a gun. Surely that cannot be true.

I hope we examine our hearts as well as our minds in this discussion and come to our senses and do something vitally important for the American people.

Mr. NEWHOUSE. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I think most Americans think it is important for the Constitution to be protected. The Second Amendment is protected. We have the right to bear arms.

But most Americans would find our actions and inactions questionable at best because, after the 353rd mass murder, this Congress cannot come together and vote on one simple bill, that is, that individuals on the no-fly and terrorist watch lists would not be able to purchase guns.

Yes, my colleagues, today, as we stand here, they can purchase guns. They can purchase guns without imprisonment, without charges. In memory of San Bernardino, among the other failures that caused their deaths, the one we know of was the utilization of automatic weapons that shot thousands or hundreds of rounds—many rounds—killing these innocent persons.

I rise today to say that we should not move from this place without passing the Peter King bill, which keeps guns—automatic weapons—out of the hands of terrorists. How simple a question. How simple an answer. Vote ''yes'' for the American people.

Mr. NEWHOUSE. Mr. Speaker, may I inquire as to how much time is left on both sides?

The SPEAKER pro tempore. The gentleman from Washington has 11½ minutes remaining. The gentleman from Massachusetts has 3½ minutes remaining.

Mr. NEWHOUSE. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, may I inquire if the gentleman has any further speakers?

Mr. NEWHOUSE. I have one further speaker.

Mr. MCGOVERN. I am the last speaker on my side.

Mr. Speaker, I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield 1 minute to the gentleman from Nevada (Mr. AMODEI).

Mr. AMODEI. Mr. Speaker, I don't usually show up unannounced or uninvited. But I have listened to the debate on this, and I find absolutely amazing the outpouring of abhorrence for potential gun violence from a body that failed to have a moment of silence for Kate Steinle, that failed to do anything to recognize that instance of gun violence in the Bay Area.

So, as I sit here and listen to all of the deplorable, junior varsity theater on the message, I wonder: Why aren't

we doing something about that instance, which was put in the rearview mirror instantly and accelerate it away at the speed of light?

America, the junior varsity theater is in session on this issue. I encourage you to skip the show.

Mr. MCGOVERN. Mr. Speaker, I yield myself my remaining time.

I am sorry that the previous speaker doesn't see the importance of this issue and thinks that this is theater. I assure you that the vast majority of Americans—Democrats, Republicans, and Independents alike—think this is a very serious issue.

Right now, according to the ATF, the people who cannot own a gun in this country are criminals, unlawful users of controlled substances, people who are mentally ill, people who have renounced their citizenship, and people who have been convicted of domestic violence.

Our laws are clear on that. These people can't go out and buy guns. Yet, when it comes to people who are suspected of terrorism, for some reason, we can't apply the law to them. For some reason, there is a reluctance by some on the other side of the aisle—not all, but some—to do something about this.

This is fairly easy. Congressman KING, a Republican from New York, has a bill that I think is fairly straightforward. It basically says that people who are suspected of being terrorists, who right now can't fly on airplanes, should not be able to go out and purchase a gun, should not be able to purchase a weapon of war.

That concept is controversial in this House of Representatives. It is hard to fathom. People can't quite understand what the problem is.

Now, maybe my colleagues on the other side of the aisle are going to introduce bills to allow us to be able to sell weapons to people who are convicted of domestic violence or to people who are felons or to people who have renounced their citizenship. Maybe that is going to mysteriously come to the House floor. Maybe that is what the plan is, but I hope not.

I don't hear them saying that. I don't hear people on the other side of the aisle saying we should do away with the no-fly list and allow suspected terrorists to be able to fly on airplanes with the American people. I don't hear people asking to do that. So what is the problem?

We are making a big deal of this. I am sorry the gentleman from Nevada doesn't appreciate the importance of this issue, but we are making a big deal of this because it is a big deal. We need to do a lot of different things to protect the American people, and this is one of them. No one is up here saying this will solve all of our problems, but we are saying this is an important piece that we ought to get done.

I urge my colleagues on both sides of the aisle to defeat the previous question. Allow us to have the opportunity to bring this up because we have tried every which way—we even have a discharge petition going to try to force a vote on this issue—and all we have encountered is resistance, resistance, resistance. Give us the opportunity to deliberate. Let the people's House do the people's business.

I urge my colleagues to vote ''no'' on the previous question and to then vote ''no'' on the rule.

Mr. Speaker, I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself the balance of my time.

It has been an interesting hour in our discussion of private property rights in Texas and in Oklahoma. We have quite a broad subject here. Let me just say a couple of things before I close.

It was just yesterday that the newspaper in Los Angeles, the LA Times, which is not known to be a conservative newspaper, stated: ''One problem is that the people on the no-fly list''—and Mr. MCGOVERN was saying nobody wants to do anything about the no-fly list.

The LA Times points out: ''One problem is that the people on the no-fly list . . . have not been convicted of doing anything wrong . . . And the United States doesn't generally punish or penalize people unless and until they have been charged and convicted of a crime.''

It continues: ''But serious flaws in the list have been identified. According to the American Civil Liberties Union''—the ACLU—''which is suing the government over the no-fly list, the two lists include thousands of names that have been added in error . . . The no-fly list has also been used to deny boarding passes to people who only share a name with a suspected terrorist. Former Sen. Ted Kennedy''—from your State of Massachusetts—''was famously questioned at airports in 2004 because a terror suspect had used the alias 'T. Kennedy.' It took the senator's office three weeks to get his name cleared.''

Does that sound like common sense to my colleagues?

This is about upholding the Constitution, which we all swear an oath to every 2 years. Even the ACLU believes so.

Mr. Speaker, even though this has been a great distraction by the other side, I think, to blur the fact that the current administration has no policy in place to defeat terrorism, to defeat ISIS, I think we need to keep our eye on the ball.

The special terrorism task force has come up with fully 30 recommendations that I am hopeful the other side of the aisle will help us work through and pass in order to keep this country safe.

This is a serious issue that all Americans are concerned with. I am sure my office is no different than anyone else's in that the majority of calls and contacts they have received over the last few weeks has been about security, about being safe in our country.

I hope we can work in a bipartisan way to address the true issues that will keep Americans safe and not address the distractions that take away the attention from where it needs to be: on the lack of a clear policy on the administration's part to defeat terrorism.

Let me get back to the underlying reason we are having this discussion this afternoon, Mr. Speaker, that being the Red River Private Property Protection Act.

For over 200 years, confusion and dispute over the Texas-Oklahoma border have been ongoing staples of land management in that region. I am sure my colleagues from Oklahoma and Texas would agree with me that the last thing we need further muddying this confusion is a Federal agency's stepping in and claiming ownership of a large portion of that area.

Dozens of landowners along the Red River should not have to live in a restless state, unsure if the land they have held titles to, have worked hard to pay taxes on, and, in some cases, have owned for generations will suddenly be snatched up through a shoddily conducted survey.

Conducting a survey using the Supreme Court's approved gradient boundary method is the only way to truly find the boundary between public and private ownership to settle this dispute once and for all.

□ 1430

My colleagues from Oklahoma and Texas and their constituents deserve to have this matter finally settled and in a just fashion. H.R. 2130 protects private property and settles the question of ownership by requiring the BLM to commission a survey along the entire 116 mile stretch of the Red River using that gradient boundary survey method backed by the Supreme Court to determine the property ownership boundary between private and public land. This bill ensures that the survey is done correctly, accurately, and according to the Supreme Court's instructions.

I support the rule's adoption, and I urge my colleagues to support the protection of private landowners, the States, and the affected tribal nations' rights upheld by this rule and the underlying bill.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 556 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public

safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NEWHOUSE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 242, nays 178, not voting 13, as follows:

[Roll No. 682]

YEAS—242

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Upton
Valadao
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—178

Adams
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Graham
Grayson
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal

Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Aguilar
Barr
Bishop (GA)
Garamendi
Green, Al
Huffman
Johnson, Sam
Lee
Perlmutter
Rush
Sanchez, Loretta
Turner
Wagner

□ 1458

Mr. ENGEL changed his vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. BARR. Mr. Speaker, on rollcall No. 682, I was unavoidably detained. Had I been present, I would have voted "yes."

Stated against:

Mr. AL GREEN of Texas. Mr. Speaker, today I missed the following vote: Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 2130. Had I been present, I would have voted "no" on this bill.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 183, not voting 9, as follows:

[Roll No. 683]

AYES—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—183

Adams
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Aguilar
Bishop (GA)
Franks (AZ)
Johnson, Sam
Kinzinger (IL)
Perlmutter
Rush
Sanchez, Loretta
Turner

□ 1506

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 644, TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015

Mr. BRADY of Texas submitted the following conference report and statement on the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes:

CONFERENCE REPORT
(TO ACCOMPANY H.R. 644)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 644), to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Trade Facilitation and Trade Enforcement Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—TRADE FACILITATION AND TRADE ENFORCEMENT

Sec. 101. Improving partnership programs.
Sec. 102. Report on effectiveness of trade enforcement activities.

Sec. 103. Priorities and performance standards for customs modernization, trade facilitation, and trade enforcement functions and programs.
Sec. 104. Educational seminars to improve efforts to classify and appraise imported articles, to improve trade enforcement efforts, and to otherwise facilitate legitimate international trade.
Sec. 105. Joint strategic plan.
Sec. 106. Automated Commercial Environment.
Sec. 107. International Trade Data System.
Sec. 108. Consultations with respect to mutual recognition arrangements.
Sec. 109. Commercial Customs Operations Advisory Committee.
Sec. 110. Centers of Excellence and Expertise.
Sec. 111. Commercial risk assessment targeting and trade alerts.
Sec. 112. Report on oversight of revenue protection and enforcement measures.
Sec. 113. Report on security and revenue measures with respect to merchandise transported in bond.
Sec. 114. Importer of record program.
Sec. 115. Establishment of importer risk assessment program.
Sec. 116. Customs broker identification of importers.
Sec. 117. Priority trade issues.
Sec. 118. Appropriate congressional committees defined.

TITLE II—IMPORT HEALTH AND SAFETY

Sec. 201. Interagency import safety working group.
Sec. 202. Joint import safety rapid response plan.
Sec. 203. Training.

TITLE III—IMPORT-RELATED PROTECTION OF INTELLECTUAL PROPERTY RIGHTS

Sec. 301. Definition of intellectual property rights.
Sec. 302. Exchange of information related to trade enforcement.
Sec. 303. Seizure of circumvention devices.
Sec. 304. Enforcement by U.S. Customs and Border Protection of works for which copyright registration is pending.
Sec. 305. National Intellectual Property Rights Coordination Center.
Sec. 306. Joint strategic plan for the enforcement of intellectual property rights.
Sec. 307. Personnel dedicated to the enforcement of intellectual property rights.
Sec. 308. Training with respect to the enforcement of intellectual property rights.
Sec. 309. International cooperation and information sharing.
Sec. 310. Report on intellectual property rights enforcement.
Sec. 311. Information for travelers regarding violations of intellectual property rights.

TITLE IV—PREVENTION OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS

Sec. 401. Short title.
Sec. 402. Definitions.
Sec. 403. Application to Canada and Mexico.

Subtitle A—Actions Relating to Enforcement of Trade Remedy Laws

Sec. 411. Trade remedy law enforcement division.
Sec. 412. Collection of information on evasion of trade remedy laws.
Sec. 413. Access to information.
Sec. 414. Cooperation with foreign countries on preventing evasion of trade remedy laws.
Sec. 415. Trade negotiating objectives.

Subtitle B—Investigation of Evasion of Trade Remedy Laws

Sec. 421. Procedures for investigating claims of evasion of antidumping and countervailing duty orders.

Subtitle C—Other Matters

Sec. 431. Allocation and training of personnel.
Sec. 432. Annual report on prevention and investigation of evasion of antidumping and countervailing duty orders.
Sec. 433. Addressing circumvention by new shippers.

TITLE V—SMALL BUSINESS TRADE ISSUES AND STATE TRADE COORDINATION

Sec. 501. Short title.
Sec. 502. Outreach and input from small businesses to trade promotion authority.
Sec. 503. State Trade Expansion Program.
Sec. 504. State and Federal Export Promotion Coordination.
Sec. 505. State trade coordination.

TITLE VI—ADDITIONAL ENFORCEMENT PROVISIONS

Sec. 601. Trade enforcement priorities.
Sec. 602. Exercise of WTO authorization to suspend concessions or other obligations under trade agreements.
Sec. 603. Trade monitoring.
Sec. 604. Establishment of Interagency Center on Trade Implementation, Monitoring, and Enforcement.
Sec. 605. Inclusion of interest in certain distributions of antidumping duties and countervailing duties.
Sec. 606. Illicitly imported, exported, or trafficked cultural property, archaeological or ethnological materials, and fish, wildlife, and plants.
Sec. 607. Enforcement under title III of the Trade Act of 1974 with respect to certain acts, policies, and practices.
Sec. 608. Honey transshipment.
Sec. 609. Establishment of Chief Innovation and Intellectual Property Negotiator.
Sec. 610. Measures relating to countries that deny adequate protection for intellectual property rights.
Sec. 611. Trade Enforcement Trust Fund.

TITLE VII—ENGAGEMENT ON CURRENCY EXCHANGE RATE AND ECONOMIC POLICIES

Sec. 701. Enhancement of engagement on currency exchange rate and economic policies with certain major trading partners of the United States.
Sec. 702. Advisory Committee on International Exchange Rate Policy.

TITLE VIII—MATTERS RELATING TO U.S. CUSTOMS AND BORDER PROTECTION

Subtitle A—Establishment of U.S. Customs and Border Protection

Sec. 801. Short title.
Sec. 802. Establishment of U.S. Customs and Border Protection.

Subtitle B—Preclearance Operations

Sec. 811. Short title.
Sec. 812. Definitions.
Sec. 813. Establishment of preclearance operations.
Sec. 814. Notification and certification to Congress.
Sec. 815. Protocols.
Sec. 816. Lost and stolen passports.
Sec. 817. Recovery of initial U.S. Customs and Border Protection preclearance operations costs.
Sec. 818. Collection and disposition of funds collected for immigration inspection services and preclearance activities.
Sec. 819. Application to new and existing preclearance operations.

TITLE IX—MISCELLANEOUS PROVISIONS

Sec. 901. De minimis value.
Sec. 902. Consultation on trade and customs revenue functions.
Sec. 903. Penalties for customs brokers.
Sec. 904. Amendments to chapter 98 of the Harmonized Tariff Schedule of the United States.
Sec. 905. Exemption from duty of residue of bulk cargo contained in instruments of international traffic previously exported from the United States.
Sec. 906. Drawback and refunds.
Sec. 907. Report on certain U.S. Customs and Border Protection agreements.
Sec. 908. Charter flights.
Sec. 909. United States-Israel trade and commercial enhancement.
Sec. 910. Elimination of consumptive demand exception to prohibition on importation of goods made with convict labor, forced labor, or indentured labor; report.
Sec. 911. Voluntary reliquidations by U.S. Customs and Border Protection.
Sec. 912. Tariff classification of recreational performance outerwear.
Sec. 913. Modifications to duty treatment of protective active footwear.
Sec. 914. Amendments to Bipartisan Congressional Trade Priorities and Accountability Act of 2015.
Sec. 915. Trade preferences for Nepal.
Sec. 916. Agreement by Asia-Pacific Economic Cooperation members to reduce rates of duty on certain environmental goods.
Sec. 917. Amendment to Tariff Act of 1930 to require country of origin marking of certain castings.
Sec. 918. Inclusion of certain information in submission of nomination for appointment as Deputy United States Trade Representative.
Sec. 919. Sense of Congress on the need for a miscellaneous tariff bill process.
Sec. 920. Customs user fees.
Sec. 921. Increase in penalty for failure to file return of tax.
Sec. 922. Permanent moratorium on Internet access taxes and on multiple and discriminatory taxes on electronic commerce.

SEC. 2. DEFINITIONS.

In this Act:

(1) AUTOMATED COMMERCIAL ENVIRONMENT.—The term ''Automated Commercial Environment'' means the Automated Commercial Environment computer system authorized under section 13031(f)(4) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)).

(2) COMMERCIAL OPERATIONS OF U.S. CUSTOMS AND BORDER PROTECTION.—The term ''commercial operations of U.S. Customs and Border Protection'' includes—

(A) administering any customs revenue function (as defined in section 415 of the Homeland Security Act of 2002 (6 U.S.C. 215));

(B) coordinating efforts of the Department of Homeland Security with respect to trade facilitation and trade enforcement;

(C) coordinating with the Director of U.S. Immigration and Customs Enforcement with respect to—

(i) investigations relating to trade enforcement; and

(ii) the development and implementation of the joint strategic plan required by section 105;

(D) coordinating, on behalf of the Department of Homeland Security, efforts among Federal

agencies to facilitate legitimate trade and to enforce the customs and trade laws of the United States, including representing the Department of Homeland Security in interagency for a addressing such efforts;

(E) coordinating with customs authorities of foreign countries to facilitate legitimate international trade and enforce the customs and trade laws of the United States and the customs and trade laws of foreign countries;

(F) collecting, assessing, and disseminating information as appropriate and in accordance with any law regarding cargo destined for the United States—

(i) to ensure that such cargo complies with the customs and trade laws of the United States; and

(ii) to facilitate the legitimate international trade of such cargo;

(G) soliciting and considering on a regular basis input from private sector entities, including the Commercial Customs Operations Advisory Committee established by section 109 and the Trade Support Network, with respect to, as appropriate—

(i) the implementation of changes to the customs and trade laws of the United States; and

(ii) the development, implementation, or revision of policies or regulations administered by U.S. Customs and Border Protection; and

(H) otherwise advising the Secretary of Homeland Security with respect to the development of policies associated with facilitating legitimate trade and enforcing the customs and trade laws of the United States.

(3) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of U.S. Customs and Border Protection, as described in section 411(b) of the Homeland Security Act of 2002, as amended by section 802(a) of this Act.

(4) CUSTOMS AND TRADE LAWS OF THE UNITED STATES.—The term ''customs and trade laws of the United States'' includes the following:

(A) The Tariff Act of 1930 (19 U.S.C. 1202 et seq.).

(B) Section 249 of the Revised Statutes (19 U.S.C. 3).

(C) Section 2 of the Act of March 4, 1923 (42 Stat. 1453, chapter 251; 19 U.S.C. 6).

(D) The Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2071 et seq.).

(E) Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c).

(F) Section 251 of the Revised Statutes (19 U.S.C. 66).

(G) Section 1 of the Act of June 26, 1930 (46 Stat. 817, chapter 617; 19 U.S.C. 68).

(H) The Act of June 18, 1934 (48 Stat. 998, chapter 590; 19 U.S.C. 81a et seq.; commonly known as the ''Foreign Trade Zones Act'').

(I) Section 1 of the Act of March 2, 1911 (36 Stat. 965, chapter 191; 19 U.S.C. 198).

(J) The Trade Act of 1974 (19 U.S.C. 2101 et seq.).

(K) The Trade Agreements Act of 1979 (19 U.S.C. 2501 et seq.).

(L) The North American Free Trade Agreement Implementation Act (19 U.S.C. 3301 et seq.).

(M) The Uruguay Round Agreements Act (19 U.S.C. 3501 et seq.).

(N) The Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.).

(O) The Andean Trade Preference Act (19 U.S.C. 3201 et seq.).

(P) The African Growth and Opportunity Act (19 U.S.C. 3701 et seq.).

(Q) The Customs Enforcement Act of 1986 (Public Law 99–570; 100 Stat. 3207–79).

(R) The Customs and Trade Act of 1990 (Public Law 101–382; 104 Stat. 629).

(S) The Customs Procedural Reform and Simplification Act of 1978 (Public Law 95–410; 92 Stat. 888).

(T) The Trade Act of 2002 (Public Law 107–210; 116 Stat. 933).

(U) The Convention on Cultural Property Implementation Act (19 U.S.C. 2601 et seq.).

(V) The Act of March 28, 1928 (45 Stat. 374, chapter 266; 19 U.S.C. 2077 et seq.).

(W) The Act of August 7, 1939 (53 Stat. 1262, chapter 566).

(X) The Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4201 et seq.).

(Y) The Trade Preferences Extension Act of 2015 (Public Law 114–27; 129 Stat. 362).

(Z) Any other provision of law implementing a trade agreement.

(AA) Any other provision of law vesting customs revenue functions in the Secretary of the Treasury.

(BB) Any other provision of law relating to trade facilitation or trade enforcement that is administered by U.S. Customs and Border Protection on behalf of any Federal agency that is required to participate in the International Trade Data System established under section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d)).

(CC) Any other provision of customs or trade law administered by U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement.

(5) PRIVATE SECTOR ENTITY.—The term ''private sector entity'' means—

(A) an importer;

(B) an exporter;

(C) a forwarder;

(D) an air, sea, or land carrier or shipper;

(E) a contract logistics provider;

(F) a customs broker; or

(G) any other person (other than an employee of a government) affected by the implementation of the customs and trade laws of the United States.

(6) TRADE ENFORCEMENT.—The term ''trade enforcement'' means the enforcement of the customs and trade laws of the United States.

(7) TRADE FACILITATION.—The term ''trade facilitation'' refers to policies and activities of U.S. Customs and Border Protection with respect to facilitating the movement of merchandise into and out of the United States in a manner that complies with the customs and trade laws of the United States.

TITLE I—TRADE FACILITATION AND TRADE ENFORCEMENT

SEC. 101. IMPROVING PARTNERSHIP PROGRAMS.

(a) IN GENERAL.—In order to advance the security, trade enforcement, and trade facilitation missions of U.S. Customs and Border Protection, the Commissioner shall ensure that partnership programs of U.S. Customs and Border Protection established before the date of the enactment of this Act, such as the Customs–Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 961 et seq.), and partnership programs of U.S. Customs and Border Protection established on or after such date of enactment, provide trade benefits to private sector entities that meet the requirements for participation in those programs established by the Commissioner under this section.

(b) ELEMENTS.—In developing and operating partnership programs under subsection (a), the Commissioner shall—

(1) consult with private sector entities, the public, and other Federal agencies when appropriate, to ensure that participants in those programs receive commercially significant and measurable trade benefits, including providing preclearance of merchandise for qualified persons that demonstrate the highest levels of compliance with the customs and trade laws of the United States, regulations of U.S. Customs and Border Protection, and other requirements the Commissioner determines to be necessary;

(2) ensure an integrated and transparent system of trade benefits and compliance requirements for all partnership programs of U.S. Customs and Border Protection;

(3) consider consolidating partnership programs in situations in which doing so would support the objectives of such programs, increase participation in such programs, enhance the trade benefits provided to participants in such programs, and enhance the allocation of the resources of U.S. Customs and Border Protection;

(4) coordinate with the Director of U.S. Immigration and Customs Enforcement, and other Federal agencies with authority to detain and release merchandise entering the United States—

(A) to ensure coordination in the release of such merchandise through the Automated Commercial Environment, or its predecessor, and the International Trade Data System established under section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d));

(B) to ensure that the partnership programs of those agencies are compatible with the partnership programs of U.S. Customs and Border Protection;

(C) to develop criteria for authorizing the release, on an expedited basis, of merchandise for which documentation is required from one or more of those agencies to clear or license the merchandise for entry into the United States; and

(D) to create pathways, within and among the appropriate Federal agencies, for qualified persons that demonstrate the highest levels of compliance with the customs and trade laws of the United States to receive immediate clearance absent information that a transaction may pose a national security or compliance threat; and

(5) ensure that trade benefits are provided to participants in partnership programs.

(c) REPORT REQUIRED.—Not later than the date that is 180 days after the date of the enactment of this Act, and not later than December 31 of each calendar year thereafter, the Commissioner shall submit to the appropriate congressional committees a report that—

(1) identifies each partnership program referred to in subsection (a);

(2) for each such program, identifies—

(A) the requirements for participants in the program;

(B) the commercially significant and measurable trade benefits provided to participants in the program;

(C) the number of participants in the program; and

(D) in the case of a program that provides for participation at multiple tiers, the number of participants at each such tier;

(3) identifies the number of participants enrolled in more than one such partnership program;

(4) assesses the effectiveness of each such partnership program in advancing the security, trade enforcement, and trade facilitation missions of U.S. Customs and Border Protection, based on historical developments, the level of participation in the program, and the evolution of benefits provided to participants in the program;

(5) summarizes the efforts of U.S. Customs and Border Protection to work with other Federal agencies with authority to detain and release merchandise entering the United States to ensure that partnership programs of those agencies are compatible with partnership programs of U.S. Customs and Border Protection;

(6) summarizes criteria developed with those agencies for authorizing the release, on an expedited basis, of merchandise for which documentation is required from one or more of those

agencies to clear or license the merchandise for entry into the United States;

(7) summarizes the efforts of U.S. Customs and Border Protection to work with private sector entities and the public to develop and improve such partnership programs;

(8) describes measures taken by U.S. Customs and Border Protection to make private sector entities aware of the trade benefits available to participants in such partnership programs; and

(9) summarizes the plans, targets, and goals of U.S. Customs and Border Protection with respect to such partnership programs for the 2 years following the submission of the report.

SEC. 102. REPORT ON EFFECTIVENESS OF TRADE ENFORCEMENT ACTIVITIES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the effectiveness of trade enforcement activities of U.S. Customs and Border Protection.

(b) CONTENTS.—The report required by subsection (a) shall include—

(1) a description of the use of resources, results of audits and verifications, targeting, organization, and training of personnel of U.S. Customs and Border Protection;

(2) a description of trade enforcement activities to address undervaluation, transshipment, legitimacy of entities making entry, protection of revenues, fraud prevention and detection, and penalties, including intentional misclassification, inadequate bonding, and other misrepresentations; and

(3) a description of trade enforcement activities with respect to the priority trade issues described in section 117, including—

(A) methodologies used in such enforcement activities, such as targeting;

(B) recommendations for improving such enforcement activities; and

(C) a description of the implementation of previous recommendations for improving such enforcement activities.

(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 103. PRIORITIES AND PERFORMANCE STANDARDS FOR CUSTOMS MODERNIZATION, TRADE FACILITATION, AND TRADE ENFORCEMENT FUNCTIONS AND PROGRAMS.

(a) PRIORITIES AND PERFORMANCE STANDARDS.—

(1) IN GENERAL.—The Commissioner, in consultation with the appropriate congressional committees, shall establish priorities and performance standards to measure the development and levels of achievement of the customs modernization, trade facilitation, and trade enforcement functions and programs described in subsection (b).

(2) MINIMUM PRIORITIES AND STANDARDS.—Such priorities and performance standards shall, at a minimum, include priorities and standards relating to efficiency, outcome, output, and other types of applicable measures.

(b) FUNCTIONS AND PROGRAMS DESCRIBED.—The functions and programs referred to in subsection (a) are the following:

(1) The Automated Commercial Environment.

(2) Each of the priority trade issues described in section 117.

(3) The Centers of Excellence and Expertise described in section 110.

(4) Drawback for exported merchandise under section 313 of the Tariff Act of 1930 (19 U.S.C. 1313), as amended by section 906 of this Act.

(5) Transactions relating to imported merchandise in bond.

(6) Collection of countervailing duties assessed under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and antidumping duties assessed under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.).

(7) The expedited clearance of cargo.

(8) The issuance of regulations and rulings.

(9) The issuance of Regulatory Audit Reports.

(c) CONSULTATIONS AND NOTIFICATION.—

(1) CONSULTATIONS.—The consultations required by subsection (a)(1) shall occur, at a minimum, on an annual basis.

(2) NOTIFICATION.—The Commissioner shall notify the appropriate congressional committees of any changes to the priorities or performance standards referred to in subsection (a) not later than 30 days before such changes are to take effect.

SEC. 104. EDUCATIONAL SEMINARS TO IMPROVE EFFORTS TO CLASSIFY AND APPRAISE IMPORTED ARTICLES, TO IMPROVE TRADE ENFORCEMENT EFFORTS, AND TO OTHERWISE FACILITATE LEGITIMATE INTERNATIONAL TRADE.

(a) ESTABLISHMENT.—The Commissioner and the Director shall establish and carry out on a fiscal year basis educational seminars to—

(1) improve the ability of personnel of U.S. Customs and Border Protection to classify and appraise articles imported into the United States in accordance with the customs and trade laws of the United States;

(2) improve the trade enforcement efforts of personnel of U.S. Customs and Border Protection and personnel of U.S. Immigration and Customs Enforcement; and

(3) otherwise improve the ability and effectiveness of personnel of U.S. Customs and Border Protection and personnel of U.S. Immigration and Customs Enforcement to facilitate legitimate international trade.

(b) CONTENT.—

(1) CLASSIFYING AND APPRAISING IMPORTED ARTICLES.—In carrying out subsection (a)(1), the Commissioner, the Director, and interested parties in the private sector selected under subsection (c) shall provide instruction and related instructional materials at each educational seminar carried out under this section to personnel of U.S. Customs and Border Protection and, as appropriate, to personnel of U.S. Immigration and Customs Enforcement on the following:

(A) Conducting a physical inspection of an article imported into the United States, including testing of samples of the article, to determine if the article is mislabeled in the manifest or other accompanying documentation.

(B) Reviewing the manifest and other accompanying documentation of an article imported into the United States to determine if the country of origin of the article listed in the manifest or other accompanying documentation is accurate.

(C) Customs valuation.

(D) Industry supply chains and other related matters as determined to be appropriate by the Commissioner.

(2) TRADE ENFORCEMENT EFFORTS.—In carrying out subsection (a)(2), the Commissioner, the Director, and interested parties in the private sector selected under subsection (c) shall provide instruction and related instructional materials at each educational seminar carried out under this section to personnel of U.S. Customs and Border Protection and, as appropriate, to personnel of U.S. Immigration and Customs Enforcement to identify opportunities to enhance enforcement of the following:

(A) Collection of countervailing duties assessed under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and antidumping duties assessed under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.).

(B) Addressing evasion of duties on imports of textiles.

(C) Protection of intellectual property rights.

(D) Enforcement of child labor laws.

(3) APPROVAL OF COMMISSIONER AND DIRECTOR.—The instruction and related instructional materials at each educational seminar carried out under this section shall be subject to the approval of the Commissioner and the Director.

(c) SELECTION PROCESS.—

(1) IN GENERAL.—The Commissioner shall establish a process to solicit, evaluate, and select interested parties in the private sector for purposes of assisting in providing instruction and related instructional materials described in subsection (b) at each educational seminar carried out under this section.

(2) CRITERIA.—The Commissioner shall evaluate and select interested parties in the private sector under the process established under paragraph (1) based on—

(A) availability and usefulness;

(B) the volume, value, and incidence of mislabeling or misidentification of origin of imported articles; and

(C) other appropriate criteria established by the Commissioner.

(3) PUBLIC AVAILABILITY.—The Commissioner and the Director shall publish in the Federal Register a detailed description of the process established under paragraph (1) and the criteria established under paragraph (2).

(d) SPECIAL RULE FOR ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.—

(1) IN GENERAL.—The Commissioner shall give due consideration to carrying out an educational seminar under this section in whole or in part to improve the ability of personnel of U.S. Customs and Border Protection to enforce a countervailing or antidumping duty order issued under section 706 or 736 of the Tariff Act of 1930 (19 U.S.C. 1671e or 1673e) upon the request of a petitioner in an action underlying such countervailing or antidumping duty order.

(2) INTERESTED PARTY.—A petitioner described in paragraph (1) shall be treated as an interested party in the private sector for purposes of the requirements of this section.

(e) PERFORMANCE STANDARDS.—The Commissioner and the Director shall establish performance standards to measure the development and level of achievement of educational seminars carried out under this section.

(f) REPORTING.—Not later than September 30, 2016, and annually thereafter, the Commissioner and the Director shall submit to the appropriate congressional committees a report on the effectiveness of educational seminars carried out under this section.

(g) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term ''Director'' means the Director of U.S. Immigration and Customs Enforcement.

(2) UNITED STATES.—The term ''United States'' means the customs territory of the United States, as defined in General Note 2 to the Harmonized Tariff Schedule of the United States.

(3) U.S. CUSTOMS AND BORDER PROTECTION PERSONNEL.—The term ''U.S. Customs and Border Protection personnel'' means import specialists, auditors, and other appropriate employees of the U.S. Customs and Border Protection.

(4) U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT PERSONNEL.—The term ''U.S. Immigration and Customs Enforcement personnel'' means Homeland Security Investigations Directorate personnel and other appropriate employees of U.S. Immigration and Customs Enforcement.

SEC. 105. JOINT STRATEGIC PLAN.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and every 2 years thereafter, the Commissioner and the Director of U.S. Immigration and Customs Enforcement shall jointly develop and submit to the appropriate congressional committees a joint strategic plan.

(b) CONTENTS.—The joint strategic plan required under this section shall be comprised of a

comprehensive multiyear plan for trade enforcement and trade facilitation, and shall include—

(1) a summary of actions taken during the 2-year period preceding the submission of the plan to improve trade enforcement and trade facilitation, including a description and analysis of specific performance measures to evaluate the progress of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement in meeting each such responsibility;

(2) a statement of objectives and plans for further improving trade enforcement and trade facilitation;

(3) a specific identification of the priority trade issues described in section 117 that can be addressed in order to enhance trade enforcement and trade facilitation, and a description of strategies and plans for addressing each such issue, including—

(A) a description of the targeting methodologies used for enforcement activities with respect to each such issue;

(B) recommendations for improving such enforcement activities; and

(C) a description of the implementation of previous recommendations for improving such enforcement activities;

(4) a description of efforts made to improve consultation and coordination among and within Federal agencies, and in particular between U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, regarding trade enforcement and trade facilitation;

(5) a description of the training that has occurred to date within U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to improve trade enforcement and trade facilitation, including training at educational seminars carried out under section 104;

(6) a description of efforts to work with the World Customs Organization and other international organizations, in consultation with other Federal agencies as appropriate, with respect to enhancing trade enforcement and trade facilitation;

(7) a description of U.S. Custom and Border Protection organizational benchmarks for optimizing staffing and wait times at ports of entry;

(8) a specific identification of any domestic or international best practices that may further improve trade enforcement and trade facilitation;

(9) any legislative recommendations to further improve trade enforcement and trade facilitation; and

(10) a description of efforts made to improve consultation and coordination with the private sector to enhance trade enforcement and trade facilitation.

(c) CONSULTATIONS.—

(1) IN GENERAL.—In developing the joint strategic plan required under this section, the Commissioner and the Director of U.S. Immigration and Customs Enforcement shall consult with—

(A) appropriate officials from relevant Federal agencies, including—

(i) the Department of the Treasury;

(ii) the Department of Agriculture;

(iii) the Department of Commerce;

(iv) the Department of Justice;

(v) the Department of the Interior;

(vi) the Department of Health and Human Services;

(vii) the Food and Drug Administration;

(viii) the Consumer Product Safety Commission; and

(ix) the Office of the United States Trade Representative; and

(B) the Commercial Customs Operations Advisory Committee established by section 109.

(2) OTHER CONSULTATIONS.—In developing the joint strategic plan required under this section, the Commissioner and the Director shall seek to consult with—

(A) appropriate officials from relevant foreign law enforcement agencies and international organizations, including the World Customs Organization; and

(B) interested parties in the private sector.

(d) FORM OF PLAN.—The joint strategic plan required under this section shall be submitted in unclassified form, but may include a classified annex.

SEC. 106. AUTOMATED COMMERCIAL ENVIRONMENT.

(a) FUNDING.—Section 13031(f)(4)(B) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)(B)) is amended—

(1) by striking ''2003 through 2005'' and inserting ''2016 through 2018'';

(2) by striking ''such amounts as are available in that Account'' and inserting ''not less than $153,736,000''; and

(3) by striking ''for the development'' and inserting ''to complete the development and implementation''.

(b) REPORT.—

(1) IN GENERAL.—Not later than December 31, 2016, the Commissioner shall submit to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives a report detailing—

(A) U.S. Customs and Border Protection's incorporation of all core trade processing capabilities, including cargo release, entry summary, cargo manifest, cargo financial data, and export data elements, into the Automated Commercial Environment not later than September 30, 2016, to conform with the admissibility criteria of agencies participating in the International Trade Data System identified pursuant to paragraph (4)(A)(iii) of section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d)), as added by section 107 of this Act;

(B) U.S. Customs and Border Protection's remaining priorities for processing entry summary data elements, cargo manifest data elements, cargo financial data elements, and export elements in the Automated Commercial Environment, and the objectives and plans for implementing these remaining priorities;

(C) the components of the National Customs Automation Program specified in section 411(a)(2) of the Tariff Act of 1930 that have not been implemented; and

(D) any additional components of the National Customs Automation Program initiated by the Commissioner to complete the development, establishment, and implementation of the Automated Commercial Environment.

(2) UPDATE OF REPORTS.—Not later than September 30, 2017, the Commissioner shall submit to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives an updated report addressing each of the matters referred to in paragraph (1), and—

(A) evaluating the effectiveness of the implementation of the Automated Commercial Environment; and

(B) detailing the percentage of trade processed in the Automated Commercial Environment every month since September 30, 2016.

(3) REPEAL.—Section 311(b) of the Customs Border Security Act of 2002 (19 U.S.C. 2075 note) is amended by striking paragraph (3).

(c) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than December 31, 2017, the Comptroller General of the United States shall submit to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives a report—

(1) assessing the progress of other Federal agencies in accessing and utilizing the Automated Commercial Environment; and

(2) assessing the potential cost savings to the United States Government and importers and exporters and the potential benefits to enforcement of the customs and trade laws of the United States if the elements identified in subparagraphs (A) through (D) of subsection (b)(1) are implemented.

SEC. 107. INTERNATIONAL TRADE DATA SYSTEM.

Section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d)) is amended—

(1) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively;

(2) by inserting after paragraph (3) the following:

''(4) INFORMATION TECHNOLOGY INFRASTRUCTURE.—

''(A) IN GENERAL.—The Secretary shall work with the head of each agency participating in the ITDS and the Interagency Steering Committee to ensure that each agency—

''(i) develops and maintains the necessary information technology infrastructure to support the operation of the ITDS and to submit all data to the ITDS electronically;

''(ii) enters into a memorandum of understanding, or takes such other action as is necessary, to provide for the information sharing between the agency and U.S. Customs and Border Protection necessary for the operation and maintenance of the ITDS;

''(iii) not later than June 30, 2016, identifies and transmits to the Commissioner of U.S. Customs and Border Protection the admissibility criteria and data elements required by the agency to authorize the release of cargo by U.S. Customs and Border Protection for incorporation into the operational functionality of the Automated Commercial Environment computer system authorized under section 13031(f)(4) of the Consolidated Omnibus Budget and Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)); and

''(iv) not later than December 31, 2016, utilizes the ITDS as the primary means of receiving from users the standard set of data and other relevant documentation, exclusive of applications for permits, licenses, or certifications required for the release of imported cargo and clearance of cargo for export.

''(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to require any action to be taken that would compromise an ongoing law enforcement investigation or would compromise national security.''; and

(3) in paragraph (8), as redesignated, by striking ''section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note)'' and inserting ''section 109 of the Trade Facilitation and Trade Enforcement Act of 2015''.

SEC. 108. CONSULTATIONS WITH RESPECT TO MUTUAL RECOGNITION ARRANGEMENTS.

(a) CONSULTATIONS.—The Secretary of Homeland Security, with respect to any proposed mutual recognition arrangement or similar agreement between the United States and a foreign government providing for mutual recognition of supply chain security programs and customs revenue functions, shall consult with the appropriate congressional committees—

(1) not later than 30 days before initiating negotiations to enter into any such arrangement or similar agreement; and

(2) not later than 30 days before entering into any such arrangement or similar agreement.

(b) NEGOTIATING OBJECTIVE.—It shall be a negotiating objective of the United States in any negotiation for a mutual recognition arrangement or similar agreement with a foreign country on partnership programs, such as the Customs–Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 961 et seq.), to seek to ensure the compatibility of the partnership programs of

that country with the partnership programs of U.S. Customs and Border Protection to enhance security, trade facilitation, and trade enforcement.

SEC. 109. COMMERCIAL CUSTOMS OPERATIONS ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Not later than the date that is 60 days after the date of the enactment of this Act, the Secretary of the Treasury and the Secretary of Homeland Security shall jointly establish a Commercial Customs Operations Advisory Committee (in this section referred to as the ''Advisory Committee'').

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Advisory Committee shall be comprised of—

(A) 20 individuals appointed under paragraph (2);

(B) the Assistant Secretary for Tax Policy of the Department of the Treasury and the Commissioner, who shall jointly co-chair meetings of the Advisory Committee; and

(C) the Assistant Secretary for Policy and the Director of U.S. Immigration and Customs Enforcement, who shall serve as deputy co-chairs of meetings of the Advisory Committee.

(2) APPOINTMENT.—

(A) IN GENERAL.—The Secretary of the Treasury and the Secretary of Homeland Security shall jointly appoint 20 individuals from the private sector to the Advisory Committee.

(B) REQUIREMENTS.—In making appointments under subparagraph (A), the Secretary of the Treasury and the Secretary of Homeland Security shall appoint members—

(i) to ensure that the membership of the Advisory Committee is representative of the individuals and firms affected by the commercial operations of U.S. Customs and Border Protection; and

(ii) without regard to political affiliation.

(C) TERMS.—Each individual appointed to the Advisory Committee under this paragraph shall be appointed for a term of not more than 3 years, and may be reappointed to subsequent terms, but may not serve more than 2 terms sequentially.

(3) TRANSFER OF MEMBERSHIP.—The Secretary of the Treasury and the Secretary of Homeland Security may transfer members serving on the Advisory Committee on Commercial Operations of the United States Customs Service established under section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) on the day before the date of the enactment of this Act to the Advisory Committee established under subsection (a).

(c) DUTIES.—The Advisory Committee established under subsection (a) shall—

(1) advise the Secretary of the Treasury and the Secretary of Homeland Security on all matters involving the commercial operations of U.S. Customs and Border Protection, including advising with respect to significant changes that are proposed with respect to regulations, policies, or practices of U.S. Customs and Border Protection;

(2) provide recommendations to the Secretary of the Treasury and the Secretary of Homeland Security on improvements to the commercial operations of U.S. Customs and Border Protection;

(3) collaborate in developing the agenda for Advisory Committee meetings; and

(4) perform such other functions relating to the commercial operations of U.S. Customs and Border Protection as prescribed by law or as the Secretary of the Treasury and the Secretary of Homeland Security jointly direct.

(d) MEETINGS.—Notwithstanding section 10(f) of the Federal Advisory Committee Act (5 U.S.C. App.), the Advisory Committee shall meet at the call of the Secretary of the Treasury and the Secretary of Homeland Security, or at the call of not less than ⅔ of the membership of the Advisory Committee. The Advisory Committee shall meet at least 4 times each calendar year.

(e) ANNUAL REPORT.—Not later than December 31, 2016, and annually thereafter, the Advisory Committee shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report that—

(1) describes the activities of the Advisory Committee during the preceding fiscal year; and

(2) sets forth any recommendations of the Advisory Committee regarding the commercial operations of U.S. Customs and Border Protection.

(f) TERMINATION.—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.; relating to the termination of advisory committees) shall not apply to the Advisory Committee.

(g) CONFORMING AMENDMENT.—

(1) IN GENERAL.—Effective on the date on which the Advisory Committee is established under subsection (a), section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) is repealed.

(2) REFERENCE.—Any reference in law to the Advisory Committee on Commercial Operations of the United States Customs Service established under section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 (19 U.S.C. 2071 note) made on or after the date on which the Advisory Committee is established under subsection (a), shall be deemed a reference to the Commercial Customs Operations Advisory Committee established under subsection (a).

SEC. 110. CENTERS OF EXCELLENCE AND EXPERTISE.

(a) IN GENERAL.—The Commissioner shall, in consultation with the appropriate congressional committees and the Commercial Customs Operations Advisory Committee established under section 109, develop and implement Centers of Excellence and Expertise throughout U.S. Customs and Border Protection that—

(1) enhance the economic competitiveness of the United States by consistently enforcing the laws and regulations of the United States at all ports of entry of the United States and by facilitating the flow of legitimate trade through increasing industry-based knowledge;

(2) improve enforcement efforts, including enforcement of priority trade issues described in section 117, in specific industry sectors through the application of targeting information from the National Targeting Center under section 111 and from other means of verification;

(3) build upon the expertise of U.S. Customs and Border Protection in particular industry operations, supply chains, and compliance requirements;

(4) promote the uniform implementation at each port of entry of the United States of policies and regulations relating to imports;

(5) centralize the trade enforcement and trade facilitation efforts of U.S. Customs and Border Protection;

(6) formalize an account-based approach to apply, as the Commissioner determines appropriate, to the importation of merchandise into the United States;

(7) foster partnerships though the expansion of trade programs and other trusted partner programs;

(8) develop applicable performance measurements to meet internal efficiency and effectiveness goals; and

(9) whenever feasible, facilitate a more efficient flow of information between Federal agencies.

(b) REPORT.—Not later than December 31, 2016, the Commissioner shall submit to the appropriate congressional committees a report describing—

(1) the scope, functions, and structure of each Center of Excellence and Expertise developed and implemented under subsection (a);

(2) the effectiveness of each such Center of Excellence and Expertise in improving enforcement efforts, including enforcement of priority trade issues described in section 117, and facilitating legitimate trade;

(3) the quantitative and qualitative benefits of each such Center of Excellence and Expertise to the trade community, including through fostering partnerships through the expansion of trade programs such as the Importer Self Assessment program and other trusted partner programs;

(4) all applicable performance measurements with respect to each such Center of Excellence and Expertise, including performance measures with respect to meeting internal efficiency and effectiveness goals;

(5) the performance of each such Center of Excellence and Expertise in increasing the accuracy and completeness of data with respect to international trade and facilitating a more efficient flow of information between Federal agencies; and

(6) any planned changes in the number, scope, functions, or any other aspect of the Centers of Excellence and Expertise developed and implemented under subsection (a).

SEC. 111. COMMERCIAL RISK ASSESSMENT TARGETING AND TRADE ALERTS.

(a) COMMERCIAL RISK ASSESSMENT TARGETING.—In carrying out its duties under section 411(g)(4) of the Homeland Security Act of 2002, as added by section 802(a) of this Act, the National Targeting Center, in coordination with the Office of Trade established under section 4 of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2071 et seq.), as added by section 802(h) of this Act, as appropriate, shall—

(1) establish targeted risk assessment methodologies and standards—

(A) for evaluating the risk that cargo destined for the United States may violate the customs and trade laws of the United States, particularly those laws applicable to merchandise subject to the priority trade issues described in section 117; and

(B) for issuing, as appropriate, Trade Alerts described in subsection (b);

(2) to the extent practicable and otherwise authorized by law, use, to administer the methodologies and standards established under paragraph (1)—

(A) publicly available information;

(B) information available from the Automated Commercial System, the Automated Commercial Environment, the Automated Targeting System, the Automated Export System, the International Trade Data System established under section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d)), the TECS (formerly known as the ''Treasury Enforcement Communications System''), the case management system of U.S. Immigration and Customs Enforcement, and any successor systems; and

(C) information made available to the National Targeting Center, including information provided by private sector entities;

(3) provide for the receipt and transmission to the appropriate U.S. Customs and Border Protection offices of allegations from interested parties in the private sector of violations of customs and trade laws of the United States with respect to merchandise relating to the priority trade issues described in section 117; and

(4) notify, on a timely basis, each interested party in the private sector that has submitted an allegation of any violation of the customs and trade laws of the United States of any civil or criminal actions taken by U.S. Customs and Border Protection or any other Federal agency resulting from the allegation.

(b) TRADE ALERTS.—

(1) ISSUANCE.—In carrying out its duties under section 411(g)(4) of the Homeland Security

Act of 2002, as added by section 802(a) of this Act, and based upon the application of the targeted risk assessment methodologies and standards established under subsection (a), the Executive Director of the National Targeting Center may issue Trade Alerts to directors of United States ports of entry directing further inspection, or physical examination or testing, of specific merchandise to ensure compliance with all applicable customs and trade laws of the United States and regulations administered by U.S. Customs and Border Protection.

(2) DETERMINATIONS NOT TO IMPLEMENT TRADE ALERTS.—The director of a United States port of entry may determine not to conduct further inspections, or physical examination or testing, pursuant to a Trade Alert issued under paragraph (1) if the director—

(A) finds that such a determination is justified by port security interests; and

(B) not later than 48 hours after making the determination, notifies the Assistant Commissioner of the Office of Field Operations of U.S. Customs and Border Protection of the determination and the reasons for the determination.

(3) SUMMARY OF DETERMINATIONS NOT TO IMPLEMENT.—The Assistant Commissioner of the Office of Field Operations of U.S. Customs and Border Protection shall—

(A) compile an annual summary of all determinations by directors of United States ports of entry under paragraph (2) and the reasons for those determinations;

(B) conduct an evaluation of the utilization of Trade Alerts issued under paragraph (1); and

(C) not later than December 31 of each calendar year, submit the summary to the appropriate congressional committees.

(4) INSPECTION DEFINED.—In this subsection, the term ''inspection'' means the comprehensive evaluation process used by U.S. Customs and Border Protection, other than physical examination or testing, to permit the entry of merchandise into the United States, or the clearance of merchandise for transportation in bond through the United States, for purposes of—

(A) assessing duties;

(B) identifying restricted or prohibited items; and

(C) ensuring compliance with all applicable customs and trade laws of the United States and regulations administered by U.S. Customs and Border Protection.

(c) USE OF TRADE DATA FOR COMMERCIAL ENFORCEMENT PURPOSES.—Section 343(a)(3)(F) of the Trade Act of 2002 (19 U.S.C. 2071 note) is amended to read as follows:

''(F) The information collected pursuant to the regulations shall be used exclusively for ensuring cargo safety and security, preventing smuggling, and commercial risk assessment targeting, and shall not be used for any commercial enforcement purposes, including for determining merchandise entry. Notwithstanding the preceding sentence, nothing in this section shall be treated as amending, repealing, or otherwise modifying title IV of the Tariff Act of 1930 or regulations promulgated thereunder.''.

SEC. 112. REPORT ON OVERSIGHT OF REVENUE PROTECTION AND ENFORCEMENT MEASURES.

(a) IN GENERAL.—Not later than June 30, 2016, and not later than March 31 of each second year thereafter, the Inspector General of the Department of the Treasury shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report assessing, with respect to the period covered by the report, as specified in subsection (b), the following:

(1) The effectiveness of the measures taken by U.S. Customs and Border Protection with respect to protection of revenue, including—

(A) the collection of countervailing duties assessed under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and antidumping duties assessed under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.);

(B) the assessment, collection, and mitigation of commercial fines and penalties;

(C) the use of bonds, including continuous and single transaction bonds, to secure that revenue; and

(D) the adequacy of the policies of U.S. Customs and Border Protection with respect to the monitoring and tracking of merchandise transported in bond and collecting duties, as appropriate.

(2) The effectiveness of actions taken by U.S. Customs and Border Protection to measure accountability and performance with respect to protection of revenue.

(3) The number and outcome of investigations instituted by U.S. Customs and Border Protection with respect to the underpayment of duties.

(4) The effectiveness of training with respect to the collection of duties provided for personnel of U.S. Customs and Border Protection.

(b) PERIOD COVERED BY REPORT.—Each report required by subsection (a) shall cover the period of 2 fiscal years ending on September 30 of the calendar year preceding the submission of the report.

SEC. 113. REPORT ON SECURITY AND REVENUE MEASURES WITH RESPECT TO MERCHANDISE TRANSPORTED IN BOND.

(a) IN GENERAL.—Not later than December 31 of 2016, 2017, and 2018, the Secretary of Homeland Security and the Secretary of the Treasury shall jointly submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on efforts undertaken by U.S. Customs and Border Protection to ensure the secure transportation of merchandise in bond through the United States and the collection of revenue owed upon the entry of such merchandise into the United States for consumption.

(b) ELEMENTS.—Each report required by subsection (a) shall include, for the fiscal year preceding the submission of the report, information on—

(1) the overall number of entries of merchandise for transportation in bond through the United States;

(2) the ports at which merchandise arrives in the United States for transportation in bond and at which records of the arrival of such merchandise are generated;

(3) the average time taken to reconcile such records with the records at the final destination of the merchandise in the United States to demonstrate that the merchandise reaches its final destination or is re-exported;

(4) the average time taken to transport merchandise in bond from the port at which the merchandise arrives in the United States to its final destination in the United States;

(5) the total amount of duties, taxes, and fees owed with respect to shipments of merchandise transported in bond and the total amount of such duties, taxes, and fees paid;

(6) the total number of notifications by carriers of merchandise being transported in bond that the destination of the merchandise has changed; and

(7) the number of entries that remain unreconciled.

SEC. 114. IMPORTER OF RECORD PROGRAM.

(a) ESTABLISHMENT.—Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall establish an importer of record program to assign and maintain importer of record numbers.

(b) REQUIREMENTS.—The Secretary shall ensure that, as part of the importer of record program, U.S. Customs and Border Protection—

(1) develops criteria that importers must meet in order to obtain an importer of record number, including—

(A) criteria to ensure sufficient information is collected to allow U.S. Customs and Border Protection to verify the existence of the importer requesting the importer of record number;

(B) criteria to ensure sufficient information is collected to allow U.S. Customs and Border Protection to identify linkages or other affiliations between importers that are requesting or have been assigned importer of record numbers; and

(C) criteria to ensure sufficient information is collected to allow U.S. Customs and Border Protection to identify changes in address and corporate structure of importers;

(2) provides a process by which importers are assigned importer of record numbers;

(3) maintains a centralized database of importer of record numbers, including a history of importer of record numbers associated with each importer, and the information described in subparagraphs (A), (B), and (C) of paragraph (1);

(4) evaluates and maintains the accuracy of the database if such information changes; and

(5) takes measures to ensure that duplicate importer of record numbers are not issued.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the importer of record program established under subsection (a).

(d) NUMBER DEFINED.—In this section, the term ''number'', with respect to an importer of record, means a filing identification number described in section 24.5 of title 19, Code of Federal Regulations (or any corresponding similar regulation) that fully supports the requirements of subsection (b) with respect to the collection and maintenance of information.

SEC. 115. ESTABLISHMENT OF IMPORTER RISK ASSESSMENT PROGRAM.

(a) IN GENERAL.—Not later than the date that is 180 days after the date of the enactment of this Act, the Commissioner shall establish a program that directs U.S. Customs and Border Protection to adjust bond amounts for importers, including new importers and nonresident importers, based on risk assessments of such importers conducted by U.S. Customs and Border Protection, in order to protect the revenue of the Federal Government.

(b) REQUIREMENTS.—The Commissioner shall ensure that, as part of the program established under subsection (a), U.S. Customs and Border Protection—

(1) develops risk assessment guidelines for importers, including new importers and nonresident importers, to determine if and to what extent—

(A) to adjust bond amounts of imported products of such importers; and

(B) to increase screening of imported products of such importers;

(2) develops procedures to ensure increased oversight of imported products of new importers, including nonresident importers, relating to the enforcement of the priority trade issues described in section 117;

(3) develops procedures to ensure increased oversight of imported products of new importers, including new nonresident importers, by Centers of Excellence and Expertise established under section 110; and

(4) establishes a centralized database of new importers, including new nonresident importers, to ensure accuracy of information that is required to be provided by such importers to U.S. Customs and Border Protection.

(c) EXCLUSION OF CERTAIN IMPORTERS.—This section shall not apply to an importer that is a validated Tier 2 or Tier 3 participant in the Customs–Trade Partnership Against Terrorism program established under subtitle B of title II of

the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 961 et seq.).

(d) REPORT.—Not later than the date that is 2 years after the date of the enactment of this Act, the Inspector General of the Department of the Treasury shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report detailing—

(1) the risk assessment guidelines developed under subsection (b)(1);

(2) the procedures developed under subsection (b)(2) to ensure increased oversight of imported products of new importers, including new nonresident importers, relating to the enforcement of priority trade issues described in section 117;

(3) the procedures developed under subsection (b)(3) to ensure increased oversight of imported products of new importers, including new nonresident importers, by Centers of Excellence and Expertise established under section 110; and

(4) the number of bonds adjusted based on the risk assessment guidelines developed under subsection (b)(1).

(e) DEFINITIONS.—In this section:

(1) IMPORTER.—The term ''importer'' means one of the parties qualifying as an importer of record under section 484(a)(2)(B) of the Tariff Act of 1930 (19 U.S.C. 1484(a)(2)(B)).

(2) NONRESIDENT IMPORTER.—The term ''nonresident importer'' means an importer who is—

(A) an individual who is not a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; or

(B) a partnership, corporation, or other commercial entity that is not organized under the laws of a jurisdiction within the customs territory of the United States (as such term is defined in General Note 2 of the Harmonized Tariff Schedule of the United States) or in the Virgin Islands of the United States.

SEC. 116. CUSTOMS BROKER IDENTIFICATION OF IMPORTERS.

(a) IN GENERAL.—Section 641 of the Tariff Act of 1930 (19 U.S.C. 1641) is amended by adding at the end the following:

''(i) IDENTIFICATION OF IMPORTERS.—

''(1) IN GENERAL.—The Secretary shall prescribe regulations setting forth the minimum standards for customs brokers and importers, including nonresident importers, regarding the identity of the importer that shall apply in connection with the importation of merchandise into the United States.

''(2) MINIMUM REQUIREMENTS.—The regulations required under paragraph (1) shall, at a minimum—

''(A) identify the information that an importer, including a nonresident importer, is required to submit to a broker and that a broker is required to collect in order to verify the identity of the importer;

''(B) identify reasonable procedures that a broker is required to follow in order to verify the authenticity of information collected from an importer; and

''(C) require a broker to maintain records of the information collected by the broker to verify the identity of an importer.

''(3) PENALTIES.—Any customs broker who fails to collect information required under the regulations prescribed under this subsection shall be liable to the United States, at the discretion of the Secretary, for a monetary penalty not to exceed $10,000 for each violation of those regulations and shall be subject to revocation or suspension of a license or permit of the customs broker pursuant to the procedures set forth in subsection (d). This penalty shall be assessed in the same manner and under the same procedures as the monetary penalties provided for in subsection (d)(2)(A).

''(4) DEFINITIONS.—In this subsection:

''(A) IMPORTER.—The term 'importer' means one of the parties qualifying as an importer of record under section 484(a)(2)(B).

''(B) NONRESIDENT IMPORTER.—The term 'nonresident importer' means an importer who is—

''(i) an individual who is not a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; or

''(ii) a partnership, corporation, or other commercial entity that is not organized under the laws of a jurisdiction within the customs territory of the United States (as such term is defined in General Note 2 of the Harmonized Tariff Schedule of the United States) or in the Virgin Islands of the United States.''.

(b) STUDY AND REPORT REQUIRED.—Not later than the date that is 180 days after the date of the enactment of this Act, the Commissioner shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report containing recommendations for—

(1) determining the most timely and effective way to require foreign nationals to provide customs brokers with appropriate and accurate information, comparable to that which is required of United States nationals, concerning the identity, address, and other related information relating to such foreign nationals necessary to enable customs brokers to comply with the requirements of section 641(i) of the Tariff Act of 1930 (as added by subsection (a) of this section); and

(2) establishing a system for customs brokers to review information maintained by relevant Federal agencies for purposes of verifying the identities of importers, including nonresident importers, seeking to import merchandise into the United States.

SEC. 117. PRIORITY TRADE ISSUES.

(a) IN GENERAL.—The Commissioner shall establish the following as priority trade issues:

(1) Agriculture programs.

(2) Antidumping and countervailing duties.

(3) Import safety.

(4) Intellectual property rights.

(5) Revenue.

(6) Textiles and wearing apparel.

(7) Trade agreements and preference programs.

(b) MODIFICATION.—The Commissioner is authorized to establish new priority trade issues and eliminate, consolidate, or otherwise modify the priority trade issues described in subsection (a) if the Commissioner—

(1) determines it necessary and appropriate to do so; and

(2)(A) in the case of new priority trade issues, submits to the appropriate congressional committees a summary of proposals to establish such new priority trade issues not later than 30 days after such new priority trade issues are to take effect; and

(B) in the case of existing priority trade issues, submits to the appropriate congressional committees a summary of proposals to eliminate, consolidate, or otherwise modify such existing priority trade issues not later than 60 days before such changes are to take effect.

SEC. 118. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this title, the term ''appropriate congressional committees'' means—

(1) the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives.

TITLE II—IMPORT HEALTH AND SAFETY

SEC. 201. INTERAGENCY IMPORT SAFETY WORKING GROUP.

(a) ESTABLISHMENT.—There is established an interagency Import Safety Working Group.

(b) MEMBERSHIP.—The interagency Import Safety Working Group shall consist of the following officials or their designees:

(1) The Secretary of Homeland Security, who shall serve as the Chair.

(2) The Secretary of Health and Human Services, who shall serve as the Vice Chair.

(3) The Secretary of the Treasury.

(4) The Secretary of Commerce.

(5) The Secretary of Agriculture.

(6) The United States Trade Representative.

(7) The Director of the Office of Management and Budget.

(8) The Commissioner of Food and Drugs.

(9) The Commissioner of U.S. Customs and Border Protection.

(10) The Chairman of the Consumer Product Safety Commission.

(11) The Director of U.S. Immigration and Customs Enforcement.

(12) The head of any other Federal agency designated by the President to participate in the interagency Import Safety Working Group, as appropriate.

(c) DUTIES.—The duties of the interagency Import Safety Working Group shall include—

(1) consulting on the development of the joint import safety rapid response plan required by section 202;

(2) periodically evaluating the adequacy of the plans, practices, and resources of the Federal Government dedicated to ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise, including—

(A) minimizing the duplication of efforts among Federal agencies the heads of which are members of the interagency Import Safety Working Group and ensuring the compatibility of the policies and regulations of those agencies; and

(B) recommending additional administrative actions, as appropriate, designed to ensure the safety of merchandise imported into the United States and the expeditious entry of such merchandise and considering the impact of those actions on private sector entities;

(3) reviewing the engagement and cooperation of foreign governments and foreign manufacturers in facilitating the inspection and certification, as appropriate, of such merchandise to be imported into the United States and the facilities producing such merchandise to ensure the safety of the merchandise and the expeditious entry of the merchandise into the United States;

(4) identifying best practices, in consultation with private sector entities as appropriate, to assist United States importers in taking all appropriate steps to ensure the safety of merchandise imported into the United States, including with respect to—

(A) the inspection of manufacturing facilities in foreign countries;

(B) the inspection of merchandise destined for the United States before exportation from a foreign country or before distribution in the United States; and

(C) the protection of the international supply chain (as defined in section 2 of the Security and Accountability For Every Port Act of 2006 (6 U.S.C. 901));

(5) identifying best practices to assist Federal, State, and local governments and agencies, and port authorities, to improve communication and coordination among such agencies and authorities with respect to ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise; and

(6) otherwise identifying appropriate steps to increase the accountability of United States importers and the engagement of foreign government agencies with respect to ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise.

SEC. 202. JOINT IMPORT SAFETY RAPID RESPONSE PLAN.

(a) IN GENERAL.—Not later than December 31, 2016, the Secretary of Homeland Security, in

consultation with the interagency Import Safety Working Group established under section 201, shall develop a plan (to be known as the ''joint import safety rapid response plan'') that sets forth protocols and defines practices for U.S. Customs and Border Protection to use—

(1) in taking action in response to, and coordinating Federal responses to, an incident in which cargo destined for or merchandise entering the United States has been identified as posing a threat to the health or safety of consumers in the United States; and

(2) in recovering from or mitigating the effects of actions and responses to an incident described in paragraph (1).

(b) CONTENTS.—The joint import safety rapid response plan shall address—

(1) the statutory and regulatory authorities and responsibilities of U.S. Customs and Border Protection and other Federal agencies in responding to an incident described in subsection (a)(1);

(2) the protocols and practices to be used by U.S. Customs and Border Protection when taking action in response to, and coordinating Federal responses to, such an incident;

(3) the measures to be taken by U.S. Customs and Border Protection and other Federal agencies in recovering from or mitigating the effects of actions taken in response to such an incident after the incident to ensure the resumption of the entry of merchandise into the United States; and

(4) exercises that U.S. Customs and Border Protection may conduct in conjunction with Federal, State, and local agencies, and private sector entities, to simulate responses to such an incident.

(c) UPDATES OF PLAN.—The Secretary of Homeland Security shall review and update the joint import safety rapid response plan, as appropriate, after conducting exercises under subsection (d).

(d) IMPORT HEALTH AND SAFETY EXERCISES.—

(1) IN GENERAL.—The Secretary of Homeland Security and the Commissioner shall periodically engage in the exercises referred to in subsection (b)(4), in conjunction with Federal, State, and local agencies and private sector entities, as appropriate, to test and evaluate the protocols and practices identified in the joint import safety rapid response plan at United States ports of entry.

(2) REQUIREMENTS FOR EXERCISES.—In conducting exercises under paragraph (1), the Secretary and the Commissioner shall—

(A) make allowance for the resources, needs, and constraints of United States ports of entry of different sizes in representative geographic locations across the United States;

(B) base evaluations on current risk assessments of merchandise entering the United States at representative United States ports of entry located across the United States;

(C) ensure that such exercises are conducted in a manner consistent with the National Incident Management System, the National Response Plan, the National Infrastructure Protection Plan, the National Preparedness Guidelines, the Maritime Transportation System Security Plan, and other such national initiatives of the Department of Homeland Security, as appropriate; and

(D) develop metrics with respect to the resumption of the entry of merchandise into the United States after an incident described in subsection (a)(1).

(3) REQUIREMENTS FOR TESTING AND EVALUATION.—The Secretary and the Commissioner shall ensure that the testing and evaluation carried out in conducting exercises under paragraph (1)—

(A) are performed using clear and objective performance measures; and

(B) result in the identification of specific recommendations or best practices for responding to an incident described in subsection (a)(1).

(4) DISSEMINATION OF RECOMMENDATIONS AND BEST PRACTICES.—The Secretary and the Commissioner shall—

(A) share the recommendations or best practices identified under paragraph (3)(B) among the members of the interagency Import Safety Working Group established under section 201 and with, as appropriate—

(i) State, local, and tribal governments;

(ii) foreign governments; and

(iii) private sector entities; and

(B) use such recommendations and best practices to update the joint import safety rapid response plan.

SEC. 203. TRAINING.

The Commissioner shall ensure that personnel of U.S. Customs and Border Protection assigned to United States ports of entry are trained to effectively administer the provisions of this title and to otherwise assist in ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise.

TITLE III—IMPORT-RELATED PROTECTION OF INTELLECTUAL PROPERTY RIGHTS

SEC. 301. DEFINITION OF INTELLECTUAL PROPERTY RIGHTS.

In this title, the term ''intellectual property rights'' refers to copyrights, trademarks, and other forms of intellectual property rights that are enforced by U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement.

SEC. 302. EXCHANGE OF INFORMATION RELATED TO TRADE ENFORCEMENT.

(a) IN GENERAL.—The Tariff Act of 1930 is amended by inserting after section 628 (19 U.S.C. 1628) the following new section:

''SEC. 628A. EXCHANGE OF INFORMATION RELATED TO TRADE ENFORCEMENT.

''(a) IN GENERAL.—Subject to subsections (c) and (d), if the Commissioner of U.S. Customs and Border Protection suspects that merchandise is being imported into the United States in violation of section 526 of this Act or section 602, 1201(a)(2), or 1201(b)(1) of title 17, United States Code, and determines that the examination or testing of the merchandise by a person described in subsection (b) would assist the Commissioner in determining if the merchandise is being imported in violation of that section, the Commissioner, to permit the person to conduct the examination and testing—

''(1) shall provide to the person information that appears on the merchandise and its packaging and labels, including unredacted images of the merchandise and its packaging and labels; and

''(2) may, subject to any applicable bonding requirements, provide to the person unredacted samples of the merchandise.

''(b) PERSON DESCRIBED.—A person described in this subsection is—

''(1) in the case of merchandise suspected of being imported in violation of section 526, the owner of the trademark suspected of being copied or simulated by the merchandise;

''(2) in the case of merchandise suspected of being imported in violation of section 602 of title 17, United States Code, the owner of the copyright suspected of being infringed by the merchandise;

''(3) in the case of merchandise suspected of being primarily designed or produced for the purpose of circumventing a technological measure that effectively controls access to a work protected under that title, and being imported in violation of section 1201(a)(2) of that title, the owner of a copyright in the work; and

''(4) in the case of merchandise suspected of being primarily designed or produced for the purpose of circumventing protection afforded by a technological measure that effectively protects a right of an owner of a copyright in a work or a portion of a work, and being imported in violation of section 1201(b)(1) of that title, the owner of the copyright.

''(c) LIMITATION.—Subsection (a) applies only with respect to merchandise suspected of infringing a trademark or copyright that is recorded with U.S. Customs and Border Protection.

''(d) EXCEPTION.—The Commissioner may not provide under subsection (a) information, photographs, or samples to a person described in subsection (b) if providing such information, photographs, or samples would compromise an ongoing law enforcement investigation or national security.''.

(b) TERMINATION OF PREVIOUS AUTHORITY.—Notwithstanding paragraph (2) of section 818(g) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1496; 10 U.S.C. 2302 note), paragraph (1) of that section shall have no force or effect on or after the date of the enactment of this Act.

SEC. 303. SEIZURE OF CIRCUMVENTION DEVICES.

(a) IN GENERAL.—Section 596(c)(2) of the Tariff Act of 1930 (19 U.S.C. 1595a(c)(2)) is amended—

(1) in subparagraph (E), by striking ''or'';

(2) in subparagraph (F), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(G) U.S. Customs and Border Protection determines it is a technology, product, service, device, component, or part thereof the importation of which is prohibited under subsection (a)(2) or (b)(1) of section 1201 of title 17, United States Code.''.

(b) NOTIFICATION OF PERSONS INJURED.—

(1) IN GENERAL.—Not later than the date that is 30 business days after seizing merchandise pursuant to subparagraph (G) of section 596(c)(2) of the Tariff Act of 1930, as added by subsection (a), the Commissioner shall provide to any person identified under paragraph (2) information regarding the merchandise seized that is equivalent to information provided to copyright owners under regulations of U.S. Customs and Border Protection for merchandise seized for violation of the copyright laws.

(2) PERSONS TO BE PROVIDED INFORMATION.—Any person injured by the violation of subsection (a)(2) or (b)(1) of section 1201 of title 17, United States Code, that resulted in the seizure of the merchandise shall be provided information under paragraph (1), if that person is included on a list to be established and maintained by the Commissioner. The Commissioner shall publish notice of the establishment of and revisions to the list in the Federal Register.

(3) REGULATIONS.—Not later than the date that is one year after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations establishing procedures that implement this subsection.

SEC. 304. ENFORCEMENT BY U.S. CUSTOMS AND BORDER PROTECTION OF WORKS FOR WHICH COPYRIGHT REGISTRATION IS PENDING.

Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall authorize a process pursuant to which the Commissioner shall enforce a copyright for which the owner has submitted an application for registration under title 17, United States Code, with the United States Copyright Office, to the same extent and in the same manner as if the copyright were registered with the Copyright Office, including by sharing information, images, and samples of merchandise suspected of infringing the copyright under section 628A of the Tariff Act of 1930, as added by section 302.

SEC. 305. NATIONAL INTELLECTUAL PROPERTY RIGHTS COORDINATION CENTER.

(a) ESTABLISHMENT.—The Secretary of Homeland Security shall—

(1) establish within U.S. Immigration and Customs Enforcement a National Intellectual Property Rights Coordination Center; and

(2) appoint an Assistant Director to head the National Intellectual Property Rights Coordination Center.

(b) DUTIES.—The Assistant Director of the National Intellectual Property Rights Coordination Center shall—

(1) coordinate the investigation of sources of merchandise that infringe intellectual property rights to identify organizations and individuals that produce, smuggle, or distribute such merchandise;

(2) conduct and coordinate training with other domestic and international law enforcement agencies on investigative best practices—

(A) to develop and expand the capability of such agencies to enforce intellectual property rights; and

(B) to develop metrics to assess whether the training improved enforcement of intellectual property rights;

(3) coordinate, with U.S. Customs and Border Protection, activities conducted by the United States to prevent the importation or exportation of merchandise that infringes intellectual property rights;

(4) support the international interdiction of merchandise destined for the United States that infringes intellectual property rights;

(5) collect and integrate information regarding infringement of intellectual property rights from domestic and international law enforcement agencies and other non-Federal sources;

(6) develop a means to receive and organize information regarding infringement of intellectual property rights from such agencies and other sources;

(7) disseminate information regarding infringement of intellectual property rights to other Federal agencies, as appropriate;

(8) develop and implement risk-based alert systems, in coordination with U.S. Customs and Border Protection, to improve the targeting of persons that repeatedly infringe intellectual property rights;

(9) coordinate with the offices of United States attorneys in order to develop expertise in, and assist with the investigation and prosecution of, crimes relating to the infringement of intellectual property rights; and

(10) carry out such other duties as the Secretary of Homeland Security may assign.

(c) COORDINATION WITH OTHER AGENCIES.—In carrying out the duties described in subsection (b), the Assistant Director of the National Intellectual Property Rights Coordination Center shall coordinate with—

(1) U.S. Customs and Border Protection;

(2) the Food and Drug Administration;

(3) the Department of Justice;

(4) the Department of Commerce, including the United States Patent and Trademark Office;

(5) the United States Postal Inspection Service;

(6) the Office of the United States Trade Representative;

(7) any Federal, State, local, or international law enforcement agencies that the Director of U.S. Immigration and Customs Enforcement considers appropriate; and

(8) any other entities that the Director considers appropriate.

(d) PRIVATE SECTOR OUTREACH.—

(1) IN GENERAL.—The Assistant Director of the National Intellectual Property Rights Coordination Center shall work with U.S. Customs and Border Protection and other Federal agencies to conduct outreach to private sector entities in order to determine trends in and methods of infringing intellectual property rights.

(2) INFORMATION SHARING.—The Assistant Director shall share information and best practices with respect to the enforcement of intellectual property rights with private sector entities, as appropriate, in order to coordinate public and private sector efforts to combat the infringement of intellectual property rights.

SEC. 306. JOINT STRATEGIC PLAN FOR THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS.

The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall include in the joint strategic plan required by section 105—

(1) a description of the efforts of the Department of Homeland Security to enforce intellectual property rights;

(2) a list of the 10 United States ports of entry at which U.S. Customs and Border Protection has seized the most merchandise, both by volume and by value, that infringes intellectual property rights during the most recent 2-year period for which data are available; and

(3) a recommendation for the optimal allocation of personnel, resources, and technology to ensure that U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement are adequately enforcing intellectual property rights.

SEC. 307. PERSONNEL DEDICATED TO THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS.

(a) PERSONNEL OF U.S. CUSTOMS AND BORDER PROTECTION.—The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall ensure that sufficient personnel are assigned throughout U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, respectively, who have responsibility for preventing the importation into the United States of merchandise that infringes intellectual property rights.

(b) STAFFING OF NATIONAL INTELLECTUAL PROPERTY RIGHTS COORDINATION CENTER.—The Commissioner shall—

(1) assign not fewer than 3 full-time employees of U.S. Customs and Border Protection to the National Intellectual Property Rights Coordination Center established under section 305; and

(2) ensure that sufficient personnel are assigned to United States ports of entry to carry out the directives of the Center.

SEC. 308. TRAINING WITH RESPECT TO THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS.

(a) TRAINING.—The Commissioner shall ensure that officers of U.S. Customs and Border Protection are trained to effectively detect and identify merchandise destined for the United States that infringes intellectual property rights, including through the use of technologies identified under subsection (c).

(b) CONSULTATION WITH PRIVATE SECTOR.—The Commissioner shall consult with private sector entities to better identify opportunities for collaboration between U.S. Customs and Border Protection and such entities with respect to training for officers of U.S. Customs and Border Protection in enforcing intellectual property rights.

(c) IDENTIFICATION OF NEW TECHNOLOGIES.—In consultation with private sector entities, the Commissioner shall identify—

(1) technologies with the cost-effective capability to detect and identify merchandise at United States ports of entry that infringes intellectual property rights; and

(2) cost-effective programs for training officers of U.S. Customs and Border Protection to use such technologies.

(d) DONATIONS OF TECHNOLOGY.—Not later than the date that is 180 days after the date of the enactment of this Act, the Commissioner shall prescribe regulations to enable U.S. Customs and Border Protection to receive donations of hardware, software, equipment, and similar technologies, and to accept training and other support services, from private sector entities, for the purpose of enforcing intellectual property rights.

SEC. 309. INTERNATIONAL COOPERATION AND INFORMATION SHARING.

(a) COOPERATION.—The Secretary of Homeland Security shall coordinate with the competent law enforcement and customs authorities of foreign countries, including by sharing information relevant to enforcement actions, to enhance the efforts of the United States and such authorities to enforce intellectual property rights.

(b) TECHNICAL ASSISTANCE.—The Secretary of Homeland Security shall provide technical assistance to competent law enforcement and customs authorities of foreign countries to enhance the ability of such authorities to enforce intellectual property rights.

(c) INTERAGENCY COLLABORATION.—The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall lead interagency efforts to collaborate with law enforcement and customs authorities of foreign countries to enforce intellectual property rights.

SEC. 310. REPORT ON INTELLECTUAL PROPERTY RIGHTS ENFORCEMENT.

Not later than September 30, 2016, and annually thereafter, the Commissioner and the Director of U.S. Immigration and Customs Enforcement shall jointly submit to the Committee on Finance of the Senate, the Committee on Ways and Means of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a report that contains the following:

(1) With respect to the enforcement of intellectual property rights, the following:

(A) The number of referrals, during the preceding year, from U.S. Customs and Border Protection to U.S. Immigration and Customs Enforcement relating to infringement of intellectual property rights.

(B) The number of investigations relating to the infringement of intellectual property rights referred by U.S. Immigration and Customs Enforcement to a United States attorney for prosecution and the United States attorneys to which those investigations were referred.

(C) The number of such investigations accepted by each such United States attorney and the status or outcome of each such investigation.

(D) The number of such investigations that resulted in the imposition of civil or criminal penalties.

(E) A description of the efforts of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to improve the success rates of investigations and prosecutions relating to the infringement of intellectual property rights.

(2) An estimate of the average time required by the Office of Trade established under section 4 of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2071 et seq.), as added by section 802(h) of this Act, to respond to a request from port personnel for advice with respect to whether merchandise detained by U.S. Customs and Border Protection infringed intellectual property rights, distinguished by types of intellectual property rights infringed.

(3) A summary of the outreach efforts of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement with respect to—

(A) the interdiction and investigation of, and the sharing of information between those agencies and other Federal agencies to prevent, the infringement of intellectual property rights;

(B) collaboration with private sector entities—

(i) to identify trends in the infringement of, and technologies that infringe, intellectual property rights;

(ii) to identify opportunities for enhanced training of officers of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement; and

(iii) to develop best practices to enforce intellectual property rights; and

(C) coordination with foreign governments and international organizations with respect to the enforcement of intellectual property rights.

(4) A summary of the efforts of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to address the challenges with respect to the enforcement of intellectual property rights presented by Internet commerce and the transit of small packages and an identification of the volume, value, and type of merchandise seized for infringing intellectual property rights as a result of such efforts.

(5) A summary of training relating to the enforcement of intellectual property rights conducted under section 308 and expenditures for such training.

SEC. 311. INFORMATION FOR TRAVELERS REGARDING VIOLATIONS OF INTELLECTUAL PROPERTY RIGHTS.

(a) IN GENERAL.—The Secretary of Homeland Security shall develop and carry out an educational campaign to inform travelers entering or leaving the United States about the legal, economic, and public health and safety implications of acquiring merchandise that infringes intellectual property rights outside the United States and importing such merchandise into the United States in violation of United States law.

(b) DECLARATION FORMS.—The Commissioner shall ensure that all versions of Declaration Form 6059B of U.S. Customs and Border Protection, or a successor form, including any electronic equivalent of Declaration Form 6059B or a successor form, printed or displayed on or after the date that is 30 days after the date of the enactment of this Act include a written warning to inform travelers arriving in the United States that importation of merchandise into the United States that infringes intellectual property rights may subject travelers to civil or criminal penalties and may pose serious risks to safety or health.

TITLE IV—PREVENTION OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS

SEC. 401. SHORT TITLE.

This title may be cited as the ''Enforce and Protect Act of 2015''.

SEC. 402. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Finance and the Committee on Appropriations of the Senate; and

(B) the Committee on Ways and Means and the Committee on Appropriations of the House of Representatives.

(2) COVERED MERCHANDISE.—The term ''covered merchandise'' means merchandise that is subject to—

(A) a countervailing duty order issued under section 706 of the Tariff Act of 1930 (19 U.S.C. 1671e); or

(B) an antidumping duty order issued under section 736 of the Tariff Act of 1930 (19 U.S.C. 1673e).

(3) ELIGIBLE SMALL BUSINESS.—

(A) IN GENERAL.—The term ''eligible small business'' means any business concern that, in the judgment of the Commissioner, due to its small size, has neither adequate internal resources nor financial ability to obtain qualified outside assistance in preparing and submitting for consideration allegations of evasion.

(B) NONREVIEWABILITY.—Any agency decision regarding whether a business concern is an eligible small business for purposes of section 411(b)(4)(E) is not reviewable by any other agency or by any court.

(4) ENTER; ENTRY.—The terms ''enter'' and ''entry'' refer to the entry, or withdrawal from warehouse for consumption, of merchandise in the customs territory of the United States.

(5) EVADE; EVASION.—The terms ''evade'' and ''evasion'' refer to entering covered merchandise into the customs territory of the United States by means of any document or electronically transmitted data or information, written or oral statement, or act that is material and false, or any omission that is material, and that results in any cash deposit or other security or any amount of applicable antidumping or countervailing duties being reduced or not being applied with respect to the merchandise.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

(7) TRADE REMEDY LAWS.—The term ''trade remedy laws'' means title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.).

SEC. 403. APPLICATION TO CANADA AND MEXICO.

Pursuant to article 1902 of the North American Free Trade Agreement and section 408 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3438), this title and the amendments made by this title shall apply with respect to goods from Canada and Mexico.

Subtitle A—Actions Relating to Enforcement of Trade Remedy Laws

SEC. 411. TRADE REMEDY LAW ENFORCEMENT DIVISION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Homeland Security shall establish and maintain within the Office of Trade established under section 4 of the Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2071 et seq.), as added by section 802(h) of this Act, a Trade Remedy Law Enforcement Division.

(2) COMPOSITION.—The Trade Remedy Law Enforcement Division shall be composed of—

(A) headquarters personnel led by a Director, who shall report to the Executive Assistant Commissioner of the Office of Trade; and

(B) a National Targeting and Analysis Group dedicated to preventing and countering evasion.

(3) DUTIES.—The Trade Remedy Law Enforcement Division shall be dedicated—

(A) to the development and administration of policies to prevent and counter evasion, including policies relating to the implementation of section 517 of the Tariff Act of 1930, as added by section 421 of this Act;

(B) to direct enforcement and compliance assessment activities concerning evasion;

(C) to the development and conduct of commercial risk assessment targeting with respect to cargo destined for the United States in accordance with subsection (c);

(D) to issuing Trade Alerts described in subsection (d); and

(E) to the development of policies for the application of single entry and continuous bonds for entries of covered merchandise to sufficiently protect the collection of antidumping and countervailing duties commensurate with the level of risk of noncollection.

(b) DUTIES OF DIRECTOR.—The duties of the Director of the Trade Remedy Law Enforcement Division shall include—

(1) directing the trade enforcement and compliance assessment activities of U.S. Customs and Border Protection that concern evasion;

(2) facilitating, promoting, and coordinating cooperation and the exchange of information between U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and other relevant Federal agencies regarding evasion;

(3) notifying on a timely basis the administering authority (as defined in section 771(1) of the Tariff Act of 1930 (19 U.S.C. 1677(1))) and the Commission (as defined in section 771(2) of the Tariff Act of 1930 (19 U.S.C. 1677(2))) of any finding, determination, civil action, or criminal action taken by U.S. Customs and Border Protection or other Federal agency regarding evasion;

(4) serving as the primary liaison between U.S. Customs and Border Protection and the public regarding activities concerning evasion, including activities relating to investigations conducted under section 517 of the Tariff Act of 1930, as added by section 421 of this Act, which include—

(A) receiving allegations of evasion from parties, including allegations described in section 517(b)(2) of the Tariff Act of 1930, as so added;

(B) upon request by the party or parties that submitted such an allegation of evasion, providing information to such party or parties on the status of U.S. Customs and Border Protection's consideration of the allegation and decision to pursue or not pursue any administrative inquiries or other actions, such as changes in policies, procedures, or resource allocation as a result of the allegation;

(C) as needed, requesting from the party or parties that submitted such an allegation of evasion any additional information that may be relevant for U.S. Customs and Border Protection determining whether to initiate an administrative inquiry or take any other action regarding the allegation;

(D) notifying on a timely basis the party or parties that submitted such an allegation of the results of any administrative, civil, or criminal actions taken by U.S. Customs and Border Protection or other Federal agency regarding evasion as a direct or indirect result of the allegation;

(E) upon request, providing technical assistance and advice to eligible small businesses to enable such businesses to prepare and submit such an allegation of evasion, except that the Director may deny technical assistance if the Director concludes that the allegation, if submitted, would not lead to the initiation of an administrative inquiry or any other action to address the allegation;

(F) in cooperation with the public, the Commercial Customs Operations Advisory Committee established under section 109, the Trade Support Network, and any other relevant parties and organizations, developing guidelines on the types and nature of information that may be provided in such an allegation of evasion; and

(G) consulting regularly with the public, the Commercial Customs Operations Advisory Committee, the Trade Support Network, and any other relevant parties and organizations regarding the development and implementation of regulations, interpretations, and policies related to countering evasion.

(c) PREVENTING AND COUNTERING EVASION OF THE TRADE REMEDY LAWS.—In carrying out its duties with respect to preventing and countering evasion, the National Targeting and Analysis Group dedicated to preventing and countering evasion shall—

(1) establish targeted risk assessment methodologies and standards—

(A) for evaluating the risk that cargo destined for the United States may constitute evading covered merchandise; and

(B) for issuing, as appropriate, Trade Alerts described in subsection (d); and

(2) to the extent practicable and otherwise authorized by law, use information available from the Automated Commercial System, the Automated Commercial Environment, the Automated Targeting System, the Automated Export System, the International Trade Data System established under section 411(d) of the Tariff Act of

1930 (19 U.S.C. 1411(d)), and the TECS (formerly known as the ''Treasury Enforcement Communications System''), and any similar and successor systems, to administer the methodologies and standards established under paragraph (1).

(d) TRADE ALERTS.—Based upon the application of the targeted risk assessment methodologies and standards established under subsection (c), the Director of the Trade Remedy Law Enforcement Division shall issue Trade Alerts or other such means of notification to directors of United States ports of entry directing further inspection, physical examination, or testing of merchandise to ensure compliance with the trade remedy laws and to require additional bonds, cash deposits, or other security to ensure collection of any duties, taxes, and fees owed.

SEC. 412. COLLECTION OF INFORMATION ON EVASION OF TRADE REMEDY LAWS.

(a) AUTHORITY TO COLLECT INFORMATION.—To determine whether covered merchandise is being entered into the customs territory of the United States through evasion, the Secretary, acting through the Commissioner—

(1) shall exercise all existing authorities to collect information needed to make the determination; and

(2) may collect such additional information as is necessary to make the determination through such methods as the Commissioner considers appropriate, including by issuing questionnaires with respect to the entry or entries at issue to—

(A) a person who filed an allegation with respect to the covered merchandise;

(B) a person who is alleged to have entered the covered merchandise into the customs territory of the United States through evasion; or

(C) any other person who is determined to have information relevant to the allegation of entry of covered merchandise into the customs territory of the United States through evasion.

(b) ADVERSE INFERENCE.—

(1) USE OF ADVERSE INFERENCE.—

(A) IN GENERAL.—If the Secretary finds that a person described in subparagraph (B) has failed to cooperate by not acting to the best of the person's ability to comply with a request for information under subsection (a), the Secretary may, in making a determination whether an entry or entries of covered merchandise may constitute merchandise that is entered into the customs territory of the United States through evasion, use an inference that is adverse to the interests of that person in selecting from among the facts otherwise available to determine whether evasion has occurred.

(B) PERSON DESCRIBED.—A person described in this subparagraph is—

(i) a person who filed an allegation with respect to covered merchandise;

(ii) a person alleged to have entered covered merchandise into the customs territory of the United States through evasion; or

(iii) a foreign producer or exporter of covered merchandise that is alleged to have entered into the customs territory of the United States through evasion.

(C) APPLICATION.—An inference described in subparagraph (A) may be used under that subparagraph with respect to a person described in clause (ii) or (iii) of subparagraph (B) without regard to whether another person involved in the same transaction or transactions under examination has provided the information sought by the Secretary, such as import or export documentation.

(2) ADVERSE INFERENCE DESCRIBED.—An adverse inference used under paragraph (1)(A) may include reliance on information derived from—

(A) the allegation of evasion of the trade remedy laws, if any, submitted to U.S. Customs and Border Protection;

(B) a determination by the Commissioner in another investigation, proceeding, or other action regarding evasion of the unfair trade laws; or

(C) any other available information.

SEC. 413. ACCESS TO INFORMATION.

(a) IN GENERAL.—Section 777(b)(1)(A)(ii) of the Tariff Act of 1930 (19 U.S.C. 1677f(b)(1)(A)(ii)) is amended by inserting ''negligence, gross negligence, or'' after ''regarding''.

(b) ADDITIONAL INFORMATION.—Notwithstanding any other provision of law, the Secretary is authorized to provide to the Secretary of Commerce or the United States International Trade Commission any information that is necessary to enable the Secretary of Commerce or the United States International Trade Commission to assist the Secretary to identify, through risk assessment targeting or otherwise, covered merchandise that is entered into the customs territory of the United States through evasion.

SEC. 414. COOPERATION WITH FOREIGN COUNTRIES ON PREVENTING EVASION OF TRADE REMEDY LAWS.

(a) BILATERAL AGREEMENTS.—

(1) IN GENERAL.—The Secretary shall seek to negotiate and enter into bilateral agreements with the customs authorities or other appropriate authorities of foreign countries for purposes of cooperation on preventing evasion of the trade remedy laws of the United States and the trade remedy laws of the other country.

(2) PROVISIONS AND AUTHORITIES.—The Secretary shall seek to include in each such bilateral agreement the following provisions and authorities:

(A) On the request of the importing country, the exporting country shall provide, consistent with its laws, regulations, and procedures, production, trade, and transit documents and other information necessary to determine whether an entry or entries exported from the exporting country are subject to the importing country's trade remedy laws.

(B) On the written request of the importing country, the exporting country shall conduct a verification for purposes of enabling the importing country to make a determination described in subparagraph (A).

(C) The exporting country may allow the importing country to participate in a verification described in subparagraph (B), including through a site visit.

(D) If the exporting country does not allow participation of the importing country in a verification described in subparagraph (B), the importing country may take this fact into consideration in its trade enforcement and compliance assessment activities regarding the compliance of the exporting country's exports with the importing country's trade remedy laws.

(b) CONSIDERATION.—The Commissioner is authorized to take into consideration whether a country is a signatory to a bilateral agreement described in subsection (a) and the extent to which the country is cooperating under the bilateral agreement for purposes of trade enforcement and compliance assessment activities of U.S. Customs and Border Protection that concern evasion by such country's exports.

(c) REPORT.—Not later than December 31 of each calendar year beginning after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report summarizing—

(1) the status of any ongoing negotiations of bilateral agreements described in subsection (a), including the identities of the countries involved in such negotiations;

(2) the terms of any completed bilateral agreements described in subsection (a); and

(3) bilateral cooperation and other activities conducted pursuant to or enabled by any completed bilateral agreements described in subsection (a).

SEC. 415. TRADE NEGOTIATING OBJECTIVES.

The principal negotiating objectives of the United States shall include obtaining the objectives of the bilateral agreements described under section 414(a) for any trade agreements under negotiation as of the date of the enactment of this Act or future trade agreement negotiations.

Subtitle B—Investigation of Evasion of Trade Remedy Laws

SEC. 421. PROCEDURES FOR INVESTIGATING CLAIMS OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.

(a) IN GENERAL.—The Tariff Act of 1930 is amended by inserting after section 516A (19 U.S.C. 1516a) the following:

''SEC. 517. PROCEDURES FOR INVESTIGATING CLAIMS OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTERING AUTHORITY.—The term 'administering authority' has the meaning given that term in section 771(1).

''(2) COMMISSIONER.—The term 'Commissioner' means the Commissioner of U.S. Customs and Border Protection.

''(3) COVERED MERCHANDISE.—The term 'covered merchandise' means merchandise that is subject to—

''(A) an antidumping duty order issued under section 736; or

''(B) a countervailing duty order issued under section 706.

''(4) ENTER; ENTRY.—The terms 'enter' and 'entry' refer to the entry, or withdrawal from warehouse for consumption, of merchandise into the customs territory of the United States.

''(5) EVASION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'evasion' refers to entering covered merchandise into the customs territory of the United States by means of any document or electronically transmitted data or information, written or oral statement, or act that is material and false, or any omission that is material, and that results in any cash deposit or other security or any amount of applicable antidumping or countervailing duties being reduced or not being applied with respect to the merchandise.

''(B) EXCEPTION FOR CLERICAL ERROR.—

''(i) IN GENERAL.—Except as provided in clause (ii), the term 'evasion' does not include entering covered merchandise into the customs territory of the United States by means of—

''(I) a document or electronically transmitted data or information, written or oral statement, or act that is false as a result of a clerical error; or

''(II) an omission that results from a clerical error.

''(ii) PATTERNS OF NEGLIGENT CONDUCT.—If the Commissioner determines that a person has entered covered merchandise into the customs territory of the United States by means of a clerical error referred to in subclause (I) or (II) of clause (i) and that the clerical error is part of a pattern of negligent conduct on the part of that person, the Commissioner may determine, notwithstanding clause (i), that the person has entered such covered merchandise into the customs territory of the United States through evasion.

''(iii) ELECTRONIC REPETITION OF ERRORS.—For purposes of clause (ii), the mere nonintentional repetition by an electronic system of an initial clerical error does not constitute a pattern of negligent conduct.

''(iv) RULE OF CONSTRUCTION.—A determination by the Commissioner that a person has entered covered merchandise into the customs territory of the United States by means of a clerical error referred to in subclause (I) or (II) of clause (i) rather than through evasion shall not be construed to excuse that person from the payment of any duties applicable to the merchandise.

''(6) INTERESTED PARTY.—

''(A) IN GENERAL.—The term 'interested party' means—

''(i) a foreign manufacturer, producer, or exporter, or the United States importer, of covered merchandise or a trade or business association a majority of the members of which are producers, exporters, or importers of such merchandise;

''(ii) a manufacturer, producer, or wholesaler in the United States of a domestic like product;

''(iii) a certified union or recognized union or group of workers that is representative of an industry engaged in the manufacture, production, or wholesale in the United States of a domestic like product;

''(iv) a trade or business association a majority of the members of which manufacture, produce, or wholesale a domestic like product in the United States;

''(v) an association a majority of the members of which is composed of interested parties described in clause (ii), (iii), or (iv) with respect to a domestic like product; and

''(vi) if the covered merchandise is a processed agricultural product, as defined in section 771(4)(E), a coalition or trade association that is representative of either—

''(I) processors;

''(II) processors and producers; or

''(III) processors and growers.

''(B) DOMESTIC LIKE PRODUCT.—For purposes of subparagraph (A), the term 'domestic like product' means a product that is like, or in the absence of like, most similar in characteristics and uses with, covered merchandise.

''(b) INVESTIGATIONS.—

''(1) IN GENERAL.—Not later than 15 business days after receiving an allegation described in paragraph (2) or a referral described in paragraph (3), the Commissioner shall initiate an investigation if the Commissioner determines that the information provided in the allegation or the referral, as the case may be, reasonably suggests that covered merchandise has been entered into the customs territory of the United States through evasion.

''(2) ALLEGATION DESCRIBED.—An allegation described in this paragraph is an allegation that a person has entered covered merchandise into the customs territory of the United States through evasion that is—

''(A) filed with the Commissioner by an interested party; and

''(B) accompanied by information reasonably available to the party that filed the allegation.

''(3) REFERRAL DESCRIBED.—A referral described in this paragraph is information submitted to the Commissioner by any other Federal agency, including the Department of Commerce or the United States International Trade Commission, that reasonably suggests that a person has entered covered merchandise into the customs territory of the United States through evasion.

''(4) CONSIDERATION BY ADMINISTERING AUTHORITY.—

''(A) IN GENERAL.—If the Commissioner receives an allegation under paragraph (2) and is unable to determine whether the merchandise at issue is covered merchandise, the Commissioner shall—

''(i) refer the matter to the administering authority to determine whether the merchandise is covered merchandise pursuant to the authority of the administering authority under title VII; and

''(ii) notify the party that filed the allegation, and any other interested party participating in the investigation, of the referral.

''(B) DETERMINATION; TRANSMISSION TO COMMISSIONER.—After receiving a referral under subparagraph (A)(i) with respect to merchandise, the administering authority shall determine whether the merchandise is covered merchandise and promptly transmit that determination to the Commissioner.

''(C) STAY OF DEADLINES.—The period required for any referral and determination under this paragraph shall not be counted in calculating any deadline under this section.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to affect the authority of an interested party to commence an action in the United States Court of International Trade under section 516A(a)(2) with respect to a determination of the administering authority under this paragraph.

''(5) CONSOLIDATION OF ALLEGATIONS AND REFERRALS.—

''(A) IN GENERAL.—The Commissioner may consolidate multiple allegations described in paragraph (2) and referrals described in paragraph (3) into a single investigation if the Commissioner determines it is appropriate to do so.

''(B) EFFECT ON TIMING REQUIREMENTS.—If the Commissioner consolidates multiple allegations or referrals into a single investigation under subparagraph (A), the date on which the Commissioner receives the first such allegation or referral shall be used for purposes of the requirement under paragraph (1) with respect to the timing of the initiation of the investigation.

''(6) INFORMATION-SHARING TO PROTECT HEALTH AND SAFETY.—If, during the course of conducting an investigation under paragraph (1) with respect to covered merchandise, the Commissioner has reason to suspect that such covered merchandise may pose a health or safety risk to consumers, the Commissioner shall provide, as appropriate, information to the appropriate Federal agencies for purposes of mitigating the risk.

''(7) TECHNICAL ASSISTANCE AND ADVICE.—

''(A) IN GENERAL.—Upon request, the Commissioner shall provide technical assistance and advice to eligible small businesses to enable such businesses to prepare and submit allegations described in paragraph (2), except that the Commissioner may deny technical assistance if the Commissioner concludes that the allegation, if submitted, would not lead to the initiation of an investigation under this subsection or any other action to address the allegation.

''(B) ELIGIBLE SMALL BUSINESS DEFINED.—

''(i) IN GENERAL.—In this paragraph, the term 'eligible small business' means any business concern that the Commissioner determines, due to its small size, has neither adequate internal resources nor the financial ability to obtain qualified outside assistance in preparing and filing allegations described in paragraph (2).

''(ii) NON-REVIEWABILITY.—The determination of the Commissioner regarding whether a business concern is an eligible small business for purposes of this paragraph is not reviewable by any other agency or by any court.

''(c) DETERMINATIONS.—

''(1) DETERMINATION OF EVASION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), not later than 300 calendar days after the date on which the Commissioner initiates an investigation under subsection (b) with respect to covered merchandise, the Commissioner shall make a determination, based on substantial evidence, with respect to whether such covered merchandise was entered into the customs territory of the United States through evasion.

''(B) ADDITIONAL TIME.—The Commissioner may extend the time to make a determination under subparagraph (A) by not more than 60 calendar days if the Commissioner determines that—

''(i) the investigation is extraordinarily complicated because of—

''(I) the number and complexity of the transactions to be investigated;

''(II) the novelty of the issues presented; or

''(III) the number of entities to be investigated; and

''(ii) additional time is necessary to make the determination under subparagraph (A).

''(2) AUTHORITY TO COLLECT AND VERIFY ADDITIONAL INFORMATION.—In making a determination under paragraph (1) with respect to covered merchandise, the Commissioner may collect such additional information as is necessary to make the determination through such methods as the Commissioner considers appropriate, including by—

''(A) issuing a questionnaire with respect to such covered merchandise to—

''(i) an interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise;

''(ii) a person alleged to have entered such covered merchandise into the customs territory of the United States through evasion;

''(iii) a person that is a foreign producer or exporter of such covered merchandise; or

''(iv) the government of a country from which such covered merchandise was exported; and

''(B) conducting verifications, including on-site verifications, of any relevant information.

''(3) ADVERSE INFERENCE.—

''(A) IN GENERAL.—If the Commissioner finds that a party or person described in clause (i), (ii), or (iii) of paragraph (2)(A) has failed to cooperate by not acting to the best of the party or person's ability to comply with a request for information, the Commissioner may, in making a determination under paragraph (1), use an inference that is adverse to the interests of that party or person in selecting from among the facts otherwise available to make the determination.

''(B) APPLICATION.—An inference described in subparagraph (A) may be used under that subparagraph with respect to a person described in clause (ii) or (iii) of paragraph (2)(A) without regard to whether another person involved in the same transaction or transactions under examination has provided the information sought by the Commissioner, such as import or export documentation.

''(C) ADVERSE INFERENCE DESCRIBED.—An adverse inference used under subparagraph (A) may include reliance on information derived from—

''(i) the allegation of evasion of the trade remedy laws, if any, submitted to U.S. Customs and Border Protection;

''(ii) a determination by the Commissioner in another investigation, proceeding, or other action regarding evasion of the unfair trade laws; or

''(iii) any other available information.

''(4) NOTIFICATION.—Not later than 5 business days after making a determination under paragraph (1) with respect to covered merchandise, the Commissioner—

''(A) shall provide to each interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise a notification of the determination and may, in addition, include an explanation of the basis for the determination; and

''(B) may provide to importers, in such manner as the Commissioner determines appropriate, information discovered in the investigation that the Commissioner determines will help educate importers with respect to importing merchandise into the customs territory of the United States in accordance with all applicable laws and regulations.

''(d) EFFECT OF DETERMINATIONS.—

''(1) IN GENERAL.—If the Commissioner makes a determination under subsection (c) that covered merchandise was entered into the customs

territory of the United States through evasion, the Commissioner shall—

''(A)(i) suspend the liquidation of unliquidated entries of such covered merchandise that are subject to the determination and that enter on or after the date of the initiation of the investigation under subsection (b) with respect to such covered merchandise and on or before the date of the determination; or

''(ii) if the Commissioner has already suspended the liquidation of such entries pursuant to subsection (e)(1), continue to suspend the liquidation of such entries;

''(B) pursuant to the Commissioner's authority under section 504(b)—

''(i) extend the period for liquidating unliquidated entries of such covered merchandise that are subject to the determination and that entered before the date of the initiation of the investigation; or

''(ii) if the Commissioner has already extended the period for liquidating such entries pursuant to subsection (e)(1), continue to extend the period for liquidating such entries;

''(C) notify the administering authority of the determination and request that the administering authority—

''(i) identify the applicable antidumping or countervailing duty assessment rates for entries described in subparagraphs (A) and (B); or

''(ii) if no such assessment rate for such an entry is available at the time, identify the applicable cash deposit rate to be applied to the entry, with the applicable antidumping or countervailing duty assessment rate to be provided as soon as that rate becomes available;

''(D) require the posting of cash deposits and assess duties on entries described in subparagraphs (A) and (B) in accordance with the instructions received from the administering authority under paragraph (2); and

''(E) take such additional enforcement measures as the Commissioner determines appropriate, such as—

''(i) initiating proceedings under section 592 or 596;

''(ii) implementing, in consultation with the relevant Federal agencies, rule sets or modifications to rule sets for identifying, particularly through the Automated Targeting System and the Automated Commercial Environment authorized under section 13031(f)(4) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)), importers, other parties, and merchandise that may be associated with evasion;

''(iii) requiring, with respect to merchandise for which the importer has repeatedly provided incomplete or erroneous entry summary information in connection with determinations of evasion, the importer to deposit estimated duties at the time of entry; and

''(iv) referring the record in whole or in part to U.S. Immigration and Customs Enforcement for civil or criminal investigation.

''(2) COOPERATION OF ADMINISTERING AUTHORITY.—

''(A) IN GENERAL.—Upon receiving a notification from the Commissioner under paragraph (1)(C), the administering authority shall promptly provide to the Commissioner the applicable cash deposit rates and antidumping or countervailing duty assessment rates and any necessary liquidation instructions.

''(B) SPECIAL RULE FOR CASES IN WHICH THE PRODUCER OR EXPORTER IS UNKNOWN.—If the Commissioner and the administering authority are unable to determine the producer or exporter of the merchandise with respect to which a notification is made under paragraph (1)(C), the administering authority shall identify, as the applicable cash deposit rate or antidumping or countervailing duty assessment rate, the cash deposit or duty (as the case may be) in the highest amount applicable to any producer or exporter, including the 'all-others' rate of the merchandise subject to an antidumping order or countervailing duty order under section 736 or 706, respectively, or a finding issued under the Antidumping Act, 1921, or any administrative review conducted under section 751.

''(e) INTERIM MEASURES.—Not later than 90 calendar days after initiating an investigation under subsection (b) with respect to covered merchandise, the Commissioner shall decide based on the investigation if there is a reasonable suspicion that such covered merchandise was entered into the customs territory of the United States through evasion and, if the Commissioner decides there is such a reasonable suspicion, the Commissioner shall—

''(1) suspend the liquidation of each unliquidated entry of such covered merchandise that entered on or after the date of the initiation of the investigation;

''(2) pursuant to the Commissioner's authority under section 504(b), extend the period for liquidating each unliquidated entry of such covered merchandise that entered before the date of the initiation of the investigation; and

''(3) pursuant to the Commissioner's authority under section 623, take such additional measures as the Commissioner determines necessary to protect the revenue of the United States, including requiring a single transaction bond or additional security or the posting of a cash deposit with respect to such covered merchandise.

''(f) ADMINISTRATIVE REVIEW.—

''(1) IN GENERAL.—Not later than 30 business days after the Commissioner makes a determination under subsection (c) with respect to whether covered merchandise was entered into the customs territory of the United States through evasion, a person determined to have entered such covered merchandise through evasion or an interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise may file an appeal with the Commissioner for de novo review of the determination.

''(2) TIMELINE FOR REVIEW.—Not later than 60 business days after an appeal of a determination is filed under paragraph (1), the Commissioner shall complete the review of the determination.

''(g) JUDICIAL REVIEW.—

''(1) IN GENERAL.—Not later than 30 business days after the Commissioner completes a review under subsection (f) of a determination under subsection (c) with respect to whether covered merchandise was entered into the customs territory of the United States through evasion, a person determined to have entered such covered merchandise through evasion or an interested party that filed an allegation under paragraph (2) of subsection (b) that resulted in the initiation of an investigation under paragraph (1) of that subsection with respect to such covered merchandise may seek judicial review of the determination under subsection (c) and the review under subsection (f) in the United States Court of International Trade to determine whether the determination and review is conducted in accordance with subsections (c) and (f).

''(2) STANDARD OF REVIEW.—In determining whether a determination under subsection (c) or review under subsection (f) is conducted in accordance with those subsections, the United States Court of International Trade shall examine—

''(A) whether the Commissioner fully complied with all procedures under subsections (c) and (f); and

''(B) whether any determination, finding, or conclusion is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall affect the availability of judicial review to an interested party under any other provision of law.

''(h) RULE OF CONSTRUCTION WITH RESPECT TO OTHER CIVIL AND CRIMINAL PROCEEDINGS AND INVESTIGATIONS.—No determination under subsection (c), review under subsection (f), or action taken by the Commissioner pursuant to this section shall preclude any individual or entity from proceeding, or otherwise affect or limit the authority of any individual or entity to proceed, with any civil, criminal, or administrative investigation or proceeding pursuant to any other provision of Federal or State law, including sections 592 and 596.''.

(b) CONFORMING AMENDMENT.—Section 1581(c) of title 28, United States Code, is amended by inserting ''or 517'' after ''516A''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 180 days after the date of the enactment of this Act.

(d) REGULATIONS.—Not later than the date that is 180 days after the date of the enactment of this Act, the Secretary shall prescribe such regulations as may be necessary to implement the amendments made by this section.

Subtitle C—Other Matters

SEC. 431. ALLOCATION AND TRAINING OF PERSONNEL.

The Commissioner shall, to the maximum extent possible, ensure that U.S. Customs and Border Protection—

(1) employs sufficient personnel who have expertise in, and responsibility for, preventing and investigating the entry of covered merchandise into the customs territory of the United States through evasion;

(2) on the basis of risk assessment metrics, assigns sufficient personnel with primary responsibility for preventing the entry of covered merchandise into the customs territory of the United States through evasion to the ports of entry in the United States at which the Commissioner determines potential evasion presents the most substantial threats to the revenue of the United States; and

(3) provides adequate training to relevant personnel to increase expertise and effectiveness in the prevention and identification of entries of covered merchandise into the customs territory of the United States through evasion.

SEC. 432. ANNUAL REPORT ON PREVENTION AND INVESTIGATION OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS.

(a) IN GENERAL.—Not later than January 15 of each calendar year that begins on or after the date that is 270 days after the date of the enactment of this Act, the Commissioner, in consultation with the Secretary of Commerce and the Director of U.S. Immigration and Customs Enforcement, shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the efforts being taken to prevent and investigate the entry of covered merchandise into the customs territory of the United States through evasion.

(b) CONTENTS.—Each report required under subsection (a) shall include—

(1) for the calendar year preceding the submission of the report—

(A) a summary of the efforts of U.S. Customs and Border Protection to prevent and investigate the entry of covered merchandise into the customs territory of the United States through evasion;

(B) the number of allegations of evasion received, including allegations received under subsection (b) of section 517 of the Tariff Act of 1930, as added by section 421 of this Act, and the number of such allegations resulting in investigations by U.S. Customs and Border Protection or any other Federal agency;

(C) a summary of investigations initiated, including investigations initiated under subsection (b) of such section 517, including—

(i) the number and nature of the investigations initiated, conducted, or completed; and

(ii) the resolution of each completed investigation;

(D) the amount of additional duties that were determined to be owed as a result of such investigations, the amount of such duties that were collected, and, for any such duties not collected, a description of the reasons those duties were not collected;

(E) with respect to each such investigation that led to the imposition of a penalty, the amount of the penalty;

(F) an identification of the countries of origin of covered merchandise determined under subsection (c) of such section 517 to be entered into the customs territory of the United States through evasion;

(G) the amount of antidumping and countervailing duties collected as a result of any investigations or other actions by U.S. Customs and Border Protection or any other Federal agency;

(H) a description of the allocation of personnel and other resources of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to prevent and investigate evasion, including any assessments conducted regarding the allocation of such personnel and resources; and

(I) a description of training conducted to increase expertise and effectiveness in the prevention and investigation of evasion; and

(2) a description of processes and procedures of U.S. Customs and Border Protection to prevent and investigate evasion, including—

(A) the specific guidelines, policies, and practices used by U.S. Customs and Border Protection to ensure that allegations of evasion are promptly evaluated and acted upon in a timely manner;

(B) an evaluation of the efficacy of those guidelines, policies, and practices;

(C) an identification of any changes since the last report required by this section, if any, that have materially improved or reduced the effectiveness of U.S. Customs and Border Protection in preventing and investigating evasion;

(D) a description of the development and implementation of policies for the application of single entry and continuous bonds for entries of covered merchandise to sufficiently protect the collection of antidumping and countervailing duties commensurate with the level of risk of not collecting those duties;

(E) a description of the processes and procedures for increased cooperation and information sharing with the Department of Commerce, U.S. Immigration and Customs Enforcement, and any other relevant Federal agencies to prevent and investigate evasion; and

(F) an identification of any recommended policy changes for other Federal agencies or legislative changes to improve the effectiveness of U.S. Customs and Border Protection in preventing and investigating evasion.

(c) PUBLIC SUMMARY.—The Commissioner shall make available to the public a summary of the report required by subsection (a) that includes, at a minimum—

(1) a description of the type of merchandise with respect to which investigations were initiated under subsection (b) of section 517 of the Tariff Act of 1930, as added by section 421 of this Act;

(2) the amount of additional duties determined to be owed as a result of such investigations and the amount of such duties that were collected;

(3) an identification of the countries of origin of covered merchandise determined under subsection (c) of such section 517 to be entered into the customs territory of the United States through evasion; and

(4) a description of the types of measures used by U.S. Customs and Border Protection to prevent and investigate evasion.

SEC. 433. ADDRESSING CIRCUMVENTION BY NEW SHIPPERS.

Section 751(a)(2)(B) of the Tariff Act of 1930 (19 U.S.C. 1675(a)(2)(B)) is amended—

(1) by striking clause (iii);

(2) by redesignating clause (iv) as clause (iii); and

(3) by inserting after clause (iii), as redesignated by paragraph (2) of this section, the following:

''(iv) DETERMINATIONS BASED ON BONA FIDE SALES.—Any weighted average dumping margin or individual countervailing duty rate determined for an exporter or producer in a review conducted under clause (i) shall be based solely on the bona fide United States sales of an exporter or producer, as the case may be, made during the period covered by the review. In determining whether the United States sales of an exporter or producer made during the period covered by the review were bona fide, the administering authority shall consider, depending on the circumstances surrounding such sales—

''(I) the prices of such sales;

''(II) whether such sales were made in commercial quantities;

''(III) the timing of such sales;

''(IV) the expenses arising from such sales;

''(V) whether the subject merchandise involved in such sales was resold in the United States at a profit;

''(VI) whether such sales were made on an arms-length basis; and

''(VII) any other factor the administering authority determines to be relevant as to whether such sales are, or are not, likely to be typical of those the exporter or producer will make after completion of the review.''.

TITLE V—SMALL BUSINESS TRADE ISSUES AND STATE TRADE COORDINATION

SECTION 501. SHORT TITLE.

This title may be cited as the ''Small Business Trade Enhancement Act of 2015'' or the ''State Trade Coordination Act''.

SEC. 502. OUTREACH AND INPUT FROM SMALL BUSINESSES TO TRADE PROMOTION AUTHORITY.

Section 203 of Public Law 94–305 (15 U.S.C. 634c) is amended—

(1) in the matter preceding paragraph (1), by striking ''The Office of Advocacy'' and inserting the following:

''(a) IN GENERAL.—The Office of Advocacy''; and

(2) by adding at the end the following:

''(b) OUTREACH AND INPUT FROM SMALL BUSINESSES ON TRADE PROMOTION AUTHORITY.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'agency' has the meaning given the term in section 551 of title 5, United States Code;

''(B) the term 'Chief Counsel for Advocacy' means the Chief Counsel for Advocacy of the Small Business Administration;

''(C) the term 'covered trade agreement' means a trade agreement being negotiated pursuant to section 103(b) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4202(b)); and

''(D) the term 'Working Group' means the Interagency Working Group convened under paragraph (2)(A).

''(2) WORKING GROUP.—

''(A) IN GENERAL.—Not later than 30 days after the date on which the President submits the notification required under section 105(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4204(a)), the Chief Counsel for Advocacy shall convene an Interagency Working Group, which shall consist of an employee from each of the following agencies, as selected by the head of the agency or an official delegated by the head of the agency:

''(i) The Office of the United States Trade Representative.

''(ii) The Department of Commerce.

''(iii) The Department of Agriculture.

''(iv) Any other agency that the Chief Counsel for Advocacy, in consultation with the United States Trade Representative, determines to be relevant with respect to the subject of the covered trade agreement.

''(B) VIEWS OF SMALL BUSINESSES.—Not later than 30 days after the date on which the Chief Counsel for Advocacy convenes the Working Group under subparagraph (A), the Chief Counsel for Advocacy shall identify a diverse group of small businesses, representatives of small businesses, or a combination thereof, to provide to the Working Group the views of small businesses in the manufacturing, services, and agriculture industries on the potential economic effects of the covered trade agreement.

''(3) REPORT.—

''(A) IN GENERAL.—Not later than 180 days after the date on which the Chief Counsel for Advocacy convenes the Working Group under paragraph (2)(A), the Chief Counsel for Advocacy shall submit to the Committee on Small Business and Entrepreneurship and the Committee on Finance of the Senate and the Committee on Small Business and the Committee on Ways and Means of the House of Representatives a report on the economic impacts of the covered trade agreement on small businesses, which shall—

''(i) identify the most important priorities, opportunities, and challenges to various industries from the covered trade agreement;

''(ii) assess the impact for new small businesses to start exporting, or increase their exports, to markets in countries that are parties to the covered trade agreement;

''(iii) analyze the competitive position of industries likely to be significantly affected by the covered trade agreement;

''(iv) identify—

''(I) any State-owned enterprises in each country participating in negotiations for the covered trade agreement that could pose a threat to small businesses; and

''(II) any steps to take to create a level playing field for those small businesses;

''(v) identify any rule of an agency that should be modified to become compliant with the covered trade agreement; and

''(vi) include an overview of the methodology used to develop the report, including the number of small business participants by industry, how those small businesses were selected, and any other factors that the Chief Counsel for Advocacy may determine appropriate.

''(B) DELAYED SUBMISSION.—To ensure that negotiations for the covered trade agreement are not disrupted, the President may require that the Chief Counsel for Advocacy delay submission of the report under subparagraph (A) until after the negotiations for the covered trade agreement are concluded, provided that the delay allows the Chief Counsel for Advocacy to submit the report to Congress not later than 45 days before the Senate or the House of Representatives acts to approve or disapprove the covered trade agreement.

''(C) AVOIDANCE OF DUPLICATION.—The Chief Counsel for Advocacy shall, to the extent practicable, coordinate the submission of the report under this paragraph with the United States International Trade Commission, the United States Trade Representative, other agencies, and trade advisory committees to avoid unnecessary duplication of reporting requirements.''.

SEC. 503. STATE TRADE EXPANSION PROGRAM.

Section 22 of the Small Business Act (15 U.S.C. 649) is amended—

(1) by redesignating subsection (l) as subsection (m); and

(2) by inserting after subsection (k) the following:

''(l) STATE TRADE EXPANSION PROGRAM.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'eligible small business concern' means a business concern that—

''(i) is organized or incorporated in the United States;

''(ii) is operating in the United States;

''(iii) meets—

''(I) the applicable industry-based small business size standard established under section 3; or

''(II) the alternate size standard applicable to the program under section 7(a) of this Act and the loan programs under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.);

''(iv) has been in business for not less than 1 year, as of the date on which assistance using a grant under this subsection commences; and

''(v) has access to sufficient resources to bear the costs associated with trade, including the costs of packing, shipping, freight forwarding, and customs brokers;

''(B) the term 'program' means the State Trade Expansion Program established under paragraph (2);

''(C) the term 'rural small business concern' means an eligible small business concern located in a rural area, as that term is defined in section 1393(a)(2) of the Internal Revenue Code of 1986;

''(D) the term 'socially and economically disadvantaged small business concern' has the meaning given that term in section 8(a)(4)(A) of the Small Business Act (15 U.S.C. 637(a)(4)(A)); and

''(E) the term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

''(2) ESTABLISHMENT OF PROGRAM.—The Associate Administrator shall establish a trade expansion program, to be known as the 'State Trade Expansion Program', to make grants to States to carry out programs that assist eligible small business concerns in—

''(A) participation in foreign trade missions;

''(B) a subscription to services provided by the Department of Commerce;

''(C) the payment of website fees;

''(D) the design of marketing media;

''(E) a trade show exhibition;

''(F) participation in training workshops;

''(G) a reverse trade mission;

''(H) procurement of consultancy services (after consultation with the Department of Commerce to avoid duplication); or

''(I) any other initiative determined appropriate by the Associate Administrator.

''(3) GRANTS.—

''(A) JOINT REVIEW.—In carrying out the program, the Associate Administrator may make a grant to a State to increase the number of eligible small business concerns in the State exploring significant new trade opportunities.

''(B) CONSIDERATIONS.—In making grants under this subsection, the Associate Administrator may give priority to an application by a State that proposes a program that—

''(i) focuses on eligible small business concerns as part of a trade expansion program;

''(ii) demonstrates intent to promote trade expansion by—

''(I) socially and economically disadvantaged small business concerns;

''(II) small business concerns owned or controlled by women; and

''(III) rural small business concerns;

''(iii) promotes trade facilitation from a State that is not 1 of the 10 States with the highest percentage of eligible small business concerns that are engaged in international trade, based upon the most recent data from the Department of Commerce; and

''(iv) includes—

''(I) activities which have resulted in the highest return on investment based on the most recent year; and

''(II) the adoption of shared best practices included in the annual report of the Administration.

''(C) LIMITATIONS.—

''(i) SINGLE APPLICATION.—A State may not submit more than 1 application for a grant under the program in any 1 fiscal year.

''(ii) PROPORTION OF AMOUNTS.—The total value of grants made under the program during a fiscal year to the 10 States with the highest percentage of eligible small business concerns, based upon the most recent data available from the Department of Commerce, shall be not more than 40 percent of the amounts appropriated for the program for that fiscal year.

''(iii) DURATION.—The Associate Administrator shall award a grant under this program for a period of not more than 2 years.

''(D) APPLICATION.—

''(i) IN GENERAL.—A State desiring a grant under the program shall submit an application at such time, in such manner, and accompanied by such information as the Associate Administrator may establish.

''(ii) CONSULTATION TO REDUCE DUPLICATION.—A State desiring a grant under the program shall—

''(I) before submitting an application under clause (i), consult with applicable trade agencies of the Federal Government on the scope and mission of the activities the State proposes to carry out using the grant, to ensure proper coordination and reduce duplication in services; and

''(II) document the consultation conducted under subclause (I) in the application submitted under clause (i).

''(4) COMPETITIVE BASIS.—The Associate Administrator shall award grants under the program on a competitive basis.

''(5) FEDERAL SHARE.—The Federal share of the cost of a trade expansion program carried out using a grant under the program shall be—

''(A) for a State that has a high trade volume, as determined by the Associate Administrator, not more than 65 percent; and

''(B) for a State that does not have a high trade volume, as determined by the Associate Administrator, not more than 75 percent.

''(6) NON-FEDERAL SHARE.—The non-Federal share of the cost of a trade expansion program carried out using a grant under the program shall be comprised of not less than 50 percent cash and not more than 50 percent of indirect costs and in-kind contributions, except that no such costs or contributions may be derived from funds from any other Federal program.

''(7) REPORTS.—

''(A) INITIAL REPORT.—Not later than 120 days after the date of enactment of this subsection, the Associate Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report, which shall include—

''(i) a description of the structure of and procedures for the program;

''(ii) a management plan for the program; and

''(iii) a description of the merit-based review process to be used in the program.

''(B) ANNUAL REPORTS.—

''(i) IN GENERAL.—The Associate Administrator shall publish on the website of the Administration an annual report regarding the program, which shall include—

''(I) the number and amount of grants made under the program during the preceding year;

''(II) a list of the States receiving a grant under the program during the preceding year, including the activities being performed with each grant;

''(III) the effect of each grant on the eligible small business concerns in the State receiving the grant;

''(IV) the total return on investment for each State; and

''(V) a description of best practices by States that showed high returns on investment and significant progress in helping more eligible small business concerns.

''(ii) NOTICE TO CONGRESS.—On the date on which the Associate Administrator publishes a report under clause (i), the Associate Administrator shall notify the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives that the report has been published.

''(8) REVIEWS BY INSPECTOR GENERAL.—

''(A) IN GENERAL.—The Inspector General of the Administration shall conduct a review of—

''(i) the extent to which recipients of grants under the program are measuring the performance of the activities being conducted and the results of the measurements; and

''(ii) the overall management and effectiveness of the program.

''(B) REPORTS.—

''(i) PILOT PROGRAM.—Not later than 6 months after the date of enactment of this subsection, the Inspector General of the Administration shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding the use of amounts made available under the State Trade and Export Promotion Grant Program under section 1207 of the Small Business Jobs Act of 2010 (15 U.S.C. 649b note).

''(ii) NEW STEP PROGRAM.—Not later than 18 months after the date on which the first grant is awarded under this subsection, the Inspector General of the Administration shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding the review conducted under subparagraph (A).

''(9) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program $30,000,000 for each of fiscal years 2016 through 2020.''.

SEC. 504. STATE AND FEDERAL EXPORT PROMOTION COORDINATION.

(a) STATE AND FEDERAL EXPORT PROMOTION COORDINATION WORKING GROUP.—Subtitle C of the Export Enhancement Act of 1988 (15 U.S.C. 4721 et seq.) is amended by inserting after section 2313 the following:

''SEC. 2313A. STATE AND FEDERAL EXPORT PROMOTION COORDINATION WORKING GROUP.

''(a) STATEMENT OF POLICY.—It is the policy of the United States to promote exports as an opportunity for small businesses. In exercising their powers and functions in order to advance that policy, all Federal agencies shall work constructively with State and local agencies engaged in export promotion and export financing activities.

''(b) ESTABLISHMENT.—The President shall establish a State and Federal Export Promotion Coordination Working Group (in this section referred to as the 'Working Group') as a subcommittee of the Trade Promotion Coordination Committee (in this section referred to as the 'TPCC').

''(c) PURPOSES.—The purposes of the Working Group are—

''(1) to identify issues related to the coordination of Federal resources relating to export promotion and export financing with such resources provided by State and local governments;

''(2) to identify ways to improve coordination with respect to export promotion and export financing activities through the strategic plan developed under section 2312(c);

''(3) to develop a strategy for improving coordination of Federal and State resources relating to export promotion and export financing, including methods to eliminate duplication of effort and overlapping functions; and

''(4) to develop a strategic plan for considering and implementing the suggestions of the Working Group as part of the strategic plan developed under section 2312(c).

''(d) MEMBERSHIP.—The Secretary of Commerce shall select the members of the Working Group, who shall include—

''(1) representatives from State trade agencies representing regionally diverse areas; and

''(2) representatives of the departments and agencies that are represented on the TPCC, who are designated by the heads of their respective departments or agencies to advise the head on ways of promoting the exportation of United States goods and services.''.

(b) REPORT ON IMPROVEMENTS TO EXPORT.GOV AS A SINGLE WINDOW FOR EXPORT INFORMATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Associate Administrator for International Trade of the Small Business Administration shall, after consultation with the entities specified in paragraph (2), submit to the appropriate congressional committees a report that includes the recommendations of the Associate Administrator for improving the experience provided by the Internet website Export.gov (or a successor website) as—

(A) a comprehensive resource for information about exporting articles from the United States; and

(B) a single website for exporters to submit all information required by the Federal Government with respect to the exportation of articles from the United States.

(2) ENTITIES SPECIFIED.—The entities specified in this paragraph are—

(A) small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) that are exporters; and

(B) the President's Export Council, State agencies with responsibility for export promotion or export financing, district export councils, and trade associations.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Small Business and Entrepreneurship and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Small Business and the Committee on Foreign Affairs of the House of Representatives.

(c) AVAILABILITY OF STATE RESOURCES GUIDES ON EXPORT.GOV.—The Secretary of Commerce shall make available on the Internet website Export.gov (or a successor website) information on the resources relating to export promotion and export financing available in each State—

(1) organized by State; and

(2) including information on State agencies with responsibility for export promotion or export financing and district export councils and trade associations located in the State.

SEC. 505. STATE TRADE COORDINATION.

(a) MEMBERSHIP OF REPRESENTATIVES OF STATE TRADE PROMOTION AGENCIES ON TRADE PROMOTION COORDINATING COMMITTEE.—Section 2312 of the Export Enhancement Act of 1988 (15 U.S.C. 4727) is amended—

(1) in subsection (d)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following:

''(2) REPRESENTATIVES FROM STATE TRADE PROMOTION AGENCIES.—The TPCC shall also include 1 or more members appointed by the President who are representatives of State trade promotion agencies.''; and

(2) in subsection (e), in the first sentence, by inserting ''(other than members described in subsection (d)(2))'' after ''Members of the TPCC''.

(b) FEDERAL AND STATE EXPORT PROMOTION COORDINATION PLAN.—

(1) IN GENERAL.—The Secretary of Commerce, acting through the Trade Promotion Coordinating Committee and in coordination with representatives of State trade promotion agencies, shall develop a comprehensive plan to integrate the resources and strategies of State trade promotion agencies into the overall Federal trade promotion program.

(2) MATTERS TO BE INCLUDED.—The plan required under paragraph (1) shall include the following:

(A) A description of the role of State trade promotion agencies in assisting exporters.

(B) An outline of the role of State trade promotion agencies and how it is different from Federal agencies located within or providing services within the State.

(C) A plan on how to utilize State trade promotion agencies in the Federal trade promotion program.

(D) An explanation of how Federal and State agencies will share information and resources.

(E) A description of how Federal and State agencies will coordinate education and trade events in the United States and abroad.

(F) A description of the efforts to increase efficiency and reduce duplication.

(G) A clear identification of where businesses can receive appropriate international trade information under the plan.

(3) DEADLINE.—The plan required under paragraph (1) shall be finalized and submitted to Congress not later than 12 months after the date of the enactment of this Act.

(c) ANNUAL FEDERAL-STATE EXPORT STRATEGY.—

(1) IN GENERAL.—The Secretary of Commerce, acting through the head of the United States Foreign and Commercial Service, shall develop an annual Federal-State export strategy for each State that submits to the Secretary of Commerce its export strategy for the upcoming calendar year. In developing an annual Federal-State export strategy under this paragraph, the Secretary of Commerce shall take into account the Federal and State export promotion coordination plan developed under subsection (b).

(2) MATTERS TO BE INCLUDED.—The Federal-State export strategy required under paragraph (1) shall include the following:

(A) The State's export strategy and economic goals.

(B) The State's key sectors and industries of focus.

(C) Possible foreign and domestic trade events.

(D) Efforts to increase efficiencies and reduce duplication.

(3) REPORT.—The Federal-State export strategy required under paragraph (1) shall be submitted to the Trade Promotion Coordinating Committee not later than February 1, 2017, and February 1 of each year thereafter.

(d) COORDINATED METRICS AND INFORMATION SHARING.—

(1) IN GENERAL.—The Secretary of Commerce, in coordination with representatives of State trade promotion agencies, shall develop a framework to share export success information, and develop a coordinated set of reporting metrics.

(2) REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Secretary of Commerce shall submit to Congress a report that contains the framework and reporting metrics required under paragraph (1).

(e) ANNUAL SURVEY AND ANALYSIS AND REPORT UNDER NATIONAL EXPORT STRATEGY.—Section 2312 of the Export Enhancement Act of 1988 (15 U.S.C. 4727) is amended—

(1) in subsection (c)—

(A) in paragraph (5), by striking ''and'' at the end;

(B) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(7) in coordination with State trade promotion agencies, include a survey and analysis regarding the overall effectiveness of Federal-State coordination and export promotion goals on an annual basis, to further include best practices, recommendations to better assist small businesses, and other relevant matters.''; and

(2) in subsection (f)(1), by inserting ''(including implementation of the survey and analysis described in paragraph (7) of that subsection)'' after ''the implementation of such plan''.

TITLE VI—ADDITIONAL ENFORCEMENT PROVISIONS

SEC. 601. TRADE ENFORCEMENT PRIORITIES.

(a) IN GENERAL.—Section 310 of the Trade Act of 1974 (19 U.S.C. 2420) is amended to read as follows:

''SEC. 310. TRADE ENFORCEMENT PRIORITIES.

''(a) TRADE ENFORCEMENT PRIORITIES, CONSULTATIONS, AND REPORT.—

''(1) TRADE ENFORCEMENT PRIORITIES CONSULTATIONS.—Not later than May 31 of each calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the United States Trade Representative (in this section referred to as the 'Trade Representative') shall consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives with respect to the prioritization of acts, policies, or practices of foreign governments that raise concerns with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, or otherwise create or maintain barriers to United States goods, services, or investment.

''(2) IDENTIFICATION OF TRADE ENFORCEMENT PRIORITIES.—In identifying acts, policies, or practices of foreign governments as trade enforcement priorities under this subsection, the Trade Representative shall focus on those acts, policies, and practices the elimination of which is likely to have the most significant potential to increase United States economic growth, and take into account all relevant factors, including—

''(A) the economic significance of any potential inconsistency between an obligation assumed by a foreign government pursuant to a trade agreement to which both the foreign government and the United States are parties and the acts, policies, or practices of that government;

''(B) the impact of the acts, policies, or practices of a foreign government on maintaining and creating United States jobs and productive capacity;

''(C) the major barriers and trade distorting practices described in the most recent National Trade Estimate required under section 181(b);

''(D) the major barriers and trade distorting practices described in other relevant reports addressing international trade and investment barriers prepared by a Federal agency or congressional commission during the 12 months preceding the date of the most recent report under paragraph (3);

''(E) a foreign government's compliance with its obligations under any trade agreements to

which both the foreign government and the United States are parties;

''(F) the implications of a foreign government's procurement plans and policies; and

''(G) the international competitive position and export potential of United States products and services.

''(3) REPORT ON TRADE ENFORCEMENT PRIORITIES AND ACTIONS TAKEN TO ADDRESS.—

''(A) IN GENERAL.—Not later than July 31 of each calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Trade Representative shall report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on acts, policies, or practices of foreign governments identified as trade enforcement priorities based on the consultations under paragraph (1) and the criteria set forth in paragraph (2).

''(B) REPORT IN SUBSEQUENT YEARS.—The Trade Representative shall include, when reporting under subparagraph (A) in any calendar year after the calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, a description of actions taken to address any acts, policies, or practices of foreign governments identified as trade enforcement priorities under this subsection in the calendar year preceding that report and, as relevant, any calendar year before that calendar year.

''(b) SEMIANNUAL ENFORCEMENT CONSULTATIONS.—

''(1) IN GENERAL.—At the same time as the reporting under subsection (a)(3), and not later than January 31 of each following year, the Trade Representative shall consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives with respect to the identification, prioritization, investigation, and resolution of acts, policies, or practices of foreign governments of concern with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, or that otherwise create or maintain trade barriers.

''(2) ACTS, POLICIES, OR PRACTICES OF CONCERN.—The semiannual enforcement consultations required by paragraph (1) shall address acts, policies, or practices of foreign governments that raise concerns with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, or otherwise create or maintain trade barriers, including—

''(A) engagement with relevant trading partners;

''(B) strategies for addressing such concerns;

''(C) availability and deployment of resources to be used in the investigation or resolution of such concerns;

''(D) the merits of any potential dispute resolution proceeding under the WTO Agreements or any other trade agreement to which the United States is a party relating to such concerns; and

''(E) any other aspects of such concerns.

''(3) ACTIVE INVESTIGATIONS.—The semiannual enforcement consultations required by paragraph (1) shall address acts, policies, or practices that the Trade Representative is actively investigating with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, including—

''(A) strategies for addressing concerns raised by such acts, policies, or practices;

''(B) any relevant timeline with respect to investigation of such acts, policies, or practices;

''(C) the merits of any potential dispute resolution proceeding under the WTO Agreements or any other trade agreement to which the United States is a party with respect to such acts, policies, or practices;

''(D) barriers to the advancement of the investigation of such acts, policies, or practices; and

''(E) any other matters relating to the investigation of such acts, policies, or practices.

''(4) ONGOING ENFORCEMENT ACTIONS.—The semiannual enforcement consultations required by paragraph (1) shall address all ongoing enforcement actions taken by or against the United States with respect to obligations under the WTO Agreements or any other trade agreement to which the United States is a party, including—

''(A) any relevant timeline with respect to such actions;

''(B) the merits of such actions;

''(C) any prospective implementation actions;

''(D) potential implications for any law or regulation of the United States;

''(E) potential implications for United States stakeholders, domestic competitors, and exporters; and

''(F) other issues relating to such actions.

''(5) ENFORCEMENT RESOURCES.—The semiannual enforcement consultations required by paragraph (1) shall address the availability and deployment of enforcement resources, resource constraints on monitoring and enforcement activities, and strategies to address those constraints, including the use of available resources of other Federal agencies to enhance monitoring and enforcement capabilities.

''(c) INVESTIGATION AND RESOLUTION.—In the case of any acts, policies, or practices of a foreign government identified as a trade enforcement priority under subsection (a), the Trade Representative shall, not later than the date of the first semiannual enforcement consultations held under subsection (b) after the identification of the priority, take appropriate action to address that priority, including—

''(1) engagement with the foreign government to resolve concerns raised by such acts, policies, or practices;

''(2) initiation of an investigation under section 302(b)(1) with respect to such acts, policies, or practices;

''(3) initiation of negotiations for a bilateral agreement that provides for resolution of concerns raised by such acts, policies, or practices; or

''(4) initiation of dispute settlement proceedings under the WTO Agreements or any other trade agreement to which the United States is a party with respect to such acts, policies, or practices.

''(d) ENFORCEMENT NOTIFICATIONS AND CONSULTATION.—

''(1) INITIATION OF ENFORCEMENT ACTION.—The Trade Representative shall notify and consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives in advance of the initiation of any formal trade dispute by or against the United States taken in regard to an obligation under the WTO Agreements or any other trade agreement to which the United States is a party. With respect to a formal trade dispute against the United States, if advance notification and consultation are not possible, the Trade Representative shall notify and consult at the earliest practicable opportunity after initiation of the dispute.

''(2) CIRCULATION OF REPORTS.—The Trade Representative shall notify and consult with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives in advance of the announced or anticipated circulation of any report of a dispute settlement panel or the Appellate Body of the World Trade Organization or of a dispute settlement panel under any other trade agreement to which the United States is a party with respect to a formal trade dispute by or against the United States.

''(e) DEFINITIONS.—In this section:

''(1) WTO.—The term 'WTO' means the World Trade Organization.

''(2) WTO AGREEMENT.—The term 'WTO Agreement' has the meaning given that term in section 2(9) of the Uruguay Round Agreements Act (19 U.S.C. 3501(9)).

''(3) WTO AGREEMENTS.—The term 'WTO Agreements' means the WTO Agreement and agreements annexed to that Agreement.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by striking the item relating to section 310 and inserting the following:

''Sec. 310. Trade enforcement priorities.''.

SEC. 602. EXERCISE OF WTO AUTHORIZATION TO SUSPEND CONCESSIONS OR OTHER OBLIGATIONS UNDER TRADE AGREEMENTS.

(a) IN GENERAL.—Section 306 of the Trade Act of 1974 (19 U.S.C. 2416) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c) EXERCISE OF WTO AUTHORIZATION TO SUSPEND CONCESSIONS OR OTHER OBLIGATIONS.—If—

''(1) action has terminated pursuant to section 307(c),

''(2) the petitioner or any representative of the domestic industry that would benefit from reinstatement of action has submitted to the Trade Representative a written request for reinstatement of action, and

''(3) the Trade Representatives has completed the requirements of subsection (d) and section 307(c)(3),

the Trade Representative may at any time determine to take action under section 301(c) to exercise an authorization to suspend concessions or other obligations under Article 22 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (referred to in section 101(d)(16) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(16))).''.

(b) CONFORMING AMENDMENTS.—Chapter 1 of title III of the Trade Act of 1974 (19 U.S.C. 2411 et seq.) is amended—

(1) in section 301(c)(1) (19 U.S.C. 2411(c)(1)), in the matter preceding subparagraph (A), by inserting ''or section 306(c)'' after ''subsection (a) or (b)'';

(2) in section 306(b) (19 U.S.C. 2416(b)), in the subsection heading, by striking ''FURTHER ACTION'' and inserting ''ACTION ON THE BASIS OF MONITORING'';

(3) in section 306(d) (19 U.S.C. 2416(d)), as redesignated by subsection (a)(1), by inserting ''or (c)'' after ''subsection (b)''; and

(4) in section 307(c)(3) (19 U.S.C. 2417(c)(3)), by inserting ''or if a request is submitted to the Trade Representative under section 306(c)(2) to reinstate action,'' after ''under section 301,''.

SEC. 603. TRADE MONITORING.

(a) IN GENERAL.—Chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.) is amended by adding at the end the following:

''SEC. 205. TRADE MONITORING.

''(a) MONITORING TOOL FOR IMPORTS.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Commission shall make available on a website of the Commission an import monitoring tool to allow the public access to data on the volume and value of goods imported to the United States for the purpose of assessing whether such data has changed with respect to such goods over a period of time.

''(2) DATA DESCRIBED.—For purposes of the monitoring tool under paragraph (1), the Commission shall use data compiled by the Department of Commerce and such other government data as the Commission considers appropriate.

''(3) PERIODS OF TIME.—The Commission shall ensure that data accessed through the monitoring tool under paragraph (1) includes data for the most recent quarter for which such data are available and previous quarters as the Commission considers practicable.

''(b) MONITORING REPORTS.—

''(1) IN GENERAL.—Not later than 270 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, and not less frequently than quarterly thereafter, the Secretary of Commerce shall publish on a website of the Department of Commerce, and notify the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives of the availability of, a monitoring report on changes in the volume and value of trade with respect to imports and exports of goods categorized based on the 6-digit subheading number of the goods under the Harmonized Tariff Schedule of the United States during the most recent quarter for which such data are available and previous quarters as the Secretary considers practicable.

''(2) REQUESTS FOR COMMENT.—Not later than one year after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Secretary of Commerce shall solicit through the Federal Register public comment on the monitoring reports described in paragraph (1).

''(c) SUNSET.—The requirements under this section terminate on the date that is seven years after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 (19 U.S.C. 2101 et seq.) is amended by inserting after the item relating to section 204 the following:

''Sec. 205. Trade monitoring.''.

SEC. 604. ESTABLISHMENT OF INTERAGENCY CENTER ON TRADE IMPLEMENTATION, MONITORING, AND ENFORCEMENT.

(a) IN GENERAL.—Section 141 of the Trade Act of 1974 (19 U.S.C. 2171) is amended by adding at the end the following:

''(h) INTERAGENCY CENTER ON TRADE IMPLEMENTATION, MONITORING, AND ENFORCEMENT.—

''(1) ESTABLISHMENT OF CENTER.—There is established in the Office of the United States Trade Representative an Interagency Center on Trade Implementation, Monitoring, and Enforcement (in this section referred to as the 'Center').

''(2) FUNCTIONS OF CENTER.—The Center shall support the activities of the United States Trade Representative in—

''(A) investigating potential disputes under the auspices of the World Trade Organization;

''(B) investigating potential disputes pursuant to bilateral and regional trade agreements to which the United States is a party;

''(C) carrying out the functions of the United States Trade Representative under this section with respect to the monitoring and enforcement of trade agreements to which the United States is a party; and

''(D) monitoring measures taken by parties to implement provisions of trade agreements to which the United States is a party.

''(3) PERSONNEL.—

''(A) DIRECTOR.—The head of the Center shall be a Director, who shall be appointed by the United States Trade Representative.

''(B) ADDITIONAL EMPLOYEES.—A Federal agency may, in consultation with and with the approval of the United States Trade Representative, detail or assign one or more employees to the Center without any reimbursement from the Center to support the functions of the Center.''.

(b) INTERAGENCY RESOURCES.—Section 141(d)(1)(A) of the Trade Act of 1974 (19 U.S.C. 2171(d)(1)(A)) is amended by inserting '', including resources of the Interagency Center on Trade Implementation, Monitoring, and Enforcement established under subsection (h),'' after ''interagency resources''.

(c) REPORTS.—Section 163 of the Trade Act of 1974 (19 U.S.C. 2213) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (J), by striking ''and'' at the end;

(B) in subparagraph (K), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(L) the operation of the Interagency Center on Trade Implementation, Monitoring, and Enforcement established under section 141(h), including—

''(i) information relating to the personnel of the Center, including a description of any employees detailed or assigned to the Center by a Federal agency under paragraph (3)(B) of such section;

''(ii) information relating to the functions of the Center; and

''(iii) an assessment of the operating costs of the Center.''; and

(2) by adding at the end the following:

''(d) QUADRENNIAL PLAN AND REPORT.—

''(1) QUADRENNIAL PLAN.—Pursuant to the goals and objectives of the strategic plan of the Office of the United States Trade Representative as required under section 306 of title 5, United States Code, the Trade Representative shall, every 4 years, develop a plan—

''(A) to analyze internal quality controls and record management of the Office;

''(B) to identify existing staff of the Office and new staff that will be necessary to support the trade negotiation and enforcement functions and powers of the Office (including those functions and powers of the Trade Policy Staff Committee) as described in section 141 and section 301;

''(C) to identify existing staff of the Office and staff in other Federal agencies who will be required to be detailed or assigned to support interagency programs led by the Trade Representative, including any associated expenses;

''(D) to provide an outline of budget justifications, including salaries and expenses as well as nonpersonnel administrative expenses, for the fiscal years required under the strategic plan; and

''(E) to provide an outline of budget justifications, including salaries and expenses as well as nonpersonnel administrative expenses, for interagency programs led by the Trade Representative for the fiscal years required under the strategic plan.

''(2) REPORT.—

''(A) IN GENERAL.—The Trade Representative shall submit to the appropriate congressional committees a report that contains the plan required under paragraph (1). Except as provided in subparagraph (B), the report required under this subparagraph shall be submitted in conjunction with the strategic plan of the Office as required under section 306 of title 5, United States Code.

''(B) EXCEPTION.—The Trade Representative shall submit to the appropriate congressional committees an initial report that contains the plan required under paragraph (1) not later than June 1, 2016.

''(C) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this paragraph, the term 'appropriate congressional committees' means—

''(i) the Committee on Finance and the Committee on Appropriations of the Senate; and

''(ii) the Committee on Ways and Means and the Committee on Appropriations of the House of Representatives.''.

SEC. 605. INCLUSION OF INTEREST IN CERTAIN DISTRIBUTIONS OF ANTIDUMPING DUTIES AND COUNTERVAILING DUTIES.

(a) IN GENERAL.—The Secretary of Homeland Security shall deposit all interest described in subsection (c) into the special account established under section 754(e) of the Tariff Act of 1930 (19 U.S.C. 1675c(e)) (repealed by subtitle F of title VII of the Deficit Reduction Act of 2005 (Public Law 109–171; 120 Stat. 154)) for inclusion in distributions described in subsection (b) made on or after the date of the enactment of this Act.

(b) DISTRIBUTIONS DESCRIBED.—Distributions described in this subsection are distributions of antidumping duties and countervailing duties assessed on or after October 1, 2000, that are made under section 754 of the Tariff Act of 1930 (19 U.S.C. 1675c) (repealed by subtitle F of title VII of the Deficit Reduction Act of 2005 (Public Law 109–171; 120 Stat. 154)), with respect to entries of merchandise that—

(1) were made on or before September 30, 2007; and

(2) were, in accordance with section 822 of the Claims Resolution Act of 2010 (19 U.S.C. 1675c note), unliquidated, not in litigation, and not under an order of liquidation from the Department of Commerce on December 8, 2010.

(c) INTEREST DESCRIBED.—

(1) INTEREST REALIZED.—Interest described in this subsection is interest earned on antidumping duties or countervailing duties described in subsection (b) that is realized through application of a payment received on or after October 1, 2014, by U.S. Customs and Border Protection under, or in connection with—

(A) a customs bond pursuant to a court order or judgment; or

(B) a settlement with respect to a customs bond, including any payment made to U.S. Customs and Border Protection with respect to that bond by a surety.

(2) TYPES OF INTEREST.—Interest described in paragraph (1) includes the following:

(A) Interest accrued under section 778 of the Tariff Act of 1930 (19 U.S.C. 1677g).

(B) Interest accrued under section 505(d) of the Tariff Act of 1930 (19 U.S.C. 1505(d)).

(C) Equitable interest under common law and interest under section 963 of the Revised Statutes (19 U.S.C. 580) awarded by a court against a surety under its bond for late payment of antidumping duties, countervailing duties, or interest described in subparagraph (A) or (B).

(d) DEFINITIONS.—In this section:

(1) ANTIDUMPING DUTIES.—The term ''antidumping duties'' means antidumping duties imposed under section 731 of the Tariff Act of 1930 (19 U.S.C. 1673) or under the Antidumping Act, 1921 (title II of the Act of May 27, 1921; 42 Stat. 11, chapter 14).

(2) COUNTERVAILING DUTIES.—The term ''countervailing duties'' means countervailing duties imposed under section 701 of the Tariff Act of 1930 (19 U.S.C. 1671).

SEC. 606. ILLICITLY IMPORTED, EXPORTED, OR TRAFFICKED CULTURAL PROPERTY, ARCHAEOLOGICAL OR ETHNOLOGICAL MATERIALS, AND FISH, WILDLIFE, AND PLANTS.

(a) IN GENERAL.—The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall ensure that appropriate personnel of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, as the case may be, are trained in the detection, identification, detention, seizure, and forfeiture of cultural property, archaeological or ethnological materials, and fish, wildlife, and plants, the importation, exportation, or trafficking of which violates the laws of the United States.

(b) TRAINING.—The Commissioner and the Director are authorized to accept training and other support services from experts outside of the Federal Government with respect to the detection, identification, detention, seizure, and forfeiture of cultural property, archaeological or ethnological materials, or fish, wildlife, and plants described in subsection (a).

SEC. 607. ENFORCEMENT UNDER TITLE III OF THE TRADE ACT OF 1974 WITH RESPECT TO CERTAIN ACTS, POLICIES, AND PRACTICES.

Section 301(d)(3)(B) of the Trade Act of 1974 (19 U.S.C. 2411(d)(3)(B)) is amended—

(1) in clause (ii), by striking ''or'' at the end;

(2) in clause (iii)(V), by striking the period at the end and inserting '', or''; and

(3) by adding at the end the following:

''(iv) constitutes a persistent pattern of conduct by the government of a foreign country under which that government fails to effectively enforce commitments under agreements to which the foreign country and the United States are parties, including with respect to trade in goods, trade in services, trade in agriculture, foreign investment, intellectual property, digital trade in goods and services and cross-border data flows, regulatory practices, state-owned and state-controlled enterprises, localization barriers to trade, labor and the environment, anticorruption, trade remedy laws, textiles, and commercial partnerships.''.

SEC. 608. HONEY TRANSSHIPMENT.

(a) IN GENERAL.—The Commissioner shall direct appropriate personnel and the use of resources of U.S. Customs and Border Protection to address concerns that honey is being imported into the United States in violation of the customs and trade laws of the United States.

(b) COUNTRY OF ORIGIN.—

(1) IN GENERAL.—The Commissioner shall compile a database of the individual characteristics of honey produced in foreign countries to facilitate the verification of country of origin markings of imported honey.

(2) ENGAGEMENT WITH FOREIGN GOVERNMENTS.—The Commissioner shall seek to engage the customs agencies of foreign governments for assistance in compiling the database described in paragraph (1).

(3) CONSULTATION WITH INDUSTRY.—In compiling the database described in paragraph (1), the Commissioner shall consult with entities in the honey industry regarding the development of industry standards for honey identification.

(4) CONSULTATION WITH FOOD AND DRUG ADMINISTRATION.—In compiling the database described in paragraph (1), the Commissioner shall consult with the Commissioner of Food and Drugs.

(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Commissioner shall submit to Congress a report that—

(1) describes and assesses the limitations in the existing analysis capabilities of laboratories with respect to determining the country of origin of honey samples or the percentage of honey contained in a sample; and

(2) includes any recommendations of the Commissioner for improving such capabilities.

(d) SENSE OF CONGRESS.—It is the sense of Congress that the Commissioner of Food and Drugs should promptly establish a national standard of identity for honey for the Commissioner of U.S. Customs and Border Protection to use to ensure that imports of honey are—

(1) classified accurately for purposes of assessing duties; and

(2) denied entry into the United States if such imports pose a threat to the health or safety of consumers in the United States.

SEC. 609. ESTABLISHMENT OF CHIEF INNOVATION AND INTELLECTUAL PROPERTY NEGOTIATOR.

(a) IN GENERAL.—Section 141 of the Trade Act of 1974 (19 U.S.C. 2171) is amended—

(1) in subsection (b)(2)—

(A) by striking ''and one Chief Agricultural Negotiator'' and inserting '', one Chief Agricultural Negotiator, and one Chief Innovation and Intellectual Property Negotiator,'';

(B) by striking ''or the Chief Agricultural Negotiator'' and inserting '', the Chief Agricultural Negotiator, or the Chief Innovation and Intellectual Property Negotiator''; and

(C) by striking ''and the Chief Agricultural Negotiator'' and inserting '', the Chief Agricultural Negotiator, and the Chief Innovation and Intellectual Property Negotiator''; and

(2) in subsection (c)—

(A) by moving paragraph (5) 2 ems to the left; and

(B) by adding at the end the following:

''(6) The principal functions of the Chief Innovation and Intellectual Property Negotiator shall be to conduct trade negotiations and to enforce trade agreements relating to United States intellectual property and to take appropriate actions to address acts, policies, and practices of foreign governments that have a significant adverse impact on the value of United States innovation. The Chief Innovation and Intellectual Property Negotiator shall be a vigorous advocate on behalf of United States innovation and intellectual property interests. The Chief Innovation and Intellectual Property Negotiator shall perform such other functions as the United States Trade Representative may direct.''.

(b) COMPENSATION.—Section 5314 of title 5, United States Code is amended by striking ''Chief Agricultural Negotiator.'' and inserting the following:

''Chief Agricultural Negotiator, Office of the United States Trade Representative.

''Chief Innovation and Intellectual Property Negotiator, Office of the United States Trade Representative.''.

(c) REPORT REQUIRED.—Not later than one year after the appointment of the first Chief Innovation and Intellectual Property Negotiator pursuant to paragraph (2) of section 141(b) of the Trade Act of 1974, as amended by subsection (a), and annually thereafter, the United States Trade Representative shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report describing in detail—

(1) enforcement actions taken by the Trade Representative during the one-year period preceding the submission of the report to ensure the protection of United States innovation and intellectual property interests; and

(2) other actions taken by the Trade Representative to advance United States innovation and intellectual property interests.

SEC. 610. MEASURES RELATING TO COUNTRIES THAT DENY ADEQUATE PROTECTION FOR INTELLECTUAL PROPERTY RIGHTS.

(a) INCLUSION OF COUNTRIES THAT DENY ADEQUATE PROTECTION OF TRADE SECRETS.—Section 182(d)(2) of the Trade Act of 1974 (19 U.S.C. 2242(d)(2)) is amended by inserting '', trade secrets,'' after ''copyrights''.

(b) SPECIAL RULES FOR COUNTRIES ON THE PRIORITY WATCH LIST OF THE UNITED STATES TRADE REPRESENTATIVE.—

(1) IN GENERAL.—Section 182 of the Trade Act of 1974 (19 U.S.C. 2242) is amended by striking subsection (g) and inserting the following:

''(g) SPECIAL RULES FOR FOREIGN COUNTRIES ON THE PRIORITY WATCH LIST.—

''(1) ACTION PLANS.—

''(A) IN GENERAL.—Not later than 90 days after the date on which the Trade Representative submits the National Trade Estimate under section 181(b), the Trade Representative shall develop an action plan described in subparagraph (C) with respect to each foreign country described in subparagraph (B).

''(B) FOREIGN COUNTRY DESCRIBED.—The Trade Representative shall develop an action plan under subparagraph (A) with respect to each foreign country that—

''(i) the Trade Representative has identified for placement on the priority watch list; and

''(ii) has remained on such list for at least one year.

''(C) ACTION PLAN DESCRIBED.—An action plan developed under subparagraph (A) shall contain the benchmarks described in subparagraph (D) and be designed to assist the foreign country—

''(i) to achieve—

''(I) adequate and effective protection of intellectual property rights; and

''(II) fair and equitable market access for United States persons that rely upon intellectual property protection; or

''(ii) to make significant progress toward achieving the goals described in clause (i).

''(D) BENCHMARKS DESCRIBED.—The benchmarks contained in an action plan developed pursuant to subparagraph (A) are such legislative, institutional, enforcement, or other actions as the Trade Representative determines to be necessary for the foreign country to achieve the goals described in clause (i) or (ii) of subparagraph (C).

''(2) FAILURE TO MEET ACTION PLAN BENCHMARKS.—If, as of one year after the date on which an action plan is developed under paragraph (1)(A), the President, in consultation with the Trade Representative, determines that the foreign country to which the action plan applies has not substantially complied with the benchmarks described in paragraph (1)(D), the President may take appropriate action with respect to the foreign country.

''(3) PRIORITY WATCH LIST DEFINED.—In this subsection, the term 'priority watch list' means the priority watch list established by the Trade Representative pursuant to subsection (a).

''(h) ANNUAL REPORT.—Not later than 30 days after the date on which the Trade Representative submits the National Trade Estimate under section 181(b), the Trade Representative shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on actions taken under this section during the 12 months preceding such report, and the reasons for such actions, including—

''(1) a list of any foreign countries identified under subsection (a);

''(2) a description of progress made in achieving improved intellectual property protection and market access for persons relying on intellectual property rights; and

''(3) a description of the action plans developed under subsection (g) and any actions taken by foreign countries under such plans.''.

(2) FUNDING.—

(A) IN GENERAL.—Amounts from the Trade Enforcement Trust Fund established under section 611 may be expended by the United States Trade Representative, only as provided by appropriations Acts, to provide assistance to any developing country to which an action plan applies under section 182(g) of the Trade Act of 1974, as amended by paragraph (1), to facilitate the efforts of the developing country to comply with the benchmarks contained in the action plan. Such assistance may include capacity building, activities designed to increase awareness of intellectual property rights, and training for officials responsible for enforcing intellectual property rights in the developing country.

(B) DEVELOPING COUNTRY DEFINED.—In this paragraph, the term ''developing country'' means a country classified by the World Bank as having a low-income or lower-middle-income economy.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection or the amendment made by this subsection shall be construed as limiting the authority of the President or the United States Trade Representative to develop action plans other than action plans described in section 182(g) of the Trade Act of 1974, as amended by paragraph (1), or to take any action otherwise authorized by law in response to the failure of

a foreign country to provide adequate and effective protection and enforcement of intellectual property rights.

SEC. 611. TRADE ENFORCEMENT TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the Trade Enforcement Trust Fund (in this section referred to as the ''Trust Fund''), consisting of amounts transferred to the Trust Fund under subsection (b) and any amounts that may be credited to the Trust Fund under subsection (c).

(b) TRANSFER OF AMOUNTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall transfer to the Trust Fund, from the general fund of the Treasury, for each fiscal year that begins on or after the date of the enactment of this Act through fiscal year 2026, an amount equal to $15,000,000 (or a lesser amount as required pursuant to paragraph (2)).

(2) LIMITATION.—The total amount in the Trust Fund at any time may not exceed $30,000,000.

(3) FREQUENCY OF TRANSFERS.—The Secretary shall transfer amounts required to be transferred to the Trust Fund under paragraph (1) not less frequently than quarterly from the general fund of the Treasury to the Trust Fund in a manner that ensures that the total amount in the Trust Fund at the end of the quarter does not exceed the limitation established under paragraph (2).

(c) INVESTMENT OF AMOUNTS.—

(1) INVESTMENT OF AMOUNTS.—The Secretary shall invest such portion of the Trust Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(2) INTEREST AND PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

(d) AVAILABILITY OF AMOUNTS FROM TRUST FUND.—

(1) IN GENERAL.—The United States Trade Representative shall, on the basis of the advice of the Trade Policy Committee and relevant subordinate bodies of the TPC, use or transfer for the use by Federal agencies represented on the TPC amounts in the Trust Fund, only as provided by appropriations Acts, for making expenditures for any of the following:

(A) To seek to enforce the provisions of and commitments and obligations under the WTO Agreements and free trade agreements to which the United States is a party and resolve any actions by foreign countries that are inconsistent with those provisions, commitments, and obligations.

(B) To monitor and ensure the full implementation by foreign countries of the provisions of and commitments and obligations under free trade agreements to which the United States is a party for purposes of systematically assessing, identifying, investigating, or initiating steps to address inconsistencies with those provisions, commitments, and obligations.

(C) To thoroughly investigate and respond to petitions under section 302 of the Trade Act of 1974 (19 U.S.C. 2412) requesting that action be taken under section 301 of such Act (19 U.S.C. 2411).

(D) To support capacity-building efforts undertaken by the United States pursuant to any free trade agreement to which the United States is a party and to prioritize and give special attention to the timely, consistent, and robust implementation of the commitments and obligations of a party to that free trade agreement, including commitments and obligations related to trade in goods, trade in services, trade in agriculture, foreign investment, intellectual property, digital trade in goods and services and cross-border data flows, regulatory practices, state-owned and state-controlled enterprises, localization barriers to trade, labor and the environment, currency, foreign currency manipulation, anticorruption, trade remedy laws, textiles, and commercial partnerships.

(E) To support capacity-building efforts undertaken by the United States pursuant to any such free trade agreement and to include performance indicators against which the progress and obstacles for the implementation of commitments and obligations can be identified and assessed within a meaningful time frame.

(2) LIMITATION.—Amounts made available in the Trust Fund may not be used to offset costs of conducting negotiations for any free trade agreement to be entered into on or after the date of the enactment of this Act, but may be used to support implementation and capacity building prior to entry into force of a free trade agreement.

(e) REPORT.—Not later than 18 months after the entry into force of any free trade agreement entered into after the date of the enactment of this Act, the United States Trade Representative, in consultation with the Federal agencies represented on the TPC, shall submit to Congress a report on the actions taken under subsection (d) in connection with that agreement.

(f) COMPTROLLER GENERAL STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study that includes the following:

(A) A comprehensive analysis of the trade enforcement expenditures of each Federal agency with responsibilities relating to trade that specifies, with respect to each such Federal agency—

(i) the amounts appropriated for trade enforcement; and

(ii) the number of full-time employees carrying out activities relating to trade enforcement.

(B) Recommendations on the additional employees and resources that each such Federal agency may need to effectively enforce the free trade agreements to which the United States is a party.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study conducted under paragraph (1).

(g) DEFINITIONS.—In this section:

(1) TRADE POLICY COMMITTEE; TPC.—The terms ''Trade Policy Committee'' and ''TPC'' mean the interagency organization established under section 242 of the Trade Expansion Act of 1962 (19 U.S.C. 1872).

(2) WTO.—The term ''WTO'' means the World Trade Organization.

(3) WTO AGREEMENT.—The term ''WTO Agreement'' has the meaning given that term in section 2(9) of the Uruguay Round Agreements Act (19 U.S.C. 3501(9)).

(4) WTO AGREEMENTS.—The term ''WTO Agreements'' means the WTO Agreement and agreements annexed to that Agreement.

TITLE VII—ENGAGEMENT ON CURRENCY EXCHANGE RATE AND ECONOMIC POLICIES

SEC. 701. ENHANCEMENT OF ENGAGEMENT ON CURRENCY EXCHANGE RATE AND ECONOMIC POLICIES WITH CERTAIN MAJOR TRADING PARTNERS OF THE UNITED STATES.

(a) MAJOR TRADING PARTNER REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once every 180 days thereafter, the Secretary shall submit to the appropriate committees of Congress a report on the macroeconomic and currency exchange rate policies of each country that is a major trading partner of the United States.

(2) ELEMENTS.—

(A) IN GENERAL.—Each report submitted under paragraph (1) shall contain—

(i) for each country that is a major trading partner of the United States—

(I) that country's bilateral trade balance with the United States;

(II) that country's current account balance as a percentage of its gross domestic product;

(III) the change in that country's current account balance as a percentage of its gross domestic product during the 3-year period preceding the submission of the report;

(IV) that country's foreign exchange reserves as a percentage of its short-term debt; and

(V) that country's foreign exchange reserves as a percentage of its gross domestic product; and

(ii) an enhanced analysis of macroeconomic and exchange rate policies for each country that is a major trading partner of the United States that has—

(I) a significant bilateral trade surplus with the United States;

(II) a material current account surplus; and

(III) engaged in persistent one-sided intervention in the foreign exchange market.

(B) ENHANCED ANALYSIS.—Each enhanced analysis under subparagraph (A)(ii) shall include, for each country with respect to which an analysis is made under that subparagraph—

(i) a description of developments in the currency markets of that country, including, to the greatest extent feasible, developments with respect to currency interventions;

(ii) a description of trends in the real effective exchange rate of the currency of that country and in the degree of undervaluation of that currency;

(iii) an analysis of changes in the capital controls and trade restrictions of that country; and

(iv) patterns in the reserve accumulation of that country.

(3) ASSESSMENT FACTORS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall publicly describe the factors used to assess under paragraph (2)(A)(ii) whether a country has a significant bilateral trade surplus with the United States, has a material current account surplus, and has engaged in persistent one-sided intervention in the foreign exchange market.

(b) ENGAGEMENT ON EXCHANGE RATE AND ECONOMIC POLICIES.—

(1) IN GENERAL.—The President, through the Secretary, shall commence enhanced bilateral engagement with each country for which an enhanced analysis of macroeconomic and currency exchange rate policies is included in the report submitted under subsection (a), in order to, as appropriate—

(A) urge implementation of policies to address the causes of the undervaluation of its currency, its significant bilateral trade surplus with the United States, and its material current account surplus, including undervaluation and surpluses relating to exchange rate management;

(B) express the concern of the United States with respect to the adverse trade and economic effects of that undervaluation and those surpluses;

(C) advise that country of the ability of the President to take action under subsection (c); and/or

(D) develop a plan with specific actions to address that undervaluation and those surpluses.

(2) WAIVER.—

(A) IN GENERAL.—The Secretary may waive the requirement under paragraph (1) to commence enhanced bilateral engagement with a country if the Secretary determines that commencing enhanced bilateral engagement with the country—

(i) would have an adverse impact on the United States economy greater than the benefits of such action; or

(ii) would cause serious harm to the national security of the United States.

(B) CERTIFICATION AND REPORT.—The Secretary shall promptly certify to Congress a determination under subparagraph (A) and promptly submit to Congress a report that describes in detail the reasons for the Secretary's determination under subparagraph (A).

(c) REMEDIAL ACTION.—

(1) IN GENERAL.—If, on or after the date that is one year after the commencement of enhanced bilateral engagement by the President, through the Secretary, with respect to a country under subsection (b)(1), the Secretary determines that the country has failed to adopt appropriate policies to correct the undervaluation and surpluses described in subsection (b)(1)(A) with respect to that country, the President shall take one or more of the following actions:

(A) Prohibit the Overseas Private Investment Corporation from approving any new financing (including any insurance, reinsurance, or guarantee) with respect to a project located in that country on and after such date.

(B) Except as provided in paragraph (3), and pursuant to paragraph (4), prohibit the Federal Government from procuring, or entering into any contract for the procurement of, goods or services from that country on and after such date.

(C) Instruct the United States Executive Director of the International Monetary Fund to call for additional rigorous surveillance of the macroeconomic and exchange rate policies of that country and, as appropriate, formal consultations on findings of currency manipulation.

(D) Instruct the United States Trade Representative to take into account, in consultation with the Secretary, in assessing whether to enter into a bilateral or regional trade agreement with that country or to initiate or participate in negotiations with respect to a bilateral or regional trade agreement with that country, the extent to which that country has failed to adopt appropriate policies to correct the undervaluation and surpluses described in subsection (b)(1)(A).

(2) WAIVER.—

(A) IN GENERAL.—The President may waive the requirement under paragraph (1) to take remedial action if the President determines that taking remedial action under paragraph (1) would—

(i) have an adverse impact on the United States economy greater than the benefits of taking remedial action; or

(ii) would cause serious harm to the national security of the United States.

(B) CERTIFICATION AND REPORT.—The President shall promptly certify to Congress a determination under subparagraph (A) and promptly submit to Congress a report that describes in detail the reasons for the President's determination under subparagraph (A).

(3) EXCEPTION.—The President may not apply a prohibition under paragraph (1)(B) in a manner that is inconsistent with United States obligations under international agreements.

(4) CONSULTATIONS.—

(A) OFFICE OF MANAGEMENT AND BUDGET.—Before applying a prohibition under paragraph (1)(B), the President shall consult with the Director of the Office of Management and Budget to determine whether such prohibition would subject the taxpayers of the United States to unreasonable cost.

(B) CONGRESS.—The President shall consult with the appropriate committees of Congress with respect to any action the President takes under paragraph (1)(B), including whether the President has consulted as required under subparagraph (A).

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance of the Senate; and

(B) the Committee on Financial Services and the Committee on Ways and Means of the House of Representatives.

(2) COUNTRY.—The term ''country'' means a foreign country, dependent territory, or possession of a foreign country, and may include an association of 2 or more foreign countries, dependent territories, or possessions of countries into a customs union outside the United States.

(3) REAL EFFECTIVE EXCHANGE RATE.—The term ''real effective exchange rate'' means a weighted average of bilateral exchange rates, expressed in price-adjusted terms.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

SEC. 702. ADVISORY COMMITTEE ON INTERNATIONAL EXCHANGE RATE POLICY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established an Advisory Committee on International Exchange Rate Policy (in this section referred to as the ''Committee'').

(2) DUTIES.—The Committee shall be responsible for advising the Secretary of the Treasury with respect to the impact of international exchange rates and financial policies on the economy of the United States.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall be composed of 9 members as follows, none of whom shall be employees of the Federal Government:

(A) Three members shall be appointed by the President pro tempore of the Senate, upon the recommendation of the chairmen and ranking members of the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance of the Senate.

(B) Three members shall be appointed by the Speaker of the House of Representatives, upon the recommendation of the chairmen and ranking members of the Committee on Financial Services and the Committee on Ways and Means of the House of Representatives.

(C) Three members shall be appointed by the President.

(2) QUALIFICATIONS.—Members shall be selected under paragraph (1) on the basis of their objectivity and demonstrated expertise in finance, economics, or currency exchange.

(3) TERMS.—

(A) IN GENERAL.—Members shall be appointed for a term of 2 years or until the Committee terminates.

(B) REAPPOINTMENT.—A member may be reappointed to the Committee for additional terms.

(4) VACANCIES.—Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) DURATION OF COMMITTEE.—

(1) IN GENERAL.—The Committee shall terminate on the date that is 2 years after the date of the enactment of this Act unless renewed by the President for a subsequent 2-year period.

(2) CONTINUED RENEWAL.—The President may continue to renew the Committee for successive 2-year periods by taking appropriate action to renew the Committee prior to the date on which the Committee would otherwise terminate.

(d) MEETINGS.—The Committee shall hold not fewer than 2 meetings each calendar year.

(e) CHAIRPERSON.—

(1) IN GENERAL.—The Committee shall elect from among its members a chairperson for a term of 2 years or until the Committee terminates.

(2) REELECTION; SUBSEQUENT TERMS.—A chairperson of the Committee may be reelected chairperson but is ineligible to serve consecutive terms as chairperson.

(f) STAFF.—The Secretary of the Treasury shall make available to the Committee such staff, information, personnel, administrative services, and assistance as the Committee may reasonably require to carry out the activities of the Committee.

(g) APPLICATION OF THE FEDERAL ADVISORY COMMITTEE ACT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

(2) EXCEPTION.—Meetings of the Committee shall be exempt from the requirements of subsections (a) and (b) of section 10 and section 11 of the Federal Advisory Committee Act (relating to open meetings, public notice, public participation, and public availability of documents), whenever and to the extent it is determined by the President or the Secretary of the Treasury that such meetings will be concerned with matters the disclosure of which—

(A) would seriously compromise the development by the Government of the United States of monetary or financial policy; or

(B) is likely to—

(i) lead to significant financial speculation in currencies, securities, or commodities; or

(ii) significantly endanger the stability of any financial institution.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Treasury for each fiscal year in which the Committee is in effect $1,000,000 to carry out this section.

TITLE VIII—MATTERS RELATING TO U.S. CUSTOMS AND BORDER PROTECTION

Subtitle A—Establishment of U.S. Customs and Border Protection

SEC. 801. SHORT TITLE.

This title may be cited as the ''U.S. Customs and Border Protection Authorization Act''.

SEC. 802. ESTABLISHMENT OF U.S. CUSTOMS AND BORDER PROTECTION.

(a) IN GENERAL.—Section 411 of the Homeland Security Act of 2002 (6 U.S.C. 211) is amended to read as follows:

''SEC. 411. ESTABLISHMENT OF U.S. CUSTOMS AND BORDER PROTECTION; COMMISSIONER, DEPUTY COMMISSIONER, AND OPERATIONAL OFFICES.

''(a) IN GENERAL.—There is established in the Department an agency to be known as U.S. Customs and Border Protection.

''(b) COMMISSIONER OF U.S. CUSTOMS AND BORDER PROTECTION.—

''(1) IN GENERAL.—There shall be at the head of U.S. Customs and Border Protection a Commissioner of U.S. Customs and Border Protection (in this section referred to as the 'Commissioner').

''(2) COMMITTEE REFERRAL.—As an exercise of the rulemaking power of the Senate, any nomination for the Commissioner submitted to the Senate for confirmation, and referred to a committee, shall be referred to the Committee on Finance.

''(c) DUTIES.—The Commissioner shall—

''(1) coordinate and integrate the security, trade facilitation, and trade enforcement functions of U.S. Customs and Border Protection;

''(2) ensure the interdiction of persons and goods illegally entering or exiting the United States;

''(3) facilitate and expedite the flow of legitimate travelers and trade;

''(4) direct and administer the commercial operations of U.S. Customs and Border Protection, and the enforcement of the customs and trade laws of the United States;

''(5) detect, respond to, and interdict terrorists, drug smugglers and traffickers, human

smugglers and traffickers, and other persons who may undermine the security of the United States, in cases in which such persons are entering, or have recently entered, the United States;

''(6) safeguard the borders of the United States to protect against the entry of dangerous goods;

''(7) ensure the overall economic security of the United States is not diminished by efforts, activities, and programs aimed at securing the homeland;

''(8) in coordination with U.S. Immigration and Customs Enforcement and United States Citizenship and Immigration Services, enforce and administer all immigration laws, as such term is defined in paragraph (17) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)), including—

''(A) the inspection, processing, and admission of persons who seek to enter or depart the United States; and

''(B) the detection, interdiction, removal, departure from the United States, short-term detention, and transfer of persons unlawfully entering, or who have recently unlawfully entered, the United States;

''(9) develop and implement screening and targeting capabilities, including the screening, reviewing, identifying, and prioritizing of passengers and cargo across all international modes of transportation, both inbound and outbound;

''(10) in coordination with the Secretary, deploy technology to collect the data necessary for the Secretary to administer the biometric entry and exit data system pursuant to section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b);

''(11) enforce and administer the laws relating to agricultural import and entry inspection referred to in section 421;

''(12) in coordination with the Under Secretary for Management of the Department, ensure U.S. Customs and Border Protection complies with Federal law, the Federal Acquisition Regulation, and the Department's acquisition management directives for major acquisition programs of U.S. Customs and Border Protection;

''(13) ensure that the policies and regulations of U.S. Customs and Border Protection are consistent with the obligations of the United States pursuant to international agreements;

''(14) enforce and administer—

''(A) the Container Security Initiative program under section 205 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 945); and

''(B) the Customs–Trade Partnership Against Terrorism program under subtitle B of title II of such Act (6 U.S.C. 961 et seq.);

''(15) conduct polygraph examinations in accordance with section 3(1) of the Anti-Border Corruption Act of 2010 (Public Law 111–376; 124 Stat. 4105);

''(16) establish the standard operating procedures described in subsection (k);

''(17) carry out the training required under subsection (l); and

''(18) carry out other duties and powers prescribed by law or delegated by the Secretary.

''(d) DEPUTY COMMISSIONER.—There shall be in U.S. Customs and Border Protection a Deputy Commissioner who shall assist the Commissioner in the management of U.S. Customs and Border Protection.

''(e) U.S. BORDER PATROL.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection the U.S. Border Patrol.

''(2) CHIEF.—There shall be at the head of the U.S. Border Patrol a Chief, who shall—

''(A) be at the level of Executive Assistant Commissioner within U.S. Customs and Border Protection; and

''(B) report to the Commissioner.

''(3) DUTIES.—The U.S. Border Patrol shall—

''(A) serve as the law enforcement office of U.S. Customs and Border Protection with primary responsibility for interdicting persons attempting to illegally enter or exit the United States or goods being illegally imported into or exported from the United States at a place other than a designated port of entry;

''(B) deter and prevent the illegal entry of terrorists, terrorist weapons, persons, and contraband; and

''(C) carry out other duties and powers prescribed by the Commissioner.

''(f) AIR AND MARINE OPERATIONS.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection an office known as Air and Marine Operations.

''(2) EXECUTIVE ASSISTANT COMMISSIONER.—There shall be at the head of Air and Marine Operations an Executive Assistant Commissioner, who shall report to the Commissioner.

''(3) DUTIES.—Air and Marine Operations shall—

''(A) serve as the law enforcement office within U.S. Customs and Border Protection with primary responsibility to detect, interdict, and prevent acts of terrorism and the unlawful movement of people, illicit drugs, and other contraband across the borders of the United States in the air and maritime environment;

''(B) conduct joint aviation and marine operations with U.S. Immigration and Customs Enforcement;

''(C) conduct aviation and marine operations with international, Federal, State, and local law enforcement agencies, as appropriate;

''(D) administer the Air and Marine Operations Center established under paragraph (4); and

''(E) carry out other duties and powers prescribed by the Commissioner.

''(4) AIR AND MARINE OPERATIONS CENTER.—

''(A) IN GENERAL.—There is established in Air and Marine Operations an Air and Marine Operations Center.

''(B) EXECUTIVE DIRECTOR.—There shall be at the head of the Air and Marine Operations Center an Executive Director, who shall report to the Executive Assistant Commissioner of Air and Marine Operations.

''(C) DUTIES.—The Air and Marine Operations Center shall—

''(i) manage the air and maritime domain awareness of the Department, as directed by the Secretary;

''(ii) monitor and coordinate the airspace for unmanned aerial systems operations of Air and Marine Operations in U.S. Customs and Border Protection;

''(iii) detect, identify, and coordinate a response to threats to national security in the air domain, in coordination with other appropriate agencies, as determined by the Executive Assistant Commissioner;

''(iv) provide aviation and marine support to other Federal, State, tribal, and local agencies; and

''(v) carry out other duties and powers prescribed by the Executive Assistant Commissioner.

''(g) OFFICE OF FIELD OPERATIONS.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection an Office of Field Operations.

''(2) EXECUTIVE ASSISTANT COMMISSIONER.—There shall be at the head of the Office of Field Operations an Executive Assistant Commissioner, who shall report to the Commissioner.

''(3) DUTIES.—The Office of Field Operations shall coordinate the enforcement activities of U.S. Customs and Border Protection at United States air, land, and sea ports of entry to—

''(A) deter and prevent terrorists and terrorist weapons from entering the United States at such ports of entry;

''(B) conduct inspections at such ports of entry to safeguard the United States from terrorism and illegal entry of persons;

''(C) prevent illicit drugs, agricultural pests, and contraband from entering the United States;

''(D) in coordination with the Commissioner, facilitate and expedite the flow of legitimate travelers and trade;

''(E) administer the National Targeting Center established under paragraph (4);

''(F) coordinate with the Executive Assistant Commissioner for the Office of Trade with respect to the trade facilitation and trade enforcement activities of U.S. Customs and Border Protection; and

''(G) carry out other duties and powers prescribed by the Commissioner.

''(4) NATIONAL TARGETING CENTER.—

''(A) IN GENERAL.—There is established in the Office of Field Operations a National Targeting Center.

''(B) EXECUTIVE DIRECTOR.—There shall be at the head of the National Targeting Center an Executive Director, who shall report to the Executive Assistant Commissioner of the Office of Field Operations.

''(C) DUTIES.—The National Targeting Center shall—

''(i) serve as the primary forum for targeting operations within U.S. Customs and Border Protection to collect and analyze traveler and cargo information in advance of arrival in the United States to identify and address security risks and strengthen trade enforcement;

''(ii) identify, review, and target travelers and cargo for examination;

''(iii) coordinate the examination of entry and exit of travelers and cargo;

''(iv) develop and conduct commercial risk assessment targeting with respect to cargo destined for the United States;

''(v) coordinate with the Transportation Security Administration, as appropriate;

''(vi) issue Trade Alerts pursuant to section 111(b) of the Trade Facilitation and Trade Enforcement Act of 2015; and

''(vii) carry out other duties and powers prescribed by the Executive Assistant Commissioner.

''(5) ANNUAL REPORT ON STAFFING.—

''(A) IN GENERAL.—Not later than 30 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, and annually thereafter, the Executive Assistant Commissioner shall submit to the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate a report on the staffing model for the Office of Field Operations, including information on how many supervisors, front-line U.S. Customs and Border Protection officers, and support personnel are assigned to each Field Office and port of entry.

''(B) FORM.—The report required under subparagraph (A) shall, to the greatest extent practicable, be submitted in unclassified form, but may be submitted in classified form, if the Executive Assistant Commissioner determines that such is appropriate and informs the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate of the reasoning for such.

''(h) OFFICE OF INTELLIGENCE.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection an Office of Intelligence.

''(2) ASSISTANT COMMISSIONER.—There shall be at the head of the Office of Intelligence an Assistant Commissioner, who shall report to the Commissioner.

''(3) DUTIES.—The Office of Intelligence shall—

''(A) develop, provide, coordinate, and implement intelligence capabilities into a cohesive intelligence enterprise to support the execution of the duties and responsibilities of U.S. Customs and Border Protection;

''(B) manage the counterintelligence operations of U.S. Customs and Border Protection;

''(C) establish, in coordination with the Chief Intelligence Officer of the Department, as appropriate, intelligence-sharing relationships with Federal, State, local, and tribal agencies and intelligence agencies;

''(D) conduct risk-based covert testing of U.S. Customs and Border Protection operations, including for nuclear and radiological risks; and

''(E) carry out other duties and powers prescribed by the Commissioner.

''(i) OFFICE OF INTERNATIONAL AFFAIRS.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection an Office of International Affairs.

''(2) ASSISTANT COMMISSIONER.—There shall be at the head of the Office of International Affairs an Assistant Commissioner, who shall report to the Commissioner.

''(3) DUTIES.—The Office of International Affairs, in collaboration with the Office of Policy of the Department, shall—

''(A) coordinate and support U.S. Customs and Border Protection's foreign initiatives, policies, programs, and activities;

''(B) coordinate and support U.S. Customs and Border Protection's personnel stationed abroad;

''(C) maintain partnerships and information-sharing agreements and arrangements with foreign governments, international organizations, and United States agencies in support of U.S. Customs and Border Protection's duties and responsibilities;

''(D) provide necessary capacity building, training, and assistance to foreign customs and border control agencies to strengthen border, global supply chain, and travel security, as appropriate;

''(E) coordinate mission support services to sustain U.S. Customs and Border Protection's global activities;

''(F) coordinate with customs authorities of foreign countries with respect to trade facilitation and trade enforcement;

''(G) coordinate U.S. Customs and Border Protection's engagement in international negotiations;

''(H) advise the Commissioner with respect to matters arising in the World Customs Organization and other international organizations as such matters relate to the policies and procedures of U.S. Customs and Border Protection;

''(I) advise the Commissioner regarding international agreements to which the United States is a party as such agreements relate to the policies and regulations of U.S. Customs and Border Protection; and

''(J) carry out other duties and powers prescribed by the Commissioner.

''(j) OFFICE OF PROFESSIONAL RESPONSIBILITY.—

''(1) IN GENERAL.—There is established in U.S. Customs and Border Protection an Office of Professional Responsibility.

''(2) ASSISTANT COMMISSIONER.—There shall be at the head of the Office of Professional Responsibility an Assistant Commissioner, who shall report to the Commissioner.

''(3) DUTIES.—The Office of Professional Responsibility shall—

''(A) investigate criminal and administrative matters and misconduct by officers, agents, and other employees of U.S. Customs and Border Protection;

''(B) manage integrity-related programs and policies of U.S. Customs and Border Protection;

''(C) conduct research and analysis regarding misconduct of officers, agents, and other employees of U.S. Customs and Border Protection; and

''(D) carry out other duties and powers prescribed by the Commissioner.

''(k) STANDARD OPERATING PROCEDURES.—

''(1) IN GENERAL.—The Commissioner shall establish—

''(A) standard operating procedures for searching, reviewing, retaining, and sharing information contained in communication, electronic, or digital devices encountered by U.S. Customs and Border Protection personnel at United States ports of entry;

''(B) standard use of force procedures that officers and agents of U.S. Customs and Border Protection may employ in the execution of their duties, including the use of deadly force;

''(C) uniform, standardized, and publicly-available procedures for processing and investigating complaints against officers, agents, and employees of U.S. Customs and Border Protection for violations of professional conduct, including the timely disposition of complaints and a written notification to the complainant of the status or outcome, as appropriate, of the related investigation, in accordance with section 552a of title 5, United States Code (commonly referred to as the 'Privacy Act' or the 'Privacy Act of 1974');

''(D) an internal, uniform reporting mechanism regarding incidents involving the use of deadly force by an officer or agent of U.S. Customs and Border Protection, including an evaluation of the degree to which the procedures required under subparagraph (B) were followed; and

''(E) standard operating procedures, acting through the Executive Assistant Commissioner for Air and Marine Operations and in coordination with the Office for Civil Rights and Civil Liberties and the Office of Privacy of the Department, to provide command, control, communication, surveillance, and reconnaissance assistance through the use of unmanned aerial systems, including the establishment of—

''(i) a process for other Federal, State, and local law enforcement agencies to submit mission requests;

''(ii) a formal procedure to determine whether to approve or deny such a mission request;

''(iii) a formal procedure to determine how such mission requests are prioritized and coordinated; and

''(iv) a process regarding the protection and privacy of data and images collected by U.S. Customs and Border Protection through the use of unmanned aerial systems.

''(2) REQUIREMENTS REGARDING CERTAIN NOTIFICATIONS.—The standard operating procedures established pursuant to subparagraph (A) of paragraph (1) shall require—

''(A) in the case of a search of information conducted on an electronic device by U.S. Customs and Border Protection personnel, the Commissioner to notify the individual subject to such search of the purpose and authority for such search, and how such individual may obtain information on reporting concerns about such search; and

''(B) in the case of information collected by U.S. Customs and Border Protection through a search of an electronic device, if such information is transmitted to another Federal agency for subject matter assistance, translation, or decryption, the Commissioner to notify the individual subject to such search of such transmission.

''(3) EXCEPTIONS.—The Commissioner may withhold the notifications required under paragraphs (1)(C) and (2) if the Commissioner determines, in the sole and unreviewable discretion of the Commissioner, that such notifications would impair national security, law enforcement, or other operational interests.

''(4) UPDATE AND REVIEW.—The Commissioner shall review and update every three years the standard operating procedures required under this subsection.

''(5) AUDITS.—The Inspector General of the Department of Homeland Security shall develop and annually administer, during each of the three calendar years beginning in the calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, an auditing mechanism to review whether searches of electronic devices at or between United States ports of entry are being conducted in conformity with the standard operating procedures required under subparagraph (A) of paragraph (1). Such audits shall be submitted to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate and shall include the following:

''(A) A description of the activities of officers and agents of U.S. Customs and Border Protection with respect to such searches.

''(B) The number of such searches.

''(C) The number of instances in which information contained in such devices that were subjected to such searches was retained, copied, shared, or entered in an electronic database.

''(D) The number of such devices detained as the result of such searches.

''(E) The number of instances in which information collected from such devices was subjected to such searches and was transmitted to another Federal agency, including whether such transmissions resulted in a prosecution or conviction.

''(6) REQUIREMENTS REGARDING OTHER NOTIFICATIONS.—The standard use of force procedures established pursuant to subparagraph (B) of paragraph (1) shall require—

''(A) in the case of an incident of the use of deadly force by U.S. Customs and Border Protection personnel, the Commissioner to notify the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) the Commissioner to provide to such committees a copy of the evaluation pursuant to subparagraph (D) of such paragraph not later than 30 days after completion of such evaluation.

''(7) REPORT ON UNMANNED AERIAL SYSTEMS.—The Commissioner shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an annual report, for each of the three calendar years beginning in the calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, that reviews whether the use of unmanned aerial systems is being conducted in conformity with the standard operating procedures required under subparagraph (E) of paragraph (1). Such reports—

''(A) shall be submitted with the annual budget of the United States Government submitted by the President under section 1105 of title 31, United States Code;

''(B) may be submitted in classified form if the Commissioner determines that such is appropriate; and

''(C) shall include—

''(i) a detailed description of how, where, and for how long data and images collected through the use of unmanned aerial systems by U.S. Customs and Border Protection are collected and stored; and

''(ii) a list of Federal, State, and local law enforcement agencies that submitted mission requests in the previous year and the disposition of such requests.

''(l) TRAINING.—The Commissioner shall require all officers and agents of U.S. Customs and Border Protection to participate in a specified amount of continuing education (to be determined by the Commissioner) to maintain an understanding of Federal legal rulings, court decisions, and departmental policies, procedures, and guidelines.

''(m) SHORT-TERM DETENTION STANDARDS.—

''(1) ACCESS TO FOOD AND WATER.—The Commissioner shall make every effort to ensure that adequate access to food and water is provided to an individual apprehended and detained at a United States port of entry or between ports of entry as soon as practicable following the time of such apprehension or during subsequent short-term detention.

''(2) ACCESS TO INFORMATION ON DETAINEE RIGHTS AT BORDER PATROL PROCESSING CENTERS.—

''(A) IN GENERAL.—The Commissioner shall ensure that an individual apprehended by a U.S. Border Patrol agent or an Office of Field Operations officer is provided with information concerning such individual's rights, including the right to contact a representative of such individual's government for purposes of United States treaty obligations.

''(B) FORM.—The information referred to in subparagraph (A) may be provided either verbally or in writing, and shall be posted in the detention holding cell in which such individual is being held. The information shall be provided in a language understandable to such individual.

''(3) SHORT-TERM DETENTION DEFINED.—In this subsection, the term 'short-term detention' means detention in a U.S. Customs and Border Protection processing center for 72 hours or less, before repatriation to a country of nationality or last habitual residence.

''(4) DAYTIME REPATRIATION.—When practicable, repatriations shall be limited to daylight hours and avoid locations that are determined to have high indices of crime and violence.

''(5) REPORT ON PROCUREMENT PROCESS AND STANDARDS.—Not later than 180 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the procurement process and standards of entities with which U.S. Customs and Border Protection has contracts for the transportation and detention of individuals apprehended by agents or officers of U.S. Customs and Border Protection. Such report should also consider the operational efficiency of contracting the transportation and detention of such individuals.

''(6) REPORT ON INSPECTIONS OF SHORT-TERM CUSTODY FACILITIES.—The Commissioner shall—

''(A) annually inspect all facilities utilized for short-term detention; and

''(B) make publicly available information collected pursuant to such inspections, including information regarding the requirements under paragraphs (1) and (2) and, where appropriate, issue recommendations to improve the conditions of such facilities.

''(n) WAIT TIMES TRANSPARENCY.—

''(1) IN GENERAL.—The Commissioner shall—

''(A) publish live wait times for travelers entering the United States at the 20 United States airports that support the highest volume of international travel (as determined by available Federal flight data);

''(B) make information about such wait times available to the public in real time through the U.S. Customs and Border Protection website;

''(C) submit to the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate, for each of the five calendar years beginning in the calendar year that begins after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, a report that includes compilations of all such wait times and a ranking of such United States airports by wait times; and

''(D) provide adequate staffing at the U.S. Customs and Border Protection information center to ensure timely access for travelers attempting to submit comments or speak with a representative about their entry experiences.

''(2) CALCULATION.—The wait times referred to in paragraph (1)(A) shall be determined by calculating the time elapsed between an individual's entry into the U.S. Customs and Border Protection inspection area and such individual's clearance by a U.S. Customs and Border Protection officer.

''(o) OTHER AUTHORITIES.—

''(1) IN GENERAL.—The Secretary may establish such other offices or positions of Assistant Commissioners (or other similar officers or officials) as the Secretary determines necessary to carry out the missions, duties, functions, and authorities of U.S. Customs and Border Protection.

''(2) NOTIFICATION.—If the Secretary exercises the authority provided under paragraph (1), the Secretary shall notify the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate not later than 30 days before exercising such authority.

''(p) REPORTS TO CONGRESS.—The Commissioner shall, on and after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, continue to submit to the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate any report required, on the day before such date of enactment, to be submitted under any provision of law.

''(q) OTHER FEDERAL AGENCIES.—Nothing in this section may be construed as affecting in any manner the authority, existing on the day before the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, of any other Federal agency or component of the Department.

''(r) DEFINITIONS.—In this section, the terms 'commercial operations', 'customs and trade laws of the United States', 'trade enforcement', and 'trade facilitation' have the meanings given such terms in section 2 of the Trade Facilitation and Trade Enforcement Act of 2015.''.

(b) SPECIAL RULES.—

(1) TREATMENT.—Section 411 of the Homeland Security Act of 2002, as amended by subsection (a) of this section, shall be treated as if included in such Act as of the date of the enactment of such Act, and, in addition to the functions, missions, duties, and authorities specified in such amended section 411, U.S. Customs and Border Protection shall continue to perform and carry out the functions, missions, duties, and authorities under section 411 of such Act as in existence on the day before the date of the enactment of this Act, and section 415 of the Homeland Security Act of 2002.

(2) RULES OF CONSTRUCTION.—

(A) RULES AND REGULATIONS.—Notwithstanding paragraph (1), nothing in this title or any amendment made by this title may be construed as affecting in any manner any rule or regulation issued or promulgated pursuant to any provision of law, including section 411 of the Homeland Security Act of 2002 as in existence on the day before the date of the enactment of this Act, and any such rule or regulation shall continue to have full force and effect on and after such date.

(B) OTHER ACTIONS.—Notwithstanding paragraph (1), nothing in this Act may be construed as affecting in any manner any action, determination, policy, or decision pursuant to section 411 of the Homeland Security Act of 2002 as in existence on the day before the date of the enactment of this Act, and any such action, determination, policy, or decision shall continue to have full force and effect on and after such date.

(c) CONTINUATION IN OFFICE.—

(1) COMMISSIONER.—The individual serving as the Commissioner of Customs on the day before the date of the enactment of this Act may serve as the Commissioner of U.S. Customs and Border Protection on and after such date of enactment until a Commissioner of U.S. Customs and Border Protection is appointed under section 411 of the Homeland Security Act of 2002, as amended by subsection (a) of this section.

(2) OTHER POSITIONS.—The individual serving as Deputy Commissioner, and the individuals serving as Assistant Commissioners and other officers and officials, under section 411 of the Homeland Security Act of 2002 on the day before the date of the enactment of this Act may serve as the Executive Assistant Commissioners, Deputy Commissioner, Assistant Commissioners, and other officers and officials, as appropriate, under such section 411 as amended by subsection (a) of this section unless the Commissioner of U.S. Customs and Border Protection determines that another individual should hold such position or positions.

(d) REFERENCE.—

(1) TITLE 5.—Section 5314 of title 5, United States Code, is amended by striking ''Commissioner of Customs, Department of Homeland Security'' and inserting ''Commissioner of U.S. Customs and Border Protection, Department of Homeland Security''.

(2) OTHER REFERENCES.—On and after the date of the enactment of this Act, any reference in law or regulations to the ''Commissioner of Customs'' or the ''Commissioner of the Customs Service'' shall be deemed to be a reference to the Commissioner of U.S. Customs and Border Protection.

(e) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by striking the item relating to section 411 and inserting the following new item:

''Sec. 411. Establishment of U.S. Customs and Border Protection; Commissioner, Deputy Commissioner, and operational offices.''.

(f) REPEALS.—Sections 416 and 418 of the Homeland Security Act of 2002 (6 U.S.C. 216 and 218), and the items relating to such sections in the table of contents in section 1(b) of such Act, are repealed.

(g) CLERICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(A) in title I—

(i) in section 102(f)(10) (6 U.S.C. 112(f)(10)), by striking ''the Directorate of Border and Transportation Security'' and inserting ''the Commissioner of U.S. Customs and Border Protection''; and

(ii) in section 103(a)(1) (6 U.S.C. 113(a)(1))—

(I) in subparagraph (C), by striking ''An Under Secretary for Border and Transportation Security.'' and inserting ''A Commissioner of U.S. Customs and Border Protection.''; and

(II) in subparagraph (G), by striking ''A Director of the Office of Counternarcotics Enforcement.'' and inserting ''A Director of U.S. Immigration and Customs Enforcement.''; and

(B) in title IV—

*(i) by striking the title heading and inserting ''**BORDER, MARITIME, AND TRANSPORTATION SECURITY**'';*

(ii) in subtitle A—

*(I) by striking the subtitle heading and inserting ''**Border, Maritime, and Transportation Security Responsibilities and Functions**''; and*

(II) in section 402 (6 U.S.C. 202)—

*(aa) in the section heading, by striking ''**RESPONSIBILITIES**'' and inserting ''**BORDER, MARITIME, AND TRANSPORTATION RESPONSIBILITIES**''; and*

(bb) by striking '', acting through the Under Secretary for Border and Transportation Security,'';

(iii) in subtitle B—

*(I) by striking the subtitle heading and inserting ''**U.S. Customs and Border Protection**'';*

(II) in section 412(b) (6 U.S.C. 212), by striking ''the United States Customs Service'' each place it appears and inserting ''U.S. Customs and Border Protection'';

(III) in section 413 (6 U.S.C. 213), by striking ''available to the United States Customs Service or'';

(IV) in section 414 (6 U.S.C. 214), by striking ''the United States Customs Service'' and inserting ''U.S. Customs and Border Protection''; and

(V) in section 415 (6 U.S.C. 215)—

(aa) in paragraph (7), by inserting before the colon the following: '', and of U.S. Customs and Border Protection on the day before the effective date of the U.S. Customs and Border Protection Authorization Act''; and

(bb) in paragraph (8), by inserting before the colon the following: '', and of U.S. Customs and Border Protection on the day before the effective date of the U.S. Customs and Border Protection Authorization Act'';

(iv) in subtitle C—

(I) by striking section 424 (6 U.S.C. 234) and inserting the following new section:

''SEC. 424. PRESERVATION OF TRANSPORTATION SECURITY ADMINISTRATION AS A DISTINCT ENTITY.

''Notwithstanding any other provision of this Act, the Transportation Security Administration shall be maintained as a distinct entity within the Department.''; and

(II) in section 430 (6 U.S.C. 238)—

(aa) by amending subsection (a) to read as follows:

''(a) ESTABLISHMENT.—There is established in the Department an Office for Domestic Preparedness.'';

(bb) in subsection (b), by striking the second sentence; and

(cc) in subsection (c)(7), by striking ''Directorate'' and inserting ''Department''; and

(v) in subtitle D—

(I) in section 441 (6 U.S.C. 251)—

*(aa) by striking the section heading and inserting ''**TRANSFER OF FUNCTIONS**''; and*

(bb) by striking ''Under Secretary for Border and Transportation Security'' and inserting ''Secretary'';

(II) in section 443 (6 U.S.C. 253)—

(aa) in the matter preceding paragraph (1), by striking ''Under Secretary for Border and Transportation Security'' and inserting ''Secretary''; and

(bb) by striking ''the Bureau of Border Security'' and inserting ''U.S. Immigration and Customs Enforcement'' each place it appears; and

(III) by amending section 444 (6 U.S.C. 254) to read as follows:

''SEC. 444. EMPLOYEE DISCIPLINE.

''Notwithstanding any other provision of law, the Secretary may impose disciplinary action on any employee of U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection who willfully deceives Congress or agency leadership on any matter.''.

(2) CONFORMING AMENDMENTS.—Section 401 of the Homeland Security Act of 2002 (6 U.S.C. 201) is repealed.

(3) CLERICAL AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended—

(A) by striking the item relating to title IV and inserting the following:

''TITLE IV—BORDER, MARITIME, AND TRANSPORTATION SECURITY'';

(B) by striking the item relating to subtitle A of title IV and inserting the following:

''Subtitle A—Border, Maritime, and Transportation Security Responsibilities and Functions'';

(C) by striking the item relating to section 401;

(D) by striking the item relating to subtitle B of title IV and inserting the following:

''Subtitle B—U.S. Customs and Border Protection'';

(E) by striking the item relating to section 441 and inserting the following:

''Sec. 441. Transfer of functions.''; and

(F) by striking the item relating to section 442 and inserting the following:

''Sec. 442. U.S. Immigration and Customs Enforcement.''.

(h) OFFICE OF TRADE.—

(1) TRADE OFFICES AND FUNCTIONS.—The Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2071 et seq.), is amended by adding at the end the following:

''SEC. 4. OFFICE OF TRADE.

''(a) IN GENERAL.—There is established in U.S. Customs and Border Protection an Office of Trade.

''(b) EXECUTIVE ASSISTANT COMMISSIONER.—There shall be at the head of the Office of Trade an Executive Assistant Commissioner, who shall report to the Commissioner of U.S. Customs and Border Protection.

''(c) DUTIES.—The Office of Trade shall—

''(1) direct the development and implementation, pursuant to the customs and trade laws of the United States, of policies and regulations administered by U.S. Customs and Border Protection;

''(2) advise the Commissioner of U.S. Customs and Border Protection with respect to the impact on trade facilitation and trade enforcement of any policy or regulation otherwise proposed or administered by U.S. Customs and Border Protection;

''(3) coordinate with the Executive Assistant Commissioner for the Office of Field Operations with respect to the trade facilitation and trade enforcement activities of U.S. Customs and Border Protection;

''(4) direct the development and implementation of matters relating to the priority trade issues identified by the Commissioner of U.S. Customs and Border Protection in the joint strategic plan for trade facilitation and trade enforcement required under section 105 of the Trade Facilitation and Trade Enforcement Act of 2015;

''(5) otherwise advise the Commissioner of U.S. Customs and Border Protection with respect to the development and implementation of the joint strategic plan;

''(6) direct the trade enforcement activities of U.S. Customs and Border Protection;

''(7) oversee the trade modernization activities of U.S. Customs and Border Protection, including the development and implementation of the Automated Commercial Environment computer system authorized under section 13031(f)(4) of the Consolidated Omnibus Budget and Reconciliation Act of 1985 (19 U.S.C. 58c(f)(4)) and support for the establishment of the International Trade Data System under the oversight of the Department of the Treasury pursuant to section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d));

''(8) direct the administration of customs revenue functions as otherwise provided by law or delegated by the Commissioner of U.S. Customs and Border Protection; and

''(9) prepare an annual report to be submitted to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives not later than June 1, 2016, and March 1 of each calendar year thereafter that includes—

''(A) a summary of the changes to customs policies and regulations adopted by U.S. Customs and Border Protection during the preceding calendar year; and

''(B) a description of the public vetting and interagency consultation that occurred with respect to each such change.

''(d) TRANSFER OF ASSETS, FUNCTIONS, PERSONNEL, OR LIABILITIES; ELIMINATION OF OFFICES.—

''(1) OFFICE OF INTERNATIONAL TRADE.—

''(A) TRANSFER.—Not later than 30 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Commissioner of U.S. Customs and Border Protection shall transfer the assets, functions, personnel, and liabilities of the Office of International Trade to the Office of Trade established under subsection (b).

''(B) ELIMINATION.—Not later than 30 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Office of International Trade shall be abolished.

''(C) LIMITATION ON FUNDS.—No funds appropriated to U.S. Customs and Border Protection or the Department of Homeland Security may be used to transfer the assets, functions, personnel, or liabilities of the Office of International Trade to an office other than the Office of Trade established under subsection (a), unless the Commissioner of U.S. Customs and Border Protection notifies the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate of the specific assets, functions, personnel, or liabilities to be transferred, and the reason for the transfer, not less than 90 days prior to the transfer of such assets, functions, personnel, or liabilities.

''(D) OFFICE OF INTERNATIONAL TRADE DEFINED.—In this paragraph, the term 'Office of International Trade' means the Office of International Trade established by section 2 of this Act and as in effect on the day before the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015.

''(2) OTHER TRANSFERS.—

''(A) IN GENERAL.—The Commissioner of U.S. Customs and Border Protection is authorized to transfer any other assets, functions, or personnel within U.S. Customs and Border Protection to the Office of Trade established under subsection (a).

''(B) CONGRESSIONAL NOTIFICATION.—Not less than 90 days prior to the transfer of assets, functions, personnel, or liabilities under subparagraph (A), the Commissioner of U.S. Customs and Border Protection shall notify the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate of the specific assets, functions, personnel, or liabilities to be transferred, and the reason for such transfer.

''(e) DEFINITIONS.—In this section, the terms 'customs and trade laws of the United States', 'trade enforcement', and 'trade facilitation' have the meanings given such terms in section 2 of the Trade Facilitation and Trade Enforcement Act of 2015.''.

(2) CONTINUATION IN OFFICE.—The individual serving as the Assistant Commissioner of the Office of International Trade on the day before the date of the enactment of this Act may serve as the Executive Assistant Commissioner of Trade on and after such date of enactment, at the discretion of the Commissioner of U.S. Customs and Border Protection.

(3) CONFORMING AMENDMENTS.—Section 2 of the Act of March 3, 1927 (44. Stat. 1381, chapter 348; 19 U.S.C. 2072), as added by section 402 of the Security and Accountability for Every Port Act of 2006 (Public Law 109–347; 120 Stat. 1924), is amended—

(A) by striking subsection (d); and

(B) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(i) REPORTS AND ASSESSMENTS.—

(1) REPORT ON BUSINESS TRANSFORMATION INITIATIVE.—Not later than 90 days after the date of the enactment of this Act and annually thereafter for the next five years, the Commissioner shall submit to the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives and the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate a report on U.S. Customs and Border Protection's Business Transformation Initiative, including locations where the Initiative is deployed, the types of equipment utilized, a description of protocols and procedures, information on wait times at such locations since deployment, and information regarding the schedule for deployment at new locations.

(2) PORT OF ENTRY INFRASTRUCTURE NEEDS ASSESSMENTS.—Not later than 180 days after the date of the enactment of this Act, the Commissioner shall assess the physical infrastructure and technology needs at the 20 busiest land ports of entry (as measured by U.S. Customs and Border Protection) with a particular attention to identify ways to—

(A) improve travel and trade facilitation;

(B) reduce wait times;

(C) improve physical infrastructure and conditions for individuals accessing pedestrian ports of entry;

(D) enter into long-term leases with nongovernmental and private sector entities;

(E) enter into lease-purchase agreements with nongovernmental and private sector entities; and

(F) achieve cost savings through leases described in subparagraphs (D) and (E).

(3) PERSONAL SEARCHES.—Not later than 90 days after the date of the enactment of this Act and annually thereafter for the next three years, the Commissioner shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on supervisor-approved personal searches conducted in the previous year by U.S. Customs and Border Protection personnel. Such report shall include the number of personal searches conducted in each sector and field office, the number of invasive personal searches conducted in each sector and field office, whether personal searches were conducted by Office of Field Operations or U.S. Border Patrol personnel, and how many personal searches resulted in the discovery of contraband.

(j) TRUSTED TRAVELER PROGRAMS.—The Secretary of Homeland Security may not enter into or renew an agreement with the government of a foreign country for a trusted traveler program administered by U.S. Customs and Border Protection unless the Secretary certifies in writing that such government—

(1) routinely submits to INTERPOL for inclusion in INTERPOL's Stolen and Lost Travel Documents database information about lost and stolen passports and travel documents of the citizens and nationals of such country; or

(2) makes available to the United States Government the information described in paragraph (1) through another means of reporting.

(k) AGRICULTURAL SPECIALIST CAREER TRACK.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate a plan to create an agricultural specialist career track within U.S. Customs and Border Protection. Such plan shall include the following:

(1) A description of education, training, experience, and assignments necessary for career progression as an agricultural specialist.

(2) Recruitment and retention goals for agricultural specialists, including a timeline for fulfilling staffing deficits identified in agricultural resource allocation models.

(3) An assessment of equipment and other resources needed to support agricultural specialists.

(4) Any other factors the Commissioner determines appropriate.

(l) SENSE OF CONGRESS REGARDING THE FOREIGN LANGUAGE AWARD PROGRAM.—

(1) FINDINGS.—Congress finds the following:

(A) Congress established the Foreign Language Award Program (FLAP) to incentivize employees at United States ports of entry to utilize their foreign language skills on the job by providing a financial incentive for the use of the foreign language for at least ten percent of their duties after passage of competency tests. FLAP incentivizes the use of more than two dozen languages and has been instrumental in identifying and utilizing U.S. Customs and Border Protection officers and agents who are proficient in a foreign language.

(B) In 1993, Congress provided for dedicated funding for this program by stipulating that certain fees collected by U.S. Customs and Border Protection be used to fund FLAP.

(C) Through FLAP, foreign travelers are aided by having an officer at a port of entry who speaks their language, and U.S. Customs and Border Protection benefits by being able to focus its border security efforts in a more effective manner.

(2) SENSE OF CONGRESS.—It is the sense of Congress that FLAP incentivizes U.S. Customs and Border Protection officers to attain and maintain competency in a foreign language, thereby improving the efficiency of operations for the functioning of U.S. Customs and Border Protection's security mission, making the United States a more welcoming place when foreign travelers find officers can communicate in their language, and helping to expedite traveler processing to reduce wait times.

Subtitle B—Preclearance Operations

SEC. 811. SHORT TITLE.

This subtitle may be cited as the ''Preclearance Authorization Act of 2015''.

SEC. 812. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs, the Committee on Finance, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(B) the Committee on Homeland Security, the Committee on Ways and Means, and the Committee on Appropriations of the House of Representatives.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

SEC. 813. ESTABLISHMENT OF PRECLEARANCE OPERATIONS.

Pursuant to section 629 of the Tariff Act of 1930 (19 U.S.C. 1629) and section 103(a)(7) of the Immigration and Nationality Act (8 U.S.C. 1103(a)(7)), and provided that an aviation security preclearance agreement (as defined in section 44901(d)(4)(B) of title 49, United States Code) is in effect, the Secretary may establish and maintain U.S. Customs and Border Protection preclearance operations in a foreign country—

(1) to prevent terrorists, instruments of terrorism, and other security threats from entering the United States;

(2) to prevent inadmissible persons from entering the United States;

(3) to ensure that merchandise destined for the United States complies with applicable laws;

(4) to ensure the prompt processing of persons eligible to travel to the United States; and

(5) to accomplish such other objectives as the Secretary determines are necessary to protect the United States.

SEC. 814. NOTIFICATION AND CERTIFICATION TO CONGRESS.

(a) INITIAL NOTIFICATION.—Not later than 60 days before an agreement with the government of a foreign country to establish U.S. Customs and Border Protection preclearance operations in such foreign country enters into force, the Secretary shall provide the appropriate congressional committees with—

(1) a copy of the agreement to establish such preclearance operations, which shall include—

(A) the identification of the foreign country with which U.S. Customs and Border Protection intends to enter into a preclearance agreement;

(B) the location at which such preclearance operations will be conducted; and

(C) the terms and conditions for U.S. Customs and Border Protection personnel operating at the location;

(2) an assessment of the impact such preclearance operations will have on legitimate trade and travel, including potential impacts on passengers traveling to the United States;

(3) an assessment of the impacts such preclearance operations will have on U.S. Customs and Border Protection domestic port of entry staffing;

(4) country-specific information on the anticipated homeland security benefits associated with establishing such preclearance operations;

(5) information on potential security vulnerabilities associated with commencing such preclearance operations and mitigation plans to address such potential security vulnerabilities;

(6) a U.S. Customs and Border Protection staffing model for such preclearance operations and plans for how such positions would be filled; and

(7) information on the anticipated costs over the 5 fiscal years after the agreement enters into force associated with commencing such preclearance operations.

(b) FURTHER NOTIFICATION RELATING TO PRECLEARANCE OPERATIONS ESTABLISHED AT AIRPORTS.—Not later than 45 days before an agreement with the government of a foreign country to establish U.S. Customs and Border Protection preclearance operations at an airport in such country enters into force, the Secretary, in addition to complying with the notification requirements under subsection (a), shall provide the appropriate congressional committees with—

(1) an estimate of the date on which U.S. Customs and Border Protection intends to establish

preclearance operations under such agreement, including any pending caveats that must be resolved before preclearance operations are approved;

(2) the anticipated funding sources for preclearance operations under such agreement, and other funding sources considered;

(3) a homeland security threat assessment for the country in which such preclearance operations are to be established;

(4) information on potential economic, competitive, and job impacts on United States air carriers associated with establishing such preclearance operations;

(5) details on information sharing mechanisms to ensure that U.S. Customs and Border Protection has current information to prevent terrorist and criminal travel; and

(6) other factors that the Secretary determines to be necessary for Congress to comprehensively assess the appropriateness of commencing such preclearance operations.

(c) CERTIFICATIONS RELATING TO PRECLEARANCE OPERATIONS ESTABLISHED AT AIRPORTS.—Not later than 60 days before an agreement with the government of a foreign country to establish U.S. Customs and Border Protection preclearance operations at an airport in such country enters into force, the Secretary, in addition to complying with the notification requirements under subsections (a) and (b), shall provide the appropriate congressional committees with—

(1) a certification that preclearance operations under such preclearance agreement, after considering alternative options, would provide homeland security benefits to the United States through the most effective means possible;

(2) a certification that preclearance operations within such foreign country will be established under such agreement only if—

(A) at least one United States passenger carrier operates at such airport; and

(B) any United States passenger carriers operating at such airport and desiring to participate in preclearance operations are provided access that is comparable to that of any non-United States passenger carrier operating at that airport;

(3) a certification that the establishment of preclearance operations in such foreign country will not significantly increase customs processing times at United States airports;

(4) a certification that representatives from U.S. Customs and Border Protection consulted with stakeholders, including providers of commercial air service in the United States, employees of such providers, security experts, and such other parties as the Secretary determines to be appropriate; and

(5) a report detailing the basis for the certifications referred to in paragraphs (1) through (4).

(d) AMENDMENT OF EXISTING AGREEMENTS.—Not later than 30 days before a substantially amended preclearance agreement with the government of a foreign country in effect as of the date of the enactment of this Act enters into force, the Secretary shall provide to the appropriate congressional committees—

(1) a copy of the agreement, as amended; and

(2) the justification for such amendment.

(e) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—The Commissioner shall report to the appropriate congressional committees, on a quarterly basis—

(A) the number of U.S. Customs and Border Protection officers, by port, assigned from domestic ports of entry to preclearance operations; and

(B) the number of the positions at domestic ports of entry vacated by U.S. Customs and Border Protection officers described in subparagraph (A) that have been filled by other hired, trained, and equipped U.S. Customs and Border Protection officers.

(2) SUBMISSION.—If the Commissioner has not filled the positions of U.S. Customs and Border Protection officers that were reassigned to preclearance operations and determines that U.S. Customs and Border Protection processing times at domestic ports of entry from which U.S. Customs and Border Protection officers were reassigned to preclearance operations have significantly increased, the Commissioner, not later than 60 days after making such a determination, shall submit to the appropriate congressional committees an implementation plan for reducing processing times at the domestic ports of entry with such increased processing times.

(3) SUSPENSION.—If the Commissioner does not submit the implementation plan described in paragraph (2) to the appropriate congressional committees before the deadline set forth in such paragraph, the Commissioner may not commence preclearance operations at an additional port of entry in any country until such implementation plan is submitted.

(f) CLASSIFIED REPORT.—The report required under subsection (c)(5) may be submitted in classified form if the Secretary determines that such form is appropriate.

SEC. 815. PROTOCOLS.

Section 44901(d)(4) of title 49, United States Code, is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following:

''(C) RESCREENING REQUIREMENT.—If the Administrator of the Transportation Security Administration determines that the government of a foreign country has not maintained security standards and protocols comparable to those of the United States at airports at which preclearance operations have been established in accordance with this paragraph, the Administrator shall ensure that Transportation Security Administration personnel rescreen passengers arriving from such airports and their property in the United States before such passengers are permitted into sterile areas of airports in the United States.''.

SEC. 816. LOST AND STOLEN PASSPORTS.

The Secretary may not enter into an agreement with the government of a foreign country to establish or maintain U.S. Customs and Border Protection preclearance operations at an airport in such country unless the Secretary certifies to the appropriate congressional committees that such government—

(1) routinely submits information about lost and stolen passports of its citizens and nationals to INTERPOL's Stolen and Lost Travel Document database; or

(2) makes such information available to the United States Government through another comparable means of reporting.

SEC. 817. RECOVERY OF INITIAL U.S. CUSTOMS AND BORDER PROTECTION PRECLEARANCE OPERATIONS COSTS.

(a) COST SHARING AGREEMENTS WITH RELEVANT AIRPORT AUTHORITIES.—The Commissioner may enter into a cost sharing agreement with airport authorities in foreign countries at which preclearance operations are to be established or maintained if—

(1) an executive agreement to establish or maintain such preclearance operations pursuant to the authorities under section 629 of the Tariff Act of 1930 (19 U.S.C. 1629) and section 103(a)(7) of the Immigration and Nationality Act (8 U.S.C. 1103(a)(7)) has been signed, but has not yet entered into force; and

(2) U.S. Customs and Border Protection has incurred, or expects to incur, initial preclearance operations costs in order to establish or maintain preclearance operations under the agreement described in paragraph (1).

(b) CONTENTS OF COST SHARING AGREEMENTS.—

(1) IN GENERAL.—Notwithstanding section 13031(e) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(e)) and section 286(g) of the Immigration and Nationality Act (8 U.S.C. 1356(g)), any cost sharing agreement with an airport authority authorized under subsection (a) may provide for the airport authority's payment to U.S. Customs and Border Protection of its initial preclearance operations costs.

(2) TIMING OF PAYMENTS.—The airport authority's payment to U.S. Customs and Border Protection for its initial preclearance operations costs may be made in advance of the incurrence of the costs or on a reimbursable basis.

(c) ACCOUNT.—

(1) IN GENERAL.—All amounts collected pursuant to any cost sharing agreement authorized under subsection (a)—

(A) shall be credited as offsetting collections to the currently applicable appropriation, account, or fund of U.S. Customs and Border Protection;

(B) shall remain available, until expended, for the purposes for which such appropriation, account, or fund is authorized to be used; and

(C) may be collected and shall be available only to the extent provided in appropriations Acts.

(2) RETURN OF UNUSED FUNDS.—Any advances or reimbursements not used by U.S. Customs and Border Protection may be returned to the relevant airport authority.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to preclude the use of appropriated funds from sources other than the payments collected under this subtitle to pay initial preclearance operation costs.

(d) DEFINED TERM.—

(1) IN GENERAL.—In this section, the term ''initial preclearance operations costs'' means the costs incurred, or expected to be incurred, by U.S. Customs and Border Protection to establish or maintain preclearance operations at an airport in a foreign country, including costs relating to—

(A) hiring, training, and equipping new U.S. Customs and Border Protection officers who will be stationed at United States domestic ports of entry or other U.S. Customs and Border Protection facilities to backfill U.S. Customs and Border Protection officers to be stationed at an airport in a foreign country to conduct preclearance operations; and

(B) visits to the airport authority conducted by U.S. Customs and Border Protection personnel necessary to prepare for the establishment or maintenance of preclearance operations at such airport, including the compensation, travel expenses, and allowances payable to such personnel attributable to such visits.

(2) EXCEPTION.—The costs described in paragraph (1)(A) shall not include the salaries and benefits of new U.S. Customs and Border Protection officers once such officers are permanently stationed at a domestic United States port of entry or other domestic U.S. Customs and Border Protection facility after being hired, trained, and equipped.

(e) RULE OF CONSTRUCTION.—Except as otherwise provided in this section, nothing in this section may be construed as affecting the responsibilities, duties, or authorities of U.S. Customs and Border Protection.

SEC. 818. COLLECTION AND DISPOSITION OF FUNDS COLLECTED FOR IMMIGRATION INSPECTION SERVICES AND PRECLEARANCE ACTIVITIES.

(a) IMMIGRATION AND NATIONALITY ACT.—Section 286(i) of the Immigration and Nationality Act (8 U.S.C. 1356(i)) is amended by striking the

last sentence and inserting the following: ''Reimbursements under this subsection may be collected in advance of the provision of such immigration inspection services. Notwithstanding subsection (h)(1)(B), and only to the extent provided in appropriations Acts, any amounts collected under this subsection shall be credited as offsetting collections to the currently applicable appropriation, account, or fund of U.S. Customs and Border Protection, remain available until expended, and be available for the purposes for which such appropriation, account, or fund is authorized to be used.''.

(b) FARM SECURITY AND RURAL INVESTMENT ACT OF 2002.—Section 10412(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8311(b)) is amended to read as follows:

''(b) FUNDS COLLECTED FOR PRECLEARANCE.—Funds collected for preclearance activities—

''(1) may be collected in advance of the provision of such activities;

''(2) shall be credited as offsetting collections to the currently applicable appropriation, account, or fund of U.S. Customs and Border Protection;

''(3) shall remain available until expended;

''(4) shall be available for the purposes for which such appropriation, account, or fund is authorized to be used; and

''(5) may be collected and shall be available only to the extent provided in appropriations Acts.''.

SEC. 819. APPLICATION TO NEW AND EXISTING PRECLEARANCE OPERATIONS.

Except for sections 814(d), 815, 817, and 818, this subtitle shall only apply to the establishment of preclearance operations in a foreign country in which no preclearance operations have been established as of the date of the enactment of this Act.

TITLE IX—MISCELLANEOUS PROVISIONS

SEC. 901. DE MINIMIS VALUE.

(a) FINDINGS.—Congress makes the following findings:

(1) Modernizing international customs is critical for United States businesses of all sizes, consumers in the United States, and the economic growth of the United States.

(2) Higher thresholds for the value of articles that may be entered informally and free of duty provide significant economic benefits to businesses and consumers in the United States and the economy of the United States through costs savings and reductions in trade transaction costs.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States Trade Representative should encourage other countries, through bilateral, regional, and multilateral fora, to establish commercially meaningful de minimis values for express and postal shipments that are exempt from customs duties and taxes and from certain entry documentation requirements, as appropriate.

(c) DE MINIMIS VALUE.—Section 321(a)(2)(C) of the Tariff Act of 1930 (19 U.S.C. 1321(a)(2)(C)) is amended by striking ''$200'' and inserting ''$800''.

(d) EFFECTIVE DATE.—The amendment made by subsection (c) shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

SEC. 902. CONSULTATION ON TRADE AND CUSTOMS REVENUE FUNCTIONS.

Section 401(c) of the Security and Accountability For Every Port Act of 2006 (6 U.S.C. 115(c)) is amended—

(1) in paragraph (1), by striking ''on Department policies and actions that have'' and inserting ''not later than 30 days after proposing, and not later than 30 days before finalizing, any Department policies, initiatives, or actions that will have''; and

(2) in paragraph (2)(A), by striking ''not later than 30 days prior to the finalization of'' and inserting ''not later than 60 days before proposing, and not later than 60 days before finalizing,''.

SEC. 903. PENALTIES FOR CUSTOMS BROKERS.

(a) IN GENERAL.—Section 641(d)(1) of the Tariff Act of 1930 (19 U.S.C. 1641(d)(1)) is amended—

(1) in subparagraph (E), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (F), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(G) has been convicted of committing or conspiring to commit an act of terrorism described in section 2332b of title 18, United States Code.''.

(b) TECHNICAL AMENDMENTS.—Section 641 of the Tariff Act of 1930 (19 U.S.C. 1641) is amended—

(1) by striking ''the Customs Service'' each place it appears and inserting ''U.S. Customs and Border Protection'';

(2) in subsection (d)(2)(B), by striking ''The Customs Service'' and inserting ''U.S. Customs and Border Protection''; and

(3) in subsection (g)(2)(B), by striking ''Secretary's notice'' and inserting ''notice under subparagraph (A)''.

SEC. 904. AMENDMENTS TO CHAPTER 98 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES.

(a) ARTICLES EXPORTED AND RETURNED, ADVANCED OR IMPROVED ABROAD.—

(1) IN GENERAL.—U.S. Note 3 to subchapter II of chapter 98 of the Harmonized Tariff Schedule of the United States is amended by adding at the end the following:

''(f)(1) For purposes of subheadings 9802.00.40 and 9802.00.50, fungible articles exported from the United States for the purposes described in such subheadings—

''(A) may be commingled; and

''(B) the origin, value, and classification of such articles may be accounted for using an inventory management method.

''(2) If a person chooses to use an inventory management method under this paragraph with respect to fungible articles, the person shall use the same inventory management method for any other articles with respect to which the person claims fungibility under this paragraph.

''(3) For the purposes of this paragraph—

''(A) the term 'fungible articles' means merchandise or articles that, for commercial purposes, are identical or interchangeable in all situations; and

''(B) the term 'inventory management method' means any method for managing inventory that is based on generally accepted accounting principles.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection applies to articles classifiable under subheading 9802.00.40 or 9802.00.50 of the Harmonized Tariff Schedule of the United States that are entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date of the enactment of this Act.

(b) MODIFICATION OF PROVISIONS RELATING TO RETURNED PROPERTY.—

(1) IN GENERAL.—The article description for heading 9801.00.10 of the Harmonized Tariff Schedule of the United States is amended by inserting after ''exported'' the following: '', or any other products when returned within 3 years after having been exported''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) applies to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date of the enactment of this Act.

(c) DUTY-FREE TREATMENT FOR CERTAIN UNITED STATES GOVERNMENT PROPERTY RETURNED TO THE UNITED STATES.—

(1) IN GENERAL.—Subchapter I of chapter 98 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

''	9801.00.11	United States Government property, returned to the United States without having been advanced in value or improved in condition by any means while abroad, entered by the United States Government or a contractor to the United States Government, and certified by the importer as United States Government property	Free						''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) applies to goods entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date of the enactment of this Act.

SEC. 905. EXEMPTION FROM DUTY OF RESIDUE OF BULK CARGO CONTAINED IN INSTRUMENTS OF INTERNATIONAL TRAFFIC PREVIOUSLY EXPORTED FROM THE UNITED STATES.

(a) IN GENERAL.—General Note 3(e) of the Harmonized Tariff Schedule of the United States is amended—

(1) in subparagraph (v), by striking ''and'' at the end;

(2) in subparagraph (vi), by adding ''and'' at the end;

(3) by inserting after subparagraph (vi) (as so amended) the following new subparagraph:

''(vii) residue of bulk cargo contained in instruments of international traffic previously exported from the United States,''; and

(4) by adding at the end of the flush text following subparagraph (vii) (as so added) the following: ''For purposes of subparagraph (vii) of this paragraph: The term 'residue' means material of bulk cargo that remains in an instrument of international traffic after the bulk cargo is removed, with a quantity, by weight or volume, not exceeding 7 percent of the bulk cargo, and with no or de minimis value. The term 'bulk cargo' means cargo that is unpackaged and is in either solid, liquid, or gaseous form. The term 'instruments of international traffic' means containers or holders, capable of and suitable for repeated use, such as lift vans, cargo vans, shipping tanks, skids, pallets, caul boards, and cores for textile fabrics, arriving (whether loaded or empty) in use or to be used in the shipment of merchandise in international traffic, and any additional articles or classes of articles that the Commissioner of U.S. Customs and Border Protection designates as instruments of international traffic.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to residue of bulk cargo contained in instruments of international traffic that are imported into the customs territory of the United States on or after such date of enactment and that previously have been exported from the United States.

SEC. 906. DRAWBACK AND REFUNDS.

(a) ARTICLES MADE FROM IMPORTED MERCHANDISE.—Section 313(a) of the Tariff Act of 1930 (19 U.S.C. 1313(a)) is amended by striking ''the full amount of the duties paid upon the merchandise so used shall be refunded as drawback, less 1 per centum of such duties, except that such'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l) shall be refunded as drawback, except that''.

(b) SUBSTITUTION FOR DRAWBACK PURPOSES.—Section 313(b) of the Tariff Act of 1930 (19 U.S.C. 1313(b)) is amended—

(1) by striking ''If imported'' and inserting the following:

''(1) IN GENERAL.—If imported'';

(2) by striking ''and any other merchandise (whether imported or domestic) of the same kind and quality are'' and inserting ''or merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise is'';

(3) by striking ''three years'' and inserting ''5 years'';

(4) by striking ''the receipt of such imported merchandise by the manufacturer or producer of such articles'' and inserting ''the date of importation of such imported merchandise'';

(5) by striking ''an amount of drawback equal to'' and all that follows through the end period and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l), but only if those articles have not been used prior to such exportation or destruction.''; and

(6) by adding at the end the following:

''(2) REQUIREMENTS RELATING TO TRANSFER OF MERCHANDISE.—

''(A) MANUFACTURERS AND PRODUCERS.—Drawback shall be allowed under paragraph (1) with respect to an article manufactured or produced using imported merchandise or other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise only if the manufacturer or producer of the article received such imported merchandise or such other merchandise, directly or indirectly, from the importer.

''(B) EXPORTERS AND DESTROYERS.—Drawback shall be allowed under paragraph (1) with respect to a manufactured or produced article that is exported or destroyed only if the exporter or destroyer received that article, directly or indirectly, from the manufacturer or producer.

''(C) EVIDENCE OF TRANSFER.—Transfers of merchandise under subparagraph (A) and transfers of articles under subparagraph (B) may be evidenced by business records kept in the normal course of business and no additional certificates of transfer or manufacture shall be required.

''(3) SUBMISSION OF BILL OF MATERIALS OR FORMULA.—

''(A) IN GENERAL.—Drawback shall be allowed under paragraph (1) with respect to an article manufactured or produced using imported merchandise or other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise only if the person making the drawback claim submits with the claim a bill of materials or formula identifying the merchandise and article by the 8-digit HTS subheading number and the quantity of the merchandise.

''(B) BILL OF MATERIALS AND FORMULA DEFINED.—In this paragraph, the terms 'bill of materials' and 'formula' mean records kept in the normal course of business that identify each component incorporated into a manufactured or produced article or that identify the quantity of each element, material, chemical, mixture, or other substance incorporated into a manufactured article.

''(4) SPECIAL RULE FOR SOUGHT CHEMICAL ELEMENTS.—

''(A) IN GENERAL.—For purposes of paragraph (1), a sought chemical element may be—

''(i) considered imported merchandise, or merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise, used in the manufacture or production of an article as described in paragraph (1); and

''(ii) substituted for source material containing that sought chemical element, without regard to whether the sought chemical element and the source material are classifiable under the same 8-digit HTS subheading number, and apportioned quantitatively, as appropriate.

''(B) SOUGHT CHEMICAL ELEMENT DEFINED.—In this paragraph, the term 'sought chemical element' means an element listed in the Periodic Table of Elements that is imported into the United States or a chemical compound consisting of those elements, either separately in elemental form or contained in source material.''.

(c) MERCHANDISE NOT CONFORMING TO SAMPLE OR SPECIFICATIONS.—Section 313(c) of the Tariff Act of 1930 (19 U.S.C. 1313(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(ii), by striking ''under a certificate of delivery'' each place it appears;

(B) in subparagraph (D)—

(i) by striking ''3'' and inserting ''5''; and

(ii) by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection''; and

(C) in the flush text at the end, by striking ''the full amount of the duties paid upon such merchandise, less 1 percent,'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)'';

(2) in paragraph (2), by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection''; and

(3) by amending paragraph (3) to read as follows:

''(3) EVIDENCE OF TRANSFERS.—Transfers of merchandise under paragraph (1) may be evidenced by business records kept in the normal course of business and no additional certificates of transfer shall be required.''.

(d) PROOF OF EXPORTATION.—Section 313(i) of the Tariff Act of 1930 (19 U.S.C. 1313(i)) is amended to read as follows:

''(i) PROOF OF EXPORTATION.—A person claiming drawback under this section based on the exportation of an article shall provide proof of the exportation of the article. Such proof of exportation—

''(1) shall establish fully the date and fact of exportation and the identity of the exporter; and

''(2) may be established through the use of records kept in the normal course of business or through an electronic export system of the United States Government, as determined by the Commissioner of U.S. Customs and Border Protection.''.

(e) UNUSED MERCHANDISE DRAWBACK.—Section 313(j) of the Tariff Act of 1930 (19 U.S.C. 1313(j)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), in the matter preceding clause (i)—

(i) by striking ''3-year'' and inserting ''5-year''; and

(ii) by inserting ''and before the drawback claim is filed'' after ''the date of importation''; and

(B) in the flush text at the end, by striking ''99 percent of the amount of each duty, tax, or fee so paid'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)'';

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''paragraph (4)'' and inserting ''paragraphs (4), (5), and (6)'';

(B) in subparagraph (A), by striking ''commercially interchangeable with'' and inserting ''classifiable under the same 8-digit HTS subheading number as'';

(C) in subparagraph (B)—

(i) by striking ''3-year'' and inserting ''5-year''; and

(ii) by inserting ''and before the drawback claim is filed'' after ''the imported merchandise'';

(D) in subparagraph (C)(ii), by striking subclause (II) and inserting the following:

''(II) received the imported merchandise, other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise, or any combination of such imported merchandise and such other merchandise, directly or indirectly from the person who imported and paid any duties, taxes, and fees imposed under Federal law upon importation or entry and due on the imported merchandise (and any such transferred merchandise, regardless of its origin, will be treated as the imported merchandise and any retained merchandise will be treated as domestic merchandise);''; and

(E) in the flush text at the end—

(i) by striking ''the amount of each such duty, tax, and fee'' and all that follows through ''99 percent of that duty, tax, or fee'' and inserting ''an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l) shall be refunded as drawback''; and

(ii) by striking the last sentence and inserting the following: ''Notwithstanding subparagraph (A), drawback shall be allowed under this paragraph with respect to wine if the imported wine and the exported wine are of the same color and the price variation between the imported wine and the exported wine does not exceed 50 percent. Transfers of merchandise may be evidenced by business records kept in the normal course of business and no additional certificates of transfer shall be required.'';

(3) in paragraph (3)(B), by striking ''the commercially interchangeable merchandise'' and inserting ''merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise''; and

(4) by adding at the end the following:

''(5)(A) For purposes of paragraph (2) and except as provided in subparagraph (B), merchandise may not be substituted for imported merchandise for drawback purposes based on the 8-digit HTS subheading number if the article description for the 8-digit HTS subheading number under which the imported merchandise is classified begins with the term 'other'.

''(B) In cases described in subparagraph (A), merchandise may be substituted for imported merchandise for drawback purposes if—

''(i) the other merchandise and such imported merchandise are classifiable under the same 10-digit HTS statistical reporting number; and

''(ii) the article description for that 10-digit HTS statistical reporting number does not begin with the term 'other'.

''(6)(A) For purposes of paragraph (2), a drawback claimant may use the first 8 digits of the 10-digit Schedule B number for merchandise or an article to determine if the merchandise or article is classifiable under the same 8-digit HTS subheading number as the imported merchandise, without regard to whether the Schedule B number corresponds to more than one 8-digit HTS subheading number.

''(B) In this paragraph, the term 'Schedule B' means the Department of Commerce Schedule B,

Statistical Classification of Domestic and Foreign Commodities Exported from the United States.''.

(f) LIABILITY FOR DRAWBACK CLAIMS.—Section 313(k) of the Tariff Act of 1930 (19 U.S.C. 1313(k)) is amended to read as follows:

''(k) LIABILITY FOR DRAWBACK CLAIMS.—

''(1) IN GENERAL.—Any person making a claim for drawback under this section shall be liable for the full amount of the drawback claimed.

''(2) LIABILITY OF IMPORTERS.—An importer shall be liable for any drawback claim made by another person with respect to merchandise imported by the importer in an amount equal to the lesser of—

''(A) the amount of duties, taxes, and fees that the person claimed with respect to the imported merchandise; or

''(B) the amount of duties, taxes, and fees that the importer authorized the other person to claim with respect to the imported merchandise.

''(3) JOINT AND SEVERAL LIABILITY.—Persons described in paragraphs (1) and (2) shall be jointly and severally liable for the amount described in paragraph (2).''.

(g) REGULATIONS.—Section 313(l) of the Tariff Act of 1930 (19 U.S.C. 1313(l)) is amended to read as follows:

''(l) REGULATIONS.—

''(1) IN GENERAL.—Allowance of the privileges provided for in this section shall be subject to compliance with such rules and regulations as the Secretary of the Treasury shall prescribe.

''(2) CALCULATION OF DRAWBACK.—

''(A) IN GENERAL.—Not later than the date that is 2 years after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, the Secretary shall prescribe regulations for determining the calculation of amounts refunded as drawback under this section.

''(B) CLAIMS WITH RESPECT TO UNUSED MERCHANDISE.—The regulations required by subparagraph (A) for determining the calculation of amounts refunded as drawback under this section shall provide for a refund of equal to 99 percent of the duties, taxes, and fees paid on the imported merchandise, which were imposed under Federal law upon entry or importation of the imported merchandise, and may require the claim to be based upon the average per unit duties, taxes, and fees as reported on the entry summary line item or, if not reported on the entry summary line item, as otherwise allocated by U.S. Customs and Border Protection, except that where there is substitution of the merchandise, then—

''(i) in the case of an article that is exported, the amount of the refund shall be equal to 99 percent of the lesser of—

''(I) the amount of duties, taxes, and fees paid with respect to the imported merchandise; or

''(II) the amount of duties, taxes, and fees that would apply to the exported article if the exported article were imported; and

''(ii) in the case of an article that is destroyed, the amount of the refund shall be an amount that is—

''(I) equal to 99 percent of the lesser of—

''(aa) the amount of duties, taxes, and fees paid with respect to the imported merchandise; and

''(bb) the amount of duties, taxes, and fees that would apply to the destroyed article if the destroyed article were imported; and

''(II) reduced by the value of materials recovered during destruction as provided in subsection (x).

''(C) CLAIMS WITH RESPECT TO MANUFACTURED ARTICLES INTO WHICH IMPORTED OR SUBSTITUTE MERCHANDISE IS INCORPORATED.—The regulations required by subparagraph (A) for determining the calculation of amounts refunded as drawback under this section shall provide for a refund of equal to 99 percent of the duties, taxes, and fees paid on the imported merchandise incorporated into an article that is exported or destroyed, which were imposed under Federal law upon entry or importation of the imported merchandise incorporated into an article that is exported or destroyed, and may require the claim to be based upon the average per unit duties, taxes, and fees as reported on the entry summary line item, or if not reported on the entry summary line item, as otherwise allocated by U.S. Customs and Border Protection, except that where there is substitution of the imported merchandise, then—

''(i) in the case of an article that is exported, the amount of the refund shall be equal to 99 percent of the lesser of—

''(I) the amount of duties, taxes, and fees paid with respect to the imported merchandise; or

''(II) the amount of duties, taxes, and fees that would apply to the substituted merchandise if the substituted merchandise were imported; and

''(ii) in the case of an article that is destroyed, the amount of the refund shall be an amount that is—

''(I) equal to 99 percent of the lesser of—

''(aa) the amount of duties, taxes, and fees paid with respect to the imported merchandise; and

''(bb) the amount of duties, taxes, and fees that would apply to the substituted merchandise if the substituted merchandise were imported; and

''(II) reduced by the value of materials recovered during destruction as provided in subsection (x).

''(D) EXCEPTIONS.—The calculations set forth in subparagraphs (B) and (C) shall not apply to claims for wine based on subsection (j)(2) and claims based on subsection (p) and instead—

''(i) for any drawback claim for wine based on subsection (j)(2), the amount of the refund shall be equal to 99 percent of the duties, taxes, and fees paid with respect to the imported merchandise, without regard to the limitations in subparagraphs (B)(i) and (B)(ii); and

''(ii) for any drawback claim based on subsection (p), the amount of the refund shall be subject to the limitations set out in paragraph (4) of that subsection and without regard to subparagraph (B)(i), (B)(ii), (C)(i), or (C)(ii).

''(3) STATUS REPORTS ON REGULATIONS.—Not later than the date that is one year after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, and annually thereafter until the regulations required by paragraph (2) are final, the Secretary shall submit to Congress a report on the status of those regulations.''.

(h) SUBSTITUTION OF FINISHED PETROLEUM DERIVATIVES.—Section 313(p) of the Tariff Act of 1930 (19 U.S.C. 1313(p)) is amended—

(1) by striking ''Harmonized Tariff Schedule of the United States'' each place it appears and inserting ''HTS''; and

(2) in paragraph (3)(A)—

(A) in clause (ii)(III), by striking '', as so certified in a certificate of delivery or certificate of manufacture and delivery''; and

(B) in the flush text at the end—

(i) by striking '', so designated on the certificate of delivery or certificate of manufacture and delivery''; and

(ii) by striking the last sentence and inserting the following: ''The party transferring the merchandise shall maintain records kept in the normal course of business to demonstrate the transfer.''.

(i) PACKAGING MATERIAL.—Section 313(q) of the Tariff Act of 1930 (19 U.S.C. 1313(q)) is amended—

(1) in paragraph (1), by striking ''of 99 percent of any duty, tax, or fee imposed under Federal law on such imported material'' and inserting ''in an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)'';

(2) in paragraph (2), by striking ''of 99 percent of any duty, tax, or fee imposed under Federal law on the imported or substituted merchandise used to manufacture or produce such material'' and inserting ''in an amount calculated pursuant to regulations prescribed by the Secretary of the Treasury under subsection (l)''; and

(3) in paragraph (3), by striking ''they contain'' each place it appears and inserting ''it contains''.

(j) FILING OF DRAWBACK CLAIMS.—Section 313(r) of the Tariff Act of 1930 (19 U.S.C. 1313(r)) is amended—

(1) in paragraph (1)—

(A) by striking the first sentence and inserting the following: ''A drawback entry shall be filed or applied for, as applicable, not later than 5 years after the date on which merchandise on which drawback is claimed was imported.'';

(B) in the second sentence, by striking ''3-year'' and inserting ''5-year''; and

(C) in the third sentence, by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection'';

(2) in paragraph (3)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''The Customs Service'' and inserting ''U.S. Customs and Border Protection'';

(ii) in clauses (i) and (ii), by striking ''the Customs Service'' each place it appears and inserting ''U.S. Customs and Border Protection''; and

(iii) in clause (ii)(I), by striking ''3-year'' and inserting ''5-year''; and

(B) in subparagraph (B), by striking ''the periods of time for retaining records set forth in subsection (t) of this section and'' and inserting ''the period of time for retaining records set forth in''; and

(3) by adding at the end the following:

''(4) All drawback claims filed on and after the date that is 2 years after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015 shall be filed electronically.''.

(k) DESIGNATION OF MERCHANDISE BY SUCCESSOR.—Section 313(s) of the Tariff Act of 1930 (19 U.S.C. 1313(s)) is amended—

(1) in paragraph (2), by striking subparagraph (B) and inserting the following:

''(B) subject to paragraphs (5) and (6) of subsection (j), imported merchandise, other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise, or any combination of such imported merchandise and such other merchandise, that the predecessor received, before the date of succession, from the person who imported and paid any duties, taxes, and fees due on the imported merchandise;''; and

(2) in paragraph (4), by striking ''certifies that'' and all that follows and inserting ''certifies that the transferred merchandise was not and will not be claimed by the predecessor.''.

(l) DRAWBACK CERTIFICATES.—Section 313 of the Tariff Act of 1930 (19 U.S.C. 1313) is amended by striking subsection (t).

(m) DRAWBACK FOR RECOVERED MATERIALS.—Section 313(x) of the Tariff Act of 1930 (19 U.S.C. 1313(x)) is amended by striking ''and (c)'' and inserting ''(c), and (j)''.

(n) DEFINITIONS.—Section 313 of the Tariff Act of 1930 (19 U.S.C. 1313) is amended by adding at the end the following:

''(z) DEFINITIONS.—In this section:

''(1) DIRECTLY.—The term 'directly' means a transfer of merchandise or an article from one person to another person without any intermediate transfer.

''(2) HTS.—The term 'HTS' means the Harmonized Tariff Schedule of the United States.

''(3) INDIRECTLY.—The term 'indirectly' means a transfer of merchandise or an article from one person to another person with one or more intermediate transfers.''.

(o) RECORDKEEPING.—Section 508(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1508(c)(3)) is amended by striking ''payment'' and inserting ''liquidation''.

(p) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—

(1) IN GENERAL.—Not later than one year after the issuance of the regulations required by subsection (l)(2) of section 313 of the Tariff Act of 1930, as added by subsection (g) of this section, the Comptroller General of the United States shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the modernization of drawback and refunds under section 313 of the Tariff Act of 1930, as amended by this section.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of the modernization of drawback and refunds under section 313 of the Tariff Act of 1930, as amended by this section.

(B) A description of drawback claims that were permissible before the effective date provided for in subsection (q) that are not permissible after that effective date and an identification of industries most affected.

(C) A description of drawback claims that were not permissible before the effective date provided for in subsection (q) that are permissible after that effective date and an identification of industries most affected.

(q) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall—

(A) take effect on the date of the enactment of this Act; and

(B) except as provided in paragraph (3), apply to drawback claims filed on or after the date that is 2 years after such date of enactment.

(2) REPORTING OF OPERABILITY OF AUTOMATED COMMERCIAL ENVIRONMENT COMPUTER SYSTEM.—Not later than one year after the date of the enactment of this Act, and not later than 2 years after such date of enactment, the Secretary of the Treasury shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on—

(A) the date on which the Automated Commercial Environment will be ready to process drawback claims; and

(B) the date on which the Automated Export System will be ready to accept proof of exportation under subsection (i) of section 313 of the Tariff Act of 1930, as amended by subsection (d) of this section.

(3) TRANSITION RULE.—During the one-year period beginning on the date that is 2 years after the date of the enactment of this Act, a person may elect to file a claim for drawback under—

(A) section 313 of the Tariff Act of 1930, as amended by this section; or

(B) section 313 of the Tariff Act of 1930, as in effect on the day before the date of the enactment of this Act.

SEC. 907. REPORT ON CERTAIN U.S. CUSTOMS AND BORDER PROTECTION AGREEMENTS.

(a) IN GENERAL.—Not later than one year after entering into an agreement under a program specified in subsection (b), and annually thereafter until the termination of the program, the Commissioner shall submit to the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives a report that includes the following:

(1) A description of the development of the program, including an identification of the authority under which the program operates.

(2) A description of the type of entity with which U.S. Customs and Border Protection entered into the agreement and the amount that entity reimbursed U.S. Customs and Border Protection under the agreement.

(3) An identification of the type of port of entry to which the agreement relates and an assessment of how the agreement provides economic benefits and security benefits (if applicable) at the port of entry.

(4) A description of the services provided by U.S. Customs and Border Protection under the agreement during the year preceding the submission of the report.

(5) The amount of fees collected under the agreement during that year.

(6) The total operating expenses of the program during that year.

(7) A detailed accounting of how the fees collected under the agreement have been spent during that year.

(8) A summary of any complaints or criticism received by U.S. Customs and Border Protection during that year regarding the agreement.

(9) An assessment of the compliance of the entity described in paragraph (2) with the terms of the agreement.

(10) Recommendations with respect to how activities conducted pursuant to the agreement could function more effectively or better produce economic benefits and security benefits (if applicable).

(11) A summary of the benefits to and challenges faced by U.S. Customs and Border Protection and the entity described in paragraph (2) under the agreement.

(12) If the entity described in paragraph (2) is an operator of an airport—

(A) a detailed account of the revenue collected by U.S. Customs and Border Protection at the airport from—

(i) fees collected under the agreement; and

(ii) fees collected from sources other than under the agreement, including fees paid by passengers and air carriers; and

(B) an assessment of the revenue described in subparagraph (A) compared with the operating costs of U.S. Customs and Border Protection at the airport.

(b) PROGRAM SPECIFIED.—A program specified in this subsection is—

(1) the program for entering into reimbursable fee agreements for the provision of U.S. Customs and Border Protection services established by section 560 of the Department of Homeland Security Appropriations Act, 2013 (division D of Public Law 113–6; 127 Stat. 378);

(2) the pilot program authorizing U.S. Customs and Border Protection to enter into partnerships with private sector and government entities at ports of entry established by section 559 of the Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113–76; 6 U.S.C. 211 note);

(3) the program under which U.S. Customs and Border Protection collects a fee for the use of customs services at designated facilities under section 236 of the Trade and Tariff Act of 1984 (19 U.S.C. 58b); or

(4) the program established by subtitle B of title VIII of this Act authorizing U.S. Customs and Border Protection to establish preclearance operations in foreign countries.

SEC. 908. CHARTER FLIGHTS.

Section 13031(e)(1) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(e)(1)) is amended—

(1) by striking ''(1) Notwithstanding section 451 of the Tariff Act of 1930 (19 U.S.C. 1451) or any other provision of law (other than paragraph (2))'' and inserting the following:

''(1)(A) Notwithstanding section 451 of the Tariff Act of 1930 (19 U.S.C. 1451) or any other provision of law (other than subparagraph (B) and paragraph (2))''; and

(2) by adding at the end the following:

''(B)(i) An appropriate officer of U.S. Customs and Border Protection may assign a sufficient number of employees of U.S. Customs and Border Protection (if available) to perform services described in clause (ii) for a charter air carrier (as defined in section 40102 of title 49, United States Code) for a charter flight arriving after normal operating hours at an airport that is an established port of entry serviced by U.S. Customs and Border Protection, notwithstanding that overtime funds for those services are not available, if the charter air carrier—

''(I) not later than 4 hours before the flight arrives, specifically requests that such services be provided; and

''(II) pays any overtime fees incurred in connection with such services.

''(ii) Services described in this clause are customs services for passengers and their baggage or any other similar service that could lawfully be performed during regular hours of operation.''.

SEC. 909. UNITED STATES-ISRAEL TRADE AND COMMERCIAL ENHANCEMENT.

(a) FINDINGS.—Congress finds the following:

(1) Israel is America's dependable, democratic ally in the Middle East—an area of paramount strategic importance to the United States.

(2) The United States-Israel Free Trade Agreement formed the modern foundation of the bilateral commercial relationship between the two countries and was the first such agreement signed by the United States with a foreign country.

(3) The United States-Israel Free Trade Agreement has been instrumental in expanding commerce and the strategic relationship between the United States and Israel.

(4) More than $45,000,000,000 in goods and services is traded annually between the two countries, in addition to roughly $10,000,000,000 in United States foreign direct investment in Israel.

(5) The United States continues to look for and find new opportunities to enhance cooperation with Israel, including through the enactment of the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150; 22 U.S.C. 8601 et seq.) and the United States-Israel Strategic Partnership Act of 2014 (Public Law 113–296; 128 Stat. 4075).

(6) It has been the policy of the United States Government to combat all elements of the Arab League Boycott of Israel by—

(A) public statements of Administration officials;

(B) enactment of relevant sections of the Export Administration Act of 1979 (50 U.S.C. 4601 et seq.) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)), including sections to ensure foreign persons comply with applicable reporting requirements relating to the Boycott;

(C) enactment of the Tax Reform Act of 1976 (Public Law 94–455; 90 Stat. 1520) that denies certain tax benefits to entities abiding by the Boycott;

(D) ensuring through free trade agreements with Bahrain and Oman that such countries no longer participate in the Boycott; and

(E) ensuring as a condition of membership in the World Trade Organization that Saudi Arabia no longer enforces the secondary or tertiary elements of the Boycott.

(b) STATEMENTS OF POLICY.—Congress—

(1) supports the strengthening of economic cooperation between the United States and Israel

and recognizes the tremendous strategic, economic, and technological value of cooperation with Israel;

(2) recognizes the benefit of cooperation with Israel to United States companies, including by improving American competitiveness in global markets;

(3) recognizes the importance of trade and commercial relations to the pursuit and sustainability of peace, and supports efforts to bring together the United States, Israel, the Palestinian territories, and others in enhanced commerce;

(4) opposes politically motivated actions that penalize or otherwise limit commercial relations specifically with Israel, such as boycotts of, divestment from, or sanctions against Israel;

(5) notes that boycotts of, divestment from, and sanctions against Israel by governments, governmental bodies, quasi-governmental bodies, international organizations, and other such entities are contrary to principle of nondiscrimination under the GATT 1994 (as defined in section 2(1)(B) of the Uruguay Round Agreements Act (19 U.S.C. 3501(1)(B)));

(6) encourages the inclusion of politically motivated actions that penalize or otherwise limit commercial relations specifically with Israel such as boycotts of, divestment from, or sanctions against Israel as a topic of discussion at the U.S.-Israel Joint Economic Development Group (JEDG) to support the strengthening of the United States-Israel commercial relationship and combat any commercial discrimination against Israel; and

(7) supports efforts to prevent investigations or prosecutions by governments or international organizations of United States persons solely on the basis of such persons doing business with Israel, with Israeli entities, or in any territory controlled by Israel.

(c) PRINCIPAL TRADE NEGOTIATING OBJECTIVES OF THE UNITED STATES.—

(1) COMMERCIAL PARTNERSHIPS.—Among the principal trade negotiating objectives of the United States for proposed trade agreements with foreign countries regarding commercial partnerships are the following:

(A) To discourage actions by potential trading partners that directly or indirectly prejudice or otherwise discourage commercial activity solely between the United States and Israel.

(B) To discourage politically motivated boycotts of, divestment from, and sanctions against Israel and to seek the elimination of politically motivated nontariff barriers on Israeli goods, services, or other commerce imposed on Israel.

(C) To seek the elimination of state-sponsored unsanctioned foreign boycotts of Israel, or compliance with the Arab League Boycott of Israel, by prospective trading partners.

(2) EFFECTIVE DATE.—This subsection takes effect on the date of the enactment of this Act and applies with respect to negotiations commenced before, on, or after such date of enactment.

(d) REPORT ON POLITICALLY MOTIVATED ACTS OF BOYCOTT OF, DIVESTMENT FROM, AND SANCTIONS AGAINST ISRAEL.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to Congress a report on politically motivated boycotts of, divestment from, and sanctions against Israel.

(2) MATTERS TO BE INCLUDED.—The report required by paragraph (1) shall include the following:

(A) A description of the establishment of barriers to trade, including nontariff barriers, investment, or commerce by foreign countries or international organizations against United States persons operating or doing business in Israel, with Israeli entities, or in Israeli-controlled territories.

(B) A description of specific steps being taken by the United States to encourage foreign countries and international organizations to cease creating such barriers and to dismantle measures already in place, and an assessment of the effectiveness of such steps.

(C) A description of specific steps being taken by the United States to prevent investigations or prosecutions by governments or international organizations of United States persons solely on the basis of such persons doing business with Israel, with Israeli entities, or in Israeli-controlled territories.

(D) Decisions by foreign persons, including corporate entities and state-affiliated financial institutions, that limit or prohibit economic relations with Israel or persons doing business in Israel or in any territory controlled by Israel.

(e) CERTAIN FOREIGN JUDGMENTS AGAINST UNITED STATES PERSONS.—Notwithstanding any other provision of law, no domestic court shall recognize or enforce any foreign judgment entered against a United States person that conducts business operations in Israel, or any territory controlled by Israel, if the domestic court determines that the foreign judgment is based, in whole or in part, on a determination by a foreign court that the United States person's conducting business operations in Israel or any territory controlled by Israel or with Israeli entities constitutes a violation of law.

(f) DEFINITIONS.—In this section:

(1) BOYCOTT OF, DIVESTMENT FROM, AND SANCTIONS AGAINST ISRAEL.—The term ''boycott of, divestment from, and sanctions against Israel'' means actions by states, nonmember states of the United Nations, international organizations, or affiliated agencies of international organizations that are politically motivated and are intended to penalize or otherwise limit commercial relations specifically with Israel or persons doing business in Israel or in any territory controlled by Israel.

(2) DOMESTIC COURT.—The term ''domestic court'' means a Federal court of the United States, or a court of any State or territory of the United States or of the District of Columbia.

(3) FOREIGN COURT.—The term ''foreign court'' means a court, an administrative body, or other tribunal of a foreign country.

(4) FOREIGN JUDGMENT.—The term ''foreign judgment'' means a final civil judgment rendered by a foreign court.

(5) FOREIGN PERSON.—The term ''foreign person'' means—

(A) an individual who is not a United States person or an alien lawfully admitted for permanent residence into the United States; or

(B) a corporation, partnership, or other nongovernmental entity which is not a United States person.

(6) PERSON.—

(A) IN GENERAL.—The term ''person'' means—

(i) a natural person;

(ii) a corporation, business association, partnership, society, trust, financial institution, insurer, underwriter, guarantor, and any other business organization, any other nongovernmental entity, organization, or group, and any governmental entity operating as a business enterprise; and

(iii) any successor to any entity described in clause (ii).

(B) APPLICATION TO GOVERNMENTAL ENTITIES.—The term ''person'' does not include a government or governmental entity that is not operating as a business enterprise.

(7) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a natural person who is a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22))); or

(B) a corporation or other legal entity that is organized under the laws of the United States, any State or territory thereof, or the District of Columbia, if natural persons described in subparagraph (A) own, directly or indirectly, more than 50 percent of the outstanding capital stock or other beneficial interest in such legal entity.

SEC. 910. ELIMINATION OF CONSUMPTIVE DEMAND EXCEPTION TO PROHIBITION ON IMPORTATION OF GOODS MADE WITH CONVICT LABOR, FORCED LABOR, OR INDENTURED LABOR; REPORT.

(a) ELIMINATION OF CONSUMPTIVE DEMAND EXCEPTION.—

(1) IN GENERAL.—Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) is amended by striking ''The provisions of this section'' and all that follows through ''of the United States.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date that is 15 days after the date of the enactment of this Act.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Commissioner shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on compliance with section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) that includes the following:

(1) The number of instances in which merchandise was denied entry pursuant to that section during the 1-year period preceding the submission of the report.

(2) A description of the merchandise denied entry pursuant to that section.

(3) Such other information as the Commissioner considers appropriate with respect to monitoring and enforcing compliance with that section.

SEC. 911. VOLUNTARY RELIQUIDATIONS BY U.S. CUSTOMS AND BORDER PROTECTION.

Section 501 of the Tariff Act of 1930 (19 U.S.C. 1501) is amended—

*(1) in the section heading, by striking ''**THE CUSTOMS SERVICE**'' and inserting ''**U.S. CUSTOMS AND BORDER PROTECTION**'';*

(2) by striking ''the Customs Service'' and inserting ''U.S. Customs and Border Protection''; and

(3) by striking ''on which notice of the original liquidation is given or transmitted to the importer, his consignee or agent'' and inserting ''of the original liquidation''.

SEC. 912. TARIFF CLASSIFICATION OF RECREATIONAL PERFORMANCE OUTERWEAR.

(a) REPEAL.—Section 601 of the Trade Preferences Extension Act of 2015 (Public Law 114–27; 129 Stat. 387) is repealed, and any provision of law amended by such section is restored as if such section had not been enacted into law.

(b) AMENDMENTS TO ADDITIONAL U.S. NOTES.—The additional U.S. notes to chapter 62 of the Harmonized Tariff Schedule of the United States are amended—

(1) in additional U.S. note 2—

(A) by striking ''For the purposes of subheadings'' and all that follows through ''6211.20.15'' and inserting ''For the purposes of subheadings 6201.92.17, 6201.92.35, 6201.93.47, 6201.93.60, 6202.92.05, 6202.92.30, 6202.93.07, 6202.93.48, 6203.41.01, 6203.41.25, 6203.43.03, 6203.43.11, 6203.43.55, 6203.43.75, 6204.61.05, 6204.61.60, 6204.63.02, 6204.63.09, 6204.63.55, 6204.63.75 and 6211.20.15'';

(B) by striking ''(see ASTM designations D 3600-81 and D 3781-79)'' and inserting ''(see current version of ASTM D7017)''; and

(C) by striking ''in accordance with AATCC Test Method 35-1985.'' and inserting ''in accordance with the current version of AATCC Test Method 35.''; and

(2) by adding at the end the following new note:

''3. (a) When used in a subheading of this chapter or immediate superior text thereto, the term 'recreational performance outerwear' means trousers (including, but not limited to, ski or snowboard pants, and ski or snowboard pants intended for sale as parts of ski-suits), coveralls, bib and brace overalls, jackets (including, but not limited to, full zip jackets, ski jackets and ski jackets intended for sale as parts of ski-suits), windbreakers and similar articles (including padded, sleeveless jackets), the foregoing of fabrics of cotton, wool, hemp, bamboo, silk or manmade fibers, or a combination of such fibers; that are either water resistant within the meaning of additional U.S. note 2 to this chapter or treated with plastics, or both; with critically sealed seams, and with 5 or more of the following features (as further provided herein):

''(i) insulation for cold weather protection;

''(ii) pockets, at least one of which has a zippered, hook and loop, or other type of closure;

''(iii) elastic, draw cord or other means of tightening around the waist or leg hems, including hidden leg sleeves with a means of tightening at the ankle for trousers and tightening around the waist or bottom hem for jackets;

''(iv) venting, not including grommet(s);

''(v) articulated elbows or knees;

''(vi) reinforcement in one of the following areas: the elbows, shoulders, seat, knees, ankles or cuffs;

''(vii) weatherproof closure at the waist or front;

''(viii) multi-adjustable hood or adjustable collar;

''(ix) adjustable powder skirt, inner protective skirt or adjustable inner protective cuff at sleeve hem;

''(x) construction at the arm gusset that utilizes fabric, design or patterning to allow radial arm movement; or

''(xi) odor control technology.

The term 'recreational performance outerwear' does not include occupational outerwear.

''(b) For purposes of this note, the following terms have the following meanings:

''(i) The term 'treated with plastics' refers to textile fabrics impregnated, coated, covered or laminated with plastics, as described in note 2 to chapter 59.

''(ii) The term 'sealed seams' means seams that have been covered by means of taping, gluing, bonding, cementing, fusing, welding or a similar process so that air and water cannot pass through the seams when tested in accordance with the current version of AATCC Test Method 35.

''(iii) The term 'critically sealed seams' means—

''(A) for jackets, windbreakers and similar articles (including padded, sleeveless jackets), sealed seams that are sealed at the front and back yokes, or at the shoulders, arm holes, or both, where applicable; and

''(B) for trousers, overalls and bib and brace overalls and similar articles, sealed seams that are sealed at the front (up to the zipper or other means of closure) and back rise.

''(iv) The term 'insulation for cold weather protection' means insulation that meets a minimum clo value of 1.5 per ASTM F 2732.

''(v) The term 'venting' refers to closeable or permanent constructed openings in a garment (excluding front, primary zipper closures and grommet(s)) to allow increased expulsion of built-up heat during outdoor activities. In a jacket, such openings are often positioned on the underarm seam of a garment but may also be placed along other seams in the front or back of a garment. In trousers, such openings are often positioned on the inner or outer leg seams of a garment but may also be placed along other seams in the front or back of a garment.

''(vi) The term 'articulated elbows or knees' refers to the construction of a sleeve (or pant leg) to allow improved mobility at the elbow (or knee) through the use of extra seams, darts, gussets or other means.

''(vii) The term 'reinforcement' refers to the use of a double layer of fabric or section(s) of fabric that is abrasion-resistant or otherwise more durable than the face fabric of the garment.

''(viii) The term 'weatherproof closure' means a closure (including, but not limited to, laminated or coated zippers, storm flaps or other weatherproof construction) that has been reinforced or engineered in a manner to reduce the penetration or absorption of moisture or air through an opening in the garment.

''(ix) The term 'multi-adjustable hood or adjustable collar' means, in the case of a hood, a hood into which is incorporated two or more draw cords, adjustment tabs or elastics, or, in the case of a collar, a collar into which is incorporated at least one draw cord, adjustment tab, elastic or similar component, to allow volume adjustments around a helmet, or the crown of the head, neck or face.

''(x) The terms 'adjustable powder skirt' and 'inner protective skirt' refer to a partial lower inner lining with means of tightening around the waist for additional protection from the elements.

''(xi) The term 'arm gusset' means construction at the arm of a gusset that utilizes an extra fabric piece in the underarm, usually diamond- or triangular-shaped, designed or patterned to allow radial arm movement.

''(xii) The term 'radial arm movement' refers to unrestricted, 180-degree range of motion for the arm while wearing performance outerwear.

''(xiii) The term 'odor control technology' means the incorporation into a fabric or garment of materials, including, but not limited to, activated carbon, silver, copper or any combination thereof, capable of adsorbing, absorbing or reacting with human odors, or effective in reducing the growth of odor-causing bacteria.

''(xiv) The term 'occupational outerwear' means outerwear garments, including uniforms, of a kind principally used in the work place and specially designed to provide protection from work place hazards such as fire, electrical, abrasion or chemical hazards, or impacts, cuts and punctures.

''(c) The importer of goods entered as 'recreational performance outerwear' under a particular subheading of this chapter shall maintain records demonstrating that the entered goods meet the terms of this note, including such information as is necessary to demonstrate the presence of the specific features that render the goods eligible for classification as 'recreational performance outerwear'.''.

(c) TARIFF CLASSIFICATIONS.—Chapter 62 of the Harmonized Tariff Schedule of the United States is amended as follows:

(1)(A) By striking subheadings 6201.91.10 through 6201.91.20 and inserting the following, with the superior text to subheading 6201.91.03 having the same degree of indentation as the article description for subheading 6201.91.10 (as in effect on the day before the effective date of this section):

''		*Recreational performance outerwear:*				
	6201.91.03	*Padded, sleeveless jackets*	*8.5%*	*Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 2.5% (OM)*	*58.5%*	
	6201.91.05	*Other*	*49.7¢/kg + 19.7%*	*Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 14.9¢/kg +5.9% (OM)*	*52.9¢/kg + 58.5%*	
		Other:				
	6201.91.25	*Padded, sleeveless jackets*	*8.5%*	*Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 2.5% (OM)*	*58.5%*	
	6201.91.40	*Other*	*49.7¢/kg + 19.7%*	*Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 14.9¢/kg +5.9% (OM)*	*52.9¢/kg + 58.5%*	''.

(B) The staged reductions in the special rate of duty proclaimed for subheading 6201.91.10 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6201.91.03 and 6201.91.25 of such Schedule, as added by subparagraph (A), on and after such effective date.

(C) The staged reductions in the special rate of duty proclaimed for subheading 6201.91.20 of such Schedule before the effective date of this section shall apply to subheadings 6201.91.05 and 6201.91.40 of such Schedule, as added by subparagraph (A), on and after such effective date.

(2) By striking subheadings 6201.92.10 through 6201.92.20 and inserting the following, with the superior text to subheading 6201.92.05 having the same degree of indentation as the article description for subheading 6201.92.10 (as in effect on the day before the effective date of this section):

‘‘		*Recreational performance outerwear:*				
	6201.92.05	*Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down*	*4.4%*	*Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)*	*60%*	
		Other:				
	6201.92.17	*Water resistant*	*6.2%*	*Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)*	*37.5%*	
	6201.92.19	*Other*	*9.4%*	*Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)*	*90%*	
		Other:				
	6201.92.30	*Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down*	*4.4%*	*Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)*	*60%*	
		Other:				
	6201.92.35	*Water resistant*	*6.2%*	*Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)*	*37.5%*	
	6201.92.45	*Other*	*9.4%*	*Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)*	*90%*	’’.

(3) By striking subheadings 6201.93.10 through 6201.93.35 and inserting the following, with the superior text to subheading 6201.93.15 having the same degree of indentation as the article description for subheading 6201.93.10 (as in effect on the day before the effective date of this section):

‘‘		*Recreational performance outerwear:*				
	6201.93.15	*Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down*	*4.4%*	*Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)*	*60%*	
		Other:				
	6201.93.18	*Padded, sleeveless jackets*	*14.9%*	*Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)*	*76%*	
		Other:				
	6201.93.45	*Containing 36 percent or more by weight of wool or fine animal hair*	*49.5¢/kg + 19.6%*	*Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)*	*52.9¢/kg + 58.5%*	
		Other:				
	6201.93.47	*Water resistant*	*7.1%*	*Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)*	*65%*	

6201.93.49	Other	27.7%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%	
	Other:				
6201.93.50	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	4.4%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	60%	
	Other:				
6201.93.52	Padded, sleeveless jackets	14.9%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	76%	
	Other:				
6201.93.55	Containing 36 percent or more by weight of wool or fine animal hair	49.5¢/kg + 19.6%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	52.9¢/kg + 58.5%	
	Other:				
6201.93.60	Water resistant	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%	
6201.93.65	Other	27.7%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%	''.

(4) By striking subheadings 6201.99.10 through 6201.99.90 and inserting the following, with the superior text to subheading 6201.99.05 having the same degree of indentation as the article description for subheading 6201.99.10 (as in effect on the day before the effective date of this section):

''	Recreational performance outerwear:				
6201.99.05	Containing 70 percent or more by weight of silk or silk waste	Free		35%	
6201.99.15	Other	4.2%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
	Other:				
6201.99.50	Containing 70 percent or more by weight of silk or silk waste	Free		35%	
6201.99.80	Other	4.2%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	''.

(5)(A) By striking subheadings 6202.91.10 through 6202.91.20 and inserting the following, with the superior text to subheading 6202.91.03 having the same degree of indentation as the article description for subheading 6202.91.10 (as in effect on the day before the effective date of this section):

''	Recreational performance outerwear:				
6202.91.03	Padded, sleeveless jackets	14%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 4.2% (OM)	58.5%	
6202.91.15	Other	36¢/kg + 16.3%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 10.8¢/kg + 4.8% (OM)	46.3¢/kg +58.5%	
	Other:				

6202.91.60	Padded, sleeveless jackets	14%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 4.2% (OM)	58.5%	
6202.91.90	Other	36¢/kg + 16.3%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 10.8¢/kg + 4.8% (OM)	46.3¢/kg + 58.5%	''.

(B) The staged reductions in the special rate of duty proclaimed for subheading 6202.91.10 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6202.91.03 and 6202.91.60 of such Schedule, as added by subparagraph (A), on and after such effective date.

(C) The staged reductions in the special rate of duty proclaimed for subheading 6202.91.20 of such Schedule before the effective date of this section shall apply to subheadings 6202.91.15 and 6202.91.90 of such Schedule, as added by subparagraph (A), on and after such effective date.

(6) By striking subheadings 6202.92.10 through 6202.92.20 and inserting the following, with the superior text to subheading 6202.92.03 having the same degree of indentation as the article description for subheading 6202.92.10 (as in effect on the day before the effective date of this section):

''		Recreational performance outerwear:			
	6202.92.03	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	4.4%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	60%
		Other:			
	6202.92.05	Water resistant	6.2%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	37.5%
	6202.92.12	Other	8.9%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%
		Other:			
	6202.92.25	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	4.4%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	60%
		Other:			
	6202.92.30	Water resistant	6.2%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	37.5%
	6202.92.90	Other	8.9%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90% ''.

(7) By striking subheadings 6202.93.10 through 6202.93.50 and inserting the following, with the superior text to subheading 6202.93.01 having the same degree of indentation as the article description for subheading 6202.93.10 (as in effect on the day before the effective date of this section):

''		Recreational performance outerwear:			
	6202.93.01	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	4.4%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	60%
		Other:			
	6202.93.03	Padded, sleeveless jackets	14.9%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	76%

	Other:				
6202.93.05	Containing 36 percent or more by weight of wool or fine animal hair	43.4¢/kg + 19.7%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	46.3¢/kg + 58.5%	
	Other:				
6202.93.07	Water resistant	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%	
6202.93.09	Other	27.7%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%	
	Other:				
6202.93.15	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	4.4%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	60%	
	Other:				
6202.93.25	Padded, sleeveless jackets	14.9%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	76%	
	Other:				
6202.93.45	Containing 36 percent or more by weight of wool or fine animal hair	43.4¢/kg + 19.7%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	46.3¢/kg + 58.5%	
	Other:				
6202.93.48	Water resistant	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%	
6202.93.55	Other	27.7%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%	''.

(8) By striking subheadings 6202.99.10 through 6202.99.90 and inserting the following, with the superior text to subheading 6202.99.03 having the same degree of indentation as the article description for subheading 6202.99.10 (as in effect on the day before the effective date of this section):

''	Recreational performance outerwear:				
6202.99.03	Containing 70 percent or more by weight of silk or silk waste	Free		35%	
6202.99.15	Other	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	
	Other:				
6202.99.60	Containing 70 percent or more by weight of silk or silk waste	Free		35%	
6202.99.80	Other	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	''.

(9)(A) By striking subheadings 6203.41 through 6203.41.20 and inserting the following, with the article description for subheading 6203.41 having the same degree of indentation as the article description for subheading 6203.41 (as in effect on the day before the effective date of this section):

''	6203.41	Of wool or fine animal hair:			
		Recreational performance outerwear:			
		Trousers, breeches and shorts:			

6203.41.01	Trousers, breeches, containing elastomeric fiber, water resistant, without belt loops, weighing more than 9 kg per dozen	7.6%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 2.2% (OM)	52.9¢/kg + 58.5%	
	Other:				
6203.41.03	Trousers of worsted wool fabric, made of wool yarn having an average fiber diameter of 18.5 microns or less	41.9¢/kg + 16.3%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 12.5¢/kg + 4.8% (OM)	52.9¢/kg +58.5%	
6203.41.06	Other	41.9¢/kg + 16.3%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 12.5¢/kg + 4.8% (OM)	52.9¢/kg + 58.5%	
6203.41.08	Bib and brace overalls	8.5%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 2.5% (OM)	63%	
	Other:				
	Trousers, breeches and shorts:				
6203.41.25	Trousers and breeches, containing elastomeric fiber, water resistant, without belt loops, weighing more than 9 kg per dozen	7.6%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 2.2% (OM)	52.9¢/kg +58.5%	
	Other:				
6203.41.30	Trousers of worsted wool fabric, made of wool yarn having an average fiber diameter of 18.5 microns or less	41.9¢/kg +16.3%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 12.5¢/kg + 4.8% (OM)	52.9¢/kg +58.5%	
6203.41.60	Other	41.9¢/kg +16.3%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 12.5¢/kg + 4.8% (OM)	52.9¢/kg +58.5%	
6203.41.80	Bib and brace overalls	8.5%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 2.5% (OM)	63%	''

(B) The staged reductions in the special rate of duty proclaimed for subheading 6203.41.05 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6203.41.01 and 6203.41.25 of such Schedule, as added by subparagraph (A), on and after such effective date.

(C) The staged reductions in the special rate of duty proclaimed for subheading 6203.41.12 of such Schedule before the effective date of this section shall apply to subheadings 6203.41.03 and 6203.41.30 of such Schedule, as added by subparagraph (A), on and after such effective date.

(D) The staged reductions in the special rate of duty proclaimed for subheading 6203.41.18 of such Schedule before the effective date of this section shall apply to subheadings 6203.41.06 and 6203.41.60 of such Schedule, as added by subparagraph (A), on and after such effective date.

(E) The staged reductions in the special rate of duty proclaimed for subheading 6203.41.20 of such Schedule before the effective date of this section shall apply to subheadings 6203.41.08 and 6203.41.80 of such Schedule, as added by subparagraph (A), on and after such effective date.

(10)(A) By striking subheadings 6203.42.10 through 6203.42.40 and inserting the following, with the superior text to subheading 6203.42.03 having the same degree of indentation as the article description for subheading 6203.42.10 (as in effect on the day before the effective date of this section):

''		Recreational performance outerwear:			
	6203.42.03	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	Free		60%
		Other:			

6203.42.05	Bib and brace overalls	10.3%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%	
6203.42.07	Other	16.6%	Free (AU, BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 9.9% (KR)	90%	
	Other:				
6203.42.17	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	Free		60%	
	Other:				
6203.42.25	Bib and brace overalls	10.3%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%	
6203.42.45	Other	16.6%	Free (AU, BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 9.9% (KR)	90%	''.

(B) The staged reductions in the special rate of duty proclaimed for subheading 6203.42.40 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6203.42.07 and 6203.42.45 of such Schedule, as added by subparagraph (A), on and after such effective date.

(11)(A) By striking subheadings 6203.43.10 through 6203.43.40 and inserting the following, with the superior text to subheading 6203.43.01 having the same degree of indentation as the article description for subheading 6203.43.10 (as in effect on the day before the effective date of this section):

''	Recreational performance outerwear:				
6203.43.01	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	Free		60%	
	Other:				
	Bib and brace overalls:				
6203.43.03	Water resistant	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%	
6203.43.05	Other	14.9%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	76%	
	Other:				
6203.43.09	Containing 36 percent or more by weight of wool or fine animal hair	49.6¢/kg + 19.7%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	52.9¢/kg + 58.5%	
	Other:				
6203.43.11	Water resistant trousers or breeches	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 1.4% (KR)	65%	
6203.43.13	Other	27.9%	Free (AU, BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 5.5% (KR)	90%	
	Other:				
6203.43.45	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	Free		60%	
	Other:				
	Bib and brace overalls:				

6203.43.55	Water resistant	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%	
6203.43.60	Other	14.9%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	76%	
	Other:				
6203.43.65	Certified hand-loomed and folklore products	12.2%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	76%	
	Other:				
6203.43.70	Containing 36 percent or more by weight of wool or fine animal hair	49.6¢/kg + 19.7%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	52.9¢/kg + 58.5%	
	Other:				
6203.43.75	Water resistant trousers or breeches	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 1.4% (KR)	65%	
6203.43.90	Other	27.9%	Free (AU, BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 5.5% (KR)	90%	''.

(B) The staged reductions in the special rate of duty proclaimed for subheading 6203.43.35 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6203.43.11 and 6203.43.75 of such Schedule, as added by subparagraph (A), on and after such effective date.

(C) The staged reductions in the special rate of duty proclaimed for subheading 6203.43.40 of such Schedule before the effective date of this section shall apply to subheadings 6203.43.13 and 6203.43.90 of such Schedule, as added by subparagraph (A), on and after such effective date.

(12)(A) By striking subheadings 6203.49.10 through 6203.49.80 and the immediate superior text to subheading 6203.49.10, and inserting the following, with the superior text to subheading 6203.49.01 having the same degree of indentation as the article description for subheading 6203.49.10 (as in effect on the day before the effective date of this section):

''		Recreational performance outerwear:			
		Of artificial fibers:			
6203.49.01		Bib and brace overalls	8.5%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	76%
6203.49.05		Trousers, breeches and shorts	27.9%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%
		Of other textile materials:			
6203.49.07		Containing 70 percent or more by weight of silk or silk waste	Free		35%
6203.49.09		Other	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, MA, MX, OM, P, PA, PE, SG) 0.5% (KR)	35%
		Other:			
		Of artificial fibers:			
6203.49.25		Bib and brace overalls	8.5%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	76%
		Trousers, breeches and shorts:			
6203.49.35		Certified hand-loomed and folklore products	12.2%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	76%

6203.49.50	Other	27.9%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%	
	Of other textile materials:				
6203.49.60	Containing 70 percent or more by weight of silk or silk waste	Free		35%	
6203.49.90	Other	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, MA, MX, OM, P, PA, PE, SG) 0.5% (KR)	35%	''.

(B) The staged reductions in the special rate of duty proclaimed for subheading 6203.49.80 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6203.49.09 and 6203.49.90 of such Schedule, as added by subparagraph (A), on and after such effective date.

(13)(A) By striking subheadings 6204.61.10 through 6204.61.90 and inserting the following, with the superior text to subheading 6204.61.05 having the same degree of indentation as the article description for subheading 6204.61.10 (as in effect on the day before the effective date of this section):

''		Recreational performance outerwear:			
	6204.61.05	Trousers and breeches, containing elastomeric fiber, water resistant, without belt loops, weighing more than 6 kg per dozen	7.6%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 2.2% (OM)	58.5%
	6204.61.15	Other	13.6%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 4% (OM)	58.5%
		Other:			
	6204.61.60	Trousers and breeches, containing elastomeric fiber, water resistant, without belt loops, weighing more than 6 kg per dozen	7.6%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 2.2% (OM)	58.5%
	6204.61.80	Other	13.6%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 4% (OM)	58.5% ''.

(B) The staged reductions in the special rate of duty proclaimed for subheading 6204.61.10 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6204.61.05 and 6204.61.60 of such Schedule, as added by subparagraph (A), on and after such effective date.

(C) The staged reductions in the special rate of duty proclaimed for subheading 6204.61.90 of such Schedule before the effective date of this section shall apply to subheadings 6204.61.15 and 6204.61.80 of such Schedule, as added by subparagraph (A), on and after such effective date.

(14)(A) By striking subheadings 6204.62.10 through 6204.62.40 and inserting the following, with the superior text to subheading 6204.62.03 having the same degree of indentation as the article description for subheading 6204.62.10 (as in effect on the day before the effective date of this section):

''		Recreational performance outerwear:			
	6204.62.03	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	Free		60%
		Other:			
	6204.62.05	Bib and brace overalls	8.9%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%
	6204.62.15	Other	16.6%	Free (AU, BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 9.9% (KR)	90%
		Other:			
	6204.62.50	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	Free		60%
		Other:			

6204.62.60	Bib and brace overalls	8.9%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%
	Other:			
6204.62.70	Certified hand-loomed and folklore products	7.1%	Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	37.5%
6204.62.80	Other	16.6%	Free (AU, BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 9.9% (KR)	90%

''.

(B) The staged reductions in the special rate of duty proclaimed for subheading 6204.62.40 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6204.62.15 and 6204.62.80 of such Schedule, as added by subparagraph (A), on and after such effective date.

(15)(A) By striking subheadings 6204.63.10 through 6204.63.35 and inserting the following, with the superior text to subheading 6204.63.01 having the same degree of indentation as the article description for subheading 6204.63.10 (as in effect on the day before the effective date of this section):

''		Recreational performance outerwear:			
	6204.63.01	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	Free		60%
		Other:			
		Bib and brace overalls:			
	6204.63.02	Water resistant	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%
	6204.63.03	Other	14.9%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	76%
		Other:			
	6204.63.08	Containing 36 percent or more by weight of wool or fine animal hair	13.6%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	58.5%
		Other:			
	6204.63.09	Water resistant trousers or breeches	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%
	6204.63.11	Other	28.6%	Free (AU, BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 5.7% (KR)	90%
		Other:			
	6204.63.50	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	Free		60%
		Other:			
		Bib and brace overalls:			
	6204.63.55	Water resistant	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%
	6204.63.60	Other	14.9%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	76%

6204.63.65	Certified hand-loomed and folklore products	11.3%	Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	76%	
	Other:				
6204.63.70	Containing 36 percent or more by weight of wool or fine animal hair	13.6%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	58.5%	
	Other:				
6204.63.75	Water resistant trousers or breeches	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%	
6204.63.90	Other	28.6%	Free (AU, BH, CA, CL, CO, IL, JO, MA, MX, OM, P, PA, PE, SG) 5.7% (KR)	90%	''.

(B) The staged reductions in the special rate of duty proclaimed for subheading 6204.63.35 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6204.63.11 and 6204.63.90 of such Schedule, as added by subparagraph (A), on and after such effective date.

(16) By striking subheadings 6204.69.10 through 6204.69.90 and the immediate superior text to subheading 6204.69.10, and inserting the following, with the first superior text having the same degree of indentation as the article description of subheading 6204.69.10 (as in effect on the day before the date of enactment of this Act):

''		Recreational performance outerwear:			
		Of artificial fibers:			
	6204.69.01	Bib and brace overalls	13.6%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	76%
		Trousers, breeches and shorts:			
	6204.69.02	Containing 36 percent or more by weight of wool or fine animal hair	13.6%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	58.5%
	6204.69.03	Other	28.6%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%
		Of silk or silk waste:			
	6204.69.04	Containing 70 percent or more by weight of silk or silk waste	1.1%	Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%
	6204.69.05	Other	7.1%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%
	6204.69.06	Other	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%
		Other:			
		Of artificial fibers:			
	6204.69.15	Bib and brace overalls	13.6%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	76%
		Trousers, breeches and shorts:			

6204.69.22	Containing 36 percent or more by weight of wool or fine animal hair	13.6%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	58.5%	
6204.69.28	Other	28.6%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%	
	Of silk or silk waste:				
6204.69.45	Containing 70 percent or more by weight of silk or silk waste	1.1%	Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%	
6204.69.65	Other	7.1%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%	
6204.69.80	Other	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%	''.

(17) By striking subheadings 6210.40.30 through 6210.40.90 and the immediate superior text to subheading 6210.40.30, and inserting the following, with the first superior text having the same degree of indentation as the immediate superior text to subheading 6210.40.30 (as in effect on the day before the effective date of this section):

''		Recreational performance outerwear:			
		Of man-made fibers:			
6210.40.15		Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric	3.8%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%
6210.40.25		Other	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%
		Other:			
6210.40.28		Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric	3.3%	Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	37.5%
6210.40.29		Other	6.2%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	37.5%
		Other:			
		Of man-made fibers:			
6210.40.35		Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric	3.8%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%
6210.40.55		Other	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%
		Other:			

6210.40.75	Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric	3.3%	Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	37.5%
6210.40.80	Other	6.2%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	37.5% ''.

(18) By striking subheadings 6210.50.30 through 6210.50.90 and the immediate superior text to subheading 6210.50.30, and inserting the following, with the first superior text having the same degree of indentation as the immediate superior text to subheading 6210.50.30 (as in effect on the day before the effective date of this section):

''	Recreational performance outerwear:			
	Of man-made fibers:			
6210.50.03	Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric	3.8%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%
6210.50.05	Other	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%
	Other:			
6210.50.12	Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric	3.3%	Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	37.5%
6210.50.22	Other	6.2%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	37.5%
	Other:			
	Of man-made fibers:			
6210.50.35	Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric	3.8%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%
6210.50.55	Other	7.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	65%
	Other:			
6210.50.75	Having an outer surface impregnated, coated, covered or laminated with rubber or plastics material which completely obscures the underlying fabric	3.3%	Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	37.5%
6210.50.80	Other	6.2%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	37.5% ''.

(19) By striking subheading 6211.32.00 and inserting the following, with the article description for subheading 6211.32 having the same degree of indentation as the article description for subheading 6211.32.00 (as in effect on the day before the effective date of this section):

''	6211.32	Of cotton:		

6211.32.50	Recreational performance outerwear	8.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%
6211.32.90	Other	8.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%

(20)(A) By striking subheading 6211.33.00 and inserting the following, with the article description for subheading 6211.33 having the same degree of indentation as the article description for subheading 6211.33.00 (as in effect on the day before the effective date of this section):

'' 6211.33	Of man-made fibers:			
6211.33.50	Recreational performance outerwear	16%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 4.8% (OM)	76%
6211.33.90	Other	16%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 4.8% (OM)	76% ''

(B) The staged reductions in the special rate of duty proclaimed for subheading 6211.33.00 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6211.33.50 and 6211.33.90 of such Schedule, as added by subparagraph (A), on and after such effective date.

(21)(A) By striking subheadings 6211.39.05 through 6211.39.90 and inserting the following, with the first superior text having the same degree of indentation as the article description for subheading 6211.39.05 (as in effect on the day before the effective date of this section):

''	Recreational performance outerwear:			
6211.39.03	Of wool or fine animal hair	12%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 3.6% (OM)	58.5%
6211.39.07	Containing 70 percent or more by weight of silk or silk waste	0.5%	Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%
6211.39.15	Other	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PE, SG)	35%
	Other:			
6211.39.30	Of wool or fine animal hair	12%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 3.6% (OM)	58.5%
6211.39.60	Containing 70 percent or more by weight of silk or silk waste	0.5%	Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%
6211.39.80	Other	2.8%	Free (AU, BH, CA, CL, CO, E*, IL, JO, KR, MA, MX, OM, P, PE, SG)	35% ''

(B) The staged reductions in the special rate of duty proclaimed for subheading 6211.39.05 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6211.39.03 and 6211.39.30 of such Schedule, as added by subparagraph (A), on and after such effective date.

(22) By striking subheading 6211.42.00 and inserting the following, with the article description for subheading 6211.42 having the same degree of indentation as the article description for subheading 6211.42.00 (as in effect on the day before the effective date of this section):

'' 6211.42	Of cotton:			
6211.42.05	Recreational performance outerwear	8.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90%

6211.42.10	Other	8.1%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	90% ''.

(23)(A) By striking subheading 6211.43.00 and inserting the following, with the article description for subheading 6211.43 having the same degree of indentation as the article description for subheading 6211.43.00 (as in effect on the day before the effective date of this section):

'' 6211.43	Of man-made fibers:			
6211.43.05	Recreational performance outerwear	16%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 4.8% (OM)	90%
6211.43.10	Other	16%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 4.8% (OM)	90% ''.

(B) The staged reductions in the special rate of duty proclaimed for subheading 6211.43.00 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6211.43.05 and 6211.43.10 of such Schedule, as added by subparagraph (A), on and after such effective date.

(24)(A) By striking subheadings 6211.49.10 through 6211.49.90 and inserting the following, with the first superior text having the same degree of indentation as the article description for subheading 6211.49.90 (as in effect on the day before the effective date of this section):

''	Recreational performance outerwear:			
6211.49.03	Containing 70 percent or more by weight of silk or silk waste	1.2%	Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%
6211.49.15	Of wool or fine animal hair	12%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 3.6% (OM)	58.5%
6211.49.25	Other	7.3%	Free (AU, BH, CA, CL, CO, E, IL, JO, MA, MX, OM, P, PA, PE, SG) 1.4% (KR)	35%
	Other:			
6211.49.50	Containing 70 percent or more by weight of silk or silk waste	1.2%	Free (AU, BH, CA, CL, CO, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%
6211.49.60	Of wool or fine animal hair	12%	Free (AU, BH, CA, CL, CO, IL, JO, KR, MA, MX, P, PA, PE, SG) 3.6% (OM)	58.5%
6211.49.80	Other	7.3%	Free (AU, BH, CA, CL, CO, E, IL, JO, MA, MX, OM, P, PA, PE, SG) 1.4% (KR)	35% ''.

(B) The staged reductions in the special rate of duty proclaimed for subheading 6211.49.41 of the Harmonized Tariff Schedule of the United States before the effective date of this section shall apply to subheadings 6211.49.15 and 6211.49.60 of such Schedule, as added by subparagraph (A), on and after such effective date.

(C) The staged reductions in the special rate of duty proclaimed for subheading 6211.49.90 of such Schedule before the effective date of this section shall apply to subheadings 6211.49.25 and 6211.49.80 of such Schedule, as added by subparagraph (A), on and after such effective date.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section and the amendments made by this section—

(A) shall take effect on the 180th day after the date of the enactment of this Act; and

(B) shall apply to articles entered, or withdrawn from warehouse for consumption, on or after such 180th day.

(2) SUBSECTION (a).—Subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 913. MODIFICATIONS TO DUTY TREATMENT OF PROTECTIVE ACTIVE FOOTWEAR.

(a) IN GENERAL.—Chapter 64 of the Harmonized Tariff Schedule of the United States is amended—

(1) by redesignating the Additional U.S. Note added by section 602(a) of the Trade Preferences Extension Act of 2015 (Public Law 114–27; 129 Stat. 413) as Additional U.S. Note 6;

(2) in subheading 6402.91.42, by striking the matter in the column 1 special rate of duty column and inserting the following: ''Free (AU, BH, CA, CL, D, IL, JO, MA, MX, P, R, SG) 1%(PA) 6%(OM) 6%(PE) 12%(CO) 20%(KR)''; and

(3) in subheading 6402.99.32, by striking the matter in the column 1 special rate of duty column and inserting the following: ''Free (AU, BH, CA, CL, D, IL, JO, MA, MX, P, R, SG) 1%(PA) 6%(OM) 6%(PE) 12%(CO) 20%(KR)''.

(b) STAGED RATE REDUCTIONS.—Section 602(c) of the Trade Preferences Extension Act of 2015 (Public Law 114–27; 129 Stat. 414) is amended to read as follows:

''(c) STAGED RATE REDUCTIONS.—Beginning in calendar year 2016, the staged reductions in special rates of duty proclaimed before the date of the enactment of this Act—

''(1) for subheading 6402.91.90 of the Harmonized Tariff Schedule of the United States shall be applied to subheading 6402.91.42 of such Schedule, as added by subsection (b)(1); and

''(2) for subheading 6402.99.90 of such Schedule shall be applied to subheading 6402.99.32 of such Schedule, as added by subsection (b)(2).''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect as if included in the enactment of the Trade Preferences Extension Act of 2015 (Public Law 114–27; 129 Stat. 362).

(2) RETROACTIVE APPLICATION FOR CERTAIN LIQUIDATIONS AND RELIQUIDATIONS.—

(A) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law and subject to subparagraph (B), any entry of an article classified under subheading 6402.91.42 or 6402.99.32 of the Harmonized Tariff Schedule of the United States, that—

(i) was made—

(I) after the effective date specified in section 602(d) of the Trade Preferences Extension Act of 2015 (Public Law 114–27; 129 Stat. 414), and

(II) before the date of the enactment of this Act, and

(ii) to which a lower rate of duty would be applicable if the entry were made after such date of enactment,

shall be liquidated or reliquidated as though such entry occurred on such date of enactment.

(B) REQUESTS.—A liquidation or reliquidation may be made under subparagraph (A) with respect to an entry only if a request therefor is filed with U.S. Customs and Border Protection not later than 180 days after the date of the enactment of this Act that contains sufficient information to enable U.S. Customs and Border Protection—

(i) to locate the entry; or

(ii) to reconstruct the entry if it cannot be located.

(C) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of an entry of an article under subparagraph (A) shall be paid, without interest, not later than 90 days after the date of the liquidation or reliquidation (as the case may be).

SEC. 914. AMENDMENTS TO BIPARTISAN CONGRESSIONAL TRADE PRIORITIES AND ACCOUNTABILITY ACT OF 2015.

(a) IMMIGRATION LAWS OF THE UNITED STATES.—Section 102(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4201(a)) is amended—

(1) in paragraph (12), by striking ''and'' at the end;

(2) in paragraph (13), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(14) to ensure that trade agreements do not require changes to the immigration laws of the United States or obligate the United States to grant access or expand access to visas issued under section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).''.

(b) GREENHOUSE GAS EMISSIONS MEASURES.—Section 102(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4201(a)), as amended by subsection (a) of this section, is further amended—

(1) in paragraph (13), by striking ''and'' at the end;

(2) in paragraph (14), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(15) to ensure that trade agreements do not establish obligations for the United States regarding greenhouse gas emissions measures, including obligations that require changes to United States laws or regulations or that would affect the implementation of such laws or regulations, other than those fulfilling the other negotiating objectives in this section.''.

(c) FISHERIES NEGOTIATIONS.—Section 102(b) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4201(b)) is amended by adding at the end the following:

''(22) FISHERIES NEGOTIATIONS.—The principal negotiating objectives of the United States with respect to trade in fish, seafood, and shellfish products are—

''(A) to obtain competitive opportunities for United States exports of fish, seafood, and shellfish products in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports of fish, seafood, and shellfish products in United States markets and to achieve fairer and more open conditions of trade in fish, seafood, and shellfish products, including by reducing or eliminating tariff and nontariff barriers;

''(B) to eliminate fisheries subsidies that distort trade, including subsidies of the type referred to in paragraph 9 of Annex D to the Ministerial Declaration adopted by the World Trade Organization at the Sixth Ministerial Conference at Hong Kong, China on December 18, 2005;

''(C) to pursue transparency in fisheries subsidies programs; and

''(D) to address illegal, unreported, and unregulated fishing.''.

(d) ACCREDITATION.—Section 104 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4203) is amended—

(1) in subsection (b)(3), by striking ''an official'' and inserting ''a delegate and official''; and

(2) in subsection (c)(2)(C)—

(A) by striking ''an official'' each place it appears and inserting ''a delegate and official''; and

(B) by inserting after the first sentence the following: ''In addition, the chairmen and ranking members described in subparagraphs (A)(i) and (B)(i) shall each be permitted to designate up to 3 personnel with proper security clearances to serve as delegates and official advisers to the United States delegation in negotiations for any trade agreement to which this title applies.''.

(e) TRAFFICKING IN PERSONS.—

(1) IN GENERAL.—Section 106(b)(6) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4205(b)(6)) is amended by striking subparagraph (B) and inserting the following:

''(B) EXCEPTION.—

''(i) INVOKING EXCEPTION.—If the President submits to the appropriate congressional committees a letter stating that a country to which subparagraph (A) applies has taken concrete actions to implement the principal recommendations with respect to that country in the most recent annual report on trafficking in persons, the prohibition under subparagraph (A) shall not apply with respect to a trade agreement or trade agreements with that country.

''(ii) CONTENT OF LETTER; PUBLIC AVAILABILITY.—A letter submitted under clause (i) with respect to a country shall—

''(I) include a description of the concrete actions that the country has taken to implement the principal recommendations described in clause (i);

''(II) be accompanied by supporting documentation providing credible evidence of each such concrete action, including copies of relevant laws or regulations adopted or modified, and any enforcement actions taken, by that country, where appropriate; and

''(III) be made available to the public.

''(C) SPECIAL RULE FOR CHANGES IN CERTAIN DETERMINATIONS.—If a country is listed as a tier 3 country in an annual report on trafficking in persons submitted in calendar year 2014 or any calendar year thereafter and, in the annual report on trafficking in persons submitted in the next calendar year, is listed on the tier 2 watch list, the President shall submit a detailed description of the credible evidence supporting the change in listing of the country, accompanied by copies of documents providing such evidence, where appropriate, to the appropriate congressional committees—

''(i) in the case of a change in listing reflected in the annual report on trafficking in persons submitted in calendar year 2015, not later than 90 days after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015; and

''(ii) in the case of a change in listing reflected in an annual report on trafficking in persons submitted in calendar year 2016 or any calendar year thereafter, not later than 90 days after the submission of that report.

''(D) SENSE OF CONGRESS.—It is the sense of Congress that the integrity of the process for making the determinations in the annual report on trafficking in persons, including determinations with respect to country rankings and the substance of the assessments in the report, should be respected and not affected by unrelated considerations.

''(E) DEFINITIONS.—In this paragraph:

''(i) ANNUAL REPORT ON TRAFFICKING IN PERSONS.—The term 'annual report on trafficking in persons' means the annual report on trafficking in persons required under section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)).

''(ii) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(I) the Committee on Ways and Means and the Committee on Foreign Affairs of the House of Representatives; and

''(II) the Committee on Finance and the Committee on Foreign Relations of the Senate.

''(iii) TIER 2 WATCH LIST.—The term 'tier 2 watch list' means the list of countries required under section 110(b)(2)(A)(iii) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(2)(A)(iii)).

''(iv) TIER 3 COUNTRY.—The term 'tier 3 country' means a country on the list of countries required under section 110(b)(1)(C) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)(C)).''.

(2) CONFORMING AMENDMENT.—Section 106(b)(6)(A) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4205(b)(6)(A)) is amended by striking ''to which the minimum'' and all that follows through ''7107(b)(1))'' and inserting ''listed as a tier 3 country in the most recent annual report on trafficking in persons''.

(f) TECHNICAL AMENDMENTS.—The Bipartisan Congressional Trade Priorities and Accountability Act of 2015 is amended—

(1) in section 105(b)(3) (Public Law 114–26; 129 Stat. 346; 19 U.S.C. 4204(b)(3))—

(A) in subparagraph (A)(ii), by striking ''section 102(b)(16)'' and inserting ''section 102(b)(17)''; and

(B) in subparagraph (B)(ii), by striking ''section 102(b)(16)'' and inserting ''section 102(b)(17)''; and

(2) in section 106(b)(5) (Public Law 114–26; 129 Stat. 354; 19 U.S.C. 4205(b)(5)), by striking ''section 102(b)(15)(C)'' and inserting ''section 102(b)(16)(C)''.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 129 Stat. 320; 19 U.S.C. 4201 et seq.).

SEC. 915. TRADE PREFERENCES FOR NEPAL.

(a) FINDINGS.—Congress makes the following findings:

(1) Nepal is among the least developed countries in the world, with a per capita gross national income of $730 in 2014.

(2) Nepal suffered a devastating earthquake in April 2015, with subsequent aftershocks. More than 9,000 people died and approximately 23,000 people were injured.

(b) ELIGIBILITY REQUIREMENTS.—

(1) IN GENERAL.—The President may authorize the provision of preferential treatment under this section to articles that are imported directly from Nepal into the customs territory of the United States pursuant to subsection (c) if the President determines—

(A) that Nepal meets the requirements set forth in paragraphs (1), (2), and (3) of section 104(a) of the African Growth and Opportunity Act (19 U.S.C. 3703(a)); and

(B) after taking into account the factors set forth in paragraphs (1) through (7) of subsection (c) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462), that Nepal meets the eligibility requirements of such section 502.

(2) WITHDRAWAL, SUSPENSION, OR LIMITATION OF PREFERENTIAL TREATMENT; MANDATORY GRADUATION.—The provisions of subsections (d) and (e) of section 502 of the Trade Act of 1974 (19 U.S.C. 2462) shall apply with respect to Nepal to the same extent and in the same manner as such provisions apply with respect to beneficiary developing countries under title V of that Act (19 U.S.C. 2461 et seq.).

(c) ELIGIBLE ARTICLES.—

(1) IN GENERAL.—An article described in paragraph (2) may enter the customs territory of the United States free of duty.

(2) ARTICLES DESCRIBED.—

(A) IN GENERAL.—An article is described in this paragraph if—

(i)(I) the article is the growth, product, or manufacture of Nepal; and

(II) in the case of a textile or apparel article, Nepal is the country of origin of the article, as determined under section 102.21 of title 19, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act);

(ii) the article is imported directly from Nepal into the customs territory of the United States;

(iii) the article is classified under any of the following subheadings of the Harmonized Tariff Schedule of the United States (as in effect on the day before the date of the enactment of this Act):

4202.11.00	4202.22.60	4202.92.08
4202.12.20	4202.22.70	4202.92.15
4202.12.40	4202.22.80	4202.92.20
4202.12.60	4202.29.50	4202.92.30
4202.12.80	4202.29.90	4202.92.45
4202.21.60	4202.31.60	4202.92.60
4202.21.90	4202.32.40	4202.92.90
4202.22.15	4202.32.80	4202.99.90
4202.22.40	4202.32.95	4203.29.50
4202.22.45	4202.91.00	
5701.10.90	5702.91.30	5703.10.80
5702.31.20	5702.91.40	5703.90.00
5702.49.20	5702.92.90	5705.00.20
5702.50.40	5702.99.15	
5702.50.59	5703.10.20	
6117.10.60	6214.20.00	6217.10.85
6117.80.85	6214.40.00	6301.90.00
6214.10.10	6214.90.00	6308.00.00
6214.10.20	6216.00.80	
6504.00.90	6505.00.30	6505.00.90
6505.00.08	6505.00.40	6506.99.30
6505.00.15	6505.00.50	6506.99.60
6505.00.20	6505.00.60	
6505.00.25	6505.00.80	

(iv) the President determines, after receiving the advice of the United States International Trade Commission in accordance with section 503(e) of the Trade Act of 1974 (19 U.S.C. 2463(e)), that the article is not import-sensitive in the context of imports from Nepal; and

(v) subject to subparagraph (C), the sum of the cost or value of the materials produced in, and the direct costs of processing operations performed in, Nepal or the customs territory of the United States is not less than 35 percent of the appraised value of the article at the time it is entered.

(B) EXCLUSIONS.—An article shall not be treated as the growth, product, or manufacture of Nepal for purposes of subparagraph (A)(i)(I) by virtue of having merely undergone—

(i) simple combining or packaging operations; or

(ii) mere dilution with water or mere dilution with another substance that does not materially alter the characteristics of the article.

(C) LIMITATION ON UNITED STATES COST.—For purposes of subparagraph (A)(v), the cost or value of materials produced in, and the direct costs of processing operations performed in, the customs territory of the United States and attributed to the 35-percent requirement under that subparagraph may not exceed 15 percent of the appraised value of the article at the time it is entered.

(3) VERIFICATION WITH RESPECT TO TRANSSHIPMENT FOR TEXTILE AND APPAREL ARTICLES.—

(A) IN GENERAL.—Not later than January 1, April 1, July 1, and October 1 of each calendar year, the Commissioner shall verify that textile and apparel articles imported from Nepal to which preferential treatment is extended under this section are not being unlawfully transshipped into the United States.

(B) REPORT TO PRESIDENT.—If the Commissioner determines under subparagraph (A) that textile and apparel articles imported from Nepal to which preferential treatment is extended under this section are being unlawfully transshipped into the United States, the Commissioner shall report that determination to the President.

(d) TRADE FACILITATION AND CAPACITY BUILDING.—

(1) FINDINGS.—Congress makes the following findings:

(A) As a land-locked least-developed country, Nepal has severe challenges reaching markets and developing capacity to export goods. As of 2015, exports from Nepal are approximately $800,000,000 per year, with India the major market at $450,000,000 annually. The United States imports about $80,000,000 worth of goods from Nepal, or 10 percent of the total goods exported from Nepal.

(B) The World Bank has found evidence that the overall export competitiveness of Nepal has been declining since 2005. Indices compiled by the World Bank and the Organization for Economic Co-operation and Development found that export costs in Nepal are high with respect to both air cargo and container shipments relative to other low-income countries. Such indices also identify particular weaknesses in Nepal with respect to automation of customs and other trade functions, involvement of local exporters and importers in preparing regulations and trade rules, and export finance.

(C) Implementation by Nepal of the Agreement on Trade Facilitation of the World Trade Organization could directly address some of the weaknesses described in subparagraph (B).

(2) ESTABLISHMENT OF TRADE FACILITATION AND CAPACITY BUILDING PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the President shall, in consultation with the Government of Nepal, establish a trade facilitation and capacity building program for Nepal—

(A) to enhance the central export promotion agency of Nepal to support successful exporters and to build awareness among potential exporters in Nepal about opportunities abroad and ways to manage trade documentation and regulations in the United States and other countries;

(B) to provide export finance training for financial institutions in Nepal and the Government of Nepal;

(C) to assist the Government of Nepal in maintaining publication on the Internet of all trade regulations, forms for exporters and importers, tax and tariff rates, and other documentation relating to exporting goods and developing a robust public-private dialogue, through its National Trade Facilitation Committee, for Nepal to identify timelines for implementation of key reforms and solutions, as provided for under the Agreement on Trade Facilitation of the World Trade Organization; and

(D) to increase access to guides for importers and exporters, through publication of such guides on the Internet, including rules and documentation for United States tariff preference programs.

(e) REPORTING REQUIREMENT.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the President shall monitor, review, and report to Congress on the implementation of this section, the compliance of Nepal with subsection (b)(1), and the trade and investment policy of the United States with respect to Nepal.

(f) TERMINATION OF PREFERENTIAL TREATMENT.—No preferential treatment extended under this section shall remain in effect after December 31, 2025.

(g) EFFECTIVE DATE.—The provisions of this section shall take effect on the date that is 30 days after the date of the enactment of this Act.

SEC. 916. AGREEMENT BY ASIA-PACIFIC ECONOMIC COOPERATION MEMBERS TO REDUCE RATES OF DUTY ON CERTAIN ENVIRONMENTAL GOODS.

Section 107 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114–26; 19 U.S.C. 4206) is amended by adding at the end the following:

''(c) AGREEMENT BY ASIA-PACIFIC ECONOMIC COOPERATION MEMBERS TO REDUCE RATES OF DUTY ON CERTAIN ENVIRONMENTAL GOODS.—Notwithstanding the notification requirement described in section 103(a)(2), the President may exercise the proclamation authority provided for in section 103(a)(1)(B) to implement an agreement by members of the Asia-Pacific Economic Cooperation (APEC) to reduce any rate of duty on certain environmental goods included in Annex C of the APEC Leaders Declaration issued on September 9, 2012, if (and only if) the President, as soon as feasible after the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015, and before exercising proclamation authority under section 103(a)(1)(B), notifies Congress of the negotiations relating to the agreement and the specific United States objectives in the negotiations.''.

SEC. 917. AMENDMENT TO TARIFF ACT OF 1930 TO REQUIRE COUNTRY OF ORIGIN MARKING OF CERTAIN CASTINGS.

(a) IN GENERAL.—Section 304(e) of the Tariff Act of 1930 (19 U.S.C. 1304(e)) is amended—

(1) in the subsection heading, by striking ''MANHOLE RINGS OR FRAMES, COVERS, AND ASSEMBLIES THEREOF'' and inserting ''CASTINGS'';

(2) by inserting ''inlet frames, tree and trench grates, lampposts, lamppost bases, cast utility poles, bollards, hydrants, utility boxes,'' before ''manhole rings,''; and

(3) by adding at the end before the period the following: ''in a location such that it will remain visible after installation''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to the importation of castings described in such amendments on or after the date that is 180 days after such date of enactment.

SEC. 918. INCLUSION OF CERTAIN INFORMATION IN SUBMISSION OF NOMINATION FOR APPOINTMENT AS DEPUTY UNITED STATES TRADE REPRESENTATIVE.

Section 141(b) of the Trade Act of 1974 (19 U.S.C. 2171(b)) is amended by adding at the end the following:

''(5)(A) When the President submits to the Senate for its advice and consent a nomination of an individual for appointment as a Deputy United States Trade Representative under paragraph (2), the President shall include in that submission information on the country, regional offices, and functions of the Office of the United States Trade Representative with respect to which that individual will have responsibility.

''(B) The President shall notify the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate not less than 30 days prior to making any change to the responsibilities of any Deputy United States Trade Representative included in a submission under subparagraph (A), including the reason for that change.''.

SEC. 919. SENSE OF CONGRESS ON THE NEED FOR A MISCELLANEOUS TARIFF BILL PROCESS.

(a) FINDINGS.—Congress makes the following findings:

(1) As of the date of the enactment of this Act, the Harmonized Tariff Schedule of the United States imposes duties on imported goods for which there is no domestic availability or insufficient domestic availability.

(2) The imposition of duties on such goods creates artificial distortions in the economy of the United States that negatively affect United States manufacturers and consumers.

(3) It would be in the interests of the United States if the Harmonized Tariff Schedule were updated regularly and predictably to eliminate such artificial distortions by suspending or reducing duties on such goods.

(4) The manufacturing competitiveness of the United States around the world would be enhanced if the Harmonized Tariff Schedule were updated regularly and predictably to suspend or reduce duties on such goods.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, to remove the competitive disadvantage to United States manufacturers and consumers resulting from the imposition of such duties and to promote the competitiveness of United States manufacturers, the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives are urged to advance, as soon as possible, after consultation with the public and Members of the Senate and the House of Representatives, a regular and predictable legislative process for the temporary suspension and reduction of duties that is consistent with the rules of the Senate and the House.

SEC. 920. CUSTOMS USER FEES.

(a) IN GENERAL.—Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (A), by striking ''July 7, 2025'' and inserting ''September 30, 2025''; and

(2) by striking subparagraph (D).

(b) RATE FOR MERCHANDISE PROCESSING FEES.—Section 503 of the United States–Korea Free Trade Agreement Implementation Act (Public Law 112–41; 19 U.S.C. 3805 note) is amended—

(1) by striking ''June 30, 2025'' and inserting ''September 30, 2025''; and

(2) by striking subsection (c).

SEC. 921. INCREASE IN PENALTY FOR FAILURE TO FILE RETURN OF TAX.

(a) IN GENERAL.—Section 6651(a) of the Internal Revenue Code of 1986 is amended by striking ''$135'' in the last sentence and inserting ''$205''.

(b) CONFORMING AMENDMENT.—Section 6651(i) of such Code is amended by striking ''$135'' and inserting ''$205''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be filed in calendar years after 2015.

SEC. 922. PERMANENT MORATORIUM ON INTERNET ACCESS TAXES AND ON MULTIPLE AND DISCRIMINATORY TAXES ON ELECTRONIC COMMERCE.

(a) PERMANENT MORATORIUM.—Section 1101(a) of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking ''during the period beginning November 1, 2003, and ending October 1, 2015''.

(b) TEMPORARY EXTENSION.—Section 1104(a)(2)(A) of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking ''October 1, 2015'' and inserting ''June 30, 2020''.

And the House agree to the same.

KEVIN BRADY,
DAVID REICHERT,
PAT TIBERI,
Managers on the Part of the House.

ORRIN HATCH,
JOHN CORNYN,
JOHN THUNE,
JOHNNY ISAKSON,
RON WYDEN,
DEBBIE STABENOW,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 644), to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck all of the House bill after the enacting clause and inserted a substitute text.

The House amendment struck all of the Senate amendment after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment that is a substitute for the House amendment and the Senate amendment. The differences between the Senate amendment, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

DIVISION A—TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015

TITLE I—TRADE FACILITATION AND TRADE ENFORCEMENT

SECTION 101. IMPROVING PARTNERSHIP PROGRAMS

Present Law

The Customs-Trade Partnership Against Terrorism (C–TPAT), codified in the Security and Accountability for Every Port Act (SAFE Port Act) of 2006 (6 U.S.C. 961 et seq.), is a voluntary trade partnership program in which Customs and Border Protection (CBP) and members of the trade community work together to secure and facilitate the movement of legitimate trade. Companies that are members of C–TPAT are considered low-risk, which expedites cargo clearance based on the company's security profile and compliance history.

House Amendment

Section 101 requires the Commissioner of CBP to work with the private sector and other Federal agencies to ensure that all CBP partnership programs provide trade benefits to participants. This would apply to partnership programs established before enactment of this bill, and any programs established after enactment. It establishes elements for the development and operation of any such partnership programs, which require the Commissioner to: 1) consult with private sector entities, the public, and other Federal agencies when appropriate, to ensure that participants receive commercially significant and measurable trade benefits; 2) ensure an integrated and transparent system of trade benefits and compliance requirements for all CBP partnership programs; 3) consider consolidating partnership programs in situations in which doing so would support the objectives of such programs, increase participation, enhance trade benefits, and enhance the allocation of resources of CBP; 4) coordinate with the Director of ICE, and other Federal agencies with authority to detain and release merchandise; and 5) ensure that trade benefits are provided to participants in partnership programs.

It further requires the Commissioner to submit to the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives a report that: 1) identifies each partnership program; 2) for each program, identifies the requirements for participation, benefits provided to participants, the number of participants, and in the case of a program that provides for participation at multiple tiers, the number of participants at each such tier; 3) identifies the number of participants enrolled in more than one program; 4) assesses the effectiveness of each program in advancing the security, trade enforcement, and trade facilitation missions of CBP; 5) summarizes CBP's efforts to work with other Federal agencies to detain and release merchandise entering the United States to ensure that partnership programs of those agencies are compatible with CBP partnership programs; 6) summarizes criteria developed with those agencies for authorizing the release, on an expedited basis, of merchandise for which documentation is required from one or more of those agencies to clear or license the merchandise for entry into the United States; 7) summarizes CBP efforts to work with the private sector and the public to develop partnership programs; 8) describes measures taken by CBP to make the private sector aware of trade benefits available to participants in partnership programs; and 9) summarizes CBP's plans, targets, and goals with respect to partnership programs for the two years following submission of the report.

Senate Amendment

Section 101 of the Senate amendment is the same as section 101 of the House amendment with the exception of a difference in the recipients of the report required in this section.

Conference Agreement

The conference agreement follows the House amendment.

SECTION 102. REPORT ON EFFECTIVENESS OF TRADE ENFORCEMENT ACTIVITIES

Present Law

No provision.

House Amendment

Section 102(a) requires the Comptroller General of the United States to submit a report on the effectiveness of trade enforcement activities of CBP to the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives, no later than one year after the date of enactment of the bill.

Section 102(b) establishes that the report shall include: 1) a description of the use of resources, results of audits and verifications, targeting, organization, and training of CBP personnel; and 2) a description of trade enforcement activities to address undervaluation, transshipment, legitimacy of entities making entry, protection of revenue, fraud prevention and detection, and penalties, including intentional misclassification, inadequate bonding, and other misrepresentations.

Senate Amendment

Section 102 of the Senate amendment is the same as section 102 of the House amendment with the exception of the following provisions. In addition to the reporting requirements in section 102(b) of the House amendment, the Senate amendment requires a description of trade enforcement activities with respect to the priority trade issues, including methodologies used in such enforcement of actives, recommendations for improving such enforcement activities, and a description of the implementation of previous recommendations for improving such enforcement activities. The amendments also differ in the recipients of the required report.

Conference Agreement

The conference agreement follows the Senate amendment with a modification. The Conferees agree to modify section 102(a) of the Senate amendment to include the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives as recipients of the required report.

SECTION 103. PRIORITIES AND PERFORMANCE STANDARDS FOR CUSTOMS MODERNIZATION, TRADE FACILITATION, AND TRADE ENFORCEMENT FUNCTIONS AND PROGRAMS

Present Law

No provision.

House Amendment

Section 103(a) directs the Commissioner of Customs to consult with the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives to establish priorities and performance standards to measure the development and levels of achievement of the customs modernization, trade facilitation, and trade enforcement functions of the programs described in section 103(b). The amendment requires that the priorities and performance standards shall, at a minimum, include priorities and performance standards relating to efficiency, outcome, output, and other types of applicable measures.

Section 103(b) establishes the functions and programs to which section 103(a) applies: 1) the Automated Commercial Environment; 2) each of the priority trade issues described in section 111(a) of the House amendment (section 117 of the conference report); 3) the Centers of Excellence and Expertise; 4) drawback; 5) transactions relating to imported merchandise in bond; 6) the collection of antidumping and countervailing duties assessed; 7) the expedited clearance of cargo; 8) the issuance of regulations and rulings; and 9) the issuance of Regulatory Audit Reports.

Section 103(c) requires that the consultations with the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives occur, at a minimum, on an annual basis, and requires the Commissioner to notify the Committees of any changes to the priorities referred to in section 103(a) no later than 30 days before such changes are to take effect.

Senate Amendment

Section 103 of the Senate amendment is the same as section 103 of the House amendment with the exception of a difference in the recipients of the report and consultations required in this section.

Conference Agreement

The conference agreement follows the House amendment.

SECTION 104. EDUCATIONAL SEMINARS TO IMPROVE EFFORTS TO CLASSIFY AND APPRAISE IMPORTED ARTICLES TO IMPROVE TRADE ENFORCEMENT EFFORTS, AND TO OTHERWISE FACILITATE LEGITIMATE INTERNATIONAL TRADE

Present Law

No provision.

House Amendment

Section 104(a) requires the Commissioner of CBP and the Director of ICE to establish and carry out educational seminars for CBP port personnel and ICE agents to improve their ability to classify and appraise imported articles, improve trade enforcement efforts, and otherwise improve the ability and effectiveness of CBP and ICE to facilitate legitimate trade.

Section 104(b) establishes that these seminars shall include instruction on conducting physical inspections of articles, including testing of samples; reviewing the manifest and accompanying documentation to determine country of origin; customs valuation; industry supply chains; collection of antidumping and countervailing duties; addressing evasion of duties on imports of textiles; protection of intellectual property rights; and the enforcement of child labor laws.

Section 104(c) directs the Commissioner to establish a process to solicit, evaluate and select interested parties in the private sector to assist in providing instruction.

Section 104(d) directs the Commissioner to give special consideration to carrying out educational seminars dedicated to improving the ability of CBP to enforce antidumping and countervailing duty orders upon the request of a petitioner.

Section 104(e) requires the Commissioner and the Director to establish performance standards to measure the development and level of achievement of educational seminars under this section.

Section 104(f) requires the Commissioner and the Director to submit an annual report to the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives on the effectiveness of the educational seminars.

Senate Amendment

Section 104 of the Senate amendment is the same as section 104 of the House amendment except for a difference in the recipients of the report required in this section.

Conference Agreement

The conference agreement follows the House amendment.

SECTION 105. JOINT STRATEGIC PLAN

Present Law

No provision.

House Amendment

Section 105(a) requires the Commissioner of CBP and the Director of ICE to create and submit to the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives a biennial joint strategic plan on trade facilitation and trade enforcement.

Section 105(b) requires the joint strategic plan to contain a comprehensive plan for trade facilitation and trade enforcement that includes: 1) a summary of the actions taken during the 2-year period preceding submission of the plan to improve trade facilitation and trade enforcement; 2) a statement of objectives and plans for further improving trade facilitation and trade enforcement; 3) a specific identification of priority trade issues that can be addressed to enhance trade enforcement and trade facilitation; 4) a description of efforts made to improve consultation and coordination among and within Federal agencies; 5) a description of training that has occurred within CBP and ICE to improve trade enforcement and trade facilitation; 6) a description of efforts to work with the World Customs Organization and other international organizations with respect to enhancing trade facilitation and trade enforcement; 7) a description of CBP organizational benchmarks for optimizing staffing and wait times at ports of entry; 8) a specific identification of any domestic or international best practices that may further improve trade enforcement and trade facilitation; 9) any legislative recommendations to further improve trade facilitation and trade enforcements; and 10) a description of efforts to improve consultation and coordination with the private sector to enhance trade facilitation and trade enforcement.

Section 105(c) requires the Commissioner and the Director to consult with the appropriate Federal agencies and appropriate officials from relevant law enforcement agencies, international organizations, and interested parties in the private sector.

Senate Amendment

Section 105 of the Senate amendment is the same as section 105 of the House amendment with exception the following provisions. In addition to the reporting requirements contained in section 105(b) of the House amendment, the Senate amendment requires a description of trade enforcement activities with respect to priority trade issues, including methodologies used in enforcement activities, recommendations for improving enforcement activities, and a description of the implementation of previous recommendations for improving enforcement activities. The amendments also differ in the recipients of the required report.

Conference Agreement

The conference agreement follows the Senate amendment with a modification. The Conferees agree to modify section 105(a) to include the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives as recipients of the required joint strategic plan.

SECTION 106. AUTOMATED COMMERCIAL ENVIRONMENT

Present Law

Section 411 of the Tariff Act of 1930 requires the Secretary of Treasury to establish the National Customs Automation Program, an automated and electronic system for processing commercial importations.

Section 13031(f)(4)(B) of the Consolidated Omnibus Budget Reconciliation Act of 1985 provides an authorization for appropriations from the Customs Commercial and Homeland Security Automation Account in fiscal years 2003 through 2005 such amounts as are available in that Account for the development, establishment, and implementation of the Automated Commercial Environment (ACE) computer system for the processing of merchandise that is entered or released and for other purposes related to the functions of the Department of Homeland Security.

Section 311(b)(3) of the Customs Border Security Act of 2002 requires the Commissioner of Customs to prepare and submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report demonstrating that the development and establishment of the Automated Commercial Environment computer system is being carried out in a cost-effective manner and meets the modernization requirements of title VI of the North American Free Trade Agreement Implementation Act.

House Amendment

Section 106(a) amends section 13031(f)(4)(B) of the Consolidated Omnibus Budget Reconciliation Act of 1985 to update fiscal years 2003 through 2005 to fiscal years 2016 through 2018, to update the amount to be allocated to ACE to ''not less than $153,736,000,'' and to make clear that these funds shall be used to complete the development and implementation of ACE.

Section 106(b) amends section 311(b)(3) of the Customs Border Security Act of 2002 to require two reports from the Commissioner in regards to ACE. The Commissioner is required to submit a report no later than December 31, 2016, to the Senate Appropriations Committee and Finance Committee, and the House of Representatives Appropriations Committee and Ways and Means Committee, updates on the implementation of ACE, incorporation of all core trade processing capabilities, components that have not been implemented, and additional components needed to realize the full implementation and operation of the program. The Commissioner is required to submit a second report no later than September 30, 2017, providing updates to the relevant Congressional committees from the prior report, as well as evaluations on the effectiveness of implementation of ACE and details of the percentage of trade processed in ACE every month since September 30, 2016.

Section 106(c) directs the Comptroller General of the United States to submit a report to the Senate Appropriations Committee and Finance Committee, and House of Representatives Appropriations Committee and Ways and Means Committee, assessing the progress of other Federal agencies in accessing and utilizing ACE and identifying potential cost savings to the U.S. government, importers, and exporters upon full implementation and utilization of ACE.

Senate Amendment

Section 106 of the Senate amendment is the same as section 106 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 107. INTERNATIONAL TRADE DATA SYSTEM

Present Law

Section 411(d) of the Tariff Act of 1930 requires the Secretary of the Treasury to oversee the establishment of an electronic trade data interchange system, known as the International Trade Data System (ITDS). It further requires ITDS to be implemented no later than the date that ACE is fully implemented and mandates the participation of all federal agencies that require documentation for clearing or licensing cargo imports or exports.

House Amendment

Section 107 amends section 411(d) of the Tariff Act of 1930 to require the Secretary of Homeland Security to work with the head of each Federal agency participating in ITDS and the Interagency Steering Committee to ensure that each agency: 1) develops and maintains the necessary information technology infrastructure to support the operation of ITDS and to submit all data to ITDS electronically; 2) enters into a memorandum of understanding to provide information sharing between the agency and CBP for the operation and maintenance of ITDS; 3) identifies and transmits admissibility criteria and data elements required by the agency to authorize the release of cargo by CBP for incorporation into ACE, no later than June 30, 2016; and 4) utilizes ITDS as the primary means of receiving the standard set of data and other relevant documentation from users, no later than December 31, 2016.

Senate Amendment

Section 107 of the Senate amendment is the same as section 107 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 108. CONSULTATIONS WITH RESPECT TO MUTUAL RECOGNITION ARRANGEMENTS

Present Law

No provision.

House Amendment

Section 108(a) requires the Secretary of Homeland Security to consult with the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives at least thirty days before the initiation of mutual recognition arrangement negotiations and at least thirty days before entering into any mutual recognition arrangement.

Section 108(b) requires that the United States have as a negotiating objective in any negotiation for a mutual recognition arrangement with a foreign country on partnership programs to seek to ensure the compatibility of the foreign country's partnership program with the partnership programs of CBP in order to enhance security, trade facilitation, and trade enforcement.

Senate Amendment

Section 108 of the Senate amendment is the same as section 108 of the House bill, except that the Senate amendment does not include as a negotiating objective an enhancement of security when CBP seeks to ensure

the compatibility of partnership programs of foreign countries. The amendments also differ in the recipients of the required report.

Conference Agreement

The conference agreement follows the House amendment.

SECTION 109. COMMERCIAL CUSTOMS OPERATIONS ADVISORY COMMITTEE

Present Law

The Advisory Committee on Commercial Operations (COAC) of the United States Customs Service was established in the Omnibus Budget Reconciliation Act of 1987. The Department of the Treasury Order No. 100–16, effective May 23, 2003, specified that COAC would be administered jointly by the Department of the Treasury and Department of Homeland Security.

House Amendment

Section 109(a) requires the Secretary of the Treasury and the Secretary of Homeland Security to jointly establish a Commercial Customs Operations Advisory Committee (COAC).

Section 109(b) requires that COAC be comprised of 20 appointed individuals from the private sector, appointed without regard to political affiliation; the Commissioner of CBP and the Assistant Secretary of Treasury for Tax Policy, who shall co-chair meetings; and the Assistant Secretary for Policy of the Department of Homeland Security and the ICE Director, who shall serve as deputy co-chairs of meetings. Section 109(b) further requires that appointed private sector individuals be representative of individuals and firms affected by the commercial operations of CBP, and provides that individuals may be appointed to multiple 3-year terms but cannot serve more than two terms sequentially. The Secretaries of the Treasury and Homeland Security are authorized to transfer members to the COAC who are currently serving on the Advisory Committee on Commercial Operations of the United States Customs Service.

Section 109(c) establishes the duties of COAC, which shall be to: 1) advise the Secretaries of the Treasury and Homeland Security on all matters involving the commercial operations of CBP and the investigations of ICE; 2) provide recommendations to the Secretaries on improvements that CBP and ICE should make to their commercial operations and investigations; 3) collaborate in developing the agenda for COAC meetings; and 4) perform other functions relating to the commercial operations of CBP and the investigations of ICE as prescribed by law or as directed by the Secretaries.

Section 109(d) establishes that: 1) COAC shall meet at the call of the Secretary of the Treasury, the Secretary of Homeland Security, or two-thirds of the membership of COAC; 2) COAC shall meet at least four times each calendar year; and 3) that COAC meetings shall be open to the public unless the Secretary of the Treasury or the Secretary of Homeland Security determines that the meeting will include matters the disclosure of which would compromise the development of policies, priorities, or negotiating objectives or positions that could impact the commercial operations of CBP of the operations or investigations of ICE.

Section 109(e) requires COAC to submit an annual report to the Senate Committee on Finance and the House Committee on Ways and Means that describes the activities of COAC during the preceding fiscal year and sets forth any recommendations of COAC regarding the commercial operations of CBP.

Section 109(f) establishes that section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.), relating to the termination of advisory committees, shall not apply to COAC.

Senate Amendment

Section 109 of the Senate amendment is the same as section 109 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment with a modification. The Conferees have agreed to strike Section 109(d)(2). The Conferees believe that COAC meetings should normally be open to the public. The Conferees recognize the need to close COAC meetings, in portion or in whole, when a meeting will include matters the disclosure of which would compromise the development of policies, priorities, or negotiating objectives or positions that could impact the operations of CBP or the operations or investigations of ICE. The Conferees agree, however, that the current procedures in the Federal Advisory Committee Act (5 U.S.C. App.) are sufficient to close COAC meetings, in portion or in whole, when necessary.

SECTION 110. CENTERS FOR EXCELLENCE AND EXPERTISE

Present Law

No provision.

House Amendment

Section 110(a) requires the Commissioner to develop and implement, in consultation with the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives, and the COAC established by section 109(a), Centers of Excellence and Expertise (CEE) throughout CBP that: 1) enhance the economic competitiveness of the United States; 2) improve enforcement efforts; 3) build upon CBP expertise in particular industry operations, supply chains, and compliance requirements; 4) promote the uniform implementation at each port of entry of policies and regulations relating to imports; 5) centralize the trade enforcement and trade facilitation efforts of CBP; 6) formalize an account-based approach to the importation of merchandise into the United States; 7) foster partnerships through the expansion of trade programs and other trusted trader programs; 8) develop applicable performance measures to meet internal efficiency and effectiveness goals; and 9) when feasible, facilitate a more efficient flow of information between Federal agencies.

Section 110(b) requires the Commissioner to submit a report to the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives no later than December 31, 2016 describing the scope, functions and structure of the CEEs; the effectiveness of the CEEs in improving enforcement efforts; the benefits to the trade community; applicable performance measurements; the performance of each CEE in facilitating trade; and any planned changes to the CEEs.

Senate Amendment

Section 110 of the Senate amendment is similar to section 110 of the House amendment except the House amendment requires the CEEs to use targeting information from the National Targeting Center at CBP, while the Senate amendment requires the CEEs to use targeting information from the Commercial Targeting Division established in the amendment. The amendments also differ in the recipients of the required report.

Conference Agreement

The conference agreement follows the House amendment.

SECTION 111. COMMERCIAL RISK ASSESSMENT TARGETING AND TRADE ALERTS

Present Law

No provision.

House Amendment

Section 111(a) requires National Targeting Center (NTC) to establish methodologies for assessing the risk that imports may violate U.S. customs and trade laws and to issue trade alerts when the NTC determines cargo may violate such laws; assess the risk of cargo based on all information available to CBP through the Automated Targeting System, ACE, the Automated Entry System, ITDS, and TECS (formerly known as the ''Treasury Enforcement Communications System'') or any successor systems, publicly available information, and information made available to the NTC by private sector entities; and, provide for the receipt and transmission to appropriate CBP offices of allegations from interested parties in the private sector of violations of the customs and trade laws of the United States relating to the priority trade issues described in section 111(a) of the House amendment (section 117 of the conference report).

Section 111(b) authorizes the Executive Director of the NTC to issue trade alerts to port directors when such person determines cargo may violate U.S. customs and trade laws. The trade alert may direct further inspection or physical examination or testing of specific merchandise by the port personnel. A port director may determine not to carry out the direction of the trade alerts if the port director finds security interests justify such determination, and the port director notifies the Assistant Commissioner of the Office of Field Operations of such determination. The Assistant Commissioner of the Office of Field Operations must compile an annual report of all determinations by port directors to not implement trade alerts and include an evaluation of the utilization of trade alerts. This report must be submitted to Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives not later than December 31 each year. Section 111(b) further defines ''inspection'' as the comprehensive evaluation process used by CBP, other than physical examination or testing, to permit the entry of merchandise into the United States, or the clearance of merchandise for transportation in bond through the United States for the purposes of assessing duties, identifying restricted or prohibited items, and ensuring compliance with all applicable customs and trade laws and regulations administered by CBP.

Section 111(c) amends section 343(a)(3)(F) of the Trade Act of 2002 to establish that the information collected pursuant to regulations shall be used exclusively for ensuring cargo safety and security, prevent smuggling, and commercial risk assessment targeting, and shall not be used for any commercial enforcement purposes, including for determining merchandise entry.

Senate Amendment

Section 111(a) of the Senate amendment establishes a Commercial Targeting Division

(CTD) at CBP by amending section 2(d) of the Act of March 3, 1927 (19 U.S.C. 2072(d)). The section requires the Secretary of Homeland Security to establish and maintain a Commercial Targeting Division (CTD) within CBP's Office of International Trade at CBP. The CTD shall be comprised of headquarters staff led by an Executive Director, and individual National Targeting and Analysis Groups (NTAGs) led by Directors reporting to the Executive Director. The CTD shall develop and conduct commercial targeting with respect to cargo destined for the United States and issue trade alerts.

Section 111(a) requires the establishment of an NTAG for, at a minimum, each of the following priority trade issues (PTIs): 1) agricultural programs; 2) antidumping and countervailing duties; 3) import safety; 4) intellectual property rights; 5) revenue; 6) textiles and wearing apparel; and 7) trade agreements and preference programs. The Commissioner may alter the PTIs in consultation with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives.

The duties of each NTAG include: 1) directing the trade enforcement and compliance assessment activities of CBP as they relate to the each NTAG's PTI; 2) facilitating, promoting, and coordinating cooperation and the exchange of information between CBP, ICE, and other relevant Federal departments and agencies regarding each NTAG's PTI; and 3) serving as the primary liaison between CBP and the public regarding United States Government activities related to each NTAG's PTI.

Section 111(a) also requires the CTD to establish methodologies for assessing the risk that cargo destined for the United States may violate U.S. customs and trade laws and for issuing Trade Alerts. The CTD should assess the risk of cargo based on all information available to CBP through the Automated Targeting System, ACE, the Automated Commercial System, the Automated Export System, ITDS, and TECS (formerly known as the ''Treasury Enforcement Communications System''), the case management system of ICE or any successor systems, and publicly available information. The CTD should also use information provided by private sector entities and coordinate targeting efforts with other Federal agencies.

The section authorizes the CTD Executive Director and NTAG Directors to issue Trade Alerts to port directors to ensure compliance with U.S. customs and trade laws. The Trade Alert may direct further inspection or physical examination or testing of merchandise by port personnel if certain risk-assessment thresholds are met. A port director may determine not to carry out the direction of the Trade Alerts if the port director finds such a determination is justified by security interests and the port director notifies the Assistant Commissioners of the Office of Field Operations and the Office of International Trade of such a determination. The Assistant Commissioner of the Office of Field Operations must compile an annual report of all determinations by port directors to override Trade Alerts and evaluate the utilization of Trade Alerts.

Section 111(b) amends section 343(a)(3)(F) of the Trade Act of 2002 (19 U.S.C. 2071 note), to indicate that information collected pursuant to the regulations shall be used exclusively for ensuring cargo safety and security, preventing smuggling, and commercial risk assessment targeting, and shall not be used for any commercial enforcement purposes, including for determining merchandise entry.

Conference Agreement

The conference agreement follows the House amendment with modifications. It requires the NTC to coordinate with the CBP Office of Trade, as appropriate, in carrying out its duties under this section and to notify each interested party in the private sector that has submitted an allegation of any violation of the customs and trade laws of the United States or any civil or criminal action taken by CBP or any other agency resulting from the allegation. It also provides that the first report under Section 111(b)(3) is due December 31, 2016.

SECTION 112. REPORT ON OVERSIGHT OF REVENUE PROTECTION AND ENFORCEMENT MEASURES

Present Law

No provision.

House Amendment

Section 112(a) requires the Inspector General of the Department of the Treasury to submit a report, not later than March 31, 2016 and biennially thereafter, to the Senate Committee on Finance and the House Committee on Ways and Means that assesses the effectives of the measures taken by CBP with respect to protection of the revenue and to measure accountability and performance with respect to protection of the revenue.

Section 112(b) establishes that each report required by section 112(a) shall cover the period of two fiscal years ending on September 30 of the calendar year preceding the submission of the report.

Senate Amendment

Section 112 of the Senate amendment is the same as section 112 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment except that it provides an additional three months for the issuance of the first report required under Section 112(a).

SECTION 113. REPORT ON SECURITY AND REVENUE MEASURES WITH RESPECT TO MERCHANDISE TRANSPORTED IN BOND

Present Law

No provision.

House Amendment

Section 113(a) requires the Secretaries of Homeland Security and the Treasury to jointly submit a report to the Senate Committee on Finance and the House Committee on Ways and Means on efforts undertaken by CBP to ensure the secure transportation of merchandise in bond through the United States and the collection of revenue owed upon the entry of such merchandise into the United States for consumption. The report must be submitted no later than December 31 of 2016, 2017, and 2018.

Section 113(b) requires that each report required by section 113(a) shall include information on: 1) the overall number of entries of merchandise for transportation in bond through the United States; 2) the ports at which merchandise arrives in the United States for transportation in bond and at which records of arrival of such merchandise are generated; 3) the average time taken to reconcile such records with the records at the final destination of merchandise in the United States to demonstrate that the merchandise reaches its final destination or is re-exported; 4) the average time taken to transport merchandise in bond from the port at which the merchandise arrives in the United States to its final destination in the United States; 5) the total amount of duties, taxes, and fees owed with respect to shipments of merchandise transported in bond and the total of such duties, taxes, and fees paid; 6) the total number of notifications by carriers of merchandise being transported in bond that the destination of merchandise has changed; and 7) the number of entries that remain unreconciled.

Senate Amendment

Section 113 of the Senate amendment is the same as section 113 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 114. IMPORTER OF RECORD PROGRAM

Present Law

No provision.

House Amendment

Section 114(a) requires the Secretary of Homeland Security to establish an importer of record program to assign and maintain importer of record numbers.

Section 114(b) requires the Secretary to ensure that CBP develops criteria that importers must meet in order to obtain an importer of record number, provides a process by which importers are assigned importer of record numbers, maintains a centralized database of importer of record numbers, evaluates and maintains accuracy of the database if importer information changes, and takes measures to ensure that duplicate importer of record numbers are not issued.

Section 114(c) requires the Secretary of Homeland Security to submit a report to the Senate Committee on Finance and the House Committee on Ways and Means on the establishment of the importer of record program no later than one year after enactment of the Trade Facilitation and Trade Enforcement Act of 2015.

Senate Amendment

Section 114 of the Senate amendment is the same as section 114 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 115. ESTABLISHMENT OF IMPORTER RISK ASSESSMENT PROGRAM

Present Law

No provision.

House Amendment

Section 115(a) requires the Commissioner to establish a new importer program that directs CBP to adjust bond amounts for new importers based on the level of risk assessed by CBP for revenue protection.

In establishing this program, section 115(b) requires CBP to: 1) develop risk-based criteria to assess new importers; 2) develop risk assessment guidelines for new importers to determine if and to what extent to adjust the bond amounts and increase screening of imports of new importers; 3) develop procedures to ensure increased oversight of imported products of new importers relating to the enforcement of priority trade issues; 4) develop procedures to ensure increased oversight by Centers of Excellence and Expertise; and 5) establish a centralized database of new importers to ensure the accuracy of information provided by new importers pursuant to the requirements of this section.

Senate Amendment

Section 115 of the Senate amendment is the same as section 115 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment except that the Commissioner is required to establish a program that directs CBP to adjust bond amounts for importers, including new importers and non-resident importers, based on the level of risk assessed by CBP for revenue protection.

In establishing this program, CBP is required to: 1) develop risk-based guidelines to determine if and to what extent to adjust bond amounts and screen imported products of importers, including new and non-resident importers; 2) develop procedures to ensure increased oversight of imported products of new importers, including new non-resident importers, relating to the enforcement of the priority trade issues; 3) develop procedures to ensure increased oversight of imported products of new importers, including new non-resident importers, by Centers of Excellence and Expertise; and 4) establish a centralized database of new importers, including new non-resident importers, to ensure the accuracy of information provided by such importers pursuant to the requirements of this section. The requirements of this section shall not apply to any importer that is a validated Tier 2 or Tier 3 participant in the Customs-Trade Partnership Against Terrorism program established under subtitle B of title II of the SAFE Port Act (6 U.S.C. 961 et seq.).

No later than two years after the enactment of this Act, the Inspector General of the Department of Treasury shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report detailing: 1) the risk assessment guidelines required by this section; 2) the procedures developed to ensure increased oversight of imported products of new importers, including new non-resident importers, relating to the enforcement of priority trade issues; 3) the procedures developed to ensure increased oversight of imported products of new importers, including new non-resident importers, by Centers of Excellence and Expertise; and 4) the number of bonds adjusted based on the risk assessment guidelines required by this section.

SECTION 116. CUSTOMS BROKER IDENTIFICATION OF IMPORTERS

Present Law

Section 641 of the Tariff Act of 1930 establishes requirements and procedures for customs brokers in acquiring a license or permit, disciplinary proceedings, and judicial appeals of revocation or suspension of a broker's license.

House Amendment

Section 116(a) amends section 641 of the Tariff Act of 1930 by inserting a new provision that requires the Secretary of Homeland Security to prescribe regulations setting minimum standards for customs brokers and importers regarding the identity of the importer. The regulations shall, at a minimum, require customs brokers and importers, upon adequate notice, to comply with procedures for collecting the identity of importers, including nonresident importers, seeking to import merchandise into the United States, and maintain records of the information used to substantiate a person's identity. This section further provides that a customs broker will be penalized, at the discretion of the Secretary, in an amount not exceeding $10,000 for each violation of the regulations concerning the collection and maintenance of importer's identity and identifying information, and the broker's license or permit will be subject to revocation or suspension, pursuant to procedures established in section 641(d) of the Tariff Act of 1930.

Section 116(b) requires the Commissioner to submit a report to Congress no later than 180 days after enactment of this bill containing recommendations for determining the most timely and effective way to require foreign nationals to provide customs brokers with appropriate and accurate information (comparable to that which is required of United States nationals concerning the identity, address and other related information), and for establishing a system for customs brokers to review information maintained by relevant Federal agencies for purposes of verifying the identities of importers, including nonresident importers, seeking to import merchandise into the United States.

Senate Amendment

No provision.

Conference Agreement

The conference agreement follows the House amendment except that the regulations shall, at a minimum: 1) identify the information that an importer, including a nonresident importer, must submit to a broker in order to verify the identity of the importer; 2) identify the reasonable procedures that a broker must perform to verify the authenticity of the information collected from the importer; and 3) require the broker to maintain records of the information collected to verify an importer's identity. Further, the penalties required under this section shall be assessed in the same manner and under the same procedures as the monetary penalties provided for in 19 U.S.C. 1641(d)(2)(A).

SECTION 117. PRIORITY TRADE ISSUES

Present Law

No provision.

House Amendment

Section 118(a) requires the Commissioner to establish the following as priority trade issues within CBP: 1) agriculture programs; 2) antidumping and countervailing duties; 3) import safety; 4) intellectual property rights; 5) revenue; 6) textiles and wearing apparel; and 7) trade agreements and preference programs.

Section 118(b) authorizes the Commissioner to establish new priority trade issues and eliminate, consolidate or otherwise modify them upon the determination that it is necessary and appropriate to do so with notification to the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives no later than 60 days before such changes are to take effect.

Senate Amendment

Section 111 of the Senate amendment includes a list of priority trade issues (PTI) that is the same as the PTIs identified in section 118 of the House amendment. The Senate amendment, however, requires notification by CBP not later than 30 days after the establishment of a new PTI. The amendments also differ in the recipients of the required report.

Conference Agreement

The conference agreement follows the House amendment and requires the Commissioner to notify the committees of 1) new PTIs no later than 30 days after the establishment of the new PTI, and 2) a summary of proposals to eliminate, consolidate or otherwise modify existing PTIs no later than 60 days before such changes are to take effect.

SECTION 118. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED

Present Law

No provision.

House Amendment

Section 119 defines the term ''appropriate congressional committees,'' as used in title I of the Trade Facilitation and Trade Enforcement Act of 2015, as the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives.

Senate Amendment

No provision.

Conference Agreement

The conference agreement follows the House amendment.

TITLE II—IMPORT HEALTH AND SAFETY

SECTION 201. INTERAGENCY IMPORT SAFETY WORKING GROUP

Present Law

No provision.

House Amendment

Section 201(a) establishes an Interagency Import Safety Working Group.

Section 201(b) sets forth the membership of the Working Group and designates the Secretary of Homeland Security as the Chair and the Secretary of Health and Human Services as the Vice-Chair. The membership of the Working Group also shall include the Secretaries of the Treasury, Commerce and Agriculture; the United States Trade Representative; the Director of the Office of Management and Budget; the Commissioners of CBP and the Food and Drug Administration; the Chairman of the Consumer Product Safety Commission; the Director of ICE; and the head of any other Federal agency designated by the President to participate.

Section 201(c) requires the Working Group to 1) consult on the development of a joint import safety rapid response plan required under section 202; 2) evaluate federal government and agency resources, plans, and practices to ensure the safety of U.S. imports and the expeditious entry of such merchandise; 3) review the engagement and cooperation of foreign governments and foreign manufacturers; 4) identify best practices, in consultation with the private sector, to assist U.S. importers in ensuring import health and safety of imported merchandise; 5) identify best practices to improve Federal, state, and local coordination in responding to import health and safety threats; and 6) identify appropriate steps to improve domestic accountability and foreign government engagement with respect to imports.

Senate Amendment

Section 201 of the Senate amendment is the same as section 201 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 202. JOINT IMPORT SAFETY RAPID RESPONSE PLAN

Present Law

No provision.

House Amendment

Section 202(a) requires the Secretary of Homeland Security, in consultation with the Working Group, to develop a joint import safety rapid response plan (the Plan) that establishes protocols and practices CBP should use when responding to cargo that poses a threat to the health or safety of U.S. consumers.

Section 202(b) sets forth the contents of the Plan, which must define 1) the authorities and responsibilities of CBP and other Federal agencies in responding to an import health or safety threat; 2) the protocols and practices used in responding to such threats; 3) the mitigation measures CBP and other agencies must take when responding to such threats after the incident to ensure the resumption of the entry of merchandise into the United States; and 4) exercises CBP should take with Federal, State, and local agencies as well as the private sector to simulate responses to such threats.

Section 202(c) requires the Secretary of Homeland Security to review and update the joint import safety rapid response plan, as appropriate, after conducting exercises under subsection (d).

Section 202(d) requires the Commissioner, in conjunction with Federal, State, and local agencies, to conduct exercises to test and evaluate the Plan. When conducting exercises, the Commissioner must make allowances for the specific needs of the port where the exercise is occurring, base evaluations on current import risk assessments, and ensure that the exercises are conducted consistent with other national preparedness plans. The Secretary of Homeland Security and Commissioner must ensure that the testing and evaluations use performance measures in order to identify best practices and recommendations in responding to import health and safety threats and develop metrics with respect to the resumption of the entry of merchandise into the United States. Best practices and recommendations should then be shared among relevant stakeholders and incorporated into the Plan.

Senate Amendment

Section 202 of the Senate amendment is the same as section 202 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 203. TRAINING

Present Law

No provision.

House Amendment

Section 203 requires the Commissioner to ensure that CBP port personnel are trained to effectively enforce U.S. import health and safety laws.

Senate Amendment

Section 203 of the Senate amendment is the same as section 203 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

TITLE III—IMPORT-RELATED PROTECTION OF INTELLECTUAL PROPERTY RIGHTS

SECTION 301. DEFINITION OF INTELLECTUAL PROPERTY RIGHTS

Present Law

No provision.

House Amendment

Section 301 defines ''intellectual property rights,'' as used in this title, as copyrights, trademarks, and other forms of intellectual property rights that are enforced by CBP and ICE.

Senate Amendment

Section 301 of the Senate amendment is the same as section 301 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 302. EXCHANGE OF INFORMATION RELATED TO TRADE ENFORCEMENT

Present Law

Section 818(g) of the 2012 National Defense Authorization Act (NDAA) authorizes, but does not require, CBP to share unredacted images and samples with right holders if CBP suspects a product of infringing a trademark.

House Amendment

Section 302 amends the Tariff Act of 1930 to create section 628A, which requires CBP to share certain information about merchandise suspected of violating intellectual property rights (IPR) prior to seizure if CBP determines that examination or testing of the merchandise by the right holder would assist in determining if there is a violation, except in such cases as would compromise an ongoing law enforcement investigation or national security. Section 302 supersedes section 818(g) of the 2012 NDAA.

Senate Amendment

Section 302 of the Senate amendment is the same as section 302 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 303. SEIZURE OF CIRCUMVENTION DEVICES

Present Law

Section 596(c)(2) of the Tariff Act of 1930 specifies a number of items that are to be seized by CBP when presented for importation, including ''merchandise or packaging in which copyright, trademark, or trade name protection violations are involved.''

House Amendment

Section 303(a) expands CBP's seizure and forfeiture authority to explicitly include unlawful circumvention devices, as defined under subsection (a)(2) or (b)(1) of section 1201 of title 17, United States Code.

Section 303(b) directs CBP to disclose certain information to right holders about the seized merchandise within 30 days of seizure, if the right holder is included on a list maintained by CBP. The information that must be provided is the same information provided to copyright owners under CBP regulations for merchandise seized under copyright laws. CBP must prescribe regulations establishing procedures that implement this process within one year of the date of enactment of this bill.

Senate Amendment

Section 303 of the Senate amendment is the same as section 303 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 304. ENFORCEMENT BY U.S. CUSTOMS AND BORDER PROTECTION OF WORKS FOR WHICH A COPYRIGHT REGISTRATION IS PENDING

Present Law

No provision.

House Amendment

Section 304 directs the Secretary of Homeland Security to establish a process for the enforcement of copyrights for which the owner has submitted an application for registration with the U.S. Copyright Office to the same extent and in the same manner as if the copyright were registered with the Copyright Office.

Senate Amendment

Section 304 of the Senate amendment is the same as section 304 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 305. NATIONAL INTELLECTUAL PROPERTY RIGHTS COORDINATION CENTER

Present Law

No provision.

House Amendment

Section 305(a) establishes within ICE the National Intellectual Property Rights Coordination Center (IPR Center), which shall be headed by an Assistant Director.

Section 305(b) assigns the Assistant Director duties, including: 1) coordinating the investigation of sources of merchandise that infringes intellectual property rights (IPR); 2) conducting and coordinating training with other domestic and international law enforcement agencies to improve IPR enforcement; 3) coordinating, with CBP, U.S. activities to prevent the importation or exportation of IPR infringing merchandise; 4) supporting the international interdiction of merchandise destined for the U.S. that infringe IPR; 5) collecting and integrating information regarding infringements; 6) developing a means to receive and organize information regarding infringement of IPR; 7) disseminating information regarding infringement of IPR to other Federal agencies; 8) developing risk-based alert systems in coordination with CBP; and 9) coordinating with U.S. Attorneys' offices to investigate and prosecute IPR crime.

Section 305(c) requires the Assistant Director to coordinate with federal, state, local and international law enforcement, intellectual property, and trade agencies, as appropriate, in carrying out the IPR Center's duties.

Section 305(d) requires the Assistant Director to: 1) conduct outreach to the private sector to determine trends in and methods of infringing IPR; and 2) coordinate public and private-sector efforts to combat the infringement of IPR.

Senate Amendment

Section 305 of the Senate amendment is the same as section 305 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 306. JOINT STRATEGIC PLAN FOR THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS

Present Law

No provision.

House Amendment

Section 306 requires the Commissioner and Director to include in the joint strategic plan on trade facilitation and enforcement required under section 105 of the amendment the following: 1) a description of DHS's IPR enforcement efforts; 2) a list of the top 10 ports, by volume and value, where CBP seized IPR infringing goods in the preceding two years; and 3) a recommendation of the optimal allocation of personnel to ensure CBP and ICE are effectively enforcing IPR.

Senate Amendment

Section 306 of the Senate amendment is the same as section 306 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 307. PERSONNEL DEDICATED TO THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS

Present Law

No provision.

House Amendment

Section 307(a) requires the Commissioner to ensure sufficient personnel are assigned throughout CBP with responsibility to enforce intellectual property rights with respect to U.S. imports.

Section 307(b) requires the Commissioner to assign at least three full-time CBP employees to the IPR Coordination Center established under section 305 and to ensure that sufficient personnel are assigned to U.S. ports of entry to carry out the directives of the IPR Coordination Center established under section 305.

Senate Amendment

Section 307 of the Senate amendment is the same as section 307 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 308. TRAINING WITH RESPECT TO THE ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS

Present Law

No provision.

House Amendment

Section 308(a) requires the Commissioner to effectively train CBP port personnel to detect and identify IPR infringing imported goods.

Section 308(b) requires the Commissioner to work with the private sector to identify opportunities for collaboration with respect to training for officers of the agency to enforce IPR.

Section 308(c) requires the Commissioner to consult with private sector entities to identify technologies which can cost-effectively identify infringing merchandise, and to provide for cost-effective training for CBP officers with regard to the use of such technologies.

Section 308(d) permits CBP to receive donations of technology to improve IPR enforcement.

Senate Amendment

Section 308 of the Senate amendment is the same as section 308 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 309. INTERNATIONAL COOPERATION AND INFORMATION SHARING

Present Law

Section 628 of the Tariff Act of 1930 permits CBP to exchange information or documents with foreign customs and law enforcement agencies if the Secretary of the Treasury reasonably believes the exchange of information is necessary to comply with CBP laws and regulations, to enforce a trade agreement to which the United States is a party, to assist in investigative, judicial and quasi-judicial proceedings in the United States, or for any similar action undertaken by a foreign law enforcement agency in a foreign country.

House Amendment

Section 309 requires the Secretary of Homeland Security to coordinate with competent foreign law enforcement agencies to enhance IPR enforcement, including by information sharing and technical assistance, and requires the Commissioner and the Director of ICE to lead interagency efforts to collaborate with law enforcement and customs authorities of foreign countries.

Senate Amendment

Section 309 of the Senate amendment is the same as section 309 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 310. REPORT ON INTELLECTUAL PROPERTY RIGHTS ENFORCEMENT

Present Law

No provision.

House Amendment

Requires the Commissioner of CBP and the Director of ICE to jointly submit to the Committee on Finance and Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and Committee on Homeland Security of the House of Representatives a report that includes: 1) information regarding the number, and a description of, certain efforts to investigate and prosecute IPR infringements; 2) an estimate of the average time required by the CBP Office of International Trade to respond to a request from port personnel for advice with respect to whether merchandise detained by the Agency infringed IPR, distinguished by types of IPR infringed; 3) a summary of the outreach efforts of CBP and ICE with respect to interdiction, investigation and information sharing between certain agencies related to the infringement of IPR, collaboration with the private sector, and coordination with foreign governments; 4) a summary of the efforts of CBP and ICE to address the challenges with respect to the enforcement of IPR presented by Internet commerce and the transit of small packages and an identification of the volume, value, and type of merchandise seized for infringing IPR as a result of such efforts; and 5) a summary of training relating to the enforcement of IPR conducted under section 308 and expenditures for such training.

Senate Amendment

Section 310 of the Senate amendment is the same as section 310 of the House amendment with the exception of a difference in the recipients of the report required in this section.

Conference Agreement

The conference agreement follows the House amendment, except that it changes the due date of the report to September 30th of each year.

SECTION 311. INFORMATION FOR TRAVELERS REGARDING VIOLATIONS OF INTELLECTUAL PROPERTY RIGHTS

Present Law

No provision.

House Amendment

Section 311(a) requires the Secretary of Homeland Security to develop and implement an educational campaign for travelers entering or departing the United States on the legal, economic, and public health and safety implications of importing IPR infringing goods into the United States.

Section 311(b) requires the Commissioner to ensure that all versions, including the electronic versions, of CBP Form 6059B (customs declaration), or a successor form, include a written warning to inform travelers arriving in the United States that importation of merchandise that infringes IPR may subject travelers to civil or criminal penalties and may pose serious risks to health and safety.

Senate Amendment

Section 311 of the Senate amendment is the same as section 311 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

TITLE IV—PREVENTION OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS

SECTION 401. SHORT TITLE

Present Law

No provision.

House Amendment

Section 401 sets forth the short title as the ''Preventing Recurring Trade Evasion and Circumvention Act.''

Senate Amendment

Section 401 of the Senate amendment sets forth the short title as the ''Enforcing Orders and Reducing Customs Evasion Act of 2015.''

Conference Agreement

The conference agreement sets forth the short title as the ''Enforce and Protect Act of 2015.''

SECTION 402. DEFINITIONS

Present Law

No provision.

House Amendment

Section 402 establishes the applicable definitions for this title.

Senate Amendment

No provision.

Conference Agreement

The conference agreement follows the House amendment.

SECTION 403. APPLICATION TO CANADA AND MEXICO

Present Law

Article 1902 of the North American Free Trade Agreement (NAFTA) (19 U.S.C. 3438) states that any amendments to title VII of the Tariff Act of 1930, or to any other statute which provides for judicial review of determinations under that title or the standard of review to be applied, shall apply to goods from a NAFTA country only to the extent specified in the amendment.

House Amendment

Section 403 provides that this title applies to goods from Canada and Mexico, the current members of NAFTA.

Senate Amendment

Section 402(e) of the Senate amendment is the same as section 403 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

Subtitle A—Actions Relating to Enforcement of Trade Remedy Laws

SECTION 411. TRADE REMEDY LAW ENFORCEMENT DIVISION

Present Law

No provision.

House Amendment

Section 411(a) establishes within the Office of International Trade of CBP a Trade Law Remedy Enforcement Division. The Trade Law Remedy Division's duties are to: develop and administer policies to prevent and counter evasion; direct enforcement and compliance assessment activities concerning evasion; develop and conduct commercial risk assessment targeting with respect to potentially evading cargo destined for the United States; issuing Trade Alerts regarding evading imports; and develop policies for the application of single entry and continuous bonds to sufficiently protect the collection of antidumping and countervailing duties.

Section 411(b) establishes the Director of the Trade Law Remedy Enforcement Division responsible for: directing the trade enforcement and compliance assessment activities of CBP regarding evasion; improving cooperation and the exchange of information between CBP, ICE, and other relevant agencies regarding evasion; notifying the Department of Commerce and the International Trade Commission of any findings, determinations, or criminal actions taken by CBP or other Federal agency regarding evasion; and serving as the primary liaison between CBP and the public regarding United States Government activities concerning evasion. The Director's liaison responsibilities include: receiving and transmitting to the appropriate CBP office parties' allegations of evasion; provide information to a party that submitted an allegation of evasion on the status of CBP's consideration of the allegation and decision to pursue or not pursue any administrative inquiries or other actions; request from the party that submitted an allegation of evasion any additional information that may be relevant for CBP determining whether to initiate an administrative inquiry or take any other action regarding the allegation; notify on a timely basis the party that submitted such an allegation of the results of any administrative, civil or criminal actions taken by CBP or other Federal agency regarding evasion as a direct or indirect result of the allegation; provide technical assistance and advice to eligible small businesses to enable such businesses to prepare and submit allegations of evasion; develop guidelines on the types and nature of information that may be provided in allegations of evasion; and regularly consult with relevant parties and organizations regarding the development and implementation of regulations, interpretations, and policies related to countering evasion.

Section 411(c) establishes within the Trade Remedy Law Enforcement Division a National Targeting and Analysis Group (NTAG) dedicated to preventing and countering evasion through establishing targeted risk assessment methodologies and standards.

Section 411(d) requires the Director of the Trade Remedy Law Enforcement Division to issue Trade Alerts to port directors as required to inspect imported merchandise, require additional bonds, and take other actions necessary to prevent evasion.

Senate Amendment

No provision.

Conference Agreement

The conference agreement follows the House amendment, except also adding that the duties of the Trade Remedy Law Enforcement Division and its director include those policies and activities related to implementing section 517 of the Tariff Act of 1930, as added by section 421 of this Act. The conference agreement establishes the Trade Law Remedy Enforcement Division in the Office of Trade, the successor office to the Office of International Trade.

SECTION 412. COLLECTION OF INFORMATION ON EVASION OF TRADE REMEDY LAWS

Present Law

No provision.

House Amendment

Section 412(a) directs CBP to exercise all existing information collection authorities to identify evasion and authorizes CBP to issue questionnaires to collect information on alleged evasion from persons who have information relevant to an allegation of evasion.

If a person fails to cooperate to provide requested information, section 412(b) authorizes CBP to apply an adverse inference against the interests of that party in determining if evasion occurred.

Senate Amendment

No provision.

Conference Agreement

The conference agreement follows the House amendment, except also clarifying that an adverse inference may be used with respect to a person alleged to have entered covered merchandise through evasion, or a foreign producer or exporter of covered merchandise alleged to have entered through evasion regardless of whether another person involved in the same transaction or transactions has provided requested information.

SECTION 413. ACCESS TO INFORMATION

Present Law

Section 777(b)(1)(A)(ii) of the Trade Act of 1930, at 19 U.S.C. 1677f(b)(1)(A)(ii), authorizes the Department of Commerce and the International Trade Commission to transfer to CBP information that was designated proprietary by the person submitting the information, for purposes of conducting an investigation regarding fraud.

House Amendment

Section 413(a) amends section 777(b)(1)(A)(ii) of the Trade Act of 1930 by allowing the Department of Commerce and the International Trade Commission to transfer information designated proprietary by the person submitting the information to CBP for investigations of negligence and gross negligence, rather than just for fraud.

Section 413(b) authorizes the Secretary of the Treasury to provide to the Department of Commerce or the International Trade Commission any information that would enable the Department of Commerce or the International Trade Commission to assist in identifying imports evading antidumping or countervailing duties.

Senate Amendment

No provision.

Conference Agreement

The conference agreement follows the House amendment.

SECTION 414. COOPERATION WITH FOREIGN COUNTRIES ON PREVENTING EVASION OF TRADE REMEDY LAWS

Present Law

No provision.

House Amendment

Section 414(a) requires the negotiation of bilateral agreements with other countries' customs authorities to cooperate on preventing evasion. These agreements should include provisions allowing the sharing of information to determine if evasion occurred, verification of such information, allowing officials from the importing country to participate in such verifications, and, if a country refuses to allow officials from an importing country to participate in a verification, allowing the importing country to take such lack of cooperation into account in its trade enforcement and compliance activities.

Section 414(b) allows CBP to take into account whether a country is a party to a bilateral agreement regarding cooperation on evasion and the extent to which that country is cooperating under such an agreement for the purposes of trade enforcement and compliance assessment of that country's exports regarding potential evasion.

Section 414(c) requires an annual report to Congress on the status of ongoing negotiations of bilateral cooperation agreements regarding evasion, the terms of any such completed agreements, and any cooperation and other activities conducted as a result of such agreements.

Senate Amendment

No provision.

Conference Agreement

The conference agreement follows the House amendment.

SECTION 415. TRADE NEGOTIATING OBJECTIVES

Present Law

No provision.

House Amendment

Section 415 establishes obtaining the commitments for cooperation on evasion described in section 414 as a negotiating objective for current trade agreements under negotiation and future agreements.

Senate Amendment

No provision.

Conference Agreement

The conference agreement follows the House amendment.

Subtitle B—Investigation of Evasion of Trade Remedy Laws

SECTION 421. PROCEDURES FOR INVESTIGATION OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS

Present Law

No provision.

House Amendment

Section 421 grants the Department of Commerce the authority to administratively investigate evasion and order CBP to collect or preserve for collection antidumping and countervailing duties owed on evading imports. In addition to defining required terms, section 421(a) excludes from these investigations evasion that is the result of clerical errors unless the errors reflect a pattern of negligent conduct.

Section 421(b) establishes the procedures for evasion investigations. The Department of Commerce may self-initiate an evasion investigation, or may initiate an investigation as a result of an adequate petition from an interested party or a referral from CBP. CBP is required to refer a matter to the Department of Commerce if CBP has information

that evasion occurred, but cannot determine if the merchandise is in fact subject to an antidumping or countervailing duty order. The Department of Commerce has 30 days after receiving a petition or referral to determine whether to initiate an investigation. The Department of Commerce is to notify CBP if it initiates an evasion investigation as a result of a petition from an interested party.

CBP is required to provide documents and information requested by the Department of Commerce for an evasion investigation within 10 days after the request and these documents and information will be available to authorized representatives of interested parties under an administrative protective order. If an authorized representative of an interested party has access to business proprietary information from another Department of Commerce proceeding under an administrative protective order issued in that proceeding and this information is relevant to an evasion investigation, the authorized representative may submit this information on the record of the evasion investigation. The Department of Commerce is authorized to issue questionnaires to interested parties in an evasion investigation and to make an adverse inference against a party that fails to cooperate to the best of its ability.

The Department of Commerce is to issue a preliminary determination of whether there is a reasonable basis to believe or suspect evasion within 90 days after initiation of the investigation and a final determination of evasion within 300 days after initiation. If the Department of Commerce makes an affirmative preliminary determination of evasion, CBP is to suspend liquidation of entries of evading merchandise on or after the preliminary determination and any unliquidated entries before that date. A cash deposit is also required for such entries reflecting the applicable rates previously determined by the Department of Commerce.

If the Department of Commerce makes an affirmative final determination of evasion, CBP is to assess the applicable antidumping and countervailing duties on entries of evading merchandise, including such entries that were already liquidated, and to review and reassess the amount of bond or other security the importer must post for entries of such merchandise on or after the date of the final determination. The Department of Commerce may also instruct CBP to require a cash deposit or bond on entries of such merchandise on or after the date of the final determination in the amount of antidumping and countervailing duties potentially owed on the merchandise. If the Department of Commerce cannot determine the amount of the applicable antidumping and countervailing duty rate or cash deposit because the actual producer or exporter of the merchandise is unknown, then the highest amount for any producer or exporter will be applied. If the Department of Commerce makes a negative final determination of evasion, then any suspension of liquidation is ended and any cash deposits refunded. The preliminary and final determinations in an evasion investigation are to be published in the Federal Register, as well as the notice of initiation of such an investigation.

If the Department of Commerce makes an affirmative preliminary or final determination of evasion, it is required to transmit the administrative record of the investigation to CBP and any other agency that requests the administrative record. After making a final determination, the Department of Commerce may also provide importers information discovered in an investigation that would help educate importers on complying with importing merchandise in accordance with U.S. laws and regulations.

The Department of Commerce and CBP are to establish procedures to maximize cooperation and communication between the two agencies to quickly, efficiently, and accurately investigation allegations of evasion. The Department of Commerce will issue annual reports to Congress on the conduct of evasion investigations.

Section 421(b) makes a technical amendment to the table of contents for title VII of the Trade Act of 1930 to reflect this subtitle.

Section 421(c) establishes that the Department of Commerce's final determination in an evasion investigation is subject to judicial review by the U.S. Court of International Trade.

Section 421(d) instructs the Department of Commerce and CBP to issue regulations to implement this subtitle.

Section 421(e) provides that the amendments in this subtitle are effective 180 days after enactment and applies to merchandise entered on or after the date of enactment.

Senate Amendment

Section 402 requires that if the Commissioner makes an affirmative determination of evasion, the Commissioner shall: 1) suspend the liquidation of any unliquidated entries of the covered merchandise that is the subject of the allegation entered between the date of initiation and the date of the determination; 2) extend the period for liquidating any unliquidated entries of merchandise that entered before the initiation of the investigation; 3) notify Commerce of the determination and request that Commerce determine the appropriate duty rates for such covered merchandise; 4) require importers of such covered merchandise to post cash deposits and assess duties on the covered merchandise as directed by Commerce; and 5) take such additional enforcement measures as the Commissioner deems appropriate, including initiating proceedings for related violations of law, modifying CBP's procedures for identifying future evasion, requiring a deposit of estimated duties on future entries, and referring the matter to ICE for civil or criminal investigation. The section also requires the Department of Commerce to promptly provide the Commissioner with cash deposit rates and antidumping and countervailing duty rates, and establishes a special rule for cases in which the producer or exporter is unknown.

Under section 402, the Commissioner must determine within 90 calendar days of initiation of an evasion investigation whether there is a reasonable suspicion that entries of covered merchandise that are the subject of the allegation were entered through evasion. If the Commissioner decides there is a reasonable suspicion, the Commissioner shall: 1) suspend the liquidation of any unliquidated entries of the covered merchandise entered after the date of initiation; 2) extend the period for liquidating any unliquidated entries of merchandise that entered before the initiation of the investigation; and 3) take any additional measures necessary to protect the ability to collect appropriate duties, which may include requiring a single transaction bond or posting cash deposits with respect to entries of covered merchandise.

Section 402 requires that if the Commissioner makes an affirmative determination of evasion, the Commissioner shall (1) suspend the liquidation of any unliquidated entries of the covered merchandise that is the subject of the allegation entered between the date of initiation and the date of the determination; (2) extend the period for liquidating any unliquidated entries of merchandise that entered before the initiation of the investigation; (3) notify Commerce of the determination and request that Commerce determine the appropriate duty rates for such covered merchandise; (4) require importers of such covered merchandise to post cash deposits and assess duties on the covered merchandise as directed by Commerce; and (5) take such additional enforcement measures as the Commissioner deems appropriate, including initiating proceedings for related violations of law, modifying CBP's procedures for identifying future evasion, requiring a deposit of estimated duties on future entries, and referring the matter to ICE for civil or criminal investigation. The section also requires the Department of Commerce to promptly provide the Commissioner with cash deposit rates and antidumping and countervailing duty rates, and establishes a special rule for cases in which the producer or exporter is unknown.

Under section 402, the Commissioner must determine within 90 calendar days of initiation of an evasion investigation whether there is a reasonable suspicion that entries of covered merchandise that are the subject of the allegation were entered through evasion. If the Commissioner decides there is a reasonable suspicion, the Commissioner shall (1) suspend the liquidation of any unliquidated entries of the covered merchandise entered after the date of initiation; (2) extend the period for liquidating any unliquidated entries of merchandise that entered before the initiation of the investigation; and (3) take any additional measures necessary to protect the ability to collect appropriate duties, which may include requiring a single transaction bond or posting cash deposits with respect to entries of covered merchandise.

Section 402 provides a period of 30 business days for interested party who made the allegation of evasion or the importer of the covered merchandise alleged to have entered the merchandise subject to the evasion determination to request de novo administrative review by the Commissioner after notification of a determination. Section 402 establishes that judicial review shall be available to the interested party alleging evasion or the party found to have entered merchandise subject to the investigation through evasion of any administrative review of the evasion determination by CBP. Section 402 also sets out a rule of construction with respect to other civil and criminal proceedings so that no determination under subsection (c) or action taken by the Commissioner pursuant to the section shall be construed to limit the authority to carry out, or the scope of, any other proceeding or investigation pursuant to any other provision of Federal or State law.

Conference Agreement

The conference agreement follows the Senate amendment except for the following changes. The definition of the term ''interested party'' is expanded to include a foreign manufacturer, producer, or exporter, or the United States importer, of covered merchandise, or a trade or business association a majority of the members of which are producers, exporters, or importers of such merchandise.

The Commissioner has 15 business days after receiving an evasion allegation or a referral to determine whether to initiate an investigation.

If the Commissioner is unable to determine whether the merchandise at issue is covered merchandise, the Commissioner shall refer the matter to the Department of Commerce to determine whether the merchandise is covered merchandise. The Department of Commerce is to make this determination pursuant to its applicable statutory and regulatory authority, and the determination shall be subject to judicial review under 19 U.S.C. 1516a(a)(2). The Conferees intend that such determinations include whether the merchandise at issue is subject merchandise under 19 U.S.C. 1677j. The time required for the Department of Commerce to determine whether the merchandise at issue is covered merchandise shall not be counted in calculating any deadlines under the procedures created by this section.

The Commissioner has 300 calendar days after the date on which an evasion investigation was initiated to make a determination as to whether the covered merchandise was entered through evasion. If the Commissioner concludes that the investigation is extraordinarily complicated and additional time is necessary to make a determination, then the Commission may extend the time to make a determination by no more than 60 calendar days.

It is clarified that an adverse inference may be used with respect to a person alleged to have entered covered merchandise through evasion, or a foreign producer or exporter of covered merchandise alleged to have entered through evasion regardless of whether another person involved in the same transaction or transactions has provided requested information.

The standard of review for judicial review of an investigation is clarified to be whether the Commissioner fully complied with all procedures in making a determination and conducting an administrative review of that determination and whether any determination, finding, or conclusion is arbitrary, capricious, or an abuse of discretion. Other technical changes were made to the judicial review provision.

SECTION 422. GOVERNMENT ACCOUNTABILITY OFFICE REPORT

Present Law

No provision.

House Amendment

Section 422 directs the Government Accountability Office to submit to Congress a report on the effectiveness of the provisions made by this title and the actions by the Department of Commerce and CBP pursuant to this title.

Senate Amendment

No provision.

Conference Agreement

The conference agreement does not contain this section. Under the House amendment, the Department of Commerce would conduct evasion investigations, and the primary purpose of the report was to monitor the cooperation of the Department of Commerce and CBP in the Department of Commerce's conduct of such investigations. This report is not required under the Conference Agreement because the Senate amendment is being followed, which has CBP conduct evasion investigations.

Subtitle C—Other Matters

SECTION 431. ALLOCATION AND TRAINING OF PERSONNEL

Present Law

No provision.

House Amendment

Section 431 requires CBP, to the maximum extent possible, to assign sufficient personnel responsible for preventing and investigating evasion and to provide adequate training for such personnel.

Senate Amendment

No provision.

Conference Agreement

The conference agreement follows the House amendment.

SECTION 432. ANNUAL REPORT ON PREVENTION OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS

Present Law

No provision.

House Amendment

Section 432(a) directs CBP, in consultation with the Department of Commerce and ICE, to provide Congress with an annual report on efforts to prevent and investigate evasion.

The required contents of the report are described in section 432(b). In addition to metrics on CBP's activities, resource allocation and training regarding evasion, the report must include a description of CBP's policies and practices regarding evasion, any changes in such policies and practices, and any recommended legislative or other changes to improve the effectiveness of CBP in preventing and identifying evasion.

Senate Amendment

Section 403 requires the Commissioner to submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House an annual report on the Commissioner's efforts to prevent and investigate the evasion of antidumping and countervailing duty orders.

Conference Agreement

The conference agreement follows the Senate amendment, except to clarify that the report is to cover all types of evasion allegations and investigations. The requirement to report the number of investigations not completed within the deadlines provided in section 517 of the Tariff Act of 1930, as added by section 421 of this Act, is removed because the Commissioner is statutorily required to meet these deadlines.

SECTION 433. ADDRESSING CIRCUMVENTION BY NEW SHIPPERS

Present Law

Section 751(a)(2)(B) of the Tariff Act of 1930 (19 U.S.C. 1675(a)(2)(B)) allows new exporters and producers to obtain an individual weighted average dumping margin or individual countervailing duty rate on an expedited basis. While the review to determine the individual margin or duty rate is being conducted, an importer of the new exporter or producer's merchandise may post a bond or security instead of a cash deposit for entries of that merchandise.

House Amendment

Section 433 strikes the ability of an importer of a new exporter or producer's merchandise to post a bond or security instead of a cash deposit for entries of that merchandise while the Department of Commerce is determining the exporter or producer's individual weighted average dumping margin or individual countervailing duty rate. This section also adds the requirement that the individual weighted average dumping margin or individual countervailing duty rate for a new exporter or producer must be based on bona fide sales in the United States and sets out criteria to be considered in determining if such sales were bona fide.

Senate Amendment

No provision.

Conference Agreement

The conference agreement follows the House amendment.

TITLE V—SMALL BUSINESS TRADE ISSUES AND STATE TRADE COORDINATION

SECTION 501. SHORT TITLE

Present Law

No provision.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

The conference agreement sets forth the short title as the ''Small Business Trade Enhancement Act of 2015'' or the ''State Trade Coordination Act.''

SECTION 502. OUTREACH AND INPUT FROM SMALL BUSINESSES TO TRADE PROMOTION AUTHORITY

Present Law

Per section 203 of Public Law 94–305 (15 U.S.C. 1634c), the Office of Advocacy within the Small Business Administration is statutorily charged with receiving complaints, criticisms, and suggestions concerning federal policies affecting small businesses, transmitting those complaints, criticisms and suggestions to the relevant federal regulatory agencies, and developing proposals for changes in the policies and activities of federal agencies as those relate to small businesses. However, current law does not specifically provide for engagement by the Office of Advocacy during the negotiation of trade agreements.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

The Conferees agree to amend section 203 of Public Law 94–305 (15 U.S.C. 634c) by adding certain provisions and requirements concerning the Office of Advocacy. In particular, the provision requires: 1) the Chief Counsel for Advocacy to convene an Interagency Working Group (IWG) not later than 30 days after the date on which the President submits a notification to Congress under section 105(a) of Public Law 114–26; 2) the IWG to include representation from the Office of the United States Trade Representative, the Department of Commerce, the Department of Agriculture, and any other federal agencies deemed relevant with respect to the subject of the trade agreement at issue; 3) the IWG to identify a diverse group of small entities to provide to the IWG the views of small businesses on the potential economic effects of the trade agreement at issue; and 4) the Chief Counsel for Advocacy to submit to relevant Committees of the Senate and the House of Representatives a report on the economic impacts of the trade agreement at issue on small entities. By assigning the Office of Advocacy a role in trade negotiations, the legislation will promote consideration of small business interests throughout trade negotiation processes.

SECTION 503. STATE TRADE EXPANSION PROGRAM

Present Law

Section 1207 of the Small Business Jobs Act of 2010 (Pub. L. 111–240) created a pilot State Trade and Export Promotion Grant Program to make grants to states to carry out export promotion programs for small businesses. These programs include a foreign trade mission, a foreign market sales trip, a subscription to services provided by the Department of Commerce, the payment of

website translation fees, the design of international marketing media, a trade show exhibition, and training workshops.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

The Conferees agree to rename the ''State Trade and Export Promotion Grant Program'' authorized by the Small Business Jobs Act of 2010 the ''State Trade Expansion Program'' (STEP); to insert STEP into section 22 of the Small Business Act (15 U.S.C. 652); and to authorize STEP grants at $30 million per year through fiscal year 2020. The Conferees also agree to alter STEP to improve coordination between the federal government and the states, to authorize reverse trade missions and procurement of consultancy services, and to require the Inspector General of the Small Business Administration to provide to the Congress a report on STEP within 18 months of the first grant award.

SECTION 504. STATE AND FEDERAL EXPORT PROMOTION COORDINATION

Present Law

Section 2312 of the Export Enhancement Act of 1988 (Public Law 100 418) created the Trade Promotion Coordinating Committee (TPCC). The TPCC provides a framework to coordinate and carry out certain export promotion and export financing programs of the United States Government.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

The Conferees agree to establish a new section 2313A of the Export Enhancement Act of 1988, which establishes a State and Federal Export Promotion Coordination Working Group as a subcommittee of the TPCC. The subcommittee is charged with coordinating export promotion and export financing activities between the federal government and state and local governments. The provision further requires that the Office of International Trade of the Small Business Administration, in coordination with other members of the TPCC, submit a report to the Congress that includes recommendations to improve the Internet website Export.gov.

SECTION 505. STATE TRADE COORDINATION

Present law

Section 2312 of the Export Enhancement Act of 1988 (Public Law 100–418) created the Trade Promotion Coordinating Committee (TPCC), which is charged with developing a plan to carry out Federal export promotion and export financing programs. The TPCC is chaired by the Department of Commerce and comprised of representatives from the Office of the United States Trade Representative, the Small Business Administration, the Agency for International Development, the Trade and Development Program, the Overseas Private Investment Corporation, the Export-Import Bank of the United States, and the Departments of Agriculture, Energy, State, Transportation, and the Treasury. The President may appoint additional departments or agencies to the TPCC.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

The Conferees agree to amend section 2312 by: 1) adding to the TPCC one or more new members appointed by the President who are representatives of state trade promotion agencies; 2) expanding the scope of the responsibilities of the TPCC to add a new Federal and State Export Promotion Coordination Plan, which shall develop a comprehensive plan to coordinate federal and state export promotion resources and strategies; and 3) requiring the TPCC to include, as part of its annual report, a survey and analysis regarding the overall effectiveness of Federal-state coordination and export promotion goals. Further, the provision requires: 1) the Department of Commerce to develop an annual Federal-state export strategy for each state that provides its export strategy; and 2) the Department of Commerce and the state trade promotion agencies to develop a coordinated set of reporting metrics on exports and to report annually to Congress on the results of the coordination.

TITLE VI—ADDITIONAL ENFORCEMENT PROVISIONS

Subtitle A—Trade Enforcement

SECTION 601. TRADE ENFORCEMENT PRIORITIES

Present Law

No provision.

House Amendment

Section 601 requires the Administration to identify, in close consultation with Congress, enforcement priorities and to more regularly consult with Congress on the Administration's enforcement strategy. This section also directs the Administration to focus its enforcement actions on addressing practices that, if eliminated, would likely have the most significant potential to increase economic growth of the United States.

Senate Amendment

Section 601 of the Senate amendment is the same section 601 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 602. EXERCISE OF WTO AUTHORIZATION TO SUSPEND CONCESSIONS OR OTHER OBLIGATIONS UNDER TRADE AGREEMENTS

Present Law

Under section 307(c) of the Trade Act of 1974, a particular action taken under section 301 of the Trade Act of 1974 automatically terminates after four years if neither the petitioner nor any representative of the domestic industry that benefits from such action has requested its continuation during the last sixty days of the four-year period.

House Amendment

Section 602 allows the Administration, under certain conditions, to reinstate a retaliatory action if such action has terminated previously. To reinstate such action, the Administration must receive a request from an affected domestic industry and engage in a detailed analysis and robust consultations with Congress and the public.

Senate Amendment

Section 602 of the Senate amendment is the same section 602 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 603. TRADE MONITORING

Present Law

No provision.

House Amendment

Section 603(a) requires the International Trade Commission to make a web-based import monitoring tool available that provides public access to data on the volume and value of goods imports for the purposes of determining if such data has changed over time. The data used will be from the Department of Commerce and any other appropriate government data, and will include data from the most recent quarter for which such data are available, plus previous quarters as practicable.

This provision further requires the Department of Commerce to publish on a website monitoring reports on changes in the volume and value of imports and exports of goods categorized based on the 6-digit subheadings of the Harmonized Tariff Schedule of the United States. The Department of Commerce must also notify Congress when the reports are available. These reports are to published at least quarterly and have data for the most recent quarter for which such data are available, as well as previous quarters as practicable. The Department of Commerce is required to solicit public comment on the monitoring reports through the Federal Register.

This provision is to terminate seven years after the date of enactment.

Section 603(b) makes the clerical amendment of adding the title of this section to the table of contents for the Trade Act of 1974 (19 U.S.C. 2101 et. seq.).

Senate Amendment

Section 603 of the Senate amendment is the same section 603 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 604. ESTABLISHMENT OF INTERAGENCY CENTER ON TRADE IMPLEMENTATION, MONITORING, AND ENFORCEMENT

Present Law

The Office of the United States Trade Representative (USTR) is required to submit to Congress an Annual Report on Trade Agreements Program and National Trade Policy Agenda, pursuant to 19 U.S.C. 2213; a budget justification, pursuant to 31 U.S.C. 1105; and an agency strategic plan, pursuant to 5 U.S.C. 306.

House Amendment

Section 907 requires that, in its Annual Report on Trade Agreements Program and National Trade Policy Agenda to Congress, USTR must submit additional information regarding USTR-led interagency programs, including the Interagency Trade Enforcement Center. Specifically, the section requires that USTR report on the objectives and priorities of all USTR-led interagency programs; the actions proposed, or anticipated, to be undertaken to achieve such objectives and priorities, including actions authorized under the trade laws and negotiations with foreign countries; the role of each Federal agency participating in the interagency program in achieving such objectives and priorities and activities of each agency with respect to their participation in the program; USTR's coordination of each participating Federal agency to more effectively achieve such objectives and priorities; any proposed legislation necessary or appropriate to achieve such objectives or priorities; and prior progress made in achieving such objectives and priorities and coordination activities.

The section also requires that USTR submit a report to Congress, in conjunction with the President's budget, regarding its annual plan to match available agency resources with projected workload and provide a detailed analysis of how the prior year's funds were spent; identify existing and new staff necessary to support the functions and powers of USTR; identify USTR and other Federal agency staff who will be required to be detailed to support USTR-led interagency programs; and provide detailed analysis of the budgetary requirements of USTR-led interagency programs.

In addition, the section requires that USTR submit to Congress a quadrennial plan, in conjunction with agency strategic plans already required under statute, with some additional requirements: analyzing internal quality controls and record management; identifying existing and new staff necessary to support the functions and powers of USTR; identifying existing USTR and other Federal agency staff who will be required to be detailed to support USTR-led interagency programs; providing an outline of budget justifications, including salaries, expenses, and non-personnel administrative costs, required under the strategic plan; providing an outline of budget justifications for USTR-led interagency programs. This quadrennial plan is required in conjunction with the agency strategic plan produced at the beginning of every new Presidential Administration; this section requires USTR to submit the initial report separately, on February 1, 2016.

Senate Amendment

Section 604 establishes an Interagency Trade Enforcement Center (ITEC) in the Office of the United States Trade Representative (USTR), and provides that the main functions of the Center are to: 1) serve as the primary forum within the Federal government for the USTR and other agencies to coordinate the enforcement of United States trade rights under international trade agreements and enforcement of United States trade remedy laws; 2) coordinate the exchange of information related to potential violations of international trade agreements; and 3) conduct outreach to United States workers, businesses, and other interested persons.

Section 604 also requires the head of the ITEC to be a Director who shall be appointed from among full-time senior-level officials of USTR, and a Deputy Directory appointed by the Secretary of Commerce from among full-time, senior-level officials of Commerce. Other Federal government agencies that the Center coordinates with may detail or assign employees to the Center. The provision requires that funding and administrative support for the ITEC be provided by USTR. The Director of ITEC is required to submit an annual report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on the actions taken by the Center with respect to the enforcement of U.S. trade rights under trade agreements in the preceding year.

Conference Agreement

The conference agreement establishes the Interagency Center on Trade Implementation, Monitoring, and Enforcement (ICTIME) in the office of the United States Trade Representative. The function of ICTIME is to support the USTR in: 1) investigating potential disputes to be brought at the World Trade Organization; 2) investigating potential disputes to be brought under U.S. bilateral and regional trade agreements; 3) monitoring and enforcement activities pursuant to U.S. trade agreements; and 4) monitoring measures taken by parties during implementation of trade agreements with the United States. The director of ICTIME is to be appointed by the USTR, and additional personnel may be detailed or assigned to ICTIME by other Federal agencies. The conference agreement requires the President to annually report to Congress regarding the operations of ICTIME. The conference agreement also adopts the House provision requiring USTR to submit to Congress a quadrennial plan concerning quality controls and records management, staffing, and budgeting, with the first report due June 1, 2016. The commitments subject to ICTIME's monitoring and enforcement shall include those negotiated to address the interests in U.S. trade agreements of domestic manufacturers, services providers, farmers, ranchers, and intellectual property rightholders.

SECTION 605. INCLUSION OF INTEREST IN CERTAIN DISTRIBUTIONS OF ANTIDUMPING DUTIES AND COUNTERVAILING DUTIES

Present Law

No provision.

House Amendment

Section 913(a) directs CBP to include in all distributions of collected antidumping and countervailing duties any and all interest earned on such duties that is, or was, realized through any payments received on or after October 1, 2014 under, or in connection with, any customs bond pursuant to a court order or judgment, or settlement.

Section 913(b) describes the distributions in subsection (a) as all distributions made on or after enactment pursuant to section 754 of the Trade Act of 1930 (19 USC 1675c) (as that section was in effect on February 7, 2006) of collected antidumping and countervailing duties assessed on or after October 1, 2000 on entries made through September 30, 2007.

Senate Amendment

Section 609 of the Senate amendment is similar to section 913 of the House amendment. Senate section 609(a) provides that the Secretary of Homeland Security shall deposit all interest in subsection 609(c) into the special account established under section 754(e) of the Tariff Act of 1930 for inclusion in distributions described in subsection 609(b) made on or after the date of the enactment of this Act.

Section 609(b) defines distributions as those made under section 754 of the Tariff Act of 1930 (19 U.S.C. 1675c) (repealed by subtitle F of title VII of the Deficit Reduction Act of 2005 (Public Law 109–171; 120 Stat. 154)) with respect to entries of merchandise made on or before September 30, 2007 and that were unliquidated, not in litigation, and not under an order of liquidation on December 8, 2010.

Section 609(c) defines interest as an amount earned on antidumping duties or countervailing duties distributed in subsection (b) that is realized through application of a payment received on or after October 1, 2014 by CBP or in connection with a customs bond pursuant to a court order or a settlement for any such bond. It further provides that the types of interest include interest accrued under section 778 or 505(d) of the Trade Act of 1930, or equitable interest under common law, or interest under section 963 of the Revised Statutes awarded by a court against a surety under its bond for late payment of antidumping duties, countervailing duties, or other interest.

Conference Agreement

The conference agreement follows the Senate amendment with a modification. The Conferees agree to describe interest in section 609(c) as an amount earned on antidumping duties or countervailing duties in subsection (b) that is realized through application of a payment received on or after October 1, 2014 by CBP under, or in connection with, a customs bond pursuant to a court order or judgment, or a settlement with respect to a customs bond, including any payment to CBP with respect to that bond by a surety.

SECTION 606. ILLICITLY IMPORTED, EXPORTED, OR TRAFFICKED CULTURAL PROPERTY, ARCHAEOLOGICAL OR ETHNOLOGICAL MATERIALS, AND FISH, WILDLIFE, AND PLANTS

Present Law

No provision.

House Amendment

No provision.

Senate Amendment

Section 610 of the Senate amendment requires the Commissioner and Director of ICE to ensure that appropriate personnel are trained in the detection, identification, detention, seizure, and forfeiture of cultural property and archaeological or ethnological materials, and fish, wildlife and plants, the importation, exportation, or trafficking of which violates the laws of the United States.

Conference Agreement

The conference agreement follows the Senate amendment.

SECTION 607. ENFORCEMENT UNDER TITLE III OF THE TRADE ACT OF 1974 WITH RESPECT TO CERTAIN ACTS, POLICIES, AND PRACTICES

Present Law

Section 301 of the Trade Act of 1974 establishes procedures and timetables for addressing certain violations of U.S. rights under a trade agreement and unreasonable or discriminatory practices that burden or restrict U.S. commerce.

House Amendment

No provision.

Senate Amendment

Section 606 of the Senate amendment amends section 301(d)(3)(B) of the Trade Act of 1974 to include, among the conduct that is unreasonable for purposes of taking discretionary action under 301(b), a persistent pattern of conduct by a foreign country that: 1) fails to effectively enforce the environmental laws of the foreign country; 2) waives or otherwise derogates from the environmental laws of the foreign country or weakens the protections afforded by such laws; 3) fails to provide for the judicial or administrative proceedings giving access to remedies for violations of the environmental laws of the foreign country; 4) fails to provide appropriate and effective sanctions or remedies for violations of the environmental laws of the foreign country; or 5) fails to effectively enforce environmental commitments under agreements to which the foreign country and the United States are a part.

Conference Agreement

The conference agreement includes modifications to amend section 301(d)(3)(B) of the Trade Act of 1974 to include, among the types of conduct that are unreasonable for purposes of taking discretionary action under 301(b), actions that constitute a persistent pattern of conduct by the government of the foreign country under which that government fails to effectively enforce commitments under agreements including with respect to trade in goods, trade in services, trade in agriculture, foreign investment, intellectual property, digital trade in

goods and services and cross-border data flows, regulatory practices, state-owned and state-controlled enterprises, localization barriers to trade, labor and the environment, anti-corruption, trade remedy laws, textiles, and commercial partnerships to which the foreign country and the United States are a party.

SECTION 608. HONEY TRANSSHIPMENT

Present Law

No provision.

House Amendment

No provision.

Senate Amendment

Section 608(a) requires the Commissioner of CBP to direct appropriate personnel and resources to address concerns that honey is being imported into the United States in violation of U.S. customs and trade laws.

Section 608(b) requires CBP to compile a database of the individual characteristics of foreign honey to facilitate the verification of country of origin markings, and to seek to work with foreign governments, industry, and the Food and Drug Administration in compiling the database.

Section 608(c) requires the Commissioner to submit a report to Congress within 180 days after enactment of the Act that describes and assesses the limitations in existing analysis capabilities of laboratories with respect to determining the country of origin of honey and includes any recommendation of the Commissioner for improving such capabilities.

Section 608(d) expresses the sense of Congress that the Commissioner of Food and Drugs should promptly establish a honey national identification standard to ensure that honey imports are classified appropriately for duty assessment; and are denied entry to the United States if such imports pose a threat to the health or safety of consumers.

Conference Agreement

The conference agreement follows the Senate amendment. The agreement of the conference on establishment of a database pertaining to honey transshipment reflects the unique geographical characteristics of honey, particularly unique regional pollens, that allow CBP to discern the country of origin of honey imported into the United States through currently available, cost-effective scientific methods, and also the importation of honey in sufficient quantity and with historical patterns of duty evasion to justify establishing and maintaining such a database.

SECTION 609. ESTABLISHMENT OF CHIEF INNOVATION AND INTELLECTUAL PROPERTY NEGOTIATOR

Present Law

Section 141 of the Trade Act of 1974 (19 U.S.C. 2171) establishes the structure, functions, powers, and personnel of the Office of the United States Trade Representative (USTR).

House Amendment

No provision.

Senate Amendment

Section 611(a) amends section 141 of the Trade Act of 1974 (19 U.S.C. 2171) to establish a Chief Innovation and Intellectual Property Negotiator at USTR with the rank of Ambassador, who shall be appointed by the President, by and with the advice and consent of the Senate, to conduct trade negotiations and to enforce trade agreements relating to United States intellectual property, and to take appropriate actions to address acts, policies, and practices of foreign governments that have a significant adverse impact on the value of United States innovation.

Section 611(b) amends section 5314 of title 5, United States Code, to set the pay for this position at Level III of the Executive Schedule.

Section 611(c) requires the USTR to submit an annual report to the Senate Finance and Ways and Means Committees detailing the enforcement actions taken by USTR to ensure the protection of United States innovation and intellectual property interests, and other actions taken to advance United States innovation and intellectual property interests.

Conference Agreement

The conference agreement follows the Senate amendment.

SECTION 610. MEASURES RELATING TO COUNTRIES THAT DENY ADEQUATE PROTECTION FOR INTELLECTUAL PROPERTY RIGHTS

Present Law

Section 182 of the Trade Act of 1974 (19 U.S.C. 2242) requires USTR to submit to the Committees a ''Special 301 Report'' identifying countries that deny adequate protection or market access for intellectual property rights.

House Amendment

No provision.

Senate Amendment

Section 612(a) amends section 182(d)(2) of the Trade Act of 1974 (19 U.S.C. 2242(d)(2)) to require USTR to identify foreign countries that deny adequate and effective protection of trade secrets.

Section 612(b) amends section 182 of the Trade Act of 1974 (19 U.S.C. 2242) to require USTR, within 90 days after submitting the annual National Trade Estimate, to develop an action plan for foreign countries that have spent at least one year on the Priority Watch List of the Special 301 Report. The action plan calls for such countries to meet benchmarks designed to assist them to achieve effective protection of intellectual property rights, and equitable market access for U.S. persons that rely upon intellectual property protections. This section also authorizes the President to take appropriate action with respect to foreign countries that fail to meet action plan benchmarks and requires USTR to transmit to the Committees a report on the action plans and the progress in achieving the action plan benchmarks.

Conference Agreement

The conference agreement follows the Senate amendment, with the addition of allowing USTR to provide assistance to developing countries pursuant to Section 611.

SECTION 611. TRADE ENFORCEMENT TRUST FUND

Present Law

No provision.

House Amendment

No provision.

Senate Amendment

Section 607 of the Senate amendment establishes a Trade Enforcement Trust Fund (Trust Fund) in the Treasury of the United States. The provision requires the Treasury to transfer $15 million each fiscal year to the Trust Fund of receipts from antidumping and countervailing duties, and the aggregate money held in the Trust Fund may not exceed $30 million at any time. Transfers to the fund are made quarterly. The provision allows the United States Trade Representative to use amounts in the Trust Fund to enforce the provisions of and commitments and obligations under WTO Agreements and free trade agreements to which the United States is a party, monitor the implementation by foreign countries of the provisions and commitments and obligations under free trade agreements, and investigate and respond to petitions under section 302 of the Trade Act of 1974. In addition, identified Federal agencies would also be authorized to also use amounts in the Trust Fund to ensure capacity building efforts undertaken by the United States prioritize the implementation of intellectual property, labor, and environmental commitments, are self-sustaining and promote local ownership, include performance indicators, and monitor and evaluate capacity building efforts.

If a Federal agency uses amounts in the Trust Fund in connection with the entry into force of any free trade agreement, that agency must submit a report to Congress on the actions taken by that agency not later than 18 months after the agreement enters into force. It also requires the Comptroller General to submit a report to Congress within one year of enactment that contains (1) a comprehensive analysis of the trade enforcement expenditures of each Federal agency and (2) recommendations on the additional employees and resources that each Federal agency may need to effectively enforce free trade agreements that the United States is a party to.

Conference Agreement

The conference agreement follows the Senate amendment with a number of changes. The conference agreement establishes the Trust Fund through 2026 and funds are transferred from the general fund. It allows the United States Trade Representative, on the basis of advice from the Trade Policy Committee, to use amounts in the Trust Fund, only as provided in appropriation acts, to enforce obligations under WTO Agreements and free trade agreements to which the United States is a party, monitor the implementation by foreign countries of the provisions and commitments and obligations under free trade agreements, investigate and respond to petitions under section 302 of the Trade Act of 1974, and to support capacity building efforts, including commitments and obligations related to trade in goods, trade in services, trade in agriculture, foreign investment, intellectual property, digital trade in goods and services and cross-border data flows, regulatory practices, state-owned and state-controlled enterprises, localization barriers to trade, labor and the environment, currency, foreign currency manipulation, anticorruption, trade remedy laws, textiles, and commercial partnerships. Additional changes are made with respect to reporting and definitions.

The conferees are committed to work diligently and at the earliest opportunity to achieve full appropriation for the fund, including during the annual budget resolution process to assure full appropriations to the fund.

TITLE VII—CURRENCY MANIPULATION

SECTION 701. ENHANCEMENT OF ENGAGEMENT ON CURRENCY EXCHANGE RATE AND ECONOMIC POLICIES WITH CERTAIN MAJOR TRADING PARTNERS OF THE UNITED STATES

Present Law

No provision.

House Amendment

This section strengthens and complements existing requirements by requiring the Secretary of the Treasury to submit to Congress a report on the macroeconomic and currency exchange rate policies of each country that

is a major trading partner of the United States and to take specific steps if it finds that a currency is undervalued. The report is to include: 1) an analysis of various economic indicators for each major trading partner and 2) an enhanced analysis of macroeconomic and exchange rate policies for each major trading partner that satisfies certain economic criteria related to its bilateral trade balance, current account balance, and foreign exchange interventions. The new report thus strengthens existing requirements, established in Section 3005 of the Omnibus Trade and Competitiveness Act of 1988, regarding reporting by the Secretary to Congress of international economic and exchange rate policies. The provisions direct the Secretary to conduct enhanced bilateral engagement with each country for which an enhanced analysis of macroeconomic and currency exchange rate policies is included in the report submitted by the Secretary to Congress. The Secretary may determine not to enhance bilateral engagement with a country if the Secretary determines that commencing enhanced bilateral engagement would have an adverse impact on the U.S. economy greater than the benefits of such engagement or would cause serious harm to the national security of the United States. The provision authorizes the President to take certain remedial actions regarding a country that fails to adopt appropriate policies to correct the identified undervaluation and surpluses, including: 1) restrictions on U.S. government financing; 2) restrictions on U.S. government procurement; 3) additional efforts at the International Monetary Fund; or (4) by taking into account such currency policies before initiating or entering into any bilateral or regional trade agreement negotiations.

Senate Amendment

The Senate Amendment is similar to the House Amendment but contains certain variations, including variations related to the economic criteria associated with an enhanced analysis of a major trading partner, variations related to the objectives of enhanced bilateral engagement, and variations related to a decision by the Secretary not to enhance bilateral engagement with a country.

Conference Agreement

The conference agreement follows the House amendment with modified criteria in section 701(a)(2)(B), an additional item in the list of actions in section 701(b)(1) from the Senate amendment, and modified reporting requirements.

SECTION 702. ADVISORY COMMITTEE ON INTERNATIONAL EXCHANGE RATE POLICY

Present Law

No provision.

House Amendment

This section creates a nine-member advisory committee to advise Treasury on international exchange rates and financial policies and their impact on the United States. The Senate, House, and Administration each appoint members to the committee.

Senate Amendment

Section 712 of the Senate amendment is the same as section 702 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

TITLE VIII—ESTABLISHMENT OF U.S. CUSTOMS AND BORDER PROTECTION

SECTION 801. SHORT TITLE

Present Law

No provision.

House Amendment

Section 801 sets forth the short title as the ''U.S. Customs and Border Protection Authorization Act.''

Senate Amendment

No provision.

Conference Agreement

The conference agreement follows the House amendment.

SECTION 802. ESTABLISHMENT OF U.S. CUSTOMS AND BORDER PROTECTION

Present Law

Section 401 of the Homeland Security Act of 2002 (HSA), at 6 U.S.C. 201, establishes the now-defunct Directorate for Border and Transportation Security headed by an Under Secretary for Border and Transportation Security.

Further, section 411 of the HSA, at 6 U.S.C. 211, established the now-defunct United States Customs Services and it's head, the Commissioner of Customs, within the Department of Homeland Security.

House Amendment

Section 802(a) amends section 411 of the HSA to formally establish U.S. Customs and Border Protection (CBP) in title 6 of the United States Code. Section 802(a) also establishes the Commissioner of U.S. Customs and Border Protection as the head of the component, and the position of Deputy Commissioner to assist the Commissioner in the management of CBP.

Additionally, section 802(a) establishes operational offices within CBP. These include: U.S. Border Patrol and its head, the Chief of U.S. Border Patrol; Office of Air and Marine Operations and its head, the Assistant Commissioner for the Office of Air and Marine Operations; the Office of Field Operations and its head, the Assistant Commissioner for the Office of Field Operations; the Office of Intelligence and its head, the Assistant Commissioner for the Office of Intelligence; the Office of International Affairs and its head, the Assistant Commissioner for the Office of International Affairs; and the Office of Internal Affairs and its head, the Assistant Commissioner for the Office of Internal Affairs.

Finally, section 802(a) establishes certain Standard Operating Procedures, audits, and reports to be carried out and completed, mandates training for CBP officers and agents, establishes short term detention standards, and grants the Secretary additional authorities to establish additional offices and Assistant Commissioners to carry out the functions of CBP.

Section 802(b) affirms that CBP shall continue to carry out the functions, missions, duties, and authorities that were vested in them prior to the passage of this act. Further, this subsection makes clear that rules, regulations, and policies issued by CBP pursuant to section 411 of the Homeland Security Act prior to the passage of this act shall remain in place.

Section 802(c) clarifies that the Commissioner of CBP, as well as Assistant Commissioners and other CBP officials, may continue to serve in their roles after passage of this act.

Section 802(d) amends 5 U.S.C. 5314 to include the Commissioner of CBP in place of the outdated ''Commissioner of Customs''' position in the Level III Executive Pay Schedule.

Section 802(e) amends the table of contents in the Homeland Security Act of 2002 to reflect the changes made by this act.

Section 802(f) repeals provisions in the HSA that are no longer necessary or have already been fulfilled. These include: Sec. 416, which mandated a Government Accountability Office report that was completed in 2003; and section 418, which required a report from the Secretary of the Treasury that was completed in 2003.

Section 802(g) amends sections of the HSA to accurately reflect current titles and functions. In addition, 802(g) amends the HSA to maintain the Transportation Security Administration as a distinct entity within the Department of Homeland Security and grants the Secretary of Homeland Security the authority to discipline any employee of CBP or ICE who willfully deceives Congress or DHS leadership.

Section 802(h) amends the Act of March 3, 1927, at 19 U.S.C. 2071, et seq., to establish the Office of Trade within CBP, and its head, the Assistant Commissioner for the Office of Trade. Section 802(h) also provides for the transfer of assets, functions, and personnel from the Office of International Trade to the Office of Trade within CBP.

Section 802(i) requires the Commissioner of CBP to issue a report on CBP's Business Transformation Initiative, and a report on personal searches conducted by CBP personnel. 802(i) also requires the Commissioner of CBP to conduct a Port of Entry Infrastructure Needs Assessment.

Section 802(j) prohibits the Secretary of Homeland Security from entering into or renewing an agreement with a foreign government for a Trusted Traveler Program administered by CBP unless the Secretary certifies that the foreign government routinely submits information to INTERPOL's Stolen and Lost Travel Document (SLTD) database or otherwise makes such information available to the United States.

Section 802(k) provides a sense of Congress supporting CBP's Foreign Language Award Program (FLAP).

Senate Amendment

No provision.

Conference Agreement

The conference agreement follows the House amendment with modifications.

The Conferees agree to modify section 802(a) to specify that the Senate Committee on Finance will consider nominations of individuals to fill the position of the Commissioner of U.S. Customs and Border Protection. This modification will ensure that the Senate Committee on Finance will maintain its sole jurisdiction over the confirmation of the Commissioner of U.S. Customs and Border Protection. In addition, the duties of the Commissioner are expanded to require the Commissioner to: 1) coordinate and integrate the security, trade facilitation, and trade enforcement functions of U.S. Customs and Border Protection; 2) direct and administer the commercial operations of U.S. Customs and Border Protection, and the enforcement of the customs and trade laws of the United States; 3) ensure the overall economic security of the United States is not diminished by efforts, activities, and programs aimed at securing the homeland; and 4) ensure that the policies and regulations of U.S. Customs and Border Protection are consistent with the obligations of the United States pursuant to international agreements.

The Conferees also agree to modify section 802(a) to specify that the head of Air and Marine Operations and the Office of Field Operations will be headed by an Executive Assistant Commissioner. In addition, U.S. Border Patrol shall be headed by a Chief who shall be at the level of an Executive Assistant Commissioner.

With respect to the Office of International Affairs in section 802(a), the Conferees agree to expand the duties of the office to require that it shall: 1) coordinate with customs authorities of foreign countries with respect to trade facilitation and trade enforcement; 2) advise the Commissioner with respect to matters arising in the World Customs Organization and other international organizations as such matters relate to the policies and procedures of U.S. Customs and Border Protection; and 3) advise the Commissioner regarding international agreements to which the United States is a party as such agreements relate to the policies and regulations of U.S. Customs and Border Protection.

Furthermore, the Conferees also agree to the following changes to section 802(a): 1) Air and Marine Operations will coordinate with other appropriate agencies in detecting, identifying, and coordinating a response to threats to national security in the air domain; 2) the Executive Assistant Commissioner for the Office of Field Operations shall coordinate with the Executive Assistant Commissioner for the Office of Trade with respect to the trade facilitation and trade enforcement activities of CBP; 3) the national targeting center shall coordinate with the TSA, as appropriate; 4) the annual report on staffing for the Office of Field Operations may be submitted in classified form if the Executive Assistant Commissioner of the Office of Field Operations determines it to be appropriate and informs the appropriate Congressional committees of the reasoning for such; 5) the Office of Intelligence shall manage the counter-intelligence operations of CBP; 6) the Office of Internal Affairs is renamed the Office of Professional Responsibility; 7) subsection (k) of section 411 of the Homeland Security Act is modified to state that the Commissioner's right to withhold required notifications due to national security, law enforcement, or other operational interests is unreviewable; and 8) the Commissioner is required to continue to submit to the appropriate committees any reports that were required to be submitted prior to the passage of this Act.

Section 802(c) is modified to clarify that the individuals serving as Assistant Commissioners may continue to serve as Executive Assistant Commissioners, as appropriate.

Section 802(h) is modified to specify that the head of the Office Trade shall be an Executive Assistant Commissioner. In addition, the provisions specifying the pay and qualifications for the Executive Assistant Commissioner of the Office of Trade are stricken. The Conferees have also agreed to allow the transfer of assets, functions, personnel, or liabilities of the Office of International Trade to offices other than the Office of Trade if the appropriate committees are notified with the reason for such a transfer at least 90 days prior to such transfer. Furthermore, section 802(h) is modified to clarify that the individual serving as the Assistant Commissioner may continue to serve as the Executive Assistant Commissioner.

Lastly, the Conferees agree to require CBP to develop a plan to establish an agricultural specialist career track within CBP. This agreement is codified under section 802(k).

Subtitle B—Preclearance Operations

SECTION 811. SHORT TITLE

Present Law

No provision.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

The conference agreement sets forth the short title as the ''Preclearance Authorization Act of 2015.''

SECTION 812. DEFINITION

Present Law

No provision.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

The conference agreement defines key terms.

SECTION 813. ESTABLISHMENT OF PRECLEARANCE OPERATIONS

Present Law

Current law (19 U.S.C. 1629 and 8 U.S.C. 1103(a)(7)) provides the necessary legal authority for CBP to conduct customs and immigration functions (e.g., inspections, seizures, searches, etc.) in foreign counties.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

The conference agreement authorizes CBP to operate preclearance locations, provided an aviation security preclearance agreement is in effect, in foreign countries: 1) to prevent terrorists, instruments of terrorism, and other security threats from entering the United States; 2) to prevent inadmissible persons from entering the United States; 3) to ensure that merchandise destined for the United States complies with applicable laws; 4) to ensure the prompt processing of persons eligible to travel to the United States; and 5) to accomplish such other objectives as the Secretary determines are necessary to protect the United States.

SECTION 814. NOTIFICATION AND CERTIFICATION TO CONGRESS

Present Law

No provision.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

The conference agreement requires DHS to provide certain notifications and certifications to appropriate congressional committees.

Section 814(a) requires the Secretary to provide to the appropriate congressional committees not later than 60 days prior to entering into a preclearance agreement with a foreign country the following: 1) a copy of the proposed agreement to establish such preclearance operations, which shall include the identification of the foreign country with which CBP intends to enter into a preclearance agreement, the location at which such preclearance operations will be conducted, and the terms and conditions for CBP personnel operating at the location; 2) an assessment of the impact such preclearance operations will have on legitimate trade and travel, including potential impacts on passengers traveling to the United States; 3) an assessment of the impacts such preclearance operations will have on CBP domestic port of entry staffing; 4) country-specific information on the anticipated homeland security benefits associated with establishing such preclearance operations; 5) information on potential security vulnerabilities associated with commencing such preclearance operations and mitigation plans to address such potential security vulnerabilities; 6) a CBP staffing model for such preclearance operations and plans for how such positions would be filled; 7) information on the anticipated costs over the next five fiscal years associated with commencing such preclearance operations; and

Section 814(b) requires the Secretary to provide to the appropriate congressional committees not later than 45 days before entering into a preclearance agreement with a foreign country for preclearance operations at an airport, in addition to the information required in section 814(a), the following: 1) an estimate of the date on which CBP intends to establish preclearance operations under such agreement, including any pending caveats that must be resolved before preclearance operations are approved; 2) the anticipated funding sources for preclearance operations under such agreement, and other funding sources considered; 3) a homeland security threat assessment for the country in which such preclearance operations are to be established; 4) information on potential economic, competitive, and job impacts on United States air carriers associated with establishing such preclearance operations; 5) details on information sharing mechanisms to ensure that CBP has current information to prevent terrorist and criminal travel; and 6) other factors that the Secretary determines to be necessary for Congress to comprehensively assess the appropriateness of commencing such preclearance operations.

Section 814(c) requires the Secretary to provide to the appropriate congressional committees not later than 60 days before entering into a preclearance agreement with a foreign country for preclearance operations at an airport, in addition to the information required in sections 814(a) and 814(b), the following: 1) a certification that preclearance operations under such preclearance agreement, after considering alternative options, would provide homeland security benefits to the United States through the most effective means possible; 2) a certification that preclearance operations within such foreign country will be established under such agreement only if at least one United States passenger carrier operates at such airport and the access of all United States passenger carriers to such preclearance operations is the same as the access of any non-United States passenger carrier; 3) a certification that the establishment of preclearance operations in such foreign country will not significantly increase customs processing times at United States airports; 4) a certification that representatives from CBP consulted with stakeholders, including providers of commercial air service in the United States, employees of such providers, security experts, and such other parties as the Secretary determines to be appropriate; and 5) a report detailing the basis for the certifications referred to in 1) through 4).

Section 814(d) requires the Secretary to provide to the appropriate congressional

committees not later than 30 days before entering into a substantially amended preclearance agreement with a foreign country a copy of the proposed agreement, as modified, and the justification for such modification.

Section 814(e) requires the Commissioner to report to the appropriate congressional committees on a quarterly basis the number of CBP officers, by port, assigned from domestic ports of entry to preclearance operations and the number of these positions that have been filled by another hired, trained, and equipped CBP officer. In addition, if the CBP officer positions at domestic ports of entry that were reassigned to preclearance ports of entry have not been backfilled and the Commissioner determines that processing times at those domestic ports of entry have significantly increased, the Commissioner shall submit to the appropriate congressional committees not later than 60 days after such a determination an implementation plan for reducing CBP processing times at those domestic ports of entry. If the Commissioner fails to submit the required implementation plan, the Secretary would be prohibited from establishing additional preclearance locations until such plan is submitted.

Section 814(f) allows for the reporting requirement under subsection (c)(5) to be submitted in classified form.

SECTION 815. PROTOCOLS

Present Law

Current law (49 U.S.C. 44901(d)(4)) requires that for flights traveling to the U.S., checked baggage has been screened in accordance to an aviation security preclearance agreement between the U.S. and the country of departure.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

The conference agreement requires the TSA to rescreen passengers and their baggage arriving from a foreign country if the Administrator of TSA determines that the foreign government has not maintained security standards and protocols comparable to those at U.S. airports at the airports at which preclearance operations have been established.

SECTION 816. LOST AND STOLEN PASSPORTS

Present Law

No provision.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

The conference agreement prohibits the establishment or renewal of a preclearance location with a foreign country unless the Secretary certifies to Congress that the foreign country routinely provides stolen passport information to INTERPOL's Stolen and Lost Travel Document database or provides the information to the United States through comparable reporting.

SECTION 817. RECOVERY OF INITIAL U.S. CUSTOMS AND BORDER PROTECTION PRECLEARANCE OPERATIONS COSTS

Present Law

Current law, including 8 U.S.C. 1356(i) and 7 U.S.C. 8311(b), provides the necessary legal authority for CBP to be reimbursed for immigration and agriculture inspection services, and other preclearance costs.

Current law, however, does not allow CBP to receive payments prior to services being rendered.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

The conference agreement allows CBP to enter into a cost sharing agreement with airport authorities in foreign countries for new preclearance locations or to maintain existing operations. The cost sharing agreement may provide for initial preclearance operations costs. These payments may be made in advance of the incurrence of the costs or on a reimbursable basis.

Initial preclearance operations costs include: 1) hiring, training, and equipping new CBP officers who will be stationed at U.S. ports of entry or other CBP facilities to backfill CBP officers to be stationed at a preclearance facility (payments would be prohibited once such officers are permanently stationed domestically after being trained) and 2) visits to the airport authority conducted by CBP personnel necessary to prepare for the establishment or maintenance of preclearance operations at such airport, including the compensation, travel expenses, and allowances payable to such CBP personnel attributable to such visits.

SECTION 818. COLLECTION AND DISPOSITION OF FUNDS COLLECTED FOR IMMIGRATION INSPECTION SERVICES AND PRECLEARANCE ACTIVITIES

Present Law

Current law (8 U.S.C. 1356(i) and 7 U.S.C. 8311(b)) allows the reimbursement of funds for immigration and agricultural inspection services.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

The conference agreement allows CBP to be reimbursed in advance of providing immigration and agricultural inspection services for preclearance operations.

SECTION 819. APPLICATION TO NEW AND EXISTING PRECLEARANCE OPERATIONS

Present Law

No provision.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

The conference agreement establishes that, with the exception of sections 4(d), 5, 7, and 8 of this subtitle, this subtitle shall apply only to the establishment of preclearance operations in a foreign country in which no preclearance operations have been established as of the date of the enactment of the Trade Facilitation and Trade Enforcement Act of 2015.

TITLE IX—MISCELLANEOUS PROVISIONS

SECTION 901. DE MINIMIS VALUE

Present Law

Section 321(a)(2)(C) of the Tariff Act of 1930 provides that individuals may import up to $200 in merchandise free of duties into the United States.

House Amendment

Section 901 raises the duty-free or *de minimis* threshold from $200 to $800.

Senate Amendment

Section 901 sets out findings of Congress and a sense of Congress regarding thresholds for the value of articles that may be entered informally and free of duty into the United States and that the Unites States Trade Representative should encourage foreign countries to establish commercially meaningful de minimis thresholds.

Section 901 amends section 321(a)(2)(C) of the Tariff Act of 1930 to raise the *de minimis* threshold for the Secretary of Treasury to permit the admission of articles duty free from $200 to $800.

Conference Agreement

The conference agreement follows the Senate amendment.

SECTION 902. CONSULTATION ON TRADE AND CUSTOMS REVENUE FUNCTIONS

Present Law

Section 401(c) of the Safety and Accountability for Every Port Act (SAFE Port) requires the Secretary of Homeland Security to consult with the business community involved in international trade, including the COAC, on Department policies that have a significant impact on international trade and customs revenue functions. Furthermore, section 401(c) requires that the Secretary notify the appropriate congressional committees at least 30 days before finalizing policies or actions that will have a major impact on international trade and customs revenue functions, except if it is determined that it is in the interest of national security to finalize policies or actions prior to consultations with the business community and appropriate congressional committees.

House Amendment

Section 902 amends section 401(c) of the SAFE Port Act by requiring the Secretary of Homeland Security to consult with the business community involved in international trade at least 30 days before proposing and at least 30 days before finalizing any Department policies or actions that will have an impact on international trade and customs revenue functions. The amendment also extends the notice for appropriate congressional committees by requiring the Secretary of Homeland Security to provide at least 60 days notification before proposing and at least 60 days before finalizing Department policies or actions that have an impact on international trade.

Senate Amendment

Section 902 of the Senate amendment is the same as section 902 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 903. PENALTIES FOR CUSTOMS BROKERS

Present Law

Section 641(d)(1) of the Tariff Act of 1930 authorizes the Secretary of the Treasury to impose a monetary penalty or revoke or suspend a license or permit of any customs broker if the broker has acted contrary to law or regulations.

House Amendment

Section 903 amends section 641(d)(1) of the Tariff Act of 1930 by adding to the list of offenses as grounds for a monetary penalty or removal of a broker license committing or conspiring to commit an act of terrorism.

Senate Amendment

Section 903 of the Senate amendment is the same as section 903 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 904. AMENDMENTS TO CHAPTER 98 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

Present Law

U.S. Note 3 to subchapter II of Chapter 98 of the Harmonized Tariff Schedule of the United States (HTS) allows a partial or complete duty exemption for articles returned to the United States, after having been exported to be advanced in value or improved in condition by means of repairs or alterations. It also allows goods to be entered duty free if the goods are a product of the United States when returned after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means while abroad.

The article description for heading 9801.00.10 of the HTS establishes that products of the United States, when returned after having been exported without having been advanced in value or improved in condition by any process of manufacture or other means abroad, will be duty-free.

House Amendment

Section 904(a) amends U.S. Note 3 to subchapter II of Chapter 98 of the HTS by modernizing existing inventory management rules by subtracting the value of U.S. components assembled into the final product that will be entered into the commerce of the United States for articles exported and returned after being improved abroad.

Section 904(b) amends the article description for heading 9801.00.10 of the HTS by reducing record-keeping burdens on goods returned to the United States without improvement abroad so that duties are not assessed twice.

Section 904(c) amends subchapter I of chapter 98 of the HTS by inserting new heading 9801.00.11, which provides duty-free treatment for certain U.S. government property returned to the United States.

Senate Amendment

Section 904 of the Senate amendment is the same as section 904 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 905. EXEMPTION FROM DUTY OF RESIDUE OF BULK CARGO CONTAINED IN INSTRUMENTS OF INTERNATIONAL TRAFFIC PREVIOUSLY EXPORTED FROM THE UNITED STATES

Present Law

No provision.

House Amendment

Section 905 amends General Note 3(e) of the Harmonized Tariff Schedule of the United States (HTS) to remove from formal entry requirements residue of bulk cargo contained in instruments of international traffic (IIT) previously exported from the United States.

Senate Amendment

Section 905 of the Senate amendment is the same as section 905 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment.

SECTION 906. DRAWBACK AND REFUNDS

Present Law

Section 313 of the Tariff Act of 1930 authorizes a refund, known as drawback, of certain duties, internal revenue taxes, and certain fees collected upon the importation of goods. Such refunds are allowed only upon the exportation or destruction of goods under CBP supervision.

House Amendment

Section 906(a) amends section 313(a) of the Tariff Act of 1930 by establishing that the amount of drawback claimed must be calculated pursuant to section 313(l) of the Tariff Act of 1930, as amended by this amendment.

Section 906(b) amends section 313(b) of the Tariff Act of 1930 by allowing substitution drawback for imported merchandise or merchandise classifiable under the same 8-digit HTS used in the manufacture or production of articles; establishing that the amount of drawback claimed must be calculated pursuant to section 313(l) of the Tariff Act of 1930, as amended by this amendment; and providing that such claim must be filed within 5 years of the importation of the merchandise. This subsection further allows records kept in the normal course of business to be used to demonstrate the transfer of merchandise, requires a drawback claimant to submit a bill of materials to demonstrate the merchandise was incorporated into an exported article, and provides a special rule for sought chemical elements.

Section 906(c) amends section 313(c) of the Tariff Act of 1930 by extending the filing deadline for drawback claims for merchandise not conforming to sample or specifications to 5 years from the date of importation. This subsection further establishes that the amount of drawback claimed must be calculated pursuant to section 313(l) of the Tariff Act of 1930, as amended by this amendment, and allows records kept in the normal course of business to be used to demonstrate the transfer of merchandise.

Section 906(d) amends section 313(i) of the Tariff Act of 1930 by striking the current text and replacing it with a new provision requiring that a person claiming drawback based on exportation shall provide proof of the exportation of the article, that such proof shall fully establish the date and fact of exportation and identity of the exporter, and may be established either by records kept in the normal course of business or through an electronic export system of the United States Government.

Section 906(e) amends section 313(j) of the Tariff Act of 1930 by allowing unused drawback claims for merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise. Merchandise may not be substituted for imported merchandise for drawback purposes based on the 8-digit HTS if the article description for the 8-digit HTS begins with the term ''other.'' In these instances, merchandise may be substituted for imported merchandise if such imported merchandise is classifiable under the same 10-digit HTS. If the 10-digit HTS begins with the term ''other,'' then substitution drawback is not permissible and the drawback claimant must use direct identification under section 313(a) of the Tariff Act of 1930, as amended by this Act. For unused merchandise that is either exported or destroyed, the Department of Commerce Schedule B number may be used to demonstrate that an article and merchandise are classifiable under the same 8-digit HTS without regard to whether or not the Schedule B number corresponds to more than one 8-digit HTS number. Furthermore, this subsection amends the filing deadline for drawback claims to be 5 years from the date of importation and establishes that the amount of drawback claimed must be calculated pursuant to section 313(l) of the Tariff Act of 1930, as amended by this amendment.

Section 906(f) amends section 313(k) of the Tariff Act of 1930 by providing that any person making a drawback claim is liable for the full amount of the drawback claimed. Any person claiming drawback shall be jointly and severally liable with the importer for the lesser of the amount of drawback claimed or the amount the importer authorized the other person to claim.

Section 906(g) amends section 313(l) of the Tariff Act of 1930 to require the Secretary of the Treasury to prescribe regulations for claims with respect to unused merchandise drawback to establish that the calculation of drawback that cannot exceed 99 percent of the lesser of the amount of duties, taxes, and fees paid with respect to the imported merchandise or the amount of duties, taxes, and fees that would apply to the exported article if the exported article were imported. Section 906(g) also requires the Secretary of Treasury to prescribe regulations for claims with respect to manufactured articles into which substitute merchandise is incorporated to establish that the calculation of drawback cannot exceed 99 percent of the lesser of the amount of duties, taxes, and fees paid with respect to the imported merchandise or the amount of duties, taxes, and fees that would apply to the substituted merchandise if the substituted merchandise were imported. This section requires the promulgation of the necessary regulations within 2 years. Additionally, one year after the enactment of this Act, and annually thereafter until the regulations required under this subsection are promulgated, the Secretary shall submit to Congress a report on the status of the regulations.

Section 906(h) amends section 313(p) of the Tariff Act of 1930 to require evidence of transfer to be demonstrated with records kept in the normal course of business.

Section 906(i) amends section 313(q) of the Tariff Act of 1930 to require the amount of drawback shall be calculated pursuant to section 313(l) of the Tariff Act of 1930, as amended by this amendment.

Section 906(j) amends section 313(r) of the Tariff Act of 1930 to establish that a drawback entry shall be filed or applied for, as applicable, no later than 5 years after the date on which merchandise on which drawback is claimed was imported. This section also requires that all drawback claims be filed electronically no later than 2 years after the date of the enactment of this Act.

Section 906(k) amends section 313(s) of the Tariff Act of 1930 by allowing a drawback successor to designate unused imported merchandise, other merchandise classifiable under the same 8-digit HTS subheading number as such imported merchandise, or any combination of such imported merchandise and such other merchandise, that the predecessor received, before the date of succession, from the person who imported and paid any duties, taxes, and fees due on the imported merchandise as the basis for drawback on merchandise possessed by the drawback successor after the date of succession.

Section 906(l) strikes section 313(t) of the Tariff Act of 1930.

Section 906(m) amends section 313(x) of the Tariff Act of 1930 by requiring the amount of drawback claimed pursuant to section 313(l) of the Tariff Act of 1930, as amended by this amendment, to be reduced by the value of any materials reclaimed during the destruction of unused merchandise.

Section 906(n) defines key terms.

Section 906(o) amends section 508(c)(3) of the Tariff Act of 1930 by requiring records for drawback claims to be maintained for 5 years after the date of liquidation.

Section 906(p) requires the Government Accountability Office (GAO) to provide the Senate Committee on Finance and the House Committee on Ways and Means with a report that shall include: 1) an assessment of the modernization of drawback and refunds; 2) a description of drawback claims that were permissible before the enactment of the bill that are not permissible after, and an identification of industries most affected; and 3) a description of drawback claims that were not permissible before the enactment of this bill that are after, and an identification of industries most affected.

Section 906(q) provides that the amendments made by this section shall take effect upon enactment of this bill and apply to drawback claims filed on or after the date that is 2 years after such enactment. This section also requires the Secretary of the Treasury to submit a report to Congress, no later than two years after enactment of this bill, on the date on which the Automated Commercial Environment (ACE) will be ready to process claims and the date on which the Automated Export System (AES) will be ready to accept proof of exportation. Lastly, this section provides for a one-year transition for filing drawback claims under section 313 as amended by this section, or under section 313 in effect before the enactment of this bill.

Senate Amendment

Section 906 of the Senate amendment is the same as section 906 of the House amendment with exception the following: (1) the Senate amendment permits the substitution of a manufactured article that is exported or destroyed with an article that is classifiable under the same 8-digit HTS subheading; (2) the House amendment requires CBP to promulgate separate regulations for calculating drawback for unused merchandise and drawback for articles into which substitute merchandise is incorporated; and (3) the Senate amendment permits a delay in the effective date of this section if the Automated Commercial Environment (ACE) is not ready to process drawback claims within two years after the enactment of this Act.

Conference Agreement

The conference agreement follows the House amendment with technical revisions. The Conferees agree that section 906(g) grants CBP the authority, in prescribing regulations for determining the calculation of amounts refunded as drawback, to permit the drawback claim to be based upon the average per unit duties, taxes, and fees as reported on the summary line item. This authority is granted to CBP solely to allow for the simplification of drawback claims. It is not granted to allow claimants to manipulate claims in order to maximize refunds to the detriment of the revenue of the United States. The Conferees grant this authority with the expectation that CBP and the Department of the Treasury will study the potential impact of such line item averaging in drafting regulations and will forego such averaging if it is determined that line item averaging will result in a significant loss to the revenue of the United States.

The Conferees further clarify that the existing treatment of wine under section 313(j)(2) of the Tariff Act of 1930 is preserved, and that the amendments to the statute do not change this treatment. Such preservation, however, does not preclude the filing of drawback claims for wine under the new substitution drawback procedures, subject to the restrictions in such procedures, such as the amount of drawback that may be refunded when such procedures are used.

With respect to claims for unused merchandise under section 906(g) (adding section 313(l)(2)(B) of the Tariff Act of 1930), the Conferees intend that if the exported article was not imported, CBP will determine the amount of duties, taxes, and fees applicable to the exported article by applying the rate of duties, taxes, and fees applicable to the imported merchandise by substituting the value of the imported merchandise for the value of the exported article. For claims with respect to manufactured articles into which imported or substitute merchandise is incorporated under section 906(g) (adding section 313(l)(2)(C) of the Tariff Act of 1930), the Conferees intend that if the manufactured exported article contains substitute merchandise that was not imported, CBP will determine the amount of duties, taxes, and fees applicable to the imported merchandise by substituting the value of the imported merchandise for the value of the substitute merchandise incorporated into the exported article. The goal of the rules established in section 906(g) (adding sections 313(l)(2)(B) and 313(l)(2)(C) of the Tariff Act of 1930) is to prevent the refund of full duties, taxes, and fees on the importation of higher value goods upon the exportation of lower value goods. The Conferees do not intend a scenario in which the drawback claimant would not receive a refund upon the application of either rule, but rather intend to limit the refund to the lesser of the import and the export.

Lastly, the Conferees agree that section 906(o), amending section 508(c)(3) of the Tariff Act of 1930, shall require records for drawback claims to be maintained for three years after the date of liquidation.

SECTION 907. REPORT ON CERTAIN U.S. CUSTOMS AND BORDER PROTECTION AGREEMENTS

Present Law

Section 560 of the Department of Homeland Security Appropriations Act of 2013 authorizes CBP to enter into certain reimbursable fee agreements for the provision of CBP services.

Section 559 of the Department of Homeland Security Appropriations Act of 2014 establishes a pilot program authorizing CBP to enter into partnerships with private sector and government entities at ports of entry.

House Amendment

Section 911 requires the Commissioner to submit to Congress a detailed annual report on each reimbursable agreement and public-private partnership agreement into which CBP enters. Each report must include: 1) a description of the development of the program; 2) a description of the type of entity with which CBP entered into the agreement and the amount that entity reimbursed CBP under the agreement; 3) an identification of the type of port of entry to which the agreement relates and an assessment of how the agreement provides economic benefits at the port of entry; 4) a description of the services provided by CBP under the agreement during the year preceding the submission of the report; 5) the amount of fees collected under the agreement during that year; 6) a detailed accounting of how the fees collected under the agreement have been spent during that year; 7) a summary of any complaints or criticism received by CBP during that year regarding the agreement; 8) an assessment of the compliance with the terms of the agreement of the entity that entered into an agreement with CBP; 9) recommendations with respect to how activities conducted pursuant to the agreement could function more effectively or better produce economic benefits; and 10) a summary of the benefits to and challenges faced by CBP and the entity that entered into an agreement with CBP.

Senate Amendment

Section 909 of the Senate amendment is the same as section 911 of the House amendment except with respect to the recipients of the report required in this section.

Conference Agreement

The conference agreement follows the Senate amendment and House amendment with modifications. For agreements with an airport operator, the Conferees agree to require CBP to include in the annual report a detailed account of revenues collected by CBP to cover its operating costs at that airport from fees collected under the agreement and fees collected from other sources, including fees paid by passengers and aircraft operators. Further, subsection (a) is modified to require CBP to identify the authority under which a program operates and to require the reporting of the total operating expenses of a program, and subsection (b) is modified to cover the program under which CBP collects a fee for the use of customs services at designated facilities under 19 U.S.C. 58b. The conference agreement also incorporates reporting related to the preclearance program established by subtitle B of title VIII.

SECTION 908. CHARTER FLIGHTS

Present Law

Section 13031(e)(1) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(e)(1)) requires CBP to provide customs services to passengers upon arrival in the United States in connection with scheduled airline flights.

House Amendment

No provision.

Senate Amendment

Section 910 of the Senate amendment amends current law to permit CBP employees to provide customs services for passengers and baggage on charter flights that arrive at U.S. ports of entry after normal operating hours, if the air carrier specifically requests the services at least four hours before the flight arrives and pays any overtime fees.

Conference Agreement

The conference agreement follows the Senate amendment.

SECTION 909. UNITED STATES-ISRAEL TRADE AND COMMERCIAL ENHANCEMENT

Present Law

No provision.

House Amendment

This section sets out U.S. policy identifying the importance of the bilateral U.S.-Israel trade relationship and establishes principal trade negotiating objectives, statements of policy, findings, and other provisions related to trade and commercial activities affecting the United States and Israel.

This section: 1) states that among the U.S. principal trade negotiating objectives for proposed trade agreements with foreign countries is the discouragement of politically motivated actions to boycott, divest from, or sanction Israel (*i.e.*, BDS actions); 2) sets forth various statements of policy regarding trade with and commercial activities affecting Israel, including Congress's opposition to politically motivated BDS actions against Israel; 3) presents various positive findings regarding the trade and commercial relationship between the United States and Israel; 4) requires the President to report annually to Congress on politically motivated BDS actions against Israel; and 5) requires that no U.S. court recognize or enforce any judgment by a foreign court against a U.S. person doing business in Israel, or any territory controlled by Israel, if the U.S. court determines that the foreign judgment is based, in whole or in part, on a determination by a foreign court that the U.S. person's mere conduct of business operations therein or with Israeli entities constitutes a violation of law.

Senate Amendment

The Senate amendment contains the statements of policy contained in the House amendment.

Conference Agreement

The conference agreement follows the House amendment with the exception of section 908(b)(8) of the House amendment regarding certain activities by U.S. states, which is excluded from the conference agreement.

SECTION 910. ELIMINATION OF CONSUMPTIVE DEMAND EXCEPTION TO PROHIBITION ON IMPORTATION OF GOODS MADE WITH CONVICT LABOR, FORCED LABOR, OR INDENTURED LABOR; REPORT

Present Law

Section 307 of the Tariff Act of 1930 prohibits the importation of foreign-made goods that were manufactured or produced by convict, forced, or indentured labor, except in such quantities as necessary to meet the consumptive demands of the United States.

House Amendment

Section 909 eliminates the ''consumptive demand'' exception to the prohibition on importing goods made by convict, forced, or indentured labor, and requires the Commissioner to provide an annual report to Congress that includes: 1) the number of instances in which merchandise was denied entry pursuant to this section during the preceding 1-year period; 2) a description of the merchandise denied entry pursuant to this section; and 3) such other information the Commissioner considers appropriate with respect to monitoring and enforcing compliance with this section.

Senate Amendment

Section 912 of the Senate amendment is the same as section 909 of the House amendment.

Conference Agreement

The conference agreement follows the House and Senate amendment.

SECTION 911. VOLUNTARY RELIQUIDATIONS

Present Law

19 U.S.C. 1501 establishes that the Customs Service may reliquidate an entry, notwithstanding the filing of a protest, within 90 days from the date on which notice of the original liquidation is given or transmitted to the importer, the importer's consignee, or the importer's agent.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

The Conferees agree to amend 19 U.S.C. 1501 to establish that CBP may reliquidate an entry, notwithstanding the filing of a protest, within 90 days from the date of the original liquidation.

SECTION 912. TARIFF CLASSIFICATION OF RECREATIONAL PERFORMANCE OUTERWEAR

Present Law

No provision.

House Amendment

Section 914 of the House amendment requires the U.S. International Trade Commission to submit to the Senate Committee on Finance and House Ways and Means Committee a report regarding the competitiveness of the U.S. recreational performance outerwear industry no later than June 1, 2016.

Senate Amendment

No provision.

Conference Agreement

This section includes technical corrections with respect to HTS subheadings for recreational performance outerwear created in Pub. L. 114–27.

SECTION 913. MODIFICATIONS OF DUTY TREATMENT OF PROTECTIVE ACTIVE FOOTWEAR

Present Law

Additional U.S. Note to chapter 64 of the HTS contains HTS subheadings for protective active footwear, which includes products such as certain water resistant hiking shoes, trekking shoes, and train running shoes, and ensures they carry a 20 percent duty rate. Current law requires that any staged reductions in duties as may be required by U.S. free trade agreements for athletic footwear will also apply to protective active footwear.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

Section 913 contains technical corrections to Additional U.S. Note to chapter 64.

SECTION 914. AMENDMENTS TO BIPARTISAN CONGRESSIONAL TRADE PRIORITIES AND ACCOUNTABILITY ACT OF 2015

Present Law

The Bipartisan Congressional Trade Priorities and Accountability Act of 2015 sets forth negotiating objectives, procedures for consulting with Congress, and provisions for the consideration of trade agreements.

House Amendment

This section amends the Bipartisan Congressional Trade Priorities and Accountability Act of 2015. Subsection (a) ensures that trade agreements do not require changes to U.S. immigration law or obligate the United States to grant access or expand access to visas issued under 8 U.S.C. 1101(a)(15). Subsection (b) ensures that trade agreements do not establish obligations for the United States regarding greenhouse gas emissions measures. Subsection (c) adds a negotiating objective related to fisheries. Subsection (d) allows the Chair and Ranking Member of the House and Senate Advisory Groups to each send up to three personnel to serve as delegates to negotiating rounds. Subsection (e) perfects the negotiating objective on human trafficking to require countries to take concrete steps to address trafficking. Subsection (f) makes technical amendments. Subsection (g) makes these amendments effective as if included in the enactment of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015.

Senate Amendment

No provision.

Conference Agreement

The conference agreement follows the House Amendment, with modifications to the climate change, and fisheries negotiating objectives; the provisions on delegates attending negotiating rounds; and human trafficking.

With regard to section 914(b), this negotiating objective reaffirms that, consistent with current practice, trade agreements are not to establish obligations for the United States regarding greenhouse gas emissions measures, other than those fulfilling the other negotiating objectives in section 102 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015. This objective is not intended to prevent trade agreements from including generally applicable or horizontal commitments, such as those regarding transparency or nondiscrimination, that may also apply to such requirements, nor to prevent trade agreements from including obligations consistent with other negotiating objectives addressed in the Bipartisan Trade Priorities and Accountability Act of 2015, including those relating to the environment, the reduction of tariffs on environmental goods, or fisheries as provided in this Conference Report. Were an agreement to include a provision establishing obligations regarding U.S. greenhouse gas emissions measures as specified in the Conference Report, a bill approving the agreement should be disqualified from eligibility for trade authorities procedures and should be considered under regular order, just like an agreement that fails to make progress in achieving the negotiating objectives set forth in section 102 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015.

With regard to Section 914(d), the Conference additionally clarifies that Members of Congress and personnel designated by the Chair and Ranking Member of the House and Senate Advisory Groups shall be delegates and official advisors to any trade agreement negotiating round.

With regard to section 914(e), this provision follows the House Amendment with additional changes to incorporate the sense of Congress that the integrity of the annual trafficking in persons report and report process should be respected and should not be affected by unrelated considerations, to require that the President provide supporting documentation with any letter submitted pursuant to the exception, and to require the President to submit a detailed description of the credible evidence supporting a change in designation from tier 3 to tier 2 watch list.

SECTION 915. TRADE PREFERENCES FOR NEPAL

Present Law

No provision.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

The conference agreement creates a additional trade preferences for Nepal. The program requires Nepal to satisfy the eligibility

criteria of the Africa Growth and Opportunity Act to be eligible for duty-free treatment of certain articles imported from Nepal. The provision is in response to the recent natural disaster in Nepal.

SECTION 916. AGREEMENT BY ASIA-PACIFIC ECONOMIC COOPERATION MEMBERS TO REDUCE RATES OF DUTY ON CERTAIN ENVIRONMENTAL GOODS

Present Law

No provision.

House Amendment

No provision.

Senate Amendment

No provision.

Conference Agreement

Section 916 amends section 107 of the Trade Priorities and Accountability Act of 2015 to allow the President to use section 103(a) authorities to implement an agreement by members of the Asia-Pacific Economic Cooperation (APEC) forum to reduce any rate of duty on certain environmental goods included in annex C of the APEC Leaders Declaration issued on September 9, 2012, notwithstanding the notification requirement in section 103(a)(2). Such authority may be exercised only after the President notifies Congress, consistent with this provision.

SECTION 917. AMENDMENT TO TARIFF ACT OF 1930 TO REQUIRE COUNTRY OF ORIGIN MARKING OF CERTAIN CASTINGS

Present Law

Section 304(e) of the Tariff Act of 1930 (19 U.S.C. 1304(e)) requires that certain products (*e.g.*, manhole rings) have visible country of origin markings.

House Amendment

No provision.

Senate Amendment

Section 911 of the Senate amendment amends section 304(e) of the Tariff Act of 1930 (19 U.S.C. 1304(e)) to include inlet frames, tree and trench grates, lampposts, lamppost bases, cast utility poles, bollards, hydrants, and utility boxes in the list of products which must be imprinted with a country of origin marking. This section also amends current law by requiring the aforementioned marking to be in a location such that it will remain visible after installation.

Conference Agreement

The conference agreement follows the Senate amendment.

SECTION 918. INCLUSION OF CERTAIN INFORMATION IN SUBMISSION OF NOMINATION FOR APPOINTMENT OF DEPUTY UNITED STATES TRADE REPRESENTATIVE

Present Law

No provision.

House Amendment

No provision.

Senate Amendment

Section 907 of the Senate amendment requires that, when the President submits to the Senate for its advice and consent a nomination of an individual for appointment as a Deputy United States Trade Representative, the President shall include in that submission information on the country, regional offices, and functions of the Office of the United States Trade Representative with respect to which that individual will have responsibility.

Conference Agreement

The conference agreement follows the Senate amendment with additional reporting requirements.

SECTION 919. SENSE OF CONGRESS ON THE NEED FOR A MISCELLANEOUS TARIFF BILL PROCESS

Present Law

No provision.

House Amendment

No provision.

Senate Amendment

Title VIII of the Senate amendment established a process for the consideration of temporary duty suspensions and reductions.

Conference Agreement

The conference agreement states that it is the sense of Congress that the Senate Finance Committee and the House Ways and Means Committee are urged to advance, as soon as possible, after consultation with the public and Members of the Senate and the House of Representatives, a process for the temporary suspension and reduction of duties that is consistent with the rules of the Senate and the House.

SECTION 920. CUSTOMS USER FEES

Present Law

Under section 13031(a) of the Consolidated Omnibus Budget Reconciliation Act of 1985, the Secretary of the Treasury is authorized to charge and collect fees for the provision of certain customs services. Pursuant to section 13031(j)(3), the Secretary of the Treasury may not charge fees for the provision of certain customs services after September 30, 2024.

House Amendment

Section 910 amends section 13031(j)(3)(A) of the Consolidated Omnibus Budget Reconciliation Act of 1985 to extend the period that the Secretary of the Treasury may charge for certain customs services for imported goods from July 8, 2025 to July 28, 2025, and extends the ad valorem rate for the Merchandise Processing Fee collected by CBP that offsets the costs incurred in processing and inspecting imports from July 1, 2025 to July 14, 2025.

Senate Amendment

Section 1002 of the Senate amendment is the same as section 910 of the House amendment.

Conference Agreement

The conference agreement follows the House amendment and the Senate amendment and makes technical corrections to the drafting.

SECTION 921. INCREASE IN PENALTY FOR FAILURE TO FILE RETURN OF TAX

Present Law

The Federal tax system is one of ''self-assessment,'' *i.e.*, taxpayers are required to declare their income, expenses, and ultimate tax due, while the IRS has the ability to propose subsequent changes. This voluntary system requires that taxpayers comply with deadlines and adhere to the filing requirements. While taxpayers may obtain extensions of time in which to file their returns, the Federal tax system consists of specific due dates of returns. In order to foster compliance in meeting these deadlines, Congress has enacted a penalty for the failure to timely file tax returns.[1]

A taxpayer who fails to file a tax return on or before its due date is subject to a penalty equal to 5 percent of the net amount of tax due for each month that the return is not filed, up to a maximum of 25 percent of the net amount.[2] If the failure to file a return is fraudulent, the taxpayer is subject to a penalty equal to 15 percent of the net amount of tax due for each month the return is not filed, up to a maximum of 75 percent of the net amount.[3] The net amount of tax due is the amount of tax required to be shown on the return reduced by the amount of any part of the tax which is paid on or before the date prescribed for payment of the tax and by the amount of any credits against tax which may be claimed on the return.[4] The penalty will not apply if it is shown that the failure to file was due to reasonable cause and not willful neglect.[5]

If a return is filed more than 60 days after its due date, and unless it is shown that such failure is due to reasonable cause, the failure to file penalty may not be less than the lesser of $135 (indexed annually for inflation) or 100 percent of the amount required to be shown as tax on the return. If a penalty for failure to file and a penalty for failure to pay tax shown on a return both apply for the same month, the amount of the penalty for failure to file for such month is reduced by the amount of the penalty for failure to pay tax shown on a return.[6] If a return is filed more than 60 days after its due date, the penalty for failure to pay tax shown on a return may not reduce the penalty for failure to file below the lesser of $135 or 100 percent of the amount required to be shown on the return.[7]

The failure to file penalty applies to all returns required to be filed under subchapter A of Chapter 61 (relating to income tax returns of an individual, fiduciary of an estate or trust, or corporation; self-employment tax returns, and estate and gift tax returns), subchapter A of chapter 51 (relating to distilled spirits, wines, and beer), subchapter A of chapter 52 (relating to tobacco, cigars, cigarettes, and cigarette papers and tubes), and subchapter A of chapter 53 (relating to machine guns and certain other firearms).[8] The failure to file penalty does not apply to any failure to pay estimated tax required to be paid by sections 6654 or 6655.[9]

House Amendment

Under the provision, if a return is filed more than 60 days after its due date, then the failure to file penalty may not be less than the lesser of $205 or 100 percent of the amount required to be shown as tax on the return.

Effective date.—The provision applies to returns required to be filed in calendar years after 2015.

Senate Amendment

No provision.

Conference Agreement

The conference agreement follows the House amendment provision.

SECTION 922. PERMANENT MORATORIUM ON INTERNET ACCESS TAXES AND ON MULTIPLE AND DISCRIMINATORY TAXES ON ELECTRONIC COMMERCE

Present Law

The temporary moratorium on states and localities taxing Internet access or placing multiple and discriminatory taxes on Internet commerce expires on December 11, 2015.

House Amendment

No provision.

Senate Amendment

No provision.

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[1] See *United States v. Boyle*, 469 U.S. 241, 245 (1985).
[2] Sec. 6651(a)(1).
[3] Sec. 6651(f).
[4] Sec. 6651(b)(1).
[5] Sec. 6651(a)(1).
[6] Sec. 6651(c)(1).
[7] *Ibid.*
[8] Sec. 6651(a)(1).
[9] Sec. 6651(e).

Conference Agreement

Section 922 makes permanent an existing moratorium on states and localities taxing Internet access or placing multiple and discriminatory taxes on Internet commerce. The existing temporary ban was first put in place in 1998. Since then, Congress has extended it multiple times with enormous bipartisan support. Section 922 converts the moratorium into a permanent ban—on which consumers, innovators and investors can permanently rely—by simply striking the 2015 end date. The original moratorium included a grandfather clause to give States that were then taxing Internet access some time to transition to other sources of revenue. All but six of the originally grandfathered states have discontinued taxing Internet access. Section 922 gives those states additional time by delaying the phase-out of the grandfathers until June 30, 2020 which is the end of the fiscal year for states and the start of a new billing cycle for Internet access providers.

MINORITY VIEWS

During the Senate's consideration of legislation earlier this year, Finance Committee Ranking Member Ron Wyden, Senator Bill Nelson (D–FL), and Senator Ben Cardin (D–MD), members of the Finance Committee, expressed their support for the establishment of a process whereby Congress would consider the merits of an extension of certain apparel Tariff Preference Levels (TPLs). It is the view of Senator Wyden that these programs can offer benefits to U.S. consumers, workers, and exporters, and Congress should further consider the merits of an extension of the Nicaragua, Bahrain, and Morocco TPLs.

KEVIN BRADY,
DAVID REICHERT,
PAT TIBERI,
Managers on the Part of the House.

ORRIN HATCH,
JOHN CORNYN,
JOHN THUNE,
JOHNNY ISAKSON,
RON WYDEN,
DEBBIE STABENOW,
Managers on the Part of the Senate.

RED RIVER PRIVATE PROPERTY PROTECTION ACT

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill, H.R. 2130.

The SPEAKER pro tempore (Mr. FLEISCHMANN). Is there objection to the request of the gentleman from Utah?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 556 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2130.

The Chair appoints the gentleman from Texas (Mr. POE) to preside over the Committee of the Whole.

□ 1510

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2130) to provide legal certainty to property owners along the Red River in Texas, and for other purposes, with Mr. POE of Texas in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources.

The gentleman from Utah (Mr. BISHOP) and the gentlewoman from Massachusetts (Ms. TSONGAS) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, this is an extremely important bill to the people who live in this particular area of Texas and Oklahoma.

Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. MCCLINTOCK), the subcommittee chair who heard this bill.

Mr. MCCLINTOCK. Mr. Chairman, every now and then, we have a chance to stop an injustice and restore the fundamental purpose of our government to secure the inalienable rights of the people. In this instance, the Federal Government has become destructive of this end. It is attempting to seize thousands of acres of private land lawfully owned by American citizens along a 116-mile stretch of the Red River between Texas and Oklahoma. Mr. THORNBERRY's bill would stop this injustice, reassert the rule of law, and restore the unclouded title of these lands to their rightful owners.

In 1923, the U.S. Supreme Court established the rules for determining the boundary between Texas and Oklahoma that established the property rights over this land. For nearly a century, the Federal Government recognized and respected the property lines established by this ruling. Property owners purchased and sold this land and, in some cases, passed it down from generation to generation. These property owners, in good faith, dutifully paid taxes on their lands year after year, invested in these lands, maintained them, cultivated them, and improved them.

Out of the blue, the Bureau of Land Management has now announced that it is arbitrarily changing the boundaries established by the Supreme Court and is seizing this land for itself.

□ 1515

This outrageous claim clouds the property rights along this vast territory. It is based on the flimsiest of pretexts, a limited survey over a fraction of this land that ignored the 1923 Supreme Court decree that originally established these boundary lines. In other words, it is a guess based upon a fraud.

The Red River Private Property Protection Act rights this obvious wrong. It requires the Federal Government, in conjunction with the affected State and tribal governments, to make clear the true ownership of this property.

It tells the BLM to back off, and authorizes a collaborative survey to be conducted by the affected State and tribal governments, according to the rule of law established by the Supreme Court. And if this new survey determines any errors in the old, it provides that the landowners who have poured their blood, toil, tears, and sweat into this land can repurchase it for a $1.25 per acre, the price set by the Color of Title Act to resolve disputes of this nature.

Without this act, title to the farms and homes will be clouded for decades while this matter drags on through the courts.

Meanwhile, the BLM's assertion that it has regulatory jurisdiction would have devastating impacts on local landowners and businesses and make it much more difficult to encourage economic development in the region.

We should also beware of an amendment sought by several neighboring tribal governments that attempts to seize this property for themselves. Despite the fact that this bill is to be amended to reaffirm all tribal treaties to assure that the tribes are an integral part of the new survey process, and are guaranteed the right of first refusal over any lands they currently occupy, they are seeking to replace the injustice perpetrated by the BLM with an injustice of their own.

Whether private property is seized by the Federal Government or by a tribal government makes no difference to the innocent victims whose land is being stolen, and it is an equal affront to the just principles of property rights that this bill seeks to restore.

Tribal governments whose own sovereignty and property rights are often threatened by this Federal Government ought to be particularly sensitive when that same government threatens the rights of others.

Government exists to protect our natural rights, including our property rights. This bill realigns our government with its stated purpose.

Ms. TSONGAS. Mr. Chairman, I yield myself such time as I may consume.

H.R. 2130, the Red River Private Property Protection Act, sponsored by Representative THORNBERRY of Texas, aims to resolve a series of property disputes along a 116-mile stretch of the Red River, which forms a portion of the boundary between Texas and Oklahoma.

While this legislation may seem like an issue with only local or regional interests, it speaks to broader policy issues on our Nation's public lands, lands which belong to all Americans.

I am sympathetic to the concerns of Mr. THORNBERRY and his constituents.

Landowners in the area, some of whom have lived there for generations, deserve clarification on the amount of land owned by the Federal Government and the location of the boundary between Texas and Oklahoma.

However, as written, I am concerned that this legislation undermines the authority of the Federal Government, and potentially jeopardizes longstanding mineral revenue distribution agreements with the State of Oklahoma and certain Native American tribes.

Federal interest in land along the Red River goes back to the Louisiana Purchase. More than 200 years later, after several treaties and compacts, there is still confusion about the amount of land owned by the Federal Government and the location of the boundary between Texas and Oklahoma.

The majority rightly cites a 1926 Supreme Court case that established the gradient boundary method as the means of determining the boundary between the two States, Texas and Oklahoma.

Under this decision, which has been adhered to for nearly a century, the boundary of Oklahoma extends to the center of the river, and the Texas boundary extends to the ordinary high water mark on the south bank. All the land in between was retained in Federal ownership.

The Supreme Court ruling established the boundary between the States, but it did not change the ownership status of any land, and the Federal Government has had a continual interest in land along the Red River.

To complicate matters even further, the area has a long history of oil and gas development and includes several tribal interests.

The Bureau of Land Management, the Federal Government's ''Surveyor of Record,'' is in the process of updating its management plan for the area, which includes surveying all of the land in question, in order to determine the extent of the remaining Federal interest and clarify ownership claims.

There are many overlapping claims, missing and unreliable records, and even competing claims from both Texas and Oklahoma over the same pieces of property, so the BLM is poring through county GIS data to sort out who owns what and where.

This survey is not a land grab by the Federal Government. It is a long, but necessary, process that BLM must work through to validate ownership claims.

In fact, BLM wants to limit Federal interest in the region. But it has to be allowed to survey the area first.

There are an estimated 30,000 acres of Federal land in the affected area, 23,000 of which are potentially overlaid by private deeds. Without the survey, the agency will have no legal way to give a clear title to land claimed by a private interest or determine what Federal land is suitable for sale.

Unfortunately, H.R. 2130 halts the survey process, nullifies all previous BLM surveys, and transfers survey authority to the Texas General Land Office. The bill also requires the Secretary of the Interior to forfeit any right, title, and interest to land in the affected area.

Taking away BLM's survey authority and putting the Texas General Land Office in control of the survey would effectively make a large portion of the estimated Federal landholdings disappear. The result is unfair to American taxpayers, who deserve fair compensation for their assets.

H.R. 2130 could also jeopardize a longstanding agreement between the Federal Government and the Kiowa, Apache, and Comanche tribes. These tribes receive 62.5 percent of any royalty generated for oil and gas development along this section of the Red River. If part of this land no longer belongs to the Federal Government, this important source of revenue relied on by the tribes could also vanish.

Yesterday, the Natural Resources Committee received a letter from the Kiowa-Comanche Intertribal Land Use Committee that outlined serious concerns with the bill, as introduced. We were unable to hear about these concerns until now, because we have not had a hearing on this bill in this Congress.

Representative COLE has offered an amendment to address the concerns of these tribes. His amendment will ensure that the mineral and surface interests held by tribes are not diminished by this bill. The Cole amendment makes significant improvements to the bill, and I am glad the Rules Committee made it in order.

Adoption of the Cole amendment, however, does not address all of our concerns or remove our fundamental opposition to the bill.

I want to reiterate, we would all like to see the property dispute resolved in a way that benefits all parties and provides much-needed clarification for local landowners and tribes. However, instead of ceding Federal authority to a State, Congress should allow BLM to complete its work.

I urge my colleagues to reject H.R. 2130.

Before I reserve my time, I want to note that, as we approach the end of the year, there are critical issues that we have yet to address. Funding the Federal Government, extending tax breaks and, yes, addressing the scourge of gun violence in this country are just a few that deserve our urgent attention, instead of debating this bill, which the President will likely veto.

For example, Representative KING's bill, H.R. 1076, the Denying Firearms and Explosives to Dangerous Terrorists Act is a bipartisan and commonsense bill that would make our communities safer.

Since 2004, for 11 years now, more than 2,000 FBI-identified suspected terrorists have legally purchased weapons in the United States. This is an alarming figure.

That is why I am a cosponsor of Republican Congressman PETER KING's bill, which would prevent people who are linked to terrorist activities from buying a gun, a commonsense bill that has support from both Republicans and Democrats, and would protect our communities.

It is pretty simple. If the Federal Government doesn't allow you to board an airplane, it shouldn't allow you to buy a gun.

I have joined my colleagues in filing a discharge petition to force a vote on this bill after House Republicans have repeatedly voted to prevent the House from even debating Congressman KING's bill.

We should be doing everything we can to keep deadly weapons out of the hands of suspected terrorists. It is just common sense to allow a vote on this.

I urge the Republican leadership to allow on vote on this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself such time as I may consume.

For people whose homes and lives are being threatened by inaction or an improper action of the Federal Government, that is a critical issue to them. This bill is significantly important to people who are being harmed by the Federal Government.

So this is what happened: In 2009, the Bureau of Land Management, they did a survey on 6,000 acres, out of a potential of about 90,000 acre piece of property. They used poor surveying methods, methods that were outlawed by the Supreme Court back in the 1920s because of the inaccuracy of the method they used.

Four years later, this Bureau then decided, based on the inaccurate surveying done in an improper way, that they would lay claim to 90,000 acres. They later reduced that number somewhat, even though people lived on the land they were claiming. Their homes were there. Their future was there. They had a valid title to that land. They had been paying taxes on that land for years.

Nonetheless, the government decided it was theirs. The government had no use for this land. They had no plan. They had no need for it. All it was was about control.

Even the BLM workers who were on the field that understood, they didn't want this. It was made up here in the higher levels of people who want to control. And even though they own a third of the land mass of the United

States, that simply was not enough. They wanted to go after the homes of these people as well.

If people were in the way of that control, they didn't care. If property rights were in the way of that control, they didn't care.

We have seen this issue played over and over on this floor recently. We had a bill the other day in the State of Virginia, where 1 acre, 1 acre of a park that was not being used was needed for a daycare center, and the Park Service was opposed to it because it took their control away from that 1 acre of land. Fortunately, we passed that bill on a voice vote.

There is a school, a middle school in Reno, Nevada, that was stopped by the BLM because it was going to be put on land that was 12 miles away from a potential sage grouse lek. That was stopped.

There is a lake in Louisiana where the exact same thing is happening on 200 acres around that particular lake, a bad survey in which the Federal Government says, oh, give us time to fix this problem.

The bottom line is, we are seeing, time after time after time, in which actions by the Federal Government, specifically, the Department of the Interior, are actually hurting people, and that is wrong. We must stop that.

We are here in the people's House. It is incumbent upon us, if an agency of government, an administration, or a bureaucracy does something to harm people, it is our responsibility to change that, to challenge it, and to set it right.

If the bureaucracy decides to become heartless thugs and tries to take away property rights, tries to take away homes, then we, the Representatives of the people, need to have this time to stand up there and say, no, it is wrong; we need to do it the right way.

That is exactly what the bill before us does. It says: Stop this inaccuracy. Stop this offense. Stop hurting people. Redo the survey, but redo it in a proper way, and put in a source of process where those who have actual rights on this land can go about and get their rights.

If that undermines the Federal Government, which has had 6 years to redo the survey, and do it the right way, then it is incumbent upon us. If they have done something wrong, we need to fix it.

This bill in no way, shape, or form has any negative impact on anybody's mineral rights. Whether it is the government, tribes, or individuals, it does not harm them.

But it is our job to make sure we do something. We, in this body, set the standards and the boundaries of what government should do, not a faceless bureaucracy. And when that faceless bureaucracy, after a great deal of time, fails to do their job, that is when we, as a body, need to stand up and set things right to protect the people whom we represent.

Mr. Chairman, I reserve the balance of my time.

Ms. TSONGAS. Mr. Chairman, I yield such time as he may consume to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. I thank the gentlewoman for yielding.

Mr. Chairman, I am appalled that Republicans are continuing to ignore the calls that Mr. THOMPSON has led to bring up my good friend from New York, Republican PETER KING's bipartisan bill to keep guns out of the hands of terrorists.

It is remarkable enough that individuals on the terrorist watch list are able to freely purchase weapons in this country, weapons that could then be turned against innocent Americans.

In fact, the GAO report showed that over the last 10 years, 90 percent of the people on the terrorist watch list who wanted to buy a weapon passed a background check. That is simply outrageous.

□ 1530

But it is extraordinary that, knowing of this truly absurd policy, Republicans refuse to bring Mr. KING of New York's aptly named Denying Firearms and Explosives to Dangerous Terrorists Act.

Mr. Chairman, protecting our Nation from its enemies motivates my work here in Congress, as it should motivate all of us. That Members on the other side of the aisle are in such thrall to gun advocates that they would place their political aspirations above our national security shocks the conscience. This cannot be.

Mr. Chairman, I hope you will see Mr. KING's worthy bill on the floor without delay

Mr. BISHOP of Utah. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. THORNBERRY), the sponsor of this bill. He is someone who has been working for at least 6 long years to try to make sure that the Federal Government stops its harming of individuals in taking away their property and their homes.

Mr. THORNBERRY. Mr. Chairman, first, I want to express my appreciation to Chairman BISHOP not only for bringing this bill to the floor, but for taking the time to understand the issues, how they came to be, and cutting to the heart of the matter. I thought he did an outstanding job of explaining the challenges that my constituents face. Also, Subcommittee Chairman MCCLINTOCK has done an excellent job of talking about this bill.

Mr. Chairman, it is absolutely true. This specific legislation applies only to the 116-mile stretch of the Red River that is at issue here; but one point I completely agree with the gentlewoman from Massachusetts on is that the consequences of this extend far beyond those 116 miles, because if the Federal Government can come in and, through a regulatory process, say this land that you may have a deed to, that you may have paid taxes on for generations, that you may think you own, is not yours but is really ours, then that threatens private property rights throughout the country.

I would suggest, Mr. Chairman, that that is the reason the American Farm Bureau, the Oklahoma Farm Bureau, the Texas Farm Bureau, the National Cattlemen's Association, and the Public Lands Council all support this legislation, because private property rights are very important to be protected wherever they may be threatened.

Now, the bottom line, as Chairman BISHOP just mentioned, is that the BLM conducted some surveys several years ago, spot surveys, and they refuse to follow the mandates of the Supreme Court in its 1926 decision. The rest of the story is, BLM has indicated they will never survey the whole 116 miles. So, as the gentlewoman from Massachusetts points out, well, there is confusion, and this, that, and the other. The only way to straighten it out is to conduct a survey of the whole area and do it under the mandate, the way the Supreme Court of the United States said it should be done. BLM has said they are not going to do that. The only way to get that done is to support this bill.

Mr. Chairman, I do appreciate the gentlewoman from Massachusetts accurately described how there got to be this narrow strip of Federal land from the middle of the river to the south bank. Some people don't understand that. The gentlewoman described it exactly right. But that has been the problem for the BLM. They don't know how to manage a narrow strip of sand down the middle of the river. It has been suggested to me that that is the reason they are looking to expand what they own, so it is easier to manage if they can make it grow. Obviously, as the chairman points out, that takes away people's homes, property that people have the deeds to and that they have paid taxes on sometimes for generations.

The other misstatement that has been made is that somehow Texas is going to control this survey. That is not true. This legislation says Texas, in conjunction with Oklahoma—and I think the manager's amendment will say in conjunction with the tribes—will choose a professional surveyor to do this right. The Congressional Budget Office says this legislation actually saves the taxpayers money. Certainly, we have bent over backwards to make sure landowners on both sides of the river—the tribes, individuals, and local governments—are part of this process.

I think the bottom line, Mr. Chairman, is the only way to prevent the

BLM from taking this land in a timely way without years of court battles is to pass this legislation, as written, with the manager's amendment that Chairman BISHOP will offer, requiring there to be a survey that is done right, and then set up the process so that whatever that survey reveals can be dealt with in an equitable manner. That is what the underlying bill does.

Again, I appreciate the chairman's taking the time to understand this. We don't have a lot of Federal land in and around Texas, but any time the Federal Government comes in to try to confiscate what people own and have paid taxes on for generations, it is a threat to us all, and this legislation, I hope, will be supported.

Ms. TSONGAS. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM), my colleague.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I too believe that Congress must act quickly to address terrorist threats in order to keep Americans safe.

Congress promptly acted in a bipartisan manner this week to strengthen glaring holes in our country's Visa Waiver Program. However, we have done absolutely nothing to close an equally alarming loophole which allows suspected terrorists to purchase guns.

Unlike felons, domestic abusers, and the adjudicated mentally ill, suspected terrorists can legally purchase firearms in the United States. I think that is worth repeating. Individuals who are suspected of being involved in terrorist activities by the FBI can legally purchase dangerous weapons—including military-style assault rifles and explosives—in this country. In fact, more than 2,000 suspects on the FBI's terrorist watch list have purchased firearms over the last 11 years.

If our intelligence community is concerned enough about an individual's suspected ties to terrorism to prohibit them from boarding an aircraft, why would we allow that person to purchase a firearm?

The American people are urging Congress to address gun violence and strengthen our Nation's security against increasing threats from ISIS and other terrorist organizations. This bill provides a rare opportunity to do both. Unfortunately, the Republican leadership has refused to even debate this bill.

We cannot, Mr. Chairman, wait to act any longer. I urge my colleagues to support this legislation and help ensure that every American lives free from the threat of gun violence.

Mr. BISHOP of Utah. Mr. Chairman, I reserve the balance of my time.

Ms. TSONGAS. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Florida (Ms. FRANKEL), my colleague.

Ms. FRANKEL of Florida. Mr. Chairman, here is what the terrorists say: ''America is absolutely awash with easily obtainable firearms. You can go down to a gun show at the local convention center and come away with a fully automatic assault rifle, without a background check, and most likely without having to show an identification card.''

Those words, Mr. Chairman, are from the mouth of former al Qaeda spokesman Adam Gadahn, who, until his demise, was one of the world's most wanted terrorists. Mr. Gadahn can be seen on a video urging lone-wolf attacks on innocent Americans.

After describing how easy it is to buy a firearm in our country, he ends the video by saying: ''So what are you waiting for?''

So I ask this Congress: What are we waiting for—more attacks like San Bernardino or Paris? more families destroyed? more innocent lives wasted? more 30 seconds of silence in this Chamber?

Let's save some lives today. Say ''no'' to the purchase of weapons by those who would use violence and threats to destroy our way of life.

Mr. BISHOP of Utah. Mr. Chairman, I have some other speakers who are on their way, so I will reserve in the hopes that I can hear some other speeches that care about people who are about to lose their homes by the actions of this government, that we actually care about those people.

Mr. Chairman, I reserve the balance of my time.

Ms. TSONGAS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to address an issue that has been addressed in the course of our conversations.

The majority continues to claim that the Federal Government does not and has never had any legal claim to the land between the river's median and the south bank, but that claim is inaccurate.

This 116-mile stretch of the river originally came into Federal ownership under the Louisiana Purchase in 1803. Treaties between 1819 and 1838 established the south bank of the Red River as the southern border of the United States and the northern border of what is now the State of Texas. In 1867, the land north of the river became part of the Kiowa-Comanche-Apache Reservation, with the medial line of the river denoting the reservation's southern boundary.

All land between the medial line and the southern bank of the Red River was retained—not acquired—by the Federal Government as public land. The land between the medial line and the south bank has never been owned by anyone other than the Federal Government.

The Supreme Court decision in the 1920s never ceded ownership of the public land to either State but simply adopted a new methodology and terminology for determining where the southern bank of the Red River, still the border between Texas and Oklahoma, lies.

Although litigation in the 1980s, resulting from natural changes in the river's location, attempted to settle private landowners' acreage disputes, these agreements had no effect on Federal land ownership. Likewise, while the Red River Compact changed the boundary between the States by switching from applying the gradient line measurement to using the vegetation line, that compact explicitly did not transfer any title or status of land held in the public domain to Texas, Oklahoma, or any private landowner. Any claim that any litigation or agreements over the past 90-plus years have somehow negated Federal ownership of these 30,000 acres simply is not true.

Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I yield, once again, such time as he may consume to the gentleman from Texas (Mr. THORNBERRY), the sponsor of this bill, to explain how this actually did take place and what the issue is here.

Mr. THORNBERRY. Mr. Chairman, I appreciate that statement by the gentlewoman from Massachusetts. I do not disagree with anything she said, and I think I said that a while ago, that there absolutely is a legitimate Federal claim from the middle of the river to the south bank. That has been the case ever since 1803. The gentlewoman is exactly right in laying that out.

The problem is that the Bureau of Land Management has said now the south bank is as much as a mile to the south of where it is because they refuse to follow the survey method that the Supreme Court mandated. They have done these spot surveys the chairman mentioned.

It is not a question about the middle of the river to the south bank. It is a question of where the south bank is. In some cases, it is a tremendous difference back, and that is where they confiscate the land. It is because their new interpretation of the south bank is far, far away from the river, as I say, as much as a mile. That is the issue. That is the reason the only way to solve this is to have a professional survey define the south bank using the criteria set by the Supreme Court, and then that decides it.

Will there continue to be Federal land between the south bank and the middle of the river? Absolutely. BLM has said they don't know what they are going to do with it because it is a narrow strip of sand. But the key is to define that boundary so we don't take away the livelihood and the homes of the people who have lived and had deeds on the land far beyond the south bank. That is what is at issue here.

Mr. Chairman, I thank the gentleman for yielding.

Ms. TSONGAS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, just to address an issue that my colleague from Texas has brought up, the BLM is trying to resolve the very difference that he suggests and has instituted a survey and would like to continue that process in order to resolve the very issue that he is raising, but it is an issue that should be retained by the Federal Government through the BLM.

Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, when you can't do a survey in 6 years, maybe somebody should insist the Federal Government's agencies do it.

I reserve the balance of my time.

Ms. TSONGAS. Mr. Chairman, I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, if I could inquire of the gentlewoman from Massachusetts how many more speeches she has. There is one person coming down, but I don't know if he will make it. I think, in light of the time, I am ready to close if she is ready to close.

□ 1545

Ms. TSONGAS. Mr. Chairman, I am ready to close and yield myself such time as I may consume.

I want to conclude by acknowledging that I sympathize with the property owners along the Red River. Providing them with certainty and assurance that their property rights are not threatened is a goal that we should all share, and we do.

Unfortunately, this bill will only complicate an already complicated and messy situation. As introduced, it will likely lead to litigation from tribes and tribal members who stand to lose both property and mineral interests.

Furthermore, this bill requires the Secretary of the Interior to disclaim all right, title, and interest in the affected areas and transfer survey authority to the State of Texas. It is unclear how the BLM will be able to work with property owners to clear titles after the United States has already conceded its authority over the land.

Additionally, transferring the Federal Government survey authority to Texas is not a workable solution. It is so implausible, in fact, that the bill has triggered a veto threat from the White House.

If there is really a problem that Congress can solve, providing Texas landowners with the certainty they desire, we should work together to come up with legislation that would earn the President's signature.

We should go back to the drawing board. Until that happens, I urge my colleagues to oppose this bill.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself such time as I may consume.

This is one of those situations where this is an issue that has been festering for 6 years now. If the Bureau of Land Management truly wanted to solve this issue, if they truly wanted to make amends, if they truly wanted to give certainty to these people, it could have happened by now. But up the food chain they have refused to do it.

That is why it is incumbent upon us to do the right thing. We are talking about people whose property, whose homes, their future, their livelihoods, are being threatened by a government bureaucracy that simply says they don't care. They would rather have control than solve a problem.

The bill before you actually sets out a way of doing the survey in the right way, the way the Supreme Court said it should be done, doing it the right way the first time and ensuring that everyone will be part of the table. It sets out a process to actually solve this problem in a minimum amount of time. This is the right thing to do. We should go forward with that.

I appreciate those who have spoken on this particular issue because there are people whose lives are being threatened right now because of the uncertainty about what their property rights are and where they will not be, and that is wrong. That is simply wrong.

What has happened to these people is wrong. If we allow it to go forward by our inability of trying to make decisions here, we are wrong, too. It is time to quit hurting people and do things that actually help them.

Mr. Chairman, I yield back the balance of my time.

Mr. POE of Texas. Mr. Chair, first off, I would like to thank Congressman THORNBERRY for leading this effort in the House.

It is no surprise that the Bureau of Land Management under this Administration has become greedy.

But their blatant disregard of the law and private property rights is shameful.

One would think the federal government would be satisfied with the 653 million acres of land it currently controls and owns, which is over 27 percent of the total U.S. surface area.

A lot of which goes unused, but apparently that is not enough.

If anything the federal government should being selling land instead of trying to claim more.

The Bureau of Land Management's actions are a cloud on the title of Texas ranches.

Since the 1845 annexation of Texas into the United States, the federal government has owned very little to no property in Texas.

The Red River Private Property Protection Act, if signed into law would settle these absurd claims and clearly define the borders.

It is important that we support and protect Oklahoma and Texas landowners from this Administration's ridiculous attempt at another land grab.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2130

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Red River Private Property Protection Act''.

SEC. 2. DISCLAIMER AND OUTDATED SURVEYS.

(a) IN GENERAL.—The Secretary disclaims any right, title, and interest to the land located south of the South Bank boundary line in the affected area.

(b) CLARIFICATION OF PRIOR SURVEYS.—Surveys conducted by the Bureau of Land Management before the date of the enactment of this Act shall have no force or effect in determining the South Bank boundary line.

SEC. 3. SURVEY OF SOUTH BANK BOUNDARY LINE.

(a) SURVEY REQUIRED.—To identify the South Bank boundary line in the affected area, the Secretary shall commission a survey. The survey shall—

(1) adhere to the gradient boundary survey method;

(2) span the entire length of the affected area;

(3) be conducted by Licensed State Land Surveyors chosen by the Texas General Land Office, in consultation with the Oklahoma Commissioners of the Land Office;

(4) be completed not later than 2 years after the date of the enactment of this Act; and

(5) not be submitted to the Bureau of Land Management for approval.

(b) APPROVAL OF THE SURVEY.—After the survey is completed, the Secretary shall submit the survey to be approved by the Texas General Land Office, in consultation with the Oklahoma Commissioners of the Land Office.

(c) SURVEYS OF INDIVIDUAL PARCELS.—

(1) IN GENERAL.—Parcels surveyed as required by this section shall be surveyed and approved on an individual basis by the Texas General Land Office, in consultation with the Oklahoma Commissioners of the Land Office.

(2) SURVEYS OF INDIVIDUAL PARCELS NOT SUBMITTED TO THE BUREAU OF LAND MANAGEMENT.—Surveys of individual parcels shall not be submitted to the Bureau of Land Management for approval.

(d) NOTICE.—

(1) NOTIFICATION TO THE SECRETARY.—Not later than 30 days after a survey for a parcel is approved by the Texas General Land Office under subsection (c), such office shall provide to the Secretary the following:

(A) Notice of the approval of such survey.

(B) A copy of such survey and field notes relating to such parcel.

(2) NOTIFICATION TO ADJACENT LANDOWNERS.—Not later than 30 days after the date on which the Secretary receives notification relating to a parcel under paragraph (1), the Secretary shall provide to landowners adjacent to such parcel the following:

(A) Notice of the approval of such survey.

(B) A copy of such survey and field notes relating to such parcel.

(C) Notice that the landowner may file an appeal under section 4.

(D) Notice that the landowner may apply for a patent under section 5.

(E) Any additional information considered appropriate by the Secretary.

SEC. 4. APPEAL.

Not later than 1 year after the date on which a landowner receives notification under section 3(d)(2), a landowner who claims to hold right, title, or interest in the affected area may appeal the determination of the survey to an administrative law judge of the Department of the Interior.

SEC. 5. RED RIVER SURFACE RIGHTS.

(a) NOTIFICATION OF APPLICATION PERIOD FOR PATENTS.—

(1) IN GENERAL.—On the date that is 18 months after the date on which the Secretary receives notification relating to a parcel under section 3(d)(1), the Secretary shall determine whether such parcel is subject to appeal.

(2) PARCEL NOT SUBJECT TO APPEAL.—Not later than 30 days after the date on which the Secretary determines a parcel is not subject to appeal, the Secretary shall—

(A) notify landowners adjacent to such parcel that the Secretary shall accept applications for patents for that parcel under subsection (b) for a period of 210 days; and

(B) begin accepting applications for patents for that parcel under subsection (b) for a period of 210 days.

(3) PARCEL SUBJECT TO APPEAL.—If the Secretary determines a parcel is subject to appeal, the Secretary shall, not less than once every 6 months, check the status of the appeals relating to such parcel, until the Secretary determines such parcel is not subject to appeal.

(b) PATENTS FOR LANDS IN THE AFFECTED AREA.—If the Secretary receives an application for a patent for a parcel of identified Federal lands during the period for applications for such parcel under subsection (a)(2)(B) and determines that the parcel has been held in good faith and in peaceful adverse possession by an applicant, or the ancestors or grantors of such applicant, for more than 20 years under claim (including through a State land grant or deed or color of title), the Secretary may issue a patent for the surface rights to such parcel to the applicant, on the payment of $1.25 per acre, if the patent includes the following conditions:

(1) All minerals contained in the parcel are reserved to the United States and subject to sale or disposal by the United States under applicable leasing and mineral land laws.

(2) Permittees, lessees, or grantees of the United States have the right to enter the parcel for the purpose of prospecting for and mining deposits.

(c) PENDING REQUESTS FOR PATENTS.—The Secretary shall not offer a parcel of identified Federal land for purchase under section 6 if a patent request for that parcel is pending under this section.

SEC. 6. RIGHT OF REFUSAL AND COMPETITIVE SALE.

(a) RIGHT OF REFUSAL.—

(1) OFFERS TO PURCHASE.—After the expiration of the period for applications under section 5(a)(2)(B), the Secretary shall offer for purchase for a period of 60 days for each right of refusal—

(A) the surface rights to the remaining identified Federal lands located north of the vegetation line of the South Bank to—

(i) the adjacent owner of land located in Oklahoma to the north with the first right of refusal;

(ii) if applicable, the adjacent owner of land located in Texas to the south with the second right of refusal;

(iii) if applicable, the adjacent owner of land located to the east with the third right of refusal; and

(iv) if applicable, the adjacent owner of land located to the west with the fourth right of refusal; and

(B) the surface rights to the remaining identified Federal lands located south of the vegetation line of the South Bank to—

(i) the adjacent owner of land located in Texas to the south with the first right of refusal;

(ii) if applicable, the adjacent owner of land located in Oklahoma to the north with the second right of refusal;

(iii) if applicable, the adjacent owner of land located to the east with the third right of refusal; and

(iv) if applicable, the adjacent owner of land located to the west with the fourth right of refusal.

(2) REMAINING IDENTIFIED FEDERAL LANDS DEFINED.—In this subsection, the term ''remaining identified Federal lands'' means any parcel of identified Federal lands—

(A) not subject to appeal under section 4;

(B) not determined by an administrative law judge of the Department of the Interior or a Federal court to be the property of an adjacent landowner; and

(C) not patented or subject to a pending request for a patent under section 5.

(b) DISPOSAL BY COMPETITIVE SALE.—If a parcel offered under subsection (a) is not purchased, the Secretary shall offer the parcel for disposal by competitive sale for not less than fair market value as determined by an appraisal conducted in accordance with nationally recognized appraisal standards, including the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(c) CONDITIONS OF SALE.—The sale of a parcel under this section shall be subject to—

(1) the condition that all minerals contained in the parcel are reserved to the United States and subject to sale or disposal by the United States under applicable leasing and mineral land laws;

(2) the condition that permittees, lessees, or grantees of the United States have the right to enter the parcel for the purpose of prospecting for and mining deposits; and

(3) valid existing State, tribal, and local rights.

(d) REPORT.—Not later than 5 years after the date on which the survey is approved, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a list of the parcels of identified Federal lands that have not been sold under subsection (b) and a description of the reasons such parcels were not sold.

SEC. 7. RESOURCE MANAGEMENT PLAN.

The Secretary may not treat a parcel of identified Federal lands as Federal land for the purposes of a resource management plan if the treatment of such parcel does not comply with the provisions of this Act.

SEC. 8. CONSTRUCTION.

(a) LANDS LOCATED NORTH OF THE SOUTH BANK BOUNDARY LINE.—Nothing in this Act shall be construed to modify the interest of Texas or Oklahoma or sovereignty rights of any federally recognized Indian tribe over lands located to the north of the South Bank boundary line as established by the survey.

(b) PATENTS UNDER THE COLOR OF TITLE ACT.—Nothing in this Act shall be construed to modify land patented under the Act of December 22, 1928 (Public Law 70–645; 45 Stat. 1069; 43 U.S.C. 1068; commonly known as the Color of Title Act), before the date of the enactment of this Act.

(c) RED RIVER BOUNDARY COMPACT.—Nothing in this Act shall be construed to modify the Red River Boundary Compact as enacted by the States of Texas and Oklahoma and consented to by the United States Congress by Public Law 106-288 (114 Stat. 919).

SEC. 9. DEFINITIONS.

In this Act:

(1) AFFECTED AREA.—The term ''affected area'' means lands along the approximately 116-mile stretch of the Red River from its confluence with the North Fork of the Red River on the west to the 98th meridian on the east between the States of Texas and Oklahoma.

(2) GRADIENT BOUNDARY SURVEY METHOD.—The term ''gradient boundary survey method'' means the measurement technique used to locate the South Bank boundary line under the methodology established in Oklahoma v. Texas, 261 U.S. 340 (1923) (recognizing that the boundary line between the States of Texas and Oklahoma along the Red River is subject to change due to erosion and accretion).

(3) IDENTIFIED FEDERAL LANDS.—The term ''identified Federal lands'' means the lands in the affected area from the South Bank boundary line north to the medial line of the Red River as identified pursuant to this Act.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(5) SOUTH BANK.—The term ''South Bank'' means the water-washed and relatively permanent elevation or acclivity, commonly called a cut bank, along the southerly or right side of the Red River which separates its bed from the adjacent upland, whether valley or hill, and usually serves to confine the waters within the bed and to preserve the course of the river (as specified in the fifth paragraph of Oklahoma v. Texas, 261 U.S. 340 (1923)).

(6) SOUTH BANK BOUNDARY LINE.—The term ''South Bank boundary line'' means the boundary between Texas and Oklahoma identified through the gradient boundary survey method (as specified in the sixth and seventh paragraphs of Oklahoma v. Texas, 261 U.S. 340 (1923)).

(7) SURVEY.—The term ''survey'' means the survey required by section 3(a).

(8) VEGETATION LINE.—The term ''vegetation line'' means the visually identifiable continuous line of vegetation that is adjacent to the portion of the riverbed kept practically bare of vegetation by the natural flow of the river and is continuous with the vegetation beyond the riverbed.

The CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 114–375. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BISHOP OF UTAH

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–375.

Mr. BISHOP of Utah. Mr. Chairman, I have an amendment made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 12, insert ''and seek further judicial review'' after ''appeal''.

Page 5, line 18, strike ''Not'' and insert the following:

(a) APPEAL TO ADMINISTRATIVE LAW JUDGE.—Not

Page 5, after line 23, insert the following:

(b) FURTHER JUDICIAL REVIEW.—

(1) IN GENERAL.—A landowner who filed an appeal under subsection (a) and is adversely affected by the final decision may, not later than 120 days after the date of the final decision, file a civil action in the United States district court for the district——

(A) in which the person resides; or

(B) in which the affected area is located.

(2) STANDARD OF REVIEW.—The district court may review the case de novo and may enter a judgment enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part, the decision of the administrative law judge.

Page 6, line 8, insert ''or further judicial review'' after ''appeal''.

Page 6, line 9, insert ''OR JUDICIAL REVIEW'' after ''APPEAL''.

Page 6, line 11, insert ''or judicial review'' after ''appeal''.

Page 6, line 20, insert ''OR JUDICIAL REVIEW'' after ''APPEAL''.

Page 6, line 21, insert ''or further judicial review'' after ''appeal''.

Page 6, line 23, insert ''or judicial reviews'' after ''appeals''.

Page 6, line 25, insert ''or further judicial review'' after ''appeal''.

Page 9, line 14, insert ''or further judicial review'' after ''appeal''.

Page 11, after line 20, insert the following:

(d) TRIBAL RESERVATIONS.—Nothing in this Act shall be construed to create or reinstate a tribal reservation or any portion of a tribal reservation.

(e) TRIBAL MINERAL INTERESTS.—Nothing in this Act shall be construed to alter the valid rights of the Kiowa, Comanche, and Apache Nations to the mineral interest trust fund created pursuant to the Act of June 12, 1926.

Insert ''and each affected federally recognized Indian tribe'' after ''Oklahoma Commissioners of the Land Office'' each place it appears.

The CHAIR. Pursuant to House Resolution 556, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, today I rise in strong support of a brilliantly written manager's amendment to H.R. 2130.

In short, this bill, introduced by my friend, the chairman of the Armed Services Committee, Mr. THORNBERRY of Texas, prevents the Federal Government from claiming thousands of acres of private land legally owned by American citizens and tribes along the 116-mile stretch of the Red River between Texas and Oklahoma.

My manager's amendment will do the following: It will ensure that nothing in this bill will create or reinstate a tribal reservation. It ensures that nothing in this bill alters the valid existing mineral rights of the Kiowa, Comanche, and Apache Nations. It allows affected federally recognized Indian tribes to be part of the survey process in addition to the States of Oklahoma and Texas. It allows landowners access to judicial review beyond the Bureau of Land Management's administrative appeals process.

This manager's amendment reflects concerns that have been brought to us by Chairman THORNBERRY, by Congressman COLE of Oklahoma, by Oklahoma Governor Fallin, by private landowners, and by the other stakeholders who have an interest in this particular area.

I strongly urge my colleagues to vote in favor of the manager's amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. COLE

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–375.

Mr. COLE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 13, strike ''landowners'' and insert ''federally recognized Indian tribes with jurisdiction over lands''.

Page 7, lines 8 and 9, strike ''or deed or color of title''.

Page 7, line 11, strike ''$1.25'' and insert ''fair market value''.

Page 8, after line 7, insert the following (and redesignate the subsequent clauses accordingly):

(i) the federally recognized Indian tribes holding reservation or allotment land on June 5, 1906, with the first right of refusal;

Page 8, line 9, strike ''first'' and insert ''second''.

Page 8, line 13, strike ''second'' and insert ''third''.

Page 8, line 15, strike ''third'' and insert ''fourth''.

Page 8, line 18, strike ''fourth'' and insert ''fifth''

Page 8, after line 22, insert the following (and redesignate the subsequent clauses accordingly):

(i) the federally recognized Indian tribes holding reservation or allotment land on June 5, 1906, with the first right of refusal;

Page 8, line 24, strike ''first'' and insert ''second''.

Page 9, line 3, strike ''second'' and insert ''third''.

Page 9, line 5, strike ''third'' and insert ''fourth''.

Page 9, line 8, strike ''fourth'' and insert ''fifth''

Page 11, after line 20, insert the following:

(d) TRIBAL ALLOTMENTS.—Nothing in this Act shall be construed to alter the present median line of the Red River as it relates to the surface or mineral interests of tribal allottees north of the present median line.

The CHAIR. Pursuant to House Resolution 556, the gentleman from Oklahoma (Mr. COLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. COLE. Mr. Chairman, I would like to start by noting how much I respect the sincerity and good intentions of my friends from Texas and their desire to settle this issue of landownership along the Red River.

I want to particularly thank Chairman THORNBERRY and Chairman BISHOP, who have been extremely cooperative and helpful in trying to resolve some of these thorny issues.

I do, however, still have serious concerns about the unintended consequences that the suggested message for resolving this issue will most certainly have on Indian tribes in my district, specifically the Kiowa, Comanche, and Apache. All three tribes oppose the bill and support this amendment.

This bill gives Texas and Oklahoma the power to conduct a survey, the goal of which is to ascertain the exact location of the portion of the Red River currently owned by the Bureau of Land Management.

The BLM land would be sold off in a three-step process. The first step provides for adverse possessors to apply for a patent to the BLM land. The second is a sale based on a right-of-first-refusal structure. The third provides for any remaining BLM land to be sold via a competitive sale process. The goal is to remove the Federal control that the BLM has over a 116-mile stretch of the river and, by the CBO's estimate, of roughly 30,000 acres.

My amendment seeks to accomplish the following:

Ensure that tribes receive fair notice of their right to appeal any survey conducted pursuant to this legislation.

Ensure taxpayers receive full compensation instead of $1.25 per acre, as proposed, for any Federal land. This would also discourage fraudulent patent applications to BLM land that would hinder the process of disposal.

Ensure tribes will be provided with rights of first refusal to purchase BLM land.

And, finally, explicitly ensure that a survey and/or subsequent purchase does not result in any diminishment or alteration of tribal surface or mineral interests.

Mr. Chairman, the first portion of this amendment is an easy fix. Providing tribal landowners with notice of their right to appeal a survey determination is a fundamental notion of due process. Tribes have been left out of such notice requirements in the bill, as currently drafted.

The second portion of my amendment will help minimize the likelihood the projected litigation will commence. Litigation does nothing but unduly delay the opportunity for tribes to buy back their land at a fair market price. The $1.25 an acre price the current bill proposes is not the best deal for taxpayers, and Congress should vote to get the best value for BLM land.

To avoid this result, my amendment raises the standard patent applicants must meet for their applications to be approved.

The amendment also alters the right of first refusal structure for landowners to purchase BLM land by competitive sale. Indian tribes that formerly held reservation land in this part of Oklahoma, like the Kiowa, Comanche, and Apache, now have the right of first refusal for any competitive sale of BLM land that takes place pursuant to this legislation.

Finally, my amendment would disallow the survey from moving the medial line of the river north to affect the surface or mineral interests of tribal allottees north of the river in Oklahoma.

I simply cannot support a bill that would negatively impact tribal landowners in Oklahoma whose interests in surface, oil, gas, minerals, and water are critical to economic stability and funding for tribal government programs.

Mr. Chairman, this bill would begin a process of give-and-take in redetermining landownership between Texans, Oklahomans, and Indian tribes. Congress should remain mindful of its trust responsibilities and tread carefully when it comes to what could very well be construed as a taking of the Constitution.

Those in support of the bill will likely argue that tribes stand to benefit from re-surveying the river, citing that allotments bordering the river will actually expand in certain areas. That is a big gamble to take.

The fact is that neither Texans, Oklahomans, nor tribal members have any indication of whether they stand to gain or lose as a result of the survey method to be used. As a result, they have everything to lose should this bill become law without the amendment.

I urge the support of the Cole amendment to H.R. 2130.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Utah is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Chairman, I have a great deal of respect for Congressman COLE and his efforts. I want to also offer that, as this bill continues to be processed, I will be more than happy to work on these and other issues, as we have in the past on certain issues that are in the manager's amendment.

But I have to oppose this particular amendment. It does certain things that are problematic.

First, the amendment alters the bill's rights of first refusal procedure to give precedence to some above others, whether or not they have a reasonable claim to the land or hold an adjacent allotment. That is the key point right there: is the claim and the allotment adjacent.

The bill, as is already written, already gives the right of first refusal to those landowners who are there as long as they own the adjacent land parcel. That should not be changed.

Secondly, the medial line is an important issue in allocating where the location of the river actually is. If you are going to solve the problem unequivocally to demonstrate the true ownership of the land, this has to be solved. Otherwise, the clouded title to private lands will continue on, as they have been by BLM's action so far.

The Supreme Court has made it very clear that the medial is supposed to change as the movements of the river change. BLM's recent survey ignored the movement of the river, which is causing the very issue that we are facing today.

This amendment would put it back into the failed process. This amendment then runs contrary to what the Supreme Court's decision said is the fair surveying practices that ought to have been done 6 years ago by the BLM in the first place.

Congressman THORNBERRY has worked extensively with Congressman COLE to address some of the concerns—many of the concerns—that are there. I would point out just a few that have been added.

We are preventing the alternation of sovereign right States under the Red River Boundary Compact. We are ensuring the State of Oklahoma and affected tribes are involved in picking surveyors and approving the survey.

We are preventing the creation or reinstatement of the tribal reservation. We are ensuring that the bill does not impact the valid rights of the affected tribes to the mineral interest fund created in 1926.

Overall, the bill, as written and amended with the manager's amendment, proposes a fair solution to the issue at hand, incorporates the ideas and views of those interested in a wide range of the stakeholders.

I urge my colleagues to vote against this amendment.

I reserve the balance of my time.

Mr. COLE. Mr. Chairman, I want to begin by acknowledging what my friend said. I appreciate Mr. THORNBERRY and him working with us. This is a long and complex issue.

I will just say, we don't see the 1923 Supreme Court decision is where it started. We think it goes back to an earlier period where the tribes did not ever agree to give up their reservation land. They want an opportunity to be able to repurchase what they think was taken from them, if it should become available on the market.

I thank my friends again for working with me and look forward to continuing that process.

I yield back the balance of my time.

□ 1600

Mr. BISHOP of Utah. Mr. Chairman, may I inquire as to how much time I actually have?

The CHAIR. The gentleman has 2½ minutes remaining.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. I appreciate the chairman's yielding to me.

I also appreciate the considerable efforts that have gone on not just in the past few weeks and months but all the way back to the last Congress with Congressman COLE, with the Governor's Office of Oklahoma, and with the tribes directly to try to make sure that any concern was addressed.

Mr. Chairman, let me just say one overall point. Actually, the gentlewoman from Massachusetts made this really clear, which is that in going back to at least 1867 there is no tribal claim that goes south of the median line of the river. As a result, really, the only interests that could be threatened are that narrow strip of sand that the Federal Government does have a rightful claim on or its expansion beyond its rightful claim.

There should be no question of any tribal surface or mineral interest that is impinged by this legislation because they only ever went to the middle of the river. What we are talking about is the south bank of the river, which is what the BLM is now claiming.

I want to address the $1.25 issue because the bill requires that any land sold to an adjacent landowner or to anybody else be sold at current market value. The only exception is if, for a period of at least 20 years, you have owned the land, if you have a deed to the land, if you have paid taxes on the land, or if the Federal Government has never made a claim on the land for at least 20 years. In that instance, then you can under color of title procedure purchase the land for $1.25 an acre if the Bureau of Land Management agrees. It is at their discretion.

The idea is, if this survey happens to find some acreage—and I am not sure it will—that somebody has owned, has a deed to, has paid taxes on, has lived on, or if nobody else has claimed the title to it, then they don't have to buy it twice because they already bought it once. That is the purpose of this. In every other case, you have to pay the full market value for any land.

The last point is that Congressman COLE is very interested in making sure that the tribes are fully participating and know this about the survey, et cetera. I agree. I think the manager's amendment that Chairman BISHOP has just offered ensures that the tribes participate in the survey from the beginning. Of course, they have the right to appeal just like any other landowner would.

Mr. Chairman, I think this is the answer to a problem that needs our intervention because it is wrong to leave these people hanging for another 6 or 10 years without a complete survey that answers the question.

Mr. BISHOP of Utah. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COLE).

The question was taken; and the Chair announced that the noes appeared to have it.

RECORDED VOTE

Mr. COLE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 246, noes 183, not voting 4, as follows:

[Roll No. 684]

AYES—246

Adams
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Black
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Bridenstine
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Cramer
Cummings
Curbelo (FL)
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fleischmann
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Gutiérrez
Hahn
Hanna
Harris
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Holding
Honda
Hoyer
Huelskamp
Huffman
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson, E. B.
Jolly
Jones
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kline
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
McSally
Meehan
Meeks
Meng
Messer
Mica
Miller (MI)
Moolenaar
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Noem
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Posey
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Rigell
Rogers (KY)
Rooney (FL)
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Upton
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walberg
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Wilson (FL)
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zinke

NOES—183

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bishop (UT)
Blackburn
Bost
Boustany
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clarke (NY)
Clawson (FL)
Coffman
Collins (GA)
Conaway
Cook
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Davis, Rodney
Denham
DeSantis
DesJarlais
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Hardy
Harper
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Johnson (GA)
Johnson (OH)
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Knight
Labrador
LaHood
LaMalfa
Lamborn
Latta
LoBiondo
Long
Loudermilk
Love
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Miller (FL)
Mooney (WV)
Mulvaney
Neugebauer
Newhouse
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Salmon
Sanford
Scalise
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Valadao
Vela
Wagner
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Young (IN)
Zeldin

NOT VOTING—4

Aguilar
Davis, Danny
Johnson, Sam
Sanchez, Loretta

□ 1640

Messrs. SHUSTER, MCCARTHY, PRICE of Georgia, BOST, Mses. ROS-LEHTINEN, FOXX, Messrs. LAMALFA, FLORES, MEADOWS, MILLER of Florida, GOSAR, COFFMAN, GRAVES of Louisiana, MARCHANT, CRAWFORD, FINCHER, MCHENRY, WALDEN, MULVANEY, WOODALL, GUTHRIE, DUFFY, YOUNG of Indiana, HECK of Nevada, Ms. CLARKE of New York, Messrs. LUETKEMEYER, DUNCAN of South Carolina, SALMON, Mrs. LUMMIS, Messrs. PERRY, SMITH of Nebraska, TROTT, SENSENBRENNER, WILSON of South Carolina, Ms. HERRERA BEUTLER, Messrs. CARTER of Georgia, RODNEY DAVIS of Illinois, SMITH of Missouri, Mrs. BLACKBURN, Messrs. BARTON, ROKITA, and ROSKAM changed their vote from ''aye'' to ''no.''

Mses. HAHN, SPEIER, Mr. CICILLINE, Ms. WASSERMAN SCHULTZ, Messrs. VARGAS, FATTAH, BUTTERFIELD, HINOJOSA, TURNER, Mrs. CAROLYN B. MALONEY of New York, Messrs. YODER, GUINTA, CURBELO of Florida, STIVERS, FORTENBERRY, DAVID SCOTT of Georgia, ENGEL, and KATKO changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. STEWART). The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. STEWART, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2130) to provide legal certainty to property owners along the Red River in Texas, and for other purposes, and, pursuant to House Resolution 556, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. THOMPSON of California. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. THOMPSON of California. I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Thompson of California moves to recommit the bill H.R. 2130 to the Committee

on Natural Resources with instructions to report the same back to the House forthwith, with the following amendment:

After section 8, add the following (and redesignate the subsequent section accordingly):

SEC. 9. GRANTING THE ATTORNEY GENERAL THE AUTHORITY TO DENY THE SALE, DELIVERY, OR TRANSFER OF A FIREARM OR THE ISSUANCE OF A FIREARMS OR EXPLOSIVES LICENSE OR PERMIT TO DANGEROUS TERRORISTS.

(a) STANDARD FOR EXERCISING ATTORNEY GENERAL DISCRETION REGARDING TRANSFERRING FIREARMS OR ISSUING FIREARMS PERMITS TO DANGEROUS TERRORISTS.—Chapter 44 of title 18, United States Code, is amended—

(1) by inserting the following new section after section 922:

''§ 922A. Attorney General's discretion to deny transfer of a firearm

''The Attorney General may deny the transfer of a firearm pursuant to section 922(t)(1)(B)(ii) if the Attorney General determines that the transferee is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the prospective transferee may use a firearm in connection with terrorism.'';

(2) by inserting the following new section after section 922A:

''§ 922B. Attorney General's discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3)

''The Attorney General may determine that an applicant for a firearm permit which would qualify for an exemption under section 922(t)(3) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.''; and

(3) in section 921(a), by adding at the end the following:

''(36) The term 'terrorism' means 'international terrorism' as defined in section 2331(1), and 'domestic terrorism' as defined in section 2331(5).

''(37) The term 'material support' means 'material support or resources' within the meaning of section 2339A or 2339B.

''(38) The term 'responsible person' means an individual who has the power, directly or indirectly, to direct or cause the direction of the management and policies of the applicant or licensee pertaining to firearms.''.

(b) EFFECT OF ATTORNEY GENERAL DISCRETIONARY DENIAL THROUGH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) ON FIREARMS PERMITS.—Section 922(t) of such title is amended—

(1) in paragraph (1)(B)(ii), by inserting ''or State law, or that the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A'' before the semicolon;

(2) in paragraph (2), by inserting after ''or State law'' the following: ''or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A'';

(3) in paragraph (3)(A)(i)—

(A) by striking ''and'' at the end of subclause (I); and

(B) by adding at the end the following:

''(III) was issued after a check of the system established pursuant to paragraph (1);'';

(4) in paragraph (3)(A)—

(A) by adding ''and'' at the end of clause (ii); and

(B) by adding after and below the end the following:

''(iii) the State issuing the permit agrees to deny the permit application if such other person is the subject of a determination by the Attorney General pursuant to section 922B;'';

(5) in paragraph (4), by inserting after ''or State law,'' the following: ''or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A,''; and

(6) in paragraph (5), by inserting after ''or State law,'' the following: ''or if the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A,''.

(c) UNLAWFUL SALE OR DISPOSITION OF FIREARM BASED ON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 922(d) of such title is amended—

(1) by striking ''or'' at the end of paragraph (8);

(2) by striking the period at the end of paragraph (9) and inserting ''; or''; and

(3) by inserting after paragraph (9) the following:

''(10) has been the subject of a determination by the Attorney General pursuant to section 922A, 922B, 923(d)(1)(H), or 923(e) of this title.''.

(d) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 922(g) of such title is amended—

(1) by striking ''or'' at the end of paragraph (8);

(2) by striking the comma at the end of paragraph (9) and inserting; ''; or''; and

(3) by inserting after paragraph (9) the following:

''(10) who has received actual notice of the Attorney General's determination made pursuant to section 922A, 922B, 923(d)(1)(H), or 923(e) of this title,''.

(e) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL FIREARMS LICENSES.—Section 923(d)(1) of such title is amended—

(1) by striking ''Any'' and inserting ''Except as provided in subparagraph (H), any'';

(2) in subparagraph (F)(iii), by striking ''and'' at the end;

(3) in subparagraph (G), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(H) The Attorney General may deny a license application if the Attorney General determines that the applicant (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.''.

(f) DISCRETIONARY REVOCATION OF FEDERAL FIREARMS LICENSES.—Section 923(e) of such title is amended—

(1) in the 1st sentence—

(A) by inserting after ''revoke'' the following: ''—(1)''; and

(B) by striking the period and inserting a semicolon;

(2) in the 2nd sentence—

(A) by striking ''The Attorney General may, after notice and opportunity for hearing, revoke'' and insert ''(2)''; and

(B) by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(3) any license issued under this section if the Attorney General determines that the holder of the license (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.''.

(g) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN FIREARMS LICENSE DENIAL AND REVOCATION SUIT.—Section 923(f) of such title is amended—

(1) in the 1st sentence of paragraph (1), by inserting '', except that if the denial or revocation is pursuant to subsection (d)(1)(H) or (e)(3), then any information on which the Attorney General relied for this determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security'' before the period; and

(2) in paragraph (3), by inserting after the 3rd sentence the following: ''With respect to any information withheld from the aggrieved party under paragraph (1), the United States may submit, and the court may rely on, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(h) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN RELIEF FROM DISABILITIES LAWSUITS.—Section 925(c) of such title is amended by inserting after the 3rd sentence the following: ''If receipt of a firearm by the person would violate section 922(g)(10), any information which the Attorney General relied on for this determination may be withheld from the applicant if the Attorney General determines that disclosure of the information would likely compromise national security. In responding to the petition, the United States may submit, and the court may rely on, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(i) PENALTIES.—Section 924(k) of such title is amended—

(1) by striking ''or'' at the end of paragraph (2);

(2) in paragraph (3), by striking '', or'' and inserting ''; or''; and

(3) by inserting after paragraph (3) the following:

''(4) constitutes an act of terrorism (as defined in section 921(a)(36)), or material support thereof (as defined in section 921(a)(37)); or''.

(j) REMEDY FOR ERRONEOUS DENIAL OF FIREARM OR FIREARM PERMIT EXEMPTION.—Section 925A of such title is amended—

(1) in the section heading, by striking ''**Remedy for erroneous denial of firearm**'' and inserting ''**Remedies**'';

(2) by striking ''Any person denied a firearm pursuant to subsection (s) or (t) of section 922'' and inserting the following:

''(a) Except as provided in subsection (b), any person denied a firearm pursuant to section 922(t) or pursuant to a determination made under section 922B,''; and

(3) by adding after and below the end the following:

''(b) In any case in which the Attorney General has denied the transfer of a firearm to a prospective transferee pursuant to section 922A or has made a determination regarding a firearm permit applicant pursuant to section 922B, an action challenging the determination may be brought against the

United States. The petition must be filed not later than 60 days after the petitioner has received actual notice of the Attorney General's determination made pursuant to section 922A or 922B. The court shall sustain the Attorney General's determination on a showing by the United States by a preponderance of evidence that the Attorney General's determination satisfied the requirements of section 922A or 922B. To make this showing, the United States may submit, and the court may rely on, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security. On request of the petitioner or the court's own motion, the court may review the full, undisclosed documents ex parte and in camera. The court shall determine whether the summaries or redacted versions, as the case may be, are fair and accurate representations of the underlying documents. The court shall not consider the full, undisclosed documents in deciding whether the Attorney General's determination satisfies the requirements of section 922A or 922B.''.

(k) PROVISION OF GROUNDS UNDERLYING INELIGIBILITY DETERMINATION BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.—Section 103 of the Brady Handgun Violence Prevention Act (Public Law 103–159) is amended—

(1) in subsection (f)—

(A) by inserting after ''is ineligible to receive a firearm,'' the following: ''or the Attorney General has made a determination regarding an applicant for a firearm permit pursuant to section 922B of title 18, United States Code''; and

(B) by inserting after ''the system shall provide such reasons to the individual,'' the following: ''except for any information the disclosure of which the Attorney General has determined would likely compromise national security''; and

(2) in subsection (g)—

(A) in the 1st sentence, by inserting after ''subsection (g) or (n) of section 922 of title 18, United States Code or State law'' the following: ''or if the Attorney General has made a determination pursuant to section 922A or 922B of such title,'';

(B) by inserting '', except any information the disclosure of which the Attorney General has determined would likely compromise national security'' before the period; and

(C) by adding at the end the following: ''Any petition for review of information withheld by the Attorney General under this subsection shall be made in accordance with section 925A of title 18, United States Code.''.

(l) UNLAWFUL DISTRIBUTION OF EXPLOSIVES BASED ON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 842(d) of such title is amended—

(1) by striking the period at the end of paragraph (9) and inserting ''; or''; and

(2) by adding at the end the following:

''(10) has received actual notice of the Attorney General's determination made pursuant to section 843(b)(8) or (d)(2) of this title.''.

(m) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 842(i) of such title is amended—

(1) by adding ''; or'' at the end of paragraph (7); and

(2) by inserting after paragraph (7) the following:

''(8) who has received actual notice of the Attorney General's determination made pursuant to section 843(b)(8) or (d)(2),''.

(n) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(b) of such title is amended—

(1) by striking ''Upon'' and inserting the following: ''Except as provided in paragraph (8), on''; and

(2) by inserting after paragraph (7) the following:

''(8) The Attorney General may deny the issuance of a permit or license to an applicant if the Attorney General determines that the applicant or a responsible person or employee possessor thereof is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support thereof, and the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.''.

(o) ATTORNEY GENERAL DISCRETIONARY REVOCATION OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(d) of such title is amended—

(1) by inserting ''(1)'' in the first sentence after ''if''; and

(2) by striking the period at the end of the first sentence and inserting the following: ''; or (2) the Attorney General determines that the licensee or holder (or any responsible person or employee possessor thereof) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support thereof, and that the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.''.

(p) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN EXPLOSIVES LICENSE AND PERMIT DENIAL AND REVOCATION SUITS.—Section 843(e) of such title is amended—

(1) in the 1st sentence of paragraph (1), by inserting ''except that if the denial or revocation is based on a determination under subsection (b)(8) or (d)(2), then any information which the Attorney General relied on for the determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security'' before the period; and

(2) in paragraph (2), by adding at the end the following: ''In responding to any petition for review of a denial or revocation based on a determination under section 843(b)(8) or (d)(2), the United States may submit, and the court may rely on, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(q) ABILITY TO WITHHOLD INFORMATION IN COMMUNICATIONS TO EMPLOYERS.—Section 843(h)(2) of such title is amended—

(1) in subparagraph (A), by inserting ''or section 843(b)(1) (on grounds of terrorism) of this title,'' after ''section 842(i),''; and

(2) in subparagraph (B)—

(A) by inserting ''or section 843(b)(8)'' after ''section 842(i)''; and

(B) in clause (ii), by inserting '', except that any information that the Attorney General relied on for a determination pursuant to section 843(b)(8) may be withheld if the Attorney General concludes that disclosure of the information would likely compromise national security'' before the semicolon.

(r) CONFORMING AMENDMENT TO IMMIGRATION AND NATIONALITY ACT.—Section 101(a)(43)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(E)(ii)) is amended by striking ''or (5)'' and inserting ''(5), or (10)''.

Mr. THOMPSON of California (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I reserve a point of order against the motion.

The SPEAKER pro tempore. A point of order is reserved.

The gentleman from California is recognized for 5 minutes.

Mr. THOMPSON of California. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill nor send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

My motion to recommit would incorporate H.R. 1076, a Republican bill titled the Denying Firearms and Explosives to Dangerous Terrorists Act of 2015, into the underlying bill.

□ 1645

The bill is straightforward. It says if you are on the FBI's terrorist watch list, then you don't get to walk into a gun store, pass a background check, and leave with a weapon of your choice. It is an outrageous loophole. And we know it allows dangerous people to easily get guns.

Since 2004, more than 2,000 suspected terrorists have legally purchased weapons in the United States. And more than 90 percent of all suspected terrorists who tried to purchase guns in the last 11 years walked away with the weapons they wanted. If there is one thing both sides of this House can agree on, it is keeping guns from terrorists.

I know my colleagues on the other side have expressed some concerns. So let's address them.

You are worried that there are names on the list that shouldn't be there. This is a legitimate concern. So let's scrub the list.

You are worried that it is difficult to get off the list if you are wrongly put on it. This bill has an appeals process.

You are concerned about denying people their Second Amendment rights. Well, I am a gun guy. I own guns. I support the Second Amendment. If this bill did anything to violate those rights, my name wouldn't be on it.

We are not talking about prohibiting law-abiding, non-dangerous people from getting guns. We are just talking about taking a pause.

I think we can all agree that it is better to err on the side of caution and let people get their names taken off the list, rather than just sell them a gun and hope they are not a terrorist.

So let's scrub the list and make it accurate. Let's make sure the appeals process is functional and efficient. And if someone is on the terrorist list and is denied from buying a gun, let's pump the brakes and make sure they are, in

fact, not a terrorist before that sale is allowed to proceed.

Everyone on my side of the aisle stands ready to address your concerns. Will your side do the same? Will you address our concern about terrorists being able to have legal and easy access to guns?

We have a chance to take a simple, straightforward step to keep spouses, kids, and communities safe. We can take this vote today. I have filed a discharge petition on the bill. We just need a simple majority to sign it. You can do it right now.

If House Republicans agree that terrorists shouldn't be able to get guns, then walk down to the well, sign your name on the line, and let's have a vote.

It is your own party's bill. It was supported by George W. Bush's Department of Justice. All it does is prevent suspected terrorists from getting guns—in the exact same way we prevent criminals, domestic abusers, and the dangerously mentally ill from getting guns.

We will work with you to address your concerns. Do the same for us. Work with our side to keep guns from suspected terrorists.

This is an issue we can all come together on. 2,000 suspected terrorists buying guns is 2,000 too many. So let's stop it. Let's take a stand. Put your name down in writing and let's take a vote.

Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I claim the time in opposition, and I continue to reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The gentleman is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Speaker, despite the fact that our colleagues, Mr. MCCLINTOCK and DON YOUNG, were put on this watch list—actually, for DON YOUNG maybe it fits.

POINT OF ORDER

Mr. BISHOP of Utah. I am going to insist on my point of order.

This motion to recommit involves subject matter that is different from the bill. The fundamental purpose of the motion is unrelated to the bill.

I insist on my point of order.

Mr. THOMPSON of California. Mr. Speaker, I would like to be heard on the point of order.

The SPEAKER pro tempore. The gentleman from California may be heard on the point of order.

Mr. THOMPSON of California. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The gentleman from California should understand that the Chair has not ruled on the point of order.

The Chair will now rule.

The gentleman from Utah makes a point of order that the instructions proposed in the motion to recommit offered by the gentleman from California involve a subject matter different from the bill.

Clause 7 of rule XVI, the germaneness rule, provides that no proposition on a subject different from that under consideration shall be admitted under color of amendment.

The bill addresses the boundary line between Texas and Oklahoma drawn by the Red River. Though the bill touches on a number of aspects of property management, it does so only with respect to a narrow geographic area.

The amendment proposed in the motion to recommit makes a variety of changes to title 18 of the United States Code relating to the sale, possession, licensing, and distribution of firearms and explosives. It has no bearing on the land addressed in the underlying bill.

The Chair finds that the amendment proposed in the motion to recommit goes beyond the subject matter of the underlying bill. It is, therefore, not germane. The point of order is sustained.

Mr. THOMPSON of California. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. BISHOP of Utah. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. THOMPSON of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to table will be followed by 5-minute votes on passage of the bill, if arising without further proceedings in recommittal, and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 246, nays 182, not voting 5, as follows:

[Roll No. 685]

YEAS—246

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
DeFazio
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—182

Adams
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman

Israel	McCollum	Schakowsky
Jackson Lee	McDermott	Schiff
Jeffries	McGovern	Schrader
Johnson (GA)	McNerney	Scott (VA)
Johnson, E. B.	Meeks	Scott, David
Kaptur	Meng	Serrano
Keating	Moore	Sewell (AL)
Kelly (IL)	Moulton	Sherman
Kennedy	Murphy (FL)	Sinema
Kildee	Nadler	Sires
Kilmer	Napolitano	Slaughter
Kind	Neal	Smith (WA)
Kirkpatrick	Norcross	Speier
Kuster	O'Rourke	Swalwell (CA)
Langevin	Pallone	Takai
Larsen (WA)	Pascrell	Takano
Larson (CT)	Payne	Thompson (CA)
Lawrence	Pelosi	Thompson (MS)
Lee	Perlmutter	Titus
Levin	Peters	Tonko
Lewis	Pingree	Torres
Lieu, Ted	Pocan	Tsongas
Lipinski	Polis	Van Hollen
Loebsack	Price (NC)	Vargas
Lofgren	Quigley	Veasey
Lowenthal	Rangel	Vela
Lowey	Rice (NY)	Velázquez
Lujan Grisham (NM)	Richmond	Visclosky
Luján, Ben Ray (NM)	Roybal-Allard	Walz
Lynch	Ruiz	Wasserman Schultz
Maloney, Carolyn	Ruppersberger	Waters, Maxine
Maloney, Sean	Rush	Watson Coleman
Matsui	Ryan (OH)	Welch
	Sánchez, Linda T.	Wilson (FL)
	Sarbanes	Yarmuth

NOT VOTING—5

Aguilar	Johnson, Sam	Sanchez, Loretta
Davis, Danny	Nolan	

□ 1706

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

(By unanimous consent, Mr. MCCARTHY was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. MCCARTHY. Mr. Speaker, I want to remind Members that there will be votes in the House on Friday, which I expect to end by early afternoon.

Having said that, I want to advise the Members that votes are no longer expected in the House this weekend. However, Members should continue to keep their schedules flexible for possible votes in the House on Monday, and I will let Members know more details about that for next week as soon as possible.

Mr. HOYER. Will the gentleman yield?

Mr. MCCARTHY. I yield to the gentleman from Maryland.

Mr. HOYER. I thank the gentleman for yielding.

On Monday, would your expectation be that, if there were votes, no votes would occur prior to 6:30?

Mr. MCCARTHY. Yes. There will be no votes before 6:30, and I will let the gentleman know prior to departing on Friday whether we are in on Monday.

PARLIAMENTARY INQUIRIES

Mr. MCGOVERN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MCGOVERN. Mr. Speaker, some of us on the Rules Committee voted to bring up a bill that would prevent terrorists from buying guns, but Republicans on the committee blocked that attempt.

Democrats have tried to close this loophole by defeating the previous question, and Republicans have blocked those attempts.

Can the Speaker tell me how we can get an up-or-down vote on this bill that prevents terrorists from buying guns?

The SPEAKER pro tempore. The Chair will not entertain a parliamentary inquiry that does not relate, in a practical sense, to the present proceedings.

Ms. KELLY of Illinois. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state her parliamentary inquiry.

Ms. KELLY of Illinois. Mr. Speaker, am I correct that insisting on the point of order prevents the House from voting on the gentleman from California's motion to recommit?

The SPEAKER pro tempore. The gentlewoman has not stated a proper parliamentary inquiry.

Ms. MCCOLLUM. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state her parliamentary inquiry.

Ms. MCCOLLUM. Mr. Speaker, am I correct that the gentleman from California's motion to recommit would close the loophole that currently allows terrorists who are on the no-fly list to buy guns?

The SPEAKER pro tempore. The gentlewoman has not stated a proper parliamentary inquiry.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state her parliamentary inquiry.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, is it true that the Republicans have repeatedly blocked legislation that would explicitly prevent terrorists from buying guns?

The SPEAKER pro tempore. The gentlewoman will suspend.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, why can we not get an answer to this question?

The SPEAKER pro tempore. The gentlewoman has not stated a proper parliamentary inquiry.

The Chair is prepared to put the question on passage to a vote of the House.

The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

The SPEAKER pro tempore. Are there any Members wishing to seek a recorded vote or the yeas and nays?

Ms. TSONGAS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 253, nays 177, not voting 3, as follows:

[Roll No. 686]

YEAS—253

Abraham	Gosar	Mullin
Aderholt	Gowdy	Mulvaney
Allen	Granger	Murphy (PA)
Amodei	Graves (GA)	Neugebauer
Ashford	Graves (LA)	Newhouse
Babin	Graves (MO)	Noem
Barletta	Green, Al	Nugent
Barr	Green, Gene	Nunes
Barton	Grothman	Olson
Benishek	Guinta	Palazzo
Bilirakis	Guthrie	Palmer
Bishop (MI)	Hanna	Paulsen
Bishop (UT)	Hardy	Pearce
Black	Harper	Perry
Blackburn	Harris	Peterson
Blum	Hartzler	Pittenger
Bost	Heck (NV)	Pitts
Boustany	Hensarling	Poe (TX)
Brady (TX)	Hice, Jody B.	Poliquin
Brat	Hill	Pompeo
Bridenstine	Holding	Posey
Brooks (AL)	Hudson	Price, Tom
Brooks (IN)	Huelskamp	Ratcliffe
Brown (FL)	Huizenga (MI)	Reed
Buchanan	Hultgren	Reichert
Buck	Hunter	Renacci
Bucshon	Hurd (TX)	Ribble
Burgess	Hurt (VA)	Rice (SC)
Byrne	Issa	Rigell
Calvert	Jackson Lee	Roby
Carter (GA)	Jenkins (KS)	Roe (TN)
Carter (TX)	Jenkins (WV)	Rogers (AL)
Castro (TX)	Johnson (OH)	Rogers (KY)
Chabot	Johnson, E. B.	Rohrabacher
Chaffetz	Jolly	Rokita
Clawson (FL)	Jones	Rooney (FL)
Coffman	Jordan	Ros-Lehtinen
Cole	Joyce	Roskam
Collins (GA)	Katko	Ross
Collins (NY)	Kelly (MS)	Rothfus
Comstock	Kelly (PA)	Rouzer
Conaway	King (IA)	Royce
Cook	King (NY)	Russell
Costello (PA)	Kinzinger (IL)	Salmon
Cramer	Kline	Sanford
Crawford	Knight	Scalise
Crenshaw	Labrador	Schweikert
Cuellar	LaHood	Scott, Austin
Culberson	LaMalfa	Sensenbrenner
Curbelo (FL)	Lamborn	Sessions
Davis, Rodney	Lance	Shimkus
Denham	Latta	Shuster
Dent	LoBiondo	Simpson
DeSantis	Long	Smith (MO)
DesJarlais	Loudermilk	Smith (NE)
Diaz-Balart	Love	Smith (NJ)
Doggett	Lucas	Smith (TX)
Dold	Luetkemeyer	Stefanik
Donovan	Lummis	Stewart
Duffy	MacArthur	Stivers
Duncan (SC)	Marchant	Stutzman
Duncan (TN)	Marino	Thompson (PA)
Ellmers (NC)	Massie	Thornberry
Emmer (MN)	McCarthy	Tiberi
Farenthold	McCaul	Tipton
Fincher	McClintock	Trott
Fitzpatrick	McHenry	Turner
Fleischmann	McKinley	Upton
Fleming	McMorris Rodgers	Valadao
Flores	McSally	Veasey
Forbes	Meadows	Vela
Fortenberry	Meehan	Wagner
Foxx	Messer	Walberg
Franks (AZ)	Mica	Walden
Frelinghuysen	Miller (FL)	Walker
Garrett	Miller (MI)	Walorski
Gibbs	Moolenaar	Walters, Mimi
Gibson	Mooney (WV)	Weber (TX)
Gohmert		Webster (FL)

Welch	Wilson (SC)	Young (AK)
Wenstrup	Wittman	Young (IA)
Westerman	Womack	Young (IN)
Westmoreland	Woodall	Zeldin
Whitfield	Yoder	Zinke
Williams	Yoho	

NAYS—177

Adams	Gallego	Napolitano
Amash	Garamendi	Neal
Bass	Goodlatte	Nolan
Beatty	Graham	Norcross
Becerra	Grayson	O'Rourke
Bera	Griffith	Pallone
Beyer	Grijalva	Pascrell
Bishop (GA)	Gutiérrez	Payne
Blumenauer	Hahn	Pelosi
Bonamici	Hastings	Perlmutter
Boyle, Brendan F.	Heck (WA)	Peters
	Herrera Beutler	Pingree
Brady (PA)	Higgins	Pocan
Brownley (CA)	Himes	Polis
Bustos	Hinojosa	Price (NC)
Butterfield	Honda	Quigley
Capps	Hoyer	Rangel
Capuano	Huffman	Rice (NY)
Cárdenas	Israel	Richmond
Carney	Jeffries	Roybal-Allard
Carson (IN)	Johnson (GA)	Ruiz
Cartwright	Kaptur	Ruppersberger
Castor (FL)	Keating	Rush
Chu, Judy	Kelly (IL)	Ryan (OH)
Cicilline	Kennedy	Sánchez, Linda T.
Clark (MA)	Kildee	
Clarke (NY)	Kilmer	Sarbanes
Clay	Kind	Schakowsky
Cleaver	Kirkpatrick	Schiff
Clyburn	Kuster	Schrader
Cohen	Langevin	Scott (VA)
Connolly	Larsen (WA)	Scott, David
Conyers	Larson (CT)	Serrano
Cooper	Lawrence	Sewell (AL)
Costa	Lee	Sherman
Courtney	Levin	Sinema
Crowley	Lewis	Sires
Cummings	Lieu, Ted	Slaughter
Davis (CA)	Lipinski	Smith (WA)
Davis, Danny	Loebsack	Speier
DeFazio	Lofgren	Swalwell (CA)
DeGette	Lowenthal	Takai
Delaney	Lowey	Takano
DeLauro	Lujan Grisham (NM)	Thompson (CA)
DelBene		Thompson (MS)
DeSaulnier	Luján, Ben Ray (NM)	Titus
Deutch		Tonko
Dingell	Lynch	Torres
Doyle, Michael F.	Maloney, Carolyn	Tsongas
		Van Hollen
Duckworth	Maloney, Sean	Vargas
Edwards	Matsui	Velázquez
Ellison	McCollum	Visclosky
Engel	McDermott	Walz
Eshoo	McGovern	Wasserman Schultz
Esty	McNerney	
Farr	Meeks	Waters, Maxine
Fattah	Meng	Watson Coleman
Foster	Moore	Wilson (FL)
Frankel (FL)	Moulton	Yarmuth
Fudge	Murphy (FL)	
Gabbard	Nadler	

NOT VOTING—3

Aguilar	Johnson, Sam	Sanchez, Loretta

□ 1731

Mr. WELCH changed his vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore (Mr. CURBELO of Florida). The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

STOP THE RECKLESS POLICIES OF PRESIDENT OBAMA

(Mr. BABIN asked and was given permission to address the House for 1 minute.)

Mr. BABIN. Mr. Speaker, I urge my colleagues to join me in using the power of the purse to stop the reckless policies of President Obama that leave the citizens of the United States vulnerable. Americans overwhelmingly support this.

The FBI, DNI, and DHS have testified that they cannot fully screen the thousands of refugees that the President wants to bring in from Syria, Somalia, Iraq, and other regions with high rates of terrorism. Illegal immigrants from Syria, Libya, Somalia, and other hotbeds of terrorism continue to test the openness of our southern border. The loopholes in the screening of immigrants from hotbeds of terrorism are being exploited, and the administration opposes closing them.

This House has one chance, the end of the year appropriations bill, to end these dangerous policies.

This Member of Congress will vote against any bill rushed to the floor that fails to stop these reckless policies.

Let's put aside political correctness, criticism from foreign nationals that leave Americans vulnerable. This is our chance to stop future San Bernardinos, Parises, Chattanoogas, Garlands, and Ft. Hoods. The lives of these American citizens are worth it. Indeed, they cry out for it.

VICTIMS OF GUN VIOLENCE

(Mr. PETERS asked and was given permission to address the House for 1 minute.)

Mr. PETERS. Mr. Speaker, Marysville, Washington, October 24, 2015:

Andrew Fryberg, 15 years old.
Zoe Galasso, 14.
Gia Soriano, 14.
Shaylee Chuckulnaskit, 14.

Charleston, South Carolina, June 17, 2015:

Susie Jackson, 87 years old.
Daniel Simmons, 74.
Ethel Lance, 70.
Myra Thompson, 59.
Cynthia Hurd, 54.
DePayne Middleton Doctor, 49.
Sharonda Coleman-Singleton, 45.
Clementa Pinckney, 41.
Tywanza Sanders, 26.

Navy Yard, Washington, D.C., September 16, 2013:

John Roger Johnson, 73 years old.
Kathleen Gaarde, 62.
Vishnu Pandit, 61.
Michael Arnold, 59.
Gerald Read, 58.
Martin Bodrog, 54.
Sylvia Frasier, 53.
Richard Michael Ridgell, 52.
Frank Kohler, 51.
Mary Frances DeLorenzo Knight, 51.

Mr. Speaker, my time has expired, but I will be back.

VENEZUELAN ELECTIONS

(Mr. CURBELO of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CURBELO of Florida. Mr. Speaker, this past Sunday, the people of Venezuela took to the polls and, in a loud, clear voice, deposed the Chavista ruling party from the National Assembly.

Polls leading up to the election indicated that a vast majority, 87 percent of Venezuelans, were dissatisfied with the direction that Maduro and his cronies were taking the country.

Maduro's policies have led Venezuela to having the hemisphere's highest inflation rate, causing critical shortages of food and medicine, as well as the collapse of the Venezuelan currency and rampant crime.

The newly elected coalition has pledged to make necessary reforms to get a handle on the economy. It has also promised to pass laws to release the political prisoners that have been unjustly arrested by the Maduro regime.

Sunday's elections were a watershed moment for the Venezuelan people, and it charts a new course for their destiny. However, there is still hard work that needs to be done to ensure a thriving, prosperous, and just Venezuela, at peace with itself and with its people.

I congratulate the Venezuelan people and the Venezuelan community in the United States on this momentous occasion.

FDA, DO YOUR JOB, BUT GET IT RIGHT

(Mr. WELCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH. Mr. Speaker, the Food and Drug Administration has an extremely important job to make certain that our food is safe, but it is often misguided and overreaches in some of its regulations.

The FDA is considering a standard that would severely impact artisan cheese producers. They have proposed a safety standard that seeks to limit the level of nontoxigenic E. coli found in raw milk cheeses.

The problem is there is absolutely no scientific connection between meeting that standard and improving food and safety. Yet, there is a very practical, burdensome impact on our artisan cheese makers.

It is why the ICMSF, the leading global food safety body, the European Union, and many U.S. food safety experts have argued that monitoring raw milk cheeses for nontoxigenic E. coli is absolutely unwarranted. In spite of that international consensus, the FDA is forging ahead, and it is going to do real damage to our artisan cheese makers.

Artisan cheese makers already have rigorous protocols in place to ensure safety. That is why I led a bipartisan, bicameral group of colleagues in sending a letter to FDA raising concerns with this standard: FDA, do your job, but get it right.

POVERTY AND ITS IMPACTS ON AMERICAN FAMILIES

The SPEAKER pro tempore (Mr. CURBELO of Florida). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from California (Ms. LEE) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. LEE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. LEE. Mr. Speaker, first, I want to thank my friend and colleague from New Jersey, Congresswoman BONNIE WATSON COLEMAN, for her tireless work on so many issues, and for allowing us to use the Congressional Progressive Caucus' time tonight to organize this Special Order on poverty and its impacts on American families.

Also, I would like to recognize my friend and colleague from Missouri, and thank our cochair of the Congressional Black Caucus' Poverty and Economy Task Force, Congressman CLEAVER, for his leadership on poverty, opportunity, housing, and so many issues that he cares about and has been a champion about for so many years.

Also, to our colleague and our good friend and whip, Mr. HOYER, his unwavering commitment is very evident in making poverty a priority for this body.

Also, to Leader PELOSI, I want to thank her and recognize her for her commitment to the most vulnerable, and for reminding us constantly that 20 percent of America's children continue to live below the poverty line.

So this evening, I rise as the chair of the Democratic Whip's Task Force on Poverty, Income Inequality, and Opportunity, and cochair of our Congressional Black Caucus' Task Force on Poverty and the Economy to call on all of our colleagues, and our country, really, to refocus our efforts on programs and policies in funding that help lift Americans out of poverty, but also to remember that there is a safety net that has to be preserved until we can do just that: People want to work; people want opportunity.

I invite all of our colleagues to join us tonight in creating a national strategy to eradicate poverty once and for all.

Mr. Speaker, I am going to hold my remarks and yield to my friend and colleague from Ohio (Ms. FUDGE), former chair of the Congressional Black Caucus and member of the Education Committee and the Ag Committee. She has been, consistently, since she has been in Congress, and before she came to Congress, worked and spoke on behalf of the most vulnerable in our country.

Ms. FUDGE. Mr. Speaker, I thank the gentlewoman for yielding.

I just want to say that there is no one in this Congress who works harder and puts in more time trying to find a way to come back and eradicate poverty than BARBARA LEE. It is my pleasure and my privilege to work with you every day. I have learned so much from you, and I just want you to continue to do the people's work, and I appreciate it.

Mr. Speaker, I rise to address a topic that many of us know far too well, and that is poverty. I see its impact on the people of the 11th Congressional District every day.

My district has some of the Nation's most impoverished cities. The overall poverty rate is 28 percent. Out of the 435 Congressional districts in the United States, my district is one of the top 20 poorest districts in America.

Nearly 200,000 of my constituents live in poverty. I see and talk to poor people every day. Mothers and fathers without jobs, families with little to no access to healthy food or adequate housing, and children—yes, Mr. Speaker, children—who are in overcrowded classrooms with outdated textbooks.

Poverty is the source of our Nation's most persistent social and economic issues. It permeates our entire society and has victimized too many Americans for far too long.

We don't need another committee hearing on hunger or poverty to tell us what we already know. We know what the problems are and how to address them.

My colleagues and I have been proactive in finding solutions to eradicate poverty in this, the wealthiest country in the world. I have introduced bills supporting initiatives to feed children and families, fought to protect safety-net programs, and insisted Congress develop policies that create jobs that pay a living wage.

The majority in this House has not been a willing participant. Some Members believe that if you don't work, you are lazy. Others believe that poor people are looking for handouts.

Let me be clear, Mr. Speaker, none of that is true. The people I have spoken to are not looking for a handout. They simply need a hand up, a job to take care of their families and pay their bills. The dignity of work is what we all want.

□ 1745

We must put aside politics and pass policies that give everyone a fair chance at the American Dream. When we do not work together, our constituents suffer.

FDR said: ''The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little.''

We must act now.

Ms. LEE. I thank the gentlewoman for her very powerful statement and for, once again, her leadership.

I want to remind this body that she has been such an active advocate on behalf of those needing that safety net of SNAP and food stamp benefits and for making sure that people have the right to eat in this country regardless of how much money they have.

Again, I thank Congresswoman FUDGE.

Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. DELAURO), the ranking member on the Appropriation Committee's Labor, Health and Human Services, Education, and Related Agencies Subcommittee, on which I am honored to serve. Every day she is a champion on behalf of all of those who we are discussing tonight in terms of making sure they have an opportunity to live the American Dream.

Ms. DELAURO. I thank my colleague, Congresswoman LEE, for organizing this effort this evening. It isn't just this evening. Every day, 24 hours a day, in her heart of hearts, she knows what her mission is here. That is to make sure that there is a better life for our families and to make sure that there is a better life for our children. It is an honor to work with her on these issues.

Mr. Speaker, there is a saying that the strength of a nation starts with the strength of its families. The child tax credit was created in 1997 to help working families afford the expense of raising children. As we all know only too well, the cost of child-rearing goes up every single year.

According to the latest figures from the Department of Agriculture, the average two-parent, low-income household will spend more than $218,000 per child up to the age of 18. Middle-income families will spend even more. We in this body have an obligation to do what we can to help households cope with these mounting costs.

Today the child tax credit helps improve the lives of some 38 million families. According to the Center on Budget and Policy Priorities, in 2013, the child

tax credit alone lifted 3.1 million people out of poverty, including 1.7 million children. The child tax credit, together with the earned income tax credit, lift more children out of poverty than any other Federal program.

Thanks to the 2009 expansion of the credit, a household with two children and one full-time minimum wage earner receives a total credit of about $1,812 per year. That is a real help to families who might otherwise struggle just to make ends meet. Unfortunately, each year, the value of that credit declines with inflation as the cost of raising a child increases each year.

In the last big tax deal, Congress made the estate tax cut both permanent and indexed to inflation. The beneficiaries of the estate tax are one-tenth of a percent of the people in this Nation. It strictly benefits the children of the wealthy. I don't want to deny them benefits, but I want us to consider the children in low-income families.

Congress should do the same for working families with the child tax credit. We should provide a cost-of-living increase as costs go up for raising children. By the end of this decade, the simple measure would save an estimated 750,000 children from falling back into poverty.

Another statistic, my colleague from California, is that there are about 7,450 estates in the United States that benefit from the estate tax. If we indexed—provided a cost of living—for the child tax credit, 19 million children could be lifted out of poverty. Where is our balance? Where is our sense of right and wrong?

The value of indexing our anti-poverty programs cannot be understated. Because Social Security benefits are indexed, the rate of seniors in poverty has been relatively stable, at close to 10 percent for the last four decades. Because SNAP benefits—food stamp benefits—were re-indexed in the 2008 farm bill, families saw the value of their benefits stabilize.

The biggest economic challenge facing our country today is that far too many hardworking people are still not earning enough to make ends meet. Middle class wages are stagnant or are in decline. We need to do whatever we can to support working people.

No family in our country should have to struggle to raise a child. By indexing the value of the child tax credit—providing the cost of living—and making the expansion permanent, we would help millions of parents afford these costs by giving them a permanent tax break, which helps families and does not lose its value over time.

This year, at this time, we should reaffirm our Nation's support for its hardworking families. We should provide them with the same benefit that we provided the children of the 1 percent when we made the estate tax exemption permanent and indexed it to inflation.

The fact of the matter is that the families that we are talking about—and these are not my words, but those of Economist Mark Zandi, who was the economist for JOHN MCCAIN.

When he was asked what would be most stimulative in our economy, he talked about food stamps because people spend that money. He talked about extending unemployment benefits because people spend that money right away and engage and drive our economy. He also talked about the refundable tax credits, like the earned income tax credit and the child tax credit, because people will spend that money and use it to drive our economy.

I want to say a thank you to my colleague from California. It is an important discussion. I thank the gentlewoman for organizing it and for always being there to make sure that those of us who serve here do not forget and that we keep our focus where it should be, on the sons and the daughters and the children of working families, of low-income families, and of middle class families.

Ms. LEE. I thank the gentlewoman from Connecticut for that very poignant statement and for her tremendous leadership each and every day.

Also, I want to thank the gentlewoman for laying out what the choices are in terms of our priorities and the fact that we know how to eliminate, really, poverty if we just have the will to. So I thank the gentlewoman for laying it out.

Mr. Speaker, I yield to my friend and colleague from New Jersey, Congresswoman WATSON COLEMAN, who each and every day is so consistent with her votes and her voice in terms of doing what is right for children, for the American people, for her constituency.

Once again, I thank her for giving us the time this evening to talk about poverty because that certainly is a priority of hers. With the Progressive Caucus, she has just hit the ground running and has really captured this moment to talk about the issues that the American people care about.

Mrs. WATSON COLEMAN. I thank the gentlewoman for yielding and for organizing, coordinating, this opportunity for this discussion. I thank the gentlewoman because she is the most vibrant and is the strongest voice for those who are the most vulnerable in our communities across this Nation.

Mr. Speaker, poverty isn't just a problem in America. It is a crisis. We are not doing enough about it.

In September, the Census Bureau released the newest data on the number of Americans living below the poverty line. The report further confirms what my colleagues and I have been trying to get the majority in this body to acknowledge, and that is that poverty may be one of the greatest challenges facing our Nation right now.

The median household income stayed the same. The poverty rate remained the same as well. Women and minorities did worse than the average. Overall, nearly 15 percent of American families—almost 47 million people—earn less than $24,000 a year.

The fact that terrifies me the most is that the way we calculate the poverty rate has several inherent flaws, and when you dive deeper into the numbers on this issue, you come up with a picture of an America that is deeply broken.

The poverty rate is just a snapshot of a single year. Last year, for example, 22 percent of all children lived in families that fell below the poverty line, something we should be embarrassed by in not devoting more resources to fixing.

But childhood lasts more than 1 year, and when you look at the span of childhood, you find that nearly 40 percent of our children have spent at least 1 year in poverty, double what we see in a single year. We have more children who are living in poverty than in most developed nations.

That alone should serve as a wake-up call to all of my colleagues on the other side of the aisle who so frequently invoke the need to protect our children's futures when they are debating bills here on the floor.

In case that is not enough, here is another indicator: The number of people who are living in high poverty areas—better known as slums—doubled between 2000 and 2013. That is a very big deal because living in an impoverished community fundamentally changes the futures of children.

Study after study has found that they are more likely to be poor later in life, less likely to achieve in school, less likely to find jobs, less likely to achieve the milestones that are necessary to change their trajectories, like graduating from high school and attending college, and they are more likely to end up in one of our penal institutions.

The biggest problem, Mr. Speaker, is that we are not doing enough to fix poverty. In fact, in some cases, we are making it worse. Take housing assistance programs, for example.

We leave it up to the States to dole out funds for low-income housing programs. These States then place the overwhelming majority of low-income developments in already low-income areas, depriving those families of quality schools, of access to jobs, and of a variety of social services that more affluent communities benefit from.

At home in New Jersey, I have fought hard against just such discrimination with legislation that required all communities to build affordable homes. We need the same kind of initiatives at the Federal level, laws that will ensure affordable housing exists beyond urban and lower income boundaries, that will

give working families access to child care, that will lower the cost of college, and that will increase wages.

We also need to think about what it really means every time we deny a cost-of-living increase or refuse to give Federal workers the pay they deserve. Groceries still cost more every year. Rent still goes up. Bus fare gets higher. We are asking them to do more with less because we are unwilling to enact policies that actually work. That is flat out wrong.

Mr. Speaker, for many of the challenges facing our Nation, we have yet to find a clear solution. Poverty isn't one of those. With the willpower to act, we could eradicate poverty and build a stronger future for generations to come.

I thank the gentlewoman from California.

Ms. LEE. I thank the gentlewoman from New Jersey for her very eloquent statement, but also for laying out a pathway out of poverty.

It is comprehensive. We have to do this together in an integrated approach. Whether it is child care, whether it is housing, whether it is SNAP benefits, whether it is higher education, whether it is K–12, Congresswoman WATSON COLEMAN has laid out the intricacies of what we mean when we talk about pathways out of poverty.

I thank the gentlewoman very much for taking us to the next level in terms of how we need to really view our strategies.

Mr. Speaker, I now yield to the gentleman from Maryland (Mr. HOYER), our Democratic whip, who has really insisted that we, as a body, look at how we develop our pathways out of poverty within the context of our Task Force on Poverty, Income Inequality, and Opportunity, because it takes opportunity to help lift people out of poverty.

Again, I thank the gentleman from Maryland for making this a priority for this body and for continuing to beat the drum on behalf of those who have the least.

Mr. HOYER. I thank the gentlewoman for yielding.

No one more than Congresswoman BARBARA LEE in this House has been focused on how we lift those in poverty out of poverty and into the middle class.

□ 1800

Of course, as she so well says, it will be good for those in poverty, but it will also be good for all the rest of us. They will help build a better economy. They will help grow jobs, and they will help America be stronger.

Mr. Speaker, I am honored to join my friend, Chairwoman BARBARA LEE of the Democratic Whip's Task Force on Poverty, Income Inequality, and Opportunity, for this Special Order.

I also want to thank Chairman CLEAVER of the CBC's Poverty and Economy Task Force for the work that it has done in this area.

Mr. Speaker, poverty is bad for your health. Poverty is bad for your mental health. Poverty is bad for children. Poverty is bad for families.

More than 50 years after President Johnson declared unconditional War on Poverty, 46 million Americans are still struggling in poverty. That is not to say we haven't made some progress. There are programs we have adopted.

Frankly, Medicare is a tremendous poverty program. Our seniors are better off, and far less of them are in poverty because of Medicare. Medicaid is a critical program to make sure that those who cannot afford it are, nevertheless, given health care, which is important for all of us to have healthy citizens with whom we deal on a daily basis.

Ours, Mr. Speaker, may be the wealthiest nation on Earth, but we can best measure America's economic success not by how many are at the very top, but how few are stuck at the bottom of the economic ladder. By that measure, we have a long way to go to fulfill America's promise as a land of equal opportunity and of success.

Even in 2015, the lines between rich and poor trace the old divides of race and background, with 29 percent of Native Americans, 26 percent of African Americans, and 23 percent of Latinos living in poverty.

Poverty also strikes, of course, our rural communities. In fact, in many respects, there is more poverty in our rural communities than in our cities and urban communities. It is more visible in our cities because they are aggregated; although, we ought not to forget that literally—as I just mentioned about minorities—millions and millions of nonminorities struggle in poverty every day. Poverty strikes children at a higher rate, unfortunately, one in five children in America, as our leader says.

The task force we launched and which BARBARA LEE chairs has been working hard to raise awareness in Congress of these very real and very difficult challenges of poverty in America and to provoke policies that help alleviate suffering in the short term while working to eradicate poverty over the long term.

Speaker RYAN has raised poverty as an issue on which he is focused, and he has visited areas of poverty in our country. We could recognize poverty. We can visit those in poverty. But what it is important to do, Mr. Speaker, and what BARBARA LEE is leading us to do, is to adopt policies that almost eliminate, reduce, and empower those in poverty.

The number one rule on the War on Poverty, of course, ought to be first, do no harm. This means making sure that we refrain from disinvesting in the critical programs that serve the poor and help millions stave off hunger, homelessness, and disease. Mr. Speaker, we ought to have those criteria in mind when we consider the appropriations bills, tax bills, and other policies that affect our people.

Thankfully, the recent bipartisan budget deal prevented the return of sequestration's severe and painful automatic cuts, which would have disproportionately harmed the most vulnerable in our economy. Now Congress has a responsibility to follow that up by passing an omnibus and avert a shutdown.

However, not doing further harm is not enough. Congress has a responsibility first and foremost to help create jobs that put Americans back to work and enable them to rise out of poverty and, as Congressman COLEMAN WATSON indicated, to make sure that, when we ask people and give people the opportunity to work, we value that work and pay them a living wage.

We cannot enable people to rise out of poverty if it keeps lurching from one manufactured crisis—when I say ''it,'' our policies here in Congress on budgets, on debt, on investment, and on taxes—to the next. If we lurch from one crisis to another, we will not be able to succeed in enabling and empowering those currently in poverty. We need to work together to invest in education, workforce training, and innovation to make our workforce more competitive and open doors of opportunity for those looking to get hired.

We also, Mr. Speaker, need to expand assistance for housing and nutrition as well as access to health care, especially for children. Poverty need not be a cycle and should not be a cycle from generation to generation. That is debilitating certainly for them, but we ought to all recognize it is debilitating for us, our communities, and our country.

The promise of America has always been that this cycle can be broken. That is what we think about America. Even if you are born in circumstances that are tough, if you work hard and play by the rules, you can rise above it. We need to make sure that we give them that opportunity.

We need to take steps to make sure that hard work pays off, that those who have jobs can earn enough not only to get by, but to get ahead. This means making child care more affordable for working parents, enacting paid leave to care for sick loved ones, and raising the minimum wage.

The new Speaker, Mr. RYAN, has indicated he takes very seriously the issue of poverty, as I said. I hope we can work together to address that problem in a serious, responsible, and effective manner. Not to do so would be a grave disservice to the future of our country and its people.

One area he has suggested we might find agreement is in expanding the

earned income tax credit to childless adults, which could lift an additional half a million Americans out of poverty. In addition to that, we ought to index the ITC, we ought to index the child tax credit, and we ought to index the opportunity tax credit so that we can empower and enable those who are working, those who have children that we want well-cared for and safe to be more productive citizens.

I thank, again, Chairwoman BARBARA LEE and all of the members on the Democratic Whip's Task Force on Poverty, Income Equality, and Opportunity and the CBC's Poverty and Economy Task Force, led by my good friend Representative CLEAVER, for all the work they are doing to wage this War on Poverty with the determination and purpose this challenge requires.

I thank the gentlewoman for her leadership.

Ms. LEE. I thank our whip for that very important statement.

A couple of things I would like to just comment on, Mr. HOYER, that you mentioned. In terms of ''first, do no harm,'' a couple of years ago—and this was with bipartisan support—in all of our appropriations bills, we put in language that said that we will do nothing in this legislation that would increase poverty. We did that on a bipartisan basis. Also, when Speaker RYAN was the chair of the Budget Committee, we talked about poverty and tried to determine a way to put into legislation—it was our job to develop a national strategy to eliminate poverty.

So what you are raising tonight I think is very important in terms of a window of opportunity for us to work in a bipartisan way to begin to really do this in terms of reducing and eliminating poverty for the 46 million people who deserve to live the American Dream. I think that this task force and yourself, really, with Speaker RYAN should be able to do this on behalf of the American people.

I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I certainly hope she is correct, and I believe she is absolutely correct that we can work in a bipartisan fashion. There is nobody in this House who wants to see people in poverty. We may have different views of how to achieve the objective of empowering all of our people to seize the opportunity and to be paid a living wage and to support themselves and their family in a way we want them supported. We can work together—I agree with the gentlewoman—in a bipartisan fashion on that issue. I thank her for her leadership in achieving that objective.

Ms. LEE. I yield to the gentlewoman from southern California (Ms. ROYBAL-ALLARD), my colleague, friend, and an individual whom I have known for many, many years who has been consistent over the years on behalf of supporting pathways out of poverty, the most vulnerable, our immigrants, our immigrant women, our children. Congresswoman LUCILLE ROYBAL-ALLARD serves on the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, which Ranking Member ROSA DELAURO serves on also. She has done unbelievable work on this subcommittee, again, being as consistent as she has ever been since I served with her in the nineties in the California Legislature.

Ms. ROYBAL-ALLARD. Mr. Speaker, I would like to focus on child poverty. Before I do, I would like to commend my colleague, Congresswoman BARBARA LEE, for her long and steadfast commitment to addressing the crisis of child poverty in our Nation.

According to the 2015 National Center for Children in Poverty report, in the United States, more than 16 million children live in families with incomes below the Federal poverty level. A new study by the Urban Institute found that almost 40 percent of all American children live in poverty for at least 1 year before they reach the age of 18.

America's children, who represent 23 percent of the U.S. population, make up over 32 percent of those living in poverty. Sadly, my home State of California is an example of this human tragedy. Today, 2.5 million Californians live in deep poverty, and 33 percent of them are children whose family income is less than $12,000 a year. In my district alone, 37,000 children live in extreme poverty.

The harmful conditions associated with poverty include substandard housing, lack of nutrition, overcrowding, and exposure to violence, all of which can be toxic to a developing child's brain. Research tells us that, even when experienced for a short period of time, many of the negative effects of living in poverty stay with children for the rest of their lives. This includes higher rates of health and developmental problems, poor academic achievement, and lower rates of high school graduation.

In addition to the individual tragedy of child poverty, it ultimately impacts all of us, costing our country an estimated $500 billion a year in lost earnings, higher crime-related costs, and increased health expenditures.

Unfortunately, there is a deep void in awareness and government accountability for the devastating crisis of child poverty in our country.

□ 1815

To address this lack of awareness, this year Congresswoman BARBARA LEE and I offered an amendment to the Labor HHS appropriations bill to fund a comprehensive National Academies of Science nonpartisan analysis of child poverty in the U.S.

Such a study would enable Congress to better understand the root causes of child poverty in our Nation. It would provide invaluable information on how Congress and service providers can improve the effectiveness and outcomes of poverty-related programs and services.

Fortunately, our appropriations colleagues on both sides of the aisle agreed with us and unanimously supported our amendment. We are grateful that it was included in the final House version of the FY16 Labor Health and Human Services bill.

Our amendment is now part of a package of bills being conferenced with Senate appropriators. It is our sincere hope that our child poverty amendment will be included in the conferenced Labor, Health, and Human Services appropriations bill for FY16.

Mr. Speaker, it is unconscionable that, in the United States, the richest country in the world, child poverty is destroying the lives of millions of our Nation's children. We must address this tragedy now. I thank Congresswoman LEE for organizing this Special Order and for her relentless leadership in the call to action to end child poverty in this country.

Ms. LEE. I want to thank the gentlewoman from Los Angeles, California, for her very powerful statement, but also once again for her tremendous leadership on the Committee on Appropriations and in her district on so many issues, especially relating to children. It would never happen if it were not for Congresswoman LUCILLE ROYBAL-ALLARD on the subcommittee. Thank you so much.

Hopefully, our amendment will hold in the conference report. But, if it doesn't, it is certainly not because you haven't worked hard and have not been committed to reducing and eliminating childhood poverty. I am pretty confident that we are going to win this one. Thank you again for being here with us tonight and for your leadership.

Mr. Speaker, I would like to come down and put some charts up in the well and speak so that the statistics will be very visible before the public as it relates to the poverty rates in the United States.

First, let me just say, Mr. HOYER, our whip, talked about the 50th anniversary this year of President Johnson's War on Poverty. Now, this War on Poverty included such initiatives as Medicare, Medicaid, Head Start, the Higher Education Act, and the Department of Housing and Urban Development. There was a very important immigration bill—you name it—50 years ago.

This legislation, the War on Poverty, really has helped to reduce our poverty rates in the United States. Poverty has fallen from 26 percent in 1967 to 15 percent in 2015. Yet, we have a long way to go. It is not time to end this War on Poverty.

Actually, it is time to increase our efforts to make sure that the 47 million people living in poverty have access to all of these initiatives that were begun 50 years ago that really have lifted families out of poverty and have prevented families from moving into poverty. That is very important to remember about this 50th year anniversary.

The Supplemental Nutrition Assistance Program, for example, SNAP, that has kept nearly 5 million Americans, including 2.2 million children, out of poverty in 2014. That is why we do not want to see any more cuts to this program.

Social Security benefits kept 1.2 million children out of poverty in 2013. Medicaid kept nearly 3 million people out of poverty in 2014.

Programs beyond the War on Poverty, like the earned income tax credit and the child tax credit, which Congresswoman DELAURO and Whip HOYER spoke about, these two initiatives, these two policies and programs, have kept nearly 10 million Americans, including 5 million children, out of poverty in 2014 alone. These programs strengthen our economy, increase opportunity for families, and provide millions of Americans with pathways out of poverty.

We have tried to make sure that our Republican colleagues understand these facts and not gut these critical programs because they are extremely important. We do not need to continue to fund tax breaks and giveaways to corporations and the well-connected while so many people are still living below the poverty line.

Stealing aid to the poor and handing more to the rich is really shameful and utterly unacceptable. We need to come together to really begin to recognize that we have got to lift people out of poverty and create a level playing field so that everyone can have the opportunity to live the American Dream. Cuts to these programs not only cost our government more money—the taxpayers, in the long run—but it is really morally wrong to cut these programs.

Now, as a former food stamp recipient myself and public assistance recipient, I know firsthand just how important these safety net programs are. I would not be here today if it were not for that lifeline, that bridge over troubled waters, that these types of programs extended to me when I was a single mother, on welfare, raising two amazing sons, trying to get my life together so that I could move on and take care of my family and live the American Dream.

Believe me, I know. No one wants to be on food stamps. No one. Everyone wants a good-paying job that allows them to provide for their family and contribute to society. They want to take care of their kids. There are bumps in the road, yes, and now the economy has turned around for many, but not for all.

That bridge over troubled waters is needed now more than ever. I hope that, in the negotiations in this omnibus bill, we are going to make sure we remember these people and not raid the programs that keep people out of poverty and provide a safety net. As Mr. HOYER said, let's do no harm in this bill and let's help people move into the middle class.

We must recommit ourselves to combating poverty and inequality once and for all. It really is a disgrace when you look at these charts, when you see the percentage of people living below the poverty line, and this is in the wealthiest and most powerful country in the world.

It is a challenge to all communities. Communities of color, of course, are disproportionately impacted and affected, but American Indians, Alaska Natives, African Americans, Latinos, Asian Americans, Asian Pacific Islanders, Whites living below the poverty line in Appalachia and rural America. There are people living in poverty all over the country.

I come from California. Close to 17 percent of the population of California, mind you, is living in poverty. That is almost 2 percentage points higher than the national average, and that is in California.

While many people believe that poverty only touches cities and urban communities, as our whip indicated, our rural communities continue to be plagued with persistent poverty while lacking many of the resources found in cities, such as public transit, food banks, and access to critical workforce training.

According to the United States Census Bureau, 85 percent of our Nation's persistent poverty counties, defined as 20 percent or more of a population living in poverty, are in rural America.

Mr. CLYBURN, our Democratic Assistant Leader, has laid out a formula for years—10, 20, 30—which would direct and target Federal resources to these counties and to these areas that would lift people out of poverty. We need to really understand where people are and make sure that our tax dollars go to those communities to lift people out of poverty.

More than one-third of rural Americans and one in four rural children live in poverty in 2015. These statistics are appalling. Poverty touches our population that really needs help the most, including our children and our seniors.

In 2015, more than 6 million seniors—now, that is 15 percent of all people over 65 years of age—are living in poverty. Even worse, while children make up just 23 percent of the population in the United States, they account for one-third of all Americans living in poverty. That is one in five kids. That is just plain wrong.

I would like to inquire, Mr. Speaker. How much time do I have remaining?

The SPEAKER pro tempore. The gentlewoman from California has 15 minutes remaining.

Ms. LEE. I would like to in just a minute yield to my colleague from Florida (Ms. GRAHAM), who would like to take the floor and talk about poverty in her own community. She has been such a tremendous voice on eliminating poverty and working to lift those who live below the poverty line out of poverty.

We know that families around the country living on the minimum wage have to make choices each and every day. She knows that. She is here to speak to that. I really appreciate her presence tonight on the floor.

I yield now to the gentlewoman from Florida (Ms. GRAHAM).

Ms. GRAHAM. Congresswoman LEE, I really appreciate you inviting me and allowing me the opportunity to speak tonight on this very important subject.

I am incredibly grateful for the work you are doing to highlight this issue and end poverty in America. Thank you on behalf of my district and all the districts across the country.

Twelve of the 14 counties I represent are rural counties that face many unique challenges, like access to social services, access to quality education, and access to health care. All of these issues are complicated by a cycle of poverty. This is especially prevalent in areas like Gadsden County, where more than 26 percent of the population live in poverty.

It is unacceptable for one in every four Americans to live in poverty in any part of our country. We must do more to help rural families break the cycle of poverty and move into the middle class.

One program that is successfully working to do this is the United States Department of Agriculture's StrikeForce Initiative for Rural Growth and Opportunity. Since its inception in 2010, StrikeForce teams have collaborated with more than 500 community partners and public entities across 20 States to bring targeted assistance to rural areas experiencing chronic poverty.

StrikeForce efforts have helped direct over $16 billion in investments to create jobs, build homes, feed kids, assist farmers, and conserve natural resources in the country's most economically challenged areas.

As the USDA considers expanding StrikeForce into more States, I urge them to bring this program to Florida, especially to north Florida and Gadsden County. Farmers in rural communities are the backbone of our State, and StrikeForce will help develop our economy, create jobs, and fight rural poverty.

Again, thank you, Congresswoman LEE, for bringing attention to this important issue. I look forward to working with you to end poverty across our country.

Ms. LEE. I want to thank the gentlewoman from Florida for that very important statement and for once again raising the issue of rural poverty and the StrikeForce and the fact that we know how to eliminate poverty.

We just need the political will to do that. I know your constituents are very proud of you, and you are waging a noble fight each and every day on their behalf. Thank you for being here this evening.

There are a couple more statistics which I would like to discuss for just a few minutes. That is the issue of raising the minimum wage. We know that raising the minimum wage is not only good for our hardworking families, but it also makes economic sense, too.

□ 1830

According to the Economic Policy Institute, raising the minimum wage to $12 an hour by 2020 would lift more than 35 million Americans out of poverty—that is just to $12 an hour. But in many parts of the country, even $12 is not sufficient. We are mounting campaigns around the country for $15 an hour. In some communities and States, you can barely get by on $15 an hour, but raising it to $12 is a step forward. Just raising the minimum wage is a step forward.

So many poor people are working. They are part of the working poor. They are working two jobs, and they still have to rely on SNAP benefits, Medicaid, and Section 8 housing.

People who work should not be poor, and so we have got to have a living wage. We have got to raise the minimum wage and get to a living wage so that everyone in our country can live the American Dream, as we continue to say, and so that opportunity can be provided for everyone.

Some people are working two jobs and barely can make it with children because their wages are stagnant and they are just too low to be able to survive in this American society. So raising the minimum wage to a living wage is a critical strategy. It is a critical policy that this body should embrace and pass.

I yield to my colleague from Georgia Congressman JOHNSON, who has been a steady voice on so many issues since he has been here in Congress, especially on behalf of the most vulnerable in our society: the poor and the working poor. His voice and his work has certainly been a major contributor in terms of our task force growing to over 100 members. Thank you again for being a member of the task force and for what you do each and every day.

Mr. JOHNSON of Georgia. Mr. Speaker, it is my honor and my privilege to serve alongside you, Congresswoman, with all of the bigness of your heart and the care that you have for people, particularly those who are on their way up. You don't have anything against those who are already in place and doing well, but your heart is constantly on display toward those who are less fortunate. I am just privileged and honored to join you in that quest.

Today has been a great day. This morning, we celebrated the 150th anniversary of the passage of the 13th Amendment abolishing slavery in America. And to think back 150 years and look at the 100 years it took from that point to get to the point where we could pass a Voting Rights Act here in America, and then from that 50-year point up to today to be addressed by an African American President of the United States shows what kind of values we have in this country, what kind of opportunities we have in this country.

And so I am just filled with great tidings during this holiday season; however, I am not carried off by the winds of prosperity that may have come to some of us while to others the winds of prosperity have passed us by for various reasons, despite all of the progress that we have made as a people.

As it stands now, Congresswoman, it is not a Black or White thing; it is a people thing. We have more Caucasian Americans living in poverty than we have African Americans. So poverty is not a discriminator when it comes to national origin, when it comes to race, or when it comes to sex.

The fact is we have more women living in poverty and we have more children living in poverty. There is nothing to be joyful about that. We have more elderly people falling into poverty today.

My heart cries out for Caucasian Americans between the ages of 45 and 60 who, studies show, are meeting an early and untimely death at their own hands—suicide. Also, alcoholism and drug abuse are ravaging that particular demographic, as well as liver disease and other chronic ailments.

It all, I would posit, stems from the sense of hopelessness that pervades the people at this particular time. We see all of the prosperity. We see the prosperity of the few, the top 1 percent. You can look at the top 10 percent and see the concentration of wealth in this country. You see it, you watch the TV, and you aspire for all of the goods that are displayed to you on TV, but yet there is a sense of hopelessness about you being able to achieve that, despite the fact that you are working two and three jobs and still qualify for food stamps and other social services.

We are realizing that, despite the hard work and the effort, the playing field is not level and the game is skewed in favor of the few on top at the expense of the masses on the bottom, and so something is wrong with that picture. That is an imbalance that we need to correct. So that is why I am so happy to work on the Out of Poverty Caucus.

Some say, ''Why try? It can never be done''; but I am one of those who say that, if we don't try, it won't be done. If we try, it can make a difference.

I think that with the proper people in place to make the policy decisions that we make here in Congress, there is so much that we can do to relieve poverty in this country and to offer opportunity for people who only want to work hard and play by the rules. They long for the day to return when they can look at their children and their grandchildren and rest assured knowing that the opportunities for them will be at least, if not greater than, those that existed for themselves.

And so our job is to make things better on the ground for people. Our mission is to help those who need help. There are always going to be some people who need it, and there is nothing wrong with helping somebody who needs help. In fact, that is what living is all about: serving your fellow man. That is why I am here. I know that is why you are here, and I am just happy to serve with you.

I would add that it has been 51 years since 1964 when President Lyndon B. Johnson launched the War on Poverty, an ambitious set of initiatives to increase access to education, spur job growth, and improve nutrition and health to our poorest Americans. Fifty-one years later, it is estimated that up to 45 million Americans live in poverty. In the greatest Nation on Earth, there are 45 million starving children, impoverished seniors, and families that struggle every day to obtain the bare necessities to survive.

I know how it feels because, for 1 week, I tried to exist on the food stamp challenge with you, Congresswoman, and that was tough. I got off of it after, I think, about 5 days. To try to exist on what we give the average food stamp recipient is quite tough.

In Georgia, 25 percent of the people who are 50 or older and whose income level is less than $22,000 a year struggle with hunger. In my district, that is an important issue, because in DeKalb County, 10 percent of the people live below the poverty line, and the majority of those are children. In Rockdale County, it is 13 percent.

Ms. LEE. I thank the gentleman for his message of hope tonight and for reminding us of the fact that poverty does take its toll on the mental health and well-being of the human spirit.

I want to thank all of the Members who participated. I hope we can move in a bipartisan fashion to address some of the major, major issues that this body knows that it can address if it so chooses.

Mr. Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I would like to offer remarks on poverty and income inequality in America in light of our recent budget discussions. In the

world's most rich and powerful nation, more than 46 million Americans live in poverty. In Texas, 18 percent of residents live in poverty and 25 percent of children under 18 live in poverty. In Dallas, TX, the number of low-income people rose 41 percent between 2000 and 2012.

These numbers are staggering in a nation, state, and city with such wealth. Congress can and must do more to create opportunity for people who live in poverty. Passing a strong federal budget with anti-poverty programs, creating educational opportunities for students who come from low-income families, ensuring children and families have adequate food, advocating for a higher minimum wage, and keeping our federal health programs strong are just a few examples of the ways Congress can help lift these individuals and families out of poverty.

We know that these programs work. The Supplemental Nutrition Assistance Program (SNAP) kept almost 5 million Americans, including 2.2 million children, out of poverty last year. Medical kept almost 3 million people out of poverty last year and that number continues to increase as more states expand Medicaid. The Earned Income Tax Credit (EITC) and the Child Tax Credit (CTC) helped to lift 10 million Americans, including 5 million children, out of poverty last year.

Anti-poverty programs not only help families rise above and stay out of poverty, they keep families contributing to the economy on a daily basis. Rather than keeping low-income Dallasites, Texans, and Americans on a tightrope where they are one medical emergency, job loss, or large car expense away from dipping into poverty, we must bolster our resources. During the very year that we celebrated the 50th anniversary of several War on Poverty programs enacted by President Johnson, we must make it easier and not more difficult for working families in this country.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 381

Mr. JOHNSON of Georgia (during the Special Order of Ms. LEE). Mr. Speaker, I ask unanimous consent to remove myself from H.R. 381.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

FOREST MANAGEMENT AND WILDFIRES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Pennsylvania (Mr. THOMPSON) is recognized for 60 minutes as the designee of the majority leader.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as chairman of the House Subcommittee on Conservation and Forestry, I am pleased to open this Special Order to discuss forest management and wildfires.

Over the course of this year, many Western States, including Alaska, have gone through a catastrophic wildfire season, with more than 9 million acres burned to date. This is a continuation of an unsustainable trend where the average number of acres burned each year has doubled since the 1990s. To address this, government spending on wildfire suppression has also doubled; yet the total amount of spending on forestry activities has remained the same.

Because the cost of wildfire suppression efforts has continued to climb over the past 15 years, the U.S. Forest Service has repeatedly had to transfer money from its nonfire programs to firefighting efforts. In fact, this year alone, more than 50 percent of the Forest Service budget went toward wildfire suppression, taking funding away from programs and activities that promote forest health and reduction of underbrush, wood waste, and dead trees, which help these wildfires spread.

Fire transfers also undermine timber harvesting, which is critical for the health of the forests as well as our rural communities and counties.

In contrast to this 50 percent, only 20 years ago, the Forest Service was only spending as little as 13 percent, or one-sixth, of its budget on fire-related activities. However, this is not simply a question of allocating more money for fire suppression. The real solution to this problem is how we maintain our forests.

I am pleased to be joined tonight by bipartisan members of the Conservation and Forestry Subcommittee of the Agriculture Committee.

I am pleased to yield to the ranking member of that committee, MICHELLE LUJAN GRISHAM.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. THOMPSON, I appreciate this Special Order on wildfires and forest management, and I really appreciate your leadership on the House Agriculture Committee as chairman of our Subcommittee on Conservation and Forestry.

Most recently, the subcommittee held a hearing on the 2015 wildfire season and long-term fire trends, a much-needed hearing recognizing the concerns and urgent needs of many of our Members who watched their districts and States burn to unprecedented levels this year.

What is abundantly clear from the testimony we heard, especially that of Forest Service Chief Tidwell, was how crippling the current wildfire budget system is to the agency and how, frankly, it prevents the Forest Service from carrying out its congressionally mandated mission.

The current process for funding wildfire suppression is inefficient and wastes taxpayer dollars. Once the Forest Service exhausts their wildfire suppression budget, the agency is then forced to transfer funds from nonfire programs, which are often needed to prevent fires, in order to support the immediate, emergency needs of fire suppression.

□ 1845

In the last fiscal year, FY15, the Forest Service spent $700 million more than what Congress initially appropriated.

Since 2004, the Forest Service has needed eight supplemental appropriations. This is now the norm, not the exception.

This year's wildfire season devastated much of the Western United States. The Forest Service spent $1.7 billion fighting these fires. More than 9 million acres were burned, thousands of homes and other infrastructures were lost, and 13 firefighters lost their lives in the line of duty.

While I am thankful New Mexico avoided any big fires this year, I know firsthand how devastating fires can be. For 3 years in a row, New Mexico endured the biggest fires the State has ever seen. The Whitewater-Baldy Complex, Las Conchas, and the Gila fires devastated our land, our resources and our communities.

These fires are natural disasters that require emergency response and recovery and should, frankly, be funded the same way as hurricanes, floods and tornados. Now, it is clear to me that Congress needs to urgently fix this funding problem before more communities are destroyed and lives are lost.

In addition to the ''fire borrowing'' issue, Congress also has to address the rising 10-year suppression cost average for wildfires. Rising wildfire costs means that less funding is going to nonfire Forest Service employees and programs each year. Because of this, the Forest Service now has fewer resources for recreation, research and development, and road maintenance.

There are also fewer resources to carry out activities and projects that many say we need more of, such as NEPA analysis, timber contracts, timber salvage, controlled burns, and other Forest Service management activities.

Lack of resources often means that these projects get delayed or canceled. And we aren't just talking about Forest Service projects; they are projects in each of our districts that are developed by our own constituents and partners within each of these communities.

Now, I understand that the broken wildfire budget and rising costs are only part of the problem. Wildfires are burning bigger and more intense than ever before.

Climate change is causing more drought, higher temperatures, bringing new diseases and pests to new areas, and changing the vegetation on the ground. Our forests are not the same forests that they were 50 years ago, or even 20 years ago.

Climate change is undoubtedly changing our forest dynamics, and we must make our forests more resilient.

Fixing the broken wildfire budgeting process is the most effective thing Congress can do to begin to address the

devastating wildfires that are plaguing this country.

I also agree that we need more management work done on the ground, so let's work together to ensure that the Forest Service has sufficient resources to do their work.

I understand that there have been talks on both the House and Senate side about including a budget fix in the upcoming omnibus, but that a deal remains elusive because some parties are unwilling to address the budget caps in order for wildfires to get treated as exactly what they are, as natural disasters. This would treat wildfire natural disasters just like every other natural disaster in this country.

We out west have helped fund hurricanes, tornados and flooding in the Midwest and in the eastern parts of the country. We should be doing the same for our natural disasters out west.

I urge Speaker RYAN, and Chairman PRICE of the Budget Committee, to recognize this simple, yet important distinction.

House leadership, Mr. THOMPSON, and others, I know, we can sit down and we can come to an agreement to fix the broken budget process and address some of the management needs. I stand ready at any moment to have these conversations and find a path forward.

I thank the chairman very much.

Mr. THOMPSON of Pennsylvania. I thank the gentlewoman, who is a great ranking member on the subcommittee, for all of her work and for her comments and words this evening.

Mr. Speaker, having served on the subcommittee with the gentleman from Oregon (Mr. SCHRADER), he is a great advocate for forest products, for healthy forests, for economically healthy rural communities. We share that passion. I am just very thankful that he was able to, in a very busy schedule, make time this evening to be part of this Special Order.

I yield to the gentleman from Oregon (Mr. SCHRADER).

Mr. SCHRADER. I thank the chairman. I want to applaud you and the ranking member for the Conservation and Forestry Subcommittee for having this colloquy here tonight.

I think it is really important for folks to understand the severity of the issue that is before us here. As my western colleague pointed out a moment ago, these wildfires are alive and well, unfortunately, and absolutely devastating, devastating at a level that we had never seen or expected before.

These disasters, not just back east with Sandy and Katrina, but the wildfires that we see in New Mexico and in my home State of Oregon and neighboring State of Washington this summer, are absolutely catastrophic, and way above and beyond what we have seen in past decades.

The firefighting situation has become untenable. The height of ridiculousness is to acknowledge the fact that firefighting costs have doubled over the last 15 years, on a regular basis, 8 out of 10 years, as was pointed out a moment ago, and not do anything about it.

The wildfires don't go away when we put our heads in the sand. They continue to devastate.

I would like to point out three, maybe four things I think are really important. We are talking about an omnibus bill here that everyone is arguing over. There are certain policy riders, I submit, that have nothing to do with the budget.

There is some discussion about a fire funding fix, though, to get after this budgetary disaster that we have, now every year. Why not budget up front for this so that the resources can be allocated immediately?

Secondly, not devastate the Forest Service budget, because if you take it out of the Forest Service budget, even temporarily, then the Forest Service can't do its land management work, which gets rid of the hazardous fuel, gets rid of the diseased trees, takes care of the pests to prevent the next wave of forest fires.

This is very simple, folks. This is very simple.

The funding fix also talks about working in a collaborative way to build the collaborative relationships that have eluded us so far for our forestry problems.

The fix talks about working collaboratively on the NEPA process with folks, make sure it is done correctly, but in a way that the Forest Service can manage and get it done quickly.

It talks about set-asides for small areas that could be categorically excluded where there is already collaborative work being done on the urban-rural interface and, actually, some areas to promote wildlife habitat.

I mean, this is the type of thing that actually gets at what both the environmental community and the forest community need to have.

One last big point I think that gets ignored a lot in this discussion is the economic loss that occurs as a result of these forest fires. We could have a lot more money for tax resources if we got after these fires early on.

Right now, I have timber communities in my State where over 50 percent of the land is Federal forest lands that go up in smoke, that they could otherwise be harvesting or reducing that fuel load by thinning, to promote jobs, economic development, and tax revenues.

I think a small investment in this budget to offset larger costs later on, and adequately fight these fires, to protect rural America, is critical.

Right now, rural America is not getting its fair share. There is a lot of talk about 9/11 and making sure our first responders get the health care that they need and deserve for stepping in in a disaster situation in New York City.

Where is the stepping in to help my firefighters out west? These men and women go into toxic situations, life-threatening situations, and they get no respect just because we are out west.

As the ranking member pointed out, and the chairman pointed out, these are devastating disasters, just as bad as tornados, just as bad as hurricanes. Where is the fairness to my western colleagues in getting their issue taken care of?

This devastates the communities. These rural communities are poor already. With these fires rampaging across the landscape, they get poorer quicker.

There is no Intel or Microsoft setting up in the middle of nowhere in the rural parts of my State and my district. They depend on natural resources, the good use of natural resources, resources that can be used for carbon sequestration by not having these fires.

I find it amazing that, in a budgetary discussion, we are trying to save money, not just in the short term, but in the long term, that we are having trouble getting this fire funding fix that is bipartisan. Even the White House is behind it.

We have an opportunity to get this done for a small amount of money that will be paid back over the next few years in spades. I think it is a shame that we can't get this thing done just instantaneous.

I hope the discussion tonight opens the eyes of some folks about the discrimination that is going on against rural America, particularly out west.

And I really, really, want to thank the ranking member and the chairman, who I have worked with closely over the years, a true friend, a friend of rural and forested America, for bringing this to our attention. Thank you very much.

Mr. THOMPSON of Pennsylvania. I thank the gentleman for lending your passion and your knowledge to this important debate tonight. And I share your hope, that we raise the level of awareness.

We are talking a lot about western forests, but I have to tell you, having an eastern forest, I represent the Fifth District of Pennsylvania; when these large wildfires occur out west, there is a large sucking sound of resources, both personnel and money, being taken out of our eastern forests.

These are monies that are used to make our forests healthy. These are monies that are used to do timber marketing, marketing of timber and timber sales so that we can generate revenue to our countries, our school districts. So these monies really are taken away from active management, and active management is the key in helping cut down on the amount of wildfires in our forest.

This involves mechanical thinning, hazardous fuel reduction projects and, of course, a sustainable amount of timber harvesting per the forced Allowable Sale Quantity, or ASQ.

Now these various activities are essential in order to help ensure that the forest doesn't become an overgrown tinderbox. Areas that aren't properly maintained not only become tinderbox, as a risk of wildfires, but also for invasive species outbreaks.

I don't know of anyone in Congress that has more expertise on this than our next speaker. He is a professional forester. He brings tremendous education and experience to Washington. We are real proud to have him as a part of our team working on this issue, really leading on this issue.

Our next speaker is actually the author of H.R. 2647, which has been passed by the House of Representatives, the Resilient Federal Forest Act of 2015, so I am honored to yield to the gentleman from Arkansas (Mr. WESTERMAN).

Mr. WESTERMAN. Mr. Speaker, I thank the gentleman from Pennsylvania, and also thank him for his leadership on this issue, a very important issue, and one that he has a good grasp of that I wish the rest of our Federal Government could get a good grasp of.

I also would like to thank the ranking member for her remarks, and the gentleman from Oregon, for his remarks.

We do have a national treasure in our forests. The U.S. Forest Service manages over 193 million acres of forests and grasslands from Maine to Alaska.

The Forest Service was formed by President Teddy Roosevelt and his friend, Gifford Pinchot, who was the first Chief of the Forest Service. These men were true conservationists and naturalists. They understood the science of the forest. They understood the value of the forest, and they understood its contribution to society, so they worked to conserve that for future generations.

Roosevelt and Pinchot hold a special place in my heart. I grew up by the forests that were established by Roosevelt, and I studied at the Yale School of Forestry that was founded by Pinchot.

Teddy Roosevelt once said about our natural resources, he said that our Nation behaves well if it treats its natural resources as assets, which it must turn over to the next generation, increased and not impaired in value.

Mr. Speaker, we are not behaving well as a Nation. We are decreasing and impairing the value of our forests.

□ 1900

Our forests are not just an asset; they are a treasure, a treasure that provides beauty, makes clean air, purifies our water, provides wildlife habitat, and a variety of recreational activities and opportunities. Our forests store carbon and provide many of the products that we live in, that we learn from, and that we use to survive every day.

Mr. Speaker, this is not a Republican failure, and it is not a Democratic failure. It is a congressional and an agency failure that we have the power to correct.

Wildfires continue to sweep across the country. They are burning hotter and faster than in years past. More than 9 million acres of Federal land burned this year alone. Costs to fight fires and the number of fires burning grows every year.

As has been mentioned so many times before, the Forest Service's biggest expense is firefighting. The costs of it have ballooned over the years. It is not just the cost of fighting fires, as the gentleman from Oregon said, that is the cost. We are destroying a valuable asset: 9 million acres of Federal land and timber that goes up in smoke. These products could be used. They have value to them. We are not only spending the money to fight the fires; we are losing valuable assets every year.

This year, Mr. Speaker, Congress had to appropriate an extra $700 million to land management agencies to cover the cost of fire borrowing. The Forest Service is becoming a firefighting agency, unable to meet its mission of ''caring for the land and serving people.''

Fire borrowing is not the only problem, and I submit that it is actually not even the problem. It is the symptom of a problem. It is the result of our current management choice that each year is becoming less and less management. Unfortunately, we do not have the luxury of choosing not to manage.

Forests are dynamic, living organisms. They don't pay attention to what we say here in Washington, DC, or what we write in laws. The only thing forests know is to grow and fill their growing space and to absorb the sunlight. They fill the growing space, and they quit growing. Then they become weakened. They are subject to insect and disease attack. They die. We get debris on the forest floor. Lightning strikes, and the forest burns. If we choose not to manage the forests, then nature continues to manage. We don't have that luxury of saying that we are just not going to manage the forest.

Our land management policies have changed for the worse simply and mainly because we have not been able to manage. Red tape and lawsuits are harming our landscapes. Forests are overgrown, and they are unhealthy.

Healthy forests will lead to smaller fires that can be contained. A healthy forest puts less carbon in the atmosphere, and, in fact, it sequesters more carbon through new tree growth and reforestation. Simply by the biological growth curve, younger organisms grow faster so they are pulling more carbon out of the atmosphere. They are storing it in their trunks, in their leaves, and in their roots.

The good news is the House has been behaving well. The House produced and passed a good piece of legislation in H.R. 2647, the Resilient Federal Forests Act. Now, this isn't the end-all to fix the problems with our forests, but it is a great first step.

H.R. 2647 simultaneously ends fire borrowing in a fiscally responsible manner, but it also gives the Forest Service the tools it needs to create healthy forests. Healthy forests are a winning situation. Everybody wins with a healthy forest. Wildlife wins, and sports and outdoor recreation enthusiasts win. We all win with cleaner air, and we all win with cleaner water. Our rural communities win with an economic benefit. There is not a downside to having a healthy forest. It is good for America to have healthy forests.

Mr. Speaker, it is time for us to put the policy in place so that we can have healthy forests. It is time for the Senate to behave. It is time for the Senate to act on H.R. 2647 so we can end fire borrowing and manage our forests.

Mr. THOMPSON of Pennsylvania. I thank the gentleman. I thank you for your leadership and bringing your expertise to Washington. It is great to serve with you, and I appreciate all the leadership that you are showing, not just on this issue but so many different issues that are good not just for the folks of Arkansas, but for the entire Nation. So thank you so much for being part of this Special Order tonight.

Mr. Speaker, a healthy forest is so incredibly important because a healthy forest represents, also, wealthy communities. Our rural communities are so dependent on the active, proper management of our national forests.

These national forests didn't always exist. At one time, our predecessors—some going back 100 years or more—came to the table with the local communities, and they made a commitment that for the good of the Nation they would create national forests.

Now, let's be clear. National forests are not national parks. They are completely different. National forests are not managed by the Department of the Interior and the National Park Service. National forests are managed by the Department of Agriculture, because they were set aside and established so that our Nation would always have an abundant, ready supply of timber. Timber was one of the initial industries that we had. It was so important to the past of our country, but important to the future of our country as well.

As Mr. WESTERMAN really articulated well, when you have a healthy forest, you have carbon sinks and you have filters. A lot of our watersheds originate in our national forests, so it is good for

clean water if they are properly managed. It is good for clean air, and it is good for the economy.

Mr. Speaker, from time to time, I spend some time as a lay pastor and I will fill the pulpit. When I am talking to the churches, I talk about how a healthy church is like a healthy forest. If I go into a church and I see that everyone sitting in the pews has my hairline, a little bit of salt on the side here with gray hair, that is not a healthy church. It is just kind of one generation. Well, forests are the same way. If you want a healthy church, you need multiple generations in the pews. If you want a healthy forest, you need multiple generations of forest because it is good for the wildlife, it is good for the birds, and it is good for the mammals, because they need different types of forests at different points in their maturity in order to support that wildlife.

Mr. Speaker, one of the things that leads to putting pressure on certain species is, when we stop harvesting trees, we stop active management, because we know that almost every species, at different times in their life, need that kind of open area. They need time in young forest growth right through to more mature forest growth. Without that, these species can't be supported.

So there are all kinds of reasons, let alone the economic health of our rural communities. That was a promise that was made by our predecessors when they took this land out of the private sector and put it into the public sector. It was done with a promise that they would always do active management in such a way to generate the revenue to be able to backfill for those property taxes that would have been lost.

We have really failed at that as a nation. Our rural communities in and around our national forests are so challenged. Don't get me wrong. I think we have great people that are working for the Forest Service. I spend a lot of time with them. They are dedicated professionals.

I think the Chief of the Forest Service, Tom Tidwell, is an outstanding individual, has strong character. I like the Chief because his first job in the Forest Service was when he was going to college and he worked summers as a firefighter. I am an old firefighter. He has done all the jobs. He knows what it is to manage an active forest.

We have a lot of pressures, though, that the bureaucracy has placed on him. We have a lot of external pressures with special interest groups who claim they are trying to save the forests. But the end result of their actions where they limit, they sue, and they prevent forest plans from being implemented and prevent timber management from occurring, they are actually killing the forests.

Forests are living entities. If they are not actively managed, they will get sick and they will die. When they do, they become emitters of carbon. When a forest is healthy, it actually absorbs carbon. It is a carbon sink, as I said before.

Mr. Speaker, let me talk about some of the statistics that show that much of our national forest system is unhealthy. In fact, the Forest Service has identified up to one-quarter of nearly 200 million acres of national forest land as a wildfire risk. We have seen a dramatic reduction, Mr. Speaker, of the harvest from our national forests from nearly 13 billion board feet in the 1980s to roughly 3 million board feet in past years.

Let me put that into perspective and share some statistics on that. Let's go back to 1995. In 1995, Mr. Speaker, one-sixth of the Forest Service budget was used for wildfire management and mitigation. It was reasonable. At that point, when we were using one-sixth of the Forest Service budget, we were harvesting in 1995 3.8 billion board feet.

Let's fast-forward to 2015. Now, the numbers I am going to share with you are from August of 2015. I readily admit I don't have the past couple months in this, but at this point, the Forest Service is spending 50 percent of its budget on fighting wildfires—50 percent.

Think about 50 percent of your household, 50 percent of your family's budget, your business, or a local school. To take 50 percent of your budget just for this type of crisis management doesn't work. It just doesn't work.

At the same time, Mr. Speaker, we have only projected to harvest, at that point, 2.4 billion board feet. It is a big part of the lack of active management. We need to provide the Forest Service tools to be able to help them do their jobs. The high-water mark was back in 1987 when we had 12.7 billion board feet harvested. That is a variance from this year of 10.3 billion board feet.

We are constantly talking about the economic crisis that we are in here, and we are. We have got a debt that has been out of control. I am very proud to be a part of a Republican-led Congress that, for a number of years, on the discretionary side, we have actually reduced our spending, and we are starting to get our arms wrapped around mandatory spending. So we are doing our job.

But there is a need for more resources, and we recognize that. There is a need for more revenue. We are literally burning that revenue up in our national forests each and every year, dramatically. How much revenue? I would have to say that, if you take, every year, 10.3 billion board feet, if that is the amount that we could get our annual harvesting to, you have to ask yourself: How much more healthy would the forest be?

If the forest is healthy, Mr. Speaker, so many fewer wildfires would occur at just an incredible cost, including the loss of lives. We have lost a tremendous number of American heroes, our firefighters from both the U.S. Forest Service but also volunteer firefighters like myself. Perhaps some professional firefighters have lost their lives because of the incident. It is just the crisis that we have in wildfires.

If we would increase our harvesting, we would increase the health of the forest, and we could reduce wildfires and that risk. We would also increase revenue. I am not prepared to tell you what the average value of a board foot in timber harvest off our national forests is. I know that varies greatly.

Mr. Speaker, I happen to represent the Allegheny National Forest. I am proud to say that it is actually the most profitable national forest in the country. It is kind of puny compared to my colleagues out west. We are about 513,000 acres, but we have got the world's best hardwood cherry. Our hardwoods are what increase the value. I know that is a wide variance on what the value of 1 board foot in 2015 of timber harvested in our national forests is. But whatever that number is, multiply it by $10.3 billion, and that is a lot of revenue that is owned by the taxpayers of this country—given the fact it is their national forest—that we could be bringing in.

Then the prosperity, Mr. Speaker. If we could unleash and get timber in closer to that sustainable rate, what that would do for our school districts, our kids, our families, and the jobs that would be stimulated in the forest products industry. It would just have an amazing impact, Mr. Speaker.

Now, as we examine these issues, Mr. Speaker, it becomes easier to see how everything is corrected. Trees which should have been harvested years ago have been allowed to become fuel for forest fires, leading to the rise in the acreage burned that we have seen in recent years.

There are many prospective solutions to this problem, including the Agricultural Act of 2014, also known as the farm bill. I am very proud that all the Members were involved with the farm bill. It was a great bipartisan bill that we did. It includes provisions to include improved forest management. So we have taken action. We have enacted into law some tools for the Forest Service.

There is just more that we need to do, Mr. Speaker. Those tools include an expedited process in the planning for projects and the reauthorization programs, such as the stewardship contracting and the Good Neighbor Authority. These all improve forest health, timber sales, and restoration.

Now, the House passed the Resilient Federal Forests Act of 2015, which Mr. WESTERMAN very appropriately talked about, in July.

□ 1915

The goal of this legislation was to provide the Forest Service with direction and the tools to address the challenges of litigation. I have to tell you, Mr. Speaker, we have forest plans that are about active timber management, but we have these outside groups that sue the government because the government reimburses their costs, even when they settle out of court.

That is not why the Equal Access to Justice Act was originally written; not for some group that is not a direct stakeholder in terms of having property that is in the forest or adjoined to the forest. But it is litigation, it is funding, no doubt about it, it is the process, it is basic timber harvesting, and essential active management. I will come back to some of those in just a bit. I want to share some outcomes from the most recent hearing that we had with the Conservation and Forestry Subcommittee.

I am proud to cosponsor this important piece of legislation. I believe that it should become law. It will have a major impact on reducing catastrophic wildfires across the Nation.

The district that I represent, Pennsylvania's Fifth Congressional District, is the home of the Allegheny National Forest, the only national forest in the Commonwealth. It encompasses more than 513,000 acres across four counties, and for generations, it has formed the economic bedrock of small communities in that region.

In some ways, the Allegheny is very different from our western forests—I have mentioned some of those—but it has many similar challenges, including a lack of timbering, reduced county budgets, and outbreaks of invasive species.

Reforming the way we deal with wildfires and forestry management will have a positive effect in forests and in rural communities, not just in the Allegheny National Forest in Pennsylvania, but, quite frankly, across the Nation.

I look forward to hearing more from my colleagues, and taking opportunities in the future to host more of these Special Orders, in looking at ways so that we can confront the very real challenges in national forest regions.

I wanted to share some of the outcomes from our most recent hearing that we had on this issue back on October 8. We had some great speakers come in, witnesses, that provided testimony from all over the country. I will just share with you, Mr. Speaker, some of the things that would be helpful, things that we need to consider. I am going to start in the category of increasing the efficiency and the effectiveness of forest management that we have, starting with giving an opportunity for State primacy.

This was an idea that came out from a rancher in Washington State. The States tend to have less bureaucracy, they have less of a target on their back by these outside groups that are suing. So the State's success at increasing active timber management and a higher level of forest health. But State primacy is something that was an idea that came out that needs to, at least, have further consideration.

Expanding what we call categorical exemption from NEPA analysis. That doesn't mean that we are not looking at the environmental impacts. That couldn't be further from the truth. For where it makes sense, what we need to do is provide a categorical exemption from a full-blown NEPA analysis, but we need to do that more on a landscape perspective, so a landscape management. We are talking large scale, 100,000 acres or more, being able to more efficiently, being able to more effectively, manage the forest.

We have provided some categorical exemption opportunities within the farm bill to the Forest Service for regular maintenance activities, where they had to spend a tremendous amount of resources just to clear a power line or to do trail maintenance, or replant after a forest fire, wildfire. Quite frankly, their sister agencies: the Bureau of Land Management and the Corps of Engineers, they didn't have to do that. So this is just kind of common sense.

We need to protect our active management funds. We can't be dipping into the funds that we use to manage the forest. That is what happened. That is what I referred to as that large sucking sound. It is not just resources. My forest supervisor, who does a great job, she was detailed. She went out west for a period of time. She wasn't on our forest doing her job because of the need for her expertise in the west during one of those wildfires this past year in the west. We need to protect our active management funds.

There are some things that came out: a recommendation for larger air tankers to be able to deal with the size and the scale of the wildfires that are out there. We need to, obviously, reduce this litigation. Out of 311 projects this past year, 16 wound up in the courts. That is a significant number. Quite frankly, it is not necessary. Unfortunately, it has become a fundraising scheme for the most part. It is not contributing towards forest health. It, actually, is deteriorating our forest health. We have an increase in invasive species. We are burning up our forest at a record level.

When you burn forest, you ruin that water filter, you impact water quality, you impact as a carbon sink. So we need to reduce the litigation and take steps to be able to do that.

We do need personnel, there is no doubt about it. We have 49 percent fewer foresters than just in 2010. It is our professional foresters, the silviculturists, who are out—of knowing how to mark the timber, of knowing when to harvest the timber when it is at peak value. That is an asset owned by the American people. We shouldn't be waiting until that tree blows over, burns down, or is eaten by some type of bug, invasive species, until we harvest it. We should harvest it really at its peak value. That is demonstrating a fiduciary responsibility for the American people with this asset.

And then certainly we need more collaborative work. Again, H.R. 2647 would achieve that.

So that is more efficient, more effective forest management.

Let me look briefly at response. We do need to fund this appropriately. I am a supporter of a concept that would look at larger fires, more widespread. I don't know how we gauge that—by acreage or dollar value lost or dollars needed. Those really are natural disasters. They are as every bit a natural disaster as an earthquake, a hurricane, or a tornado. Those larger fires should be dealt with as natural disasters.

And then other fires on a smaller scale, underneath whatever that threshold is set, then let's do that through regular order with the Forest Service budget with what we appropriate. There is a definite difference. That would be a recommendation. That was something that came out of a discussion.

And then safe harbor for mutual aid. One rancher from Washington talked about a Forest Service where there was a—I don't know if it was a State or a private individual with a bulldozer—a CAT came up to the Forest Service line. Two situations. One time they asked the Forest Service person, who was working under the direction of somebody in the bureaucracy. They welcomed him in, and they saved a tremendous spread of that fire. And then another time where the Forest Service personnel said: No, we have to fill out the permits first. Well, you have got the wildlife burning, but we have got to fill out the permits, and we have got to do the paperwork. I am not judging that Forest Service employee because they were probably doing whatever they were told to do, and there was more catastrophic loss there. So some type of safe harbor that allows better use of mutual aid.

I want to yield to a friend of mine because it kind of speaks to the efficiency and the effectiveness on the Equal Access to Justice Act. This is the law that we kind of talked about that really has encouraged radical environmental groups to file lawsuits and stop forest plans from occurring.

I yield to the gentleman from Georgia (Mr. COLLINS) to speak on the topic.

Mr. COLLINS of Georgia. Look, we are here, and I am glad to hear what has come out of the Conservation and

Forestry Subcommittee. I just wanted to talk about that because you mentioned the losses in transparency on that open book. It does that. It has been something that has passed through this House. We just passed it again last week. It really just shines the light on this access issue and the Federal government—what we end up paying sometimes for these groups to sue and what our departments are paying out.

What you are talking about is a healthy management of our forests, but it is also a healthy management of our resources. We are setting forth what we need to do as priorities in Congress. As someone from northeast Georgia, with a lot of forestry land—Chattahoochee National Forest—this is something we can work together on. We are glad to be a part of that.

The support that you have done and the leadership that you have given is incredible, and we want to continue to thank you for that and be a part of it. That is just part of our transparency issue we have with the Federal Government, and also these lawsuits that have been coming out, and we can do that together.

I appreciate the gentleman for yielding. I want to commend him for the work that he is doing and the work of our forestries around the country.

Mr. THOMPSON of Pennsylvania. I appreciate the gentleman's perspective on that.

The Equal Access to Justice Act was a righteous piece of legislation when it was passed. But it was passed to be able to protect those who are kind of landowners, who were the big brother—the National Forest, or the Federal Government, was impinging on your private property rights.

We all know that most individuals don't have a whole lot of money to be able to defend themselves. Unfortunately, the Federal Government has the pockets of every taxpayer. It was never meant to be hijacked by the way it has been. I appreciate the leadership of the gentlewoman from Wyoming (Mrs. LUMMIS), who has been a great leader, championing kind of just returning to the original intent of the Equal Access to Justice Act. I look forward to working with the gentleman on that.

Mr. COLLINS of Georgia. Open book access is just a great thing, and I appreciate it.

Mr. THOMPSON of Pennsylvania. I appreciate that.

Mr. Speaker, I have one last category I want to cover here, and that is how we increase the markets, because you have to have a place to sell timber that is harvested. There are a number of things that we can do.

Just quickly, we need to expand our trade. That is why I am so pleased with the Trans-Pacific Partnership. The trade ambassador and his chief negotiators actually have eliminated basically all of the tariffs that really hindered our ability to export whether it was raw timber or boards or pellets. It was just very difficult in the past. This trade proposal, members of the subcommittee and members of the full Agriculture Committee worked very closely with the trade ambassador to make sure that that was one of our priorities that was achieved, and it looks like it has been achieved. I think that is going to increase markets. We need to do that with all of our trade agreements.

We need to expand the use of timber products within the green building standards, LEED standards. It is an original renewable, but it was excluded from those. It makes no sense whatsoever.

We need to develop the lamination technology that has taken timber, and being able to use that really for skyscraper type construction very successfully. The research is done by our U.S. Forest Services, as well as our land grant universities, such as my alma mater of Penn State. There is great research being done, actually supported through the farm bill in terms of forest services, forest products.

We need to encourage and develop the woody biomass of biofuels, taking that timber, that fiber, to use it for chemicals, to use it for fuel.

We need to prevent the loss of market infrastructure that results in no beds or low beds for timber sales. In some parts of our country, our sawmills have been decimated. As small businesses, we need to help people with small businesses keep that foothold that we have and regain it.

Those are just a few of the things—all not my ideas. Those all came out of our hearing with the October 8 subcommittee that we had on wildfires.

I very much appreciate the bipartisan participation tonight by my colleagues on this very important issue. I think we have done some really good things with the farm bill to help our forest products industry. Again, this truly is about the health of the forest. It is about revenue for the country, but it is about the prosperity of rural America.

Mr. Speaker, I appreciate the opportunity to have this Special Order.

I yield back the balance of my time.

SONGWRITER EQUITY ACT

The SPEAKER pro tempore (Mr. KELLY of Mississippi). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Georgia (Mr. COLLINS) for 30 minutes.

Mr. COLLINS of Georgia. Mr. Speaker, it is good to be back on the floor of the House. I am thrilled tonight to be surrounded with my friends and colleagues, and to be part on championing a call that is close to my heart, and should be for every Member of Congress. Because we are dealing with songs and songwriters and the special place that they have in American life, and really in the world.

The amazing thing is how the songs that come from the hearts of many from Nashville, where I have friends tonight, Rob and Lance and Lee Thomas, and the rest, they are watching others across the country are songwriters, who are very interested in what goes on here. Because, amazingly enough, here in Washington, DC, as the tentacles spread out, you come to find out that, even in songwriting, Washington has its grip on it.

□ 1930

I just want to point out for those who may be watching—now, this is a quote. This doesn't come from me. It comes from Kevin Kadish. You may know Kevin. If you like to listen to a little bit of music, he happened to have a little, small hit with Meghan Trainor, ''All About That Bass,'' and Miley Cyrus' ''Two More Lonely People.'' He made a comment. He said that no one is trying to put Pandora or Spotify out of business. We just want a fair market value for our blood, sweat, and tears.

This is something that, for me, is very special because, over the next 30 minutes, you are going to hear about a million and a half songwriters, publishers, and composers across the Nation and how the current music licensing regime is causing them to be paid well below market value.

Now, as a conservative, one thing I believe is that the government has a role—it has a limited constitutional role—especially when it comes to the ultimate of the small businesses: the entrepreneurs. Those are some of our songwriters and composers. The Federal Government should not have its thumb on the scale, and that is what we are seeing tonight. So you are going to hear about that as we go along. The government's heavy hand in this industry needs to go.

We have got another issue here of the Songwriter Equity Act. We have got some folks I want to have talk tonight; but I want to introduce this, and they are all cosponsors of this act. It is H.R. 1283.

When I start talking about this tonight, for those watching, there are three ways songwriters get paid. I am going to make it very simple. There are three ways they get paid: Two of which the government has its thumb on and—guess what?—one of which they don't. Does anybody want to take a guess? Raise your hand. Not my colleagues, you know this. Will anyone raise his hand really quickly? Which way is the fairest way? It is when they are able to negotiate on their own. That is the sync license.

So, with the Songwriter Equity Act, it removes the antiquated evidentiary

standard; it adopts a fair rate standard for reproduction, or mechanical licenses. Why? To ensure that songwriters, composers, and publishers are appropriately compensated for the use of their intellectual property.

Before I get ready to turn it over to some of my friends who are here with me tonight and who are part of cosponsoring this, the issue before us is: We all can point back to that time. It is a song on the radio. This is the time of year, this holiday season. Or it may be a long drive in the summer. Or it may be sitting outside, but there is that song and that special someone. That song comes on, and you hear it, and the performer is performing it wonderfully. It may have been the performer, or it may have been something else. But a lot of times, there is someone who is sitting in a room or is sitting somewhere, and what comes out of their hand and onto a piece of paper has come out of their heart and their mind and their mouth. It has affected our hearts and our minds, and it has affected us even to this day.

You can think about those songs. That is what makes songwriters special. That is what makes this cause something that we need to fight for.

You have heard them on the radio. Our radio stations have played these songs. For a State trooper's kid, who grew up in northeast Georgia, to listen to the radio, that was my escape. Between that and books, I traveled the world and always longed to see it, and those songwriters took me there. This is why we are fighting today. It is because we believe that what these artists have is intellectual property. What comes out of the their minds, what comes out and is expressed on paper and is then translated many times through artists' singing across the world, is worth protecting. It is intellectual property. It is as much intellectual property as is this property of my phone in my hand, and we have got to understand that.

Tonight, I have some friends with me. We will have a lot of time to talk about this. I want to start off up north a little bit. My friend from North Dakota, KEVIN CRAMER, is here. We have talked about this issue, and I am glad he has joined me here tonight.

One of the things that we talked about, Kevin, as you came on the floor, you said, You know, it is just about fairness. I think that is a great way to put it. It is just about fairness. So I am happy to yield to the gentleman to talk about this.

Mr. CRAMER. I thank the gentleman, my friend from Georgia, and others who have carried the ball on this issue for some time.

A special thanks to our friend from Tennessee, MARSHA BLACKBURN. I serve on the same committee with her, and I have learned a great deal about this and other things from Representative BLACKBURN.

Mr. Speaker, I was reminded of a quote by the songwriting and song performing phenom Taylor Swift, who said: I think songwriting is the ultimate form of being able to make anything that happens in your life productive.

Certainly, with whatever happens in your life, whether it is sad or glorious or joyful or heavy, you can write a song. It could be productive, but that doesn't mean it is profitable. If something is not profitable, the productivity of it will certainly wane over time, and we will be robbed of that very important piece of the music value chain: Where the product begins, which is in the heart and mind of the songwriter.

One of the things I love so much about this job—and I am happy to admit it to my friends in the Chamber tonight—is all of the things that you are forced to learn that you never thought were important before you learned about them. It is kind of amazing. Here we are, 435 colleagues, representing, roughly, 700,000 people. In my case, I represent the entire State of North Dakota. We think about things like agriculture and coal and oil. We think about things like highway bills, but we don't necessarily think a lot about songwriting. We think a lot about markets. We think a lot about fairness. We think a lot about regulation.

I was a regulator for nearly 10 years before becoming a Member of Congress. I regulated monopoly industries, and I was a rate regulator. When I was a rate regulator, setting the rates for electricity rates or natural gas, I had a lot of tools at my disposal, not the least of which was all of the evidence that the record could be filled with. In some cases, it was piles of evidence and lots of testimony. Everything was on the record. It is how you make good decisions. In the case where regulation was required and free markets weren't as free as they would be in other products, you tried to apply as a regulator the evidence to a circumstance that best reflected the market.

Tonight, we are talking about something—and I appreciate Representative COLLINS' illustration of the government's thumb on the scale—where there has been a gross inequity, a gross injustice. It is where technology has certainly flourished, where innovation has flourished to the point at which opportunity to distribute and to enjoy music is unlike at any other time; but the songwriters have been left out of the innovation piece of it. They have been really biased against them.

As I have studied this issue as it has been brought to my attention, I have looked at it, and I have thought, This just isn't fair. This just isn't fair. Frankly, the ultimate conclusion of this kind of antiquated regulatory policy would lead to a very important loss because people wouldn't be able to do this, not unless you think that Georgia and Tennessee are the only places there are songwriters. I was surprised to find out there were several hundred of them in my little State of North Dakota. It is amazing.

One thing that all of us can agree on is that small business is the heart of our economy and that there is no smaller business than the single genius that writes music, right? That is the smallest of small businesses. We ought to get the government, to the degree we can, out of the way; but to the degree it requires regulation—and we understand it does require regulation as we are talking about copyright and as we are talking about broadcasting and as we are talking about things that are under the legitimate jurisdiction of the Federal Government's—we ought to at least be fair in how we do it, and we ought to be modern in how we carry it out.

In addition to my friends, Representative COLLINS, Representative BLACKBURN, and others who have taught me so much about this important issue, I also want to thank a new friend who approached me at a concert that I attended just because I love him so much and love his music. I have loved it for decades. This is, I think, an important lesson of advocacy and an importance lesson of stick-to-itiveness. I had the opportunity to meet B.J. Thomas, who was a hero of mine while I was growing up. Do you know what he did with the time that we had together? He advocated not on his own behalf but on behalf of his friends, who provided the fuel for his success. He did so with a heavy heart based on the fact that his friends weren't treated as fairly and as equitably as he has been as a performer.

It touched me deeply that this man, who had nothing, really, to gain by this advocacy, except, I suppose, the affection of his friends, cared enough to tell this lone Congressman from the little State of North Dakota about this really important issue. I am grateful he brought to it my attention.

I am grateful for your leadership on it, and I am grateful to be here tonight to help shed some light on it and, hopefully, move the ball forward a little bit further.

Mr. COLLINS of Georgia. Representative CRAMER, that is such a great story.

For those of us with many problems and dysfunction—you hear that up here all the time—to actually understand that we still believe this is the greatest country in the world and that Washington, D.C., and this Capitol, still represent a shining beacon that goes throughout the world and stands for freedom, hope, and opportunity, the story that you just told about B.J. Thomas, an artist who has profited off of songwriting, and his taking time to

talk to his Representative, that is what makes this country great.

That is exactly what we are talking about here, letting things be known that we may not have known and seeing them in amazing places.

You talked about your never knowing that your State of North Dakota is where you might meet a songwriter. As my friends are down here tonight, I just want to share one thing that came to my attention right as we were walking on the floor. You never know where songwriting comes from. Tonight, we have a special honor because, just outside these doors, protecting us here on Capitol Hill, is one of our aspiring songwriters—Capitol Hill Police Officer Kevin Reumont. I hope I pronounced that right. He is protecting Congress, and he also writes the soundtrack of our lives. Can you imagine a better way to think about that even in this building?

Mr. CRAMER. I just have to say, since you brought it up, there is nothing that makes me much more emotional than a really good song; but the men and women who protect us in this Chamber make me as emotional as anything. I am grateful. It is a great story.

Mr. COLLINS of Georgia. Thank you tonight for being a part of it.

It moves along. We mentioned the great State of Tennessee, with Mrs. BLACKBURN and others who have been a part of this; but my friend just across the border in Chattanooga, Mr. FLEISCHMANN, is here tonight, and he has a lot to share about Tennessee and Georgia and all across the country.

We are just glad to have you here tonight to be a part of promoting as just was said, the ultimate entrepreneur, the person who is there, writing the song, the small business. So I am happy to yield to the gentleman from Tennessee to talk about that.

Mr. FLEISCHMANN. I thank my colleague, Mr. COLLINS from the great State of Georgia—our sister State right to the south of us.

Mr. Speaker, I represent the great State of Tennessee, as the gentleman alluded to—the great city of Chattanooga and the ''Chattanooga Choo Choo,'' a great song.

Mr. COLLINS of Georgia. There we go.

Mr. FLEISCHMANN. I came to Congress, and some very creative people came to see me. We get a lot of visits up here in Congress. Folks from all over the country come to see us. I got a knock at the door one day, and there were some songwriters. They were very talented men and women. What do they do? They write and perform songs. I was just so impressed. These are creative entrepreneurs, and some of the stories are outstanding.

One gentleman came to see me, and he said: One day years ago, a long time ago, I wrote a song and went in and saw the great Johnny Cash. He liked my song, and he played my song. It went well, and that was his claim to fame.

Another gentleman came in, and he mentioned a song. He said: I wrote that and played it for a fellow by the name of Frank Sinatra.

Now, I remember those two great performers, but these were the folks who wrote the songs. This songwriter actually got to go and hear that recorded. Sinatra invited him, and it became a classic.

I was surprised to learn, as my colleague from Georgia alluded to, of the Songwriter Equity Act, but there is some fundamental unfairness involved in the process, and I wanted to talk about that.

Before I came to this great House, I practiced law for about 24 years in the city of Chattanooga. I loved practicing law, but when I was not practicing law, every once in a while, the judge wanted to go fishing, and he would let me preside as special judge. I really liked presiding over cases. As a matter of fact, I probably presided over several hundred cases over my legal career. I still keep a law license. But, as a judge, what did I hear? I heard evidence many times, and I want to refer to something that is very important in this whole debate.

Right now, the way that the rates are set—and I want everyone who is watching this to understand this—fundamentally, the evidence cannot be considered by the judge in setting the rates for these performers.

What I mean by that specifically is that these judges are not allowed by Federal law to consider sound recording royalty rates as relevant benchmarks when setting performance royalty rates for songwriters and composers. It is analogous to a judge who is hearing a case and saying: Well, I am not going to let you decide this, and that is not a good thing. These men and women come up every year. They play their songs, and they work very hard, and they want their share of the American Dream.

Nashville is a great city. It is our capital city in the great State of Tennessee, and I love all of our State. I represent the Third District in east Tennessee: Chattanooga and Oak Ridge. Yet, when I travel to Nashville and when I see these men and women coming there, and there are literally hundreds of thousands of songwriters, what do they want? They want that one special song, or hopefully more, to click, for somebody to perform that.

□ 1945

And when they do, they ought to be rewarded. We ought to be incentivizing this because these are creative people, these are entrepreneurs.

So it is my privilege to join the distinguished gentleman from Georgia who has this Songwriter Equity Act with, I believe, all of my colleagues from Tennessee. I want the American people to take a look at this.

I urge Congress to take a look at this. This shouldn't be an issue about Republican or Democrat. This is an issue about giving these songwriters a fair shake.

Mr. COLLINS of Georgia. Mr. Speaker, Representative FLEISCHMANN just made a great point. I don't hear a song that comes out on a platform—and I think that one of the things we forget here is that this is not a discussion of how we get music, per se, and how innovators have decided that—you know, through wonderful things—Pandora Spotify, Apple Music, traditional radio, and the Internet—there are so many platforms, and those are wonderful. What we don't want to forget is the very system that has allowed them to begin is something that is taking away from the heart of the very songwriter issue.

One of the reasons that we were talking about this is that music is the most regulated sector. Seventy-five percent of a songwriter's income is regulated, some of which go back, the mechanical right, to 1909. They are still governed by player pianos. That is something that has got to change, and I think this is where we are at.

What Representative FLEISCHMANN brings is such a wonderful experience in what he has heard, and I appreciate him being a part of this. This highlights, again, that specialness.

Whatever song may come out on a platform, I don't hear it come out saying it is Republican, Democrat, Independent, Libertarian, or whatever. It just comes out as a song that comes from the heart and mind of someone that touches the soul of others, and I think that is a wonderful thing to be a part of.

Sometimes you make friends and you come together, and the great State of Georgia and the Big Apple come together. I was just recently there. It is amazing how you find commonality in music and how you find commonality in songs and songwriters.

I am just very honored to have as my lead sponsor on the Songwriter Equity Act Representative HAKEEM JEFFRIES from New York. We share some background, but we also share a love of music.

HAKEEM, I think—as we talk about this, there is a passion that shows this is not a regional issue and it is not a genre issue. It is a fairness issue. I think that is something we can come around and reach across the aisle and say let's look and work at how we best can do this.

Mr. Speaker, I am so glad to have Representative JEFFRIES as a part of this. He is a wonderful spokesman to be a part of fairness and what he does for his district, especially with the songwriting community in New York, with

Atlanta, with LA, with Nashville, and all over. This has been something that has brought us all together.

I yield to the gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. Mr. Speaker, I thank my good friend, the distinguished gentleman from Georgia, for convening us here today on this incredibly important issue on the House floor and, of course, for his extraordinary leadership on behalf of the songwriters in America.

Over the years, I have gotten to know some very good country lawyers. I have also gotten to know some very good country preachers. My good friend from Georgia is the best of both worlds. We appreciate the tremendous skill set that he has brought to bear here in the United States Congress. We are members, of course, of the class of 2012. It has been wonderful to work closely with you in your capacity as the lead sponsor of this very important piece of legislation.

Article I, section 8, clause 8, of the United States Constitution gives Congress, both the House and the Senate, the power to create a robust intellectual property system, in the words of our Founders, in order ''to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.''

The Founders of this great country understood that it was important to create a robust intellectual property system in order to allow creators and innovators to be able to benefit from the fruits of their labor.

Songwriters, of course, are at the heart of the music ecosystem, a music ecosystem that produces a variety of different forms of music.

We know that there is country. There is pop. There is rock and roll. There is blues. There is bluegrass. There is jazz. There is Motown. There is hip-hop. There is R&B, which we tend to be partial to in the Eighth Congressional District.

What all of them have in common is that someone had to create this music. At the heart of that creation, at the heart of the ecosystem, of course, is the songwriter.

Now, if the songwriter were to disappear or to be diminished in number, then the whole system of music creation collapses. In many ways, that is what the Songwriter Equity Act is all about because of the inherent fundamental unfairness in the current system by which songwriters are compensated.

Congressman COLLINS and I have been able to work closely with a variety of different stakeholders from throughout the Nation. Certainly, Nashville, Atlanta, and New York have wonderful songwriting communities.

The chairman of ASCAP, Paul Williams, who has been a tremendous advocate, often has said before the Judiciary Committee and in other contexts that songwriters may be the most heavily regulated small-business people in America.

Unfortunately, that heavy regulation, as is often the case, is not benefiting them. In fact, in many ways, it is suffocating the songwriting community. It is not working to their benefit. It is not consistent with the DNA of our Constitution as it relates to intellectual property, which is to enable creators to benefit from the fruits of their labor.

That is why the Songwriter Equity Act is such an important piece of legislation in order to allow those songwriters, who are spread out in all 435 congressional districts in every great State in the Union, to be able to participate fairly in the music ecosystem that is so central to the genres that we all know and love throughout our land.

Music, of course, is universal in nature. It crosses all boundaries of race and religion, socioeconomics, region, cultural boundaries in this incredibly diverse Nation of more than 320 million people. That is why it has been so wonderful to participate in this journey as it relates to trying to do the right thing for the songwriters in this country.

As has been pointed out by my colleague from Georgia and the other participants here, there are really two fundamental things that the Songwriter Equity Act attempts to correct.

First, it is important to make sure that the rate courts, who often decide the compensation for songwriters in certain contexts, have an opportunity to consider all of the evidence so that they can arrive at an informed decision as to what makes the most sense.

It is just illogical to believe that a rate court that is walled off from certain forms of evidence, such as the compensation received by recording artists, can arrive at a fair and equitable decision.

In fact, what we have seen is that, over time, because this wall has existed, the compensation for recording artists has increased significantly. The compensation for songwriters has remained at an artificially low level. That is one of the things that we are trying to correct. Let all of the evidence be considered by the courts that are determining these rates.

Lastly, the Songwriter Equity Act is designed to bring some notion of market fairness to the compensation of songwriters who create the music that we love. Right now, we have got artificially imposed regulatory rates on these songwriters in a manner that is not fair, that is not just, not consistent with a market-based approach that has made the United States so prosperous for so many other folks.

That is why songwriters rightfully can say that this overregulation is not working for us. We would just like to be able to get the fair market value of our creations. That is what the Songwriter Equity Act is designed to do.

So I am looking forward to working closely with my good friend from Georgia. He has been a tremendous leader in this regard. I am hopeful that we will be able to soon advance this legislation before the Judiciary Committee.

It has tremendous bipartisan support from Republicans and Democrats, Progressives and Conservatives. Let's advance this legislation out of Judiciary and onto the House floor and eventually get it to a place where it can be signed into law by the President.

Thank you for your extraordinary leadership.

Mr. COLLINS of Georgia. Mr. Speaker, I thank Mr. JEFFRIES. I think one thing you and I both would point out in this is this is not one against another. It is not playing off. It is just being fair for all involved.

You have artists who enjoy a very good living based on songs that were written by others. In this process and this ecosystem, we are not minding the platform. We are just saying to be fair in the use of it.

We want to see every opportunity for every songwriter to be a part, but also be equally compensated, fairly compensated, not more, not less, just fairly compensated.

I think that is the one thing I want to make sure that our songwriters and composers out there understand, that they are all in this together. They have advocated and continue to advocate, but know that we all come together. We are the beneficiaries of their genius. I think that is the thing. I appreciate you so much.

Tonight, as we are coming sort of to an end, many people have asked me: DOUG, how did you get involved in this? How did a kid from north Georgia get involved with songwriters?

Well, the amazing thing is Georgia has almost 50,000 songwriters registered with many—BMI is one of the groups that is registered. ASCAP's Paul Williams is a dear friend.

Of course, he has a real connection to Georgia, for all the folks who are watching, Smokey and the Bandit. Paul has connections to so many things in songwriting. This is a multimillion-dollar business, and these are all small entrepreneurs.

I wanted to highlight that, for me, it came personal. It comes from listening to my mother-in-law and her husband as they sing and they just go back to the old Shape note singing books of the churches in northeast Georgia.

It goes to when my beautiful bride, Lisa, and I first started dating. One of the first things we did was went to a hootenanny, and this is where everybody just brought music. They brought their instruments, they brought everything, and they just began to sing. It came from the heart.

In my office, I keep a file full—and I actually have some framed—of just words put to paper. Songs are simply expressions of the heart that are yielded from the mind through the heart that come out of the mouth that touch the souls of others.

Then there is my dad and my mom. My dad went to school with a young man who went on to become known as Whispering Bill Anderson. He started his songwriting in my district, the Ninth District, living in Commerce, Georgia, at the time, at WWJC. The radio station is still there.

My understanding of the story from Bill was he was on top of the building and he wrote this song, ''City Lights,'' which was performed by Ray Price. He has transcended the decades because one of his last songs was ''Whiskey Lullaby'' that was performed by Brad Paisley and Alison Krauss.

You see, this is about stories. Neo is one of our Georgia folks. Streaming companies are making a lot of money off of an outdated system in which they are able to pay songwriters less than the fair market value for the right to use their work. This is Neo.

It is time for Congress to stand with songwriters, #standwithsongwriters. I know there are many out there watching, on Twitter, Facebook. There are a lot of places where we can get this message out. This is simply about fairness.

As I come to a close tonight, I am reminded even today of when I was in Iraq just a few years ago. There were songs that I would hear as I was driving around and I was meeting with some servicemembers out on the gate post. We would talk about a lot of things: family, love, life, problems.

It would always come around and something would be on the radio and a song would come across. To this day, if a certain song is played—it could be ''Chicken Fried'' by the Zac Brown Band—I can still believe that I am still in Iraq. I still go back to those times and I see those young men and young women who are protecting us and are protecting us all over the world.

You see, that is what the songwriter does. The songwriter takes the moment, crystallizes it, forms it, just as they would any product that they make that comes out of their mind, flowing straight from the heart, out of the mouth, onto a pad, through their hand, and touches lives around the world.

It is time for Congress to look. It is time for Congress to understand that this is about small business and small entrepreneurs. It is time for Congress to stand with songwriters.

Mr. Speaker, I yield back the balance of my time.

□ 2000

TERROR WATCH LIST ISSUES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I always appreciate my friend from Georgia's thoughts and observations.

Mr. Speaker, it is really intriguing that our friends across the aisle have been joining with the President in demanding that we in Congress give this administration, with its abuses and unaccountability of the IRS, using it as a political weapon to help win an election, that used the ATF to sell weapons, 2,000 or so, to get them in the hands of criminals, and then tried to use that violence that came from the weapons they forced into the hands of people that shouldn't have had them as a reason to try to take away Second Amendment rights of law-abiding Americans.

This administration is one of the most arbitrary and capricious administrations in history. Executive orders have been used for things that, from the top to the bottom of this administration, they have said they could not use executive orders for, including forms of amnesty. I think, over 20 times, the President himself said he did not have authority to just grant amnesty, and yet he turned around and did it anyway.

This administration, with that kind of history over the last 7 years, of being so arbitrary and in some cases being very intentional in going after enemies, far beyond anything Nixon might have ever dreamed he might be able to do, the thought of giving this administration the power to just make a list of all the people that you don't want to ever fly or have a gun, just make a list, we don't know exactly how you are making this list. There is no due process in creating the no-fly list. There is no due process in getting oneself off the no-fly list once the name is on the no-fly list.

Katie Pavlich with townhall.com, talking of the President's speech, said:

''President Obama called on Congress to pass legislation stripping anyone, including American citizens, on the terrorism no-fly list of the ability to purchase a firearm in the United States. Sounds pretty reasonable, right? Nobody wants terrorists to have easy access to guns, and it certainly sounds bad when the argument is made that those currently on the terror watch list have the ability to do so. But here's the problem: The terror no-fly list is a mangled, bureaucratic mess of over 700,000 names. Yes, there are names on the list that are connected to terrorism, but nearly half of those names belong to people who have zero links'' to terrorism.

Further down she said:

''That list, which contained 47,000 names at the end of George W. Bush's presidency, has grown to nearly 700,000 people on President Obama's watch. The fact that they are names, not identities, has led to misidentifications and confusion, ensnaring many innocent people. But surely those names are there for good reason, right?

''Not really. According to the technology website TechDirt.com, 40 percent of those on the FBI's watch list—280,000 people—are considered to have no affiliation with recognized terrorist groups. All it takes is for the government to declare it has 'reasonable suspicion' that someone could be a terrorist. There is no hard evidence required, and the standard is notoriously vague and elastic.

''So who ends up on the list who shouldn't and why? Take for example Weekly Standard Senior Writer and Fox News Contributor Steve Hayes, who was put on the no-fly list after a cruise.

''Stephen Hayes, a senior writer at The Weekly Standard . . . was informed Tuesday that he had been placed on the Department of Homeland Security's Terrorist Watchlist.

''Hayes, who spoke to POLITICO by phone on Tuesday, suspects that the decision stems from U.S. concerns over Syria. Hayes and his wife recently booked a one-way trip to Istanbul for a cruise, and returned to the U.S., a few weeks later, via Athens.''

But the trouble is, nobody can say for sure why they are on the list, why they are not on the list, why they should not be on the list, the article says, but travel to certain regions isn't the only way you can get put on the list without due process.

''The Intercept published a 166-page document outlining the government's guidelines for placing people on an expansive network of terror watch lists.''

I just can't help but say, Mr. Speaker, it is hard to fathom that, once the wonderful American people think about what the President is proposing, they are going to realize you can't trust this administration with your health care, you can't trust this administration to keep their promises that if you like your health insurance policy you can keep it, because those promises from this administration weren't true. The promise: If you like your doctor, you can keep your doctor wasn't true. It turns out people in the administration knew all along that it wasn't true, yet they promised people those things anyway.

So there are issues of trust. We know, even when we are not talking about issues of intentional misrepresentation but just mismanagement and terrible policies, look at the rules of engagement of our military. Under President Bush, there were just over 500 precious American lives that were lost in the war in Afghanistan over 7¼ years' time. Though the war had wound down, we were told by the President, basically, one, things were contained in Afghanistan.

Nonetheless, during this wound-down war of the last less than 7 years, this President's rules of engagement have contributed, not intentionally, but the mismanagement has helped create an environment for our military members, men and women, where we have lost three to four times more lives under Commander Obama than were lost under Commander Bush, and more time that Commander Bush was over the operation.

This is not the administration you want to trust to say: You just make out a list, even though the standards are vague; we don't know how somebody gets on; it is kind of up to you, judgment call on your part; and there is not a clear way to get off.

I read an article where somebody had been trying for 8 years to get off of that list. Nonetheless, you just go ahead, Obama administration, bureaucrats in cubicles, people like Lois Lerner that hate conservatives, you just make out your list of people you don't want to ever be able to defend themselves or their homes or their loved ones with a weapon. You make out the list, and we will keep them from flying, and we won't let them have a gun.

That would be a disaster, because when most Americans realized what the President was asking for, just carte blanche to put anybody he wanted to on the list and they could never get a gun, the American people are fair. The majority pull for an underdog, and they are not going to pull for an overly abusive, bureaucratic, Kafkaesque administration to take out its revenge on someone it doesn't like and prevent them from being able to defend themselves and their loved ones.

Of course, The New York Times, never an organization to let hypocrisy get in the way of being hypocritical, this article from Breitbart by AWR Hawkins points out:

''On April 18, 2014, The New York Times published a scathing editorial on the no-fly list, describing it as 'a violation of basic rights,' and a list unsuitable for a 'democratic society premised on due process.'

''Moreover, The New York Times addressed the imprecision of the list by explaining that a 2007 audit showed that half the names on the list 'were wrongly included.' Adding insult to injury, there were '71,000 names' on the list in 2007, which means 35,500 people were facing a denial of their constitutional rights for being on a list due to oversight or some similar mistake.''

That seems to be pretty clear. The New York Times got it right in 2014, got it wrong now. But it is interesting. I reflect on what my friend, former Member of Congress Barney Frank told me one day when we were on the same side of an issue. He shrugged and said: Well, even a broken clock is right twice a day. I know my friend Barney Frank could prove that.

There was an article entitled, ''FBI Investigates If Terror Group Arranged California Killers' Marriage.'' It is by Marisa Schultz and Yaron Steinbuch, dated December 9, 2015. It pointed out:

''The FBI is investigating whether the online courtship of the future San Bernardino mass murderers was a match made in hell by a terror group—to set in motion the radicalized duo's evil plan, Director James Comey said on Wednesday.

''Comey told a Senate Judiciary Committee that investigators do not yet know if a group like ISIS hatched the love-and-hate match between jihadists Syed Rizwan Farook and Tashfeen Malik.''

Further down it says:

''The top G-man also said that Farook, 28, and Malik, 29, were radicalized at least 2 years ago and planned their evil martyrdom scheme long before they were engaged and before she applied for her visa.

''The couple—who lived in a two-bedroom townhouse with their 6-month-old daughter and Farook's mother—killed 14 people and wounded 21 during a holiday party December 2 at the Inland Regional Center in San Bernardino. They were killed about 4 hours later in a shootout with police . . . 'Our investigation to date shows that they were radicalized before they started courting or dating each other online, and as early as the end of 2013, were talking to each other about jihad and martyrdom before they became engaged and married and were living in the U.S.'. . . A U.S. Government source familiar with the shooting probe said Farook may have been plotting an attack in the U.S. as early as 2011.''

That is hard to believe, Mr. Speaker, because this administration was doing all these things, reaching out, not helping Christians who were being persecuted in greater numbers than ever in the history of the world. No, not reaching out to specifically help Christians and Jews, who were the primary targets of these radical Islamists, these people who perpetrate hate crimes that this administration won't even call hate crimes. This is the administration that, every time it seems that they reach out overseas or even, for heaven's sake, with our NASA space program, the President is directing that we have got to protect Muslims above all other things.

□ 2015

This is the same administration who appointed an Attorney General who, after this mass murder spree in San Bernardino, came out—while others like local police and other good, clear-thinking people are saying, ''If you see something, say something,'' after knowing that neighbors saw suspicious activity by what they knew to be Muslims, apparently, in the garage, but they were afraid of saying something because it was politically incorrect, and now, Mr. Speaker, it has been made clear by the Attorney General that, if you are a neighbor in a position like those of Farook and Malik and you see something you think is suspicious that someone with an Islamic background is doing and you call that in, our Attorney General just may, according to what she said, decide not to go after the Islamist terrorists, but to come after you for being a bigot and for showing bias or prejudice.

I can't imagine a more ridiculous thing to say after radical jihadists kill Christians and Jews. Yes, apparently, there was at least one Muslim shot, but the killing occurred because of the hate for Christians and Jews and the desire to create terror in the hearts of infidels. So no Muslims were actually targeted by these radical Islamists. They were collateral damage. They should never have been shot.

Anybody that had anything to do with the shooting of a Muslim, Christian, Jew, atheist, Buddhist, or anything else, should be brought not just to justice. But when it is an act of war like this, they ought to be taken out.

The Attorney General, on the other hand, in the immediate aftermath of this bloody massacre—tragic—at a Christmas party—threatens American citizens that, if you become—in effect, what she is saying—not the words, but, in effect, she is saying, if you become suspicious of people who are acting in the same way that you have seen on television or in the news, acting as radical Islamists, and you report that, we will come after you because you are showing bigotry and prejudice.

So, on the one hand, if you see something, say something, but if it is about a Muslim, then there is a good chance we will come after you, not the Islamists.

There is a report from CNN's Zachary Cohen: ''Amnesty report: ISIS armed with U.S. weapons.'' This is dated today.

''A new report from a prominent human rights group has found that ISIS has built a substantial arsenal, including U.S.-made weapons obtained from the Iraqi army and Syrian opposition groups.

''Amnesty International's 44-page report, released late Monday, found that much of ISIS' equipment and munitions comes from stockpiles captured from the U.S.-allied Iraqi military and Syrian rebels.''

Further down:

''After analyzing thousands of videos and images taken in Iraq and Syria, Amnesty determined that a large proportion of ISIS' current military arsenal is made up of 'weapons and equipment looted, captured or illicitly traded from poorly secured Iraqi military stocks.'''

We saw over and over, Mr. Speaker, that this administration had this ridiculous idea—way too late after there

were vetted moderate Syrian rebels that we could have helped—to get involved.

Over and over they sent heavy equipment, heavy weapons, to these so-called vetted moderate Syrian rebels who said they feel a lot closer to those members of ISIS than they do the United States. And, lo and behold, those heavy weapons that are being used to kill the courageous Kurds that are fighting them are United States military weapons.

To this administration's credit—I have got to give it to them—there was a period of about 4 or 5 months where, because the weapons they kept sending to the Syrians kept ending up in ISIS' hands, they decided to hold up shipping them more weapons because we just were equipping ISIS. But for some ridiculous, unknown reason—it has to be ridiculous—this administration began sending weapons back again. As far as I know, they are still doing so.

I also think it is important to note that this administration has pointed to George W. Bush originally saying that this was not Islamic, and this administration has blamed the Bush administration—normally, it is quite unfairly—for every problem that has arisen.

In fact, I believe it was in Iowa where someone told me that they understood that the President wanted to have the San Andreas Fault renamed for President George W. Bush so that it would be known as Bush's fault.

That is what this administration has done. Yet, they try to blame him for them saying that ISIS—which wasn't around when President Bush was President. It was only created when this President created a vacuum in the Middle East—that these people who claim to be Islamic are not Islamic.

I keep going back to the fact that one of the most internationally recognized experts on Islam, Islamic law, Islamic studies, and on the Koran, got his degrees, including a Ph.D., I read, from the University of Baghdad in Islamic studies. His name is al-Baghdadi. He is the head of ISIS. As head of ISIS, he claims that ISIS is indeed Islam.

The President doesn't have any degrees in Islamic studies, although he did apparently study Islam quite clearly as a young child in Indonesia. Nonetheless, I think al-Baghdadi's credentials on what is Islam and what is not are superior to those of anybody in the White House.

Caroline Glick, a writer for the Jerusalem Post, makes a great point in one of her articles from November 24, 2015. She says:

''An attempt is being made to assert that there is no pluralism in Islam. It is either entirely good or entirely evil.''

She is making a great point about pluralism because, as she says, ''This absolutist position is counterproductive for two reasons. First, it gets you nowhere good in the war against radical Islam. The fact is that Islam, per se, is none of the United States President's business. His business is to defeat those who attack the U.S. and to stand with America's allies against their common foes.

''Radical Islam may be a small component of Islam or a large one, but it certainly is a component of Islam. Its adherents believe they are good Muslims and they base their actions on their Islamic beliefs.

''American politicians, warfighters, and policymakers need to identify that form of Islam, study it, and base their strategies for fighting the radical Islamic forces on its teachings.''

That is why my friends like Muslims Massoud and Dostam and others who fought and initially defeated the Taliban within about 5 months in Afghanistan—courageous—don't want radical Islamists governing Afghanistan.

In Egypt, a very fine, courageous man, President el-Sisi, stood up to imams and pointed out that you must take back Islam and denounce the radical Islamists that are destroying our religion. They recognize this is Islamic. They are claiming to be Islamic. And we have got to clean up our own religion.

Judicial Watch released information today: ''ODNI Confirms Terrorists Tried to Enter U.S. As Syrian Refugees.'' They point out that, ''FBI Assistant Director Michael Steinbach has also conceded that the U.S. Government has no system to properly screen Syrian refugees. 'The concern in Syria is that we don't have systems in place on the ground to collect information to vet. That would be the concern, is we would be vetting—databases don't hold the information on those individuals. You're talking about a country that is a failed state, that is, does not have any infrastructure, so to speak. So all of the data sets—the police, the intel services—that normally you would go to seek information don't exist.'' That is very important.

Now I know that some people are trying to say that Donald Trump—and I did not endorse him. I endorsed TED CRUZ for President—but they are trying to vilify Trump because he perhaps overstated it, but he has made clear that we need to pause until we figure out our policy.

Yet, Huma Abedin, wife of Anthony Weiner, our former colleague here, denounced Trump. She says Trump wants to literally write racism into our law books, his homophobia doesn't reflect our Nation's values, it goes far enough to damage our country's reputation, and could even threaten our national security.

Mr. Speaker, I pointed out yesterday the information that we obtained after letters were sent to departments and just mentioning a couple of facts about her family. And then we find out that she has these direct ties to Abdullah Omar Naseef, who had ties to Osama bin Laden, and really serious issues not just through her mother, who started the Muslim Sisterhood, but her late father, deceased for many years now, but who is a prominent member of the Muslim Brotherhood and a brother who had ties—but she had ties herself—to Naseef and others.

When you find out the contacts and close personal ties she herself had, you wonder how in the world a person like this could be attached to, at the time, First Lady Hillary Clinton in the Clinton years in the Clinton White House. How could that happen?

Of course, over the years, she has become ingratiated to Hillary Clinton. She has been her closest confidante. Not much of anything happens, as we found from the emails, without Huma Abedin Weiner being in the middle of it. Wow.

I just want to point out something else that has come out in recent years. I will just read this. I don't espouse that Wikipedia is all that reliable, but here is what they say about Abdul Rahman al-Amoudi: He is an American former Muslim activist known for founding the American Muslim Council. He was born in Eritrea, raised in Yemen, emigrated to the U.S. He formed the Council, whose aim was to inform and influence both Republicans and Democrats.

In 1998, al-Amoudi was involved with the selection of Muslim chaplains for the U.S. military, and acted as a consultant to the Pentagon for over a decade.

□ 2030

During this time, al-Amoudi served as an Islamic adviser to President Bill Clinton and a fundraiser for both the Republican and Democratic parties.

More recently, al-Amoudi worked with leading conservatives such as Grover Norquist, president of Americans for Tax Reform.

Al-Amoudi became a U.S. citizen in 1996. Al-Amoudi and other Muslim leaders met with the then-presidential candidate George W. Bush in Austin in July 2000, offering to support his bid for the White House in exchange for Bush's commitment to repeal anti-terrorist laws. He even spoke at a service for the victims of 9/11.

He is now doing 23 years in prison for supporting terrorism. He was helping the Clinton administration find people for different jobs. I am trying to find out, Mr. Speaker, could he have had anything to do, before he went to prison, with placing Huma Abedin as an intern with Hillary Clinton. Mr. Speaker, I can't get an answer.

I yield back the balance of my time.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON WAYS AND MEANS

Mr. BRADY of Texas. Mr. Speaker, I would like to submit the following Tax Complexity Analysis statement on the conference report to H.R. 644:

Section 4022(b) of the Internal Revenue Service Restructuring and Reform Act of 1998 (the 'IRS Reform Act') requires the staff of the Joint Committee on Taxation (in consultation with the Internal Revenue Service and the Treasury Department) to provide a tax complexity analysis. The complexity analysis is required for all legislation reported by the Senate Committee on Finance, the House Committee on Ways and Means, or any committee of conference if the legislation includes a provision that directly or indirectly amends the Internal Revenue Code and has widespread applicability to individuals or small businesses.

Pursuant to clause 11 of rule XXII of the Rules of the House of Representatives, the staff of the Joint Committee on Taxation has determined that a complexity analysis is not required under section 4022(b) of the IRS Reform Act because the bill contains no provisions that amend the Code and that have 'widespread applicability' to individuals or small businesses, within the meaning of the rule.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1719. An act to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes; to the Committee on Education and the Workforce.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 614. An act to provide access to and use of information by Federal agencies in order to reduce improper payments, and for other purposes.

S. 1177. An act to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

S. 1461. An act to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2015.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 31 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, December 10, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3732. A letter from the Director, Issuance Staff, Office of Policy and Program Development, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's Major final rule — Mandatory Inspection of Fish of the Order Siluriformes and Products Derived From Such Fish [Docket No.: FSIS-2008-0031] (RIN: 0583-AD36) received December 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3733. A letter from the Secretary, Department of Commerce, transmitting a report prepared by the Department of Commerce's Bureau of Industry and Security on the national emergency declared by Executive Order 13222 of August 17, 2001 and continued through August 7, 2015, to deal with the threat the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

3734. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of Proposed Issuance of Letter of Offer and Acceptance to the Government of Japan, Transmittal No. 15-62, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3735. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's interim final rule — Amendment to the Export Administration Regulations to Add XBS Epoxy System to the List of 0Y521 Series; Technical Amendment to Update Other 0Y521 Items [Docket No.: 150825777-5777-01] (RIN: 0694-AG70) received December 7, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

3736. A letter from the Director, Congressional Affairs, Federal Election Commission, transmitting the Commission's Semiannual Report to Congress for the period from April 1, 2015, through September 30, 2015, pursuant to µ5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3737. A letter from the Chairman, National Mediation Board, transmitting the Board's Annual Performance and Accountability Report 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3738. A letter from the Chief, Regulations and Standards Branch, Bureau of Safety and Environmental Enforcement, Department of the Interior, transmitting the Department's final rule — Oil and Gas and Sulphur Operations in the Outer Continental Shelf — Decommissioning Costs [Docket ID: BSEE-2015-0012; 15XE1700DX EEEE500000 EX1SF0000.DAQ000] (RIN: 1014-AA24) received December 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3739. A letter from the United States Trade Representative, Executive Office of the President, transmitting a letter regarding the pending accession to the World Trade Organization of the Republic of Liberia and the Islamic Republic of Afghanistan, pursuant to Sec. 122 of the Uruguay Round Agreements Act; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Texas: Committee of Conference. Conference report on H.R. 644. A bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory (Rept. 114–376). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CUMMINGS:

H.R. 4194. A bill to require the Attorney General to make competitive grants to State, tribal, and local governments to establish and maintain witness protection and assistance programs; to the Committee on the Judiciary.

By Mr. JONES (for himself, Mr. MASSIE, and Mr. YOHO):

H.R. 4195. A bill to repeal the authorizations for office space, office expenses, franking and printing privileges, and staff for former Speakers of the House of Representatives; to the Committee on House Administration.

By Mr. NOLAN:

H.R. 4196. A bill to amend the Tariff Act of 1930 to improve enforcement of the trade laws of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. POE of Texas (for himself, Mr. FARENTHOLD, Mr. BABIN, Mr. WEBER of Texas, Mr. BARTON, Mr. OLSON, Mr. SESSIONS, Mr. ROGERS of Alabama, Mr. SALMON, Mr. LOUDERMILK, Mr. ZINKE, Mr. ABRAHAM, Mr. SMITH of Texas, Mr. BRIDENSTINE, Mr. NEUGEBAUER, Mr. PITTENGER, Mr. JONES, Mr. GOWDY, Mr. KING of Iowa, Mr. BLUM, Mr. BURGESS, Mr. COLLINS of Georgia, Mr. DUNCAN of South Carolina, Mr. CULBERSON, Mr. JODY B. HICE of Georgia, Mr. POSEY, Mr. HARRIS, Mr. CONAWAY, Mr. PALMER, Mr. CARTER of Texas, and Mr. FLORES):

H.R. 4197. A bill to amend the Immigration and Nationality Act to permit the Governor of a State to reject the resettlement of a refugee in that State unless there is adequate assurance that the alien does not present a security risk and for other purposes; to the Committee on the Judiciary.

By Mr. BRAT:

H.R. 4198. A bill to amend the Small Business Act to clarify the responsibilities of Commercial Market Representatives, and for other purposes; to the Committee on Small Business.

By Mr. DUFFY:

H.R. 4199. A bill to provide the government of Puerto Rico the choice to restructure its municipal debt in conjunction with enhanced financial oversight, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBSON (for himself, Mr. NUGENT, Mr. WALZ, and Mr. O'ROURKE):

H.R. 4200. A bill to amend title 10, United States Code, to provide a period for the relocation of spouses and dependents of certain members of the Armed Forces undergoing a permanent change of station in order to ease and facilitate the relocation of military families, and for other purposes; to the Committee on Armed Services.

By Mr. HASTINGS (for himself, Ms. LEE, Mr. GRIJALVA, Mr. FATTAH, Mr. BLUMENAUER, Mr. DEUTCH, Mr. JOHNSON of Georgia, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 4201. A bill to amend titles XVI, XVIII, XIX, and XXI of the Social Security Act to remove limitations on Medicaid, Medicare, SSI, and CHIP benefits for persons in custody pending disposition of charges; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KATKO (for himself and Mr. HANNA):

H.R. 4202. A bill to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York; to the Committee on Natural Resources.

By Mr. LIPINSKI:

H.R. 4203. A bill to amend title 49, United States Code, to prohibit certain fees related to aircraft lavatories, to require refunding baggage fees if baggage is delayed, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MACARTHUR (for himself, Miss RICE of New York, Mr. LANCE, Mr. PALLONE, Mr. FRELINGHUYSEN, Ms. DELAURO, Mr. LEVIN, Mr. PAYNE, Ms. MCCOLLUM, and Mr. PASCRELL):

H.R. 4204. A bill to posthumously award a Congressional gold medal to Alice Paul, in recognition of her role in the women's suffrage movement and in advancing equal rights for women; to the Committee on Financial Services.

By Mr. MCCAUL:

H.R. 4205. A bill to permit producers of ''Choose and Cut'' Christmas trees to opt out of the Christmas tree promotion, research, and information order; to the Committee on Agriculture.

By Mr. SARBANES (for himself, Mrs. ELLMERS of North Carolina, and Mr. MCNERNEY):

H.R. 4206. A bill to provide for a technology demonstration program related to the modernization of the electric grid; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mr. DOGGETT, Ms. LEE, Mr. POCAN, Ms. DELAURO, Mr. MCDERMOTT, Mr. WELCH, and Mr. CUMMINGS):

H.R. 4207. A bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to determine, on behalf of Medicare beneficiaries, covered part D drug prices for certain covered part D drugs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Kentucky:

H.J. Res. 75. A joint resolution making further continuing appropriations for fiscal year 2016, and for other purposes; to the Committee on Appropriations.

By Mr. TROTT:

H. Res. 559. A resolution disapproving of Executive Order 13688 (regarding Federal support for local law enforcement equipment acquisition) issued by President Obama on January 16, 2015; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

158. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 144, urging the President and the Congress to support the National Breast Cancer Coalition's goal of knowing how to end breast cancer by 2020; to the Committee on Energy and Commerce.

159. Also, a memorial of the General Assembly of the State of New Jersey, relative to Senate Concurrent Resolution No. 132, requesting the Congress of the United States call a convention of the States to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

160. Also, a memorial of the Legislature of the State of Alabama, relative to House Joint Resolution No. 112, requesting the Congress of the United States call a convention of the States to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

161. Also, a memorial of the Legislature of the State of Michigan, relative to Senate Resolution No.: 105, encouraging the President, the Congress, and the Office of Management and Budget to support plans to upgrade the Soo Locks at Sault Ste. Marie, Michigan, and approve the Army Corps of Engineers' reprogramming request to fund an Economic Reevaluation Report for replacing the Davis and Sabin locks; to the Committee on Transportation and Infrastructure.

162. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 154, encouraging the President, the Congress, and the Office of Management and Budget to support plans to upgrade the Soo Locks at Sault Ste. Marie, Michigan, and approve the Army Corps of Engineers' reprogramming request to fund an Economic Reevaluation Report for replacing the Davis and Sabin locks; to the Committee on Transportation and Infrastructure.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CUMMINGS:

H.R. 4194.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. JONES:

H.R. 4195.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 5, and Article I, Section 8

By Mr. NOLAN:

H.R. 4196.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. POE of Texas:

H.R. 4197.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 Clause 18

By Mr. BRAT:

H.R. 4198.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 gives Congress power to raise revenue for spending on the general welfare. Pursuant to Article 1, Section 8, Clause 18, it is necessary and proper that Congress provides guidelines for the manner in which public funds are spent.

By Mr. DUFFY:

H.R. 4199.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3, clause 2 and Article I, section 8, clause 4.

By Mr. GIBSON:

H.R. 4200.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8.

By Mr. HASTINGS:

H.R. 4201.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I § 8

By Mr. KATKO:

H.R. 4202.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of Section 3 of Article IV of the Constitution: The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or any particular State.

By Mr. LIPINSKI:

H.R. 4203.

Congress has the power to enact this legislation pursuant to the following:

article I, section 8, clause 3 of the US Constitution

By Mr. MACARTHUR:

H.R. 4204.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MCCAUL:

H.R. 4205.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 and Clause 3

By Mr. SARBANES:

H.R. 4206.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Paragraph 1

By Ms. SCHAKOWSKY:

H.R. 4207.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have the power to lay and collect taxes, duties; imposts, and exercises, to pay the debts and provide for the common defense and general welfare of the United States.

By Mr. ROGERS of Kentucky:

H.J. Res. 75.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 379: Mr. CRAMER, Mr. TAKANO, Mr. KINZINGER of Illinois, and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 592: Mr. RICHMOND and Mr. LYNCH.

H.R. 649: Ms. MCCOLLUM.

H.R. 662: Mr. JOHNSON of Georgia.

H.R. 769: Mr. JONES.

H.R. 771: Mr. TIPTON and Mr. RIBBLE.

H.R. 775: Mr. SMITH of Texas, Mr. DOLD, and Mr. NEAL.

H.R. 842: Mrs. TORRES.

H.R. 863: Mr. BISHOP of Michigan.

H.R. 990: Mrs. LOWEY.

H.R. 1005: Mr. KIND.

H.R. 1039: Ms. LEE.

H.R. 1076: Mr. MOULTON, Mr. DELANEY, Mr. TED LIEU of California, Ms. KUSTER, Mr. BLUMENAUER, Mr. HINOJOSA, Mr. FOSTER, and Mrs. KIRKPATRICK.

H.R. 1116: Mr. MURPHY of Pennsylvania, Mrs. MIMI WALTERS of California, Mr. BARLETTA, and Mr. MEEHAN.

H.R. 1218: Mr. DEUTCH, Mr. WESTERMAN, and Mr. RICHMOND.

H.R. 1220: Miss RICE of New York.

H.R. 1282: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Mrs. DAVIS of California.

H.R. 1292: Mr. ZELDIN.

H.R. 1303: Mr. WELCH.

H.R. 1304: Mr. WELCH.

H.R. 1427: Ms. JACKSON LEE and Mr. HUNTER.

H.R. 1568: Mr. KILMER.

H.R. 1594: Ms. KAPTUR, Mr. O'ROURKE, and Mr. JOYCE.

H.R. 1598: Mr. LOBIONDO.

H.R. 1602: Ms. EDWARDS.

H.R. 1625: Miss RICE of New York.

H.R. 1654: Mr. DONOVAN.

H.R. 1686: Mr. SMITH of Texas, Ms. NORTON, Ms. MATSUI, Mrs. NAPOLITANO, and Mr. BUCHANAN.

H.R. 1688: Mrs. BROOKS of Indiana.

H.R. 1728: Mr. KATKO and Mr. DELANEY.

H.R. 1751: Mrs. DAVIS of California and Ms. SPEIER.

H.R. 1761: Ms. MCCOLLUM.

H.R. 1769: Mr. LOEBSACK, Mr. SERRANO, and Mr. DONOVAN.

H.R. 1786: Mr. DENHAM.

H.R. 2087: Mr. DESAULNIER and Ms. DELAURO.

H.R. 2095: Mr. CARTWRIGHT.

H.R. 2101: Mr. NADLER.

H.R. 2102: Ms. LOFGREN, Mr. ASHFORD, Mr. LOWENTHAL, Mr. KILMER, Mr. HARPER, Mr. ROSS, and Mr. BUCHANAN.

H.R. 2114: Mrs. LOWEY.

H.R. 2142: Mr. PETERS and Mr. SHUSTER.

H.R. 2150: Ms. TITUS.

H.R. 2193: Ms. EDWARDS.

H.R. 2209: Mr. ROUZER.

H.R. 2283: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2302: Mr. CAPUANO and Mrs. WATSON COLEMAN.

H.R. 2382: Mr. KATKO.

H.R. 2400: Mr. CULBERSON, Mr. SIMPSON, and Mr. ROONEY of Florida.

H.R. 2405: Mr. RANGEL.

H.R. 2411: Mr. HONDA, Mr. COURTNEY, Mr. POLIS, Ms. CLARK of Massachusetts, Mr. POCAN, Mr. SABLAN, Mr. MURPHY of Florida, Mr. GRAYSON, Ms. PINGREE, Mr. VAN HOLLEN, Mr. BEYER, Mr. HUFFMAN, Mr. GUTIÉRREZ, Mrs. WATSON COLEMAN, and Mr. CARSON of Indiana.

H.R. 2530: Ms. MCCOLLUM.

H.R. 2540: Mr. GIBSON.

H.R. 2646: Mr. ROSS and Mr. RIBBLE.

H.R. 2680: Ms. TITUS, Mr. CUMMINGS, Ms. WASSERMAN SCHULTZ, and Mr. SERRANO.

H.R. 2713: Mr. DELANEY.

H.R. 2715: Mr. DANNY K. DAVIS of Illinois.

H.R. 2716: Mr. PALAZZO.

H.R. 2759: Mrs. NAPOLITANO, Mr. CARTWRIGHT, and Mr. NOLAN.

H.R. 2805: Mrs. MIMI WALTERS of California.

H.R. 2858: Mr. CURBELO of Florida.

H.R. 2894: Mrs. NAPOLITANO.

H.R. 2896: Mr. FORTENBERRY.

H.R. 2903: Mr. LOEBSACK, Ms. FUDGE, Mr. GIBBS, and Mr. HILL.

H.R. 2911: Mr. DELANEY and Mr. HOLDING.

H.R. 3002: Mr. CULBERSON.

H.R. 3029: Ms. MCCOLLUM.

H.R. 3061: Mr. COHEN and Ms. MCCOLLUM.

H.R. 3069: Ms. TITUS and Ms. VELÁZQUEZ.

H.R. 3080: Mr. CRAMER.

H.R. 3084: Mr. STIVERS.

H.R. 3130: Mrs. KIRKPATRICK.

H.R. 3222: Mrs. BLACK.

H.R. 3261: Mr. COHEN.

H.R. 3323: Mr. DAVID SCOTT of Georgia and Mr. CARTWRIGHT.

H.R. 3326: Mr. MEEHAN and Mr. JORDAN.

H.R. 3366: Ms. TITUS.

H.R. 3381: Mrs. KIRKPATRICK, Mr. BOST, Mr. BRADY of Pennsylvania, Mr. PAULSEN, and Mr. KIND.

H.R. 3399: Ms. ESHOO.

H.R. 3411: Mr. ENGEL, Mr. MCGOVERN, Mr. RUSH, and Mr. COHEN.

H.R. 3516: Mr. BARTON and Mr. GOHMERT.

H.R. 3520: Mr. SMITH of New Jersey and Mr. SIRES.

H.R. 3565: Ms. MATSUI.

H.R. 3569: Mrs. LOWEY.

H.R. 3640: Ms. MCCOLLUM.

H.R. 3643: Mr. BERA.

H.R. 3652: Ms. MCCOLLUM.

H.R. 3658: Ms. MCCOLLUM.

H.R. 3680: Mr. HULTGREN.

H.R. 3691: Mr. HASTINGS and Ms. MCCOLLUM.

H.R. 3696: Mrs. NAPOLITANO.

H.R. 3706: Mr. QUIGLEY.

H.R. 3712: Ms. MCCOLLUM and Mr. ASHFORD.

H.R. 3785: Mr. DEUTCH and Mr. MCDERMOTT.

H.R. 3793: Mr. LEWIS, Mr. MCDERMOTT, and Ms. MCCOLLUM.

H.R. 3808: Mr. ASHFORD and Mr. SHERMAN.

H.R. 3841: Ms. MCCOLLUM.

H.R. 3852: Ms. NORTON.

H.R. 3892: Ms. GRANGER, Mr. JORDAN, Mr. STIVERS, and Mr. ROHRABACHER.

H.R. 3929: Mr. ROUZER and Mr. PALAZZO.

H.R. 3940: Mr. ROGERS of Alabama.

H.R. 4006: Mr. RICE of South Carolina.

H.R. 4016: Mr. RANGEL.

H.R. 4018: Mr. HECK of Nevada.

H.R. 4069: Mr. HUFFMAN, Mr. ENGEL, Ms. TSONGAS, and Mr. KEATING.

H.R. 4117: Ms. JACKSON LEE.

H.R. 4132: Mr. HARDY.

H.R. 4135: Mr. DESAULNIER and Mr. HINOJOSA.

H.R. 4143: Mr. MILLER of Florida.

H.R. 4144: Mr. DEFAZIO, Mr. TAKANO, Mr. GUTIÉRREZ, Mr. POCAN, Mrs. WATSON COLEMAN, Mr. SERRANO, and Mr. NOLAN.

H.R. 4152: Mr. ROE of Tennessee and Mr. BURGESS.

H.R. 4161: Mr. COLLINS of Georgia.

H.R. 4171: Mr. MEEKS.

H.R. 4181: Mr. SMITH of Nebraska, Mr. RODNEY DAVIS of Illinois, and Mr. GUTHRIE.

H.R. 4185: Mr. SMITH of Missouri, Mr. MILLER of Florida, Mr. ROGERS of Alabama, Mr. JOYCE, and Mr. LANGEVIN.

H.R. 4186: Mr. LANCE.

H.J. Res. 22: Ms. EDDIE BERNICE JOHNSON of Texas and Mrs. LAWRENCE.

H. Con. Res. 75: Mr. KING of New York, Ms. MCCOLLUM, Mr. LUETKEMEYER, and Mr. DONOVAN.

H. Res. 14: Mr. HONDA and Mr. HASTINGS.

H. Res. 32: Mr. ROYCE.

H. Res. 54: Mr. SMITH of Washington.

H. Res. 207: Mr. ISRAEL and Mr. STEWART.

H. Res. 230: Ms. MATSUI and Ms. MCCOLLUM.

H. Res. 248: Mr. THORNBERRY.

H. Res. 265: Mr. KINZINGER of Illinois.

H. Res. 289: Mr. KEATING and Mrs. LOWEY.

H. Res. 467: Mr. QUIGLEY, Mr. AGUILAR, Mr. CARSON of Indiana, Mr. HIMES, Mr. JEFFRIES, and Mr. HINOJOSA.

H. Res. 506: Ms. VELÁZQUEZ.

H. Res. 520: Ms. LEE.

H. Res. 534: Mrs. LOWEY.

H. Res. 536: Mr. GRAYSON, Mr. SMITH of New Jersey, and Mr. PASCRELL.

H. Res. 540: Mr. CARTWRIGHT.

H. Res. 549: Mrs. LOWEY, Mr. WELCH, and Mr. PAYNE.

H. Res. 558: Mr. HIMES.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. BRADY OF TEXAS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, it shall not be in order to consider in the House of Representative a conference report to accompany a bill or joint resolution unless the joint explanatory statement includes a list of congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits. No provision in the conference report accompanying H.R. 644 includes an earmark, limited tax benefit, or limited tariff benefit under clause 9(e), 9(f), or 9(g) of rule XXI.

OFFERED BY MR. ROGERS OF KENTUCKY

H.J. Res. 75, a resolution making further continuing appropriations for fiscal year 2016, and for other purposes, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 381: Mr. JOHNSON of Georgia.

EXTENSIONS OF REMARKS

RECOGNIZING THE CONTRIBUTIONS OF DANIEL PEARSON TO THE HOUSE COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize the service of a valued staff member of the Committee on Science, Space, and Technology, Doctor Daniel Pearson. Dr. Pearson has served on Capitol Hill for the past quarter century, most recently as the Minority Staff Director for the Oversight Subcommittee.

Dr. Pearson came to the Committee with a PhD in Political Science from the University of Washington and a keen interest in public service. His commitment has always been to good public policy and integrity in government rather than simply partisan politics. That commitment is exemplified by the fact that he has worked effectively for both Republican and Democratic Members of Congress over his congressional career.

In the early 1990s, Dr. Pearson led investigations and oversight activities for Congressman Sherry Boehlert (R–NY). He also worked for former Committee Chairman George Brown (D–CA), Democratic Ranking Member Ralph Hall, and former Chairman Bart Gordon prior to becoming Minority staff director for the Oversight Subcommittee after I became Ranking Member in 2011.

Because of the wide-ranging oversight jurisdiction of the Committee, Dr. Pearson has been involved in investigating multiple federal agencies, from the Department of Energy to the Department of Homeland Security, Environmental Protection Agency, National Oceanic and Atmospheric Administration, National Science Foundation, and the National Aeronautics and Space Administration, covering a broad array of science and technology issues. He leaves behind a legacy of helping to reign in waste, fraud, abuse and mismanagement throughout the federal government dating back to the Science Committee's investigation of environmental crimes at the Rocky Flats nuclear weapons plant.

Dr. Pearson's oversight efforts have helped to uncover mismanagement of federal resources, projects and programs. He helped to re-open a network of key EPA regional libraries that had been inexplicably closed. He investigated the Veterans Administration's inappropriate destruction of an irreplaceable collection of biological samples, including the legionella bacteria that causes Legionnaires disease. He managed an investigation into an important Department of Homeland Security (DHS) laboratory called the Environmental Measurements Laboratory (EML) that revealed the DHS Science & Technology Directorate had intended to close this crucial lab without informing Congress. Dr. Pearson's efforts resulted in saving this lab from closure. His oversight efforts also resulted in the withdrawal of federal funding from a technically troubled and poorly managed aerospace project called the DP–2. His investigation of the mishandling of a critical radioactive isotope, Helium-3, used for the identification and detection of dangerous radioactive material, helped put management of that program back on track.

Dr. Pearson's oversight work on scientific integrity and public health resulted in several investigations of the Centers for Disease Control and Prevention (CDC) including its sister agency the Agency for Toxic Substances and Disease Registry (ATSDR). These investigations led to the public disclosure of a flawed public health report on the potentially toxic levels of formaldehyde in trailers provided to survivors of Hurricane Katrina and Rita by the Federal Emergency Management Agency (FEMA) and a flawed CDC report on the levels of lead-in-water in Washington, D.C. In that instance, the Committee's investigation prompted an internal CDC investigation of its Childhood Lead Poisoning Prevention Branch and the agency issued two separate formal notifications correcting its public health study.

In his investigatory and oversight role, Dr. Pearson has been a tireless advocate for people who would otherwise have been left behind by the government. There is no better example of this determination than the work Dan did on behalf of the families of Marines at Camp Lejeune, who we came to learn became sick because of a polluted water supply. It was the kind of staff work that should be admired and copied.

Dr. Pearson has always believed strongly in the institutional oversight authority vested in Congress and the need to investigate alleged wrongdoing by those tasked with overseeing federal agencies. His nonpartisan oversight efforts in this regard contributed to the removal of three federal Inspector Generals (IGs) from office over the years, one at the National Aeronautics and Space Administration (NASA) and two at the Department of Commerce.

Throughout all of these investigations and oversight activities, Dr. Pearson demonstrated the patience and endurance to keep after wrongdoers in the federal government for months and even years if necessary. Doing investigatory work for a House committee can be thankless task at times, but Dr. Pearson was always willing to do what was necessary to carry out his oversight responsibilities.

In sum, Dr. Pearson has been a critically important member of the Committee staff. He has been passionate about the issues he has worked on, committed to excellence, and a thoughtful mentor to new staff members. I will miss him and dedicated service to the Committee. At the same time, Congress's loss will be his family's gain, and I know that his wife Neddie and his daughter Nora are looking forward to their time together with him in Oregon.

I want to thank him for his selfless professionalism and wish him all the best for the next phase of his life.

RECOGNIZING COUNCILMAN SCOTT KINCAID FOR OVER THIRTY YEARS OF PUBLIC SERVICE

HON. DANIEL T. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. KILDEE. Mr. Speaker, I ask the United States House of Representatives to join me in recognizing Flint City Councilman Scott Kincaid for his commitment to the city and for the years he has served as a public servant.

Born in Flint, MI in 1952, Councilman Kincaid has been committed to his hometown most of his life. In 1970, he graduated from Flint Southwestern. After graduation, Councilman Kincaid's strong sense of civic duty led him to serve in the United States Army.

Following his time in the service, Councilman Kincaid worked for GM Fisher and was heavily involved with the UAW. He served on the Executive Board, was the Education Director, and was appointed the Joint Activity Representative for Local 581. By 2003, he was working as the Government Liaison to assist with new plant investments. He is currently the Health Initiatives Coordinator for Region 1C Flint.

In 1985, Councilman Kincaid was first elected to the Flint City Council. He has from that day forward served the City of Flint to the best of his abilities. Councilman Kincaid served as Council President more than once over his tenure with the city.

Mr. Speaker, I applaud the work and commitment of Councilman Kincaid. It is the dedication of people like him that keeps this city strong.

COMMEMORATING THE RETIREMENT OF DR. WILLIAM E. ''BRIT'' KIRWAN

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. SARBANES. Mr. Speaker, I rise today to honor Dr. William ''Brit'' Kirwan, who has been a leader in the State of Maryland and in higher education for more than 50 years.

President John F. Kennedy once said, ''Leadership and learning are indispensable to each other.'' Well, I can tell you that Dr.

Kirwan's commitment to leadership and learning over these last 50 years have been indispensable not only to one another, but to higher education in Maryland and across the nation. Leading with integrity and purpose, Dr. Kirwan has earned the trust and respect of faculty, students and other leaders of higher education all over the country.

Throughout his career, Dr. Kirwan has been committed to something he has described as ''constructive leadership''—which involves becoming a leader not through division and power, but through unity and service. He has embodied this philosophy at College Park, serving as chancellor of the University System of Maryland for more than 12 years, as president of the University of Maryland for 10 years and as a member of the University's faculty for 24 years.

Dr. Kirwan has also taken his service and expertise beyond College Park, chairing the National Research Council Board of Higher Education and co-chairing the Knight Commission on Intercollegiate Athletics. He also serves on the boards of more than five organizations—including the University of Maryland School of Medicine, Maryland Chamber of Commerce, Greater Baltimore Committee, Economic Alliance of Greater Baltimore and Maryland Business Roundtable for Education. And he belongs to more than four honorary and professional societies—including Phi Beta Kappa, Phi Kappa Phi, the American Mathematical Society and the Mathematical Association of America.

These efforts have not gone unnoticed. Dr. Kirwan is the recipient of one of the nation's highest honors in higher education—the TIAA–CREF Theodore M. Hesburgh Award for Leadership Excellence. His invaluable leadership and his commitment to higher education in our state have also been recognized by several Maryland-based government, academic and business organizations.

But perhaps the legacy of Dr. Kirwan's service over these last 50 years is best conveyed in his own words. In a speech delivered to Phi Beta Kappa inductees in 2004, Dr. Kirwan said, ''Our nation is in dire need of a new generation of enlightened leadership . . . highly educated, wise leaders who have respect for the individual, for inclusiveness, integrity and the common good.'' He continued, ''. . . our nation and world face a distressing array of enormous challenges, which—without enlightened leadership—will only worsen in the coming years.''

If the next generation embodies Dr. Kirwan's commitment to service and enlightened leadership, I am confident that it will successfully take on the world's complex challenges.

HONORING THE CAREER OF CABOT REA

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. TIBERI. Mr. Speaker, I rise today to recognize and congratulate longtime WCMH anchor, Cabot Rea, as he retires from broadcast news. For more than 30 years Central Ohioans have welcomed him into their homes and trusted his balanced reporting.

While he worked as a radio announcer when he attended Otterbein College, now Otterbein University, journalism was a second career for Cabot. He first served as the Music and Choral Director at Wilson Junior High in Newark where he was twice named ''Teacher of the Year.''

He came to the airwaves as a weekend sports anchor and feature reporter in 1985 for WCMH. However, it was as the field anchor for 5:30 Live that Cabot endeared himself to tens of thousands of families across Central Ohio. He proved he was ready for anything by visiting communities, participating in events, and telling the stories of what makes Central Ohio and Central Ohioans so special.

When he teamed up to anchor broadcasts with Colleen Marshall in 1992, no one could have predicted they would enjoy one of the longest tenures in Columbus as co-anchors. For more than 20 years, Cabot and Colleen have been the team viewers turned to in order to learn what was happening across town and around the world.

Even when the cameras were turned off, Cabot's service to the community didn't stop. Whether it was helping those in need with 4's Army, championing NBC4's ''Battle against Bullying'' campaign, or working with Nationwide Children's Hospital, the Make A Wish Foundation, the Huntington Disease Foundation or the Cancer Support Community Central Ohio, Cabot is a leader in every sense of the word.

One of the most recognizable faces in Central Ohio, viewers will miss his clear, concise reporting and captivating story-telling. I have enjoyed working with Cabot over the years and I congratulate him on his 30-year career as a journalist. I wish him and his wife, Heather, the best in retirement.

HONORING THE FORT HILL HIGH SCHOOL SENTINELS

HON. JOHN K. DELANEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. DELANEY. Mr. Speaker, I rise today to recognize the achievement of the Fort Hill Sentinels, an extraordinary group of young men from Western Maryland who have inspired their community and gained recognition across the state. This month, Fort Hill High School of Cumberland won their third consecutive state football title, winning the Class 1A Maryland State Championship.

On December 5, the Sentinels defeated Havre de Grace 44–14 behind a powerful rushing attack and a strong defense. The Sentinels averaged over 10 yards per play, led by fullback Raen Smith who ran for 234 yards. Fort Hill is 40–1 over the last three seasons.

The results produced by the Sentinels—win after win after win for three seasons—are a testament to their dedication, teamwork and intelligence, all qualities that we should celebrate. After winning the state title Coach Todd Appel told the Cumberland Times-News the team would be back in the weight room the next week, a testament to the hard work and commitment of the team.

The achievement of the Fort Hill Sentinels should be recognized and recorded for posterity. Congratulations to the Fort Hill Sentinels, Coach Appel and his staff and everyone who played a part in this championship season.

TRIBUTE TO MAJOR MICHAEL J. RIGNEY

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. ROGERS of Kentucky. Mr. Speaker, I rise to pay tribute to Major Michael J. Rigney for his dedication to duty and service as a Defense Legislative Fellow to my late respected colleague Chairman C.W. Bill Young of the 13th Congressional district of Florida, as well as his support from within the Pentagon as an Army Congressional Budget Liaison. Major Rigney will be transitioning from his present assignment to serve as an Acquisition Officer at Redstone Arsenal in Alabama.

A native of Long Island, New York, Major Rigney was accepted into the Hofstra University Reserve Officer Training Corps program in 2000, where he earned a Bachelor of Business Administration Degree and graduated as a Distinguished Military Graduate with the class of 2004. Upon graduation, Mike was commissioned as an Army Aviation Branch Officer. He has subsequently earned a Master's degree in Legislative Affairs from the George Washington University.

Prior to entering the Army Congressional Fellowship Program, Mike served in numerous tactical leadership and staff assignments as an Army Aviation Branch Officer, and UH–60 Blackhawk helicopter Pilot. Major Rigney's assignments include Flight School Student, United States Army Aviation Center of Excellence, Fort Rucker, Alabama; Flight Platoon Leader, 4th Battalion 3rd Aviation Regiment (Assault), 3rd Combat Aviation Brigade, Hunter Army Airfield, Georgia, and Baghdad, Iraq; Aviation Brigade Future Plans and Operations Officer, 3rd Combat Aviation Brigade, Baghdad, Iraq; Commander, Bravo Company, 4th Battalion 3rd Aviation Regiment (Task Force Brawler), 3rd Combat Aviation Brigade, Hunter Army Airfield, Georgia, and Logar Province, Afghanistan; Student, Army Aviation Captain's Career Course, Army Aviation Center of Excellence, Fort Rucker, Alabama. Major Rigney was deployed for 16 months in direct support of combat operations as part of the surge in Baghdad, Iraq, in 2007–2008, and then again for 12 months as part of the surge in Afghanistan, Regional Command—East, in 2009–2010. While deployed, Mike accumulated over 933 hours of combat flight time in direct support of Soldiers in the fight of his nearly 1,300 hours of total military piloting experience.

In 2013, Michael was selected to be an Army Congressional Fellow for a year, working in Chairman Young's personal office on Capitol Hill and very closely with the House Appropriations Committee, Subcommittee on Defense. Next, in his role as a Congressional

Budget Liaison, working with both the House and Senate Appropriations Committees, Michael ensured the Army's budget positions were well represented and articulated. Michael was instrumental in ensuring that Congress was informed of the importance of key Army acquisition programs for the future fighting force.

Mike's interagency coordination and diligent work proved invaluable in assisting Members of Congress and their staff complete the important work of Congressional oversight in support of National Defense and United States foreign policy.

Throughout his career, Major Rigney has positively impacted his soldiers, peers, and superiors. Our country has been enriched by his extraordinary leadership, thoughtful judgment, and exemplary work. I join my colleagues today in honoring his dedication to our Nation and invaluable service to the United States Congress as an Army Congressional Budget Liaison.

Mr. Speaker, it has been a genuine pleasure to have worked with Major Michael Rigney over the last three years. On behalf of a grateful nation, I join my colleagues today in recognizing and commending Michael for his service to his country and we wish him, his wife Jennifer, and sons, Jackson and Luca, all the best as they continue their journey in the United States Army.

HONORING CHARLES DiPERRI IN CELEBRATION OF HIS 90TH BIRTHDAY

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. GUINTA. Mr. Speaker, I would like to express my congratulations to Charles DiPerri in celebration of reaching his 90th birthday.

As he reflects on the great memories that have highlighted the past ninety years, I know he will think fondly on all that he's accomplished and the positive impact he's had on New Hampshire.

It is with great admiration that I congratulate Mr. DiPerri on achieving this wonderful milestone, and wish him the best on all future endeavors.

CONGRATULATING BONNIE CARROLL ON RECEIVING THE PRESIDENTIAL MEDAL OF FREEDOM

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. CONNOLLY. Mr. Speaker, I rise today to congratulate Bonnie Carroll on receiving the Presidential Medal of Freedom for her life-long public service and dedication to veterans and their families.

Bonnie is the Founder and President of Tragedy Assistance Program for Survivors (TAPS). TAPS was founded in 1994 as the nation's first national support network for the families of fallen service members. Since then, TAPS has supported over 50,000 surviving family members, casualty officers, and caregivers. When President Obama said, of all of the November 24 recipients of the Presidential Medal of Freedom, that ''these men and women have enriched our lives and helped define our shared experience as Americans,'' he was referring in part to the 50,000 lives of surviving military family members that have been touched by Bonnie's work.

TAPS has affected lives through a myriad of undertakings: a 24/7 helpline for those grieving the loss of a loved one, peer-based and community-oriented emotional support, casework assistance, informational resources, and the annual Good Grief Camp for young people. All of this work is offered at no cost for survivors.

In addition to her service at the helm for TAPS, Bonnie is a retired Major in the Air Force Reserve and currently serves on the Defense Health Board and the Board of the Iraq and Afghanistan Veterans of America. She also co-chaired the Department of Defense Task Force on the Prevention of Suicide in the Armed Forces.

Mr. Speaker, I ask that my colleagues join me in thanking Bonnie Carroll for the work she has done on behalf of veterans and their families. Her record of service is truly deserving of the Presidential Medal of Freedom. Her work serves as a reminder of our sacred compact with those who gave the ultimate sacrifice in service to this nation and their families.

IN HONOR OF JON DANA RAGGETT

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. FARR. Mr. Speaker, I rise today to honor the life and accomplishments of a remarkable man and to mourn his passing. Jon Raggett was a brilliant engineer, an enthusiastic and accomplished builder of kayaks, and a tireless and generous philanthropist who founded a nonprofit whose mission was to build schools in developing countries. He was also a lifelong friend of mine, who died following a sudden illness on September 26, 2015, at the age of 71.

Jon Dana Raggett was born July 9, 1944, and he grew up in Carmel, California, where his love for boats and the sea was born. Jon graduated from Princeton University with an engineering degree, received an MS from Stanford University, and returned to Princeton to complete his Ph.D. in civil engineering. Throughout his engineering career, he brought his keen analytical mind and his imaginative creativity to projects in structural engineering, earthquake research, and the aerodynamic effects of extreme wind on bridges. Through West Wind Laboratory, which he founded in 1988, he performed wind studies on major bridge, architectural, and industrial projects all over the world. Closer to home, Jon worked on the Golden Gate Bridge, including the creation of a suicide barrier and a retrofit to improve the performance of the bridge in high winds, and he also worked on the new span of the Bay Bridge. John also served as a member of the engineering faculty at Santa Clara University and the Naval Postgraduate School.

In 1994, inspired by Theodore Roosevelt's admonition to ''do what you can with what you have,'' Jon founded Schools3, a nonprofit corporation which began as Jon's attempt to use his engineering skills to address problems of poverty in the developing world. Jon worked on a design for a three-room primary school with an office-storage building and a latrine which could be built with concrete blocks, a metal roof, and finished with plaster walls. This design could be built inexpensively all over the world, and through Schools3 Jon was able to fund and complete the construction of 71 schools in Africa, Honduras, and India. Jon donated his time and the time of his assistant Ann Keeble to Schools3, so every dollar contributed went directly towards the construction of a school, with no overhead, administrative, or marketing costs. In 2002, Schools3 received a commendation for this work from the U.S. Senate Appropriations Committee in its report on Foreign Operations.

Jon also used his structural design skills to create musical instruments out of plywood and furniture which was inventive and playful. But his primary passion was for building boats, and designed and built countless beautiful kayaks over the years, no sooner completing one project than he began thinking about how he would improve on the design for the next boat, and there was always a next boat. At Jon's service, his sisters-in-law quoted from Kenneth Grahame's beloved The Wind in the Willows: ''Believe me, my young friend, there is nothing—absolutely nothing—half so much worth doing as simply messing about in boats.'' No one believed this more deeply than Jon Raggett.

Jon and his wife Tory, a talented artist whom he met when they were both 10 years old, raised two sons, Mark and George. When grandchildren Joe, Hugh, Mae, and Owen arrived, Jon took delight in introducing them to the joys of being on the water. Jon's love of his family, his deep commitment to doing what he could to make the world a better place, and his impressive accomplishments in civil engineering combined to create an extraordinary man. His untimely death is an enormous loss not only to his beloved family and many friends, but to the world which he worked so hard to improve. Mr. Speaker, I ask the entire House to join me in celebrating the life of this exemplary man and his remarkable accomplishments.

HONORING THE DAMASCUS HIGH SCHOOL SWARMIN' HORNETS

HON. JOHN K. DELANEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. DELANEY. Mr. Speaker, I rise today to honor the Damascus High School Swarmin' Hornets for capturing the 2015 Maryland Class 3A State Football Championship last week in Baltimore. The victory by Damascus capped a perfect 14–0 season and is the school's eighth

state championship. I'd like to congratulate the Swarmin' Hornets, Coach Eric Wallich and his staff, and everyone associated with the team who made this championship season possible.

The Swarmin' Hornets defeated Dundalk 55–14, a dominating victory that included a record-setting performance by running back Jake Funk, who broke the state mark for touchdowns in a championship game. The team also set the state record for the most points scored in a season. As the Washington Post headline made clear, the Swarmin' Hornets left "no doubt" that they were the best team in the state.

Importantly, the team reached these heights after facing adversity and heartbreak. Last season, the team was defeated in the championship game, but rebounded with an even stronger performance in 2015. That experience—working together for months to persevere and accomplish a goal even after a painful setback—will inform and inspire the young people who compose this team for years to come.

The Damascus community is extremely proud of their team and their achievement, excellence and perseverance should be permanently reflected in the official record of the House of Representatives.

HONORING THE LIFE AND LEGACY OF SHELDON SCHLESINGER

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. HASTINGS. Mr. Speaker, I rise today to recognize the life and legacy of my dear, longtime friend Mr. Sheldon "Shelly" Schlesinger of Broward County, Florida, who sadly passed away on Wednesday, December 2nd at age 85. Shelly was born in Brooklyn, New York, and later moved to Florida where he attended the University of Miami and the University of Miami School of Law, and met his wife of 60 years Barbara.

Shelly's passion for the law and his skills in the courtroom were unrivaled. He practiced for 60 years and worked on landmark cases across the nation representing individuals and consumers. Shelly was recognized in every edition of the book "The Best Lawyers in America" throughout his career. His other honors include induction into the Trial Lawyer Hall of Fame and receipt of the Lifetime Achievement Award at the Florida Verdicts Hall of Fame by the Daily Business Review.

Shelly was not only celebrated for being one of the best trial attorneys in the country, but also fervently served the South Florida community. He was a member of the Board of Governors of Nova Southeastern Law Center and chairman of the Board of Trustees of Broward Community College. Shelly was also one of the founders of the Broward County Trial Lawyers Association and served as the organization's president.

I offer my deepest condolences to Shelly's family. He is survived by his two sons, Scott (m. Anne) and Gregg, as well as his six grandchildren, Charlotte, Alexander, Molly, Theodora, Samuel, and Theodore; and his brother-in-law, Larry Butler (m. Grace).

His presence will be profoundly missed, however his impact in the sphere of law and public service will never be forgotten.

Mr. Speaker, I am honored to pay my respects to Sheldon Schlesinger and his family. He was a great friend to me throughout the years. His spirit, loving memory, and legacy will always live on.

HONORING ANDREW LETTERMAN

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Andrew Letterman for being awarded the American FFA Degree as a member of the National FFA Organization. Andrew is a member of the Willow Springs Chapter of the FFA and, with four of its other members, received this prestigious award. FFA is an intercurricular student organization for those interested in agriculture and leadership consisting of 629,367 members, aged 12–21. Andrew is among the 463 FFA members from Missouri that received the American FFA degree, marking the highest number of recipients from any state.

As a past recipient of the American FFA Degree, I offer my highest congratulations as I understand the hard work and effort required to reach this goal. In order to obtain the American FFA Degree, a member must begin their pursuit of the award during their freshman year of high school through participation in every level of the organization and leadership events.

As a former member of FFA, I can proudly say that my experience in the organization was invaluable learning about leadership skills and public speaking. It is my pleasure to recognize Andrew for receiving this prominent award before the United States House of Representatives.

RECOGNIZING RICK FLYNN

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. LEVIN. Mr. Speaker, I rise today to recognize Rick Flynn, who is well known as an advocate for educators in Macomb County, Michigan. On December 10th, friends of Rick's from throughout Michigan will gather to celebrate his retirement from the Michigan Education Association and to pay tribute to him for his outstanding service.

Rick's deep involvement in the MEA and his policy advocacy at the local, state and national levels has been rooted in his strong conviction that all students deserve a high quality education, and that educators must have the tools and resources they need to provide students with this education. It has been said that Rick has held nearly every conceivable leadership position in the MEA, which, when one reviews his career, seems possible. He served as president of the Fraser Education Association, as a founding member and then as president of MEA–NEA Local 1, as a member of the Board of Directors and the Executive Committee for the MEA, as an MEA Local 1 Executive Director, and as a member of the NEA's Board of Directors.

Prior to representing teachers, Rick was a well-respected teacher himself. For 27 years he taught American Government in the Fraser Public Schools. As a lifelong advocate for building a stronger Macomb County, it was no surprise that after retiring from the classroom in 2000, Rick applied his knowledge of government to public service of his own. In 2008, he was elected to the Charter Commission for Macomb County, which reshaped government in Michigan's 3rd largest county. Also in 2008, he was appointed by then-Governor Jennifer Granholm to serve on the Oakland University Board of Trustees, where he continues to serve today.

Mr. Speaker, Rick Flynn has served students in Michigan and his fellow education professionals with total commitment and distinction. I encourage my colleagues to join me in saluting him for his service, in thanking his wife Linda and his sons Andy and David for supporting him throughout his career, and in wishing him well in his retirement from the MEA.

CONGRATULATING TREVOR LOGAN AND TERRY LAMBERT ON THEIR SPRINGFIELD POLICE DEPARTMENT CITIZEN SERVICE HONORS

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. LONG. Mr. Speaker, I rise today to congratulate Trevor Logan on being awarded the Springfield Police Department's Citizen Service Medal and Terry Lambert on being awarded the Springfield Police Department's Citizen Service Commendation for their actions on the morning of August 2, 2015.

On that morning both men witnessed an individual drag a woman into an alley and attempt to sexually assault her. Terry, believing officers were just down the street, quickly rushed to alert them of what he had observed. However, Terry was unable to locate any officers, so he returned to the alley. Before he had returned, Trevor had verbally confronted the suspect and the suspect began to flee. While Trevor continued to assist the victim, Terry followed the suspect and helped officers locate him.

Trevor Logan and Terry Lambert stopped a crime in progress and assisted officers in apprehending and identifying the suspect. Through their actions, both of these men exemplified what it means to be a responsible, upstanding citizen. This example of selflessness and commitment to protecting one's community that these men have embodied is one which we should all strive for.

Mr. Speaker, Trevor Logan and Terry Lambert deserve this body's utmost respect for heroic actions on the morning of August 2, 2015, and I extend to both of them my deepest appreciation for their dedication to ensuring the

safety of their community. Their efforts have not only contributed greatly to the Springfield community, but have made me proud to serve the people of Missouri's seventh Congressional District.

THE RETIREMENT OF DR. WILLIAM E. ''BRIT'' KIRWAN

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. VAN HOLLEN. Mr. Speaker, I rise to honor my friend Brit Kirwan on the occasion of his retirement as Chancellor of the University System of Maryland.

Brit is a true Terp, beginning his career as an assistant professor at the University of Maryland, College Park before rising to serve as its President in 1989. For the past 12 years, he has been Chancellor of the University System, where his passion for education and sincere desire to improve the lives and opportunity for Maryland students leaves an indelible mark on our state. He is also a respected national voice on higher education issues, helping to shape policy for greater accessibility, affordability, and quality.

It has been a great privilege to know and work with Brit over the years. His leadership has been transformative—opening the doors of higher education to underrepresented communities, establishing new partnerships with federal agencies, local schools, and the private sector, and ensuring that the University System of Maryland is a dynamic place of learning. I have always valued his thoughtful counsel.

Many of us were sorry to see Brit leave Maryland in 1998 when he became president of Ohio State University, but we were happy to welcome him back home in 2002. Now, as Brit takes his well-deserved retirement, his legacy is felt by every student who steps on a Maryland campus. I thank him for his many years of service, and wish him all the best.

TRIBUTE TO MAJOR GENERAL EDWARD TONINI

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to the 51st Adjutant General of the Commonwealth of Kentucky, Major General Edward W. Tonini, upon his retirement after 47 years of service. Since December 11, 2007, he has admirably served as the Commanding General of both the Kentucky Army and Air National Guard and as Executive Director of the Department of Military Affairs, guiding the preparation of Kentucky's 8,500 citizen soldiers and airmen, along with the Division of Emergency Management, to respond in times of state and national emergency.

He is responsible for Federal and State missions, assignment of leaders, recruiting, training, equipping, mobilization, facilities and public relations. He also oversees the development and coordination of all policies, plans, and programs affecting Army and Air National Guard members in the Commonwealth of Kentucky. As a member of the Governor's cabinet and the principle advisor to the Governor on military matters, General Tonini has been a steadfast liaison on homeland security matters and a stalwart advocate for the brave men and women who serve this great Nation.

General Tonini received a direct commission in 1970 in the Kentucky Air National Guard. Prior to receiving his commission, General Tonini served as an enlisted member of the 123rd Tactical Reconnaissance Wing of the Kentucky Air National Guard. His valiant service earned the decoration of the Air Force Distinguished Service Medal, Legion of Merit Meritorious Service Medal, Air Force Commendation Medal Air Force Achievement Medal, Air Force Outstanding Unit Award, Air Force Organizational Excellence Award, Air Force Reserve Meritorious Service Medal, Air Force Recognition Ribbon, National Defense Service Medal, Armed Forces Expeditionary Medal, Global War on Terrorism Medal, Humanitarian Service Medal, Military Outstanding Volunteer Service Medal, Air Force Longevity Service Award, and the Kentucky Merit Ribbon. We are blessed in Kentucky to have such a leader at the helm of our military affairs.

The list of medals, awards and accolades are mere reflections of the outstanding character displayed by General Tonini on a daily basis. His response time is impeccable, whether through organizing deployments overseas or responding to natural disasters in the hills of eastern Kentucky.

His legacy project is undoubtedly the state-of-the-art Joint Support Operations (JSO) Counter-Drug complex located in London, Kentucky. Under his leadership, 1,433 Kentucky National Guard soldiers and airmen have participated in JSO counter-drug operations from the facility, seizing more than 3.4 million marijuana plants with a street value exceeding more than one billion dollars. They also removed nearly 35,000 pounds of illicit drugs from the streets, including cocaine, ecstasy, heroin, methamphetamines and opium. Their work led to the arrest of more than 2,600 people, the seizure of over $73 million in property and other non-drug assets, 514 weapons, 134 vehicles and more than $14 million. Beneath his breastplate of courage, beats a true servant's heart for the people of Kentucky and we are grateful for his leadership.

Mr. Speaker, I ask my colleagues to join me in congratulating Major General Edward W. Tonini on a distinguished career of service to the Commonwealth of Kentucky and the United States. My wife Cynthia and I wish General Tonini and his wife Carol many blissful years of retirement.

BRIT KIRWAN RETIREMENT

HON. C. A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. RUPPERSBERGER. Mr. Speaker, it is with great pride that I rise to congratulate William ''Brit'' Kirwan on the occasion of his retirement after 12 years as chancellor of the University System of Maryland.

As a Terp myself, I have always taken a deep interest in the leadership of the university system and have come to admire Brit's integrity, professionalism and expertise.

Not only is Brit respected academically, he has a great personality and he understands the importance of relationships with elected leaders. His political savvy has helped the university system become a critical economic and workforce development engine in the State of Maryland.

Brit has become a sought-after mentor to other university leaders in areas including college affordability—especially for minority and low-income students—as well as cost containment, innovation in the classroom and diversity.

I truly believe that Brit's vision has helped the University System of Maryland become one of the best in the nation.

Under his leadership, the university system has: become more affordable. The average tuition for undergraduate in-state students at university institutions, once the nation's seventh highest, has now dropped to twenty-sixth.

His leadership has strengthened need-based financial aid.

It has reduced the student achievement gap and even eliminated it on some campuses.

It has strengthened Maryland's competitiveness through the research and entrepreneurial efforts of faculty, staff and students.

It has developed the landmark ''Effectiveness and Efficiency initiative,'' which has improved quality while saving more than $460 million to date and has even been cited by President Obama as a national model.

It has made the university system a national leader in environmental sustainability.

It has improved college completion rates, especially among low-income and minority students.

Brit has also become known for his use of technology to rejuvenate traditional learning methods like the lecture hall. His efforts have increased the number of students showing up for class, eager to learn, while saving money and raising grades.

Let's not forget that Brit spent a quarter century as an educator and administrator prior to becoming Chancellor. Throughout each stage of his career—math professor, administrator, university president, and chancellor—Brit has demonstrated a commitment to excellence and access for all.

Brit's expertise benefits colleges around the country as a member of the Board of Directors of the Council for Higher Education Accreditation. He chairs the College Board's Commission on Access, Admissions, and Success in Higher Education; and is a member of the Business-Higher Education Forum.

He was also appointed by President George W. Bush to the Board of Advisors on Historically Black Colleges and Universities. In 2010, he was appointed to the National Advisory Committee on Institutional Quality and Integrity, which advises the U.S. Secretary of Education on accreditation issues and certification processes for colleges and universities.

Locally, Brit is a member of the Board of Directors of the Greater Baltimore Committee,

the Economic Alliance of Greater Baltimore, and the Maryland Business Roundtable for Education.

He is the well-deserved recipient of too many awards and accolades to list in their entirety, but they include the Theodore M. Hesburgh Award for Leadership Excellence, which is considered one of the nation's top higher education honors.

In 2009, he received the Carnegie Corporation Leadership Award, which included a $500,000 grant to fund University System of Maryland academic priorities.

I consider him a personal friend. He is a true gentlemen and each of his day-to-day interactions are marked with civility and graciousness. This is a rare quality in today's world.

He leaves big shoes to fill.

I congratulate him on a spectacular career that has spanned more than a half-century and wish him many more years of happiness with his wife and family in his retirement.

PERSONAL EXPLANATION

HON. DANIEL M. DONOVAN, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. DONOVAN. Mr. Speaker, I was unable to be present for votes yesterday, due to an illness. However, if I was able to vote, I would have voted the following way:

1) H.R. 158—Visa Waiver Program Improvement Act—YES.

2) H.R. 3842—Federal Law Enforcement Training Centers Reform and Improvement Act—YES.

MEDIA BIAS POSES A THREAT TO OUR COUNTRY

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. SMITH of Texas. Mr. Speaker, media bias poses one of the greatest threats to our country.

The liberal national media should provide the American people with the facts, not tell them what to think. If voters don't have the facts, they can't make good decisions. And if they can't make good decisions, our democratic form of government is at risk.

Media bias exists everywhere—from the front pages of influential newspapers to daily network newscasts to slanted social media posts. ''News'' stories have now become opinion pieces.

The liberal national media ignore events that would be scandals if they involved conservatives. Consider how little follow-up there has been of the politicizing of the IRS, the deaths of four Americans in Benghazi, the illegal immigration amnesties, the secret terms of the Iran deal, and the videos of unborn babies' organs being sold.

In short, media bias affects almost every issue that Americans care about.

IN HONOR OF CHIEF PHILIP MORRILL'S SERVICE TO WOLFEBORO FIRE-RESCUE DEPARTMENT IN WOLFEBORO, NEW HAMPSHIRE

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. GUINTA. Mr. Speaker, I rise today to honor a Granite State first responder for forty years of service to the Wolfeboro Fire-Rescue Department in Wolfeboro, New Hampshire.

Chief Philip ''Butch'' Morrill joined the Wolfeboro Fire-Rescue Department in September of 1975 as a call firefighter. Four years later on October 23, 1979 he joined the ranks of the department as a full time firefighter, committed to protecting his community and the Greater Lakes Region of New Hampshire. Firefighter Morrill was a standout member of the department and would work through the ranks of the department over the next twenty five years before being appointed Chief on May 3, 2004. In addition to his duties with the Wolfeboro Fire-Rescue Department, Chief Morrill was also an active member of the New England Association of Fire Chiefs, serving as its President in 2013–2014.

On November 30, 2015 Chief Morrill retired with forty years of service to the people of Wolfeboro and the Granite State. On behalf of the people of the First Congressional District of New Hampshire, I thank him for his dedicated service to the community and wish him all the best in his retirement.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2016 (H.R. 4127)

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Ms. McCOLLUM. Mr. Speaker, last June the House voted on a partisan Intelligence Authorization, H.R. 2596. Along with 178 of my colleagues, I voted against that authorization. Since June, negotiations among Republican and Democratic leaders of the House and Senate Intelligence Committees have taken place resulting in the improved bill before us today, H.R. 4127.

This bipartisan compromise ensures that the Intelligence Community will have the funding and resources they need to keep America safe, maintain necessary intelligence capabilities, and counter a myriad of threats, including ISIL and cybersecurity. It strengthens Congressional oversight and provides strict authorizations and limitations on intelligence activities. Along with reforms included in the bipartisan USA Freedom Act of 2015 which was signed into law in June of this year, H.R. 4127 makes critical steps towards ensuring our intelligence programs are conducted responsibly and with strong accountability to maximize both security and privacy.

As importantly, H.R. 4127 rectifies the inappropriate and unnecessary use of Overseas Contingency Operations (OCO) funding that was included in H.R. 2596 to circumvent the Budget Control Act funding caps. This correction will allow for more stable budgeting for the Intelligence Community for the remainder of the fiscal year.

However, this bill unfortunately continues to contain provisions that will prevent the closure of the detention center at Guantanamo Bay. While I strongly oppose measures to prevent the closure of the detention center, the provisions in H.R. 4127 have already been codified into law in the National Defense Authorization Act for Fiscal Year 2016.

Ensuring that our Intelligence Community has the resources, support and tools they need is critical to our national security. We must also ensure that strong privacy protections are included to ensure that we safeguard our civil liberties. While not perfect, this compromise is much improved from the bill that left this House in June and therefore earns my support.

HONORING KYLE WEIGAND

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Kyle Weigand for being awarded the American FFA Degree as a member of the National FFA Organization. Kyle is a member of the Willow Springs Chapter of the FFA and, with four of its other members, received this prestigious award. FFA is an intercurricular student organization for those interested in agriculture and leadership consisting of 629,367 members, aged 12–21. Kyle is among the 463 FFA members from Missouri that received the American FFA degree, marking the highest number of recipients from any state.

As a past recipient of the American FFA Degree, I offer my highest congratulations as I understand the hard work and effort required to reach this goal. In order to obtain the American FFA Degree, a member must begin their pursuit of the award during their freshman year of high school through participation in every level of the organization and leadership events.

As a former member of FFA, I can proudly say that my experience in the organization was invaluable learning about leadership skills and public speaking. It is my pleasure to recognize Kyle Weigand for receiving this prominent award before the United States House of Representatives.

REINTRODUCTION OF THE RESTORING THE PARTNERSHIP FOR COUNTY HEALTH CARE COSTS ACT OF 2015

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. HASTINGS. Mr. Speaker, I rise today to introduce a bill to restore the partnership between the federal government and counties for

the health care costs of inmates who have not been convicted of a crime. This legislation will provide some relief to our nation's local economies, while embodying the fundamental principles of our legal justice system.

In almost all states, a person who is incarcerated in a county jail or juvenile detention facility loses their Medicare, Medicaid, CHIP or SSI benefits even if they have not been convicted of a crime. The U.S. Supreme Court's interpretation of the 8th Amendment requires government entities to provide medical care to all inmates. As a result, local governments are burdened with the expense of providing health care to thousands of men, women and children currently awaiting trial.

Providing health care for inmates constitutes a major portion of local jail operating costs. Requiring county governments to cover health care costs for inmates who have not yet been convicted of a crime places an unnecessary burden on local governments, which have their fair share of widespread budget deficits and cuts to safety net programs and other essential services.

Terminating benefits to inmates who are awaiting trial violates the presumption of innocence, which is a cornerstone principle of our justice system. The current practice does not distinguish between persons who are awaiting disposition of charges and persons who have been duly convicted and sentenced. This disproportionately affects low-income and minority populations who are often unable to post bond, which would enable them to continue receiving benefits.

Mr. Speaker, my legislation addresses this problem by prohibiting the federal government from stripping individuals of their Medicare, Medicaid, and SSI benefits before the inmate has been convicted of a crime. It preserves the partnership between the federal and local governments and ensures that local governments are not burdened with an unfair share of meeting the mandate to guarantee medical coverage. I encourage my colleagues to join me in supporting this commonsense bill that addresses a problem affecting communities all across the nation.

HONORING DR. WILLIAM KIRWAN

HON. JOHN K. DELANEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. DELANEY. Mr. Speaker, I rise today to thank Dr. William Kirwan for his service to the people of Maryland. Earlier this year, Dr. Kirwan retired after serving as Chancellor of the University System of Maryland for 12 years. The system includes 12 universities, which run from Frostburg State in Western Maryland to Salisbury University on the Eastern Shore. Nine of these universities have ranked among the best in their category by the US News and World Report.

Dr. Kirwan began his career in 1964 as a math professor at the University of Maryland—College Park. For the next five decades—fifty one years—he dedicated himself to higher education. I believe part of why Dr. Kirwan was such an effective leader was the depth and range of his experience. Prior to leading our University System, he was a professor, he was the Chair of the Math Department, he was a provost and he was ultimately President of the University of Maryland College Park and President of Ohio State University.

I believe Dr. Kirwan should be an example to us all. He was a skilled administrator who never lost sight of what education is all about—students learning in the class room. To conclude, thank you Dr. Kirwan. Thank you for your service to the people of Maryland, to the students and parents of Maryland. Your dedication, insight and passion for education will be missed.

HONORING THE LIFE OF JIMMY TWO DOGS COPLIN

HON. TAMMY DUCKWORTH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Ms. DUCKWORTH. Mr. Speaker, I rise today to honor the life of Vietnam Veteran and Native American artist, Jimmy Two Dogs Coplin, who recently passed away in his Cicero, Illinois home at the age of 57.

Mr. Coplin lost his sight to diabetes but continued to create striking works of art with Native American themes using ceramics, silver, feathers and arrows.

Kiowa men and women have served in the armed forces since World War I and Mr. Coplin continued this honorable tradition by serving in the Army during Vietnam.

Mr. Coplin will be remembered fondly by his family, friends and many of his patrons. Mr. Coplin's dedication to his art and country will continue to live on and inspire others.

Mr. Coplin is survived by his mother, Edith Rokita, sister, Vicky Whitaker, daughter, Melissa Rokita, son, Bubba James Rokita, and two grandchildren.

IN RECOGNITION OF MILDRED HAILEY

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. CAPUANO. Mr. Speaker, I rise today to recognize Mildred Hailey, tenant activist and community leader, who passed away on November 18, 2015.

Mrs. Hailey was born in Jackson, Mississippi eighty-two years ago. As a child, her family moved to Boston. At the time, Boston was not as open to diversity as it is today. Mrs. Hailey's family, being among the first African-American families in their neighborhood, suffered from discrimination and were treated by some of their neighbors with antipathy. Mildred approached this as a challenge to become a community leader.

By the 1960s, Mrs. Hailey had taken a leadership role at the Bromley-Heath housing development and, with co-founder Anna Mae Cole, incorporated the Bromley-Heath Tenant Management Corporation (TMC). The TMC was the nation's first tenant-run public housing development.

Initially, TMC, under Mrs. Hailey's leadership, tackled basic quality of life issues on behalf of Bromley-Heath residents: fixing broken windows, making sure basic utilities were in working order, ensuring trash pickup. Eventually TMC moved on to residents' greater needs, such as creating a day care program, developing a health center on the Bromley-Heath campus and running its own security force. Finally, Mrs. Hailey and TMC became instrumental in guiding development around Bromley-Heath, partnering to bring a supermarket to the neighborhood, protesting to successfully halt a planned highway close by and lending an outspoken voice in planning the Southwest Corridor Park. Through it all, Mrs. Hailey always had time and energy to bring together the members of her beloved Bromley-Heath community to work out disagreements and support one another. She was truly an indispensable leader.

In closing, I salute Mildred Hailey for her leadership, selflessness and passion for her community.

PERSONAL EXPLANATION

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. PERLMUTTER. Mr. Speaker, on Tuesday, December 8, 2015 I was not present to vote on H.R. 158 and H.R. 3842. I wish to reflect my intentions had I been present to vote.

Had I been present for roll call No. 679, I would have voted ''YEA.''

Had I been present for roll call No. 680, I would have voted ''YEA.''

HONORING KALEB STOLBA

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Kaleb Stolba for being awarded the American FFA Degree as a member of the National FFA Organization. Kaleb is a member of the Willow Springs Chapter of the FFA and, with four of its other members, received this prestigious award. FFA is an intercurricular student organization for those interested in agriculture and leadership consisting of 629,367 members, aged 12–21. Kaleb is among the 463 FFA members from Missouri that received the American FFA degree, marking the highest number of recipients from any state.

As a past recipient of the American FFA Degree, I offer my highest congratulations as I understand the hard work and effort required to reach this goal. In order to obtain the American FFA Degree, a member must begin their pursuit of the award during their freshman year of high school through participation in every level of the organization and leadership events.

As a former member of FFA, I can proudly say that my experience in the organization

was invaluable learning about leadership skills and public speaking. It is my pleasure to recognize Kaleb Stolba for receiving this prominent award before the United States House of Representatives.

CONGRATULATING GERRY HYLAND ON HIS RETIREMENT FROM THE FAIRFAX COUNTY BOARD OF SUPERVISORS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. CONNOLLY. Mr. Speaker, I rise to congratulate my friend Gerry Hyland, Mount Vernon District Supervisor on the occasion of his retirement from the Fairfax County Board of Supervisors following 28 years of faithful service.

Gerry was first elected to the Board of Supervisors in 1987, serving as Chairman of the Fire Commission and co-chair of the Community Revitalization and Reinvestment Committee. He also served as a member of the Budget Policy, Development Process, Environmental, Housing and Community Development, Human Services, Information Technology, Personnel and Reorganization, and Transportation Committees.

Yet serving on the Board of Supervisors was just one part of Gerry's commitment and service to our community. Prior to being elected to that position, he also served on the Board of Zoning Appeals and as both President and Member of the Board of United Community Ministries and the Fairfax Human Rights Commission.

Gerry's commitment to service has extended across regional boundaries. He served on the Washington Metropolitan Council of Governments, the Virginia Association of Counties, the National Association of Counties, as past chairman of the Virginia Railway Express, and as a past board member of both the Washington Metropolitan Area Transportation Authority and the Northern Virginia Transportation Commission.

Gerry was also appointed by the Governor of Virginia to serve on several boards and commissions including the Virginia History Initiative, the Commission on Population, Growth and Development, and the Local Government Advisory Committee for the Chesapeake Bay over the course of his career.

In addition to his numerous contributions at the civilian level, Gerry served 30 years in the United States Air Force, 6 years active duty (4 of which were spent overseas) and 23 years in the Reserves. He retired at the rank of Colonel while serving as a White House Liaison.

He has received numerous awards for his work, including the Elizabeth and David Scull Metropolitan Public Service Award for Outstanding Leadership to the Washington Metropolitan Area from the Washington Metropolitan Council of Governments, Cooperator of the Year Award from the Northern Virginia Soil and Water Conservation District, the Dedicated Support Award from the Medical Care for Children Partnership, and the Gold Medal for Lifesaving from the Grande Prix Humanitaire de France.

These awards and accolades are testimony to Gerry's quality as a leader and the determination with which he approached his work. One need look no further than his own Mount Vernon district for evidence of this. Whether it was shepherding the community through the BRAC process and helping to manage the enormous growth at Fort Belvoir, to the establishment of the Richmond Highway Express Bus Route, the creation of the South County Government Center, advocating for the construction of a new high school and middle school to serve the growing population, the preservation of Inova's Mount Vernon facilities or the securing of affordable housing for seniors at Gum Springs, you could always count on Gerry Hyland being knowledgeable and fully engaged with every situation that was brought to him. Gerry truly cares about his constituents and has dedicated every minute of his time in office to improving their lives and our South County community.

I will always remember the grace with which he approached his work. Even in the face of unimaginable tragedy brought by the death of his wife, he continued to put the needs of others before his own. When we served together on the Board of Supervisors, he would routinely bring fresh produce from his farm on the Eastern Shore to share with us, a tradition that continues to this day. Just when you didn't think it was possible for one man to give any more, Gerry would prove you wrong.

Mr. Speaker, Gerry Hyland has been a fixture of the community in Fairfax County for more than 35 years. While he may be officially retiring from the Board of Supervisors, I suspect that he will remain an active advocate for the causes that are dear to him. I ask my colleagues to please join me in congratulating him on his retirement, in thanking him for his immeasurable dedication and commitment to our community, and in wishing him all the best for continued health and success.

IN RECOGNITION OF MAJOR ADAM F. McCOMBS

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to recognize and commend Major Adam F. McCombs for his exemplary dedication to duty and his service to the United States Army and to our great nation. Most recently, Adam served as an Army Congressional Fellow and Congressional Budget Liaison for the Assistant Secretary of the Army (Financial Management and Comptroller). He will be transitioning from his present assignment to serve as an Advisor in the Office of the Program Manager, Saudi Arabian National Guard, United States Army.

A native of Fuquay-Varina, North Carolina, Adam was commissioned as an Armor officer after his graduation from the United States Military Academy at West Point with a Bachelor of Science degree. He has since earned a Master's degree in Legislative Affairs from the George Washington University.

Adam has served in a broad range of assignments during his Army career. Prior to working as an Army Congressional Budget Liaison, Adam's assignments included serving as Scout Platoon Leader and Troop Executive Officer in 3rd Brigade, 4th Infantry Division at Fort Carson, Colorado; Company Commander of a Warrior Transition Company at Fort Knox, Kentucky; and Assistant S3 in the 25th Infantry Division Headquarters Battalion and Cavalry Troop Commander in 3rd Brigade, 25th Infantry Division at Schofield Barracks, Hawaii. Adam has commanded Soldiers in combat as a Platoon Leader and Troop Commander. He deployed in direct support of combat operations in Iraq in 2005–2006, and deployed to Afghanistan in 2008–2009 and again in 2011–2012.

The Second Congressional District of Georgia gained a compassionate and knowledgeable resource in 2013 when Adam was selected to work in my Washington, D.C. office as an Army Congressional Fellow. In this capacity, Adam handled military and veterans issues from a legislative and casework perspective and worked closely with the staff on the Military Construction and Veterans Affairs Appropriations Subcommittee.

Next, in his role as a Congressional Budget Liaison, he continued to collaborate with the House and Senate Appropriations Committees, ensuring that the Army's budget positions were extremely well represented and articulated to the Committees.

Major Adam McCombs' leadership throughout his career has positively impacted his Soldiers, peers, and superiors. Our country has been enriched by his extraordinary leadership, thoughtful judgment, and exemplary work.

Mr. Speaker, today I ask my colleagues to join me, my wife, Vivian, the more than 730,000 residents of Georgia's Second Congressional District, and all Americans, in extending our sincerest appreciation to Major Adam F. McCombs for his distinguished service to our nation. In addition to gratitude for his selfless service and instrumental role in supporting operations in Iraq and Afghanistan, Major McCombs has the respect, admiration, and affection of many on Capitol Hill. We wish him and his wife, Traci, all the best as they continue their journey in the United States Army.

U.S.-GEORGIA RELATIONS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. POE of Texas. Mr. Speaker, as co-chair of the Georgia Caucus along with Congressman GERALD CONNOLLY, I would like to take a moment to discuss the importance of a strong U.S.-Georgia relationship.

Our ally Georgia is a beacon of hope for democracy and capitalism in Eastern Europe. In a region full of turmoil, Georgia continuously strives to spread the ideologies of democracy and freedom to all. While there is still work to be done, Georgia has made many advances in recent years to strengthen democratic values.

Georgia has proved to be a strategic trade partner. U.S. trade with Georgia has increased over the past several years as Georgia continues to bolster its democratic and market-economy institutions. In light of this growth, it would be a smart move to initiate negotiations on a U.S.-Georgia Free Trade Agreement. In 2012, President Obama announced that Georgia and the U.S. had agreed to a high-level dialogue to strengthen trade relations, including the possibility of a free trade agreement. Now is the time to make this idea a reality.

Another critical reason why we must strengthen our ties with Georgia is because Russian aggression in the region is more threatening now than ever. In 2008, I was in Georgia and saw Russian tanks roll in to Georgia, occupying 25% of the country. Back then I knew Putin's radical agenda would continue to threaten our ally for years to come. Sadly, I have not been proven wrong. Russia's invasion of Ukraine is another example of Putin's greedy appetite for conquest. The best deterrent we can offer Georgia is the protection we have given to European countries in the past from Russian bullying: NATO membership. It is time for the United States to put our full weight of support into ensuring that Georgia is given NATO membership.

Even with the regional security threats stemming from Russia, Georgia has demonstrated time and again its commitment to being a force for good in the international community. For example, Georgia has provided more troops to the effort in Afghanistan than any other non-NATO member. Georgian troops have fought and died on the battlefield alongside our own American troops. We must recognize and reward their bravery and sacrifice. Georgia's ascension to NATO must be a priority for next summer's NATO conference.

Mr. Speaker, we all should recognize the importance of strengthening our relationship with Georgia. It is in our national security interests to support this ally, and it is our duty to ensure we foster a healthy, mutually beneficial partnership.

And that's just the way it is.

MEDIA IGNORE ADMINISTRATION SCANDALS

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. SMITH of Texas. Mr. Speaker, the national liberal media repeatedly comment that the current administration is ''scandal free.'' But that's because they ignore scandals involving Democrats.

For example, Hillary Clinton claims that everyone knew she used a private email server as Secretary of State. Yet, White House officials stated they were unaware of the server. The media has yet to pursue what was known or why the use of this server was allowed.

The national media also has failed to uncover who gave the orders for the IRS to target conservatives or if White House officials helped cover up the incident.

And when an American is murdered by an illegal immigrant, the press never connects the loss of life to the president's refusal to enforce our immigration laws.

The only people who believe the administration is ''scandal free'' are its allies in the national liberal media.

RECOGNIZING BANDERA ELECTRIC COOPERATIVE EMPLOYEES

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. SMITH of Texas. Mr. Speaker, today I want to recognize three power linemen from the Bandera Electric Cooperative: Jay Rasberry, John Hernandez and Garrett Clark. These linemen volunteered for the National Rural Electric Cooperative Association (NRECA) International Foundation and spent three weeks in northern Haiti building and upgrading power lines. These efforts have helped communities in Haiti receive affordable, safe and reliable energy.

These three power linemen worked side by side with NRECA International on the United States Agency for International Development (USAID) funded Pilot Project for Sustainable Electricity Distribution. This project commercializes power from the Caracol Industrial Park generation station that is currently serving 8,000 consumers in Caracol and surrounding communities with electricity 24 hours a day. When the project is complete, a total of 10,000 consumers will have access to electricity.

Less than 15% of the people in Haiti have access to electricity. The service and sacrifice of these linemen will impact the lives of thousands of Haitians resulting in improvements in healthcare, education, and economic opportunity.

In appreciation of all they have done, Mr. Speaker, I ask my colleagues to join me in thanking them for their humanitarian efforts.

HONORING STEPHEN COOK

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Stephen Cook for being awarded the American FFA Degree as a member of the National FFA Organization. Stephen is a member of the Willow Springs Chapter of the FFA and, with four of its other members, received this prestigious award. He is also currently on active duty with the U.S. Marine Corps, making this accomplishment even more impressive. FFA is an intercurricular student organization for those interested in agriculture and leadership consisting of 629,367 members, aged 12–21. Stephen is among the 463 FFA members from Missouri that received the American FFA degree, marking the highest number of recipients from any state.

As a past recipient of the American FFA Degree, I offer my highest congratulations as I understand the hard work and effort required to reach this goal. In order to obtain the American FFA Degree, a member must begin their pursuit of the award during their freshman year of high school through participation in every level of the organization and leadership events.

As a former member of FFA, I can proudly say that my experience in the organization was invaluable learning about leadership skills and public speaking. It is my pleasure to recognize Stephen Cook for receiving this prominent award and thank him for his service to our county before the United States House of Representatives.

INTRODUCTION OF THE 21ST CENTURY POWER GRID ACT

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. SARBANES. Mr. Speaker, I rise today to introduce the 21st Century Power Grid Act. The bill would finance public-private partnerships to carry out innovative projects related to the modernization of the electric grid.

Unfortunately, today the U.S. electric grid is still operating in the 20th Century. We must act now to improve grid reliability, flexibility, efficiency and security. There are literally a limitless number of ways in which the federal government can play a part to help modernize the electric grid. What we cannot afford is the status quo.

Whether it's the application of digital technologies, advanced communications and control, distributed energy resources, resilience, cybersecurity, or providing customers with more choice in energy source, usage and rates; it's a completely new world for how we can generate, distribute and consume electricity.

The federal government—in partnership with state and local governments, the private sector and ratepayers—must play a role in developing a strategy for the modernization of the electric grid and be an investor in the research, development and deployment of new advanced technologies.

The 21st Century Power Grid Act would direct the Department of Energy to provide assistance, in the form of grants or cooperative agreements, to help advance the future grid. In order to be eligible to receive this assistance, utilities can partner with entities such as national labs, universities, or state and local governments to develop or demonstrate new grid technologies or energy management techniques.

Most have heard the term ''smart grid,'' but I'm not sure many appreciate how truly revolutionary it could be if we were to achieve a smarter grid. ''Imagine a city in the middle of a deep freeze. The local power grid is struggling to keep up with everyone's heaters. What if the grid could automatically communicate with buildings in the area and negotiate reduced power consumption in exchange for a financial incentive? A large hotel that's only half-full due to the weather could dial back its thermostats, saving money on their bill and enabling the grid to divert that energy to homes and schools.''

This scenario was taken directly from the website of one of our national labs, the Pacific Northwest National Laboratory. PNNL and their partners recently completed a two year project that successfully demonstrated that this sort of communication and cooperative energy usage is possible.

In your own home, imagine if you could throw dishes in the dishwasher or clothes in the dryer and then set the device to automatically start when you can pay the optimal rate for electricity. This is a win, win. Consumers pay less, and utilities can more efficiently manage peak loads.

And the scenarios I've described don't even begin to scratch the surface of the potential for better integration of distributed energy sources like solar, wind and geothermal; energy storage capabilities; or other advances that only become conceivable when you do the type of basic research this country has always supported and excelled in.

To not provide the Department of Energy with resources to invest in smart grid research and development would be akin to preventing the National Institutes of Health from doing medical cures research. The electric grid is an indispensable element of modern society and is critical to our national security, economy and the general well-being of the citizenry.

I urge my colleagues to support the 21st Century Power Grid Act.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,789,199,596,566.93. We've added $8,162,322,547,653.85 to our debt in 6 years. This is over $8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CLASS 1A—ARCOLA HIGH SCHOOL FOOTBALL TEAM STATE CHAMPIONS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge the Purple Raiders of Arcola Jr. High School as the IHSA Class 1A high school state champions.

On November 27, 2015 Arcola defeated Stark County by 35–17 winning the Class 1A State Championship. I would like to recognize the effort of this amazing team and congratulate them on their historic season as they celebrate their first state championship title in 27 years.

I would also like to congratulate the Strader family. Brothers Clayton and Connor and their cousin Chase for contributing to six touchdowns and several tackles. Tommy Eddleman, Jim Fishel, Aldo Garcia, Chad Hopkins, Jarod Kiger, and John Lidy make up the coaching staff which supported Athletic Director and Head Coach, Zach Zehr to provide great leadership for these talented football players.

I look forward to the continued success of the Arcola Jr. High School. I extend my best wishes for another outstanding season next year.

The following are Arcola Purple Raider Varsity Football players: Conner Strader, Clayton Strader, Parker Ingram, Kollin Seaman, Martin Rund, Daniel Mendoza, Victor Gonzalez, Myles Roberts, Blake Lindenmeyer, Seth Still, Chase Strader, Mario Cortez, Sam Crane, Alec Downs, Tony Salinas, Wyatt Fishel, Giovanni Salinas, Brandon Lebeter, Cole Hutton, Rey Garza, Ethan Still, Mason Gentry, Javi Leal, Pablo Rodriguez, Kaleb Byard, Jonny Garza, Dalton Pantier, Gavin Coombe, Luke Spencer, Tito Garcia, Clayton Kuhring, Jack Spencer, Alex Kauffman, Aaron Dudley, Grant McPherson, Jorge Garza, and Jack Nacke.

IN RECOGNITION OF RICHARD SHICKLE'S RETIREMENT

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mrs. COMSTOCK. Mr. Speaker, I am honored to recognize Richard Shickle, an extraordinarily gifted leader from the northern Shenandoah Valley, on his retirement.

Very proud of his roots in Frederick County, Richard Shickle has applied the values with which he was raised and the education he received at James Wood High School and Virginia Tech to have an extraordinary influence on the place he has always called home. Armed with a bachelor's degree in Public Administration and a professional designation as a Certified Public Accountant, Richard Shickle has spent decades as a strong and visionary leader of two of the most important institutions in the Shenandoah Valley, the Government of Frederick County and Shenandoah University.

Richard Shickle is the longest serving Chairman At-Large of a county board of supervisors in the Commonwealth of Virginia. For twenty years, he has served the citizens of Frederick County, four as Supervisor for the Gainesboro District, and sixteen as Chairman of the Frederick County Board of Supervisors.

Under Chairman Shickle's conservative leadership, Frederick County has experienced great economic growth that has included business relocations and expansions by H.P. Hood, Kraft Foods, Fisher Scientific, McKesson, O.N. Minerals and Navy Federal Credit Union.

The county's low taxes have fostered the growth of many small businesses while still providing for important capital improvement projects, including the Bowman Library, the Frederick County Public Safety Building, several schools including Millbrook High School, and the Frederick County Transportation Center.

And Chairman Shickle's penchant for careful planning has resulted in the Rural Areas Recommendation and Report, as well as the establishment of the Frederick County Economic Development Authority, which has proven to be an important economic development tool for the county.

As though the responsibilities of being Chairman of the Frederick County Board of Supervisors had not been sufficiently challenging, until recently, Richard Shickle also served, for 32 years, as Vice President for Administration and Finance of Shenandoah University during a period of rapid growth. In that capacity, he oversaw the offices of the university that are responsible for its administrative, financial, budgetary, and physical plant functions; and coordinated its student employment, legal services and insurance programs.

In retirement, Richard will continue to serve on boards and commissions, generously offering his knowledge and wisdom to the many valley leaders who will be seeking his counsel. He and his wife, Louise Marie Grube Shickle, are also looking forward to spending more time with their four children, Denise, Lisa, Richard, Jr. and Martha, as well as their eight grandchildren.

As the member of the House of Representatives from Virginia's 10th Congressional District, I know that I echo the sentiments of the people of the northern Shenandoah Valley in expressing deep gratitude for the strong leadership and dedicated service of ''favorite son'', Richard C. Shickle, Sr., who has left such a positive and lasting mark on our valley community.

I also know I'm joined by thousands of others whose lives he has touched, in wishing him and Louise many interesting and satisfying years of retirement to come.

IN SUPPORT OF AFFIRMATIVE ACTION AND CAMPUS DIVERSITY

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Ms. JACKSON LEE. Mr. Speaker, this morning I was at the Supreme Court observing the oral arguments in the case of Fisher v. University of Texas at Austin, No. 14–981.

The issue to be decided in the Fisher case is whether the undergraduate admissions policy of the University of Texas at Austin complies with the principles established by the Supreme Court in *Grutter* v. *Bollinger*, 539 U.S. 306 (2003).

In Grutter, the Court held that ''obtaining the educational benefits of 'student body diversity is a compelling state interest that can justify the use of race in university admissions.' '' 539 U.S. at 325.

Mr. Speaker, I am proud to be a representative from a state that has played a pivotal role in the Supreme Court's educational equity jurisprudence, beginning with the landmark case of *Sweatt* v. *Painter*, 339 U.S. 629 (1950), won by Thurgood Marshall and which held that segregated law schools violated the Equal Protection Clause of the Fourteenth Amendment and laid the foundation for the landmark

decision in *Brown* v. *Board of Education*, 347 U.S. 483 (1954).

Mr. Speaker, I would urge the Supreme Court to uphold the admissions policy of the University of Texas at Austin because affirmative action is needed to ensure the diversity on college campuses that will yield diversity in the ranks of America's future leaders.

In a globalized and increasingly interconnected world, the nation that succeeds is the one best positioned to adapt to a world of differences—cultural, religious, economic, social, racial, and political.

The key to success in a diverse global economy is learning to adapt and thrive in diverse communities where the next generation and its leader are educated and trained.

And that is why it is critical that the Court uphold the principle it established in Grutter v. Bollinger in 2002 that diversity in higher education is such a compelling governmental interest that race-conscious admission policies are permissible if other alternatives are found to be inadequate.

This is the situation presented by the facts in Fisher v. University of Texas at Austin, which was reargued before the Court today.

Although the University of Texas's consideration of race is very narrow—just one of many factors in the admissions process—its impact has been significant in advancing educational benefits flowing from a diverse student body.

From 1997 to 2004, affirmative action in admissions at the University of Texas was barred by the infamous Fifth Circuit decision in *Hopwood* v. *Texas*, 78 F.3d 932 (5th. Cir. 1996).

As a result of the University of Texas's inability to consider a qualified applicant's race in the admissions process, between 1997 and 2004 African-American students never comprised more than 4.5% of the entering class—far below the 13% of Texas high school graduates who are African Americans.

Worse yet, for the students attending the University of Texas, during that period, 4 out of every 5 of classes (79%) at the University had zero, or only one, African-American student.

Mr. Speaker, this is not the way to produce a generation of leaders for the 21st century.

With the Supreme Court decision in Grutter, the University of Texas could add race to other criteria considered in its individualized admissions policy.

And behold the results—28% of African Americans enrolled at the University were admitted at this stage of admissions process, a stark contrast to the 4.5% of the student body represented by African Americans in the preceding 7 years.

Mr. Speaker, affirmative action works; it is the right thing to do for our country.

Fostering educational diversity and greater opportunity is critical to our nation's future in a global economy and an increasingly interconnected world.

That is why diversity is supported by a broad cross-section of American society, including military leaders, major corporations, small business owners, educators, and students from all backgrounds.

An America that celebrates diversity in higher education will! produce the leaders, inventors, entrepreneurs, diplomats, public servants, and teachers that will serve our nation well in the global economy of the 21st century.

And of the most important things that can be done to ensure this bright future is for the Supreme Court to affirm the judgment of the 5th Circuit and uphold the admissions policy of the University of Texas.

A MAJORITY OF IMMIGRANT HOUSEHOLDS RELY ON WELFARE

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. SMITH of Texas. Mr. Speaker, a recent report found that more than half of immigrant households (both legal and illegal) in the United States receive welfare benefits—compared to only 30% of native households.

The report by the Center for Immigration Studies (CIS) determined that welfare use increased significantly for households with children.

Almost half of immigrant households who have been in the country for more than 20 years still rely on welfare. This contradicts the commonly held notion that long-time immigrants don't consume government benefits.

Our immigration and welfare programs should not subsidize other nations' low-skilled workers who compete with struggling American families for scarce jobs.

The CIS report reminds us how much work remains before we have an immigration system that puts the interests of Americans first.

SUPPORT FOR H.R. 1283

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Ms. SLAUGHTER. Mr. Speaker, as co-chair of the Congressional Arts Caucus, I rise today in support of H.R. 1283, the Songwriter Equity Act. In today's evolving entertainment environment, songwriters sometimes don't get the credit or the pay they deserve—and it's time to change that.

H.R. 1283 will ensure that these artists receive fair pay every time someone listens to their song—whether from satellite radio or digital music services and downloads.

Congress established royalty rates of just two cents per copy in 1909, when Irving Berlin was beginning his career. Now, over 100 years later, the royalty rate has increased only to just over nine cents per copy. It's time to give songwriters the pay they deserve in today's dollars and cents.

Thank you to my colleagues Rep. DOUG COLLINS and Rep. HAKEEM JEFFRIES for their strong support of the arts here in Congress—I'm proud to support them, the arts, and this bill.

HONORING CHRIS CORMAN

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Chris Corman for being awarded the American FFA Degree as a member of the National FFA Organization. Chris is a member of the Willow Springs Chapter of the FFA and, with four of its other members, received this prestigious award. FFA is an intercurricular student organization for those interested in agriculture and leadership consisting of 629,367 members, aged 12–21. Chris is among the 463 FFA members from Missouri that received the American FFA degree, marking the highest number of recipients from any state.

As a past recipient of the American FFA Degree, I offer my highest congratulations as I understand the hard work and effort required to reach this goal. In order to obtain the American FFA Degree, a member must begin their pursuit of the award during their freshman year of high school through participation in every level of the organization and leadership events.

As a former member of FFA, I can proudly say that my experience in the organization was invaluable learning about leadership skills and public speaking. It is my pleasure to recognize Chris Corman for receiving this prominent award before the United States House of Representatives.

RECOGNIZING AISHA KARIMAH

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Ms. NORTON. Mr. Speaker, I rise today to ask my colleagues in the House of Representatives to join me in recognizing Aisha Karimah, who is retiring from NBC4 Washington after 46 years of outstanding service to the District of Columbia and the national capital region.

Residents have seen Aisha at many of our charitable events in the city and region, but far more often, they have seen only her good works in many community campaigns. We could not count the people or the dollars Aisha's efforts have helped bring to our most successful community campaigns, among them: Beautiful Babies Right from the Start, Drug Free Zones, It Takes a Whole Village, Make the Right Call, Camp 4 Kids, Get Healthy 4 Life, Backpacks 4 Kids, Food 4 Families, and the NBC4 Health & Fitness Expo. In addition, Aisha produces two weekly news programs: Reporters Notebook and Viewpoint. A veteran television producer, Aisha also has generously lent her gifts to Howard University Television, including the Urban Health Report, Washington's Leaders and the Randall Robinson Program. Ms. Karimah is a particularly positive and dedicated role model for African Americans and for women entering journalism, and serves as a

mentor to hundreds of young people. Aisha herself is a graduate of Howard University and Wesley Theological Seminary. She has been an extraordinary friend and guidepost to the District and to me ever since I have been a Member of Congress.

While Aisha has been engaged in a successful career in television and journalism, she also has been a devoted mother of two sons: Donnell, a graduate of American and George Washington universities, and Jay, a Howard University graduate.

Aisha Karimah's success, of course, has come from her tireless efforts, her love for her community and her drive to excel in her profession. However, Aisha gives all the credit to God. Aisha, a native Washingtonian who grew up on welfare in the District's Lincoln Heights public housing complex and started work at the age of 10, says her faith has helped her to rise to the top of her profession and serve her hometown at the same time. Aisha kept going at NBC4 despite illness. Now, after 46 years, often behind the scenes, bringing countless campaigns to our city and region, the time has come for Aisha herself to take a much deserved bow.

Mr. Speaker, I ask my colleagues to join me in thanking and congratulating Aisha Karimah for excellence well beyond the call of duty for NBC4 Washington, the District of Columbia, and the national capital region for 46 remarkable years.

HUMANITARIAN AID TO THE PEOPLE OF UKRAINE

HON. ANDY HARRIS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 9, 2015

Mr. HARRIS. Mr. Speaker, I rise today to remind my colleagues of the humanitarian crisis that continues to unfold in Eastern Ukraine. While the media, and the world, focuses on the Syrian migrant crisis, winter is fast approaching for the millions affected by the conflict in Ukraine. As we speak, there are over 1.5 million people internally displaced, 1.1 million externally displaced, and more than 5 million people in need of humanitarian aid. Thousands have died in the fighting, and thousands more lie injured. Homes and schools are being destroyed, and the movement of goods and people is severely restricted. As temperatures edge toward zero, we must remember why Ukrainians find themselves in need. They are in need because of their rejection of Russian authoritarianism and of Vladimir Putin's aggressive expansionism. They are in need because they are fighting to defend their freedom and their democracy. We, the United States, as a beacon of liberty and democratic government, must demonstrate our solidarity with our Ukrainian brethren and our unwavering belief in the ideals for which they fight. We must provide food, we must provide shelter, we must provide blankets. We, as Americans, must provide support to those willing to stand up to Russia in defense of freedom and democracy. I call on my colleagues to join me in urging President Obama to increase humanitarian aid to the people of Ukraine.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, December 10, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 11

2 p.m.

Commission on Security and Cooperation in Europe

To receive a briefing on human rights violations in Russian-occupied Crimea.

RHOB–B318

DECEMBER 15

2:30 p.m.

Committee on Veterans' Affairs

To hold hearings to examine transition assistance.

SR–418

JANUARY 20

2:30 p.m.

Committee on Armed Services

Subcommittee on Readiness and Management Support

To hold an oversight hearing to examine Task Force for Business and Stability Operations projects in Afghanistan.

SR–232A

HOUSE OF REPRESENTATIVES—*Thursday, December 10, 2015*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. JENKINS of West Virginia).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 10, 2015.

I hereby appoint the Honorable EVAN H. JENKINS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

NOTICE

If the 114th Congress, 1st Session, adjourns sine die on or before December 24, 2015, a final issue of the *Congressional Record* for the 114th Congress, 1st Session, will be published on Thursday, December 31, 2015, to permit Members to insert statements.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–59 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Wednesday, December 30. The final issue will be dated Thursday, December 31, 2015, and will be delivered on Monday, January 4, 2016.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event, that occurred after the sine die date.

Senators' statements should also be formatted according to the instructions at http://webster.senate.gov/secretary/Departments/Reporters__Debates/resources/cong__record.pdf, and submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at https://housenet.house.gov/legislative/research-and-reference/transcripts-and-records/electronic-congressional-record-inserts. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT–59.

Members of Congress desiring to purchase reprints of material submitted for inclusion in the *Congressional Record* may do so by contacting the Office of Congressional Publishing Services, at the Government Publishing Office, on 512–0224, between the hours of 8:00 a.m. and 4:00 p.m. daily.

By order of the Joint Committee on Printing.

GREGG HARPER, *Chairman.*

BOOKS 'N FRIENDS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, it is always a joy for me to kick off the holiday season in Sparta, North Carolina, at the annual Christmas parade down Main Street.

As I visited with folks at this year's parade, I was reminded again how special Alleghany County and its people are. The pride that they take in their community is apparent in everything they do. It is especially evident in the hardworking volunteers who donate so much time because they love their hometown and fellow citizens.

A great example of this generosity is seen at Books 'n Friends, a nonprofit used bookstore owned by the friends of the Alleghany County Library. Since 2003, volunteers like Alice Keighton, Joyce Speas, and many others have donated their time at the bookstore, whose profits provide funding for activities and necessities at the library.

This support makes quite a difference and helps the library inform and educate the citizens of Alleghany County.

My deepest appreciation to all of the friends of the library and all the wonderful volunteers in Alleghany County, who do so much to make it such a special place to live, work, and visit.

CUSTOMS ENFORCEMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, there has been a great deal of discussion about trade agreements, but there is another important piece of legislation that deals with Customs. This is an often obscure element, but it makes a huge difference to be able to manage the hundreds of billions of dollars of products that leave the United States and those that are imported.

The Customs bill represents important work by our Ways and Means Committee and our colleagues in the Senate Finance Committee finally reaching conclusion. I am pleased with many of the key results. It includes items that are not in the headlines, but are very important to the people that I represent.

For example, the legislation will help our growing outdoor industry by creating new definitions and tariff classifications for recreational performance outerwear.

It reduces costly taxes on outdoor footwear, which both supports the outdoor recreation industry and makes it more affordable for people to get outside and enjoy our beautiful parks and trails.

It includes the full ENFORCE Act, requiring immediate action to investigate and address trade cheaters and take measures to stop those who continually attempt to circumvent the penalties already imposed upon them.

As our trade agreements become more complex, so, too, has trade enforcement. We can no longer rely on a handful of agencies to effectively protect our market from tax cheaters. It requires a whole government approach, and this is why it is critical to see the bill permanently establish the Interagency Trade Enforcement Center to centralize and enhance trade enforcement efforts.

It finally puts into law a ban on the import of goods made with child and forced labor. This will reshape markets and provide additional tools to confront horrific work conditions around the world.

Very important for me, it will help ensure our trade agreements actually are enforced. A lack of enforcement is a justifiable criticism of people who are skeptical of trade agreements, who wonder is it worth the paper that it is printed on to have labor and environmental protections.

Well, the greatest obstacle to enforcement has been lack of resources. Enforcing trade agreements is expensive, time consuming, and highly complex. That is why I fought hard to include in this legislation elements that I have introduced, along with Senator MARIA CANTWELL, the Trade STRONGER Act, which creates a trade enforcement and capacity-building fund which would not only provide more resources for the enforcement of labor and environment violations, but helps the fund managed by the USTR be accessible government-wide, not only for enforcement, but for in-country capacity building, helping our current and future trading partners implement the labor and environmental provisions they have committed to.

This is an important step forward because, regardless of what one feels about a particular trade treaty, I think everyone agrees they ought to be enforced.

This Customs bill, in addition to promoting the trade process more effectively and providing relief for some inequitable treatment for products so important to my constituents, establishes more resources to make sure our trade agreements are, in fact, enforced.

This has been the result of long and arduous negotiations, but done in a spirit of cooperation and goodwill.

I particularly want to thank the efforts of Speaker PAUL RYAN and Ways and Means Committee Chair KEVIN BRADY, who have worked with me in a spirit of cooperation to make sure the enforcement provisions are effective. I appreciate this.

I think this will be an achievement that we all should support because we will all benefit from it.

E-FREE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, I rise to tell the story of Kathryn Frederickson of Maryland. Kathryn is one of the tens of thousands of women that have been harmed by a permanent sterilization device, the medical device known as Essure.

Essure was recommended as the optimal birth control solution for Kathryn, despite a pre-existing autoimmune condition and a known nickel allergy. After the procedure, she felt severe pain, extreme bleeding, vomiting, and rashes, caused by the nickel-based device.

After 3 weeks of pain and discomfort, Kathryn paid $7,000 out of pocket to remove the device. One coil was found in her uterus. She lost 2 months of work and of her life. Kat's health has never been the same.

I rise as a voice for the Essure Sisters to tell this Chamber that their stories are real, their pain is real, and that their fight is real.

Mr. Speaker, my bill, the E-Free Act, can halt this tragedy by removing this dangerous device from the market. Too many women have been harmed.

So I urge my colleagues to join this fight and to join the bill because stories like Kathryn's are too important to ignore.

THE MOST EFFECTIVE DEFENSE AGAINST AN ARMED TERRORIST IS AN ARMED AMERICAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, ever since the terrorist attack in San Bernardino, leftist politicians have called for more restrictions on gun ownership for Americans. These are the same politicians who have worked for years to open our Nation to unprecedented and indiscriminate immigration from hotbeds of Islamic extremism.

The most effective defense against an armed terrorist is an armed American. If one person in that room in San Bernardino had been able to return fire, many innocent lives would have been saved. But Californians are subject to the most restrictive gun laws in the country, making it very difficult for law-abiding citizens to exercise their Second Amendment right to defend themselves. In a society denied its right of self-defense, the gunman is king.

I repeat: the most effective defense against an armed terrorist is an armed American. Yet, the President and his followers seek to increase the number of terrorists entering through porous borders and lax immigration laws while, at the same time, seeking to decrease the number of armed Americans.

Their latest ploy was announced by the President on Sunday and has been parroted by his Congressional allies this week, to the point of disrupting the work of the House.

In the President's words, ''Congress should act to make sure no one on a no-fly list is able to buy a gun.'' He asked: What could possibly be the argument against that?

Well, while serving in the California State Senate a decade ago, I discovered suddenly I couldn't check in for a flight. When I asked why, I was told I was on this government list. The experience was absolutely Kafkaesque.

My first reaction was to ask, ''Well, why am I on that list?

''Well, we can't tell you.

''Well, what criteria do you use?

''That is classified.

''How do I get off that list?

''You can't.''

I soon discovered that another California State Senator had been placed on that list. A few months later, U.S. Senator Edward Kennedy found himself on that list.

I at least had the Office of the Sergeant at Arms of the State Senate to work through, something an ordinary American would not. Even so, it took months of working through that office with repeated petitions to the government to get my name removed from that list.

The farce of it all was this: I was advised, in the meantime, just to fly under my middle name, which I did without incident.

In my case, it turns out it was a case of mistaken identity with an IRA activist the British Government was mad at. This could happen to any American.

The fine point of it is this: During this administration, the IRS has been used extensively to harass and intimidate ordinary Americans for exercising their First Amendment rights.

What the President proposes is that, on the whim of any Federal bureaucrat, an American can be denied their Second Amendment rights as well with no opportunity to confront their accuser, contest the evidence, or avail themselves of any of their other due process rights under the Constitution.

The concept that the left is seeking to instill in our law is that mere suspicion by a bureaucrat is sufficient to

deny law-abiding American citizens their constitutional rights under the law. Given the left's demonstrated hostility to freedom of speech and due process of law, it is not hard to see where this is leading us.

I would support the President's proposal if it established a judicial process where an individual could only be placed on this list once he had been accorded his constitutional rights to be informed of the charges, to be given his day in court, to be accorded the right to confront his accuser and contest the evidence against him and submit himself to a decision by a jury of his peers. But that is the farthest thing from the left's agenda.

The President's proposal would have done nothing to stop the carnage in San Bernardino, where the terrorists were not on any watch list. Indeed, one was admitted from Saudi Arabia after the vetting that the President keeps assuring us is rigorous and thorough. And several of the guns used in this massacre weren't even acquired directly but, rather, through a third party.

Of course the American people don't want terrorists to have guns. The American people don't want terrorists in our country in the first place. But the President's policies have left our Nation's gate wide open while he seeks to take from Americans their means of self-defense.

So I leave off as I began. The best defense against an armed terrorist is an armed American. That is what the Second Amendment is all about. It is an absolutely essential pillar of our security.

Our Constitution is our best defense of all. It must be defended against all enemies, foreign and domestic.

FRENCH RAIL/HOLOCAUST SETTLEMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to raise awareness about Holocaust survivors' continued quest for justice, an ever-elusive goal still nearly three-quarters of a century after living through the crimes of modern humanity's darkest period.

Though it is said that the moral universe's arc bends toward justice, time is not a luxury we can afford any longer for elderly Holocaust survivors.

□ 1015

Of the approximately half a million Holocaust survivors, around half of them live at or near poverty. Can you imagine that? Holocaust survivors should be able to live out the remaining days in comfort and with the knowledge that their long-sought justice has finally been achieved.

Recently, Mr. Speaker, an agreement was reached between the Government of France and the United States regarding victims of Holocaust-related deportations during the Nazi era. The French rail company, SNCF, knowingly and willfully transported tens of thousands of Holocaust victims to concentration camps and near certain death during the Second World War. They were paid to do this.

For over 70 years, SNCF, the French rail company and the French Government eluded any and all responsibility for these actions. For years, I have been fighting for justice for all victims of the Holocaust.

On this issue in particular, I have joined Representative CAROLYN B. MALONEY of New York as she attempted to shepherd the Holocaust Rail Justice Act through Congress over the past few sessions. I want to thank the gentlewoman from New York for her leadership and her unyielding effort to hold SNCF accountable for its heinous actions.

While the agreement reached over SNCF's—remember, that is the French rail company—culpability in the deaths of tens of thousands of Jews is not the optimal solution, it is imperative that we do hold these perpetrators accountable and that we win justice for as many Holocaust survivors and their heirs as possible.

However, Mr. Speaker, it is important that Holocaust survivors and their families are made aware of this agreement and the claims process. Many do not know of this.

For more information, questions, and to file a claim, the State Department has set up a Web site at www.state.gov/deportationclaims.com. I know that is very difficult. Or you can call 202–776–8385, or send an email to deportationclaims@state.gov.

That is a lot to take in.

Or contact your congressional Representative, and we can help.

Mr. Speaker, I urge everyone to spread the word to make sure that every Holocaust survivor eligible gets an opportunity to file a claim. I want to thank the continued efforts and the support of the many Holocaust survivors that I am blessed to have in my congressional district who have been at the forefront in the fight for justice for survivors and their heirs.

My good friends, David Mermelstein, David Schaecter, Joe Sachs, Alex Gross, Herbie Karliner, Jack Rubin, and so many others—they have seen the unforgettable, and they have lived through the unthinkable. Yet, they continue steadfast in the fight for justice against those who have committed the unforgivable and the unthinkable.

I, also, want to thank the others who have pursued justice for these individuals at every turn, like my good friend and long-time constituent, Sam Dubbin. Sam has been instrumental in highlighting fraud at the Claims Conference, that we know now, very clearly, occurred over decades and deprived Holocaust survivors of at least tens of millions of dollars, and the real numbers are likely even higher.

Next year, Mr. Speaker, I plan to introduce my bill, once again, to allow survivors to have their day in court. That is all the bill does, to have their day in court, because we now know that the Claims Conference process has failed so many of the Holocaust survivors.

Mr. Speaker, time is of the essence. We owe survivors and their heirs every opportunity to achieve justice. I urge my colleagues to continue this fight on behalf of the remaining Holocaust survivors and their heirs to get the word out to their constituents and their local community leaders.

If you know someone who may be eligible to receive compensation under this incredibly horrific act done by the French rail company to transport victims to certain death, please direct them to the State Department Web site. The deadline is May 31 next year. Let's get the word out as soon and as far as possible.

IRAN IS UNTRUSTWORTHY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DOLD) for 5 minutes.

Mr. DOLD. Mr. Speaker, I certainly want to start by thanking my good friend and colleague from Florida for her efforts in trying to make sure we are doing all we can for the Holocaust survivors.

Mr. Speaker, there is no doubt that these are very turbulent and fast-moving times. As we train our focus on ISIS, however, I think it would be a very foolish mistake if we lose sight of the terror threat from Iran, the world's greatest state sponsor of terror.

In the past week, two alarming developments have exposed why Iran cannot be trusted:

First, a December 2 report from the International Atomic Energy Agency revealed that Iran had previously been working on nuclear weapons.

That is right, Mr. Speaker. Despite Iran's repeated insistence that its nuclear program had only been for peaceful purposes, the IAEA report makes clear that Iran had an active nuclear weapons program.

In short, Iran lied, and it has been telling a very big lie for some time. This deceit is precisely why we must not close the book on uncovering Iran's past nuclear efforts.

Second, Mr. Speaker, it has now been reported that on November 21, Iran tested a ballistic missile, one capable of carrying a nuclear warhead. This is a breach of multiple United Nations Security Council resolutions and is in obvious defiance of the 8-year ban on

ballistic missile work that was part of the nuclear agreement.

This is Iran's second such launch of a ballistic missile since the conclusion of the nuclear agreement. Regrettably, no such action has been taken against Iran for that first test in October. Instead, the U.N. Security Council is still debating on how to respond. They are still debating. What message does that send?

Mr. Speaker, Iran cannot be given a pass for these flagrant provocations. A failure to forcibly respond now with repercussions will only encourage Iran to incrementally cheat in the future again and again, as it already has.

The unavoidable truth is that simply looking the other way so as not to ruffle any feathers in Tehran will neither bring peace nor an end to belligerent behavior from the Iranians. We know that Iran cannot be trusted, plain and simple. We know that Iran will continue to test the world's resolve.

The real question now, Mr. Speaker, is whether the world will even be interested in responding. It is time for our voices to be heard loud and clear. The United States must step forward and lead.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 22 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Merciful God, we give You thanks for giving us another day.

As the two parties negotiate the funding of government in these waning days of the first session, grant them a surfeit of wisdom and a spirit of cooperation in ongoing negotiations.

Continue to bless our Nation with a sense of peace and healing as the victims of San Bernardino are being laid to rest. During this holy season, continue to be with us.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Minnesota (Mr. PAULSEN) come forward and lead the House in the Pledge of Allegiance.

Mr. PAULSEN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

THE PRESIDENT SHOULD CHANGE COURSE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, it is sad to me that it took the President 5 days to identify the attack in San Bernardino as terrorism. After I heard the tragic news last Wednesday, I knew in 5 seconds it was a terrorist attack.

The President needs to revisit the 9/11 Memorial in New York City, which clearly establishes the timeline of the global war on terrorism. He can see copies of fatwas by Islamic extremists declaring war on modern civilization dated in 1996. The war has never stopped.

The Second Amendment's right to bear arms has never been more important for citizens to protect their families. The thought that gun control can stop terrorism is a diversion from the real threats. This was revealed by the mass murders in Paris, despite French strict gun control.

In the past weeks, the terrorists' mass murders have been horrifying, of Lebanese, Russians, and French, along with Americans in Iraq, Israel, Paris, and San Bernardino, of Muslims, Christians, and Jews.

The President should change course to actually destroy ISIL, not just give pathetic political lectures. We are facing an enemy that requires us to set aside partisanship to protect American families.

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

SOLAR INVESTMENT TAX CREDIT

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, notably absent from the tax extenders bill released this week is a provision on which 174,000 American jobs depend.

The solar investment tax credit, a 30 percent credit for the installation of solar on residential and commercial properties, was implemented in 2006. The result has been an annual growth of 73 percent.

That growth allowed the industry to develop panels that have soared in efficiency and plummeted in price. Solar is our fastest growing energy source and is responsible for 40 percent of all new generating capacity brought online this year. Solar employment is growing at a rate 20 times higher than the overall economy.

If the solar investment tax credit is not extended, that growth will stop, demand will drop by 71 percent, and 100,000 jobs will be lost; but a 5-year extension would create 60,000 jobs and allow the industry to come to maturity.

Mr. Speaker, tax legislation that does not include the solar investment tax credit is not serious about creating American jobs. I urge its inclusion.

HONORING THE LIFE OF MARY CALDWELL PLUMER

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to honor and celebrate the life of a patriot and dear friend, Mary Caldwell Plumer, known as Mere.

Mere accomplished so much throughout her long and rewarding life and did it with a constant smile and positive outlook. We treasured the moments we had with Mere because we knew we could not have her forever.

As per her wish, I will not stand by her grave and cry but adhere to the standards she established and always maintained of loving life and each other. Her friends, family, and loved ones admired her, and we were blessed to have known her.

Mr. Speaker, Mere is now reunited with her husband of 45 years, Dick, and two of her children, Penny and Christopher. Though Heaven has gained her, we have not lost her; and we will never lose her, for she is rooted in our hearts and in our memories now and forever.

Mere is survived by her daughter and son-in-law, Patience and Charles Flick; her son, Richard; and her three loving grandchildren, Penny, Bonnie, and Willis Flick.

May God bless and keep Mary Caldwell Plumer in His bosom.

TERRORIST WATCH LIST LOOPHOLE

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, I rise today to call on my Republican colleagues to approve the Denying Firearms and Explosives to Dangerous Terrorists Act, which would prevent individuals on the terrorist watch list from buying weapons here in the U.S. This legislation has been blocked from coming to the floor for a vote nearly a dozen times over the past 2 weeks.

Most Americans find it mind-boggling that we continue to allow individuals deemed too dangerous to fly to buy weapons in the U.S., guns designed to kill as many people as possible, as quickly as possible.

Mr. Speaker, I urge my Republican colleagues to fix this loophole and protect our citizens, to find some courage and put the safety of the American people before the politics of the gun lobby.

Mr. Speaker, if Republicans truly have concerns over how the terrorist watch list is constructed, then they should offer an amendment to fix it. But more than 2,000 suspects on the terrorist watch list have already bought guns in our country. We don't need to add to that list. We need to act right now.

WEST VIRGINIA HIGH SCHOOL FOOTBALL

(Mr. MCKINLEY asked and was given permission to address the House for 1 minute.)

Mr. MCKINLEY. Mr. Speaker, I rise today to recognize the outstanding accomplishments of three West Virginia State football champions, all of which are from the First District of West Virginia: Head Coach Josh Nicewarner and the Indians of Bridgeport High School on their third straight Class AA championship title; and from Magnolia High School, Head Coach Josh Sims and the Blue Eagles on their single A championship title; and for the first time in school history, Chris Daugherty and the Wheeling Park Patriots on the Class AAA championship.

Now, Mr. Speaker, I am told by my astute research staff that, except for States with one Representative, this is the first time in American history that all three high school champions have come in a single year from one district. So I challenge my esteemed colleagues, Mr. JENKINS and Mr. MOONEY, from the other districts of West Virginia, to match that title next year.

INTERNATIONAL HUMAN RIGHTS DAY

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to commemorate International Human Rights Day.

This year we celebrate the 50th anniversary of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

Mr. Speaker, the United States of America was founded upon freedom, democracy, and liberty, and America must perform its role as an advocate and as a defender of these values.

Today, more than 140 prisoners of conscience are currently imprisoned in Vietnam due to their political views and activities. These activists are victims of constant mental and physical harassment and oftentimes are forced to endure unsanitary prison conditions.

Activists, including Tran Huynh Duy Thuc, Dang Xuan Dieu, and Ho Duc Hoa, were falsely tried and imprisoned simply for practicing their right to assemble.

This year, in November, Burma, a country known for its horrendous human rights record, held its first free election, yet Vietnam continues to function as a single-party system. Today, on International Human Rights Day, I urge Vietnam to finally open up its society and to empower its people.

TRIBUTE TO THOMAS GALLAGHER

(Mr. KATKO asked and was given permission to address the House for 1 minute.)

Mr. KATKO. Mr. Speaker, I rise today to pay tribute to the life of Thomas Gallagher, an honorable public servant who passed away earlier this week.

Following his service in the United States Air Force during the Korean war, Thomas earned an undergraduate and master's degree while simultaneously pursuing his career in law enforcement and raising a family.

Thomas joined the New York City Police Department in 1957 and went on to serve the city for 37 years, rising all the way to the rank of assistant chief.

Mr. Speaker, Thomas Gallagher was the son of Irish immigrants. From a very early age, he learned the importance of hard work and selfless dedication to his family and the community. Though he endured many tragedies in his life, including the loss of all three of his wives to various diseases, he never lost his zeal for life. He was often buoyed by the great pride he held for all three of his children, who rose to become great successes in law, business, and the Secret Service.

Thomas personifies the great American spirit. Not only did he persevere through trying times, he prospered. His was a life well lived, and I feel truly blessed to have known him and his great family.

May God now hold Thomas in the palm of His hand.

RECOGNIZING THE LIFE OF PROFESSOR JOHN ARTHUR RASSIAS

(Ms. KUSTER asked and was given permission to address the House for 1 minute.)

Ms. KUSTER. Mr. Speaker, today I rise to recognize the life of a truly extraordinary Granite Stater, Professor John Rassias, who passed away last week in New Hampshire at the age of 90.

Professor Rassias was a lifelong Granite Stater, a World War II veteran, and an internationally renowned language professor at my alma mater, Dartmouth College. He developed the Rassias method, a revolutionary way of teaching languages that includes rapid-fire drills and dramatic flair, allowing students to be immersed in the language and culture.

He was an extraordinary mentor. His teaching style has been widely adopted at universities and institutions around the world, including in the Peace Corps, where Dr. Rassias was the first director of language programs in 1964.

His legacy extends far beyond simply teaching language. Dr. Rassias' deep commitment to cultural dialogue and understanding shaped the perspective of countless students and inspired them to make the world a better place. He will be truly missed by the entire Granite State and members of the Dartmouth community throughout the world.

PINKY SWEAR FOUNDATION

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, the pinky swear promise is a universal symbol to keep one's promise and one's word. For the Pinky Swear Foundation, keeping that promise means helping children who are battling cancer and their families.

The foundation's work was actually started 12 years ago, after 9-year-old Mitch Chepokas of Chanhassen, Minnesota, had been diagnosed with terminal bone cancer and, while in his hospital room, overheard others discussing that there would not be enough money for Christmas that year.

Mitch decided that he would give away all of his money to those families so they could celebrate the holidays, and he made his father pinky swear to continue to make sure that they will help children with cancer after he was gone.

Today the Chepokas family has been joined by others in the community and around the country who have agreed to help keep this promise and help in the fight against cancer. The Pinky Swear Foundation has raised millions of dollars for different events for this cause.

Mr. Speaker, tomorrow is Pinky Swear Day and a great time to recognize the wonderful work of this foundation. Mitch's bravery, selflessness, and heart continue to live on to help others.

MAUI FAMILY SUPPORT SERVICES

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, for 35 years, Maui Family Support Services has been helping to build strong, healthy families on Maui, Molokai, and Lanai.

Last year alone, the organization assisted over 5,000 people in need, which included: making 4,466 home visits; helping 136 people access mental health, substance abuse, or domestic violence services; and providing developmental screenings for 953 children.

Additionally, thousands of people have gone through the organization's programs for early childhood development, teen substance abuse prevention, and fatherhood involvement, helping to build and strengthen local families and communities.

One in eight children in Hawaii lives in poverty, and it is organizations like Maui Family Support Services that play a critical role in making sure that our keiki and local families get the support and services they need.

Mr. Speaker, I want to say thank you to this great organization for the service that they have provided for over 35 years.

□ 1215

RECOGNIZING DANIEL LYONS

(Mr. REICHERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REICHERT. Mr. Speaker, you may know, and others may know, and may have heard about the wildfires that swept through central Washington this past summer, destroying many homes, lives, wildstock, and livestock across Washington State. Tragically, they also took the lives of three brave firefighters.

On August 19, 25-year-old Daniel Lyons, who is also a firefighter, was with his friends and partners, Richard Wheeler, Andrew Zajac, and Tom Zbyszewski, when their vehicle was overcome by flames. Daniel made it out of the fire truck alive but suffered burns over 60 percent of his body.

A few weeks ago, I had the opportunity to meet with Daniel. After he had spent 3 months undergoing treatment at Harborview Medical Center in Seattle, he has a positive attitude about life, and is excited about his opportunity to continue to serve.

This young man still wants to be a police officer. He lost his fingertips in this fire. He still believes that he—and I know he can do this, and I want to be there for him—can accomplish his goal of continuing to serve as a police officer in the State of Washington.

As a former cop of 33 years, I could not be more proud of Daniel. He is a real-life hero. I will always remember his friends and partners.

LET'S HAVE A MOMENT OF ACTION

(Ms. SPEIER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SPEIER. Mr. Speaker, Faisal Shahzad was already on the no-fly list when he attempted to bomb Times Square in May of 2010. If he had decided to walk into a gun store that day, he would have walked out with a gun in hand. Fortunately, Shahzad's bomb failed to go off. But had he, instead, purchased a military-style weapon that day, it could have been very different.

It is absolutely against common sense that suspected terrorists can walk into a gun store and purchase any firearm that they would like. They can't walk onto a plane, mind you, but they can purchase a military-style assault weapon and wreak havoc on a community.

Seventy-seven percent of the American people believe we should close this loophole. The Republicans have an option. A bill by their Republican colleague from New York (Mr. KING) would close that loophole.

I ask my colleagues on the Republican side to listen to Mr. KING and the American people and not to the NRA and the gun manufacturers. We have had enough moments of silence. For once, let's have a moment of action.

STUDENT VISA SECURITY IMPROVEMENT ACT

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, I rise today to discuss important legislation that will help keep our country safe.

In light of recent tragedies across the globe, our national security has been at the forefront of our minds. As elected officials, we have a responsibility to do everything we can to protect our Nation. That is why I reintroduced H.R. 4089, the Student Visa Security Improvement Act, to further address potential threats to our national security.

It is clear there are significant gaps of vulnerabilities that must be addressed in our student visa program. This bill would provide additional scrutiny for foreign students and exchange applicants, and put mechanisms into place to ensure students are in this country for their intended purpose, rather than to do us harm.

My legislation will safeguard our universities, communities, and our Nation. I urge my colleagues to support this very important piece of legislation.

CLOSE THE TERRORIST GUN LOOPHOLE

(Mr. HUFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUFFMAN. Mr. Speaker, yesterday, the House passed bipartisan legislation to better protect our Nation by making our Visa Waiver Program more rigorous. That is because we recognized, on a bipartisan basis, that legal loopholes that make Americans less safe must be closed.

Why can't we bring that same spirit to commonsense gun violence legislation? That is a rhetorical question because I think we all know that the gun manufacturing and sales industry and their puppet, the NRA, have a stranglehold on the Republican majority in this Congress that has kept Congress silent for years on this issue, but that silence will no longer be tolerated.

More than 2,000 suspects on the FBI terrorist watch list have legally purchased guns in the United States in recent years. Thankfully, one brave Republican has dared to confront the gun lobby by introducing a bill to close this loophole. I demand a vote on that bill.

Americans are tired of hearing thoughts and prayers in response to mass shootings. They are sick of our regularly scheduled moments of silence. Our silence has become the problem.

Americans want action to address the gun violence epidemic in this country. There is no better way to start than the bipartisan bill prohibiting suspected terrorists on the terrorist watch list from stockpiling assault weapons.

Let's have a vote on H.R. 1076. It is time to end Congress' shameful silence on this critical national security issue.

RECOGNIZING VALOR CHRISTIAN'S STATE CHAMPION FOOTBALL TEAM

(Mr. COFFMAN asked and was given permission to address the House for 1 minute.)

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the Valor Christian High School football team.

On Saturday night, the Eagles rallied to a 29–26 victory over Pomona to capture the State title for the sixth time in seven seasons.

The comeback victory achieved by the team is a testament to their character and tenacity. The players stood strong, and their victory in the final

minutes is a credit to the determination and commitment of the entire team and Coach Rod Sherman.

It is an honor to highlight the accomplishments of these young men, who finished the season 12–2 and established an impressive 30–1 playoff record.

I would also like to recognize the championship game MVP, junior quarterback Dylan McCaffrey, who led the team on two touchdown drives in the final minutes to win the comeback victory.

Again, congratulations to the Valor Christian High School football team on their impressive season.

GUN VIOLENCE

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, I rise today to stop the silence and to encourage and stress that my colleagues need to take action to expand background checks and to close the loopholes. I will continue to stand here and fight, and I will not be silent.

While many of my colleagues have spoken about the loophole that allows terrorist suspects to purchase guns, we have many other loopholes that present a danger to the safety of Americans and our homeland.

Since the enactment of the Brady Act in 1994, the law has stopped nearly 2.5 million guns from being transferred to individuals legally disqualified. However, despite the success of this law, it does not apply to 40 percent of all gun purchases.

Mr. Speaker, 92 percent of Americans favor universal background checks. It is well past time for us, as Congress, to reflect the will of the people that we represent, to pass legislation to expand background checks, and to close the loopholes.

Stop the silence. We must do what the people sent us here to do, and that is to take action.

HUMAN RIGHTS DAY

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, I rise today in honor of Human Rights Day.

Sixty-seven years ago today, December 10, 1948, the U.N. General Assembly proclaimed the Universal Declaration of Human Rights. The Universal Declaration set out a common understanding of the fundamental human rights that were to be universally protected.

Today, we recall the inalienable rights intrinsic to every human being. In many regions of the world, people continue to struggle to attain the most basic rights and respect for their basic human dignity. In several regions of the world, defenseless civilians face attacks by terrorist organizations and networks that seek to intimidate, maim, and kill in the name of a distorted theology.

I join my distinguished colleague from Massachusetts (Mr. MCGOVERN) and people everywhere in reaffirming our commitment to the fundamental rights and freedoms contained in the Universal Declaration, and urge all leaders to redouble their efforts to promote and guarantee them.

I also want to thank the human rights defenders everywhere, who so often carry out their work at great risk to themselves and their families.

NO GUNS FOR SUSPECTED TERRORISTS

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I come here today to speak about weapons of murder and terror.

Mr. Speaker, suspected terrorists should not be able to walk into a gun store and come out with weapons of murder and terror.

As Members of Congress, we have an obligation to keep American families safe. To not bring the bipartisan bill, H.R. 1076, to the floor for a vote is to deny us the opportunity to keep our families safer.

This bill, H.R. 1076, is sensible and straightforward. If you are a suspected terrorist, you should not be able to buy a gun. If you are a suspected terrorist, you should not, Mr. Speaker, be able to buy a gun. I will say it today and tomorrow and repeatedly: if you are a suspected terrorist, you should not be able to buy a gun. We should not have guns and weapons of murder and terror.

I will no longer be silent. Mr. Speaker, we should no longer be silent. Let's transcend partisan politics and uphold our promise to keep American families safe.

SAN BERNARDINO VICTIM, SHANNON JOHNSON

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Shannon Johnson.

On December 2, our country witnessed the worst terrorist attack on American soil since 9/11. On this horrific day in San Bernardino, California, 14 people were tragically killed.

Mr. Shannon Johnson was one of the people whose life was cut short that day. His friends and family say he enjoyed laughter, conversation, and music. He believed in the greatness of love, equality, and kindness, and treated others accordingly.

On December 2, Mr. Johnson, who was a native of Jesup, Georgia, in the First Congressional District, displayed the ultimate act of heroism and sacrifice by shielding fellow coworkers from a hail of bullets. His last words were: ''I got you.''

Mr. Johnson died a hero. My thoughts and prayers go out to his friends and family. I hope we may all recognize and never forget the acts of sacrifice that Mr. Johnson and others have made to protect the ones we love.

THANKS TO THE SPEAKER

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I would like to express my profound appreciation to the Speaker for his recent acknowledgement that he expects the James Zadroga 9/11 Health and Compensation Reauthorization Act to be part of the omnibus bill.

I thank Leader PELOSI for her steadfast commitment and leadership in support of this important lifesaving legislation.

I am grateful to every single Democratic Member of this Congress, all of whom are cosponsors of this important legislation, and the many Republicans who are sponsors of this bill. All of them have helped us to live up to our commitment that: ''We will never forget.''

Heroic first responders and survivors of 9/11—men and women from all 50 States and nearly every Congressional District—will now be able to breathe a little easier, and will certainly have a much happier holiday season when this bill is finally across the finish line. This is how Congress can, and should, work in a bipartisan way, doing the right thing more often.

Happy holidays and Happy New Year. Now, when do we vote on this important lifesaving legislation.

□ 1230

REESTABLISHING DIPLOMATIC RELATIONS WITH BELARUS

(Mr. ROHRABACHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHRABACHER. Mr. Speaker, I rise today to introduce a resolution calling for reestablishing full diplomatic relations between the United States and the nation of Belarus with the focus of exchanging ambassadors between our countries. This resolution recognizes that the Government of Belarus has reached out to the West and has improved political conditions in their own country.

For example, the Organization for Security Cooperation in Europe monitored the recent Presidential election

in Belarus and noted the progress made in establishing a more democratic and open system.

Another example of Belarus' positive action is that it played a significant role in bringing about a cease-fire in Ukraine. It did this by hosting immense diplomatic talks between all parties to the conflict. This was a major contribution toward restoring peace to that region.

Furthermore, on October 22 of this year, Belarus released all of its very few political prisoners.

In response, the European Union and the United States have temporarily lifted economic sanctions. Hopefully, that temporary suspension of economic sanctions will become permanent as Belarus continues to improve its standing.

Exchanging ambassadors, as my resolution calls for, is a major step forward in the right direction. I ask my colleagues to join me in supporting this resolution, which I will submit to the Congress right now.

COMMONSENSE GUN REFORM

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, I rise today because passing commonsense gun legislation should really not be a partisan issue. What our country needs is commonsense gun reform, but many in this Chamber won't even take the first step: taking guns out of the hands of terrorists.

Time and time again, Republicans have voted to block debate. Let me say that again: a debate. They won't even let us discuss Congressman PETER KING's Denying Firearms and Explosives to Dangerous Terrorists Act, otherwise known as H.R. 1076. That is simply outrageous. We should debate, yes, and we should vote up or down on this important bill.

This bill, which I am proud to cosponsor, would close a dangerous loophole that allows individuals on the government's no-fly list to legally purchase guns. Let me emphasize this. These are people who are deemed too dangerous to fly on planes, but they can and do purchase guns. If they are too dangerous to fly on an airplane, why aren't they too dangerous to have a weapon that fires 800 rounds per minute?

My Democratic colleagues and I remain committed to blocking dangerous individuals from buying guns, and we remain committed to stopping the senseless violence that has already taken too many lives in this country. It is past time to listen to the American people and not to the NRA.

REFORMING AMERICA'S EDUCATION SYSTEM

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, just a few minutes ago I returned from the White House, where President Barack Obama signed historic reforms for elementary and secondary education into law.

I was proud to serve on the conference committee that was responsible for settling the differences between the House and the Senate versions of the Every Student Succeeds Act, which has replaced No Child Left Behind.

This is legislation which has been years in the making and which will finally put the control of education back into the hands of our States, our schools, and, of course, our parents and teachers across the Nation.

It also calls for the U.S. Department of Education to study how title I funds are distributed. I have long been concerned that children are put at a disadvantage based on the populations of their school districts rather than on a concentration of poverty. I am hopeful that this study will make the argument for a more equitable method of distributing these funds to areas that are deeply affected by poverty.

This is a bill that I believe will make a real difference for students across the Nation. I was proud to see it gain overwhelming bipartisan support in both the House and the Senate.

AMERICA'S GUN VIOLENCE EPIDEMIC

(Mr. JEFFRIES asked and was given permission to address the House for 1 minute.)

Mr. JEFFRIES. Mr. Speaker, we were elected to protect and serve the American people against all enemies, foreign and domestic. One of the best ways that we can uphold this sacred duty is to deal with the gun violence epidemic that we have in America, which claims the lives of more than 11,000 people each year.

One of the things that we should be doing is passing legislation to prevent individuals who are on the FBI's terrorist watch list, because they are suspected terrorists, from being able to purchase guns. To me, this seems to be a no-brainer.

If you are not able to fly because you are a suspected terrorist, you should not be able to purchase an AK–47, an AR–15, or another weapon of mass destruction which is not used to hunt deer, but is used to hunt human beings.

It is time for House Republicans to stop functioning as wholly owned subsidiaries of the NRA. It is time to cut the puppet strings from the gun lobby. It is time to do the business of the American people and pass sensible gun violence prevention legislation.

EVERY STUDENT SUCCEEDS ACT IS NOW LAW

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, I applaud the enactment of the Every Student Succeeds Act.

This legislation passed the House and the Senate with overwhelming bipartisan support and was signed into law today by the President. Education is not a partisan issue. At a time of political gridlock, I am proud to see both bodies and both parties come together to improve our education system.

The Every Student Succeeds Act repeals No Child Left Behind, gets rid of 49 wasteful and ineffective programs, and eliminates the Secretary of Education's coercion of States into adopting Common Core standards.

Most importantly, this legislation gets Washington out of our local classrooms and it restores control back to the school districts, teachers, and parents. These are the folks who know what our children need to succeed, not bureaucrats who are thousands of miles away.

As the son of two educators, I know that the future of Georgia's 12th District education system belongs in Georgia, not in Washington. As a member of the House Education and the Workforce Committee, I am proud to see the Every Student Succeeds Act as the law of the land.

UPHOLDING THE SECOND AMENDMENT

(Mr. YOUNG of Alaska asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, given the challenges we face today with the economy and the labor force, I have watched since December 2 so much dishonesty on this floor concerning the actions on December 2 and the ability for terrorists to purchase weapons automatically.

FBI Director James Comey told the Senate Judiciary Committee that every time someone buys a weapon it is run through the FBI and they are notified if someone is on the no-fly list.

I am a little concerned with the other side of the aisle as they keep talking about having to protect our public when, in turn, they are taking away the Constitution of our Nation.

If the FBI is sent this information, it is reviewed. If the terrorists are actually buying weapons and walking the streets, they should be arrested, but they are not.

You can get on the no-fly list. I personally have been on the no-fly list. It took me 6 months to get off of it. They didn't tell me who put me on it, why I was put on it, and what it was the result from. Six months.

Yes, I am an NRA board member. But to have people say that terrorists are running around buying guns is an outright lie. I will say that on the floor. It is not true. It is part of the Constitution. We should uphold the Constitution.

When coming into office, I swore to uphold the Constitution. What they are talking about doing is against the Constitution. I will fight until my dying breath to make sure that we have the ability to retain the Second Amendment.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 10, 2015.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 10, 2015 at 9:15 a.m.:

That the Senate passed with an amendment H.R. 2820.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 39 minutes p.m.), the House stood in recess.

□ 1445

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LOUDERMILK) at 2 o'clock and 48 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

SECURING FAIRNESS IN REGULATORY TIMING ACT OF 2015

Mr. TIBERI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3831) to amend title XVIII of the Social Security Act to extend the annual comment period for payment rates under Medicare Advantage, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3831

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Securing Fairness in Regulatory Timing Act of 2015''.

SEC. 2. EXTENDING THE ANNUAL COMMENT PERIOD FOR PAYMENT RATES UNDER MEDICARE ADVANTAGE.

Section 1853(b)(2) of the Social Security Act (42 U.S.C. 1395w–23(b)(2)) is amended—

(1) by inserting ''(or, in 2017 and each subsequent year, at least 60 days)'' after ''45 days''; and

(2) by inserting ''(in 2017 and each subsequent year, of no less than 30 days)'' after ''opportunity''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. TIBERI) and the gentleman from California (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. TIBERI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in support of H.R. 3831, the Securing Fairness in Regulatory Timing Act of 2015. This is a small but really important piece of legislation. I am pleased to have the gentleman from California (Mr. THOMPSON), my friend, here to discuss this important measure.

The House passed this measure earlier this year, in June, by unanimous consent. Now, we return to the bill to add the technical corrections asked for by the Centers for Medicare and Medicaid Services and the Senate so we can send this bill to the President's desk before the end of the year.

Today, the Medicare Advantage program, known by many as the MA program, serves more than 16 million seniors across the United States of America, including my mom and dad. Enrollment has increased more than threefold in the past 10 years and is expected to nearly double in the next 10 years.

To ensure that seniors in MA plans across the country are able to continue to receive the high-quality care that they deserve, CMS is expected to pay about $156 billion to more than 3,600 MA plans this year alone. That amounts to nearly 30 percent of overall Medicare spending.

Typically, every year CMS sends out what it calls a rate notice to plans and Medicare Advantage companies that details the various payment rates, as well as benefit changes that the agency intends to make for the following plan year that impacts people like my mom and dad. This notice follows the standard process of a draft notice. It gets published; then the public has a certain amount of time to submit comments and questions; and then the agency publishes a final notice based on that feedback that they receive.

However, MA and Part D aren't treated the same as the other major payment systems within Medicare itself. Right now, the current process takes about 45 days, but only 15 of those days are allotted for the commenting portion; 15 days for thousands of plans, millions of stakeholders to submit comments on proposed changes to a program that amounts to one-third of all Medicare spending.

I could almost understand this if the rate notice were a short and concise document, if it were easy to understand and simple to implement. But it is not. In fact, the rate notice has grown from around 16 pages in 2006 to nearly 150 pages this year. That is over a 900 percent increase. All the while, the time for the public comment period has remained static, exactly the same.

This means less and less time for the plans and Congress to conduct the necessary review in order to provide CMS with the kind of feedback that would better help the agency assess the impact of their proposed changes to consumers. This is important because without accurate feedback, CMS could inadvertently move forward with a proposed change to the Medicare Advantage program that might negatively impact those seniors—again, like my mom and dad—who depend on these plans for access to their providers, to their doctors.

The legislation before us is simple, and it is straightforward. It extends the public notice period from 45 days to 60 days. Therefore, it would double the extension of the comment period from 15 days to 30 days. This is a commonsense, good-government fix we can make that will give plans more time to understand the changes that CMS proposes and other constructive feedback in order to make the Medicare Advantage program, overall, more responsive to senior citizens' needs.

I encourage my colleagues on both sides of the aisle to pass this legislation again and send it to the Senate so we can get it to the President's desk.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMPSON of California. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3831, the Securing Fairness in Regulatory Timing Act of 2015. Every year, the Centers for Medicare and Medicaid Services publishes its Medicare Advantage call letter and rate notice, which outlines payment rates and changes for the nearly 2,000 plans that serve our most vulnerable population.

Nearly 10 years ago, the call letter and rate notice were less than 20 pages long. However, since then, enrollment in Medicare Advantage has nearly tripled, from 5.4 million to 16 million.

Medicare Advantage policies have become more complex, and the call letter and rate notice has grown nearly tenfold, sometimes up to over 200 pages long.

At the same time, the time between the publishing of these draft notices and the final notices, which is currently 45 days, has remained unchanged. During this 45-day period, in which there are only 15 days to comment on the proposed changes in the program, plans, stockholders, members, and staff, are expected to review 150 pages of regulatory changes and understand the impacts of those proposed policy changes on a program that provides essential medical care to over a third of Medicare beneficiaries.

We know from our experience, every February and March, that this does not lend itself to an efficient, effective, nor transparent process. Moreover, it shortchanges CMS of thoughtful, constructive feedback that is necessary to improve a program that our seniors enjoy and rely on.

H.R. 3831 is a simple, straightforward bill that will improve the current process by expanding the cycle from 45 to 60 days, and that gives plans, stakeholders, Members, and our staff 30 full days—double the current time allowed—to analyze and provide feedback on the draft call letter and rate notice.

This is a no-cost, good-government, bipartisan bill that will make the process more transparent, fair, and advantageous for the beneficiaries we serve. As my good friend from Ohio pointed out, we have already passed this bill. It is only coming back for some technical changes. I would ask, and strongly recommend, that all our colleagues vote in favor of this bill so we can pass it to the Senate and get on with our work.

Mr. Speaker, I yield back the balance of my time.

GENERAL LEAVE

Mr. TIBERI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3831, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TIBERI. Mr. Speaker, just to close, I agree 100 percent with my friend from California. I urge all our colleagues to support this important piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TIBERI) that the House suspend the rules and pass the bill, H.R. 3831, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SURFACE TRANSPORTATION BOARD REAUTHORIZATION ACT OF 2015

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 808) to establish the Surface Transportation Board as an independent establishment, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 808

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Surface Transportation Board Reauthorization Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to title 49, United States Code.
Sec. 3. Establishment of Surface Transportation Board as an independent establishment.
Sec. 4. Surface Transportation Board membership.
Sec. 5. Nonpublic collaborative discussions.
Sec. 6. Reports.
Sec. 7. Authorization of appropriations.
Sec. 8. Agent in the District of Columbia.
Sec. 9. Department of Transportation Inspector General authority.
Sec. 10. Amendment to table of sections.
Sec. 11. Procedures for rate cases.
Sec. 12. Investigative authority.
Sec. 13. Arbitration of certain rail rates and practices disputes.
Sec. 14. Effect of proposals for rates from multiple origins and destinations.
Sec. 15. Reports.
Sec. 16. Criteria.
Sec. 17. Construction.

SEC. 2. REFERENCES TO TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 3. ESTABLISHMENT OF SURFACE TRANSPORTATION BOARD AS AN INDEPENDENT ESTABLISHMENT.

(a) REDESIGNATION OF CHAPTER 7 OF TITLE 49, UNITED STATES CODE.—Title 49 is amended—

(1) by moving chapter 7 after chapter 11 in subtitle II;

(2) by redesignating chapter 7 as chapter 13;

(3) by redesignating sections 701 through 706 as sections 1301 through 1306, respectively;

(4) by striking sections 725 and 727;

(5) by redesignating sections 721 through 724 as sections 1321 through 1324, respectively; and

(6) by redesignating section 726 as section 1325.

(b) INDEPENDENT ESTABLISHMENT.—Section 1301, as redesignated by subsection (a)(3), is amended by striking subsection (a) and inserting the following:

''(a) ESTABLISHMENT.—The Surface Transportation Board is an independent establishment of the United States Government.''.

(c) CONFORMING AMENDMENTS.—

(1) ADMINISTRATIVE PROVISIONS.—Section 1303, as redesignated by subsection (a)(3), is amended—

(A) by striking subsections (a), (c), (f), and (g);

(B) by redesignating subsections (b), (d), and (e) as subsections (a), (b), and (c), respectively; and

(C) by adding at the end the following:

''(d) SUBMISSION OF CERTAIN DOCUMENTS TO CONGRESS.—

''(1) IN GENERAL.—If the Board submits any budget estimate, budget request, supplemental budget estimate, or other budget information, legislative recommendation, prepared testimony for a congressional hearing, or comment on legislation to the President or to the Office of Management and Budget, the Board shall concurrently submit a copy of such document to—

''(A) the Committee on Commerce, Science, and Transportation of the Senate; and

''(B) the Committee on Transportation and Infrastructure of the House of Representatives.

''(2) NO APPROVAL REQUIRED.—No officer or agency of the United States has any authority to require the Board to submit budget estimates or requests, legislative recommendations, prepared testimony for congressional hearings, or comments on legislation to any officer or agency of the United States for approval, comments, or review before submitting such recommendations, testimony, or comments to Congress.''.

SEC. 4. SURFACE TRANSPORTATION BOARD MEMBERSHIP.

(a) IN GENERAL.—Section 1301(b), as redesignated by subsection 3(a), is amended—

(1) in paragraph (1)—

(A) by striking ''3 members'' and inserting ''5 members''; and

(B) by striking ''2 members'' and inserting ''3 members''; and

(2) by striking paragraph (2) and inserting the following:

''(2) At all times—

''(A) at least 3 members of the Board shall be individuals with professional standing and demonstrated knowledge in the fields of transportation, transportation regulation, or economic regulation; and

''(B) at least 2 members shall be individuals with professional or business experience (including agriculture) in the private sector.''.

(b) REPEAL OF OBSOLETE PROVISION.—Section 1301(b), as amended by this section, is further amended—

(1) by striking paragraph (4);

(2) by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively; and

(3) in paragraph (4), as redesignated, by striking ''who becomes a member of the Board pursuant to paragraph (4), or an individual''.

SEC. 5. NONPUBLIC COLLABORATIVE DISCUSSIONS.

Section 1303(a), as redesignated by subsections (a) and (c) of section 3, is amended to read as follows:

''(a) OPEN MEETINGS.—

''(1) IN GENERAL.—The Board shall be deemed to be an agency for purposes of section 552b of title 5.

''(2) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

''(A) IN GENERAL.—Notwithstanding section 552b of title 5, a majority of the members may hold a meeting that is not open to public observation to discuss official agency business if—

''(i) no formal or informal vote or other official agency action is taken at the meeting;

''(ii) each individual present at the meeting is a member or an employee of the Board; and

''(iii) the General Counsel of the Board is present at the meeting.

''(B) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—Except as provided under subparagraph (C), not later than 2 business days after the conclusion of a meeting under subparagraph (A), the Board shall make available to the public, in a place easily accessible to the public—

''(i) a list of the individuals present at the meeting; and

''(ii) a summary of the matters discussed at the meeting, except for any matters the Board properly determines may be withheld from the public under section 552b(c) of title 5.

''(C) SUMMARY.—If the Board properly determines matters may be withheld from the public under section 555b(c) of title 5, the Board shall provide a summary with as much general information as possible on those matters withheld from the public.

''(D) ONGOING PROCEEDINGS.—If a discussion under subparagraph (A) directly relates to an ongoing proceeding before the Board, the Board shall make the disclosure under subparagraph (B) on the date of the final Board decision.

''(E) PRESERVATION OF OPEN MEETINGS REQUIREMENTS FOR AGENCY ACTION.—Nothing in this paragraph may be construed to limit the applicability of section 552b of title 5 with respect to a meeting of the members other than that described in this paragraph.

''(F) STATUTORY CONSTRUCTION.—Nothing in this paragraph may be construed—

''(i) to limit the applicability of section 552b of title 5 with respect to any information which is proposed to be withheld from the public under subparagraph (B)(ii); or

''(ii) to authorize the Board to withhold from any individual any record that is accessible to that individual under section 552a of title 5, United States Code.''.

SEC. 6. REPORTS.

(a) REPORTS.—Section 1304, as amended by section 3, is further amended—

(1) by striking the section heading and inserting the following:

''§ 1304. Reports'';

(2) by inserting ''(a) ANNUAL REPORT.—'' before ''The Board'';

(3) by striking ''on its activities.'' and inserting ''on its activities, including each instance in which the Board has initiated an investigation on its own initiative under this chapter or subtitle IV.''; and

(4) by adding at the end the following:

''(b) RATE CASE REVIEW METRICS.—

''(1) QUARTERLY REPORTS.—The Board shall post a quarterly report of rail rate review cases pending or completed by the Board during the previous quarter that includes—

''(A) summary information of the case, including the docket number, case name, commodity or commodities involved, and rate review guideline or guidelines used;

''(B) the date on which the rate review proceeding began;

''(C) the date for the completion of discovery;

''(D) the date for the completion of the evidentiary record;

''(E) the date for the submission of closing briefs;

''(F) the date on which the Board issued the final decision; and

''(G) a brief summary of the final decision;

''(2) WEBSITE POSTING.—Each quarterly report shall be posted on the Board's public website.''.

(b) COMPILATION OF COMPLAINTS AT SURFACE TRANSPORTATION BOARD.—

(1) IN GENERAL.—Section 1304, as amended by subsection (a), is further amended by adding at the end the following:

''(c) COMPLAINTS.—

''(1) IN GENERAL.—The Board shall establish and maintain a database of complaints received by the Board.

''(2) QUARTERLY REPORTS.—The Board shall post a quarterly report of formal and informal service complaints received by the Board during the previous quarter that includes—

''(A) the date on which the complaint was received by the Board;

''(B) a list of the type of each complaint;

''(C) the geographic region of each complaint; and

''(D) the resolution of each complaint, if appropriate.

''(3) WRITTEN CONSENT.—The quarterly report may identify a complainant that submitted an informal complaint only upon the written consent of the complainant.

''(4) WEBSITE POSTING.—Each quarterly report shall be posted on the Board's public website.''.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

Section 1305, as redesignated by section 3, is amended by striking paragraphs (1) through (3) and inserting the following:

''(1) $33,000,000 for fiscal year 2016;

''(2) $35,000,000 for fiscal year 2017;

''(3) $35,500,000 for fiscal year 2018;

''(4) $35,500,000 for fiscal year 2019; and

''(5) $36,000,000 for fiscal year 2020.''.

SEC. 8. AGENT IN THE DISTRICT OF COLUMBIA.

(a) DESIGNATION OF AGENT AND SERVICE OF NOTICE.—Section 1323, as redesignated by section 3(a), is amended—

(1) in subsection (a), by striking ''in the District of Columbia,''; and

(2) in subsection (c), by striking ''in the District of Columbia''.

(b) SERVICE OF PROCESS IN COURT PROCEEDINGS.—Section 1324(a), as redesignated by section 3(a), is amended by striking ''in the District of Columbia'' each place such phrase appears.

SEC. 9. DEPARTMENT OF TRANSPORTATION INSPECTOR GENERAL AUTHORITY.

Subchapter II of chapter 13, as redesignated by section 3(a)(2), is amended by inserting after section 1325, as redesignated by section 3(a)(6), the following:

''§ 1326. Authority of the Inspector General

''(a) IN GENERAL.—The Inspector General of the Department of Transportation, in accordance with the mission of the Inspector General to prevent and detect fraud and abuse, shall have authority to review only the financial management, property management, and business operations of the Surface Transportation Board, including internal accounting and administrative control systems, to determine the Board's compliance with applicable Federal laws, rules, and regulations.

''(b) DUTIES.—In carrying out this section, the Inspector General shall—

''(1) keep the Chairman of the Board, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives fully and currently informed about problems relating to administration of the internal accounting and administrative control systems of the Board;

''(2) issue findings and recommendations for actions to address the problems referred to in paragraph (1); and

''(3) submit periodic reports to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives that describe any progress made in implementing actions to address the problems referred to in paragraph (1).

''(c) ACCESS TO INFORMATION.—In carrying out this section, the Inspector General may exercise authorities granted to the Inspector General under subsections (a) and (b) of section 6 of the Inspector General Act of 1978 (5 U.S.C. App.).

''(d) AUTHORIZATION OF APPROPRIATIONS.—

''(1) FUNDING.—There are authorized to be appropriated to the Secretary of Transportation for use by the Inspector General of the Department of Transportation such sums as may be necessary to cover expenses associated with activities pursuant to the authority exercised under this section.

''(2) REIMBURSABLE AGREEMENT.—In the absence of an appropriation under this subsection for an expense referred to in paragraph (1), the Inspector General and the Board shall have a reimbursement agreement to cover such expense.''.

SEC. 10. AMENDMENT TO TABLE OF SECTIONS.

The table of sections for chapter 13, as redesignated by section 3(a), is amended to read as follows:

''CHAPTER 13—SURFACE TRANSPORTATION BOARD

''I—ESTABLISHMENT

''Sec.
''1301. Establishment of Board
''1302. Functions.
''1303. Administrative provisions.
''1304. Reports.
''1305. Authorization of appropriations.
''1306. Reporting official action.

''II—ADMINISTRATIVE

''1321. Powers.
''1322. Board action.
''1323. Service of notice in Board proceedings.
''1324. Service of process in court proceedings.
''1325. Railroad-Shipper Transportation Advisory Council.
''1326. Authority of the Inspector General.''.

SEC. 11. PROCEDURES FOR RATE CASES.

(a) SIMPLIFIED PROCEDURE.—Section 10701(d)(3) is amended to read as follows:

''(3) The Board shall maintain 1 or more simplified and expedited methods for determining the reasonableness of challenged rates in those cases in which a full stand-alone cost presentation is too costly, given the value of the case.''.

(b) EXPEDITED HANDLING; RATE REVIEW TIMELINES.—Section 10704(d) is amended—

(1) by striking ''(d) Within 9 months'' and all that follows through ''railroad rates.'' and inserting the following:

''(d)(1) The Board shall maintain procedures to ensure the expeditious handling of challenges to the reasonableness of railroad rates.''; and

(2) by adding at the end the following:

''(2)(A) Except as provided under subparagraph (B), in a stand-alone cost rate challenge, the Board shall comply with the following timeline:

''(i) Discovery shall be completed not later than 150 days after the date on which the challenge is initiated.

''(ii) The development of the evidentiary record shall be completed not later than 155 days after the date on which discovery is completed under clause (i).

''(iii) The closing brief shall be submitted not later than 60 days after the date on

which the development of the evidentiary record is completed under clause (ii).

''(iv) A final Board decision shall be issued not later than 180 days after the date on which the evidentiary record is completed under clause (ii).

''(B) The Board may extend a timeline under subparagraph (A) after a request from any party or in the interest of due process.''.

(c) PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Surface Transportation Board shall initiate a proceeding to assess procedures that are available to parties in litigation before courts to expedite such litigation and the potential application of any such procedures to rate cases.

(d) EXPIRED RAIL SERVICE CONTRACT LIMITATION.—Section 10709 is amended by striking subsection (h).

SEC. 12. INVESTIGATIVE AUTHORITY.

(a) AUTHORITY TO INITIATE INVESTIGATIONS.—Section 11701(a) is amended—

(1) by striking ''only on complaint'' and inserting ''on the Board's own initiative or upon receiving a complaint pursuant to subsection (b)''; and

(2) by adding at the end the following: ''If the Board finds a violation of this part in a proceeding brought on its own initiative, any remedy from such proceeding may only be applied prospectively.''.

(b) LIMITATIONS ON INVESTIGATIONS OF THE BOARD'S INITIATIVE.—Section 11701, as amended by subsection (a), is further amended by adding at the end the following:

''(d) In any investigation commenced on the Board's own initiative, the Board shall—

''(1) not later than 30 days after initiating the investigation, provide written notice to the parties under investigation, which shall state the basis for such investigation;

''(2) only investigate issues that are of national or regional significance;

''(3) permit the parties under investigation to file a written statement describing any or all facts and circumstances concerning a matter which may be the subject of such investigation;

''(4) make available to the parties under investigation and Board members—

''(A) any recommendations made as a result of the investigation; and

''(B) a summary of the findings that support such recommendations;

''(5) to the extent practicable, separate the investigative and decisionmaking functions of staff;

''(6) dismiss any investigation that is not concluded by the Board with administrative finality within 1 year after the date on which it was commenced; and

''(7) not later than 90 days after receiving the recommendations and summary of findings under paragraph (4)—

''(A) dismiss the investigation if no further action is warranted; or

''(B) initiate a proceeding to determine if a provision under this part has been violated.

''(e)(1) Any parties to an investigation against whom a violation is found as a result of an investigation begun on the Board's own initiative may, not later than 60 days after the date of the order of the Board finding such a violation, institute an action in the United States court of appeals for the appropriate judicial circuit for de novo review of such order in accordance with chapter 7 of title 5.

''(2) The court—

''(A) shall have jurisdiction to enter a judgment affirming, modifying, or setting aside, in whole or in part, the order of the Board; and

''(B) may remand the proceeding to the Board for such further action as the court may direct.''.

(c) RULEMAKINGS FOR INVESTIGATIONS OF THE BOARD'S INITIATIVE.—Not later than 1 year after the date of the enactment of this Act, the Board shall issue rules, after notice and comment rulemaking, for investigations commenced on its own initiative that—

(1) comply with the requirements of section 11701(d) of title 49, United States Code, as added by subsection (b);

(2) satisfy due process requirements; and

(3) take into account ex parte constraints.

SEC. 13. ARBITRATION OF CERTAIN RAIL RATES AND PRACTICES DISPUTES.

(a) IN GENERAL.—Chapter 117 is amended by adding at the end the following:

''§ 11708. Voluntary arbitration of certain rail rates and practices disputes

''(a) IN GENERAL.—Not later than 1 year after the date of the enactment of the Surface Transportation Board Reauthorization Act of 2015, the Board shall promulgate regulations to establish a voluntary and binding arbitration process to resolve rail rate and practice complaints subject to the jurisdiction of the Board.

''(b) COVERED DISPUTES.—The voluntary and binding arbitration process established pursuant to subsection (a)—

''(1) shall apply to disputes involving—

''(A) rates, demurrage, accessorial charges, misrouting, or mishandling of rail cars; or

''(B) a carrier's published rules and practices as applied to particular rail transportation;

''(2) shall not apply to disputes—

''(A) to obtain the grant, denial, stay, or revocation of any license, authorization, or exemption;

''(B) to prescribe for the future any conduct, rules, or results of general, industry-wide applicability;

''(C) to enforce a labor protective condition; or

''(D) that are solely between 2 or more rail carriers; and

''(3) shall not prevent parties from independently seeking or utilizing private arbitration services to resolve any disputes the parties may have.

''(c) ARBITRATION PROCEDURES.—

''(1) IN GENERAL.—The Board—

''(A) may make the voluntary and binding arbitration process established pursuant to subsection (a) available only to the relevant parties;

''(B) may make the voluntary and binding arbitration process available only—

''(i) after receiving the written consent to arbitrate from all relevant parties; and

''(ii)(I) after the filing of a written complaint; or

''(II) through other procedures adopted by the Board in a rulemaking proceeding;

''(C) with respect to rate disputes, may make the voluntary and binding arbitration process available only to the relevant parties if the rail carrier has market dominance (as determined under section 10707); and

''(D) may initiate the voluntary and binding arbitration process not later than 40 days after the date on which a written complaint is filed or through other procedures adopted by the Board in a rulemaking proceeding.

''(2) LIMITATION.—Initiation of the voluntary and binding arbitration process shall preclude the Board from separately reviewing a complaint or dispute related to the same rail rate or practice in a covered dispute involving the same parties.

''(3) RATES.—In resolving a covered dispute involving the reasonableness of a rail carrier's rates, the arbitrator or panel of arbitrators, as applicable, shall consider the Board's methodologies for setting maximum lawful rates, giving due consideration to the need for differential pricing to permit a rail carrier to collect adequate revenues (as determined under section 10704(a)(2)).

''(d) ARBITRATION DECISIONS.—Any decision reached in an arbitration process under this section—

''(1) shall be consistent with sound principles of rail regulation economics;

''(2) shall be in writing;

''(3) shall contain findings of fact and conclusions;

''(4) shall be binding upon the parties; and

''(5) shall not have any precedential effect in any other or subsequent arbitration dispute.

''(e) TIMELINES.—

''(1) SELECTION.—An arbitrator or panel of arbitrators shall be selected not later than 14 days after the date of the Board's decision to initiate arbitration.

''(2) EVIDENTIARY PROCESS.—The evidentiary process of the voluntary and binding arbitration process shall be completed not later than 90 days after the date on which the arbitration process is initiated unless—

''(A) a party requests an extension; and

''(B) the arbitrator or panel of arbitrators, as applicable, grants such extension request.

''(3) DECISION.—The arbitrator or panel of arbitrators, as applicable, shall issue a decision not later than 30 days after the date on which the evidentiary record is closed.

''(4) EXTENSIONS.—The Board may extend any of the timelines under this subsection upon the agreement of all parties in the dispute.

''(f) ARBITRATORS.—

''(1) IN GENERAL.—Unless otherwise agreed by all of the parties, an arbitration under this section shall be conducted by an arbitrator or panel of arbitrators, which shall be selected from a roster, maintained by the Board, of persons with rail transportation, economic regulation, professional or business experience, including agriculture, in the private sector.

''(2) INDEPENDENCE.—In an arbitration under this section, the arbitrators shall perform their duties with diligence, good faith, and in a manner consistent with the requirements of impartiality and independence.

''(3) SELECTION.—

''(A) IN GENERAL.—If the parties cannot mutually agree on an arbitrator, or the lead arbitrator of a panel of arbitrators, the parties shall select the arbitrator or lead arbitrator from the roster by alternately striking names from the roster until only 1 name remains meeting the criteria set forth in paragraph (1).

''(B) PANEL OF ARBITRATORS.—If the parties agree to select a panel of arbitrators, instead of a single arbitrator, the panel shall be selected under this subsection as follows:

''(i) The parties to a dispute may mutually select 1 arbitrator from the roster to serve as the lead arbitrator of the panel of arbitrators.

''(ii) If the parties cannot mutually agree on a lead arbitrator, the parties shall select a lead arbitrator using the process described in subparagraph (A).

''(iii) In addition to the lead arbitrator selected under this subparagraph, each party to a dispute shall select 1 additional arbitrator from the roster, regardless of whether the other party struck out the arbitrator's name under subparagraph (A).

''(4) COST.—The parties shall share the costs incurred by the Board and arbitrators

equally, with each party responsible for paying its own legal and other associated arbitration costs.

''(g) RELIEF.—

''(1) IN GENERAL.—Subject to the limitations set forth in paragraphs (2) and (3), an arbitral decision under this section may award the payment of damages or rate prescriptive relief.

''(2) PRACTICE DISPUTES.—The damage award for practice disputes may not exceed $2,000,000.

''(3) RATE DISPUTES.—

''(A) MONETARY LIMIT.—The damage award for rate disputes, including any rate prescription, may not exceed $25,000,000.

''(B) TIME LIMIT.—Any rate prescription shall be limited to not longer than 5 years from the date of the arbitral decision.

''(h) BOARD REVIEW.—If a party appeals a decision under this section to the Board, the Board may review the decision under this section to determine if—

''(1) the decision is consistent with sound principles of rail regulation economics;

''(2) a clear abuse of arbitral authority or discretion occurred;

''(3) the decision directly contravenes statutory authority; or

''(4) the award limitation under subsection (g) was violated.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 117 is amended by adding at the end the following:

''11708. Voluntary arbitration of certain rail rates and practice disputes.''.

SEC. 14. EFFECT OF PROPOSALS FOR RATES FROM MULTIPLE ORIGINS AND DESTINATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study of rail transportation contract proposals containing multiple origin-to-destination movements.

(b) REPORT.—Not later than 1 year after commencing the study required under subsection (a), the Comptroller General shall submit a report containing the results of the study to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 15. REPORTS.

(a) REPORT ON RATE CASE METHODOLOGY.—Not later than 1 year after the date of the enactment of this Act, the Surface Transportation Board shall submit a report to the congressional committees referred to in section 14(b) that—

(1) indicates whether current large rate case methodologies are sufficient, not unduly complex, and cost effective;

(2) indicates whether alternative methodologies exist, or could be developed, to streamline, expedite, and address the complexity of large rate cases; and

(3) only includes alternative methodologies, which exist or could be developed, that are consistent with sound economic principles.

(b) QUARTERLY REPORTS.—Beginning not later than 60 days after the date of the enactment of this Act, the Surface Transportation Board shall submit quarterly reports to the congressional committees referred to in section 14(b) that describes the Surface Transportation Board's progress toward addressing the issues raised in each unfinished regulatory proceeding, regardless of whether the proceeding is subject to a statutory or regulatory deadline.

SEC. 16. CRITERIA.

Section 10704(a)(2) is amended by inserting ''for the infrastructure and investment needed to meet the present and future demand for rail services and'' after ''management,''.

SEC. 17. CONSTRUCTION.

Nothing in this Act may be construed to affect any suit commenced by or against the Surface Transportation Board, or any proceeding or challenge pending before the Surface Transportation Board, before the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Massachusetts (Mr. CAPUANO) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on S. 808.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SHUSTER. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DENHAM), the chairman of the Subcommittee on Railroads, Pipelines, and Hazardous Materials.

Mr. DENHAM. Mr. Speaker, I thank the chairman for giving me time to speak on the Surface Transportation Board Reauthorization Act of 2015.

This is an important piece of legislation that will reform the STB to work more efficiently to better regulate the railroads. This year is the 35th anniversary of the passage of the Staggers Rail Act of 1980, which saved the railroad industry from bankruptcy.

Earlier this year, my subcommittee held a hearing on the successes of the railroad deregulation. We heard how railroads were freed to act more like true businesses by charging market-driven rates and being able to right-size their operations along rail lines, which made economic sense.

This deregulation effort culminated in the creation of the STB in the Interstate Commerce Commission Termination Act of 1995. The STB is a small but significant agency that conducts the economic regulation of the railroads and has not been reauthorized since its creation.

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The bill we consider today would streamline and simplify regulatory activities, a hallmark of this Congress.

While the STB has successfully overseen a stronger railroad industry, this bill will help the rail industry better serve its customers:

First, it streamlines dispute resolution procedures and sets hard deadlines for completion of rate cases to reduce litigation costs;

Second, it provides greater transparency into complaints received by the STB and requires enhanced reporting by the agency;

Third, it rejects Big Government re-regulatory action that has been proposed in the past. Instead, it makes necessary reforms to the agency to improve its processes and procedures;

Finally, the bill has broad support from shipper groups across the country, including the National Grain and Feed Association, the American Chemistry Council, The Fertilizer Institute, and the American Farm Bureau Federation.

I am pleased to stand here today and support the STB Reauthorization Act. It is only fitting that we are considering this bill just over 35 years since Congress passed the Staggers Rail Act, which allowed the railroads to thrive. I believe this bill will continue to make the STB and the rail industry better for the Nation's rail shippers, and I urge my colleagues to support this critical legislation.

Mr. CAPUANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am getting sick and tired of agreeing with my colleagues. This is the way transportation issues are supposed to be: bipartisan, thoughtful, and relatively easy to pass.

Mr. Speaker, I rise to support S. 808, which reauthorizes the STB, as you have already heard. This Board has not been reauthorized since it was created by the Interstate Commerce Commission Termination Act of 1995. That is ridiculous. It is about time we do it, and I am happy that I am here today to participate in that.

For those who don't know, the Surface Transportation Board is currently a three-member, bipartisan agency within the Department of Transportation. They have regulatory jurisdiction over the rates freight railroads charge their customers, mergers between railroad companies, new rail line construction, abandonment and conversion of existing rail lines, and other such matters.

Though an agency very few Americans know about, the STB has a profound impact on the availability and cost of goods across our Nation. This bill makes a number of commonsense reforms to the Board.

It establishes the STB as an independent entity, rather than as part of the Department of Transportation, and expands Board membership from three to five. I know that sounds like a small matter, but by doing so, it allows members to actually talk to each other without breaking certain laws of members being unable to talk for obvious open government purposes.

The bill requires the STB to streamline their processes for certain rate cases; sets rate review timelines for full, standalone cost rate challenges; and requires the STB to initiate a proceeding to develop other methods to expedite rate cases.

For the first time, the STB will be able to initiate their own investigations on different allegations. Right now, current law requires someone to bring a complaint before they can initiate a review. This is a major improvement.

The bill requires the STB to establish a voluntary and binding arbitration process to resolve rail rate and service complaints, and it requires the STB to evaluate whether current large rate case methodologies are sufficient, cost-effective, and are not unduly complex.

S. 808 is an important step forward on an important, if not widely known, issue. I urge Members to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to thank Mr. CAPUANO, Mr. DENHAM, Mr. DEFAZIO, and, of course, our colleagues in the Senate for bringing this bill forward.

I think Mr. CAPUANO said it accurately: Transportation and infrastructure bills should come to the floor in a bipartisan way, figuring these things out, because this is good for America. It has nothing to do with Republicans or Democrats. It has to do with what is good for the American people, what is good for the American economy.

The Surface Transportation Board is the Federal economic regulator of the Nation's freight system, and that has been a real success story. Since the Staggers Rail Act was passed, I believe, as the gentleman from Massachusetts mentioned, in 1980, our freight rail system is the envy of the world. It is strong. It is vibrant. It does a great job. But I know the STB reauthorization and making some of these significant changes is going to be beneficial to everybody.

I think the gentleman from California ticked off a list of different outside groups or stakeholders and people that utilize rail that are in favor of this. Again, they sat down and worked it out. This will allow the STB to run more efficiently and, ultimately, again, as I said, improve the Nation's economy.

I am not going to go through all the description—Mr. CAPUANO did a great job of that—of the changes that it makes and the authorities it gives them. It is going to streamline this and get these rate cases to the STB faster and get us through that process quicker. That is extremely important. So I believe this legislation is a crucial step for the railroad industry, the folks that use it on a day-to-day basis, and the American economy.

As mentioned, the Senate passed this bill with broad support, and I am pleased that we are moving this forward today.

Mr. Speaker, I reserve the balance of my time.

Mr. CAPUANO. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. DEFAZIO), my friend, the ranking member of the Transportation and Infrastructure Committee.

Mr. DEFAZIO. Mr. Speaker, I thank the ranking member of the subcommittee for yielding. He has already explained in detail what is important about this legislation: the first reauthorization since the creation of the agency, the streamlining of rate dispute processes, the potential of arbitration in the future, and enlarging the Board so they can be more facile in terms of making decisions without violating public meetings laws. All those things are very important. I am just going to add a little bit of what this means to me kind of stuff for anybody who might be interested.

When I was a relatively junior Member of Congress—I think I am probably the only Member of Congress who has testified twice before the Surface Transportation Board—we had a huge crisis in the West—I think it was after the UP–SP merger—where my Christmas tree growers couldn't get railcars. So I famously made the ''How the Grinch Stole Christmas'' presentation to the Surface Transportation Board. We did, not too long thereafter, get some railcars delivered and got those trees to families all across the Western United States. That was important to an important little industry that we have in Oregon.

More importantly, I went to the Surface Transportation Board again. We had something called RailAmerica, which was an accumulation of many, many short line railroads across the country. It was bought by and being managed by one of those wonderful Wall Street hedge funds, who were driving both our rail line and other rail lines into the ground. They didn't have the slightest bit of interest in being in the rail business. They were just trying to drain what money they could out of those railroads.

One bright, sunny day, they decided to abandon the Coos Bay Railroad. It runs from the Willamette Valley all the way down to Coos Bay, Oregon, and back up to Coquille. It covers about 150 miles. It was the only rail to the coast and to a major port in Oregon, the Port of Coos Bay, North Bend.

They managed to get their equipment back, but they stranded railcars full of lumber and other goods by saying: ''Sorry, it is done. We are done.'' They didn't notify anybody. No proper procedures were filed. ''We are abandoning the line, and we are going to rip it up, and we are going to sell the rails to the Chinese for scrap.''

Well, that didn't come to pass. I got together with the then-Governor and we brought some legal clout to the table. We partnered with the Port of Coos Bay, North Bend, and said what if we can get Federal and State money and buy this railroad? The hedge fund said they weren't interested. They thought they could make more money by ripping it up, selling the right-of-way, and selling the scrap steel to China.

So I went to the Surface Transportation Board. The Surface Transportation Board made the hedge fund sell the railroad as a railroad. As decrepit as it was, it was an incredibly critical piece of infrastructure.

I took one of those horrible earmarks that we don't do around here anymore that I had gotten to improve the rail bridge over the harbor and got that converted in a technical correction to money to help purchase the railroad from this rotten hedge fund. The State partnered. The port became the operator.

Last year, the Coos Bay Rail Link got the Short Line Operator of the Year award. It is providing a tremendous economic benefit and future for the south coast of my district. And absent the regulators—we all want to carry on about how bad regulators are, but when you have abusers out there like hedge funds that buy up critical infrastructure and couldn't give a damn about them—we need people like the Surface Transportation Board to preserve critical assets for our communities.

So I am thrilled to be here today to reauthorize, for the first time, the Surface Transportation Board, streamline them, and enhance their capabilities so that in the future, other aggrieved communities or business sectors can go to the STB and get a quick judgment when they need and deserve it.

Mr. CAPUANO. Mr. Speaker, I yield back the balance of my time.

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I include in the RECORD a list of over 160 organizations that support S. 808. They are users of the railroad system, from agriculture interests to chemical, auto, pipe manufacturers, and energy companies.

Agribusiness Association of Iowa, Agribusiness Council of Indiana, Agricultural Retailers Association, Agriculture Transportation Coalition, Alabama Crop Management Association, Alliance for Rail Competition, Alliance of Automobile Manufacturers, American Chemistry Council, American Farm Bureau Federation, American Forest & Paper Association, American Fuel & Petrochemical Manufacturers, American Fuel & Petrochemical Manufacturers Association, American Iron and Steel Institute, American Malting Barley Association, Inc., American Public Power Association, American Soybean Association, Auto Care Association, Chemical Industry Council of Delaware, Chemical Industry Council of Illinois, Chemistry Council of Missouri.

Chemistry Council of New Jersey, Colorado Association of Wheat Growers, Connecticut Business & Industry Association, Corn Refiners Association, Edison Electric Institute, Florida Fertilizer & Agrichemical Association, Foundry Association of Michigan,

Freight Rail Customer Alliance, Georgia Agribusiness Council, Georgia Chemistry Council, Glass Packaging Institute, Grain and Feed Association of Illinois, Green Coffee Association, Grocery Manufacturers Association, Growth Energy, Idaho Barley Commission, Idaho Grain Producers Association.

Idaho Wheat Commission, Illinois Fertilizer & Chemical Association, Indiana Corn Growers Association, Indiana Farm Bureau, Indiana Soybean Alliance, Institute of Makers of Explosives, Institute of Scrap Recycling Industries, Inc., Institute of Shortening and Edible Oils, International Liquid Terminals Association, International Warehouse Logistics Association, Kansas Grain and Feed Association, Louisiana Chemical Association, Manufacture Alabama, Manufacturers Association of Florida, Massachusetts Chemistry & Technology Alliance, Michigan Agri-Business Association, Michigan Bean Shippers, Michigan Chemistry Council.

Midwest Food Processors Association, Minnesota AgriGrowth Council, Minnesota Crop Production Retailers, Minnesota Grain and Feed Association, Mississippi Manufacturers Association, Missouri Agribusiness Association, Missouri Forest Products Association, Montana Agricultural Business Association, Montana Farmers Union, Montana Grain Elevators Association, Motorcycle Industry Council, National Association of Chemical Distributors, National Association of State Departments of Agriculture, National Association of Wheat Growers, National Barley Growers Association, National Corn Growers Association, National Cotton Council of America, National Council of Farmer Cooperatives, National Farmers Union.

National Grain and Feed Association, National Industrial Transportation League, National Oilseed Processors Association, National Onion Association, National Pasta Association, National Retail Federation, National Rural Electric Cooperative Association, National Shippers Strategic Transportation Council, National Sunflower Association, Nebraska Agri-Business Association, Inc., Nebraska Grain and Feed Association, Nebraska Soybean Association, Nebraska Wheat Board, Nebraska Wheat Growers Association, New York State Agribusiness Association, New York State Chemistry Council, North American Millers' Association, North Carolina Manufacturers Alliance.

North Dakota Grain Dealers Association, Northeast Agribusiness and Feed Alliance, Ohio Agribusiness Association, Ohio Chemistry Technology Council, Oklahoma Agribusiness Retailers Association, Oklahoma Grain and Feed Association, Oregon Wheat Growers League, Outdoor Power Equipment Association, Inc., Pennsylvania Chemical Industry Council, Plastic Pipe and Fittings Association, Plastics Pipe and Fittings Association, Portland Cement Association, Promotional Products Association International, PVC Pipe Association, Rail Customer Coalition, Renewable Fuels Association, Rocky Mountain Agribusiness Association.

Society of Chemical Manufacturers and Affiliates, South Carolina Fertilizer and Agrichemicals Association, South Carolina Manufacturers Alliance, South Dakota Farmers Union, South Dakota Grain & Feed Association, South Dakota Wheat Inc., SPI: The Plastics Industry Trade Association, Steel Manufacturers Association, Texas Ag Industries Association, Texas Chemical Council, Texas Grain & Feed Association, Texas Wheat Producers Association, The Chlorine Institute, The Fertilizer Institute, The National Industrial Transportation League, The Sulphur Institute, The Vinyl Institute.

United States Fashion Industry Association, US Canola Association, US Dry Bean Council, US Dry Pea & Lentil Council, USA Rice Federation, Vinyl Building Council, Vinyl Siding Institute, Inc., Washington Association of Wheat Growers, Washington Grain Commission, West Virginia Manufacturers Association, Western Fuels Association, Western Governors' Association, Western Plant Health Association, Wisconsin Agri-Business Association, Wisconsin Corn Growers Association, Wisconsin Electric Cooperative Association, Wyoming Ag Business Association, Wyoming Wheat Marketing Commission.

Mr. SHUSTER. Again, I would just urge all my colleagues to support this important reauthorization and reform to the Surface Transportation Board.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and pass the bill, S. 808.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2250. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes.

COAST GUARD AUTHORIZATION ACT OF 2015

Mr. HUNTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4188) to authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4188

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Coast Guard Authorization Act of 2015''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
TITLE I—AUTHORIZATIONS
Sec. 101. Authorizations.
Sec. 102. Conforming amendments.
TITLE II—COAST GUARD
Sec. 201. Vice Commandant.
Sec. 202. Vice admirals.
Sec. 203. Coast Guard remission of indebtedness.
Sec. 204. Acquisition reform.
Sec. 205. Auxiliary jurisdiction.
Sec. 206. Coast Guard communities.
Sec. 207. Polar icebreakers.
Sec. 208. Air facility closures.
Sec. 209. Technical corrections to title 14, United States Code.
Sec. 210. Discontinuance of an aid to navigation.
Sec. 211. Mission performance measures.
Sec. 212. Communications.
Sec. 213. Coast Guard graduate maritime operations education.
Sec. 214. Professional development.
Sec. 215. Senior enlisted member continuation boards.
Sec. 216. Coast Guard member pay.
Sec. 217. Transfer of funds necessary to provide medical care.
Sec. 218. Participation of the Coast Guard Academy in Federal, State, or other educational research grants.
Sec. 219. National Coast Guard Museum.
Sec. 220. Investigations.
Sec. 221. Clarification of eligibility of members of the Coast Guard for combat-related special compensation.
Sec. 222. Leave policies for the Coast Guard.
TITLE III—SHIPPING AND NAVIGATION
Sec. 301. Survival craft.
Sec. 302. Vessel replacement.
Sec. 303. Model years for recreational vessels.
Sec. 304. Merchant mariner credential expiration harmonization.
Sec. 305. Safety zones for permitted marine events.
Sec. 306. Technical corrections.
Sec. 307. Recommendations for improvements of marine casualty reporting.
Sec. 308. Recreational vessel engine weights.
Sec. 309. Merchant mariner medical certification reform.
Sec. 310. Atlantic Coast port access route study.
Sec. 311. Certificates of documentation for recreational vessels.
Sec. 312. Program guidelines.
Sec. 313. Repeals.
Sec. 314. Maritime drug law enforcement.
Sec. 315. Examinations for merchant mariner credentials.
Sec. 316. Higher volume port area regulatory definition change.
Sec. 317. Recognition of port security assessments conducted by other entities.
Sec. 318. Fishing vessel and fish tender vessel certification.
Sec. 319. Interagency Coordinating Committee on Oil Pollution Research.
Sec. 320. International port and facility inspection coordination.
TITLE IV—FEDERAL MARITIME COMMISSION
Sec. 401. Authorization of appropriations.
Sec. 402. Duties of the Chairman.
Sec. 403. Prohibition on awards.
TITLE V—CONVEYANCES
Subtitle A—Miscellaneous Conveyances
Sec. 501. Conveyance of Coast Guard property in Point Reyes Station, California.
Sec. 502. Conveyance of Coast Guard property in Tok, Alaska.
Subtitle B—Pribilof Islands
Sec. 521. Short title.
Sec. 522. Transfer and disposition of property.

Sec. 523. Notice of certification.
Sec. 524. Redundant capability.
Subtitle C—Conveyance of Coast Guard Property at Point Spencer, Alaska
Sec. 531. Findings.
Sec. 532. Definitions.
Sec. 533. Authority to convey land in Point Spencer.
Sec. 534. Environmental compliance, liability, and monitoring.
Sec. 535. Easements and access.
Sec. 536. Relationship to Public Land Order 2650.
Sec. 537. Archeological and cultural resources.
Sec. 538. Maps and legal descriptions.
Sec. 539. Chargeability for land conveyed.
Sec. 540. Redundant capability.
Sec. 541. Port Coordination Council for Point Spencer.
TITLE VI—MISCELLANEOUS
Sec. 601. Modification of reports.
Sec. 602. Safe vessel operation in the Great Lakes.
Sec. 603. Use of vessel sale proceeds.
Sec. 604. National Academy of Sciences cost assessment.
Sec. 605. Penalty wages.
Sec. 606. Recourse for noncitizens.
Sec. 607. Coastwise endorsements.
Sec. 608. International Ice Patrol.
Sec. 609. Assessment of oil spill response and cleanup activities in the Great Lakes.
Sec. 610. Report on status of technology detecting passengers who have fallen overboard.
Sec. 611. Venue.
Sec. 612. Disposition of infrastructure related to E–LORAN.
Sec. 613. Parking.

TITLE I—AUTHORIZATIONS

SEC. 101. AUTHORIZATIONS.

(a) IN GENERAL.—Title 14, United States Code, is amended by adding at the end the following:

"PART III—COAST GUARD AUTHORIZATIONS AND REPORTS TO CONGRESS

''Chap. Sec.
"27. Authorizations 2701
"29. Reports 2901

"CHAPTER 27—AUTHORIZATIONS

''Sec.
''2702. Authorization of appropriations.
''2704. Authorized levels of military strength and training.

"§ 2702. Authorization of appropriations

''Funds are authorized to be appropriated for each of fiscal years 2016 and 2017 for necessary expenses of the Coast Guard as follows:

''(1) For the operation and maintenance of the Coast Guard, not otherwise provided for—

''(A) $6,981,036,000 for fiscal year 2016; and

''(B) $6,981,036,000 for fiscal year 2017.

''(2) For the acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment—

''(A) $1,945,000,000 for fiscal year 2016; and

''(B) $1,945,000,000 for fiscal year 2017.

''(3) For the Coast Guard Reserve program, including operations and maintenance of the program, personnel and training costs, equipment, and services—

''(A) $140,016,000 for fiscal year 2016; and

''(B) $140,016,000 for fiscal year 2017.

''(4) For the environmental compliance and restoration functions of the Coast Guard under chapter 19 of this title—

''(A) $16,701,000 for fiscal year 2016; and

''(B) $16,701,000 for fiscal year 2017.

''(5) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard's mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, and for maintenance, rehabilitation, lease, and operation of facilities and equipment—

''(A) $19,890,000 for fiscal year 2016; and

''(B) $19,890,000 for fiscal year 2017.

"§ 2704. Authorized levels of military strength and training

''(a) ACTIVE DUTY STRENGTH.—The Coast Guard is authorized an end-of-year strength for active duty personnel of 43,000 for each of fiscal years 2016 and 2017.

''(b) MILITARY TRAINING STUDENT LOADS.—The Coast Guard is authorized average military training student loads for each of fiscal years 2016 and 2017 as follows:

''(1) For recruit and special training, 2,500 student years.

''(2) For flight training, 165 student years.

''(3) For professional training in military and civilian institutions, 350 student years.

''(4) For officer acquisition, 1,200 student years.

"CHAPTER 29—REPORTS

''Sec.
''2904. Manpower requirements plan.

"§ 2904. Manpower requirements plan

''(a) IN GENERAL.—On the date on which the President submits to the Congress a budget for fiscal year 2017 under section 1105 of title 31, on the date on which the President submits to the Congress a budget for fiscal year 2019 under such section, and every 4 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a manpower requirements plan.

''(b) SCOPE.—A manpower requirements plan submitted under subsection (a) shall include for each mission of the Coast Guard—

''(1) an assessment of all projected mission requirements for the upcoming fiscal year and for each of the 3 fiscal years thereafter;

''(2) the number of active duty, reserve, and civilian personnel assigned or available to fulfill such mission requirements—

''(A) currently; and

''(B) as projected for the upcoming fiscal year and each of the 3 fiscal years thereafter;

''(3) the number of active duty, reserve, and civilian personnel required to fulfill such mission requirements—

''(A) currently; and

''(B) as projected for the upcoming fiscal year and each of the 3 fiscal years thereafter;

''(4) an identification of any capability gaps between mission requirements and mission performance caused by deficiencies in the numbers of personnel available—

''(A) currently; and

''(B) as projected for the upcoming fiscal year and each of the 3 fiscal years thereafter; and

''(5) an identification of the actions the Commandant will take to address capability gaps identified under paragraph (4).

''(c) CONSIDERATION.—In composing a manpower requirements plan for submission under subsection (a), the Commandant shall consider—

''(1) the marine safety strategy required under section 2116 of title 46;

''(2) information on the adequacy of the acquisition workforce included in the most recent report under section 2903 of this title; and

''(3) any other Federal strategic planning effort the Commandant considers appropriate.''.

(b) REQUIREMENT FOR PRIOR AUTHORIZATION OF APPROPRIATIONS.—Section 662 of title 14, United States Code, is amended—

(1) by redesignating such section as section 2701;

(2) by transferring such section to appear before section 2702 of such title (as added by subsection (a) of this section); and

(3) by striking paragraphs (1) through (5) and inserting the following:

''(1) For the operation and maintenance of the Coast Guard, not otherwise provided for.

''(2) For the acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment.

''(3) For the Coast Guard Reserve program, including operations and maintenance of the program, personnel and training costs, equipment, and services.

''(4) For the environmental compliance and restoration functions of the Coast Guard under chapter 19 of this title.

''(5) For research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard.

''(6) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Alteration of Bridges Program.''.

(c) AUTHORIZATION OF PERSONNEL END STRENGTHS.—Section 661 of title 14, United States Code, is amended—

(1) by redesignating such section as section 2703; and

(2) by transferring such section to appear before section 2704 of such title (as added by subsection (a) of this section).

(d) REPORTS.—

(1) TRANSMISSION OF ANNUAL COAST GUARD AUTHORIZATION REQUEST.—Section 662a of title 14, United States Code, is amended—

(A) by redesignating such section as section 2901;

(B) by transferring such section to appear before section 2904 of such title (as added by subsection (a) of this section); and

(C) in subsection (b)—

(i) in paragraph (1) by striking ''described in section 661'' and inserting ''described in section 2703''; and

(ii) in paragraph (2) by striking ''described in section 662'' and inserting ''described in section 2701''.

(2) CAPITAL INVESTMENT PLAN.—Section 663 of title 14, United States Code, is amended—

(A) by redesignating such section as section 2902; and

(B) by transferring such section to appear after section 2901 of such title (as so redesignated and transferred by paragraph (1) of this subsection).

(3) MAJOR ACQUISITIONS.—Section 569a of title 14, United States Code, is amended—

(A) by redesignating such section as section 2903;

(B) by transferring such section to appear after section 2902 of such title (as so redesignated and transferred by paragraph (2) of this subsection); and

(C) in subsection (c)(2) by striking ''of this subchapter''.

(e) ICEBREAKERS.—

(1) ICEBREAKING ON THE GREAT LAKES.—For fiscal years 2016 and 2017, the Commandant of the Coast Guard may use funds made available pursuant to section 2702(2) of title 14, United States Code (as added by subsection (a) of this section), for the selection of a design for and the construction of an icebreaker that is capable of buoy tending to enhance icebreaking capacity on the Great Lakes.

(2) POLAR ICEBREAKING.—Of the amounts authorized to be appropriated under section 2702(2) of title 14, United States Code, as amended by subsection (a), there is authorized to be appropriated to the Coast Guard $4,000,000 for fiscal year 2016 and $10,000,000 for fiscal year 2017 for preacquisition activities for a new polar icebreaker, including initial specification development and feasibility studies.

(f) ADDITIONAL SUBMISSIONS.—The Commandant of the Coast Guard shall submit to the Committee on Homeland Security of the House of Representatives—

(1) each plan required under section 2904 of title 14, United States Code, as added by subsection (a) of this section;

(2) each plan required under section 2903(e) of title 14, United States Code, as added by section 206 of this Act;

(3) each plan required under section 2902 of title 14, United States Code, as redesignated by subsection (d) of this section; and

(4) each mission need statement required under section 569 of title 14, United States Code.

SEC. 102. CONFORMING AMENDMENTS.

(a) ANALYSIS FOR TITLE 14.—The analysis for title 14, United States Code, is amended by adding after the item relating to part II the following:

"III. Coast Guard Authorizations and Reports to Congress ..... 2701".

(b) ANALYSIS FOR CHAPTER 15.—The analysis for chapter 15 of title 14, United States Code, is amended by striking the item relating to section 569a.

(c) ANALYSIS FOR CHAPTER 17.—The analysis for chapter 17 of title 14, United States Code, is amended by striking the items relating to sections 661, 662, 662a, and 663.

(d) ANALYSIS FOR CHAPTER 27.—The analysis for chapter 27 of title 14, United States Code, as added by section 101(a) of this Act, is amended by inserting—

(1) before the item relating to section 2702 the following:

''2701. Requirement for prior authorization of appropriations.'';

and

(2) before the item relating to section 2704 the following:

''2703. Authorization of personnel end strengths.''.

(e) ANALYSIS FOR CHAPTER 29.—The analysis for chapter 29 of title 14, United States Code, as added by section 101(a) of this Act, is amended by inserting before the item relating to section 2904 the following:

''2901. Transmission of annual Coast Guard authorization request.

''2902. Capital investment plan.

''2903. Major acquisitions.''.

(f) MISSION NEED STATEMENT.—Section 569(b) of title 14, United States Code, is amended—

(1) in paragraph (2) by striking ''in section 569a(e)'' and inserting ''in section 2903''; and

(2) in paragraph (3) by striking ''under section 663(a)(1)'' and inserting ''under section 2902(a)(1)''.

TITLE II—COAST GUARD

SEC. 201. VICE COMMANDANT.

(a) GRADES AND RATINGS.—Section 41 of title 14, United States Code, is amended by striking ''an admiral,'' and inserting ''admirals (two);''.

(b) VICE COMMANDANT; APPOINTMENT.—Section 47 of title 14, United States Code, is amended by striking ''vice admiral'' and inserting ''admiral''.

(c) CONFORMING AMENDMENT.—Section 51 of title 14, United States Code, is amended—

(1) in subsection (a) by inserting ''admiral or'' before ''vice admiral,'';

(2) in subsection (b) by inserting ''admiral or'' before ''vice admiral,'' each place it appears; and

(3) in subsection (c) by inserting ''admiral or'' before ''vice admiral,''.

SEC. 202. VICE ADMIRALS.

Section 50 of title 14, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) The President may—

''(A) designate, within the Coast Guard, no more than five positions of importance and responsibility that shall be held by officers who, while so serving—

''(i) shall have the grade of vice admiral, with the pay and allowances of that grade; and

''(ii) shall perform such duties as the Commandant may prescribe, except that if the President designates five such positions, one position shall be the Chief of Staff of the Coast Guard; and

''(B) designate, within the executive branch, other than within the Coast Guard or the National Oceanic and Atmospheric Administration, positions of importance and responsibility that shall be held by officers who, while so serving, shall have the grade of vice admiral, with the pay and allowances of that grade.''; and

(B) in paragraph (3)(A) by striking ''under paragraph (1)'' and inserting ''under paragraph (1)(A)''; and

(2) in subsection (b)(2)—

(A) in subparagraph (B) by striking ''and'' at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

''(C) at the discretion of the Secretary, while awaiting orders after being relieved from the position, beginning on the day the officer is relieved from the position, but not for more than 60 days; and''.

SEC. 203. COAST GUARD REMISSION OF INDEBTEDNESS.

(a) EXPANSION OF AUTHORITY TO REMIT INDEBTEDNESS.—Section 461 of title 14, United States Code, is amended to read as follows:

''§ 461. Remission of indebtedness

''The Secretary may have remitted or cancelled any part of a person's indebtedness to the United States or any instrumentality of the United States if—

''(1) the indebtedness was incurred while the person served on active duty as a member of the Coast Guard; and

''(2) the Secretary determines that remitting or cancelling the indebtedness is in the best interest of the United States.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 13 of title 14, United States Code, is amended by striking the item relating to section 461 and inserting the following:

''461. Remission of indebtedness.''.

SEC. 204. ACQUISITION REFORM.

(a) MINIMUM PERFORMANCE STANDARDS.—Section 572(d)(3) of title 14, United States Code, is amended—

(1) by redesignating subparagraphs (C) through (H) as subparagraphs (E) through (J), respectively;

(2) by redesignating subparagraph (B) as subparagraph (C);

(3) by inserting after subparagraph (A) the following:

''(B) the performance data to be used to determine whether the key performance parameters have been resolved;''; and

(4) by inserting after subparagraph (C), as redesignated by paragraph (2) of this subsection, the following:

''(D) the results during test and evaluation that will be required to demonstrate that a capability, asset, or subsystem meets performance requirements;''.

(b) CAPITAL INVESTMENT PLAN.—Section 2902 of title 14, United States Code, as redesignated and otherwise amended by this Act, is further amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B), by striking ''completion;'' and inserting ''completion based on the proposed appropriations included in the budget;''; and

(B) in subparagraph (D), by striking ''at the projected funding levels;'' and inserting ''based on the proposed appropriations included in the budget;'';

(2) by redesignating subsection (b) as subsection (c), and inserting after subsection (a) the following:

''(b) NEW CAPITAL ASSETS.—In the fiscal year following each fiscal year for which appropriations are enacted for a new capital asset, the report submitted under subsection (a) shall include—

''(1) an estimated life-cycle cost estimate for the new capital asset;

''(2) an assessment of the impact the new capital asset will have on—

''(A) delivery dates for each capital asset;

''(B) estimated completion dates for each capital asset;

''(C) the total estimated cost to complete each capital asset; and

''(D) other planned construction or improvement projects; and

''(3) recommended funding levels for each capital asset necessary to meet the estimated completion dates and total estimated costs included in the such asset's approved acquisition program baseline.''; and

(3) by amending subsection (c), as so redesignated, to read as follows:

''(c) DEFINITIONS.—In this section—

''(1) the term 'unfunded priority' means a program or mission requirement that—

''(A) has not been selected for funding in the applicable proposed budget;

''(B) is necessary to fulfill a requirement associated with an operational need; and

''(C) the Commandant would have recommended for inclusion in the applicable proposed budget had additional resources been available or had the requirement emerged before the budget was submitted; and

''(2) the term 'new capital asset' means—

''(A) an acquisition program that does not have an approved acquisition program baseline; or

''(B) the acquisition of a capital asset in excess of the number included in the approved acquisition program baseline.''.

(c) DAYS AWAY FROM HOMEPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant of the Coast Guard shall—

(1) implement a standard for tracking operational days at sea for Coast Guard cutters that does not include days during which such cutters are undergoing maintenance or repair; and

(2) notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the standard implemented under paragraph (1).

(d) FIXED WING AIRCRAFT FLEET MIX ANALYSIS.—Not later than September 30, 2016, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a revised fleet mix analysis of Coast Guard fixed wing aircraft.

(e) LONG-TERM MAJOR ACQUISITIONS PLAN.—Section 2903 of title 14, United States Code, as redesignated and otherwise amended by this Act, is further amended—

(1) by redesignating subsection (e) as subsection (g); and

(2) by inserting after subsection (d) the following:

''(e) LONG-TERM MAJOR ACQUISITIONS PLAN.—Each report under subsection (a) shall include a plan that describes for the upcoming fiscal year, and for each of the 20 fiscal years thereafter—

''(1) the numbers and types of cutters and aircraft to be decommissioned;

''(2) the numbers and types of cutters and aircraft to be acquired to—

''(A) replace the cutters and aircraft identified under paragraph (1); or

''(B) address an identified capability gap; and

''(3) the estimated level of funding in each fiscal year required to—

''(A) acquire the cutters and aircraft identified under paragraph (2);

''(B) acquire related command, control, communications, computer, intelligence, surveillance, and reconnaissance systems; and

''(C) acquire, construct, or renovate shoreside infrastructure.

''(f) QUARTERLY UPDATES ON RISKS OF PROGRAMS.—

''(1) IN GENERAL.—Not later than 15 days after the end of each fiscal year quarter, the Commandant of the Coast Guard shall submit to the committees of Congress specified in subsection (a) an update setting forth a current assessment of the risks associated with all current major acquisition programs.

''(2) ELEMENTS.—Each update under this subsection shall set forth, for each current major acquisition program, the following:

''(A) The top five current risks to such program.

''(B) Any failure of such program to demonstrate a key performance parameter or threshold during operational test and evaluation conducted during the fiscal year quarter preceding such update.

''(C) Whether there has been any decision during such fiscal year quarter to order full-rate production before all key performance parameters or thresholds are met.

''(D) Whether there has been any breach of major acquisition program cost (as defined by the Major Systems Acquisition Manual) during such fiscal year quarter.

''(E) Whether there has been any breach of major acquisition program schedule (as so defined) during such fiscal year quarter.''.

SEC. 205. AUXILIARY JURISDICTION.

(a) IN GENERAL.—Section 822 of title 14, United States Code, is amended—

(1) by striking ''The purpose'' and inserting the following:

''(a) IN GENERAL.—The purpose''; and

(2) by adding at the end the following:

''(b) LIMITATION.—The Auxiliary may conduct a patrol of a waterway, or a portion thereof, only if—

''(1) the Commandant has determined such waterway, or portion thereof, is navigable for purposes of the jurisdiction of the Coast Guard; or

''(2) a State or other proper authority has requested such patrol pursuant to section 141 of this title or section 13109 of title 46.''.

(b) NOTIFICATION.—The Commandant of the Coast Guard shall—

(1) review the waterways patrolled by the Coast Guard Auxiliary in the most recently completed fiscal year to determine whether such waterways are eligible or ineligible for patrol under section 822(b) of title 14, United States Code (as added by subsection (a)); and

(2) not later than 180 days after the date of the enactment of this Act, provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a written notification of—

(A) any waterways determined ineligible for patrol under paragraph (1); and

(B) the actions taken by the Commandant to ensure Auxiliary patrols do not occur on such waterways.

SEC. 206. COAST GUARD COMMUNITIES.

Section 409 of the Coast Guard Authorization Act of 1998 (14 U.S.C. 639 note) is amended in the second sentence by striking ''90 days'' and inserting ''30 days''.

SEC. 207. POLAR ICEBREAKERS.

(a) INCREMENTAL FUNDING AUTHORITY FOR POLAR ICEBREAKERS.—In fiscal year 2016 and each fiscal year thereafter, the Commandant of the Coast Guard may enter into a contract or contracts for the acquisition of polar icebreakers and associated equipment using incremental funding.

(b) ''POLAR SEA'' MATERIEL CONDITION ASSESSMENT AND SERVICE LIFE EXTENSION.—Section 222 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213; 126 Stat. 1560) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—Not later than 1 year after the date of the enactment of the Coast Guard Authorization Act of 2015, the Secretary of the department in which the Coast Guard is operating shall—

''(1) complete a materiel condition assessment with respect to the Polar Sea;

''(2) make a determination of whether it is cost effective to reactivate the Polar Sea compared with other options to provide icebreaking services as part of a strategy to maintain polar icebreaking services; and

''(3) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

''(A) the assessment required under paragraph (1); and

''(B) written notification of the determination required under paragraph (2).'';

(2) in subsection (b) by striking ''analysis'' and inserting ''written notification'';

(3) by striking subsection (c);

(4) by redesignating subsections (d) through (h) as subsections (c) through (g), respectively;

(5) in subsection (c) (as redesignated by paragraph (4) of this section)—

(A) in paragraph (1)—

(i) in subparagraph (A) by striking ''based on the analysis required''; and

(ii) in subparagraph (C) by striking ''analysis'' and inserting ''written notification'';

(B) in paragraph (2)—

(i) by striking ''analysis'' each place it appears and inserting ''written notification'';

(ii) by striking ''subsection (a)'' and inserting ''subsection (a)(3)(B)'';

(iii) by striking ''subsection (c)'' each place it appears and inserting ''that subsection''; and

(iv) by striking ''under subsection (a)(5)''; and

(C) in paragraph (3)—

(i) by striking ''in the analysis submitted under this section'';

(ii) by striking ''(a)(5)'' and inserting ''(a)'';

(iii) by striking ''then'' and all that follows through ''(A)'' and inserting ''then'';

(iv) by striking ''; or'' and inserting a period; and

(v) by striking subparagraph (B); and

(6) in subsection (d) (as redesignated by paragraph (4) of this subsection) by striking ''in subsection (d)'' and inserting ''in subsection (c)''.

SEC. 208. AIR FACILITY CLOSURES.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by inserting after section 676 the following:

''§ 676a. Air facility closures

''(a) PROHIBITION.—

''(1) IN GENERAL.—The Coast Guard may not—

''(A) close a Coast Guard air facility that was in operation on November 30, 2014; or

''(B) retire, transfer, relocate, or deploy an aviation asset from an air facility described in subparagraph (A) for the purpose of closing such facility.

''(2) SUNSET.—Paragraph (1) shall have no force or effect beginning on the later of—

''(A) January 1, 2018; or

''(B) the date on which the Secretary submits to the Committee on Transportation and Infrastructure of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, rotary wing strategic plans prepared in accordance with section 208(b) of the Coast Guard Authorization Act of 2015.

''(b) CLOSURES.—

''(1) IN GENERAL.—Beginning on January 1, 2018, the Secretary may not close a Coast Guard air facility, except as specified by this section.

''(2) DETERMINATIONS.—The Secretary may not propose closing or terminating operations at a Coast Guard air facility unless the Secretary determines that—

''(A) remaining search and rescue capabilities maintain the safety of the maritime public in the area of the air facility;

''(B) regional or local prevailing weather and marine conditions, including water temperatures or unusual tide and current conditions, do not require continued operation of the air facility; and

''(C) Coast Guard search and rescue standards related to search and response times are met.

''(3) PUBLIC NOTICE AND COMMENT.—Prior to closing an air facility, the Secretary shall provide opportunities for public comment, including the convening of public meetings in communities in the area of responsibility of the air facility with regard to the proposed closure or cessation of operations at the air facility.

''(4) NOTICE TO CONGRESS.—Prior to closure, cessation of operations, or any significant reduction in personnel and use of a Coast

Guard air facility that is in operation on or after December 31, 2015, the Secretary shall—

''(A) submit to the Congress a proposal for such closure, cessation, or reduction in operations along with the budget of the President submitted to Congress under section 1105(a) of title 31 for the fiscal year in which the action will be carried out; and

''(B) not later than 7 days after the date a proposal for an air facility is submitted pursuant to subparagraph (A), provide written notice of such proposal to each of the following:

''(i) Each member of the House of Representatives who represents a district in which the air facility is located.

''(ii) Each member of the Senate who represents a State in which the air facility is located.

''(iii) Each member of the House of Representatives who represents a district in which assets of the air facility conduct search and rescue operations.

''(iv) Each member of the Senate who represents a State in which assets of the air facility conduct search and rescue operations.

''(v) The Committee on Appropriations of the House of Representatives.

''(vi) The Committee on Transportation and Infrastructure of the House of Representatives.

''(vii) The Committee on Appropriations of the Senate.

''(viii) The Committee on Commerce, Science, and Transportation of the Senate.

''(c) OPERATIONAL FLEXIBILITY.—The Secretary may implement any reasonable management efficiencies within the air station and air facility network, such as modifying the operational posture of units or reallocating resources as necessary to ensure the safety of the maritime public nationwide.''.

(b) ROTARY WING STRATEGIC PLANS.—

(1) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall prepare the plans specified in paragraph (2) to adequately address contingencies arising from potential future aviation casualties or the planned or unplanned retirement of rotary wing airframes to avoid to the greatest extent practicable any substantial gap or diminishment in Coast Guard operational capabilities.

(2) ROTARY WING STRATEGIC PLANS.—

(A) ROTARY WING CONTINGENCY PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall develop and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a contingency plan—

(i) to address the planned or unplanned losses of rotary wing airframes;

(ii) to reallocate resources as necessary to ensure the safety of the maritime public nationwide; and

(iii) to ensure the operational posture of Coast Guard units.

(B) ROTARY WING REPLACEMENT CAPITAL INVESTMENT PLAN.—

(i) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall develop and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a capital investment plan for the acquisition of new rotary wing airframes to replace the Coast Guard's legacy helicopters and fulfil all existing mission requirements.

(ii) REQUIREMENTS.—The plan developed under this subparagraph shall provide—

(I) a total estimated cost for completion;

(II) a timetable for completion of the acquisition project and phased in transition to new airframes; and

(III) projected annual funding levels for each fiscal year.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) ANALYSIS FOR CHAPTER 17.—The analysis for chapter 17 of title 14, United States Code, is amended by inserting after the item relating to section 676 the following:

''676a. Air facility closures.''.

(2) REPEAL OF PROHIBITION.—Section 225 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281; 128 Stat. 3022) is amended—

(A) by striking subsection (b); and

(B) by striking ''(a) IN GENERAL.—''.

SEC. 209. TECHNICAL CORRECTIONS TO TITLE 14, UNITED STATES CODE.

Title 14, United States Code, as amended by this Act, is further amended—

(1) in the analysis for part I, by striking the item relating to chapter 19 and inserting the following:

''19. Environmental Compliance and Restoration Program ..... 690'';

(2) in section 46(a), by striking ''subsection'' and inserting ''section'';

(3) in section 47, in the section heading by striking ''**commandant**'' and inserting ''**Commandant**'';

(4) in section 93(f), by striking paragraph (2) and inserting the following:

''(2) LIMITATION.—The Commandant may lease submerged lands and tidelands under paragraph (1) only if—

''(A) the lease is for cash exclusively;

''(B) the lease amount is equal to the fair market value of the use of the leased submerged lands or tidelands for the period during which such lands are leased, as determined by the Commandant;

''(C) the lease does not provide authority to or commit the Coast Guard to use or support any improvements to such submerged lands and tidelands, or obtain goods and services from the lessee; and

''(D) proceeds from the lease are deposited in the Coast Guard Housing Fund established under section 687.'';

(5) in the analysis for chapter 9, by striking the item relating to section 199 and inserting the following:

''199. Marine safety curriculum.'';

(6) in section 427(b)(2), by striking ''this chapter'' and inserting ''chapter 61 of title 10'';

(7) in the analysis for chapter 15 before the item relating to section 571, by striking the following:

''Sec.'';

(8) in section 581(5)(B), by striking ''$300,000,0000,'' and inserting ''$300,000,000,'';

(9) in section 637(c)(3), in the matter preceding subparagraph (A) by inserting ''it is'' before ''any'';

(10) in section 641(d)(3), by striking ''Guard, installation'' and inserting ''Guard installation'';

(11) in section 691(c)(3), by striking ''state'' and inserting ''State'';

(12) in the analysis for chapter 21—

(A) by striking the item relating to section 709 and inserting the following:

''709. Reserve student aviation pilots; Reserve aviation pilots; appointments in commissioned grade.'';

and

(B) by striking the item relating to section 740 and inserting the following:

''740. Failure of selection and removal from an active status.'';

(13) in section 742(c), by striking ''subsection'' and inserting ''subsections'';

(14) in section 821(b)(1), by striking ''Chapter 26'' and inserting ''Chapter 171''; and

(15) in section 823a(b)(1), by striking ''Chapter 26'' and inserting ''Chapter 171''.

SEC. 210. DISCONTINUANCE OF AN AID TO NAVIGATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish a process for the discontinuance of an aid to navigation (other than a seasonal or temporary aid) established, maintained, or operated by the Coast Guard.

(b) REQUIREMENT.—The process established under subsection (a) shall include procedures to notify the public of any discontinuance of an aid to navigation described in that subsection.

(c) CONSULTATION.—In establishing a process under subsection (a), the Secretary shall consult with and consider any recommendations of the Navigation Safety Advisory Council.

(d) NOTIFICATION.—Not later than 30 days after establishing a process under subsection (a), the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the process established.

SEC. 211. MISSION PERFORMANCE MEASURES.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an assessment of the efficacy of the Coast Guard's Standard Operational Planning Process with respect to annual mission performance measures.

SEC. 212. COMMUNICATIONS.

(a) IN GENERAL.—If the Secretary of Homeland Security determines that there are at least two communications systems described under paragraph (1)(B) and certified under paragraph (2), the Secretary shall establish and carry out a pilot program across not less than three components of the Department of Homeland Security to assess the effectiveness of a communications system that—

(1) provides for—

(A) multiagency collaboration and interoperability; and

(B) wide-area, secure, and peer-invitation- and acceptance-based multimedia communications;

(2) is certified by the Department of Defense Joint Interoperability Test Center; and

(3) is composed of commercially available, off-the-shelf technology.

(b) ASSESSMENT.—Not later than 6 months after the date on which the pilot program is completed, the Secretary shall submit to the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee Homeland Security and Governmental Affairs of the Senate an assessment of the pilot program, including the impacts of the program with respect to interagency and Coast Guard response capabilities.

(c) STRATEGY.—The pilot program shall be consistent with the strategy required by the Department of Homeland Security Interoperable Communications Act (Public Law 114–29).

(d) TIMING.—The pilot program shall commence within 90 days after the date of the enactment of this Act or within 60 days after the completion of the strategy required by the Department of Homeland Security Interoperable Communications Act (Public Law 114–29), whichever is later.

SEC. 213. COAST GUARD GRADUATE MARITIME OPERATIONS EDUCATION.

Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish an education program, for members and employees of the Coast Guard, that—

(1) offers a master's degree in maritime operations;

(2) is relevant to the professional development of such members and employees;

(3) provides resident and distant education options, including the ability to utilize both options; and

(4) to the greatest extent practicable, is conducted using existing academic programs at an accredited public academic institution that—

(A) is located near a significant number of Coast Guard, maritime, and other Department of Homeland Security law enforcement personnel; and

(B) has an ability to simulate operations normally conducted at a command center.

SEC. 214. PROFESSIONAL DEVELOPMENT.

(a) MULTIRATER ASSESSMENT.—

(1) IN GENERAL.—Chapter 11 of title 14, United States Code, is amended by inserting after section 428 the following:

''§ 429. Multirater assessment of certain personnel

''(a) MULTIRATER ASSESSMENT OF CERTAIN PERSONNEL.—

''(1) IN GENERAL.—Commencing not later than one year after the date of the enactment of the Coast Guard Authorization Act of 2015, the Commandant of the Coast Guard shall develop and implement a plan to conduct every two years a multirater assessment for each of the following:

''(A) Each flag officer of the Coast Guard.

''(B) Each member of the Senior Executive Service of the Coast Guard.

''(C) Each officer of the Coast Guard nominated for promotion to the grade of flag officer.

''(2) POST-ASSESSMENT ELEMENTS.—Following an assessment of an individual pursuant to paragraph (1), the individual shall be provided appropriate post-assessment counseling and leadership coaching.

''(b) MULTIRATER ASSESSMENT DEFINED.—In this section, the term 'multirater assessment' means a review that seeks opinion from members senior to the reviewee and the peers and subordinates of the reviewee.''.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by inserting after the item related to section 428 the following:

''429. Multirater assessment of certain personnel.''.

(b) TRAINING COURSE ON WORKINGS OF CONGRESS.—

(1) IN GENERAL.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following:

''§ 60. Training course on workings of Congress

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of the Coast Guard Authorization Act of 2015, the Commandant, in consultation with the Superintendent of the Coast Guard Academy and such other individuals and organizations as the Commandant considers appropriate, shall develop a training course on the workings of the Congress and offer that training course at least once each year.

''(b) COURSE SUBJECT MATTER.—The training course required by this section shall provide an overview and introduction to the Congress and the Federal legislative process, including—

''(1) the history and structure of the Congress and the committee systems of the House of Representatives and the Senate, including the functions and responsibilities of the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate;

''(2) the documents produced by the Congress, including bills, resolutions, committee reports, and conference reports, and the purposes and functions of those documents;

''(3) the legislative processes and rules of the House of Representatives and the Senate, including similarities and differences between the two processes and rules, including—

''(A) the congressional budget process;

''(B) the congressional authorization and appropriation processes;

''(C) the Senate advice and consent process for Presidential nominees; and

''(D) the Senate advice and consent process for treaty ratification;

''(4) the roles of Members of Congress and congressional staff in the legislative process; and

''(5) the concept and underlying purposes of congressional oversight within our governance framework of separation of powers.

''(c) LECTURERS AND PANELISTS.—

''(1) OUTSIDE EXPERTS.—The Commandant shall ensure that not less than 60 percent of the lecturers, panelists, and other individuals providing education and instruction as part of the training course required by this section are experts on the Congress and the Federal legislative process who are not employed by the executive branch of the Federal Government.

''(2) AUTHORITY TO ACCEPT PRO BONO SERVICES.—In satisfying the requirement under paragraph (1), the Commandant shall seek, and may accept, educational and instructional services of lecturers, panelists, and other individuals and organizations provided to the Coast Guard on a pro bono basis.

''(d) COMPLETION OF REQUIRED TRAINING.—

''(1) CURRENT FLAG OFFICERS AND EMPLOYEES.—A Coast Guard flag officer appointed or assigned to a billet in the National Capital Region on the date of the enactment of this section, and a Coast Guard Senior Executive Service employee employed in the National Capital Region on the date of the enactment of this section, shall complete a training course that meets the requirements of this section within 60 days after the date on which the Commandant completes the development of the training course.

''(2) NEW FLAG OFFICERS AND EMPLOYEES.—A Coast Guard flag officer who is newly appointed or assigned to a billet in the National Capital Region, and a Coast Guard Senior Executive Service employee who is newly employed in the National Capital Region, shall complete a training course that meets the requirements of this section not later than 60 days after reporting for duty.''.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end the following:

''60. Training course on workings of Congress.''.

(c) REPORT ON LEADERSHIP DEVELOPMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on Coast Guard leadership development.

(2) CONTENTS.—The report shall include the following:

(A) An assessment of the feasibility of—

(i) all officers (other than officers covered by section 429(a) of title 14, United States Code, as amended by this section) completing a multirater assessment;

(ii) all members (other than officers covered by such section) in command positions completing a multirater assessment;

(iii) all enlisted members in a supervisory position completing a multirater assessment; and

(iv) members completing periodic multirater assessments.

(B) Such recommendations as the Commandant considers appropriate for the implementation or expansion of a multirater assessment in the personnel development programs of the Coast Guard.

(C) An overview of each of the current leadership development courses of the Coast Guard, an assessment of the feasibility of the expansion of any such course, and a description of the resources, if any, required to expand such courses.

(D) An assessment on the state of leadership training in the Coast Guard, and recommendations on the implementation of a policy to prevent leadership that has adverse effects on subordinates, the organization, or mission performance, including—

(i) a description of methods that will be used by the Coast Guard to identify, monitor, and counsel individuals whose leadership may have adverse effects on subordinates, the organization, or mission performance;

(ii) the implementation of leadership recognition training to recognize such leadership in one's self and others;

(iii) the establishment of procedures for the administrative separation of leaders whose leadership may have adverse effects on subordinates, the organization, or mission performance; and

(iv) a description of the resources needed to implement this section.

SEC. 215. SENIOR ENLISTED MEMBER CONTINUATION BOARDS.

(a) IN GENERAL.—Section 357 of title 14, United States Code, is amended—

(1) by striking subsections (a) through (h) and subsection (j); and

(2) in subsection (i), by striking ''(i)''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

''§ 357. Retirement of enlisted members: increase in retired pay''.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of chapter 11 of such title is amended by striking the item relating to such section and inserting the following:

''357. Retirement of enlisted members: increase in retired pay.''.

SEC. 216. COAST GUARD MEMBER PAY.

(a) ANNUAL AUDIT OF PAY AND ALLOWANCES OF MEMBERS UNDERGOING PERMANENT CHANGE OF STATION.—

(1) IN GENERAL.—Chapter 13 of title 14, United States Code, is amended by adding at the end the following:

''§ 519. Annual audit of pay and allowances of members undergoing permanent change of station

''The Commandant shall conduct each calendar year an audit of member pay and allowances for the members who transferred to new units during such calendar year. The audit for a calendar year shall be completed by the end of the calendar year.''.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end the following:

''519. Annual audit of pay and allowances of members undergoing permanent change of station.''.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on alternative methods for notifying members of the Coast Guard of their monthly earnings. The report shall include—

(1) an assessment of the feasibility of providing members a monthly notification of their earnings, categorized by pay and allowance type; and

(2) a description and assessment of mechanisms that may be used to provide members with notification of their earnings, categorized by pay and allowance type.

SEC. 217. TRANSFER OF FUNDS NECESSARY TO PROVIDE MEDICAL CARE.

(a) TRANSFER REQUIRED.—In lieu of the reimbursement required under section 1085 of title 10, United States Code, the Secretary of Homeland Security shall transfer to the Secretary of Defense an amount that represents the actuarial valuation of treatment or care—

(1) that the Department of Defense shall provide to members of the Coast Guard, former members of the Coast Guard, and dependents of such members and former members (other than former members and dependents of former members who are a Medicare-eligible beneficiary or for whom the payment for treatment or care is made from the Medicare-Eligible Retiree Health Care Fund) at facilities under the jurisdiction of the Department of Defense or a military department; and

(2) for which a reimbursement would otherwise be made under section 1085.

(b) AMOUNT.—The amount transferred under subsection (a) shall be—

(1) in the case of treatment or care to be provided to members of the Coast Guard and their dependents, derived from amounts appropriated for the operating expenses of the Coast Guard;

(2) in the case of treatment or care to be provided former members of the Coast Guard and their dependents, derived from amounts appropriated for retired pay;

(3) determined under procedures established by the Secretary of Defense;

(4) transferred during the fiscal year in which treatment or care is provided; and

(5) subject to adjustment or reconciliation as the Secretaries determine appropriate during or promptly after such fiscal year in cases in which the amount transferred is determined excessive or insufficient based on the services actually provided.

(c) NO TRANSFER WHEN SERVICE IN NAVY.—No transfer shall be made under this section for any period during which the Coast Guard operates as a service in the Navy.

(d) RELATIONSHIP TO TRICARE.—This section shall not be construed to require a payment for, or the transfer of an amount that represents the value of, treatment or care provided under any TRICARE program.

SEC. 218. PARTICIPATION OF THE COAST GUARD ACADEMY IN FEDERAL, STATE, OR OTHER EDUCATIONAL RESEARCH GRANTS.

Section 196 of title 14, United States Code, is amended—

(1) by inserting ''(a) IN GENERAL.—'' before the first sentence; and

(2) by adding at the end the following:

''(b) QUALIFIED ORGANIZATIONS.—

''(1) IN GENERAL.—The Commandant of the Coast Guard may—

''(A) enter into a contract, cooperative agreement, lease, or licensing agreement with a qualified organization;

''(B) allow a qualified organization to use, at no cost, personal property of the Coast Guard; and

''(C) notwithstanding section 93, accept funds, supplies, and services from a qualified organization.

''(2) SOLE-SOURCE BASIS.—Notwithstanding chapter 65 of title 31 and chapter 137 of title 10, the Commandant may enter into a contract or cooperative agreement under paragraph (1)(A) on a sole-source basis.

''(3) MAINTAINING FAIRNESS, OBJECTIVITY, AND INTEGRITY.—The Commandant shall ensure that contributions under this subsection do not—

''(A) reflect unfavorably on the ability of the Coast Guard, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

''(B) compromise the integrity or appearance of integrity of any program of the Coast Guard, or any individual involved in such a program.

''(4) LIMITATION.—For purposes of this subsection, employees or personnel of a qualified organization shall not be employees of the United States.

''(5) QUALIFIED ORGANIZATION DEFINED.—In this subsection the term 'qualified organization' means an organization—

''(A) described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code; and

''(B) established by the Coast Guard Academy Alumni Association solely for the purpose of supporting academic research and applying for and administering Federal, State, or other educational research grants on behalf of the Coast Guard Academy.''.

SEC. 219. NATIONAL COAST GUARD MUSEUM.

Section 98(b) of title 14, United States Code, is amended—

(1) in paragraph (1), by striking ''any appropriated Federal funds for'' and insert ''any funds appropriated to the Coast Guard on''; and

(2) in paragraph (2), by striking ''artifacts.'' and inserting ''artifacts, including the design, fabrication, and installation of exhibits or displays in which such artifacts are included.''.

SEC. 220. INVESTIGATIONS.

(a) IN GENERAL.—Chapter 11 of title 14, United States Code, is further amended by adding at the end the following:

''§ 430. Investigations of flag officers and Senior Executive Service employees

''In conducting an investigation into an allegation of misconduct by a flag officer or member of the Senior Executive Service serving in the Coast Guard, the Inspector General of the Department of Homeland Security shall—

''(1) conduct the investigation in a manner consistent with Department of Defense policies for such an investigation; and

''(2) consult with the Inspector General of the Department of Defense.''.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is further amended by inserting after the item related to section 429 the following:

''430. Investigations of flag officers and Senior Executive Service employees.''.

SEC. 221. CLARIFICATION OF ELIGIBILITY OF MEMBERS OF THE COAST GUARD FOR COMBAT-RELATED SPECIAL COMPENSATION.

(a) CONSIDERATION OF ELIGIBILITY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the department is which the Coast Guard is operating shall issue procedures and criteria to use in determining whether the disability of a member of the Coast Guard is a combat-related disability for purposes of the eligibility of such member for combat-related special compensation under section 1413a of title 10, United States Code. Such procedures and criteria shall include the procedures and criteria prescribed by the Secretary of Defense pursuant to subsection (e)(2) of such section. Such procedures and criteria shall apply in determining whether the disability of a member of the Coast Guard is a combat-related disability for purposes of determining the eligibility of such member for combat-related special compensation under such section.

(2) DISABILITY FOR WHICH A DETERMINATION IS MADE.—For the purposes of this section, and in the case of a member of the Coast Guard, a disability under section 1413a(e)(2)(B) of title 10, United States Code, includes a disability incurred during aviation duty, diving duty, rescue swimmer or similar duty, and hazardous service duty onboard a small vessel (such as duty as a surfman)—

(A) in the performance of duties for which special or incentive pay was paid pursuant to section 301, 301a, 304, 307, 334, or 351 of title 37, United States Code;

(B) in the performance of duties related to—

(i) law enforcement, including drug or migrant interdiction;

(ii) defense readiness; or

(iii) search and rescue; or

(C) while engaged in a training exercise for the performance of a duty described in subparagraphs (A) and (B).

(b) APPLICABILITY OF GUIDANCE.—The guidance issued pursuant to subsection (a) shall apply to disabilities described in that subsection that are incurred on or after the effective date provided in section 636(a)(2) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2574; 10 U.S.C. 1413a note).

(c) REAPPLICATION FOR COMPENSATION.—Any member of the Coast Guard who was denied combat-related special compensation under section 1413a of title 10, United States Code, during the period beginning on the effective date specified in subsection (b) and ending on the date of the issuance of the guidance required by subsection (a) may reapply for combat-related special compensation under such section on the basis of such guidance in accordance with such procedures as the Secretary of the department in which the Coast Guard is operating shall specify.

SEC. 222. LEAVE POLICIES FOR THE COAST GUARD.

(a) IN GENERAL.—Chapter 11 of title 14, United States Code, is further amended by inserting after section 430 the following:

''§ 431. Leave policies for the Coast Guard

''Not later than 1 year after the date on which the Secretary of the Navy promulgates a new rule, policy, or memorandum pursuant to section 704 of title 10, United States Code, with respect to leave associated with the birth or adoption of a child, the Secretary of the department in which the Coast Guard is operating shall promulgate a similar rule, policy, or memorandum that provides leave to officers and enlisted members of the Coast Guard that is equal in duration and compensation to that provided by the Secretary of the Navy.''.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is further amended by inserting after the item related to section 430 the following:

''431. Leave policies for the Coast Guard.''.

TITLE III—SHIPPING AND NAVIGATION

SEC. 301. SURVIVAL CRAFT.

(a) IN GENERAL.—Section 3104 of title 46, United States Code, is amended to read as follows:

''§ 3104. Survival craft

''(a) REQUIREMENT TO EQUIP.—The Secretary shall require that a passenger vessel be equipped with survival craft that ensures that no part of an individual is immersed in water, if—

''(1) such vessel is built or undergoes a major conversion after January 1, 2016; and

''(2) operates in cold waters as determined by the Secretary.

''(b) HIGHER STANDARD OF SAFETY.—The Secretary may revise part 117 or part 180 of title 46, Code of Federal Regulations, as in effect before January 1, 2016, if such revision provides a higher standard of safety than is provided by the regulations in effect on or before the date of the enactment of the Coast Guard Authorization Act of 2015.

''(c) INNOVATIVE AND NOVEL DESIGNS.—The Secretary may, in lieu of the requirements set out in part 117 or part 180 of title 46, Code of Federal Regulations, as in effect on the date of the enactment of the Coast Guard Authorization Act of 2015, allow a passenger vessel to be equipped with a life-saving appliance or arrangement of an innovative or novel design that—

''(1) ensures no part of an individual is immersed in water; and

''(2) provides an equal or higher standard of safety than is provided by such requirements as in effect before such date of the enactment.

''(d) BUILT DEFINED.—In this section, the term 'built' has the meaning that term has under section 4503(e).''.

(b) REVIEW; REVISION OF REGULATIONS.—

(1) REVIEW.—Not later than December 31, 2016, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a review of—

(A) the number of casualties for individuals with disabilities, children, and the elderly as a result of immersion in water, reported to the Coast Guard over the preceding 30-year period, by vessel type and area of operation;

(B) the risks to individuals with disabilities, children, and the elderly as a result of immersion in water, by passenger vessel type and area of operation;

(C) the effect that carriage of survival craft that ensure that no part of an individual is immersed in water has on—

(i) passenger vessel safety, including stability and safe navigation;

(ii) improving the survivability of individuals, including individuals with disabilities, children, and the elderly; and

(iii) the costs, the incremental cost difference to vessel operators, and the cost effectiveness of requiring the carriage of such survival craft to address the risks to individuals with disabilities, children, and the elderly;

(D) the efficacy of alternative safety systems, devices, or measures in improving survivability of individuals with disabilities, children, and the elderly; and

(E) the number of small businesses and nonprofit vessel operators that would be affected by requiring the carriage of such survival craft on passenger vessels to address the risks to individuals with disabilities, children, and the elderly.

(2) REVISION.—Based on the review conducted under paragraph (1), the Secretary may revise regulations concerning the carriage of survival craft pursuant to section 3104(c) of title 46, United States Code.

SEC. 302. VESSEL REPLACEMENT.

(a) LOANS AND GUARANTEES.—Chapter 537 of title 46, United States Code, is amended—

(1) in section 53701—

(A) by redesignating paragraphs (8) through (14) as paragraphs (9) through (15), respectively; and

(B) by inserting after paragraph (7) the following:

''(8) HISTORICAL USES.—The term 'historical uses' includes—

''(A) refurbishing, repairing, rebuilding, or replacing equipment on a fishing vessel, without materially increasing harvesting capacity;

''(B) purchasing a used fishing vessel;

''(C) purchasing, constructing, expanding, or reconditioning a fishery facility;

''(D) refinancing existing debt;

''(E) reducing fishing capacity; and

''(F) making upgrades to a fishing vessel, including upgrades in technology, gear, or equipment, that improve—

''(i) collection and reporting of fishery-dependent data;

''(ii) bycatch reduction or avoidance;

''(iii) gear selectivity;

''(iv) adverse impacts caused by fishing gear; or

''(v) safety.''; and

(2) in section 53702(b), by adding at the end the following:

''(3) MINIMUM OBLIGATIONS AVAILABLE FOR HISTORIC USES.—Of the direct loan obligations issued by the Secretary under this chapter, the Secretary shall make a minimum of $59,000,000 available each fiscal year for historic uses.

''(4) USE OF OBLIGATIONS IN LIMITED ACCESS FISHERIES.—In addition to the other eligible purposes and uses of direct loan obligations provided for in this chapter, the Secretary may issue direct loan obligations for the purpose of—

''(A) financing the construction or reconstruction of a fishing vessel in a fishery managed under a limited access system; or

''(B) financing the purchase of harvesting rights in a fishery that is federally managed under a limited access system.''.

(b) LIMITATION ON APPLICATION TO CERTAIN FISHING VESSELS OF PROHIBITION UNDER VESSEL CONSTRUCTION PROGRAM.—Section 302(b)(2) of the Fisheries Financing Act (title III of Public Law 104–297; 46 U.S.C. 53706 note) is amended—

(1) in the second sentence—

(A) by striking ''or in'' and inserting '', in''; and

(B) by inserting before the period the following: '', in fisheries that are under the jurisdiction of the North Pacific Fishery Management Council and managed under a fishery management plan issued under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or in the Pacific whiting fishery that is under the jurisdiction of the Pacific Fishery Management Council and managed under a fishery management plan issued under that Act''; and

(2) by adding at the end the following: ''Any fishing vessel operated in fisheries under the jurisdiction of the North Pacific Fishery Management Council and managed under a fishery management plan issued under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), or in the Pacific whiting fishery under the jurisdiction of the Pacific Fishery Management Council and managed under a fishery management plan issued under that Act, and that is replaced by a vessel that is constructed or rebuilt with a loan or loan guarantee provided by the Federal Government may not be used to harvest fish in any fishery under the jurisdiction of any regional fishery management council, other than a fishery under the jurisdiction of the North Pacific Fishery Management Council or the Pacific Fishery Management Council.''.

SEC. 303. MODEL YEARS FOR RECREATIONAL VESSELS.

(a) IN GENERAL.—Section 4302 of title 46, United States Code, is amended by adding at the end the following:

''(e)(1) If in prescribing regulations under this section the Secretary establishes a model year for recreational vessels and associated equipment, such model year shall, except as provided in paragraph (2)—

''(A) begin on June 1 of a year and end on July 31 of the following year; and

''(B) be designated by the year in which it ends.

''(2) Upon the request of a recreational vessel manufacturer to which this chapter applies, the Secretary may alter a model year for a model of recreational vessel of the manufacturer and associated equipment, by no more than 6 months from the model year described in paragraph (1).''.

(b) APPLICATION.—This section shall only apply with respect to recreational vessels and associated equipment constructed or manufactured, respectively, on or after June 1, 2015.

(c) GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall publish guidance to implement section 4302(d)(2) of title 46, United States Code.

SEC. 304. MERCHANT MARINER CREDENTIAL EXPIRATION HARMONIZATION.

(a) IN GENERAL.—Except as provided in subsection (c) and not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish a process to harmonize the expiration dates of merchant mariner credentials, mariner medical certificates, and radar observer endorsements for individuals applying to the Secretary for a new merchant mariner credential or for renewal of an existing merchant mariner credential.

(b) REQUIREMENTS.—The Secretary shall ensure that the process established under subsection (a)—

(1) does not require an individual to renew a merchant mariner credential earlier than the date on which the individual's current credential expires; and

(2) results in harmonization of expiration dates for merchant mariner credentials, mariner medical certificates, and radar observer

endorsements for all individuals by not later than 6 years after the date of the enactment of this Act.

(c) EXCEPTION.—The process established under subsection (a) does not apply to individuals—

(1) holding a merchant mariner credential with—

(A) an active Standards of Training, Certification, and Watchkeeping endorsement; or

(B) Federal first-class pilot endorsement; or

(2) who have been issued a time-restricted medical certificate.

SEC. 305. SAFETY ZONES FOR PERMITTED MARINE EVENTS.

Not later than 6 months after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish and implement a process to—

(1) account for the number of safety zones established for permitted marine events;

(2) differentiate whether the event sponsor who requested a permit for such an event is—

(A) an individual;

(B) an organization; or

(C) a government entity; and

(3) account for Coast Guard resources utilized to enforce safety zones established for permitted marine events, including for—

(A) the number of Coast Guard or Coast Guard Auxiliary vessels used; and

(B) the number of Coast Guard or Coast Guard Auxiliary patrol hours required.

SEC. 306. TECHNICAL CORRECTIONS.

(a) TITLE 46.—Title 46, United States Code, is amended—

(1) in section 103, by striking ''(33 U.S.C. 151).'' and inserting ''(33 U.S.C. 151(b)).'';

(2) in section 2118—

(A) in subsection (a), in the matter preceding paragraph (1), by striking ''title,'' and inserting ''subtitle,''; and

(B) in subsection (b), by striking ''title'' and inserting ''subtitle'';

(3) in the analysis for chapter 35—

(A) by adding a period at the end of the item relating to section 3507; and

(B) by adding a period at the end of the item relating to section 3508;

(4) in section 3715(a)(2), by striking ''; and'' and inserting a semicolon;

(5) in section 4506, by striking ''(a)'';

(6) in section 8103(b)(1)(A)(iii), by striking ''Academy.'' and inserting ''Academy; and'';

(7) in section 11113(c)(1)(A)(i), by striking ''under this Act'';

(8) in the analysis for chapter 701—

(A) by adding a period at the end of the item relating to section 70107A;

(B) in the item relating to section 70112, by striking ''security advisory committees.'' and inserting ''Security Advisory Committees.''; and

(C) in the item relating to section 70122, by striking ''watch program.'' and inserting ''Watch Program.'';

(9) in section 70105(c)—

(A) in paragraph (1)(B)(xv)—

(i) by striking ''18, popularly'' and inserting ''18 (popularly''; and

(ii) by striking ''Act'' and inserting ''Act)''; and

(B) in paragraph (2), by striking ''(D) paragraph'' and inserting ''(D) of paragraph'';

(10) in section 70107—

(A) in subsection (b)(2), by striking ''5121(j)(8)),'' and inserting ''5196(j)(8)),''; and

(B) in subsection (m)(3)(C)(iii), by striking ''that is'' and inserting ''that the applicant'';

(11) in section 70122, in the section heading, by striking ''**watch program**'' and inserting ''**Watch Program**''; and

(12) in the analysis for chapter 705, by adding a period at the end of the item relating to section 70508.

(b) GENERAL BRIDGE STATUTES.—

(1) ACT OF MARCH 3, 1899.—The Act of March 3, 1899, popularly known as the Rivers and Harbors Appropriations Act of 1899, is amended—

(A) in section 9 (33 U.S.C. 401), by striking ''Secretary of Transportation'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''; and

(B) in section 18 (33 U.S.C. 502), by striking ''Secretary of Transportation'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''.

(2) ACT OF MARCH 23, 1906.—The Act of March 23, 1906, popularly known as the Bridge Act of 1906, is amended—

(A) in the first section (33 U.S.C. 491), by striking ''Secretary of Transportation'' and inserting ''Secretary of the department in which the Coast Guard is operating'';

(B) in section 4 (33 U.S.C. 494), by striking ''Secretary of Homeland Security'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''; and

(C) in section 5 (33 U.S.C. 495), by striking ''Secretary of Transportation'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''.

(3) ACT OF AUGUST 18, 1894.—Section 5 of the Act entitled ''An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved August 18, 1894 (33 U.S.C. 499), is amended by striking ''Secretary of Transportation'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''.

(4) ACT OF JUNE 21, 1940.—The Act of June 21, 1940, popularly known as the Truman-Hobbs Act, is amended—

(A) in section 1 (33 U.S.C. 511), by striking ''Secretary of Transportation'' and inserting ''Secretary of the department in which the Coast Guard is operating'';

(B) in section 4 (33 U.S.C. 514), by striking ''Secretary of Transportation'' and inserting ''Secretary of the department in which the Coast Guard is operating'';

(C) in section 7 (33 U.S.C. 517), by striking ''Secretary of Transportation'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''; and

(D) in section 13 (33 U.S.C. 523), by striking ''Secretary of Transportation'' and inserting ''Secretary of the department in which the Coast Guard is operating''.

(5) GENERAL BRIDGE ACT OF 1946.—The General Bridge Act of 1946 is amended—

(A) in section 502(b) (33 U.S.C. 525(b)), by striking ''Secretary of Transportation'' and inserting ''Secretary of the department in which the Coast Guard is operating''; and

(B) in section 510 (33 U.S.C. 533), by striking ''Secretary of Transportation'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''.

(6) INTERNATIONAL BRIDGE ACT OF 1972.—The International Bridge Act of 1972 is amended—

(A) in section 5 (33 U.S.C. 535c), by striking ''Secretary of Transportation'' and inserting ''Secretary of the department in which the Coast Guard is operating'';

(B) in section 8 (33 U.S.C. 535e), by striking ''Secretary of Transportation'' each place it appears and inserting ''Secretary of the department in which the Coast Guard is operating''; and

(C) by striking section 11 (33 U.S.C. 535h).

SEC. 307. RECOMMENDATIONS FOR IMPROVEMENTS OF MARINE CASUALTY REPORTING.

Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the actions the Commandant will take to implement recommendations on improvements to the Coast Guard's marine casualty reporting requirements and procedures included in—

(1) the Department of Homeland Security Office of Inspector General report entitled ''Marine Accident Reporting, Investigations, and Enforcement in the United States Coast Guard'', released on May 23, 2013; and

(2) the Towing Safety Advisory Committee report entitled ''Recommendations for Improvement of Marine Casualty Reporting'', released on March 26, 2015.

SEC. 308. RECREATIONAL VESSEL ENGINE WEIGHTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue regulations amending table 4 to subpart H of part 183 of title 33, Code of Federal Regulations (relating to Weights (Pounds) of Outboard Motor and Related Equipment for Various Boat Horsepower Ratings), as appropriate to reflect ''Standard 30-Outboard Engine and Related Equipment Weights'' published by the American Boat and Yacht Council, as in effect on the date of the enactment of this Act.

SEC. 309. MERCHANT MARINER MEDICAL CERTIFICATION REFORM.

(a) IN GENERAL.—Chapter 75 of title 46, United States Code, is amended by adding at the end the following:

''§ 7509. Medical certification by trusted agents

''(a) IN GENERAL.—Notwithstanding any other provision of law and pursuant to regulations prescribed by the Secretary, a trusted agent may issue a medical certificate to an individual who—

''(1) must hold such certificate to qualify for a license, certificate of registry, or merchant mariner's document, or endorsement thereto under this part; and

''(2) is qualified as to sight, hearing, and physical condition to perform the duties of such license, certificate, document, or endorsement, as determined by the trusted agent.

''(b) PROCESS FOR ISSUANCE OF CERTIFICATES BY SECRETARY.—A final rule implementing this section shall include a process for—

''(1) the Secretary of the department in which the Coast Guard is operating to issue medical certificates to mariners who submit applications for such certificates to the Secretary; and

''(2) a trusted agent to defer to the Secretary the issuance of a medical certificate.

''(c) TRUSTED AGENT DEFINED.—In this section the term 'trusted agent' means a medical practitioner certified by the Secretary to perform physical examinations of an individual for purposes of a license, certificate of registry, or merchant mariner's document under this part.''.

(b) DEADLINE.—Not later than 5 years after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue a final rule implementing section 7509 of title 46, United States Code, as added by this section.

(c) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''7509. Medical certification by trusted agents.''.

SEC. 310. ATLANTIC COAST PORT ACCESS ROUTE STUDY.

(a) ATLANTIC COAST PORT ACCESS ROUTE STUDY.—Not later than April 1, 2016, the Commandant of the Coast Guard shall conclude the Atlantic Coast Port Access Route Study and submit the results of such study to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) NANTUCKET SOUND.—Not later than December 1, 2016, the Commandant of the Coast Guard shall complete and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a port access route study of Nantucket Sound using the standards and methodology of the Atlantic Coast Port Access Route Study, to determine whether the Coast Guard should revise existing regulations to improve navigation safety in Nantucket Sound due to factors such as increased vessel traffic, changing vessel traffic patterns, weather conditions, or navigational difficulty in the vicinity.

SEC. 311. CERTIFICATES OF DOCUMENTATION FOR RECREATIONAL VESSELS.

Not later than one year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue regulations that—

(1) make certificates of documentation for recreational vessels effective for 5 years; and

(2) require the owner of such a vessel—

(A) to notify the Coast Guard of each change in the information on which the issuance of the certificate of documentation is based, that occurs before the expiration of the certificate; and

(B) apply for a new certificate of documentation for such a vessel if there is any such change.

SEC. 312. PROGRAM GUIDELINES.

Not later than 180 days after the date of the enactment this Act, the Secretary of Transportation shall—

(1) develop guidelines to implement the program authorized under section 304(a) of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109–241), including specific actions to ensure the future availability of able and credentialed United States licensed and unlicensed seafarers including—

(A) incentives to encourage partnership agreements with operators of foreign-flag vessels that carry liquified natural gas, that provide no less than one training billet per vessel for United States merchant mariners in order to meet minimum mandatory sea service requirements;

(B) development of appropriate training curricula for use by public and private maritime training institutions to meet all United States merchant mariner license, certification, and document laws and requirements under the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978; and

(C) steps to promote greater outreach and awareness of additional job opportunities for sea service veterans of the United States Armed Forces; and

(2) submit such guidelines to the Committee Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 313. REPEALS.

(a) REPEALS, MERCHANT MARINE ACT, 1936.—Sections 601 through 606, 608 through 611, 613 through 616, 802, and 809 of the Merchant Marine Act, 1936 (46 U.S.C. 53101 note) are repealed.

(b) CONFORMING AMENDMENTS.—Chapter 575 of title 46, United States Code, is amended—

(1) in section 57501, by striking ''titles V and VI'' and inserting ''title V''; and

(2) in section 57531(a), by striking ''titles V and VI'' and inserting ''title V''.

(c) TRANSFER FROM MERCHANT MARINE ACT, 1936.—

(1) IN GENERAL.—Section 801 of the Merchant Marine Act, 1936 (46 U.S.C. 53101 note)—

(A) is redesignated as section 57522 of title 46, United States Code, and transferred to appear after section 57521 of such title; and

(B) as so redesignated and transferred, is amended—

(i) by striking so much as precedes the first sentence and inserting the following:

''§ 57522. Books and records, balance sheets, and inspection and auditing'';

(ii) by striking ''the provision of title VI or VII of this Act'' and inserting ''this chapter''; and

(iii) by striking '': *Provided*, That'' and all that follows through ''Commission''.

(2) CLERICAL AMENDMENT.—The analysis for chapter 575, of title 46, United States Code, is amended by inserting after the item relating to section 57521 the following:

''57522. Books and records, balance sheets, and inspection and auditing.''.

(d) REPEALS, TITLE 46, U.S.C.—Section 8103 of title 46, United States Code, is amended in subsections (c) and (d) by striking ''or operating'' each place it appears.

SEC. 314. MARITIME DRUG LAW ENFORCEMENT.

(a) PROHIBITIONS.—Section 70503(a) of title 46, United States Code, is amended to read as follows:

''(a) PROHIBITIONS.—While on board a covered vessel, an individual may not knowingly or intentionally—

''(1) manufacture or distribute, or possess with intent to manufacture or distribute, a controlled substance;

''(2) destroy (including jettisoning any item or scuttling, burning, or hastily cleaning a vessel), or attempt or conspire to destroy, property that is subject to forfeiture under section 511(a) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 881(a)); or

''(3) conceal, or attempt or conspire to conceal, more than $100,000 in currency or other monetary instruments on the person of such individual or in any conveyance, article of luggage, merchandise, or other container, or compartment of or aboard the covered vessel if that vessel is outfitted for smuggling.''.

(b) COVERED VESSEL DEFINED.—Section 70503 of title 46, United States Code, is amended by adding at the end the following:

''(e) COVERED VESSEL DEFINED.—In this section the term 'covered vessel' means—

''(1) a vessel of the United States or a vessel subject to the jurisdiction of the United States; or

''(2) any other vessel if the individual is a citizen of the United States or a resident alien of the United States.''.

(c) PENALTIES.—Section 70506 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''A person violating section 70503'' and inserting ''A person violating paragraph (1) of section 70503(a)''; and

(2) by adding at the end the following:

''(d) PENALTY.—A person violating paragraph (2) or (3) of section 70503(a) shall be fined in accordance with section 3571 of title 18, imprisoned not more than 15 years, or both.''.

(d) SEIZURE AND FORFEITURE.—Section 70507(a) of title 46, United States Code, is amended by striking ''section 70503'' and inserting ''section 70503 or 70508''.

(e) CLERICAL AMENDMENTS.—

(1) The heading of section 70503 of title 46, United States Code, is amended to read as follows:

''§ 70503. Prohibited acts''.

(2) The analysis for chapter 705 of title 46, United States Code, is further amended by striking the item relating to section 70503 and inserting the following:

''70503. Prohibited acts.''.

SEC. 315. EXAMINATIONS FOR MERCHANT MARINER CREDENTIALS.

(a) DISCLOSURE.—

(1) IN GENERAL.—Chapter 75 of title 46, United States Code, is further amended by adding at the end the following:

''§ 7510. Examinations for merchant mariner credentials

''(a) DISCLOSURE NOT REQUIRED.—Notwithstanding any other provision of law, the Secretary is not required to disclose to the public—

''(1) a question from any examination for a merchant mariner credential;

''(2) the answer to such a question, including any correct or incorrect answer that may be presented with such question; and

''(3) any quality or characteristic of such a question, including—

''(A) the manner in which such question has been, is, or may be selected for an examination;

''(B) the frequency of such selection; and

''(C) the frequency that an examinee correctly or incorrectly answered such question.

''(b) EXCEPTION FOR CERTAIN QUESTIONS.—Notwithstanding subsection (a), the Secretary may, for the purpose of preparation by the general public for examinations required for merchant mariner credentials, release an examination question and answer that the Secretary has retired or is not presently on or part of an examination, or that the Secretary determines is appropriate for release.

''(c) EXAM REVIEW.—

''(1) IN GENERAL.—Not later than 90 days after the date of the enactment of the Coast Guard Authorization Act of 2015, and once every two years thereafter, the Commandant of the Coast Guard shall commission a working group to review new questions for inclusion in examinations required for merchant mariner credentials, composed of—

''(A) 1 subject matter expert from the Coast Guard;

''(B) representatives from training facilities and the maritime industry, of whom—

''(i) one-half shall be representatives from approved training facilities; and

''(ii) one-half shall be representatives from the appropriate maritime industry;

''(C) at least 1 representative from the Merchant Marine Personnel Advisory Committee;

''(D) at least 2 representatives from the State maritime academies, of whom one

shall be a representative from the deck training track and one shall be a representative of the engine license track;

''(E) representatives from other Coast Guard Federal advisory committees, as appropriate, for the industry segment associated with the subject examinations;

''(F) at least 1 subject matter expert from the Maritime Administration; and

''(G) at least 1 human performance technology representative.

''(2) INCLUSION OF PERSONS KNOWLEDGEABLE ABOUT EXAMINATION TYPE.—The working group shall include representatives knowledgeable about the examination type under review.

''(3) LIMITATION.—The requirement to convene a working group under paragraph (1) does not apply unless there are new examination questions to review.

''(4) BASELINE REVIEW.—

''(A) IN GENERAL.—Within 1 year after the date of the enactment of the Coast Guard Authorization Act of 2015, the Secretary shall convene the working group to complete a baseline review of the Coast Guard's Merchant Mariner Credentialing Examination, including review of—

''(i) the accuracy of examination questions;

''(ii) the accuracy and availability of examination references;

''(iii) the length of merchant mariner examinations; and

''(iv) the use of standard technologies in administering, scoring, and analyzing the examinations.

''(B) PROGRESS REPORT.—The Coast Guard shall provide a progress report to the appropriate congressional committees on the review under this paragraph.

''(5) FULL MEMBERSHIP NOT REQUIRED.—The Coast Guard may convene the working group without all members present if any non-Coast-Guard representative is present.

''(6) NONDISCLOSURE AGREEMENT.—The Secretary shall require all members of the working group to sign a nondisclosure agreement with the Secretary.

''(7) TREATMENT OF MEMBERS AS FEDERAL EMPLOYEES.—A member of the working group who is not a Federal Government employee shall not be considered a Federal employee in the service or the employment of the Federal Government, except that such a member shall be considered a special government employee, as defined in section 202(a) of title 18 for purposes of sections 203, 205, 207, 208, and 209 of such title and shall be subject to any administrative standards of conduct applicable to an employee of the department in which the Coast Guard is operating.

''(8) FORMAL EXAM REVIEW.—The Secretary shall ensure that the Coast Guard Performance Technology Center—

''(A) prioritizes the review of examinations required for merchant mariner credentials; and

''(B) not later than 3 years after the date of enactment of the Coast Guard Authorization Act of 2015, completes a formal review, including an appropriate analysis, of the topics and testing methodology employed by the National Maritime Center for merchant seamen licensing.

''(9) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any working group created under this section to review the Coast Guard's merchant mariner credentialing examinations.

''(d) MERCHANT MARINER CREDENTIAL DEFINED.—In this section, the term 'merchant mariner credential' means a merchant seaman license, certificate, or document that the Secretary is authorized to issue pursuant to this title.''.

(2) CLERICAL AMENDMENT.—The analysis for such chapter is further amended by adding at the end the following:

''7510. Examinations for merchant mariner credentials.''.

(b) EXAMINATIONS FOR MERCHANT MARINER CREDENTIALS.—

(1) IN GENERAL.—Chapter 71 of title 46, United States Code, is amended by adding at the end the following:

''§ 7116. Examinations for merchant mariner credentials

''(a) REQUIREMENT FOR SAMPLE EXAMS.—The Secretary shall develop a sample merchant mariner credential examination and outline of merchant mariner examination topics on an annual basis.

''(b) PUBLIC AVAILABILITY.—Each sample examination and outline of topics developed under subsection (a) shall be readily available to the public.

''(c) MERCHANT MARINER CREDENTIAL DEFINED.—In this section, the term 'merchant mariner credential' has the meaning that term has in section 7510.''.

(2) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''7116. Examinations for merchant mariner credentials.''.

(c) DISCLOSURE TO CONGRESS.—Nothing in this section may be construed to authorize the withholding of information from an appropriate inspector general, the Committee on Commerce, Science, and Transportation of the Senate, or the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 316. HIGHER VOLUME PORT AREA REGULATORY DEFINITION CHANGE.

(a) IN GENERAL.—Subsection (a) of section 710 of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 124 Stat. 2986) is amended to read as follows:

''(a) HIGHER VOLUME PORTS.—Notwithstanding any other provision of law, the requirements of subparts D, F, and G of part 155 of title 33, Code of Federal Regulations, that apply to the higher volume port area for the Strait of Juan de Fuca at Port Angeles, Washington (including any water area within 50 nautical miles seaward), to and including Puget Sound, shall apply, in the same manner, and to the same extent, to the Strait of Juan de Fuca at Cape Flattery, Washington (including any water area within 50 nautical miles seaward), to and including Puget Sound.''.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by striking ''the modification of the higher volume port area definition required by subsection (a).'' and inserting ''higher volume port requirements made applicable under subsection (a).''.

SEC. 317. RECOGNITION OF PORT SECURITY ASSESSMENTS CONDUCTED BY OTHER ENTITIES.

Section 70108 of title 46, United States Code, is amended by adding at the end the following:

''(f) RECOGNITION OF ASSESSMENT CONDUCTED BY OTHER ENTITIES.—

''(1) CERTIFICATION AND TREATMENT OF ASSESSMENTS.—For the purposes of this section and section 70109, the Secretary may treat an assessment that a foreign government (including, for the purposes of this subsection, an entity of or operating under the auspices of the European Union) or international organization has conducted as an assessment that the Secretary has conducted for the purposes of subsection (a), provided that the Secretary certifies that the foreign government or international organization has—

''(A) conducted the assessment in accordance with subsection (b); and

''(B) provided the Secretary with sufficient information pertaining to its assessment (including, but not limited to, information on the outcome of the assessment).

''(2) AUTHORIZATION TO ENTER INTO AN AGREEMENT.—For the purposes of this section and section 70109, the Secretary, in consultation with the Secretary of State, may enter into an agreement with a foreign government (including, for the purposes of this subsection, an entity of or operating under the auspices of the European Union) or international organization, under which parties to the agreement—

''(A) conduct an assessment, required under subsection (a);

''(B) share information pertaining to such assessment (including, but not limited to, information on the outcome of the assessment); or

''(C) both.

''(3) LIMITATIONS.—Nothing in this subsection shall be construed to—

''(A) require the Secretary to recognize an assessment that a foreign government or an international organization has conducted; or

''(B) limit the discretion or ability of the Secretary to conduct an assessment under this section.

''(4) NOTIFICATION TO CONGRESS.—Not later than 30 days before entering into an agreement or arrangement with a foreign government under paragraph (2), the Secretary shall notify the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the proposed terms of such agreement or arrangement.''.

SEC. 318. FISHING VESSEL AND FISH TENDER VESSEL CERTIFICATION.

(a) ALTERNATIVE SAFETY COMPLIANCE PROGRAMS.—Section 4503 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''this section'' and inserting ''this subsection'';

(2) in subsection (b), by striking ''This section'' and inserting ''Except as provided in subsection (d), subsection (a)'';

(3) in subsection (c)—

(A) by striking ''This section'' and inserting ''(1) Except as provided in paragraph (2), subsection (a)''; and

(B) by adding at the end the following:

''(2) Subsection (a) does not apply to a fishing vessel or fish tender vessel to which section 4502(b) of this title applies, if the vessel—

''(A) is at least 50 feet overall in length, and not more than 79 feet overall in length; and

''(B)(i) is built after January 1, 2016, and complies with the alternative safety compliance program established under subsection (e); or

''(ii) is built after the date of the enactment of the Coast Guard Authorization Act of 2015 and before the establishment of the alternative safety compliance program required under subsection (e), and complies with the requirements described in subsection (f).''; and

(4) by redesignating subsection (e) as subsection (g), and inserting after subsection (d) the following:

''(e)(1) Not later than 5 years after the date of the enactment of the Coast Guard Authorization Act of 2015, the Secretary shall establish an alternative safety compliance program for fishing vessels or fish tender vessels

(or both) that are described in subparagraphs (A) and (B)(i) of subsection (c)(2).

''(2) The alternative safety compliance program established under paragraph (1) shall include requirements for—

''(A) vessel construction;

''(B) a vessel stability test;

''(C) vessel stability and loading instructions;

''(D) an assigned vessel loading mark;

''(E) a vessel condition survey at least biennially;

''(F) an out-of-water vessel survey at least once every 5 years;

''(G) maintenance of records to demonstrate compliance with the program, and the availability of such records for inspection; and

''(H) such other aspects of vessel safety as the Secretary considers appropriate.

''(f) The requirements referred to in subsection (c)(2)(B)(ii) are the following:

''(1) The vessel is designed by an individual licensed by a State as a naval architect or marine engineer, and the design incorporates standards equivalent to those prescribed by a classification society to which the Secretary has delegated authority under section 3316 or another qualified organization approved by the Secretary for purposes of this paragraph.

''(2) Construction of the vessel is overseen and certified as being in accordance with its design by a marine surveyor of an organization accepted by the Secretary.

''(3) The vessel—

''(A) completes a stability test performed by a qualified individual;

''(B) has written stability and loading instructions from a qualified individual that are provided to the owner or operator; and

''(C) has an assigned loading mark.

''(4) The vessel is not substantially modified or changed without the review and approval of an individual licensed by a State as a naval architect or marine engineer before the beginning of such substantial modification or change.

''(5) The vessel undergoes a condition survey at least biennially to the satisfaction of a marine surveyor of an organization accepted by the Secretary.

''(6) The vessel undergoes an out-of-water survey at least once every 5 years to the satisfaction of a certified marine surveyor of an organization accepted by the Secretary.

''(7) Once every 5 years and at the time of a modification or substantial change to such vessel, compliance of the vessel with the requirements of paragraph (3) is reviewed and updated as necessary.

''(8) For the life of the vessel, the owner of the vessel maintains records to demonstrate compliance with this subsection and makes such records readily available for inspection by an official authorized to enforce this chapter.''.

(b) GAO REPORT ON COMMERCIAL FISHING VESSEL SAFETY.—

(1) IN GENERAL.—Not later than 12 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on commercial fishing vessel safety. The report shall include—

(A) national and regional trends that can be identified with respect to rates of marine causalities, human injuries, and deaths aboard or involving fishing vessels greater than 79 feet in length that operate beyond the 3-nautical-mile demarcation line;

(B) a comparison of United States regulations for classification of fishing vessels to those established by other countries, including the vessel length at which such regulations apply;

(C) the additional costs imposed on vessel owners as a result of the requirement in section 4503(a) of title 46, United States Code, and how the those costs vary in relation to vessel size and from region to region;

(D) savings that result from the application of the requirement in section 4503(a) of title 46, United States Code, including reductions in insurance rates or reduction in the number of fishing vessels or fish tender vessels lost to major safety casualties, nationally and regionally;

(E) a national and regional comparison of the additional costs and safety benefits associated with fishing vessels or fish tender vessels that are built and maintained to class through a classification society to the additional costs and safety benefits associated with fishing vessels or fish tender vessels that are built to standards equivalent to classification society construction standards and maintained to standards equivalent to classification society standards with verification by independent surveyors; and

(F) the impact on the cost of production and availability of qualified shipyards, nationally and regionally, resulting from the application of the requirement in section 4503(a) of title 46, United States Code.

(2) CONSULTATION REQUIREMENT.—In preparing the report under paragraph (1), the Comptroller General shall—

(A) consult with owners and operators of fishing vessels or fish tender vessels, classification societies, shipyards, the National Institute for Occupational Safety and Health, the National Transportation Safety Board, the Coast Guard, academics, and marine safety nongovernmental organizations; and

(B) obtain relevant data from the Coast Guard including data collected from enforcement actions, boardings, investigations of marine casualties, and serious marine incidents.

(3) TREATMENT OF DATA.—In preparing the report under paragraph (1), the Comptroller General shall—

(A) disaggregate data regionally for each of the regions managed by the regional fishery management councils established under section 302 of the Magnuson-Stevens Fisheries Conservation and Management Act (16 U.S.C. 1852), the Atlantic States Marine Fisheries Commission, the Pacific States Marine Fisheries Commission, and the Gulf States Marine Fisheries Commission; and

(B) include qualitative data on the types of fishing vessels or fish tender vessels included in the report.

SEC. 319. INTERAGENCY COORDINATING COMMITTEE ON OIL POLLUTION RESEARCH.

(a) IN GENERAL.—Section 7001(a)(3) of the Oil Pollution Act of 1990 (33 U.S.C. 2761(a)(3)) is amended—

(1) by striking ''Minerals Management Service'' and inserting ''Bureau of Safety and Environmental Enforcement, the Bureau of Ocean Energy Management,''; and

(2) by inserting ''the United States Arctic Research Commission,'' after ''National Aeronautics and Space Administration,''.

(b) TECHNICAL AMENDMENTS.—Section 7001 of the Oil Pollution Act of 1990 (33 U.S.C. 2761) is amended—

(1) in subsection (b)(2), in the matter preceding subparagraph (A), by striking ''Department of Transportation'' and inserting ''department in which the Coast Guard is operating''; and

(2) in subsection (c)(8)(A), by striking ''(1989)'' and inserting ''(2010)''.

SEC. 320. INTERNATIONAL PORT AND FACILITY INSPECTION COORDINATION.

Section 825(a) of the Coast Guard Authorization Act of 2010 (6 U.S.C. 945 note; Public Law 111–281) is amended in the matter preceding paragraph (1)—

(1) by striking ''the department in which the Coast Guard is operating'' and inserting ''Homeland Security''; and

(2) by striking ''they are integrated and conducted by the Coast Guard'' and inserting ''the assessments are coordinated between the Coast Guard and Customs and Border Protection''.

TITLE IV—FEDERAL MARITIME COMMISSION

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Chapter 3 of title 46, United States Code, is amended by adding at the end the following:

''§ 308. Authorization of appropriations

''There is authorized to be appropriated to the Federal Maritime Commission $24,700,000 for each of fiscal years 2016 and 2017 for the activities of the Commission authorized under this chapter and subtitle IV.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 46, United States Code, is amended by adding at the end the following:

''308. Authorization of appropriations.''.

SEC. 402. DUTIES OF THE CHAIRMAN.

Section 301(c)(3)(A) of title 46, United States Code, is amended—

(1) in clause (ii) by striking ''units, but only after consultation with the other Commissioners;'' and inserting ''units (with such appointments subject to the approval of the Commission);'';

(2) in clause (iv) by striking ''and'' at the end;

(3) in clause (v) by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(vi) prepare and submit to the President and the Congress requests for appropriations for the Commission (with such requests subject to the approval of the Commission).''.

SEC. 403. PROHIBITION ON AWARDS.

Section 307 of title 46, United States Code, is amended—

(1) by striking ''The Federal Maritime Commission'' and inserting the following:

''(a) IN GENERAL.—The Federal Maritime Commission''; and

(2) by adding at the end the following:

''(b) PROHIBITION.—Notwithstanding subsection (a), the Federal Maritime Commission may not expend any funds appropriated or otherwise made available to it to a non-Federal entity to issue an award, prize, commendation, or other honor that is not related to the purposes set forth in section 40101.''.

TITLE V—CONVEYANCES

Subtitle A—Miscellaneous Conveyances

SEC. 501. CONVEYANCE OF COAST GUARD PROPERTY IN POINT REYES STATION, CALIFORNIA.

(a) CONVEYANCE.—

(1) IN GENERAL.—The Commandant of the Coast Guard shall convey to the County of Marin, California, all right, title, and interest of the United States in and to the covered property—

(A) for fair market value, as provided in paragraph (2);

(B) subject to the conditions required by this section; and

(C) subject to any other term or condition that the Commandant considers appropriate and reasonable to protect the interests of the United States.

(2) FAIR MARKET VALUE.—The fair market value of the covered property shall be—

(A) determined by a real estate appraiser who has been selected by the County and is licensed to practice in California; and

(B) approved by the Commandant.

(3) PROCEEDS.—The Commandant shall deposit the proceeds from a conveyance under paragraph (1) in the Coast Guard Housing Fund established by section 687 of title 14, United States Code.

(b) CONDITION OF CONVEYANCE.—As a condition of any conveyance of the covered property under this section, the Commandant shall require that all right, title, and interest in and to the covered property shall revert to the United States if the covered property or any part thereof ceases to be used for affordable housing, as defined by the County and the Commandant at the time of conveyance, or to provide a public benefit approved by the County.

(c) SURVEY.—The exact acreage and legal description of the covered property shall be determined by a survey satisfactory to the Commandant.

(d) RULES OF CONSTRUCTION.—Nothing in this section may be construed to affect or limit the application of or obligation to comply with any environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(e) COVERED PROPERTY DEFINED.—In this section, the term ''covered property'' means the approximately 32 acres of real property (including all improvements located on the property) that are—

(1) located in Point Reyes Station in the County of Marin, California;

(2) under the administrative control of the Coast Guard; and

(3) described as ''Parcel A, Tract 1'', ''Parcel B, Tract 2'', ''Parcel C'', and ''Parcel D'' in the Declaration of Taking (Civil No. C 71–1245 SC) filed June 28, 1971, in the United States District Court for the Northern District of California.

(f) EXPIRATION.—The authority to convey the covered property under this section shall expire on the date that is four years after the date of the enactment of this Act.

SEC. 502. CONVEYANCE OF COAST GUARD PROPERTY IN TOK, ALASKA.

(a) CONVEYANCE AUTHORIZED.—The Commandant of the Coast Guard may convey to the Tanana Chiefs' Conference all right, title, and interest of the United States in and to the covered property, upon payment to the United States of the fair market value of the covered property.

(b) SURVEY.—The exact acreage and legal description of the covered property shall be determined by a survey satisfactory to the Commandant.

(c) FAIR MARKET VALUE.—The fair market value of the covered property shall be—

(1) determined by appraisal; and

(2) subject to the approval of the Commandant.

(d) COSTS OF CONVEYANCE.—The responsibility for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with a conveyance under this section shall be determined by the Commandant and the purchaser.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Commandant may require such additional terms and conditions in connection with a conveyance under this section as the Commandant considers appropriate and reasonable to protect the interests of the United States.

(f) DEPOSIT OF PROCEEDS.—Any proceeds received by the United States from a conveyance under this section shall be deposited in the Coast Guard Housing Fund established under section 687 of title 14, United States Code.

(g) COVERED PROPERTY DEFINED.—

(1) IN GENERAL.—In this section, the term ''covered property'' means the approximately 3.25 acres of real property (including all improvements located on the property) that are—

(A) located in Tok, Alaska;

(B) under the administrative control of the Coast Guard; and

(C) described in paragraph (2).

(2) DESCRIPTION.—The property described in this paragraph is the following:

(A) Lots 11, 12 and 13, block ''G'', Second Addition to Hartsell Subdivision, Section 20, Township 18 North, Range 13 East, Copper River Meridian, Alaska as appears by Plat No. 72–39 filed in the Office of the Recorder for the Fairbanks Recording District of Alaska, bearing seal dated 25 September 1972, all containing approximately 1.25 acres and commonly known as 2–PLEX – Jackie Circle, Units A and B.

(B) Beginning at a point being the SE corner of the SE ¼ of the SE ¼ Section 24, Township 18 North, Range 12 East, Copper River Meridian, Alaska; thence running westerly along the south line of said SE ¼ of the NE ¼ 260 feet; thence northerly parallel to the east line of said SE ¼ of the NE ¼ 335 feet; thence easterly parallel to the south line 260 feet; then south 335 feet along the east boundary of Section 24 to the point of beginning; all containing approximately 2.0 acres and commonly known as 4–PLEX – West ''C'' and Willow, Units A, B, C and D.

(h) EXPIRATION.—The authority to convey the covered property under this section shall expire on the date that is 4 years after the date of the enactment of this Act.

Subtitle B—Pribilof Islands

SEC. 521. SHORT TITLE.

This subtitle may be cited as the ''Pribilof Island Transition Completion Act of 2015''.

SEC. 522. TRANSFER AND DISPOSITION OF PROPERTY.

(a) TRANSFER.—To further accomplish the settlement of land claims under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), the Secretary of Commerce shall, subject to paragraph (2), and notwithstanding section 105(a) of the Pribilof Islands Transition Act (16 U.S.C. 1161 note; Public Law 106–562), convey all right, title, and interest in the following property to the Alaska native village corporation for St. Paul Island:

(1) Lots 4, 5, and 6A, Block 18, Tract A, U.S. Survey 4943, Alaska, the plat of which was Officially Filed on January 20, 2004, aggregating 13,006 square feet (0.30 acres).

(2) On the termination of the license described in subsection (b)(3), T. 35 S., R. 131 W., Seward Meridian, Alaska, Tract 43, the plat of which was Officially Filed on May 14, 1986, containing 84.88 acres.

(b) FEDERAL USE.—

(1) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may operate, maintain, keep, locate, inspect, repair, and replace any Federal aid to navigation located on the property described in subsection (a) as long as the aid is needed for navigational purposes.

(2) ADMINISTRATION.—In carrying out subsection (a), the Secretary may enter the property, at any time for as long as the aid is needed for navigational purposes, without notice to the extent that it is not practicable to provide advance notice.

(3) LICENSE.—The Secretary of the Department in which the Coast Guard is operating may maintain a license in effect on the date of the enactment of this Act with respect to the real property and improvements under subsection (a) until the termination of the license.

(4) REPORTS.—Not later than 2 years after the date of the enactment of this Act and not less than once every 2 years thereafter, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(A) efforts taken to remediate contaminated soils on tract 43 described in subsection (a)(2);

(B) a schedule for the completion of contaminated soil remediation on tract 43; and

(C) any use of tract 43 to carry out Coast Guard navigation activities.

(c) AGREEMENT ON TRANSFER OF OTHER PROPERTY ON ST. PAUL ISLAND.—

(1) IN GENERAL.—In addition to the property transferred under subsection (a), not later than 60 days after the date of the enactment of this Act, the Secretary of Commerce and the presiding officer of the Alaska native village corporation for St. Paul Island shall enter into an agreement to exchange of property on Tracts 50 and 38 on St. Paul Island and to finalize the recording of deeds, to reflect the boundaries and ownership of Tracts 50 and 38 as depicted on a survey of the National Oceanic and Atmospheric Administration, to be filed with the Office of the Recorder for the Department of Natural Resources for the State of Alaska.

(2) EASEMENTS.—The survey described in subsection (a) shall include respective easements granted to the Secretary and the Alaska native village corporation for the purpose of utilities, drainage, road access, and salt lagoon conservation.

SEC. 523. NOTICE OF CERTIFICATION.

Section 105 of the Pribilof Islands Transition Act (16 U.S.C. 1161 note; Public Law 106–562) is amended—

(1) in subsection (a)(1), by striking ''The Secretary'' and inserting ''Notwithstanding paragraph (2) and effective beginning on the date the Secretary publishes the notice of certification required by subsection (b)(5), the Secretary'';

(2) in subsection (b)—

(A) in paragraph (1)(A), by striking ''section 205 of the Fur Seal Act of 1966 (16 U.S.C. 1165)'' and inserting ''section 205(a) of the Fur Seal Act of 1966 (16 U.S.C. 1165(a))''; and

(B) by adding at the end the following:

''(5) NOTICE OF CERTIFICATION.—The Secretary shall promptly publish and submit to the Committee on Natural Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate notice that the certification described in paragraph (2) has been made.'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''makes the certification described in subsection (b)(2)'' and inserting ''publishes the notice of certification required by subsection (b)(5)''; and

(B) in paragraph (1), by striking ''Section 205'' and inserting ''Subsections (a), (b), (c), and (d) of section 205'';

(4) by redesignating subsection (e) as subsection (g); and

(5) by inserting after subsection (d) the following:

''(e) NOTIFICATIONS.—

''(1) IN GENERAL.—Not later than 30 days after the Secretary makes a determination

under subsection (f) that land on St. Paul Island, Alaska, not specified for transfer in the document entitled 'Transfer of Property on the Pribilof Islands: Descriptions, Terms and Conditions' or section 522 of the Pribilof Island Transition Completion Act of 2015 is in excess of the needs of the Secretary and the Federal Government, the Secretary shall notify the Alaska native village corporation for St. Paul Island of the determination.

''(2) ELECTION TO RECEIVE.—Not later than 60 days after the date receipt of the notification of the Secretary under subsection (a), the Alaska native village corporation for St. Paul Island shall notify the Secretary in writing whether the Alaska native village corporation elects to receive all right, title, and interest in the land or a portion of the land.

''(3) TRANSFER.—If the Alaska native village corporation provides notice under paragraph (2) that the Alaska native village corporation elects to receive all right, title and interest in the land or a portion of the land, the Secretary shall transfer all right, title, and interest in the land or portion to the Alaska native village corporation at no cost.

''(4) OTHER DISPOSITION.—If the Alaska native village corporation does not provide notice under paragraph (2) that the Alaska native village corporation elects to receive all right, title, and interest in the land or a portion of the land, the Secretary may dispose of the land in accordance with other applicable law.

''(f) DETERMINATION.—

''(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this subsection and not less than once every 5 years thereafter, the Secretary shall determine whether property located on St. Paul Island and not transferred to the Natives of the Pribilof Islands is in excess of the smallest practicable tract enclosing land—

''(A) needed by the Secretary for the purposes of carrying out the Fur Seal Act of 1966 (16 U.S.C. 1151 et seq.);

''(B) in the case of land withdrawn by the Secretary on behalf of other Federal agencies, needed for carrying out the missions of those agencies for which land was withdrawn; or

''(C) actually used by the Federal Government in connection with the administration of any Federal installation on St. Paul Island.

''(2) REPORT OF DETERMINATION.—When a determination is made under subsection (a), the Secretary shall report the determination to—

''(A) the Committee on Natural Resources of the House of Representatives;

''(B) the Committee on Commerce, Science, and Transportation of the Senate; and

''(C) the Alaska native village corporation for St. Paul Island.''.

SEC. 524. REDUNDANT CAPABILITY.

(a) RULE OF CONSTRUCTION.—Except as provided in subsection (b), section 681 of title 14, United States Code, as amended by this Act, shall not be construed to prohibit any transfer or conveyance of lands under this subtitle or any actions that involve the dismantling or disposal of infrastructure that supported the former LORAN system that are associated with the transfer or conveyance of lands under section 522.

(b) REDUNDANT CAPABILITY.—If, within the 5-year period beginning on the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating determines that a facility on Tract 43, if transferred under this subtitle, is subsequently required to provide a positioning, navigation, and timing system to provide redundant capability in the event GPS signals are disrupted, the Secretary may—

(1) operate, maintain, keep, locate, inspect, repair, and replace such facility; and

(2) in carrying out the activities described in paragraph (1), enter, at any time, the facility without notice to the extent that it is not possible to provide advance notice, for as long as such facility is needed to provide such capability.

Subtitle C—Conveyance of Coast Guard Property at Point Spencer, Alaska

SEC. 531. FINDINGS.

The Congress finds as follows:

(1) Major shipping traffic is increasing through the Bering Strait, the Bering and Chukchi Seas, and the Arctic Ocean, and will continue to increase whether or not development of the Outer Continental Shelf of the United States is undertaken in the future, and will increase further if such Outer Continental Shelf development is undertaken.

(2) There is a compelling national, State, Alaska Native, and private sector need for permanent infrastructure development and for a presence in the Arctic region of Alaska by appropriate agencies of the Federal Government, particularly in proximity to the Bering Strait, to support and facilitate search and rescue, shipping safety, economic development, oil spill prevention and response, protection of Alaska Native archaeological and cultural resources, port of refuge, arctic research, and maritime law enforcement on the Bering Sea, the Chukchi Sea, and the Arctic Ocean.

(3) The United States owns a parcel of land, known as Point Spencer, located between the Bering Strait and Port Clarence and adjacent to some of the best potential deepwater port sites on the coast of Alaska in the Arctic.

(4) Prudent and effective use of Point Spencer may be best achieved through marshaling the energy, resources, and leadership of the public and private sectors.

(5) It is in the national interest to develop infrastructure at Point Spencer that would aid the Coast Guard in performing its statutory duties and functions in the Arctic on a more permanent basis and to allow for public and private sector development of facilities and other infrastructure to support purposes that are of benefit to the United States.

SEC. 532. DEFINITIONS.

In this subtitle:

(1) ARCTIC.—The term ''Arctic'' has the meaning given that term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(2) BSNC.—The term ''BSNC'' means the Bering Straits Native Corporation authorized under section 7 of the Alaska Native Claims Settlement Act (43 U.S.C. 1606).

(3) COUNCIL.—The term ''Council'' means the Port Coordination Council established under section 541.

(4) PLAN.—The term ''Plan'' means the Port Management Coordination Plan developed under section 541.

(5) POINT SPENCER.—The term ''Point Spencer'' means the land known as ''Point Spencer'' located in Townships 2, 3, and 4 South, Range 40 West, Kateel River Meridian, Alaska, between the Bering Strait and Port Clarence and withdrawn by Public Land Order 2650 (published in the Federal Register on April 12, 1962).

(6) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

(7) STATE.—The term ''State'' means the State of Alaska.

(8) TRACT.—The term ''Tract'' or ''Tracts'' means any of Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, or Tract 6, as appropriate, or any portion of such Tract or Tracts.

(9) TRACTS 1, 2, 3, 4, 5, AND 6.—The terms ''Tract 1'', ''Tract 2'', ''Tract 3'', ''Tract 4'', ''Tract 5'', and ''Tract 6'' each mean the land generally depicted as Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, or Tract 6, respectively, on the map entitled the ''Point Spencer Land Retention and Conveyance Map'', dated January 2015, and on file with the Department of Homeland Security and the Department of the Interior.

SEC. 533. AUTHORITY TO CONVEY LAND IN POINT SPENCER.

(a) AUTHORITY TO CONVEY TRACTS 1, 3, AND 4.—Within 1 year after the Secretary notifies the Secretary of the Interior that the Coast Guard no longer needs to retain jurisdiction of Tract 1, Tract 3, or Tract 4 and subject to section 534, the Secretary of the Interior shall convey to BSNC or the State, subject to valid existing rights, all right, title, and interest of the United States in and to the surface and subsurface estates of that Tract in accordance with subsection (d).

(b) AUTHORITY TO CONVEY TRACTS 2 AND 5.—Within 1 year after the date of the enactment of this section and subject to section 534, the Secretary of the Interior shall convey, subject to valid existing rights, all right, title, and interest of the United States in and to the surface and subsurface estates of Tract 2 and Tract 5 in accordance with subsection (d).

(c) AUTHORITY TO TRANSFER TRACT 6.—Within one year after the date of the enactment of this Act and subject to sections 534 and 535, the Secretary of the Interior shall convey, subject to valid existing rights, all right, title, and interest of the United States in and to the surface and subsurface estates of Tract 6 in accordance with subsection (e).

(d) ORDER OF OFFER TO CONVEY TRACT 1, 2, 3, 4, OR 5.—

(1) DETERMINATION AND OFFER.—

(A) TRACT 1, 3, OR 4.—If the Secretary makes the determination under subsection (a) and subject to section 534, the Secretary of the Interior shall offer Tract 1, Tract 3, or Tract 4 for conveyance to BSNC under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(B) TRACT 2 AND 5.—Subject to section 534, the Secretary of the Interior shall offer Tract 2 and Tract 5 to BSNC under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(2) OFFER TO BSNC.—

(A) ACCEPTANCE BY BSNC.—If BSNC chooses to accept an offer of conveyance of a Tract under paragraph (1), the Secretary of the Interior shall consider Tract 6 as within BSNC's entitlement under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) and shall convey such Tract to BSNC.

(B) DECLINE BY BSNC.—If BSNC declines to accept an offer of conveyance of a Tract under paragraph (1), the Secretary of the Interior shall offer such Tract for conveyance to the State under the Act of July 7, 1958 (commonly known as the ''Alaska Statehood Act'') (48 U.S.C. note prec. 21; Public Law 85–508).

(3) OFFER TO STATE.—

(A) ACCEPTANCE BY STATE.—If the State chooses to accept an offer of conveyance of a Tract under paragraph (2)(B), the Secretary of the Interior shall consider such Tract as within the State's entitlement under the Act

of July 7, 1958 (commonly known as the ''Alaska Statehood Act'') (48 U.S.C. note prec. 21; Public Law 85–508) and shall convey such Tract to the State.

(B) DECLINE BY STATE.—If the State declines to accept an offer of conveyance of a Tract offered under paragraph (2)(B), such Tract shall be disposed of pursuant to applicable public land laws.

(e) ORDER OF OFFER TO CONVEY TRACT 6.—

(1) OFFER.—Subject to section 534, the Secretary of the Interior shall offer Tract 6 for conveyance to the State.

(2) OFFER TO STATE.—

(A) ACCEPTANCE BY STATE.—If the State chooses to accept an offer of conveyance of Tract 6 under paragraph (1), the Secretary of the Interior shall consider Tract 6 as within the State's entitlement under the Act of July 7, 1958 (commonly known as the ''Alaska Statehood Act'') (48 U.S.C. note prec. 21; Public Law 85–508) and shall convey Tract 6 to the State.

(B) DECLINE BY STATE.—If the State declines to accept an offer of conveyance of Tract 6 under paragraph (1), the Secretary of the Interior shall offer Tract 6 for conveyance to BSNC under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(3) OFFER TO BSNC.—

(A) ACCEPTANCE BY BSNC.—

(i) IN GENERAL.—Subject to clause (ii), if BSNC chooses to accept an offer of conveyance of Tract 6 under paragraph (2)(B), the Secretary of the Interior shall consider Tract 6 as within BSNC's entitlement under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) and shall convey Tract 6 to BSNC.

(ii) LEASE BY THE STATE.—The conveyance of Tract 6 to BSNC shall be subject to BSNC negotiating a lease of Tract 6 to the State at no cost to the State, if the State requests such a lease.

(B) DECLINE BY BSNC.—If BSNC declines to accept an offer of conveyance of Tract 6 under paragraph (2)(B), the Secretary of the Interior shall dispose of Tract 6 pursuant to the applicable public land laws.

SEC. 534. ENVIRONMENTAL COMPLIANCE, LIABILITY, AND MONITORING.

(a) ENVIRONMENTAL COMPLIANCE.—Nothing in this Act or any amendment made by this Act may be construed to affect or limit the application of or obligation to comply with any applicable environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(b) LIABILITY.—A person to which a conveyance is made under this subtitle shall hold the United States harmless from any liability with respect to activities carried out on or after the date of the conveyance of the real property conveyed. The United States shall remain responsible for any liability with respect to activities carried out before such date on the real property conveyed.

(c) MONITORING OF KNOWN CONTAMINATION.—

(1) IN GENERAL.—To the extent practicable and subject to paragraph (2), any contamination in a Tract to be conveyed to the State or BSNC under this subtitle that—

(A) is identified in writing prior to the conveyance; and

(B) does not pose an immediate or long-term risk to human health or the environment,

may be routinely monitored and managed by the State or BSNC, as applicable, through institutional controls.

(2) INSTITUTIONAL CONTROLS.—Institutional controls may be used if—

(A) the Administrator of the Environmental Protection Agency and the Governor of the State concur that such controls are protective of human health and the environment; and

(B) such controls are carried out in accordance with Federal and State law.

SEC. 535. EASEMENTS AND ACCESS.

(a) USE BY COAST GUARD.—The Secretary of the Interior shall make each conveyance of any relevant Tract under this subtitle subject to an easement granting the Coast Guard, at no cost to the Coast Guard—

(1) use of all existing and future landing pads, airstrips, runways, and taxiways that are located on such Tract; and

(2) the right to access such landing pads, airstrips, runways, and taxiways.

(b) USE BY STATE.—For any Tract conveyed to BSNC under this subtitle, BSNC shall provide to the State, if requested and pursuant to negotiated terms with the State, an easement granting to the State, at no cost to the State—

(1) use of all existing and future landing pads, airstrips, runways, and taxiways located on such Tract; and

(2) a right to access such landing pads, airstrips, runways, and taxiways.

(c) RIGHT OF ACCESS OR RIGHT OF WAY.—If the State requests a right of access or right of way for a road from the airstrip to the southern tip of Point Spencer, the location of such right of access or right of way shall be determined by the State, in consultation with the Secretary and BSNC, so that such right of access or right of way is compatible with other existing or planned infrastructure development at Point Spencer.

(d) ACCESS EASEMENT ACROSS TRACTS 2, 5, AND 6.—In conveyance documents to the State and BSNC under this subtitle, the Coast Guard shall retain an access easement across Tracts 2, 5, and 6 reasonably necessary to afford the Coast Guard with access to Tracts 1, 3, and 4 for its operations.

(e) ACCESS.—Not later than 30 days after the date of the enactment of this Act, the Coast Guard shall provide to the State and BSNC, access to Tracts for planning, design, and engineering related to remediation and use of and construction on those Tracts.

(f) PUBLIC ACCESS EASEMENTS.—No public access easements may be reserved to the United States under section 17(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(b)) with respect to the land conveyed under this subtitle.

SEC. 536. RELATIONSHIP TO PUBLIC LAND ORDER 2650.

(a) TRACTS NOT CONVEYED.—Any Tract that is not conveyed under this subtitle shall remain withdrawn pursuant to Public Land Order 2650 (published in the Federal Register on April 12, 1962).

(b) TRACTS CONVEYED.—For any Tract conveyed under this subtitle, Public Land Order 2650 shall automatically terminate upon issuance of a conveyance document issued pursuant to this subtitle for such Tract.

SEC. 537. ARCHEOLOGICAL AND CULTURAL RESOURCES.

Conveyance of any Tract under this subtitle shall not affect investigations, criminal jurisdiction, and responsibilities regarding theft or vandalism of archeological or cultural resources located in or on such Tract that took place prior to conveyance under this subtitle.

SEC. 538. MAPS AND LEGAL DESCRIPTIONS.

(a) PREPARATION OF MAPS AND LEGAL DESCRIPTIONS.—As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior in consultation with the Secretary shall prepare maps and legal descriptions of Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, and Tract 6. In doing so, the Secretary of the Interior may use metes and bounds legal descriptions based upon the official survey plats of Point Spencer accepted by the Bureau of Land Management on December 6, 1978, and on information provided by the Secretary.

(b) SURVEY.—Not later than 5 years after the date of the enactment of this Act, the Secretary of the Interior shall survey Tracts conveyed under this subtitle and patent the Tracts in accordance with the official plats of survey.

(c) LEGAL EFFECT.—The maps and legal descriptions prepared under subsection (a) and the surveys prepared under subsection (b) shall have the same force and effect as if the maps and legal descriptions were included in this Act.

(d) CORRECTIONS.—The Secretary of the Interior may correct any clerical and typographical errors in the maps and legal descriptions prepared under subsection (a) and the surveys prepared under subsection (b).

(e) AVAILABILITY.—Copies of the maps and legal descriptions prepared under subsection (a) and the surveys prepared under subsection (b) shall be available for public inspection in the appropriate offices of—

(1) the Bureau of Land Management; and

(2) the Coast Guard.

SEC. 539. CHARGEABILITY FOR LAND CONVEYED.

(a) CONVEYANCES TO ALASKA.—The Secretary of the Interior shall charge any conveyance of land conveyed to the State of Alaska pursuant to this subtitle against the State's remaining entitlement under section 6(b) of the Act of July 7, 1958 (commonly known as the ''Alaska Statehood Act''; Public Law 85–508; 72 Stat. 339).

(b) CONVEYANCES TO BSNC.—The Secretary of the Interior shall charge any conveyance of land conveyed to BSNC pursuant to this subtitle, against BSNC's remaining entitlement under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)).

SEC. 540. REDUNDANT CAPABILITY.

(a) IN GENERAL.—Except as provided in subsection (b), section 681 of title 14, United States Code, as amended by this Act, shall not be construed to prohibit any transfer or conveyance of lands under this subtitle or any actions that involve the dismantling or disposal of infrastructure that supported the former LORAN system that are associated with the transfer or conveyance of lands under this subtitle.

(b) CONTINUED ACCESS TO AND USE OF FACILITIES.—If the Secretary of the department in which the Coast Guard is operating determines, within the 5-year period beginning on the date of the enactment of this Act, that a facility on any of Tract 1, Tract 3, or Tract 4 that is transferred under this subtitle is subsequently required to provide a positioning, navigation, and timing system to provide redundant capability in the event GPS signals are disrupted, the Secretary may, for as long as such facility is needed to provide redundant capability—

(1) operate, maintain, keep, locate, inspect, repair, and replace such facility; and

(2) in carrying out the activities described in paragraph (1), enter, at any time, the facility without notice to the extent that it is not possible to provide advance notice.

SEC. 541. PORT COORDINATION COUNCIL FOR POINT SPENCER.

(a) ESTABLISHMENT.—There is established a Port Coordination Council for the Port of Point Spencer.

(b) MEMBERSHIP.—The Council shall consist of a representative appointed by each of the following:

(1) The State.

(2) BSNC.

(c) DUTIES.—The duties of the Council are as follows:

(1) To develop a Port Management Coordination Plan to help coordinate infrastructure development and operations at the Port of Point Spencer, that includes plans for—

(A) construction;

(B) funding eligibility;

(C) land use planning and development; and

(D) public interest use and access, emergency preparedness, law enforcement, protection of Alaska Native archaeological and cultural resources, and other matters that are necessary for public and private entities to function in proximity together in a remote location.

(2) Update the Plan annually for the first 5 years after the date of the enactment of this Act and biennially thereafter.

(3) Facilitate coordination among BSNC, the State, and the Coast Guard, on the development and use of the land and coastline as such development relates to activities at the Port of Point Spencer.

(4) Assess the need, benefits, efficacy, and desirability of establishing in the future a port authority at Point Spencer under State law and act upon that assessment, as appropriate, including taking steps for the potential formation of such a port authority.

(d) PLAN.—In addition to the requirements under subsection (c)(1) to the greatest extent practicable, the Plan developed by the Council shall facilitate and support the statutory missions and duties of the Coast Guard and operations of the Coast Guard in the Arctic.

(e) COSTS.—Operations and management costs for airstrips, runways, and taxiways at Point Spencer shall be determined pursuant to provisions of the Plan, as negotiated by the Council.

TITLE VI—MISCELLANEOUS

SEC. 601. MODIFICATION OF REPORTS.

(a) DISTANT WATER TUNA FLEET.—Section 421(d) of the Coast Guard and Maritime Transportation Act of 2006 (46 U.S.C. 8103 note) is amended by striking ''On March 1, 2007, and annually thereafter'' and inserting ''Not later than July 1 of each year''.

(b) ANNUAL UPDATES ON LIMITS TO LIABILITY.—Section 603(c)(3) of the Coast Guard and Maritime Transportation Act of 2006 (33 U.S.C. 2704 note) is amended by striking ''on an annual basis.'' and inserting ''not later than January 30 of the year following each year in which occurs an oil discharge from a vessel or nonvessel source that results or is likely to result in removal costs and damages (as those terms are defined in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701)) that exceed liability limits established under section 1004 of the Oil Pollution Act of 1990 (33 U.S.C. 2704).''.

(c) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Secretary of the department in which the Coast Guard is operating a report detailing the specifications and capabilities for interoperable communications the Commandant determines are necessary to allow the Coast Guard to successfully carry out its missions that require communications with other Federal agencies, State and local governments, and nongovernmental entities.

SEC. 602. SAFE VESSEL OPERATION IN THE GREAT LAKES.

The Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281) is amended—

(1) in section 610, by—

(A) striking the section enumerator and heading and inserting the following:

''SEC. 610. SAFE VESSEL OPERATION IN THE GREAT LAKES.'';

(B) striking ''existing boundaries and any future expanded boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve'' and inserting ''boundaries of any national marine sanctuary that preserves shipwrecks or maritime heritage in the Great Lakes''; and

(C) inserting before the period at the end the following: '', unless the designation documents for such sanctuary do not allow taking up or discharging ballast water in such sanctuary''; and

(2) in the table of contents in section 2, by striking the item relating to such section and inserting the following:

''Sec. 610. Safe vessel operation in the Great Lakes.''.

SEC. 603. USE OF VESSEL SALE PROCEEDS.

(a) AUDIT.—The Comptroller General of the United States shall conduct an audit of funds credited in each fiscal year after fiscal year 2004 to the Vessel Operations Revolving Fund that are attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that were scrapped or sold under sections 57102, 57103, and 57104 of title 46, United States Code, including—

(1) a complete accounting of all vessel sale proceeds attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that were scrapped or sold under sections 57102, 57103, and 57104 of title 46, United States Code, in each fiscal year after fiscal year 2004;

(2) the annual apportionment of proceeds accounted for under paragraph (1) among the uses authorized under section 308704 of title 54, United States Code, in each fiscal year after fiscal year 2004, including—

(A) for National Maritime Heritage Grants, including a list of all annual National Maritime Heritage Grant grant and subgrant awards that identifies the respective grant and subgrant recipients and grant and subgrant amounts;

(B) for the preservation and presentation to the public of maritime heritage property of the Maritime Administration;

(C) to the United States Merchant Marine Academy and State maritime academies, including a list of annual awards; and

(D) for the acquisition, repair, reconditioning, or improvement of vessels in the National Defense Reserve Fleet; and

(3) an accounting of proceeds, if any, attributable to the sale of obsolete vessels in the National Defense Reserve Fleet that were scrapped or sold under sections 57102, 57103, and 57104 of title 46, United States Code, in each fiscal year after fiscal year 2004, that were expended for uses not authorized under section 308704 of title 54, United States Code.

(b) SUBMISSION TO CONGRESS.—Not later than 180 days after the date of the enactment this Act, the Comptroller General shall submit the audit conducted in subsection (a) to the Committee on Armed Services, the Committee on Natural Resources, and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 604. NATIONAL ACADEMY OF SCIENCES COST ASSESSMENT.

(a) COST ASSESSMENT.—The Secretary of the department in which the Coast Guard is operating shall seek to enter into an arrangement with the National Academy of Sciences under which the Academy, by no later than 365 days after the date of the enactment of this Act, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an assessment of the costs incurred by the Federal Government to carry out polar icebreaking missions. The assessment shall—

(1) describe current and emerging requirements for the Coast Guard's polar icebreaking capabilities, taking into account the rapidly changing ice cover in the Arctic environment, national security considerations, and expanding commercial activities in the Arctic and Antarctic, including marine transportation, energy development, fishing, and tourism;

(2) identify potential design, procurement, leasing, service contracts, crewing, and technology options that could minimize lifecycle costs and optimize efficiency and reliability of Coast Guard polar icebreaker operations in the Arctic and Antarctic; and

(3) examine—

(A) Coast Guard estimates of the procurement and operating costs of a Polar icebreaker capable of carrying out Coast Guard maritime safety, national security, and stewardship responsibilities including—

(i) economies of scale that might be achieved for construction of multiple vessels; and

(ii) costs of renovating existing polar class icebreakers to operate for a period of no less than 10 years.

(B) the incremental cost to augment the design of such an icebreaker for multiuse capabilities for scientific missions;

(C) the potential to offset such incremental cost through cost-sharing agreements with other Federal departments and agencies; and

(D) United States polar icebreaking capability in comparison with that of other Arctic nations, and with nations that conduct research in the Arctic.

(b) INCLUDED COSTS.—For purposes of subsection (a), the assessment shall include costs incurred by the Federal Government for—

(1) the lease or operation and maintenance of the vessel or vessels concerned;

(2) disposal of such vessels at the end of the useful life of the vessels;

(3) retirement and other benefits for Federal employees who operate such vessels; and

(4) interest payments assumed to be incurred for Federal capital expenditures.

(c) ASSUMPTIONS.—For purposes of comparing the costs of such alternatives, the Academy shall assume that—

(1) each vessel under consideration is—

(A) capable of breaking out McMurdo Station and conducting Coast Guard missions in the Antarctic, and in the United States territory in the Arctic (as that term is defined in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111)); and

(B) operated for a period of 30 years;

(2) the acquisition of services and the operation of each vessel begins on the same date; and

(3) the periods for conducting Coast Guard missions in the Arctic are of equal lengths.

(d) USE OF INFORMATION.—In formulating cost pursuant to subsection (a), the National Academy of Sciences may utilize information from other Coast Guard reports, assessments, or analyses regarding existing Coast Guard Polar class icebreakers or for the acquisition of a polar icebreaker for the Federal Government.

SEC. 605. PENALTY WAGES.

(a) FOREIGN AND INTERCOASTAL VOYAGES.—Section 10313(g) of title 46, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking ''all claims in a class action suit by seamen'' and inserting ''each claim by a seaman''; and

(B) by striking ''the seamen'' and inserting ''the seaman''; and

(2) in paragraph (3)—

(A) by striking ''class action''; and

(B) in subparagraph (B), by striking '', by a seaman who is a claimant in the suit,'' and inserting ''by the seaman''.

(b) COASTWISE VOYAGES.—Section 10504(c) of such title is amended—

(1) in paragraph (2)—

(A) by striking ''all claims in a class action suit by seamen'' and inserting ''each claim by a seaman''; and

(B) by striking ''the seamen'' and inserting ''the seaman''; and

(2) in paragraph (3)—

(A) by striking ''class action''; and

(B) in subparagraph (B), by striking '', by a seaman who is a claimant in the suit,'' and inserting ''by the seaman''.

SEC. 606. RECOURSE FOR NONCITIZENS.

Section 30104 of title 46, United States Code, is amended—

(1) by inserting ''(a) IN GENERAL.—'' before the first sentence; and

(2) by adding at the end the following:

''(b) RESTRICTION ON RECOVERY FOR NONRESIDENT ALIENS EMPLOYED ON FOREIGN PASSENGER VESSELS.—A claim for damages or expenses relating to personal injury, illness, or death of a seaman who is a citizen of a foreign nation, arising during or from the engagement of the seaman by or for a passenger vessel duly registered under the laws of a foreign nation, may not be brought under the laws of the United States if—

''(1) such seaman was not a permanent resident alien of the United States at the time the claim arose;

''(2) the injury, illness, or death arose outside the territorial waters of the United States; and

''(3) the seaman or the seaman's personal representative has or had a right to seek compensation for the injury, illness, or death in, or under the laws of—

''(A) the nation in which the vessel was registered at the time the claim arose; or

''(B) the nation in which the seaman maintained citizenship or residency at the time the claim arose.

''(c) COMPENSATION DEFINED.—As used in subsection (b), the term 'compensation' means—

''(1) a statutory workers' compensation remedy that complies with Standard A4.2 of Regulation 4.2 of the Maritime Labour Convention, 2006; or

''(2) in the absence of the remedy described in paragraph (1), a legal remedy that complies with Standard A4.2 of Regulation 4.2 of the Maritime Labour Convention, 2006, that permits recovery for lost wages, pain and suffering, and future medical expenses.''.

SEC. 607. COASTWISE ENDORSEMENTS.

(a) ''ELETTRA III''.—

(1) IN GENERAL.—Notwithstanding sections 12112 and 12132, of title 46, United States Code, and subject to paragraphs (2) and (3), the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the vessel M/V Elettra III (United States official number 694607).

(2) LIMITATION ON OPERATION.—Coastwise trade authorized under a certificate of documentation issued under paragraph (1) shall be limited to the carriage of passengers and equipment in association with the operation of the vessel in the Puget Sound region to support marine and maritime science education.

(3) TERMINATION OF EFFECTIVENESS OF CERTIFICATE.—A certificate of documentation issued under paragraph (1) shall expire on the earlier of—

(A) the date of the sale of the vessel or the entity that owns the vessel;

(B) the date any repairs or alterations are made to the vessel outside of the United States; or

(C) the date the vessel is no longer operated as a vessel in the Puget Sound region to support the marine and maritime science education.

(b) ''F/V RONDYS''.—Notwithstanding section 12132 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the F/V Rondys (O.N. 291085)

SEC. 608. INTERNATIONAL ICE PATROL.

(a) REQUIREMENT FOR REPORT.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the current operations to perform the International Ice Patrol mission and on alternatives for carrying out that mission, including satellite surveillance technology.

(b) ALTERNATIVES.—The report required by subsection (a) shall include whether an alternative—

(1) provides timely data on ice conditions with the highest possible resolution and accuracy;

(2) is able to operate in all weather conditions or any time of day; and

(3) is more cost effective than the cost of current operations.

SEC. 609. ASSESSMENT OF OIL SPILL RESPONSE AND CLEANUP ACTIVITIES IN THE GREAT LAKES.

(a) ASSESSMENT.—The Commandant of the Coast Guard, in consultation with the Administrator of the National Oceanic and Atmospheric Administration and the head of any other agency the Commandant determines appropriate, shall conduct an assessment of the effectiveness of oil spill response activities specific to the Great Lakes. Such assessment shall include—

(1) an evaluation of new research into oil spill impacts in fresh water under a wide range of conditions; and

(2) an evaluation of oil spill prevention and clean up contingency plans, in order to improve understanding of oil spill impacts in the Great Lakes and foster innovative improvements to safety technologies and environmental protection systems.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Congress a report on the results of the assessment required by subsection (a).

SEC. 610. REPORT ON STATUS OF TECHNOLOGY DETECTING PASSENGERS WHO HAVE FALLEN OVERBOARD.

Not later than 18 months after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that—

(1) describes the status of technology for immediately detecting passengers who have fallen overboard;

(2) includes a recommendation to cruise lines on the feasibility of implementing technology that immediately detects passengers who have fallen overboard, factoring in cost and the risk of false positives;

(3) includes data collected from cruise lines on the status of the integration of the technology described in paragraph (2) on cruise ships, including—

(A) the number of cruise ships that have the technology to capture images of passengers who have fallen overboard; and

(B) the number of cruise lines that have tested technology that can detect passengers who have fallen overboard; and

(4) includes information on any other available technologies that cruise ships could integrate to assist in facilitating the search and rescue of a passenger who has fallen overboard.

SEC. 611. VENUE.

Section 311(d) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(d)) is amended by striking the second sentence and inserting ''In the case of Hawaii or any possession of the United States in the Pacific Ocean, the appropriate court is the United States District Court for the District of Hawaii, except that in the case of Guam and Wake Island, the appropriate court is the United States District Court for the District of Guam, and in the case of the Northern Mariana Islands, the appropriate court is the United States District Court for the District of the Northern Mariana Islands.''.

SEC. 612. DISPOSITION OF INFRASTRUCTURE RELATED TO E–LORAN.

(a) DISPOSITION OF INFRASTRUCTURE.—

(1) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by adding at the end the following:

''§ 681. Disposition of infrastructure related to E–LORAN

''(a) IN GENERAL.—The Secretary may not carry out activities related to the dismantling or disposal of infrastructure comprising the LORAN–C system until the date on which the Secretary provides to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate notice of a determination by the Secretary that such infrastructure is not required to provide a positioning, navigation, and timing system to provide redundant capability in the event the Global Positioning System signals are disrupted.

''(b) EXCEPTION.—Subsection (a) does not apply to activities necessary for the safety of human life.

''(c) DISPOSITION OF PROPERTY.—

''(1) IN GENERAL.—On any date after the notification is made under subsection (a), the Administrator of General Services, acting on behalf of the Secretary, may, notwithstanding any other provision of law, sell any real and personal property under the administrative control of the Coast Guard and used for the LORAN–C system, subject to such terms and conditions that the Secretary believes to be necessary to protect government interests and program requirements of the Coast Guard.

''(2) AVAILABILITY OF PROCEEDS.—

''(A) AVAILABILITY OF PROCEEDS.—The proceeds of such sales, less the costs of sale incurred by the General Services Administration, shall be deposited as offsetting collections into the Coast Guard 'Environmental

Compliance and Restoration' account and, without further appropriation, shall be available until expended for—

''(i) environmental compliance and restoration purposes associated with the LORAN–C system;

''(ii) the costs of securing and maintaining equipment that may be used as a backup to the Global Positioning System or to meet any other Federal navigation requirement;

''(iii) the demolition of improvements on such real property; and

''(iv) the costs associated with the sale of such real and personal property, including due diligence requirements, necessary environmental remediation, and reimbursement of expenses incurred by the General Services Administration.

''(B) OTHER ENVIRONMENTAL COMPLIANCE AND RESTORATION ACTIVITIES.—After the completion of activities described in subparagraph (A), the unexpended balances of such proceeds shall be available for any other environmental compliance and restoration activities of the Coast Guard.''.

(2) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end the following:

''681. Disposition of infrastructure related to E–LORAN.''.

(3) CONFORMING REPEALS.—

(A) Section 229 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281; 128 Stat. 3040), and the item relating to that section in section 2 of such Act, are repealed.

(B) Subsection 559(e) of the Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83; 123 Stat. 2180) is repealed.

(b) AGREEMENTS TO DEVELOP BACKUP POSITIONING, NAVIGATION, AND TIMING SYSTEM.—Section 93(a) of title 14, United States Code, is amended by striking ''and'' after the semicolon at the end of paragraph (23), by striking the period at the end of paragraph (24) and inserting ''; and'', and by adding at the end the following the following:

''(25) enter into cooperative agreements, contracts, and other agreements with Federal entities and other public or private entities, including academic entities, to develop a positioning, navigation, and timing system to provide redundant capability in the event Global Positioning System signals are disrupted, which may consist of an enhanced LORAN system.''.

SEC. 613. PARKING.

Section 611(a) of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281; 128 Stat. 3064) is amended by adding at the end the following:

''(3) REIMBURSEMENT.—Through September 30, 2017, additional parking made available under paragraph (2) shall be made available at no cost to the Coast Guard or members and employees of the Coast Guard.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HUNTER) and the gentleman from California (Mr. GARAMENDI) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HUNTER).

GENERAL LEAVE

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4188.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HUNTER. Mr. Speaker, I yield myself such time as I may consume.

H.R. 4188, the Coast Guard Authorization Act of 2015, is a product of bipartisan efforts to reauthorize the Coast Guard through fiscal year 2017. The House passed similar legislation by a voice vote in May.

The bill makes several reforms to Coast Guard authorities, as well as laws governing shipping and navigation. Specifically, the bill supports Coast Guard servicemembers, improves Coast Guard mission effectiveness, enhances oversight of the Coast Guard programs, encourages job growth in the maritime sector by cutting regulatory burdens on job creators, strengthens maritime drug enforcement laws, and increases coordination with partner nations, further strengthening port security. It does all this in a way that allows this to be brought under suspension in a bipartisan way.

I want to commend Ranking Members DEFAZIO and GARAMENDI for their efforts in getting us to this point and, of course, the leadership of Chairman SHUSTER.

I also want to thank the men and women of the U.S. Coast Guard for the tremendous job they do for our Nation. Coast Guard servicemembers place their lives at risk on a daily basis to save those in danger, ensure the safety and security of our ports and waterways, and protect our environmental resources.

□ 1515

They do all this on aging, obsolete cutters, and aircraft, some of which were first commissioned in World War II.

Passing H.R. 4188 will help rebuild and strengthen the Coast Guard. It will also demonstrate the strong support Congress has for the men and women of the Coast Guard and the deep appreciation we have for the sacrifices that they make for our Nation.

I urge all Members to support H.R. 4188.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
Washington, DC, December 10, 2015.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 4188, the ''Coast Guard Authorization Act of 2015,'' which was introduced on December 8, 2015.

H.R. 4188 contains provisions within the Committee on Science, Space, and Technology's rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forgo action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, December 10, 2015.

Hon. LAMAR SMITH
Chairman, Committee on Science, Space, and Technology, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter regarding H.R. 4188, the Coast Guard Authorization Act of 2015. I appreciate your cooperation in expediting the consideration of this legislation on the House floor.

As you know, the Parliamentarians were not able to render an official decision as to the jurisdictional claim the Committee on Science, Space, and Technology may have had. I agree that the absence of a decision on this bill will not prejudice any claim the Committee on Science, Space, and Technology may have had or may have to this or similar legislation in the future. In addition, should a conference on the bill be necessary, I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving provisions in this legislation on which the Committee on Science, Space, and Technology has a valid jurisdictional claim.

I will include our letters on H.R. 4188 in the Congressional Record during House floor consideration of the bill. Again, I appreciate your cooperation regarding this legislation, and I look forward to working with the Committee on Science, Space, and Technology as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

Mr. GARAMENDI. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to be here again at the end of another year to rise and join Chairman HUNTER, for whom I have great respect. We have been able to get some stuff done.

I thank the gentleman from California (Mr. HUNTER) for bringing this bill to the floor today to authorize the funding of the United States Coast Guard and to advance new policy initiatives to strengthen the prospects for the U.S. flag and U.S. maritime industry.

H.R. 4188, the Coast Guard Reauthorization Act of 2015, is carefully crafted bipartisan legislation developed over the course of several months of negotiation within this House and with that other body. It is deserving of robust support from Members of both sides of the aisle. I urge its quick passage by the House today.

I want to thank Chairman HUNTER for all the leadership and the cooperative spirit in working with me and our other Democratic Members. He addressed our concerns. They were handled and taken care of in the bill.

The willingness of Chairman HUNTER and his outstanding staff and members of the Coast Guard and Maritime Transportation Subcommittee to collaborate and work through the several nettlesome issues is very, very much appreciated.

That is not to say this bill does not contain some items which I might have some lingering concerns about, but they are few. As is the case with every piece of legislation I don't personally draft all by myself, this bill has those minor issues.

I am sure, if the chairman were to draft it all by himself, it would be perfect, also. But we did it together, and it came out quite well.

I am extremely pleased that this legislation would provide stable and sufficient authorized funding levels for the Coast Guard for the next 2 years. The importance of budget stability cannot be overstated. The Coast Guard is pressed daily to meet the demands of its 11 statutory missions.

The last thing the Coast Guard needs is to face recurrent budget uncertainties, a circumstance which would leave the service's leadership unable to know exactly what resources and capabilities they have available to address port and harbor security, illegal drug interdiction, search and rescue, and law enforcement actions, along with many other important activities.

I am also pleased this legislation continues to move the ball down the field in the effort to strengthen and recapitalize a new fleet of Polar-class heavy icebreakers for the Coast Guard, and a cheer goes up between the chairman and myself if we can get that done.

It is clear that we are at the advent of Arctic operations for the Coast Guard, and it is vital that the service has the icebreaking capabilities it will need to operate safely and effectively in this very unforgiving maritime environment.

The bill will advance the completion of the materiel assessment of the Polar Sea to determine, finally, if this heavy icebreaker can be returned to service.

Additionally, this legislation authorized funding to allow the Coast Guard to maintain progress in developing requirements and preliminary design for a new heavy icebreaker. So we will figure out, hopefully, this next year which way we will go.

I am also pleased that this legislation includes language that will continue to preserve the remaining LORAN–C infrastructure until such time as the administration makes a final decision on whether or not to build out an enhanced LORAN or e-LORAN infrastructure to provide a reliable, land-based, low-frequency backup navigation timing signal to back up GPS, the Global Positioning System.

For several years, we have known that the relatively weak, high-frequency GPS signal is fairly easy to corrupt, to degrade, or altogether disrupt, stop.

For this reason, the Secretary of Defense, Ash Carter, has called GPS a potential single source of failure for important national defense assets. It is also a major liability across 16 sectors of critical infrastructure.

If Russia, China, and the EU have land-based GPS backup systems, the question is: Why does the United States not have one?

This administration needs to make a decision now. At least language in this legislation ensures that we will have available the option of re-purposing what remains of the LORAN–C infrastructure for an e-LORAN system of the future.

In closing, Mr. Speaker, I have already said it twice. I will say it a third time. To Chairman HUNTER and his staff, we like working with you and we like you, too.

Mr. Speaker, I reserve the balance of my time.

Mr. HUNTER. Mr. Speaker, I enjoy working with the gentleman from California as well. It is a strange situation when we actually get stuff done. It is a California thing.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Speaker, I thank my friend from California (Mr. HUNTER), the chairman of the Coast Guard and Maritime Transportation Subcommittee, for yielding me time. I also want to thank both him and the Transportation Committee chairman himself, BILL SHUSTER, for their work on this legislation.

This bill ensures the safety and security of our maritime borders and maritime interests around the globe.

The Committee on Science, Space, and Technology shares jurisdiction with the Transportation and Infrastructure Committee over important research and development programs carried out by the Coast Guard.

These programs improve search and rescue, navigation, marine safety, marine environmental protection enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness.

The bill also authorizes funding to help acquire a new Polar icebreaker and requires a study of alternatives for conducting icebreaking operations.

The Coast Guard's icebreakers are critical to the United States missions in the polar regions, which include important research supported by the National Science Foundation.

I look forward to the results of the study this bill calls for on cost-effective alternatives for icebreaking. This will help us ensure taxpayer dollars are spent wisely and efficiently.

Again, I thank Chairman HUNTER and Chairman SHUSTER for taking the initiative with this critical legislation.

Mr. GARAMENDI. Mr. Speaker, I yield such time as he may consume, as long as it is less than 3 minutes, to the gentleman from Oregon (Mr. DEFAZIO), the ranking member of the committee.

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman for yielding.

I want to congratulate Chairman HUNTER, Ranking Member GARAMENDI, and talk just briefly about how important this legislation is.

The Coast Guard, first off, is now going to get 2 years of budget certainty. That has been a real problem. It is pretty hard to run a military organization that large on something that creates short-term uncertainty with your budget, particularly when they have to begin to plan for acquiring more major assets with larger ships.

In particular, we have just been talking about the icebreakers. I went up to Seattle to visit the Polar Sea in its decrepitude. But the interesting thing I found is that it is an absolutely unique hull design. The ice band contains materials that are no longer manufactured. They are superior to current technologies.

There is substantial thought that this ship could be renovated using the existing hull with a modern ship, modern engines, and electronics. The ship has now been hulled. The hull is being evaluated, and we are going to do a cost-benefit analysis.

If we were to go down that path—and I believe it will prove to be the best path—then that would provide additional spare parts for its sister ship, which is the only one we have got working, and then would set a template for rehabilitating that ship later.

The Russians have about two dozen icebreakers. Five, I believe, are nuclear powered.

The Chinese are building two large icebreakers. The United States of America is down to one 45-year-old heavy icebreaker, which has an Antarctic mission, which means, for the next 6 months after it comes back, it is in dry dock and being repaired.

We do not have any longer the capability of deploying north and south with heavy icebreakers, despite the fact that the Northwest Passage long dreamed of is about to open.

So for the United States of America maritime power to not have at least two heavy icebreakers, if not a half a dozen, is absolutely absurd, penny-wise, pound-foolish stupidity, on the part of former Congresses. I am glad that this Congress has seen the light and we are beginning to move forward to re-institute that program.

The gentleman from California has been particularly persistent and outspoken about the LORAN–C system. I believe it is absolutely critical that we maintain this infrastructure until we know what alternatives we are going to have. I think it is a critical national security asset.

And then, finally, to the more everyday national security-oriented duties of the Coast Guard in this bill, there is a particular provision that is incredibly important to the State of Oregon and the State of South Carolina and to hundreds of people who make their living on the ocean out of those two ports.

The Port of Newport, mid-coast Oregon, has an air rescue facility. They do half the rescues in the mid-coast. Oregon has extremely cold water yearround. We have some of the roughest bar entrances in the United States, and rescue time is critical in terms of saving lives.

The Coast Guard has been underfunded by Congress, and we are beginning to rectify that. But in a budget-cutting mode last year, with no discussion with anyone, they proposed to close Newport and close Charleston.

Last year, in the omnibus bill at the end of the year, we put in place a 1-year prohibition on the closure. This bill extends the statutory prohibition on closing either of those two stations for 2 years and then puts in place a very different and meaningful process, should they ever wish to think about closing critical air rescue stations in the future.

First, it requires them to develop a program to manage their airframes and learn about and figure about how we are going to replace our helicopter fleets, which are about at the same point as these icebreakers. So they need that plan. They have to develop that.

Then, if they wish to close an individual station, the Secretary of Homeland Security will have to make a number of findings, that it wouldn't jeopardize life and safety and degrade rescue capabilities, a pretty long list.

Then, if the Secretary makes that determination, the Secretary would have to go forward in a public process to take input from those communities.

Then, if the Secretary further decided, after going through that, that this was necessary and prudent and wouldn't jeopardize lives and safety at sea, that future Secretary would have to submit the proposal to the Congress.

So we have effectively safeguarded the Newport and the Charleston stations in this legislation, and I believe we have safeguarded them for all time.

I believe, also, Congress should give the Coast Guard adequate funding so they can replenish and rebuild their air fleet and they don't have to struggle and close stations that they know could potentially lead to loss of life.

So there are many, many things to recommend in this legislation. I would expect Congress to nearly, if not totally, unanimously improve it on this side. And then, hopefully, we can get the Senate to finally act because we need this done by January 1.

Mr. HUNTER. Mr. Speaker, I reserve the balance of my time.

Mr. GARAMENDI. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. Mr. Speaker, I want to thank the chairman and ranking member for their work in moving the Coast Guard bill forward.

Transportation is one of the most bipartisan bills in this Congress. I am just so proud that we are really moving this Congress forward and putting the American people back to work.

The Coast Guard personnel serve this country and do a wonderful job, and I truly appreciate the hard work and dedication of these fine servicemembers.

The Coast Guard has been protecting our shores for more than 200 years and has done an outstanding job. The Coast Guard was the first agency to react to the terrorist attacks on September 11 and provide critical assistance during the devastation of Hurricane Katrina. This bill provides the resources and policy provisions that the Coast Guard needs to continue their critical mission.

Assisting migrants and stopping drug shipments at sea, search-and-rescue missions, monitoring our ports, and protecting our homeland are just a few of the vital services that the Coast Guard provides, all of which is critical to my home State of Florida, where 14 deepwater ports and 1,200 miles of coastline are the gateway to America.

□ 1530

This legislation also includes important provisions I have long championed that bring maritime laws into the modern era and recognize the positive changes that have taken place in employment rights.

Again, Mr. Speaker, I want to thank the men and women serving the Coast Guard for their hard work and their vigilance in protecting our country. This is a good bill, and it will allow the Coast Guard to continue protecting our Nation.

I strongly encourage its passing in both the House and the Senate and for the President to sign it into law.

Mr. HUNTER. Mr. Speaker, I reserve the balance of my time.

Mr. GARAMENDI. Mr. Speaker, may I inquire as to how much time remains.

The SPEAKER pro tempore. The gentleman from California (Mr. GARAMENDI) has 7 minutes remaining.

Mr. GARAMENDI. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY), my colleague.

Mr. COURTNEY. Mr. Speaker, as a co-chairman of the House Coast Guard Caucus and the Representative from southeastern Connecticut with a deep connection to the Coast Guard, I rise in strong support of the Coast Guard authorization bill and the hard work of Chairman HUNTER and Ranking Member GARAMENDI.

Every single day, the men and women of our Coast Guard are operating around the country and around the world to enforce our laws and protect our country. This bill provides them the tools and support they need to do this important work.

In particular, I want to highlight a specific provision in this bill, section 219, that I was pleased to work with my colleague from Connecticut, Senator BLUMENTHAL, and committee staff to bolster the National Coast Guard Museum.

Despite a history that reaches back to the founding of our Nation, the Coast Guard is the only armed service without a national museum to highlight its heritage. Indeed, the Coast Guard this year is celebrating its 225th anniversary, and it is actually older than the U.S. Navy. Thankfully, efforts are underway to change this.

The nonprofit National Coast Guard Museum Association is building national support and funding for a new museum in New London, Connecticut. When completed, Mr. Speaker, this facility will be a tribute to all who have served and those who serve today in the Coast Guard, and I am proud to support their efforts.

Section 219 ensures that the Coast Guard can provide support to preserve and display its historical artifacts that will be a key part of the museum. This language opens the vault of the Coast Guard's rich treasure of maritime artifacts from America's oldest maritime fleet to be displayed for learning and understanding by the American public and the world.

This is a huge boost to the effort to create a long-overdue museum and sends a powerful signal that this effort has the backing of Congress, the Federal Government, and the Coast Guard.

Mr. Speaker, I want to thank Commandant Admiral Zukunft; former Commandant Papp, who is his predecessor; Joann Burdian; Brittany Panetta; and Kent Reinhold in the Coast Guard legislative office for the work that they have done with my office on this and other critical Coast Guard issues and, above all else, for their service to our Nation.

I congratulate Chairman HUNTER and Ranking Member GARAMENDI for their strong advocacy for our Coast Guard and our Nation's maritime industry.

Mr. Speaker, I urge passage of the bill.

Mr. HUNTER. Mr. Speaker, I reserve the balance of my time.

Mr. GARAMENDI. Mr. Speaker, I am prepared to close.

Mr. Speaker, to my colleague Mr. HUNTER and those who have assisted in

the drafting of the bill, particularly our staff, I want to thank you for making all of this possible.

This bill, which does extend the authorization for the Coast Guard, also provides very, very important elements, most of which you have heard here today. I would urge its passing.

Mr. Speaker, I yield back the balance of my time.

Mr. HUNTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank Ranking Member GARAMENDI and all the staff who worked so hard on this, and, again, the ranking member of the full committee, Mr. DEFAZIO, and Chairman SHUSTER for their help, leadership, and support on this.

Explanation of Sec. 310. Atlantic Coast Port Access Route Study. This section would require the Coast Guard to complete its ongoing Atlantic Coast Port Access Route Study (PARS) by April 2016. This provision was included in H.R. 1987 because the House was concerned about the impacts on navigation safety from the construction of certain offshore renewable energy projects. The Study will assist the federal government, as well as stakeholders, to understand potential impacts and whether the siting of these projects could pose hazards to safe navigation, especially projects built in or near vessel traffic routes.

The Coast Guard's Atlantic Coast PARS working group has developed standards and a methodology for assessing potential impacts on navigation safety including high, medium and low or minimal impacts. The purpose of the study and the reason for developing standards and methodologies is to assist in future determinations of waterway suitability for proposed development projects.

When the Atlantic Coast PARS began, it excluded the waters in and around Nantucket Sound. These waters are heavily traveled by commercial vessels, fishing and recreational vessels as well as passenger and freight ferries. Because of increased vessel traffic and the potential impacts to navigation from any future development, this section would direct the Coast Guard to complete a separate port access route study of Nantucket Sound using the new standards and methodologies developed by the Coast Guard's working group. The Atlantic Coast PARS will help the Coast Guard determine whether they should revise current regulations to improve navigation safety by establishing safety fairways, traffic separation zones or new vessel routing. The Nantucket Sound PARS is intended to guide decision-makers to ensure that any future development in Nantucket Sound will have minimal impact and low risk to navigational safety. This section would require the completion of the Nantucket Sound PARS by December

I urge the passage of H.R. 4188.

Mr. Speaker, I yield back the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 4188, the Coast Guard Authorization Act of 2015.

H.R. 4188 authorizes the United States Coast Guard, a critical component of the Department of Homeland Security, through fiscal year 2017 at $8.7 billion per year. The bill includes provisions aimed at improving Coast Guard mission effectiveness, modernizing the Service's aging vessels and other assets, and reforming U.S. maritime transportation laws.

Since our Nation's earliest years, the Coast Guard has kept our ports and waterways secure, protected our shores and coastal communities, and responded to disasters and other emergencies. As Ranking Member of the House Committee on Homeland Security, I recognize and thank the men and women of the Coast Guard for their work, particularly their efforts at fulfilling the Coast Guard's critical homeland security missions. I am pleased to support legislation that reauthorizes the Coast Guard to ensure that it is positioned to effectively execute its eleven vital statutory homeland security and non-homeland security missions.

Modernizing the Coast Guard's aircraft, vessels, and other technology is critical to its operations. H.R. 4188 includes provisions that seek to improve the Service's acquisition process and improve the quality of assets delivered. The bill also requires the Department of Homeland Security to develop and present to Congress a strategic plan for the Coast Guard's long-term acquisition and manpower needs. This requirement will go a long way to enhancing both the DHS and Congress' understanding and prioritization of Coast Guard capability needs.

In addition, H.R. 4188 directs the Coast Guard to have a new manpower requirements plan that assesses all projected mission requirements for the next four fiscal years; the number of personnel available currently and projected; capability gaps caused by a lack of available personnel; and the steps the Coast Guard will take to address these gaps. In carrying out this requirement, it is important that the Coast Guard take into account the need to foster greater diversity at all levels of the organization. Consistently deploying broad recruitment efforts can only strengthen the Coast Guard.

Congress must continue to ensure these brave men and women have the necessary authorities and resources to accomplish all that they do on behalf of our Nation. H.R. 4188 is a good step in that direction, and I congratulate my colleagues in moving this important legislation forward.

Mr. HUNTER. Mr. Speaker, Section 310(b) of H.R. 4188, the Coast Guard Authorization Act of 2015, requires the Coast Guard to prepare a Port Access Route Study for Nantucket Sound. The study would include the area subject to a lease for the Cape Wind Project. That lease is the subject of pending litigation that challenges, among other claims, the Coast Guard's terms and conditions under section 414 of the Coast Guard and Maritime Transportation Act of 2006 for failing to protect navigational safety. It is important that we do not interfere in this litigation, and section 310(b) does not make any presuppositions about the validity of the Coast Guard's actions under section 414. In addition, section 310(b) does not make any presuppositions about the validity of the lease for that Project. It is for the court to decide whether the Coast Guard properly set the terms and conditions for that project in accordance with section 414, and the Department of the Interior imposed proper conditions on the lease.

Section 310(b) is needed because, when the Atlantic Coast PARS began, Nantucket Sound had been excluded. The PARS must review how any project in Nantucket Sound would impact the navigational safety of current marine transportation and vessel activities. The Coast Guard is also directed to review existing regulations to improve navigation safety. The goal of the report is to identify the impact to the current and future navigational activities and how to avoid unsafe operating requirements on vessels, and revise existing regulations to improve navigational safety in Nantucket Sound.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HUNTER) that the House suspend the rules and pass the bill, H.R. 4188.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3094

Mr. MICA. Mr. Speaker, I am a cosponsor of H.R. 3094, and I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 3094.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

DEPARTMENT OF HOMELAND SECURITY CBRNE DEFENSE ACT OF 2015

Mr. MCCAUL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3875) to amend the Homeland Security Act of 2002 to establish within the Department of Homeland Security a Chemical, Biological, Radiological, Nuclear, and Explosives Office, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3875

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Department of Homeland Security CBRNE Defense Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; Table of contents.
Sec. 2. CBRNE Office.
Sec. 3. Chemical Division.
Sec. 4. Biological Division.
Sec. 5. Nuclear Division.
Sec. 6. Explosives Division.
Sec. 7. Savings provisions.
Sec. 8. Clerical amendments.

SEC. 2. CBRNE OFFICE.

(a) IN GENERAL.—The Homeland Security Act of 2002 is amended by adding at the end the following new title:

''TITLE XXII—CBRNE OFFICE

''Subtitle A—Chemical, Biological, Radiological, Nuclear, and Explosives Office

''SEC. 2201. CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, AND EXPLOSIVES OFFICE.

''(a) ESTABLISHMENT.—There is established in the Department a Chemical, Biological, Radiological, Nuclear, and Explosives Office (referred to in this title as the 'CBRNE Office'). The CBRNE Office shall be comprised of the Chemical Division, the Biological Division, the Nuclear Division, and the Explosives Division. The CBRNE Office may include a Health Division.

''(b) MISSION OF OFFICE.—The mission of the CBRNE Office is to coordinate, strengthen, and provide chemical, biological, radiological, nuclear, and explosives (CBRNE) capabilities in support of homeland security.

''(c) ASSISTANT SECRETARY.—The Office shall be headed by an Assistant Secretary for the Chemical, Biological, Radiological, Nuclear, and Explosives Office (referred to in this title as the 'Assistant Secretary'), who shall be appointed by the President by and with the advice and consent of the Senate.

''(d) RESPONSIBILITIES.—The Assistant Secretary shall—

''(1) develop, coordinate, and maintain overall CBRNE strategy and policy for the Department;

''(2) develop, coordinate, and maintain for the Department periodic CBRNE risk assessments;

''(3) serve as the primary Department representative for coordinating CBRNE activities with other Federal departments and agencies;

''(4) provide oversight for the Department's preparedness for CBRNE threats;

''(5) provide support for operations during CBRNE threats or incidents; and

''(6) carry out such other responsibilities as the Secretary determines appropriate, consistent with this title.

''(e) OTHER OFFICERS.—The Director of the Chemical Division, the Director of the Biological Division, the Director of the Nuclear Division, and the Director of the Explosives Division shall report directly to the Assistant Secretary.

''SEC. 2202. COMPOSITION OF THE CBRNE OFFICE.

''The Secretary shall transfer to the CBRNE Office, the functions, personnel, budget authority, and assets of the following:

''(1) The Office of Health Affairs as in existence on the day before the date of the enactment of this title, including the Chief Medical Officer authorized under section 516, and the National Biosurveillance Integration Center authorized under section 316.

''(2) The Domestic Nuclear Detection Office authorized under title XIX, as in existence on the date before the date of the enactment of this title (and redesignated as the Nuclear Division).

''(3) CBRNE threat awareness and risk assessment activities of the Science and Technology Directorate.

''(4) The CBRNE functions of the Office of Policy and the Office of Operations Coordination.

''(5) The Office for Bombing Prevention of the National Protection and Programs Directorate, as in existence on the day before the date of the enactment of this title.

''SEC. 2203. HIRING AUTHORITY.

''In hiring personnel for the CBRNE Office, the Secretary shall have the hiring and management authorities provided in section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note; Public Law 105–261), except that the term of appointments for employees under subsection (c)(1) of such section may not exceed five years before granting any extension under subsection (c)(2) of such section.

''SEC. 2204. GRANTS, COOPERATIVE AGREEMENTS, AND OTHER TRANSACTIONS AND CONTRACTS.

''The Assistant Secretary, in carrying out the responsibilities under this title, may distribute funds through grants, cooperative agreements, and other transactions and contracts.

''SEC. 2205. TERRORISM RISK ASSESSMENTS.

''(a) TERRORISM RISK ASSESSMENTS.—

''(1) IN GENERAL.—The Assistant Secretary shall, in coordination with relevant Department components and other appropriate Federal departments and agencies, develop, coordinate, and update periodically terrorism risk assessments of chemical, biological, radiological, and nuclear threats.

''(2) COMPARISON.—The Assistant Secretary shall develop, coordinate, and update periodically an integrated terrorism risk assessment that assesses all of the threats referred to in paragraph (1) and, as appropriate, explosives threats, and compares each such threat against one another according to their relative risk.

''(3) INCLUSION IN ASSESSMENT.—Each terrorism risk assessment under this subsection shall include a description of the methodology used for each such assessment.

''(4) UPDATES.—Each terrorism risk assessment under this subsection shall be updated not less often than once every two years.

''(5) PROVISION TO CONGRESS.—The Assistant Secretary shall provide a copy of each risk assessment under this subsection to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate not later than 30 days after completion of each such assessment.

''(b) METHODOLOGY.—In developing the terrorism risk assessments under subsection (a), the Assistant Secretary, in consultation with appropriate Federal departments and agencies, shall—

''(1) assess the proposed methodology to be used for such assessments; and

''(2) consider the evolving threat to the United States as indicated by the intelligence community (as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).

''(c) USAGE.—The terrorism risk assessments required under subsection (a) shall be used to inform and guide allocation of resources for chemical, biological, radiological, and nuclear threat activities of the Department.

''(d) INPUT AND SHARING.—The Assistant Secretary shall, for each terrorism risk assessment under subsection (a)—

''(1) seek input from national stakeholders and other Federal, State, local, tribal, and territorial officials involved in efforts to counter chemical, biological, radiological, and nuclear threats;

''(2) ensure that written procedures are in place to guide the development of such assessments, including for input, review, and implementation purposes, among relevant Federal partners;

''(3) share such assessments with Federal, State, local, tribal, and territorial officials with appropriate security clearances and a need for the information in the classified versions of such assessments; and

''(4) to the maximum extent practicable, make available an unclassified version of such assessments for Federal, State, local, tribal, and territorial officials involved in prevention and preparedness for chemical, biological, radiological, and nuclear events.

''SEC. 2206. CBRNE COMMUNICATIONS AND PUBLIC MESSAGING.

''(a) IN GENERAL.—The Secretary, in coordination with the Assistant Secretary, shall develop an overarching risk communication strategy for terrorist attacks and other high consequence events utilizing chemical, biological, radiological, or nuclear agents or explosives that pose a high risk to homeland security, and shall—

''(1) develop threat-specific risk communication plans, in coordination with appropriate Federal departments and agencies;

''(2) develop risk communication messages, including pre-scripted messaging to the extent practicable;

''(3) develop clearly defined interagency processes and protocols to assure coordinated risk and incident communications and information sharing during incident response;

''(4) engage private and nongovernmental entities in communications planning, as appropriate;

''(5) identify ways to educate and engage the public about CBRNE threats and consequences;

''(6) develop strategies for communicating using social and new media; and

''(7) provide guidance on risk and incident communications for CBRNE events to State, local, tribal, and territorial governments, and other stakeholders, as appropriate.

''(b) COMMUNICATION DURING RESPONSE.—The Secretary shall provide appropriate timely, accurate information to the public, governmental partners, the private sector, and other appropriate stakeholders in the event of a suspected or confirmed terrorist attack or other high consequence event utilizing chemical, biological, radiological, or nuclear agents or explosives that pose a high risk to homeland security.

''(c) REPORTS.—

''(1) DEVELOPMENT EFFORTS.—Not later than 120 days after the date of the enactment of this title, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on current and future efforts of the Department to develop the communication strategy required under subsection (a).

''(2) FINALIZATION.—Not later than two years after the date the report required under paragraph (1) is submitted, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the communication strategy required under subsection (a).

''SEC. 2207. CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, AND EXPLOSIVES INTELLIGENCE AND INFORMATION SHARING.

''(a) IN GENERAL.—The Under Secretary of Intelligence and Analysis of the Department shall—

''(1) support homeland security-focused intelligence analysis of terrorist actors, their claims, and their plans to conduct attacks involving chemical, biological, radiological, or nuclear materials or explosives against the United States;

''(2) support homeland security-focused intelligence analysis of global infectious diseases, public health, food, agricultural, and veterinary issues;

''(3) support homeland security-focused risk analysis and risk assessments of the homeland security hazards described in paragraphs (1) and (2) by providing relevant quantitative and nonquantitative threat information;

''(4) leverage existing and emerging homeland security intelligence capabilities and structures to enhance prevention, protection, response, and recovery efforts with respect to a chemical, biological, radiological, nuclear, or explosives attack;

''(5) share appropriate information regarding such threats to appropriate State, local, tribal, and territorial authorities, as well as other national biosecurity and biodefense stakeholders; and

''(6) perform other responsibilities, as assigned by the Secretary.

''(b) COORDINATION.—Where appropriate, the Under Secretary of Intelligence and Analysis shall coordinate with the heads of other relevant Department components, including the Assistant Secretary, members of the intelligence community, including the National Counter Proliferation Center and the National Counterterrorism Center, and other Federal, State, local, tribal, and territorial authorities, including officials from high-threat areas, to enable such entities to provide recommendations on optimal information sharing mechanisms, including expeditious sharing of classified information, and on how such entities can provide information to the Department.

''(c) REPORT.—

''(1) IN GENERAL.—Not later than one year after the date of the enactment of this section and annually thereafter for five years, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on—

''(A) the intelligence and information sharing activities under subsections (a) and (b) and of all relevant entities within the Department to prevent, protect against, prepare for, respond to, mitigate, and recover from terrorist attacks and other high consequence events utilizing chemical, biological, radiological, or nuclear agents or explosives that pose a high risk to homeland security; and

''(B) the Department's activities in accordance with relevant intelligence strategies.

''(2) ASSESSMENT OF IMPLEMENTATION.—Each report required under paragraph (1) shall also include—

''(A) a description of methods established to assess progress of the Office of Intelligence and Analysis in implementing this section; and

''(B) such assessment of such progress.

''(d) DEFINITIONS.—In this section:

''(1) INTELLIGENCE COMMUNITY.—The term 'intelligence community' has the meaning given such term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

''(2) NATIONAL BIOSECURITY AND BIODEFENSE STAKEHOLDERS.—The term 'national biosecurity and biodefense stakeholders' means officials from Federal, State, local, tribal, and territorial authorities and individuals from the private sector who are involved in efforts to prevent, protect against, prepare for, respond to, mitigate, and recover from a biological attack or other phenomena that may have serious health consequences for the United States, including infectious disease outbreaks.''.

(b) AFTER ACTION AND EFFICIENCIES REVIEW.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Assistant Secretary for the Chemical, Biological, Radiological, Nuclear, and Explosives Office of the Department of Homeland Security (established pursuant to section 2201 of the Homeland Security Act of 2002, as added by subsection (a) of this section), shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that—

(1) reviews the functions and responsibilities of the Chemical, Biological, Radiological, Nuclear, and Explosives Office of the Department (established pursuant to section 2201 of the Homeland Security Act of 2002, as added by subsection (a) of this section) to identify and eliminate areas of unnecessary duplication;

(2) provides a detailed accounting of the management and administrative expenditures and activities of the Office, including expenditures related to the establishment of the CBRNE Office, such as expenditures associated with the utilization of the Secretary's authority to award retention bonuses pursuant to Federal law;

(3) identifies any potential cost savings and efficiencies within the CBRNE Office or its divisions; and

(4) identifies opportunities to enhance the effectiveness of the management and administration of the CBRNE Office to improve operational impact and enhance efficiencies.

(c) CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR AND EXPLOSIVES RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—The Secretary of Homeland Security shall assess the organizational structure of the management and execution of the Department of Homeland Security's chemical, biological, radiological, nuclear, and explosives research and development activities, and shall develop and submit to the Committee on Homeland Security, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate at the time the President submits the budget under section 1105 of title 31, United States Code, for the fiscal year that follows the issuance of the Comptroller General review required pursuant to subsection (d) a proposed organizational structure for the management and execution of such chemical, biological, radiological, nuclear, and explosives research and development activities.

(2) ORGANIZATIONAL JUSTIFICATION.—The Secretary of Homeland Security shall include in the assessment required under paragraph (1) a thorough justification and rationalization for the proposed organizational structure for management and execution of chemical, biological, radiological, nuclear, and explosives research and development activities, including the following:

(A) A discussion of the methodology for determining such proposed organizational structure.

(B) A comprehensive inventory of chemical, biological, radiological, nuclear, and explosives research and development activities of the Department of Homeland Security and where each such activity will be located within or outside such proposed organizational structure.

(C) Information relating to how such proposed organizational structure will facilitate and promote coordination and requirements generation with customers.

(D) Information relating to how such proposed organizational structure will support the development of chemical, biological, radiological, nuclear, and explosives research and development priorities across the Department.

(E) If the chemical, biological, radiological, nuclear, and explosives research and development activities of the Department are not co-located in such proposed organizational structure, a justification for such separation.

(F) The strategy for coordination between the Under Secretary for Science and Technology and the Assistant Secretary for the Chemical, Biological, Radiological, Nuclear, and Explosives Office on chemical, biological, radiological, nuclear, and explosives research and development activities.

(G) Recommendations for necessary statutory changes.

(3) LIMITATION ON ACTION.—The Secretary of Homeland Security may not take any action to reorganize the structure referred to in paragraph (1) unless the Secretary receives prior authorization from the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate permitting any such action.

(d) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, AND EXPLOSIVES RESEARCH AND DEVELOPMENT ACTIVITIES.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a review of the organizational structure of the Department of Homeland Security's management and execution of chemical, biological, radiological, nuclear, and explosives research and development activities.

(2) SCOPE.—The review required under paragraph (1) shall include the following:

(A) An assessment of the organizational structure for the management and execution of chemical, biological, radiological, nuclear, and explosives research and development activities of the Department of Homeland Security, including identification of any overlap or duplication of effort.

(B) Recommendations to streamline and improve the organizational structure of the Department's management and execution of chemical, biological, radiological, nuclear, and explosives research and development activities.

(3) REPORT.—Not later than two years after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the review required under this subsection.

(e) DISSEMINATION OF INFORMATION ANALYZED BY THE DEPARTMENT OF HOMELAND SECURITY TO STATE, LOCAL, TRIBAL, AND PRIVATE ENTITIES WITH RESPONSIBILITIES RELATING TO HOMELAND SECURITY.—Paragraph (8) of section 201(d) of the Homeland Security Act of 2002 (6 U.S.C. 121(d)) is amended by striking ''and to agencies of State'' and all that follows through the period at the end and inserting ''to State, local, tribal, territorial, and appropriate private entities with such responsibilities, and, as appropriate, to the public, in order to assist in preventing, protecting against, preparing for, responding to, mitigating, and recovering from terrorist attacks against the United States.''.

(f) TECHNICAL AND CONFORMING AMENDMENTS.—The Homeland Security Act of 2002 is amended—

(1) in paragraph (2) of section 103(a) (6 U.S.C. 113(a)), by striking ''Assistant Secretary for Health Affairs, the Assistant Secretary for Legislative Affairs, or the Assistant Secretary for Public Affairs,'' and inserting ''Assistant Secretary for Legislative Affairs or the Assistant Secretary for Public Affairs,'';

(2) in section 302 (6 U.S.C. 182)—

(A) by redesignating paragraphs (13) and (14) as paragraphs (14) and (15), respectively; and

(B) by inserting after paragraph (12) the following new paragraph:

''(13) collaborating with the Assistant Secretary for the Chemical, Biological, Radiological, Nuclear, and Explosives Office on all chemical, biological, and explosives research and development activities;'';

(3) in subsection (b) of section 307 (6 U.S.C. 187), by adding at the end the following new paragraph:

''(8) CBRNE DEFENSE.—The Director shall coordinate with the Assistant Secretary for the Chemical, Biological, Radiological, Nuclear, and Explosives Office on all chemical, biological, and explosives research and development activities.''; and

(4) in subsection (c) of section 516 (6 U.S.C. 321e)—

(A) in the matter preceding paragraph (1), by inserting '', including the health impacts of chemical, biological, radiological, and nuclear agents and explosives'' after ''natural disasters'';

(B) by amending paragraph (2) to read as follows:

''(2) coordinating the Department's policy, strategy, and preparedness for pandemics and emerging infectious diseases;''; and

(C) in paragraph (6), by striking ''Under Secretary for Science and Technology'' and inserting ''Assistant Secretary for the Chemical, Biological, Radiological, Nuclear, and Explosives Office''.

SEC. 3. CHEMICAL DIVISION.

(a) IN GENERAL.—Title XXII of the Homeland Security Act of 2002, as added by section 2 of this Act, is amended by adding at the end the following new subtitle:

''Subtitle B—Chemical Division

''SEC. 2211. CHEMICAL DIVISION.

''(a) ESTABLISHMENT.—There is established in the CBRNE Office a Chemical Division, headed by a Director of the Chemical Division (in this subtitle referred to as the 'Director').

''(b) MISSION AND RESPONSIBILITIES.—The Director shall be responsible for coordinating departmental strategy and policy relating to terrorist attacks and other high-consequence events utilizing chemical agents that pose a high risk to homeland security, including the following:

''(1) Developing and maintaining the Department's strategy against chemical threats.

''(2) Serving as the Department representative for chemical threats and related activities with other Federal departments and agencies.

''(3) Providing oversight of the Department's preparedness, including operational requirements, for chemical threats.

''(4) Enhancing the capabilities of Federal, State, local, tribal, and territorial governments, and private entities as appropriate, against chemical threats.

''(5) Evaluating and providing guidance to Federal, State, local, tribal, and territorial governments, and private entities as appropriate, on detection and communication technology that could be effective in terrorist attacks and other high-consequence events utilizing chemical agents.

''(6) Supporting and enhancing the effective sharing and use of appropriate information generated by the intelligence community (as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))), law enforcement agencies, other Federal, State, local tribal, and territorial governments, and foreign governments, on chemical threats.

''SEC. 2212. DEMONSTRATION PROJECTS.

''(a) IN GENERAL.—The Director may, subject to the availability of appropriations for such purpose, partner with high-risk urban areas or facilities to conduct demonstration projects to enhance, through Federal, State, local, tribal, and territorial governments, and private entities, capabilities of the United States to counter terrorist attacks and other high-consequence events utilizing chemical agents that pose a high risk to homeland security.

''(b) GOALS.—The Director may provide guidance and evaluations for all situations and venues at risk of terrorist attacks and other high-consequence events utilizing chemical agents, such as at ports, areas of mass gathering, and transit facilities, and may—

''(1) ensure all high-risk situations and venues are studied; and

''(2) ensure key findings and best practices are made available to State, local, tribal, and territorial governments and the private sector.

''(c) CONGRESSIONAL NOTIFICATION.—The Director shall notify the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate not later than 30 days before initiating a new demonstration project.''.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an assessment of the Department of Homeland Security's programs and activities related to terrorist attacks and other high-consequence events utilizing chemical agents that pose a high risk to homeland security.

SEC. 4. BIOLOGICAL DIVISION.

Title XXII of the Homeland Security Act of 2002, as added by section 2 of this Act and as amended by section 3 of this Act, is further amended by adding at the end the following new subtitle:

''Subtitle C—Biological Division

''SEC. 2221. BIOLOGICAL DIVISION.

''(a) ESTABLISHMENT.—There is established in the CBRNE Office a Biological Division, headed by a Director of the Biological Division (in this subtitle referred to as the 'Director').

''(b) MISSION AND RESPONSIBILITIES.—The Office shall be responsible for coordinating departmental strategy and policy relating to terrorist attacks and other high-consequence events utilizing biological agents that pose a high risk to homeland security, including the following:

''(1) Developing and maintaining the Department's strategy against biological threats.

''(2) Serving as the Department representative for biological threats and related activities with other Federal departments and agencies.

''(3) Providing oversight for the Department's preparedness, including operational requirements, for biological threats.

''(4) Enhancing the capabilities of Federal, State, local, tribal, and territorial governments, and private entities as appropriate, against biological threats.

''(5) Supporting and enhancing the effective sharing and use of appropriate information generated by the intelligence community (as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))), law enforcement agencies, other Federal, State, local, tribal, and territorial governments, and foreign governments, on biological threats.

''(6) Achieving a biological detection program.

''(7) Maintaining the National Biosurveillance Integration Center, authorized under section 316.''.

SEC. 5. NUCLEAR DIVISION.

(a) IN GENERAL.—Title XXII of the Homeland Security Act of 2002, as added by section 2 of this Act and as amended by sections 3 and 4 of this Act, is further amended by adding at the end the following new subtitle:

''Subtitle D—Nuclear Division

''SEC. 2231. NUCLEAR DIVISION.

''(a) ESTABLISHMENT.—The Secretary shall include within the CBRNE Office the Nuclear Division under title XIX, headed by the Director of the Nuclear Division (in this subtitle referred to as the 'Director') pursuant to section 1901.

''(b) MISSION AND RESPONSIBILITIES.—In addition to the responsibilities specified in title XIX, the Director shall also be responsible for coordinating departmental strategy and policy relating to terrorist attacks and other high-consequence events utilizing nuclear or other radiological materials, and for coordinating Federal efforts to detect and protect against the unauthorized importation, possession, storage, transportation, development, or use of a nuclear explosive device, fissile material, or radiological material in the United States, and to protect against an attack using such devices or materials against the people, territory, or interests of the United States, in accordance with title XIX.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Title XIX of the Homeland Security Act of 2002 is amended—

(1) in the title heading, by striking ''**DOMESTIC NUCLEAR DETECTION OFFICE**'' and inserting ''**NUCLEAR DIVISION**'';

(2) in section 1901 (6 U.S.C. 591)—

(A) in the heading, by striking ''**DOMESTIC NUCLEAR DETECTION OFFICE**'' and inserting ''**NUCLEAR DIVISION**'';

(B) in subsection (a), by striking ''There shall be established in the Department a Domestic Nuclear Detection Office'' and inserting ''There is in the Department a Nuclear Division, located in the CBRNE Office''; and

(C) in subsection (b), by striking ''Director for Domestic Nuclear Detection, who shall be appointed by the President'' and inserting ''Director of the Nuclear Division'';

(3) in subsection (a) of section 1902 (6 U.S.C. 592)—

(A) in the matter preceding paragraph (1)—

(i) by inserting after ''responsible for'' the following: ''coordinating departmental strategy and policy relating to terrorist attacks and other high-consequence events utilizing nuclear or other radiological materials, and for''; and

(ii) by striking ''to protect'' and inserting ''protecting''; and

(B) in paragraph (11), in the matter preceding subparagraph (A), by striking ''Domestic Nuclear Detection Office'' and inserting ''Nuclear Division'';

(4) by repealing section 1903 (6 U.S.C. 593);

(5) in section 1906 (6 U.S.C. 596)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''Domestic Nuclear Detection'' and inserting ''the Nuclear Division''; and

(ii) by striking ''paragraphs (6) and (7) of''; and

(B) in paragraph (2), by striking ''paragraphs (6) and (7) of'';

(6) in section 1907 (6 U.S.C. 596a)—

(A) by striking ''Annual'' each place it appears and inserting ''Biennial'';

(B) by striking ''each year'' each place it appears and inserting ''every two years'';

(C) by striking ''previous year'' each place it appears and inserting ''previous two years'';

(D) in the heading of subsection (a), by striking ''ANNUAL'' and inserting ''BIENNIAL''; and

(E) subsection (b)—

(i) in the heading, by striking ''ANNUAL'' and inserting ''BIENNIAL'';

(ii) in paragraph (1), by inserting ''odd-numbered'' after ''each''; and

(iii) in paragraph (2), by striking ''annual'' and inserting ''biennial''; and

(7) by adding at the end the following new section:

''SEC. 1908. DOMESTIC IMPLEMENTATION OF THE GLOBAL NUCLEAR DETECTION ARCHITECTURE.

''In carrying out the mission of the Office under subparagraph (A) of section 1902(a)(4), the Director of the Nuclear Division shall provide support for planning, organization, equipment, training, exercises, and operational assessments to Federal, State, local, tribal, and territorial governments to assist such governments in implementing radiological and nuclear detection capabilities in the event of terrorist attacks or other high-consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security. Such capabilities shall be integrated into the enhanced global nuclear detection architecture referred to in such section 1902(a)(4), and shall inform and be guided by architecture studies, technology needs, and research activities of the Office.''.

(c) REFERENCE.—Any reference in any law, regulation, or rule to the Domestic Nuclear Detection Office or the Director for Domestic Nuclear Detection of the Department of Homeland Security shall be deemed to be a reference to the Nuclear Division or the Director of the Nuclear Division, respectively, of the Department.

SEC. 6. EXPLOSIVES DIVISION.

Title XXII of the Homeland Security Act of 2002, as added by section 2 of this Act and as amended by sections 3, 4, and 5 of this Act, is further amended by adding at the end the following new subtitle:

''Subtitle E—Explosives Division

''SEC. 2241. EXPLOSIVES DIVISION.

''(a) ESTABLISHMENT.—There is established within the CBRNE Office an Explosives Division, headed by a Director of the Explosives Division (in this subtitle referred to as the 'Director').

''(b) MISSION AND RESPONSIBILITIES.—The Director shall be responsible for coordinating departmental strategy and policy relating to terrorist attacks and other high-consequence events utilizing explosives that pose a high risk to homeland security, including the following:

''(1) Developing and maintaining the Department's strategy against explosives threats.

''(2) Serving as the Department representative for explosives threats and related activities with other Federal departments and agencies.

''(3) Providing oversight of the Department's preparedness, including operational requirements, for explosives threats.

''(4) Enhancing the capabilities of Federal, State, local, tribal, and territorial governments, and private entities as appropriate, to counter terrorist attacks and other high-consequence events utilizing explosives.

''(5) Evaluating and providing guidance to Federal, State, local, tribal, and territorial governments and appropriate private entities on detection and communication technology that could be effective during terrorist attacks or other high-consequence events utilizing explosives.

''(6) Supporting and enhancing the effective sharing and use of appropriate information generated by the intelligence community (as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))), law enforcement agencies, other Federal, State, local, tribal, and territorial government agencies, and foreign governments, on explosives threats.''.

SEC. 7. SAVINGS PROVISIONS.

Nothing in this Act shall change the authority of the Administrator of the Federal Emergency Management Agency to lead the emergency management system of the United States. Nothing in this Act shall alter the responsibility of the Chief Medical Officer of the Department of Homeland Security to serve as the principal advisor to the Secretary of Homeland Security and the Administrator of the Federal Emergency Management Agency on medical and public health issues pursuant to paragraph (1) of section 516(c) of the Homeland Security Act of 2002 (6 U.S.C. 321e(c)).

SEC. 8. CLERICAL AMENDMENTS.

The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended—

(1) by striking the item relating to title XIX and inserting the following new item:

''TITLE XIX—NUCLEAR DIVISION'';

(2) by striking the item relating to section 1901 and inserting the following new item:

''Sec. 1901. Nuclear Division.'';

(3) by striking the item relating to section 1903;

(4) by adding after the item relating to section 1907 the following new item:

''Sec. 1908. Domestic Implementation of the global nuclear detection architecture.''; and

(5) by adding at the end the following:

''TITLE XXII—CBRNE OFFICE

''Subtitle A—Chemical, Biological, Radiological, Nuclear, and Explosives Office

''Sec. 2201. Chemical, Biological, Radiological, Nuclear, and Explosives Office.
''Sec. 2202. Composition of the CBRNE Office.
''Sec. 2203. Hiring authority.
''Sec. 2204. Grants, cooperative agreements, and other transactions and contracts.
''Sec. 2205. Terrorism risk assessments.
''Sec. 2206. CBRNE communications and public messaging.
''Sec. 2207. Chemical, biological, radiological, nuclear, and explosives intelligence and information sharing.''.

''Subtitle B—Chemical Division

''Sec. 2211. Chemical Division.
''Sec. 2212. Demonstration projects.''.

''Subtitle C—Biological Division

''Sec. 2221. Biological Division.''.

''Subtitle D—Nuclear Division

''Sec. 2231. Nuclear Division.''.

''Subtitle E—Explosives Division

''Sec. 2241. Explosives Division.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MCCAUL) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. MCCAUL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MCCAUL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this bill, the Department of Homeland Security CBRNE Defense Act of 2015.

The threat from weapons of mass destruction is real and growing. We have seen groups like ISIS make makeshift chemical weapons; and on the battlefield last summer, a laptop reportedly retrieved from an ISIS hideout in Syria contained plans for weaponizing bubonic plague and documents discussing advantages of using biological weapons. They have also boasted about plans to smuggle radiological material into the United States. With recent FBI stings in places like Moldova, we know that there are sellers ready to supply the ingredients for these tools of terror, which brings us to the purpose of this legislation before us today.

Mr. Speaker, the Department of Homeland Security must play a leading role in defending our homeland from CBRNE threats. Departments and agencies across the United States Government have centralized their weapons of mass destruction programs to provide clear focal points for dealing with this threat. Within the Department of Homeland Security, however, leadership, expertise, personnel, and resources related to chemical, biological, radiological, nuclear, and explosive threats are disbursed across numerous organizations within DHS headquarters. By consolidating offices within the DHS headquarters with responsibility for CBRNE, H.R. 3875 will ensure better coordination within the Department and interagency.

Mr. Speaker, we are living in dangerous times, and we must ensure the Federal Government is prepared to address these threats. This bill will ensure that the Department of Homeland Security is able to do so.

Before I close, I would like to thank Chairmen SHUSTER and SMITH for their cooperation in moving this legislation.

Mr. Speaker, I urge my colleagues to support this important legislation.

Mr. Speaker, I reserve the balance of my time.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, December 8, 2015.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security, Ford House Office Building, Washington, DC.

DEAR CHAIRMAN MCCAUL: I write concerning H.R. 3875, the ''Department of Homeland Security CBRNE Defense Act of 2015''. This legislation includes matters that I believe fall within the rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite Floor consideration of H.R. 3875, the Committee on Transportation and Infrastructure agrees to forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill would not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's rule X jurisdiction.

I request that you please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, December 8, 2015.

Hon. BILL SHUSTER,
Chairman, Transportation and Infrastructure Committee, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SHUSTER, Thank you for your interest in H.R. 3875, the ''Department of Homeland Security CBRNE Defense Act of 2015.'' I appreciate your cooperation in allowing the bill to move expeditiously under suspension of the House Rules on December 8, 2015. Because your assertion of jurisdictional interest was raised after the report for H.R. 3875 was filed, the Parliamentarians were not able to render an official decision as to any jurisdictional claim the Transportation and Infrastructure Committee may have had.

I agree that the absence of a decision on this bill will not prejudice any claim the Transportation and Infrastructure Committee may have had, or may have with respect to similar measures in the future.

A copy of this letter will be entered into the Congressional Record.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
Washington, DC, December 8, 2015.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 3875, the ''Department of Homeland Security CBRNE Defense Act of 2015,'' which your Committee reported on November 16, 2015.

H.R. 3875 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, December 8, 2015.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH, Thank you for your interest in H.R. 3875, the ''Department of Homeland Security CBRNE Defense Act of 2015.'' I appreciate your cooperation in allowing the bill to move expeditiously under suspension of the House Rules on December 8, 2015. Because your assertion of jurisdictional interest was raised after the report for H.R. 3875 was filed, the Parliamentarians were not able to render an official decision as to any jurisdictional claim the Committee on Science, Space, and Technology may have had.

I agree that the absence of a decision on this bill will not prejudice any claim the Committee on Science, Space, and Technology may have had, or may have with respect to similar measures in the future.

A copy of this letter will be entered into the Congressional Record.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3875, the Department of Homeland Security CBRNE Defense Act of 2015.

Mr. Speaker, we were here 2 days ago, and I said that the American people are looking for the homeland to be safe. As I stand here today in the backdrop of a recent classified briefing for many Members, I again say that the issue of homeland security is not a partisan issue.

I am very grateful to Mr. MCCAUL and Mr. THOMPSON of Mississippi, the ranking member, for their bipartisanship and the bipartisanship of this committee. Working alongside the other jurisdictional committees—that includes my other committee, Judiciary, that has, as their ranking member, Mr. CONYERS, and chairman, Mr. GOODLATTE, and many other committees—our commitment should be to secure the American people.

So, in this instance, pursuant to the fiscal year 2013 Consolidated and Further Continuing Appropriations Act, the Department of Homeland Security was directed to evaluate its activities related to preventing and responding to threats posed by chemical, biological, radiological, nuclear, and explosive, CBRNE, weapons and to determine whether there were ways to improve coordination of those activities.

Nearly 2 years later, DHS submitted its report to Congress and requested that certain activities and offices within the Department be consolidated to create a center of gravity for the DHS CBRNE activities.

H.R. 3875 seeks to implement much of the Department's proposal. In particular, the bill would bring the Office of Health Affairs, the Domestic Nuclear Detection Office, the Office of Bombing Prevention, the chemical and biological risk assessment activities Science and Technology Directorate, and staff from the Office of Policy and Office of Coordination Operations together in a single office, headed by a new assistant secretary.

I distinctly remember being in some of the meetings and hearings that drew about some of these coordinated activities, and I believe the new assistant secretary will be a very effective tool for making America safer.

During committee consideration of the measure, the committee accepted an amendment authored by Ranking Member THOMPSON to protect the missions of the offices brought together and prevent some of the disruption that could be caused by this kind of reorganization.

The amendment acknowledges that this reorganization will likely necessitate new expenditures. For instance, DHS may need to utilize retention bonuses to retain highly skilled, much-sought-after nuclear and biodefense experts who otherwise would leave DHS because of their lowered position and reduced prospects for advancement. I believe we should do that.

Ranking Member THOMPSON's amendment also protects the role of the Chief Medical Officer as a leader within the Department on public health and medical issues by preserving the CMO's direct line to the Secretary.

The amendment allows for the establishment of a health division within the new office which could serve as a base of operations for the Chief Medical Officer's public health activities.

I might comment very briefly further on this. We have found that we live in a situation where, whether it is a natural disaster, but in this instance a terrorist situation that comes about, there is certainly major need for coordinated health activities that a person briefed, informed, and trained under DHS, with the expertise, can give to local entities and States.

For example, a hospital in my community, St. Joseph Medical Center, is

the only hospital in a very intense downtown urban center. We would be interested in making sure that all of those health systems work.

As a nation, we cannot afford to have focus and attention toward the CBRNE mission diminished as a result of the unavoidable staff upheaval and infighting associated within any organization of this order.

Accordingly, I am pleased that H.R. 3875, as amended, will help bolster the Department's ability to carry out this reorganization without diminishing its ability to continue to carry out its CBRNE mission.

Mr. Speaker, I am pleased to speak in support of H.R. 3875, the ''Department of Homeland Security CBRNE Defense Act of 2015.''

As a Senior Member of the Homeland Security Committee, I served as Ranking Member of the Border and Maritime Subcommittee during the last Congress and in a previous Congress chaired the Subcommittee on Transportation Security.

It is important that the House take up the issue of how the WMD programs within the Department of Homeland Security are managed, which is why I am an original sponsor of the bill.

Events over the last Congress make it clear that Congress should be even more vigilant in providing for the protection of the United States.

Congress should be mindful of the: United States' leadership in the effort to forge an enforceable and verifiable nuclear agreement with Iran; deadliness of chemical weapons when they were used during the Syrian conflict against unarmed men, women, and children; and arrival of Ebola in Dallas, Texas and the cases that were treated around the nation.

The bill authorizes an Office of Chemical, Biological, Radiological, Nuclear, and Explosives (CBRNE) Defense within the Department of Homeland Security (DHS).

Departments and agencies across the U.S. government have centralized their weapons of mass destruction (WMD) defense programs to provide clear focal points for dealing with this threat.

However, DHS responsibilities in the chemical, biological, radiological, nuclear, and explosives areas continue to be spread across many offices in the Department with varying authorities and functions, affecting strategic direction as well as interdepartmental and interagency coordination.

This bill will bring DHS into line with the Defense Department, State Department, CIA, and FBI, which each have a lead office or bureau charged with defending America against chemical, biological, radiological, nuclear, and explosives (CBRNE) threats.

This is the result of many years of oversight by the Committee on Homeland Security on the Department's management of CBRNE activities.

The bill authorizes a CBRNE Office, led by a Presidentially-appointed Assistant Secretary.

The bill directs the Secretary to include within the new CBRNE Office: the Office of Health Affairs; the Domestic Nuclear Detection Office; risk assessment activities and personnel of the Science and Technology Directorate; CBRNE activities and personnel of the Office of Policy and Operations Coordination and Planning; and the Office for Bombing Prevention.

The bill provides specific responsibilities of the Assistant Secretary and needed structure for the management of CBRNE activities.

DHS provided its proposal for consolidation of CBRNE activities to the Committee in June.

The Subcommittees on Emergency Preparedness, Response, and Communications; and Cybersecurity, Infrastructure Protection, and Security Technologies held a hearing in July on the Department's proposal.

I urge my colleagues on in the House to join me in supporting this important step forward.

Our work is not yet done, but we are creating the groundwork for a safer and more resilient WMD deterrent, detection, and remediation federal homeland effort.

I appreciate the Homeland Security Committee's interest in my bill H.R. 85, Terrorism Prevention and Critical Infrastructure Protection Act.

Like Chairman MCCAUL, and Ranking Member THOMPSON, I regard securing our nation's critical infrastructure from terrorist threats as a top national and homeland security priority.

I share the understanding regarding how important it is to draft legislation that addresses the cyber threat posed by computer viruses and worms designed to destroy or cripple industrial control systems that sustain critical infrastructure is a serious challenge.

RECOMMENDATION: SUPPORT

Fixing a Broken Bureaucracy—H.R. 3875 increases transparency and accountability at DHS by bringing the Department's fragmented WMD defense programs under one roof and putting a lead official in charge.

Most security agencies (the Defense Department, State Department, CIA, and FBI) have a lead office or bureau charged with using their resources to defend America against chemical, biological, radiological, nuclear, and explosives (CBRNE) threats.

But DHS does not—its WMD defense programs are scattered across multiple offices, a fractured approach that weakens our ability to confront these dangers on the frontlines.

The disorganization creates inefficiency, generates confusion about who is in charge at DHS, makes interagency collaboration more difficult, and drives away top talent.

The CBRNE Defense Act combines six separate offices and programs into one central CBRNE Office at DHS headquarters, led by a senior official who reports directly to the Secretary.

Elevating a Critical Mission—H.R. 3875 creates a stronger, unified office equipped to keep the nation safe from WMD threats, and it ensures these issues will always stay on the Department's ''front burner.''

America faces persistent risk from terrorists and rogue states that want to threaten our people with weapons of mass destruction.

But under the current structure at DHS, important WMD defense efforts can get lost in the bureaucratic noise.

By consolidating these programs, the legislation will keep WMD challenges on the radar of top officials.

It will also allow DHS to conduct its CBRNE activities more strategically and effectively.

Streamlining Government—H.R. 3875 helps prevent taxpayer dollars from being wasted—and aims to reduce overlap and duplication wherever possible.

Hundreds of millions of taxpayer dollars have been spent on failed CBRNE programs at DHS that were ill-planned and lacked effective oversight and management.

This legislation ensures DHS programs for combating WMD threats will be better coordinated and more closely monitored at the highest levels of the Department.

The bill simplifies the Secretary's ability to oversee the Department's WMD defense activities by consolidating standalone offices and streamlining the reporting structure.

I also creates the possibility of long-term savings by allowing the merged offices to combine their administrative functions.

Mr. Speaker, I reserve the balance of my time.

Mr. MCCAUL. Mr. Speaker, I have no more speakers. If the gentlewoman from Texas has no further speakers, I am prepared to close once the gentlewoman does.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman very much for his leadership. I do not have any further speakers, but I would like to close and thank the committee as well for considering a bill that is now being reviewed—I want to thank the committee—H.R. 85, Terrorism Prevention and Critical Infrastructure Protection Act, which I hope contributes to all of our discussions about securing America.

This bill, Mr. Speaker, in particular, H.R. 3875, would consolidate important CBRNE activities within the Department of Homeland Security. I am hopeful that this reorganization will improve DHS' ability to carry out its mission in this space.

Today, Mr. Speaker, the diversity in the terrorist landscape is unprecedented. There are actors with aspirations to hit Western targets with deadly conventional weapons. There are also actors that are actively seeking to secure radiological and other nonconventional weaponry to exact maximum death, destruction, and chaos.

The Department of Homeland Security, first established after 9/11, has been designated and dictated to by the American people to keep them safe. It has an important role to play to address these threats. It is my great hope that this reorganization will help DHS take its CBRNE efforts to the next level.

Mr. Speaker, I ask my colleagues to support this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. MCCAUL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me first thank my colleagues on the other side of the aisle, Ms. JACKSON LEE and Mr. THOMPSON of Mississippi, for their coordination on this bill. I think this committee, probably more than any other one, has operated in a very bipartisan fashion. I am proud of that, as a chairman. I think in matters of national security, that is how we should operate,

to reach across the aisle to get good things done for the American people to make them safer. So let me just say thank you for that.

I don't have to remind you, Mr. Speaker, the threats are real out there. We got a classified briefing on San Bernardino, the pipe bombs that were manufactured. In Dabiq Magazine, ISIS' latest publication, they discuss the ease with which to move a nuclear device through transnational criminal organizations into the Western Hemisphere: through Mexico and across our southwest border. That is precisely the kind of threat that this bill is designed to stop.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MCCAUL) that the House suspend the rules and pass the bill, H.R. 3875, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1545

DHS SCIENCE AND TECHNOLOGY REFORM AND IMPROVEMENT ACT OF 2015

Mr. RATCLIFFE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3578) to amend the Homeland Security Act of 2002, to strengthen and make improvements to the Directorate of Science and Technology of the Department of Homeland Security, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3578

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''DHS Science and Technology Reform and Improvement Act of 2015''.

SEC. 2. SCIENCE AND TECHNOLOGY IN SUPPORT OF HOMELAND SECURITY.

(a) IN GENERAL.—Title III of the Homeland Security Act of 2002 is amended—

(1) in section 301 (6 U.S.C. 181)—

(A) by striking ''There'' and inserting the following new subsection:

''(a) IN GENERAL.—There''; and

(B) by adding at the end the following new subsection:

''(b) MISSION.—The Directorate of Science and Technology shall be the primary research, development, testing, and evaluation arm of the Department, responsible for coordinating the research, development, testing, and evaluation of the Department to strengthen the security and resiliency of the United States. The Directorate shall—

''(1) develop and deliver knowledge, analyses, and innovative solutions that are responsive to homeland security capability gaps and threats to the homeland identified by components and offices of the Department, the first responder community, and the Homeland Security Enterprise (as such term is defined in section 322) and that can be integrated into operations of the Department;

''(2) seek innovative, system-based solutions to complex homeland security problems and threats; and

''(3) build partnerships and leverage technology solutions developed by other Federal agencies and laboratories, State, local, and tribal governments, universities, and the private sector.'';

(2) in section 302 (6 U.S.C. 182)—

(A) in the matter preceding paragraph (1), by striking ''The Secretary, acting through the Under Secretary for Science and Technology, shall'' and inserting the following new subsection:

''(a) IN GENERAL.—The Secretary, acting through the Under Secretary for Science and Technology, shall carry out the mission described in subsection (b) of section 301 and shall'';

(B) in subsection (a), as so amended by subparagraph (A) of this paragraph—

(i) in paragraph (1), by inserting ''and serving as the senior scientific advisor to the Secretary'' before the semicolon at the end;

(ii) in paragraph (2)—

(I) by striking ''national'';

(II) by striking ''biological,,'' and inserting ''biological,''; and

(III) by inserting ''that may serve as a basis of a national strategy'' after ''terrorist threats'';

(iii) in paragraph (3)—

(I) by striking ''the Under Secretary for Intelligence and Analysis and the Assistant Secretary for Infrastructure Protection'' and inserting ''components and offices of the Department''; and

(II) by inserting ''terrorist'' before ''threats'';

(iv) in paragraph (4), by striking ''except that such responsibility does not extend to human health-related research and development activities'' and inserting the following: ''including coordinating with relevant components and offices of the Department appropriate to—

''(A) identify and prioritize technical capability requirements and create solutions that include researchers, the private sector, and operational end users, and

''(B) develop capabilities to address issues on research, development, testing, evaluation, technology, and standards for the first responder community,

except that such responsibility does not extend to the human health-related research and development activities;''.

(v) in paragraph (5)(A), by striking ''biological,,'' and inserting ''biological,'';

(vi) by amending paragraph (12) to read as follows:

''(12) coordinating and integrating all research, development, demonstration, testing, and evaluation activities of the Department, including through a centralized Federal clearinghouse established pursuant to paragraph (1) of section 313(b) for information relating to technologies that would further the mission of the Department, and providing advice, as necessary, regarding major acquisition programs;''.

(vii) in paragraph (13), by striking ''and'' at the end;

(viii) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(ix) by adding at the end the following new paragraphs:

''(15) establishing a process that—

''(A) includes consideration by Directorate leadership, senior component leadership, first responders, and outside expertise;

''(B) is strategic, transparent, and repeatable with a goal of continuous improvement;

''(C) through which research and development projects undertaken by the Directorate are assessed on a regular basis; and

''(D) includes consideration of metrics to ensure research and development projects meet Directorate and Department goals and inform departmental budget and program planning;

''(16) developing and overseeing the administration of guidelines for periodic external review of departmental research and development programs or activities, including through—

''(A) consultation with experts, including scientists and practitioners, regarding the research and development activities conducted by the Directorate of Science and Technology; and

''(B) biennial independent, external review—

''(i) initially at the division level; or

''(ii) when divisions conduct multiple programs focused on significantly different subjects, at the program level; and

''(17) partnering with components and offices of the Department to develop and deliver knowledge, analyses, and innovative solutions that are responsive to identified homeland security capability gaps and threats to the homeland and raise the science-based, analytic capability and capacity of appropriate individuals throughout the Department by providing guidance on how to better identify homeland security capability gaps and threats to the homeland that may be addressed through a technological solution and by partnering with such components and offices to—

''(A) support technological assessments of major acquisition programs throughout the acquisition lifecycle;

''(B) help define appropriate technological requirements and perform feasibility analysis;

''(C) assist in evaluating new and emerging technologies against homeland security capability gaps and terrorist threats;

''(D) support evaluation of alternatives;

''(E) improve the use of technology Department-wide; and

''(F) provide technical assistance in the development of acquisition lifecycle cost for technologies;

''(18) acting as a coordinating office for technology development for the Department by helping components and offices define technological requirements, and building partnerships with appropriate entities (such as within the Department and with other Federal agencies and laboratories, State, local, and tribal governments, universities, and the private sector) to help each such component and office attain the technology solutions it needs;

''(19) coordinating with organizations that provide venture capital to businesses, particularly small businesses, as appropriate, to assist in the commercialization of innovative homeland security technologies that are expected to be ready for commercialization in the near term and within 36 months.''; and

(C) by adding at the end the following new subsections:

''(b) REVIEW OF RESPONSIBILITIES.—Not later than 180 days after the date of the enactment of this subsection, the Under Secretary for Science and Technology shall submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the implementation of paragraphs (2) (including how the policy and strategic plan under such paragraph may serve as a basis for a national strategy referred to in such paragraph), (11), (12), (13), (16), and (17) of subsection (a).'';

(3) in section 303(1) (6 U.S.C. 183(1)), by striking subparagraph (F);

(4) in section 305 (6 U.S.C. 185)—

(A) by striking ''The'' and inserting the following new subsection:

''(a) ESTABLISHMENT.—The''; and

(B) by adding at the end the following new subsection:

''(b) CONFLICTS OF INTEREST.—The Secretary shall review and revise, as appropriate, the policies of the Department relating to personnel conflicts of interest to ensure that such policies specifically address employees of federally funded research and development centers established pursuant to subsection (a) who are in a position to make or materially influence research findings or agency decision making.'';

(5) in section 306 (6 U.S.C. 186)—

(A) in subsection (c), by adding at the end the following new sentence: ''If such regulations are issued, the Under Secretary shall report to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate prior to such issuance.''; and

(B) by amending subsection (d) to read as follows:

''(d) PERSONNEL.—In hiring personnel for the Directorate of Science and Technology, the Secretary shall have the hiring and management authorities described in section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note; Public Law 105–261). The term of appointments for employees under subsection (c)(1) of such section may not exceed five years before the granting of any extension under subsection (c)(2) of such section.'';

(6) in section 308 (6 U.S.C. 188)—

(A) in subsection (b)(2)—

(i) in subparagraph (B)—

(I) in clause (iv), by striking ''and nuclear countermeasures or detection'' and inserting ''nuclear, and explosives countermeasures or detection (which may include research into remote sensing and remote imaging)''; and

(II) by adding after clause (xiv) the following new clause:

''(xv) Cybersecurity.''; and

(ii) by amending subparagraph (D) to read as follows:

''(D) ANNUAL REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this subparagraph and annually thereafter, the Secretary shall submit to Congress a report on the implementation of this section. Each such report shall—

''(i) indicate which center or centers have been designated pursuant to this section;

''(ii) describe how such designation or designations enhance homeland security;

''(iii) provide information on any decisions to revoke or modify such designation or designations;

''(iv) describe research that has been tasked and completed by each center that has been designated during the preceding year;

''(v) describe funding provided by the Secretary for each center under clause (iv) for that year; and

''(vi) describe plans for utilization of each center or centers in the forthcoming year.''; and

(B) by adding at the end the following new subsection:

''(d) TEST, EVALUATION, AND STANDARDS DIVISION.—

''(1) ESTABLISHMENT.—There is established in the Directorate of Science and Technology a Test, Evaluation, and Standards Division.

''(2) DIRECTOR.—The Test, Evaluation, and Standards Division shall be headed by a Director of Test, Evaluation, and Standards, who shall be appointed by the Secretary and report to the Under Secretary for Science and Technology.

''(3) RESPONSIBILITIES, AUTHORITIES, AND FUNCTIONS.—The Director of Test, Evaluation, and Standards—

''(A) through the Under Secretary for Science and Technology, serve as an adviser to the Secretary and the Under Secretary of Management on all test and evaluation or standards activities in the Department; and

''(B) shall—

''(i) establish and update as necessary test and evaluation policies for the Department, including policies to ensure that operational testing is done at facilities that already have relevant and appropriate safety and material certifications to the extent such facilities are available;

''(ii) oversee and ensure that adequate test and evaluation activities are planned and conducted by or on behalf of components and offices of the Department with respect to major acquisition programs of the Department, as designated by the Secretary, based on risk, acquisition level, novelty, complexity, and size of any such acquisition program, or as otherwise established in statute;

''(iii) review major acquisition program test reports and test data to assess the adequacy of test and evaluation activities conducted by or on behalf of components and offices of the Department, including test and evaluation activities planned or conducted pursuant to clause (ii); and

''(iv) review available test and evaluation infrastructure to determine whether the Department has adequate resources to carry out its testing and evaluation responsibilities, as established under this title.

''(4) LIMITATION.—The Test, Evaluation, and Standards Division is not required to carry out operational testing of major acquisition programs.

''(5) EVALUATION OF DEPARTMENT OF DEFENSE TECHNOLOGIES.—The Director of Test, Evaluation, and Standards may evaluate technologies currently in use or being developed by the Department of Defense to assess whether such technologies can be leveraged to address homeland security capability gaps.'';

(7) in section 309(a) (6 U.S.C. 189(a)), by adding at the end the following new paragraph:

''(3) TREATMENT OF CERTAIN FUNDS.—Notwithstanding any other provision of law, any funds provided to a Department of Energy national laboratory by the Department may not be treated as an assisted acquisition.'';

(8) in section 310 (6 U.S.C. 190), by adding at the end the following new subsection:

''(e) SUCCESSOR FACILITY.—Any successor facility to the Plum Island Animal Disease Center, including the National Bio and Agro-Defense Facility (NBAF) under construction as of the date of the enactment of this subsection, which is intended to the replace the Plum Island Animal Disease Center shall be subject to the requirements of this section in the same manner and to the same extent as the Plum Island Animal Disease Center under this section.'';

(9) in section 311 (6 U.S.C. 191)—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) by striking ''20 members'' and inserting ''not fewer than 15 and not more than 30''; and

(II) by inserting ''academia, national labs, private industry, and'' after ''representatives of'';

(ii) by redesignating paragraph (2) as paragraph (3); and

(iii) by inserting after paragraph (1) the following new paragraph:

''(2) SUBCOMMITTEES.—The Advisory Committee may establish subcommittees that focus on research and development challenges, as appropriate.'';

(B) in subsection (c)—

(i) in paragraph (1), by inserting ''on a rotating basis'' before the period at the end;

(ii) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2); and

(iii) in paragraph (2), as so redesignated, by striking ''be appointed'' and inserting ''serve'';

(C) in subsection (e), in the second sentence, by striking ''the call of'';

(D) in subsection (h)—

(i) in paragraph (1)—

(I) in the first sentence—

(aa) by striking ''render'' and inserting ''submit''; and

(bb) by striking ''Congress'' and inserting ''the appropriate congressional committees'';

(II) in the second sentence, by inserting '', and incorporate the findings and recommendations of the Advisory Committee subcommittees,'' before ''during''; and

(ii) in paragraph (2)—

(I) striking ''render'' and inserting ''submit''; and

(II) by striking ''Congress'' and inserting ''the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate'';

(E) in subsection (i), by inserting '', except that the Advisory Committee shall file a charter with Congress every two years in accordance with subsection (b)(2) of such section (14)'';

(F) in subsection (j), by striking ''2008'' and inserting ''2020'';

(10) in section 313 (6 U.S.C. 193)—

(A) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following new subsection:

''(c) APPLICATION OF PROGRAM.—The Secretary, acting through the Under Secretary for Science and Technology, shall use the program established under subsection (a) to—

''(1) enhance the cooperation between components and offices of the Department on projects that have similar goals, timelines, or outcomes;

''(2) ensure the coordination of technologies to eliminate unnecessary duplication of research and development;

''(3) ensure technologies are accessible for component and office use on a Department website; and

''(4) carry out any additional purpose the Secretary determines necessary.'';

(11) by adding after section 317 (6 U.S.C. 195c) the following new sections:

"SEC. 318. IDENTIFICATION AND PRIORITIZATION OF RESEARCH AND DEVELOPMENT.

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Under Secretary for Science and Technology shall establish a process to define, identify, prioritize, fund, and task the basic and applied homeland security research and development activities of the Directorate of Science and Technology to meet the needs of the components and offices of the Department, the first responder community, and the Homeland Security Enterprise (as such term is defined in section 322).

''(b) PROCESS.—The process established under subsection (a) shall—

''(1) be responsive to near-, mid-, and long-term needs, including unanticipated needs to address emerging terrorist threats;

''(2) utilize gap analysis and risk assessment tools where available and applicable;

''(3) include protocols to assess—

''(A) off-the-shelf technology to determine if an identified homeland security capability gap or threat to the homeland can be addressed through the acquisition process instead of commencing research and development of technology to address such capability gap or threat; and

''(B) communication and collaboration for research and development activities pursued by other executive agencies, to determine if technology can be leveraged to identify and address homeland security capability gaps or threats to the homeland and avoid unnecessary duplication of efforts;

''(4) provide for documented and validated research and development requirements;

''(5) strengthen first responder participation to identify and prioritize homeland security technological gaps, including by—

''(A) soliciting feedback from appropriate national associations and advisory groups representing the first responder community and first responders within the components and offices of the Department; and

''(B) establishing and promoting a publicly accessible portal to allow the first responder community to help the Directorate of Science and Technology develop homeland security research and development goals;

''(6) institute a mechanism to publicize the Department's homeland security technology priorities for the purpose of informing Federal, State, and local governments, first responders, and the private sector;

''(7) establish considerations to be used by the Directorate in selecting appropriate research entities, including the national laboratories, federally funded research and development centers, university-based centers, and the private sector, to carry out research and development requirements;

''(8) incorporate feedback derived as a result of the mechanism established in section 323, ensuring the Directorate is utilizing regular communication with components and offices of the Department; and

''(9) include any other criteria or measures the Under Secretary for Science and Technology considers necessary for the identification and prioritization of research requirements.

"SEC. 319. DEVELOPMENT OF DIRECTORATE STRATEGY AND RESEARCH AND DEVELOPMENT PLAN.

''(a) STRATEGY.—

''(1) IN GENERAL.—Not later than one year after the date of the enactment of this section, the Under Secretary for Science and Technology shall develop and submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a strategy to guide the activities of the Directorate of Science and Technology. Such strategy shall be updated at least once every five years and shall identify priorities and objectives for the development of science and technology solutions and capabilities addressing homeland security operational needs. Such strategy shall include the coordination of such priorities and activities within the Department. Such strategy shall take into account the priorities and needs of stakeholders in the Homeland Security Enterprise (as such term is defined in section 322). In developing such strategy, efforts shall be made to support collaboration and avoid unnecessary duplication across the Federal Government. Such strategy shall be risk-based and aligned with other strategic guidance provided by—

''(A) the National Strategy for Homeland Security;

''(B) the Quadrennial Homeland Security Review; and

''(C) any other relevant strategic planning documents, as determined by the Under Secretary.

''(2) CONTENTS.—The strategy required under paragraph (1) shall be prepared in accordance with applicable Federal requirements and guidelines, and shall include the following:

''(A) An identification of the long-term strategic goals, objectives, and metrics of the Directorate, including those to address terrorist threats.

''(B) A technology transition strategy for the programs of the Directorate.

''(C) Short- and long-term strategic goals, and objectives for increasing the number of designations and certificates issued under subtitle G of title VIII, including cybersecurity technologies that could significantly reduce, or mitigate the effects of, cybersecurity risks (as such term is defined in subsection (a)(1) of the second section 226, relating to the national cybersecurity and communications integration center), without compromising the quality of the evaluation of applications for such designations and certificates.

''(b) FIVE-YEAR RESEARCH AND DEVELOPMENT PLAN.—

''(1) IN GENERAL.—The Under Secretary for Science and Technology shall develop, and update at least once every five years, a five-year research and development plan for the activities of the Directorate of Science and Technology. The Under Secretary shall develop the first such plan by the date that is not later than one year after the date of the enactment of this section.

''(2) CONTENTS.—Each five-year research and development plan developed and revised under subsection (a) shall—

''(A) define the Directorate of Science and Technology's research, development, testing, and evaluation activities, priorities, performance metrics, and key milestones and deliverables for, as the case may be, the five-fiscal-year period from 2016 through 2020, and for each five-fiscal-year period thereafter;

''(B) describe, for the activities of the strategy developed under subsection (a), the planned annual funding levels for the period covered by each such five-year research and development plan;

''(C) indicate joint investments with other Federal partners where applicable, and enhanced coordination, as appropriate, with organizations as specified in paragraph (19) of section 302;

''(D) analyze how the research programs of the Directorate support achievement of the strategic goals and objectives identified in the strategy required under subsection (a);

''(E) describe how the activities and programs of the Directorate meet the requirements or homeland security capability gaps or threats to the homeland identified by customers within and outside of the Department, including the first responder community; and

''(F) describe the policies of the Directorate regarding the management, organization, and personnel of the Directorate.

''(3) SCOPE.—The Under Secretary for Science and Technology shall ensure that each five-year research and development plan developed and revised under subsection (a)—

''(A) reflects input from a wide range of stakeholders; and

''(B) takes into account how research and development by other Federal, State, private sector, and nonprofit institutions contributes to the achievement of the priorities identified in each plan, and avoids unnecessary duplication with such efforts.

''(4) REPORTS.—The Under Secretary for Science and Technology shall submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an annual report for seven years beginning not later than one year after the date of the development of the initial five-year research and development plan under paragraph (1) on the status and results to date of the implementation of such plan and the updates to such plan, including—

''(A) a summary of the research and development activities for the previous fiscal year in each mission area, including such activities to address homeland security risks, including threats, vulnerabilities, and consequences, and a summary of the coordination activities undertaken by the Directorate of Science and Technology for components and offices of the Department, together with the results of the process specified in paragraph (15) of section 302;

''(B) clear links between the Directorate's budget and each mission area or program, including those mission areas or programs to address homeland security risks, including threats, vulnerabilities, and consequences, specifying which mission areas or programs fall under which budget lines, and clear links between Directorate coordination work and priorities and annual expenditures for such work and priorities, including joint investments with other Federal partners, where applicable;

''(C) an assessment of progress of the research and development activities based on the performance metrics and milestones set forth in such plan; and

''(D) any changes to such plan.

"SEC. 320. MONITORING OF PROGRESS.

''(a) IN GENERAL.—The Under Secretary for Science and Technology shall establish and utilize a system to track the progress of the research, development, testing, and evaluation activities undertaken by the Directorate of Science and Technology, and shall provide to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate and customers of such activities, at a minimum on a biannual basis, regular updates on such progress.

''(b) REQUIREMENTS.—In order to provide the progress updates required under subsection (a), the Under Secretary for Science and Technology shall develop a system that—

''(1) monitors progress toward project milestones identified by the Under Secretary;

''(2) maps progress toward deliverables identified in each five-year research and development plan required under section 319(b);

''(3) generates up-to-date reports to customers that transparently disclose the status and progress of research, development, testing, and evaluation efforts of the Directorate of Science and Technology; and

''(4) allows the Under Secretary to report the number of products and services developed by the Directorate that have been transitioned into acquisition programs and resulted in successfully fielded technologies.

''(c) EVALUATION METHODS.—

''(1) EXTERNAL INPUT, CONSULTATION, AND REVIEW.—The Under Secretary for Science and Technology shall implement procedures to engage outside experts to assist in the evaluation of the progress of research, development, testing, and evaluation activities of the Directorate of Science and Technology, including through—

''(A) consultation with experts, including scientists and practitioners, to gather independent expert peer opinion and advice on a project or on specific issues or analyses conducted by the Directorate; and

''(B) periodic, independent, external review to assess the quality and relevance of the Directorate's programs and projects.

''(2) COMPONENT FEEDBACK.—The Under Secretary for Science and Technology shall establish a formal process to collect feedback from customers of the Directorate of Science and Technology on the performance of the Directorate that includes—

''(A) appropriate methodologies through which the Directorate can assess the quality and usefulness of technology and services delivered by the Directorate;

''(B) development of metrics for measuring the usefulness of any technology or service provided by the Directorate; and

''(C) standards for high-quality customer service.

''SEC. 321. HOMELAND SECURITY SCIENCE AND TECHNOLOGY FELLOWS PROGRAM.

''(a) ESTABLISHMENT.—The Secretary, acting through the Under Secretary for Science and Technology and the Under Secretary for Management, shall establish a fellows program, to be known as the Homeland Security Science and Technology Fellows Program (in this section referred to as the 'Program'), under which the Under Secretary for Science and Technology, in coordination with the Office of University Programs of the Department, shall facilitate the placement of fellows in relevant scientific or technological fields for up to two years in components and offices of the Department with a need for scientific and technological expertise.

''(b) UTILIZATION OF FELLOWS.—

''(1) IN GENERAL.—Under the Program, the Department may employ fellows—

''(A) for the use of the Directorate of Science and Technology; or

''(B) for the use of a component or office of the Department outside the Directorate, under a memorandum of agreement with the head of such a component or office under which such component or office will reimburse the Directorate for the costs of such employment.

''(2) RESPONSIBILITIES.—Under an agreement referred to in subparagraph (B) of paragraph (1)—

''(A) the Under Secretary for Science and Technology and the Under Secretary for Management shall—

''(i) solicit and accept applications from individuals who are currently enrolled in or who are graduates of postgraduate programs in scientific and engineering fields related to the promotion of securing the homeland or critical infrastructure sectors;

''(ii) screen applicants and interview them as appropriate to ensure that such applicants possess the appropriate level of scientific and engineering expertise and qualifications;

''(iii) provide a list of qualified applicants to the heads of components and offices of the Department seeking to utilize qualified fellows;

''(iv) subject to the availability of appropriations, pay financial compensation to such fellows;

''(v) coordinate with the Chief Security Officer to facilitate and expedite provision of security and suitability clearances to such fellows, as appropriate; and

''(vi) otherwise administer all aspects of the employment of such fellows with the Department; and

''(B) the head of the component or office of the Department utilizing a fellow shall—

''(i) select such fellow from the list of qualified applicants provided by the Under Secretary;

''(ii) reimburse the Under Secretary for the costs of employing such fellow, including administrative costs; and

''(iii) be responsible for the day-to-day management of such fellow.

''(c) APPLICATIONS FROM NONPROFIT ORGANIZATIONS.—The Under Secretary for Science and Technology may accept an application under subsection (b)(2)(A) that is submitted by a nonprofit organization on behalf of individuals whom such nonprofit organization has determined may be qualified applicants under the Program.

''SEC. 322. CYBERSECURITY RESEARCH AND DEVELOPMENT.

''(a) IN GENERAL.—The Under Secretary for Science and Technology shall support research, development, testing, evaluation, and transition of cybersecurity technology, including fundamental research to improve the sharing of information, analytics, and methodologies related to cybersecurity risks and incidents, consistent with current law.

''(b) ACTIVITIES.—The research and development supported under subsection (a) shall serve the components of the Department and shall—

''(1) advance the development and accelerate the deployment of more secure information systems;

''(2) improve and create technologies for detecting attacks or intrusions, including real-time continuous diagnostics and real-time analytic technologies;

''(3) improve and create mitigation and recovery methodologies, including techniques and policies for real-time containment of attacks, and development of resilient networks and information systems;

''(4) support, in coordination with the private sector, the review of source code that underpins critical infrastructure information systems;

''(5) develop and support infrastructure and tools to support cybersecurity research and development efforts, including modeling, testbeds, and data sets for assessment of new cybersecurity technologies;

''(6) assist the development and support of technologies to reduce vulnerabilities in industrial control systems; and

''(7) develop and support cyber forensics and attack attribution.

''(c) COORDINATION.—In carrying out this section, the Under Secretary for Science and Technology shall coordinate activities with—

''(1) the Under Secretary appointed pursuant to section 103(a)(1)(H);

''(2) the heads of other relevant Federal departments and agencies, including the National Science Foundation, the Defense Advanced Research Projects Agency, the Information Assurance Directorate of the National Security Agency, the National Institute of Standards and Technology, the Department of Commerce, the Networking and Information Technology Research and Development Program Office, Sector Specific Agencies for critical infrastructure, and other appropriate working groups established by the President to identify unmet needs and cooperatively support activities, as appropriate; and

''(3) industry and academia.

''(d) TRANSITION TO PRACTICE.—The Under Secretary for Science and Technology shall support projects through the full life cycle of such projects, including research, development, testing, evaluation, pilots, and transitions. The Under Secretary shall identify mature technologies that address existing or imminent cybersecurity gaps in public or private information systems and networks of information systems, identify and support necessary improvements identified during pilot programs and testing and evaluation activities, and introduce new cybersecurity technologies throughout the Homeland Security Enterprise through partnerships and commercialization. The Under Secretary shall target federally funded cybersecurity research that demonstrates a high probability of successful transition to the commercial market within two years and that is expected to have notable impact on the cybersecurity of the information systems or networks of information systems of the United States.

''(e) DEFINITIONS.—In this section:

''(1) CYBERSECURITY RISK.—The term 'cybersecurity risk' has the meaning given such term in the second section 226, relating to the national cybersecurity and communications integration center.

''(2) HOMELAND SECURITY ENTERPRISE.—The term 'Homeland Security Enterprise' means relevant governmental and nongovernmental entities involved in homeland security, including Federal, State, local, and tribal government officials, private sector representatives, academics, and other policy experts.

''(3) INCIDENT.—The term 'incident' has the meaning given such term in the second section 226, relating to the national cybersecurity and communications integration center.

''(4) INFORMATION SYSTEM.—The term 'information system' has the meaning given that term in section 3502(8) of title 44, United States Code.

''SEC. 323. INTEGRATED PRODUCT TEAMS.

''(a) IN GENERAL.—The Secretary shall establish integrated product teams to serve as a central mechanism for the Department to identify, coordinate, and align research and development efforts with departmental missions. Each team shall be managed by the Under Secretary for Science and Technology and the relevant senior leadership of operational components, and shall be responsible for the following:

''(1) Identifying and prioritizing homeland security capability gaps or threats to the homeland within a specific mission area and technological solutions to address such gaps.

''(2) Identifying ongoing departmental research and development activities and component acquisitions of technologies that are

outside of departmental research and development activities to address a specific mission area.

''(3) Assessing the appropriateness of a technology to address a specific mission area.

''(4) Identifying unnecessary redundancy in departmental research and development activities within a specific mission area.

''(5) Informing the Secretary and the annual budget process regarding whether certain technological solutions are able to address homeland security capability gaps or threats to the homeland within a specific mission area.

''(b) CONGRESSIONAL OVERSIGHT.—Not later than two years after the date of enactment of this section, the Secretary shall provide to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information on the impact and effectiveness of the mechanism described in subsection (a) on research and development efforts, component relationships, and how the process has informed the research and development budget and enhanced decision making, including acquisition decision making, at the Department. The Secretary shall seek feedback from the Under Secretary for Science and Technology, Under Secretary for Management, and the senior leadership of operational components regarding the impact and effectiveness of such mechanism and include such feedback in the information provided under this subsection.

''SEC. 324. HOMELAND SECURITY-STEM SUMMER INTERNSHIP PROGRAM.

''(a) IN GENERAL.—The Under Secretary for Science and Technology shall establish a Homeland Security-STEM internship program (in this section referred to as the 'program') to carry out the objectives of this subtitle.

''(b) PROGRAM.—The program shall provide students with exposure to Department mission-relevant research areas, including threats to the homeland, to encourage such students to pursue STEM careers in homeland security related fields. Internships offered under the program shall be for up to ten weeks during the summer.

''(c) ELIGIBILITY.—The Under Secretary for Science and Technology shall develop criteria for participation in the program, including the following:

''(1) At the time of application, an intern shall—

''(A) have successfully completed not less than one academic year of study at an institution of higher education in a STEM field;

''(B) be enrolled in a course of study in a STEM field at an institution of higher education; and

''(C) plan to continue such course of study or pursue an additional course of study in a STEM field at an institution of higher education in the academic year following the internship.

''(2) An intern shall be pursuing career goals aligned with the Department's mission, goals, and objectives.

''(3) Any other criteria the Under Secretary determines appropriate.

''(d) COOPERATION.—The program shall be administered in cooperation with the university-based centers for homeland security under section 308. Interns in the program shall be provided hands-on research experience and enrichment activities focused on Department research areas.

''(e) ACADEMIC REQUIREMENTS; OPERATION.—The Under Secretary for Science and Technology shall determine the academic requirements, other selection criteria, and standards for successful completion of each internship period in the program. The Under Secretary shall be responsible for the design, implementation, and operation of the program.

''(f) RESEARCH MENTORS.—The Under Secretary for Science and Technology shall ensure that each intern in the program is assigned a research mentor to act as counselor and advisor and provide career-focused advice.

''(g) OUTREACH TO CERTAIN UNDER-REPRESENTED STUDENTS.—The Under Secretary for Science and Technology shall conduct outreach to students who are members of groups under-represented in STEM careers to encourage their participation in the program.

''(h) INSTITUTION OF HIGHER EDUCATION DEFINED.—In this section, the term 'institution of higher education' has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002), except that the term does not include institutions described in subparagraph (C) of such section 102(a)(1).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 30 days after the date of the enactment of this section.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 317 the following new items:

''Sec. 318. Identification and prioritization of research and development.
''Sec. 319. Development of Directorate strategy and research and development plan.
''Sec. 320. Monitoring of progress.
''Sec. 321. Homeland Security Science and Technology Fellows Program.
''Sec. 322. Cybersecurity research and development.
''Sec. 323. Integrated product teams.
''Sec. 324. Homeland Security-STEM summer internship program.''.

(d) RESEARCH AND DEVELOPMENT PROJECTS.—Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''2015'' and inserting ''2020'';

(B) in paragraph (1), by striking the last sentence; and

(C) by adding at the end the following new paragraph:

''(3) PRIOR APPROVAL.—In any case in which a component or office of the Department seeks to utilize the authority under this section, such office or component shall first receive prior approval from the Secretary by providing to the Secretary a proposal that includes the rationale for the use of such authority, the funds to be spent on the use of such authority, and the expected outcome for each project that is the subject of the use of such authority. In such a case, the authority for evaluating the proposal may not be delegated by the Secretary to anyone other than the Under Secretary for Management.'';

(2) in subsection (c)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''2015'' and inserting ''2020''; and

(B) by amending paragraph (2) to read as follows:

''(2) REPORT.—The Secretary shall annually submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report detailing the projects for which the authority granted by subsection (a) was used, the rationale for such use, the funds spent using such authority, the extent of cost-sharing for such projects among Federal and non-federal sources, the extent to which use of such authority has addressed a homeland security capability gap or threat to the homeland identified by the Department, the total amount of payments, if any, that were received by the Federal Government as a result of the use of such authority during the period covered by each such report, the outcome of each project for which such authority was used, and the results of any audits of such projects.''; and

(3) by adding at the end the following new subsections:

''(e) TRAINING.—The Secretary shall develop a training program for acquisitions staff in the use of other transaction authority to help ensure the appropriate use of such authority.

''(f) OTHER TRANSACTION AUTHORITY DEFINED.—In this section, the term 'other transaction authority' means authority under subsection (a).''.

(e) AMENDMENT TO DEFINITION.—Paragraph (2) of subsection (a) of the second section 226 of the Homeland Security Act of 2002 (6 U.S.C. 148; relating to the national cybersecurity and communications integration center) is amended to read as follows:

''(2) INCIDENT.—The term 'incident' means an occurrence that actually or imminently jeopardizes, without lawful authority, the integrity, confidentiality, or availability of information on an information system, or actually or imminently jeopardizes, without lawful authority, an information system.''.

(f) GAO STUDY OF UNIVERSITY-BASED CENTERS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall initiate a study to assess the university-based centers for homeland security program authorized by section 308(b)(2) of the Homeland Security Act of 2002 (6 U.S.C. 188(b)(2)), and provide recommendations to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate for appropriate improvements.

(2) SUBJECT MATTERS.—The study required under subsection (a) shall include the following:

(A) A review of the Department of Homeland Security's efforts to identify key areas of study needed to support the homeland security mission, and criteria that the Department utilized to determine those key areas for which the Department should maintain, establish, or eliminate university-based centers.

(B) A review of the method by which university-based centers, federally funded research and development centers, and Department of Energy national laboratories receive tasking from the Department of Homeland Security, including a review of how university-based research is identified, prioritized, and funded.

(C) A review of selection criteria for designating university-based centers and a weighting of such criteria.

(D) An examination of best practices from other agencies' efforts to organize and use university-based research to support their missions.

(E) A review of the Department of Homeland Security's criteria and metrics to measure demonstrable progress achieved by university-based centers in fulfilling Department taskings, and mechanisms for delivering and disseminating the research results of designated university-based centers within the Department and to other Federal, State, and local agencies.

(F) An examination of the means by which academic institutions that are not designated or associated with the designated university-based centers can optimally contribute to the research mission of the Directorate of Science and Technology of the Department of Homeland Security.

(G) An assessment of the interrelationship between the different university-based centers and the degree to which outreach and collaboration among a diverse array of academic institutions is encouraged by the Department of Homeland Security, particularly with historically Black colleges and universities and minority-serving institutions.

(H) A review of any other essential elements of the programs determined in the conduct of the study.

(g) PRIZE AUTHORITY.—The Under Secretary for Science and Technology of the Department of Homeland Security shall utilize, as appropriate, prize authority granted pursuant to current law.

(h) PROHIBITION ON NEW FUNDING.—No funds are authorized to be appropriated to carry out this section and the amendments made by this section. Such section and amendments shall be carried out using amounts otherwise appropriated or made available for such purposes.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. RATCLIFFE) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. RATCLIFFE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RATCLIFFE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3578, the DHS Science and Technology Reform and Improvement Act of 2015, makes targeted adjustments and strategic improvements to the ways in which the Department of Homeland Security's Science and Technology Directorate, or DHS S&T, carries out its responsibility to conduct research and development. These strategic improvements will strengthen the Directorate and address some of its well-documented challenges.

DHS S&T monitors the Nation's evolving threats and makes use of technological advancements to develop and deliver solutions to meet the critical needs of the DHS components.

The legislation we are considering today provides a clear mission statement for the Directorate and it codifies S&T's portfolio review process. This process engages key leadership and stakeholders to ensure that research and development meets the Directorate and Department goals.

Amendments considered at both the subcommittee and full committee further strengthen this legislation, including Mr. RICHMOND's amendment to codify integrated product teams, a mechanism that will support the Directorate's ability to identify, coordinate, and align research and development efforts with departmental missions.

H.R. 3578 also ensures that the Directorate identifies technical capability requirements and creates solutions with researchers and the private sector. It also bolsters S&T's role as coordinator of research and development across the Department.

This bill requires additional transparency by requiring S&T to link its budget with mission areas and programs.

Cybersecurity research and development is essential to support DHS' efforts to secure the dot-gov domain. The seriousness of this mission received heightened awareness after the OPM breach compromised the highly sensitive and personal information of over 20 million Americans.

H.R. 3578 bolsters S&T's cybersecurity research and development by ensuring sector specific agencies for critical infrastructure are included in the coordination of cybersecurity research and development and by codifying the Transition to Practice program to support the lifecycle of cyber projects, including research, development, testing, evaluation, and transition.

S&T is the primary research arm of the Department, managing the basic and applied research and development of science and technology for DHS' operational components. S&T's work includes supporting research and development for technologies to benefit first responders, the Nation's border and maritime security, cybersecurity, and chemical and biological defenses.

Mr. Speaker, I would like to thank the gentleman from Texas, Chairman SMITH, of the Science, Space, and Technology Committee for his support in moving this legislation forward.

Mr. Speaker, this legislation would strengthen the important role and work of the Directorate to meet both the scientific and technological security needs of our Nation.

I urge all Members to join me in supporting this bill, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
Washington, DC, December 4, 2015.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 3578, the ''DHS Science and Technology Reform and Improvement Act of 2015,'' which your Committee ordered reported on September 30, 2015.

H.R. 3578 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. However, in consideration of your request to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego formal consideration of H.R. 3578. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I appreciate that the Committee on Homeland Security has consulted with the Committee on Science, Space, and Technology and the two Committees have reached agreement on the final text of H.R. 3578. I understand you acknowledge the Committee on Science, Space, and Technology's jurisdiction over the legislation and that the Committee on Homeland Security agrees to work with the Committee on Science, Space, and Technology to develop and enact an additional homeland security research and development measure early in 2016.

I would appreciate your response to this letter confirming this understanding and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, December 4, 2015.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter regarding H.R. 3578, the ''DHS Science and Technology Reform and Improvement Act of 2015.'' I acknowledge that by forgoing action on this legislation your Committee is not diminishing or altering its jurisdiction.

I also concur with you that forgoing action on this bill does not in any way prejudice the Committee on Science, Space, and Technology with respect to its jurisdictional prerogatives on this bill or similar legislation in the future. Furthermore, I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation.

In addition, I agree that the Committee on Homeland Security will continue to work with the Committee on Science, Space, and Technology to develop additional legislation addressing homeland security research and development in early 2016.

I will include copies of this exchange in the *Congressional Record* during consideration of this measure on the House floor. I appreciate your cooperation regarding HR. 3578, and I look forward to working with the Committee on Science, Space, and Technology as the bill moves through the legislative process.

Sincerely,

MICHAEL T. MCCAUL,
Chairman,
Committee on Homeland Security.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

I rise to support H.R. 3578, the Department of Homeland Security Science and Technology Reform and Improvement Act of 2015.

First, I want to say to the gentleman from Texas, thank you so very much for your leadership. Again, we have a great opportunity working together, along with your ranking member, Mr. RICHMOND, and the chairman of the full committee, Mr. MCCAUL, and, as well, Mr. THOMPSON. I believe we are continuously building blocks of security for the American people.

Research and development is a key component of the Department of Homeland Security's mission to make America more secure and better able to prevent, respond to, and recover from natural disasters and terrorist acts.

In the constantly evolving threat landscape, technology-based force multipliers are essential for managing our borders, safeguarding cyberspace, and making sure we are resilient in the face of disasters.

H.R. 3578 will improve the way the Science and Technology Directorate serves its customers within the Department in the first responder community in three ways.

Before I say that, let me indicate to the chairman, we understand that we are looking at generational gaps. Terrorists are young. People who wish to undermine the landscape of cybersecurity can use, if I might say, these young minds, these technocrats, to do things that we may have never heard of, so our system must be resilient.

First, this bill requires S&T to engage in strategic planning and priority-setting exercises that will assist Congress in measuring the management effectiveness and utility of the research and technologies it funds. This kind of self-assessment will make S&T a more effective partner to its customers and will help make its program more efficient.

Second, H.R. 3578 directs S&T to evaluate its university programs and collaborative agreements and assess its efforts to broaden outreach to diverse institutions, which may have a unique expertise to add to S&T's ongoing work.

Given the current fiscal challenges, it is critical that we maximize the way we leverage the capabilities of knowledge-rich universities, and this provision will help S&T do just that. In fact, I believe that the universities are our richest source of talent, and not only for the researchers and the professors, but certainly the students who are young, who are there to do good, of whom we can utilize both their talents, their approach, and their intellect.

Finally, the bill encourages carefully targeted venture capital investments in the homeland security enterprise that can accelerate product development and add mission critical capabilities quickly and efficiently.

These targeted investments will help put better technologies into the hands of DHS boots-on-the-ground State and local first responders soon.

Mr. Speaker, H.R. 3578 codifies existing practices at S&T that are working and will make S&T a stronger, more reliable partner in the homeland security mission.

I encourage my colleagues to support this important bipartisan legislation, and, as well, I continue to look forward to working with this subcommittee, among others, to begin to look at the cyber space and the cybersecurity infrastructure.

I reserve the balance of my time.

Mr. RATCLIFFE. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. SMITH), my friend and colleague.

Mr. SMITH of Texas. Mr. Speaker, I thank my friend and colleague from Texas (Mr. RATCLIFFE) for his work on this legislation, for his earlier generous comments, and for yielding me time as well. I also want to thank both him and the gentleman from Texas, MICHAEL MCCAUL, the full committee chairman, for their work on this legislation.

The Committee on Science, Space, and Technology shares jurisdiction with the Homeland Security Committee over the research and development programs carried out by the Department of Homeland Security. In the case of this bill, H.R. 3578, it is the R&D of the Department of Homeland Security Science and Technology Directorate, which was established by legislation that originated in the House Committee on Science, Space, and Technology.

The Committee on Science, Space, and Technology, likewise, shares jurisdiction of the bill we just considered, H.R. 3875. That bill will assess and plan DHS research and development of chemical, biological, radiological, nuclear, and explosives defenses.

Next year, the Committee on Science, Space, and Technology expects to continue to advance science and technology efforts to counter terrorist threats to the homeland.

In anticipation of today's legislation, our committee exercised its jurisdiction by holding two hearings. In September of 2014, the Committee on Science, Space, and Technology's Research and Technology Subcommittee held a joint DHS S&T Directorate oversight hearing with Homeland Security's Cybersecurity, Infrastructure Protection, and Security Technologies Subcommittee.

The hearing focused on a series of Government Accountability Office reviews that found serious problems with management and coordination of R&D within the Department of Homeland Security. This includes fragmented and overlapping R&D programs and millions of taxpayer dollars spent on duplicative R&D projects.

The GAO recommended that the S&T Directorate develop stricter policies and guidance to help define, oversee, coordinate, and track R&D across the Department of Homeland Security.

The Committee on Science, Space, and Technology conducted a follow-up oversight hearing on October 27 of this year. At that hearing, Under Secretary Brothers described the progress made in its implementation of the GAO's recommendations and updated us on the S&T Directorate's initiatives to help DHS meet the full spectrum of threats.

The legislation before the House today reflects the work of the members of the Committee on Science, Space, and Technology and the Committee on Homeland Security to help the S&T Directorate meet a broad range of homeland security challenges by stretching the technological envelope.

The bill establishes a clear mission for the Directorate, updates its responsibilities, and requires strategy and R&D plans to prioritize addressing homeland threats. It also authorizes targeted cybersecurity R&D projects and creates new S&T integrated product teams to develop technological solutions to meet the Department's mission areas and address threats to the homeland.

Last week's horrifying terrorist attack in San Bernardino, California, just days after a terrorist attack in Paris, reminds us that this legislation is ultimately about defending the American people and our country from terrorists.

Again, I thank Chairman MCCAUL for taking the initiative with this critical legislation, and I thank the gentleman from Texas (Mr. RATCLIFFE) as well.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

In order to meet the needs of those on the front line of homeland security activities from Customs and Border Protection and the Transportation Security to local first responders, the Science and Technology Directorate must rapidly develop and deliver innovative solutions that advance DHS' mission.

I am convinced that the whole matter of cyber technology are the new frontier of terrorism and that this Department must be, as it has been, very well prepared with human personnel being on the front lines of the first responders, and must give them extra tools through S&T to help to further the mission of the security of this Nation. It is a complex and difficult mission.

H.R. 3578 puts S&T on a pathway to making smarter and quicker R&D investment in technology and tools that help our first responders do their jobs better and more effectively.

With that, I ask my colleagues to support H.R. 3578, and I thank the proponent of this legislation.

I yield back the balance of my time.

Mr. RATCLIFFE. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentlewoman for her support and leadership in connection with this bill. I would also like to thank Chairman MCCAUL and Ranking Member THOMPSON for their leadership in moving this important bill forward.

Mr. Speaker, threats in technologies are always changing. This bill will help DHS S&T find strategic and focused technology options and innovative solutions to address homeland security capability gaps and threats to our homeland.

I, once again, urge all of my colleagues to support H.R. 3578, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. RATCLIFFE) that the House suspend the rules and pass the bill, H.R. 3578, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. RATCLIFFE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1600

STATE AND LOCAL CYBER PROTECTION ACT OF 2015

Mr. HURD of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3869) to amend the Homeland Security Act of 2002 to require State and local coordination on cybersecurity with the national cybersecurity and communications integration center, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3869

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''State and Local Cyber Protection Act of 2015''.

SEC. 2. STATE AND LOCAL COORDINATION ON CYBERSECURITY WITH THE NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER.

(a) IN GENERAL.—The second section 226 of the Homeland Security Act of 2002 (6 U.S.C. 148; relating to the national cybersecurity and communications integration center) is amended by adding at the end the following new subsection:

''(g) STATE AND LOCAL COORDINATION ON CYBERSECURITY.—

''(1) IN GENERAL.—The Center shall, to the extent practicable—

''(A) assist State and local governments, upon request, in identifying information system vulnerabilities;

''(B) assist State and local governments, upon request, in identifying information security protections commensurate with cybersecurity risks and the magnitude of the potential harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of—

''(i) information collected or maintained by or on behalf of a State or local government; or

''(ii) information systems used or operated by an agency or by a contractor of a State or local government or other organization on behalf of a State or local government;

''(C) in consultation with State and local governments, provide and periodically update via a web portal tools, products, resources, policies, guidelines, and procedures related to information security;

''(D) work with senior State and local government officials, including State and local Chief Information Officers, through national associations to coordinate a nationwide effort to ensure effective implementation of tools, products, resources, policies, guidelines, and procedures related to information security to secure and ensure the resiliency of State and local information systems;

''(E) provide, upon request, operational and technical cybersecurity training to State and local government and fusion center analysts and operators to address cybersecurity risks or incidents;

''(F) provide, in coordination with the Chief Privacy Officer and the Chief Civil Rights and Civil Liberties Officer of the Department, privacy and civil liberties training to State and local governments related to cybersecurity;

''(G) provide, upon request, operational and technical assistance to State and local governments to implement tools, products, resources, policies, guidelines, and procedures on information security by—

''(i) deploying technology to assist such State or local government to continuously diagnose and mitigate against cyber threats and vulnerabilities, with or without reimbursement;

''(ii) compiling and analyzing data on State and local information security; and

''(iii) developing and conducting targeted operational evaluations, including threat and vulnerability assessments, on the information systems of State and local governments;

''(H) assist State and local governments to develop policies and procedures for coordinating vulnerability disclosures, to the extent practicable, consistent with international and national standards in the information technology industry, including standards developed by the National Institute of Standards and Technology; and

''(I) ensure that State and local governments, as appropriate, are made aware of the tools, products, resources, policies, guidelines, and procedures on information security developed by the Department and other appropriate Federal departments and agencies for ensuring the security and resiliency of Federal civilian information systems.

''(2) TRAINING.—Privacy and civil liberties training provided pursuant to subparagraph (F) of paragraph (1) shall include processes, methods, and information that—

''(A) are consistent with the Department's Fair Information Practice Principles developed pursuant to section 552a of title 5, United States Code (commonly referred to as the 'Privacy Act of 1974' or the 'Privacy Act');

''(B) reasonably limit, to the greatest extent practicable, the receipt, retention, use, and disclosure of information related to cybersecurity risks and incidents associated with specific persons that is not necessary, for cybersecurity purposes, to protect an information system or network of information systems from cybersecurity risks or to mitigate cybersecurity risks and incidents in a timely manner;

''(C) minimize any impact on privacy and civil liberties;

''(D) provide data integrity through the prompt removal and destruction of obsolete or erroneous names and personal information that is unrelated to the cybersecurity risk or incident information shared and retained by the Center in accordance with this section;

''(E) include requirements to safeguard cyber threat indicators and defensive measures retained by the Center, including information that is proprietary or business-sensitive that may be used to identify specific persons from unauthorized access or acquisition;

''(F) protect the confidentiality of cyber threat indicators and defensive measures associated with specific persons to the greatest extent practicable; and

''(G) ensure all relevant constitutional, legal, and privacy protections are observed.''.

(b) CONGRESSIONAL OVERSIGHT.—Not later than two years after the date of the enactment of this Act, the national cybersecurity and communications integration center of the Department of Homeland Security shall provide to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information on the activities and effectiveness of such activities under subsection (g) of the second section 226 of the Homeland Security Act of 2002 (6 U.S.C. 148; relating to the national cybersecurity and communications integration center), as added by subsection (a) of this section, on State and local information security. The center shall seek feedback from State and local governments regarding the effectiveness of such activities and include such feedback in the information required to be provided under this subsection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HURD) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HURD of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HURD of Texas. Mr. Speaker, I yield myself such time as I may consume.

The need to address cybersecurity at the State and local levels is of the utmost importance. From our local DMV offices and courthouses to our critical infrastructure, the exploitable vulnerabilities and possible consequences are alarming.

Yet, in the cybersecurity realm, State and local governments often do not have access to the technical capabilities and training that the Federal Government does.

My bill, H.R. 3869, the State and Local Cyber Protection Act, is a critical step in the resolution of this problem.

In 2010, the National Governors Association released a statement on the importance of cybersecurity in protecting the ability of Federal, State, and local governments to perform their vital functions.

They stated:

''Due to the breadth and scope of the State role in entitlement services, facilitating travel and commerce, regulatory oversight, licensing and citizen services, states gather, process, store, and share extensive amounts of personal information. From cradle to grave, the states are the nexus of identity information for individuals. This makes the states prime targets for external and internal cyber threats.''

Cybersecurity is a shared responsibility involving all levels of government and the private sector. While much has been done over the last several years to improve the Nation's cybersecurity, a number of challenges remain. This bill would allow State and local governments access to the assistance, training, and tools, voluntarily and upon request, that are required to secure our Nation's information systems at every level.

This bill instructs the National Cybersecurity and Communications Integration Center, the NCCIC, at the Department of Homeland Security to coordinate with States and locals on securing their information systems.

The NCCIC will do so by assisting in the identification of system vulnerabilities and possible solutions for State and local information security systems.

They will be developing a Web portal to communicate available tools for States and locals, providing technical training for State and local cybersecurity analysts, providing assistance and implementing cybersecurity tools upon request, providing privacy and civil liberties training, and informing States and locals on the current cybersecurity guidelines already developed at the Federal level.

Lastly, the State and Local Cyber Protection Act would require the NCCIC to seek feedback from State and local governments once the law is implemented and voluntary assistance has begun in order to gauge the effectiveness of these efforts and to ensure that progress is being made.

The Department of Homeland Security has a substantial responsibility to States and locals in the cyber realm as State and local systems host a wide range of sensitive PII and critical infrastructure data, making them especially attractive for cyberattacks. By reinforcing the relationship between DHS and State and local governments, we are supporting and urging for the continued development of cyber protection for our State and local governments.

I urge all Members to join me in supporting this bill.

Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3869, the State and Local Cyber Protection Act of 2015.

Let me first of all thank the gentleman from Texas for his leadership in working on this legislation, to again acknowledge our chairs—Mr. MCCAUL and Mr. THOMPSON—and also to acknowledge Mr. RATCLIFFE and Mr. RICHMOND for their leadership on this issue.

Mr. Speaker, the threat of the cyber attack is growing, and the damage caused by those attacks, whether it is the theft of personally identifiable information or the disruption of operations, is becoming more costly.

FEMA has identified cybersecurity as an area for national improvement in its National Preparedness Report every year since it was first published in 2012. That finding is based, in large part, on State self-assessments reflecting a lack of confidence in cybersecurity capabilities. The threat posed by criminal and terrorist hackers continues to evolve even as State and local governments work to gain a stronger footing in the cybersecurity mission area.

Let me say that this country continues to grow, continues to increase its population, and continues to become dependent on the cybersecurity infrastructure. Helping to engage State and local entities by training is a crucial, crucial action, if I might applaud the gentleman, but also say it is a very important mission for both the Homeland Security Department and the Committee on Homeland Security. The Department of Homeland Security has resources and capabilities that, when shared with State and local governments, can help them step up their games.

H.R. 3869, the State and Local Cyber Protection Act of 2015, would codify ongoing efforts by instructing the National Cybersecurity and Communications Integration Center, the NCCIC, and the Department of Homeland Security to coordinate with State and local governments and to, upon request, provide assistance to secure their information systems.

Information systems run water entities in our communities. I remember visiting one that was up on the Web, if you will, that could be altered by a cyber attack. This legislation would codify DHS' ongoing coordination effort to give assurances to State and local governments that DHS stands ready to partner with them to protect their network.

Under this bill, DHS is authorized to assist State and local governments to deploy technology capable of diagnosing and mitigating against cyber threats and vulnerabilities.

H.R. 3869 authorizes DHS to provide training to State and local entities regarding integrating policies to protect privacy and civil liberties into their cybersecurity efforts.

It is increasingly important that all levels of government be capable of identifying information system vulnerabilities and of protecting them from unauthorized access, disclosure, and disruption of data.

I will say to the gentleman from Texas (Mr. HURD) that we have always, as a committee, been reminded of privacy and civil liberties issues while also protecting the American people. To build that capability, the Federal Government has a role to play in assisting State and local entities by providing both technical training on cybersecurity and guidance on potential privacy and civil liberties implications.

Mr. Speaker, many stakeholders throughout the country have told us this bill is a vital, much-needed step in advancing national cybersecurity capabilities.

I urge all of my colleagues to support H.R. 3869.

Mr. Speaker, I support H.R. 3869, the State and Local Cyber Protection Act.

As a Senior Member of the Homeland Security Committee, and Ranking Member of the House Judiciary Committee's Subcommittee on Crime, Terrorism, Homeland Security and Investigations I am well aware of the terrorism and criminal risks to our nation's critical infrastructure, civilian and privacy computer networks.

For this reason, I introduced H.R. 85, the Terrorism Prevention and Critical Infrastructure Protection Act, which directs the Secretary of Homeland Security to work with critical infrastructure owners and operators and state, local, and territorial to take proactive steps to address All Hazards that would impact: national security; economic stability; public health and safety; and/or any combination of these.

This nation is presented with new challenges in confronting threats to our national security, and cybersecurity.

Critical infrastructure remains an essential area that must receive the needed attention to protect it against all threats and all-hazards.

Post-9/11 established the need to anticipate unexpected threats from a variety of sources. The nation must plan to be a step ahead of our enemies in order to effectively detect, deter, and defend against terrorist attacks in whatever form they may arise, including cyberattacks to our nation's critical infrastructure.

It is for these reasons that I proposed H.R. 85, the Terrorism Prevention and Critical Infrastructure Protection Act of 2015. This bill should it become law would greatly assist in

our nation's ability to protect critical infrastructure from the worse effects of cyber-attacks.

The nation must be adequately prepared to fight cyber terrorism just as vigorously as we combat other form of terrorism carried out through physical violence. We can be prepared to meet and defeat cyber terrorism threats with legislative efforts like H.R. 85, which would offer tools to effectively address terrorist attacks against critical infrastructure.

The Terrorism Prevention and Critical Infrastructure Protection Act directs the Secretary of Homeland Security (DHS) to:

(1) better engage critical infrastructure owners and operators as volunteers for the purpose of coordination of communication among state, local, tribal, and territorial entities for the purpose of taking proactive steps to manage risk and strengthen the security and resilience of the nation's critical infrastructure against terrorist attacks;

(2) establish terrorism prevention policy to engage with international partners to strengthen the security and resilience of domestic critical infrastructure and critical infrastructure located outside of the United States;

(3) make available research findings and guidance to federal civilian agencies for the identification, prioritization, assessment, remediation, and security of their internal critical infrastructure to assist in the prevention, mediation, and recovery from terrorism events.

The bill sets forth the terrorism protection responsibilities of the Department of Homeland Security as it relates to the Department's responsibility to protection and defends civilian agencies and private sector networks from cyber-attacks.

H.R. 85, Terrorism Prevention and Critical Infrastructure Protection Act also provides guidance to the Secretary of Homeland Security regarding actions to be taken to:

(1) facilitate the timely exchange of terrorism threat and vulnerability information as well as information that allows for the development of a situational awareness capability for federal civilian agencies during terrorist incidents;

(2) implement an integration and analysis function for critical infrastructure that includes operational and strategic analysis on terrorism incidents, threats, and emerging risks; and

(3) support greater terrorism cyber security information sharing by civilian federal agencies with the private sector that protects constitutional privacy and civil liberties rights.

Finally the bill directs the National Research Council to evaluate how well DHS is meeting the objectives of this Act.

I thank Chairman MCCAUL and Ranking Member THOMPSON for their support and collaboration in working with me to improve the bill for consideration by the Full Committee and ultimately the House of Representatives as we work to ensure safety, security, resiliency, trustworthiness of vital critical infrastructure networks, while at the same time ensuring that data used for this purpose does not undermine the privacy and civil liberties of Americans.

Mr. Speaker, I reserve the balance of my time.

Mr. HURD of Texas. Mr. Speaker, I have no further requests for time, so I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself the balance of my time.

In closing, I include for the RECORD an article dated October 19 from The Hill newspaper on boosting power grid defenses against ISIS.

[From The Hill, Oct. 19, 2015]

JACKSON LEE PUSHES TO BOOST POWER-GRID DEFENSES AGAINST ISIS

(By Katie Bo Williams)

Rep. Sheila Jackson Lee (D–Texas) on Friday called for action on a bill bolstering power-grid cybersecurity after a Department of Homeland Security (DHS) official said the Islamic State in Iraq and Syria (ISIS) is trying to hack American electrical power companies.

''No solace should be taken in the fact that ISIS has been unsuccessful,'' Jackson Lee said. ''ISIS need only be successful once to have catastrophic impact on regional electricity supply.''

Caitlin Durkovich, assistant secretary for infrastructure protection at DHS, told energy firm executives at an industry conference in Philadelphia last week that ISIS ''is beginning to perpetrate cyberattacks.''

Law enforcement officials speaking at the same event indicated that the group's efforts have so far been unsuccessful, thanks in part to a Balkanized power grid and an unsophisticated approach.

''Strong intent. Thankfully, low capability,'' said John Riggi, a section chief at the FBI's cyber division. ''But the concern is that they'll buy that capability.''

Jackson Lee, a senior member of the House Homeland Security Committee and ranking member on the Judiciary Committee's Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, in January introduced the Terrorism Prevention and Critical Infrastructure Protection Act.

The bill directs DHS to work with critical infrastructure companies to boost their cyber defenses against terrorist attacks, part of a swath of legislation that has attempted to codify the agency's responsibilities in that area.

Late last year, the Senate passed its version of the House-passed National Cybersecurity and Critical Infrastructure Protection Act.

The bill officially authorized an already-existing cybersecurity information-sharing hub at DHS.

Although a deadly attack on power plants or the electric grid—a ''cyber Pearl Harbor''—is still only a hypothetical, experts warn critical infrastructure sites are increasingly at risk, as electric grids get smarter.

National Security Agency Director Michael Rogers told lawmakers last fall that China and ''one or two'' other countries would be able to shut down portions of critical U.S. infrastructure with a cyberattack. Researchers suspect Iran to be on that list.

In August, DHS announced the creation of a new subcommittee dedicated to preventing attacks on the power grid.

The new panel is tasked with identifying how well the department's lifeline sectors are prepared to meet threats and recover from a significant cyber event.

The committee will also provide recommendations for a more unified approach to state and local cybersecurity.

''There is a great deal that has been done and is being done now to secure our networks,'' Homeland Security Secretary Jeh Johnson told the House Judiciary Committee in July. ''There is more to do.''

Ms. JACKSON LEE. Mr. Speaker, State and local governments have been struggling to keep pace with the evolving threats posed by cyber breaches. They just cannot do it alone. We have the resources. This Department was crafted and designed to be able to reach out beyond these parameters to ensure that local governments and State governments felt that they were secure.

I believe that the enactment of H.R. 3869 would send a clear message about our commitment to helping State and local governments address the perennial cybersecurity challenges that permeate their providing services for their constituents, which have been identified every year, according to the National Preparedness Report.

In having formerly chaired this infrastructure committee, I know that the need still remains great and that we have an opportunity to keep building and improving on that resource.

Again, I urge my colleagues to vote ''yes'' on H.R. 3869.

Mr. Speaker, I yield back the balance of my time.

Mr. HURD of Texas. Mr. Speaker, I yield myself such time as I may consume.

I concur with the gentlewoman. Once again, I urge my colleagues to support H.R. 3869.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania). The question is on the motion offered by the gentleman from Texas (Mr. HURD) that the House suspend the rules and pass the bill, H.R. 3869, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to amend the Homeland Security Act of 2002 to assist State and local coordination on cybersecurity with the national cybersecurity and communications integration center, and for other purposes.''.

A motion to reconsider was laid on the table.

FIRST RESPONDER IDENTIFICATION OF EMERGENCY NEEDS IN DISASTER SITUATIONS

Mr. HURD of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2795) to require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2795

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''First Responder Identification of Emergency Needs

in Disaster Situations'' or the ''FRIENDS Act''.

SEC. 2. CIRCUMSTANCES WHICH MAY IMPACT FIRST RESPONDERS DURING A TERRORIST EVENT.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that describes select State and local programs and policies, as appropriate, related to the preparedness and protection of first responders. The report may include information on—

(1) the degree to which such programs and policies include consideration of the presence of a first responder's family in an area impacted by a terrorist attack;

(2) the availability of personal protective equipment for first responders;

(3) the availability of home Medkits for first responders and their families for biological incident response; and

(4) other related factors.

(b) CONTEXT.—In preparing the report required under subsection (a), the Comptroller General of the United States may, as appropriate, provide information—

(1) in a format that delineates high risk urban areas from rural communities; and

(2) on the degree to which the selected State and local programs and policies included in the report were developed or are being executed with funding from the Department of Homeland Security, including grant funding from the State Homeland Security Grant Program or the Urban Area Security Initiative under sections 2002 and 2003, respectively, of the Homeland Security Act of 2002 (6 U.S.C. 603 and 604).

(c) HOMELAND SECURITY CONSIDERATION.—After issuance of the report required under subsection (a), the Secretary of Homeland Security shall consider the report's findings and assess its applicability for Federal first responders.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HURD) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HURD of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HURD of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise today to support H.R. 2795, the First Responder Identification of Emergency Needs in Disaster Situations.

Our country continues to be resilient because of the men and women who keep us safe every day by putting their lives on the line. We can thank them by ensuring they have sufficient resources to do their jobs.

H.R. 2795 will take a national snapshot of the current policies and programs that support first responders and their families in the event of a terrorist attack.

By requiring the Government Accountability Office to report this national snapshot to Congress and to the Department of Homeland Security, we will have a better understanding of the support surrounding our first responders and their families.

Both the National Association of State Emergency Medical Services Officials and the International Association of Fire Chiefs are endorsing this legislation because it promotes the critical work our first responders are always prepared to do despite the challenges they face. Events like the Ebola scare that hit the U.S. in 2014 alerted us to the impact these events have not only had on our first responders, but also on their families.

I thank Ms. JACKSON LEE for introducing this legislation and for working with the Committee on Homeland Security to promote this important issue.

I urge all Members to join me in supporting this bill.

Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2795, the First Responder Identification of Emergency Needs in Disaster Situations, or the FRIENDS Act, as we have been very happy to call it as we have crafted it.

First responders are our Nation's heroes. We know that we are gathering together in these final weeks to make sure that we pass the 9/11 health bill that provided for those who stood in the face of danger during the tragedy of 9/11.

We know that first responders run into burning buildings, that they rescue people trapped by dangerous floods, that they put themselves in harm's way to protect others, and that, as we well know in these times, they deal with terrorism.

Just last week, in San Bernardino, we saw brave first responders heroically pursue two individuals who were fleeing from the scene of a deadly attack at an office holiday party.

We also know that, at the site of that incident, we saw a massive number of first responders who were going toward the building. Not knowing the threat or whether or not the individuals who had created this massacre were still there or how many there were, they ran toward the building.

To do their jobs, first responders must leave their homes and families while the rest of us cling to ours. Whether it was to deal with the aftermath of a terrorist attack, like the attacks of September 11, or to give support during a catastrophic disaster, like Hurricane Katrina, first responders bravely leave home to save others.

I had firsthand experiences of both of those incidences, one, a natural disaster and, one, a terrorist act.

I watched as firefighters stayed day after day after day and would not remove themselves because they were engaged in recovering their colleagues—their brothers and sisters—and those others who had perished. They stayed day after day.

That was a great hardship on those families. We know the stories. We know that some of them were dealing with situations in which they may have been the only parent or the only guardian.

In the situation of Katrina, I saw the Coast Guard stay in the area time after time and the National Guard and other first responders come from all over the country and from even all over the world to be able to help those who were in need, and they stayed a very long time.

Unfortunately, today first responders are asked to answer the call to action without knowing whether their families will be safe as they work to rescue others. Our first responders deserve better.

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The FRIENDS Act directs the Government Accountability Office to conduct a comprehensive review of policies and programs designed to ensure that first responders are able to do their job safely and effectively by assessing, among other things, measures to ensure first responder families are safe and the availability of personal protective equipment is there.

During committee consideration of the FRIENDS Act, my friend from New York (Mr. HIGGINS) offered an amendment to authorize GAO to evaluate the availability of home med kits for first responders and their families in assessing the preparedness of first responders, maybe even being able to take care of their neighborhood or their family or themselves in the course of these disasters. I am pleased to support the Higgins amendment, and I believe it adds to the bill.

H.R. 2759 also directs GAO to distinguish policies available in high-risk urban areas, which may be better resourced, and rural areas where efforts to ensure preparedness for first responders and their families may require creative leveraging of resources. Many of those areas have volunteer fire departments and volunteers who need the assistance from this act. This provision will ensure that the information included in the report will be applicable and adaptable by various communities across the country as they work to better protect their protectors and to give them the support system that they need.

Additionally, the FRIENDS Act directs the Secretary of Homeland Security to review GAO's findings and assess whether policies identified could be applicable to Federal first responders. The FRIENDS Act has been endorsed by the International Association of Fire Chiefs, as well as the National Association of State EMS Officials, and the International Emergency Management Society, along with others.

Before I conclude, I would like to thank Ranking Member THOMPSON and Chairman MCCAUL for their help in bringing this important legislation to the floor. Let me also thank the ranking member and chairman of the emergency preparedness committee and all of jurisdictional committees that helped contribute to this. Let me also acknowledge the staffs on both sides of the aisle who were enormously effective in helping to bring about this bill.

I want to thank Mr. HOYER, who for many, many years was a co-chair of the Congressional Fire Service Caucus on which I participated with him over those years, for his stated support of this legislation.

Mr. Speaker, as a senior member of the Homeland Security, and the author and sponsor, I am proud to rise in strong support of H.R. 2795, the ''First Responder Identification of Emergency Needs in Disaster Situations of 2015,'' or the ''FRIENDS Act.''

I thank Chairman MCCAUL and Ranking Member THOMPSON for their cooperation, assistance, and support in shepherding this important legislation to the floor.

I appreciate Congressman PAYNE, the Ranking Member of the Homeland Security Subcommittee on Emergency Preparedness, Response, and Communications, for his original co-sponsorship and strong support of the FRIENDS Act.

The FRIENDS Act embodies the important and fundamental idea that we have an obligation to ensure that the first responders who protect our loved ones in emergencies have the peace of mind that comes from knowing that their loved ones are safe while they do their duty.

The FRIENDS Act, which reflects stakeholder input and bipartisan collaboration with the Majority, is an example of what can be achieved for the American people when Members of Congress put the public interest ahead of partisan interests.

I thank the International Association of Fire Chiefs, the National Association of State EMS Officials, and the International Emergency Management Society for their valuable assistance and input regarding the FRIENDS Act.

I thank Kay Goss; the President of the International Emergency Management Society, who provided technical assistance during the bill's drafting process on the work of first responders to prepare for catastrophic events.

Kay Goss was Associate FEMA Director in charge of National Preparedness, Training, and Exercises during the Clinton Administration, the first woman confirmed by the Senate to serve in that position.

I am passionate about the work of those who dedicate themselves to public service.

I hold in high regard the service of firefighters, law enforcement officers, emergency response technicians, nurses, emergency room doctors, and the dozens of other professionals who are the ultimate public servants.

Few persons outside their ranks truly understand why and how first responders are able to do what they do every day—voluntarily and cheerfully risk placing their lives in harm's way to save a stranger.

First responders, whether as law enforcement officers, fire fighters, search and rescue workers, or emergency medical technicians make our lives safer, often at considerable risk to their personal safety.

H.R. 2795 provides Congress an opportunity to let our first responders know that we do recognize and understand that they have families and loved ones who they must leave behind when they are called to duty.

The GAO study that will be provided as a result of this bill will shed light on what is being done by local and state governments to address the needs of first responder families when threats like Hurricanes Sandy, Hugo, and Katrina hit communities, or when a terrorist attack like the ones seen in New York and Boston occur.

The report called for by the FRIENDS Act will also provide information on the availability of personal protective equipment for first responders.

The issue of personal protective equipment was an acute problem for front line first responders during last year's Ebola crisis.

First responders including EMTs, emergency room doctors and nurses, as well as law enforcement and fire department professionals who responded to emergencies were in need of guidance on how to effectively treat a person with Ebola without becoming infected.

I joined members of the House Committee on Homeland Security in a Full Committee field hearing last year in Dallas, Texas, shortly after the first case of Ebola was diagnosed in the United States.

That patient, Eric Duncan, lived in the Dallas area and was treated at a local hospital, but died of the illness.

As a result of coming in contact with Mr. Duncan two nurses at the hospital where he was treated became ill with the disease.

During the Dallas field hearing, I brought to the attention of the House Homeland Security Committee a letter from National Nurses United transmitting the results of a survey of nurses, which found that:

1. Nearly 80 percent of respondents agreed that their hospital had not communicated to them any policy regarding potential admission of patients infected by Ebola;

2. 85 percent of respondents agreed that their hospital had not provided education on Ebola to enable nurses to interact with patients safely;

3. One-third of respondents reported that their hospital had insufficient supplies of eye protection (face shields or side shields with goggles) and fluid resistant/impermeable gowns; and

4. Nearly 40 percent of respondents agreed that their hospital did not have plans to equip isolation rooms with plastic covered mattresses and pillows and to discard all linens after use; fewer than 1 in 10 respondents reported that they were aware their hospital had such a plan in place.

The Centers for Disease Control and a few hospitals around the country with infectious disease units knew the right protocols and had the right protective gear to be used when treating an Ebola patient.

Ebola in the United States was a frightening thought for many, but I think we saw the best of what first responders do each day—our doctors and nurses went to work and treated the sick and did what they always do—take care of those in need.

In unanimously reported the FRIENDS Act favorably to the House, the Homeland Security Committee voted to support first responders and the people who love them and need them most, their families.

The FRIENDS Act will help ensure that our healthcare workers, EMTs, firefighters, law enforcement, and other local, state, and federal first responders can answer the call of duty secure in the knowledge that they will have what they need in the way of health kits or an emergency response plan to enable them to perform their duty and return home safely to their families and loved ones.

The GAO's comprehensive review of the range of policies and programs in place at the State level to address the preparedness and protection of first responders will also delineate high risk urban areas from rural communities; and the degree to which selected state policies were developed or executed with funding from the DHS Grant Programs or Urban Area Security Initiative authorized by the Homeland Security Act.

The GAO Report's focus on the presence of the family of first responders in an area affected by a terrorist attack and the availability of personal protective equipment is essential.

This will be the first report that focuses on the family as a critical factor that should be considered in the work of first responders during times of crisis such as a terrorist attack or public emergency.

The issue of families in areas that may be impacted by terrorist attack or other crisis was highlighted by the Ebola crisis in Dallas, Texas last year.

According to Dallas County Judge Clay Jenkins, who managed the crisis, one of the chief concerns of first responders was keeping their families safe.

Judge Jenkins recounted that discrimination against first responders and their families was a real concern because it was known that EMTs and the firefighters accompanying them responded to the home of the first known Ebola victim in the United States, Eric Duncan.

People were so fearful for themselves and their children's health regarding possible means of contracting Ebola they did not want their children attending a school with the child of first responders who might come into contact with Ebola victims.

For this reason, Judge Jenkins requested the Commissioner of Public Health, the top Ebola expert in the United States, and the Dallas County Medical Society explain to the public that there was a zero percent chance of transmission of Ebola in that scenario.

In Dallas County and around the nation first responders expressed concerns regarding

their lack of knowledge about the disease, as well as not having the right type of protective equipment to ensure their safety in managing the care of possible Ebola victims.

These are certainly factors that one would expect to weigh on a first responder called to respond to a terrorist attack or unprecedented emergency.

The bravery or dedication of first responders is not in question—they are the people who run into burning buildings to save people whom they may never have met.

The FRIENDS Act is a small token of the nation's gratitude and appreciation for all first responders do keep us safe.

Finally, Mr. Speaker, I wish to acknowledge and thank Natalie Matson and her colleagues on the Homeland Security Committee's majority staff, Moira Bergin and her colleagues with the Minority staff, and Lillie Coney of my personal staff for their technical expertise and great work on H.R. 2795.

I urge all Members to support the nation's first responders and vote to pass H.R. 2795, the FRIENDS Act.

I reserve the balance of my time.

Mr. HURD of Texas. Mr. Speaker, I have no further speakers, so I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I am prepared to close since I have no further speakers, and I yield myself the remaining time.

One of the things that we wanted to do in the course of this legislation is to make sure that the stakeholders were fully informed and thought this would be a constructive addition to their ability to serve the public and to be on call and to be away for long periods of time from their families, which they have been called to do.

As I begin to reflect, I reflected on the wildfires in the West, the enormous flooding that we have had, and certainly we cannot forget the issues dealing with terrorism. The terrorism investigations, as individuals who are victims are buried in California, the first responders, law enforcement, and others are still on the job investigating what is occurring.

So, Mr. Speaker, I include a series of letters into the RECORD from the National Organization of Black Law Enforcement Executives, who are indicating the importance of this legislation; a letter from the Office of the Mayor of the City of Houston, Mayor Annise Parker, who indicates that as first responders risk their lives in responding to terrorist attacks and other emergencies, they and their families are at increased risk; from the Houston Professional Fire Fighters, Association Local 341, who have written on behalf of the 3,800 men and women of the Houston Fire Department, indicating the need for this legislation to protect their families; from the National Association of State EMS Officials, the International Association of Fire Chiefs on behalf of nearly 11,000 fire service leaders for introducing this legislation that would provide adequate preparedness for their families; and an article which is entitled ''Family Versus Duty: Personal and Family Preparedness Law Enforcement Organizational Resilience.''

NATIONAL ORGANIZATION OF
BLACK LAW ENFORCEMENT EXECUTIVES,
Alexandria, VA, December 9, 2015.

Hon. SHEILA JACKSON LEE,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSWOMAN JACKSON LEE: On behalf of the National Organization of Black Law Enforcement Executives (NOBLE), our Executive Board, local chapters, and members, I am writing to express support for H.R. 2795, the First Responder Identification of Emergency Needs in Disaster Situations (FRIENDS) Act. Our nation's first responders risk their lives in responding to terrorist attacks, natural disasters, and other emergencies. Consequently, they and their families may be at increased risk due to exposures they face in responding to disasters. Directing the Government Accountability Office to prepare a report that examines the preparedness and protection of first responders and their families, including an assessment of the grant funding available, will serve an important function by evaluating existing resources to protect first responders and their families and the need for additional resources.

NOBLE feels that it is important that we equip our first responders to protect our communities while also ensuring that their families are safe.

Sincerely,

DWAYNE A. CRAWFORD,
Executive Director,
NOBLE.

OFFICE OF THE MAYOR,
CITY OF HOUSTON,
Houston, TX, December 7, 2015.

Hon. SHEILA JACKSON LEE,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSWOMAN JACKSON LEE: I am writing to express my support for H.R. 2795, the First Responder Identification of Emergency Needs in Disaster Situations (FRIENDS) Act. Our nation's first responders risk their lives in responding to terrorist attacks and other emergencies, and they and their families may be at increased risk because of exposure they face in responding to disasters. Directing the Government Accountability Office to prepare a report that examines the preparedness and protection of first responders and their families, including an assessment of the grant funding available, will serve an important function by evaluating existing resources to protect first responders and their families and the need for additional resource.

We live in challenging times with the threat of terrorist attacks, and it is critical that we are prepared and that we best equip our first responders to protect our cities while at the same time ensuring that their families are safe.

Thank you for advancing this important legislation.

Sincerely,

ANNISE D. PARKER,
Mayor.

HOUSTON PROFESSIONAL FIRE
FIGHTERS ASSOCIATION LOCAL 341,
Houston, TX, December 7, 2015.

Hon. SHEILA JACKSON LEE,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVE JACKSON LEE, On behalf of the 3,800 men and women of the Houston Professional Fire Fighters Association, IAFF Local 341, I thank you for your leadership on H.R. 2795, the First Responder Identification of Emergency Needs in Disaster Situations (FRIENDS) Act.

HPFFA members and our families appreciate your commitment to helping ensure that first responders' families will be prepared in the event of large-scale natural disasters, health crises, or terrorist attacks.

Thank you for introducing the FRIENDS Act.

Please let us know if you need anything else.

Sincerely,

ALVIN W. WHITE, JR.,
President.

NATIONAL ASSOCIATION OF
STATE EMS OFFICIALS,
Falls Church, VA, September 28, 2015.

Re: Expressing Support for the Jackson Lee Amendment in the Nature of a Substitute to H.R. 2795.

Hon. MICHAEL T. MCCAUL,
Chairman, House Committee on Homeland Security, House of Representatives, Washington, DC.

Hon. MARTHA MCSALLY,
Chairman, Subcommittee on Emergency Preparedness, Response, and Communications, House of Representatives, Washington, DC.

Hon. BENNIE G. THOMPSON,
Ranking Member, House Committee on Homeland Security, House of Representatives, Washington, DC.

Hon. DONALD M. PAYNE,
Ranking Member, Subcommittee on Emergency Preparedness, Response, and Communications, House of Representatives, Washington, DC.

We are writing to express our support for the Jackson Lee Amendment in the Nature of a Substitute titled, the ''Families of Responders Identification of Emergency Needs in Designated Situations'' or the ''FRIENDS Act.'' This bill would provide an important report on the state of family support planning for the families of first responders.

We believe that Federal family support planning is important to homeland security because this area of continuity of operations planning addresses the health and safety needs of first responder families during terrorist attacks or incidents as well as other emergencies. The FRIENDS Act will be an important first step in engaging the first responder community on the role of family in preparedness and continuity of operations.

The FRIENDS Act would also engage first responder organizations to get their perspectives on best practices in family support planning programs on the local and state levels.

For these reasons, we support the FRIENDS Act of 2015.

Sincerely,

PAUL R. PATRICK,
President.

INTERNATIONAL ASSOCIATION OF FIRE CHIEFS,
Fairfax, VA, November 3, 2015.

Hon. SHEILA JACKSON LEE,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE JACKSON LEE: On behalf of the nearly 11,000 fire service leaders of the International Association of Fire Chiefs (IAFC), I would like thank you for introducing your substitute amendment to H.R. 2795, the First Responder Identification of Emergency Needs in Disaster Situations (FRIENDS) Act. The IAFC supports this legislation, because it will examine an important issue facing the nation's first responders during a major terrorist attack: adequate preparedness for the first responders' families.

During a major terrorist attack, fire, law enforcement and EMS officials will be called upon to take heroic actions to protect the public and provide fire and emergency medical response. In the case of a large-scale incident or biological attack, the families of these first responders also will be at risk. Based on the experience of IAFC members during the response to Hurricanes Katrina and Rita and last year's response to potential Ebola incidents in the United States, I know that the welfare of the first responders' families weighs heavily on them as they serve the public. It is important that federal, state, and local officials make plans to provide for the safety of first responders' families in order to ensure strong morale among local fire, law enforcement, and EMS officials during a major terrorist attack.

The IAFC thanks the House Homeland Security Committee for considering this substitute amendment to H.R. 2795. It would direct the Government Accountability Office (GAO) to examine planning for first responders' families during terrorist attacks. We urge the GAO to highlight effective plans, so that other jurisdictions can learn from them. We also support Representative Higgins' amendment to make minor changes to the bill, including examining the use of med-kits for first responders' families.

Thank you for introducing this important legislation. The IAFC urges the House Homeland Security Committee to pass both this substitute amendment and the Higgins amendment. We look forward to working with you to pass this legislation in the House of Representatives.

Sincerely,

FIRE CHIEF RHODA MAE KERR,
EFO, CFO, MPA,
President and Chair of the Board.

FAMILY VS. DUTY: PERSONAL AND FAMILY PREPAREDNESS FOR LAW ENFORCEMENT ORGANIZATIONAL RESILIENCE

It has been more than four years since Hurricane Katrina opened our eyes to the personal struggles faced by law enforcement officers in the wake of disaster. The law enforcement response to Hurricane Katrina brought to the forefront the challenges that ensue when the intended responders become victims. Many law Enforcement Officers had to make the choice between their responsibility to their families and their duties as police officers. As law enforcement officers, how do we balance the needs and safety of our families with our duty to respond in a crisis? As employers and managers of law enforcement officers what are our responsibilities to our employees and their families in developing and maintaining personal and family preparedness? What steps can be taken by organizations to increase employee and family preparedness of law enforcement personnel?

This article provides an overview of personal and family preparedness of police officers and its relationship to law enforcement organizational readiness. The role of the law enforcement agency in developing and supporting personal and family preparedness will also be reviewed. The overall goal of this article is to develop the general elements of an effective program for law enforcement agencies that advances the personal and family preparedness of law enforcement officers to increase the likelihood that officers will report in emergency situations.

HURRICANE KATRINA: PREPAREDNESS AND ORGANIZATIONAL EFFECTIVENESS

The New Orleans Police Department (NOPD) faced a multitude of challenges in efforts to respond to the impact of Hurricane Katrina that resulted in an ''almost total loss of police capabilities in New Orleans.'' The official reports crafted in the wake of the disaster identify several issues that led to the ''collapse of law enforcement.'' These identified problems included ''missing police officers led to a law enforcement manpower shortage.'' While there were some officers who were derelict in their duties in failing to report, the vast majority had become victims themselves, or dealt with family crises related to the disaster, making it difficult or impossible to report for duty. There are estimates that as much as 5 percent of the NOPD force were stranded at home. Other elements, including the technological failures of electric power grids, communications systems, etc., can be overcome through effective continuity planning. The loss of significant numbers of personnel through their failure to report is completely debilitating for the law enforcement function. Regardless of the technological enhancements, policing is accomplished by people, without them there is no maintenance of civil order.

PREVIOUS RESEARCH: ABILITY AND WILLINGNESS TO REPORT

Although the conditions faced by NOPD in its efforts to respond to Hurricane Katrina were of a scale not seen in our modern history, ensuring that personnel are willing and able to report for assignment is critical. This is an easier task when notice of the potential crisis, such as an approaching Hurricane, is known for several days in advance. Developing the organizational agility for officers to report in sudden unexpected conditions is more challenging.

There has been little research conducted directly on the ability and willingness of police officers to report in crisis situations. There have been several studies conducted in the public health and healthcare community, and limited studies among firefighters and emergency medical technicians. While there are many parallels that can be drawn across first response organizations, each has unique challenges in different emergency situations that may impact the willingness of responders to report.

There are two studies that have been conducted on the ability and willingness of law enforcement officers to report in disaster. A 2007 study of police officers in the Washington, DC area by Demme revealed that family preparedness and safety were the determinant factors in the ability and willingness of law enforcement officers to report for duty in the event of a biological incident. In an unpublished study, Nestal (2005) examined the ability and willingness of police officers in Philadelphia to respond using the National Planning Scenarios outlined in Department of Homeland Security preparedness guidance. The planning scenarios presented fifteen disaster situations that range from natural disasters to terrorist attacks. The study revealed that based on the given scenario, 55–66 percent of police officers reported they would refuse to adhere to an emergency recall or would consider abandoning their position based upon concerns for the safety of their family.

These studies illustrate the importance of family preparedness to the resilience of law enforcement agencies in disaster. Although further research is needed, these studies make employee and family preparedness impossible to ignore in overall agency preparedness efforts.

THE ROLE OF THE EMPLOYER IN EMPLOYEE AND FAMILY PREPAREDNESS

A recent study by Landahl & Cox (2009) examined the actions being taken by first response organizations related to employee and family preparedness and the attitudes and opinions of senior leaders on the role of the employer in the development of employee and family preparedness. The study showed that 97 percent of homeland security leaders identified that employee and family preparedness is an essential element to organizational resilience during large-scale emergencies. In addition, the results showed that a majority (52.9 percent) reported that organizations should be prepared to assume some responsibility for the care of essential employees and their families. The study concluded that ''there is a fundamental disconnect between problem recognition by homeland security leaders and organizational activities; only 29 percent of participants reported their organizations had conducted training in or had written plans to support employees and families during disaster.''

Essentially, the problem has been recognized, but little has been accomplished towards a solution. Although the issue of employee and family preparedness was exposed during the response to Hurricane Katrina and recognized through research, the issue remains absent from Department of Homeland Security planning and preparedness guidance.

IMPLEMENTING POLICY TO INCREASE PERSONAL AND FAMILY PREPAREDNESS

Law enforcement agencies train officers for confrontations, teach them how to investigate crimes and help them develop skills to earn promotions. However, as leaders we fail to teach our officers how to prepare their families and themselves if they are called to duty during a crisis. To improve the chances that law enforcement officers will be in a position to make the decision to report in a crisis situation, leaders should develop clear expectations through policy and planning; including a Mission Statement and Strategic Plan. According to Whisenand, the agencies that have gone through difficult times, managerially, have had three things in common. Each of these agencies exhibited signs of a lack of leadership, an absence of a shared vision and their strategic plans were either poorly developed or had not been established. Therefore, administrators should create a clear policy for their officers so expectations are established before disaster strikes.

Such a policy should include the following:

EMERGENCY RECALL GUIDELINES

Clear emergency recall guidelines allow officers to understand the methods and expectations following the notification of off-duty personnel to return to work. The policy

should establish how the decision will be made, how officers will be contacted, reporting locations, and expected time from notification to reporting. Notifications may be accomplished through radio communication, telephone contact, pagers, or media utilizing the Emergency Alert System. These guidelines also establish who is exempt from returning. This may include officers who are on vacation, sick leave, or military duty.

HOLD-OVER GUIDELINES

These guidelines establish the process for extending the tour of on-duty personnel. This should include the decision process, which personnel may be affected.

SCHEDULE ASSIGNMENTS

While maintaining the flexibility to respond to a variety of incidents, expected emergency pre-planned shift assignments should be communicated to personnel. For example, agencies may choose to implement 12-hour A/B platoon shifts. The expectation should be communicated to personnel in order to facilitate personal and family preparedness planning.

LEVELS OF MOBILIZATION

Levels of mobilization should be established to set parameters for how many personnel will report for duty. Will the entire department report or will it be selected divisions, or specialized units that will be mobilized.

CIVILIAN SUPPORT STAFF

Communicating policies and roles for support staff is critical to emergency operations. They must be included in policies and personal and family preparedness process.

LOGISTICAL SUPPORT

Roles and responsibilities for logistical support of law enforcement operations in disasters need to be clearly defined. The Senate Hurricane Katrina report indicated that there were deficiencies in that there ''did not appear to be any pre-planning for food, water, weapons, and medical care.'' Officer's need to know how they will be supported during disaster operations, will they have off-shift food and lodging available? Concerns about on-duty and off-duty support may impact officers' willingness to report for assignment. The clear articulation and communication of support that officers can expect will allow for personal and family planning, strong support efforts may increase response rates.

FAMILY SUPPORT

Agencies must determine their level of commitment to support officer families and communicate the expected relationship between the organization and families to officers. There is a range of support that agencies can provide to families ranging from basic home logistical support to providing a shelter to locate officers' families during a disaster or an emergency situation. If agencies do not plan to provide support to families, they must communicate this expectation and prepare officers and families to be self-sufficient. The decision to provide no support to families may impact recall and dereliction of duty rates.

ANTICIPATED EMERGENCIES

Following their experience in Hurricane Katrina, the NOPD took a different approach in preparing officers to report for duty prior to Hurricane Gustav in 2008. NOPD provided employees paid time off to prepare and evacuate their families if necessary before reporting for duty. The effectiveness of the strategy on response rates could not be measured as Hurricane Gustav largely missed New Orleans. Pre-incident policies such as time off to prepare should be considered and communicated to personnel.

POLICY ENFORCEMENT/DISCIPLINE GUIDELINES

Policy should clearly articulate the consequences when officers elect not to report for duty. Leaders must deal decisively with the issue. The failure of the chief executive to address such cases could erode confidence in their ability to maintain discipline within the department. Failure to enforce can also call into question the importance of such a policy.

TRAINING AND EXERCISE

Training in emergency policies should occur at least on an annual basis and be reinforced regularly by supervisory personnel. Training should include instruction in the development of personal and family preparedness plans and emergency kits. Emergency exercises should include the extension to families, in order for officers to engage their families in the potential impact of agency emergency operations on the home.

CONCLUSION

The general public and agency leadership have the expectation that law enforcement officers report for duty when significant events or crises occurs. An established policy that includes protocols, training, clear organizational mission, and communication of the expected relationship between agencies and families of officers can help officers prepare and facilitate the decision to report for duty. Agency executives must place high organizational value on personal and family preparedness and reinforce it through training, exercise, and the supervision process. Provisions for the safety of officers' families should be a key component of a plan. Planning and policy development can steer the organizational culture to a culture of preparedness that include the families of our most critical asset; our people.

Ms. JACKSON LEE. Mr. Speaker, as I began, let me thank the first responders of this Nation and thank their families for the sacrifice that they make. Our first responders rush into dangerous conditions to protect us. They deserve to have the peace of mind that their families are safe as they courageously help others and other families during disaster and crisis. Now, their plate is enhanced. It is fuller dealing with not only these disasters, but the potential of a terrorist act.

So I want to extend my gratitude to all of those who have offered their support, again, in particular, the International Association of Fire Chiefs for their support in working with us.

I urge my colleagues to support H.R. 2795.

I yield back the balance of my time.

Mr. HURD of Texas. Mr. Speaker, I yield myself the remaining time.

I, once again, urge my colleagues to support H.R. 2795.

I yield back the balance of my time.

Mr. HOYER. Mr. Speaker, I'm pleased to rise in support of H.R. 2795, the First Responders Identification of Emergency Needs in Disaster Situations (FRIENDS) Act, which was introduced by my friend Rep. SHEILA JACKSON LEE of Texas. That her bill is expected to be approved with overwhelming bipartisan support, including from Chairman MIKE MCCAUL of the Homeland Security Committee, ought to surprise no one, because Rep. JACKSON LEE has worked tirelessly on behalf of America's first responders to move this legislation through the House. Her legislation would launch a study of best practices and state of preparedness of state and local response agencies with the aim of improving safety and access to lifesaving resources.

This bill recognizes the important role first responders play in communities throughout our country. We must ensure that these men and women have the resources they need to perform their jobs safely and effectively. We've witnessed the courage of first responders, from the September 11 attacks to the Boston Marathon bombings and at last week's deadly shooting in San Bernardino, California. We see it every day all over our nation.

I've been incredibly proud to support first responders as Co-Chair of the Congressional Fire Services Caucus, and I want to thank Rep. SHEILA JACKSON LEE for her work to bring the FRIENDS Act to the Floor. I also want to thank my colleagues on both sides of the aisle for their support for this legislation in committee and in the full House.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (H.R. 2795) that the House suspend the rules and pass the bill, H.R. 2795, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HURD of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 644, TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 2250, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2016

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–378) on the resolution (H. Res. 560) providing for consideration of the conference report to accompany the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, and providing for consideration of the Senate amendments to the bill (H.R. 2250) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings

will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 3578, by the yeas and nays;

H.R. 2795, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

DHS SCIENCE AND TECHNOLOGY REFORM AND IMPROVEMENT ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3578) to amend the Homeland Security Act of 2002 to strengthen and make improvements to the Directorate of Science and Technology of the Department of Homeland Security, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. RATCLIFFE) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 17, as follows:

[Roll No. 687]

YEAS—416

Abraham
Adams
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—17

Aguilar
Boyle, Brendan F.
Cicilline
Emmer (MN)
Engel
Grayson
Grijalva
Johnson, Sam
Kildee
McGovern
Meadows
Nolan
Polis
Rangel
Rice (NY)
Sessions
Sinema

□ 1652

Messrs. CRAWFORD and COURTNEY changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. PELOSI. Mr. Speaker, I rise to a question of the privileges of the House and offer the following resolution.

The SPEAKER pro tempore (Mr. WOMACK). The Clerk will report the resolution.

The Clerk read as follows:

Whereas the safety of the American people is urgently at stake;

Whereas the integrity of the legislative process has been seriously undermined by the influence of a powerful lobby, causing the House leadership to prevent the American people's representatives from considering commonsense measures to prevent terrorists from purchasing assault weapons and firearms from any licensed firearms dealer in the United States;

Whereas the first duty of Members of Congress is to protect and defend the American people, and that duty is forsaken by the failure of the House leadership to withstand the influence of a powerful lobby controlled by the gun industry;

Whereas leaders of terrorist organizations have previously urged sympathizers to exploit the United States' lax gun laws in order to perpetrate domestic terror;

Whereas suspects on the FBI's Terrorist Watchlist can go into a gun store anywhere in America and buy dangerous firearms of their choosing legally;

Whereas since 2004, more than 2,000 suspected terrorists have legally purchased weapons in the United States;

Whereas in that time period, more than 90 percent of all suspected terrorists who tried to buy a gun in a store in America walked away with his or her weapon of choice;

Whereas the House leadership ensures the ability of suspected terrorists to continue to buy guns and refuses to schedule legislation to close the terror list loophole;

Whereas since the mass shooting at Sandy Hook Elementary school nearly 3 years ago, more than 1,000 mass shootings, 90,000 gun deaths, and 210,000 gun injuries have occurred; and

Whereas mass shootings and gun violence are inflicting daily tragedy on communities across America: Now, therefore, be it

Resolved, That—

(1) a clear and present danger exists to the American people; and

(2) in order to protect the American people and the integrity of the legislative process, upon the adoption of this resolution, the Speaker shall place H.R. 1076, the ''Denying Firearms and Explosives to Dangerous Terrorists Act'', as introduced by Congressman

Peter King (Republican–NY), on the calendar for an immediate vote.

The SPEAKER pro tempore. Does the gentlewoman from California wish to present argument on the parliamentary question whether the resolution presents a question of the privileges of the House?

Ms. PELOSI. I do, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman from California is recognized.

Ms. PELOSI. Mr. Speaker, it is shocking to the American people that Congress refuses to keep guns out of the hands of those on the FBI's terrorist watch list. The gun violence epidemic is a public health crisis that we have a responsibility to address. Failing to meet that responsibility brings dishonor to the House of Representatives.

Public sentiment demands action. Eighty percent of Americans support legislation to close the outrageous loophole that puts guns in the hands of people, again, on the FBI's terrorist watch list. In the last decade, 90 percent of those on the FBI's terrorist watch list who tried to buy guns in America left the store with their weapons of choice.

In closing, in the people's House, we do nothing. We have not even allowed an up-or-down vote. In just over 1,000 days since Sandy Hook, we have seen 1,000 mass killings, 90,000 gun deaths, and 210,000 gun injuries in communities across America.

By refusing to act, we disgrace the House, we dishonor the American people, and we erode America's faith in our democracy. We have no right to hold moments of silence without action to end gun violence. Give us an up-or-down vote.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The Chair will rule.

The gentlewoman from California seeks to offer a resolution raising a question of the privileges of the House under rule IX. The resolution directs the Speaker to schedule a particular measure for an immediate vote.

One of the fundamental tenets of rule IX, as the Chair most recently ruled on October 8, 2013, is that a resolution expressing a legislative sentiment does not qualify as a question of the privileges of the House.

By calling for a vote on a particular measure, the resolution expresses a legislative sentiment in violation of the principles documented in sections 702 and 706 of the House Rules and Manual. Accordingly, the resolution does not constitute a question of the privileges of the House.

Ms. PELOSI. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. McCARTHY. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. PELOSI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 2795.

The vote was taken by electronic device, and there were—yeas 242, nays 173, not voting 18, as follows:

[Roll No. 688]

YEAS—242

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—173

Adams
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Green, Al
Green, Gene
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—18

Aguilar
Boyle, Brendan F.
Cicilline
Emmer (MN)
Engel
Grayson
Grijalva
Gutiérrez
Johnson, Sam
Kildee
McGovern
Meadows
Nolan
Rangel
Rice (NY)
Scott (VA)
Sessions
Sinema

□ 1715

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FIRST RESPONDER IDENTIFICATION OF EMERGENCY NEEDS IN DISASTER SITUATIONS

The SPEAKER pro tempore (Mr. CARTER of Georgia). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2795) to require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HURD) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 396, nays 12, not voting 25, as follows:

[Roll No. 689]

YEAS—396

Abraham
Adams
Aderholt
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blum
Blumenauer
Bonamici
Bost
Boustany
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lee
Levin
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
O'Rourke
Olson
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—12

Amash
Collins (GA)
Gohmert
Grothman
Harris
Huelskamp
Jones
Massie
Palazzo
Sanford
Sensenbrenner
Stutzman

NOT VOTING—25

Aguilar
Blackburn
Boyle, Brendan F.
Cicilline
Emmer (MN)
Engel
Grayson
Grijalva
Gutiérrez
Johnson, Sam
Kildee
LaMalfa
Lawrence
Lewis
McGovern
Meadows
Nolan
Pelosi
Price, Tom
Rangel
Rice (NY)
Scott (VA)
Sessions
Sinema
Webster (FL)

□ 1724

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LAMALFA. Mr. Speaker, on rollcall No. 689, had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. NOLAN. Mr. Speaker, on December 10, 2015, I was unavoidably detained due to ongoing issues surrounding the health of my youngest daughter in Minnesota.

Had I been present and voting on rollcall No. 687, I would have voted "yea" (Suspend the Rules and pass H.R. 3578).

Had I been present and voting on rollcall No. 688, I would have voted "nay" (Motion to Table).

Had I been present and voting on rollcall No. 689, I would have voted "yea" (Suspend the Rules and pass H.R. 2795).

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Thursday, December 10, 2015. Had I been present, I would have voted "nay" on rollcall vote 688 and "yea" on rollcall vote 689.

HONORING THE LIFE AND WORK OF ''FEARLESS'' PHYLLIS GALANTI

(Mr. BRAT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRAT. Mr. Speaker, I rise today to honor the life and work of ''Fearless'' Phyllis Galanti, an amazing woman and a true American hero.

On Tuesday, the House passed H.R. 2693 which honors Phyllis Galanti by naming the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the Phyllis E. Galanti Arboretum.

When her husband, Paul Galanti, was shot down and taken as a prisoner of war in North Vietnam in June 1966, Phyllis did not respond with fear but, instead, became a tireless advocate for American POWs around the world.

''Fearless Phyllis,'' as she became known, sought an audience with the North Vietnamese leaders, collected almost half a million letters from the Richmond area, and personally delivered them to the North Vietnamese embassy in Stockholm. She also gave hundreds of policy presentations to leaders like President Nixon and Secretary of State Henry Kissinger, becoming nationally known for her dedication to bringing home POWs.

Mr. Speaker, after over 7 years of separation, Paul and Phyllis were reunited in February of 1973 in Norfolk, Virginia. Even with her husband home, Phyllis continued her work, confronting not only Vietnam, but also

the Soviet Union and Iran in her tireless quest to bring our boys home, eventually earning The American Legion Service Medal.

Her dedication to our prisoners of war is truly inspirational. We all are grateful that this bill passed the House, and I owe a special thanks to former POW Representative SAM JOHNSON; Veterans Committee Chairman JEFF MILLER; my good friend from Richmond, Representative BOBBY SCOTT; and the entire Virginia delegation.

VICTIMS OF GUN VIOLENCE

(Mr. PETERS asked and was given permission to address the House for 1 minute.)

Mr. PETERS. Navy Yard, Washington, D.C., September 16, 2013:

Arthur Daniels, age 51.
Kenneth Bernard Proctor, 46.
Aaron Alexis, age 34.

Santa Monica, California, June 7, 2013:

Carlos Navarro Franco, 68 years old.
Margarita Gomez, 68.
Samir Zawahri, 55 years old.
Marcelo Franco, 26 years old.
Christopher Zawahri, 24.

Chattanooga, Tennessee, July 16, 2015:

Thomas Sullivan, 40 years old.
David Wyatt, 35.
Randall Smith, 26.
Carson Holmquist, 25.
Squire Wells, 21 years old.

Houston, Texas, August 9, 2015:

Dwayne Jackson, 50 years old.
Valerie Jackson, 40.
Nathaniel Jackson, 13.
Honesty Jackson, 11.
Dwayne Jackson, Jr., 10.
Caleb Jackson, 9.
Trinity Jackson, 7.
Jonah Jackson, 6.

Manchester, Illinois, April 24, 2013:

Jo Ann Sinclair, 66 years old.
James Roy Ralston, 29.
Brittney Lynn Luark, 23.

□ 1730

IRAN HAS VIOLATED THE NUCLEAR DEAL

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, this week it was revealed that Iran tested medium-range ballistic missiles. By doing so, Iran has now violated the nuclear deal that was agreed to over objection of a majority of this House in July, which calls on Iran to end its ballistic missile program for 8 years.

Iran is also now in violation of two United Nations Security Council resolutions. Like many of my colleagues in the House, I opposed the Iran nuclear deal because of the likelihood that Iran would cheat and the Obama administration would refuse to hold them accountable and reimpose sanctions.

So far, there has been no response from the Obama administration on snapping back the sanctions into place. Because of that, Iran will continue to enjoy more and more of the plus $100 billion in unfrozen assets that they have not been accessible to.

If Iran is allowed to break the agreement without consequences, it will only encourage more bad behavior and unrest in the Middle East.

HUMAN RIGHTS DAY

(Mr. LOWENTHAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOWENTHAL. Mr. Speaker, today I rise to celebrate Human Rights Day, the anniversary of the proclamation of the Universal Declaration of Human Rights, which was signed in 1948. Today is the 67th anniversary of that, as I just indicated.

I also just introduced a resolution recognizing this anniversary and supporting the ideals of human rights. I am pleased to have the support already of 37 of my colleagues as cosponsors of this resolution recognizing Human Rights Day.

I believe we should take this opportunity to pause and to honor all those struggling across the globe to claim the fundamental rights and freedoms that belong to all human beings.

Mr. Speaker, I urge the House to take up my resolution and set aside today to recognize Human Rights Day.

CONGRESS NEEDS TO PROTECT THE AMERICAN PEOPLE

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, as I have said today on the floor and yesterday, the American people expect us to keep them safe.

Let me thank my colleagues for the support they have given the Homeland Security Committee on a number of bills and particularly note the legislation that I introduced, the FRIENDS Act, the sole purpose of which is to ensure that those who are first responders who have to be away for a period of time, that their families are protected.

I also think it is an important moment for bridging and building on law enforcement and community. I have had the opportunity to meet with a number of police chiefs of major cities. We have introduced—JOHN CONYERS and myself, along with a number of Members—the Law Enforcement Trust and Integrity Act, which really is an opportunity and a bridge to be able to provide an accreditation pathway for the law enforcement agencies to build upon the improvement and the best practices that they may have, including a medallion for those who have fallen in duty.

It is also important, as we look forward to the security of this Nation, to recognize the tragedy of San Bernardino. I offer to those families my deepest sympathy. There was a major failure which we need to correct.

Members of Congress need to come together so that we are not behind the terrorist act, but in front of it, to protect the American people.

CURRENT ISSUES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Nebraska (Mr. FORTENBERRY) is recognized for 60 minutes as the designee of the majority leader.

Mr. FORTENBERRY. Thank you, Mr. Speaker, for the time.

I would like to begin this evening by yielding to the gentleman from Wisconsin (Mr. DUFFY), my good friend and colleague.

PUERTO RICO'S FINANCIAL CRISIS AND THE WAY FORWARD

Mr. DUFFY. Mr. Speaker, I appreciate the gentleman yielding.

Tonight I rise to talk about our brothers and sisters in Puerto Rico.

If you have watched the news recently, you are well aware that there is an economic financial debt crisis taking place right now in Puerto Rico. Our American brothers and sisters are going through an incredibly difficult time.

The island is $73 billion in debt. That is 100 percent of their GDP, which is catastrophically high. This debt has had a huge impact on the livelihoods of those who live on the island.

The unemployment rate is over twice what it is on the mainland. It is at 12.4 percent. Forty-eight percent of Americans on the island are living in poverty. Again, half of the island citizens—Americans—are living in poverty.

Ten percent of the 3.5 million people on the island are leaving and they are coming to the mainland. It is great because they work hard and they have an amazing culture. It is wonderful they are coming. But if you are coming to the mainland, you should be coming because you want to come, not because you don't have economic opportunity in your home. We don't want to force people away from their families and their neighbors and their community because they don't have economic opportunity.

We have to stand together in this House and stand with our brothers and sisters in Puerto Rico. We can't turn a blind eye. We have to work with them. We have to work for them so we can address this crisis.

Yesterday I introduced a pretty simple and straightforward bill that will help jump-start the Puerto Rican economy, help put people back to work, grow their economy, better paying jobs, and lift people out of poverty. It is very simple. It is called the Puerto Rico Financial Stability and Debt Restructuring Choice Act, and it has two prongs.

Prong number one is we are going to implement a financial stability board that is going to help the island with the management of its budget, its tax collection, and its finances.

Prong number two is Puerto Rico can access a chapter 9 bankruptcy. By the way, every State in America can access chapter 9. It will be the same rights as every State that we will offer Puerto Rico. It is pretty simple and straightforward stuff.

I also think it is important to note that no one wants to have a financial stability board shoved down their throat, and the citizens of Puerto Rico don't want that either. That is why we give them the choice. This doesn't go into effect unless the Puerto Rican legislative assembly approves the financial stability board and the Governor signs it so that they have a say in their future.

If we do this, we will allow Puerto Rico to restructure their debt, to get their finances in order, to grow their economy, and to let people on the island start living the American Dream. If we do nothing, if we turn a blind eye and say that we are not going to offer the same bankruptcy option that every State has, we are turning our backs on our fellow American citizens on the island, and that is not who we are. We should stand together.

Now, there are others who have proposed different solutions for the island, and those solutions involve a bailout without real structural reform. I have got to tell you that, after the 2008 financial crisis, I think Americans have had it up to here with bailouts. We usually go with bankruptcy and financial reform, and that is what my bill does.

I would encourage all of my fellow Americans in this institution, whether you are a conservative or a liberal, you are a Republican or a Democrat, to note that our brothers and sisters, our fellow American citizens in Puerto Rico, are going through tough times, and it is our job to stand with them, not turn our backs.

If we can pass this bill, it is going to be a new day on the island, economic prosperity and opportunity. And then people have a choice to say: Do I want to stay on the island, raise my family on the island, or do I want to leave and come to the mainland?

The choice is theirs. They won't be forced into that choice just because they don't have opportunity on the island of Puerto Rico.

I encourage all of my colleagues and friends to reach out. Let's be part of the solution.

RECOVERING AMERICA

Mr. FORTENBERRY. Mr. Speaker, as I walked through the airport recently, I noticed a young teenager. She was traveling and was seemingly happy to be involved in whatever activity she was going to.

She wore a button on her lapel. It said: What you do matters. It caught my attention: What you do matters. I liked it. I am not sure what was motivating her, but she wanted to communicate an important value to elevate an ideal. I simply admired her willingness to take a stand.

Mr. Speaker, I should say this now, though: There is a troubling statistic out there, and a recent survey highlights this. A majority of Americans do not identify with what America has become. Many people feel our country is slipping away. In reality, most want to reclaim the promise of our great Nation.

Contrary to the barrage of negativity, most people hope for justifiable goals: to regain power over their own lives, to regain power over the government, and to regain power over their own economic prospects.

Mr. Speaker, one of the strengths of America's system of government is its capacity for constant replenishment. Opportunities sometimes present themselves unpredictably. That gives us a chance to reassess and realign in new and compelling ways, both to preserve important traditions as well as to restore the future promise of our Nation.

A stronger America might be glimpsed through what I call four interlocking principles, the first of which is government decentralization; second, economic inclusion; third, foreign policy realism; and, fourth, social conservation.

Let's take that first point. A return to a more decentralized government will restore an important source of America's strength. When the Federal Government grows beyond its effective purpose, it infringes upon basic liberty, it stifles innovation, it crushes creativity, and it impedes our responsibility for one another in the community.

A creeping tendency to nationalize every conceivable problem and nationalizing every conceivable discussion erodes the community's input. While the Federal Government does have an important central role in maintaining the guardrails of societal stability, the rule of law, and a fair opportunity economy, America's governing system is designed to operate most effectively at varying levels. Those close to an opportunity or those close to a problem ought to have the first authority to seize the opportunity or to solve the problem.

Second: economic inclusion. Economic inclusion should help America recover from an arthritic economy. You see, Mr. Speaker, when power concentrates in a Washington Wall Street axis, where the transnational corporation is an emerging ruling entity and where small business—the source of most jobs in America—is suffocated under increasingly complex dictates, the opportunity for a strong and vibrant marketplace diminishes. A vibrant market actually expands the space for constructive interdependency and community dynamism, fighting poverty, and driving innovation.

Third: foreign policy realism. Foreign policy realism should chart a new course between isolationism and overinterventionism. America has an important leadership role to play on the world stage. Today, however, many Americans are alarmed by an exhausted, drifting, and often counterproductive foreign policy.

After World War II, America was cast in the role of the world's superpower and at great sacrifice. We, as a country, created the space for international order. But now we live in a multi-polar world. Other countries, which we helped empower through our generous sacrifice, must take a seat at the table of responsible nations.

□ 1745

Leveraging America's strength through strategic international partnerships will help us navigate a 21st century that is marked by ever-shifting geopolitical frameworks.

The fourth point: social conservation. What does that mean? Social conservation preserves the condition for order, for opportunity, and for happiness.

We must fight back against dimming hope and diminishing opportunity and darkening shadows. A healthy society depends upon more than politics for the promotion of sustainable values. America has many mediating institutions, as we call it—important civic institutions, if you will—which uphold greater ideas.

As an example, Mr. Speaker, I am a proud, long-time member of the Rotary Club in Lincoln, Nebraska. At every Rotary Club meeting across this country, in which hundreds of thousands of Americans participate, there hangs a banner at the front of the club, and it reads: ''Is it true? Is it fair to all concerned? Will it build goodwill and better friendships? Will it be beneficial to all concerned?''

Perfect. Beautiful. Perhaps we ought to hang the banner right here, Mr. Speaker. That is a pretty good game plan.

As new leadership emerges on the national stage, perhaps this is the moment to think critically about how we regain the high ground of purposeful government, an opportunity economy,

a balanced foreign policy, and a flourishing culture in a good society. We need to play all four quarters.

Ultimately, both the government and the marketplace are downstream from our culture; and with a heavy heart, I say this—everyone knows it—America's social fabric is fraying. Many people are experiencing deepening anxiety about the future direction of the country. The recent attack in San Bernardino has only intensified the feeling. A crazed couple, driven by its twisted religious ideology, murdered indiscriminately those at a social services center. It is a horrible tragedy and a grotesque irony, and our hearts feel for those who were so gravely harmed.

A genuine multiculturalism—long a hallmark of the American experience—will continue to decay into discord unless two mutually supporting conditions are sustained: a genuine appreciation of organic differences and a binding substructure of universal ideals and shared values. One such value is that we do no harm to others, and a religion that teaches killing is no religion at all. Other important values include trustworthiness, thrift, citizenship, courteousness, and so on. By the way, Mr. Speaker, a helpful list of these ideals, of these virtues, is found in the Boy Scout Law.

This values crisis is compounding this three-part problem of government overreach, economic exclusion, and cultural dislocation. A centralizing government seems decreasingly able to understand, much less address, the needs of its citizens it should serve. In the midst of this divisive political season, partisan dysfunction, and bureaucratic inertia, it is all hindering the proper progress toward addressing our country's most pressing problems, and it overshadows important local initiatives where certain problems can best be solved. Not everything is a Federal issue. A private sector which is consolidating corporate power, often underwritten by the State, is disenfranchising the small business sector. A loss of genuine choice and genuine competition of economic pluralism reduces the ability of people to participate, own, and innovate in a marketplace that is truly free and can deliver widespread prosperity.

A culture of contrasting philosophies, more and more inflamed by caustic rhetoric, is contributing to what some believe are irreconcilable social divisions. An impoverished account of individualism, of a liberty reduced to autonomous choice and divorced of responsibility creates the conditions for social anarchy, which further creates the conditions for counterproductive government interventions, lawless overreach, and intrusive market manipulations. Then add into this mix a confusing assortment of values choices that are driven more by experimenting elites than by the stability of sound tradition, and you have the recipe for harmful disruption. No wonder there is so much sadness in the world.

As politicians and the media debate policy positions, we must understand that authentic solutions involve a return to essential value propositions. The application of proper principles to these problems would enable us in Washington to better assuage widespread and justifiable angst with appropriate government policy, with appropriate government decentralization, and with dynamic economic inclusion, supported by a hope-filled culture. That is our answer.

As you enter my State—I live in Nebraska—the sign reads: ''. . . the good life.'' A good life is found in freedom and responsibility. A just and orderly society is founded and sustained by persons who care. What we all do does really matter, just like my young teenage friend—I would like to call her a ''friend''—displayed in the airport recently.

Mr. Speaker, late this summer, before school began, I took my younger children on a family trip to western Nebraska. Near Valentine, Nebraska, which is in an area called the Sandhills, water from the underground aquifer—it is called the Ogallala Aquifer—seeps out of the ground and falls dramatically over rock formations and into a stream that then feeds into the Niobrara River. The area is called Fort Falls, and it is a part of the Fort Niobrara National Wildlife Refuge. The stream's icy cold water flows like a river into the shallow warm water that is running in the Niobrara. What is even more interesting to ponder, as you look around, are the steep slopes on both sides of the beautiful river. On the north bank, rocky hill formations are covered with pine trees. On the south bank, the trees are much different. You see the last reach of the eastern deciduous forest, with a mixed variety of plants and hardwood trees just like you would see here in Virginia. It looks like California on one side, and across the river here in Virginia on the other. Right there, where I live in Nebraska, we are the geographic center of our country, where east meets west.

As a part of that trip, we also took a drive northward into the State of South Dakota, into the Black Hills, to a place called Mount Rushmore. It happened to be the Sturgis Motorcycle Rally that weekend, so I and about 2 million other bikers were on the road. Everyone knows the four faces on Mount Rushmore. Each of the four American Presidents embodied great qualities and faced significant challenges:

George Washington was a transcendent leader who purposefully walked away from power, giving our early Republic a chance to grow into a vibrant democracy;

Thomas Jefferson's life was seemingly full of conflicts and contradictions, but his efforts gave rise to the Declaration of Independence, which poetically expressed an understanding of the dignity and the rights of all persons, which so beautifully still informs our culture and our government to this day;

Abraham Lincoln made a midcourse correction in his life. He rejected an early snarky, political, antagonistic attitude and turned toward a vision of that which is noble and good. His reputation as a skillful and humble leader extended well beyond the Civil War to many important endeavors, including the development of land grant institutions all over this country, like the University of Nebraska;

Theodore Roosevelt had to rebuild his life after his wife died at a young age. His boundless energy, translating into multiple accomplishments, perhaps helped him outpace a haunting melancholy from which he suffered. As an avid hunter, he grew to recognize the importance of wildlife preservation. Beyond the natural places that he preserved, perhaps Roosevelt's greatest legacy was one of trust busting—breaking up concentrations of economic power that locked so many Americans out of a fair shot at economic opportunity.

Four great Presidents. Four men who sacrificed greatly to give us what we have today.

Today, Mr. Speaker, many people in the country are experiencing a serious disquiet about all of these challenges that we are facing. They feel disconnected from the ability to control their own well-being. These concentrations of power are overwhelming the capacity of individuals to shape their own environments. Political and economic and cultural cartels are growing more powerful, and, in some ways, they are more hidden and destructive than in Roosevelt's time.

Of course, today, political problems are on everyone's mind. This concentration of power stifles innovation and creativity; and as money flows into the political system, it pays for the polarization which hinders the ability of our body to find constructive solutions. This transcends, by the way, the current partisan divide.

Our increasingly interconnected world offers significant benefits and opportunities to us, but globalization also introduces forces that can leave so many Americans feeling helpless. Transnational corporate conglomerates, often buttressed by oligarchic political systems, are shrinking the space for genuine choice and competition in the private sphere. As I talked about earlier, the stress of small business is very real. This concentration of economic power endangers true free market principles, which should be working for the many.

On a deeper level, America's political disrepair and economic malaise signal an underlying brokenness in our society, in our culture. Persons—humans—thrive in relationships with our families and communities in a healthy society, which creates the preconditions for this human flourishing. Cultural consolidation and social discord have left more and more people, again, feeling directionless and feeling alone. Weakening relationships and weakening social institutions foreshadow and prefigure political and economic problems. Ultimately, renewing America—restoring America's government and economy—requires reclaiming a vibrant civil society, which is the true source of our Nation's strength.

Mr. Speaker, if you have ever driven through those Black Hills, which I spoke of earlier—the one-lane tunnels and winding hairpin turns—they form a very beautiful but a very arduous journey, even without all the motorcycles around you. As you continue that journey, looking for something, an opening then appears in the trees, and you see it—that magnificent piece of art, carved in stone, with four of America's greatest Presidents.

Their likenesses are in the rock, timeless and unchanging; but the ideals they represent must be reestablished in each generation. The renewal of America will depend, in large part, on whether or not we can grasp what these leaders stood for and whether or not we can make the sacrifices necessary to reclaim our country's potential in this time, our time.

Mr. Speaker, what we all do matters.

I yield back the balance of my time.

ADJOURNMENT

Mr. FORTENBERRY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 p.m.), the House adjourned until tomorrow, Friday, December 11, 2015, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3740. A letter from the Director, Issuances Staff, Office of Policy and Program Development, Department of Agriculture, transmitting the Department's final rule — Mandatory Inspection of Fish of the Order Siluriformes and Products Derived From Such Fish [Docket No.: FSIS-2008-0031] (RIN: 0583-AD36) received December 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3741. A letter from the Secretary, Department of Defense, transmitting notification that the Department intends to assign women to previously closed positions and units across all Services and U.S. Special Operations Command, pursuant to 10 U.S.C. 652(a); Public Law 109-163, Sec. 541(a)(1); (119 Stat. 3251) and 10 U.S.C. 6035(a); Public Law 106-398, Sec. 573(a)(1); (114 Stat. 1654A-136); to the Committee on Armed Services.

3742. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting the Department's semiannual report on the account balance in the Defense Cooperation Account and a listing of personal property contributed, as of September 30, 2015, pursuant to 10 U.S.C. 2608(i); Public Law 101-403, title II, Sec. 202(a)(1) (as amended by Public Law 103-160, Sec. 1105(b)); (107 Stat. 1750); to the Committee on Armed Services.

3743. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting the Department's semiannual report on the account balance in the Defense Cooperation Account and a listing of personal property contributed, as of September 30, 2015, pursuant to 10 U.S.C. 2608(i); Public Law 101-403, title II, Sec. 202(a)(1) (as amended by Public Law 103-160, Sec. 1105(b)); (107 Stat. 1750); to the Committee on Armed Services.

3744. A letter from the Comptroller, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Office's annual report on actions taken to carry out Sec. 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, pursuant to 12 U.S.C. 1463 note; Public Law 111-203, Sec. 367(c); (124 Stat. 1556); to the Committee on Financial Services.

3745. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's 2013 Report to Congress on Outcome Evaluations of Administration for Native Americans (ANA) Projects, pursuant to 42 U.S.C. 2992(e); to the Committee on Education and the Workforce.

3746. A letter from the Secretary, Department of Education, transmitting the Department's FY 2015 Agency Financial Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3747. A letter from the Secretary, Department of Labor, transmitting the Department's Semiannual Report to Congress for the period April 1 through September 30, 2015, pursuant to µ5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3748. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's semiannual report to Congress for the period of April 1, 2015, to September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3749. A letter from the Director, Peace Corps, transmitting the Corps' Performance and Accountability Report for Fiscal Year 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3750. A letter from the Acting Administrator, United States Agency for International Development, transmitting the Agency's Fiscal Year 2015 Agency Financial Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3751. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report entitled ''Computation of Annual Liability Insurance (Including Self-Insurance) Settlement Recovery Threshold'', pursuant to 42 U.S.C. 1395y(b)(9)(D); Public Law 112-242, Sec. 202(a)(2); (126 Stat. 2379); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2406. A bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; with an amendment (Rept. 114–377, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on Rules. House Resolution 560. Resolution providing for consideration of the conference report to accompany the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, and providing for consideration of the Senate amendments to the bill (H.R. 2250) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes (Rept. 114–378). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Agriculture, Energy and Commerce, Transportation and Infrastructure, and the Judiciary discharged from further consideration. H.R. 2406 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RIGELL (for himself and Mr. WELCH):

H.R. 4208. A bill to authorize the use of the United States Armed Forces against the Islamic State of Iraq and the Levant; to the Committee on Foreign Affairs.

By Ms. MAXINE WATERS of California (for herself, Mr. GRIJALVA, Ms. LEE, Ms. BORDALLO, Ms. KELLY of Illinois, Ms. LINDA T. SÁNCHEZ of California, Mr. MEEKS, Ms. NORTON, Mr. BUTTERFIELD, Mrs. BEATTY, Mr. HASTINGS, Mr. SMITH of Washington, Ms. JACKSON LEE, Mr. PAYNE, Mr. AL GREEN of Texas, Ms. MOORE, Ms. VELÁZQUEZ, Mrs. LAWRENCE, Mr. CARSON of Indiana, Ms. BASS, Mr. LEWIS, Ms. JUDY CHU of California, Mr. FATTAH, Mr. TAKANO, Ms. CLARKE of New York, Ms. BROWN of Florida, Mr. DAVID SCOTT of Georgia, Ms. SEWELL of Alabama, Mr. JOHNSON of Georgia, Ms. PLASKETT, Mr. SARBANES, Ms. SCHAKOWSKY, Ms. EDWARDS, Mr. COHEN, Mr. CÁRDENAS, Mr. DANNY K. DAVIS of Illinois, Mr. RICHMOND, Mr. NADLER, Mr. CUMMINGS, Mr. HINOJOSA, Ms. ADAMS, Ms. FUDGE, and Mr. VAN HOLLEN):

H.R. 4209. A bill to amend the Public Health Service Act to authorize grants to

provide treatment for diabetes in minority communities; to the Committee on Energy and Commerce.

By Mr. PITTENGER:

H.R. 4210. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to require voting members of the Financial Stability Oversight Council to testify before Congress at least twice each year when requested to do so or to otherwise permit certain Members of Congress to attend meetings of the Council whether or not such meetings are open to the public; to the Committee on Financial Services.

By Mr. ROYCE (for himself and Ms. SEWELL of Alabama):

H.R. 4211. A bill to require Fannie Mae and Freddie Mac to establish procedures for considering certain credit scores in making a determination whether to purchase a residential mortgage, and for other purposes; to the Committee on Financial Services.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. MEEHAN, Mr. SCHRADER, and Mr. LANCE):

H.R. 4212. A bill to establish a Community-Based Institutional Special Needs Plan demonstration program to target home and community-based care to eligible Medicare beneficiaries, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL (for himself, Mr. PIERLUISI, Mr. RANGEL, Mr. LARSON of Connecticut, and Mr. SERRANO):

H.R. 4213. A bill to amend the Internal Revenue Code of 1986 to make residents of Puerto Rico eligible for the earned income tax credit and to provide for equitable treatment for residents of Puerto Rico with respect to the refundable portion of the child tax credit; to the Committee on Ways and Means.

By Mr. DANNY K. DAVIS of Illinois (for himself and Mr. PASCRELL):

H.R. 4214. A bill to amend the Internal Revenue Code of 1986 to increase the excise tax and special occupational tax in respect of firearms and to increase the transfer tax on any other weapon, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Natural Resources, the Judiciary, Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Ms. BASS, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Mrs. CAPPS, Ms. CASTOR of Florida, Ms. CLARK of Massachusetts, Mr. CLEAVER, Mr. CONNOLLY, Mr. CUMMINGS, Mr. DEFAZIO, Ms. DELBENE, Mr. DEUTCH, Mr. ELLISON, Mr. FARR, Mr. GRAYSON, Mr. HASTINGS, Mr. HIGGINS, Mr. HUFFMAN, Mr. JOHNSON of Georgia, Mr. KEATING, Mr. BEYER, Ms. BONAMICI, Ms. BROWN of Florida, Mr. CAPUANO, Ms. JUDY CHU of California, Ms. CLARKE of New York, Mr. COHEN, Mr. CONYERS, Mrs. DAVIS of California, Ms. DEGETTE, Mr. DESAULNIER, Ms. EDWARDS, Ms. ESHOO, Mr. FATTAH, Mr. GRIJALVA, Mr. HECK of Washington, Mr. HONDA, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY, Ms. KUSTER, Mr. LARSEN of Washington, Mrs. LAWRENCE, Mr. LEWIS, Mr. LOEBSACK, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Mr. MCDERMOTT, Mr. MEEKS, Mr. MOULTON, Mrs. NAPOLITANO, Mr. NOLAN, Mr. PAYNE, Mr. POCAN, Mr. PRICE of North Carolina, Mr. RANGEL, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. KILMER, Mr. LANGEVIN, Mr. LARSON of Connecticut, Ms. LEE, Mr. TED LIEU of California, Ms. LOFGREN, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. MENG, Mr. NADLER, Mr. NEAL, Ms. NORTON, Ms. PINGREE, Mr. POLIS, Mr. QUIGLEY, Miss RICE of New York, Mr. SARBANES, Mr. SCHIFF, Mr. SERRANO, Mr. SIRES, Mr. SMITH of Washington, Mr. SWALWELL of California, Mr. TAKANO, Mr. TONKO, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. SHERMAN, Ms. SLAUGHTER, Ms. SPEIER, Mr. TAKAI, Mr. THOMPSON of California, Ms. TSONGAS, Mr. VARGAS, Ms. MAXINE WATERS of California, Mr. WELCH, and Mr. YARMUTH):

H.R. 4215. A bill to require regulation of wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy under the Solid Waste Disposal Act, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MOORE (for herself and Mr. STIVERS):

H.R. 4216. A bill to protect the investment choices of American investors, and for other purposes; to the Committee on Financial Services.

By Mr. BERA:

H.R. 4217. A bill to amend the Internal Revenue Code of 1986 to determine eligibility for health insurance subsidies without regard to amounts included in income by reason of conversion to a Roth IRA; to the Committee on Ways and Means.

By Mrs. BLACKBURN (for herself, Mr. SMITH of Texas, Mr. BARLETTA, and Mr. DESJARLAIS):

H.R. 4218. A bill to suspend the admission to the United States of refugees, and for other purposes; to the Committee on the Judiciary.

By Mr. BOUSTANY (for himself and Mr. MEEKS):

H.R. 4219. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Kazakhstan; to the Committee on Ways and Means.

By Mr. BUCK (for himself, Mr. GOSAR, Mr. BISHOP of Utah, Mrs. LUMMIS, Mrs. LOVE, and Mr. TIPTON):

H.R. 4220. A bill to amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 4221. A bill to amend the Higher Education Act of 1965 to restore National SMART Grants for a certain number of award years; to the Committee on Education and the Workforce.

By Mr. CARNEY:

H.R. 4222. A bill to direct the Secretary of Education to carry out a pilot program under which higher education savings accounts are established for the benefit of eligible secondary school students; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JUDY CHU of California (for herself, Ms. LEE, Ms. KUSTER, Mr. LOWENTHAL, Mr. HONDA, Mr. TAKANO, Ms. TITUS, Mr. MCDERMOTT, Mr. GARAMENDI, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CAPPS, Mrs. NAPOLITANO, and Mr. DAVID SCOTT of Georgia):

H.R. 4223. A bill to amend the Higher Education Act of 1965 to reinstate the authority of the Secretary of Education to make Federal Direct Stafford Loans to graduate and professional students; to the Committee on Education and the Workforce.

By Mr. COLLINS of Georgia:

H.R. 4224. A bill to designate the Federal building and United States courthouse located at 121 Spring Street SE in Gainesville, Georgia, as the ''Sidney Olsin Smith, Jr. Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. CONYERS (for himself, Mr. NADLER, and Mr. JOHNSON of Georgia):

H.R. 4225. A bill to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes; to the Committee on the Judiciary.

By Mr. CURBELO of Florida (for himself and Ms. GRAHAM):

H.R. 4226. A bill to amend the Agricultural Act of 2014 to provide relief for agricultural producers adversely impacted by the Oriental fruit fly; to the Committee on Agriculture.

By Ms. DELAURO:

H.R. 4227. A bill to enhance beneficiary and provider protections and improve transparency in the Medicare Advantage market, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER (for himself and Mr. LAMALFA):

H.R. 4228. A bill to amend title 23, United States Code, to establish additional requirements for certain transportation projects with estimated costs of $2,500,000,000 or more, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. KATKO (for himself and Mr. CICILLINE):

H.R. 4229. A bill to address the continued threat posed by dangerous synthetic drugs by amending the Controlled Substances Act relating to controlled substance analogues; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 4230. A bill to authorize the establishment of the Stonewall National Historic Site in the State of New York as a unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Ms. NORTON:

H.R. 4231. A bill to direct the Librarian of Congress to obtain a stained glass panel depicting the seal of the District of Columbia and install the panel among the stained glass

panels depicting the seals of States which overlook the Main Reading Room of the Library of Congress Thomas Jefferson Building; to the Committee on House Administration, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMPEO:

H.R. 4232. A bill to amend the Public Utility Regulatory Policies Act of 1978 to provide for the consideration by State regulatory authorities and nonregulated electric utilities of whether subsidies should be provided for the deployment, construction, maintenance, or operation of a customer-side technology; to the Committee on Energy and Commerce.

By Mr. ROHRABACHER (for himself, Mr. ISSA, Mr. LOWENTHAL, Mr. ROYCE, and Mrs. MIMI WALTERS of California):

H.R. 4233. A bill to eliminate an unused lighthouse reservation, provide management consistency by incorporating the rocks and small islands along the coast of Orange County, California, into the California Coastal National Monument managed by the Bureau of Land Management, and meet the original Congressional intent of preserving Orange County's rocks and small islands, and for other purposes; to the Committee on Natural Resources.

By Mr. SARBANES:

H.R. 4234. A bill to establish a demonstration program to facilitate physician reentry into clinical practice to provide primary health services; to the Committee on Energy and Commerce.

By Ms. SCHAKOWSKY (for herself, Ms. MATSUI, Mrs. CAROLYN B. MALONEY of New York, Ms. FRANKEL of Florida, Ms. DELAURO, Mr. GUTIÉRREZ, Ms. NORTON, Mr. GRIJALVA, Mr. ELLISON, and Mr. VAN HOLLEN):

H.R. 4235. A bill to amend the Employee Retirement Income Security Act of 1974 to provide for greater spousal protection under defined contribution plans, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO (for himself, Mr. CROWLEY, Mr. ELLISON, Mr. HINOJOSA, Ms. MENG, Mr. PIERLUISI, Mr. CARTWRIGHT, Mr. NOLAN, Ms. DELAURO, Mr. VARGAS, Ms. ROYBAL-ALLARD, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. BEN RAY LUJÁN of New Mexico, Mr. JEFFRIES, Ms. CLARKE of New York, Ms. VELÁZQUEZ, and Mr. HASTINGS):

H.R. 4236. A bill to promote savings by providing a tax credit for eligible taxpayers who contribute to savings products and to facilitate taxpayers receiving this credit and open a designated savings product when they file their Federal income tax returns; to the Committee on Ways and Means.

By Mr. HONDA (for himself, Mr. GRIJALVA, Mr. KENNEDY, Ms. NORTON, Mr. QUIGLEY, Mr. POCAN, Mr. LOWENTHAL, Ms. LEE, Mr. TED LIEU of California, Ms. SPEIER, Mr. GUTIÉRREZ, Mrs. WATSON COLEMAN, Mr. PALLONE, Mr. VAN HOLLEN, Ms. ROS-LEHTINEN, Mr. KEATING, Ms. BONAMICI, Mr. MCDERMOTT, Mr. MCGOVERN, and Mr. TAKANO):

H. Res. 561. A resolution expressing support for support of transgender acceptance; to the Committee on the Judiciary.

By Mr. LOWENTHAL (for himself, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Mr. CICILLINE, Mr. COSTA, Mr. CROWLEY, Mrs. DAVIS of California, Mrs. DINGELL, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HONDA, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. LEE, Mr. LEVIN, Ms. LOFGREN, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNERNEY, Mrs. NAPOLITANO, Mr. PETERS, Mr. POCAN, Ms. LORETTA SANCHEZ of California, Ms. LINDA T. SÁNCHEZ of California, Mr. SHERMAN, Ms. SPEIER, Mrs. TORRES, Mr. VAN HOLLEN, and Mr. VARGAS):

H. Res. 562. A resolution recognizing the 67th anniversary of the Universal Declaration of Human Rights and the celebration of ''Human Rights Day''; to the Committee on Foreign Affairs.

By Mr. ROHRABACHER (for himself, Mr. MEEKS, and Mr. COHEN):

H. Res. 563. A resolution expressing the sense of the House of Representatives that the United States and the Republic of Belarus should establish full diplomatic relations; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. RIGELL:

H.R. 4208.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 11: To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water

By Ms. MAXINE WATERS of California:

H.R. 4209.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 1 of the U.S. Constitution and

Article 1, Section 8, clause 3 of the U.S. Constitution.

By Mr. PITTENGER:

H.R. 4210.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 1: All legislative Powers herein granted shall be vested in a Congress of the United States

By Mr. ROYCE:

H.R. 4211.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the U.S. Constitution to regulate commerce.

By Ms. LINDA T. SÁNCHEZ of California:

H.R. 4212.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. PASCRELL:

H.R. 4213.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 4214.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Mr. CARTWRIGHT:

H.R. 4215.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Ms. MOORE:

H.R. 4216.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. BERA:

H.R. 4217.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Clause 8

By Mrs. BLACKBURN:

H.R. 4218.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—necessary and proper clause

By Mr. BOUSTANY:

H.R. 4219.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the U.S. Constitution.

By Mr. BUCK:

H.R. 4220.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article I of the United States Constitution:

''The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.''

By Mr. CARNEY:

H.R. 4221.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .''

By Mr. CARNEY:

H.R. 4222.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .''

By Ms. JUDY CHU of California:

H.R. 4223.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 or Article 1 of the United States Constitution.

By Mr. COLLINS of Georgia:

H.R. 4224.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution, which states that Congress shall have the power ''to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.''

By Mr. CONYERS:

H.R. 4225.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4.

By Mr. CURBELO of Florida:

H.R. 4226.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. DELAURO:

H.R. 4227.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. DESAULNIER:

H.R. 4228.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. KATKO:

H.R. 4229.

Congress has the power to enact this legislation pursuant to the following:

Clause I of Section 8 of Article I of the Constitution

By Mr. NADLER:

H.R. 4230.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clauses 1, 17, and 18.

By Ms. NORTON:

H.R. 4231.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution.

By Mr. POMPEO:

H.R. 4232.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. ROHRABACHER:

H.R. 4233.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the United States Constitution, which gives Congress the ''Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belongings to the United States . . .''

By Mr. SARBANES:

H.R. 4234.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Ms. SCHAKOWSKY:

H.R. 4235.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. SERRANO:

H.R. 4236.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the Constitution, which states that that ''The Congress shall have power to lay and collect taxes, duties, imposts and excises . . .'' In addition, this legislation is introduced pursuant to Article I, Section 8, Clause 18 of the Constitution, which states that Congress shall have the power ''to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 402: Mr. ZELDIN.

H.R. 465: Mr. COLLINS of New York.

H.R. 563: Mr. MCGOVERN, Mr. KNIGHT, and Ms. LOFGREN.

H.R. 592: Mr. SWALWELL of California.

H.R. 595: Mr. ELLISON.

H.R. 721: Ms. LINDA T. SÁNCHEZ of California.

H.R. 731: Mr. DELANEY and Mr. POLIQUIN.

H.R. 769: Mr. FRANKS of Arizona and Mr. ROHRABACHER.

H.R. 815: Mr. ROSS.

H.R. 835: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 902: Mr. NOLAN.

H.R. 985: Mr. ABRAHAM.

H.R. 1062: Mr. JOYCE.

H.R. 1095: Mr. MEEKS.

H.R. 1116: Mr. POMPEO and Mr. MOOLENAAR.

H.R. 1209: Mr. GALLEGO and Ms. ROYBAL-ALLARD.

H.R. 1221: Mr. KEATING.

H.R. 1247: Mr. YOUNG of Alaska.

H.R. 1282: Ms. EDWARDS.

H.R. 1331: Mr. LATTA.

H.R. 1439: Ms. DUCKWORTH and Mr. KILDEE.

H.R. 1475: Ms. JACKSON LEE.

H.R. 1516: Mr. KEATING and Ms. BONAMICI.

H.R. 1550: Miss RICE of New York.

H.R. 1654: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 1655: Mr. GUTHRIE and Mr. HINOJOSA.

H.R. 1671: Mr. ROHRABACHER, Ms. JENKINS of Kansas, and Mr. MESSER.

H.R. 1769: Mr. MASSIE, Ms. JENKINS of Kansas, Ms. CLARK of Massachusetts, and Mr. MEEKS.

H.R. 1786: Mr. LUETKEMEYER, Mr. POE of Texas, and Mr. PAULSEN.

H.R. 1814: Mr. MEEKS and Mr. MURPHY of Pennsylvania.

H.R. 1923: Mr. VISCLOSKY.

H.R. 1940: Mr. JEFFRIES and Mr. MCDERMOTT.

H.R. 2016: Ms. EDWARDS and Mrs. DAVIS of California.

H.R. 2050: Mr. HECK of Nevada, Mr. MEEKS and Mr. DONOVAN.

H.R. 2058: Mr. GOODLATTE and Mr. HOLDING.

H.R. 2114: Ms. VELÁZQUEZ.

H.R. 2187: Ms. SINEMA.

H.R. 2209: Mr. KIND.

H.R. 2218: Mr. MACARTHUR.

H.R. 2237: Mr. ROTHFUS.

H.R. 2283: Mr. KEATING.

H.R. 2302: Mr. FOSTER, Mr. CONYERS, and Ms. LOFGREN.

H.R. 2315: Mr. ABRAHAM.

H.R. 2366: Mr. CARSON of Indiana.

H.R. 2400: Mr. KINZINGER of Illinois, Mr. THOMPSON of Pennsylvania, and Mr. LAHOOD.

H.R. 2461: Ms. MCCOLLUM.

H.R. 2622: Mr. O'ROURKE.

H.R. 2648: Mr. NADLER.

H.R. 2680: Mr. DANNY K. DAVIS of Illinois.

H.R. 2871: Ms. SPEIER.

H.R. 2872: Mr. WEBSTER of Florida.

H.R. 2880: Mr. BEYER.

H.R. 2902: Mr. LEVIN.

H.R. 2903: Mr. SMITH of New Jersey, Mr. FITZPATRICK, and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 2978: Mr. DAVID SCOTT of Georgia, Mr. TED LIEU of California, Mr. VARGAS, Ms. FUDGE, Miss RICE of New York, and Mr. LEVIN.

H.R. 2992: Mr. MCGOVERN.

H.R. 3053: Mr. DIAZ-BALART.

H.R. 3067: Mr. SCHIFF.

H.R. 3068: Mr. WELCH.

H.R. 3084: Mrs. CAROLYN B. MALONEY of New York.

H.R. 3156: Mr. LABRADOR.

H.R. 3158: Mr. LABRADOR.

H.R. 3179: Mr. BARLETTA and Mr. RODNEY DAVIS of Illinois.

H.R. 3180: Mr. VEASEY.

H.R. 3226: Ms. MCCOLLUM.

H.R. 3229: Mr. LEWIS, Mr. HUIZENGA of Michigan, and Ms. BROWNLEY of California.

H.R. 3290: Mr. RANGEL.

H.R. 3303: Mr. POLIS and Mr. BEYER.

H.R. 3310: Mr. DUFFY.

H.R. 3321: Mr. GRAVES of Louisiana.

H.R. 3326: Ms. DUCKWORTH.

H.R. 3338: Ms. PINGREE.

H.R. 3339: Ms. JUDY CHU of California, Mr. ROTHFUS, and Mr. KELLY of Pennsylvania.

H.R. 3406: Ms. KAPTUR.

H.R. 3411: Mr. RANGEL.

H.R. 3437: Mr. ROGERS of Alabama.

H.R. 3516: Mr. WILLIAMS.

H.R. 3535: Mr. WELCH.

H.R. 3640: Mr. BOUSTANY.

H.R. 3648: Ms. MCCOLLUM.

H.R. 3660: Mr. GALLEGO.

H.R. 3694: Mr. BISHOP of Michigan.

H.R. 3706: Mr. EMMER of Minnesota and Mr. HUFFMAN.

H.R. 3719: Mr. POLIQUIN.

H.R. 3722: Mr. SCHWEIKERT and Mrs. COMSTOCK.

H.R. 3784: Mr. KILDEE and Ms. VELÁZQUEZ.

H.R. 3799: Mr. DEFAZIO.

H.R. 3832: Mr. BUCSHON.

H.R. 3856: Mr. BUCSHON.

H.R. 3870: Mr. ASHFORD and Mr. KNIGHT.

H.R. 3886: Mr. LARSEN of Washington, Ms. DELAURO, Ms. LEE, Mr. TED LIEU of California, Mr. RUPPERSBERGER, Mr. DANNY K. DAVIS of Illinois, Mr. LOEBSACK, Mr. BLUMENAUER, and Mr. POCAN.

H.R. 3913: Ms. MCCOLLUM, Mr. MCGOVERN, Mr. ASHFORD, Mr. HASTINGS, Ms. SCHAKOWSKY, Ms. NORTON, and Ms. PINGREE.

H.R. 3926: Ms. CLARK of Massachusetts, Mr. VARGAS, Ms. TSONGAS, Mr. LANGEVIN, Ms. HAHN, Mr. DEUTCH, Mr. PERLMUTTER, Mr. CAPUANO, Miss RICE of New York, Mr. JOHNSON of Georgia, Ms. DEGETTE, Mr. COURTNEY, Ms. WILSON of Florida, Mr. TAKAI, Mr. DANNY K. DAVIS of Illinois, Ms. SLAUGHTER, Mr. NADLER, and Mr. BEYER.

H.R. 3929: Mr. FRELINGHUYSEN.

H.R. 3957: Mr. DEUTCH.

H.R. 3964: Mr. WELCH and Mr. HONDA.

H.R. 4018: Mr. AUSTIN SCOTT of Georgia, Mr. CHABOT, Mr. WENSTRUP, and Mr. KELLY of Mississippi.

H.R. 4040: Mr. LARSON of Connecticut.

H.R. 4042: Mr. GENE GREEN of Texas and Mr. VEASEY.

H.R. 4057: Mrs. BROOKS of Indiana.
H.R. 4080: Mr. DELANEY.
H.R. 4086: Mr. MEEKS.
H.R. 4087: Mr. KING of New York, Mr. HUNTER, and Ms. MCSALLY.
H.R. 4117: Mr. MEEKS,
H.R. 4124: Mr. ASHFORD, Mr. HONDA, Mr. BRIDENSTINE, and Mr. MCGOVERN.
H.R. 4135: Mr. MEEKS.
H.R. 4140: Mr. FINCHER and Mr. WEBSTER of Florida.
H.R. 4144: Ms. PINGREE, Mr. RUPPERSBERGER, and Mr. LARSON of Connecticut.
H.R. 4162: Mr. HONDA.
H.R. 4177: Mr. LABRADOR.
H.R. 4179: Mrs. DAVIS of California.
H.R. 4185: Mr. THOMPSON of Pennsylvania, Mr. WESTERMAN, Mr. HARRIS, Mr. GIBBS, Mr. COOK, Mr. BYRNE, Mr. LUETKEMEYER, Mr. ADERHOLT, Mr. PALMER, Mr. GOHMERT, Mr. LAMBORN, Mr. MASSIE, and Mr. LONG.
H.R. 4197: Mr. MICA, Mr. MARCHANT, and Mr. RATCLIFFE.
H. Con. Res. 26: Mr. WESTMORELAND.
H. Con. Res. 75: Mr. GOWDY and Mr. COURTNEY.
H. Con. Res. 100: Mr. LANCE, Mr. AUSTIN SCOTT of Georgia, Mr. COSTELLO of Pennsylvania, Mr. LAMBORN, Mr. MILLER of Florida, Mr. DOLD, Mr. JOYCE, Mr. CHABOT, Mr. STEWART, Mr. TIBERI, Mr. CURBELO of Florida, Mrs. LOWEY, Mrs. WALORSKI, Mrs. WAGNER, Mr. LATTA, Mrs. BROOKS of Indiana, Mr. WEBER of Texas, Mr. BOUSTANY, Mrs. LOVE, Mr. KELLY of Pennsylvania, Mr. RENACCI, Mr. ASHFORD, and Mr. POLIQUIN.
H. Res. 14: Mr. MCGOVERN, Mr. AMASH, and Mr. CLAY.
H. Res. 145: Ms. MCCOLLUM.
H. Res. 220: Ms. CLARK of Massachusetts.
H. Res. 346: Mrs. MCMORRIS RODGERS and Mr. BRENDAN F. BOYLE of Pennsylvania.
H. Res. 364: Ms. MCCOLLUM.
H. Res. 383: Ms. MCCOLLUM.
H. Res. 386: Ms. MCCOLLUM and Mr. LOWENTHAL.
H. Res. 469: Mr. MACARTHUR.
H. Res. 523: Mr. PETERS and Mr. BUCHANAN.
H. Res. 528: Ms. LEE, Ms. BROWN of Florida, and Mr. THOMPSON of Mississippi.
H. Res. 541: Mr. VAN HOLLEN, Mr. MEEKS, and Mrs. LOWEY.
H. Res. 552: Mr. PERLMUTTER and Mr. TAKAI.
H. Res. 553: Mrs. COMSTOCK and Mr. HECK of Nevada.
H. Res. 554: Mr. KILMER, Mr. HONDA, Mr. BEN RAY LUJÁN of New Mexico, Mr. CÁRDENAS, and Mrs. MIMI WALTERS of California.
H. Res. 559: Mr. WILSON of South Carolina and Mr. MOOLENAAR.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 3094: Mr. MICA.

PETITIONS, ETC.

Under clause 3 of rule XII,

38. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to propose, for ratification by special conventions held within the individual states, an amendment to the United States Constitution which would clarify that a declaration of martial law, or a suspension of the writ of habeas corpus, does not immunize the President of the United States from any process of involuntary removal from the office of President that is contained within the Constitution; which was referred to the Committee on the Judiciary.

SENATE—*Thursday, December 10, 2015*

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, we place our trust in You. During this season, when we sing about good will toward humanity, many forces seek to turn that dream into a nightmare.

Make our lawmakers instruments of Your peace. Where there is discord, may they bring harmony. Where there is cynicism, may they bring faith. Where there is sadness, may they bring joy. And where there is despair, may they bring hope. Use these stewards of liberty to make the rough places smooth and the crooked places straight.

Lord, thank You for bringing hope to the helpless and for hearing and comforting the oppressed.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. HELLER). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

DISCRIMINATION

Mr. REID. Mr. President, yesterday the Supreme Court heard oral arguments in the case of Fisher v. University of Texas. In that case the plaintiff was challenging the affirmative action program the University of Texas has.

During those oral arguments, conservative Justice Scalia asked whether affirmative action harms minority students by placing them in environments that are too academically challenging for them. Justice Scalia said the following about African-American students: ''There are those who contend that it does not benefit African Americans to get them into the University of Texas where they do not do well, as opposed to having them go to a less advanced school, a slower-track school where they do well.''

Justice Scalia further argued that African-American students ''come from lesser schools where they do not feel that they're . . . being pushed ahead in . . . classes that are too . . . fast for them'' and that the University of Texas should not take really qualified African-American students because that means ''the number of . . . really competent blacks admitted to lesser schools turns out to be less.''

But that wasn't enough. This is what else he said: ''I don't think it stands to reason that it's a good thing for the University of Texas to admit as many blacks as possible.''

It is stunning that a man of his intellect—and I have always acknowledged his intellect, but these ideas that he pronounced yesterday are racist in application if not intent. I don't know about his intent, but it is deeply disturbing to hear a Supreme Court Justice endorse racist ideas from the bench of the Nation's highest Court. His endorsement of racist theories has frightening ramifications, not the least of which is to undermine the academic achievements of Americans, African Americans especially.

Earlier this week I spoke about the Republican platform, which has a lot of hate in it. As we speak, Donald Trump is proposing to ban Muslim immigration. Other leading candidates are proposing religious tests, tossing around slurs on a daily basis.

The top two Republican leaders in the United States have said they will support Donald Trump if he is nominated. And now a Republican-appointed Justice is endorsing racist ideas from the Supreme Court bench. The only difference between the ideas endorsed by Trump and Scalia is that Scalia has a robe and a lifetime appointment. Ideas such as these don't belong on the Internet, let alone the mouths of the Nation's leaders.

The idea that African-American students are somehow inherently intellectually inferior to other students is despicable. It is a throwback to a time that America left behind half a century ago. The idea that we should be pushing well-qualified African-American students out of the top universities into lesser schools is unacceptable. That Justice Scalia could raise such an uninformed idea shows just how out of touch he is with the values of this Nation. It goes without saying that an African-American student has the same potential to succeed in an academically challenging environment as any other student.

I firmly continue to believe the United States of America is the greatest Nation in the world because of our ability to embrace men and women of diverse backgrounds and provide them with the opportunity to succeed. Colleges and universities that welcome diversity provide their students with an opportunity many in the world can never hope to obtain. Learning with people from different backgrounds spurs creativity and innovation. Research has shown that increased racial diversity on campuses produces higher levels of academic achievement for all students, and Fortune 500 companies agree that embracing diversity is good for the bottom line.

The Supreme Court previously has acknowledged that diversity provides a substantial and compelling contribution to our educational system. Yet Justice Scalia's comments paint a picture of two disturbing realities.

Despite the progress our Nation has made on diversity and inclusion, there is still much work to do to ensure we are giving every American a fair shot regardless of race, ethnicity, or religion. As a nation, we still have the responsibility to direct adequate resources to our educational system to prepare all students for higher education.

Generations of discrimination and legally sanctioned inequality have produced racial disparities in our educational system—sad but true. These disparities must be addressed by embracing diversity in our schools, workplaces, markets, and neighborhoods while investing in adequate resources for all students, from pre-K to higher education.

Our Nation was founded on the values of liberty, justice, and equality. Justice Scalia's distressing comments are a reminder that we must remain vigilant to safeguard opportunity for all Americans. Embracing diversity is not only the right thing to do, it is the American way.

Lyndon Johnson said:

It is not enough just to open the gates of opportunity. All our citizens must have the ability to walk through those gates.

It is our responsibility as a nation to open the gates of opportunity for all

Americans, in spite of what Justice Scalia said yesterday.

Mr. President, has the Chair announced the business of the day?

The PRESIDING OFFICER. It has been announced.

Mr. REID. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

ACCOMPLISHMENTS OF THE NEW SENATE

Mr. MCCONNELL. Mr. President, what a difference a new Senate can make—what a difference.

Some may have thought Washington would never agree on a replacement for No Child Left Behind. Years of inaction on the Senate floor gave ample cause for doubt. Some may have been skeptical when a new Senate with a new approach resolved to finally solve the problem—but no longer.

Yesterday, the new Senate voted overwhelmingly to deliver the most significant K–12 education reform in well over a decade. The President will sign the bipartisan Every Student Succeeds Act later this morning.

Here is what this bipartisan law will do: replace a broken law with conservative reform that will help students succeed instead of helping Washington grow. That means swapping one-size-fits-all Federal mandates for greater State and local flexibility. That means bringing an end to the ability of faraway bureaucrats to impose common core. That means strengthening charter schools. That means putting education back in the hands of those who know students' needs best—parents, teachers, States, and school boards.

The Every Student Succeeds Act is conservative reform passed on a bipartisan basis. The Wall Street Journal calls it ''the largest devolution of federal control to the states in a quarter-century,'' and it is an important achievement for our kids and for our country.

So I want to thank again the Senators who worked together to make this possible—Senator ALEXANDER, a Republican from Tennessee, and Senator MURRAY, a Democrat from Washington. They took advantage of the opportunities a new and more open Senate provided. They put good legislation together and then placed personal stakes in its success. They worked hard. They labored over many months, and they didn't lose sight of what a legislative exercise like this one should really be about: good policy, better outcomes for our country, and, with the bill we passed yesterday—the bill the President will sign today—greater opportunities for every student to succeed.

Senator ALEXANDER was right when he said that ''this bill is just one more example that Congress is back to work.'' It is worth noting a point he made the other day as well: ''This has been one of the most productive Senate years in a long time,'' he said. ''The Republican Senate majority is making a real difference, particularly [for] 100,000 public schools, [for] 3.5 million teachers, and [for] 50 million children.''

But perhaps the American people are wondering why. Perhaps they are wondering why the Senate is suddenly back to work this year. Perhaps they are wondering why some issues are suddenly passing now when they weren't passing previously. Let me turn back to the rest of what Senator ALEXANDER said, because I think the answer for a bill like ESSA is really quite simple. ''We're doing it,'' he said, ''by working in a bipartisan way with our colleagues, which is, I think, the way the American people want us to govern.''

Here is the idea. Give Senators of both parties more of a say in the process, and Senators of both parties are likely to take more of a stake in the outcome. That is why, on this bill, we saw a more open process that started way back in the committee stage. Senator ALEXANDER and Senator MURRAY, the top Republican and the top Democrat on the education committee, understood that No Child Left Behind had to be fixed after years of inaction. So they worked together on a bipartisan basis, and the Senate passed the most significant K–12 education reform in years.

Take another example. Senator INHOFE and Senator BOXER, the top Republican and top Democrat on the public works committee, understood that crumbling roads and bridges had to be fixed after years of inaction. So they worked together on a bipartisan basis, and the Senate passed the first long-term transportation bill in a decade.

How about this one: Senator BURR and Senator FEINSTEIN, the top Republican and top Democrat on the Intelligence Committee, understood that Americans' online privacy and financial transactions deserved some protection after years of inaction. So they worked together on a bipartisan basis, and the Senate passed an important cyber security bill.

Across the new Congress, we saw several other stuck issues come unstuck too: a decisive end to Washington's annual doc fix drama, strong action to help knock down foreign trade barriers, and extending a hand of compassion to victims of modern slavery. All of it passed in the new Congress, and all of it passed on a bipartisan basis.

Now, let me be clear. No one is saying that all of the Senate's challenges have been ironed out. Of course we know that our work is ongoing. Of course we know there will always be bumps along the way.

But here is what we can say for sure. The new Senate has taken serious steps to foster a more open atmosphere on many issues. The new Senate has seen real progress made for our country, often on a bipartisan basis, and we are proud of that. We are proud of that. Whether we are Republican or Democrat, I think that is something we can all take pride in as Americans.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ROUNDS). Without objection, it is so ordered.

Mrs. CAPITO. Mr. President, I ask unanimous consent to speak in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE ACCOMPLISHMENTS

Mrs. CAPITO. Mr. President, I rise today to highlight the positive change our new Republican majority has brought to the U.S. Senate in 2015.

As a first-year Senator—and I will remind everybody that I spent a lot of time on the other side of the Capitol observing the Senate—I came to the body looking to improve this institution that for far too long was not working for American families. Not only did the Senate fail to pass legislation that would help our seniors, students, and workers, it failed to even debate critical issues. Looking from the House side across the hall in the Capitol, we really couldn't understand that.

In 2014 the Senate only voted on 15 amendments. This year, under new leadership, we have taken hundreds of amendment votes and committees are hard at work. We debated issues, clearly stated our policy priorities, and broke the gridlock that defined the previous Congress.

Allowing Senators from both sides of the aisle to offer amendments, participate in the process, and take votes is the best way to achieve bipartisan legislation. It is common sense. Isn't that the way it is supposed to be? It is kind of how I thought it should be, and I am glad to know that this year, that is what we are doing. Working together is the only way to enact policies that will

improve the lives of the American people.

The new Senate work has borne tremendous fruit, particularly in the past week. We passed the first major overhaul of elementary and secondary education in more than a decade, and the President is poised to sign this into law. Eighty-five Senators voted for it; that is a big bipartisan majority.

The Every Student Succeeds Act strikes the proper balance between flexibility and accountability. The bill ends education waivers and the Federal common core mandate that had turned Washington bureaucrats into basically a national school board. No one cares more about a student's success than a child's parents and their teachers, and those closest to our children should be the ones empowered to make those decisions. At the same time, accountability matters.

I have three children who went through the school system, and testing done properly is a good thing. A parent wants to know where their child stands. We want to know what their weaknesses and successes are, and we want to know where the school stands. But under this bill, States will have multiple measures of student achievement, not just testing. Test results will just be a part of that evaluation, and States will have broad discretion to measure other factors. High schools will now report on the rate of graduates going on to higher education. Whether graduates are prepared to continue education is, in my view, an important measure of success.

This bill also recognizes the importance of technology and education, not just in the classroom but also at home. It includes language that Senator KING and I introduced to study the homework gap. Students who lack access to fast and reliable broadband at home need to be able to continue learning outside the classroom.

If the teacher gives an assignment and students are given a device and they take it home, if they don't have the connectivity, they are behind. But if they do have the connectivity—the access—they can continue their education at home and be prepared the next day.

States will now have flexibility to use Federal resources to improve this access to technology. This is a significant step forward, I think, for the education system that is outdated and out of step with the needs of our students. It is particularly hard-hitting in rural communities.

Last week we passed and the President signed the first long-term highway bill in 17 years. Since 2009, Congress has lurched from one short-term patch to another, leaving officials across the country unable to plan future highway and transit projects.

The shameful inability to make a lasting investment in our infrastructure came to an end last week. The FAST Act invests $2.5 billion in West Virginia's roads and bridges over 5 years. I can say after going home last weekend that the biggest issue raised to me in a congratulatory way was this: Thank you for passing the highway bill. With it, the completion of Route 35 in West Virginia and Corridor H will bring economic potential to our State. Key projects such as the King Coal Highway and the Coalfields Expressway will help isolated communities attract businesses and provide jobs. States will also now have more flexibility, which is exactly what they want and need, to spend Federal dollars.

New permitting reforms will help taxpayer dollars go farther and enable projects to be completed more quickly. Time is money, and if we can complete in a shorter time span and do the regulatory obligations at the same time—concurrently—it can save States, the Federal Government, and localities money.

This highway bill is truly a jobs bill not only for the workers who will build and repair America's roads and bridges, but these investments will also bring broader economic benefits to our communities.

Another good thing this bill does that will help further job growth in West Virginia is it reauthorizes the Appalachian Regional Commission. This reauthorization includes bipartisan language to establish a high-speed broadband development initiative for underserved areas in Appalachia.

Just this Sunday, the Charleston Gazette-Mail wrote about how the lack of broadband was hindering efforts to provide telemedicine in small West Virginia towns. The ARC reauthorization is a tangible step towards getting this region connected. Broadband access can power these communities.

So passage of the education and highway bills are tremendous recent achievements, and they follow earlier bipartisan accomplishments this year.

With our entitlement programs hurdling towards bankruptcy, it was important for Congress to act. In April, we permanently eliminated Medicare's sustainable growth rate, or SGR, putting an end to the long series of temporary patches that had vexed our Nation's seniors and doctors. These reforms will encourage competition, save taxpayer dollars, and provide a more reliable system for our seniors. We know there is more to do, but this marks a good first step to preserve Medicare for future generations.

This same legislation extended funding for the Children's Health Insurance Program—a program I have been intimately involved with in West Virginia since my early days as a member of the house of delegates.

We passed legislation to help veterans heal from the unseen wounds of war and to support victims of human trafficking.

We renewed trade promotion authority to facilitate new trade agreements that can expand American jobs. And we did all of this by working together to find common ground on behalf of the people we serve.

Even when consensus cannot be achieved or the President chooses to go it alone, the Senate should debate the tough issues and show the American people where we stand. We say where we stand when we are running for election. We should be saying where we stand now that we are elected. We shouldn't be shying away from that.

The President's relentless environmental campaign to expand Washington bureaucracy at the expense of our economy is an issue I have been deeply concerned about. Energy-producing States have been hit the hardest. My State of West Virginia now has the largest and highest unemployment rate after enduring thousands of layoffs and WARN notices. Nationwide, coal mining employment has dropped by 30 percent since 2011. When I was a Member of the House of Representatives, I took action to rein in the President's regulatory agenda, but often legislation that passed the House could not garner enough support here in the Senate.

So as a newly elected Senator, I committed to change that and to lead the legislative response to protect affordable, reliable energy. Just last month, we succeeded. The Senate passed two resolutions to avoid the Clean Power Plan that are now headed to the President's desk, including the one that I led. Under new leadership, the Senate strongly opposed policies that are devastating our energy economy and have negligible environmental benefit.

ObamaCare is another costly disaster that has placed great burdens on the American people. The new Republican-led Senate recently delivered on its promise to pass legislation that repeals the broken law. Basically, ObamaCare is failing. Americans are facing skyrocketing premiums and deductibles. Countless people have lost access to the doctor and health care plan of their choice. Even insurance companies are threatening to pull out of the system, and the Nation's largest one is one of those.

President Obama and the Democrats are fighting to use taxpayers' dollars to bail out the big insurance companies in a misguided attempt to save their failed health care policy.

The repeal legislation we passed last week would reduce taxes by more than $1 trillion, strengthen Medicare, and provide significant resources for a problem plaguing our country—substance abuse and mental health treatment. We know the President will veto the bill, but new leadership in the Senate has put a repeal bill on his desk for

the first time. And this legislation will serve as a model for efforts to repeal and replace ObamaCare in the next Congress.

This year, we have addressed the concerns of many Americans and the serious challenges that we face. We have solved problems and delivered real results. And under Leader MCCONNELL's management, we have been able to debate critical issues on behalf of the Americans we serve, offer new reforms and ideas through the amendment process, and enact important bipartisan legislation.

But this is just the beginning. While much has been accomplished, our work is far from done, and I look forward to building on this record of bipartisan achievement in the year ahead.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MENTAL HEALTH CARE

Ms. STABENOW. Mr. President, I rise to talk about an opportunity we have in the midst of all the negotiations going on to do something incredibly meaningful, that has bipartisan support, and literally will address a group of diseases that affect one out of four people every year—one out of four people who work here, one out of four people in our families. A set of diseases right now for which less than 40 percent of those with the disease get the treatment they need, but when they do, it is manageable and they can go on and lead productive lives. What I am talking about is mental illness. One out of four people every year has some kind of mental illness which is treatable and with medications and with treatment—just like any other disease—can allow someone to go on and live their life.

We have started the process in public policy of doing what we call mental health parity by saying now that insurance can't discriminate whether it is a behavioral disease, mental health, substance abuse or physical health, but we don't yet have the services in the community. So what happens is we pay dearly. Not only do individuals pay with their lives, their livelihoods, their families, and communities pay, but we pay as taxpayers.

It was interesting to me, speaking at a conference a couple of days ago here in DC with law enforcement and mental health professionals coming together, to hear about the Cook County Jail in Chicago, a huge facility. The sheriff there now has appointed a psychiatrist as the director of the jail. Why? Because one-third of the people housed in the jail have psychiatric problems. They shouldn't be in the jail. They may have committed some minor infraction because they didn't have a job or maybe they were on the street. Maybe they were hearing voices in their head and didn't hear the police officer and didn't respond in a way—or where it was considered belligerent. We now know from papers today in Michigan that studies show that people who are mentally ill are 16 times more likely to be killed in a year by a police officer. I am not suggesting that it is at all on purpose but it is because of the nature of the behavioral problems and what ends up happening in the real world when people aren't getting the treatments they need. We know what happens in terms of violence and people committing crimes, although someone who has a mental health disease is much more likely to be a victim than a perpetrator.

We have people in the emergency rooms of our hospitals. I have talked to hospital administrators and doctors who say what we need is to make sure we have a 24-hour emergency psychiatric facility, a place where someone can go or family members can call or the police can use if they find someone who needs help, not the hospital emergency room and certainly not the jail.

The good news is that we have started a bipartisan effort that can fix this. My partner and colleague in this, Senator BLUNT, and I, over a year ago, authored a provision that was passed by the House and Senate to begin something called the Excellence in Mental Health Act. We now have in law a definition of quality behavioral health services. We have federally qualified health centers in the community where people without insurance can go and get preventive care and get the physical health services they need, but the health clinics can't get reimbursed for mental health or substance abuse services. So we now have a definition. We have standards for what quality behavioral health care, mental health, and substance abuse care looks like. We have standards. We begin to provide dollars so that communities can provide those services if they meet the standards.

A couple of years ago when we put together money for the first step by saying we are going to provide money for 8 States to be able to meet those standards—8 out of 50—the good news was that half the States in the country responded and said: We want to be one of those eight States. Twenty-four States across our country now have signed up. They have received planning grants to assess their community mental health services, what they are doing, and how they can meet these new high standards, how they can make sure they include 24-hour psychiatric emergency services in their community so their citizens have the help they need as well as ongoing help for families and individuals. Twenty-four States have said: Sign me up. We are willing to do the work.

We have funding for eight of those States to actually be able to do it, to change lives; eight of those States to be able to provide services, treatment, hope for individual families, help for the sheriff, and relief for the emergency room. What we are proposing now and what is under consideration is to fund the 24 States. We have 24 States that have stepped forward. Let's provide them the resources. In the context of what we are talking about in the budget, it is a very small amount of money. We could say to the communities across this country and virtually half of the States that we are going to give them the resources to meet higher quality standards, to be able to provide the services desperately needed for one out of four people every year who have some kind of mental illness. The ramifications of doing nothing are severe in so many ways.

The reality is that we are at a point where we have the opportunity to say that as a country we are going to recognize and treat diseases above the neck the same as diseases below the neck and support communities that step up with higher quality standards and services. In the world in which we live, this would be a huge bipartisan victory.

I know this is under discussion, and I am hopeful that as the leadership moves forward, they will join us—the bipartisan coalition in the House and the Senate—in saying yes to give the people an opportunity to live their lives, be successful, work, and manage their diseases in the community just like any other disease.

I wish to say in closing that if you are a diabetic, you check your insulin every day. If you check your sugar and take your insulin, you manage your disease. It is not debilitating. You can go out and live your life. I imagine there are many people who work in the Senate who are managing diabetes. You can do the same thing if you are bipolar. It is a chemical imbalance of the brain. It is just a different organ, a different part of the body. If, in fact, you have the medication to stabilize and you have the support and treatment you need, you can manage that disease, go on with your life, be successful, work, have a family, and be able to live with dignity. That is what we are talking about. We are talking about giving people who have diseases in the brain the same opportunity for treatment and management of those diseases to live healthy, hopeful, successful lives as we do for people who have diseases in any other organ of the body. We have the opportunity to do

that. At the end of next week, I deeply hope we will be able to celebrate that we have done something incredibly important for families across America.

I yield the floor.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Indiana.

WASTEFUL SPENDING

Mr. COATS. Mr. President, this is the 29th time I have been on the floor over this current session to address what is called, ''Waste of the Week.'' Twenty-nine weeks of this year, I have been on the Senate floor talking about examples of how the Federal Government wastes taxpayers' money through waste, fraud, and abuse. I have laid out specific examples.

Some changes have been made in programs as a result of the publicity it has received not just from me but from the accounting offices that are doing the checking and the inspectors general who are doing the checking.

Sometimes I wonder if anybody is listening, but I am very encouraged by the fact that a number of us now, including the Presiding Officer, are talking about this issue. I hope every Member in this body, all 100 of us, start thinking about ways in which we can make our Federal Government more efficient and effective and stop wasting through fraud and abuse, stop wasting taxpayer dollars. I don't want to keep doing this, but I am going to keep doing this until there is a majority and hopefully a unanimous clarion call saying: Let's clean up this government. Let's go after this waste, fraud, and abuse.

In terms of examples, we have now totaled well over $100 billion. We are coming up with much higher numbers as we come down to the floor every week. The Presiding Officer just issued a book, which I think every Member of this body ought to read, collecting other examples of waste, fraud, and abuse.

All of this is really in honor of a former Member, Senator Tom Coburn of Oklahoma, who really led the charge on this issue. I regret that Tom is not still a Member of the Senate. He had a way of digging out this information that was commendable. He would come to the floor and make a persuasive case through the illustration of various forms of abuse of the taxpayers' dollars.

A number of my colleagues are picking up the clarion call. As I said, we need all 100 of us to come to the conclusion that we don't have to stand here and say we are doing everything we possibly can to manage the people's money when we know that is not true, when we know that inspectors general of virtually every agency in the government have come up with reports that simply say ''Why in the world are you doing this in the first place?'' or ''Look at this amount of fraud.''

One-hundred billion dollars or more is just a drop in the budget, so we are going to continue to expose this waste. Today I had hoped this 29th waste of the week would be the last one of this calendar year, but it looks as if we might be here 1 more week, so we will get the 30th in next week if necessary.

Recently, the inspector general for the Department of Housing and Urban Development conducted a series of audits on HUD's multibillion-dollar portfolio. The results that have been printed are deeply troubling. After reviewing HUD's books, the inspector general found that the agency's finances are missing records, contain inaccurate information, and have even violated Federal laws. He acknowledged that HUD's accounting has lacked appropriate oversight for a long time. This has been going on for a long time.

Let me quote from his report:

> Multiple deficiencies existed in HUD's internal controls over financial reporting, resulting in misstatements on financial statements, noncompliance laws and regulations. We have reported on HUD's administrative control of funds in our audit reports and management reports since fiscal year 2005. HUD continued to not have a fully implemented and complete administrative control of funds system that provided oversight of both obligations and disbursements.

This was exposed in 2005. Ten years later, they are still having the problem. They still haven't cleaned up their act.

This is just one agency. Maybe this is the worst agency—I don't know—in terms of being irresponsible and how they spend money, but I doubt it. I suspect that this statement could have been made by a number of our agencies.

I wish to highlight a couple of specific examples from the inspector general's audits.

One audit examined HUD's Government National Mortgage Administration, commonly known as Ginnie Mae. Ginnie Mae buys mortgages from banks and institutions, bundles those mortgages together, and then sells portions of those bundles to investors. These mortgage-backed securities are fully backed by U.S. Government guarantees.

The IG's audit bluntly noted that HUD's financial records are so bad that it was not even possible to audit the entirety of Ginnie Mae's $25.2 billion portfolio. In other words, the record-keeping for the transactions that took place under HUD was in such disarray, so bad, they couldn't even provide an audit that correctly addressed the problem. From what the IG could review, it found Ginnie Mae's finances contained nine material weaknesses, eight significant deficiencies in internal controls, and six instances of noncompliance with applicable laws and regulations. After reviewing Ginnie Mae's 2015 finances, the inspector general found over $1 billion in abuse and inefficiencies.

If this had happened to any business in America other than the Federal Government, either the business would be bankrupt, the stockholders would have depleted its value, or the board of trustees would have fired its manager. They would have had to reorganize the entire—no way can you run a business this way. No way would it be possible to run it. This would happen only in the Federal Government because we can print money and we can keep it flowing into HUD and these other agencies. And for the 10 years since it was disclosed, they have continued the same practices that have gone on before that don't even allow us the ability to fully understand what they are even doing. They have been warned about it, and they have been talked to about it. They said they are going to clean it up, but it continues.

Let me give another example. The IG also found waste and fraud and mismanagement involving HUD's taxpayer-subsidized housing benefits. The low-income housing program provides affordable housing for households with incomes less than 80 percent of the median income for the area. This program has helped many families put a roof over their head through the years. Unfortunately, because of a loophole in HUD's review policies, households that have too high an income and thus are not qualified to receive Federal support have been able to remain in the taxpayer-subsidized Federal housing program.

The inspector general of HUD found that more than 25,000 over-income families were living in HUD taxpayer-subsidized housing in 2014 alone. So over 25,000 people who don't qualify for the program any longer because their income has improved are still living under the subsidized housing program, which is providing subsidies to them that they are no longer qualified to receive.

One doesn't actually have to have a low income to participate in this taxpayer-subsidized low-income housing; they simply had to have a low income when they applied. But hopefully this helped them as they were having income problems and financial problems—those who are able to come out of the system and who receive a larger income and therefore no longer qualify retained the subsidies, and HUD never took action to basically determine that they no longer qualify for this. There were over 25,000 specific incidents.

In a specific example in New York City, the program's income ceiling for a four-person household is just a little over $67,000. Yet a New York family was legally able to remain in public housing when their annual income was nearly $500,000. In fact, they owned real estate that produced over $790,000 in rental income within only 4 years. So people who had qualified for this had

achieved tremendous financial success—from what source, I am not exactly sure. They have moved from a program that said you have to have income below $67,000 to qualify. Their income was over $500,000, and yet they still retained their qualification.

Let's look at a small town. In Oxford, NE, a single-person household earned over $65,000 annually and had assets of nearly $1.6 million—far higher than the city's income cap of $33,500. In other words, to be in the program you could not earn over $33,500. This individual was earning obviously extraordinarily more than that with a $1.6 million value of assets and yet still received subsidized housing.

If this was a one-off, if this was a few people here and there taking advantage of the system and so forth—but we are talking tens of thousands of people on just this single program. Remember, the audit of HUD looked at a whole range of discrepancies. I am talking only about a couple of specific programs.

It is not hard to agree that this waste of taxpayer dollars is something that can be addressed. I am encouraged that my colleagues are looking at this in a number of ways—and the more the better. We do this in respect and honor for what Senator Coburn started, and I am happy to be a part of that. I know the Presiding Officer is also.

I will conclude by saying for just this one agency, I can give a lot more examples of reckless disregard for use of taxpayer money that have been documented by the inspector general and that have been provided to that agency, which has not been able to clean up its act since 2005. They have had 10 years to do it, and it still continues. The inspector general says it is such a mess, it is so disassembled, it is so poorly administered that it can't even come to a conclusion of how bad it is. It is impossible to fully audit the Department of Housing and Urban Development because of their financial ineptness and their financial incapability of keeping records on their very own programs.

Today we are going to add a modest amount. This could be tens of billions. We took only a couple of examples here, and those examples total $1,174,000,000. That is not small change. Think about being about to send this back to the taxpayers who are working their hearts out and having taxes levied on them or think about how we can send this money to higher priorities—maybe to some things related to national security where we are scraping for funds to be able to provide the security this country needs. Whatever the reason, the waste continues to pile up. No one coming down to this floor can say ''We can't cut a penny more of spending'' without addressing this first.

It appears that we will be down here for the 30th ''Waste of the Week'' next week, which I regret. But we have plenty of waste lined up to be talking about.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority whip.

SENATE ACCOMPLISHMENTS

Mr. CORNYN. Mr. President, it is December 10, and Congress is working its way through some final items of business, including a giant spending bill called an omnibus—some might call it an ''ominous''—bill because it is so big it takes all of the discretionary spending that Congress makes for the entire year and wraps it up into one big package. I have to say it did not have to be that way. It shouldn't have been that way.

In the 114th Congress, under new leadership, we actually did something that hadn't been done in 6 years. We actually passed a budget. The purpose of the budget in part is to set caps on spending levels for the Appropriations Committee and for the 12 appropriations bills that should come out—and in fact did come out—of the Appropriations Committee. But the reason we find ourselves here at the end of the year with this ominous Omnibus appropriations process is that our Democratic colleagues filibustered all of those individual appropriations bills.

It would have been so much better to take those up one at a time so the American people and Members of the Senate could read them and understand them. We could debate them, we could offer amendments to try to improve them, and then we could finally pass them and send them on to the President. But because of the desire to force the majority to agree to higher spending levels, our colleagues across the aisle filibustered those appropriations bills. So here we are, at the end of the year, with a few huge pieces of legislation left to consider.

I think most people looking at Washington, DC, these days are tempted to want to look the other way because so much that happens here seems to be so contentious and, frankly, a reflection of our polarized politics in America. But despite all of the challenges we have—and I know the Democratic leader the other day actually claimed this was one of the most unproductive Senates in recent memory, only to be given three Pinocchios by the Fact Checker at The Washington Post. So I would like to remind the Democratic leader about some of the things we have actually done, working in a bipartisan fashion, to get legislation through the Senate, through the House, and to the President's desk.

Sometimes I think we need a bit of a refresher course on what the Constitution provides in terms of the division of responsibilities in government. The Founders of our great Nation made it hard—not easy. They made it hard to pass laws, and appropriately so, because they viewed the concentration of power and the ability to push through legislation as a potential threat to their individual liberties. So not only did they divide the legislative power between the House and the Senate, but they also created a Presidency that has the ability to veto that legislation.

Sometimes in their enthusiasm for certain policies, some of our own constituents get frustrated and they say: Why couldn't you pass this bill or that bill? Well, the truth is the only way this happens is when there is, first of all, some leadership on the part of the majority party because it is the majority leader and the Speaker, the majority leader in the House, who actually set the agenda. So that is pretty important. A lot of the legislation we considered this year would not have even come up if our Democratic friends had been in charge. But once we have the bill on the floor, it literally takes bipartisan consensus building in order to actually get something done.

I would like to talk about a few of those things that we have been able to get done this year because I don't want them to get lost amidst all of the contentiousness that people read about and watch on their television. It is important that the people we work for understand we have actually been trying very hard to get some important things done.

After the House of Representatives passed the Every Student Succeeds Act with a strong bipartisan vote last week, yesterday the Senate followed suit by passing that legislation with 85 votes. It obviously wasn't perfect because 15 of our colleagues did not vote for it, but that was about as strong a bipartisan vote as you get in the Senate these days.

I think it is important to highlight the time and effort it took many Members of this body to create and ultimately pass this bill. Of course, it took the leadership of Chairman ALEXANDER of the Health, Education, Labor, and Pensions Committee. But the fact is—and I know he would say this if he were standing here on the floor—he could not have done it if it weren't for the partnership of the senior Senator from Washington, Mrs. MURRAY, a member of the other political party. What they showed us is how working together in a bipartisan way can achieve real reform and positive change for the American people. That is the way the process is supposed to work.

Sometimes, though, policies are so bad that the best response is simply to stop it. I don't think we should diminish or deprecate the merits of stopping bad legislation, but where there is an area of common interest, where consensus can be built on what the appropriate legislative response is, that is how it is done—the way Senator ALEXANDER and Senator MURRAY did.

Of course, we are in a political environment where people like to focus on the partisan bickering and gridlock. But passage of this bill serves as just one example of a Senate that has been back to work under new leadership since the last election about a year ago, and we appreciate the willingness of our friends on the other side of the aisle to work with us on a number of areas to try to make those accomplishments a reality.

Another example is in the area of transportation funding. Last week, for the first time in more than a decade, Congress passed a multiyear transportation bill. I think it was more than 30 different times before that Congress had passed short-term patches to those spending bills for transportation, and you can imagine how difficult it was for States to actually plan and then to implement some of their construction projects to improve their transportation infrastructure. In that case, it was the hard work of the senior Senator from Oklahoma, Mr. INHOFE, who chairs the Environment and Public Works Committee, as well as the junior Senator from California, Mrs. BOXER, working together as a team; then, of course, Senator HATCH, chairman of the Senate Finance Committee, and Senator WYDEN, the ranking member, a Democrat, working together to try to come up with some of the funding mechanisms. But as the majority leader said last week, it would not have been possible to pass this multiyear highway bill for the first time in a decade if it weren't for the bipartisan cooperation we saw and, particularly on the Democratic side, the leadership of Senator BOXER.

Now, with this legislation, States like mine, Texas—growing States can plan and build projects that strengthen our Nation's infrastructure and make our transportation system safer. They can avoid some of that churning, uncertainty, and inefficiency that comes from temporary patches. President Obama signed that legislation last week, and now it is the law of the land.

Like the education bill I mentioned a moment ago, the transportation funding bill, which was called the Fixing America's Surface Transportation, or FAST, Act, passed this Chamber with more than 80 votes—80 votes. With 54 Republicans and 46 affiliated with the Democrats, the minority, the Transportation bill got 80 votes. Obviously this was a strong bipartisan vote and a testament to the bipartisan spirit this year in a Senate that has allowed us to make some progress on long neglected and long overdue goals like transportation funding.

Then I think about other topics we have worked together on, such as trade. When the President said he wanted us to pass the Trade Promotion Authority legislation, only 13 Democrats voted for it. So it was up to the majority—the Republicans, the other party—to provide the votes to pass Trade Promotion Authority.

Not everybody thought it was a good idea, sure. But in my State, one reason our economy continues to do better than most of the rest of the country is that we are the No. 1 exporting State in the Nation. We believe it is good for our economy and for job creation to be able to sell things that we make, agricultural goods we grow, and livestock we raise to markets around the world. That is what Trade Promotion Authority will allow. It will help Texas farmers, ranchers, and manufacturers get the best deal possible out of pending trade agreements such as the Trans-Pacific Partnership, which is focused on 40 percent of the world's gross domestic product in Asia. It is very important that we stay engaged in Asia because the default is for China to fill that void and set the rules.

The Trade Promotion Authority, which was an important priority for the President, happened to be something that Republicans by and large agreed with and his own party disagreed with. As I said, only 13 Democrats voted for it.

The trade promotion authority legislation is really the first step to opening up the doors of opportunity to our country's businesses worldwide, but particularly in Asia. Like the other bills I mentioned, trade promotion authority was the result of the tireless effort of a bipartisan partnership. In this case, the senior Senator from Utah, Mr. HATCH, chairman of the Finance Committee, and the ranking member of the Finance Committee, RON WYDEN, the Senator from Oregon, spent countless hours negotiating and renegotiating the legislation to bring it to the floor and ultimately to be signed into law by the President.

Another example happened to be the way we pay physicians under the Medicare program that our seniors rely upon. Year after year, we would come up with short-term patches to the so-called doc fix. But this year we passed a permanent fix in a negotiation between Speaker Boehner and the Democratic leader in the House, Congresswoman PELOSI, that actually preserves seniors' access to care under the Medicare program—a noteworthy accomplishment.

Another subject I am particularly proud of is that we passed the Justice for Victims of Trafficking Act, a bill this Chamber passed with 99 votes. This law will help victims of modern-day slavery recover and rebuild their lives and will make sure these survivors—some of whom are children—are not treated like criminals but given the help they need to heal and to get on with their lives.

We have also passed critical bills to protect our country from cyber attacks—something we saw happen at the IRS, where 100,000 records of taxpayers was hacked in a cyber attack and stolen and compromised. We also saw millions of people's records compromised at the Office of Management and Budget.

Congress has passed legislation, which is now being reconciled with a different House bill to be able to get that to the President, to provide that security that we all need when we are online. And as I said, we passed the first budget that has been passed in 6 years. The point I am trying to convey is that not everything up here is fighting like cats and dogs. It is not the shirts versus the skins. It is not like the Democrats and Republicans can never find anything that we agree on. Sure, there is there is a lot that we disagree on, and that is fine. It is fine to have policy differences. This is the forum where those policy differences are debated and where, if possible, if common ground can be found, we can find that common ground.

I have told this story, and I am going to conclude here since I see our colleague from Georgia waiting to speak. When I came to the Senate, Ted Kennedy, from Massachusetts, the ''liberal lion of the Senate,'' who had been here for so long, was working with one of the most conservative Members of the Senate, the Senator from Wyoming, on the HELP Committee—the Health, Education, Labor, and Pensions Committee. I asked Mr. ENZI, the Senator from Wyoming: How is it that you and Senator Kennedy, who are polar opposites, can find common ground and actually work productively on the HELP Committee? I have never forgotten it. Senator ENZI told me: It is simple; it is the 80–20 rule. We look for the 80 percent, if possible, that we can find common ground and agree on, and the 20 percent we can't agree on, we leave for another fight another day.

That always stuck with me as a very constructive way to work in a highly polarized environment where many of us share completely different views about public policy. But we owe it to our constituents, to this institution, and to the American people to try to find common ground where we can and offer them constructive solutions, as we have done time and again this Congress.

While there are some who want to distract or misconstrue or deny the fact, the fact is there has been bipartisan accomplishment this year. But it takes leadership, and it appeared to take a new majority and a new majority leader after this last election to get the Senate back on track.

Even many of our Democratic friends who served in the majority previously couldn't even get votes on amendments, on legislation they wanted to offer, because the Senate was basically shut down. But now we are back to work, and the Senate is functioning the way it should.

I wanted to say a few words to note these accomplishments but also to say thank you to those who have worked together to make it possible, who put the American people ahead of party to deliver real results in the Senate this year.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

JOINT SURVEILLANCE TARGET ATTACK RADAR SYSTEM

Mr. PERDUE. Mr. President, I have spoken at length about how our debt crisis and our global crisis are interconnected. Before I speak today, though, I want to thank the Senator from Texas for his leadership this year, as we did get the Senate back to regular order. I know we have much to do, but I appreciate his leadership as whip and as a fellow colleague. Thank you.

Today I rise to speak about how this overlap between our debt crisis and our global security crisis impacts the future of a vital Air Force asset: the Joint Surveillance Target Attack Radar System, or JSTARS, as they call it. I visited with Team JSTARS to hear about their critical role. We made a visit. We talked about how their role affects our national security and our national defense and countering the global security crisis we face. I have also seen in Iraq and Afghanistan firsthand how this platform is absolutely vital to protect our forces on the ground in harm's way.

The global security crisis facing our Nation continues to grow. First, we face our traditional rivals—China and Russia—as they become ever more aggressive. The persistent threat of nuclear proliferation is now exaggerated and increasing every day with Iran's efforts and, of course, we see what is going on in North Korea as well. Finally, we face threats from radical jihadist terror groups, not just in the Middle East but here at home, unfortunately—and not just from ISIS. AQAP, Boko Haram, and al-Shabaab, to mention a few, are all thinking about how to do harm here in our homeland.

As a result, we know that the need for American leadership in the world isn't going to go away any time soon. Team JSTARS plays a critical role in our response to these threats. JSTARS is an Air Force platform that provides critical intelligence, surveillance, and reconnaissance, or ISR, and ground targeting capabilities in service to all branches of our military. Over the past 25 years, they have flown over 125,000 combat hours in 5 different combatant commands. As a matter of fact, they have flown every day since 9/11.

The ''J'' in JSTARS stands for ''joint.'' Team JSTARS is a blended unit. The Air Force, Army, and National Guardsmen who work on the team, eat, sleep, and deploy together. These men and women leave for days, weeks, and sometimes they deploy for months to protect our men in uniform around the world. Not only are they a joint mission with the Army, but JSTARS also does several mission sets. JSTARS does command and control as well as providing intelligence, surveillance, and reconnaissance. From stakeout to shoot-out, JSTARS is capable of supporting all missions in all phases, with full spectrum capability from low to high intensity conflict.

In the words of General Kelly, SOUTHCOM's commander, JSTARS is quite unique, ''a true force-multiplier, working seamlessly with both the DOD and interagency assets, generating impressive results in our asset-austere environment.'' What makes JSTARS unique from other intelligence, surveillance, and reconnaissance platforms is that on each JSTARS plane, we have unique manpower at the tactical edge to talk to our servicemembers on the ground with 22 radios, 7 data links, 3 Internets, and a secure telephone system. These are things we cannot take for granted. Our men and women on the ground talk about this incessantly.

As I saw it in Iraq and Afghanistan, we could not fulfill our mission without this type of capability in the air, overseeing our men and women every day. As we see threats around us from an increasingly aggressive Russia and China, the threat of electronic warfare is also a growing concern. If satellite communication radios are targeted—if these systems are degraded by the enemy in any way—JSTARS can in turn provide the same critical capability in theater. This is a redundant capability we cannot do without. This platform has proven itself to be invaluable and indispensable to our Armed Forces—not just in the Air Force and Army but in every service—the Marines, the Navy, the Coast Guard, and even in some counter-drug missions.

In the Pacific, JSTARS has been a key part of the Asia rebalance, helping to maintain stability and assure allies by providing vital insight to maritime forces as they push back against an expansive China. In fact, as China continues to challenge freedom of navigation and asserts itself in the Asia-Pacific region, PACOM is asking for more and more JSTARS presence at a very time when their capability is declining.

Also in Asia, U.S. Forces Korea commander General Scaparrotti calls JSTARS ''very important to us'' as he deters an unpredictable North Korea. Here in this atmosphere, JSTARS has flown in support of homeland defense, doing drug interdiction missions.

General John Kelly, the SOUTHCOM commander, said: ''JSTARS is especially important, providing a detailed maritime surveillance capability that is unsurpassed.''

To give you a comparison, a single JSTARS sortie—a single plane—can cover the same search area as 10 maritime patrol aircraft sorties. But the future of this platform is in jeopardy. As threats against our Nation have evolved, JSTARS has too. But there are only 16 of these planes covering our needs worldwide over the last 25 years. We have relied on JSTARS for 25 years to protect our men and women whom we put in harm's way—to protect them while other people are trying to do them harm.

Unfortunately, in the last 25 years, these planes are beginning to wear out. They are reaching the end of their service life. These planes have been in service since the early 90s. But even then, these planes weren't new when the Air Force acquired them. Each plane on average had over 50,000 hours when we bought them. The average age of the fleet is 47 years.

If you look at just one example in the JSTARS fleet, there is one aircraft that had 16 different owners or lessors over that time before it became a JSTARS, including Pakistani International Airlines and Afghan Airlines. I think it is very ironic that today that very plane flies oversight missions over those two countries.

As these planes near the end of their service life, they are spending more and more time in depot maintenance. More maintains is more costly. Dramatically increased maintenance time is threatening aircraft availability and mission readiness. This in turn impacts the number of JSTARS that can be put into mission at any one time and be out in the combatant commands while doing their job, while day by day the demand from combatant commanders for JSTARS grows.

What is more concerning is that as JSTARS near the end of their service life, as you can see on this chart, there is a gap. If we do nothing, we will have a gap of 10 years. The best we could do starting today is to shorten that gap to 4 years. This is a gap we cannot allow to happen.

This chart shows the declining availability of the current fleet down to zero by 2023. It also shows that under the current plan—pending DOD approval and funding—the replacement fleet does not even come online until 2023, meaning we will have a 10-year gap. They don't get back to full strength until around 2027—again, the 10-year gap. Due to the increased maintenance requirements of this aging fleet, JSTARS is already at a point where we only have about half the fleet available to fly at any point in time. Even if we extend the service life of JSTARS and accelerate the replacement, we can only narrow the gap to 4 years. This is unacceptable.

I have talked about the planes. Let me talk about the men and women who man those planes, who service those planes, who keep those planes in the air. These are talented professionals. I

have met with them. They are dedicated professionals, protecting our soldiers on the ground. They are committed to this mission, but they have to have our help. The men and women on the ground in Iraq, Afghanistan, and around the world deserve our help. But when it happens to have a gap like this, our irresponsibility as a Congress and as military leadership shows up.

We cannot allow this to happen. Recapitalization for the JSTARS fleet needs to happen, and it needs to happen right now. As these aircraft age, depot maintenance is not only more costly but also keeps these aircraft, which are in high demand for every combatant commander, from fulfilling their mission fully and putting our soldiers on the ground in mortal danger. This is precisely where we see the debt crisis and global security crisis intersect.

In the last 6 years, I have spoken about this before, but we borrowed 40 percent of what we have spent as a Federal Government. This puts our ability to support a strong foreign policy backed up by a strong military in jeopardy. As Admiral Mullen, former Chairman of the Joint Chiefs of Staff, once said, the greatest threat to our national security is our own national debt.

The JSTARS Program is an example of how our debt crisis is impacting our ability to fulfill our mission requirements. JSTARS recapitalization, which would replace these planes over time, is the No. 4 priority within the Air Force. The other three priorities ahead of it are very valid, but very expensive platforms.

Just last month, the Air Force acquisition chief, Assistant Secretary LaPlante, said that the JSTARS recap might get scrapped thanks to sequester and tight budget constraints. Again, this is a result of our fiscal intransigence and poor planning by military leaders. This prohibits us from meeting the very basic needs of our men and women on the ground who depend on this critical platform to protect them and provide overarching eyes and ears in the battle space. This should not have happened. The intransigence of Congress over the last decade and the intransigence of our military leadership and procurement planning are all at fault. We can fix this.

This week I am joining Senator ISAKSON and at least 11 other Senators in writing to Secretary of Defense Carter about the importance of funding for the next fleet of JSTARS in next year's budget request.

I wish to thank the defense appropriators as well as the Armed Services Committee for their support for this critical platform and mission. I look forward to continuing to work with them to support JSTARS. Not only do we need to ensure the new JSTARS fleet is funded, but this needs to be done fast. As I said, if we do nothing today, we have at best a 4-year gap, not to mention the problem with the planes. What do we do with these professional military men and women who are irreplaceable—pilots, navigators, engineers, technicians, mechanics, schedulers, and computer experts. This is a capability we cannot do without.

Not only do we need to ensure that the new JSTARS fleet is funded, but again this has to happen immediately if we are going to manage this gap. This gap in capability that we see on this chart will become a reality if the pace of recap doesn't change. We need a faster solution. This chart shows why this recap needs to be a rapid acquisition program and we need to get on that immediately.

We need to ensure that this critical platform stays in theater. Our combative commanders demand it, our troops on the ground depend on it, and they certainly deserve it. We cannot allow Washington's dysfunction to put our men and women in combat theaters in further danger. This needs to get fixed, and it needs to get fixed right now.

I yield my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO FEDERAL EMPLOYEES

U.S. COMPUTER EMERGENCY READINESS TEAM

Mr. CARPER. Mr. President, I mentioned to the Presiding Officer in our brief conversation before I came to the podium that one of the things I try to do every month or so is come to the floor, usually when things are slower and there is not a lot going on, to talk about some of the folks who work for us and serve our country in the Department of Homeland Security.

Earlier this week, as my colleagues may recall, an outfit called the Partnership for Public Service released an annual report in which they rank the best places in which to work in the Federal Government. The report is based on surveys that are conducted literally by hundreds of thousands of Federal employees. This year it showed an increase in overall employee morale for the first time, I think, in 4 or 5 years. That is good news.

Despite the progress that appears to have been made in a number of Federal agencies, not all but many components of the Department of Homeland Security continue to struggle to make their employees feel good about their work and what they do for the rest of us.

I know the Secretary of the Department, Jeh Johnson, and his team have taken a number of significant steps to make the Department a better place to work for current and future employees. They do outreach and get input from their employees as to what needs to be done to enable them to feel better about the work for greater job satisfaction, to make them want to come to work. I would also say today that the Congress—those of us who serve in the Senate and the House—also has a responsibility to help improve morale, not just at the Department of Homeland Security but in the Federal Government at large.

Considering the fact that we began 2015 with a fight in this body right here over whether we should even fund the Department, I don't believe those of us in the Senate or in the House are doing all we can do, that we are doing our part well. As I said earlier, that is why I come to the Senate floor on a number of occasions throughout the year to highlight some of the extraordinary work done every day by the dedicated men and women at the Department of Homeland Security.

Today I rise to recognize no one individual. Usually I pick one or two people who have done extraordinary things with their lives, but today I am going to focus on a whole team of people who do important work every day to defend our Nation from the growing and evolving threat our country faces in cyber space.

It seems as though we don't go a week without hearing about another major breach at a business or a government agency. We are under unrelenting attack from all over the world—in some cases from sovereign nations, in other cases from criminal organizations, and in other cases just from pranksters. Over these past few years, we have seen major attacks on the Office of Personnel Management, on a great many banks and other businesses, and even the email of the Director of the Central Intelligence Agency. These attacks make clear that the threats we face online are complex, and unfortunately we will be struggling with how to deal with them for the foreseeable future.

Fortunately, in Congress we have been making some progress combating these cyber threats through legislation. Last year we passed cyber security legislation—four bills in fact—out of the Committee on Homeland Security and Governmental Affairs. These four bills were aimed at strengthening the ability of the Department of Homeland Security to perform their cyber security mission.

Among those bills was one to update how our government protects its own networks. This bill includes language clarifying the role the Department plays in overseeing and enhancing security and other agencies. Two other bills gave the Department some of the tools it needs to strengthen its cyber

security workforce, and just last month the Department of Homeland Security announced that it now seeks to hire up to 1,000 new cyber security employees over the next 6 months using the new authorities we have given them.

We also passed legislation that codified the cyber operations center at the Department. It is called the National Cybersecurity and Communications Integration Center, affectionately known as the NCCIC. Our legislation—which former Senator Dr. Tom Coburn and I coauthored, supported by many in our committee and outside of our committee—gave the NCCIC the strong legal foundation it needs, that it lacked, in order to do their job and engage with the private sector in a joint effort to better secure critical cyber networks.

I think we have made real progress on cyber security legislation this year as well. I think we are maybe poised to do even more. I would like to use a football analogy. The team flips a coin and somebody receives and somebody kicks the ball. Receiving takes the ball maybe deep in their own territory, and then they march down the field across the 50-yard line into the other team's territory, then they get to the 20-yard line, and then moving closer to the other team's goal line, they would say they are in the red zone. In terms of our march on cyber security legislation here and in the House, thanks to the good work of the Intel Committee here and the Committee on Homeland Security and Governmental Affairs as well, we are not just in the red zone, we are inside the 10-yard line and it is first down and goal to go.

Unfortunately, the clock is running out and we don't have forever to get the job done, but if we are smart and don't give up, we can have a real success for the American people in strengthening our cyber defenses in a real way.

The legislation we passed this fall was called the Cybersecurity Information Sharing Act, and it represents a collaboration on a number of cyber security issues. In the bill the Department of Homeland Security plays a central role as they interface between industry and the government. The bill also includes provisions to enhance the cyber security program at the Department of Homeland Security known as EINSTEIN, which uses classified threat intelligence to protect all of our civilian agencies.

I am mentioning all of this legislation to show the critical role or underline the critical role the Department of Homeland Security plays in security for our Nation. At the center of the Department's cyber security operation is the U.S. Computer Emergency Readiness Team, which is also known as US–CERT.

To my left is a picture of our President, and the handsome fellow he is speaking to is a fellow named Jeh Johnson, who is the Secretary of the Department of Homeland Security, a role he has filled for I believe most of 2 years now. I think he is doing a splendid job, with the great support of the Deputy Secretary there, Alejandro Mayorkas, and a couple of thousand people who are committed to defending our homeland.

This is a picture of the President addressing, along with Secretary Johnson, the employees at US–CERT. I think it was taken earlier this year. Again, US–CERT—the U.S. Computer Emergency Readiness Team—is the main operational team within the NCCIC. It is the operational team within the NCCIC itself.

What do they do? They pool information and they share that information throughout the Federal Government. The US–CERT also shares information with our partners in the private sector across the country and with our allies around the world. It is an important job. It is not a job that is done for 5 days a week, 8 hours a day. It is a 24-hour-a-day, 7-day-a-week operation, and these men and women work to stay ahead of the bad actors who are trying to steal our personal information and trying to really harm our economy. In some cases they are plotting to damage our critical infrastructure such as our electric grid, our financial systems, and our communications systems.

US–CERT was established 12 years ago as the Department of Homeland Security was first being stood up. The mission of US–CERT is simple, I think: to make the Internet a safer place for everyone by helping to improve cyber security across the country. I will say that again. The mission of US–CERT is very simple—not easy but simple. It is to make the Internet a safer place for everyone by helping to improve cyber security across our country. To do this, US–CERT operates a wide variety of programs. These programs include several information sharing collaboration programs, incident response teams that provide onsite assistance to attack victims, programs such as the EINSTEIN intrusion detection and prevention system to protect Federal agencies, education and awareness programs, and deeply technical forensic analysis. The US–CERT partners with a wide variety of organizations. Among them, they partner with powerplants and utilities, they partner with financial institutions, they partner with software companies, with researchers, and they partner with certain teams in other countries and other cyber operation centers such as those over at NSA, the National Security Agency, and the FBI as well.

When a major attack occurs in the Federal Government or the private sector, the men and women at US–CERT mobilize to travel to the victim's location. They help mitigate the attack. They help to strengthen the victim's cyber systems, and then they communicate with their partners so everyone can secure their systems against similar attacks. We learned from that bad experience, and hopefully we can help reduce the likelihood that someone else will suffer a similar fate.

Earlier this year, when the Office of Personnel Management discovered a data breach of personal data belonging to millions of Federal employees, they called the NCCIC and asked for its team of experts. US–CERT was deployed to play a central role in, first of all, investigating the attack but also in responding to that attack. For the next 4 months, the team worked literally around the clock at OPM to assess and to monitor Federal networks and to develop new protections against this type of intrusion that OPM had experienced.

Now, once US–CERT realized that other Federal agencies were also vulnerable to this kind of a breach, they immediately shared the indicators of the attack with network analysts across the Federal Government. This allowed other Federal agencies to scan their systems and to make sure they had not been compromised by the same hacker and to be on alert for that hacker's attack.

Because of the scale and impact of the OPM breach, which I think actually ended up affecting more than 20 million people, the US–CERT team worked long hours to make sure they could provide guidance to Federal agencies as quickly as possible so they could protect their networks from similar attacks and prevent the attacker from using the information they obtained against us. Their work not only strengthened the Office of Personnel Management's cyber security posture, it also bolstered cyber security across the entire Federal Government.

US–CERT and all the cyber warriors at the NCCIC work tirelessly every day to out-think and out-innovate our cyber enemies. The legislation we enacted last year and the bill we are working hard to send to the President this year with great bipartisan support here in the Senate and the House as well puts the Department of Homeland Security in the spotlight and entrusts them with ever-greater responsibility for years to come. We in Congress recognize the critical role US–CERT plays in strengthening our Nation's cyber security, and we must continue to support these hard-working men and women in their mission.

Mr. President, I will close by telling a story. I have told this story before, but it is a good one, and it is certainly germane to what we talked about here today.

A couple of years ago, I was listening to a radio station on my way to the train station in Delaware, and I caught NPR news right at 7 a.m. as I made my

way to the train station in Wilmington. On the news that morning, they gave a report about an international survey that was taken where they asked thousands of people in different countries and here: What is it about your work that you like? What is it about your work that makes you like your job or not like your job?

Some of the people who were asked said: Well, the thing I like about my job is I like getting paid—not that they are in it for the money, but they like getting paid. Others said they like vacations. Some people said they had health care. Others said they like the folks they work with. Other people said they like the environment—a beautiful place like this in which they work. But what most people said they liked were really two things: No. 1, they knew the work they were doing was important, and No. 2, they felt as though they were making progress. Think about that. They knew the work they were doing was important and they felt as though they were making progress.

Well, there is probably nobody in our country—at least working within the Federal Government—who does work more important than the folks at the Department of Homeland Security. The House and the Senate have worked in recent years to strengthen the ability of the Department of Homeland Security, including the US–CERT team, to be able to do their job even better.

My hope is that in years to come, as we hear these annual reports on best places to work within the Federal Government, that we are going to find that the people at the Department of Homeland Security, including NCCIC and US–CERT, will be saying more and more: I like working here because I know the work I do is important, and I feel as though we are making progress.

This Senator would just say to everyone at US–CERT, thank you for all the good you do for us. Thank you for your service to this country. And to each of you, we wish you happy holidays and Merry Christmas. We would also say, here is hoping that we will all have a more peaceful new year. I think the American people are ready for that. I know the Presiding Officer is, and so am I.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. FISCHER). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

(The remarks of Mr. SANDERS pertaining to the introduction of S. 2391, S. 2398, and S. 2399 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. SANDERS. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

THIRD ANNIVERSARY OF SANDY HOOK TRAGEDY

Mr. MURPHY. Madam President, next week we will mark the 3-year anniversary, for lack of a better word, of the massacre at Sandy Hook, CT. Senator BLUMENTHAL will be joining me on the floor momentarily. I wanted to come to the floor to speak to our colleagues for a few moments about what this week will mean to us in Connecticut and the challenge it presents to all of us.

I want to open by speaking about one of the young men who perished that day—a little first grader by the name of Daniel Barden. Daniel was a really, really special kid. I talk about him a lot when I am speaking on Sandy Hook because I have gotten to know his parents pretty well over the years, so I feel like I know Daniel pretty well. Now that I have a little 7-year-old first grader at home, too, I, frankly, feel closer than ever before to the families such as the Bardens who are still grieving.

Daniel had this sense of uncanny empathy that, now as a father of a 7-year-old, I know is, frankly, not normally visited upon children that age. Daniel just loved helping people in big and small ways; he was so preternaturally outward in his sympathy for others.

There is a story his dad likes to tell about the challenge of going to the supermarket with Daniel because when they would leave, Daniel always liked to hold the door open for his family. But then he wouldn't stop holding the door open because he wanted to hold it open for all of the rest of the people who were leaving the grocery store. So the family would get all the way to the car, and they would look back and they wouldn't have Daniel because he was still holding the door open. It was small things like that that made him such a special kid.

His father, Mark, wrote one day: ''I'm always one minute farther away from my life with Daniel, and that gulf keeps getting bigger.'' His mother, Jackie, in the months and years following Daniel's death, developed a habit of what grief counselors call defensive mechanisms. She would sometimes pretend that Daniel was at a friend's house for a couple hours, simply in order to give herself the strength to do simple household chores like cooking dinner or returning emails. The only way she could do it is if she pretended for a small slice of time that Daniel was actually still alive.

It is hard to describe for my colleagues here today the grief that still, frankly, drowns Sandy Hook parents and the community at large. It is total, it is permanent, and it is all-consuming. But for many of those parents and many of those community members, the grief now is mixed with a combination of anger and utter bewilderment, all of it directed at us, in the Senate and in the House of Representatives.

On December 14, Adam Lanza walked into Sandy Hook Elementary School armed with a weapon that was designed for the military—designed to kill as many people as quickly as possible. He had 30-round magazines, not designed for hunting or for sport shooting but to destroy as much life as quickly as possible. Importantly, he left at home his lower round magazines. And the design of his weapons worked—to a tee. In approximately 4 minutes, he discharged 154 rounds, and he killed with ruthless efficiency: 27 people shot, 26 dead, including 20 first graders.

Here are their names: Rachel D'Avino, 29; Dawn Hochsprung, 47; Anne Marie Murphy, 52; Lauren Rousseau, 30; Mary Sherlach, 56; Victoria Leigh Soto, 27.

And the students: Charlotte Bacon, Daniel Barden, Olivia Engel, Josephine Gay, Dylan Hockley, Madeleine Hsu, Catherine Hubbard, Chase Kowalski, Jesse Lewis, Ana Marquez-Greene, James Mattioli, Grace McDonnell, Emilie Parker, Jack Pinto.

It keeps going: Noah Pozner, Caroline Previdi, Jessica Rekos, Avielle Richman, Benjamin Wheeler, and Allison Wyatt.

There are a handful of kids who aren't on that list, because there were children in Victoria Soto's classroom who were able to escape, likely—as investigators believe—when Adam Lanza had to reload his weapon to put another 30 bullets in it.

So 3 years later, as we grieve those 26, we are still having these awful, searing questions to ponder: What would have happened if Lanza didn't have an assault rifle? Would he even have had the perverse courage to walk into that school if not aided by the security of having a high powered killing machine? Would less kids have died? What if his cartridges had six or 10 bullets instead of 30? Would more kids be alive if someone had been able to stop him while he fumbled with another reload?

The facts of Sandy Hook are hard to hear over and over, but they are important because they should have educated us on ways that we could come together to make another mass shooting less likely. But we ignored Sandy Hook, and it happened again and again. This year, there have been more mass shootings than there have been days in the year: 9 in Charleston, 5 in Chattanooga, 9 again in Roseburg, 14 in San Bernardino.

As I sat at that firehouse with Senator BLUMENTHAL that afternoon in Sandy Hook, as the news rolled into those parents that the children they

loved wouldn't be coming home, if someone had told me that day that we would do nothing—that our response as a Congress and as a country would be utter silence—I wouldn't have believed it—no way. But if somebody then told me that it would happen again and again and again and we still wouldn't do anything, I would have collapsed in disbelief.

I am going to tell my colleagues, that is how the families feel. Whatever we think is the best way to stop this carnage—changing our gun laws, giving more resources to law enforcement, changing our mental health system to get more help to those who are becoming unhinged and thinking about settling their real or imagined grievances with violence—do something to honor those children and adults. Do something to show there is an ounce of compassion as we sit here 3 years after the bloody massacre at Sandy Hook.

Our mental health system is broken. We have closed down 4,000 inpatient beds since the recession began. It is harder than ever for families to get the help they need. If you read the report on Adam Lanza, you will see a very troubled young man who was utterly failed by the behavioral health system that stood around him.

Stronger gun laws do work. They absolutely would have prevented some of those kids from dying. And the data is irrefutable. This mythology that you are safer with more guns has zero basis in fact. The data tells us that in States that have tougher gun laws, they have less gun deaths. In States that have higher rates of gun ownership, they have more gun deaths. Stronger gun laws work.

To be honest, the burden is not just on us; it is also on the administration. I have called, along with many of my colleagues, on the administration to take some steps, if Congress won't, to make sure that those who are truly gun dealers, though they might not have a brick-and-mortar store—those who are selling guns with frequency at places such as gun shows or on the Internet—have to do background checks, a recognition that they are dealers just like people who have stores in your downtown.

So my plea, 3 years after this tragedy that utterly transformed that community, is for us to recognize that there is no other country in the world that would live with this level of slaughter. There is no other nation in the world that would accept 80 people dying every day from preventible gun violence and mass shooting after mass shooting and not even try to fix it. That is what is so offensive to me, and 3 years later that is what is so hard to understand for the families whom we represent in Sandy Hook, CT.

If you don't want to believe me, I am going to close the exact same way I closed 2 years ago on the 1-year anniversary. I am kind of ashamed that I have to read this letter again because every single word of it still applies 2 years later, when the epidemic of mass shootings in this country hasn't abated but simply grown. It is from a mom whose child survived, and I will close with it.

In addition to the tragic loss of her playmates, friends, and teachers, my first grader suffers from PTSD. She was in the first room by the entrance to the school. Her teacher was able to gather the children into a tiny bathroom inside the classroom. There she stood, with 14 of her classmates and her teacher, all of them crying. You see, she heard what was happening on the other side of the wall. She heard everything. She was sure she was going to die that day and did not want to die for Christmas. Imagine what this must have been like. She struggles nightly with nightmares, difficulty falling asleep, and being afraid to go anywhere in her own home. At school she becomes withdrawn, crying daily, covering her ears when it gets too loud and waiting for this to happen again. She is 6.

And we are furious.

Furious that 26 families must suffer with grief so deep and so wide that it is unimaginable.

Furious that the innocence and safety of my children's lives has been taken.

Furious that someone had access to the type of weapon used in this massacre.

Furious that gun makers make ammunition with such high rounds and our government does nothing to stop them.

Furious that the ban on assault weapons was carelessly left to expire.

Furious that lawmakers let the gun lobbyists have so much control.

Furious that somehow, someone's right to own a gun is more important than my children's rights to life.

Furious that lawmakers are too scared to take a stand.

She writes:

I ask you to think about your choices. Look at the pictures of the 26 innocent lives taken so needlessly and wastefully, using a weapon that never should have been in the hands of civilians. Really think. Changing the laws may ''inconvenience'' some gun owners, but it may also save a life, perhaps a life that is dear to me or you. Are you really willing to risk it? You—

Speaking to us—

have a responsibility and obligation to act now and change the laws.

I hope and I pray that you do not fail.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Thank you, Madam President.

I am honored to follow my colleague and friend Senator MURPHY in an effort that has involved both of us, our minds and our hearts, from the day we stood together on December 14, 2012, in Newtown, Sandy Hook. We have stood together and worked together with the families and community that so inspired us with their strength and courage.

If I have one overriding image and message in my mind and heart, it is those families most directly affected by the deaths of 20 beautiful children and sixth grade educators, the families in the reverberating circle of people so deeply touched, hurt, and harmed by the evil on that day, and the people who exemplified the good of that day, the first responders, the firefighters and police, who saw things no human being should ever have to witness and emerged also deeply hurt and harmed. The courage and strength of Newtown, that community, and the families will always inspire me.

I have worked on gun violence prevention for many years, a couple of decades before December 14, 2012. I was the attorney general of the State of Connecticut and a State legislator advocating for the assault weapon ban and other gun violence prevention measures. Then, as attorney general, I defended the assault weapon ban when it was challenged in court, tried the case, and we successfully argued it in the State supreme court. So I knew intellectually and abstractly why we need in this Nation and in Connecticut stronger measures to stop gun violence. The experience of that day left a searing mark on my heart and on my conscience, so it became for me the passion and priority it is today, and I will not rest as a Member of this body and as a human being until this Nation does better to make America safer and to prevent the kind of tragedy we saw on that day.

I will never forget being at that firehouse on that afternoon, but I will also never forget that evening at St. Rose of Lima Church when the community came together to light a candle rather than curse the darkness.

I had a conversation with one of the parents who lost a child. It was either that night or in the grief-filled days thereafter, when I said to her at some point: When you are ready, I would like to talk to you about what we can do about this. She said to me: I am ready now.

That is the courage we have seen in the last 3 years from those families. It is the courage we saw this morning at an event in the Capitol. It is the courage we have seen again and again from Newtown, from all over the country, loved ones and victims of all of the places—they become kind of landmarks that we recite. There are 30,000 deaths every year from places whose names we could never recite here because it would be too long and because they are the mundane places that all of us go.

As my colleague Senator MURPHY said this morning, all of us are just one second away from becoming victims. The fact is we are all touched by gun violence and we are all harmed and hurt by it.

I will never forget that evening. I will never forget also the day on the floor of this House when the Senate failed to approve a commonsense package of gun violence prevention measures, universal background checks,

banning illegal trafficking, a ban on assault weapons, the mental health initiative, and from the Gallery someone shouted down: Shame. They may have said: Shame on you. There is no record of it because we record only what happens on the floor, but on that day the most profound and eloquent comment was those three words: ''Shame on you.''

Shame on us in the U.S. Senate. We are complicit by our inaction. Congress is complicit by its silence. Moments of silence have their place, but silence by inaction here is complicity. It is not only the failure to act, it is also the obstruction that has been placed in the way of knowledge and research. The so-called rider—nobody outside the U.S. Capitol would talk about riders, an amendment that stops the government from doing research—literally research, fact gathering, investigation on gun violence. The cause of 30,000 deaths every year in this country cannot be researched by the Centers for Disease Control and Prevention.

In fact, we face a public health crisis in this country. If it were Ebola or influenza or polio, facing these kinds of epidemics or feared epidemics in this country, we would react with drastic and effective measures, including quarantine, that would mobilize this Nation. The response of the Congress to the epidemic of gun violence is to bar research by the CDC and other public health authorities. The very same public health community that could help us understand and take action is gagged and straitjacketed by the U.S. Congress. Even the initial author of that amendment restricting research, former Congressman Jay Dickey, a Republican from Arkansas, said he has regrets. ''I wish we had started the proper research and kept it going all the time,'' he said.

The Congress owes the American people more, but this promise I can make. We are not going away. We are not abandoning this effort. We will not be silenced. We will not be inactive. We are not giving up.

Twelve years it took to pass the Brady bill, after the President of the United States was almost assassinated just a few miles from here and his Press Secretary, Jim Brady, was paralyzed. It took 12 years to pass, with the support of President Reagan, and we need to be prepared for that kind of marathon.

President Reagan famously said: ''Facts are stubborn things.'' We cannot deny the facts that drive this debate because laws do work. We come here every day with the presumption that what we do makes a difference, that the laws we pass make a difference. Gun violence prevention laws do work.

When the shooter at Sandy Hook had to change magazines, children succeeded in escaping. If he had been barred from having the assault weapon, had it been banned, unable to bring it to the site of that horrific tragedy, it might have made a difference.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BLUMENTHAL. Madam President, I ask unanimous consent for just 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. If the shooter in Charleston had been barred, as he should have been because he was ineligible, rather than having the opportunity to purchase weapons as a result of the 72-hour rule loophole, it might have made a difference there. We can't say for certain.

We know there is no panacea, no magic solution, but the loved ones of the families of Sandy Hook, San Bernardino, Colorado Springs, Roseburg, Roanoke, Charleston, and Lafayette have to make a difference here. Honor them with action is what we should do; inaction is complicity. We owe the American people better. We need to keep faith with its values and keep faith with America.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

TRIBUTE TO GOVERNOR TERRY BRANSTAD

Mr. GRASSLEY. Madam President, I wish to honor Iowa Governor Terry Branstad on a very historic milestone. On December 14 of this year, Governor Branstad will become the longest serving Governor in the Nation's history. He breaks a record set by Governor Clinton of New York in the early days of our country, even before the Constitution of our country was established, between the Articles of Confederation into the early years of New York as a State in the United States of America. That is a very large feather in the cap of a farm kid from the town of Leland, population 289, in Winnebago County in northern Iowa.

In many ways, a smalltown farm background prepared Terry Branstad for his success as a State house member, Lieutenant Governor, and then Governor on two separate occasions. If he finishes this term—and he will—it will add up to 24 years as Governor.

The farm crisis of the 1980s hit every farm State hard, and Iowa, at the heart of the Nation's breadbasket, suffered deeply. All of us who lived in Iowa at that time saw friends and neighbors lose their family farms and struggle with what to do next for a living. The State needed men and women with vision and ambition to pull the economy out of the doldrums. It needed people who could see the potential for farmers to add value to their operations and for Iowa to diversify its economy, which it has now done.

Of all the people out there, Terry Branstad stood out as Governor. He was at the forefront of creating a new environment to do business. He welcomed and actively encouraged innovation that would capitalize on Iowa's bedrock work ethic and our strong schools. As a result, agriculture was and continues to be a mainstream of Iowa's economy. But agriculture more than ever is an engine for many other employment sectors: renewable energy, manufacturing, crop research, insurance and financial services, and, of course, as we Iowans know, much more.

As Governor from 1983 to 1999, Terry Branstad took the helm during some of the State's worst economic turmoil in decades and steered the ship toward impressive economic growth. The unemployment rate went from 8.5 percent to a record low of 2.5 percent. The Governor could have rested on those laurels and continued to work outside of State government after he retired after those first 16 years, but he again answered the call when the State needed him again in 2010. He put the State of Iowa's interests ahead of his own and went to work for Iowans this second time, bringing his valuable leadership to the Governor's office for another round. That, in a nutshell, tells you everything you need to know about Terry Branstad.

The State of Iowa comes first for him. Iowans are well acquainted with Terry Branstad's accomplishments and work ethic. It is gratifying to see those attributes get attention on a national scale and in the history books. He has earned his place in history.

Of course, First Lady Christine Branstad ought to be complimented too. We thank her for her public service and, most importantly, for sharing her family with all Iowans.

We are lucky to have had Governor Terry Branstad for these years as chief executive in Iowa, and, of course, I am lucky to call him a friend.

I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Maryland.

ORDER OF PROCEDURE

Mr. CARDIN. Mr. President, it is my understanding that some of my colleagues want to talk about our visit to Paris, but I understand Senator HATCH will be on the floor at 2:45 p.m. and we are recessing at 3 o'clock.

Mr President, I ask unanimous consent that the following Members be recognized for up to 5 minutes between now and 2:45 p.m., but it may not be in this order: Senator CARDIN, Senator SCHATZ, Senator UDALL, Senator SHAHEEN, Senator MERKLEY, Senator MARKEY, and Senator COONS.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

PARIS CLIMATE CHANGE TALKS

Mr. CARDIN. Mr. President, I had the opportunity of heading a delegation this past weekend of 10 Senators who went to Paris for the COP21 talks, the climate change talks taking place in Paris. I was very proud of our delegation consisting of Senator WHITEHOUSE, Senator FRANKEN, Senator MARKEY, Senator MERKLEY, Senator UDALL, Senator SHAHEEN, Senator COONS, Senator BOOKER, and Senator SCHATZ. All of us participated in the meetings that took place in Paris. We were impressed that 150 leaders of the world were in Paris at one time to show their support for a successful outcome on climate change and to express their urgency for dealing with this issue. I think it was a strong followup to the challenge Pope Francis gave all of us as to the moral challenge of our time to protect our planet for future generations.

At the meeting in Paris, we recognized that our global health is at stake. Whether we are talking about our individual States—and I could talk about the people on Smith Island, as their island is disappearing, or the health of the Chesapeake Bay, and my colleagues in the western part of this country could talk about the wildfires and what is happening there. In Asia, we see climate migrants as a result of climate change. In Greenland, we see the glaciers disappearing. Every nation is at risk as a result of global climate change, and that is why 150 leaders went to Paris.

The objective is clear. We had a chance to talk to the Secretary General of the United Nations, Ban Ki-moon. He made it clear that our goal at a minimum should be to reduce the increase in warming by 2 degrees Celsius. That is doable. The scientists tell us we can do it. And if we do, we will have a healthier planet, we will create more jobs, and not only America but the world will be more secure.

It was clear that U.S. leadership was critically important to that moment in Paris. President Obama, in getting China and other countries to submit action plans, encouraged over 180 countries that are participating in the Paris talks to submit their own action plans to mitigate greenhouse gas emissions. That represents over 97 percent of the world's emitters.

As I mentioned, we met with the Secretary General of the United Nations, Ban Ki-moon. We all met with former Vice President Al Gore. I think we all were inspired by his lifelong dedication to this issue. We had a chance to meet with U.S. lead negotiator Todd Stern, who updated us on what was happening.

We were particularly impressed with Secretary Moniz, our Secretary of Energy. He had earlier announced, with other world energy leaders, an innovation initiative showing how we can use U.S. technology to make it easier for the world to meet their goals in reducing greenhouse gas emissions and at the same time create more jobs in America. It was an impressive display.

We had a chance to meet with local leaders. Mayor Bloomberg convened a summit of mayors. I was proud that my mayor from Baltimore City, Stephanie Rawlings-Blake, was there.

My colleagues participated in bilateral meetings of other countries to encourage them to be aggressive in submitting their obligations and how we could follow up and make sure we achieve our goals.

It was clear that Paris is heading toward a successful agreement, and it will have U.S. support. We mentioned our commitment to carry not just our individual commitment but to be part of the global agreements in Paris.

We pointed out that in 1992, the United Nations Framework Convention on Climate Change was ratified by the U.S. Senate. This is the legal basis for moving forward. We also pointed out that our obligations to comply with our own commitments are controlled by the Clean Air Act, which is the law of our country. We pointed out the actions taken by the Obama administration. We also pointed out that 69 percent of Americans agree that we should have a multilateral commitment to reduce our carbon emissions.

It was clear to us that by working together, we can have a healthier planet for our children and our grandchildren.

Mr. President, I yield the floor to Senator UDALL, one of the great leaders on the environment and a very active member of our delegation.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, I wish to first say to Senator CARDIN, who led our delegation—Senator CARDIN is the ranking member on the Foreign Relations Committee. Foreign relations has a lot to do with this issue. He showed great leadership, and I believe he is passionate about this issue and finding solutions.

So we were somewhat disappointed, the 10 of us who went—all Democrats—that Republicans didn't join us. This is an issue that needs bipartisanship. We need to join—Republicans and Democrats—on an issue that threatens our national security, threatens our economy, and threatens our environment. It is an issue that is looming out there and needs attention. So we look forward to working with our friends on the other side of the aisle to move forward on this issue.

As I looked over there and saw what was happening, I remembered many of the briefings we have had. Everyone who has looked at this challenge of global warming and climate change says that we need to do two things. First, we need to drive capital to new energy sources, to clean energy sources. We need to innovate is what they are talking about. If you get the capital there and you get the private sector working, you can come up with the solutions. Secondly, we need to put a signal in the marketplace to invest in clean energy and renewable energy.

I was so proud of what happened over there in terms of the world joining together. More than 184 countries came together, and we are going to see the conclusion of their action this week. They have stepped forward and said: We are going to have targets, we are going to have goals, and we are going to be transparent. We are going to let people know we are moving in the direction of solutions and doing something about this immense problem.

So it was a major step forward to see those 184 countries step up and decide to do something.

In addition, Bill Gates led a group of entrepreneurs over to Paris to announce and to challenge the world about energy research and development. As everyone knows, Bill Gates is one of our great entrepreneurs. He and his wife are also philanthropists. He stepped up with 27 other billionaires to say: We are going to put billions into research and development, and we are going to put it into innovation. They called this project Mission Innovation, and they challenged other countries around the world to do the same thing—double their energy research and budget.

So seeing 184 countries step up to the plate and say ''We are going to do this''—and I think we will see those announcements in the next couple of days—and seeing these entrepreneurs step forward I think was a signal—and a bold signal—to the marketplace that we are changing and moving in a new direction and that we are going to get this done.

I am very proud of my State of New Mexico because we have all sorts of energy—uranium, coal, oil, gas—and we have many renewable sources—wind, biomass, solar, geothermal, but we have taken a strong step in New Mexico to push for renewable resources. In our State statutes, we pushed for a renewable electricity standard of 10 percent by 2010. We met that early, so we put another standard in place of 20 percent by 2020.

We are really in the bull's-eye in terms of climate change in New Mexico because of what we see and what we know happens in the Southwest. The temperatures are twice as high. We have seen those temperatures increase over the last 50 years. So we know there is a crisis, we know there is an issue, we know we need to do something about this, and we are very willing to step forward.

Mr. President, according to a study at Los Alamos National Laboratory, by 2050—not far away—we may not have any forests left in my State. It will be as if New Mexico were dragged 300

miles to the south. Our climate will resemble land that is now in the middle of the Chihuahuan desert.

Now, I am not a scientist. Neither are my colleagues. But the experts at LANL—and scientists all over the world—are clear. If we do nothing, global warming will only get worse.

The nations of the world know this. That is why over 190 nations are in Paris: To meet the challenge of climate change, and to do it together.

The Paris agreement will not solve the problem of global warming by itself, but it is a major step forward. It is what we need to ensure every country does its part, and does its fair share on climate change.

The largest emitters in the developing world—China and India—are making serious commitments. They understand, they have to reduce their reliance on fossil fuels.

This is about their economy, and it is about a commitment to future generations.

Opponents of U.S. climate action have argued that other nations—especially China—would never act to limit their emissions. Well, now they are. This is encouraging—and something we need to encourage further. That is what the world's scientists tell us. That is what our own Department of Defense tells us. We can make progress now—or face ever greater instability later.

More than 180 nations are on board with individual commitments. They will take concrete steps to reduce greenhouse gas emissions. This is historic. This will slow global warming—and it must be done now, not later. The world cannot afford to wait.

These nations see the threat. They see the mounting danger. A representative from Bangladesh told me that in his country every day, they face the threat of rising sea levels.

These countries came to Paris with a commitment to succeed.

And the work began before Paris—such as when the U.S. and China announced major mitigation commitments last year.

Our task now is to keep up the momentum, to keep moving forward—both at home and abroad. I believe there are two things we can do right now:

No. 1, work to drive capital to new energy efficient technologies. We need to renew the Production Tax Credit for renewables. Tax incentives have been in place for decades for oil and gas.

Wind, solar and biofuels need that investment as well.

No. 2, send a positive signal to the markets. That means keeping our own climate goals on track, and stopping efforts that would turn back progress. That means encouraging capital investment in sustainable energy—not just in the U.S., but, throughout the world.

We are seeing a growing investment in new technologies with public and private resources. Last week, 28 of the world's billionaires committed to investing in energy research and innovation.

And we are seeing a major market signal that there is demand for those technologies—here in the U.S. through the Clean Power Plan and other measures, and across the globe, especially in developing countries, that have demonstrated a commitment to grow their economies in a cleaner, more sustainable way.

Now is the time for action. America must lead, because we cannot ignore the danger—to our planet, to our economy, and to our security. The science is clear, the threat is growing, and time is running out.

This is not news to people in my State. In New Mexico, temperatures are rising 50 percent faster than the global average—not just this year or last year, but for decades.

We have seen historic droughts. When it does rain we have seen terrible flooding. And we have seen the worst wildfires in New Mexico's history. What we have not seen—what we have waited for—is for Congress to act.

It has not been for lack of trying. There have been many attempts—including bipartisan ones. But each and every time Congress failed to make it to the finish line, failed to pass comprehensive legislation—in both Houses—to curb our greenhouse gas emissions.

Just this week, the Senate Commerce Subcommittee on Science held a hearing focused on whether climate change is real. This is settled science. The world has moved on. The United States Congress should, too.

So the President and the EPA have used their authority under the Clean Air Act to lead. They have done what needs to be done, with the support of many of us here in Congress—and of the American people.

The Clean Power Plan is reasonable, and it will make a difference to restrict emissions from new and existing power plants.

Mr. President, I hope that going forward Congress will work on solutions—rather than wasting time on Resolutions of Disapproval, rather than wasting time on questioning science.

The American people do not want a science debate. They want action. The world has come together in Paris. Nations are moving forward. The very real question now is—how do we keep that going?

As a member of the Appropriations Committee, I will continue to fight against dangerous environmental riders.

I am encouraged by the conference in Paris, and I am confident that the United States will continue to lead—even if our Republican colleagues continue to block.

With increased U.S. leadership over the last 5 years we have made great international progress. The Paris conference is evidence of that.

Another sign of progress—the world's largest oil and gas companies are supporting a climate agreement.

BP, Shell—and the massive state oil companies of Saudi Arabia and Mexico—are among the ten major oil companies making commitments.

The United States can help lead this effort—not only at the negotiating table in Paris, but on the front lines in New Mexico and every other State.

Because in this great challenge, there is also great opportunity. Our country can lead the world in a clean energy economy. We have the technology, we have the resources. We need the commitment.

That means finding solutions, developing technology, and not denying scientific reality; not wasting time on empty resolutions that come from nowhere and go nowhere.

There are now more solar jobs in the United States than coal jobs.

My state has every kind of energy resource: Coal, oil, gas, uranium, solar, wind, algae biofuel and more. We are doing all we can to diversify—and reduce carbon emissions. A clean energy economy protects our communities and creates jobs.

A renewable electricity standard—which I have long fought for—would create 300,000 jobs. Most of these jobs are high-paying, they are local, and they cannot be shipped overseas.

Support for renewable energy is strong. Nearly half of the U.S. Senate supported my amendment in January for a Renewable Electricity Standard that would mandate that 30 percent of our energy come from renewable resources by 2030. Over half the States already have renewable energy portfolios. Many of them are being met and exceeded.

In New Mexico, we are blessed with great natural resources and with great human resources as well. Researchers at Sandia and Los Alamos national labs are studying climate change—not with an agenda, but with a commitment—to tackling the problem, with real science and with real innovation.

Together, we can meet this challenge. We can find a path forward that works. We can work with the global community. We can protect our planet. But, America must lead and help drive progress across the world.

Mr. President, 48 national security and foreign policy leaders—Democrats and Republicans alike—have sounded the alarm. From Chuck Hagel to William Cohen, from Madeleine Albright to George Schultz, in a joint statement they urge us to fight climate change. They urge us to ''think past tomorrow.''

The Paris agreement is a starting point and a historic opening for a global effort to address climate change. It

is an opportunity, it is an obligation, and it is something that history will show was the right thing to do.

Mr. President, I see my colleagues have joined me on the floor. Senator SCHATZ, Senator SHAHEEN, and Senator CORY BOOKER are down here, and they have done excellent work. I yield at this time to Senator SCHATZ. I would just say by the way of introduction that I am so impressed with his State and the leadership in his State. Hawaii is going to be a 100-percent renewable State in 2040. A lot of that is due to his leadership and his legislature and Governor stepping up to the plate.

With that, Senator SCHATZ.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I thank the senior Senator from New Mexico for his longtime leadership on climate and conservation issues.

I have been working on this for a long time, as many of us on the floor have been working on this for a long time, and I have not been so hopeful in a very long time. I am reminded of the essential elements of success when it comes to an international agreement, and that is American leadership. We still remain the indispensable Nation, and we finally reasserted ourselves and reclaimed the moral high ground and the political high ground that put us in a position to stitch together an international agreement.

One observation I will offer from the Paris climate talks is how positive the response was. I think we anticipated that we were going to have to do perhaps more troubleshooting, more allaying of concerns about America's commitment to climate action than we ended up having to do. That is because people understand that the President is committed, and people understand that the Clean Power Plan is going forward, and we are making progress and there is no turning back.

I will offer seven very quick observations about the Paris climate talks. The first is this: It is already a success. If you had told any knowledgeable observer that they were going to get 185 countries—representing 97 percent of countries and 98 percent of emissions—and 150 heads of State in the same place at the same time—the most in history—if you had said that 2 years ago, that would have sounded wildly optimistic. We really are making progress.

No. 2, this is not going to require Senate approval. There have been more than 18,000 such agreements that our President and Presidents in the past have entered into over time not requiring Senate approval.

No. 3—and this is important and can't be overstated—it is not enough. If we want to hit the 2-degree Celsius target, this only gets us about 40 percent there. But 40 percent there is 40 percent there. We were at zero 3 weeks ago. So I think getting 40 percent there is very important.

I think the other thing we have learned from other states and other countries and even in the private sector is that once you unleash the power of clean energy on the private sector, there is no turning back. So we anticipate being able to ratchet up these agreements every 3 to 5 years on an international basis.

No. 4, it is way more than expected and way more than ever before.

No. 5, I think we need to know that there are some pretty good accountability and transparency mechanisms in there. This was a key element of the negotiations that Secretary Kerry and the President himself have insisted upon. We need to know—the United States has a robust reporting mechanism. At the public utilities commission level, at the regional level, we know exactly what our energy portfolio is. That is a little bit more of a challenge in the developing world, so we had to develop a matrix so we know that countries aren't cheating or they are not getting their own data wrong. I feel satisfied that it is likely to hit those marks.

No. 6, it is wildly popular in the United States. Two-thirds of Americans support an international climate agreement. A bare majority of Republicans, a decisive majority of young Republicans, and decisive majorities of Democrats and Independents support international climate action.

No. 7 is this: People are going to try to undo this. They are going to do it through the Congressional Review Act. They are going to try to do it through the appropriations process. They are going to try to do it through the electoral process. That is the democratic process, and that is OK. But there is no turning back either legislatively, politically, or in terms of the momentum we have in the private sector.

I would like to introduce someone who has come at climate from a different perspective, as he always does, who has become a leader on these issues, and who was an incredible asset during the weekend we were in Paris, and that is the junior Senator from New Jersey, Mr. CORY BOOKER.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, just a brief moment. First and foremost, I want to thank the group of Senators who went over to Paris on the codel. It was very important that the United States of America was well represented there and that this body was well represented there.

I especially thank Senator CARDIN for leading that codel. His leadership was critical. As the ranking member of Foreign Relations, to have him lead and understand that this is a critical issue not just in regard to the climate in general but also to our national defense, to our strength as a Nation, and to our economy—it was good to have him leading and understanding the breadth of these issues.

When I was over there, I was moved to see virtually all of the globe represented by leaders, heads of state, members of Parliament, NGOs, corporations—major, global, dominant corporations. Everyone was there. There was an array of the planet coming together, focused on this issue of the impacts of climate change. Conversations ranged from focusing on us being innovative and how we are dealing with renewable technology so that technology can be a great pathway toward sustainability in the future, all the way to resiliency and making sure we were doing the things to protect populations from the effect of climate change, especially when it comes to poor populations who are disproportionately affected.

I had the chance, the honor while I was there of leading a bilateral conversation with Bangladesh, talking to peer leaders—the United States sitting down at a table with and across the table from Ministry and Parliamentary members from Bangladesh.

By many estimates, Bangladesh is the most vulnerable country on the globe to climate change—the most vulnerable large country to climate change. It is about the size of Iowa. It faces serious challenges with melting off the Himalayas as well as rising sea levels.

Due to climate change, right now Bangladesh is losing 1 percent of its arable land each year, and it is projected over the next decade or so—leading into 2030—to lose a large percentage of its land, displacing millions of Bangladeshis, literally creating climate refugees. The sea level rising is predicted to inundate about 15 percent of the land area and create refugees, making it a reality for them that is so urgent that they went there with a large degree of mission to join with other global actors.

I was proud to be able to sit with them and talk to them about New Jersey—not only a State that has 75,000 people who are Bangladeshis but also a State that knows that our economy and our strength as a State will be affected by climate change as well. We are already seeing what is happening with the warming of our oceans, the acidification of our oceans, how it is affecting the many jobs related to our fishing industry. We are already seeing the challenges with our climate in terms of increased weather activity and severe storms.

This is an issue that affects America that we cannot solve without joining with the rest of the globe. We know that the injustices that are happening to our Nation in terms of increased fires, in terms of despoliation of our seas, the challenges being faced with

weather activity internally in our country—we know these issues cannot be solved locally unless we deal with them globally. That is why I am grateful for all of those who understand that American leadership is incredibly needed.

I am proud to stand here with colleagues of mine and continue to send a strong message to the rest of the globe that we are here in the United States strongly supporting the ambitious commitments of President Obama, the ones that he is making, and that we will defend those communities that are facing this crisis in the immediate and long term. We will be leaders.

One of my colleagues and someone whom I have come to respect quite a bit was an incredibly strong voice in Paris, someone who is committed to these issues not only in her home State but, as an American, across our country. I wish to now engage and acknowledge Senator JEANNE SHAHEEN.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am pleased to be here on the floor with my colleagues—those of us who went to Paris, led by Senator CARDIN, for this climate summit.

At the conference in Paris, more than 180 countries accounting for over 90 percent of global emissions were there. They all submitted their plans for how they are going to reduce emissions, with the goal of keeping global warming below 2 degrees Centigrade by the end of this century.

One of the things I was impressed with in Paris was that the countries that were there represented everybody from China to the Marshall Islands, and all of them understood that climate change is real, that it is a threat to our planet, and that we have to do something about it. They understand that because they have seen it. They have seen it in their home countries. They have seen rising sea levels, extreme weather events, environmental changes—all linked to global warming.

Here in the United States, we see it too. According to a recent Pew poll, two-thirds of all Americans recognize that climate change is real and that action must be taken to address it. We see it in my home State of New Hampshire, where we are seeing a change in our wildlife population, a change in our snowpacks that affects our ski season, our foliage season is affected, and it has an economic impact on our State. But the exciting thing is—and we saw this very clearly in Paris—that at the local level, mayors, Governors, local leaders around the world understand that we have to take action to address it, and they were there in Paris urging the negotiators to come to some sort of an agreement.

In New Hampshire, we have taken action. With nine other Northeastern States, we have been part of a regional cap-and-trade program called the Regional Greenhouse Gas Initiative. As a result of that and other actions that we have taken, we are going to meet the goals of the Clean Power Plan 10 years early.

The Regional Greenhouse Gas Initiative has generated $1.6 billion in net economic value. It has created more than 16,000 jobs across the region. That is one of the benefits of the action we can take to address climate change. As we all know here, it doesn't matter what we do in New Hampshire. It doesn't matter what we do in this country. Unless we get a global agreement in Paris so we are all going to move forward together to address the harmful impacts of climate change, we are going to see the continued sea level rise, the continued extreme weather events, all of the continued negative impacts of that global warming.

Finally, I want to say that for me one of the most exciting things about meeting with people when we were in Paris was hearing that they were cautiously optimistic that we will get an agreement, that we will take action, and we will be able to make a difference for our planet and for future generations.

I was pleased to have Senator CHRIS COONS from Delaware with us on this trip. I know he is going to talk about what he observed when we were in Paris.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I wish to express my gratitude to Senator CARDIN for leading this great delegation of 10 Senators to the Paris Conference of Parties—the COP21, the global climate change conference in Paris—and to Senator SHAHEEN of New Hampshire for her tireless leadership on energy efficiency. The least expensive, most powerful way we can reduce our energy consumption is by investing in new technologies and new approaches that help create jobs and manufacturing in the United States and reduce our total energy consumption and footprint.

I think the Paris conference has already been a success from the outset. As we heard directly from the head of the United Nations Ban Ki-moon, 150 heads of state gathered at the very outset of that conference, and 184 countries made voluntary national commitments to reducing their greenhouse gas emissions, to reducing their carbon footprint, and to working together to find sustainable solutions to this very real challenge.

The other thing I found most encouraging about the many conversations we had with governmental leaders, with advocates, with nonprofit leaders was a commitment to bring together developed countries such as the United States and European and Asian allies of ours and the developing world—the very large countries such as India and China which have become major emitters of greenhouse gases—to bring them all together in one common agreement.

One other comment I wish to make that comes out of what we saw going through an Innovation Fair that was hosted by Secretary Ernie Moniz of our Department of Energy was that governments alone can't solve climate change. Global conferences, such as the one we attended, are important—they are critical—but making real and sustained impact on fighting climate change is also going to require new and innovative approaches, and that requires investment by the private sector and by the Federal Government in clean energy and energy efficiency research and development.

Commitments made in Paris, such as the announced new mission innovation and the breakthrough energy coalition, which are public-private partnerships to ramp up and accelerate our investment in research and development are more important than ever.

We also had a chance to attend a meeting of some national leaders, of mayors and county executives, of Governors, and folks who lead regions and provinces around the world where remarkable progress has been made. At the same time that we are moving forward through this global conference as a group of nations, it is also important to recognize what subnational groups have done.

Senator SHAHEEN referenced the Regional Greenhouse Gas Initiative, which New Hampshire and my home State of Delaware participate in. It has been a remarkable and effective way for a whole group of Mid-Atlantic and Northeastern States to work together. The nine participating States have reduced our emissions by nearly 20 percent while also seeing stronger economic growth than the rest of the country, I think, suggesting it is possible for us to both reduce our greenhouse gas emissions and continue to grow a strong economy.

In fact, my home State of Delaware has reduced its GHG emissions more than any other State in the last 6 years. That is partly due to the great leadership of my Governor, Jack Markell, and partly due to the deployment of a lot of new solar systems and a lot of investment in energy efficiency.

If I might, let me mention one important piece of bipartisan legislation that I think is part of solving this challenge of how do we achieve an ''all of the above'' energy future that has sustained long-term investments in clean energy and energy efficiency research and deployment; that is, the Master Limited Partnerships Parity Act. This is a very bipartisan bill that has long had the support of Republican Senators MURKOWSKI, MORAN, COLLINS, and

GARDNER. Even Congressman TED POE, of Houston, TX, who represents a great deal of oil and gas in his district, is an advocate for this bill. I have been leading it, along with Senator STABENOW, Senator BENNET, Senator KING, and others in this Chamber. It is an important way that we can allow master limited partnerships, long available to the oil and gas industry, to be opened up to all forms of energy to make it a level playing field and to provide opportunities going forward to finance renewable energy products and energy efficiency projects. This small tweak to our Tax Code could make a cumulative big difference going forward.

In conclusion, let me renew my point that government alone can't solve climate change, but it has a central role to play in bringing together the people who can. Let's pass the MLP Parity Act, and let's make long-term, sustained investments in Federal R&D. Let's bring together public, private, and nonprofit leaders because there is no limit to what we can accomplish when our brightest scientific minds, business leaders, and our diplomats working for us in Paris come together to lay out a positive, sustained goal.

I wish to yield the floor to my colleague, the junior Senator from the State of Rhode Island, who has been a tremendous and tireless champion for conservation and in particular for our oceans, which are such a vital part of our climate future.

I yield the floor to Mr. WHITEHOUSE of Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, one of the features of our trip to Paris was the presence of America's corporate leaders there urging us on. We not only met with significant corporate leaders like people from Citigroup, PG&E, VF Industries, and others, but they were cheering us on publicly in advertisements like this one taken out by the food and beverage industry, calling on a strong Paris climate agreement. The companies who signed this include Mars—if you like M&Ms, you like Mars—General Mills, Coca-Cola and PepsiCo, Hershey and Nestle, Kellogg, Unilever, and others.

The food and beverage industry was joined by an advertisement from some of America's apparel leaders: VF Corporation, based in North Carolina, which produces North Face, Timberland, and a whole variety of other very well-known and popular brands—Adidas, the shoe manufacturer; Levis, if you know jeans you know Levis; Gap, which has stores all over the country; and others from the apparel industry. Perhaps the biggest advertisement that the American business community took out was this one: Companies like not only Johnson & Johnson, the bandaid people, but Johnson Controls, Colgate-Palmolive, Owens Corning, Procter & Gamble, Dupont, and utilities like National Grid and PG&E. So corporate America made a very strong statement in support of a strong Paris climate deal.

The last one I will show is this one, which was taken out by America's financial leaders—Bank of America, Citi, Goldman Sachs, JPMorgan Chase, Morgan Stanley, and Wells Fargo. There was a strong, powerful message from America's corporate leadership that I very much hope our colleagues on the other side will begin to listen to; that Paris is a good thing, a strong agreement is a good thing, and we need to make progress together.

With that, I will turn over the floor to my terrific colleague Senator MERKLEY from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, a huge thanks to my colleagues who have been presenting so many important dimensions of this battle against a major threat to the health of our planet. Indeed, Henry David Thoreau asked, ''What's the use of a fine house if you haven't got a tolerable planet to put it on?'' That was an excellent question decades ago but an even more important one today, when we have a significant threat that endangers our forests, our farming, our fishing, and human civilization on this planet. This is the challenge of our generation, to bring human civilization together to address carbon pollution and its impacts.

While in Paris something very exciting was going on—150 world leaders came together to kick off the final negotiations. That is unprecedented in human history. Why were so many leaders there? They were there because they are seeing the impacts in their own individual nations that are coming from the rising temperatures. They came together not just with their voice but with their pledges. In fact, more than 180 countries put forward pledges about how they were going to reduce the trajectory of their carbon pollution footprints. They know what is at stake.

We certainly know in Oregon what is at stake. We see the pine beetle devastating forests, creating a red zone of dying trees. We see the longer forest fire season having a big impact, with more intense blazes and more of them over more months. We see the impact of the loss of snowpack in the Cascades impacting our streams and impacting the water supply for agriculture. The Klamath Basin, along with California, is locked into a deep drought with devastating consequences. We see it over on our coast, where the more acidic Pacific Ocean is creating problems for our shellfish industry because the baby oysters have trouble making their shells. How is this connected? Because the carbon pollution in the air is absorbed into the ocean via waves and creates carbonic acid, and that more acidic water is eroding the ability of our shellfish to operate as they have for a millennium in making shells.

We know this is not just something in Oregon, not just something in Maryland, and not just something in this State or that State but worldwide, where 2014 was the warmest year on record. In fact, 14 of the 15 warmest years on record have happened in this century. Now we see 2015 on the trajectory, and it is going to be warmer than 2014.

There is nothing disputable about the facts: rising carbon dioxide and methane pollution, rising consequences for our States across America, rising consequences for the world. Scientists tell us it will get worse. We have only had a 0.9-degree centigrade increase. If we get to 2 degrees, it is catastrophic. It is pretty bad now. We must come together as an international community and address that.

In Paris we know we need to have a more ambitious agenda than the one we have laid out, even with these wonderful pledges, and we need to come back every 5 years and keep driving the process forward. We know we have to lower the costs for renewable energy so we can come back together and increase the pace at which we pivot from a fossil fuel energy economy to a renewable energy economy.

We know we need to invest in solar deployment, and there is the International Solar Initiative that India is going to host a secretariat for and work to deploy a trillion dollars in solar panels. We know innovation matters, and mission innovation with the United States and other nations doubling their investment over the next 5 years will do a lot more to lower costs and increase the efficiency of technologies in clean power and clean power storage.

Well, it is a big challenge, and I am so delighted to be able to be part of a community of legislators. One of those legislators who has led on this in the House for decades, brought his expertise to the Senate, is my colleague from Massachusetts Senator MARKEY.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I thank the Senator from Oregon for his leadership, bringing the message of the harm being done to our natural world, I thank Senator CARDIN for taking this delegation of 10 Members to Paris, and I thank the Senator for having this session on the floor.

We are at an inflection point. We are at a point where the danger to the planet is clear.

Mr. President, 2014 was the warmest year ever recorded. This past November was the warmest November ever recorded. October was the warmest October ever recorded. There is now a warming of our planet that is intensifying dangerously, and we have to act

in order to avoid the most catastrophic consequences, and that is what is happening in Paris right now. The United States is leading the way. The rest of the world is coming together, and we have a chance to have a very good agreement.

We are going to have the President's back because the 1992 treaty, under which he is negotiating, was ratified by this body. The Clean Air Act that he is operating under was passed by this body. The clean power rules and increase in fuel economy standards——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MARKEY. Mr. President, I ask unanimous consent for an additional 1 minute to speak.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MARKEY. Mr. President, this afternoon—and I think it will continue over the next week—the Republicans and the American petroleum industry are going to try to lift the ban on the exportation of American oil, which could lead to more drilling for millions of barrels of oil on our soil, while at the same time not giving a simultaneous, equal extension of wind and solar tax breaks so that we can continue this revolution that we are bragging about in Paris right now to the rest of the world. These two things do not go together.

You cannot simultaneously drill for more oil that is not drilled for today and then have an ending of the wind and solar tax breaks as they are kicking in. You cannot preach temperance from a barstool. You cannot preach temperance as you are putting up new oil rigs and simultaneously say that the wind and solar tax breaks are going to end and end soon. We have to have both if there is going to be a deal, and right now that is in question in this Chamber. It is important for the American people to know that answer because in Paris they are waiting for this answer. There are 190 nations that want to know that we are actually going to do what we are saying we are going to do in this agreement that we are trying to reach—the most important agreement for this century in terms of the well-being of the planet.

I thank the Presiding Officer for allowing me that courtesy, and I thank the Senator from Utah for his forbearance.

I yield back the remainder of my time.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 116, H.R. 2250.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 2250) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

That the following sums are appropriated, out of any money in the Treasury and otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I

LEGISLATIVE BRANCH

SENATE

EXPENSE ALLOWANCES

For expense allowances of the Vice President, $18,760; the President Pro Tempore of the Senate, $37,520; Majority Leader of the Senate, $39,920; Minority Leader of the Senate, $39,920; Majority Whip of the Senate, $9,980; Minority Whip of the Senate, $9,980; Chairmen of the Majority and Minority Conference Committees, $4,690 for each Chairman; and Chairmen of the Majority and Minority Policy Committees, $4,690 for each Chairman; in all, $174,840.

REPRESENTATION ALLOWANCES FOR THE MAJORITY AND MINORITY LEADERS

For representation allowances of the Majority and Minority Leaders of the Senate, $14,070 for each such Leader; in all, $28,140.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, and others as authorized by law, including agency contributions, $179,185,311, which shall be paid from this appropriation without regard to the following limitations:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, $2,417,248.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, $723,466.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For Offices of the Majority and Minority Leaders, $5,255,576.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, $3,359,424.

COMMITTEE ON APPROPRIATIONS

For salaries of the Committee on Appropriations, $15,142,000.

CONFERENCE COMMITTEES

For the Conference of the Majority and the Conference of the Minority, at rates of compensation to be fixed by the Chairman of each such committee, $1,658,000 for each such committee; in all, $3,316,000.

OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY AND THE CONFERENCE OF THE MINORITY

For Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, $817,402.

POLICY COMMITTEES

For salaries of the Majority Policy Committee and the Minority Policy Committee, $1,692,905 for each such committee; in all, $3,385,810.

OFFICE OF THE CHAPLAIN

For Office of the Chaplain, $436,886.

OFFICE OF THE SECRETARY

For Office of the Secretary, $24,772,000.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For Office of the Sergeant at Arms and Doorkeeper, $69,000,000.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For Offices of the Secretary for the Majority and the Secretary for the Minority, $1,762,000.

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

For agency contributions for employee benefits, as authorized by law, and related expenses, $48,797,499.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, $5,408,500.

OFFICE OF SENATE LEGAL COUNSEL

For salaries and expenses of the Office of Senate Legal Counsel, $1,120,000.

EXPENSE ALLOWANCES OF THE SECRETARY OF THE SENATE, SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE, AND SECRETARIES FOR THE MAJORITY AND MINORITY OF THE SENATE

For expense allowances of the Secretary of the Senate, $7,110; Sergeant at Arms and Doorkeeper of the Senate, $7,110; Secretary for the Majority of the Senate, $7,110; Secretary for the Minority of the Senate, $7,110; in all, $28,440.

CONTINGENT EXPENSES OF THE SENATE

INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted under paragraph 1 of rule XXVI of the Standing Rules of the Senate, section 112 of the Supplemental Appropriations and Rescission Act, 1980 (Public Law 96–304), and Senate Resolution 281, 96th Congress, agreed to March 11, 1980, $133,265,000, of which $26,650,000 shall remain available until September 30, 2018.

EXPENSES OF THE UNITED STATES SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, $508,000.

SECRETARY OF THE SENATE

For expenses of the Office of the Secretary of the Senate, $8,750,000 of which $4,350,000 shall remain available until September 30, 2020 and of which $2,500,000 shall remain available until expended.

SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, $130,000,000, which shall remain available until September 30, 2020.

MISCELLANEOUS ITEMS

For miscellaneous items, $21,390,270 which shall remain available until September 30, 2018.

SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

For Senators' Official Personnel and Office Expense Account, $390,000,000 of which $19,121,212 shall remain available until September 30, 2018.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, $300,000.

ADMINISTRATIVE PROVISIONS

REQUIRING AMOUNTS REMAINING IN SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT

SEC. 1. Notwithstanding any other provision of law, any amounts appropriated under this Act under the heading ''SENATE'' under the

heading ''CONTINGENT EXPENSES OF THE SENATE'' under the heading ''SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT'' shall be available for obligation only during the fiscal year or fiscal years for which such amounts are made available. Any unexpended balances under such allowances remaining after the end of the period of availability shall be returned to the Treasury in accordance with the undesignated paragraph under the center heading ''GENERAL PROVISION'' under chapter XI of the Third Supplemental Appropriation Act, 1957 (2 U.S.C. 4107) and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

AUTHORITY FOR TRANSFER OF FUNDS

SEC. 2. Section 1 of the Legislative Branch Appropriations Act, 1991 (2 U.S.C. 6153) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(2) by inserting after subsection (b) the following:

''(c)(1) The Chaplain of the Senate may, during any fiscal year, at the election of the Chaplain of the Senate, transfer funds from the appropriation account for salaries for the Office of the Chaplain of the Senate to the account, within the contingent fund of the Senate, from which expenses are payable for the Office of the Chaplain.

''(2) The Chaplain of the Senate may, during any fiscal year, at the election of the Chaplain of the Senate, transfer funds from the appropriation account for expenses, within the contingent fund of the Senate, for the Office of the Chaplain to the account from which salaries are payable for the Office of the Chaplain of the Senate.'';

(3) in subsection (d), as so redesignated—

(A) in paragraph (1), by inserting ''or the Office of the Chaplain of the Senate, as the case may be,'' after ''such committee'' each place it appears; and

(B) in paragraph (2), by inserting ''or the Chaplain of the Senate, as the case may be,'' after ''the Chairman''; and

(4) in subsection (e), as so redesignated, by inserting ''or the Chaplain of the Senate, as the case may be,'' after ''The Chairman of a committee''.

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Tori B. Nunnelee, widow of Alan Nunnelee, late a Representative from the State of Mississippi, $174,000.

For salaries and expenses of the House of Representatives, $1,180,736,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $22,278,891, including: Office of the Speaker, $6,645,417, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $2,180,048, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $7,114,471, including $10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $1,886,632, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $1,459,639, including $5,000 for official expenses of the Minority Whip; Republican Conference, $1,505,426; Democratic Caucus, $1,487,258: Provided, That such amount for salaries and expenses shall remain available from January 3, 2016 until January 2, 2017.

MEMBERS' REPRESENTATIONAL ALLOWANCES INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, $554,317,732.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $123,903,173: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2016.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, $23,271,004, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2016.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, $175,713,679, including: for salaries and expenses of the Office of the Clerk, including the positions of the Chaplain and the Historian, and including not more than $25,000, of which not more than $20,000 is for the Family Room and not more than $2,000 is for the Office of the Chaplain, for official representation and reception expenses, $24,980,898; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages and the Office of Emergency Management, and including not more than $3,000 for official representation and reception expenses, $14,827,120 of which $4,784,229 shall remain available until expended; for salaries and expenses of the Office of the Chief Administrative Officer including not more than $3,000 for official representation and reception expenses, $115,010,000, of which $1,350,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, $4,741,809; for salaries and expenses of the Office of General Counsel, $1,413,450; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian, $2,000 for preparing the Digest of Rules, and not more than $1,000 for official representation and reception expenses, $1,974,606; for salaries and expenses of the Office of the Law Revision Counsel of the House, $3,119,766; for salaries and expenses of the Office of the Legislative Counsel of the House, $8,352,975; for salaries and expenses of the Office of Interparliamentary Affairs, $814,069; for other authorized employees, $478,986.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, $281,251,521, including: supplies, materials, administrative costs and Federal tort claims, $3,625,236; official mail for committees, leadership offices, and administrative offices of the House, $190,486; Government contributions for health, retirement, Social Security, and other applicable employee benefits, $254,447,514, to remain available until March 31, 2017; Business Continuity and Disaster Recovery, $16,217,008 of which $5,000,000 shall remain available until expended; transition activities for new members and staff, $2,084,000, to remain available until expended; Wounded Warrior Program $2,500,000, to remain available until expended; Office of Congressional Ethics, $1,467,030; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, $720,247.

ADMINISTRATIVE PROVISIONS

SEC. 101. (a) REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT.—Notwithstanding any other provision of law, any amounts appropriated under this Act for ''HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES'' shall be available only for fiscal year 2016. Any amount remaining after all payments are made under such allowances for fiscal year 2016 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term ''Member of the House of Representatives'' means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

DELIVERY OF BILLS AND RESOLUTIONS

SEC. 102. None of the funds made available in this Act may be used to deliver a printed copy of a bill, joint resolution, or resolution to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) unless the Member requests a copy.

DELIVERY OF CONGRESSIONAL RECORD

SEC. 103. None of the funds made available by this Act may be used to deliver a printed copy of any version of the Congressional Record to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

SEC. 104. None of the funds made available in this Act may be used by the Chief Administrative Officer of the House of Representatives to make any payments from any Members' Representational Allowance for the leasing of a vehicle, excluding mobile district offices, in an aggregate amount that exceeds $1,000 for the vehicle in any month.

LIMITATION ON PRINTED COPIES OF U.S. CODE TO HOUSE

SEC. 105. None of the funds made available by this Act may be used to provide an aggregate number of more than 50 printed copies of any edition of the United States Code to all offices of the House of Representatives.

DELIVERY OF REPORTS OF DISBURSEMENTS

SEC. 106. None of the funds made available by this Act may be used to deliver a printed copy of the report of disbursements for the operations of the House of Representatives under section 106 of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5535) to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

DELIVERY OF DAILY CALENDAR

SEC. 107. None of the funds made available by this Act may be used to deliver to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) a printed copy of the Daily Calendar of the House of Representatives which is prepared by the Clerk of the House of Representatives.

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $4,203,000, to be disbursed by the Secretary of the Senate.

JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES OF 2017

For salaries and expenses associated with conducting the inaugural ceremonies of the President and Vice President of the United States, January 20, 2017, in accordance with such program as may be adopted by the joint congressional committee authorized to conduct the inaugural ceremonies of 2017, $1,250,000 to be disbursed by the Secretary of the Senate and to remain available until September 30, 2017: Provided, That funds made available under this heading shall be available for payment, on a direct or reimbursable basis, whether incurred on, before, or after, October 1, 2016: Provided further, That the compensation of any employee of the Committee on Rules and Administration of the Senate who has been designated to perform service with respect to the inaugural ceremonies of 2017 shall continue to be paid by the Committee on Rules and Administration, but the account from which such staff member is paid may be reimbursed for the services of the staff member out of funds made available under this heading: Provided further, That there are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary, without fiscal year limitation, for agency contributions related to the compensation of employees of the joint congressional committee.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $10,095,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including:

(1) an allowance of $2,175 per month to the Attending Physician;

(2) an allowance of $1,300 per month to the Senior Medical Officer;

(3) an allowance of $725 per month each to three medical officers while on duty in the Office of the Attending Physician;

(4) an allowance of $725 per month to 2 assistants and $580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and

(5) $2,486,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, $3,371,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

SALARIES AND EXPENSES

For salaries and expenses of the Office of Congressional Accessibility Services, $1,387,000, to be disbursed by the Secretary of the Senate.

CAPITOL POLICE

SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, $300,000,000 of which overtime shall not exceed $30,928,000 unless the Committee on Appropriations of the House and Senate are notified, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than $5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, $66,465,499, to be disbursed by the Chief of the Capitol Police or his designee: Provided, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2016 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

ADMINISTRATIVE PROVISION

DEPOSIT OF REIMBURSEMENTS FOR LAW ENFORCEMENT ASSISTANCE

SEC. 1001. (a) IN GENERAL.—Section 2802(a)(1) of the Supplemental Appropriations Act, 2001 (2 U.S.C. 1905(a)(1)) is amended by striking ''District of Columbia)'' and inserting the following: ''District of Columbia), and from any other source in the case of assistance provided in connection with an activity that was not sponsored by Congress''.

(b) CONFORMING AMENDMENT.—Section 2802(a)(2) of such Act (2 U.S.C. 1905(a)(2)) is amended by striking ''law enforcement assistance to any Federal, State, or local government agency (including any agency of the District of Columbia)'' and inserting ''any law enforcement assistance for which reimbursement described in paragraph (1) is made''.

(c) EFFECTIVE DATE.—The amendments made by this section shall only apply with respect to any reimbursement received before, on, or after the date of the enactment of the Act.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $3,959,000, of which $450,000 shall remain available until September 30, 2017: Provided, That not more than $500 may be expended on the certification of the Executive Director of the Office of Compliance in connection with official representation and reception expenses.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than $6,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, $45,700,000.

ARCHITECT OF THE CAPITOL

CAPITOL CONSTRUCTION AND OPERATIONS

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for all necessary expenses for surveys and studies, construction, operation, and general and administrative support in connection with facilities and activities under the care of the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than $5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, $91,589,000.

CAPITOL BUILDING

For all necessary expenses for the maintenance, care and operation of the Capitol, $45,546,000, of which $21,237,000 shall remain available until September 30, 2020.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $11,973,000, of which $2,000,000 shall remain available until September 30, 2020.

SENATE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of Senate office buildings; and furniture and furnishings to be expended under the control and supervision of the Architect of the Capitol, $84,221,000, of which $26,283,000 shall remain available until September 30, 2020.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, $149,962,000, of which $23,886,000 shall remain available until September 30, 2020, and of which $62,000,000 shall remain available until expended for the restoration and renovation of the Cannon House Office Building.

In addition, for a payment to the House Historic Buildings Revitalization Trust Fund, $10,000,000, to remain available until expended.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, $101,601,000, of which $19,635,000 shall remain available until September 30, 2020: Provided, That not more than $9,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2016.

LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $29,132,000, of which $3,994,000 shall remain available until September 30, 2020.

CAPITOL POLICE BUILDINGS, GROUNDS, AND SECURITY

For all necessary expenses for the maintenance, care and operation of buildings, grounds and security enhancements of the United States Capitol Police, wherever located, the Alternate Computer Facility, and AOC security operations, $22,535,000, of which $4,376,000 shall remain available until September 30, 2020.

BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, $11,980,000, of which $2,100,000 shall remain available until September 30, 2020: Provided, That, of the amount made available under this heading, the Architect of the Capitol may obligate and expend such sums as may be necessary for the maintenance, care and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect of the Capitol or a duly authorized designee.

CAPITOL VISITOR CENTER

For all necessary expenses for the operation of the Capitol Visitor Center, $20,844,000.

ADMINISTRATIVE PROVISIONS

NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR OVER BUDGET

SEC. 1101. None of the funds made available in this Act for the Architect of the Capitol may be used to make incentive or award payments to contractors for work on contracts or programs for which the contractor is behind schedule or over budget, unless the Architect of the Capitol, or agency-employed designee, determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program.

SCRIMS

SEC. 1102. None of the funds made available by this Act may be used for scrims containing photographs of building facades during restoration or construction projects performed by the Architect of the Capitol.

ACQUISITION OF PARCEL AT FORT MEADE

SEC. 1103. (a) ACQUISITION.—The Architect of the Capitol is authorized to acquire from the Maryland State Highway Administration, at no cost to the United States, a parcel of real property (including improvements thereon) consisting of approximately 7.34 acres located within the portion of Fort George G. Meade in Anne Arundel County, Maryland, that was transferred to the Architect of the Capitol by the Secretary of the Army pursuant to section 122 of the Military Construction Appropriations Act, 1994 (2 U.S.C. 141 note).

(b) TERMS AND CONDITIONS.—The terms and conditions applicable under subsections (b) and (d) of section 122 of the Military Construction Appropriations Act, 1994 (2 U.S.C. 141 note) to the property acquired by the Architect of the Capitol pursuant to such section shall apply to the real property acquired by the Architect pursuant to the authority of this section.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library's catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $421,607,000, of which not more than $6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2016, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than $350,000 shall be derived from collections during fiscal year 2016 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: Provided, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than $6,350,000: Provided further, That, of the total amount appropriated, not more than $12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices: Provided further, That of the total amount appropriated, $8,231,000 shall remain available until expended for the digital collections and educational curricula program: Provided further, That, of the total amount appropriated, $750,000 shall remain available until expended for upgrade of the Legislative Branch Financial Management System.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For all necessary expenses of the Copyright Office, $56,490,000, of which not more than $30,000,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2016 under section 708(d) of title 17, United States Code: Provided, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That not more than $5,777,000 shall be derived from collections during fiscal year 2016 under sections 111(d)(2), 119(b)(2), 803(e), 1005, and 1316 of such title: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than $35,777,000: Provided further, That not more than $100,000 of the amount appropriated is available for the maintenance of an ''International Copyright Institute'' in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: Provided further, That not more than $6,500 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: Provided further, That, notwithstanding any provision of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program, with the exception of the costs of salaries and benefits for the Copyright Royalty Judges and staff under section 802(e).

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, $106,945,000: Provided, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), $50,248,000: Provided, That, of the total amount appropriated, $650,000 shall be available to contract to provide newspapers to blind and physically handicapped residents at no cost to the individual.

ADMINISTRATIVE PROVISION

REIMBURSABLE AND REVOLVING FUND ACTIVITIES

SEC. 1201. (a) IN GENERAL.—For fiscal year 2016, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed $186,015,000.

(b) ACTIVITIES.—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

GOVERNMENT PUBLISHING OFFICE

CONGRESSIONAL PUBLISHING

(INCLUDING TRANSFER OF FUNDS)

For authorized publishing of congressional information and the distribution of congressional information in any format; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (section 902 of title 44, United States Code); publishing of Government publications authorized by law to be distributed to Members of Congress; and publishing and distribution of Government publications authorized by law to be distributed without charge to the recipient, $79,736,000: Provided, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: Provided further, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: Provided further, That, notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Publishing Office business operations revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate: Provided further, That, notwithstanding sections 901, 902, and 906 of title 44, United States Code, this appropriation may be used to prepare indexes to the Congressional Record on only a monthly and session basis.

PUBLIC INFORMATION PROGRAMS OF THE SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the public information programs of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $30,500,000: Provided, That amounts of not more than $2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2014 and 2015 to depository and other designated libraries: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Publishing Office business operations revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PUBLISHING OFFICE BUSINESS OPERATIONS REVOLVING FUND

For payment to the Government Publishing Office Business Operations Revolving Fund, $8,764,000, to remain available until expended, for information technology development and facilities repair: Provided, That the Government Publishing Office is hereby authorized to make such expenditures, within the limits of funds available and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Publishing Office business operations revolving fund: Provided further, That not more than $7,500 may be expended on the certification of the Director of the Government Publishing Office in connection with official representation and reception expenses: Provided further, That the business operations revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: Provided further, That expenditures in connection with travel expenses of the advisory councils to the Director of the Government Publishing Office shall be deemed necessary to carry out the provisions of title 44, United States Code: Provided further, That the business operations revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: Provided further, That activities financed through the business operations revolving fund may provide information in any format: Provided further, That the business operations revolving fund and the funds provided under the heading ''Public Information Programs of the Superintendent of Documents'' may not be used for contracted security services at GPO's passport facility in the District of Columbia.

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than $12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, $525,000,000: Provided, That, in addition, $25,450,000 of payments received under sections 782, 3521, and 9105 of title 31, United States Code, shall be available without fiscal year limitation: Provided further, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: Provided further, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed.

ADMINISTRATIVE PROVISION

FEDERAL GOVERNMENT DETAILS

SEC. 1301. Section 731 of title 31, United States Code, is amended by adding at the end the following new subsection:

''(k) FEDERAL GOVERNMENT DETAILS.—The activities of the Government Accountability Office may, in the reasonable discretion of the Comptroller General, be carried out by sending or receiving details of personnel to other branches or agencies of the Federal Government, on a reimbursable, partially-reimbursable, or nonreimbursable basis.''.

OPEN WORLD LEADERSHIP CENTER TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), $5,700,000: Provided, That funds made available to support Russian participants shall only be used for those engaging in free market development, humanitarian activities, and civic engagement, and shall not be used for officials of the central government of Russia.

JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

For payment to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105), $430,000.

TITLE II

GENERAL PROVISIONS

MAINTENANCE AND CARE OF PRIVATE VEHICLES

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

FISCAL YEAR LIMITATION

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2016 unless expressly so provided in this Act.

RATES OF COMPENSATION AND DESIGNATION

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: Provided, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

CONSULTING SERVICES

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

COSTS OF LBFMC

SEC. 205. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed $2,000.

LANDSCAPE MAINTENANCE

SEC. 206. For fiscal year 2016 and each fiscal year thereafter, the Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape features, excluding streets, in Square 580 up to the beginning of I–395.

LIMITATION ON TRANSFERS

SEC. 207. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

GUIDED TOURS OF THE CAPITOL

SEC. 208. (a) Except as provided in subsection (b), none of the funds made available to the Architect of the Capitol in this Act may be used to eliminate or restrict guided tours of the United States Capitol which are led by employees and interns of offices of Members of Congress and other offices of the House of Representatives and Senate.

(b) At the direction of the Capitol Police Board, or at the direction of the Architect of the Capitol with the approval of the Capitol Police Board, guided tours of the United States Capitol which are led by employees and interns described in subsection (a) may be suspended temporarily or otherwise subject to restriction for security or related reasons to the same extent as guided tours of the United States Capitol which are led by the Architect of the Capitol.

BATTERY RECHARGING STATIONS FOR PRIVATELY OWNED VEHICLES IN PARKING AREAS UNDER THE JURISDICTION OF THE LIBRARIAN OF CONGRESS AT NO NET COST TO THE FEDERAL GOVERNMENT

SEC. 209. (a) DEFINITION.—In this section, the term ''covered employee'' means—

(1) an employee of the Library of Congress; or

(2) any other individual who is authorized to park in any parking area under the jurisdiction of the Library of Congress on the Library of Congress buildings and grounds.

(b) AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (3), funds appropriated to the Architect of the Capitol under the heading ''Capitol Power Plant''

under the heading ''ARCHITECT OF THE CAPITOL'' in any fiscal year are available to construct, operate, and maintain on a reimbursable basis battery recharging stations in parking areas under the jurisdiction of the Library of Congress on Library of Congress buildings and grounds for use by privately owned vehicles used by covered employees.

(2) VENDORS AUTHORIZED.—In carrying out paragraph (1), the Architect of the Capitol may use one or more vendors on a commission basis.

(3) APPROVAL OF CONSTRUCTION.—The Architect of the Capitol may construct or direct the construction of battery recharging stations described under paragraph (1) after—

(A) submission of written notice detailing the numbers and locations of the battery recharging stations to the Joint Committee on the Library; and

(B) approval by that Committee.

(c) FEES AND CHARGES.—

(1) IN GENERAL.—Subject to paragraph (2), the Architect of the Capitol shall charge fees or charges for electricity provided to covered employees sufficient to cover the costs to the Architect of the Capitol to carry out this section, including costs to any vendors or other costs associated with maintaining the battery charging stations.

(2) APPROVAL OF FEES OR CHARGES.—The Architect of the Capitol may establish and adjust fees or charges under paragraph (1) after—

(A) submission of written notice detailing the amount of the fee or charge to be established or adjusted to the Joint Committee on the Library; and

(B) approval by that Committee.

(d) DEPOSIT AND AVAILABILITY OF FEES, CHARGES, AND COMMISSIONS.—Any fees, charges, or commissions collected by the Architect of the Capitol under this section shall be—

(1) deposited in the Treasury to the credit of the appropriations account described under subsection (b); and

(2) available for obligation without further appropriation during the fiscal year collected.

(e) REPORTS.—

(1) IN GENERAL.—Not later than 30 days after the end of each fiscal year, the Architect of the Capitol shall submit a report on the financial administration and cost recovery of activities under this section with respect to that fiscal year to the Joint Committee on the Library and the Committees on Appropriations of the House of Representatives and Senate.

(2) AVOIDING SUBSIDY.—

(A) DETERMINATION.—Not later than 3 years after the date of enactment of this Act and every 3 years thereafter, the Architect of the Capitol shall submit a report to the Joint Committee on the Library determining whether covered employees using battery charging stations as authorized by this section are receiving a subsidy from the taxpayers.

(B) MODIFICATION OF RATES AND FEES.—If a determination is made under subparagraph (A) that a subsidy is being received, the Architect of the Capitol shall submit a plan to the Joint Committee on the Library on how to update the program to ensure no subsidy is being received. If the Joint Committee does not act on the plan within 60 days, the Architect of the Capitol shall take appropriate steps to increase rates or fees to ensure reimbursement for the cost of the program consistent with an appropriate schedule for amortization, to be charged to those using the charging stations.

(f) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

COST OF LIVING ADJUSTMENT

SEC. 210. Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4501) (relating to cost of living adjustments for Members of Congress) during fiscal year 2016.

This Act may be cited as the ''Legislative Branch Appropriations Act, 2016''.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported amendment be withdrawn; that the McConnell substitute amendment, which is the text of H.J. Res. 75, be agreed to; that the bill, as amended, be read a third time and the Senate vote on passage of the bill with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment was withdrawn.

The amendment (No. 2922) in the nature of a substitute was agreed to, as follows:

(Purpose: Making further continuing appropriations for fiscal year 2016, and for other purposes)

Strike all after the enacting clause and insert the following:

That the Continuing Appropriations Act, 2016 (Public Law 114–53) is amended by striking the date specified in section 106(3) and inserting ''December 16, 2015''.

This Act may be cited as the ''Further Continuing Appropriations Act, 2016''.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 2250), as amended, was passed.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the title amendment at the desk be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2923) was agreed to, as follows:

To amend the title to read:

''Further Continuing Appropriations Act, 2016''.

THE PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to finish my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELIGIOUS FREEDOM

Mr. HATCH. Mr. President, today I complete the series of floor speeches on religious freedom that I began in September. My purpose in this series is to present the full story of religious freedom in the hope that we may better understand and appreciate it and draw guidance for the future. Charting a path forward requires understanding where we have been and taking stock of where we are right now.

The story of religious freedom, as I have laid it out, shows that we must choose between two starkly different paths. The story begins with religious freedom itself and why it is uniquely important and requires special protection. I said in September:

> No decision is more fundamental to human existence than the decision we make regarding our relationship to the Divine. No act of government can be more intrusive or more invasive of individual autonomy and free will than the act of compelling a person to violate his or her sincerely chosen religious beliefs.

The story continues with the central place of religious freedom in America's identity. At no time in world history has religious freedom been such an integral part of a nation's origin and character. The seeds were planted centuries before the actual founding of this country with one religious community after another coming to these shores to freely practice their faith.

When Congress enacted the International Religious Freedom Act less than two decades ago, we declared that religious freedom ''undergirds the very origin and existence of the United States.''

The story of religious freedom in America includes understanding both its status and its substance. In October, I explained how the status of religious freedom can be summarized as both inalienable and preeminent. Religious freedom is inalienable because, as the Declaration of Independence asserts, it comes from God, not from government. And because it is endowed, that is part of our very humanity. Religious freedom is preeminent or, as James Madison put it, ''precedent, both in order of time and in degree of obligation to the claims of civil society.''

I also explained that the substance of religious freedom can be understood in terms of its depth, or what it includes, and its breadth, or to whom it applies. Religious freedom, for example, includes much more than religious belief or speech. In fact, protecting in law both religious belief and the exercise of that belief preceded the First Amendment by 150 years. Madison again gives us guidance to finding the exercise of religion as the freely chosen manner of discharging the duty an individual believes he or she owes to God. This includes both belief and behavior in public and in private, individually and collectively. The substance of religious freedom also includes its breadth of application to all human beings.

The First Amendment protects not certain exercises of religion or the exercise of religion by certain persons, but the free exercise of religion itself.

As I mentioned, Congress unanimously enacted the International Religious Freedom Act. The vote in this

body was 98 to 0, and 21 Senators serving today—12 Republicans and 9 Democrats—voted for this legislation, as did Vice President BIDEN and Secretary of State John Kerry, who were serving here at that time. That law declares our religious freedom to be a universal human right, a pillar of our Nation, and a fundamental freedom. This is the path of religious freedom on which we have traveled for three centuries, before a very different path emerged.

In November, I outlined how the courts have begun to distort the First Amendment's protection for religious freedom. America's Founders included a narrow prohibition on government establishment of religion as a support for the broad individual freedom to exercise religion. Since the mid-20th century, however, courts have instead expanded the establishment clause into a virtual ban on religion in public life and narrowed the free exercise clause so that government may more easily restrict the practice of religion itself.

I also examined how the courts, the Obama administration, and State legislatures are contributing to attacks on religious freedom right here in America. The common theme in these attacks is that far from being special, religious freedom must yield to other values or political objectives. Even worse, some are arguing that religious freedom is actually something negative that should be limited or even suppressed. These attacks not only target particular exercises of religion but undermine religious freedom itself.

Rather than inalienable, these attacks would turn religious freedom into something granted or restricted by the government at its whim. Instead of preeminent, these attacks would reduce religious freedom to something optional and subservient. Rather than something deep and broad, these attacks would turn religious freedom into something shallow and narrow.

State courts, for example, have imposed heavy fines on business owners who decline, based on their religious beliefs, to provide services such as photography, flowers or catering for same-sex marriages. The decision by these business owners did not prevent anyone from getting married or from having the wedding they chose. Other photographers, florists, and bakers gladly stepped up to do business. The only real effect of these fines was to punish these individuals for exercising their religious beliefs. By punishing the exercise of religion itself, these courts are saying that religious freedom must necessarily yield to other political priorities.

ObamaCare made the same two-part attack on religious freedom but on a much larger scale. First, far from trying to accommodate religious freedom in developing ObamaCare or its implementing regulations, neither Congress nor the Obama administration gave religious freedom any consideration whatsoever. This is appalling in several different ways. Not only does it reflect a callous attitude toward this fundamental right, but it ignores the Religious Freedom Restoration Act's command that Federal law properly accommodate religious freedom. The only way to avoid that requirement is for Congress explicitly to exempt a statute from RFRA's standards. Congress did not do so.

But consider this. On January 15, 2010, President Obama issued his first Religious Freedom Day proclamation. He reaffirmed ''our nation's enduring commitment to the universal human right of religious freedom.'' Just 2 months later, he signed into law the statute that so blatantly ignored and would be used to undermine that very universal human right.

The second way that ObamaCare undermines religious freedom is by imposing significant burdens on the actual exercise of religion. The Department of Health and Human Services, for example, tried to force business owners to provide insurance coverage for methods of birth control that violate their religious beliefs. Thankfully, last year the Supreme Court said the Obama administration should have more properly accommodated religious freedom.

Another case is now before the Supreme Court in which the Obama administration is demanding that a religious organization be forced to participate in providing insurance coverage for practices that violate their religious beliefs. The Obama administration, with its army of smart lawyers and deep well of taxpayer dollars, is fighting tooth and nail to make sure its political objectives quash religious freedom.

Last week, I outlined the benefits that religion and religious freedom provide. It is essential to forming and securing our basic rights. Religion was the engine driving great social movements, such as abolition and civil rights. It motivates significantly greater contributions by individuals to charities of all kinds and inspires many of the largest charitable organizations in the country. But religion is not simply beneficial to society; it is an indispensable feature of any free government. Without religion and the moral instruction it provides, freedom falters and democracy all too easily dissolves into tyranny.

In the 18th Century, the Massachusetts Constitution of 1780 declared that ''the happiness of a people and the good order and preservation of civil government essentially depend upon piety, religion, and morality.''

In the 21st Century, Harvard professor Mary Ann Glendon argues persuasively that religious freedom reduces societal violence and correlates with democratic longevity.

The story of religious freedom that I have offered over the last few months presents a choice that we must make as we consider the way forward. On one path, religious freedom is an inalienable and preeminent right of all people; on the other path, it is an uncertain and optional possibility for some people. On one path the government must accommodate religious freedom; on the other path religious freedom must accommodate the government. One path is consistent with our history, founding, character, commitments, and an example to the rest of the world. The other path rejects that history, turns its back on our commitments, and abandons human rights in favor of shifting political agendas.

Here is how I put it in one of my speeches last month:

> Subjugating religious freedom beliefs to government decrees is not the price of citizenship. To the contrary, respecting and honoring the fundamental rights of all Americans is the price our government pays to enjoy the continued consent of the American people.

We must decide whether we still believe what our Nation, our people, and our leaders have said and done. James Madison wrote that religious freedom is an inalienable right that takes precedence over the claims of civil society.

Thomas Jefferson said that religious freedom is ''the most inalienable and sacred of all human rights.''

Franklin Roosevelt said that religious freedom is a fundamental and essential human freedom.

The United States voted for the Universal Declaration of Human Rights in 1948, signed the Helsinki Accords in 1975, and ratified the International Covenant on Civil and Political Rights in 1992.

Each of these identifies religious freedom as a fundamental human right that includes both belief and behavior in public and in private, individually and collectively.

Congress enacted the Religious Freedom Restoration Act almost unanimously in 1994. I should know; I was the principal advocate for it. It sets a tough standard for allowing government interference with religious freedom and offers this protection for all exercises of religion by all people. Democrats and Republicans, liberals and conservatives, adherents of different faiths—everyone joined hands on these basic principles. And I might add that HATCH and Kennedy joined hands as well.

In the 2013 Religious Freedom Day proclamation, President Obama said that religious freedom is an essential part of human dignity. This is the path on which America began, the path America's Founders embraced, the path that all three branches of government have recognized, and the path we have reaffirmed countless times.

The burden is on those who believe that we should now leave this path.

Those who no longer believe that religious freedom is an inalienable right and an essential human freedom should say so. Those who no longer believe that, as our statutes and treaties assert, religious freedom is a fundamental right and a pillar of our Nation should be honest and up front about it. Those who believe that the shifting political priorities of the day trump religious freedom should candidly make their case.

In the last week, since the terrorist attack in San Bernardino, we have glimpsed some of the ugliness that is down the path where politics trumps religious freedom. Many of our leaders expressed support and offered thoughts and prayers for the victims and their families. Those expressions were met by some with disdain, ridicule, and scoffing.

Reporters, bloggers, activists, and even Members of Congress sent the message that thoughts and prayers are really not much of anything and in any event are legitimate only if they come from those who want more gun control.

Finally, I want to highlight for my colleagues another source of guidance in choosing the future path for religious freedom. In June 1988, the most diverse group of leaders in American history presented the Williamsburg Charter to the Nation. Its purpose was to reaffirm religious freedom for all citizens, to set out the place of religious freedom in American public life, and to offer guiding principles for the future. Former Presidents Jimmy Carter and Gerald Ford and the chairmen of the two political parties signed it. The president of the AFL–CIO and the chairman of the U.S. Chamber of Commerce signed it. Presidents of universities and bar associations signed it. Leaders of faith communities, including the National Council of Churches and National Association of Evangelicals, Seventh-day Adventists, the Synagogue Council of America, and the Church of Jesus Christ of Latter-day Saints signed it.

What could possibly unite such a disparate group? It would have to be something too general to be useful—perhaps something like sunshine or friendship—or something so profound that we simply must sit up and pay attention. The first principles of religious freedom affirmed by the Williamsburg Charter are these:

First, religious freedom is an inalienable right that is ''premised upon the inviolable dignity of the human person. It is the foundation of, and is integrally related to, all other rights and freedoms secured by the Constitution.''

Second, the ''chief menace to religious liberty today is the expanding power of government control over personal behavior and the institutions of society, when the government acts not so much in deliberate hostility to, but in reckless disregard of, communal belief and personal conscience.''

Third, limiting religious liberty ''is allowable only where the State has borne a heavy burden of proof that the limitation is justified—not by any ordinary public interest, but by a supreme public necessity—and that no less restrictive alternative to limitation exists.''

These are the principles that should guide our way forward.

Religious freedom is inalienable. Religious freedom is threatened when government either directly burdens or fails to accommodate it. Government burdens on religious freedom must be the least restrictive means of achieving a compelling government purpose or supreme public necessity.

These principles inform proper resolution of the challenges that religious freedom will certainly face ahead.

Some are calling for government to revoke or deny such things as tax-exempt status, certifications, or licenses for religious organizations with certain beliefs. I already mentioned how some courts are using anti-discrimination statutes to trump religious freedom.

Applying the principles I have discussed would require the government to make the case that such impositions are the least restrictive way to further a supreme public necessity.

Another challenge will be in the development, rather than the implementation, of anti-discrimination laws. Applying the appropriate principles requires that such legislation properly accommodate religious freedom.

Title VII of the Civil Rights Act of 1964, for example, includes a religious exemption. I supported the Employment Non-Discrimination Act in the 113th Congress because, in addition to incorporating that exemption, it also prohibited retaliation against those who qualify for the exemption. My State of Utah this year enacted an anti-discrimination statute that similarly included a robust exemption for religious organizations.

Earlier this year, however, Senators introduced the Equality Act, which would prohibit discrimination on the basis of sexual orientation and gender identity across several areas such as employment, housing, and education. It not only fails to incorporate the existing title VII religious exemption, it contains no accommodation for religious freedom at all.

This is an example of the path that rejects religious freedom as even worthy of consideration. Such legislation should not become law unless it properly accommodates religious freedom.

This is a time for choosing. The story of religious freedom is both an inspiring narrative and a cautionary tale. It brings to mind the inscription on a statue fronting the National Archives that ''eternal vigilance is the price of liberty.''

The heritage of religious freedom that took centuries to build could be dismantled in a fraction of that time. The right path means balance of accommodation; the wrong path means exclusion and suppression. The way forward requires us to choose the right path to make sure our actions speak louder than our words.

Mr. President, I apologize for going over by 5 minutes.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 4:30 p.m.

Thereupon, the Senate, at 3:06 p.m., recessed until 4:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. TILLIS).

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from North Carolina.

EXTENSION OF MORNING BUSINESS

Mr. TILLIS. Mr. President, I ask unanimous consent that morning business be extended until 6 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CAMP LIBERTY REFUGEES

Mr. TILLIS. Mr. President, the President of the United States has fully refused to acknowledge the depth and prevalence of the savagery of Islamic terrorism, and he has refused to offer and implement a strategy to permanently defeat it.

We are all too familiar with the consequences of Islamic terrorism: Fort Hood, Boston, Oklahoma, Chattanooga, Ankara, Mali, Beirut, Paris, and more recently, San Bernardino.

While the President was in Paris recently, he lectured the American people not on the moral necessity to destroy ISIS but instead on our supposed lack of compassion and understanding regarding his latest plan to resettle 10,000 Middle Eastern refugees in America.

I represent the great State of North Carolina. It is a State that has provided refuge to those who have fought and died on America's side—the South Vietnamese, Laotians, Montagnards, and Cambodians. But the President's remarks were disingenuous, because what he didn't tell the American people is that his own FBI Director has warned of America's inability to properly vet the refugees—an inability that only requires a 1 in 10,000 chance to produce a catastrophic and tragic result.

Instead of acknowledging these well-founded concerns, the President hectored the critics of his plan—Republicans, Democrats, and everyone else in

between—even after French authorities told him several members of the terrorist cell got into France masquerading as Syrian refugees. Syrian refugees with fake passports were caught trying to reach America through Honduras, and Syrians have been arrested trying to cross into Texas.

Let me tell you why this administration's rebuke is indicative of a foreign policy that is completely detached from reality. On October 29, 23 refugees died in a rocket attack at Camp Liberty in Iraq. Camp Liberty is a former U.S. military base outside of Baghdad that is home to more than 2,000 Iranian refugees who are members of the main opposition group to the ayatollahs in Tehran. The refugees at Camp Liberty have been fully vetted by American intelligence services. Eighty Iranian-built rockets struck the camp that has been home to the People's Mojahedin, an organization that has tried to fight the mullahs in Tehran. The ayatollahs want the leaders and the families of these inhabitants at Camp Liberty eliminated, and their friends in Baghdad are doing their bidding.

The men, women, and children at Camp Liberty have suffered numerous attacks resulting in hundreds of casualties. Nor has Camp Liberty, which was supposed to be a temporary home before the refugees were settled outside of Iraq, met the most basic humanitarian needs. They lack clean water, decent food, medical supplies, and decent living facilities; and every single day they go to bed at night worried if it is their last day on Earth.

The Obama administration pledged to protect these refugees who put their lives and their children's lives on the line for freedom. Yet it has done absolutely nothing to keep America's word. Why take in unvetted Syrian refugees and not a handful of refugees from Iran that are fully vetted? To curry favor with the same regime that killed American soldiers during Operation Iraqi Freedom and Operation New Dawn? I hope not.

President Obama has willfully ignored 40 years of hostility from Tehran. If the President does not recognize that we are at war, the ayatollahs certainly do. They are the chief sponsors of global terror. They have imprisoned American journalists. They have tested long-range missiles. They just completed another test in violation of international treaties over the last couple of weeks. They have never stepped back from their desire to obliterate Israel and to destroy the United States.

This is the Obama doctrine. The President sees American foreign policy as the problem. He views Israel as an obstacle to peace, and Iran is treated as another oppressed constituency with legitimate grievances against the West, so much so that when millions of Iranians took to the streets against the mullahs, President Obama did nothing and said nothing. The old American alliances are collapsing in confusion and fear, and the only answer from the administration seems to be to clear Iran's path to a nuclear weapon.

Section 1227 of this year's National Defense Reauthorization Act memorializes Congress's desire to see that our friends at Camp Liberty are protected and relocated outside of Iraq in accordance with international conventions.

The children of Camp Liberty are dying and the bad guys are watching. They are watching to see if the President of the United States tosses aside another American friend, clearing the way for a new Persian empire—a tyrannical empire armed with nuclear weapons.

I will end with the thoughts of Natan Sharansky, a survivor of the Soviet Gulag. He said:

> Today an American President has once again sought to achieve stability by removing sanctions against a brutal dictatorship without demanding anything in return. . . . We are at a historic crossroads, the United States can either appease a criminal regime—one that supports global terror, relentlessly threatens to eliminate Israel and executes more political prisoners than any other—or stand firm in demanding change in its behavior.

I don't think a lot of people know about Camp Liberty, but I want you all to know that there are 2,000 people over there who were fighting for freedom in Iran. The American people committed to protecting them and to getting them to a place where they can be safe. These are refugees who are fully vetted. They have gone through all the processes that we are wondering and worrying whether the Syrian refugees can. Let's show good faith by fulfilling our promise to the people at Camp Liberty and making sure that the American people know and the people at Camp Liberty know that we care about them and we wish them the very best that they can achieve—and that is not in a camp somewhere in Iraq.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. ERNST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO GOVERNOR TERRY BRANSTAD

Mrs. ERNST. Mr. President, I rise today to honor my good friend and the Governor of Iowa, Terry Branstad. Monday marks his historic milestone as the Nation's longest serving Governor with 7,642 days in office working for our great State of Iowa. Our Governor has devoted his life to public service and has worked tirelessly through his 99-county tour to ensure that Iowans' voices are heard.

I have also had the great honor of serving under the Governor during my time in the Iowa Army National Guard. Through the years, Governor Branstad and I have had countless conversations about the military and our veterans. We both know these men and women are well trained and have selflessly sacrificed in defense of our freedoms and our way of life. That is why we must ensure that our veterans are properly prepared to transition back to civilian life.

As a veteran himself, Governor Branstad recognizes just that. It was Governor Branstad who led significant efforts to help veterans find work across Iowa, following their launch of the Home Base Iowa public-private initiative in November of 2013. Since then, Home Base Iowa has succeeded in helping over 1,500 veterans in Iowa find work, getting 900 businesses to join the Home Base Iowa initiative. There are also 24 Home Base Iowa communities around the State, and we have 16 educational institutions that are working with the initiative and have been deemed Certified Higher Academic Military Partners. All that great participation and success is thanks to the Governor's leadership.

Through the years, our State has been incredibly fortunate to have a Governor who truly cares about the people and our veterans. The fact that he continues to wear his uniform for various veterans' events in Iowa further illustrates his support, his leadership, and his commitment to our men and women in uniform. Our Governor is someone who truly cares about serving others, and we are incredibly fortunate to have a leader such as he.

In light of his major and well-deserved milestone, we honor Governor Branstad's steadfast commitment and leadership to the people of Iowa.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRS REPORTING REGULATION ON CHARITABLE DONATIONS

Mr. ROBERTS. Mr. President, I rise to alert the Senate and all of my colleagues to yet another—yes, yet another—egregious action by the Internal Revenue Service, one that will affect every charity, every church, every nonprofit, and the communities they work so hard to serve. I emphasize ''another'' because it seems that the IRS

continues a march toward regulations and practices that target and burden hard-working Americans.

Let me just recap. First, we learned that the IRS had released confidential tax return information on companies the IRS believed opposed the administration. Then we uncovered that the IRS had illegally targeted groups whose views differed from the White House, followed by an extensive effort to hide information on these actions—i.e., Lois Lerner, her so-called ''lost e-mails,'' which weren't ever really lost. It was true injustice to law-abiding organizations and American citizens, which is why I should not have been surprised—but I was—to learn of the IRS's latest scheme.

Hot off the press is a new IRS proposed regulation that needlessly targets charitable contributions. Right now, when you make a contribution of $250 or more, charities will send you a ''written acknowledgement'' confirming the details of the donation, including the amount of the donation. The taxpayer uses this acknowledgement to document his or her tax deductions should there be any question.

Most charities take the time to send out a written confirmation of the donation as part of their thank-you to the donor. It is simple, it is inexpensive, and it builds good will. In short, it works for the taxpayer and also for the charity. That is it—a straightforward, commonsense method to confirm a donation was made, and no one, not even the IRS, argues that it is not working well.

But now the IRS has proposed a new method to substantiate donations—a method that could do great harm to the charitable sector and give the IRS more tools to go after taxpayers they may not like, as we know they have done before. The IRS wants to set up a new, more formal system where the charity would have to gather information about its donors, keep that information, and—here is the rub—report the information to the IRS.

What type of information are we talking about? The return would include the charity's name and address, the donor's name and address and—here is the scary piece—the donor's Social Security number. Again, all of this new information would have to be sent to the donor and the IRS and kept on file by the charity at considerable cost. Even more disturbing, the IRS would store, maintain, and use this information in case the donor is audited.

Although this is described as an option, given the IRS's recent track record, do we really trust the agency to store this information and not use it for other purposes? I, for one, do not. I don't think we can trust them with a new source of data on donors. We must do all we can to prevent the IRS from gaining access to this sensitive data.

I am also alarmed at the thought of whether the IRS can properly safeguard this information because the agency has demonstrated zero capacity to keep similar data out of the hands of people who commit fraud, and thieves. Charities and churches that routinely receive thousands of dollars from their supporters now become greater targets for people to commit fraud.

Earlier this year, the IRS admitted that it had been hacked and private taxpayer information had been compromised. If they can do it to the IRS, you had better believe they can do it to your local nonprofit. And while the IRS today says this rule as proposed would simply be voluntary, suffer no illusion: The IRS will eventually move to make this a mandatory requirement.

Charitable organizations are also speaking out against the IRS proposal. They understand the chilling—chilling—effect this would have on their donors, but, more importantly, on the communities they serve.

Tim Delaney, president and CEO of the National Council of Nonprofits, recently wrote:

> The IRS proposal would open the door for scam artists. . . . Nonprofits have neither the financial resources nor sufficient staffing to combat hackers who will see an easy source for Social Security information. This also creates a liability nightmare for innocent nonprofits. . . . To be asked to share their address, their credit card number and their Social Security number all in the same place would be enough to scare even the most committed donor to decline to give.

Tim Delaney has aptly summarized this pending and serious problem. He poses very legitimate concerns, especially regarding how scam artists might operate, explaining:

> Imposters' phone scripts will go something like this: ''Hi . . . I'm working for several nonprofits here in Kansas to make sure that generous donors like you get full credit for your wonderful contributions. . . . The nonprofits asked me to thank you for your generosity and confirm your name and address. . . . Also, the IRS has a new regulation that nonprofits need your Social Security number so we can send you a form confirming your contribution in case you get audited. What's your Social Security number so we can send you the form?''

Sadly, many people who want to be sure to support their charity will give the scam artists exactly what they want.

To protect the mission of our nonprofit community and the taxpayers who share their hard-earned dollars with those in need, I have introduced legislation to block this regulation and to maintain current law. The Protecting Charitable Contributions Act would maintain current IRS rules governing the substantiation of charitable contributions, and prohibit the IRS from issuing, revising, or completing any new regulation that would alter the existing rules. This just makes sense. And I would think the IRS would agree when in their own description of the proposal they state that the present system works effectively.

I urge my colleagues to support this legislation and to join me in stopping this dangerous and unneeded proposal from moving forward.

I urge all those who play a role in supporting nonprofits to go to the IRS Web site before December 16 to provide written comments to the IRS about this proposal. Yep, the IRS would like to have your comments.

Let me repeat that. I would urge all those who play a role in supporting nonprofits to go to the IRS Web site before December 16 to provide written comments to the IRS about this proposal. The message should be simple: No.

This is one Christmas greeting you had better send.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERKINS LOANS, HARDEST HIT FUND, AND ENFORCE ACT

Mr. PORTMAN. Mr. President, I rise today to talk about a couple of areas where I think we can make progress on legislation before the end of the year. This has been a legislative session in which we passed a number of important bills, and I think there is more we can do. Specifically, I am going to talk about some legislative initiatives that will give a leg up to American workers—Ohio workers—and also to help our families and help our students.

I will start with students. There is an opportunity over the next couple of weeks for us to ensure that we reauthorize the Perkins Loan Program. Perkins is an incredibly important program, particularly for low-income students. In my view, of all the student loan programs out there, Perkins is by far the most flexible. This is an urgent matter because if we don't pass an extension, new loans will not be rewarded, even in January as students start this next semester. Let's not allow college tuition to become even less affordable for low-income students. Let's ensure that they can get a college degree to pursue their dreams and that we do move forward with this Perkins reauthorization.

I spoke about this on the floor a month or so ago. I talked about it as a program that was incredibly important for students in my State. I talked about the fact that there are 60 schools in the Buckeye State, in Ohio, that have received loans from this program. Over the last school year, more than 25,000 Ohio students received financial aid through Perkins—including about

3,000 students at Kent State University and about 1,700 students at the Ohio State University.

I was in Columbus last weekend and had a chance to meet with some Ohio State students who care a lot about this. They want to ensure that this Perkins is going to be there for them so they can stay in school. Some of them already have help from other programs, but they know that if they don't have the Perkins Loan Program, they can't afford to make ends meet and to stay in school. It is very important.

I have also heard from our college Presidents from around the State—particularly from Dr. Beverly Warren from Kent, who was here a couple of weeks ago to talk to me about this, and Dr. Michael Drake, whom I saw last week at Ohio State. They want to ensure that their students have this possibility.

One of the students I talked to is Keri Richmond. Keri is a junior at Kent State, and she interned at my office this past summer. Keri was an incredible intern. She is a student who is working hard. She is at Kent State, likely to graduate a little bit early. She spent her teenage years going from foster home to foster home. She fought the odds, and she is now excelling in college. She is bright. She is ambitious. Even with her Pell Grant, she has to have that Perkins loan in order to be able to stay in school, in order to make ends meet.

This is an important program, but it is not about a program. It is not about numbers. It is about people. It is about Keri Richmond and others like her. The impact goes well beyond Ohio. Over 1,7000 colleges and universities across the country participate in this program. Low-income students everywhere rely on it. If it expires, it is only more difficult to pay for school. Instead, what we should be doing in the Senate is making it easier, not harder, to afford to go to school. Some of these tuitions have gone up and up. We have to be sure every kid has a chance to be able to get ahead by going to college or university.

If we don't move, students who previously received a Perkins loan will lose their eligibility if they change institutions or academic programs. It is a big deal for them. If we don't act soon, students who are seeking loans for the winter and spring semesters will be ineligible. In total, it is possible that 150,000 freshmen will lose their eligibility this fall. We can't let that happen. Let's not allow college tuition to become this roadblock for low-income students who are looking for a college degree. Let's give them this chance. Let's give them this opportunity. By the way, let's extend it but at the same time work on ways to improve the program. I know there are some Members on my side of the aisle—and I think on the other side as well but certainly on my side of the aisle—who said they have concerns about some of these student loan programs and would like to reform them to make them work better. That is great. Let's take the time to do that.

In the meantime, let's not eliminate this program and have these kids fall between the cracks. I am there on the reforms. I would like to help on that. I think we can do better for all of our student loan programs and help all of our kids be able to have a better chance to succeed. Let's not create this terrible uncertainty for these students in the meantime. Let's extend this program and then work on those reforms.

I thank Senator CASEY, Senator BALDWIN, Senator COLLINS, and others for their strong leadership on this. I want to ask my colleagues in the Senate to do simply what the House has done and do an extension of this program. The House has already passed this legislation. There is no reason it shouldn't be in the omnibus legislation, and there is no reason we shouldn't move forward with ensuring that these kids have the certainty they need to be able to stay in school.

Mr. President, the second issue I want to talk about is that while students get the education they need, we also have to ensure that the communities they are going back to are safe and make sure those communities can thrive and grow.

One of the issues we have in Ohio and unfortunately in too many neighborhoods all around this country is that you have a lot of blight, a lot of homes that have been abandoned. Two things happen: One, when homes are abandoned, they become a magnet for crime, for drugs, and for other criminal activity to the point that they are dangerous for the community, but, second, they drive down the cost of the other houses—sometimes by as much as 80 percent. If you are in a community or you have a beautiful home you are taking care of but your neighbor's house becomes abandoned and becomes a magnet for crime and an eyesore, it drives down all of the property values.

In Congress we have spent a lot of money, taxpayer money, on helping people deal with their mortgages when they are underwater—particularly after the financial crisis. In my view we ought to focus more on taking down these abandoned homes and creating safer neighborhoods but also, through market forces, allowing the property values of all of these homes to increase.

I think this is an honorable effort, and it is one that a lot of people are focused on now around the country. I don't think we are quite caught up to where our neighborhoods are here in Washington, DC, because when I go home to Ohio I hear about this all the time. We have about 80,000 of these dangerous abandoned homes in Ohio.

Again, to address public safety concerns and tumbling home values in these struggling neighborhoods, one of the best alternatives is to demolish these abandoned structures. Sometimes another structure can be rebuilt there. That is what we want. We want more economic development in these communities. In some cases, I have seen where there was an abandoned home, it was torn down and made into a community garden and the community can all participate. The point is to get these homes down so we can have the redevelopment we all want.

I have walked the streets with local officials in Cleveland, Warren, Lima, and Toledo, OH, and I have seen these problems firsthand. As I do that, I talk to the residents. I ask them what they think. You can imagine the response I get. First, for them, it is an eyesore. It is a danger for their kids, grandkids. Second, they are worried about their property values.

I had one occasion to speak to someone in Toledo, OH, that was particularly concerning to me. This was a woman who had three kids. Her home was right next to an abandoned home, literally feet away—6 or 7 feet away, sort of like a row house. She said: ROB, every night I go to bed worrying that the home next to me, which is abandoned, is going to be torched by arsonists. At that point in time—this was in Toledo, OH—there was about one arson a night, where these abandoned homes were not just targets for crime but they were also being used by arsonists as practice for burning down a home. She was worried about her kids. She was worried she couldn't go to sleep at night because if that home caught fire next to her, her home could be next.

This is something we ought to focus on and we can focus on. Land banks in some of our hardest hit areas of Ohio, Michigan, and other States have gotten to work on attacking this problem. They have done a great job. They don't have the resources they need to demolish as many properties as they would like to help some of these struggling neighborhoods. That is why these land banks have come to us and asked: Can you help us a little more?

After talking to them, after visiting these neighborhoods, we did take action. We authored legislation called the Neighborhood Safety Act of 2013, which was a bipartisan effort and a bicameral effort. In the House, you had Members like DAVE JOYCE, MARCY KAPTUR, and MARCIA FUDGE working on this. Our legislation called for what is called the Hardest Hit Fund to be used not just to help people pay down their mortgages but also to help people be able to knock down these abandoned homes. We pushed it aggressively, and this important change was made administratively. It has provided nearly $66 million in Ohio and around the

country to deal with these thousands of abandoned homes in our State. Michigan also got funds, as did other States.

Now, in many of these States, these Hardest Hit Funds have run out. In other words, there are more abandoned homes than there is money to be able to deal with the problem. Given the success rate we have and the fact that these land banks are doing a great job, we think it is time to provide some more funding. That is what we proposed to do in the Omnibus appropriations bill.

I am working with Senator STABENOW, Senator BROWN, and others to transfer funds from what is called the Home Affordable Modification Program, which is a program that would be eliminated under our proposal, and shift some of those funds into the Hardest Hit Fund for demolition purposes. I have repeatedly discussed this issue with our leadership, Senator MCCONNELL and others, our leadership here on the committees in the Senate and in the House, and I am very hopeful this can be done before year-end. It is the right thing to do. It is an opportunity for us to be able to shift some of these funds from a program that is not working as well into a program we know works and to make progress in some of our struggling neighborhoods in Ohio and around the country.

I give special thanks to these land banks in Ohio that have taken the lead on this issue back home. Particularly, I want to thank the tireless efforts of Jim Rokakis, director of the Thriving Communities Initiative at the Western Reserve Land Conservancy. He has done excellent work in helping to lead this effort and highlight this issue. I hope we can get this done, even in the next week here, to be able to help our communities in Ohio and around the country.

Mr. President, finally, when we talk about keeping our communities safe and the need to help our students, we also have to be sure that we are helping our workers. We need to ensure we are protecting jobs in our States that are threatened by unfairly traded imports.

I am pleased that we will soon be voting to pass the conference report for the Customs bill. It is my understanding that this may come up as early as Monday or Tuesday next week. I hope we can pass that here in the Senate and send it to the President for his signature.

There are a number of aspects of the Customs bill I support, but one aspect of it that I think is really important is legislation that is called the ENFORCE Act, to ensure that we are enforcing our laws properly. This is on the heels of legislation we already passed as part of the trade promotion authority earlier this year. That legislation is called Level the Playing Field Act. Senator SHERROD BROWN, my colleague from Ohio, and I offered this legislation, and it is now part of our law and ammunition we can use against unfairly traded imports. It is already working because it has already been signed into law, and it is helping to deal with dumping when people are selling below costs or when they unfairly subsidize imports. It is helping workers in Ohio. It is helping our tire workers, paper workers, and steel workers, and we are proud of that.

The problem is that although the legislation that we have already passed, the Level the Playing Field Act, helps with regard to taking on countries that are sending their products here unfairly, sometimes those countries then decide to try to evade the provisions we put in place, the higher tariffs for their dumped products or their higher tariffs for their subsidized products. That is what the ENFORCE Act is about. It is about ensuring that although we have this legislation in place, countries and their companies don't go around those regulations and still try to get products here into the United States by illegally sending it through another country or relabeling the product so that it doesn't fall under the tariffs that might be levied against them.

I am really hopeful that we will able to pass this additional legislation. It is incredibly important, as I said, not only for Ohio, but it is also important for the country. Time after time we have seen that once we put these protective orders in place against these unfairly traded imports, these countries continue to illegally enter our country through illegal transshipments to other countries or through relabeling these products.

I think we have an opportunity to move forward on something that is really important to help protect workers to ensure that we can closely examine these schemes and stop them.

This effort, by the way, is backed by the National Association of Manufacturers, the American Iron and Steel Institute, and the United Steelworkers. They have a common cause because they understand that it is so critical that we ensure that our workers get a fair shake.

I got an email last week from workers at Pennex Aluminum in Leetonia, OH, in the Mahoning Valley. They have 78 workers at their facility, and they won an important case against aluminum extrusions from China. The email said that this relief really helped us.

Mr. President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. PORTMAN. These workers said: Senator PORTMAN, ''this relief enabled our company to compete once again on a fair and level playing field.'' That is the relief we helped to provide by enforcing our laws against this product coming in.

They then said:

> As a result, we recently completed an investment of $38 million to expand our facility in Leetonia and create significant new jobs. Our great concern is that this trade relief is now at risk due to the efforts by Chinese producers to avoid paying duties by, among other schemes, manipulating the alloy content of their extruded aluminum products and shipping their products under a different name.

In other words, they were getting around the protections that are in place by simply relabeling the product. Again, this also happens by going around to other countries. That is why the ENFORCE Act is so important. Those 78 workers at Pennex Aluminum know it is important, and they know this legislation will help them to be able to get a fair shake.

Finally, I wish to thank the members of the conference committee on the customs bill for putting our BDS language into this legislation. It will help to avoid boycotts and divestment in sanctions of Israel. This is a way that some countries around the world are trying to delegitimize Israel. It is something that is important for us to take a stand on as a Congress, and we do that in this Customs legislation.

So again, I think there is some good legislation we can pass here in the next week or so in the Senate. I hope we will do it.

I thank the Presiding Officer for giving me the time tonight. We need to continue to stand up for our families, our students, and our workers and ensure that, indeed, we do give the people we represent a fair shake.

I yield back my time.

The PRESIDING OFFICER. The Senator from Indiana.

HONORING INDIANA SERVICEMEMBERS AND ALL AMERICANS WHO SERVED IN VIETNAM

Mr. DONNELLY. Mr. President, I rise today to honor the service and sacrifice of Indiana servicemembers and their families and of all Americans who served during the Vietnam war, as this year marks the 40th anniversary of the end of that war.

Here is picture from the Indiana Historical Society of some of the amazing Americans who served during that time. Tens of thousands of Hoosiers bravely answered the call when they volunteered or were drafted to serve in Vietnam in almost every single capacity you could think of.

Bravely, and sadly, 1,243 Hoosier soldiers gave their lives in service to our country in Vietnam. In Vietnam, our vets endured 100-plus degree heat, monsoon rains, snake-infested rice paddy fields, staggering conditions, and incredibly dangerous situations.

Our servicemembers would rather have been at home in Terre Haute, Richmond, Indy, Evansville or Fort Wayne, but they served because they loved our country and they answered when our Nation called them, and their answer was: Count on me.

At the end of the war, many of our Vietnam vets didn't receive the welcome home or the recognition they deserved. Not all received huge hugs when they hit the tarmac back in America, but our Vietnam vets are heroes just like those who stormed the beaches in Normandy, trudged through frozen rivers in Korea, and went through the deserts of Iraq and the mountains of Afghanistan. Our Vietnam vets deserve to be held—and are held—in the same high regard as those who fought in World War I, World War II, Korea, Afghanistan, and Iraq. Our Vietnam vets are part of the seamless fabric that has saved our country and made it such a blessed place.

Today, our Vietnam vets get amazing receptions everywhere they go. In my home State of Indiana, a town in northern Indiana, LaPorte, IN, in LaPorte County, has their big parade every year on July 4. The streets are filled—5, 6, 7, 8 people deep for 2½ miles long—and every year the parade is led off by the Vietnam veterans of LaPorte County, and it happens all over our State. When the parade starts off, everyone gets out of their chairs and stands up—even those who have challenges and have difficulties—to applaud our men and women who were in Vietnam, and for 2½ miles they get an amazing standing applause the entire way. These vets are our parents, our brothers and sisters, our aunts and uncles, our grandparents, friends, neighbors, and the folks who are sitting next to us in church on Sunday.

Our Vietnam veterans support and lead our communities as public servants, teachers, lawyers, nurses, business owners, factory workers, and bankers. Just about anything you can imagine—that is what our Vietnam vets are doing to make our country a greater place. They are a generation of veterans who have taught us about love of country and service, and they deserve to be honored for their selflessness and sacrifice.

Today, Indiana is home to nearly 150,000 Vietnam war veterans. We have a responsibility to provide them with the benefits and support they have earned and to show them the same commitment they demonstrated while they fought to protect us and our freedoms more than 4 decades ago.

We must ensure our veterans have access to timely and quality care at local VAs across our State and country, and that this care is delivered in a way that meets their needs. Expanding access to health care for our Hoosier vets has been and will continue to be a constant top priority of mine.

We recently broke ground in St. Joseph County, IN, on the new St. Joseph County Health Care Center. It will mean that many of our local vets in northern Indiana will be just a short ride away from the health services they have worked so hard to earn and receive.

We must continue to expand options for care, for example, through the Veterans Choice Program, which is bipartisan legislation that is now law. Provisions from our bipartisan servicemember and veteran mental health care package were signed into law recently as part of the national defense bill.

We are working every day to try to make sure our veterans have the chance to receive good physical health care and good mental health care and that we stand next to them and with them every step of the way. Our bipartisan Community Provider Readiness Recognition Act was included, and it helps connect Hoosier servicemembers and vets with local providers who can deal with the unique challenges that folks who were in our military face.

The demand for care among our vets has never been greater and our obligation to them has never been greater. In recognition of their service and sacrifice, we must deliver on our promise to care for all veterans long after their last day in uniform.

I have another picture here from the Indiana Historical Society. This is another group of our young soldiers. When they went off, as I said earlier, they didn't complain and didn't make excuses, and when our Nation called, as I said before, they said: Count on me.

We must keep the promises we made to our vets. We must keep those promises for their entire lives. Our Vietnam vets and their families made incredible sacrifices. We can do a better job of giving them the recognition and support they deserve. We must do so through words and action. In our everyday daily lives let us remember those who have sacrificed so much to defend our Nation and our freedom. Let us preserve their legacy and follow their example of service to others.

When you see someone wearing a ball cap that says Vietnam vet, World War II vet, Korean vet, Iraq or Afghanistan vet, say thanks. My guess is they will say: Thank you; I was just doing my job. But they were doing so much more than just their job. They were protecting our Nation and making sure that our children and our children's children had a chance to grow up in this most blessed of all places.

God bless every American and Hoosier veteran who served in Vietnam. God bless their families. God bless Indiana, and God bless America.

I yield back.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank the Senator from Indiana for his great remarks. I thank him for making them today.

PUERTO RICO

Ms. CANTWELL. Mr. President, I come to the floor tonight to discuss Puerto Rico, a territory of the United States since 1898. Millions of residents have been citizens since 1917, nearly 100 years. This community of 3.5 million people is facing economic, fiscal, and liquidity problems. What are we doing about it here in Congress? We are not doing anything. That needs to change, and it needs to change now.

We spent 10 years watching Puerto Rico suffer through a recession. We spent months here in Congress discussing what to do. There have been a lot of ideas—some popular, some controversial. I can say that, as the ranking member on the Energy Committee, I have heard many ideas, but now is the time to act.

We need to allow Puerto Rico to restructure. That is, we need to give them the same opportunities that we gave to average American citizens and municipalities to restructure their debt—the same that we gave to Wall Street when they were in a financial crisis, the same brink that we were almost on when we had our own economic problems. Yet there are some here in the halls of Congress who would rather listen to hedge funds and make sure they are prioritized in a debt restructuring than actually putting in place debt restructuring.

I propose a two-part, no-cost approach that will be most effective and least controversial to help us out of this situation.

The Energy and Natural Resources Committee, which has jurisdiction over territories, has heard from experts from the Department of Treasury and other government officials about how dire this situation is now. Just yesterday, a group of six CEOs sent a letter to congressional leaders urging swift legislative action on the Puerto Rico situation.

I can tell my colleagues the whole issue of what to do about Puerto Rico in the long term has many divergent views, but all those divergent views in Puerto Rico are singing the same tune right now: Restructure before January 1 or they will face serious issues of default. Why do we care? We care because the U.S. Government will have an impact of between $1 billion and $2 billion of more service demands if we do not allow them to restructure.

This year, the government and electric utilities failed to make their payments. Government workers are being cut to three days a week. Patients are now waiting months for medical care. Hospitals are going bankrupt. And the health care industry is threatened by a complete collapse. Forty-five percent of the population is living in poverty—

including 58 percent of them who are children—and the unemployment rate is stuck at 12.2 percent, more than double the highest State's unemployment rate.

So what does it cost us to act here in the United States? It costs the U.S. taxpayers zero. It costs us zero because if we think about it, this is about debt restructuring. This about setting up a process which they are denied just because Puerto Rico is a territory; they cannot get the relief of restructuring. They tried. They tried to pass their own bankruptcy law. They tried, and then basically were told that it didn't meet a Federal standard.

They are not like a municipality that has this authority. They are a territory. They are our territory. If we want them to restructure successfully and keep more debt from coming to the shores of the United States because of—I would say that we have had a huge increase in population. So the cost of inaction is this acceleration of the Puerto Rico population coming to the United States. In 2014, we see that the number jumped to almost 70,000 people in one year. The net migration has been more than 500 percent in the last 10 years.

If we do nothing in the next week and don't act on this problem, more migration of Puerto Ricans is going to come to the United States. When they come, what will happen? They will be demanding more services, such as Head Start, SNAP, unemployment insurance, and Pell Grants. So default equals more Federal spending.

The notion that my colleagues think that somehow this inaction is the way out of this equation—they are just adding more responsibility to the U.S. taxpayer. Why? Is it because they want to protect hedge funds in a bankruptcy process? Do they want to decide in the Halls of the U.S. Congress who gets in line first and who gets paid?

I will remind my colleagues, particularly since the Presiding Officer knows the Deepwater Horizon issue very well, we did not make decisions here in the U.S. Congress—in the Senate and in the House of Representatives—as to who would get paid in the Deepwater accident implosion. We appointed a receiver. They made the tough decisions. When it came to Detroit's bankruptcy, we did not make the decision.

I guarantee my colleagues that of 100 Members of the U.S. Senate, there are probably 100 opinions in both of those cases as to how we thought each of those payments or restructurings should be done. But we are not the experts, and just because we have an opinion about what we would like to see Puerto Rico do doesn't mean we should be writing that into legislation and prejudging what should be an official, legal process of restructuring debt that we need to give Puerto Rico the authority to have.

This is what newspapers across the United States are saying, including the Los Angeles Times, the Miami Herald, the Boston Globe, the New York Times, and others: Give Puerto Rico the ability to restructure their debt.

So why are people here failing to take up this mantle? People have been arguing for months about different ideas. Some of our colleagues want to increase the Medicaid reimbursement rate. Some of our colleagues want to have an EITC increase. Some of our colleagues want Puerto Rico to do away with their pensions before they go into a bankruptcy structure. Those are all political opinions by individuals that one could say are worth debate.

Now we are at the point of default. Just as we need to make decisions before January 1, our colleagues are now trying to say that we can continue to discuss this issue. We don't have time to continue to discuss this issue. We have next week, and, as a member of the Energy and Natural Resources Committee that oversees territories, I feel it is our responsibility to propose a policy and get it in place so that we can find some resolution of this issue.

I think this two-part fix about making sure there is the ability to restructure and a council to oversee it in coordination with Treasury is the best we can do at this point in time to save the U.S. Government from further costs and to give relief to Puerto Rico.

The notion that people here in the U.S. House of Representatives or the U.S. Senate are trying to protect hedge funds so that they can maximize their return is despicable. It is despicable. The notion that somebody is trying to protect these fundamental questions that need to be decided in a formal process of bankruptcy or reform, as we are calling it within the territory, is the fair and even process that should take place without prejudice.

We are going to, as a body, have a very robust discussion, I guarantee my colleagues, for years and years and years to come about what the United States is going to do about the territory of Puerto Rico. Let's at least give ourselves the luxury of having that discussion when the territory is not in default. Let's come together and pass some legislation for them to restructure their debt. Let a professional organization take the politics out of this and make the best financial decisions that can be made now to save the U.S. taxpayer from further expense.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

BEING HONEST WITH THE AMERICAN PEOPLE

Mr. SASSE. Mr. President, earlier today it was reported that the President's Deputy National Security Adviser was asked about my call that the President and the administration speak clearly about the nature of the enemy we face—about my call that we be honest with the American people and with ourselves about the fact that we are at war with militant Islam, we are at war with jihadi Islam, and we are at war with violent Islam.

In response, the White House was quoted in the World-Herald this morning as saying this:

> Our strong belief is to not treat these ISIL terrorists as leaders of some religious movement. Even if you have a derogatory adjective attached to it—radical Islam or Islamic extremism—essentially you are saying they are the leaders of a religious movement. And that is what they want. They want to be seen not as terrorists and killers and thugs, as the president said, but as leaders who speak on behalf of religion. And that is why we have not identified them as the enemy in this effort.

This is lunacy. First, while the White House is insisting that no one use the word ''Islamic'' or note any connection between the war that we are facing and some subset of Islam—even as the White House insists that no one use the word, their own preferred adjective, ''ISIL'' or ''ISIS,'' begins with an ''I.'' Every fourth grader in America can deduce without any assistance from Vanna White what the rest of the word that begins with an ''I'' is. Yet the White House insists that no one should use the word.

They are dealing with a world they wish were so, as opposed to the world with which we are called to struggle. The world in which we live is a world where we are going to be facing a decades-long battle with militant Islam, with jihadi Islam, with violent Islam. We are obviously not at war with all Muslims, but we are at war with those who believe they would kill in the name of religion, and the White House insists that we muzzle ourselves and not tell the truth.

Second, the White House's logic for why we shouldn't tell the truth to the American people or to ourselves is because the leaders of ISIL supposedly want to be identified with a religious movement. The leaders of the ISIL movement and the broader jihadi movement that is trying to kill Americans and all those who believe in freedom and in open society—the leaders of this movement also want to be martyred. Isn't the President's position that we should not kill them because they desire to be martyred? This is lunacy.

We have to speak the truth not because it alone will somehow diminish ISIS or ISIL, but because speaking the truth is actually the only way we can begin to develop policies that will not lead to more failed States in the Middle East, which are producing the terror training camps of next year.

Despite the fact that we are actually and obviously at war with militant

Islam, there is a terrible leadership vacuum in this country. The American people know this, and, frankly, those of us who are getting our classified briefings and having to engage the leadership of our national security and intelligence communities know this leadership vacuum exists. Those who are trying to keep Americans safe—there are many wonderful, freedom-loving civil servants fighting to protect our kids, and they know and experience this vacuum of leadership every day.

This vacuum is felt outside the beltway and everywhere in America, as is obvious in many of our towns. But even more disheartenigly and more dangerously, it is increasingly obvious to the professionals working in our intelligence community and in our national security structure that this vacuum is harming our national security and our intelligence community as they try to fight for our freedom.

Here is why this matters. This vacuum prevents them from doing their jobs. They have no strategy to deploy, they have no rational policy to implement, and they have been asked to defeat an enemy that their Commander in Chief refuses to name. This is lunacy, it is absurd, and it is unacceptable.

Mr. President: Please lead.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I appreciate the words of the Senator from Nebraska, Mr. SASSE, with whom I enjoy serving on the banking committee, and I appreciate his good work. I take a bit of issue with his comments. I know there are more than two options. But I hear the greatest criticisms of the President from those same people, urging—not necessarily Senator SASSE in this case, but many of the leaders in this body on the Republican side who were some of the strongest advocates for the war in Iraq. Some of those same people are saying, back into the Middle East, sending combat troops.

Going back to war is something that the American people—we all come to the floor claiming to speak for the American people, perhaps, but we know that is not good policy and that is not what most people in this country want to do. But I appreciate the comments of the Senator.

Mr. SASSE. Mr. President, will the Senator yield for a question? Do you believe there is any connection between our enemy and Islam?

Mr. BROWN. Excuse me?

Mr. SASSE. Do you believe there is any connection between our enemy and Islam?

Mr. BROWN. I am not here to debate this. I don't know exactly what that means: a connection between the enemy and Islam. I know that semantics matter, and I know the criticism of the President in this body is sort of front and center no matter what he does.

When he gave what I thought was a coherent speech, often with restraint, where we have taken the—I think we have taken the fight to ISIL in this country. I think we have done it domestically. I think the President wants to do it internationally, and this body doesn't seem to have the courage to debate whether or not we actually look at an authorization resolution—an authorization for use of force. The President is still forced to rely on a resolution that President Bush pushed through that led to disastrous policies in Iraq. I don't think that was right.

But I apologize. I want to speak on something else, Mr. President, and that is why I came to the floor.

SUPPORING OUR VETERANS

Mr. BROWN. Mr. President, 2 weeks ago most of us went home to our families to celebrate and give thanks for the many blessings we have in this country. We all look forward to spending more time with family during this holiday season, but for far too many Americans the holidays are just another time when they struggle to put food on the table or even to have a roof over their heads. This is sadly particularly true of our Nation's veterans.

Again, to go back 15 years, we take people into war in this country—sometimes for very good reason. Our sending troops to Afghanistan was exactly the right policy back in 2002 and 2003. Going into the war in Iraq was something very different.

If we in this body are going to send people into war, it is time we think about the costs of war, not come to the Senate floor and make speeches about how tough we are as Senators, when most Senators don't have children—some do, but most don't have children who go off to war. We are willing to send people into combat, and then we too often turn our backs on those soldiers once they come home and become our Nation's veterans.

The suicide rate is too high among veterans, many of them suffering from PTSD or traumatic brain injury or a host of other illnesses or afflictions. The suicide rate is too high, the unemployment rate for veterans is too high, and the drug addiction rate is too high. Yet, how often our colleagues come and talk about, let's send combat troops, let's go to war. How rarely they talk about what we do with these men and women when they come home, whose lives have been changed dramatically. These are the costs of war, and they don't get nearly the attention on the Senate floor, in the media, or among policymakers as do the actually going to war and sending our troops.

It is shameful that veterans have these rates of unemployment, addiction, suicide, and homelessness. We have made progress on homelessness through a combination of increased Federal investments and improved services. Over the past 5 years, homelessness among veterans has declined 36 percent, but too many remain on the streets.

Veterans comprise 12 percent of the Nation's adult homeless population. According to the U.S. Department of Housing and Urban Development, some 48,000 veterans were homeless—including 1,200 in my State of Ohio—on a given night in January when a census, if you will, was taken about homelessness. That is 48,000 too many. It is a disgrace that they serve our country with honor, and thousands are left without a roof over their head. Think about that. We send them off to war. They are sometimes damaged by their time in combat or their time in the military, and we don't care enough to find them places to live and find them drug treatment and find them jobs and give the kind of help to them that they gave to our country.

I met the veterans the organizations serve—organizations such as the VFW, American Legion, these groups and counties called veteran service organizations. My State is blessed to have one in each of our 88 counties. I hear about their stories of perseverance. They are inspiring.

I visited the Joseph House in Cincinnati, where Nathan Pelletier and his team of dedicated staff and volunteers provided addiction treatment and transitional housing to veterans. We heard from Britton Carter, who was formerly homeless. He completed the treatment program at Joseph House. He now works as a case manager helping other struggling veterans. He spoke about the trials he has overcome. He said:

> As a small youth I fell in love with playing army men. My mom would buy me little army men, and I dreamed of one day being a soldier.
>
> God had given me the gift of being a pretty good basketball player and as such I became the first freshman to play and start on any varsity team. With success came fans and countless people, many of whom had an agenda that didn't necessarily have my best interest at stake.
>
> From the early years of high school I found myself star struck, and I would end up in the company of those who used drugs—first pot and wine, later I was introduced to heroin and cocaine.
>
> With the grace of God, I was given the opportunity to attend college at New Mexico Military Institution in Roswell, NM. There were other offers from schools, but I was attracted to the opportunity of being able to play army man once again.
>
> I was caught with drugs and kicked out of school, and as a result I lost the chance to become an officer in the United States military. I went to another college—only to have my drug addiction lead me to poor choices that brought my career closer and closer to an end, where the only thing I felt I had to hold onto would be a career in the Army.
>
> I enlisted, and discovered that being away from home . . . left me face-to-face with

those old demons, and once again I was being discharged. . . . It wasn't long after my return . . . that I found myself in and out of trouble. Having no insurance to pay for the treatment I truly needed to address my addiction, and nearly a life sentence on the installment plan and years of struggle. . . .

He goes on.

[The Joseph House] was the one place that believed in never leaving any soldier behind—the Joseph House.

It was while at the Joseph House that I had the opportunity to get the treatment I so badly needed. . . . Today, thanks to God and his mercy. . . .

He goes on to talk about some of the things he has done. He has written a play. He has produced a play. He has done wonderful things, especially for his fellow veterans. His story should serve as a reminder to all of us that we should not leave the men and women who serve this country.

There are so many stories like his. In October I was in Dayton, where I met with Robert White at the Homefull organization—Homefull as opposed to the homeless. He served 4 years in the Army Reserves and 1 year on Active Duty. He was honorably discharged in 1980 and spent years working, facing challenges that he said left him ''lower than low.'' He said, ''As soon as I left for basic training, I was homeless.'' He talked about his work, his time in shelters. He said the result was always the same. He said, ''I entered homeless, and no matter how good I did, I still left homeless.''

Then, on the July Fourth weekend 7 years ago, he entered Homefull's VA per diem transitional supportive housing program. He became a model guest at Homefull. He got a job in Trotwood, a community near Dayton. He still has the same job. Homefull connected Mr. White with its partner organization, which helped him achieve home ownership. Today he has gone from homeless veteran to owner of his own home. That is because of his community in Dayton, because of this organization Homefull, and it is because of the partnership with the Veterans' Administration, whose funding is always under jeopardy because of many Members of the Senate and House who simply don't put the same effort into helping veterans as they do into funding the military.

Last month I was in Cleveland. I visited the Supportive Housing Home for Veterans. I visited the Trumbull Metropolitan Housing Authority in Youngstown. These organizations are providing work that is so important. We owe them our support.

Even one veteran on the street means Congress isn't doing enough to tackle this problem. That is why I joined my colleagues in introducing the Veteran Housing Stability Act of 2015, which would make meaningful improvements to services for homeless veterans and give more veterans access to housing opportunities.

President Kennedy, in his 1963 Thanksgiving proclamation—I believe the week before he died—said, ''As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them.''

Sure, we come to this floor. We send people off to battle. Surely we need to do that sometimes. Sure, we come to the floor and talk about veterans, but so often we don't live up to the obligations to help these veterans deal with their homelessness, to help veterans deal with suicide, with the threat of suicide, the likelihood of suicide for some of them, help our veterans deal with drug addiction, help our veterans deal with mental health issues. Often these are costs of war that we simply don't discuss on the Senate floor. It is so important that we do. I hope my colleagues will join me in ensuring every veteran has an opportunity to succeed.

TRIBUTE TO MEGHAN DUBYAK

Mr. BROWN. Mr. President, in closing, I want to recognize a long-term staff member, a young woman who has served in my office, Meghan Dubyak. She has been my communications director for most of my years in the Senate. She comes from Shaker Heights, OH. She has been a terrific public servant. Today is her last day. This is about her last hour on the job, although she is going with me tonight to do one other appearance. Meghan is planning to get married this summer. She is taking tomorrow off and is going on Monday to join the staff of the Vice President of the United States, JOE BIDEN. She has been an incredible employee. I wish her well. My wife Connie and I will love Meghan as long as we have the privilege of knowing her in the years ahead.

So thank you to Meghan.

I yield the floor.

REMEMBERING OFFICER DANIEL ELLIS

Mr. MCCONNELL. Mr. President, I wish to pay tribute to a Kentucky police officer who was tragically lost in the line of duty. Officer Daniel Ellis of the Richmond Police Department was shot while searching an apartment for a robbery suspect on November 4, 2015, and died from his wounds 2 days later. He was 33 years old.

''Our lives will never be the same again, the lives of his fellow officers and of his family will never be the same,'' Richmond Police Chief Larry Brock said during Officer Ellis's funeral. ''He turned out to be a great police officer. He was one of those guys that just got it and got it early.''

Officer Ellis started at the department on August 11, 2008. He was known as a kindhearted man who treated others with dignity and respect. One day while on duty, he saw a man in business clothes carrying a tent and walking down the street. When asked, the man told Officer Ellis that he had a job interview the next morning and had nowhere to spend the night. Officer Ellis paid to get him a room.

Daniel graduated from Eastern Kentucky University, where his funeral service was held. Most of the school coliseum's 7,000 seats were full for the service. Hundreds of fellow police officers from across Kentucky and other States poured into Richmond to pay their respects.

Members of Officer Ellis's family who are suffering from this loss include his wife, Katie; his son, Luke, who is only 4 years old; his parents, Kelly and Nancy West Ellis; two brothers; a sister; and his paternal grandmother.

I know my colleagues in the United States Senate join me in wishing the Ellis family our utmost condolences after their horrible loss. We are humbled and we are grateful for Officer Daniel Ellis's service and his enormous sacrifice in the line of duty. I hold the deepest admiration and respect for every brave police officer across the Bluegrass State, all of whom put their lives in danger to protect us. Kentucky is thankful these men and women have made a sacred pledge to protect and defend.

Local news Web site WLKY.com published a moving article about Officer Ellis and the outpouring of grief in the Richmond community after his death. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From WLKY.com, Nov. 12, 2015]

THOUSANDS SAY GOODBYE TO SLAIN RICHMOND OFFICER DANIEL ELLIS—CHIEF SAYS ''GRIEF IS NEARLY INCONSOLABLE''

(By Carolyn Callahan and Emily Maher)

RICHMOND, KY.—He lost his life doing the job he loved.

Thousands of people were in Richmond on Wednesday to say goodbye to Officer Daniel Ellis.

The 33-year-old was shot a week ago during a robbery investigation.

He died two days later.

The funeral service was held at Alumni Coliseum at Eastern Kentucky University.

Both Daniel and his wife, Katie, graduated from the school.

For the first time since the deadly shooting, Richmond's police chief spoke publicly.

''We have lost our Daniel,'' Chief Larry Brock said. ''Our collective grief is nearly inconsolable.''

Ellis started with the Richmond Police Department in 2008.

While Brock hoped Ellis would finish his career with the department, he never imagined it would end the way it did.

''Today we say goodbye to Officer Daniel Ellis. Our Daniel. But we will never forget him, his service, or his sacrifice,'' Brock said.

Ellis leaves behind a wife and young son.

''Katie, I pledge to you and Luke that you will remain a part of our family. That we

will always be there for you, and that you will never walk alone,'' Brock said.

The chief said it rained after Ellis died.

''It was as if the angels themselves were crying at the loss of this special young man,'' Brock said.

Then hours later, a rainbow appeared over the Richmond Police Department. The chief takes that as a sign that Ellis is still with them.

''Rest easy, Daniel. You have left us too early,'' he said.

Shortly before he was killed, Ellis found out he was being promoted to detective.

It's a job at which the chief said he would have excelled.

''From the kindergarten classrooms that he visited, to the courtrooms where his testimony could be counted on to be straightforward and truthful, he will be greatly missed,'' East End Church of Christ minister Phillip Shumake said.

Hundreds lined downtown Richmond streets as Ellis received a hero's escort to his final resting place.

Residents in Richmond said they wanted to show their thanks to the man who gave his life protecting theirs.

Black and blue pinwheels and white ribbons with Ellis's badge number line the Eastern Bypass.

Hundreds of officers drove down the street, escorting Ellis to his final resting place, while the community watched and supported an officer who was loved.

''Even though we wear a different badge, he is my brother,'' Shane Allen with Richmond Rescue said.

''You're grieving for someone that's not a family member, but he feels like a family member,'' community member Shelley Johnson said.

''We were actually on shift the day it happened and we were all trying to find out who it was. He is family,'' Allen said.

A kind of family that is brought closer together in times of loss.

''And I was trying to explain to the kids, 'Mommy, why do you cry?' And it's like something unexplainable and maybe they can understand that,'' Johnson said.

The community stood together to pay their final respects holding signs calling Ellis a hero.

''It's unbelievable. It's really touching to see the support—that even though it's something tragic that has brought this community together so tightly, to see the support for somebody they might not even know. And to see them come out on a day and support him as he goes by to lay at rest,'' Allen said.

Hundreds of officers from across the state escorted Ellis on a 100-mile journey to his final resting place.

''We just wanted to show what his service has meant to us,'' community member Sarah Roof said.

As he passed by, blue balloons were released into the air as a final tribute to a man the community said will never be forgotten.

''He loved his job. He helped the community and that was his job. And that's what he wanted to do,'' Allen said.

Ellis will be laid to rest in Adair County.

The family has asked for donations to be made to the Kentucky Law Enforcement Memorial Foundation or Supporting Heroes.

EVERY STUDENT SUCCEEDS ACT

Mr. BOOKER. Mr. President, I wish to speak about the Every Student Succeeds Act that the President signed into law today.

I want to first congratulate my colleagues Senator PATTY MURRAY and Senator LAMAR ALEXANDER, who have effectively been able to guide this bill through the Senate. It has been an honor to watch and participate in this process—a process that has served as a great example of the way the Senate is supposed to work.

When the original Senate version of the Every Child Achieves Act came to the floor for a vote on July 22, 2015, I could not support it because, while it made necessary changes to the No Child Left Behind law, I could not in good conscience support a bill that fell short of investing in the potential and promise of all of our children, especially New Jersey's most vulnerable students. I stood resolute in the belief that if Congress was truly going to invest in our children and grandchildren's future, it was vital that any legislation passed provide support, access, and opportunity to equip the next generation to succeed, regardless of their socioeconomic status.

These needs were particularly poignant given the historic context of the original Elementary and Secondary Education Act as a civil rights bill. Created the same year as the Voting Rights Act of 1965 and just 11 years after the landmark Brown v. Board of Education decision, President Lyndon B. Johnson's original piece of legislation intended to address the gaping gulf in the quality of education received by low-income students in an intensely segregated country. Indeed, this piece of legislation was a vital tool in President Johnson's arsenal on the War on Poverty. It is undeniable that education is a cornerstone of the American Dream to achieve success and financial security. We do our Nation and our children a disservice if we do not do everything in our power to ensure that President Johnson's arsenal is not only maintained, but honed and replenished with robust provisions to fight an evolving battle for educational equity in our schools.

Although I did not vote for the original Senate version of ESEA that passed the Senate in July, I am glad to see a conference report, the Every Student Succeeds Act, ESSA, that takes elements from both the House and Senate bill and ultimately is a better bill for all children, teachers, and parents in our country.

Chief among provisions that I believed were problematic was the lack of accountability measures to ensure America's most vulnerable students have access to a quality education. With regards to accountability, it was critical not to be overly prescriptive while still acknowledging an intense need to identify and ask schools and districts to figure out specific plans to turn things around in the lowest performing schools and high schools who fail to graduate one-third of their students. It is also critical to identify where there are groups of students who are consistently performing worse than their peers. I do not believe these changes should come from Washington. Local teachers, principals, and parents are best equipped to know how best to turn around a failing school, and this bill gives them the arsenal to do so. I believe the new accountability provisions empower local leaders, with State and Federal guidance, to pursue the improvement strategies best suited to their local needs.

These accountability measures are vital if we are to guarantee that the ideals our students pledge allegiance to every day, justice and liberty for all, are manifest in the education we provide for our youngest Americans.

With this goal in mind, I am also pleased that ESSA includes my amendment to support homeless and foster youth, by ensuring educators and the public are aware of how foster and homeless children and youth are performing on critical elements compared to their peers by adding reporting for these groups on graduation rates to the State and school district report cards.

The role of teachers is also prioritized in ESSA, and I was especially proud to see the amendment I authored that helps support teachers by asking school districts to identify opportunities to make working conditions better and more sustainable.

With these improvements made and the spirit of the bill as an important piece of civil rights legislation maintained, I wholeheartedly support the reconciled version that has passed the House and Senate and that was signed by the President today.

TRIBUTE TO REAR ADMIRAL CHRISTOPHER J. PAUL

Mr. MCCAIN. Mr. President, today I wish to recognize the service of RADM Christopher J. Paul, Deputy Commander, Naval Surface Force, U.S. Pacific Fleet, who is retiring from the United States Navy after more than 38 years of faithful service to our Nation.

Having enlisted in the Navy in 1977, Rear Admiral Paul went on to attend the U.S. Naval Academy Preparatory School and U.S. Naval Academy, where he distinguished himself as a valued leader of the varsity cross country, indoor, and outdoor Track teams under famed coach Al Cantello and a 10-time letterman. After graduating from the Naval Academy in 1982 with a Bachelor of Science degree in physical science, RADM Paul served on USS *KIDD*, DDG 993, a destroyer homeported in Norfolk, VA, until 1987 and qualified as a surface warfare officer during deployments to the Atlantic and Indian Oceans; the Mediterranean, Black, North, Baltic, Red, and Caribbean Seas; and the Arabian Gulf.

Rear Admiral Paul's Pentagon staff assignments included service on the

Joint Staff as an action officer in the Operations Directorate J–3 and U.S. Senate liaison officer and assistant surface warfare program officer in the Secretary of the Navy's Office of legislative affairs from 1987 to 1991. During that assignment, Rear Admiral Paul had the opportunity to work on behalf of Members of Congress on the Senate Armed Services Committee and was subsequently assigned to serve in my office to help write a $600 million package of veterans benefits for servicemembers and veterans of Operation Desert Storm. While working on that legislative matter, I had the privilege of promoting then Lieutenant Paul to the grade of lieutenant commander, when he transitioned to the Navy Reserve, which allowed him to continue to serve on my staff in Washington, DC, while also serving at the Pentagon's Navy Command Center as assistant operations department head.

Rear Admiral Paul went on to faithfully serve on my Senate legislative staff for a total of 16 years, followed by 6 years as a professional staff member on the U.S. Senate Committee on Armed Services, while simultaneously serving in numerous Navy positions of increasing responsibility over the course of more than 22 years. Those assignments included serving on the Chief of Naval Operations staff as executive officer of Reserve Component Augment Units to the director of Surface Warfare OPNAV N86 and the director of Expeditionary Warfare OPNAV N85 between 1997 and 1999.

Rear Admiral Paul's Navy Reserve unit command assignments included CVNE–0109, from 1999 to 2001, supporting AIRLANT aircraft carriers, during which he was recognized with the Commander Naval Air Force Reserve Robert I. Barto Award; Naval Surface Warfare Center Indian Head, from 2001 to 2003; and, rapid response to full unit-mobilization in support of Operation Noble Eagle, which was recognized by the Secretary of the Navy with the Meritorious Unit Commendation. His command assignments also included Navy Region, Mid-Atlantic, from 2003 to 2005, where he was mobilized in support of Joint Task Force Katrina as chief of staff, Joint Force Maritime Component Commander; U.S. Forces, Japan from 2005 to 2007, where the unit received the Joint Meritorious Unit Award for its contingency and exercise support that greatly enhanced the U.S.-Japan Security Alliance; and deputy regional commander to Commandant, Naval District Washington, from 2007 to 2008, supporting the Navy Total Force in the national capital area.

During Rear Admiral Paul's flag officer assignments, he led several type commands responsible for manning, training, and equipping naval warships and expeditionary forces. In his first flag assignment, Rear Admiral Paul served as deputy commander, Navy Expeditionary Combat Command from 2008 to 2011, receiving the Navy Unit Commendation for its outstanding success in Operation Enduring Freedom and Operation Iraqi Freedom; deputy commander, Naval Surface Forces Atlantic from 2011 to 2012; and deputy commander, Naval Surface Force, U.S. Pacific Fleet from 2012 to 2015, where he culminated his Navy career. During his flag officer positions, Rear Admiral Paul distinguished himself in the performance of his duties while demonstrating a uniquely comprehensive knowledge of manpower, personnel, training, enlisted personnel distribution, and surface warfare officer career management issues. His effective leadership and initiatives helped transform how surface forces are trained and prepared to fight in naval warships during a vital period of change in the surface warfare community.

As a loyal and dedicated member of my staff for over 22 years, Rear Admiral Paul worked tirelessly as a valued legislative aide to me in my U.S. Senate office and on the professional staff of the Senate Armed Services Committee. In that capacity, Rear Admiral Paul played an important role in policy matters affecting our Nation and the U.S. military, helping to advance countless legislative initiatives enacted into law that will have a lasting impact on U.S. policy, including the Detainee Treatment Act of 2005, which prohibits the inhumane treatment of prisoners of the United States; legislation that reauthorized the FAA in 1996, which is still recognized as the largest aviation reform law since the deregulation act of 1977; laws that help improve the lives of our servicemembers, veterans, and military families; and numerous provisions that have improved the ability of the military to procure needed combat capability, enhanced the readiness of ships, submarines, and aircraft, and maintained global superiority—all while ensuring that the Department of Defense acts as a responsible steward of diminishing defense dollars.

As a determined Reserve Component surface warfare leader and dedicated public servant, it is fitting that we honor Rear Admiral Paul's service during the centennial of the U.S. Navy Reserve. Rear Admiral Paul embodies the moral character and dedication of our Nation's citizen-sailors who bring unique skill sets through their military and civilian training and serve our country honorably by the core values of the United States of America. I heartily thank Rear Admiral Paul; his wife, Shannon; daughter, Catherine; and son, Christopher, for their honorable service to our Nation and the U.S. Navy; and wish Rear Admiral Paul fair winds and following seas as he concludes a career in the U.S. Navy exemplary in honor and distinction.

Thank you.

TRIBUTE TO JIM SMITH

● Mr. ROUNDS. Mr. President, today I wish to honor a great South Dakotan on his notable accomplishments and his career, starting as an elevator operator in the Senate. His career spanned seven decades, 10 Presidents, and 32 Congresses. To say Jim Smith is an institution in Washington, DC, would be an understatement.

Jim Smith was born in Aberdeen, SD, but spent the majority of his childhood in my hometown of Pierre, SD. After graduating from Pierre High School in 1948, Jim attended the South Dakota School of Mines and Technology, where he was the quarterback for the Miners when they won a championship in 1951.

After graduating from SDM&T in 1952, Jim decided law school was the best route for him, and this South Dakota boy moved to the big city to attend George Washington School of Law in Washington, DC. Like many hard-working South Dakotans, Jim worked his way through law school, starting his career operating the very same Senate elevators we take today in the U.S. Capitol.

Jim's work ethic caught the eye of many, and he eventually moved on to work for his home State Senator, Karl Mundt. Jim worked as a legislative assistant for Senator Mundt and went on to become minority counsel on the Senate Foreign Affairs Subcommittee on Intergovernmental Relations.

After his time working on Capitol Hill, Jim began a successful career in the banking sector until he was called back to government service, this time with the U.S. Treasury where he served as Deputy Undersecretary. In 1973, Jim became the first South Dakotan appointed as Comptroller of the Currency, an office created by President Abraham Lincoln in 1863.

Jim Smith served as Comptroller of the Currency under two Presidents and eventually left to rejoin the private sector in 1976. He went on to have a successful career partnering with another government relations professional to establish their own firm, which will continue to bear his name even after his retirement.

Jim Smith embodies the work ethic and attitude we are known for in our State. He has earned his place on the pages of South Dakota history books.

To Jim Smith and his wife of 37 years, Karen, I wish you the best on your retirement, and I thank you for your years of dedicated public service. Thank you for making South Dakota proud.●

ADDITIONAL STATEMENTS

TRIBUTE TO DR. CARL ZULAUF

● Mr. BROWN. Mr. President, I wish to honor today the distinguished career of

Dr. Carl Zulauf on the occasion of his retirement from the faculty of the Ohio State University.

Raised on a farm himself, Carl's passion for agriculture began at an early age. His family's diversified farm raised livestock and crops. His connection to the land has remained a common thread throughout his life and career, and Carl hopes to use his retirement as an opportunity to refocus on his family's farm.

With the seeds of interest firmly planted, Carl pursued his education in what he knew best: agriculture. First, where he earned a degree in Agricultural Economics at the Ohio State University and later at Stanford University where he obtained his PhD. Dr. Zulauf credits his upbringing on a farm as the foundation for his interest in strengthening our Nation's domestic farming and the special appreciation he has for the issues facing American farmers and the agricultural sector.

Since 1980, Carl had been a pillar of OSU's College of food, agricultural, and environmental sciences. The depth and breadth of his research portfolio is impressive and includes dozens of peer-reviewed journal articles and over 1,000 articles developed for broader public consumption. Not just a researcher, Carl is a dedicated educator. Thousands of students have benefited from his teaching, leadership, and mentoring. Carl served as academic adviser to more than 200 students. For over a decade, he has been a faculty adviser for Ohio State's SPHINX Senior Honorary—which each year pays tribute to 24 students who ''embody the highest ideals of scholarship, leadership, camaraderie, citizenship, and service at The Ohio State University.'' Additionally, he has helped organize programs with students to travel to China and the Czech Republic to study agriculture. As a professor, his interest in his students can be seen by the large number of farmers across my State that talk about their time in Dr. Zulauf's classroom. The dozens of accolades that have been awarded to him throughout his tenure at OSU serve as witness to his impact as both a teacher and scholar. Carl's many contributions are a reminder that the values of the SPHINX—service, camaraderie, leadership, and scholarship—are not solely the domain of OSU's students.

Beyond his exemplary work as a researcher and educator, Carl has been an engaged member of both Ohio's and the broader agriculture community. He has been a leader in the Ohio agribusiness community, taking part in a number of strategic planning committees. He continues to be a regular contributor to FarmDoc, a project of the University of Illinois at Urbana-Champaign, which serves as an online resources for farmers across the country.

He inspired many students in his work at OSU, and one cannot fully understand Ohio's agricultural sector without knowing the name Carl Zulauf. However, his most noteworthy contribution to agriculture in the United States must be his work on farm policy. In 1985, Carl joined Senator John Glenn's office to help with agriculture policy, an experience he described as eye-opening. With his academic background and experience growing up on a farm, Carl brought an informed and diverse perspective. Though he went back to teaching following his time in Washington, Carl's time in Senator Glenn's office left an indelible mark and would guide his work on agriculture policy in the decades to come.

One pivotal example of Carl's work on agriculture policy was for the 2008 farm bill with the development of the Average Crop Revenue Election, ACRE, program, which represented a novel approach to risk management for our Nation's farmers. Carl worked with my office in 2008, as well as the office of Senator DURBIN, to draft legislation that would become the ACRE program. ACRE was based on years of research and conversations with farmers and some of the best minds in our agriculture industry. My staff worked on ACRE which later became the ARC, Average Risk Coverage, program—legislation that I worked on with Senator THUNE and which we were able to include the 2014 farm bill. Over 90 percent of our Nation's corn and soybean farmers choose to enroll in the ARC program which will serve as a crucial safety net for farmers at risk of low yields and was the first revenue-based rather than fixed-price program. The overwhelming participation in these programs serves as validation of Carl's work and cements his reputation as a key architect of our Nation's food and farm policy. Carl's fingerprints will be on agriculture policy for many future iterations of the farm bill.

From his tenure as a motivating and engaging professor at OSU to the role and voice he continues to play in Ohio and across the Nation as a leading thinker on the future of our farm and food policy, Carl has served as a resource guide and mentor for many. Thousands of students have benefited from his teaching, and thousands of farmers will benefit from his work that has informed our Nation's agricultural policies. I wish him the best in his retirement and applaud his contributions to his profession and thank him for his service to America's farmers, his university, and our Nation.●

RECOGNIZING THE ROCKY MOUNTAIN RIFLE CLUB

● Mr. DAINES. Mr. President, I would like to recognize the Rocky Mountain Rifle Club, RMRC, for their efforts to support the Teton County 4–H Shooting Sports Air Rifle and Air Pistol clubs. I appreciate RMRC's efforts to honor Montana's strong hunting legacy and protect our Second Amendment rights.

There are currently 20 Montana kids enrolled in the Teton program. Three students are among the top 10 Montana shooters for their age groups: Berit Bedord, age 14; Ashley Pearson, age 13; and Luke Ostberg, age 12. These three have been the longest lasting members of the Teton club and have steadily earned top scores in State competitions.

The aim of the Teton County 4–H program is to introduce young Montanans to shooting with a focus on safety and the proper and ethical use of firearms. The shooting sports program is one of the most popular 4–H programs in the country, according to Brian Bedord, the coordinator for the Teton 4–H shooting program.

The Rocky Mountain Rifle Club has been a strong supporter of the Teton County 4–H Shooting Sports Air Rifle and Air Pistol clubs and is currently raising funds to purchase top-of-the-line air rifles and air pistols in addition to target equipment for the 4–H program.

It is my honor to thank the Rocky Mountain Rifle Club and all of its members and employees for continuing to work towards the responsible education of firearms for young Montanans. The right to keep and bear arms is an issue that is of upmost importance to me and the people of Montana. I am grateful for all of RMRC's hard work to educate Montanans and support our State's strong tradition of responsible firearm ownership.●

TRIBUTE TO JULIO N. INFIESTA

● Mrs. GILLIBRAND. Mr. President, I wish to speak today in recognition of Mr. Julio N. Infiesta of Lynbrook, NY, who served in the Social Security Administration for 42 years in the New York region. I ask my colleagues to join me in thanking Mr. Infiesta for his years of dedication and public service and to congratulate him on his retirement.

In 1973, Julio began his career with the Social Security Administration, serving in various local offices in the New York metropolitan region, including in the South Bronx, where he was an operations supervisor, and in Long Beach, where he was selected as branch manager. In 1976, he became a social insurance specialist in the New York regional office in field operations. Mr. Infiesta also served as assistant district manager and district manager in the Jamaica and Flushing offices until 2001, when he entered the agency's Advanced Leadership Program. Mr. Infiesta was promoted to the position of deputy assistant regional commissioner for management and operations support and also served as the acting assistant regional commissioner for management and operations support.

As a member of the Senior Executive Service Candidate Development Program, he served as an area director and as the director for disability in the office of the deputy commissioner for operations. In 2003, Mr. Infiesta was selected as the region's assistant regional commissioner for management and operations support and was elevated to deputy regional commissioner in 2014.

As Social Security's second senior ranking official in the New York metropolitan region, Mr. Infiesta oversaw Social Security operations in New York, New Jersey, Puerto Rico, and the U.S. Virgin Islands. These operations included an annual administrative budget of $400 million for more than 3,900 employees in 113 field offices, four teleservice centers, four Social Security Card Centers, the Northeastern Program Service Center, and the New York regional office. In the New York metropolitan region, Social Security pays $7.3 billion in monthly cash benefits to 6 million retirees, workers with disabilities and their families, and the families of workers who have died. Social Security pays an additional $461 million in monthly Supplemental Security Income cash benefits to 835,000 people aged 65 and older, as well as people who are blind or disabled, regardless of age.

Mr. Infiesta and his wife, Joanne, are longtime residents of Lynbrook, in Nassau County, Long Island.

Mr. President, I ask that we give tribute on December 10, 2015, to the 42 years of service that Mr. Julio N. Infiesta gave to the Social Security Administration and to the people of the United States.●

TRIBUTE TO DR. ROBERT O. KELLEY

● Ms. HEITKAMP. Mr. President, after 7 and a half years of leadership educating the best and brightest minds not only in North Dakota, but from around the world, University of North Dakota, UND, president, Dr. Robert O. Kelley, is retiring. I want to take the time to thank him for his service and send my best wishes to President Kelley, his wife, Marcia, and his family for their commitment to the students, faculty, and families served by the university.

President Kelley joined the University of North Dakota in 2008, serving as the school's 11th president and providing the university, its students, the city of Grand Forks, and the State of North Dakota the steadfast direction needed to strengthen the legacy and leadership of the institution.

As an alumna, the University of North Dakota will always hold a special place in my heart. The University of North Dakota is where I gained knowledge and skills that helped me in both the private and public sectors. So I am proud President Kelley similarly ensured that students continue to receive the skills they need to succeed. Under his steady guidance, the University of North Dakota has grown significantly.

Nearly $225 million in building projects are underway at the university, including the school of law building addition and renovation and the new school of medicine and health sciences building, which will open in the fall of 2016. Each and every time I return to the campus to visit with students and faculty, I see firsthand the exceptional college experience UND offers. I know these accomplishments are in large part attributed to Dr. Kelley's direction and will be an element of his legacy for years to come.

Since the university's founding in 1883, it has been an academic center for North Dakota, where young minds have had the opportunity to learn and grow to become the leaders of the State and the country. President Kelley's leadership has worked to navigate the university through sometimes controversial reforms including the process to change the school's nickname and logo. Under his guidance, the school worked to ensure a smooth transition.

As UND looks to the future, I recognize that President Kelley's work over these last 7 and a half years has strengthened the institution's foundation for excellence and will help those who follow in his stead to maintain the school's legacy. On behalf of the students, families, and citizens of North Dakota, I wish him and his family the best and thank them for their hard work and service to the University of North Dakota and our great State.●

RECOGNIZING CARSON TAHOE HEALTH'S REGIONAL MEDICAL CENTER

● Mr. HELLER. Mr. President, today I wish to recognize the 10th anniversary of Carson Tahoe Health's, CTH, acclaimed regional medical center.

Over the past decade, this center has grown to be one of northern Nevada's leading health care facilities. Most recently, the Carson Tahoe Sierra Surgery department of the regional medical center received the HealthInsight Hospital Quality Award for its top-tier care and patient satisfaction. The center has been recognized through a variety of accolades for its cutting-edge medical expertise and incredible patient care. I am proud to see this facility in Nevada recognized on a national level for its high-quality medical treatment.

Since the Medical Center's opening, those working within the facility have gone above and beyond to provide northern Nevadans with the best health care. The staff has spent countless hours further expanding health care services for Nevadans. The medical center has developed a premier open heart and endovascular surgery program and a women and children's center with a five-star rating. The facility has also secured an affiliation with the University of Utah Health Care and Huntsman Cancer Institute, which significantly increases care options for Nevadans. The center is acknowledged for its complete cancer treatment, intervention, support, and aftercare and provides 153 beds for Silver State residents. The staff is comprised of 240 board-certified physicians that cover an array of 35 medical specialties. The northern Nevada community is fortunate to have this incredible Medical Center ready to help with its medical needs.

For the past decade, CTH's regional medical center has provided residents across northern Nevada with top-notch and innovative health care options. The hard work of those that have helped grow this facility is greatly appreciated. Today I ask my colleagues to join me in honoring the regional medical center on its 10th anniversary and in thanking those that work within the facility helping to save lives.●

RECOGNIZING THE SOUTHERN NEVADA CHAPTER OF THE MILITARY OFFICERS ASSOCIATION OF AMERICA

● Mr. HELLER. Mr. President, today I wish to congratulate the southern Nevada chapter of the Military Officers Association of America on reaching a significant milestone of 50 years of service in our State. It gives me great pleasure to recognize this entity that does so much for Nevada's veterans, active military members, and their families.

For half a century, the southern Nevada chapter has provided southern Nevada's military community with an incredible support system to address a diverse range of veterans and active military members' issues. The organization offers our Nation's brave men and women advice and guidance on compensation and benefits, as well as raises money to benefit Wounded Warriors, ROTC scholarships, and other entities helping our heroes who have defended our freedoms. The southern Nevada chapter spearheaded the Veterans Court Program, which gives veterans a second chance and helps to expunge misdemeanors from their records, so long as they participate in a rehabilitation program, perform community service, and maintain a positive lifestyle.

Southern Nevada's military community is fortunate to have this chapter working as an ally to improve the lives of veterans. The organization also advocates on behalf of America's national defense, an issue I believe is crucial for our country. I am grateful to each and every member of this organization for

their service and sacrifice in defending our Nation. There is no way to adequately thank the men and women who sacrifice their lives for our freedoms. Their service is invaluable to our country.

As a member of the Senate Veterans' Affairs Committee, I have had no greater honor than the opportunity to engage with the men and women who served in our Nation's military. I recognize Congress has a responsibility not only to honor the brave individuals who serve our Nation, but also to ensure they are cared for when they return home. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation. I am grateful to have organizations like the southern Nevada chapter working towards a common goal: fighting to ensure the needs of our veterans are met.

Today I ask my colleagues and all Nevadans to join me in recognizing the southern Nevada chapter of the Military Officers Association of America, an organization with a noble and charitable mission. I am humbled and honored to recognize its 50th anniversary, and I wish to thank all of the hardworking members for everything they do.●

REMEMBERING THAIS F. O'DONNELL BLATNIK

● Mr. MANCHIN. Mr. President, today I wish to honor the life of a dear friend and a remarkable West Virginian who passed away on December 9th, 2015. Former West Virginia State senator and house of delegates member, Thais F. O'Donnell Blatnik, was a dedicated public servant and an inspiring leader who was respected and admired by all who knew her. She led an extraordinary life that will always be remembered in the hearts of the countless individuals whose lives she touched.

Thais was a proud West Virginian from our State's northern panhandle. She was born and raised in the town of Weirton, where she grew up with her loving parents and her two younger sisters, Eileen and Kay. It was there in the small town of Weirton that Thais would plant her roots and cultivate an inherent love and commitment to her community, the northern panhandle region, and her entire State.

Thais went on to live a long and prosperous life, filled with immense success. But she never strayed too far from her loved ones and friends in Weirton and the northern panhandle. After graduating from high school, she attended and graduated from West Liberty University and launched a tireless career in journalism. After college, Thais returned to her beloved hometown to work for the Weirton Daily Times. She also spent part of her career working for the Wheeling Intelligencer and as an editor for the Dominion Post.

During her journalism career, Thais developed her inquisitive nature along with her passion for asking the hard questions. She was a true force, and she was tough but fair when it came to telling the news. She covered all levels of politics, and she even had the opportunity to interview three U.S. Presidents: President Kennedy, President Ford, and President Roosevelt. As a result of her work in journalism, she was emboldened to run for office herself and to stand up for the northern panhandle communities she loved so dearly.

Just as Thais was a fierce journalist, she became an equally strong and passionate public servant. Genuinely committed to improving the lives of all West Virginians, she represented Ohio County for 8 years in the house of delegates and another 8 years in the State senate. I was proud to work alongside her and call her my colleague during my time in the State senate. Thais spent her time at the statehouse fighting to improve the lives of all West Virginians, but specifically women and children and those struggling with mental health and disabilities. She was honored for her great work and for her service as Mental Health Directors Legislator of the Year and recognized by the West Virginia Association for the Developmentally Disabled for her faithful work helping children with exceptionalities. Thais also served as the executive director of the Wheeling Area Training Center for the Handicapped, WATCH.

Thais was not only reputable and accomplished in her public life, but she was also an unparalleled example of a devoted wife, a proud mother, and a wonderful grandmother. She was married to the late Dr. Albert M. Blatnik for more than 48 years and paid tribute to him in a book she wrote titled ''Here's Al.'' Thais received love and support throughout her life from Al as well as her children—Floyd, Judy, and David—and her grandchildren—Katie, Jack, Joe, Maggie, and Sam—who lovingly called her ''Meme.'' During their lives, Thais and Al led their grandchildren across the country introducing them to exciting new experiences.

Anyone who knew Thais Blatnik can tell you about her incredible passion for her community and her State and her ability to inspire each person she encountered. She made a difference throughout West Virginia and will be forever remembered for her many years of service. She was truly a hero to so many in our State, and though she will be greatly missed, her memory will always live on.●

RECOGNIZING THE HENRY FORD HEALTH SYSTEM

● Mr. PETERS. Mr. President, today I wish to recognize Henry Ford Health System as it celebrates delivering a century of high-quality and innovative health care services to the metropolitan Detroit community.

In 1909, Henry Ford, David Whitney, and a few other leading Detroit-area businessmen recognized the need for a major health care center in Detroit and set out to open Detroit General Hospital. After experiencing several years of delays, Henry Ford took over the entire project and renamed the facility ''Henry Ford Hospital'', which opened its doors to the public on October 1, 1915.

From the outset, Henry Ford was focused upon adapting the insights and innovations he pioneered in the automotive industry for use in the delivery of health care services. Among his innovations were a first-in-the-Nation center for treating chemical dependency and an accountability system for promoting shorter patient waiting times. Over the years, Henry Ford Health System's commitment to innovation saw breakthroughs in the administration of electrocardiograms, improvements in the design of hospital beds, and advancements in medication regiments for treating bacterial infections.

Throughout its history, Henry Ford Health System has been committed to meet the evolving needs of the metro Detroit region. Recognizing the need for access to low-cost health care services, Henry Ford Hospital partnered with the State of Michigan in 1970 to create the Community Health and Social Services, CHASS, clinic in southwest Detroit. Around the same time, Henry Ford Health System also began partnering with the Detroit public schools to provide in-school health services to students.

With the growing population in Detroit's suburbs, Henry Ford Health System began to expand, opening new medical centers in Troy, Dearborn, and West Bloomfield. Today Henry Ford Health System has grown from a single facility with 48 beds into a regional health care provider which admits around 89,000 patients each year and delivers approximately 3.5 million clinic visits. The staff has also grown to more than 23,000 employees, making Henry Ford Health System the fifth largest employer in the Metro Detroit region.

In recognition of its outstanding commitment to delivering world-class health care services in a novel and effective manner, Henry Ford Health System is the only organization to receive all five major health care quality awards: the Foster G. McGaw Prize in 2004, the Joint Commission's Ernest Amory Codman and John M. Eisenberg Awards in 2006 and 2011, the American Hospital Association's McKesson Quest for Quality Prize in 2010, and the Malcolm Baldrige Award in 2011. As a recipient of the Baldrige Award, Henry

Ford Health System joins an elite group of organizations who have been recognized for outstanding innovations in their respective fields.

I am honored to ask my colleagues to join me today in recognizing Henry Ford Health System's 100th anniversary. This significant milestone is a great opportunity to reflect upon its century-long record of fostering innovations in the development and delivery of health care services, its commitment to providing the best possible outcomes for its patients, and the transformative effect it continues to make, both in the health care field and metro Detroit. Henry Ford Health System has made a remarkable impact in southeast Michigan over the last century, and I wish its leadership, medical professionals, and staff well in continuing to fulfill its mission in the years and decades ahead.●

TRIBUTE TO JUDGE HAIGANUSH R. BEDROSIAN

● Mr. WHITEHOUSE. Mr. President, as this year draws to a close, so too does a long and accomplished legal career for Rhode Island Family Court Chief Judge Haiganush R. Bedrosian. She will retire from the bench at the end of December after serving on the family court for over 35 years. Judge Bedrosian is a trailblazer and a skilled leader in the Rhode Island legal community. She will be missed.

Judge Bedrosian, the daughter of Armenian immigrants, is a lifelong Rhode Islander who grew up in Cranston. She attended Cranston East High School and then Brown University's Pembroke College, where she graduated with a degree in political science in 1965.

She says that when she graduated from Pembroke, she was told ''women don't go to law school'' and she had best look for work elsewhere. That didn't sound right to her.

Judge Bedrosian enrolled at Suffolk Law School, where she excelled. She earned a clerkship with Rhode Island Supreme Court Justice Thomas Paolino. After her clerkship, she rose quickly in the legal profession, serving as an assistant general counsel for the Providence & Worcester Railroad, representing children in private practice and serving as a special assistant to the Rhode Island Attorney General in the Criminal Division.

In 1980, Rhode Island Governor J. Joseph Garrahy nominated her to serve on Rhode Island's family court, making her the first woman to sit on the family court bench. Over the course of her tenure, she has built a reputation for fairness, compassion, and thorough command of the law. She has deftly handled some of the most complex and difficult cases to come before the Court.

She rose to the position of chief judge on the family court in 2010—another first for a woman in Rhode Island—where she has proven herself an able leader. She has promoted mediation as a way to resolve challenging family disputes more quickly and with less stress on the parties involved. She has advocated for improvements to the way juveniles are treated in our justice system, both at the State and Federal levels. She has worked to combat human trafficking and sexual violence. And she has expanded the family treatment drug court, a smart and effective program to address drug offenses that involve youth and families.

In addition to her good work in the courtroom, Judge Bedrosian has contributed a great deal to her community. She remains a committed member of the congregation of Saints Vartanantz Armenian Apostolic Church in Providence where she is a frequent volunteer. She has also founded and served as president of the Rhode Island Trial Judges Association.

We will miss Judge Bedrosian's steady hand and compassionate, reasoned rulings on the bench. But we wish her well in the next chapter of her life. Best of luck, Your Honor.●

MESSAGE FROM THE HOUSE

At 2 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2130. An act to provide legal certainty to property owners along the Red River in Texas, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2130. An act to provide legal certainty to property owners along the Red River in Texas, and for other purposes; to the Committee on Energy and Natural Resources.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–124. A joint resolution adopted by the Legislature of the State of Alabama applying to the United States Congress, pursuant to Article V of the Constitution of the United States, to call a convention of the states limited to proposing amendments that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office of federal government officials; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION 112

Whereas, the Founders of our Constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

Whereas, it is the solemn duty of the states to protect the liberty of our people, particularly for the generations to come, to propose amendments to the Constitution of the United States through a Convention of the States under Article V to place clear restraints on these and related abuses of power: Now, therefore, be it

Resolved by the Legislature of Alabama, both houses thereof concurring, That the Legislature of the State of Alabama hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials. This is an application for a Convention of States. By definition, a Convention of States requires the equality of all state parties necessitating a rule of one state, one vote. Congress has no authority to adopt any rule to the contrary; and be it further

Resolved, This application is adopted with the understanding that the Legislature will, by law or rule, create rules for its appointment of delegates to any Convention of States, including rules that govern the duty of commissioners or delegates to strictly adhere to the limited subject matter of the convention contained in the state's application; and be it further

Resolved, That the Secretary of State is hereby directed to transmit copies of this application to the President and Secretary of the United States Senate and to the Speaker and Clerk of the United States House of Representatives, and to the members of the Senate and House of Representatives of the United States Congress from this state; and to also transmit copies hereof to the presiding officers of each of the legislative houses in the several states, requesting their cooperation; and be it further

Resolved, That this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the Legislatures of at least two-thirds of the several states have made applications on the same subject.

POM–125. A communication from a citizen of the State of Illinois memorializing the State of Illinois's petition to the United States Congress calling for a constitutional convention for the purpose of proposing amendments; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CORKER, from the Committee on Foreign Relations:

Special Report entitled ''Legislative Activities Report of the Committee on Foreign Relations, United States Senate, One Hundred Thirteenth Congress'' (Rept. No. 114–178).

By Mr. CORKER, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 189. A resolution expressing the sense of the Senate regarding the 25th anniversary of democracy in Mongolia.

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with a preamble:

S. Res. 320. A resolution congratulating the people of Burma on their commitment to peaceful elections.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment and with an amended preamble:

S. Res. 326. A resolution celebrating the 135th anniversary of diplomatic relations between the United States and Romania.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Dana J. Boente, of Virginia, to be United States Attorney for the Eastern District of Virginia for the term of four years.

Robert Lloyd Capers, of New York, to be United States Attorney for the Eastern District of New York for the term of four years.

John P. Fishwick, Jr., of Virginia, to be United States Attorney for the Western District of Virginia for the term of four years.

Emily Gray Rice, of New Hampshire, to be United States Attorney for the District of New Hampshire for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HATCH (for himself and Mr. LEE):

S. 2383. A bill to withdraw certain Bureau of Land Management land in the State of Utah from all forms of public appropriation, to provide for the shared management of the withdrawn land by the Secretary of the Interior and the Secretary of the Air Force to facilitate enhanced weapons testing and pilot training, enhance public safety, and provide for continued public access to the withdrawn land, to provide for the exchange of certain Federal land and State land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FLAKE:

S. 2384. A bill to amend the Public Utility Regulatory Policies Act of 1978 to provide for the consideration by State regulatory authorities and nonregulated electric utilities of whether subsidies should be provided for the deployment, construction, maintenance, or operation of a customer-side technology; to the Committee on Energy and Natural Resources .

By Mr. COONS (for himself and Mr. FLAKE):

S. 2385. A bill to strengthen protections for the remaining populations of wild elephants, rhinoceroses, and other imperiled species through country-specific anti-poaching efforts and anti-trafficking strategies, to promote the value of wildlife and natural resources, to curtail the demand for illegal wildlife products in consumer countries, and for other purposes; to the Committee on Foreign Relations.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 2386. A bill to authorize the establishment of the Stonewall National Historic Site in the State of New York as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself, Mr. BROWN, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. SANDERS, Ms. WARREN, and Mr. MERKLEY):

S. 2387. A bill to restore protections for Social Security, Railroad retirement, and Black Lung benefits from administrative offset; to the Committee on Finance.

By Mr. CRUZ (for himself and Mr. LEE):

S. 2388. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for reciprocal marketing approval of certain drugs, biological products, and devices that are authorized to be lawfully marketed abroad, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself and Ms. CANTWELL):

S. 2389. A bill to amend title XVIII of the Social Security Act to extend the rural add-on payment in the Medicare home health benefit, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. LEAHY):

S. 2390. A bill to provide adequate protections for whistleblowers at the Federal Bureau of Investigation; to the Committee on the Judiciary.

By Mr. SANDERS (for himself, Mr. MARKEY, and Mr. MERKLEY):

S. 2391. A bill to amend the Internal Revenue Code of 1986 to permanently extend certain energy tax provisions; to the Committee on Finance.

By Mr. BROWN (for himself and Mr. BLUMENTHAL):

S. 2392. A bill to enhance beneficiary and provider protections and improve transparency in the Medicare Advantage market, and for other purposes; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself and Mr. BLUMENTHAL):

S. 2393. A bill to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes; considered and passed.

By Mr. CRUZ (for himself and Mr. SESSIONS):

S. 2394. A bill to amend the Immigration and Nationality Act to improve the H–1B visa program, to repeal the diversity visa lottery program, and for other purposes; to the Committee on the Judiciary.

By Mr. MCCAIN (for himself, Mrs. FEINSTEIN, Mr. FLAKE, and Mr. SCHUMER):

S. 2395. A bill to reauthorize the State Criminal Alien Assistance Program, and for other purposes; to the Committee on the Judiciary.

By Mr. ISAKSON (for himself and Mr. PERDUE):

S. 2396. A bill to designate the Federal building and United States courthouse located at 121 Spring Street SE in Gainesville, Georgia, as the ''Sidney Olsin Smith, Jr. Federal Building and United States Courthouse''; to the Committee on Environment and Public Works.

By Mr. REID (for himself, Mr. FRANKEN, Mr. TESTER, Mr. LEAHY, Mr. BOOKER, Ms. BALDWIN, and Mr. SCHUMER):

S. 2397. A bill to amend the Child Abuse Prevention and Treatment Act to authorize the Secretary of Health and Human Services to make grants to States that extend or eliminate unexpired statutes of limitation applicable to laws involving child sexual abuse; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS:

S. 2398. A bill to provide benefits and services to workers who have lost their jobs or have experienced a reduction in wages or hours due to the transition to clean energy, to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, and for other purposes; to the Committee on Finance.

By Mr. SANDERS:

S. 2399. A bill to provide for emissions reductions, and for other purposes; to the Committee on Finance.

By Mr. MCCAIN (for himself and Ms. AYOTTE):

S.J. Res. 28. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of Agriculture relating to inspection of fish of the order Siluriformes; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL (for himself and Mr. REID):

S. Res. 333. A resolution to direct the Senate Legal Counsel to appear as amicus curiae in the name of the Senate in Bank Markazi, The Central Bank of Iran v. Deborah D. Peterson, et al. (S. Ct.); considered and agreed to.

ADDITIONAL COSPONSORS

S. 469

At the request of Mrs. MURRAY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 469, a bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to severely wounded, ill, or injured members of the Armed Forces, veterans, and their spouses or partners, and for other purposes.

S. 571

At the request of Mr. INHOFE, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 578

At the request of Mr. SCHUMER, the name of the Senator from Maryland

(Ms. MIKULSKI) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 624

At the request of Mr. BROWN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 624, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 706

At the request of Mrs. BOXER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 706, a bill to amend the Higher Education Act of 1965 to require institutions of higher education to have an independent advocate for campus sexual assault prevention and response.

S. 727

At the request of Mr. KING, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 727, a bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances for tax credits available for energy-efficient building property and energy property.

S. 901

At the request of Mr. MORAN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 901, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that exposure, to establish an advisory board on such health conditions, and for other purposes.

S. 1455

At the request of Mr. MARKEY, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1455, a bill to provide access to medication-assisted therapy, and for other purposes.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1659

At the request of Mr. LEAHY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1659, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

S. 1697

At the request of Mr. GRASSLEY, the names of the Senator from Wisconsin (Mr. JOHNSON), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Florida (Mr. RUBIO), the Senator from Georgia (Mr. ISAKSON), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kansas (Mr. ROBERTS), the Senator from Louisiana (Mr. VITTER) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 1697, a bill to provide an exception from certain group health plan requirements to allow small businesses to use pre-tax dollars to assist employees in the purchase of policies in the individual health insurance market, and for other purposes.

S. 1890

At the request of Mr. HATCH, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1915

At the request of Ms. AYOTTE, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1915, a bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes.

S. 2067

At the request of Mr. WICKER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2186

At the request of Mr. COATS, his name was added as a cosponsor of S. 2186, a bill to provide the legal framework necessary for the growth of innovative private financing options for students to fund postsecondary education, and for other purposes.

S. 2193

At the request of Mr. CRUZ, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2193, a bill to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes.

S. 2196

At the request of Mr. CASEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2336

At the request of Mr. COONS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2336, a bill to modernize laws, and eliminate discrimination, with respect to people living with HIV/AIDS, and for other purposes.

S. 2337

At the request of Mrs. FEINSTEIN, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 2337, a bill to improve homeland security by enhancing the requirements for participation in the Visa Waiver Program, and for other purposes.

S. 2348

At the request of Mr. HATCH, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2348, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

S. 2351

At the request of Mr. ISAKSON, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 2351, a bill to amend title XVIII of the Social Security Act to extend the annual comment period for payment rates under Medicare Advantage.

S. 2363

At the request of Mr. CRUZ, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 2363, a bill to amend the Immigration and Nationality Act to permit the Governor of a State to reject the resettlement of a refugee in that State unless there is adequate assurance that the alien does not present a security risk and for other purposes.

S. 2373

At the request of Ms. CANTWELL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2373, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 2377

At the request of Mr. REID, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 2377, a bill to defeat the Islamic State of Iraq and Syria (ISIS) and protect and secure the United States, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Mr. BROWN, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. SANDERS, Ms. WARREN, and Mr. MERKLEY):

S. 2387. A bill to restore protections for Social Security, Railroad retirement, and Black Lung benefits from administrative offset; to the Committee on Finance.

Mr. WYDEN. Mr. President, every day, Social Security provides vital benefits to millions of Americans who worked and paid into the system. To ensure workers would receive full access to these fundamental lifeline benefits, for many years, the law protected these earned benefits from attempts to recover debts. However, 20 years ago, Congress suddenly reversed course, and made a change to the law that allowed the government to cut Social Security and other hard-earned benefit payments in order to collect student loan and other Federal debts, like home loans owed to the Veterans Administration, and food stamp overpayments.

Now more than ever, the loss of these protections is creating a major hardship for American Citizens who rely on Social Security and other earned benefits to make ends meet. Student loan debt is becoming an increasingly serious problem in in Oregon and across the nation, with students and their families burdened by crushing student loan debt. Even in the best circumstances, many families will struggle to pay off crippling loans for years to come. However, for people who rely on benefits like Social Security after retirement, disability, or the death of a family member, making payments on student loans or other federal debts can become an insurmountable hardship.

Because of the lifeline nature of these earned benefits, for more than 40 years the law prevented all creditors from collecting hard-earned Social Security, Railroad Retirement, and Black Lung benefits to recoup debts. The only exceptions included unpaid Federal taxes, child support or alimony payments, and court-ordered victim restitution. These protections helped ensure that our social safety net programs were functioning as intended—something I think we can all agree is essential to preserving Social Security and other earned benefits.

Astonishingly, when the law changed as part of a 1996 omnibus budget bill, these changes were never fully debated in Congress. This means Members of Congress never had the chance to really explore how this policy would affect beneficiaries. The legislation ultimately included some protections for the most vulnerable, but even those protections have not been updated in 20 years.

We now realize what a profound effect the loss of these protections has had on retirees and individuals with disabilities, who often live on fixed incomes. More and more seniors and people with disabilities are having their Social Security and other lifeline benefits taken away to pay federal debts. For example, according to a September 2014 GAO report, the number of individuals whose Social Security benefits were offset to pay student loan debt increased significantly between 2002 and 2013, from about 31,000 to 155,000. For individuals 65 and older with student loan-related Social Security garnishments, the number grew from about 6,000 to about 36,000 over the same period. Congress should restore sanity to the system, and reestablish the protections that these beneficiaries deserve.

That is why I, along with Senators BROWN, WHITEHOUSE, GILLIBRAND, KLOBUCHAR, SANDERS and WARREN are introducing the Protection of Social Security Benefits Restoration Act. The bill would restore the strong protections in the law that prevented the government from taking away earned benefits to pay Federal debts, and guarantee beneficiaries will be able to maintain a basic standard of living by receiving the benefits they have earned. The bill is supported by Social Security Works, The Strengthen Social Security Coalition, AFL–CIO, Justice in Aging, Campaign for America's Future, Global Policy Solutions, Student Debt Crisis, the National Organization for Women, RootsAction.org, Project Springboard, The Alliance for a Just Society, the Economic Opportunity Institute, the Progressive Change Campaign Committee, The Arc of the United States, The Public Higher Education Network of Massachusetts, the American Federation of Government Employees, and the National Committee to Preserve Social Security and Medicare.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2387

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Protection of Social Security Benefits Restoration Act''.

SEC. 2. PROTECTING SOCIAL SECURITY, RAILROAD RETIREMENT, AND BLACK LUNG BENEFITS FROM ADMINISTRATIVE OFFSET.

(a) PROHIBITION ON ADMINISTRATIVE OFFSET AUTHORITY.—

(1) ASSIGNMENT UNDER SOCIAL SECURITY ACT.—Section 207 of the Social Security Act (42 U.S.C. 407) is amended by adding at the end the following new subsection:

''(d) Subparagraphs (A), (C), and (D) of section 3716(c)(3) of title 31, United States Code, as such subparagraphs were in effect on the date before the date of enactment of the Protection of Social Security Benefits Restoration Act, shall be null and void and of no effect.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 14(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 231m(a)) is amended by adding at the end the following: ''. The provisions of section 207(d) of the Social Security Act shall apply with respect to this title to the same extent as they apply in the case of title II of such Act.''.

(B) Section 2(e) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(e)) is amended by adding at the end the following: ''The provisions of section 207(d) of the Social Security Act shall apply with respect to this title to the same extent as they apply in the case of title II of such Act.''

(b) REPEAL OF ADMINISTRATIVE OFFSET AUTHORITY.—

(1) IN GENERAL.—Paragraph (3) of section 3716(c) of title 31, United States Code, is amended—

(A) by striking ''(3)(A)(i) Notwithstanding'' and all that follows through ''any overpayment under such program).'';

(B) by striking subparagraphs (C) and (D); and

(C) by redesignating subparagraph (B) as paragraph (3).

(2) CONFORMING AMENDMENT.—Paragraph (5) of such section is amended by striking ''the Commissioner of Social Security and''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any collection by administrative offset occurring on or after the date of enactment of this Act of a claim arising before, on, or after the date of enactment of this Act.

By Ms. COLLINS (for herself and Ms. CANTWELL):

S. 2389. A bill to amend title XVIII of the Social Security Act to extend the rural add-on payment in the Medicare home health benefit, and for other purposes; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today with my colleague from Washington, Senator CANTWELL, to introduce the Preserve Access to Medicare Rural Home Health Services Act of 2015. This legislation would extend the modest increase in payments for home health services in rural areas that otherwise will expire on January 1 of 2018.

Home health has become an increasingly important part of our health care system. The kinds of highly skilled—and often technically complex—services that our nation's home health caregivers provide have enabled millions of our most frail and vulnerable older and disabled citizens to avoid hospitals and nursing homes and stay just where they want to be—in the comfort, privacy, and security of their own homes. I have accompanied several of Maine's caring home health nurses on their visits to patients and have seen first hand the difference that they are making for patients and their families.

Surveys have shown that the delivery of home health services in rural areas can be as much as 12 to 15 percent more costly because of the extra travel time required to cover long distances between patients, higher transportation expenses, and other factors. Because of

the longer travel times, rural caregivers are unable to make as many visits in a day as their urban counterparts. For example, home health care agencies in Aroostook County in Northern Maine, where I am from, cover almost 6,700 square miles, with an average population of fewer than 11 persons per square mile. These agencies' costs are understandably much higher than other agencies located in more urban areas due to the long distances the staff must drive to see clients. Moreover, the staff is not able to see as many patients due to time on the road.

Agencies serving rural areas are also frequently smaller than their urban counterparts, which means that their relative costs are higher. Smaller agencies with fewer patients and fewer visits mean that fixed costs, particularly those associated with meeting regulatory requirements, are spread over a much smaller number of patients and visits, increasing overall per-patient and per-visit costs.

Moreover, in many rural areas, home health agencies are the primary caregivers for homebound beneficiaries with limited access to transportation. These rural patients often require more time and care than their urban counterparts and are understandably more expensive for agencies to serve. If the extra three per cent rural payment is not extended, agencies may be forced to decide not to accept rural patients with greater care needs. That could translate into less access to health care for ill, homebound seniors. The result would likely be that these seniors would be hospitalized more frequently and would have to seek care in nursing homes, adding considerable cost to the system.

Failure to extend the rural add-on payment would only put more pressure on rural home health agencies that are already operating on very narrow margins and could force some of the agencies to close their doors altogether. If any of these agencies were forced to close, the Medicare patients in that region could lose all of their access to home care.

The legislation we are introducing today will extend the rural add-on for 5 years and help to ensure that Medicare patients in rural areas continue to have access to the home health services they need. Moreover, we would offset costs of the bill by reducing the home health outlier fund by .25 percent over the same 5 years. I urge our colleagues to join us as cosponsors.

By Mr. GRASSLEY (for himself and Mr. LEAHY):

S. 2390. A bill to provide adequate protections for whistleblowers at the Federal Bureau of Investigation; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, in his 2013 confirmation hearing, FBI Director James Comey called whistleblowers ''a critical element of a functioning democracy.''

That is what I have been saying for years. Whistleblowers expose waste, fraud, and abuse. They help keep Government honest and make sure taxpayer dollars are spent wisely. By pointing out problems, whistleblowers foster transparency and make it possible for an organization to do better.

Agencies should value their contributions. Instead, agencies often ignore whistleblower complaints or worse—retaliate against whistleblowers for bringing wrongdoing to light.

Across the Federal Government, whistleblowers are treated like skunks at a picnic, instead of the dedicated public servants they are. Unfortunately, the Federal Bureau of Investigation is no exception on that point. However, the FBI is the exception when it comes to legal protections for whistleblowers.

Unlike every other federal agency, the FBI is the only agency where employees are not protected for reporting wrongdoing to their direct supervisors or others within their chain-of-command. This makes no sense.

Studies show the great majority of whistleblowers first make disclosures to their supervisors. The FBI's own policy encourages reports to supervisors within the chain-of-command. Nevertheless, an FBI employee who makes a disclosure of waste, fraud, or abuse to their supervisor has no protection under law if the supervisor retaliates.

It is no surprise, then, that a 2015 report by the Government Accountability Office found that, of the 54 closed FBI whistleblower complaints it reviewed where documentation showed the reason for closing the case, at least 17 cases were dismissed in part because an employee made a disclosure to someone in their chain-of-command or management.

Why is there this gaping hole in FBI whistleblower protections? Because, unlike every other federal law enforcement agency, the FBI is statutorily exempt from government-wide whistleblower protection laws. As a result, it lives under its own unique regulatory scheme conceived, created, and controlled entirely within the Department of Justice. There is no independent review.

This unique exemption for the FBI has led to outrageous delays in the adjudication of FBI whistleblower complaints due to endless internal appeals and the low priority that FBI whistleblower cases receive at the Justice Department.

Currently, FBI whistleblower cases are adjudicated by the Department's Office of Attorney Recruitment and Management—an office whose very name clearly shows it was not designed to address reprisal cases. Appeals are considered by the Deputy Attorney General's office. That office has made clear that it has other priorities that render it incapable of even minimal communications with whistleblowers to inform them of their case status. Clearly, we need to do better.

I have worked with many FBI whistleblowers over the years who put everything on the line just to tell the truth. In exchange for their courage, they faced delays of up to a decade in adjudicating their cases, a deaf ear from the highest levels of the Justice Department, and in many cases, no protection at all.

Consider the case of Michael German. Michael testified at our hearing in March this year where we examined the effectiveness—or lack thereof—of the Justice Department's FBI whistleblower regulations.

Before he resigned from the FBI in 2004, Michael German was a decorated undercover special agent who successfully risked his life to infiltrate white supremacist and neo-Nazi hate groups across the United States, some with ties to foreign terrorist groups. He discovered that a portion of a meeting between two such groups had been illegally recorded by mistake.

Rather than following the rules and documenting the error, as he suggested, a supervisor told him to ''pretend it didn't happen.'' But he refused to back down. He reported the wrongdoing to his Assistant Special Agent in Charge. Then the FBI ''froze him out and made him a 'pariah.' ''

Because Special Agent German disclosed wrongdoing to his ASAC instead of one of the nine specifically designated entities in the Justice Department regulations, he was not protected. His case was not even investigated ''in earnest,'' according to him, until he resigned from the FBI and reported the matter to Congress.

This is the tragedy of weak FBI whistleblower protections: If this bill had been law when Michael German first blew the whistle, this country might still have the benefit of this decorated FBI Special Agent in our fight against terrorism. He is by far not the only FBI whistleblower sidelined and ostracized by the failures of current law and policy.

In today's world, we cannot afford to lose public servants like Michael German. That is why today, with my cosponsor Senator LEAHY, I am introducing this hi-partisan legislation, the FBI Whistleblower Protection Enhancement Act of 2015.

Among other things, this bill will for the first time provide legal protection to FBI employees who report wrongdoing to their supervisors, provide a more independent process for whistleblowers who have suffered reprisal, and increase oversight and transparency of the FBI whistleblower complaint process.

This bill is a long time coming. I urge my colleagues to support it.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2390

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Bureau of Investigation Whistleblower Protection Enhancement Act of 2015''.

SEC. 2. FBI WHISTLEBLOWER PROTECTIONS.

(a) IN GENERAL.—Section 2303 of title 5, United States Code, is amended to read as follows:

''§ 2303. Prohibited personnel practices in the Federal Bureau of Investigation

''(a) DEFINITIONS.—In this section—

''(1) the term 'administrative law judge' means an administrative law judge appointed by the Attorney General under section 3105 or used by the Attorney General under section 3344;

''(2) the term 'Inspector General' means the Inspector General of the Department of Justice;

''(3) the term 'personnel action' means any action described in section 2302(a)(2)(A) with respect to an employee in, or applicant for, a position in the Federal Bureau of Investigation (other than a position of a confidential, policy-determining, policymaking, or policy-advocating character);

''(4) the term 'prohibited personnel practice' means a prohibited personnel practice described in subsection (b); and

''(5) the term 'protected disclosure' means any disclosure of information by an employee in, or applicant for, a position in the Federal Bureau of Investigation—

''(A) made—

''(i) for an employee, to a supervisor in the direct chain of command of the employee, up to and including the head of the employing agency;

''(ii) to the Inspector General;

''(iii) to the Office of Professional Responsibility of the Department of Justice;

''(iv) to the Office of Professional Responsibility of the Federal Bureau of Investigation;

''(v) to the Inspection Division of the Federal Bureau of Investigation;

''(vi) to a Member of Congress;

''(vii) to the Office of Special Counsel; or

''(viii) to an employee designated by any officer, employee, office, or division described in clauses (i) through (vii) for the purpose of receiving such disclosures; and

''(B) which the employee or applicant reasonably believes evidences—

''(i) any violation of any law, rule, or regulation; or

''(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

''(b) PROHIBITED PRACTICES.—Any employee of the Federal Bureau of Investigation or another component of the Department of Justice who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority—

''(1) take or fail to take, or threaten to take or fail to take, a personnel action with respect to an employee in, or applicant for, a position in the Federal Bureau of Investigation because of a protected disclosure;

''(2) take or fail to take, or threaten to take or fail to take, any personnel action against an employee in, or applicant for, a position in the Federal Bureau of Investigation because of—

''(A) the exercise of any appeal, complaint, or grievance right granted by any law, rule, or regulation—

''(i) with regard to remedying a violation of paragraph (1); or

''(ii) other than with regard to remedying a violation of paragraph (1);

''(B) testifying for or otherwise lawfully assisting any individual in the exercise of any right referred to in clause (i) or (ii) of subparagraph (A);

''(C) cooperating with or disclosing information to the Inspector General of an agency, or the Special Counsel, in accordance with applicable provisions of law; or

''(D) refusing to obey an order that would require the individual to violate a law; or

''(3) implement or enforce any nondisclosure policy, form, or agreement, if such policy, form, or agreement does not contain the statement described in section 2302(b)(13).

''(c) PROCEDURES.—

''(1) FILING OF A COMPLAINT.—An employee in, or applicant for, a position in the Federal Bureau of Investigation may seek review of a personnel action alleged to be in violation of subsection (b) by filing a complaint with the Office of the Inspector General.

''(2) INVESTIGATION.—

''(A) IN GENERAL.—The Inspector General shall investigate any complaint alleging a personnel action in violation of subsection (b), consistent with the procedures and requirements described in section 1214.

''(B) DETERMINATION.—The Inspector General—

''(i) shall issue a decision containing the findings of the Inspector General supporting the determination of the Inspector General; and

''(ii) if the Inspector General determines that reasonable grounds exist to believe that a personnel action occurred, exists, or is to be taken, in violation of subsection (b), the Inspector General shall request from an administrative law judge, and the administrative law judge, without further proceedings, shall issue, a preliminary order staying the personnel action.

''(3) FILING OF OBJECTIONS.—

''(A) IN GENERAL.—Not later than 60 days after the Inspector General issues a decision under paragraph (2)(B)(i), either party may file objections to the decision and request a hearing on the record.

''(B) NO EFFECT ON STAY.—The filing of objections under subparagraph (A) shall not affect the stay of a personnel action under a preliminary order issued under paragraph (2)(B)(ii).

''(C) NO OBJECTIONS FILED.—If no party has filed objections as of the date that is 61 days after the date the Inspector General issues a decision—

''(i) the decision is final and not subject to further review; and

''(ii) if the Inspector General had determined that reasonable grounds exist to believe that a personnel action occurred, exists, or is to be taken, in violation of subsection (b)—

''(I) an administrative law judge, without further proceedings, shall issue an order permanently staying the personnel action; and

''(II) upon motion by the employee, and after an opportunity for a hearing, an administrative law judge may issue an order that provides for corrective action as described under section 1221(g).

''(4) REVIEW BY ADMINISTRATIVE LAW JUDGE.—

''(A) IN GENERAL.—If objections are filed under paragraph (3)(A), an administrative law judge shall review the decision by the Inspector General on the record after opportunity for agency hearing.

''(B) CORRECTIVE ACTION.—An administrative law judge may issue an order providing for corrective action as described under section 1221(g).

''(C) DETERMINATION.—An administrative law judge shall issue a written decision explaining the grounds for the determination by the administrative law judge under this paragraph.

''(D) EFFECT OF DETERMINATION.—The determination by an administrative law judge under this paragraph shall become the decision of the Department of Justice without further proceedings, unless there is an appeal to, or review on motion of, the Attorney General within such time as the Attorney General shall by rule establish.

''(5) REVIEW BY ATTORNEY GENERAL.—

''(A) TIMEFRAME.—

''(i) IN GENERAL.—Upon an appeal to, or review on motion of, the Attorney General under paragraph (4)(D), the Attorney General, through reference to such categories of cases, or other means, as the Attorney General determines appropriate, shall establish and announce publicly the date by which the Attorney General intends to complete action on the matter, which shall ensure expeditious consideration of the appeal or review, consistent with the interests of fairness and other priorities of the Attorney General.

''(ii) FAILURE TO MEET DEADLINE.—If the Attorney General fails to complete action on an appeal or review by the announced date, and the expected delay will exceed 30 days, the Attorney General shall publicly announce the new date by which the Attorney General intends to complete action on the appeal or review.

''(B) DETERMINATION.—The Attorney General shall issue a written decision explaining the grounds for the determination by the Attorney General in an appeal or review under paragraph (4)(D).

''(6) PUBLICATION OF DETERMINATIONS.—

''(A) PUBLIC AVAILABILITY.—Except as provided in subparagraph (B), the Attorney General shall make written decisions issued by administrative law judges under paragraph (4)(C) and written decisions issued by the Attorney General under paragraph (5)(B) publicly available.

''(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to limit the authority of an administrative law judge or the Attorney General to limit the public disclosure of information under law or regulations.

''(7) JUDICIAL REVIEW.—Any determination by an administrative law judge or the Attorney General under this subsection shall be subject to judicial review under chapter 7. A petition for judicial review of such a determination shall be filed in the United States Court of Appeals for the Federal Circuit or any court of appeals of competent jurisdiction.

''(d) REGULATIONS.—The Attorney General shall prescribe regulations to carry out subsection (c) that—

''(1) ensure that prohibited personnel practices shall not be taken against an employee in, or applicant for, a position in the Federal Bureau of Investigation; and

''(2) provide for the administration and enforcement of subsection (c) in a manner consistent with applicable provisions of sections 1214 and 1221 and in accordance with the procedures under subchapter II of chapter 5 and chapter 7.

''(e) REPORTING.—Not later than March 1 of each year, the Attorney General shall make publically available a report containing—

''(1) the number and nature of allegations of a prohibited personnel practice received during the previous year;

''(2) the disposition of each allegation of a prohibited personnel practice resolved during the previous year;

''(3) the number of unresolved allegations of a prohibited personnel practice pending as of the end of the previous year and, for each such unresolved allegation, how long the allegation had been pending as of the end of the previous year;

''(4) the number of disciplinary investigations and actions taken with respect to each allegation of a prohibited personnel practice during the previous year;

''(5) the number of instances during the previous year in which the Inspector General found a reasonable basis that a prohibited personnel practice had occurred that were appealed by the Federal Bureau of Investigation; and

''(6) the number of allegations of a prohibited personnel practice resolved through settlement, including the number that were resolved as a result of mediation.

''(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the jurisdiction of any office under any other provision of law to conduct an investigation to determine whether a prohibited personnel practice has been or will be taken.''.

(b) GAO REPORT.—

(1) DEFINITION.—In this subsection, the term ''prohibited personnel practice'' means a prohibited personnel practice described in section 2303(b) of title 5, United States Code, as added by subsection (a).

(2) REPORT.—Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the effects of the amendment made by subsection (a), which shall include—

(A) an evaluation of the timeliness of resolution of allegations of a prohibited personnel practice;

(B) an analysis of the corrective action provided in instances of a prohibited personnel practice;

(C) the number and type of disciplinary actions taken in instances of a prohibited personnel practice;

(D) an evaluation of the communication by the Inspector General of the Department of Justice with an individual alleging a prohibited personnel practice regarding the investigation and resolution of the allegation;

(E) an assessment of the mediation process of the Department of Justice; and

(F) a discussion of how the use of administrative law judges and review under chapters 5 and 7 of title 5, United States Code, affected the process of investigating and resolving allegations of a prohibited personnel practice.

Mr. LEAHY. Mr. President, whistleblowers serve an essential role in providing transparency and accountability in the Federal Government. It is important that all government employees are provided with strong and effective avenues to come forward with evidence of government abuse and misuse. To ensure that whistleblowers feel comfortable speaking up when they discover wrongdoing, it is also imperative that they are afforded protections from retaliation. That is why Senator GRASSLEY and I are joining together to introduce the Federal Bureau of Investigation, ''FBI'', Whistleblower Protection Enhancements Act of 2015.

Current FBI policies do not go far enough to protect whistleblowers. In March, the Judiciary Committee held a hearing that highlighted a number of serious problems facing whistleblowers at the FBI. We received testimony about the lack of protections for employees who report waste, fraud, or abuse to their direct supervisors. We also heard instances of the FBI failing to comply with regulatory requirements when conducting retaliation investigations, and that adjudication of contested cases can take years. One former employee, Michael German, testified in detail about how he was forced to end his distinguished career at the FBI after he disclosed to Congress serious deficiencies in the agency's handling of counterterrorism investigations. He chose to do this after making a protected whistleblower disclosure at the FBI that went nowhere while the retaliation continued.

The concerns expressed at the hearing echo concerns that were identified in two recent reports on the FBI whistleblower framework, one by the Department of Justice and the other by Government Accountability Office. Clearly the status quo is unacceptable. Congress should extend to FBI whistleblowers the same level of protection that is afforded other Federal employees who speak out about waste, fraud, or abuse. That is what Senator GRASSLEY and I seek to do today with this bill.

Our legislation closely tracks the protections contained in the Whistleblower Protection Act. Importantly, we extend whistleblower protections to FBI employees who blow the whistle to supervisors in their chain of command. This common sense fix is crucial to protect those employees who dare to speak up and report concerns to their superiors. The bill also provides clear guidance on the investigation and adjudication of retaliation claims. Investigations will now be handled solely by the Office of Inspector General, rather than sharing this responsibility with the Office of Professional Responsibility. This will provide much needed clarity and consistency in the process. Contested cases will now be adjudicated by Administrative Law Judges instead of by the Office of Attorney Recruitment and Management. Under this new process the Administrative Procedures Act will apply, ensuring a hearing on the record and strong procedural protections for all parties.

This bipartisan bill will help to ensure that FBI employees are able to blow the whistle on waste, fraud, or abuse at the FBI and not face personal repercussions for doing so. I urge the Senate to act quickly to take up and pass this important bipartisan legislation.

By Mr. SANDERS (for himself, Mr. MARKEY, and Mr. MERKLEY):

S. 2391. A bill to amend the Internal Revenue Code of 1986 to permanently extend certain energy tax provisions; to the Committee on Finance.

Mr. SANDERS. Mr. President, one of the great moral issues of our time is the global crisis of climate change. Let me be very clear about climate change. Climate change is not a Democratic issue or a progressive issue. It is not a Republican issue or a conservative issue. What it is, is an issue that has everything to do with physics. It is an issue of physics. What we know beyond a shadow of a doubt is that the debate is over, and that is that the vast majority of the scientists who have studied the issues are quite clear. What they tell us over and over again is that climate change is real, climate change is caused by human activity, and climate change is already causing devastating problems throughout our country and, in fact, throughout the world.

What the scientists also tell us is that we have a relatively short window of opportunity to bring about the fundamental changes we need in our global energy system to transform our energy system from fossil fuel to energy efficiency and sustainable energy. We have a limited window of opportunity. What the scientists are telling us very clearly is if we do not seize that opportunity, if we do not lead the world—working with China, Russia, India and other countries—in transforming the global energy system, the planet we leave to our children and our grandchildren will be significantly less habitable than the planet we enjoy.

My nightmare is that 20, 30, 40 years from now our kids and our grandchildren will look Members of the Senate and the House in the eye, and they will say: The scientists told you what would happen and you did nothing. Why did you not react? How hard was it to stand up to the fossil fuel industry and transform our energy system away from coal and oil into energy efficiency and wind, solar, geothermal, and other sustainable energies?

Pope Francis recently made what I thought to be a very profound statement. He said that our planet is on a suicidal direction—a suicidal direction—in terms of climate change. What a frightening and horrible thought. How irresponsible can we be to ignore what the entire scientific community is saying?

I know there are many of my colleagues who refuse to acknowledge the reality. As perhaps the most progressive Member of the U.S. Senate let me

simply say this: I have differences with my Republican colleagues on virtually every issue. That goes without saying, but there is something very different about this issue. I have been in hearings with my Republican colleagues where I heard doctors and scientists talk about cancer, about Alzheimer's, about diabetes, about all kinds of illnesses, and I may disagree with my Republican colleagues about how we go forward, how much we should fund NIH, but I have never heard my Republican colleagues attack doctors or researchers or scientists for their views on cancer research or Alzheimer's research. As I do, they respect that research. But somehow or another, when it comes to the issue of climate change, at best what we are seeing Republicans do—many Republicans, most Republicans—is ignore the issue or claim they are not scientists or, at worst, attack those scientists who are doing the research.

Why is that? Why is it that my Republican colleagues accept the research on cancer, on Alzheimer's, on all kinds of illnesses, and they respect scientists who are working in all kinds of areas. But somehow or another when it comes to the issue of climate change, my Republican friends are in denial? What I will say is that this has nothing to do with science, and it has sadly and tragically everything to do with our corrupt campaign finance laws, which allow large corporations and billionaires to contribute as much money as they want into the political process. In my view, the reality is that any Republican—and I happen to believe that many Republicans understand the truth about climate change. But I also believe that any Republican who stood up and said ''You know what, I just talked to some scientists'' or ''I just read some of the literature, and this climate change is real, it is dangerous, and we have to do something about it''—I believe that on that day when that Republican stands up, the money will stop flowing from the fossil fuel industry, from the Koch brothers, and there will be a strong likelihood that Republican would be primaried in the next election.

According to the Center for Responsive Politics, at the national level where companies have to report what they spend on lobbying and campaign contributions, the oil companies, coal companies, and electric utilities have spent a staggering $2.2 billion in Federal lobbying since 2009 and another $330 million in Federal campaign contributions. That is just at the Federal level—over $2.5 billion in lobbying and campaign contributions in just 6 years. Even in Washington, DC, that is a lot of money, and that is just the money that we know about.

That is not all of it. That is not the end of it. As a result of the disastrous Citizens United Supreme Court decision, which allowed corporations and billionaires to spend unlimited sums of money, we know that the Koch brothers, who make most of their money in the fossil fuel industry, and a handful of their friends will be spending some $900 million—$900 million—from one family and a few of their friends in the 2016 election cycle. Clearly, one of the reasons they are investing so much in this election cycle is that they intend to continue doing everything they can to make sure Congress does not go forward to protect our kids and our grandchildren against the ravages of climate change.

According to an 8-month investigation by journalists at Inside Climate News, Exxon—now ExxonMobil—may have conducted extensive research on climate change as early as 1977, leading top Exxon scientists to conclude both that climate change is real and that it was caused, in part, by the carbon pollution resulting from the use of Exxon's petroleum-based products. In addition, the purported internal business memoranda accompanying the reporting asserted that Exxon's climate science program was launched in response to a perceived existential threat to its business model. In other words, the scientists at ExxonMobil, who are scientists, discovered the truth, and upon hearing the truth, ExxonMobil poured millions of dollars into organizations whose main function was to deny the reality of climate change.

The efforts to transform our energy system are taking place not only here in Washington, the Nation's Capital, but at the State and local level as well. In States such as Arizona and Florida, roadblocks are being put up to stop people from gaining access to renewable energy sources such as wind and especially rooftop solar. In States such as Arizona and Florida and many of our Southern States with huge solar exposure, there is huge potential for solar. Yet we are now seeing politicians, at the behest of the fossil fuel industry, put up roadblock after roadblock to make it harder for people to move to solar or wind.

I have heard a lot of the arguments from the fossil fuel industry as to why we should not transform our energy system, and many of those arguments are repeated here on the floor by some of my colleagues. But the truth is that it turns out that transforming our energy system away from fossil fuel and into energy efficiency and sustainable energy will create a significant number of new and decent-paying jobs, and it will lower energy bills in communities all across this country.

My own State of Vermont participates in a regional greenhouse gas initiative cap-and-trade program for the power sector. Since 2009, the program has created over 14,000 net jobs, and carbon pollution levels dropped by 15 percent at the same time consumers, businesses, and other energy users saw their electricity and heating bills go down by $459 million. The majority of those savings came from energy efficiency. All the while, jobs were created, not exported, and we relied on clean domestic energy instead of oil from the Middle East.

Energy efficiency clearly makes an enormous amount of sense. It is clearly the low-hanging fruit as we transform our energy system.

I have been in homes in Vermont that have been effectively weatherized, and they are seeing heating bills drop by 50 percent. People in those homes are living in more comfort, and jobs are being created by those people who install the insulation and other energy-efficient tools, not to mention all of the folks who are manufacturing the insulation, windows, and efficient roofing.

According to the American Council for an Energy-Efficient Economy, energy efficiency provides a larger return on investment than any individual energy source because for every $1 invested in energy efficiency, we see $4 in total benefits for all consumers. For every $1 billion invested in efficiency upgrades, we see a creation of 19,000 direct and indirect jobs.

These numbers are great and speak for themselves, but acting on climate change is also a moral obligation. While we will all suffer—all over our country and all over the world—the impacts of climate change, the sad truth is that climate impacts fall especially hard upon the most vulnerable people in our society. Minority and low-income communities in the United States are disproportionately impacted by the causes of climate change. According to a 2012 study by the National Association for the Advancement of Colored People, the NAACP, the nearly 6 million people in the United States who live within 3 miles of a coal-burning powerplant have an average per capita annual income of just over $18,000 a year. Among the people who live within 3 miles of a coal powerplant, 39 percent are people of color, while people of color compromise only 36 percent of the total population of the United States.

The bottom line is that when we talk about climate change and its impact upon our planet and all the people, we should bear in mind that this is happening not only in the United States but all over the world. The people who will suffer the most are low-income people and people living in poverty.

I am introducing legislation called the American Clean Energy Investment Act of 2015. This legislation is built upon the fact that the prices for wind and solar power have plummeted over the last decade, cutting carbon pollution and creating tens of thousands of new jobs in the process. Meanwhile, the fossil fuel industry benefits from permanent subsidies worth tens of billions

of dollars each year. Incentives for renewable energy and energy efficiency are temporary and are too often allowed to elapse entirely.

My legislation permanently extends and makes refundable some of our most important renewable energy tax credits for energy efficiency and sustainable energy, including sources such as solar, wind, and geothermal. Permanently extending these incentives will drive over $500 billion in clean energy investments between now and 2030 and are an integral part of putting us on a pathway to more than doubling the size of our clean energy workforce to 10 million American workers. The costs for these incentives are completely offset by repealing the special interest corporate welfare in the Tax Code for the fossil fuel industries.

If we are going to be serious about dealing with the threat of climate change, we need to end the polluter welfare that subsidizes increased pollution from fossil fuels and instead invest those resources in clean energy solutions that reduce pollution. Doing this will save lives, protect our economy, and reduce the threats from climate change at the same time we are creating millions of good-paying jobs here in the United States.

Our legislation is supported by the Solar Energy Industries Association, the American Wind Energy Association, 350.org, and cosponsored by Senators MERKLEY and MARKEY.

We have a national responsibility to protect the livelihoods of the working families and communities who help power and build this country. We must act now to reenergize our manufacturing base, bolster our clean energy economy, and protect the livelihoods of energy workers and the communities they support.

As a result of these concerns, this bill provides up to 3 years of unemployment insurance, health care, and pensions for workers who lose their jobs due to our transition to a clean energy economy. In other words, we understand—as was very much the case with our moving away from tobacco farming in this country—that the people who do the work in coal, oil, and other fossil fuels are not to blame for the fact that the product they produce is causing so many problems in our country. Our job is to protect and transition them to other decent-paying jobs, and the government has a responsibility to help with that transition.

Based on what the scientists are telling us, we need to make very significant cuts in carbon pollution emissions and we need to do it as soon as possible. It is absolutely vital that we do what many economists tell us we must do, and that is to put a price on carbon. It is the simplest and most direct way to make the kinds of cuts in carbon pollution that we have to make if we are going to successfully transition from fossil fuel to energy efficiency and sustainable energy. That is why within the Climate Protection and Justice Act that I am introducing, there will be a tax on carbon. Directly pricing carbon is a key part of the solution of transforming our energy system. Many experts support a fee on carbon pollution emissions, including liberal, moderates, and even prominent conservatives such as George Shultz, Nobel laureate economist Gary Becker, Mitt Romney's former adviser Gregory Mankiw, former Reagan adviser Art Laffer, former Republican Bob Inglis, and many others. The idea of a price on carbon is not just a progressive concept, it is one that is being supported by economists throughout the political spectrum.

The Nation's leading corporations, including the Nation's five biggest oil giants, are already planning their future budgets with the assumptions that there will be a cost applied to carbon emissions. In other words, some of the very companies that have strongly opposed action to address climate change are recognizing the reality in front of them, and that is that the United States is going to—hopefully sooner rather than later—address the crisis of climate change and that there will be a tax on carbon. This tax works by setting enforceable pollution-reduction targets for each decade, including a 40-percent reduction below 1990 levels by 2030 and a more than 80-percent reduction level by 2050.

This legislation sets a price on carbon pollution for fossil fuel producers or importers. Proceeds from the carbon pollution fee are returned to the bottom 80 percent of households making less than $100,000 a year to offset them for any increase they might experience in increased energy costs as a result of this transition. For an average family of four, this will amount to a rebate of roughly $900 in 2017 and will grow to an annual rebate of $1,900 in 2030. It would only apply upstream, meaning at the oil refinery, coal mine, natural gas processing plant, or point of importation. It would apply to fewer than 3,000 of the largest fossil fuel polluters in this country.

EPA's existing authority to regulate carbon pollution, sources from powerplants, vehicles, and other sources is reaffirmed, and if the United States is not on track to meet its emissions reduction targets, the EPA shall issue new regulations to ensure that it does.

Importantly, based on lessons learned from the cap-and-trade law in California, a Federal interagency council will oversee the creation and distribution of a climate justice resiliency fund block grant program to States, territories, tribes, municipalities, counties, localities, and nonprofit community organizations. The council will provide $20 billion annually for these grants in communities that are vulnerable to the impacts of climate change for important programs they are running.

This legislation strengthens our manufacturing sector through a border tariff adjustment mechanism which shields energy-intensive, trade-exposed industries such as steel, aluminum, glass, pulp and paper, from unfair international trade policies. The monies raised by the green tariff are used to help improve industrial energy efficiency.

Farmers receive dedicated funding through the USDA's Rural Energy for America Program to improve on farm energy efficiency and to adopt onsite renewable energy. The bill includes incentives for farmers to adopt no-till practices and creates an incentive program to encourage the adoption of sustainable fertilizer application practices.

Finally, the bill includes Federal electricity market reforms that reduce pollution, increase efficiency, and reduce costs by ensuring equitable grid access for demand response programs.

At the end of the day, the Congress of the United States is going to have to make some very important and fundamental decisions, and the most important is whether we believe in science. We can have many disagreements on many issues, but we should not have a disagreement about whether we base public policy on science rather than campaign contributions. That really is the issue we are dealing with right now.

We are in a critical moment in world history. Our planet is becoming warmer, sea levels are rising, and communities all over the world that are on seacoasts are being threatened. The ocean is being acidified to an unprecedented level, which has huge impacts in so many areas, including the ability of people to fish and gain nutrients from the ocean.

We are looking at unprecedented levels of heat waves in India, Pakistan, and Europe that have killed thousands of people. We are looking at forest fires on the west coast of that country that are unprecedented in terms of their duration and their ferocity.

So we have to make a decision about whether we stand with our children and our grandchildren or whether we stand with campaign contributors from the fossil fuel industry.

Climate change is real. Climate change is caused by human activity. Climate change is already causing devastating damage on this planet. Our job is now to stand with our children, to stand with our grandchildren, and to make certain that they have a planet that is healthy and that is habitable. That is what the legislation I am introducing will do.

By Mr. REID (for himself, Mr. FRANKEN, Mr. TESTER, Mr.

LEAHY, Mr. BOOKER, Ms. BALDWIN, and Mr. SCHUMER):

S. 2397. A bill to amend the Child Abuse Prevention and Treatment Act to authorize the Secretary of Health and Human Services to make grants to States that extend or eliminate unexpired statutes of limitation applicable to laws involving child sexual abuse; to the Committee on Health, Education, Labor, and Pensions.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2397

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHILD ABUSE PREVENTION AND TREATMENT.

(a) IN GENERAL.—The Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.) is amended by adding at the end the following:

''TITLE III—GRANTS FOR THE PREVENTION OF CHILD SEXUAL ABUSE

''SEC. 301. FINDINGS.

''Congress finds that—

''(1) child sexual abuse is a pernicious crime perpetrated through threats of violence, intimidation, manipulation, and abuse of power;

''(2) due to the subversive nature of this crime, the average age of disclosure of incestuous child sexual abuse does not occur until a victim is over 25 years old;

''(3) because many State statutes of limitations applicable to laws involving child sexual abuse fail to give victims adequate time to come forward and report their abuse, numerous victims are unable to seek fair and just remediation against their abusers; and

''(4) due to the especially heinous nature of child sexual abuse, it is imperative that perpetrators of this crime are punished, prevented from reoffending, and victims have the opportunity to see their abusers brought to justice.

''SEC. 302. DEFINITIONS.

''In this title—

''(1) the term 'eligible State' means a State or Indian tribe that, not later than September 30 of the preceding fiscal year does not have any statute of limitations applicable to laws involving child sexual abuse; and

''(2) the term 'Indian tribe' means a tribe identified in the list published by the Secretary of the Interior in the Federal Register pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a–1).

''SEC. 303. GRANT PROGRAM.

''The Secretary, in consultation with the Attorney General, is authorized to make grants to eligible States for the purpose of assisting eligible States in developing, establishing, and operating programs designed to improve—

''(1) the assessment and investigation of suspected child sexual abuse cases, in a manner that limits additional trauma to the child and the family of the child;

''(2) the investigation and prosecution of cases of child sexual abuse; and

''(3) the assessment and investigation of cases involving children with disabilities or serious health-related problems who are suspected victims of child sexual abuse.

''SEC. 304. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated to carry out this title $40,000,000 for each of fiscal years 2016 through 2025.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to any violation of a law involving child sexual abuse committed before the date of the enactment of this Act if the statute of limitations applicable to that law had not run as of the date of enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 333—TO DIRECT THE SENATE LEGAL COUNSEL TO APPEAR AS AMICUS CURIAE IN THE NAME OF THE SENATE IN BANK MARKAZI, THE CENTRAL BANK OF IRAN V. DEBORAH D. PETERSON, ET AL. (S. CT.)

Mr. MCCONNELL (for himself and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 333

Whereas, in the case of *Bank Markazi, The Central Bank of Iran v. Deborah D. Peterson, et al.*, No. 14–770, pending in the Supreme Court of the United States, the constitutionality of section 502 of the Iran Threat Reduction and Syria Human Rights Act of 2012, Pub. L. No. 112–158, 126 Stat. 1214, 1258 (2012), codified at 22 U.S.C. §8772, has been placed in issue;

Whereas, pursuant to sections 703(c), 706(a), and 713(a) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(c), 288e(a), and 288*l*(a), the Senate may direct its counsel to appear as amicus curiae in the name of the Senate in any legal action in which the powers and responsibilities of Congress under the Constitution are placed in issue: Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to appear as amicus curiae on behalf of the Senate in the case of *Bank Markazi, The Central Bank of Iran v. Deborah D. Peterson, et al.*, to defend the constitutionality of section 502 of the Iran Threat Reduction and Syria Human Rights Act of 2012.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2922. Mr. MCCONNELL proposed an amendment to the bill H.R. 2250, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes.

SA 2923. Mr. MCCONNELL proposed an amendment to the bill H.R. 2250, supra.

SA 2924. Mr. MCCONNELL (for Mr. NELSON (for himself and Ms. AYOTTE)) proposed an amendment to the bill S. 142, to require special packaging for liquid nicotine containers, and for other purposes.

SA 2925. Mr. MCCONNELL (for Mr. NELSON (for himself and Ms. AYOTTE)) proposed an amendment to the bill S. 142, supra.

SA 2926. Mr. MCCONNELL (for Mr. FRANKEN (for himself and Mr. CORNYN)) proposed an amendment to the bill S. 993, to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, veterans treatment services, mental health treatment, and substance abuse systems.

TEXT OF AMENDMENTS

SA 2922. Mr. MCCONNELL proposed an amendment to the bill H.R. 2250, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

That the Continuing Appropriations Act, 2016 (Public Law 114-53) is amended by striking the date specified in section 106(3) and inserting ''December 16, 2015''.

This Act may be cited as the ''Further Continuing Appropriations Act, 2016''.

SA 2923. Mr. MCCONNELL proposed an amendment to the bill H.R. 2250, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes; as follows:

To amend the title to read:

''Further Continuing Appropriations Act, 2016''.

SA 2924. Mr. MCCONNELL (for Mr. NELSON (for himself and Ms. AYOTTE)) proposed an amendment to the bill S. 142, to require special packaging for liquid nicotine containers, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Child Nicotine Poisoning Prevention Act of 2015''.

SEC. 2. SPECIAL PACKAGING FOR LIQUID NICOTINE CONTAINERS.

(a) REQUIREMENT.—Notwithstanding section 2(f)(2) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(2)) and section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)), any nicotine provided in a liquid nicotine container sold, offered for sale, manufactured for sale, distributed in commerce, or imported into the United States shall be packaged in accordance with the standards provided in section 1700.15 of title 16, Code of Federal Regulations, as determined through testing in accordance with the method described in section 1700.20 of title 16, Code of Federal Regulations, and any subsequent changes to such sections adopted by the Commission.

(b) SAVINGS CLAUSE.—

(1) IN GENERAL.—Nothing in this Act shall be construed to limit or otherwise affect the authority of the Secretary of Health and Human Services to regulate, issue guidance, or take action regarding the manufacture, marketing, sale, distribution, importation, or packaging, including child-resistant packaging, of nicotine, liquid nicotine, liquid nicotine containers, electronic cigarettes, electronic nicotine delivery systems or other similar products that contain or dispense liquid nicotine, or any other nicotine-related products, including—

(A) authority under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) and the Family Smoking Prevention and Tobacco Control Act (Public Law 111–31) and the amendments made by such Act; and

(B) authority for the rulemaking entitled ''Deeming Tobacco Products to Be Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act; regulations on the Sale and Distribution of Tobacco Products and the Required Warning Statements

for Tobacco Products'' (April 2014) (FDA–2014–N–0189), the rulemaking entitled ''Nicotine Exposure Warnings and Child-Resistant Packaging for Liquid Nicotine, Nicotine-Containing E-Liquid(s), and Other Tobacco Products'' (June 2015) (FDA–2015–N–1514), and subsequent actions by the Secretary regarding packaging of liquid nicotine containers.

(2) CONSULTATION.—If the Secretary of Health and Human Services adopts, maintains, enforces, or imposes or continues in effect any packaging requirement for liquid nicotine containers, including a child-resistant packaging requirement, the Secretary shall consult with the Commission, taking into consideration the expertise of the Commission in implementing and enforcing this Act and the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.).

(c) APPLICABILITY.—Notwithstanding section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)) and section 2(f)(2) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(2)), the requirement of subsection (a) shall be treated as a standard for the special packaging of a household substance established under section 3(a) of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1472(a)).

(d) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Consumer Product Safety Commission.

(2) LIQUID NICOTINE CONTAINER.—

(A) IN GENERAL.—Notwithstanding section 2(f)(2) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(2)) and section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)), the term ''liquid nicotine container'' means a package (as defined in section 2 of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471))—

(i) from which nicotine in a solution or other form is accessible through normal and foreseeable use by a consumer; and

(ii) that is used to hold soluble nicotine in any concentration.

(B) EXCLUSION.—The term ''liquid nicotine container'' does not include a sealed, prefilled, and disposable container of nicotine in a solution or other form in which such container is inserted directly into an electronic cigarette, electronic nicotine delivery system, or other similar product, if the nicotine in the container is inaccessible through customary or reasonably foreseeable handling or use, including reasonably foreseeable ingestion or other contact by children.

(3) NICOTINE.—The term ''nicotine'' means any form of the chemical nicotine, including any salt or complex, regardless of whether the chemical is naturally or synthetically derived.

SEC. 3. EFFECTIVE DATE.

This Act shall take effect on the date that is 180 days after the date of the enactment of this Act.

SA 2925. Mr. MCCONNELL (for Mr. NELSON (for himself and Ms. AYOTTE)) proposed an amendment to the bill S. 142, to require special packaging for liquid nicotine containers, and for other purposes; as follows:

Amend the title so as to read: ''A bill to require special packaging for liquid nicotine containers, and for other purposes.''.

SA 2926. Mr. MCCONNELL (for Mr. FRANKEN (for himself and Mr. CORNYN)) proposed an amendment to the bill S. 993, to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, veterans treatment services, mental health treatment, and substance abuse systems; as follows:

On page 26, line 24, strike ''$30,000,000'' and insert ''$18,000,000''.

On page 27, line 2, strike ''20 percent'' and insert ''28 percent''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on December 10, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on December 10, 2015, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 10, 2015, at 10 a.m. to conduct a hearing entitled ''Independent South Sudan: A Failure of Leadership.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on December 10, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

Mr. CORNYN. Mr. President, I ask unanimous consent that the Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on December 10, 2015, at 10 a.m. to conduct a hearing entitled, ''Implementing Solutions: The Importance of Following Through on GAO and OIG Recommendations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER (Mr. SASSE). The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar Nos. 397 through 414 and all nominations on the Secretary's desk in the Air Force, Army, Coast Guard, Foreign Service, and Navy; that the nominations be confirmed en bloc and the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE MARINE CORPS

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. John E. Wissler

IN THE NAVY

The following named officer for appointment as the Chief of the Bureau of Medicine and Surgery and Surgeon General and for appointment in the United States Navy to the grade indicated under title 10, U.S.C., sections 601 and 5137:

To be vice admiral

Rear Adm. Clinton F. Faison III

IN THE ARMY

The following named officer for appointment as The Surgeon General, United States Army, and for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3036:

To be lieutenant general

Maj. Gen. Nadja Y. West

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Edward E. Hildreth III

The following named officers for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 624:

To be brigadier general

Colonel Jennifer G. Buckner
Colonel Sean A. Gainey
Colonel David T. Isaacson
Colonel Patrick B. Roberson

IN THE AIR FORCE

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Blake A. Gettys

Col. Karen E. Mansfield

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Todd M. Branden
Col. Mark A. Crosby
Col. Fermin A. Rubio

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. David M. Bakos
Col. Vance C. Bateman
Col. Sandra L. Best
Col. Jeffrey C. Bozard
Col. William D. Bunch
Col. Rafael Carrero
Col. Larry K. Clark
Col. Kevin D. Clotfelter
Col. Marshall C. Collins
Col. James N. Cox
Col. Jason R. Cripps
Col. Christopher S. Croxton
Col. Francis N. Detorie
Col. Ruben Fernandez-Vera
Col. John T. Ferry
Col. John E. Flowers
Col. Michael J. Francis
Col. Vincent R. Franklin
Col. Clay L. Garrison
Col. Kevin J. Heer
Col. Dana A. Hessheimer
Col. Gene W. Hughes, Jr.
Col. James T. Johnson
Col. Gregory F. Jones
Col. Marshall L. Kjelvik
Col. James R. Kriesel
Col. Ronald S. Lambe
Col. Andrew J. MacDonald
Col. Stephen J. Maher
Col. Matthew J. Manifold
Col. Maren McAvoy
Col. Gregory S. McCreary
Col. Stephen B. Mehring
Col. Jessica Meyeraan
Col. Billy M. Nabors
Col. Jeffrey L. Newton
Col. Peter Nezamis
Col. Patrick R. Renwick
Col. Stephen M. Ryan
Col. Peter R. Schneider
Col. Gregory N. Schnulo
Col. Greg A. Semmel
Col. Ray M. Shepard
Col. Marc A. Sicard
Col. Paul R. Silvestri
Col. Christopher A. Stratmann
Col. Peter F. Sullivan, Jr.
Col. Tami S. Thompson
Col. Joseph B. Wilson
Col. Gregory S. Woodrow

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brig. Gen. Edward P. Maxwell

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brig. Gen. Robert C. Bolton
Brig. Gen. Charles W. Chappuis, Jr.
Brig. Gen. Dawne L. Deskins
Brig. Gen. Timothy L. Frye
Brig. Gen. Paul D. Jacobs
Brig. Gen. Mark E. Jannitto
Brig. Gen. Ronald W. Solberg
Brig. Gen. James K. Vogel
Brig. Gen. William L. Welsh
Brig. Gen. Wayne A. Zimmet

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. John D. Bansemer

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Russell A. Muncy

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Patricia N. Beyer

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Christopher W. Lentz

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Lee Ann T. Bennett
Col. Richard M. Casto
Col. Jonathan M. Ellis
Col. James J. Fontanella
Col. John P. Healy
Col. Daniel J. Heires
Col. Robert A. Huston
Col. William R Kountz, Jr.
Col. Albert V. Lupenski
Col. Tyler D. Otten
Col. Russell P. Reimer
Col. Harold E. Rogers, Jr.
Col. Tracey A. Siems

IN THE ARMY

The following named officer for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 624:

To be major general

Brig. Gen. John C. Thomson III

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. Sylvia R. Crockett

IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Kenneth T. Bibb, Jr.
Col. Angela M. Cadwell
Col. Martin A. Chapin
Col. James R. Cluff
Col. Charles S. Corcoran
Col. Sean M. Farrell
Col. Chad P. Franks
Col. Alexus G. Grynkewich
Col. Timothy D. Haugh
Col. Christopher D. Hill
Col. Eric T. Hill
Col. Samuel C. Hinote
Col. William G. Holt II
Col. Linda S. Hurry
Col. Matthew C. Isler
Col. Kyle J. Kremer
Col. John C. Kubinec
Col. Douglas K. Lamberth
Col. Lance K. Landrum
Col. Jeannie M. Leavitt
Col. William J. Liguori, Jr.
Col. Michael J. Lutton
Col. Corey J. Martin
Col. Tom D. Miller
Col. Richard G. Moore, Jr.
Col. James D. Peccia III
Col. Heather L. Pringle
Col. Michael J. Schmidt
Col. James R. Sears, Jr.
Col. Daniel L. Simpson
Col. Mark H. Slocum
Col. Robert S. Spalding III
Col. William A. Spangenthal
Col. Edward W. Thomas Jr.
Col. John T. Wilcox II
Col. Michael P. Winkler

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN970 AIR FORCE nominations (105) beginning BRYAN K. ALLEN, and ending GARRICK H. YOKOE, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

IN THE ARMY

PN971 ARMY nomination of James D. Ferguson, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN972 ARMY nominations (8) beginning KELVIN L. BROWN, and ending PAUL L. WAGNER II, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN973 ARMY nominations (3) beginning DAESOO LEE, and ending BRIAN D. RAY, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN974 ARMY nomination of Wayne W. Santos, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN975 ARMY nomination of Anthony J. Fadell, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN976 ARMY nomination of Ricardo Alonsojournet, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN977 ARMY nomination of Jeffrey M. Sloan, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN978 ARMY nominations (2) beginning ANDREW C. DILLON, and ending ANDRE R. HOLDER, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN979 ARMY nomination of Rebecca R. Tomsyck, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN980 ARMY nomination of Everett S. P. Spain, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN981 ARMY nomination of Shane R. Reeves, which was received by the Senate

and appeared in the Congressional Record of November 19, 2015.

PN982 ARMY nominations (5) beginning DAVID E. BENTZEL, and ending BRIAN U. T. KIM, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN983 ARMY nominations (4) beginning TERESA L. BRININGER, and ending RICHARD A. VILLARREAL, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN984 ARMY nominations (39) beginning KEVIN R. BASS, and ending D003940, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN985 ARMY nominations (19) beginning KIMBERLIE A. BIEVER, and ending PAMELA M. WULF, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN986 ARMY nominations (9) beginning DAVID BARRETT, and ending JENNIFER S. ZUCKER, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN987 ARMY nominations (2) beginning DAVID W. LAWS, and ending JOHN E. SWANBERG, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN988 ARMY nomination of William A. Altmire, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN989 ARMY nomination of Jesus J. T. Nufable, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN990 ARMY nominations (6) beginning RUBEN BERMUDEZPAGAN, and ending TODD W. SCHAFFER, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN991 ARMY nomination of Joshua A. Carlisle, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN992 ARMY nomination of William C. Moorhouse, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN993 ARMY nomination of Gregg T. Olsowy, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN994 ARMY nomination of Roger S. Giraud, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN995 ARMY nomination of Steven M. Wilke, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

IN THE COAST GUARD

PN997 COAST GUARD nominations (3) beginning CORINNA M. FLEISCHMANN, and ending KIMBERLY C. YOUNG-MCLEAR, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN998 COAST GUARD nominations (247) beginning MICHAEL S. ADAMS, JR., and ending JAMES R. ZOLL, JR., which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN999 COAST GUARD nominations (173) beginning JASON C. ALEKSAK, and ending YAMASHEKA Z. YOUNG-MCLEAR, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

IN THE FOREIGN SERVICE

PN72–5 FOREIGN SERVICE nomination of Daniel Sylvester Cronin, which was received by the Senate and appeared in the Congressional Record of January 13, 2015.

PN877–2 FOREIGN SERVICE nomination of Derell Kennedo, which was received by the Senate and appeared in the Congressional Record of September 21, 2015.

PN939 FOREIGN SERVICE nominations (119) beginning Steven Carl Aaberg, and ending Sandra M. Zuniga Guzman, which nominations were received by the Senate and appeared in the Congressional Record of November 10, 2015.

PN951–1 FOREIGN SERVICE nominations (3) beginning James F. Entwistle, and ending Daniel R. Russel, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN954 FOREIGN SERVICE nominations (102) beginning Christopher Volciak, and ending Edward L. Robinson III, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

IN THE NAVY

PN996 NAVY nomination of Kenneth C. Collins II, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

NOMINATION DISCHARGED AND EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from consideration of PN714 and the Senate proceed to consider the following nominations en bloc: PN714, Calendar Nos. 385, 392, and 426.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Richard Capel Howorth, of Mississippi, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2020; Cherry Ann Murray, of Kansas, to be Director of the Office of Science, Department of Energy; Eric Drake Eberhard, of Washington, to be a Member of the Board of Trustees of the Morris K. Udall and Stewart L. Udall Foundation for a term expiring October 6, 2018; and Darryl L. DePriest, of Illinois, to be Chief Counsel for Advocacy, Small Business Administration.

Thereupon, the Senate proceeded to consider the nominations en bloc.

The PRESIDING OFFICER. Is there further debate on the nominations en bloc?

If not, the question is, Will the Senate advise and consent to the Howorth, Murray, Eberhard, and DePriest nominations en bloc?

The nominations were confirmed en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that on Monday, December 14, at 5 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 393 through 396; that there be 30 minutes for debate on the Starzak nomination equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that following disposition of the nominations, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements related to the nominations be printed in the Record; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHILD NICOTINE POISONING PREVENTION ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 35, S. 142.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 142) to require the Consumer Product Safety Commission to promulgate a rule to require child safety packaging for liquid nicotine containers, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 142

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Child Nicotine Poisoning Prevention Act of 2015''.

SEC. 2. CHILD SAFETY PACKAGING FOR LIQUID NICOTINE CONTAINERS.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Consumer Product Safety Commission.

(2) LIQUID NICOTINE CONTAINER.—

(A) IN GENERAL.—The term ''liquid nicotine container'' means a consumer product, as defined in section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)) notwithstanding subparagraph (B) of such section, that consists of a container that—

(i) has an opening from which nicotine in a solution or other form is accessible and can flow freely through normal and foreseeable use by a consumer; and

(ii) is used to hold soluble nicotine in any concentration.

(B) EXCLUSIONS.—The term ''liquid nicotine container'' does not include nicotine in a solution or other form in a sealed, pre-filled, disposable container inserted directly into an electronic cigarette or other similar device, so long as the nicotine in the container is inaccessible or cannot flow freely out of such container or electronic cigarette or other similar device through normal and foreseeable use by a consumer.

(3) NICOTINE.—The term ''nicotine'' means any form of the chemical nicotine, including any salt or complex, regardless of whether the chemical is naturally or synthetically derived.

(4) SPECIAL PACKAGING.—The term ''special packaging'' has the meaning given such term in section 2 of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471).

(b) REQUIRED USE OF SPECIAL PACKAGING FOR LIQUID NICOTINE CONTAINERS.—

(1) RULEMAKING.—

(A) IN GENERAL.—Notwithstanding section 3(a)(5)(B) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)(B)) or section 2(f)(2) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(2)), not later than 1 year after the date of enactment of this Act, the Commission shall promulgate a rule requiring special packaging for liquid nicotine containers.

(B) AMENDMENTS.—The Commission may promulgate such amendments to the rule promulgated under subparagraph (A) as the Commission considers appropriate.

(2) EXPEDITED PROCESS.—The Commission shall promulgate the rule under paragraph (1) in accordance with section 553 of title 5, United States Code.

(3) INAPPLICABILITY OF CERTAIN RULEMAKING REQUIREMENTS.—The following provisions shall not apply to a rulemaking under paragraph (1):

(A) Sections 7 and 9 of the Consumer Product Safety Act (15 U.S.C. 2056 and 2058).

(B) Section 3 of the Federal Hazardous Substances Act (15 U.S.C. 1262).

(C) Subsections (b) and (c) of section 3 of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1472).

(4) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit or diminish the authority of the Food and Drug Administration to regulate the manufacture, marketing, sale, or distribution of liquid nicotine, liquid nicotine containers, electronic cigarettes, or similar products that contain or dispense liquid nicotine.

(5) ENFORCEMENT.—A rule promulgated under paragraph (1) shall be treated as a standard applicable to a household substance established under section 3(a) of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1472(a)).

(c) REPORTING REQUIREMENTS.—Not later than 3 years after the date of enactment of this Act, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report detailing the rule and requirements promulgated under this Act and any enforcement actions taken thereunder.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute be withdrawn; that the Nelson substitute amendment be agreed to; that the bill, as amended, be read three times and passed; that the amendment to the title be agreed to; and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported substitute amendment was withdrawn.

The amendment (No. 2924) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Child Nicotine Poisoning Prevention Act of 2015''.

SEC. 2. SPECIAL PACKAGING FOR LIQUID NICOTINE CONTAINERS.

(a) REQUIREMENT.—Notwithstanding section 2(f)(2) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(2)) and section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)), any nicotine provided in a liquid nicotine container sold, offered for sale, manufactured for sale, distributed in commerce, or imported into the United States shall be packaged in accordance with the standards provided in section 1700.15 of title 16, Code of Federal Regulations, as determined through testing in accordance with the method described in section 1700.20 of title 16, Code of Federal Regulations, and any subsequent changes to such sections adopted by the Commission.

(b) SAVINGS CLAUSE.—

(1) IN GENERAL.—Nothing in this Act shall be construed to limit or otherwise affect the authority of the Secretary of Health and Human Services to regulate, issue guidance, or take action regarding the manufacture, marketing, sale, distribution, importation, or packaging, including child-resistant packaging, of nicotine, liquid nicotine, liquid nicotine containers, electronic cigarettes, electronic nicotine delivery systems or other similar products that contain or dispense liquid nicotine, or any other nicotine-related products, including—

(A) authority under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) and the Family Smoking Prevention and Tobacco Control Act (Public Law 111–31) and the amendments made by such Act; and

(B) authority for the rulemaking entitled ''Deeming Tobacco Products to Be Subject to the Federal Food, Drug, and Cosmetic Act, as Amended by the Family Smoking Prevention and Tobacco Control Act; regulations on the Sale and Distribution of Tobacco Products and the Required Warning Statements for Tobacco Products'' (April 2014) (FDA–2014–N–0189), the rulemaking entitled ''Nicotine Exposure Warnings and Child-Resistant Packaging for Liquid Nicotine, Nicotine-Containing E-Liquid(s), and Other Tobacco Products'' (June 2015) (FDA–2015–N–1514), and subsequent actions by the Secretary regarding packaging of liquid nicotine containers.

(2) CONSULTATION.—If the Secretary of Health and Human Services adopts, maintains, enforces, or imposes or continues in effect any packaging requirement for liquid nicotine containers, including a child-resistant packaging requirement, the Secretary shall consult with the Commission, taking into consideration the expertise of the Commission in implementing and enforcing this Act and the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.).

(c) APPLICABILITY.—Notwithstanding section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)) and section 2(f)(2) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(2)), the requirement of subsection (a) shall be treated as a standard for the special packaging of a household substance established under section 3(a) of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1472(a)).

(d) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Consumer Product Safety Commission.

(2) LIQUID NICOTINE CONTAINER.—

(A) IN GENERAL.—Notwithstanding section 2(f)(2) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(2)) and section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)), the term ''liquid nicotine container'' means a package (as defined in section 2 of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471))—

(i) from which nicotine in a solution or other form is accessible through normal and foreseeable use by a consumer; and

(ii) that is used to hold soluble nicotine in any concentration.

(B) EXCLUSION.—The term ''liquid nicotine container'' does not include a sealed, pre-filled, and disposable container of nicotine in a solution or other form in which such container is inserted directly into an electronic cigarette, electronic nicotine delivery system, or other similar product, if the nicotine in the container is inaccessible through customary or reasonably foreseeable handling or use, including reasonably foreseeable ingestion or other contact by children.

(3) NICOTINE.—The term ''nicotine'' means any form of the chemical nicotine, including any salt or complex, regardless of whether the chemical is naturally or synthetically derived.

SEC. 3. EFFECTIVE DATE.

This Act shall take effect on the date that is 180 days after the date of the enactment of this Act.

The bill (S. 142), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The amendment (No. 2925) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: ''A bill to require special packaging for liquid nicotine containers, and for other purposes.''.

COMPREHENSIVE JUSTICE AND MENTAL HEALTH ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 62, S. 993.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 993) to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, veterans treatment services, mental health treatment, and substance abuse systems.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I further ask unanimous consent that the Franken amendment be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2926) was agreed to, as follows:

(Purpose: To modify the authorization of appropriations)

On page 26, line 24, strike ''$30,000,000'' and insert ''$18,000,000''.

On page 27, line 2, strike ''20 percent'' and insert ''28 percent''.

Mr. MCCONNELL. I ask unanimous consent that the bill, as amended, be read a third time, and the Senate proceed to vote on passage of the bill, as amended.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 993), as amended, was passed, as follows:

S. 993

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Comprehensive Justice and Mental Health Act of 2015''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Findings.
Sec. 4. Sequential intercept model.
Sec. 5. Veterans treatment courts.
Sec. 6. Prison and jails.
Sec. 7. Allowable uses.
Sec. 8. Law enforcement training.
Sec. 9. Federal law enforcement training.
Sec. 10. GAO report.
Sec. 11. Evidence based practices.
Sec. 12. Transparency, program accountability, and enhancement of local authority.
Sec. 13. Grant accountability.
Sec. 14. Reauthorization of appropriations.

SEC. 3. FINDINGS.

Congress finds the following:

(1) An estimated 2,000,000 individuals with serious mental illnesses are booked into jails each year, resulting in prevalence rates of serious mental illness in jails that are 3 to 6 times higher than in the general population. An even greater number of individuals who are detained in jails each year have mental health problems that do not rise to the level of a serious mental illness but may still require a resource-intensive response.

(2) Adults with mental illnesses cycle through jails more often than individuals without mental illnesses, and tend to stay longer (including before trial, during trial, and after sentencing).

(3) According to estimates, almost ¾ of jail detainees with serious mental illnesses have co-occurring substance use disorders, and individuals with mental illnesses are also much more likely to have serious physical health needs.

(4) Among individuals under probation supervision, individuals with mental disorders are nearly twice as likely as other individuals to have their community sentence revoked, furthering their involvement in the criminal justice system. Reasons for revocation may be directly or indirectly related to an individual's mental disorder.

SEC. 4. SEQUENTIAL INTERCEPT MODEL.

(a) REDESIGNATION.—Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by redesignating subsection (i) as subsection (n).

(b) SEQUENTIAL INTERCEPT MODEL.—Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by inserting after subsection (h) the following:

''(i) SEQUENTIAL INTERCEPT GRANTS.—

''(1) DEFINITION.—In this subsection, the term 'eligible entity' means a State, unit of local government, Indian tribe, or tribal organization.

''(2) AUTHORIZATION.—The Attorney General may make grants under this subsection to an eligible entity for sequential intercept mapping and implementation in accordance with paragraph (3).

''(3) SEQUENTIAL INTERCEPT MAPPING; IMPLEMENTATION.—An eligible entity that receives a grant under this subsection may use funds for—

''(A) sequential intercept mapping, which—

''(i) shall consist of—

''(I) convening mental health and criminal justice stakeholders to—

''(aa) develop a shared understanding of the flow of justice-involved individuals with mental illnesses through the criminal justice system; and

''(bb) identify opportunities for improved collaborative responses to the risks and needs of individuals described in item (aa); and

''(II) developing strategies to address gaps in services and bring innovative and effective programs to scale along multiple intercepts, including—

''(aa) emergency and crisis services;

''(bb) specialized police-based responses;

''(cc) court hearings and disposition alternatives;

''(dd) reentry from jails and prisons; and

''(ee) community supervision, treatment and support services; and

''(ii) may serve as a starting point for the development of strategic plans to achieve positive public health and safety outcomes; and

''(B) implementation, which shall—

''(i) be derived from the strategic plans described in subparagraph (A)(ii); and

''(ii) consist of—

''(I) hiring and training personnel;

''(II) identifying the eligible entity's target population;

''(III) providing services and supports to reduce unnecessary penetration into the criminal justice system;

''(IV) reducing recidivism;

''(V) evaluating the impact of the eligible entity's approach; and

''(VI) planning for the sustainability of effective interventions.''.

SEC. 5. VETERANS TREATMENT COURTS.

Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by inserting after subsection (i), as so added by section 4, the following:

''(j) ASSISTING VETERANS.—

''(1) DEFINITIONS.—In this subsection:

''(A) PEER TO PEER SERVICES OR PROGRAMS.—The term 'peer to peer services or programs' means services or programs that connect qualified veterans with other veterans for the purpose of providing support and mentorship to assist qualified veterans in obtaining treatment, recovery, stabilization, or rehabilitation.

''(B) QUALIFIED VETERAN.—The term 'qualified veteran' means a preliminarily qualified offender who—

''(i) served on active duty in any branch of the Armed Forces, including the National Guard or Reserves; and

''(ii) was discharged or released from such service under conditions other than dishonorable.

''(C) VETERANS TREATMENT COURT PROGRAM.—The term 'veterans treatment court program' means a court program involving collaboration among criminal justice, veterans, and mental health and substance abuse agencies that provides qualified veterans with—

''(i) intensive judicial supervision and case management, which may include random and frequent drug testing where appropriate;

''(ii) a full continuum of treatment services, including mental health services, substance abuse services, medical services, and services to address trauma;

''(iii) alternatives to incarceration; and

''(iv) other appropriate services, including housing, transportation, mentoring, employment, job training, education, and assistance in applying for and obtaining available benefits.

''(2) VETERANS ASSISTANCE PROGRAM.—

''(A) IN GENERAL.—The Attorney General, in consultation with the Secretary of Veterans Affairs, may award grants under this subsection to applicants to establish or expand—

''(i) veterans treatment court programs;

''(ii) peer to peer services or programs for qualified veterans;

''(iii) practices that identify and provide treatment, rehabilitation, legal, transitional, and other appropriate services to qualified veterans who have been incarcerated; and

''(iv) training programs to teach criminal justice, law enforcement, corrections, mental health, and substance abuse personnel how to identify and appropriately respond to incidents involving qualified veterans.

''(B) PRIORITY.—In awarding grants under this subsection, the Attorney General shall give priority to applications that—

''(i) demonstrate collaboration between and joint investments by criminal justice, mental health, substance abuse, and veterans service agencies;

''(ii) promote effective strategies to identify and reduce the risk of harm to qualified veterans and public safety; and

''(iii) propose interventions with empirical support to improve outcomes for qualified veterans.''.

SEC. 6. PRISON AND JAILS.

Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by inserting after subsection (j), as so added by section 5, the following:

''(k) CORRECTIONAL FACILITIES.—

''(1) DEFINITIONS.—

''(A) CORRECTIONAL FACILITY.—The term 'correctional facility' means a jail, prison, or other detention facility used to house people who have been arrested, detained, held, or convicted by a criminal justice agency or a court.

''(B) ELIGIBLE INMATE.—The term 'eligible inmate' means an individual who—

''(i) is being held, detained, or incarcerated in a correctional facility; and

''(ii) manifests obvious signs of a mental illness or has been diagnosed by a qualified mental health professional as having a mental illness.

''(2) CORRECTIONAL FACILITY GRANTS.—The Attorney General may award grants to applicants to enhance the capabilities of a correctional facility—

''(A) to identify and screen for eligible inmates;

''(B) to plan and provide—

''(i) initial and periodic assessments of the clinical, medical, and social needs of inmates; and

''(ii) appropriate treatment and services that address the mental health and substance abuse needs of inmates;

''(C) to develop, implement, and enhance—

''(i) post-release transition plans for eligible inmates that, in a comprehensive manner, coordinate health, housing, medical, employment, and other appropriate services and public benefits;

''(ii) the availability of mental health care services and substance abuse treatment services; and

''(iii) alternatives to solitary confinement and segregated housing and mental health screening and treatment for inmates placed in solitary confinement or segregated housing; and

''(D) to train each employee of the correctional facility to identify and appropriately respond to incidents involving inmates with mental health or co-occurring mental health and substance abuse disorders.''.

SEC. 7. ALLOWABLE USES.

Section 2991(b)(5)(I) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(b)(5)(I)) is amended by adding at the end the following:

''(v) TEAMS ADDRESSING FREQUENT USERS OF CRISIS SERVICES.—Multidisciplinary teams that—

''(I) coordinate, implement, and administer community-based crisis responses and long-term plans for frequent users of crisis services;

''(II) provide training on how to respond appropriately to the unique issues involving frequent users of crisis services for public service personnel, including criminal justice, mental health, substance abuse, emergency room, healthcare, law enforcement, corrections, and housing personnel;

''(III) develop or support alternatives to hospital and jail admissions for frequent users of crisis services that provide treatment, stabilization, and other appropriate supports in the least restrictive, yet appropriate, environment; and

''(IV) develop protocols and systems among law enforcement, mental health, substance abuse, housing, corrections, and emergency medical service operations to provide coordinated assistance to frequent users of crisis services.''.

SEC. 8. LAW ENFORCEMENT TRAINING.

Section 2991(h) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(h)) is amended—

(1) in paragraph (1), by adding at the end the following:

''(F) ACADEMY TRAINING.—To provide support for academy curricula, law enforcement officer orientation programs, continuing education training, and other programs that teach law enforcement personnel how to identify and respond to incidents involving persons with mental health disorders or co-occurring mental health and substance abuse disorders.''; and

(2) by adding at the end the following:

''(4) PRIORITY CONSIDERATION.—The Attorney General, in awarding grants under this subsection, shall give priority to programs that law enforcement personnel and members of the mental health and substance abuse professions develop and administer cooperatively.''.

SEC. 9. FEDERAL LAW ENFORCEMENT TRAINING.

Not later than 1 year after the date of enactment of this Act, the Attorney General shall provide direction and guidance for the following:

(1) TRAINING PROGRAMS.—Programs that offer specialized and comprehensive training, in procedures to identify and appropriately respond to incidents in which the unique needs of individuals who have a mental illness are involved, to first responders and tactical units of—

(A) Federal law enforcement agencies; and

(B) other Federal criminal justice agencies such as the Bureau of Prisons, the Administrative Office of the United States Courts, and other agencies that the Attorney General determines appropriate.

(2) IMPROVED TECHNOLOGY.—The establishment of, or improvement of existing, computerized information systems to provide timely information to employees of Federal law enforcement agencies, and Federal criminal justice agencies to improve the response of such employees to situations involving individuals who have a mental illness.

SEC. 10. GAO REPORT.

No later than 1 year after the date of enactment of this Act, the Comptroller General of the United States, in coordination with the Attorney General, shall submit to Congress a report on—

(1) the practices that Federal first responders, tactical units, and corrections officers are trained to use in responding to individuals with mental illness;

(2) procedures to identify and appropriately respond to incidents in which the unique needs of individuals who have a mental illness are involved, to Federal first responders and tactical units;

(3) the application of evidence-based practices in criminal justice settings to better address individuals with mental illnesses; and

(4) recommendations on how the Department of Justice can expand and improve information sharing and dissemination of best practices.

SEC. 11. EVIDENCE BASED PRACTICES.

Section 2991(c) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(c)) is amended—

(1) in paragraph (3), by striking ''or'' at the end;

(2) by redesignating paragraph (4) as paragraph (6); and

(3) by inserting after paragraph (3), the following:

''(4) propose interventions that have been shown by empirical evidence to reduce recidivism;

''(5) when appropriate, use validated assessment tools to target preliminarily qualified offenders with a moderate or high risk of recidivism and a need for treatment and services; or''.

SEC. 12. TRANSPARENCY, PROGRAM ACCOUNTABILITY, AND ENHANCEMENT OF LOCAL AUTHORITY.

(a) IN GENERAL.—Section 2991(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa(a)) is amended—

(1) in paragraph (7)—

(A) in the heading, by striking ''MENTAL ILLNESS'' and inserting ''MENTAL ILLNESS; MENTAL HEALTH DISORDER''; and

(B) by striking ''term 'mental illness' means'' and inserting ''terms 'mental illness' and 'mental health disorder' mean''; and

(2) by striking paragraph (9) and inserting the following:

''(9) PRELIMINARILY QUALIFIED OFFENDER.—

''(A) IN GENERAL.—The term 'preliminarily qualified offender' means an adult or juvenile accused of an offense who—

''(i)(I) previously or currently has been diagnosed by a qualified mental health professional as having a mental illness or co-occurring mental illness and substance abuse disorders;

''(II) manifests obvious signs of mental illness or co-occurring mental illness and substance abuse disorders during arrest or confinement or before any court; or

''(III) in the case of a veterans treatment court provided under subsection (i), has been diagnosed with, or manifests obvious signs of, mental illness or a substance abuse disorder or co-occurring mental illness and substance abuse disorder;

''(ii) has been unanimously approved for participation in a program funded under this section by, when appropriate—

''(I) the relevant—

''(aa) prosecuting attorney;

''(bb) defense attorney;

''(cc) probation or corrections official; and

''(dd) judge; and

''(II) a representative from the relevant mental health agency described in subsection (b)(5)(B)(i);

''(iii) has been determined, by each person described in clause (ii) who is involved in approving the adult or juvenile for participation in a program funded under this section, to not pose a risk of violence to any person in the program, or the public, if selected to participate in the program; and

''(iv) has not been charged with or convicted of—

''(I) any sex offense (as defined in section 111 of the Sex Offender Registration and Notification Act (42 U.S.C. 16911)) or any offense relating to the sexual exploitation of children; or

''(II) murder or assault with intent to commit murder.

''(B) DETERMINATION.—In determining whether to designate a defendant as a preliminarily qualified offender, the relevant prosecuting attorney, defense attorney, probation or corrections official, judge, and mental health or substance abuse agency representative shall take into account—

''(i) whether the participation of the defendant in the program would pose a substantial risk of violence to the community;

''(ii) the criminal history of the defendant and the nature and severity of the offense for which the defendant is charged;

''(iii) the views of any relevant victims to the offense;

''(iv) the extent to which the defendant would benefit from participation in the program;

''(v) the extent to which the community would realize cost savings because of the defendant's participation in the program; and

''(vi) whether the defendant satisfies the eligibility criteria for program participation unanimously established by the relevant prosecuting attorney, defense attorney, probation or corrections official, judge and mental health or substance abuse agency representative.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 2927(2) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797s–6(2)) is amended by striking ''has the meaning given that term in section 2991(a).'' and inserting ''means an offense that—

''(A) does not have as an element the use, attempted use, or threatened use of physical force against the person or property of another; or

''(B) is not a felony that by its nature involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.''.

SEC. 13. GRANT ACCOUNTABILITY.

Section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa) is amended by inserting after subsection (k), as so added by section 6, the following:

''(l) ACCOUNTABILITY.—All grants awarded by the Attorney General under this section shall be subject to the following accountability provisions:

''(1) AUDIT REQUIREMENT.—

''(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

''(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this section to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(C) MANDATORY EXCLUSION.—A recipient of grant funds under this section that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this section during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

''(D) PRIORITY.—In awarding grants under this section, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this section.

''(E) REIMBURSEMENT.—If an entity is awarded grant funds under this section during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

''(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(A) DEFINITION.—For purposes of this paragraph and the grant programs under this part, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(B) PROHIBITION.—The Attorney General may not award a grant under this part to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this section and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

''(3) CONFERENCE EXPENDITURES.—

''(A) LIMITATION.—No amounts made available to the Department of Justice under this section may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this section, to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the Department of Justice, unless the head of the relevant agency or department, provides prior written authorization that the funds may be expended to host the conference.

''(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

''(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

''(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification—

''(A) indicating whether—

''(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

''(iii) all reimbursements required under paragraph (1)(E) have been made; and

''(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.

''(m) PREVENTING DUPLICATIVE GRANTS.—

''(1) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this section, the Attorney General shall compare potential grant awards with other grants awarded under this Act to determine if duplicate grant awards are awarded for the same purpose.

''(2) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

''(A) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

''(B) the reason the Attorney General awarded the duplicate grants.''.

SEC. 14. REAUTHORIZATION OF APPROPRIATIONS.

Subsection (n) of section 2991 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797aa), as redesignated by section 4(a), is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(D) $18,000,000 for each of fiscal years 2016 through 2020.''; and

(2) by adding at the end the following:

''(3) LIMITATION.—Not more than 28 percent of the funds authorized to be appropriated under this section may be used for purposes described in subsection (j) (relating to veterans).''.

Mr. MCCONNELL. I finally ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

INDIAN TRIBAL ENERGY DEVELOPMENT AND SELF-DETERMINATION ACT AMENDMENTS OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 242, S. 209.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 209) to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the Barrasso amendment No. 2714 be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2714) in the nature of a substitute was agreed to.

(The amendment is printed in the RECORD of October 20, 2015, under ''Text of Amendments.'')

The bill (S. 209), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

CHURCH PLAN CLARIFICATION ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance be discharged from further consideration of S. 2308 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2308) to amend the Internal Revenue Code of 1986 to clarify the treatment of church pension plans, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the

motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2308) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2308

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Church Plan Clarification Act of 2015''.

SEC. 2. CHURCH PLAN CLARIFICATION.

(a) APPLICATION OF CONTROLLED GROUP RULES TO CHURCH PLANS.—

(1) IN GENERAL.—Section 414(c) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''For purposes'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), for purposes'', and

(B) by adding at the end the following new paragraph:

''(2) SPECIAL RULES RELATING TO CHURCH PLANS.—

''(A) GENERAL RULE.—Except as provided in subparagraphs (B) and (C), for purposes of this subsection and subsection (m), an organization that is otherwise eligible to participate in a church plan shall not be aggregated with another such organization and treated as a single employer with such other organization for a plan year beginning in a taxable year unless—

''(i) one such organization provides (directly or indirectly) at least 80 percent of the operating funds for the other organization during the preceding tax year of the recipient organization, and

''(ii) there is a degree of common management or supervision between the organizations such that the organization providing the operating funds is directly involved in the day-to-day operations of the other organization.

''(B) NONQUALIFIED CHURCH-CONTROLLED ORGANIZATIONS.—Notwithstanding subparagraph (A), for purposes of this subsection and subsection (m), an organization that is a nonqualified church-controlled organization shall be aggregated with 1 or more other nonqualified church-controlled organizations, or with an organization that is not exempt from tax under section 501, and treated as a single employer with such other organization, if at least 80 percent of the directors or trustees of such other organization are either representatives of, or directly or indirectly controlled by, such nonqualified church-controlled organization. For purposes of this subparagraph, the term 'nonqualified church-controlled organization' means a church-controlled tax-exempt organization described in section 501(c)(3) that is not a qualified church-controlled organization (as defined in section 3121(w)(3)(B)).

''(C) PERMISSIVE AGGREGATION AMONG CHURCH-RELATED ORGANIZATIONS.—The church or convention or association of churches with which an organization described in subparagraph (A) is associated (within the meaning of subsection (e)(3)(D)), or an organization designated by such church or convention or association of churches, may elect to treat such organizations as a single employer for a plan year. Such election, once made, shall apply to all succeeding plan years unless revoked with notice provided to the Secretary in such manner as the Secretary shall prescribe.

''(D) PERMISSIVE DISAGGREGATION OF CHURCH-RELATED ORGANIZATIONS.—For purposes of subparagraph (A), in the case of a church plan, an employer may elect to treat churches (as defined in section 403(b)(12)(B)) separately from entities that are not churches (as so defined), without regard to whether such entities maintain separate church plans. Such election, once made, shall apply to all succeeding plan years unless revoked with notice provided to the Secretary in such manner as the Secretary shall prescribe.''.

(2) CLARIFICATION RELATING TO APPLICATION OF ANTI-ABUSE RULE.—The rule of 26 CFR 1.414(c)–5(f) shall continue to apply to each paragraph of section 414(c) of the Internal Revenue Code of 1986, as amended by paragraph (1).

(3) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to years beginning before, on, or after the date of the enactment of this Act.

(b) APPLICATION OF CONTRIBUTION AND FUNDING LIMITATIONS TO 403(b) GRANDFATHERED DEFINED BENEFIT PLANS.—

(1) IN GENERAL.—Section 251(e)(5) of the Tax Equity and Fiscal Responsibility Act of 1982 (Public Law 97–248), is amended—

(A) by striking ''403(b)(2)'' and inserting ''403(b)'', and

(B) by inserting before the period at the end the following: '', and shall be subject to the applicable limitations of section 415(b) of such Code as if it were a defined benefit plan under section 401(a) of such Code (and not to the limitations of section 415(c) of such Code).''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to years beginning before, on, or after the date of the enactment of this Act.

(c) AUTOMATIC ENROLLMENT BY CHURCH PLANS.—

(1) IN GENERAL.—This subsection shall supersede any law of a State that relates to wage, salary, or payroll payment, collection, deduction, garnishment, assignment, or withholding which would directly or indirectly prohibit or restrict the inclusion in any church plan (as defined in section 414(e) of the Internal Revenue Code of 1986) of an automatic contribution arrangement.

(2) DEFINITION OF AUTOMATIC CONTRIBUTION ARRANGEMENT.—For purposes of this subsection, the term ''automatic contribution arrangement'' means an arrangement—

(A) under which a participant may elect to have the plan sponsor or the employer make payments as contributions under the plan on behalf of the participant, or to the participant directly in cash,

(B) under which a participant is treated as having elected to have the plan sponsor or the employer make such contributions in an amount equal to a uniform percentage of compensation provided under the plan until the participant specifically elects not to have such contributions made (or specifically elects to have such contributions made at a different percentage), and

(C) under which the notice and election requirements of paragraph (3), and the investment requirements of paragraph (4), are satisfied.

(3) NOTICE REQUIREMENTS.—

(A) IN GENERAL.—The plan sponsor of, or plan administrator or employer maintaining, an automatic contribution arrangement shall, within a reasonable period before the first day of each plan year, provide to each participant to whom the arrangement applies for such plan year notice of the participant's rights and obligations under the arrangement which—

(i) is sufficiently accurate and comprehensive to apprise the participant of such rights and obligations, and

(ii) is written in a manner calculated to be understood by the average participant to whom the arrangement applies.

(B) ELECTION REQUIREMENTS.—A notice shall not be treated as meeting the requirements of subparagraph (A) with respect to a participant unless—

(i) the notice includes an explanation of the participant's right under the arrangement not to have elective contributions made on the participant's behalf (or to elect to have such contributions made at a different percentage),

(ii) the participant has a reasonable period of time, after receipt of the explanation described in clause (i) and before the first elective contribution is made, to make such election, and

(iii) the notice explains how contributions made under the arrangement will be invested in the absence of any investment election by the participant.

(4) DEFAULT INVESTMENT.—If no affirmative investment election has been made with respect to any automatic contribution arrangement, contributions to such arrangement shall be invested in a default investment selected with the care, skill, prudence, and diligence that a prudent person selecting an investment option would use.

(5) EFFECTIVE DATE.—This subsection shall take effect on the date of the enactment of this Act.

(d) ALLOW CERTAIN PLAN TRANSFERS AND MERGERS.—

(1) IN GENERAL.—Section 414 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(z) CERTAIN PLAN TRANSFERS AND MERGERS.—

''(1) IN GENERAL.—Under rules prescribed by the Secretary, except as provided in paragraph (2), no amount shall be includible in gross income by reason of—

''(A) a transfer of all or a portion of the accrued benefit of a participant or beneficiary, whether or not vested, from a church plan that is a plan described in section 401(a) or an annuity contract described in section 403(b) to an annuity contract described in section 403(b), if such plan and annuity contract are both maintained by the same church or convention or association of churches,

''(B) a transfer of all or a portion of the accrued benefit of a participant or beneficiary from an annuity contract described in section 403(b) to a church plan that is a plan described in section 401(a) or an annuity contract described in section 403(b), if such plan and annuity contract are both maintained by the same church or convention or association of churches, or

''(C) a merger of a church plan that is a plan described in section 401(a), or an annuity contract described in section 403(b) with an annuity contract described in section 403(b), if such plan and annuity contract are both maintained by the same church or convention or association of churches.

''(2) LIMITATION.—Paragraph (1) shall not apply to a transfer or merger unless the participant's or beneficiary's total accrued benefit immediately after the transfer or merger is equal to or greater than the participant's or beneficiary's total accrued benefit immediately before the transfer or merger, and such total accrued benefit is nonforfeitable after the transfer or merger.

''(3) QUALIFICATION.—A plan or annuity contract shall not fail to be considered to be

described in sections 401(a) or 403(b) merely because such plan or annuity contract engages in a transfer or merger described in this subsection.

''(4) DEFINITIONS.—For purposes of this subsection:

''(A) CHURCH OR CONVENTION OR ASSOCIATION OF CHURCHES.—The term 'church or convention or association of churches' includes an organization described in subparagraph (A) or (B)(ii) of subsection (e)(3).

''(B) ANNUITY CONTRACT.—The term 'annuity contract' includes a custodial account described in section 403(b)(7) and a retirement income account described in section 403(b)(9).

''(C) ACCRUED BENEFIT.—The term 'accrued benefit' means—

''(i) in the case of a defined benefit plan, the employee's accrued benefit determined under the plan, and

''(ii) in the case of a plan other than a defined benefit plan, the balance of the employee's account under the plan.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to transfers or mergers occurring after the date of the enactment of this Act.

(e) INVESTMENTS BY CHURCH PLANS IN COLLECTIVE TRUSTS.—

(1) IN GENERAL.—In the case of—

(A) a church plan (as defined in section 414(e) of the Internal Revenue Code of 1986), including a plan described in section 401(a) of such Code and a retirement income account described in section 403(b)(9) of such Code, and

(B) an organization described in section 414(e)(3)(A) of such Code the principal purpose or function of which is the administration of such a plan or account,

the assets of such plan, account, or organization (including any assets otherwise permitted to be commingled for investment purposes with the assets of such a plan, account, or organization) may be invested in a group trust otherwise described in Internal Revenue Service Revenue Ruling 81–100 (as modified by Internal Revenue Service Revenue Rulings 2004–67, 2011–1, and 2014–24), or any subsequent revenue ruling that supersedes or modifies such revenue ruling, without adversely affecting the tax status of the group trust, such plan, account, or organization, or any other plan or trust that invests in the group trust.

(2) EFFECTIVE DATE.—This subsection shall apply to investments made after the date of the enactment of this Act.

PHYLLIS E. GALANTI ARBORETUM

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 2693 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2693) to designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the ''Phyllis E. Galanti Arboretum.''

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2693) was ordered to a third reading, was read the third time, and passed.

FORECLOSURE RELIEF AND EXTENSION FOR SERVICEMEMBERS ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2393, submitted earlier today by Senator WHITEHOUSE.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2393) to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2393) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2393

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Foreclosure Relief and Extension for Servicemembers Act of 2015''.

SEC. 2. TEMPORARY EXTENSION OF EXTENDED PERIOD OF PROTECTIONS FOR MEMBERS OF UNIFORMED SERVICES RELATING TO MORTGAGES, MORTGAGE FORECLOSURE, AND EVICTION.

Section 710(d) of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112–154; 50 U.S.C. 3953 note) is amended—

(1) in paragraph (1), by striking ''December 31, 2015'' and inserting ''December 31, 2017''; and

(2) in paragraph (3), by striking ''January 1, 2016'' and inserting ''January 1, 2018''.

DIRECTING SENATE LEGAL COUNSEL

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 333, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 333) to direct the Senate Legal Counsel to appear as amicus curiae in the name of the Senate in Bank Markazi, The Central Bank of Iran v. Deborah D. Peterson, et al. (S. Ct.)

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, the Supreme Court has taken up a case presenting the question whether a provision of the Iran Threat Reduction and Syria Human Rights Act of 2012, which provides terrorism victims in the case of *Peterson* v. *Islamic Republic of Iran*, Case No. 10 Civ. 4518, filed in the Southern District of New York, with the right, notwithstanding any other law, to obtain money damages for existing judgments against Iran from certain Iranian bonds held in the United States, violates the separation of powers.

The plaintiffs here are victims and families of victims of Iran-sponsored terrorist attacks, including the 1983 Beirut Marine barracks bombing and the 1996 Khobar Towers bombing, who hold billions of dollars in unpaid compensatory damages judgments against Iran. In 2010, they initiated an action in Federal court seeking turnover of $1.75 billion in bond assets held by Citibank in New York, which through two foreign intermediary banks were ultimately owned by Bank Markazi, the Central Bank of Iran, which is wholly owned by the Iranian Government.

Plaintiffs argued they were entitled to the assets under the Terrorism Risk Insurance Act of 2002, TRIA, which permits the satisfaction of terrorism judgments from ''the blocked assets of any agency or instrumentality of th[e] terrorist party.'' Pub. L. No. 107–297, §201(a), 116 Stat. 2322, 2337. Bank Markazi argued the assets were not subject to execution under TRIA because they were held on behalf of intermediaries and therefore, under controlling state law, those assets could not be considered Iran's property.

Against that backdrop and with plaintiffs' motion for seeking execution pending, Congress enacted section 502 of the Iran Threat Reduction and Syria Human Rights Act of 2012. 22 U.S.C. §8772. That statute identified plaintiffs' case by name and docket number and directed that, ''notwithstanding any other provision of law'' the assets ''shall be subject to execution or attachment in aid of execution in order to satisfy any judgment to the extent of any compensatory damages awarded against Iran.'' 22 U.S.C. §8772(a)(1), (b). It also expressly disclaimed any effect on ''any [other] proceedings.'' 22 U.S.C. §8772(c)(1). Before permitting execution against the assets, the statute required the court to determine both whether Iran holds title or interest in the assets and whether any ''other person possesses a constitutionally protected interest in the assets.'' 22 U.S.C. §8772(a)(2).

Bank Markazi challenged section 502 as unconstitutional for violating the separation of powers between the legislative and judicial branches explicated in *United States* v. *Klein*, 80 U.S. (13 Wall.) 128 (1871), by effectively dictating the outcome of a single case.

After making the statutory determinations that Iran and only Iran held a beneficial interest in the assets, the district court rejected Bank Markazi's constitutional challenge. *Peterson* v. *Islamic Republic of Iran*, slip op (S.D.N.Y. March 13, 2013), 2013 WL 1155576. The court, noting it was required to determine whether Iran holds title or interest in the assets, as well as whether any other party holds a protected interest in the assets, held that ''[t]he statute does not itself 'find' turnover required; such determination is specifically left to the Court.'' Id. at 31.

On appeal, a unanimous Second Circuit panel affirmed. *Peterson* v. *Islamic Republic of Iran*, 758 F.3d 185 (2d Cir. 2014). The appellate court noted that ''while Klein illustrates that Congress may not 'usurp[] the adjudicative function assigned to the federal courts,' later cases have explained that Congress may 'chang[e] the law applicable to pending cases,' even when the result under the revised law is clear.'' Id. at 191 (citations omitted).

Bank Markazi filed a petition for certiorari with the Supreme Court. After calling for and receiving the views of the United States Solicitor General, who filed an opposition to certiorari defending the constitutionality of section 502, the Supreme Court granted certiorari.

Title VII of the Ethics in Government Act authorizes the Senate to appear as an amicus curiae in any legal action in which the powers and responsibilities of the Congress under the Constitution are placed in issue. Appearance as an amicus curiae in this case would enable the Senate to respond to Bank Markazi's contention that this law infringes on the judiciary's constitutional power to decide cases and controversies and to present to the Court the basis for the Senate's conviction that the law is consistent with the Constitution.

This resolution would authorize the Senate legal counsel to appear in this case in the Senate's name as amicus curiae to support the constitutionality of the statute.

Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 333) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR MONDAY, DECEMBER 14, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m. on Monday, December 14; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each; finally, that at 5 p.m., the Senate then proceed to executive session as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, DECEMBER 14, 2015, AT 3 P.M.

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:32 p.m., adjourned until Monday, December 14, 2015, at 3 p.m.

DISCHARGED NOMINATION

The Senate Committee on Environment and Public Works was discharged from further consideration of the following nomination unanimous consent and the nomination was confirmed:

RICHARD CAPEL HOWORTH, OF MISSISSIPPI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2020.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 10, 2015:

DEPARTMENT OF ENERGY

CHERRY ANN MURRAY, OF KANSAS, TO BE DIRECTOR OF THE OFFICE OF SCIENCE, DEPARTMENT OF ENERGY.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

ERIC DRAKE EBERHARD, OF WASHINGTON, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2018.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN E. WISSLER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF THE BUREAU OF MEDICINE AND SURGERY AND SURGEON GENERAL AND FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5137:

To be vice admiral

REAR ADM. CLINTON F. FAISON III

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE SURGEON GENERAL, UNITED STATES ARMY, AND FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3036:

To be lieutenant general

MAJ. GEN. NADJA Y. WEST

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. EDWARD E. HILDRETH III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL JENNIFER G. BUCKNER
COLONEL SEAN A. GAINEY
COLONEL DAVID T. ISAACSON
COLONEL PATRICK B. ROBERSON

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. BLAKE A. GETTYS
COL. KAREN E. MANSFIELD

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. TODD M. BRANDEN
COL. MARK A. CROSBY
COL. FERMIN A. RUBIO

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. DAVID M. BAKOS
COL. VANCE C. BATEMAN
COL. SANDRA L. BEST
COL. JEFFREY C. BOZARD
COL. WILLIAM D. BUNCH
COL. RAFAEL CARRERO
COL. LARRY K. CLARK
COL. KEVIN D. CLOTFELTER
COL. MARSHALL C. COLLINS
COL. JAMES N. COX
COL. JASON R. CRIPPS
COL. CHRISTOPHER S. CROXTON
COL. FRANCIS N. DETORIE
COL. RUBEN FERNANDEZ–VERA
COL. JOHN T. FERRY
COL. JOHN E. FLOWERS
COL. MICHAEL J. FRANCIS
COL. VINCENT R. FRANKLIN
COL. CLAY L. GARRISON
COL. KEVIN J. HEER
COL. DANA A. HESSHEIMER
COL. GENE W. HUGHES, JR.
COL. JAMES T. JOHNSON
COL. GREGORY F. JONES
COL. MARSHALL L. KJELVIK
COL. JAMES R. KRIESEL
COL. RONALD S. LAMBE
COL. ANDREW J. MACDONALD
COL. STEPHEN J. MAHER
COL. MATTHEW J. MANIFOLD
COL. MAREN MCAVOY
COL. GREGORY S. MCCREARY
COL. STEPHEN B. MEHRING
COL. JESSICA MEYERAAN
COL. BILLY M. NABORS
COL. JEFFREY L. NEWTON
COL. PETER NEZAMIS
COL. PATRICK R. RENWICK
COL. STEPHEN M. RYAN
COL. PETER R. SCHNEIDER
COL. GREGORY N. SCHNULO
COL. GREG A. SEMMEL
COL. RAY M. SHEPARD
COL. MARC A. SICARD
COL. PAUL R. SILVESTRI
COL. CHRISTOPHER A. STRATMANN
COL. PETER F. SULLIVAN, JR.
COL. TAMI S. THOMPSON
COL. JOSEPH B. WILSON
COL. GREGORY S. WOODROW

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. EDWARD P. MAXWELL

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. ROBERT C. BOLTON
BRIG. GEN. CHARLES W. CHAPPUIS, JR.
BRIG. GEN. DAWNE L. DESKINS
BRIG. GEN. TIMOTHY L. FRYE

BRIG. GEN. PAUL D. JACOBS
BRIG. GEN. MARK E. JANNITTO
BRIG. GEN. RONALD W. SOLBERG
BRIG. GEN. JAMES K. VOGEL
BRIG. GEN. WILLIAM L. WELSH
BRIG. GEN. WAYNE A. ZIMMET

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN D. BANSEMER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. RUSSELL A. MUNCY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. PATRICIA N. BEYER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. CHRISTOPHER W. LENTZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. LEE ANN T. BENNETT
COL. RICHARD M. CASTO
COL. JONATHAN M. ELLIS
COL. JAMES J. FONTANELLA
COL. JOHN P. HEALY
COL. DANIEL J. HEIRES
COL. ROBERT A. HUSTON
COL. WILLIAM R. KOUNTZ, JR.
COL. ALBERT V. LUPENSKI
COL. TYLER D. OTTEN
COL. RUSSELL P. REIMER
COL. HAROLD E. ROGERS, JR.
COL. TRACEY A. SIEMS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JOHN C. THOMSON III

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. SYLVIA R. CROCKETT

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. KENNETH T. BIBB, JR.
COL. ANGELA M. CADWELL
COL. MARTIN A. CHAPIN
COL. JAMES R. CLUFF
COL. CHARLES S. CORCORAN
COL. SEAN M. FARRELL
COL. CHAD P. FRANKS
COL. ALEXUS G. GRYNKEWICH
COL. TIMOTHY D. HAUGH
COL. CHRISTOPHER D. HILL
COL. ERIC T. HILL
COL. SAMUEL C. HINOTE
COL. WILLIAM G. HOLT II
COL. LINDA S. HURRY
COL. MATTHEW C. ISLER
COL. KYLE J. KREMER
COL. JOHN C. KUBINEC
COL. DOUGLAS K. LAMBERTH
COL. LANCE K. LANDRUM
COL. JEANNIE M. LEAVITT
COL. WILLIAM J. LIQUORI, JR.
COL. MICHAEL J. LUTTON
COL. COREY J. MARTIN
COL. TOM D. MILLER
COL. RICHARD G. MOORE, JR.
COL. JAMES D. PECCIA III
COL. HEATHER L. PRINGLE
COL. MICHAEL J. SCHMIDT
COL. JAMES R. SEARS, JR.
COL. DANIEL L. SIMPSON
COL. MARK H. SLOCUM
COL. ROBERT S. SPALDING III
COL. WILLIAM A. SPANGENTHAL
COL. EDWARD W. THOMAS, JR.
COL. JOHN T. WILCOX II
COL. MICHAEL P. WINKLER

SMALL BUSINESS ADMINISTRATION

DARRYL L. DEPRIEST, OF ILLINOIS, TO BE CHIEF COUNSEL FOR ADVOCACY, SMALL BUSINESS ADMINISTRATION.

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH BRYAN K. ALLEN AND ENDING WITH GARRICK H. YOKOE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2015.

IN THE ARMY

ARMY NOMINATION OF JAMES D. FERGUSON, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH KELVIN L. BROWN AND ENDING WITH PAUL L. WAGNER II, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2015.

ARMY NOMINATIONS BEGINNING WITH DAESOO LEE AND ENDING WITH BRIAN D. RAY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2015.

ARMY NOMINATION OF WAYNE W. SANTOS, TO BE COLONEL.

ARMY NOMINATION OF ANTHONY J. FADELL, TO BE COLONEL.

ARMY NOMINATION OF RICARDO ALONSOJOURNET, TO BE COLONEL.

ARMY NOMINATION OF JEFFREY M. SLOAN, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH ANDREW C. DILLON AND ENDING WITH ANDRE R. HOLDER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2015.

ARMY NOMINATION OF REBECCA R. TOMSYCK, TO BE COLONEL.

ARMY NOMINATION OF EVERETT S. P. SPAIN, TO BE COLONEL.

ARMY NOMINATION OF SHANE R. REEVES, TO BE LIEUTENANT COLONEL.

ARMY NOMINATIONS BEGINNING WITH DAVID E. BENTZEL AND ENDING WITH BRIAN U. T. KIM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2015.

ARMY NOMINATIONS BEGINNING WITH TERESA L. BRININGER AND ENDING WITH RICHARD A. VILLARREAL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2015.

ARMY NOMINATIONS BEGINNING WITH KEVIN R. BASS AND ENDING WITH D003940, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2015.

ARMY NOMINATIONS BEGINNING WITH KIMBERLIE A. BIEVER AND ENDING WITH PAMELA M. WULF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2015.

ARMY NOMINATIONS BEGINNING WITH DAVID BARRETT AND ENDING WITH JENNIFER S. ZUCKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2015.

ARMY NOMINATIONS BEGINNING WITH DAVID W. LAWS AND ENDING WITH JOHN E. SWANBERG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2015.

ARMY NOMINATION OF WILLIAM A. ALTMIRE, TO BE COLONEL.

ARMY NOMINATION OF JESUS J. T. NUFABLE, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH RUBEN BERMUDEZPAGAN AND ENDING WITH TODD W. SCHAFFER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2015.

ARMY NOMINATION OF JOSHUA A. CARLISLE, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF WILLIAM C. MOORHOUSE, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF GREGG T. OLSOWY, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF ROGER S. GIRAUD, TO BE COLONEL.

ARMY NOMINATION OF STEVEN M. WILKE, TO BE COLONEL.

IN THE NAVY

NAVY NOMINATION OF KENNETH C. COLLINS II, TO BE CAPTAIN.

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING WITH CORINNA M. FLEISCHMANN AND ENDING WITH KIMBERLY C. YOUNG–MCLEAR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2015.

COAST GUARD NOMINATIONS BEGINNING WITH MICHAEL S. ADAMS, JR. AND ENDING WITH JAMES R. ZOLL, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2015.

COAST GUARD NOMINATIONS BEGINNING WITH JASON C. ALEKSAK AND ENDING WITH YAMASHEKA Z. YOUNG–MCLEAR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2015.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATION OF DANIEL SYLVESTER CRONIN.

FOREIGN SERVICE NOMINATION OF DERELL KENNEDO.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH STEVEN CARL AABERG AND ENDING WITH SANDRA M. ZUNIGA GUZMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 10, 2015.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JAMES F. ENTWISTLE AND ENDING WITH DANIEL R. RUSSEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2015.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH CHRISTOPHER VOLCIAK AND ENDING WITH EDWARD L. ROBINSON III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2015.

TENNESSEE VALLEY AUTHORITY

RICHARD CAPEL HOWORTH, OF MISSISSIPPI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2020.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. WITTMAN. Mr. Speaker, I missed a series of recorded votes on November 30, 2015. Had I been present, I would have voted ''YEA'' on roll call vote Number 644 and roll call vote Number 645.

HAPPY BIRTHDAY TO ESTHER ORTIZ CARDENAS

HON. WILL HURD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. HURD of Texas. Mr. Speaker, I rise today to recognize the 100th birthday of Esther Ortiz Cardenas of Del Rio, Texas.

A beloved mother of 12 children, grandmother of 29 grandchildren, 48 great-grandchildren, and 8 great-great-grandchildren, Mrs. Cardenas is a woman known for her devout faith, her hard work and her generous hospitality.

Whether it was cooking from scratch, making clothes for the family, tending chickens, creating home-made soap or tending her garden to put food on the table, she always worked hard to ensure her family never wanted for anything.

Knowing that God would always provide, Mrs. Cardenas never hesitated to feed the hungry or help others who were in need. When faced with troubled times, she turned to God, believing in answered prayers.

Surrounded by her family and friends, Mrs. Cardenas celebrated 100 years on November 28th of this year. Mrs. Cardenas is without question, a Proverbs 31 woman—a blessing to her family and her community.

On behalf of the Twenty-Third Congressional District of Texas, congratulations to Esther Ortiz Cardenas on turning 100 years young and may you celebrate many more.

CONGRATULATING THE CRYSTAL CITY HIGH SCHOOL HORNETS FOR THEIR 2015 MISSOURI CLASS 1 GIRLS CROSS COUNTRY STATE CHAMPIONSHIP

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Crystal City High School Hornets for their first place win in the 2015 Class 1 Girls Cross Country State Championship.

This team and their coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing the Crystal City Hornets for a job well done.

HONORING D. PATRICK CURLEY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. HIGGINS. Mr. Speaker, I rise today in honor of D. Patrick Curley, who has dedicated fifty years to the service of our Western New York community.

Mr. Curley was born and raised in Buffalo, New York. After graduating from Canisius High School in 1959, where he was first team all Catholic in tennis, he moved to Boston, where he graduated with an A.B. degree in mathematics from Boston College in 1963. He then returned to Buffalo to pursue an M.S. degree from Canisius College.

He was an instructor at D'Youville and Canisius Colleges, where he lectured in statistics, accounting, and business valuation techniques. Mr. Curley went on to work in banking at Marine Midland, before starting his own business consulting company, St. Lawrence Business Consultants, in 1977.

He remains president of St. Lawrence Business Consultants today, specializing in training seminars, economic development projects, mergers and acquisitions, succession planning, corporate valuations and ESOPs. At St. Lawrence Business Consultants, he became the Washington liaison to Moog, Inc. He has also played a role in statewide economic development, including consulting with New York State's Ownership Transition Services Program and helping to retain more than ten-thousand jobs in the state.

As a thirty year management seminar leader, Mr. Curley has conducted more than one hundred seminars throughout the United States with more than 3,000 participants.

He has served on the boards of several New York and international corporations, and is a member of the Industry Trade Advisory Committee (ITAC) under the auspices of the Department of Commerce.

Mr. Curley was a distinguished member of the board of the New York Power Authority from 2007 to 2012. And he was elected to three terms on the Orchard Park Town Board, where he served for 12 years and was regarded as an expert in public finance. He also served as chairman of sewer district #3 and was vice chair of the Southtown Recycling Consortium.

Mr. Curley has served in leadership positions for more than two dozen charitable, civic and philanthropic organizations. He founded the Orchard Park Council of the Arts and was a member of the National Board of Directors of the American Heart Association, Mercy Hospital of Buffalo, and the President's Council of D'Youville College. He served as chairman of the Board of Trustees of Erie County Central Police Services, and director and chairman of the audit committee of a Western New York foundation. The Orchard Park Chamber of Commerce voted him Man of the Year, and he received multiple awards for his service to the American Heart Association.

For forty-six years, Mr. Curley has been a member of the Orchard Park Volunteer Fire Company becoming a life member in 1987. During this time he attended 5,147 emergency and fire calls.

An avid hockey enthusiast, he served as vice chair for the Southtowns YMCA board of managers, where he designed, financed, and built an indoor ice rink. He also founded the Southtowns Hockey Officials Association, and was a referee for 35 years.

Mr. Curley is married to Carolyn G. Curley, the father of Jennifer Curley Reichert, Brendan Curley, and Shannon Curley Tower, and the proud grandfather of eight grandchildren. He is known for his colorful attire and positive attitude. He is a loyal, a proven consensus builder, cohesive team player, and a fair and effective leader. He never missed a St. Patrick's Day parade in Buffalo or New York City, or a chance to sing ''God Bless America.''

Mr. Speaker, Pat Curley is a proud American and Western New Yorker. I ask my colleagues to join me in honoring Mr. D. Patrick Curley and thanking him for 50 years of commitment to his community, family, and country.

HONORING TONY YOUNG

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize and remember an extraordinary advocate for individuals with disabilities, Mr. Tony Young.

Tony dedicated his life to advocating on behalf of individuals with disabilities and more importantly—helping individuals with disabilities advocate on behalf of themselves. He was the founder and first executive director of the ENDependence Center of Northern Virginia, a community resource and advocacy center run by and for persons with disabilities whose mission is to END dependence by empowering people with disabilities to live independently.

Tony also served as a senior public policy analyst with United Cerebral Palsy, Inc. He worked as the director of Residential Services and Community Supports for the American

Rehabilitation Association in Washington, D.C. and served as president of Open Access, a consulting firm focusing on the design, development, evaluation and analysis of policies, programs and services for persons with disabilities.

For the past 16 years, Tony has held various positions at SourceAmerica where he led strategic and policy initiatives all with the singular goal of helping more individuals with disabilities to join the workforce.

Tony was a positive force in the lives of thousands, if not millions, of people with disabilities across the nation through his advocacy and the positive changes he supported. Tony passed away earlier this week at his home in the 11th District of Virginia. Although he will be greatly missed, his legacy will endure through those he touched, those he helped, and the societal changes he championed.

CONSTRUCT THE NATIONAL EISENHOWER MEMORIAL

HON. MAC THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. THORNBERRY. Mr. Speaker, I rise today with Representative MIKE THOMPSON and Representative SANFORD BISHOP to urge our colleagues in Congress to move towards the construction and completion of the National Eisenhower Memorial as a fitting tribute to the Supreme Commander of the Allied Forces in Europe during World War II and the 34th President of the United States.

As admirers of Dwight D. Eisenhower and his impact on history, it has been an honor to serve on the Eisenhower Memorial Commission. It is our hope that Dwight D. Eisenhower and our country receive a memorial that properly commemorates his roles as General and President that helped shape our nation for the better. We believe the current proposed design achieves this goal.

For over ten years, the Commission has worked to develop a memorial that pays tribute to Eisenhower's achievements as both General and President. During this process, there have been some differences of opinion on how to best honor Eisenhower's accomplishments. Unfortunately, there has also been a fair amount of misinformation in many news stories and reports.

The Memorial was first authorized by Congress in 1999. Within the past few months, all final design and site approvals have been obtained under the process required by Congress from the National Capital Memorial Advisory Commission, the U.S. Commission of Fine Arts, and the National Capital Planning Commission.

Since its inception, the Commission has consulted with members of the Eisenhower family. David Eisenhower was an original member of the Commission from 2001 through 2011, during which time the architectural firm and Memorial design were approved by unanimous votes.

Time is of the essence for our remaining World War II veterans. Funding of construction in Fiscal Year 2016 will allow the Memorial to be completed by the summer of 2019, the 75th anniversary of D-Day.

Further delays would mean that those who fought under Eisenhower's command would not see its completion and call in to question whether the Memorial will ever be built. Now is the time to move ahead.

HONORING MAJOR KRYSTYL WATSON'S CONGRESSIONAL FELLOWSHIP

HON. THOMAS J. ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. ROONEY of Florida. Mr. Speaker, I would like to recognize a member of my staff, Major Krystyl R. Watson, for her outstanding year as an Army Fellow in my Washington, DC office.

Krystyl, a Florida native, joined my staff last January as part of the Army Congressional Fellowship Program. Her extremely hard work and dedication has made her a vital part of my team that ensured that not a single day of her year in my office was wasted.

Before coming to Washington as a Fellow, Krystyl built quite the resume as a law enforcement officer in Florida. From her time as a Special Agent with the Florida Department of Law Enforcement in Tampa to her year spent deployed as a company commander with the 912th Human Resources Company in Afghanistan, Krystyl brought a wide range of valuable experiences to Capitol Hill.

From day one, Krystyl dove right into the role of a legislative aide and was as meticulous as a seasoned staffer. There was never an issue she didn't care to learn, and her fresh perspective was invaluable. Her experiences in the U.S. Army Reserve and Florida Department of Law Enforcement were instrumental in helping me introduce important legislation to stop fraud against veterans and in securing critical funding for service members and veterans through the appropriations process.

With energy, optimism, and the unmatched work ethic of a soldier, Krystyl has helped make her year with my office one of my most productive yet. More than just helping with legislation, Krystyl has been an invaluable resource for the veterans in Florida's 17th Congressional District. Whether assisting with congressional inquiries or helping a veteran with a VA issue, Krystyl was always happy to take a veteran's phone call and find a way to help.

Over the last year, Krystyl was an outstanding legislative aide, earned her master's degree in Legislative Affairs from George Washington University, ran the Marine Corps marathon, and became an irreplaceable member of my team. Krystyl will be greatly missed, but I have no doubt that she will continue to set a standard of excellence in everything that she does.

RECOGNIZING GEORGE T. SAKATO

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Ms. DEGETTE. Mr. Speaker, I rise today to recognize the life and achievements of George T. Sakato.

George Sakato was born in Colton, California in 1921 and grew up in Southern California. After the attack on Pearl Harbor, his family moved from California to avoid the mass internment of Japanese Americans, and his family resettled in Arizona.

In 1944, at the age of 23, Mr. Sakato volunteered for the U.S. Army and joined the all-Japanese-American 442nd Regimental Combat Team. At 5 feet 4 inches, he was not your storybook soldier. What he lacked in stature, however, he made up for in bravery and devotion to his brothers in arms.

In October of 1944, Private Sakato's unit was sent on a mission to rescue 281 captured American soldiers in the Vosges Mountains of northeast France. In the firefight, Private Sakato's squad leader was killed after his unit pushed enemy German combatants from their defensive positions.

With no commanding officer, Private Sakato stepped up to lead his squad. He charged the enemy position. Singlehandedly, he killed 12 enemy soldiers and then, with the help of his unit, took 34 more as prisoners.

For his bravery, Private Sakato received the Distinguished Service Cross and was recommended for the Medal of Honor. Yet, like so many other Japanese-American soldiers during WWII, he was denied that honor due to deeply ingrained anti-Japanese racism.

More than a half century later, on June 21, 2000, Mr. Sakato and 21 other Asian-American veterans were finally given the recognition they had earned for their actions in combat and were awarded the Medal of Honor by President Clinton.

On Dec. 2nd, 2015, at the age of 94, George Sakato died in Denver, Colorado. George Sakato was one of the trailblazing men and women whose hands have shaped the United States into the great nation it is today. His example of bravery, humility, and love for his country is one to admire and emulate.

My condolences go to his daughter Leslie, and the rest of the Sakato family.

RECOGNITION OF KENTUCKY VOLUNTEERS

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. GUTHRIE. Mr. Speaker, I would like to recognize two constituents from my district, Thomas Sullivan and Daniel Disselkamp, who spent three weeks in northern Haiti building and upgrading powerlines to help communities receive affordable, safe, and reliable electricity. The power linemen from Nolin Electric Cooperative were the second group to volunteer their services on this project.

The project is one to commercialize power from the Caracol Industrial Park generation station that is currently serving 8,000 consumers in Caracol and surrounding communities with electricity 24 hours a day. When the project is complete, a total of 10,000 consumers will have access to electricity. One of the major factors contributing to ending poverty and improving the quality of life for people around the world is access to affordable and reliable electricity.

Only about 13 percent of Haitians currently have access to electricity, so the services provided by these linemen will have a positive impact on thousands of lives. Obtaining electricity access is an important step toward achieving improvements in healthcare, education, and economic opportunity.

That is why today I would like to thank and recognize Thomas Sullivan and Daniel Disselkamp for their service.

RECOGNIZING COMMANDER CHAD C. SCHUMACHER

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. WITTMAN. Mr. Speaker, I rise today to recognize those men and women who have served this great Nation with honor, men such as Commander Chad C. Schumacher, United States Navy.

For the past year, Commander Schumacher, a proud naval aviator and graduate of the United States Naval Academy, served on my staff as a Congressional Defense Fellow. During his assignment, he served as a senior member of my staff responsible for defense, veterans, foreign affairs and intelligence matters. Commander Schumacher executed his work as a liaison to the constituents of the First District and the numerous defense installations in the First District with distinction. Furthermore, he provided exceptional support to me as my staff liaison to the House Armed Services Committee in my role as a Subcommittee Chairman and as the Co-Chair of the Congressional Shipbuilding Caucus.

Commander Schumacher directly contributed to my goal of providing excellent constituent service to the people of the First District. He was responsible for bringing numerous constituent inquiries to a successful conclusion and he was able to leverage his personal and operational experience to respond to the most challenging inquiries.

In addition to his efforts on behalf of the First District, Commander Schumacher took on projects with regional, state and national implications, demonstrating his ability to view a challenge from many angles and develop innovative solutions often requiring collaboration across many levels of government.

Commander Schumacher's work ethic, duty to mission, and commitment to servant leadership is without equal. I believe that his personal drive to achieve excellence in his work has and will set a very high standard for his peers.

I would also like to thank Commander Schumacher for the service and sacrifice he has made, and continues to make, for our Nation and our great Navy. His keen sense of honor, impeccable integrity, boundless work ethic, humor and loyal devotion to duty earned him the respect and admiration of my staff and the First District of Virginia. As an F–18 Hornet pilot with 2000 flight hours and 400 arrested landings, Commander Schumacher completed multiple deployments in support of Operation Enduring Freedom and Operation Iraqi Freedom, and served as an instructor at the United States Navy Fighter Weapons School (TOPGUN). Commander Schumacher is headed to the Pentagon where he will work in Legislative Affairs for U.S. Northern Command. I have no doubt that Commander Schumacher will continue to serve the Navy honorably and with distinction.

I wish him the best of luck as he continues his Naval career. It was an honor and a pleasure having him serve on my staff. We all can sleep soundly at night knowing that men and women like Commander Chad Schumacher are members of our all-volunteer force and they stand ready to defend our country and take the fight to our enemies; far away from their families and the comforts of the United States of America.

Commander Schumacher, thank you. Best wishes to you and God bless you, your family, and all the men and women in uniform. Fair winds and following seas.—and GO NAVY BEAT ARMY.

TRIBUTE TO LANDMARK INN STATE HISTORIC SITE OF CASTROVILLE, TEXAS

HON. WILL HURD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. HURD of Texas. Mr. Speaker, I rise today to recognize the Landmark Inn State Historic Site of Castroville, Texas, on the completion of its extensive restoration efforts. The Landmark Inn State Historic Site, which is a Texas Historical Commission property, preserves an important part of Texas' history. The Landmark Inn not only protects the cultural and natural value of this area, but also ensures that future generations of Texans will be able to enjoy its rich history.

The Landmark Inn gives unique insight into the lives of Texas' earliest settlers. The city of Castroville was established on September 3, 1844, by entrepreneur Henri Castro and a group of settlers from the Alsace region of France. One of its earliest inhabitants was a man named César Monod, who was elected Mayor of Castroville in 1852 and built a combined home and store to serve travelers along the San Antonio-El Paso road. In 1853, a merchant named John Vance bought the property and built living quarters for his visitors onto the existing store, including galleries, a family residence, and even a multistory bathhouse. This became the Vance Hotel. Several other entrepreneurs, including George L. Haass and Laurent Quintle, built a dam on the property that diverted water from the Medina River to power a gristmill. Finally, in 1925, Jordan T. Lawler converted the gristmill into Castroville's very first electric power plant. It is over a hundred years later in 1981 that the Landmark Inn was dedicated as a historically designated site.

The 23rd Congressional District of Texas stretches from San Antonio to El Paso, along over 820 miles of the border, and includes Castroville, a gem that is home to over 2,600 residents. The Landmark Inn provides an opportunity for today's Texans to deepen their understanding of Castroville's early pioneers. Those dedicated to the Landmark Inn's restoration emulate the hard work and values evident in this great city's founders. The level of excellence shown in preserving the rich history of this site is a reflection of the residents of Castroville and their values, and their devotion to tradition serves as a source of pride for the entire city and the 23rd Congressional District of Texas. It is my honor to represent Castroville, and I wish continued success to the Landmark Inn in its future endeavors.

CONGRATULATING THE FATIMA HIGH SCHOOL COMETS FOR THEIR 2015 MISSOURI CLASS 2 GIRLS CROSS COUNTRY STATE CHAMPIONSHIP

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Fatima High School Comets for their first place win in the 2015 Class 2 State Girls Cross Country Championship.

This team and their coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing the Fatima Comets for a job well done.

RECOGNIZING THE DEDICATION OF THE BETTY DEVANE COVINGTON LIBRARY AT DUMFRIES ELEMENTARY SCHOOL

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. CONNOLLY. Mr. Speaker, I rise today to celebrate the dedication of the "Betty DeVane Covington Library" at Dumfries Elementary School in Dumfries, Virginia. This year marks Mrs. Covington's 54th year in education and her 53rd year with the Prince William County Schools, having served as a classroom teacher, assistant principal, principal, and now School Board member. Mrs. Covington's tireless work has helped shape the minds and hearts of thousands of students, both young and old.

Mrs. Covington's longevity in the community is noted by many firsts. She served as the principal of the Saunders Kindergarten Center, the first public kindergarten in Prince William County; in 1995, she became the first elected

School Board member in Dumfries, now Potomac Magisterial District; and she received the inaugural Boys and Girls Clubs of Greater Washington/Prince William-Manassas, Educator of the Year Award, which was later renamed in her honor.

With a career dating back to 1961, Mrs. Covington has worked in numerous elementary schools within the county. Nine of her 11 years as a classroom teacher were spent at Dumfries Elementary School. Three years were spent as an assistant principal of Dale City Elementary School. During her tenure, the school participated in a pilot program for year-round education. From 1974 to 1976, Mrs. Covington served as principal of the Saunders Kindergarten Center. She ended her career after 19 years as principal of Kilby Elementary School. That same year, she was elected to the Prince William County School Board. Mrs. Covington served as the Dumfries School Board member for one year before returning to Dumfries Elementary School as the appointed principal for six years. Upon her final retirement from education administration in 2005, Mrs. Covington was again elected to the Prince William School Board to serve three consecutive terms.

Over the course of her career, Mrs. Covington has been recognized for her commitment to educating the students of Prince William County. She has been nominated for The Washington Post Distinguished Educational Leadership Award and Prince William County Principal of the Year. Her accolades also include receiving the Service Award from the School Board, Women of the Year from the Soroptimist Club, the Zontas Club, and Commission for Women, Minerva Award for Public Service by the Prince William County Alumnae Chapter of Delta Sigma Theta Sorority, Inc., and the Human Rights Award from the Prince William County Human Rights Commission, to name just a few.

Mr. Speaker, I ask my colleagues to join me in recognizing Betty Covington for her unwavering dedication to serving the children of Prince William County, first in the classroom and more recently as a member of the School Board representing the Potomac Magisterial District. Mrs. Covington has been an integral and essential part of Prince William Public Schools through her commitment to public service for the betterment of our community.

HONORING THE LIFE OF SERGEANT MICHAEL JOE NAYLOR

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. CONAWAY. Mr. Speaker, I rise today to celebrate the life of Sgt. Michael Joe Naylor of the Midland County Sheriff's Department. Sadly, Sgt. Naylor was taken from us in the line of duty on October 9, 2014.

Sgt. Naylor's life was dedicated to the service of his community and our county. After graduating from high school, Mike enlisted in the United States Air Force, where he served 26 honorable years and earning the rank of Senior Master Sergeant before retiring.

After retiring from the military in 1999, Mike joined the Midland County Sheriff's Department. Through the years, Mike rose through the ranks and served as a leader on the police force. He was actively involved in many initiatives within the department, most notably serving as Commander of the Midland County Sheriff's Department Honor Guard. In addition to serving as a Deputy Sheriff, Mike was also an emergency medical technician. Mike's noble duty to always protect others is one of the many reasons that made him special to Midland County.

Anybody who knew Mike would say that he was a compassionate and selfless professional that went above and beyond to serve his fellow man. His lifetime of service was recently recognized by the state of Texas with the renaming of State Highway 191 as the ''Sergeant Michael Naylor Memorial Highway''. I had the privilege to be a part of this dedication ceremony and am grateful for that opportunity.

On December 27th, we will be celebrating Mike's 48th birthday. Although the wounds of his loss are still fresh in the hearts of many back home, we must all come together and remember all of the good that Mike offered to the world. We are blessed to have individuals like Mike that serve our communities. His service exemplifies every aspect of the American spirit and makes our communities stronger and safer. His life is an example of how one's service can make their home a better place. His legacy will forever be carried on by his wife Denise, the rest of his immediate family, and his family of first responders.

HONORING THE FIRST BROADCAST AND GRAND OPENING OF KEXP'S NEW HOME AT SEATTLE CENTER

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. McDERMOTT. Mr. Speaker, I rise today to honor the first broadcast from KEXP's New Home in Seattle, and to salute the station as it prepares for the Grand Opening of its new home for music discovery in April of 2016.

Since its founding in 1972, KEXP has always been a champion for music discovery. With a radio broadcast and online stream that reaches over 200,000 people per week as well as a video channel that reaches 750,000 more, KEXP has provided music lovers with decades of trusted, curated music discovery experiences, and introduced a global audience to new artists from the Pacific Northwest and beyond.

As a public radio station with vibrant community support, KEXP empowers its DJs to make bold choices and push themselves creatively, introducing audiences to new artists, and putting music in context by sharing stories, connecting musical threads, and juxtaposing today's emerging artists with the seminal artists that inspire them.

KEXP provides bands from the Pacific Northwest a stage from which they launch their music careers. KEXP connects thousands of artists to millions of music lovers. KEXP connects talent to record labels, promoters, and the music industry. The result is powerful; a thriving population of artists and bands who have the opportunity to successfully perform and present their art. KEXP is invigorating the community by helping arts and culture thrive in the Pacific Northwest.

With the opening of its new home at Seattle Center, KEXP will be able to serve the community in exciting new ways. It will host free live performances, create new educational partnerships, create public engagement spaces, and house cutting-edge broadcast and production technology.

As we tune in and celebrate the first broadcast from this state-of-the-art facility, I would like to convey my congratulations to KEXP on the opening of its new home as well as the growing number of opportunities it will create to bring great music into the lives of those in the 7th Congressional District and around the world.

CONGRATULATING THE FESTUS HIGH SCHOOL TIGERS FOR THEIR 2015 MISSOURI CLASS 3 BOYS CROSS COUNTRY STATE CHAMPIONSHIP

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Festus High School Tigers for their first place win in the 2015 Class 3 Boys Cross Country State Championship.

This team and their coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing the Festus Tigers for a job well done.

HONORING SERGEANT THEODORE TRAVIS, SR.

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. HIGGINS. Mr. Speaker, I stand before you today to pay tribute to Sergeant Theodore Travis, Sr., a man committed to duty and family, who lost his life in service to this nation.

A Niagara Falls, New York native, Theodore Travis chose active-duty to support his young family after serving in the U.S. Army Reserves. He was a member of an elite team, the 101st Airborne—a Screaming Eagle and initially traveled to Fort Campbell, leaving behind his wife, high school sweetheart Cynthia, and two young sons, Theodore Jr. and Stefan. Sergeant Travis left the United States with his unit on an assignment to aid peace negotiations between Egypt and Israel.

Following their mission, Sergeant Travis and his comrades boarded a plane in high spirits and with great anticipation of returning to their families for Christmas. Tragically they never

made it home. On December 12th, 1985, Arrow Air Flight 1285, carrying homeward bound members of the 3rd Battalion, 502nd Infantry Regiment, 2nd Brigade Combat Team, crashed in Gander, Newfoundland. On that day 248 members of the 101st Airborne Division, including Sergeant Travis, were killed in the worst air disaster in U.S. military history.

This year, as we recognize the 30th anniversary of this disaster, family, friends and the community will gather at New Hope Baptist Church in Niagara Falls to remember Sergeant Travis, known to all as a ''giver.'' He gave help to his community, gave his faith to the church, gave his love to his wife and children, and gave himself in service to the military in defense of this country, in the name of peace abroad, and in hopes of giving his family a better life.

So today, on behalf of a grateful nation, with a heavy heart we remember Sergeant Theodore Travis, Sr., who in selfless service to the United States of America, gave until he could give no more. Sergeant Travis, his family, and the others who lost their lives on Flight 1285 will be forever remembered for the great sacrifices they have made.

CONGRATULATING THE BRAHMA KUMARIS AND SISTER JENNA ON THE GRAND OPENING OF THE MEDITATION MUSEUM II

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. CONNOLLY. Mr. Speaker, I rise to congratulate the Brahma Kumaris and Sister Jenna on the grand opening of the Meditation Museum II in Tysons Corner, Virginia.

The Brahma Kumaris is a non-profit organization with over 9000 branches in 120 countries. Founded in Hyderabad, Sindh in 1936, the Brahma Kumaris seeks to help individuals re-discover and strengthen their spirituality through self-reflection, meditation, and participation in activities of social and humanitarian concerns.

Sister Jenna began her spiritual journey with the Brahma Kumaris and is the founder and director of both the original Meditation Museum in Silver Spring, Maryland as well as this new location in Tysons Corner. Sister Jenna and several of her colleagues created the ''Pause for Peace'' campaign which has expanded into new programs including the Pause for Peace in the Classroom and Pause for Peace Spaces. Sister Jenna's commitment and influence have been recognized with numerous awards and proclamations including the President's Lifetime National Community Service Award, the Every Day Hero Award, and the Friendship Archway Award.

The benefits of meditation are scientifically proven. According to Psychology Today, meditation has been shown to increase immune function, decrease depression and anxiety and even positively affect higher-order cognitive functions in the brain. Perhaps the most profound aspects of mediation are those that cannot be measured scientifically. Self-awareness, inner-peace and tranquility, becoming one with your surroundings and your faith, and true acceptance of and respect for all others regardless of age, race, gender, religion, or economic status are but a few immeasurable and invaluable benefits.

Mr. Speaker, I ask that my colleagues join me in congratulating Sister Jenna and all who have worked to make the grand opening of the new Meditation Museum II a reality and in wishing them continued success.

TRIBUTE TO LARRY AND CAROL ANDRESS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Larry and Carol Andress of Council Bluffs, Iowa, on the very special occasion of their 50th wedding anniversary. They were married on September 25, 1965 at St. Patrick's Church in Council Bluffs.

Larry and Carol's lifelong commitment to each other and their children, Dave, Teresa and Deb, along with their grandchildren, truly embodies our Iowa values. It is families like the Andress family that make me proud to call myself an Iowan and represent the people of this great state. I commend this great couple on their 50th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

HONORING MAUREEN NICHOLSON FOR HER SERVICE TO THE TOWN OF POMFRET, CT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. COURTNEY. Mr. Speaker, today I rise to salute Maureen Nicholson's more than thirty years of service to the Town of Pomfret, Connecticut. Maureen has served in all corners of local leadership since she moved to Pomfret in 1988, most recently as the town's First Selectman.

From her start in Pomfret, Maureen was involved in the Parent Teacher Organization, Recreation Commission, Democratic Town Committee, Planning and Zoning Commission, Board of Finance, and Tree Warden, among many more town and regional organizations. In 2009, she was elected to the Board of Selectmen, and in 2012 was elected First Selectman.

During her years as First Selectman, Maureen secured almost half a million dollars in grants for the Town of Pomfret. She secured the town's emergency shelter and began work to bring large-scale solar power to the town. Maureen saw the potential cost-savings in collaborating with neighboring towns to share accounting and auditing services, and launched an innovative initiative with the Town of Brooklyn. It is this enterprising spirit that delivered forward thinking policies to Pomfret, and the town and region have benefitted.

Maureen also worked to increase awareness for residents of Pomfret by founding and editing the Pomfret Times, and redesigning the town's website to promote and inform residents of the town's resources and news. Her other non-governmental achievements include service on the Day Kimball Hospital Women's Board, founding of the Pomfret Gardeners, membership on the Community Regional YMCA Board, and serving as Director of the Performing Arts of Northeastern Connecticut.

I ask my colleagues to please rise to thank Maureen for her years of steadfast dedication. Although her leadership as First Selectman will surely be missed, I am confident that her commitment to Pomfret will continue in the years to come.

INTRODUCTION OF THE BANKRUPTCY JUDGESHIP ACT OF 2015

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. CONYERS. Mr. Speaker, the ''Bankruptcy Judgeship Act of 2015,'' authorizes 6 additional permanent bankruptcy judgeships and converts 16 temporary bankruptcy judgeships to permanent status, based on recommendation of the Judicial Conference of the United States. With respect to the 6 additional permanent bankruptcy judgeships, they are authorized pursuant to section 3 of the bill as follows: 2 for the District of Delaware; 2 for the Eastern District of Michigan; and 2 for the Middle District of Florida. With respect to the 16 conversions, they are authorized pursuant to section 2 of the bill for the following districts:

5 for the District of Delaware;
2 for the Southern District of Florida;
3 for the District of Maryland;
1 for the Eastern District of Michigan;
1 for the District of Nevada;
1 for the Eastern District of North Carolina;
2 for the District of Puerto Rico;
1 for the Western District of Tennessee; and
1 for the Eastern District of Virginia.

This legislation responds to a serious need. Since the last time additional bankruptcy judgeships were authorized, which was 10 years ago, the 6 districts that would be authorized additional judicial resources by this bill have experienced a 55 percent increase in weighted filings, according to the Judicial Conference.

All 16 of the temporary bankruptcy judgeships that the bill converts to permanent status are set to lapse as of May 25, 2017. As the Conference observes, ''These bankruptcy courts would face a serious and, in many cases, debilitating workload crisis if their temporary judgeships were to expire.''

The need for these additional judicial resources is based on a comprehensive analysis performed by the Judicial Conference based on a formal survey of all judicial circuits conducted pursuant to section 152(b)(2) of title 28 of the United States Code. Criteria considered include the workload of each court, case filing

statistics, and geographic factors, among other matters.

CONGRATULATING THE HERCULANEUM HIGH SCHOOL BLACK CATS FOR THEIR SECOND PLACE FINISH IN THE 2015 MISSOURI CLASS 2 BOYS CROSS COUNTRY STATE CHAMPIONSHIP

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Herculaneum Black Cats for their second place finish in the 2015 Class 2 State Boys Cross Country Championship.

This team and their coach should be commended for all of their hard work throughout this past year and for bringing home 2nd place to their school and community.

I ask you to join me in recognizing the Herculaneum Black Cats for a job well done.

TRIBUTE TO MARGARET FLETCHALL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Margaret Fletchall on the celebration of her 102nd birthday. Margaret celebrated her 102nd birthday on October 31, 2015 in Mount Ayr, Iowa.

Our world has changed a great deal during the course of Margaret's life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones, and the internet. We have fought in wars overseas, seen the rise and fall of Soviet communism, and witnessed the birth of new democracies. Margaret has lived through seventeen United States Presidents and twenty-four Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Margaret in the United States Congress and it is my pleasure to wish her a very happy 102nd birthday. I invite my colleagues in the United States House of Representatives to join me in congratulating Margaret for reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

CONGRATULATING THE VIRGINIA DEPARTMENT OF VETERANS SERVICES ON THE OPENING OF THE FAIRFAX VETERANS BENEFITS OFFICE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. CONNOLLY. Mr. Speaker, I rise to congratulate the Virginia Secretary of Veterans and Defense Affairs John C. Harvey, Jr. and Department of Veterans Services Benefits Director Tom Herthel on the opening of the new Veterans Benefits office in Fairfax City.

The 11th District of Virginia is home to almost 54,000 veterans. More than 70% are veterans of the wars in the Persian Gulf. The opening of this new center will ensure that they receive timely access to the benefits they have earned.

The opening of this office is yet another step in addressing the needs of our veterans. While the statistics indicate that overall, veterans in the 11th District may be more economically or professionally secure, the dedicated men and women who have served our country in uniform are still plagued by the same issues that veterans around the country face including prolonged disability or appeal processing times, difficulty scheduling appointments with the VA medical centers, and delays in receiving Post 9–11 GI Bill educational benefits. We must do more to ensure that these issues and others are addressed and resolved. For our community, the statistics are encouraging. The percentage of unemployed veterans is 3.3%, two percentage points better than the national average. The percentage of veterans living below the poverty line is 2.2%, well below the national average of 12.5%. More than 60% of veterans in this district have a bachelor's degree or higher, almost twice the national average.

These numbers speak to the character of these individuals and also to the network of support services that have emerged in the 11th District. We, as a community, are united in our efforts to provide any and all assistance and guidance needed.

Mr. Speaker, providing care for our men and women in uniform after they return home from the battlefield is a sacred obligation. I ask my colleagues to join me in commending the Virginia Department of Veterans Services and its dedicated staff on the opening of this new Veterans Benefits Office, and I offer my continued support and assistance to these ongoing efforts.

OYSTER CREEK'S STAR TEACHER

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Brittany Mayland for being named a Star in the Classroom by the Houston Texans.

Ms. Mayland is a kindergarten teacher at Oyster Creek Elementary School in my hometown of Sugar Land, Texas. Her positive impact and commitment to her students led one of her students, Izabelle Paul, to nominate her for this award presented by the Houston Texans and First Community Credit Union. Her dedication to creating a fun and engaging learning environment shows her star quality in the classroom. The students at Oyster Creek are lucky to have her.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Ms. Mayland for being named a Star in the Classroom.

UNIVERSITY OF HOUSTON, THE AMERICAN ATHLETIC CONFERENCE FOOTBALL CHAMPIONS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. POE of Texas. Mr. Speaker, over the weekend, the University of Houston Cougars capped off their thrilling season with a 24–13 win against the Temple University Owls in the American Athletic Conference Championship Game. Houston won by 11 points and led from the very start of the game. With this win, the Cougars finished the regular season 12–1. They now face a matchup against the #9 Florida State University Seminoles in the Chick-Fil-A Peach Bowl.

What is most amazing about the Cougars successful season is the fact that it was engineered by a rookie head coach: Tom Herman. Herman is a former national championship winning offensive coordinator at Ohio State University and a previous recipient of the Broyles Award for the nation's top assistant coach. He came to the University of Houston as a first-time head coach this season. This type of success in a coach's first season is rare. Herman's Houston team was led by its do-it-all quarterback, Greg Ward, Jr., who finished the season with 2,590 passing yards, 16 touchdowns, and only 5 interceptions. The All-Conference quarterback also tacked on 1,041 rushing yards and 19 touchdown runs for good measure. The excitement of watching this team play brought me back to 1989, when Coach Jack Pardee's run-and-shoot offense led the Cougars to a 9-win season and quarterback Andre Ware took home the Heisman Trophy.

Mr. Speaker, Tom Herman and the Houston Cougars aren't finished just yet. After the Cougars New Year's Eve duel with perennial powerhouse Florida State, the team will refocus its sights on coming back strong again next year. With the Cougars locking in Coach Herman to a contract extension and returning many of its key contributors, this team will be a force next year and hopefully for years to come. I look forward to spending December 31st ringing in the New Year with friends, family, and another Cougars victory. Go Cougars!

And that's just the way it is.

RECOGNIZING THE 100TH ANNIVERSARY OF MOUNT OLIVE BAPTIST CHURCH

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the 100th Anniversary of Mount Olive Baptist Church in Woodbridge, Virginia.

On July 3, 1902, the late William Chin donated a parcel of land for what would later become the site of Mount Olive Baptist Church. Initially, the site was used for the Agnewville Mission Sunday School. Under the leadership of Sister Florence Chin and Reverend Bras

Clark, with the support of Neabsco and Ebenezer Baptist Churches, members of the community established a Sunday school class for the residents of Agnewville. It was not until years later when the members of the Agnewville Mission Sunday School founded Mount Olive Baptist Church. The cornerstone for the church was laid on October 15, 1915. Together, Brother George W. Ray, Brother William Chin, Brother George Thomas, and other men from the congregation built the original church edifice on Telegraph Road.

Since the founding of Mount Olive Baptist Church, six pastors have graced the pulpit leading the congregation in worship, praise, and discipleship. It is my honor to enter into the CONGRESSIONAL RECORD the following names of each of the governing pastors of Mount Olive Baptist Church since the church's founding in 1915:

Reverend William Davis, Reverend William Tyler, Reverend George W. Pratt, Reverend Edward W. Burrell, Reverend Frederick L. Ray. Most recently, Reverend Clyde W. Ellis, Jr. was called to the pulpit on March 3, 2011, to lead the congregation.

Reverend Ellis, the spiritual son of Reverend Ray, became the sixth pastor of Mount Olive Baptist Church. Under Reverend Ellis' leadership, Mount Olive has both literally and figuratively flourished beyond the walls of the sanctuary on Telegraph Road. With more than 400 members, Mount Olive's weekly worship is temporarily being held at Freedom High School on Neabsco Mills Road until the construction of the new edifice is complete.

Mr. Speaker, I ask that my colleagues join me in celebrating the 100th Anniversary of Mount Olive Baptist Church. Pastor Ellis has nurtured a thriving congregation that will no doubt continue to grow and fulfill Mount Olive's mission of worship and praise. I would like to wish Pastor Ellis and his congregation the very best as they celebrate their heritage and plan for a successful future.

HONORING CORPORAL TIBOR RUBIN

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on Saturday, December 5, 2015, the city of Garden Grove lost a genuine American hero when, Tibor ''Teddy'' Rubin, a Holocaust survivor and recipient of the Congressional Medal of Honor, passed away due to natural causes. He was 86 years old.

Corporal Rubin began his extraordinary life on June 18, 1929, in Pastzo. Hungary. His father served in the Hungarian Army and was a veteran of the First World War. When Corporal Rubin was only 14 years old he was sent to the Mauthausen concentration camp in Austria. He survived the 14 months of captivity until his prison camp was liberated by American forces in May 1945. Tragically, his father, stepmother, and younger sister would perish.

Corporal Rubin, immensely thankful for his liberation by American forces, wished to join the U.S. Army in order to repay the country that he felt he was so indebted to. After failing twice to enlist due to poor English, he was finally able to join in 1948 as a rifleman with I Company, 8th Cavalry Regiment, 1st Cavalry Division.

Corporal Rubin's courage is made evident by his Medal of Honor citation. Corporal Rubin fought bravely and did everything to protect his brothers in arms. He distinguished himself on October 30, 1950, during a nighttime assault on his unit's position by an overwhelming Chinese force. Corporal Rubin manned a .30 caliber machine gun and fended off the assault until his ammunition was exhausted. Because of his valiant and selfless actions the Chinese assault was slowed and his unit was able to successfully escape the overwhelming enemy force. Corporal Rubin would be severely wounded and taken as a prisoner of war. He chose to remain a prisoner rather than taking a Chinese offer to be sent back to his native Hungary. Corporal Rubin risked torture and execution on multiple occasions in order to retrieve food and aid for his fellow imprisoned Soldiers. His horrific experience as a Holocaust survivor gave him the skills necessary to remain hopeful and keep himself and his comrades alive in a terrible situation.

Unfortunately, because of an anti-Semitic superior, Corporal Rubin's courageous military service would go unrecognized for another 55 years. He would finally be awarded the Medal of Honor on September 23, 2005, for his heroic actions in the Korean peninsula.

Corporal Rubin is survived by his wife, Yvonne, and his two children Frank and Rosalyn Rubin. He was a proud American and the kind of model citizen we should all strive to be. Corporal Rubin, despite everything he went through in life, preserved his optimism and his terrific sense of humor. His extraordinary immigrant story is an inspiration to us all. His passing is a great loss for our country, but his memory will forever live on.

THE INTRODUCTION OF A BILL TO REQUIRE THE LIBRARY OF CONGRESS TO INSTALL THE D.C. SEAL IN THE MAIN READING ROOM OF THE THOMAS JEFFERSON BUILDING

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Ms. NORTON. Mr. Speaker, today, I introduce a bill to require the Library of Congress to install the District of Columbia seal in the Main Reading Room of the Thomas Jefferson Building of the Library of Congress. The Library is one of the few buildings in the District that remains open to the public on most holidays. It provides not only D.C. residents but visitors and researchers from across the nation with access to incomparable resources. The bill requires the Library to depict the District's seal on the stained-glass windows in the Main Reading Room, where the seals of all the states and territories that existed when the building was constructed, except for the District, are depicted. D.C.'s seal was readily available at that time and should have been included. The seals of Hawaii and Alaska are not included in the display because they were not states or territories when the building was constructed. The fact that these two states were not part of the Union at the time of the creation of the stained-glass windows argues for the inclusion of the District, which, after all, was in fact the nation's capital at the time. We are asking that omission of D.C. be corrected immediately. This omission was brought to my attention by a District resident, Luis Landau, a former docent at the Library.

The residents of the District have always had all the obligations of American citizenship, including paying federal taxes and serving in all the nation's wars, including the War of 1812, during which the Capitol building, which then housed the Library of Congress, was burned, prompting construction of the current Library of Congress building with the state and territory seals. It is, therefore, without question that the District and its residents should receive equal treatment among the stained-glass windows that portray the history of the United States. D.C. residents deserve to have their history and American citizenship recognized.

There is existing evidence that the seal of the District should have been depicted. The Members of Congress room in the Jefferson Building, which is not open to the public, has a painted depiction of the D.C. seal, along with state seals, on its ceiling. This precedent reinforces our request to be represented among the stained-glass windows in the Main Reading Room, which is open to the public. There is no reason why the D.C. seal cannot be added with the planned restoration of the stained-glass. The right time to add the seal of the District would be during the planned restoration.

Congress already includes the District of Columbia, or has corrected the omission of the District, when honoring the states. For example, the District of Columbia War Memorial honors District residents who served in World War I, the World War II Memorial includes a column representing the District, the flag of the District is displayed among the flags of the fifty states in the tunnel connecting the House office buildings to the Capitol, and D.C.'s Frederick Douglass statue now sits in the Capitol alongside statues from the 50 states. The National Defense Authorization Act for Fiscal Year 2013 requires the armed services to display the District flag whenever the flags of the states are displayed. Legislation was also enacted to give D.C. a coin after it was omitted from legislation creating coins for the 50 states. We also successfully worked with the U.S. Postal Service to create a D.C. stamp, like the stamps for the 50 states, and worked with the National Park Service to add the D.C. flag alongside the state flags across from Union Station. It is long overdue to display the D.C. seal, along with the seals of the states, in the Main Reading Room of the Library of Congress.

I urge support of this legislation.

PERSONAL EXPLANATION

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. TURNER. Mr. Speaker, on December 9, 2015, I was unable to vote on roll call votes 681, 682, and 683. Had I been present I would have voted ''yea'' on consideration of the resolution, ''yea'' on ordering the previous questions, and ''yea'' on agreeing to the resolution.

TRIBUTE TO EDWIN AND BARBARA BLANK

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Edwin and Barbara Blank of Shenandoah, Iowa, on the very special occasion of their 50th wedding anniversary. They were married in 1965.

Edwin and Barbara's lifelong commitment to each other and their family truly embodies our Iowa values. It is families like the Blanks that make me proud to call myself an Iowan and represent the people of our great state.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

HONORING VALARIE McCALL ON THE OCCASION OF HER APPOINTMENT TO THE CHAIR OF THE AMERICAN PUBLIC TRANSIT ASSOCIATION (APTA)

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. RENACCI. Mr. Speaker, I would like to congratulate Ms. Valarie McCall on her appointment to the Chair of the American Public Transportation Association (APTA). APTA strengthens and improves our public transportation to ensure that all Americans have access to that option in their communities across our nation. Valarie is a great model for all aspiring public servants across the country, and is deserving of our recognition and gratitude for this achievement.

Valarie began her distinguished public service career as the Director of Cleveland's Empowerment Zone, where she managed a $200 million budget and worked to advance job planning and placement initiatives, as well as providing financing to businesses. She was also the youngest city clerk for Cleveland's City Council and served on a countless number of boards benefitting her community. Today, Valarie serves as the Chief of Government and International Affairs for the City of Cleveland. As the first person to hold this position, she acts as a liaison between the Mayor's Office and State and Local Governments, Federal Agencies, and international organizations.

With her in-depth public service experience, I have no doubt that APTA will benefit tremendously from Valarie's Chairmanship. Her national appointment makes Ohio proud.

I ask my colleagues in the House to join me in recognizing her distinguished record of public service.

EXPRESSING SUPPORT FOR H.R. 1076 ''DENYING FIREARMS AND EXPLOSIVES TO DANGEROUS TERRORISTS ACT OF 2015''

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Ms. JACKSON LEE. Mr. Speaker, the past few months have been marked by senseless violence across the globe and in our own country from Tuscon, Aurora, Sandy Hook, Charleston, Chattanooga, Roseburg, and now most recently in San Bernardino, California.

It is past time that we come together united by our common humanity and with this simple message: the violence must stop! The senseless mass shootings in Paris and San Bernardino remind us of the imperative of ending gun violence in our country. And there are actions that can be taken to reduce gun violence beginning with the enactment of the bipartisan ''Denying Firearms and Explosives to Dangerous Terrorists Public Act of 2015'' (H.R. 1076).

This bipartisan legislation, which I am proud to co-sponsor, would close the dangerous loophole that allows terrorist suspects to legally buy deadly weapons. H.R. 1076 would bar the sale or distribution of firearms to any individual whom the Attorney General has determined to be engaged in terrorist activities. It also would grant the Attorney General the authority to deny a firearms license to individuals for whom there is a reasonable belief that the individual may use a firearm or explosive in connection with terrorist activity.

Mr. Speaker, according to a report by the Government Accountability Office, since 2004 more than 2,000 suspects on the FBI's Terrorist Watchlist have successfully purchased weapons in the United States. It is simply intolerable that more than 90 percent of all suspected terrorists who attempted to purchase guns in the last 11 years walked away with the weapon they wanted, with just 190 rejected despite their ominous histories.

This legislation was originally crafted in 2007 and endorsed by President Bush's Justice Department, has bipartisan support in the House, and is supported by prominent Republicans and counter-terrorism & law enforcement experts.

H.R. 1076 greatly reduces the likelihood that terrorists can obtain some of the most lethal weapons in America. Right now a terrorist can buy a firearm in the parking lot of a gun show, over the internet, or through a newspaper ad without needing a background check.

Mr. Speaker, you cannot be against criminals, terrorists and the dangerously mentally ill getting guns and be against H.R. 1076. I thank Congressmen PETER KING (R–NY) and MIKE THOMPSON (D–CA) for introducing this bipartisan legislation (H.R. 1076).

Mr. Speaker, H.R. 1076 will save lives and strengthen the rights of law-abiding gun owners. It deserves a vote in the House.

RECOGNIZING THE 2015 HONOREES OF THE FAIRFAX COUNTY BRANCH OF THE NAACP

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. CONNOLLY. Mr. Speaker, I rise today to congratulate the 2015 Honorees of the Fairfax County Branch of the National Association for the Advancement of Colored People (NAACP). The Fairfax Branch is recognized as the NAACP's first rural chapter. In 1915, a few brave African American citizens in Falls Church, Virginia, fought a proposed ordinance that would have segregated housing. They called themselves the Colored Citizens Protective League (CCPL) and the group evolved to become the Fairfax County Branch of the NAACP. Since its inception, the NAACP has promoted equal rights and justice for all and has shown a spotlight on issues of great importance including civil rights, education, voting rights, desegregation, and prison reform. I have been honored to work with this organization and pledge my continued support of our shared goals.

Each year, the Fairfax County NAACP honors several deserving individuals and organizations that have shown extraordinary support of the Branch or the community. I am honored to submit the names of the following award winners:

President's Awardees:

Cassie Marcotty, Abby Conde, Anna Rowan, Lidia Amanuel, and Marley Finley. These high school student leaders formed ''Students of Change,'' now known as CAALM (an acronym of their initials), to spearhead the initiative to rename JEB Stuart High School as Thurgood Marshall High and to remove all symbols and mascots that honor the Confederate Legacy.

The President's Award will also be presented to Virginia House of Delegates member Scott A. Surovell of the 44th District, for his exceptional leadership and support to the communities of Hybla Valley and Gum Springs in southern Fairfax County.

Community Service Awardees:

Debbie Kilpatrick for her exceptional leadership, advocacy, and dedication as President of the Fairfax County Council of PTAs.

Celeste Peterson for establishing the Erin Peterson Scholarship Fund and her devotion to the Young Men's Leadership Group at Westfield High School.

Mr. Speaker, I ask my colleagues to join me in congratulating the 2015 honorees of the Fairfax County NAACP and in thanking them for their tremendous contributions to our youth and our community.

SISTER CITY AGREEMENT BETWEEN COLUMBUS AND ACCRA, GHANA

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mrs. BEATTY. Mr. Speaker, today I rise to ask my colleagues to join me in recognizing the signing of a sister city agreement between the City of Columbus and Accra, Ghana on November 30, 2015.

This is Columbus' tenth sister city agreement, but it is momentous because it is the city's first such agreement with a city on the African continent. I was privileged to attend and participate in the signing ceremony between Columbus Mayor Michael Coleman and Accra Mayor Alfred Vanderpuije.

Columbus, a diverse city, is home to nearly 10,000 people of Ghanaian descent and this partnership reinforces already firmly established ties between Columbus and Accra building economic, educational and cultural diversity between the two municipalities.

I am also proud to inform my colleagues that Franklin University and The Ohio State University are working with educational institutions in Ghana to create even greater academic and cultural exchanges.

As a City known for the Arts, Columbus' King Arts Complex is also working on a formal agreement to foster a relationship with the Ghana National Theatre.

Mr. Speaker, I commend the cities of Columbus, Ohio and Accra, Ghana for this historic agreement and look forward to a long and prosperous partnership.

S. 1177, THE EVERY STUDENT SUCCEEDS ACT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Ms. LEE. Mr. Speaker, I rise today in support of the Conference Report for S. 1177, the Every Student Succeeds Act, a bill which reauthorizes the Elementary and Secondary Education Act (ESEA) through 2020 and replaces the misguided No Child Left Behind (NCLB) policy.

This bill makes important changes to ESEA by including student and school supports in state accountability plans, supporting responsible efforts to reduce over-testing, and requiring states to provide the public with information on school discipline and expulsion rates, which we know disproportionately impacts students of color. S. 1177 also maintains critical provisions about overall student performance by setting clear goals for achievement and graduation rates, targeting funds to at-risk children such as English Language Learners, and helping states to increase teacher quality by providing on-going professional development.

Yet I am concerned that this bill shifts the majority of power and oversight from the federal government to the states and does not do enough to protect disadvantaged, minority, LGBT, low-income, and migrant students. A strong Federal role is critical to ensuring that minority and underserved students get the support they need to succeed. And as a member of the Congressional Asian Pacific American Caucus, I am concerned that this bill fails to include a requirement to disaggregate data within groups of Asian American Pacific Islander (AAPI) students. This is critical to ensuring that AAPI students receive the support they need. Moreover, S. 1177 fails to include strong accountability measures to ensure that schools address resource equity gaps.

As Members of Congress, we have a shared obligation to ensure that our education system provides equity and excellence for all students, closes the achievement gap, and prepares our students for a 21st century workforce.

TRIBUTE TO HAROLD AND LYLA McCURDY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize Harold and Lyla McCurdy for their service to the Congregate Meals Program of Panora, Iowa.

Lyla got her start at Congregate Meals as a part-time kitchen worker and bookkeeper. She is now responsible for all of the bookkeeping, organization, and set up each day. Her husband Harold now volunteers his time by organizing the carryout meals and doing what he can to help in the kitchen. The Congregate Meal program was created around 40 years ago in Panora. They now prepare hot and healthy meals each day for the community.

Mr. Speaker, Harold and Lyla's willingness to donate their time and talents to this program is a great testament to the Iowa spirit. I am honored to represent them and Iowans like them in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Harold and Lyla for their service and wishing them nothing but continued success.

IN REMEMBRANCE OF GUY LEWIS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. POE of Texas. Mr. Speaker, Thanksgiving is meant to remind us of all the things in our lives we're grateful for. For many, this year's Thanksgiving came and went in its usual form: spent in the presence of loved ones and those who are closest to our hearts. But for others, this Thanksgiving was spent under a bittersweet shadow. Early that morning, Houstonians, Cougar alumni, basketball fans, and many others bid farewell to a legend: Guy Lewis.

Guy Lewis was more than just a basketball coach. His innovations, both on and off the court, left ripples in our society that we still feel today. He was born in a tiny town in East Texas, where he lived until enlisting in the Army during World War II. Following the war, Lewis enrolled at the University of Houston, my alma mater, and joined the basketball team. He was instantly one of the best players on the team, averaging over 21 points per game as he led the Cougars to a conference championship. After college he worked as an assistant coach at UH under then-coach Alden Pasche. After Pasche's retirement in 1956, Lewis was appointed the new head coach of the Cougars; and the rest, as they say, is history.

Under Lewis' 30-year watch, the Cougars enjoyed one of the best spells in collegiate basketball history. He led his teams to 27 straight winning seasons, 14 NCAA tournament appearances, 5 Final Fours, and two NCAA title games. Though he never won a national title, he is still universally recognized as one of the greatest coaches in the history of the game. Despite all of his successes on the court, it was his actions off the court that many use to define Coach Lewis' lasting legacy.

Prior to Guy Lewis, the University of Houston had never had an African-American player in its basketball program. According to former All-American, NBA All-Star, and member of Houston's first desegregated basketball team, Elvin Hayes, Lewis ''put everything on the line to step out and integrate his program.'' It was trailblazing like this and his fearless attitude that set Coach Lewis apart from the rest. Guy Lewis didn't care about what people thought, but he cared about doing what was right for his players and his school. He dedicated 40 years to the university as a student and as a coach, from his first day of college in 1946 through his last day as a coach in 1986. Even after his retirement Lewis was heavily involved with the school and its athletic department. His dedication to the institution he called home, the institution he helped evolve for the better, never once wavered.

I remember sitting in the stands of the Astrodome in 1968 watching the ''Game of the Century'' that Coach Lewis helped organize. The undefeated UCLA Bruins, led by legendary coach John Wooden, came into the game riding a 47-game winning streak. This was the first nationally televised regular season collegiate basketball game in the history of the sport. Over 52,000 fans—myself included—went to the game, which set the record for the largest basketball crowd in history. I remember that game fondly. I can still see Coach Lewis on the sideline waving his red, polka-dotted towel that he seemed to always have with him. Led by the previously mentioned Elvin Hayes, the Houston Cougars went on to win 71–69.

After coaching the Cougars to back-to-back Final Fours in 1967 and '68, he then guided his team to a trio of Final Fours in 1982, '83, and '84. Those teams, known simply as ''Phi Slama Jama,'' featured superstars Clyde Drexler and Hakeem Olajuwon, two members of both the NCAA and NBA Halls of Fame. Those teams emphasized a fast-paced, exciting style of play that helped revolutionize the game forever.

When remembering Coach Lewis, we needn't just remember the legendary wins or

the legendary players that he coached, but also his integrity and dedication. Whether it was his innovative work on the court or off, all of us familiar with the life of Coach Lewis have nothing but fond memories of the man. His legacy will live on.

And that's just the way it is.

CONGRATULATING THE HERCULANEUM HIGH SCHOOL BLACK CATS FOR THEIR SECOND PLACE FINISH IN THE 2015 MISSOURI CLASS 2 GIRLS CROSS COUNTRY STATE CHAMPIONSHIP

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Herculaneum Black Cats for their second place finish in the 2015 Class 2 State Girls Cross Country Championship.

This team and their coach should be commended for all of their hard work throughout this past year and for bringing home the second place win to their school and community.

I ask you to join me in recognizing the Herculaneum Black Cats for a job well done.

GLENN HALL ON HIS 90TH BIRTHDAY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. FITZPATRICK. Mr. Speaker, heartiest congratulations to Glenn Hall on the occasion of his 90th birthday and a lifetime of teaching and learning. His career in education began in a one-room schoolhouse in 1954, but he has taught every grade level, including graduate school, since then. While teaching at a Florida community college, in 1961, he received a Fulbright grant to teach English and American history in the Netherlands. Upon his return, he heard of the opening of a new community college in Bucks County, Pennsylvania and in 1965 was among the first instructors hired. During a 35-year teaching career at Bucks County Community College in Newtown Township, he also was Dean of Academic Affairs for 14 years. And in 1976 he was among the first group of educators to visit China after the communist takeover in 1949. As we congratulate Glenn Hall on this milestone birthday, we express our gratitude for his honorable service in the U.S. Navy and his contributions to the academic community and especially the students he inspired. May his future be filled with good health, happiness and new adventures.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,789,064,366,804.18. We've added $8,162,187,317,891.10 to our debt in 6 years. This is over $8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING THE EL PASO VETERANS' TREATMENT COURT

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. O'ROURKE. Mr. Speaker, I am honored to rise today in recognition of the El Paso Veterans' Treatment Court Program, presided over by the Honorable Angie Juarez Barill and operating out of the 346th District Court of El Paso, Texas. I am pleased to recognize the El Paso Veterans' Treatment Court Program as an initiative that works hard to ''leave no veteran behind and honor their service.''

As the second program of its kind in the state of Texas, the El Paso Veterans' Treatment Court Program has provided resources to numerous Veterans in the criminal justice system. Since 2009, the initiative has aided eligible Veterans and active duty Service Members who are charged with misdemeanor criminal offenses; in 2012 the program was expanded to include felony criminal offenses. The participants are diverted from the traditional criminal justice system and are assessed for substance abuse and mental health issues. Upon meeting program entrance requirements, participants receive an individualized treatment plan and attend frequent review hearings before the program judge.

In addition to providing comprehensive substance abuse and mental health treatment, the five phase program also includes officials from the U.S. Department of Veterans Affairs to determine the Veteran participants' eligibility for further aid. The Veterans Benefits Administration assesses the Veteran for disability compensation, education benefits, and vocational rehabilitation qualifications. The Veterans Health Administration also assesses the Veteran to determine eligibility for housing and medical services. The program operates on a personal level as well, in order to address employment opportunities and individual needs.

The El Paso Veterans' Treatment Court Program provides an alternative route for Veterans and active duty Service Members in the criminal justice system. The initiative practices a holistic approach, providing resources, addressing treatment concerns and engaging in judicial monitoring. These necessary tools help participants engage in society as law-abiding citizens. The initiative has been widely successful in El Paso and recently received the prestigious Texas Veterans Commission Patriot Award in recognition of their diligence. I am proud that programs such as the El Paso Veterans' Treatment Court exist in my district and are available to help those who served our country.

BRINGING FFA GOLD TO PEARLAND

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Evann Wehman of Turner High School for winning her second state championship at the Texas Future Farmers of America (FFA) Leadership Development Events Competition.

Evann, who is also her school's FFA President, won the state competition last weekend at Sam Houston State University. Her victory at the state competition earned her a spot at the National FFA Convention next October in Indianapolis. Evann has a history of success as part of the horse judging team that won the first ever state championship by Pearland FFA students. That team went on to national success and placed eighth in the nation. Her impressive accomplishments reflect her hard work and will carry her far in her future endeavors.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Evann on her second state FFA championship. Best of luck in all of your future endeavors.

RECOGNIZING THE ARTS COUNCIL OF FAIRFAX COUNTY AND THE RECIPIENTS OF THE 2015 ARTS AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the Arts Council of Fairfax County and the recipients of its 2015 Arts Awards. These awards recognize the extraordinary contributions of artists and arts organizations, as well as individuals and businesses in Fairfax County, the City of Fairfax, and the City of Falls Church, that support the arts in our community.

Founded in 1964, the Arts Council of Fairfax County is a non-profit organization designated as Fairfax County's local arts agency. The Arts Council operates programs and initiatives that include grants, arts advocacy, education, and professional development opportunities for artists and arts organizations. In fiscal year 14, the Arts Council awarded more than $500,000 in County, public, and private funds through competitive grants and awards to arts organizations and individual artists. These grants helped to fund approximately 13,000 performances, which were attended by more than 1

million people. I also would like to express my appreciation to the Arts Council for its steadfast support of the 11th District Congressional Arts Competition, which has helped make it one of the largest and most successful in the country.

The annual Arts Awards honor supporters of the arts in four categories: the Jinx Hazel Arts Award, the Arts Achievement Award, the Emerging Arts Award, and the Arts Philanthropy Award. It is my honor to submit the following names of the 2015 Arts Awards Recipients:

The 2015 Jinx Hazel Arts Award will be presented to Earle C. Williams, the former president and chief executive officer of BDM International, for his outstanding leadership and advocacy in the arts and in the Campaign for Wolf Trap.

The 2015 Arts Achievement Award will be presented to Rebecca Kamen, a contemporary visual artist, sculptor, and a pioneer of the STEAM effort to integrate Arts in the traditional Science, Technology, Engineering, and Math, or STEM fields, for her outstanding achievements bridging the arts and education with chemistry, neuroscience, and astrophysics.

The 2015 Emerging Arts Award will be presented to the Vienna Jammers for providing exemplary outreach to area youth and participating in community building activities in the Town of Vienna and the Washington, D.C. area.

The 2015 Arts Philanthropy Award will be presented to Richard Hausler, co-founder and CEO of Insight Property Group, for his vision, commitment, and leadership in establishing a new arts facility, the Workhouse Arts Center, in southern Fairfax County.

Mr. Speaker, I ask my colleagues to join me in congratulating the recipients of the 2015 Arts Awards and in recognizing and thanking the visionaries, leaders, and supporters who help to make our Northern Virginia communities rich with cultural opportunities.

TRIBUTE TO ED AND LOIS FIGGINS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Ed and Lois Figgins of Atlantic, Iowa, on the very special occasion of their 50th wedding anniversary. They were married in 1965.

Ed and Lois' lifelong commitment to each other and their family truly embodies our Iowa values. It is families like the Figgins family that make me proud to call myself an Iowan and represent the people of this great state.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

REMEMBERING FRANK HERHOLD

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Ms. FRANKEL of Florida. Mr. Speaker, I rise today in recognition of a Fort Lauderdale resident who dedicated his life to serving his family and community: Frank Herhold, who passed away at the age of 76 on Saturday, December 5th.

Frank was a devoted family man and prominent member of the South Florida boating community. He started his career in the marine industry as the owner of the Anchorage Yacht Basin in Melbourne, Florida and later became the executive director of Marine Industries Association of South Florida (MIASF), where he worked until he retired.

In his retirement, Frank's passion for boating continued. Prior to his passing, Frank attended the 2015 Fort Lauderdale International Boat Show and served on the city of Fort Lauderdale's marine advisory board. In 2010, Frank was the commodore of the Winterfest Boat Parade and recognized as ''Citizen of the Year'' by the city of Fort Lauderdale in 2007.

Frank is survived by many loved ones. I offer my condolences to Frank's wife Mary Jo, his daughter Pam, and all his friends and family. I know that his legacy will continue to live on and inspire future generations.

SERBIA STEPS UP AT A CRITICAL TIME

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. POE of Texas. Mr. Speaker, Serbia's recent donation of $5.4 million to the Bosnian town of Srebrenica, where thousands of Muslims were killed in the Yugoslav Wars, is a clear sign that the Serbian Government wants to do what they can to improve relationships with countries in the region. Mending these relationships is especially important as the Balkans are on the front lines of the refugee crisis. As of the beginning of November, the same month that President Vucic announced this large donation, over 300,000 refugees had flowed through the country since the beginning of the year. Most refugees are fleeing Syria, Iraq and Afghanistan and travelling to Europe to seek asylum. Serbia is doing their part to process and protect these people. In October alone, 180,307 refugees were processed compared to 51,048 in September because of Serbia's commitment to improving capacity.

It is critical for countries in the region to work together to process the influx of refugees while ensuring the safety of their own countries and the world. The Balkans are a transit region making it important for all the countries to have an open line of communication in order to ensure the ordered, safe, and peaceful flow of people and is especially important for bordering countries.

Serbia's gesture to Bosnia is hopefully a signal of relationships on the mend at this very tense time in the world. While the importance of Balkan countries working together cannot be underemphasized, it is also of utmost importance for all freedom-loving countries throughout the world to work together to fight ISIS, a big factor in the flow of migrants and a threat to our way of life, in which all lives are cherished. Every country must do their part. We must all come together and obliterate this scourge on our world.

As co-chair of the Congressional Serbian Caucus, I commend the Serbian Government for all that they have done to mend their relationships in the region and for their leadership during this incredibly trying time.

And that's just the way it is.

CELEBRATING BIRTH OF BLAKELY ELIZABETH HERBERT

HON. DAN NEWHOUSE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. NEWHOUSE. Mr. Speaker, I rise today to congratulate my Legislative Director, Jason Herbert, and his wife, Erin Kathleen Herbert, on the birth of their daughter, Blakely Elizabeth Herbert.

Blakely was born at 2:17 p.m. on Sunday, December 6, 2015. Miss Blakely weighed in at a perfect 7 pounds and 10 ounces.

As my Legislative Director, Blakely's father, Jason, has been key to my legislative operation. Jason's stalwart attention to details, and his remarkable ability to stay alert during long and late night Rules Committee hearings and floor debates will serve him well as a father.

My entire staff has awaited this good news with eager anticipation of Jason and Erin becoming parents. Blakely is fortunate to have such a loving father and mother.

Congratulations and best wishes to Jason and Erin and their entire family on this wonderful addition.

CONGRATULATING THE LUTHERAN HIGH SCHOOL COUGARS FOR THEIR 2015 MISSOURI CLASS 2 VOLLEYBALL STATE CHAMPIONSHIP

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Lutheran High School Cougars for their first place win in the 2015 Class 2 Volleyball State Championship.

This team and their coach should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing the Lutheran High School Cougars for a job well done.

TRIBUTE TO CHET ROED

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Chet Roed of Mount Ayr, Iowa, for being selected as a member of the Mount Ayr Community Hall of Fame.

Chet taught industrial arts at the Mount Ayr school system for over 30 years. He is credited by many in the community for teaching them how to take care of their homes, and to this day, years after his retirement, Chet remains highly respected by his former students for the knowledge he imparted onto them. He not only contributed to the Mount Ayr community in the classroom, but also in athletics. For years he led the track and football teams to postseason success.

Mr. Speaker, Chet's efforts embody the Iowa spirit and I am honored to represent him, and Iowans like him, in the United States Congress. I ask that all of my colleagues in the United States House of Representatives will join me in congratulating Chet for his achievements and wishing him nothing but continued success.

DEMANDING A MEANINGFUL STRATEGY TO DEFEAT ISIS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. MARCHANT. Mr. Speaker, the President has repeatedly underestimated ISIS, and under-responded to the threat they pose. The American people have lost confidence.

For months we have heard the same refrain from the White House. They say, ''We will degrade and ultimately destroy ISIS.''

There has been little progress, if any. Top U.S. military officials have confirmed that ISIS is far from contained.

When the President addressed the nation from the Oval Office on Sunday, Americans needed to hear a real strategy to eradicate ISIS. The speech came just days after an act of terror here at home. Instead of a plan, our Commander in Chief delivered the same empty rhetoric.

The United States must show our international partners that we are committed to defeating ISIS. The first step is for the President to outline a plan to destroy them . . . not degrade them.

Until that point, the vacuum of American leadership will continue to grow, and so will the influence of ISIS.

IN HONOR OF TOM AND CHARLOTTE OLEINIK'S GOLDEN ANNIVERSARY

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. BRADY of Texas. Mr. Speaker, if there was a first couple of servant leadership and a model for a successful marriage, it would be Tom and Charlotte Oleinik of Huntsville, Texas. Today, I have the pleasure of honoring them on their Golden Wedding Anniversary and sharing just a bit of their half a century long love story.

Tom was born the fifth of 12 children in Rosholt, Wisconsin, worked on his family's dairy farm and attended a one-room schoolhouse. He served his country in Korea, at Fort Devins, and Fort Drum, before returning to the farm and then applying to protect and serve as a member of the Wisconsin Highway Patrol.

Native Texan Charlotte Fisher was a Christmastime gift to her parents, who ran a Goose Creek rice farm where she grew up with her two younger siblings. She went to work and then college in Florida after graduating from high school. That decision to attend Florida College and to spend a summer in Wisconsin with her roommate would change the course of her life forever.

That summer Charlotte worked days at American Motors and nights and weekends, she waitressed at the Timber Ridge Café where little did she know then a 50 year love story was about to begin when a handsome young state patrolman walked through the door.

Tom, being a very smart man, asked the beautiful waitress on a date, but after a few dates, Charlotte took ill and needed surgery. While she was hospitalized, a certain man in uniform was a frequent visitor, often arriving with flowers.

According to Tom it took a lot of proposing—and a lot of noes—to get a yes from his beloved Charlotte. Charlotte remembers it a little differently, but after Tom was baptized in 1965, this happy young couple got engaged and wed in Kenosha, Wisconsin, on December 17, 1965.

They went back to Florida College together and then moved to Texas where Tom worked with Charlotte's father while waiting to attend and graduate from the Academy. After receiving his badge as a Texas trooper, Tom and Charlotte settled in Corrigan, Texas, where they raised three boys of their own and took in many troubled teenagers in a home full of love and operated a family business in addition to their full time jobs.

After a transfer to Brazoria County, Charlotte worked in the Angleton School District while their boys finished school. Then Tom retired and Huntsville won the lottery when this wonderful couple chose to call the town home.

Charlotte and Tom's impact on Walker County has been lasting, after moving to Huntsville they created the HEARTS Veterans Museum, a gem for the Texas 8th and continue to this day to be pillars in the community. Their servant leadership in our Lord's name and the love they radiate has set an amazing example for us all.

And I believe their 3 children, 17 grandchildren, a great-grandson and the many troubled teens they have cared for would agree. The U.S. House congratulates you on celebrating your 50th wedding anniversary.

EXPRESSING SUPPORT FOR H.R. 1217 ''PUBLIC SAFETY AND SECOND AMENDMENT RIGHTS PROTECTION ACT OF 2015''

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Ms. JACKSON LEE. Mr. Speaker, the past few months have been marked by senseless violence and tragedy across the globe and in our own country from Tuscon, Aurora, Sandy Hook, Charleston, Chattanooga, Roseburg, and now most recently in San Bernardino, California.

It is past time that we come together united by our common humanity and with this simple message: the violence must stop.

The senseless mass shooting in San Bernardino reminds us of the imperative of ending gun violence in our country.

And there are actions that can be taken to reduce gun violence beginning with the enactment of the bipartisan ''Public Safety and Second Amendment Rights Protection Act of 2015'' (H.R. 1217).

This bipartisan legislation, which I am proud to be an original co-sponsor, will help prevent guns from falling into the hands of criminals and reinforce the Second Amendment rights of law-abiding gun owners.

Expanding the existing background check system to cover all commercial firearm sales, the Public Safety and Second Amendment Rights Protection Act of 2015 ensures that criminals and the dangerously mentally ill cannot slip through background check loopholes that endanger the safety and rights of every American.

H.R. 1217 greatly reduces the number of places where a criminal can buy a gun.

Right now a criminal can buy a firearm in the parking lot of a gun show, over the internet, or through a newspaper ad without needing a background check.

The bill closes these loopholes while ensuring that background checks are conducted in the same way federally licensed dealers have for more than 40 years.

The legislation also strengthens the Second Amendment rights of law-abiding gun owners by banning the government from creating a federal registry and makes the misuse of records a felony, punishable by up to 15 years in prison.

It provides reasonable exceptions for family and friend transfers and allows active military personnel to buy guns in the state they are stationed.

It lets gun owners use a state concealed carry permit issued within the last five years in lieu of a background check and permits interstate handgun sales from licensed dealers.

The bill also improves the National Instant Criminal Background Check System (NICS) by

incentivizing states to improve reporting of criminals and the dangerously mentally ill and by directing future grant funds toward better record-sharing systems.

H.R. 1217 will also reduce federal funds to states that do not comply.

Mr. Speaker, you cannot be against criminals, terrorists and the dangerously mentally ill getting guns and be against background checks.

I thank Congressmen PETER KING (R–NY) and MIKE THOMPSON (D–CA) for introducing this bipartisan legislation (H.R. 1217), which is the House companion to an identical bipartisan bill introduced previously by Senators JOE MANCHIN (D–WV) and PAT TOOMEY (R–PA).

Mr. Speaker, H.R. 1217 is anti-crime, pro-lawful gun owner and pro-Second Amendment.

It will save lives and strengthen the rights of law-abiding gun owners.

It deserves a vote in the House.

RECOGNIZING THE 2015 MVLE AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the 2015 MVLE Annual Award Recipients.

For 44 years, MVLE has provided employment opportunities and support services to individuals with disabilities and thereby created an environment which has allowed its clients to live in dignity and as independently as possible. MVLE has achieved this success by partnering with local businesses as well as with government agencies and other not-for-profit organizations to maximize the benefits of its various programs and services. MVLE, its staff, and dedicated volunteers and supporters can be proud that they are making a positive difference in someone's life every day.

Each year, MVLE honors individual participants, as well as business and community partners, who exemplify MVLE's ideals. I am pleased to submit the names of the following 2015 award recipients:

The President's Award is presented to individuals who have shown outstanding progress toward gaining independence and self-sufficiency through participation in employment and community services. The 2015 President's Award recipients are Anis Iqbal, Steven Pennington, and Josh Renggli.

The Chairman's Award is presented to an outstanding business partner who has shown excellence in hiring practices, creating supportive work environments, and supporting the mission of MVLE. The 2015 Chairman's Award recipients are Ah Love Oil and Embassy Suites Springfield.

MVLE also presents four Community Awards in honor of the four components of our community: Government, Employment, Social Responsibility, and Integration.

The Government Champion Award is presented to Parsons in recognition of its commitment to the creation of meaningful employment opportunities across government and business sectors.

The Employment Partner Award is presented to the Arlington County Equipment Bureau in recognition of its efforts in creating meaningful community employment opportunities for individuals with disabilities and military veterans.

The Advocacy Champion Award is being presented to state Senator Barbara Favola, who represents Virginia's 31st district. MVLE presents this award to an outstanding partner who advocates for community integration by fostering partnerships across sectors to create new opportunities one person at a time.

There are two recipients of the Social Responsibility Award: Digital Office Products and Supply World. MVLE presents this award to an outstanding partner who supports MVLE and our community through contributions and volunteer work.

Mr. Speaker, I ask my colleagues to join me in commending MVLE for its success in helping individuals with disabilities achieve independence and in congratulating the 2015 MVLE Annual Award recipients. The efforts of MVLE, its supporters, community partners, and clients are an inspiration to all and are truly worthy of our highest praise.

CONGRATULATING THE NEW HAVEN HIGH SCHOOL SHAMROCKS FOR THEIR SECOND PLACE FINISH IN THE 2015 MISSOURI CLASS 2 VOLLEYBALL STATE CHAMPIONSHIP

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the New Haven High School Shamrocks for their second place finish in the 2015 Class 2 Volleyball State Championship.

This team and their coach should be commended for all of their hard work throughout this past year and for bringing home the second place win to their school and community.

I ask you to join me in recognizing the New Haven Shamrocks for a job well done.

TRIBUTE TO KENNON BALSTER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise to honor and congratulate Kennon Balster of Blanchard, Iowa, for his induction into the Iowa High School Speech Association Hall of Fame. Kennon has been the coach of the Large Group and Director of Theatre at Clarinda High School for over 30 years.

The Iowa High School Speech Association Hall of Fame was established in 1976 to recognize distinguished individuals of statewide reputation for their outstanding accomplishments. Inductees are selected for going above and beyond expectations with their contributions, service, dedication, and commitment to the Association. It is the highest honor the Association can confer on an individual.

Mr. Speaker, I applaud and congratulate Kennon for earning this award. He is a shining example of how hard work and dedication can positively affect the future of our youth. I ask that my colleagues in the United States House of Representatives join me in congratulating Kennon for his contributions to the speech and education community in the state of Iowa. I wish him nothing but continued success.

INTERNATIONAL HUMAN RIGHTS DAY: THE CHINESE GOVERNMENT HARVESTS THE ORGANS OF THE FALUN GONG

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. POE of Texas. Mr. Speaker, today is the 65th International Human Rights Day.

It is fitting that we remember how the Chinese Government has denied the human rights of so many of Falun Gong, their family members and their friends.

The most basic human right is the right to live free.

Today, there are more Falun Gong practitioners in prison in China than any other persecuted group.

The Chinese Government's top priority is not to take care of its people; it is to stay in power. It sees Falun Gong rise in popularity in the 1990s as a threat. In reality, Falun Gong just wanted to be left alone.

To silence this threat, the Chinese Government murders Falun Gong members, harvesting their organs to give to others deemed more worthy.

We know this because brave men and women have come forward and reported these crimes, refusing to be silent. Those who have spoken out include the wife of a doctor who was forced to perform surgeries to remove the organs. A security guard who was ordered to stand watch while the surgeries take place has also spoken out about these practices. The evidence is undeniable of this detestable, inhumane practice by the Chinese Government.

The practice is a billion dollar business for the Chinese Government. Organ harvesting is the number one source of revenue for Chinese medical centers. A medical center is supposed to save lives, not take lives. Apparently, in China, the lives of the Falun Gong do not matter. Reports indicate that more than 10,000 have been killed by these barbaric medical procedures; they have been murdered for their organs.

The Chinese Government makes a profit and silences any group it sees as threatening. But they can't silence the Falun Gong nor human rights advocates. We know what they are up to. We cannot let this continue.

The Chinese Government is an enemy of human rights. It is the enemy of its own people.

As a former judge in Texas, I know a thing or two about justice. And, justice has not been served to the Falun Gong community.

Over the years, Falun Gong followers have been imprisoned, tortured, and killed. But, despite Beijing's abuse, they continue to fight back.

Today, China must end its persecution of the Falun Gong.

The world leaders have been talking about climate change in Paris.

There needs to be a ''climate'' change in China. The air is polluted with the cries of the innocents murdered by the government.

The land is defiled by the acts of torture and organ harvesting.

The blood of the Falun Gong is on the hands of the Chinese officials.

I hope that one day soon all Chinese people will have the basic human right that the Creator endows to all creation: life.

The Falun Gong deserves to live free of oppression and murder.

They are courageous men and women.

The Chinese Government, in its zeal to keep power, kills its own people.

Power, not people, is the quest of the Chinese Government.

If the Chinese Government was put on trial before the world of free peoples and tried for its violations of human rights, it would be found guilty of terrorism. Its government officials would be in prison. They would be locked up. They would not see the light of the morning sun. They would be in the cold damp darkness of the jailhouse—the place reserved for the evil ones who harvest the organs of the Falun Gong.

And that's just the way it is.

IN MEMORY OF MR. TONY HADDAD OF PEORIA, ILLINOIS

HON. DARIN LaHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. LAHOOD. Mr. Speaker, I commemorate the life of Mr. Tony Haddad, a restauranteur and local icon of Peoria, Illinois, who passed away this past Saturday at the age of 78.

Immigrating to Peoria from Lebanon in 1977, Mr. Haddad and his family arrived in the United States with only thirty dollars in his pocket. Although far from home, Haddad brought his culture to life through the food he sold from a pushcart in downtown Peoria for almost 35 years, which he later expanded into his own local restaurant. Mr. Haddad was the personification of the American dream.

His empathy and generosity made those who visited his food cart and restaurant not only his patrons, but his friends. Tony was always charitable, giving a meal to someone even if he knew they would not be able to repay him and, and he made time to listen to his customers' problems.

Alongside his work, the cornerstone to Haddad's life was the love and friendship of his wife of 60 years, Loreece. Together, they came to America and created their own legacy, raising six children, 18 grandchildren, and five great-grandchildren.

Although he will be greatly missed, he will be remembered fondly and remain an icon of the 18th District.

TRIBUTE TO DULA AND BETTY THOMPSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Dula and Betty Thompson of Lewis, Iowa, on the very special occasion of their 70th wedding anniversary. They married on October 11, 1945 in Troy, Kansas.

Dula and Betty's lifelong commitment to each other and their children, Marvin, Bill, Lanette, and Ken, along with their grandchildren, great-grandchildren and great-great-grandchild, truly embodies our Iowa values. It is families like the Thompsons that make me proud to call myself an Iowan and represent the people of our great state.

Mr. Speaker, I commend this great couple on their 70th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Ms. LEE. Mr. Speaker, I was not present for roll call vote 682. Had I been present. I would have voted no.

HONORING BETTE STOLTZ

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Ms. VELÁZQUEZ. Mr. Speaker, I rise today to pay tribute to a friend, neighbor and activist who dedicated her life to improving South Brooklyn. On November 19, longtime neighborhood activist Bette Stoltz passed away. This Saturday, Brooklynites will come together to celebrate the life of this dedicated advocate and leader.

Bette made countless contributions to South Brooklyn, helping bring vitality, energy and entrepreneurship to the area. She worked to sure-up small businesses at a time of disinvestment. She was instrumental to revitalizing Smith Street and helping organize the Merchants Association in the 1980s, which fostered so much cultural life and vibrancy in the area. She organized the Smith Street Festivals in the fall and the Bastille Day Pétanque Tournament. She worked tirelessly to ensure Smith Street thrived, and most recently she was organizing to create a Business Improvement District on Smith and nearby Court Streets.

Her efforts extended well beyond the commercial corridors. By starting the South Brooklyn Local Development Corporation and the Red Hook Chamber of Commerce, she worked steadfastly to defend industrial businesses in Red Hook and Gowanus and expand opportunity and commerce throughout Brooklyn. Bette helped organize Friends of Greater Gowanus and served on the EPA Gowanus Canal Community Advisory Group, working on multiple fronts to push to remediate and restore the Gowanus Canal in a green, sustainable manner.

Bette created partnerships to connect low-income and public housing residents to businesses and jobs. She created internships for youth and a Culinary Arts Curriculum at the High School for International Studies on Baltic Street. Bette also helped develop adult training programs to better connect people to good-paying jobs in the trades, industry and with local merchants. For years, Bette served as a member of Community Board 6, ensuring her neighbors' voices were heard in development decisions shaping our area's physical, cultural and economic future.

Ultimately, South Brooklyn would not be as vibrant, diverse and culturally rich without Bette's hard work and many endeavors. My thoughts and prayers are with her husband, Michael, her children and her beloved grandchildren.

Mr. Speaker, New York City's communities and, indeed, our local neighborhoods throughout the country are only as strong as the local residents who are willing to put in personal time and effort to organize and improve the areas in which we live. Every community would be lucky to have a community leader as vocal, engaged, dedicated and personally warm as Bette. She leaves behind a proud legacy, one that we will honor by continuing to improve our community. I ask all my colleagues to join me in honoring her memory.

CHALLENGER ELEMENTARY ARTISTS TAKE TOP HONOR

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate three talented students from Challenger Elementary School in Pearland for winning top honors in the Texas Renaissance Festival's art contest.

In the drawing category, Brendon Thai took home first place and Amanda Yee took home third place. Katherine Tran took home second place in the painting category. Challenger Elementary is lucky to have such talented young artists and an incredible teacher, Lori Ellis, who does a great job of helping her students find their creativity.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Brendon, Amanda, and Katherine for their award-winning art.

TRIBUTE TO LARRY AND GLORIA SOUTH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Larry and Gloria South of Council Bluffs, Iowa, on the very special occasion of their 55th wedding anniversary. They were married in 1960.

Larry and Gloria's lifelong commitment to each other, their children, Dee, Tammie, Judy, Margaret and Alice, their grandchildren, and great-grandchildren, truly embodies our Iowa values. It is families like the Souths that make me proud to call myself an Iowan and represent the people of our great state.

Mr. Speaker, I commend this great couple on their 55th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

THE OCCASION OF MR. PAT CORELLA'S RETIREMENT

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. GRIJALVA. Mr. Speaker, I wish to recognize and congratulate Mr. Pat Corella on the occasion of his retirement from his post as Deputy Director of the Pima County Library.

Mr. Corella has dedicated over fifty years to serving his community with distinction. Born from humble beginnings, Mr. Corella has become a symbol of hard work, perseverance, and selflessness. A Tucson native, Mr. Corella is one of six siblings with strong family ties. Since a young age, Mr. Corella has borne much responsibility whether helping his family harvest crops in California during the summers to becoming an independent young man. He graduated from Pueblo High School in 1965 and soon began his involvement with the Pima County Public Library system. As a library page, he assisted in shelving, book circulation, operating equipment and researching.

In 1970 after marrying and beginning a family, he enrolled in the University of Arizona as a full-time student. In less than four years, Mr. Corella earned his bachelor's degree in Government and Public Administration. During that time, it was his job to drive the ''bookmobile'' to areas in Tucson and Pima County where he provided imperative library services to low-income and underrepresented communities.

Mr. Corella was instrumental in the opening of library branches in Tucson's barrios and surrounding rural communities. Due in part to his leadership, nineteen library branches were opened and sixteen others were either expanded or remodeled. Mr. Corella has always understood that libraries were educational institutions full of opportunity for underserved communities. He helped transition these library branches to modern technology and expanded the role of providing more services and resources beyond books. Today, Pima County branch libraries provide literacy programs for adults and children, after-school tutoring and access to computers and community services.

Mr. Corella's final day was November 26, 2015, exactly fifty years to the day he began as a library page.

Mr. Speaker, it is my pleasure and honor to recognize the commitment and dedication to our Southern Arizona community and the library system that Mr. Corella has demonstrated for well over fifty years.

RECOGNIZING THE 50TH ANNIVERSARY OF NORTHERN VIRGINIA COMMUNITY COLLEGE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. CONNOLLY. Mr. Speaker, I rise to commemorate the 50th Anniversary of Northern Virginia Community College. Over the past two decades, the National Capital Region, especially Northern Virginia, has experienced explosive growth, becoming one of the most economically vibrant and diverse regions in the country. Northern Virginia Community College has been a major contributing factor to this success.

Established in 1964 under the name Northern Virginia Technical College, the school opened with 761 students in a single building in Bailey's Crossroads. Renamed in 1966, Northern Virginia Community College, known locally as NOVA, now serves more than 100,000 full and part-time students at six campuses and three satellite educational centers, and through online learning.

NOVA graduates who receive passing grades in designated courses are guaranteed admission to more than 40 area four-year colleges and universities. An in-state student can save approximately $15,000, or 30% of tuition and fees, for a baccalaureate degree by attending NOVA for two years and then transferring to a public four-year institution. High school students can take advantage of this opportunity beginning at age 16.

It is the largest public educational institution in Virginia and the second-largest community college in the United States. It is also one of the most internationally diverse colleges in the nation, with 20% of the student population consisting of individuals from more than 180 countries. Nearly 4,000 faculty and staff members serve the students and the broader community. Nearly 300,000 individuals attend community activities on NOVA campuses each year.

NOVA offers a wide variety of programs that support academic achievement and personal growth, and that promote civic engagement, leadership development, community involvement, health & wellness, and culture. Dozens of student-led organizations enrich campus life and specialized populations such as the disabled or current and former members of the military receive services tailored to their unique circumstances.

Our local economy and our nation's security have benefitted from NOVA's innovative workforce development programs and cybersecurity curricula. Employers can rely on new-hires with credentials from NOVA and can partner with NOVA to develop customized training solutions so that recent graduates or current employees possess cutting edge skills required to succeed in a dynamic economy. The National Security Agency and the Department of Homeland Security have designated NOVA as a National Center of Academic Excellence in Information Assurance, and representatives from the intelligence community routinely recruit graduates with an Associate of Applied Science degree in Cybersecurity from NOVA.

Mr. Speaker, I ask my colleagues to join me in congratulating NOVA on 50 years of delivering world-class post-secondary education and workforce development to ensure our region and the Commonwealth of Virginia continue to have such a highly-educated population and a globally competitive workforce. NOVA truly exemplifies the crucial role that publicly-supported higher education plays in our society. I look forward to seeing what NOVA will accomplish in the next 50 years.

EXPRESSING SUPPORT FOR PRESIDENT'S PLAN TO DEFEAT ISIS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Ms. JACKSON LEE. Mr. Speaker, this past Sunday evening, President Obama addressed the nation and detailed his four-part plan, as Commander-in-Chief, to keep the American people safe from terrorist acts committed by terrorist groups like ISIL and al Qaeda or by persons abroad or lone wolf ''franchise terrorists'' at home who are inspired by groups that profane the peaceful religion of Islam.

First, the plan calls for our military to continue hunting down terrorist plotters in any country where it is necessary.

In Iraq and Syria, American airpower has been used to great effect, taking out ISIL leaders, heavy weapons, oil tankers, and infrastructure.

Second, the plan calls for the United States to take away safe havens for terrorists by continuing to provide training and equipment to the tens of thousands of Iraqi and Syrian forces fighting ISIL.

The third part of the plan involves working with friends and allies to disrupt ISIL's operations by cutting off access to financing and disrupting recruitment efforts.

Finally, the plan calls for continued American leadership, working in conjunction with the international community, to establish a process—and timeline—to pursue ceasefires and a political resolution to the Syrian civil war.

Ending the civil war in Syria will allow the Syrian people, our allies, and also Russia, to focus on the common goal of destroying ISIL.

Critics have every right to disagree with the President's approach but they also have an obligation to propose realistic and practical alternatives to the President's plan, which, by the way, has been designed by American military commanders and counterterrorism experts

and supported by the 65 countries that are part of the American-led coalition.

Our quarrel is not with Islam so I also commend the President's appeal for calm, unity, and cooperation among all persons of goodwill both in the United States and around the world.

The terrorist attacks in San Bernardino were horrific acts on innocent civilians perpetrated by depraved individuals who pledge allegiance to organizations that misuse the peaceful religion of Islam for their own misguided purposes.

Such horrible and heinous acts are the responsibility of the perpetrators, and theirs alone, and for which they can be assured that they alone will be held accountable.

This was one of the central messages conveyed during the Prayer Vigil and Unity Press Conference I led last Sunday afternoon in Houston, the 4th largest and most diverse city in the United States.

In addition to the steps laid out by the President, I also believe there are additional steps the Congress should take, including bringing to the floor for debate and vote to pass H.R. 48, the ''No Fly for Foreign Fighters Act,'' that I introduced earlier this year.

This legislation would require TSA to check the Terrorist Screening Database and the terrorist watch list used in determining whether to permit a passenger to board a U.S.-bound or domestic flight and to take appropriate steps to ensure that those who pose a threat to aviation safety or national security are included in the Terrorism Database.

I ask a moment of silence for the victims killed and injured in the attacks by franchise terrorists last Wednesday in San Bernardino, California.

IN HONOR OF THE 80TH BIRTHDAY OF RAYMOND COCHRAN

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize Pastor Raymond Cochran on his 80th birthday on December 13th.

Raymond was born in Lee County, Alabama in 1935 to John and Lucille Cochran.

Mr. Cochran found a passion for religion at an early age, having joined the Ebenezer Baptist Church at age seven. He holds Bachelors and Masters of Bible Theology degrees from the International Institute and Seminary in Plymouth, Florida, in addition to a Bachelor of Arts degree from Selma University in Selma, Alabama.

He also holds two honorary doctorates, in divinity and law, from the Union Theological Seminary in Birmingham, Alabama. Mr. Cochran has received numerous awards in recognition of his long service, and is involved in numerous community groups.

He served as the Pastor of seven different churches throughout Alabama and Georgia, before joining the Franchise Missionary Baptist in Phenix City, Alabama, where he has been the pastor for the past 47 years. Mr. Cochran and his wife Mary have six daughters, two sons, nineteen grandchildren and four great-grandchildren.

Mr. Speaker, please join me in recognizing the life and achievements of Mr. Raymond Cochran and wishing him a happy 80th birthday!

TRIBUTE TO MARK LARSEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 10, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mark Larsen, of Mount Ayr, Iowa for being selected as a member of the Mount Ayr Community Hall of Fame.

Mark was hired as a math teacher and girls' basketball and track coach at Mount Ayr Schools in 1970. He coached six-on-six, and later five-on-five basketball, winning 286 games in total. His girls basketball teams won six conference titles and qualified for the state tournament in 1998. His girls track teams claimed 15 conference titles and four district championships. He also started the girls softball program in 1972, and on the softball diamond his teams amassed over 700 wins. Mark was inducted in to the Iowa Coaches Hall of Fame in 1998 and was elected to the Iowa High School Athletic Directors Association Hall of Fame in 2002.

Mr. Speaker, Mark's efforts embody the Iowa spirit and I am honored to represent him and Iowans like him in the United States Congress. As a coach, teacher, and athletic director, he has had a profound impact on the lives of thousands of Iowa's young people. I ask that all of my colleagues in the United States House of Representatives join me in congratulating Mark for his achievements and wish him nothing but continued success.

HOUSE OF REPRESENTATIVES—*Friday, December 11, 2015*

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Merciful God, we give You thanks for giving us another day. We pause in Your presence and ask guidance for the men and women of the people's House.

Enable them, O God, to act on what they believe to be right and true and just and to do so in ways that show respect for those with whom they disagree.

Send Your Spirit of peace upon our Nation. Endow the Members of this House and all our governmental leaders with the wisdom to respond with whatever policies and laws might be needed to ensure greater peace and security in our land.

Bless us this day and every day, and may all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New Jersey (Mr. NORCROSS) come forward and lead the House in the Pledge of Allegiance.

Mr. NORCROSS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

EAST BEND SMALL TOWN CHRISTMAS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, on Saturday, November 28, residents in Yadkin County gathered for the annual Small Town Christmas celebration at the East Bend fire station.

Although East Bend is a small community, its citizens know how to start the holiday season off right. The firefighters and Ladies Auxiliary group worked hard to get the station ready, and their efforts were appreciated by everyone who attended.

The evening began with a devotional and the lighting of the Christmas tree. While the chicken stew and pinto beans that followed were certainly delicious, the focus on faith was the real draw.

It is easy to get distracted during the days and weeks leading up to Christmas. So it was uplifting to see the community of East Bend once again take time to reflect on this season of grace and let the Lord's infinite joy fill their hearts.

It was a pleasure to be a part of their celebration, and I commend them for it.

HONORING THE LIFE OF KATE McCARTHY

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Mr. Speaker, this Sunday friends, family, and admirers of Kate McCarthy will gather in the shadow of Mount Hood that she loved. They will share stories of young Kate as a smart, free-spirited woman, educated at Portland's Reed College, working on Mount Hood's historic Timberline Lodge the day it opened in 1937 with President Roosevelt. Her family will regale with tales of challenges of managing four interesting children, shall we say.

The central narrative will be her knowledge, stewardship, and love of special places like the Columbia River Gorge, her advocacy and leadership for sound land use and above all, Mount Hood.

She challenged me to focus on the entire responsibility for protecting that mountain, leading not just to 120,000 acres of wilderness, but enacting a comprehensive vision for its protection.

She was a passionate, committed visionary whose influence will be felt and seen for generations.

DON'T FUND UNESCO BECAUSE IT HAS RECOGNIZED A NON-EXISTENT PALESTINIAN STATE

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, Secretary Kerry has been pressuring the Israeli Government to relent in its opposition to U.S. funding for UNESCO.

It is a shame Secretary Kerry isn't using the full weight of his office to hold Abu Mazen and the corrupt Palestinian Authority accountable for their incitement to violence and their continued efforts to de-legitimize and isolate the Jewish state at the U.N. while pursuing unilateral state recognition.

But, with all due respect to the Israeli Government's newfound position, which undoubtedly was achieved under duress, this is a matter of U.S. law and Congress' clear desire to force fundamental reforms at the broken U.N. system.

Our laws are clear. No taxpayer dollars can be used to fund any agency at the U.N. that admits a nonexistent state of Palestine. UNESCO did, so, therefore, no U.S. dollars.

I urge Congress not to relent, but to stand with me and defend our jurisdiction and continue to uphold both the letter and the spirit of the law.

TERRORIST GUN LOOPHOLE

(Mr. NORCROSS asked and was given permission to address the House for 1 minute.)

Mr. NORCROSS. Mr. Speaker, these are very anxious times here in America with good reason. We have an urgent national security issue at hand that allows somebody who is on the terrorist watch list to legally purchase a firearm.

How can somebody who pledges allegiance to ISIS be allowed to purchase a gun here in America?

We would never give a set of keys to somebody who was drunk to get behind

the wheel. How is it that we allow someone a license to go and purchase a firearm?

We allow them to go and purchase a firearm in this country who are on the terrorist watch list. Would the same fight be taking place if they wanted to get onto an airliner, saying: Hey, let's let he or she on. They are on the terrorist watch list. I want them to fly with me.

That is the insanity we are dealing with. Over the course of the next few weeks, we have the ability to make a commonsense, simple approach to reducing the chance of terrorism here in America; that is, to keep those who are on the terrorist watch list from purchasing a firearm.

Let's come together, bipartisan, and pass this approach.

PRESIDENT OBAMA BROKE THE LAW WITH THE BERGDAHL DEAL

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, in May 2014, the President shocked the world by announcing that he had negotiated with terrorists to secure the disgraced Sergeant Bergdahl's release from the Taliban.

Yesterday the House Armed Services Committee, led by Chairman MAC THORNBERRY, issued an in-depth report dealing with the President's secret negotiations. The report verified that the transfer violated several laws.

The American public was misled about the efforts to arrange the terrorists' pardon before it took place. Senior officials within the Department of Defense that were best equipped to evaluate the national security risk with this specific transfer were excluded from the process.

The President failed to take significant precautions to eliminate the risks posed by the Taliban Five, putting all American families as targets of more murderous attacks.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

We should all appreciate the six American heroes from the 4th Brigade Combat Team (Airborne), 25th Infantry Division, who were killed in action while searching for Bergdahl to leave no one behind.

REAUTHORIZE THE JAMES ZADROGA ACT

(Mr. CROWLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CROWLEY. Mr. Speaker, the James Zadroga Act, the 9/11 Victims Health and Compensation Act, is up for renewal, surprise to everyone. It passed 5 years ago with a 5-year limit to be reenacted in this Congress.

What has happened? Absolutely nothing. We keep waiting. We were told that the 9/11 victims compensation bill, the Zadroga Act, would be on the transportation bill. It was mysteriously withdrawn at the last moment. We don't know when this bill will pass.

What has happened to this place? What has happened to the spirit of bipartisanship to get this bill passed?

How can you, on the Republican side, go so low as to use this bill as grease to pass other legislation? That is what is being done right now.

The 9/11 Victims Act is being used as grease to pass other bills. It is outrageous. It is disrespectful to the men and women who gave all to serve this country, people who have stage 4 cancer today and are dying. It gives them no more solace to know that their country is not standing by them.

We continue to say ''never forget,'' yet we continue to forget in this Christmastime, in this holiday season, those who are suffering.

Give them peace of heart and mind, and pass this bill.

A TRIBUTE TO MEG MECCARIELLO

(Mr. KATKO asked and was given permission to address the House for 1 minute.)

Mr. KATKO. Mr. Speaker, I rise today to pay tribute to the life of Meg Lawyer-Meccariello, who fought a hard battle against mesothelioma, an asbestos-related cancer.

Early in my term I met Meg in my office in Washington when she came to share the story of her sister, Mary Jo Lawyer Spano, who lost her life in her courageous battle with mesothelioma.

Meg shared how mesothelioma had tragically impacted her family, claiming the lives of Mary Jo and her father and leaving Meg and her sisters with unnerving diagnoses.

I vividly remember Meg's frustration and disparity by the information and lack of awareness about mesothelioma.

Despite all of this, Meg was a tremendous advocate for finding a cure for this terrible disease. Meg was instrumental in the introduction of legislation named in her sister's honor which would create the Nation's first mesothelioma patient registry.

I will continue to champion this legislation in Congress, now in memory of both Mary Jo and Meg. Meg lived with hope, strength, and grace, and she left this world a better place.

The Meccariello and Lawyer families are in our prayers.

ENOUGH IS ENOUGH

(Mr. POLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, Sandy Hook, Colorado Springs, San Bernardino. How many mass shootings or terrorist attacks will it take for Congress to act to reduce gun violence?

We are not talking about infringing upon our important Second Amendment rights, no gun registries, or privacy evaluations. No. We are talking about commonsense reforms to make it harder for terrorists and criminals to get the weapons that allow them to kill people: universal background checks, closing the gun show loophole, making sure that people on the terrorist watch list can't quietly assemble arsenals to do the American people harm.

No congressional action can end gun violence, but we can reduce it. We can save lives. We can prevent mass shootings. We can prevent terrorists from assembling the weapons they need to kill innocent Americans.

Enough is enough.

NO-FLY LIST AND SECOND AMENDMENT RIGHTS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, well, they are at it again. Earlier this year we saw the administration work to deny veterans because they may be on an arbitrary list for having sought financial help services, be threatened as incompetent to exercise gun ownership rights.

Now, with the left seeking any excuse to deny Second Amendment rights to Americans, there is much effort underway to use a no-fly list or even a selectee list to not only deny travel and flight rights to falsely listed American citizens with little or no due process to remove one's name from that list, but to extend denial of gun ownership rights as well.

The no-fly list can and should be a good tool for protecting against terror strikes, but needs criteria revision for a due process for those that have been wrongly listed to have an open chance to face their accusation.

As it is now, First, Fourth, and Fifth, let alone now the Second, Amendment constitutional protections are in danger of being denied for those citizens that are falsely listed because their name sounds like the name of someone actually who bears being watched or, in the hands of an aggressive gun control administration, the use of IRS-type tactics against people the powers that be don't like.

Such lists are dangerous to basic liberty. Let's first fix the process for how the no-fly list tool is used and revised before adding more restrictions, ones that would not have even captured the San Bernardino shooters, to this list being added, the Democrat gun control Christmas or holiday period list.

□ 0915

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 644, TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 2250, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2016

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 560 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 560

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

SEC. 2. Upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 2250) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes, with the Senate amendments thereto, and to consider in the House, without intervention of any point of order, a single motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendments. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question.

The SPEAKER pro tempore (Mr. WOMACK). The gentleman from Oklahoma is recognized for 1 hour.

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), my friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, yesterday the Rules Committee met and reported a rule for consideration of the conference report to accompany H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015, and the Senate amendments to H.R. 2250, a continuing resolution which runs through December 16, 2015.

The resolution provides a standard conference report rule for consideration of H.R. 644, with 1 hour of debate divided pursuant to clause 8(d) of rule XXII.

In addition, the rule makes in order a motion from the chair of the Committee on Appropriations to concur in the Senate amendments to H.R. 2250, with 60 minutes of debate equally divided and controlled by the chair and ranking member of the Committee on Appropriations on the motion. In addition, the rule provides for one motion to recommit.

Mr. Speaker, first, this resolution allows for consideration of the conference report on the Customs bill. I think it is important to put the work of this House in perspective. As Speaker RYAN noted yesterday, in the entirety of the last Congress, only three conference reports became law. However, with the passage of this conference report, this Congress will have passed three conference reports in 10 days. I am pleased that Speaker RYAN's commitment to regular order is already bearing fruit.

This conference report is a good product. One provision especially important to me is the establishment of new tools for Customs and Border Protection, the CBP, to effectively act against the evasion of antidumping and countervailing duties. I was first introduced to this issue in 2009, when the Chinese dumped literally tens of thousands of tires on the U.S. market, leading to devastating job losses at tire factories across America. I helped to lead the charge at that time to ensure that the Department of Commerce would impose antidumping and countervailing duties. The ENFORCE Act language included in the conference report provides a mechanism and incentive for the CBP to properly investigate and apply appropriate duties to ensure that U.S. companies can compete on a level playing field.

In addition, I am encouraged that the conference report includes language which permanently bans States and localities from imposing a tax on Internet access. Initially enacted in 1998, this prohibition has enabled greater access to Internet services and information. It is estimated that if Congress fails to continue the ban on taxes on Internet access, consumers could end up paying more than $16.4 billion annually. This moratorium has been law since 1998 on a temporary basis, and I am pleased this conference report reflects our intention to make it permanent.

Mr. Speaker, in addition to the Customs measure, this legislation contains a 5-day continuing resolution to allow the Appropriations Committee to continue its work towards an omnibus appropriations measure. It is simple, straightforward, and extends funding for all government agencies through December 16, 2015, at current funding levels.

I urge all Members to support this short-term CR, which will allow the Appropriations Committee the time to conclude negotiations on a full-year funding measure with its Senate counterparts and the White House. I am encouraged by the hard work of Chairman ROGERS and Ranking Member LOWEY, whose leadership on this cannot be overstated.

One of the preeminent responsibilities we are tasked with, as Members of Congress, is to ensure that government continues to function. While a CR is not the ideal vehicle, the alternative of a government shutdown is not what we have been sent to Washington to accomplish. Mr. Speaker, I urge support of the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, I rise today in opposition—I might add, reluctant opposition—to the rule on two important bills that really shouldn't be controversial: the Senate amendments to H.R. 2250—that is a short-term continuing resolution. It shouldn't be necessary. This body should have acted, but given that the body has not passed through regular order an appropriations process to keep government open, that bill is necessary—and the Trade Facilitation and Trade Enforcement Act of 2015.

H.R. 644, which is often called the Customs bill, is a bill that needs to pass in some form. I want to see it pass. I have voted for it to go to conference. It has a lot of provisions that are extremely important to many Members, to our economy, and to even Americans traveling casually overseas. It increases, finally, the amount of items they can buy as gifts for their friends and then bring back without having to pay duties. But looking at the version that we are considering today under this rule, which does not allow amendments, I think the body would be better taking individual votes on some of the provisions.

There is a lot of good in this bill, but there is also a blatant attack on climate science, on environmental protection, and, really, items that serve no purpose in a bill written to facilitate trade. They even put a separate item preventing Internet sales tax, which I support the bill separately, and somehow this wound up in the Customs bill, a totally unrelated measure from a different committee that wound up in this bill at the last minute, this Christmas-tree bill. It wasn't in the House or the

Senate version before. I think we do need to give Members a chance to be on the record to approve or not approve these items individually, and I think that would be the open process that this Speaker has committed to.

The second item under this rule, the Senate amendments to H.R. 2250, our short-term continuing resolution, is straightforward and is necessary as we near the shutdown of government, which would otherwise occur December 11. Today would be the last day that we would fund government, so, of course, we have to act. You don't hear objection about that. The only objection I hear is: Why does this Congress always wait until the eleventh hour to pass these kinds of bills? It just doesn't make any sense. You don't wait until the day before government shuts down to say: Okay. We will give ourselves a 5-day reprieve.

Are we even going to be able to complete the omnibus or continuing resolution in those 5 days? I don't know. Are we going to be back here next Wednesday doing another 3-day or 5-day CR?

There is no particular reason that we are doing this, nothing new. No new information about how to better construct funding bills comes to us next week or the week after than we had last week or 2 weeks ago. I don't understand why we didn't do these bills last month. We passed the budget bills. We agreed on the overall dollar figures about a month ago. That is one of the hardest things about figuring out the appropriations bills and spending is what levels are you going to spend. We agreed on that. The House, the Senate, and the President agreed. So that is not even being discussed. Why didn't we do it within a week of that and just be done with it? It makes no sense.

So this bill would make December 16 the new deadline to finish Congress' appropriations work and keep government open, and I do think that Members and the public are anxious for us to complete our work. It is also critical that we get a good product.

Now, Mr. Speaker, the majority, the Republicans, have previously shown this country their willingness to go into a shutdown, so I hope that we take this new 5-day period to avoid a shutdown permanently rather than just to do another 3 or 5 days again and again and again.

Why aren't we sending a bill on appropriations to the President today? From my point of view, it seems like it is nothing more than partisan politics that is keeping it from getting done. I think the votes are here—they have been here, were here a month ago, and were here a week ago—for a commonsense bill that meets the budget that we have already agreed on, that doesn't have completely unrelated Christmas-tree policy riders that were put together in smoke-filled rooms rather than the open process that the new Speaker has committed to. And it is a real opportunity for this body to live up to that promise and put together an appropriations bill that passes overwhelmingly, which I think can absolutely be done.

Nearly every single member of the Democratic Caucus has said no divisive or controversial riders. The appropriations bills are not a place for them. You don't bring government to the brink of a shutdown over policy disagreements. You don't say: ''Look, unless we don't fund Planned Parenthood, we are shutting down government. Look, unless you don't ban the EPA from keeping our air clean, we are going to shut down government.'' You can have those debates and you can have those discussions, but it is not appropriate to do that with a threat of shutting down government.

Didn't the Republicans recently sign some sort of pledge to have no extraneous or legislation or must-pass bills? Well, what about taking on the President's attempt to protect clean air standards? If Republicans want it, then debate it and pass it. If you want to defund Planned Parenthood, then debate it and pass it, but not in a last-minute, closed package with a threat of closing government.

Compromise is what we did on the highway bill to pass a long-term authorization. It worked great. It didn't have what every single Member wanted, and we had to make tough compromises, but we can live with it. It passed overwhelmingly. Compromise is what we took yesterday when I got to go to the White House to see the Every Student Succeeds Act signed, the new Federal education law that replaces No Child Left Behind. It passed overwhelmingly in its final form in both the House and the Senate. Now, a compromise is not seeing how many partisan stocking stuffers you can jam into a must-pass bill before we head home for the holidays.

Moving to the Customs enforcement bill, H.R. 644, it is, for the most part, a very positive bill. The Customs bill is about giving the administration the tools they need to make sure we are fighting a fair fight when it comes to trade and to updating and eliminating unintended consequences of other trade laws. I heard Ranking Member LEVIN testify in the Rules Committee yesterday that the key to enforcement on trade issues was the willingness of the administration to act, and the final step of enforcing our existing and future trade agreements will always fall to the executive branch. But they can't fight those fights without the right tools in the toolbox. That is what the Customs bill does, and this bipartisan bill has a lot of very high-quality elements that we will likely send to the administration before the holidays.

It has the full ENFORCE Act, which would require immediate action to investigate and address trade cheats and take measures to stop those who continually attempt to circumvent the penalties already imposed on them. It establishes and funds the Interagency Trade Enforcement Center, which helps agencies find trade cheats and those who engage in illegal dumping that risk putting Americans out of work. It establishes the Trade Enforcement Fund, which would provide critical and dedicated resources to enforce our trade agreements, and it would help with capacity building, an important issue which would help our current and future trading partners implement labor and environmental standards that we push them towards in a real way.

The bill also contains important language on ending the importation of goods made from child or forced labor, which is yet another step we are taking towards ending this abominable practice on a global scale. It also includes bipartisan language which gives the executive branch new tools in evaluating and consulting with partner countries who may be manipulating their currency.

Mr. Speaker, if we want to be serious with enforcing our trade agreements, then the enforcement provisions in this bill are a major step forward. We may still have to push this Executive when we feel they aren't using these tools, but having these tools available is a critical step.

The Customs bill also gives a leg up to American small business. The bill makes commerce at the border more efficient. It modernizes the operation of Customs and Border Patrol; and something that I fought for for many years, it raises the de minimis threshold from $200 to $800, which, again, is important to all Americans who travel overseas. Being able to have smaller items cross our border duty-free is a major win for small businesses and consumers, especially in the e-commerce space on the commercial side, but also for casual tourists who travel overseas.

What that means is, when you are reentering this country, if you ever have to fill out one of those forms if you are coming back from Mexico or Canada or Europe, the de minimis threshold was $200, and technically you are responsible for a duty above that. This finally raises it. It hasn't been adjusted for inflation for decades. This raises it to $800, so you can truly bring back gifts for your friends and family. This is important for individuals, and it is important for businesses.

The bill makes important technical corrections that are important to companies in my district, like adjusting tariff lines for outdoor wear and footwear.

□ 0930

I am also very excited to say, as the cochair of the Nepal Caucus, that the

bill includes the Nepal Trade Preferences Act, a very important provision that is a tangible benefit for Nepal's recovering economic market. That is simply the right thing to do. As many here know, Nepal suffered a devastating earthquake on April 25, 2015. Over 9,000 people were killed; 23,000 were injured. The earthquake triggered a series of avalanches on Mt. Everest where 19 people, including one of my constituents, were killed in what was the deadliest day in Mt. Everest history.

The country has begun the urgent process of rebuilding. Despite the trying circumstances, Nepal has remained resilient. On December 20, I am proud to say, the democratically elected constituent assembly announced the passage of a new democratic constitution, a remarkable chapter for a country that, until recently, had been mired in civil war and strife.

I am honored to join Representative CRENSHAW, my cochair on the U.S. Nepal Caucus, in introducing the Nepal Trade Preferences Act, which gives preferential treatment to textile, leather, and apparel products made in Nepal. And the bill facilitates capacity building to help expand the Nepali export market.

I am very grateful for the hard work of my colleague from Florida (Mr. CRENSHAW), and the simultaneous effort that has been taking place in the Senate under the leadership of Senator FEINSTEIN.

Nepal is a very important and strategic ally between global powers, India and China. Cooperation with America to help build capacity and build the Nepali economy and stability is a critical foreign policy priority, in addition to being an economic benefit to the American people.

I believe trade can be a mechanism for poverty reduction worldwide. I am heartened to see that this act, which attempts to do that, is included in the Customs bill.

With all these great things, why would anybody oppose this bill? Unfortunately, like anything, it is not that easy. I joined my Democratic colleagues in voting against the Customs bill when it was on the House floor last summer. Despite knowing that it needed to get done, I was simply unable to vote for a bill that contained extraneous, unnecessary attacks on climate science, on environmental protections, and on immigrants.

These are some of the things that needed to be taken out in the conference committee. They should have been taken out in the conference committee. If they were, I would be proudly 100 percent supporting this bill. If I could, in an open process, I would be amending the bill today to take them out, so that this bill could enjoy broad Democratic support.

The only positive thing I can say is that, emerging from conference, this bill is less bad than it was. Included in the underlying report is a renegotiated provision on greenhouse gas emissions and the role in international trade agreements that certainly is not as bad as the version that originally passed the House and, many argue, would not have any significant legally constraining role on agreements negotiated by the chief executive.

The House negotiated an objective that would have prohibited the USTR from pursuing trade agreements that obligate United States law or regulation towards global warming and climate change was stripped. It was replaced with an equally nontopical, but somewhat convoluted, provision that is a little difficult to understand.

We use new language to bar trade agreements from including obligations to alter U.S. law or regulations surrounding greenhouse gas emissions.

To clarify, international trade policy will not be the stage on which the United States establishes and implements strong and thoughtful climate change policy. That is what Congress is for, that is what our States are for, that is what our local governments are for. That must be done. I think we all agree that won't be done through trade agreements.

In that sense, the language was only added to speak to a deeply held fear by my Republican Party colleagues to even acknowledge that climate change exists. To my colleagues on the other side, I would say, this is simply not the place for that kind of ideological statement.

Further, the language contradicts itself by explicitly allowing the USTR to seek provisions, including those related to global warming and climate change, if doing so would fulfill another negotiating objective.

So, we bar negotiators from discussing environmental policy objectives and then flip, allowing them to do so if it meets another objective.

Not only is this language unnecessary, it is a messy, convoluted, contradictory-type of compromise that nobody really even knows what it would mean, and is really rife for lawyers on both sides to be debating it for years or decades.

The entire world is in Paris right now talking about specifics on fighting climate change. And here we are today, with the only political party in the developed world that still questions the existence of climate change in their very platform, attaching this ridiculous provision to an unrelated Customs bill, embarrassing our own negotiators while they are in Paris.

We get it: you don't agree with the rest of the world on this, you don't agree with scientists on this, you don't agree with the majority of Americans on that. We get that. Next year, feel free to pass a resolution that says, we don't believe in climate change, if that is what you want to do. But put it on your letterhead; don't put it into an unrelated Customs bill that is actually important for our economy and for the American people. Stop trying to muddle good bipartisan bills with this sort of divisive, unscientific language that, frankly, not only threatens the environment, but also embarrasses our country. These kinds of provisions have no place in bills like the Customs bill and should have been taken out in the process.

I reserve the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

First, I want to begin by agreeing with my friend on the other side on a number of areas. I, too, have concerns about the process by which we operate, and would have preferred a number of these items to come, as my friend suggests, separately. But the reality is, of course, we are late in the year and late in the session, we have got significant work to do, and this, I think, is the best way to proceed.

It is worth noting that the conference report itself is a compromise. The Democrats and Republicans were involved in putting that together, and, indeed, this entire bill has considerable Democratic support, as we work toward a larger compromise on the omnibus itself.

It is also worth noting why we ended up in this situation. Frankly, the Appropriations Committee in this House accomplished its work—all of its work—for the first time in a long time early this year. All 12 legislative bills passed through the Appropriations Committee, six of them across this floor. To suggest that anything has been done in the dark or in the back room, frankly, ignores that fact.

What happened was the United States Senate chose not to allow any appropriations bills to come to the floor. They didn't do that as a body. My friends on the other side of the aisle in the Senate—the Democrats—chose not to allow any bills to come to the floor. To be fair to them, they also completed every appropriations bill through the full committee. That is the first time that has happened in many, many years in the United States Senate.

But, our friends, until we got this larger agreement, the budget agreement, which I was happy to vote for, and I know my friend on the other side also voted for, until we reached that point, the appropriations process in the other body didn't happen. At some point, that affects what is going on over here. If they are not moving bills, we stop moving bills because it is sort of a waste of time to do that. If you have got complaints, you should talk to your colleagues in the other body on your side of the aisle, and tell them hopefully next year they won't try to keep bills from moving to the floor in

a normal way. Again, I am proud that this body moved all 12 bills through the Appropriations Committee.

I also want to make a couple of other points in terms of where we are now in trying to reach an omnibus. This puts me a little bit, again, at odds with my friend. I don't think that is a closed process. Frankly, it is a pretty normal process. There are representatives involved in these negotiations, both Democratic and Republican, and from the administration. They are working very hard, in good faith, to try and do something that is extremely difficult. Writing a $1.1 trillion omnibus bill takes a lot of time, and there are multiple items to be negotiated. I think both sides are negotiating in good faith in this legislative body, and I think the administration is participating in good faith.

My friend and I will also disagree that riders on appropriations bills, as they are called, is somehow unusual. They certainly, when they were in the majority, had lots of riders on appropriations bills. It is just not an unusual thing. There is, obviously, give-and-take on these things. But Congress, exercising the power of the purse, is a perfectly appropriate constitutional tool to use.

In this case, where we end up will, indeed, be a compromise. The omnibus bill cannot pass either Chamber, and certainly has to be signed by the President of the United States. A Republican Congress, our friends with the appropriate tools and votes that they have, the President of the United States, who has the ultimate veto pen, all of these parties will have to be placated. Again, that negotiation is long and complex. We are making good progress. All parties are represented there.

Eventually, a bill will be presented to this body, hopefully, in the next few days. I share my friend's concern. I would prefer not to be here. But if we have to be here next week and have two or three more days to have the process work out, so be it.

The lessons I think we ought to draw from this, and that we have a chance to implement next year, are let's do a normal process. We already have an agreement now for next year's spending numbers. That is a step in the right direction, and, actually, says a lot of good things about all parties and all concerned that they were able to come to this larger agreement earlier this year.

We have no excuse, in my view, not to move all 12 bills across the floor in regular order under an open rule so every Member can come down here and participate. I know that that is certainly the goal of Chairman ROGERS, the chairman of the Appropriations Committee. I know that is the goal of his ranking member, the distinguished gentlewoman from New York (Mrs. LOWEY).

I think the hard work this year has set us up both for a fruitful compromise here in the waning days of the calendar year in the legislative session, and has actually laid the foundation for something we have not seen around here in a long time: regular order, next year. In the course of that regular order, all of us will be forced to compromise.

We still live in a divided government: a Republican Congress and a Democratic President. We still operate in a system of checks and balances that our Constitutional forebearers set up over 230 years ago. That system has served us pretty well over the course of our history. I think it will continue to. And it will continue to demand compromise. We have seen a little bit more of that lately. I know my friend has his concerns, some of which, again, I share.

I am pretty proud of a Congress that has: number one, produced the first unitary budget since 2001, where the Senate and the House agree that, for the first time since 2006, has moved all appropriations bills through the Appropriations Committee of both Chambers; that, actually, in recent days and weeks, passed landmark legislation, as my friend referred to, the Reauthorization of Higher Education Act, where I know he played a role in that; the highway bill that was recently passed; this conference report, which I know my friend has some concerns with, but, in fairness, speaks well of him, and pointed out a lot of things that he liked in this conference report.

If we sit here and wait to pass things where we all get 100 percent of what we want, nothing will ever pass the United States Congress. Certainly, in a bill this large, when we reach the omnibus, that is going to call for many compromises. This bill before us has called for many compromises. But people have found a way to work in good faith.

My friend is perfectly in order to oppose the rule. That is a pretty normal position for each side to take, minority and majority. I never have any problem with that. I think we will pass the rule. I hope he looks at the entire bill: the funding of the government and the Customs Act, where he had some concerns, but also had many things to point to that he thought were appropriate and good; and the Internet tax prevention that we now make permanent, where I know my friend has worked very hard for many years to do that.

And, yes, there will be some things in this bill that he doesn't like. There are some things in this bill that I don't like. But I think if you look at the merits of it, the permanent end of taxes on the Internet, the Customs legislation that my friend very ably pointed out has many good provisions; finally, the essential operation of government for the next few days, so people negotiating in good faith for both my friend's party and my party and from the administration can actually arrive at a deal. I think there is a lot of merit in the underlying legislation.

I would just ask that we be realistic. Again, my friend is perfectly within his rights to oppose both these measures, the rule and the final bill. I certainly understand his concern about the rule. If the roles were reversed, my concerns would probably be similar. I hope he looks to the underlying legislation when that vote comes and says, there are a lot of good things here.

There is a lot of give-and-take by both sides. There is real compromise. We have done a lot of that in the last few weeks under Speaker RYAN. I think we have the opportunity to do more next year. Let's pass the rule, pass the underlying legislation; get to finishing our business in the next few days; hopefully give the American people what they deserve: some peace, quiet, and certainty in the Christmas season; and then come back here next year with an opportunity to build on this and do some tremendous things in a bipartisan way. That is what I intend to work for. I know that is what my friend will be working for.

Mr. Speaker, I reserve the balance of my time.

□ 0945

Mr. POLIS. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a senior member of the Ways and Means Committee.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy.

I am here to speak in support of the Customs bill that we will be facing later today. It represents significant progress over the version from earlier this summer that I opposed. Part of this progress is due to strong bipartisan support from the Senate and bipartisan give-and-take with some of my colleagues on the Ways and Means Committee.

I appreciate having worked with then-Chair RYAN and Chairman BRADY to see some of these elements improve. I think it is important to recognize that the bill before us is substantially better. I know there are concerns by some of my friends about currency manipulation, which I share, and we have been pushing for and secured stronger provisions.

In the Customs bill, we have elements that represent the give-and-take of a legislative process, working with the administration; and the provisions, while no one would suggest they are perfect, are substantially better than the situation we have right now. We will be better off with the currency provisions in the Customs bill.

It contains many provisions that I fought for that are important to my constituents—businesses in the Pacific Northwest—dealing with unfair and outmoded tariff provisions, dealing

with things like performance outerwear, that I know I share with my friend from Colorado. These are important both in terms of businesses that we represent and constituents that we represent who value that equipment—the shoes, the outdoor apparel—and making it more affordable.

Beyond the elements of making sure that the Customs system works more appropriately, there are important things that I think all of us can point to and be enthusiastic about. Both speakers have mentioned the end of the importation of products that are made by child and forced labor. There are strong provisions here to help us keep that out of the stream of commerce.

My friend from Oklahoma referenced the ENFORCE Act, and there have been problems—tires, solar panels—up in my area. We have had people cheat and do so with impunity. Incorporating the provisions of the ENFORCE Act gives us the tools to go after the cheaters, to make them pay, and to protect American companies and their employees.

It permanently establishes the Interagency Trade Enforcement Center to centralize and enforce trade enforcement. This is an area that I have been working on throughout this process. In the Ways and Means Committee, I introduced the STRONGER Act with my friend and former fellow Northwesterner, Senator MARIA CANTWELL from Washington, to deal with ways to better enforce our agreements.

Today trade agreements are complex and trade enforcement takes a long period of time. They are expensive. Frankly, we are not equipped as well as we should be to do the job of protecting Americans by enforcing and implementing these agreements.

This legislation includes the trust fund for enforcement and in-country capacity building. It provides for up to $30 million a year. It may not seem like much when we are talking about hundreds of billions of dollars in the Federal Government, but when you consider that the budget of the United States Trade Representative is less than $60 million to do all of the things with which they are charged, being able to have a $30 million a year enforcement fund is a very significant advancement.

Now, I am mindful of the extraneous climate provisions. I think they are unfortunate and should have been left out. I think my Republican friends in the future are going to be embarrassed by doing things like this, particularly when the rest of the world is in Paris, working to try and help deal with the crisis that is carbon pollution and climate change.

As a practical matter, again, the result of working with the administration and people in the Senate, the provision that is stuck in the bill, yes, is confusing, but it is much better than it was in June, and I am convinced it doesn't change the status quo at all, nor prohibit other efforts in different forums, such as Paris.

The optics are bad for my Republican friends, I think, and I do believe that they will rue the day for doing things like this. But, as a practical matter, we are not going to solve our climate problems through international trade. This doesn't change that.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 20 seconds.

Mr. BLUMENAUER. Because of the composition of the Senate and Republican opposition, we couldn't pass those things when we were in charge. So we are going to do it through other mechanisms. This Customs bill does not prevent that. I strongly urge my colleagues' favorable consideration.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

First of all, I want to thank my good friend from Oregon for coming to the floor and for, frankly, more ably explaining the Customs portion of this legislation than I could.

I want to commend him and his colleagues for working in a bipartisan fashion to improve a bill that had passed earlier this year in ways that I think broadly make it more acceptable to a larger percentage in this body. He is to be commended for that. So are his colleagues on that committee on both sides of the aisle. So is the administration, which I know has been heavily involved in these deliberations.

I think my friend makes an excellent argument for the passage of the underlying legislation. When you combine that with a permanent prohibition on Internet taxation—something I assume my friend also supports—and the necessary continuing resolution to give us a few more days to negotiate a bipartisan omnibus spending bill that, frankly, both parties will need to contribute votes toward and that the administration ultimately will have the prerogative of signing, I take these to be hopeful signs.

With some of the things that have happened in the last few weeks on a bipartisan transportation bill and on a bipartisan education bill and with what I am convinced is essentially a bipartisan conference report here today and with what will be a bipartisan omnibus bill, it sounds to me like significant progress.

It is something that leaders on both sides of the aisle can take some pride in as long as we get it done, hopefully, in a timely way next week and then come back here and build on this progress for all of next year, when we can move under regular order.

Again, I thank my friend for his hard work on the Customs portion of this. I also thank him for giving what I thought was a very thoughtful, constitutional lesson in give-and-take.

There are some things that we might all like to achieve, but that are just simply not possible, given the distribution of political power, the checks and balances in our system, and the fact that people do have, indeed, differing opinions and perspectives.

But the fact that we have gotten to this point I think demonstrates we can produce a good product even within a complex constitutional system, with a rather polarized political environment, and given the hard realities of divided government. I am pleased we have made the progress that we have made, and I thank my friend for his participation in that.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Let me thank the gentleman from Colorado and let me thank the gentleman from Oklahoma for the thoughtful discussion and for the tone in which it is offered.

Mr. Speaker, I think all of us certainly are interested in coming to a place next week that embraces, really, the values of America and all of our concerns, and, obviously, riders that are toxic are obstacles we need to continue to discuss.

In my district, I have senior citizens with blue tarps on the tops of their homes, blue tarps that have been there since the terrible Hurricane Ike. Obviously, we need the Housing and Urban Development to have funding that not only addresses affordable housing, but senior housing repair.

It comes down through community development. In the manner in which we are going through this, we are looking for that kind of funding to make sure that the plus-up of $80 billion that came about through the budget agreement gets evenly distributed, if you will. What happens is that, with the extenders of tax provisions that are unpaid for, the blue tarps in my district continue to exist. Seniors have roofs that are falling in.

I think that is an important issue at which many of us will be looking this weekend, and we will be looking to the appropriators to do what is right by the American people.

We wrote a letter regarding the Minority HIV/AIDS Program, which was gutted out. Mr. Speaker, let me tell you that HIV/AIDS is resurging among young people and among minorities. This is no time to zero out that funding.

As we go through this process, we are asking the question whether you are putting in toxic riders, but are not focusing on funding that is needed. The Thomas Street Clinic in my district needs the minority HIV funding.

I know that my good friends Mr. POLIS and Mr. COLE are certainly interested in making sure that transportation funding matches the funding

that came about through the bill. Then, certainly, I hope that, as I listen to the calm discussion by Mr. POLIS, we can find a way to eliminate the prohibition from the Centers for Disease Control to not do their work.

Why are we preventing them from discerning the impact of gun violence on suicide? of the impact of gun violence on young people who are committing suicide? We have done research on drunk driving. We have done research on cancer. We have done research on diabetes. We have done research to move the country forward in a healthy manner. Why are we blocking the CDC from assessing what the impact is from gun violence?

As a member of the Judiciary Committee, I now understand that the Internet Tax Freedom Act is in this legislation and it is in this legislation permanently. There was no hearing. I remember this bill on the floor of the House in June.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON LEE. Mr. Speaker, I have a number of letters to include for the RECORD. One is from Tom McGee, the President and CEO of the International Council of Shopping Centers. One is from the NRF. One is from the AFL–CIO.

DECEMBER 10, 2015.

DEAR REPRESENTATIVE: On behalf of the 70,000 members of the International Council of Shopping Centers (ICSC), I am writing to urge you to oppose the conference report on H.R. 644, Trade Facilitation and Trade Enforcement Act, which contains a non-germane provision permanently extending the Internet Tax Freedom Act (PITFA). This is considered a key vote for ICSC.

Because PITFA was included without being paired with long awaited remote sales tax collection legislation, the added fiscal pressure being put on states and local governments will result in less funds for first responders and infrastructure and additional pressure to increase other state and local taxes such as sales or property taxes. This will truly add insult to injury for thousands of local businesses across the country.

As an organization, ICSC supports PITFA but strongly believes that a permanent restriction on states' ability to tax telecommunications services should absolutely be linked with the restoration of states' rights to collect sales taxes that are already owed in 45 states today. It is not only a missed opportunity to pursue good policy, but the manner in which this provision is being advanced certainly represents a departure from regular order.

After more than 20 years, close to 40 hearings and a successful bipartisan vote in the Senate, it is time for Congress to do the right thing and update sales tax collection policy to reflect the 21st century marketplace. The shopping center industry has sales that represent 15% of U.S. GDP, employs 1 out of every 11 Americans and generates $141 billion in sales tax revenue. Our industry touches people's lives every day and is essential to the economic, civic and social vibrancy of every community. We urge you to send an important message on state tax policy and oppose H.R. 644. Please vote NO when the Trade Facilitation and Trade Enforcement Act Conference report is voted on later this week.

Sincerely,

TOM MCGEE,
President & CEO.

NATIONAL RETAIL FEDERATION,
Washington, DC, December 10, 2015.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. PAUL RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL AND SPEAKER RYAN: On behalf of the National Retail Federation (NRF), I would like to take this opportunity to share our views on the Conference Report to the Trade Facilitation and Trade Enforcement Act of 2015 (HR 644). NRF is concerned with the last-minute inclusion of the Permanent Internet Tax Freedom Act (PITFA) as part of the Conference Report, without also including legislation to provide parity in sales tax treatment of internet sales with sales in brick and mortar stores, like H.R. 2775, The Remote Transactions Parity Act.

NRF has long supported the efforts to pass a Customs Reauthorization bill, especially those provisions focused on trade facilitation. We believe the Conference Report includes provisions to help facilitate and streamline the Customs process. While we strongly support enforcement of U.S. trade laws, we remain concerned with the final enforcement language and the impact it will have on retailers and other downstream consumers.

Unfortunately we are extremely concerned about the inclusion of the Permanent Internet Tax Freedom Act (PITFA) in the final conference report. Retailers have long believed that it is appropriate to eliminate the sales tax discrimination for brick and mortar stores as part of Congressional consideration of PITFA. This past Thanksgiving week-end was the first time that electronic sales surpassed brick and mortar sales in that key metric for retail sales. As more and more Main Street retailers close their doors because they cannot compete, it is time for Congress to remove the sales tax advantage for internet sellers that is harming our communities. We need a level playing field so retailers can compete without the government advantaging one sector of the industry over another.

NRF is the world's largest retail trade association, representing discount and department stores, home goods and specialty stores, Main Street merchants, grocers, wholesalers, chain restaurants and Internet retailers from the United States and more than 45 countries. Retail is the nation's largest private sector employer, supporting one in four U.S. jobs—42 million working Americans. Contributing $2.6 trillion to annual GDP, retail is a daily barometer for the nation's economy.

We urge you to remove language on PITFA from the final conference report, unless it is accompanied by sales tax fairness.

Sincerely,

DAVID FRENCH,
Senior Vice President,
Government Relations.

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,

December 10, 2015.

DEAR REPRESENTATIVE: On behalf of the AFL-CIO, I write to urge you to oppose the conference report on H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015 (Customs Bill).

The Customs Bill, which when it emerged from the Senate had bipartisan support and included provisions supported by both labor and industry, was loaded up in the House with numerous controversial and partisan provisions that weakened or unacceptably altered it and would make it more difficult to negotiate trade agreements that are good for workers and the environment. Unfortunately, numerous of these unacceptable provisions remain in the bill that will be voted upon.

Stripped from the final bill is a critical bipartisan currency provision that would have made clear the U.S. can treat currency manipulation as a countervailable subsidy. The remaining currency provisions are a poor substitute, simply calling for ''engagement'' and with so-called ''consequences'' that simply won't work—including the possible exclusion from OPIC funding, something the worst currency manipulators (including China and Japan) don't receive anyway.

The conferenced Customs Bill also contains language that U.S. free trade agreements (FTAs) must not include obligations regarding greenhouse gas emissions. This will prevent the United States from making meaningful commitments on climate policy. It is incomprehensible how a 21st century trade agenda would ignore the reality of important climate issues.

Also included in the bill is language weakening the Menendez trafficking amendment, which barred Tier 3 trafficking nations from joining U.S. FTAs. Weakening this provision by allowing a nation to be included should they merely implement ''principal'' recommendations for changes, undermines the U.S. commitment to lead on human trafficking and raises doubt regarding the ability of the FTAs to protect workers and ensure compliance by trading partners with internationally recognized ILO labor rights, including the right to be free from forced labor. This move is particularly troubling given the recent interest expressed by Thailand in joining the Trans-Pacific Partnership (TPP). Thailand is a Tier 3 trafficking nation and should not be allowed to participate in the TPP until such time as it is no longer justifiably designated as a worst-trafficking nation. On a related note, language is included in the bill that could be used to prevent trade deals from ensuring that migrant workers have effective protections and remedies against fraud, trafficking, forced labor, and other forms of labor exploitation and abuse.

This package also contains a harmful bill unrelated to trade. We strenuously oppose the inclusion of the Permanent Internet Tax Freedom Act (PITFA), which bans the authority of state and local governments to impose taxes on internet access. By restricting state and local government taxing authority, this bill reduces the ability of state and local governments to raise funds to invest in needed infrastructure, education, health care, job training and other vital public services. This unrelated harmful measure was unfortunately added at the last minute.

While the bill does contain Rep. Sanchez's ENFORCE Act, which would address the circumvention of antidumping and countervailing duties and assist with addressing unfair trade, other provisions in this bill remain unacceptable.

The Customs Conference Report unfortunately too closely resembles the flawed

House version of the bill and the AFL-CIO urges you to oppose it.

Sincerely,

WILLIAM SAMUEL,
Director, Government Affairs Department.

Ms. JACKSON LEE. Mr. Speaker, the point I want to make is, with what you are doing, even though there is a 4-year lapse, you are grandfathering this. My own State of Texas will lose $358 million, Wisconsin $120 million, Ohio $65 million, and South Dakota will lose about $13 million.

Are we going to replace those moneys from the Federal Government? What are we going to do to the retail industry that has bricks and mortar?

My friends, I am going to support a CR, but I do believe we should work together to do things that impact us positively and not negatively. Get rid of the riders and help our States, which have a need to have this Internet tax provision lifted.

Mr. Speaker, as a senior Member of the House Judiciary Committee; as the Ranking Member of the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations; and as the representative from Houston, I rise in opposition to the ''Permanent Internet Tax Freedom Act'' being in this bill.

When originally enacted in 1998, the Internet Tax Freedom Act established a temporary moratorium on multiple and discriminatory taxation of the Internet as well as new taxes on Internet access.

This moratorium, however, is due to expire on October 1st of this year.

Since 1998, Congress has extended the moratorium on a temporary basis. The bill before us will make that moratorium permanent.

Unfortunately, in doing so, the bill also ends the Act's grandfather protections for states that imposed such taxes prior to the Act's enactment date.

Mr. Speaker, the bill is problematic for several reasons.

First, Congress, instead of supporting this seriously flawed legislation, should be focusing on meaningful ways to help state and local governments, taxpayers, and local retailers. The House can do that by addressing the remote sales tax issue.

In addition to extending the expiring moratorium on a temporary basis, the House should take up and send to the Senate legislation that would give states the authority to collect sales taxes from remote sellers.

Such a proposal would incentivize remote sellers to collect and remit sales taxes as well as require states to simplify several procedures that would benefit retailers.

Such legislation would enable states and local governments to collect more than $23 billion in estimated uncollected sales taxes each year.

The measure would also help level the playing field for local retailers—who must collect sales taxes—when they compete with out-of-state businesses that do not collect these taxes.

Retail competitors should be able to compete fairly with their internet counterparts at least with respect to sales tax policy.

The House should do its part and address the remote sales tax disparity before the end of this Congress.

Second, this legislation will severely impact the immediate revenues for the grandfather-protected states and all states progressively in the long term.

The Congressional Budget Office, for example, estimates that this bill will cost certain states ''several hundred million dollars annually'' in lost revenues.

Indeed, the Federation of Tax Administrators has estimated that the bill will cause the grandfather-protected states to lose at least $500 million in lost revenue annually.

For my home state of Texas, enactment of this bill will result in a revenue loss of $358 million per year. Texas will not be alone in these losses, annually: Wisconsin will lose about $127 million, Ohio will lose about $65 million, and South Dakota will lose about $13 million.

Should this bill become law, state and local governments will have to choose whether they will cut essential government services—such as educating our children, maintaining needed transportation infrastructure, and providing essential public health and safety services—or shift the tax burden onto other taxpayers through increased property, income, and sales taxes.

Meanwhile, the Center on Budget and Policy Priorities has estimated that the permanent moratorium will deny the non-grandfathered states of almost $6.5 billion in potential state and local sales tax revenues each year in perpetuity.

This bill will burden taxpayers, while excluding an entire industry from paying their fair share of taxes.

Finally, this bill ignores the fundamental nature of the Internet.

The original moratorium was intentionally made temporary to ensure that Congress, industry, and state and local governments would be able to monitor the issue and make adjustments where necessary to accommodate new technologies and market realities.

The Act was intended as a temporary measure to assist and nurture the fledgling Internet that—back in 1998—was still in its commercial infancy. Yet, this bill ignores the significantly changed environment of today's internet.

The bill's supporters continue to believe that the internet still is in need of extraordinary protection in the form of exemption from all state taxation.

But, the internet of 2015 is drastically different from its 1998 predecessor. And, surely the internet and its attendant technology will continue to evolve.

Permanently extending the tax moratorium severely limits Congress's ability to revisit and make any necessary adjustments.

Simply put, a permanent moratorium is unwise.

In closing, I urge my colleagues to oppose H.R. 235 and I reserve the balance of my time.

The bill is misguided legislation that will devastate state revenues, especially for those states currently protected by the grandfather clause, and could force state governments to eliminate essential governmental programs and services, while increasing the burden on taxpayers.

For all of these reasons, I urge my colleagues to reject this flawed legislation; that makes the internet tax moratorium permanent, in part.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

First, I want to thank my friend, the distinguished gentlewoman from Texas, for coming down and raising important issues.

I am not involved in the negotiations where HUD is concerned, but it would be my hope that her concerns would be addressed, quite frankly. I think, with the additional funds that are a product of the bipartisan negotiations of the Budget Act, which I know my friend supported, there is certainly a prospect that that will occur.

The negotiations that are going on now are indeed bipartisan. I have no doubt my friend's point of view is ably represented by her Democratic colleagues in those negotiations and by the administration. So, hopefully, we will arrive at a product in the next few days that will address some of those concerns.

I want to reinforce my friend's remarks about moving in a cooperative way. Again, we are not going to agree on every part of every piece of legislation, but I think the underlying legislation that we present today is a product of bipartisan cooperation and of compromise and of give-and-take. It is my hope that many people on both sides of the aisle will be able to support that.

There are three important elements of the Customs proposals. My friend from Oregon earlier laid out the many virtues with them, and, frankly, my friend from Colorado has extolled many parts of them.

The prohibition of taxation on the Internet I think is something we have routinely passed through this body since 1998. It has usually not been a particularly contentious issue. It is something we agree on on both sides of the aisle. Making it permanent makes a lot of sense, and I am hopeful that many of my colleagues who have worked so hard on that will see that as an advantage.

Finally, I don't think we disagree on a short-term continuing resolution because we know that our Representatives on the Appropriations Committee—certainly Chairman ROGERS and Ranking Member LOWEY—are working really hard to find a bipartisan compromise.

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Now, I will remind my friends, we are not going to agree on every part of this bill. There will be elements, so-called riders, that are in them that probably some of my friends don't like. There will be Democratic riders in this bill, not just Republican riders. That is just the process of normal legislation.

Congress has every right to use the power of the purse. I don't know any executive branch, be it Republican or

Democrat, that ever likes Congress getting down to the details of this. They just expect us to write a check for whatever they ask for. Well, that is not the way our Constitution is set up.

While the executive branch has a range of powers and authorities that are unique to itself, at the end of the day, we do fund every single activity that they engage in. At the end of the day, we have the right to say: Well, we agree with you here, here, and here, but we disagree here, and we are not funding that activity.

Now, in this case, I would always point out that wherever we end up at the end of the day is, by necessity, going to be a matter of compromise. My friends, frankly, don't have the congressional strength in either the House or the Senate to dictate to us, but we don't have it to dictate to them either.

Obviously, the President of the United States is of my friend's political party, and he has got to sign this legislation. So anything that gets done is going to involve a lot of compromises. Anything that comes to this floor, whether you like or dislike it, will have been approved at some level or, at least, accepted at some level by Members of both parties, as this is what we had to agree to.

So I am optimistic about that, and I am very pleased, frankly, that this process is largely driven by the chairman of the Appropriations Committee, Mr. ROGERS, and by Mrs. LOWEY from New York. I know them to be exceptional legislators. I know that all parties concerned here and their Senate counterparts and their administration counterparts are involved in a good faith effort to give us a good funding bill for next year and to set the stage for what we hope is a normal appropriations process.

If we have that process next year, my friends on both sides of the aisle will have the opportunity to see every bill on the floor, the opportunity to offer any amendment they want, the opportunity to literally educate the committee about some concern that may be unique to their district or something that they understand, frankly, better than the members of the Appropriations Committee. That is the process that we are trying to get back to. I know it will serve the country well if we can actually reach that.

What we have done in the last few months of this year has actually set that up: the budget agreement, which was proceeded by a temporary CR and the budget agreement that came out of that, the omnibus we are working on now, and the legislation that has passed in the last few weeks in a very bipartisan fashion on education and highways. All of those things create a foundation for what can be an exceptionally productive year next year and one where we move through regular order.

Again, I thank my friend from Texas for bringing her concerns to the floor. I look forward to working with her on the underlying legislation, which I hope has enough items in it to attract significant bipartisan support.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. KIND), a member of the Ways and Means Committee.

Mr. KIND. Mr. Speaker, I thank my friend from Colorado for yielding me this time.

Mr. Speaker, as a member of the Ways and Means Committee and as someone who has been involved in negotiations in regards to the Customs bill before us today, I rise in strong support of that bill. I encourage my colleagues to do the same.

The Customs bill before us today is not the Customs bill that was reported out of the House in June of this year, a bill, quite frankly, that I couldn't support because of extraneous provisions—controversial provisions—that got included in it.

Through the product of the give-and-take in the negotiations, I think we reached a good bipartisan compromise. This is what bipartisanship looks like: the cooperation, the give-and-take. It is not a perfect bill. I know there are still some objections to it.

At its crux, however, this bill provides us important tools and resources to enhance enforcement mechanisms so we can enforce trade agreements and the standards that we are trying to elevate in these trade agreements. For instance, this bill, with the language that I worked on very hard with my colleagues Mr. LEVIN and Mr. LEWIS on the Ways and Means Committee will finally end the importation of goods and products based on the exploitation of child and forced and slave labor. That is in this bill.

This bill also includes the full ENFORCE Act on the Senate side, the PROMISE Act on the House side that again gives us additional tools to enforce elevated standards in the trade agreements that we lacked previously.

It also establishes for the first time an interagency trade enforcement center to require greater coordination from our agencies when it comes to the implementation and the enforcement of trade provisions that matter, leveling the playing field for our businesses, our workers, and our farmers.

With the help of my friend from Oregon, we were able to get included a trade enforcement trust fund so that resources are dedicated for the enforcement of trade agreements. I hear that a lot from our colleagues that they are not so much concerned with what goes into the trade agreements; they are more concerned about the lack of follow-up and the enforcement of the trade agreements. Again, because of the progress we have made and the creation of this trust fund, there will be resources in the future that will enable us to better enforce the trade agreements that are in front of us.

This also, again, to the credit of the gentleman from Oregon (Mr. BLUMENAUER), establishes a Super 301 section, enhanced trade enforcement on key priorities, such as labor, environmental, and human rights standards that are now being negotiated in the body of these trade agreements. They are fully enforceable like any other provision. This Super 301 gives us tools now to be able to follow that up and enforce it.

This also establishes a State trade and export promotion program to help our smaller businesses, our manufacturers in our respective States to get in the game and be able to offer more export opportunities to them. We know that with exporting companies their workers are paid roughly 18 to 19 percent more than other workers in our economy, so this is a good thing to help promote exports in our own country.

This also provides our Treasury-enhanced tools when it comes to fighting against the manipulation of currency in the foreign markets. The Bennett language that was agreed to in this language is a step in the right direction when it comes to the enforcement of currency manipulation.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Wisconsin.

Mr. KIND. Mr. Speaker, again, that is a source of concern that many of our colleagues have expressed concern about and, I think, legitimately so. Again, progress was made in this Customs bill when it comes to currency manipulation.

For all these reasons, I think it is important that we move forward on this Customs bill and give this administration and future administrations the tools they need in order to enforce trade agreements so we can elevate standards and begin to level the playing field for our workers, our businesses, and our farmers so that they can be as successful as they can be in the 21st century global economy. I encourage my colleagues to support it.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

I just want to quickly respond to my friend's point and, number one, thank him for his hard work in getting us to this position on this very important Customs legislation. I appreciate the bipartisan manner in which the work product was clearly achieved. I take a lot of hope from the fact that our current Speaker was actually the chairman of the committee in much of that process, and obviously Mr. BRADY from Texas continues in that tradition. So I

am pretty hopeful that we are seeing a good, open process that is producing products that Members on both sides of this Chamber are happy to support and participate in. So this is a good and hopeful thing. Again, I thank my friend for coming back and educating us about an area he knows a great deal more about than I do.

I yield 3 minutes to the distinguished gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, I thank the gentleman for yielding. Mr. COLE has been a leader in this area for many years now, and I appreciate that leadership.

I rise today, as chairman of the House Small Business Committee, in strong support of H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015.

The importance of robust international trade for America's small businesses cannot be overstated. Small businesses represent 98 percent of all goods-exporting firms in the United States—98 percent are small businesses—establishing our Nation's role as the world's leader in international trade. Seven out of every 10 new jobs in this country are created by small businesses. So if we want to improve the economy and trade, small businesses are an integral part of doing that. In my home State of Ohio alone, more than 1.5 million jobs are tied to international trade, many of them with these small firms.

The bipartisan Customs reauthorization bill before us today will give small businesses the confidence and security they need to compete in a global marketplace. Specifically, it accomplishes this important goal by making sure international trade agreements are working to benefit America's small businesses and the employees of those small businesses. That is why I am pleased that the finished bill incorporates language that our committee helped to craft to ensure we are doing everything we can to keep the doors of trade open to small businesses. We have done this in that committee, in general, in a bipartisan fashion.

By modernizing the procedures and systems used by Customs and Border Protection, this bill also improves trade facilitation and makes sure their safeguards are working as intended.

By giving the Treasury new tools to crack down on currency manipulation, this bill ensures that foreign competitors like China aren't taking advantage of our workers and small businesses. That has been a top issue for those of us that have dealt with trade, and that is the concept, that the Chinese have been manipulating their currency to give them an unfair advantage over America's businesses, that this bill helps to deal with.

By empowering the CPB and the Department of Commerce, this bill will make it easier to hold bad actors accountable when they engage in unfair trade or evasive trade practices. Mr. Speaker, this is truly commonsense legislation that will help America's small businesses at a time when they need our help to compete in the era of globalization.

I also thank my friend and colleague from Texas (Mr. BRADY), the chairman of the Ways and Means Committee, for his leadership on this issue. He has worked on this since he introduced a Customs reauthorization bill back in 2011, and I know that is the basis for today's legislation. I again thank Chairman COLE for his hard work in this area because trade is important to jobs. Yes, it is important to large corporations, but it is especially important to those small businesses all across America who engage in international trade. In the Small Business Committee, we are encouraging them more and more to do that. That means more jobs for more families all over this country.

I urge my colleagues to support this.

Mr. POLIS. I yield myself such time as I may consume.

Mr. Speaker, even after we pass this continuing resolution today, we will still be just 5 days away from a government shutdown. That is no way to run the greatest, freest, most prosperous country on the face of the Earth. We agree on so many of the issues. I urge my colleagues to stop the partisan games.

We have shown in recent weeks we can produce good, bipartisan legislation when we just put the controversial, divisive poison pills on the side. Look at what we accomplished in transportation and in education. Let's continue that trend. Let's drop the ideological wish list for another time and pass the spending bill without the last-minute hysterics and partisan riders.

In recent weeks, Americans have witnessed two senseless, horrific mass shootings: one very near to my district in Colorado that took three lives, and another in San Bernardino, California, that took 14 lives. These slayings are heartbreaking and tragic. Sadly, no one can any longer use the adjective to describe them as ''shocking.'' There have been 355 mass shootings in 2015, which, themselves, are just a small portion of the 48,000 incidents of gun violence so far this year.

While I strongly support the rights given to Americans in our Second Amendment, I believe there are commonplace measures that we must take to curtail gun violence. A commonsense improvement we can make is passing legislation to keep individuals who are suspected of terrorist activity from purchasing firearms.

If we defeat the previous question, I will offer an amendment to the rule that would allow the House to consider H.R. 1076, the Denying Firearms and Explosives to Dangerous Terrorists Act of 2015. H.R. 1076 would amend the criminal code to stop the issuance of firearm licenses to people on the terrorism watch list.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, enough is enough. It is time to act. Let's make it harder for criminals and terrorists to quietly assemble arsenals designed to kill innocent Americans. We can do that. We can protect the Second Amendment. We can implement commonsense reforms that keep America safe.

□ 1015

There is nothing Congress can do to end gun violence, but we can and we must take action to reduce gun violence. If we defeat the previous question, we will do that. It will pass, and it will become law, and the American people will be safer. Stop standing in the way, Mr. Speaker.

I urge my colleagues to vote ''no'' to defeat the previous question.

I yield back the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself the balance of my time.

First, before I close, I want to thank my friend for the debate and for his thoughtful remarks.

Not surprisingly, there will be a couple of areas in my close where I disagree with my good friend. One of them is the process itself. I share, actually, his frustration and the need for us to move under regular order. I share the frustration I think both sides share in this that we are doing an omnibus, but I remind my friends, we moved six bills across the floor here. Every bill has moved through the full Committee on Appropriations.

Frankly, our friends on the other side of the rotunda need to take a considerable responsibility for the delay in the appropriations, since they prevented the Senate from actually picking up and acting on individual bills. I think, frankly, had they done so, we would have had a more orderly process and been out of here in an easier way. My hope is next year they will do that, because I think in the bipartisan budget compromise, we set a framework up by deciding early on what the top line numbers are for next year, where that process can, indeed, occur. I certainly promise to work with my friends on the other side of the aisle to see that we restore regular order, bring each appropriations bill down here.

I am going to disagree with my friend, too, on this terrorist watch list idea. This is a very interesting point. I think Members on both sides are equally committed to making sure all of our

citizens are safe, but the terrorist watch list that my friend has talked about is one of the more mysterious lists in the United States.

As I read the press, I find one article that tells me there are 47,000 people on it; another one that tells me, no, there is 470,000 people; yet another that tells me there are 1 million people on it or more. I do know that the American Civil Liberties Union has called the terrorist watch list a ''massive, virtually standardless, government watch list scheme that ensnares innocent people and encourages racial and religious profiling.'' Now, that is not from a conservative group. That is the American Civil Liberties Union.

I also know in this Chamber, one of our distinguished colleagues, the gentleman from California (Mr. MCCLINTOCK), who, when he was a State senator, found out accidentally going to the airport he was on the terrorist watch list. He found out another Democratic colleague, another State senator, was also on the terrorist watch list. They inquired as to why, and they were told: Well, we can't tell you.

Eventually, working with the Sergeant at Arms of the California Senate, they were able to determine Mr. MCCLINTOCK had been confused with an IRA—Irish Republican Army—terrorist, and the other gentleman had been confused with somebody else. We know that the late Senator Kennedy was, at one time, on the terrorist watch list. So I think this is a very imperfect tool that will ensnare lots of innocent Americans in it.

It is also worth noting—and this was a fact that was made acquainted to me by our good friend, the gentleman from Oklahoma (Mr. RUSSELL) who, along with his distinguished record of service for over 21 years in the United States Army, is an arms manufacturer and an arms seller—he pointed out actually the terrorist watch list is one of the lists that is used by the Alcohol, Tobacco, and Firearms group to decide whether or not to issue a permit. So it is a factor in now. It is not exclusive. You wouldn't exclude somebody simply because they were there, but it is a factor taken into consideration.

I say this just to suggest that perhaps we shouldn't seize on this as a be-all and a political talking point. This is worth a real serious look as to whether or not this particular list, how it is compiled, who is on it, what is the appropriate way to use it?

I think the last thing we should do is attach it to legislation without the appropriate hearing and discussion of it, which actually I think my friend on the other side would generally be in favor of.

There are plenty of reasons, anecdotal and serious studies, when, again, groups like the American Civil Liberties Union look at this as a very imperfect tool that will violate the civil liberties of the average American. Again, I caution my friends on the other side. It is a great political talking point, but I think it is a pretty imperfect tool, and I think they would find themselves embarrassed, frankly, were it used in the manner that they suggest here.

Mr. Speaker, let me move to my close. Passage of the continuing resolution, as we both agree, is critical to prevent a government shutdown and, frankly, to allow both sides and the administration to continue to negotiate. A CR passed the Senate yesterday by voice vote. We should pass this rule, and we should support the underlying legislation.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 560 OFFERED BY MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 236, nays 177, not voting 20, as follows:

[Roll No. 690]

YEAS—236

Abraham	Graves (LA)	Palazzo
Aderholt	Graves (MO)	Palmer
Allen	Griffith	Paulsen
Amash	Grothman	Pearce
Amodei	Guinta	Perry
Babin	Guthrie	Peterson
Barletta	Hanna	Pittenger
Barr	Hardy	Pitts
Barton	Harris	Poe (TX)
Benishek	Hartzler	Poliquin
Bilirakis	Heck (NV)	Posey
Bishop (MI)	Hensarling	Price, Tom
Bishop (UT)	Herrera Beutler	Ratcliffe
Black	Hice, Jody B.	Reed
Blackburn	Hill	Renacci
Blum	Holding	Ribble
Bost	Hudson	Rice (SC)
Boustany	Huelskamp	Rigell
Brady (TX)	Huizenga (MI)	Roby
Brat	Hultgren	Roe (TN)
Bridenstine	Hunter	Rogers (AL)
Brooks (AL)	Hurd (TX)	Rogers (KY)
Brooks (IN)	Hurt (VA)	Rohrabacher
Buchanan	Issa	Rokita
Buck	Jenkins (WV)	Rooney (FL)
Bucshon	Johnson (OH)	Ros-Lehtinen
Burgess	Jolly	Roskam
Byrne	Jones	Ross
Calvert	Jordan	Rothfus
Carter (GA)	Joyce	Rouzer
Carter (TX)	Katko	Royce
Chabot	Kelly (MS)	Russell
Chaffetz	Kelly (PA)	Salmon
Clawson (FL)	King (IA)	Sanford
Coffman	King (NY)	Scalise
Cole	Kinzinger (IL)	Scott, Austin
Collins (GA)	Kline	Sensenbrenner
Collins (NY)	Knight	Shimkus
Comstock	Labrador	Shuster
Conaway	LaHood	Simpson
Cook	LaMalfa	Smith (MO)
Costello (PA)	Lamborn	Smith (NE)
Cramer	Lance	Smith (NJ)
Crawford	Latta	Smith (TX)
Crenshaw	LoBiondo	Stefanik
Culberson	Long	Stewart
Curbelo (FL)	Loudermilk	Stivers
Davis, Rodney	Love	Stutzman
Denham	Lucas	Thompson (PA)
Dent	Luetkemeyer	Thornberry
DeSantis	Lummis	Tiberi
DesJarlais	MacArthur	Tipton
Diaz-Balart	Marchant	Trott
Dold	Marino	Turner
Donovan	Massie	Upton
Duffy	McCarthy	Valadao
Duncan (SC)	McCaul	Wagner
Duncan (TN)	McClintock	Walberg
Ellmers (NC)	McHenry	Walden
Emmer (MN)	McKinley	Walker
Farenthold	McMorris Rodgers	Walorski
Fitzpatrick	McSally	Walters, Mimi
Fleischmann	Meehan	Weber (TX)
Fleming	Messer	Webster (FL)
Flores	Mica	Wenstrup
Forbes	Miller (FL)	Westerman
Fortenberry	Miller (MI)	Whitfield
Foxx	Moolenaar	Williams
Franks (AZ)	Mooney (WV)	Wilson (SC)
Frelinghuysen	Mullin	Wittman
Garrett	Mulvaney	Womack
Gibbs	Murphy (PA)	Woodall
Gibson	Neugebauer	Yoder
Gohmert	Newhouse	Yoho
Goodlatte	Noem	Young (AK)
Gosar	Nugent	Young (IA)
Gowdy	Nunes	Young (IN)
Granger	Olson	Zeldin
Graves (GA)		Zinke

NAYS—177

Adams	Brown (FL)	Castro (TX)
Ashford	Brownley (CA)	Chu, Judy
Bass	Bustos	Cicilline
Beatty	Butterfield	Clark (MA)
Becerra	Capps	Clarke (NY)
Bera	Capuano	Clay
Beyer	Cárdenas	Cleaver
Bishop (GA)	Carney	Clyburn
Blumenauer	Carson (IN)	Cohen
Bonamici	Cartwright	Connolly
Brady (PA)	Castor (FL)	Conyers
Cooper	Johnson, E. B.	Pocan
Costa	Kaptur	Polis
Courtney	Keating	Price (NC)
Crowley	Kelly (IL)	Quigley
Cuellar	Kennedy	Rangel
Cummings	Kilmer	Rice (NY)
Davis (CA)	Kind	Richmond
Davis, Danny	Kirkpatrick	Roybal-Allard
DeGette	Langevin	Ruiz
Delaney	Larsen (WA)	Ruppersberger
DeLauro	Larson (CT)	Rush
DelBene	Lawrence	Ryan (OH)
DeSaulnier	Lee	Sánchez, Linda T.
Deutch	Levin	Sarbanes
Dingell	Lewis	Schakowsky
Doggett	Lieu, Ted	Schiff
Doyle, Michael F.	Lipinski	Scott (VA)
Duckworth	Loebsack	Scott, David
Edwards	Lofgren	Serrano
Ellison	Lowenthal	Sewell (AL)
Engel	Lowey	Sherman
Eshoo	Lujan Grisham (NM)	Sinema
Esty	Luján, Ben Ray (NM)	Sires
Farr	Lynch	Slaughter
Fattah	Maloney, Carolyn	Smith (WA)
Foster	Maloney, Sean	Speier
Frankel (FL)	Matsui	Swalwell (CA)
Fudge	McCollum	Takai
Gabbard	McDermott	Takano
Gallego	McGovern	Thompson (CA)
Garamendi	McNerney	Thompson (MS)
Graham	Meeks	Titus
Grayson	Meng	Tonko
Green, Al	Moore	Torres
Grijalva	Moulton	Tsongas
Gutiérrez	Murphy (FL)	Van Hollen
Hahn	Nadler	Vargas
Hastings	Napolitano	Veasey
Heck (WA)	Neal	Vela
Higgins	Norcross	Velázquez
Himes	O'Rourke	Visclosky
Hinojosa	Pallone	Walz
Honda	Pascrell	Wasserman Schultz
Hoyer	Pelosi	Waters, Maxine
Huffman	Perlmutter	Watson Coleman
Israel	Peters	Welch
Jackson Lee	Pingree	Wilson (FL)
Jeffries		Yarmuth
Johnson (GA)		

NOT VOTING—20

Aguilar	Jenkins (KS)	Pompeo
Boyle, Brendan F.	Johnson, Sam	Reichert
DeFazio	Kildee	Sanchez, Loretta
Fincher	Kuster	Schrader
Green, Gene	Meadows	Schweikert
Harper	Nolan	Sessions
	Payne	Westmoreland

□ 1051

Mr. RANGEL and Ms. EDWARDS changed their vote from ''yea'' to ''nay.''

Mr. PETERSON changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. MCCARTHY was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. MCCARTHY. Mr. Speaker, looking ahead to next week, Members are advised that no votes are expected in the House on Monday.

Members are further advised that first votes of the week are expected on Tuesday at 6:30 p.m., and it is my intent to stay until we get our work done.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 236, noes 174, not voting 23, as follows:

[Roll No. 691]

AYES—236

Abraham	Granger	Noem
Aderholt	Graves (GA)	Nugent
Allen	Graves (LA)	Nunes
Amash	Graves (MO)	Olson
Amodei	Griffith	Palazzo
Babin	Grothman	Palmer
Barletta	Guinta	Paulsen
Barr	Guthrie	Pearce
Barton	Hanna	Perry
Benishek	Hardy	Pittenger
Bilirakis	Harris	Pitts
Bishop (MI)	Hartzler	Poe (TX)
Bishop (UT)	Heck (NV)	Poliquin
Black	Hensarling	Posey
Blackburn	Herrera Beutler	Price, Tom
Blum	Hice, Jody B.	Ratcliffe
Bost	Hill	Reed
Boustany	Holding	Reichert
Brady (TX)	Hudson	Renacci
Brat	Huelskamp	Ribble
Bridenstine	Huizenga (MI)	Rice (SC)
Brooks (AL)	Hultgren	Rigell
Brooks (IN)	Hunter	Roby
Buchanan	Hurd (TX)	Roe (TN)
Buck	Hurt (VA)	Rogers (AL)
Bucshon	Issa	Rogers (KY)
Burgess	Jenkins (WV)	Rohrabacher
Byrne	Johnson (OH)	Rokita
Calvert	Jolly	Rooney (FL)
Carter (GA)	Jones	Ros-Lehtinen
Carter (TX)	Jordan	Roskam
Chabot	Joyce	Ross
Chaffetz	Katko	Rothfus
Clawson (FL)	Kelly (MS)	Rouzer
Coffman	Kelly (PA)	Royce
Cohen	King (IA)	Russell
Cole	King (NY)	Salmon
Collins (GA)	Kinzinger (IL)	Sanford
Collins (NY)	Kline	Scalise
Comstock	Knight	Scott, Austin
Conaway	Labrador	Sensenbrenner
Cook	LaHood	Shimkus
Costa	LaMalfa	Shuster
Costello (PA)	Lamborn	Simpson
Cramer	Lance	Sinema
Crawford	Latta	Smith (MO)
Crenshaw	LoBiondo	Smith (NE)
Culberson	Long	Smith (NJ)
Curbelo (FL)	Loudermilk	Stefanik
Davis, Rodney	Love	Stewart
Denham	Lucas	Stivers
Dent	Luetkemeyer	Stutzman
DesJarlais	Lummis	Thompson (PA)
Diaz-Balart	MacArthur	Thornberry
Dold	Marchant	Tiberi
Donovan	Marino	Tipton
Duffy	Massie	Trott
Duncan (SC)	McCarthy	Turner
Duncan (TN)	McCaul	Upton
Ellmers (NC)	McClintock	Valadao
Emmer (MN)	McHenry	Wagner
Farenthold	McKinley	Walberg
Fitzpatrick	McMorris Rodgers	Walden
Fleischmann	McSally	Walker
Fleming	Meehan	Walorski
Flores	Messer	Walters, Mimi
Forbes	Mica	Weber (TX)
Fortenberry	Miller (FL)	Webster (FL)
Foxx	Miller (MI)	Wenstrup
Franks (AZ)	Moolenaar	Westerman
Garrett	Mooney (WV)	Whitfield
Gibbs	Mullin	Williams
Gibson	Mulvaney	Wilson (SC)
Gohmert	Murphy (PA)	Wittman
Goodlatte	Neugebauer	Womack
Gosar	Newhouse	Woodall
Gowdy		Yoder

Yoho	Young (IA)	Zeldin
Young (AK)	Young (IN)	Zinke

NOES—174

Adams	Gabbard	Napolitano
Ashford	Gallego	Neal
Bass	Garamendi	Norcross
Beatty	Graham	O'Rourke
Becerra	Grayson	Pallone
Bera	Green, Al	Pascrell
Beyer	Grijalva	Pelosi
Bishop (GA)	Gutiérrez	Perlmutter
Blumenauer	Hahn	Peters
Bonamici	Hastings	Peterson
Brady (PA)	Heck (WA)	Pingree
Brown (FL)	Higgins	Pocan
Brownley (CA)	Himes	Polis
Bustos	Hinojosa	Price (NC)
Butterfield	Honda	Quigley
Capps	Hoyer	Rangel
Capuano	Huffman	Rice (NY)
Cárdenas	Israel	Richmond
Carney	Jackson Lee	Roybal-Allard
Carson (IN)	Jeffries	Ruiz
Cartwright	Johnson (GA)	Ruppersberger
Castor (FL)	Johnson, E. B.	Rush
Castro (TX)	Kaptur	Ryan (OH)
Chu, Judy	Keating	Sánchez, Linda T.
Cicilline	Kelly (IL)	
Clark (MA)	Kennedy	Sarbanes
Clarke (NY)	Kilmer	Schakowsky
Clay	Kind	Schiff
Cleaver	Kirkpatrick	Scott (VA)
Clyburn	Langevin	Scott, David
Connolly	Larsen (WA)	Serrano
Conyers	Larson (CT)	Sewell (AL)
Cooper	Lawrence	Sherman
Courtney	Lee	Sires
Crowley	Levin	Slaughter
Cuellar	Lewis	Smith (WA)
Cummings	Lieu, Ted	Speier
Davis (CA)	Lipinski	Swalwell (CA)
Davis, Danny	Lofgren	Takai
DeGette	Lowenthal	Takano
Delaney	Lowey	Thompson (CA)
DeLauro	Lujan Grisham (NM)	Thompson (MS)
DelBene	Luján, Ben Ray (NM)	Titus
DeSaulnier	Lynch	Tonko
Deutch	Maloney, Carolyn	Torres
Dingell	Maloney, Sean	Tsongas
Doggett	Matsui	Van Hollen
Doyle, Michael F.	McCollum	Vargas
Duckworth	McDermott	Veasey
Edwards	McGovern	Vela
Ellison	McNerney	Velázquez
Engel	Meeks	Visclosky
Eshoo	Meng	Walz
Esty	Moore	Wasserman Schultz
Farr	Moulton	Waters, Maxine
Fattah	Murphy (FL)	Watson Coleman
Foster	Nadler	Welch
Frankel (FL)	Neal	Wilson (FL)
Fudge	Norcross	Yarmuth

NOT VOTING—23

Aguilar	Harper	Payne
Boyle, Brendan F.	Jenkins (KS)	Pompeo
DeFazio	Johnson, Sam	Sanchez, Loretta
DeSantis	Kildee	Schrader
Fincher	Kuster	Schweikert
Frelinghuysen	Loebsack	Sessions
Green, Gene	Meadows	Smith (TX)
	Nolan	Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HULTGREN) (during the vote). There are 2 minutes remaining.

□ 1059

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SMITH of Texas. Mr. Speaker, on rollcall No. 691, I was unavoidably detained. Had I been present, I would have voted "yes."

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2693. An act to designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the ''Phyllis E. Galanti Arboretum''.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 142. An act to require special packaging for liquid nicotine containers, and for other purposes.

S. 209. An act to amend the Indian Tribal Energy Development and Self Determination Act of 2005, and for other purposes.

S. 993. An act to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, veterans treatment services, mental health treatment, and substance abuse systems.

S. 2308. An act to amend the Internal Revenue Code of 1986 to clarify the treatment of church pension plans, and for other purposes.

S. 2393. An act to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

PERMISSION TO POSTPONE PROCEEDINGS ON MOTION TO RECOMMIT ON CONFERENCE REPORT ON H.R. 644, TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that the question on adopting a motion to recommit on the conference report to accompany H.R. 644 may be subject to postponement as though under clause 8 of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONFERENCE REPORT ON H.R. 644, TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015

Mr. BRADY of Texas. Mr. Speaker, pursuant to House Resolution 560, I call up the conference report on the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 560, the conference report is considered read.

(For conference report and statement, see proceedings of the House of December 9, 2015, at page 19813.)

The SPEAKER pro tempore. The gentleman from Texas (Mr. BRADY) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

GENERAL LEAVE

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material into the RECORD on the conference report to accompany H.R. 644.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am very happy to be here today to talk about the conference report on the Trade Facilitation and Trade Enforcement Act of 2015. This process marks a return to regular order and ensures that Members and constituent voices are heard. As chairman of the House Ways and Means Committee, I share the Speaker's commitment to an open and transparent process.

The conference report builds on the good work of my fellow conferees, Representatives REICHERT and TIBERI, as well as support from a number of our Ways and Means members in the conference as a whole and dozens of other Members. It delivers on the promises we made to those Members when we considered trade legislation earlier this year.

Most importantly, Mr. Speaker, this bill is a vital part of our progrowth agenda. It will level the playing field for Americans and also make it easier for them to compete in a global marketplace. It significantly improves trade facilitation. Here is how: it ensures that Customs and Border Protection focuses on its trade-related mission and streamlines processing of legitimate trade which will increase U.S. competitiveness and create U.S. jobs; it modernizes the agency's automated system and reduces paperwork burden. Basically, this bill replaces inefficiency with innovation and eliminates outdated systems.

In addition, Mr. Speaker, I strongly believe that free trade is enforceable trade, and I am glad that this bill significantly strengthens enforcement of America's trade law. It creates new tools to combat currency manipulation based on ideas from Representative MILLER and her colleagues in the Michigan delegation. It gives Customs and Border Protection new tools and holds it accountable to effectively act against evasion of antidumping and countervailing duties, including by targeting risky imports and establishing a new investigation process with strict deadlines and judicial review. Representatives BOUSTANY and JASON SMITH deserve credit for working together to make sure these provisions were included.

The conference report strengthens trade promotion authority by reaffirming that trade agreements should not

include provisions on immigration or greenhouse gas emissions, for which Representatives KING and SESSIONS deserve great recognition.

It ensures greater oversight of administration trade nominees and at trade negotiating rounds.

This bill also includes important provisions to help fight human trafficking, which is a scourge that we must take seriously.

Thanks to Representative ROSKAM's leadership, the conference report combats politically motivated acts against our good friend and ally Israel.

With respect to the miscellaneous tariff bill, it reaffirms Congress' commitment to advancing a legislative process with robust consultation and consistent with House rules. I fully intend to work with my colleagues to develop this process early next year.

Finally, it contains the Internet Tax Freedom Act to permanently ban States and localities from taxing Internet access or Internet commerce.

Mr. Speaker, I urge all Members to support this important legislation. While I celebrate this bill, this is only the beginning. As chairman of the Ways and Means Committee, I want to make sure my constituents in Texas and constituents all across America understand that we are going to continue to move progrowth bills that help grow our economy and make it easier for all Americans to find good jobs and have more opportunities.

We have got an ambitious agenda, and we are just getting started. You can expect to see more action soon at our committee and on this floor on trade, on jobs, and on all the economic issues that matter to the American people. We are going to lead, and we are going to deliver.

Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I strongly oppose this conference report. I am disappointed that we have passed up an opportunity for a truly bipartisan action on Customs and trade legislation. The Senate took that opportunity over the summer. It passed a Customs bill by a vote of 78–20 that was truly about Customs and trade enforcement. It included a strong provision to address currency manipulation, the most significant trade enforcement failure over the past decade, and the Senate bill very importantly avoided including wrongful positions and provisions that had nothing to do whatsoever with Customs or trade enforcement.

The House bill did just the opposite. It passed a bill that seeks to prevent our trade agreements from addressing climate change and weakens current law on human trafficking. It failed to include anything meaningful on currency manipulation, even though just a few years ago this House passed a currency bill very similar to what was in the Senate Customs bill by a vote of 348–79. Because of the partisan and flawed nature of the House Customs bill, just 12 Democrats voted for it.

This conference report is far more like the fundamentally flawed House bill than the Senate bill. The conference committee rejected the Senate currency provision, as I said, one that had the support of 348 House Members just a few years ago.

There is much talk about how this bill will create jobs and about economic growth. But make no mistake; over the past decade or so, currency manipulation has cost the U.S., our workers, and our industry between 2 and 5 million jobs. Instead, this conference bill includes a meaningless provision that simply calls for more talk, more deference to the Treasury Department, and no real action.

The climate change language in the conference report sends just the wrong message as our diplomats are working in Paris with over 150 nations to find an agreement on this threat to our environment. The language in this conference report on climate change is far more than confusing, as some people like to say. It would prevent us, for example, from negotiating provisions like common fuel efficiency standards, a very real possibility in our negotiations with Europe. As reported today from Paris, the Republican Party of the United States may be the only political party anywhere in denial about climate change. That denial is why this provision on climate in this conference report is before us.

Now, as to human trafficking, this provision weakens current law by allowing for a trade agreement with a tier 3 country to be fast-tracked so long as that country ''has taken concrete actions'' to implement recommended changes, no matter how egregious the conditions are still in place. Countries on tier 3 are the worst actors, countries that the State Department has concluded ''do not fully comply with the minimum standards under the Trafficking Victims Protection Act.'' We need to get these countries to meet minimum standards on trafficking, certainly well before we enter into a trade investment relationship with them. Unfortunately, this conference report does not get us there.

These and other fundamental flaws outweigh the enforcement provisions that were included in the conference report. Most of the enforcement provisions are weak, and I think they are being oversold. For example, the bill establishes an interagency enforcement center, but that has already existed for several years.

It renews the Super 301, which requires the USTR to report regularly on its trade enforcement priorities, but this is something an administration can already do on its own, just as the Clinton administration did.

The bill establishes, also, a new trade enforcement trust fund, but those funds still need to be appropriated and paid for, just as they did in the past.

It requires the ITC to make information related to imports available on its Web site, information that already exists in other forms in the same Web site.

All this is very disappointing because there are positive aspects of this bill, such as the ENFORCE Act that my colleague LINDA SÁNCHEZ has spearheaded, which will help to address the circumvention of antidumping and countervailing duties to address unfair trade. All of the deep flaws in this conference report far overshadow this provision and the real Customs provisions that have long had bipartisan support.

Going further, the bill includes an Internet tax provision added by the conferees that has absolutely no place in this Customs bill. It was neither in the House nor the Senate Customs bill. Not only is it not a Customs measure, it is not even a trade measure. Dropping this provision into a conference report at the last minute and with no warning is no way to legislate. It is the opposite of regular order.

Indeed, this conference report does not tell it straight. As I said, it deletes the only provision that reflects meaningful legislation on currency, which has devastated U.S. jobs and economic growth, legislation that overwhelmingly passed the House previously.

□ 1115

It keeps provisions inserted by the House to encourage Republicans who oppose action on climate change, as I said, at the same time the world is meeting in Paris, thwarting further possible action on climate change in trade negotiations, including with Europe.

It tones down a provision which had teeth on human sex and labor trafficking.

It sneaks in another provision totally unrelated to Customs, as I said, never being discussed at the only meeting of the conference committee, relating to taxation of Internet access. It leaves in the dust the issue of trying to even out the taxation of sales on the Internet with sales at hardworking brick-and-mortar stores.

For all of these reasons, all of them, I strongly urge a ''no'' vote.

I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. REICHERT), who is the chairman of the Trade Subcommittee.

Mr. REICHERT. Mr. Speaker, I thank the chairman for yielding. I thank him for his hard work, and Mr. BOUSTANY, Mr. TIBERI, and other members of the committee, who have worked hard on this legislation, and, also, Members across the aisle who have come together to build this piece of legislation presented here today.

I rise in strong support, Mr. Speaker, of this important legislation.

In my home State of Washington, 40 percent of jobs are tied directly to trade. We are the most trade-dependent State in the country. This bill supports that trade and those jobs through the elimination of unnecessary roadblocks U.S. companies face when exporting and importing goods and the enhanced enforcement of our laws. And it lays the groundwork for the miscellaneous tariff bill, often called the MTB, which reduces costs on American manufacturers and supports jobs across this country.

I am proud that this bill includes several provisions that I have championed with colleagues across the aisle from the Pacific Northwest, including outdoor recreation apparel provisions with my colleague from the State of Oregon (Mr. BLUMENAUER), and the renewal of the State trade expansion program with my colleague from the State of Washington (Mr. LARSEN). We have fought hard for those two provisions, and they are included in this legislation.

That program helps small businesses grow by making it easier for them to sell their products across this world, which, of course, helps create jobs here in the United States. The more products we sell, the more jobs we create here at home. It has supported over 430 small businesses in Washington and 2,200 jobs.

Mr. Speaker, I urge my colleagues to join with me today in supporting American farmers, American workers, and businesses through stronger enforcement of our laws and streamlined trade.

Mr. LEVIN. Mr. Speaker, I yield 2½ minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ), another member of our committee.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to speak about the Trade Facilitation and Trade Enforcement Act of 2015. I am extremely frustrated that, after the long path to get us to the conference report before us today, I won't be able to support the bill.

As I said during our conference committee meeting earlier this week: if Customs were truly all that this bill was about, it would pass overwhelmingly on the floor.

I strongly support the bulk of what is in the final bill. Trade enforcement should always move in lockstep with our trade policy. It is only when countries live up to agreed-upon laws and regulations that we can truly have robust trade, but robust trade also requires strong enforcement.

Particularly for me, I am pleased that the bulk of the ENFORCE Act is finally at the finish line after many years of work. One of my biggest priorities for several years has been finding a way to combat the blatant abuse and duty evasion by some foreign producers that undercut American industry. Foreign companies use schemes to avoid paying the duties they owe on goods that they bring into the United States.

We will finally give some real teeth to our enforcement procedures and send the right message to domestic manufacturers, employers, and workers that this Congress cares about Customs enforcement. This idea doesn't hinder free trade. Instead, it promotes fair trade and sends a strong signal to foreign producers that the U.S. will not tolerate abuses of internationally agreed upon trade rules. By increasing our Customs security measures, we ensure that American companies that play by the rules are not disadvantaged as a result of evasion by foreign competitors.

Unfortunately, unrelated TPA language included in the final bill will keep me from being able to support something that I have worked on for many, many years.

In this bill, we fail to address currency manipulation in a meaningful way. The conference report also falls short in the areas of climate change and human trafficking. Specifically, we should not tie our hands when it comes to combating climate change, nor should we be rushing to increase our trade with countries that persist in allowing human trafficking. To me, these are not the values of this country. They are no-brainers, and they shouldn't be in this bill. But today, we fell short.

For those reasons, I cannot support the final Customs package that we have before us today.

Mr. BRADY of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. TIBERI), the former chairman of the Trade Subcommittee who played a key role in bringing forth this legislation.

Mr. TIBERI. I thank the chairman for all his leadership on this going back years.

Mr. Speaker, I introduced the Trade Facilitation and Trade Enforcement Act in April of this year, and it is great to see that this issue is finally getting done.

I would really like to thank Speaker RYAN and, again, Chairman BRADY; Chairman REICHERT; a special thanks to Representative BOUSTANY for his leadership going way back as well; and JASON SMITH, the Congressman from Missouri, for his incredible work to get this bill in a better place. I would also like to thank my colleagues in the Senate who helped make this a successful conference committee.

This bill presents a long, long overdue opportunity. I would ask my colleagues to not let the perfect be the enemy of the good.

In my home State of Ohio, one in five workers' jobs, Mr. Speaker, depends on trade. Trade drives our economy. In fact, exports from Ohio last year hit an all-time high. This bill will make it even easier for Ohio companies to trade and will increase exports, and that means increasing jobs in my State of Ohio.

The U.S. Customs and Border Protection Act plays a pivotal role in helping ensure that our trade agreements, our preference programs, and our U.S. trade laws are enforced and that legitimate trade is done. Over the years, the volume and the complexity of trade and the challenges, such as combating evasion of duties and protecting U.S. intellectual property rights, have grown, and grow more complex.

Meanwhile, we are facing increased competition around the world, and it is critical to keep the flow of trade moving efficiently.

Customs issues are vital to our competitiveness, security, and safety.

Streamlining legitimate trade and providing benefits to trusted traders will increase U.S. competitiveness in the global marketplace.

This bill would reduce barriers and burdens to our small and medium businesses that drive our economy, saving them time and money, and, again, create jobs.

Another major pillar of this bill is strengthening enforcement of our trade remedy laws.

Enforcing U.S. intellectual property rights, anti-dumping, and countervailing duty laws prevents our competitors from gaining an edge by cheating. When our competitors around the world don't play by the rules, we get hurt; our American businesses get hurt; and our American workers pay.

When our American companies and American workers compete on a level playing field, they win; we win.

This bill makes our trade remedies more effective by allowing our Customs agencies to take quick action against these bad actors, giving our businesses a fair opportunity to compete and win.

This bill also contains a commitment to advancing a Miscellaneous Tariff Bill process. I strongly support that commitment, and will continue to work to find a path forward, Mr. Speaker. MTBs provide important relief to our manufacturers who import materials that have no domestic content or supply. The tariffs they pay—or the taxes, they are taxes—on these products make the entire manufacturing supply chain and the process more expensive to my constituents. The MTB process must be resolved in a way that is not only consistent with our House rules, but also our constitutional responsibilities.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BRADY of Texas. I yield the gentleman an additional 30 seconds.

Mr. TIBERI. I am confident we can resolve these issues, Mr. Speaker. This

has been a long overdue bill that provides much modernization to our Customs process to make it easier for our manufacturers and our businesses and, ultimately, our workers, to export their products around the world. In the end, we win.

Mr. LEVIN. Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in opposition to the Trade Facilitation and Trade Enforcement Act, or the Customs bill. This legislation has historically been a bipartisan bill, but the majority has politicized the Customs legislation by adding several riders that would be harmful to our trade policy.

The bill undermines our ability to address several of the most critical global issues that we face: climate change, human trafficking, and immigration. And it includes no meaningful method for dealing with one of the biggest causes of job loss and wage suppression in the United States: currency manipulation, which has cost our Nation over 5 million jobs.

Ironically, world leaders are concluding negotiations today in Paris at the largest climate summit in history. They are working hard to hash out an agreement that, as the Sierra Club has pointed out, will be undermined by the Trans-Pacific Partnership agreement. With the bill before us today, the United States will not be allowed to address greenhouse gas emissions in future trade negotiations. Imagine.

The bill also contains no funding to support the enforcement and monitoring of our trade agreements, and it lacks any automatic mechanism for ensuring compliance with our trade rules. This administration has never self-initiated a trade complaint against any of our free trade partners. It takes years for the administration to bring a case against countries that subsidize or dump their product in our markets.

Lack of enforcement of our trade agreements has plagued our country for decades. Despite environmental rules in the U.S.-Peru free trade agreement, the overwhelming majority of timber from Peru is illegally logged. Despite the labor rules in the Colombia free trade agreement, over 100 Colombian trade unionists have been murdered, 19 this year alone.

This bill does not adequately address enforcement. It lacks the mechanisms for ensuring compliance with trade rules. As I said, no administration has ever self-initiated a labor or environmental trade complaint against any of our free trade partners. Why would we think that this would begin now?

While this bill authorizes funding for enforcement, there is no guarantee that this funding will ever be provided. We already lack the critical funding to enforce our existing trade agreements. American workers cannot afford to suffer through additional losses as their jobs are shipped to countries that do not play by the rules.

Worst of all, one day after International Human Rights Day, which was yesterday, this legislation contains a provision that will weaken U.S. efforts to curb human trafficking forced labor. The bill would allow for expedited consideration of a trade agreement with nations classified as the worst offenders of human trafficking.

We have already seen the administration's willingness to do whatever it takes to secure a trade deal when it upgraded the human trafficking ranking of Malaysia to conclude the TPP negotiations. Malaysia was in the same category as Iran just 5 months ago. Where are our values with regard to human life?

The biggest problem with our economy today is that too many Americans are in jobs that do not pay them enough to live on. They are struggling. One of the main reasons for this is several decades of bad trade policy that has shipped millions of jobs overseas, like the policies in this Customs bill and the TPP.

□ 1130

People in this body like to say that all of the job losses and the wage depression are because of technology and globalization. It is. It is because of the policy choices we have made over the years. It is time for us to rewrite the rules.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. LEVIN. I yield the gentlewoman an additional 30 seconds.

Ms. DELAURO. Mr. Speaker, millions of jobs are at stake as is the fate of our country's economy. Working class families in this Nation are struggling just to get by. Men and women are scraping together meager earnings to put food on their tables, to warm their homes, and to take care of their kids. They can't think about sending their kids to college. They can't think about vacations or retirement security.

We need to decide if we are going to rebuild a land of access and opportunity, where anyone who is willing to work hard and to play by the rules can find a good job that can support a family. There is no reason to make bad trade policy even worse. This legislation, with enforcement gaps and harmful negotiating objectives is unacceptable. We can and should do better for working people. I urge my colleagues to vote ''no.''

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY), who has played a key role in strengthening trade enforcement in this bill.

Mr. BOUSTANY. I thank Chairman BRADY, Chairman TIBERI, Chairman REICHERT, Congressman JASON SMITH, and others on the committee, as well as staff, for helping make this legislation—finally, this conference report—a reality that will become law.

Mr. Speaker, today, Louisiana's seafood industry is being severely injured by illegal foreign imports. Right now, the fundamental issue is economic growth. How do we empower our seafood producers, our farmers, and our manufacturers to grow their businesses? to create opportunity? to grow this economy? The legislation before us today is important because, as we seek to expand market access for all of our businesses and our farmers, we need seamless trade facilitation and strong enforcement if we are going to achieve that economic growth.

This bill contains language from my PROTECT Act, providing new tools for the relevant Federal agencies, for legitimate importers and distributors, and for trade-affected domestic industries to prevent and combat fraud at our border, not after the fact. That is a key distinction and a key piece of this legislation. It will allow our seafood producers, our farmers, and our manufacturers to compete on a fair playing field here in our American domestic market as we seek open market access abroad for them as well.

Additionally, crawfish processors in my State of Louisiana have suffered for 15 years because of the unfair dumping of crawfish from China and other illegal sources. In effect, the administration punished domestic crawfish producers by forcing them to pay for the delays caused by Chinese dumpers, by the U.S. insurance companies that posted bond for the duties, and, in some cases, by the Customs and Border Patrol, itself. This bill contains an important fix that will make sure that our crawfish producers are paid what they are owed.

Mr. Speaker, this legislation, this Customs reauthorization conference report, will make necessary improvements, not only to ensure fraud is prevented at our border, but so that our American industries are treated fairly. I urge its support.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND), a distinguished member of our committee.

Mr. KIND. I thank my friend from Michigan for yielding.

Mr. Speaker, as a member of the committee and as someone who has been involved in the negotiations of the legislation before us, I rise in strong support of the Trade Facilitation and Trade Enforcement Act.

The bill that we have before us today is not the bill that came out of the House in June. There are much-needed improvements. As we debate trade policy and where we are going in the 21st century global economy, we need strong enforcement mechanisms so that, when we get standards in these trade agreements that elevate it as

being up to us to level the playing field for our workers, for our businesses, and for our farmers, we have the tools to ensure that those standards are enforced on an appropriate basis, so we are able to counter unfair trade practices as they are applied against us. That is exactly what is in this bill right now. This bill will end any importation of products that are made from the exploitation of child and forced labor, for instance.

This bill also includes the ENFORCE Act, additional tools to enforce the provisions that we do negotiate in future trade agreements.

This bill establishes the Interagency Trade Enforcement Center for greater coordination between our agencies in order to enforce provisions that we negotiate in trade agreements.

It establishes an enforcement trust fund, which is due to the hard work my friend and colleague from Oregon (Mr. BLUMENAUER) put in, so that there are dedicated resources in order to enforce the provisions that we fought to achieve.

It establishes a Super 301 section—again, enhancing the enforcement on those standards that many of us have been fighting for: core labor, environmental, human rights protections—in the body of these trade agreements, which are fully enforceable like any other provision. That Super 301 will give us tools that will enable us to move forward on that.

It also establishes a State Trade and Export Promotion Program—reauthorizing it and funding it—to make it easier for our small businesses and our manufacturers back home to be able to export more easily. We know that those exporting companies typically pay their workers, roughly, 18 to 19 percent above other workers within that sector; so it is a win for our small businesses back home.

It is not a perfect bill. It is the product of compromise and bipartisanship. I think it advances the ball when it comes to key enforcement. I encourage my colleagues to support it.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. ROSKAM), who played a key role in the language defending our friend and ally Israel.

Mr. ROSKAM. I thank Chairman BRADY.

Mr. Speaker, a couple of years ago, Israel's Ambassador Michael Oren wrote an opinion piece that got my attention, and he described the waves of attempts to wipe Israel off the map.

He said the first wave was military, and we know how that worked: Israel's enemies worked together, and they were not successful in defeating Israel back in 1948. The second wave was a wave of terror. That is still ongoing, but that wave has not been successful. Yet there is a third wave, and the third wave is, actually, more insidious. The third wave is a movement called the Boycott, Divestment and Sanctions Movement. It is an attempt to take away Israel's legitimacy, to hold Israel to a standard to which no other country in the world is held.

So let's not kid ourselves that this is an attempt to drive Israel to the negotiating table—this movement, that is. It is an attempt to wipe Israel off the map. It is the smart, long move for the haters of Israel.

But, today, in this bill, the House is saying we stand with Israel. We stand with Israel, and we are pushing back. We are making it the official policy of the United States, along with the Trade Promotion Authority Act, which says we are going to push back against state-sponsored BDS activities. There is good work here.

Mr. Speaker, there are many times when people ask: Can't people get along in Congress? The answer is, yes, we can. This is strongly supported on a bipartisan basis, and it does two things in particular that I want to bring your attention to:

Number one, it works to protect American companies from foreign lawsuits, which is incredibly important because of our strong commercial relationship with the Israelis. Secondly, it has a reporting requirement, so it makes the administration more mindful, and we are going to have more information.

I thank Congressman VARGAS, who was a coauthor with me in some of the underlying legislation that was adopted by Chairman BRADY and others. I thank all of the conferees.

Mr. LEVIN. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from Michigan has 13 minutes remaining, and the gentleman from Texas has 16½ minutes remaining.

Mr. LEVIN. Mr. Speaker, I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. PAULSEN), who has played a key role in advancing our entire progrowth trade agenda.

Mr. PAULSEN. I thank the chairman for moving this bill forward and getting it one step closer to law after his long-term engagement in trade facilitation.

Mr. Speaker and Members, trade facilitation and trade is key to growing our economy. This bill makes needed reforms to our Customs procedures; it strengthens enforcement measures behind our trade agreements; and it removes unnecessary barriers to trade.

The bill couldn't come at a more important time. Think about it. We are in the midst of the opportunity to complete two of the most ambitious trade agreements in our Nation's history: one with countries in the Pacific Rim and the other with our allies in the European Union. The United States used to be at the top. We were at the top for our efficiency and trade and logistics and moving goods across the border, but our Customs procedures have become outdated, and we have slipped. Now we have too much paperwork and too much inefficiency. This bipartisan bill streamlines and modernizes our Customs system to get us back on track.

Why is trade important? Of course, the answer is very simple: It is about jobs.

Trade supports one in five American jobs. In my State of Minnesota, more than 774,000 jobs are connected to trade; so trade is driving our economy. Many of these jobs are held by people who do work at small- and medium-sized businesses, which are the backbone of our economy. In fact, 98 percent of all American exporters are small- or medium-sized employers. These are jobs that pay more. They pay higher than average wages, and they pay better salaries for American workers.

In addition to supporting American jobs, the Customs bill also includes stronger enforcement tools that are essential to the trade agreements that we have with other countries so that they don't cheat. It provides fair and strong rules to hold other countries accountable for their unfair trade practices, and it will help tear down barriers that unfairly block our goods from foreign markets.

Mr. Speaker, for these reasons, I am excited to see the Customs bill move forward on a bipartisan basis. It will improve trade facilitation so as to move goods and services more efficiently.

Mr. LEVIN. Mr. Speaker, I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. SMITH), a key member of the Ways and Means Committee who is focused on American agriculture and American outerwear.

Mr. SMITH of Nebraska. Mr. Speaker, I stand in strong support of the Trade Facilitation and Trade Enforcement Act of 2015.

This legislation will update and streamline our country's Customs and Border policies to facilitate trade and enhance U.S. competitiveness. Included in the bill are a number of additional, commonsense provisions.

For example, the bill fixes a technical error which inadvertently increased the tariff rates on outerwear. Not only is this fix important to producers, retailers, and consumers, but it also brings the U.S. back into compliance with our commitments under the General Agreement on Tariffs and Trade.

While I am disappointed we couldn't find a path forward on the Miscellaneous Tariff Bill process, I am pleased the bill contains language in support of continued work on this issue.

The conference report also takes important steps to strengthen Trade Promotion Authority. TPA is necessary to ensure that the U.S. gets the best possible deal in trade negotiations as we move forward, and these agreements should leverage our country's comparative advantages in all industries, certainly including energy.

For this reason, I was happy to see the inclusion of language to prevent the administration from using trade agreements to negotiate very costly greenhouse gas emission rules in the United States. I also want to make sure Nebraska producers can make the most of the opportunities provided by a level playing field in order to increase exports.

I urge my colleagues to support this important legislation.

Mr. LEVIN. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. DOGGETT), another distinguished member of our committee.

Mr. DOGGETT. Mr. Speaker, this Customs bill fails totally to address a custom that is the custom of the USTR: saying one thing and doing another.

Were it possible to legislate trust, to legislate candor, to legislate fidelity to public duty, I would be the most enthusiastic supporter this bill could have. Unfortunately, this proposal represents only a very thin, see-through window dressing for a runaway bureaucracy that is pursuing its own multinational corporate agenda and ignoring the public interest.

The USTR, in its history, has never successfully challenged an environmental abuse. Though the USTR has been charged since February 2009 with preventing trade in illegal logging and in the destruction of Peruvian rain forests, the Environmental Investigation Agency recently reported: ''Illegal logging in Peru and the associated trade remains a serious and unabated problem.'' There has been a ''complete failure to enforce these obligations . . .'' One such obligation is a very simple audit to demonstrate whether logs are being harvested legally or illegally. I have specifically asked the USTR repeatedly to just produce the audit so we can see, and they have refused to provide that documentation or to admit that their enforcement has totally failed to do that simple matter. Meanwhile, coffins with the names of brave Peruvian inspectors are being dragged through the streets.

The USTR trumpets its environmental successes; yet the Peruvian Government is being rewarded for going backward, not forward, on the environment.

□ 1145

USTR has never successfully challenged worker abuses. Almost 8 years after the Administration received a complaint about serious abuses in Guatemala, such as the right to work and join with other workers without being murdered, USTR has not remedied the complaint.

In Honduras, USTR announced with great fanfare just by coincidence yesterday that, after 3 long years of delay on child labor and other abuses, it had a new plan. Well, it is the same type of plan that failed in Guatemala. We don't need new public relation plans. We need to enforce the law effectively.

What reason is there conceivably to believe that Vietnam, a country with one union that is only a branch of the Communist Party, will somehow fulfill its trade obligations under the Trans-Pacific Partnership for a complete overhaul of its system when it takes the Administration almost 8 years to address Guatemala labor concerns? More likely, we will simply be joining another race to the bottom with a 60-cent-per-hour Vietnamese wage.

Just as it lacked the will to enforce environmental and working conditions, USTR prioritized trade even when that meant excusing modern-day slave trade in corrupt Malaysia. The bureaucratic manipulation and indifference to human trafficking in Asia is disgraceful.

The only thing that is transparent about USTR is the ease of seeing through its propaganda. Certainly, I am very concerned about climate change, but the real climate that needs changing when it comes to our trade policy is the climate of indifference and secrecy at USTR.

I ask that you vote against this bill in order to develop a true pro-trade, 21st-century American policy that reflects our basic American values and protects our jobs.

Mr. LEVIN. If the chairman does not mind, I would like to yield to the distinguished leader. Is that okay, Mr. Chairman?

Mr. BRADY of Texas. Yes, sir.

Mr. LEVIN. Mr. Speaker, it is now my privilege to yield 1 minute to the gentlewoman from California (Ms. PELOSI), our distinguished leader.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding and for his leadership on behalf of America's working families. I thank the chairman of the committee for his courtesy in enabling me to speak at this time.

Mr. Speaker, Congress has a responsibility to stand with American manufacturing and to help create good-paying jobs for the hardworking families who are the backbone of our country. The middle class is the backbone of our democracy. In order to have fair trade, we must have robust tools to enforce the obligations of our trading partners.

This legislation began as a strong, bipartisan trade enforcement bill. It has degenerated into a vehicle for all of the toxic, special interest promises that have been made to secure passage of the TPA. They have poisoned a strong trade enforcement bill with their denial of the climate crisis, with their turning a blind eye on human trafficking, and with their refusal to address the foreign currency manipulation that destroys millions of American jobs.

In terms of the climate crisis, congressional Republicans refuse to acknowledge the truth of the climate crisis. Pope Francis, on his visit here and even before he came and since, has made this climate crisis a priority. It was the subject of his encyclical. He has said that he is praying for the success of the historic Paris Climate Summit.

Faith leaders from the evangelical community and across the board are urging us to answer our moral responsibility to preserve God's creation. It is our responsibility. As God's creation, we have a responsibility to be good stewards of it and to do so in a way that does not hurt the poor and their presentations.

Just look at what is happening in Paris as opposed to what is happening here. In Paris, 195 nations have convened to address the climate crisis that threatens the health of our communities and the future that we leave our children. It is about air pollution. 186 nations have submitted plans to address the climate crisis and the air pollution. 146 world leaders personally attended the conference.

Yet, with this Customs bill, Republicans would bar our trade negotiators from even discussing climate in the context of a trade agreement. You cannot separate climate and commerce. We cannot accept Republicans' willful blindness to this connection and to the reality of the climate crisis.

Our trade negotiations must honor our values as a Nation. America must stand as a bulwark against the atrocity of human trafficking wherever it is found.

In the week that we mark the 150th anniversary of the 13th Amendment abolishing slavery in the United States or anyplace subject to our jurisdiction, this legislation allows countries with documented forced labor practices and brutal human trafficking to enjoy the benefits of free trade and full access to our markets.

In the Trade Promotion Authority legislation, we prohibited fast-track procedures for trade agreements with countries ranked tier 3 in the State Department's Trafficking in Persons Report, which are nations with the worst human rights records. That is in the TPA. Yet, in this bill, we weaken that standard, say, for example, for Malaysia and for other nations failing to address human trafficking.

In terms of currency, Republicans continue to allow foreign currency manipulation to devastate the competitiveness of goods made in America, stealing jobs from American workers.

The American Policy Institute estimates that foreign currency manipulation has already cost millions of American jobs and threatens hundreds of thousands more in the coming years.

We need strong, enforceable currency standards in our Customs laws. Yet, Republicans have stripped out this tough, bipartisan provision, cracking down on currency manipulation in the Senate bill. It is time to crack down on countries who have manipulated their currencies for years to protect their industries and undercut American jobs. In any trade legislation, our top responsibility must be to strengthen the paychecks of America's workers.

Since I have lost my voice, let us reject this deeply flawed bill.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. SMITH), a member of the Ways and Means Committee who is fighting for American agriculture, furniture, and other local businesses.

Mr. SMITH of Missouri. Mr. Speaker, I rise in support of the conference report.

Right now there are over 120 antidumping and countervailing duty cases against China. When China violates the rules of international trade, small- and medium-sized manufacturers in Missouri and across America are harmed. The ENFORCE Act included in this report would strengthen America's ability to identify and go after those who break international law.

One company in Missouri found itself unfairly competing against an illegal product originating from China, but using a fake address. The ENFORCE Act allows this company to now take real and meaningful action against foreign perpetrators.

This spring, as the Ways and Means Committee worked on TPA, there were many constructive conversations about what our trade enforcement bill was going to look like. I am grateful to Speaker RYAN, Chairman BRADY, Mr. TIBERI, and Mr. BOUSTANY for their willingness to work with me to get the ENFORCE Act included in this bill. It was a team effort, and the bill we have before us reflects that.

American workers and American products can compete with anybody in the world. When countries cheat, our manufacturers are significantly harmed. This bill helps end those unfair practices.

I urge my colleagues to support the conference report.

Mr. LEVIN. Mr. Speaker, could the Chair tell us the time remaining on both sides.

The SPEAKER pro tempore. The gentleman from Michigan has 8 minutes remaining. The gentleman from Texas has 11½ minutes remaining.

Mr. LEVIN. Mr. Speaker, by the way, I thank Chairman BRADY for allowing the leader to go out of turn.

I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the Judiciary Committee.

Mr. GOODLATTE. Mr. Speaker, I thank the chairman for yielding and for his and other members of the Ways and Means Committee's outstanding work on this legislation. I am here to talk about another aspect of it.

Time is short. A temporary ban on State taxation of Internet access is expiring. Section 922 of the conference report aids taxpayers by making this ban permanent.

If the ban on Internet access taxes is not renewed, the potential tax burden on Americans would be substantial. It is estimated that Internet access tax rates could be more than twice the average rate of all other goods and services. Low-income households could pay 10 times as much as high-income households as a share of income.

Congress has passed numerous temporary bans with enormous bipartisan support. Earlier this year a permanent ban passed the House by voice vote.

Section 922 merely prevents Internet access taxes and unfair multiple or discriminatory taxes on e-commerce. It does not tackle the issue of Internet sales taxes. My committee is working assiduously on that issue and making progress.

Studies show that taxes affect Internet adoption rates. As price rises, demand falls. The Internet has become an indispensable gateway to scientific, educational, and economic opportunities. Section 922 preserves unfettered access to one of the most unique gateways to knowledge and engines of self-improvement in all of human history.

I thank the conferees for including this protaxpayer collision. I urge my colleagues' support.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a distinguished member of our committee.

Mr. BLUMENAUER. Mr. Speaker, I rise in support of the bill today, which is in a much better form than the bill I opposed this summer. Yes, there are still terrible, extraneous provisions.

Climate is the worst example, but that is actually going to be more of an embarrassment to my Republican friends in the future, that they trotted this out at a time that the rest of the world is working in Paris to try and deal with it. As a practical matter, it is not going to make that much difference.

I disagree with my learned friend, the ranking member. There will not be a reason that we can't harmonize, for example, fuel standards. There are lots of reasons to do that. The Trans-Pacific Partnership's deforestation provisions will probably have as much impact on fighting climate change as anything that is going on in Paris.

Peru is still troubling. I fought hard for those provisions. As recently as this week, I have been pushing on the administration to do more. It is certainly better than if we hadn't enacted those provisions before. As a matter of fact, that is why we have worked so hard to establish the trust fund.

I appreciate the cooperation of my friend, the chairman, who has worked hard to make sure there is guaranteed funding for the next 10 years, $30 million a year, when the whole USTR budget is less than $60 million.

These trade enforcement provisions are complex, they are expensive, they are tedious, and they are hard. It takes money to do it. This provision includes—the legislation that I worked on with Senator CANTWELL—being able to make sure we can do a better job of enforcing it.

The bill is not perfect, but it is much better than what we had this summer. It represents movement in directions that we can all take pride in. There are a number of provisions that make a huge difference for the people I represent in the Pacific Northwest as well as modernizing the Customs provisions.

Mr. Speaker, I respectfully suggest that this is a step forward. I look forward to working with my colleagues to make sure that it is, in fact, enforced in the future so that we can get the benefits people are talking about.

Mr. BRADY of Texas. Mr. Speaker, I yield myself 15 seconds.

I do want to thank the gentleman from Oregon for his very thoughtful, constructive efforts to help us craft the right trade enforcement remedies. Going forward, I look forward to working with you on other trade remedy issues.

I appreciate the gentlewoman from Michigan (Mrs. MILLER) whose hard work, along with that of the Michigan delegation, enhanced our hand on currency manipulation.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I come from southeast Michigan, which is home of America's domestic auto industry where we build absolutely the finest quality cars and trucks on Earth. We know our products can compete against anyone anywhere in the world. All we ask for is a level playing field.

□ 1200

Unfortunately, American car companies have suffered decades of economic devastation due to unfair currency manipulation practices from overseas competitors, like Japan, China, and South Korea.

That is why I support this bill, Mr. Speaker. After decades of doing nothing—decades of doing nothing—this bill contains very strong measures to protect American products from nations that manipulate their currency.

Now, there will be a three-part test that will identify countries that manipulate their currency and, once identified, they must be reported to Congress, and action must be taken.

I certainly appreciate the help of the House leadership as well as the Committee on Ways and Means, because these provisions will level the playing field, Mr. Speaker.

All of us want free trade, but it must be fair trade.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Speaker, I rise with nothing but the utmost respect for my colleague from Michigan and agree with her on the need to address currency manipulation.

Mr. Speaker, when the Committee on Ways and Means first began considering this bill, it represented a real opportunity to improve our system of trade and eliminate loopholes that allow foreign nations and bad actors to avoid our trade laws. Currency manipulation is the number one trade abuse that must be addressed.

Unfortunately, this bill has become the Christmas tree of the holiday season, and it is being used to put lipstick on the pig that is our current trade negotiations. It ties our negotiators' hands on even negotiating common emissions standards by restricting any consideration of climate issues, and it prevents them from negotiating immigration-related language as well. Further, it weakens existing trade laws designed to prevent human trafficking.

The ribbon on this Christmas surprise is a totally new provision on Internet taxation that isn't even in the jurisdiction of the Committee on Ways and Means and could have unintended consequences that could bankrupt local governments.

There are good provisions at the core of this bill to help improve our Customs system, but they are outweighed by the political gamesmanship that has made this legislation impossible to support. We have seen far too many other examples of last-minute political provisions inserted in bills over the years, and we risk unintended consequences of these political provisions as well.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. KING), who worked hard to ensure that trade agreements are for expanding trade, not expanding immigration.

Mr. KING of Iowa. Mr. Speaker, I thank the chairman of the Committee on Ways and Means—and I am delighted he is the chairman of the Committee on Ways and Means—for yielding.

I rise in support of the conference report of the Customs bill. It has got many provisions within it which I am happy about and happy to support. The currency manipulation provision is one of them.

I am pleased to be here to be able to say that there were those that had significant heartburn over trade promotion authority. I am one of them. There were two provisions that I so badly wanted to be included within the TPA legislation, because I have a bit of a history of working to keep the immigration components out of trade deals. Congress needs to be passing immigration law, not trade negotiators.

Well, that language is an amendment that is in here in the conference report, along with language that prohibits the negotiations under trade promotion authority on climate change. So we are protected from executive decisions imposed upon this Congress and a usurpation of article I authority by two pieces of language in here: No negotiations under TPA can include climate change under this language; and no negotiations under TPA can include immigration.

Congress can speak to that, but they cannot negotiate that under TPA. That is very important to me. It is important to a lot of people across this country. I am standing here saying thank you to now-Speaker RYAN, who negotiated this with me and others. He regrets that he wasn't able to shake my hand as chairman of the Committee on Ways and Means. That is fine with me, Mr. Speaker.

I am happy to shake the hand of KEVIN BRADY as chairman of the Committee on Ways and Means, and say to a number of people who had significant apprehension about whether this would come together on all of the language necessary to get support for trade promotion authority, to say to them upon the passage of this conference report here today and the anticipated signature, merry Christmas to all of you who wanted to step down the line to preserve article I authority for the United States Congress.

Mr. LEVIN. Mr. Speaker, I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. POE), my friend and colleague and neighbor.

Mr. POE of Texas. Mr. Speaker, I support free and fair trade. Where I come from in Houston, Texas, we are an export city. We make a lot of things, and we sell them all over the world, so I support trade.

Let's go back to the year 1898, Mr. Speaker. The Spanish-American War existed then. To help finance the war, Congress taxed a newfangled contraption called the telephone. The war was over. Teddy Roosevelt and the Rough Riders had stormed San Juan Hill before the tax was actually completely collected, but World War I came around, and the tax reemerged.

Mr. Speaker, that war tax over 100 years ago is still on your telephone bill. You pick up your phone bill, and if you have a landline, you are still paying that war tax.

The point being, Mr. Speaker, once Congress imposes a tax, it seems like it never goes away. But, shock, in this legislation, it prohibits a tax that is already being collected in some States. Some States tax Internet access.

This bill does away with that tax. But it fairly allows States like Texas to phase it out until 2020. Good compromise. So let's eliminate a tax on Americans.

Mr. Speaker, don't get too excited. We may be eliminating one tax, but that war tax over 100 years ago that was implemented-still exists. Maybe we will get around to eliminating that eventually.

And that is just the way it is.

Mr. LEVIN. Mr. Speaker, I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, free trade is enforceable trade.

I yield 1 minute to the gentlewoman from Indiana (Mrs. WALORSKI), who has fought for enforceable trade laws.

Mrs. WALORSKI. Mr. Speaker, I rise in strong support of the conference report before us. Manufacturing is critical to the Hoosier economy and my district. A study by the Economic Policy Institute found that manufacturing jobs account for almost 17 percent of all jobs in Indiana. That is the highest rate in the Nation. Manufacturing jobs account for 23.1 percent of the jobs in my district, second highest in the Nation.

This legislation will make our manufacturers so much more competitive by eliminating the red tape and removing supply chain bottlenecks. It provides new tools to tackle evasion of U.S. trade remedies and intellectual property theft.

To be sure, I would like to have seen a new miscellaneous tariff bill process, and I thank the new chairman for his commitment to finding a path forward on that. But, Mr. Speaker, I wholeheartedly urge my colleagues to support this legislation that will help manufacturers in my district and across the country.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank my friend from Michigan for his graciousness. I rise in support of the Trade Facilitation and Trade Enforcement Act of 2015. It is a significant improvement over the original Customs bill, which I opposed.

There are human trafficking reporting requirements that have been added. There is currency language that expands U.S. action on currency manipulation. It codifies the ENFORCE Act, some of the most strict enforcement provisions ever on trade by U.S. legislation. It creates an interagency trade enforcement center. It creates a trade

enforcement trust fund. It provides protections for small businesses and bans child and forced labor.

I would prefer to see stronger proenvironmental provisions, but this enforcement bill, trade enforcement bill is a significant move forward. I am pleased to support the underlying legislation and the conference report. I thank all who contributed to it.

Mr. LEVIN. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Michigan has 4 minutes remaining. The gentleman from Texas also has 4 minutes remaining.

Mr. LEVIN. I yield myself the remaining time.

Mr. Speaker, let me first address climate change. It is interesting that some of the people who speak in favor say how regrettable it is that this provision is even here. The gentleman from Iowa made clear why this provision is here. It was an effort to get votes for TPA.

My feeling is, no matter how people voted on TPA, they should oppose this conference report. One of the reasons relates to global warming. It is really disgraceful this provision is here at the same time virtually everybody in the world is trying to address climate change.

I just want to read the exact language. It says: to ensure that trade agreements do not establish obligations for the U.S. regarding greenhouse gas emission measures.

That is the exact language. There is no way to fuzz it over. There is no way to fuzz it over.

Let me just, then, say a word about currency. This conference report deletes a meaningful, very, very concrete way to address currency manipulation. The language here in this conference bill just essentially, in the end, says nothing that is meaningful.

It says: If the President determines there is a problem with a country's currency—it won't even mention the words ''currency manipulation''—then the President shall do such-and-such—things he can already do—and there is a waiver for the President if he doesn't want to take any of the steps.

The currency provision essentially takes away what was in the Senate bill, and we passed the same or a similar measure a number of years ago. So that is as to currency. This is very much in the wrong direction.

The same is true in terms of human trafficking. Essentially what it says is: If a country is in tier 3—the worst in terms of human trafficking—and takes some concrete steps, they can still receive all the benefits of a trade negotiation, even if they still have the most egregious conditions in their country on human trafficking, both sex and labor human trafficking. That is really also, I think, worse than unwarranted.

Let me just finish by saying a few words about enforcement. I guess no one has worked, if I might say, more than I have in terms of enforceability. The provisions that we have put in place—for example, those regarding worker rights, environment, and medicines—need to be enforced. The problem with this legislation is, in most of the cases, it really doesn't change anything much, if at all.

As I said earlier, it establishes an enforcement center that is already existing. It renews Super 301. There is no need to do that. The administration has the ability to do that already. It does set up an enforcement trust fund, but there is no appropriation of the money. Enforcement is already underappropriated. So now we are setting up a new trust fund without any indication that it is going to be appropriated.

This bill is very close in spirit and in language to the bill that almost all of us on the Democratic side voted against. I urge strong opposition to this conference report.

Mr. Speaker, I yield back the balance of my time.

□ 1215

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

Expanding trade and giving our American workers and companies more opportunities around the world creates jobs here in America: better paychecks, better opportunities, and a stronger economy for our country. Critical to that is to make sure our trade agreements and trade rules are enforced. That is what this bill is all about.

This bill establishes the strongest enforcement and revenue laws ever put on the books in the United States of America. It incorporates issues against currency manipulation; protections and remedies on a number of other areas within our economy that never before have been placed into effect; and it creates a working trust fund, a source of existing revenue, to focus on enforcing those rules.

It also streamlines the way we do trade in America. That is important as well, because it is important for consumers to lower prices. It is important for our local businesses as they manufacture products to sell and compete both here in America and around the world. In fact, it has been more than a decade since we have reauthorized Customs and those processes.

This is about modernizing it, making it more efficient, more effective, more accountable, all of which helps grow our economy and helps working class families.

As important from our side of the aisle, this fulfills the commitment of then-chairman of the Ways and Means Committee, PAUL RYAN, and our leadership to the Members in the House to make this an even better law. And we have succeeded, working with Representatives KING and SESSIONS on immigration language, to make sure this is a trade-only agreement; working with members of the Steel Caucus—Representatives BARLETTA, MURPHY, DAVIS, BOST, and many others—to ensure that we have strong remedies in those areas; working with Representative MILLER and the Michigan delegation against currency manipulation; working successfully with Representative ZINKE of Montana to make sure there is strong oversight of the Office of the U.S. Trade Representative and we have more access to negotiating rounds; working with Chairman ROYCE of California on human trafficking; working with Chairman CHABOT of Ohio on small business provisions; working with Mr. CRENSHAW of Florida to ensure that there are trade preferences for Nepal as they struggle in this bill; and working with Mr. WALDEN, Mr. REICHERT, Mr. REED, and Mr. BOUSTANY on key provisions.

I say all that to make the case this is a bipartisan measure. It is thoughtful, it is effective, it is long overdue, and it is important to expanding trade and making that effective here in America. I urge its support.

Mr. Speaker, I yield back the balance of my time.

Mr. BARLETTA. Mr. Speaker, today, we are making critical changes to our domestic trade laws to ensure that U.S. companies compete on a level playing field. Manufacturers in my district have suffered a competitive disadvantage from trade cheaters in China and other foreign countries that don't follow the trade rules we already have on the books.

Unfortunately, there are companies in China who cheat. American companies cannot compete with products that are subsidized by foreign governments and therefore priced below market value. American companies waste valuable time and legal fees bringing cases against unfairly subsidized products that are dumped into the United States. When American companies win these dumping cases, they deserve to have the penalties enforced.

Unfortunately, Mr. Speaker, American companies have not been competing on a level playing field. Those same trade cheaters that dumped their goods into our U.S. markets are adding insult to injury by evading the duty or penalty. When they ship the product from a country that doesn't have a penalty for dumping, they are skipping out on paying the penalty for cheating in the first place.

We need a better referee to level the playing field. We need the penalties to be enforced. That's why I negotiated for the inclusion of the ENFORCE Act in the final Customs Bill and defended their importance throughout this Conference process.

This bill will ensure that Customs and Border Protection (CBP) must investigate cases of duty evasion within 300 days. If for some reason CBP begins rubberstamping these decisions, the company can go to a U.S. court to have the case reviewed. These are critical reforms that are necessary to ensure that American companies are on a level playing field. I thank my colleagues and friends Mr. MCHENRY, Mr. TIBERI, Chairman BRADY,

Speaker RYAN, Dr. BOUSTANY, Mr. SMITH, and the Steel Caucus for working with me on this important reform.

Every foreign company wants to sell their goods on American store shelves to American consumers. We must make sure we have the tools we need at the border to prevent foreign trade cheaters from sneaking their goods onto our shelves without paying the appropriate duties. We must protect American manufacturers and American jobs from trade cheaters.

Additionally, I urge support for this bill because of critical protections against misguided attempts to use trade agreements to rewrite our domestic immigration laws and environmental regulations. While this bill is not perfect, the permanent improvements to our trade laws and the bans on misuse of trade agreements make it worthy of our support.

Mr. VAN HOLLEN. Mr. Speaker, I rise to raise my opposition to H.R. 644 the Trade Facilitation and Trade Enforcement Act of 2015.

In August, China devalued the renmibi by 4.4 percent which caused a drastic drop in the U.S. stock market. Currency manipulation has real life consequences and affects U.S. jobs and our economy. When China devalues their currency, U.S. exports rise in price and our workers and consumers suffer.

Considering the implications of currency manipulation, it is baffling that this bill does not have any Currency CVD provisions but instead inserts legally insignificant terms that are unenforceable. Rather than focus on protecting the American economy and jobs, Republicans have used H.R. 644 to weaken CVD provisions, eliminate text which prohibits imports made by forced or child labor and to insert partisan language to limit future discussions on climate change.

What started as a strong bill with wide bipartisan support has degenerated into a weak bill that does not shield our economy from the machinations of foreign governments. And for that Mr. Speaker, I must oppose this legislation.

Ms. BONAMICI. Mr. Speaker, I rise in support of H.R. 644, the Trade Facilitation and Trade Enforcement Act. This bill is an improvement on the previous version that I opposed in June.

For the past several years I have had many conversations with the people of Northwest Oregon about growing jobs and increasing exports. I've heard from workers, business owners, environmentalists, and others about the importance of enforcing and strengthening our existing trade laws and agreements. Strong trade facilitation and enforcement will keep other nations accountable for the labor and environmental standards we set and give the United States the ability to take swift action against those who seek to engage in unscrupulous trade practices.

The Trade Facilitation and Trade Enforcement Act earned my support because it includes provisions that are important for my constituents and for employers in Oregon, and because it provides resources and tools to take action against trade cheats.

This bill incorporates the ENFORCE Act to require quick action on allegations of evasion of duties, dumping, and improper subsidies. A special enforcement fund would provide up to $30 million each year dedicated to enforcing trade agreements and making sure trading partners meet their commitments.

It permanently establishes the Interagency Trade Enforcement Center to pursue across-agency enforcement of domestic trade rights and trade laws. There are also strong provisions to put an end to importation of products made by child and forced labor.

Oregon receives funding through the State Trade and Export Promotion (STEP) grant program to help small businesses find new markets for their products and boost job growth. This legislation reauthorizes STEP through 2020 and increases its funding to expand small business exports.

The Pacific Northwest is known for its great outdoors and recreational opportunities in the mountains, forests, beaches, rivers, and on the coast. Recreational outerwear businesses thrive in our region, marketing outerwear and active wear to sporting enthusiasts around the world. This legislation includes provisions that will make these products more competitive and reverse a scheduled increase in tariffs for small and medium-sized outdoor industry businesses.

Mr. Speaker, as I said at the outset, this is not a perfect bill, but it is a bipartisan compromise. On the heels of the historic Paris Climate Agreement, our nation will continue to lead the world in addressing climate change; the language in this legislation will not change that.

The Trade Facilitation and Trade Enforcement Act is a step forward and I look forward to continuing to work with my colleagues to ensure that our nation has strong enforcement mechanisms to ensure our employers and workers can compete on a level playing field in the global economy.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 560, the previous question is ordered.

MOTION TO RECOMMIT

Mr. DOGGETT. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. DOGGETT. Yes, Mr. Speaker. Given all the injustices promoted by this conference report, I am strongly opposed to it.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Doggett moves to recommit the conference report on the bill H.R. 644 to the committee on conference with instructions to the managers on the part of the House to—

(1) disagree to subsections (b) and (e) of section 914 of the conference substitute recommended by the committee of conference; and

(2) insist on sections 701 through 706 of the Senate amendment to the bill as passed the House.

The SPEAKER pro tempore. The motion is not debatable.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. DOGGETT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, and the order of the House of today, further proceedings on this question will be postponed.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2016

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to House Resolution 560, I call up the bill (H.R. 2250) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes, with the Senate amendments thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendments.

Senate amendments:

Strike all after the enacting clause and insert the following:

That the Continuing Appropriations Act, 2016 (Public Law 114–53) is amended by striking the date specified in section 106(3) and inserting ''December 16, 2015''.

This Act may be cited as the ''Further Continuing Appropriations Act, 2016''.

Amend the title so as to read: ''Further Continuing Appropriations Act, 2016''.

MOTION OFFERED BY MR. ROGERS OF KENTUCKY

Mr. ROGERS of Kentucky. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Rogers of Kentucky moves that the House concur in the Senate amendments to H.R. 2250.

The SPEAKER pro tempore. Pursuant to House Resolution 560, the motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The gentleman from Kentucky (Mr. ROGERS) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 2250.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to present H.R. 2250, a short-term continuing resolution that will fund the government through December 16.

As you know, our current funding mechanism expires today, at midnight. At this point, it is, unfortunately, necessary for us to have a little more time to complete our negotiations.

This continuing resolution extends current levels of funding for critical government programs for 5 additional days, ensuring our government stays open until midnight next Wednesday. The Senate passed this same bill yesterday. So, with approval in the House, this bill will go to the President today.

I believe we are making good progress, Mr. Speaker, on a final, full-year appropriations package. While I had hoped that we would be done by this point, there are still many moving pieces. It is my hope and expectation that the final omnibus legislation will be completed by this new deadline.

Mr. Speaker, I am not the biggest fan of continuing resolutions. They tend to be wasteful and inefficient. However, at this point, I see this procedure today as the best way forward. This continuing resolution is very short and limited in scope, simply buying us enough time to wrap up our negotiations and bring a full-year bill to the floor without a lapse in important government services. I urge my colleagues to support this bill.

Before closing, Mr. Speaker, I have a sad announcement to make. On Wednesday morning, the committee lost one of its longstanding staff, who has been associated with the legislative branch for 25 years: Chuck Turner. We mourn his loss. As soon as we have further details on services, we will provide that information to the House.

Mr. Speaker, I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in half-hearted support of the continuing resolution before us. While it saves hardworking Americans and our economy from a disastrous government shutdown, it reflects a failure of Congress to carry out one of our most basic constitutional responsibilities.

It has been 2½ months since the beginning of fiscal year 2016 and 6 weeks since we passed a bipartisan, 2-year budget agreement to set the guidelines for appropriations. There is no good reason we should not have passed spending bills by now to keep the government operating for the 2016 fiscal year.

The bill before us today should be bipartisan legislation that makes crucial investments in biomedical research, job training, and national security. The bill before us today should provide relief from harmful sequester caps that are hurting economic growth and families' pocketbooks. Instead, Republicans' insistence on including dangerous, harmful policies in the spending bills has halted progress.

Since the budget agreement, terrorist attacks in Paris and San Bernardino have brought to bear the need for improved security and closure in lax gun safety laws. Yet the majority wants to continue to deny even basic research on causes of gun violence at the Centers for Disease Control, not to mention we should be acting immediately to stop the legal purchase of guns by those on terrorist watch lists, an amendment I have introduced four times in 5 years that has been defeated every time in committee.

The process has stalled because Republicans insist on demonizing legal, women's reproductive health decisions, even putting women's jobs at risk if their employers do not agree with their health choices.

And finally, 2015 is on track to be the hottest year on record, with droughts leading to hunger and wildfires, and rising sea levels threatening to wipe away island nations. Yet Republicans demand measures that harm the environment, put the health and safety of Americans, their children, and the entire planet at risk.

I hope my colleagues will work together in the coming 5 days to agree on appropriations bills that invest in biomedical research, education, infrastructure, job training, and a strong national defense. Together, we can provide opportunities for hardworking families and build a 21st century workforce and a secure America.

Mr. Speaker, I yield back the balance of my time.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 560, the previous question is ordered.

The question is on the motion to concur by the gentleman from Kentucky (Mr. ROGERS).

The motion to concur was agreed to.

A motion to reconsider was laid on the table.

□ 1230

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the order of the House of today, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

The motion to recommit the conference report on H.R. 644;

Adoption of the conference report on H.R. 644, if ordered;

And agreeing to the Speaker's approval of the Journal, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

CONFERENCE REPORT ON H.R. 644, TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the motion to recommit the conference report on the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes, offered by the gentleman from Texas (Mr. DOGGETT), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit.

The vote was taken by electronic device, and there were—yeas 172, nays 239, not voting 22, as follows:

[Roll No. 692]

YEAS—172

Adams	Frankel (FL)	Meng
Ashford	Fudge	Moore
Bass	Gabbard	Moulton
Beatty	Garamendi	Murphy (FL)
Becerra	Graham	Nadler
Bera	Grayson	Napolitano
Bishop (GA)	Green, Al	Neal
Bonamici	Grijalva	Norcross
Brady (PA)	Gutiérrez	O'Rourke
Brown (FL)	Hahn	Pallone
Brownley (CA)	Hastings	Pascrell
Bustos	Heck (WA)	Payne
Butterfield	Higgins	Pelosi
Capps	Himes	Perlmutter
Capuano	Hinojosa	Peters
Cárdenas	Honda	Peterson
Carney	Hoyer	Pingree
Carson (IN)	Huffman	Pocan
Cartwright	Israel	Polis
Castor (FL)	Jackson Lee	Price (NC)
Castro (TX)	Jeffries	Quigley
Chu, Judy	Johnson (GA)	Rangel
Cicilline	Johnson, E. B.	Richmond
Clark (MA)	Jones	Roybal-Allard
Clarke (NY)	Kaptur	Ruiz
Clay	Keating	Ruppersberger
Cleaver	Kelly (IL)	Rush
Clyburn	Kennedy	Ryan (OH)
Cohen	Kilmer	Sánchez, Linda T.
Connolly	Kirkpatrick	Sarbanes
Conyers	Langevin	Schakowsky
Courtney	Larsen (WA)	Schiff
Crowley	Larson (CT)	Scott (VA)
Cuellar	Lawrence	Scott, David
Cummings	Lee	Serrano
Davis (CA)	Levin	Sewell (AL)
Davis, Danny	Lewis	Sherman
DeGette	Lieu, Ted	Sinema
Delaney	Lipinski	Sires
DeLauro	Loebsack	Slaughter
DelBene	Lofgren	Smith (WA)
DeSaulnier	Lowenthal	Speier
Deutch	Lowey	Swalwell (CA)
Dingell	Lujan Grisham (NM)	Takai
Doggett	Luján, Ben Ray (NM)	Takano
Doyle, Michael F.	Lynch	Thompson (CA)
Duckworth	Maloney, Carolyn	Thompson (MS)
Edwards	Maloney, Sean	Titus
Ellison	Matsui	Tonko
Engel	McCollum	Torres
Eshoo	McDermott	Tsongas
Esty	McGovern	Van Hollen
Farr	McNerney	Vargas
Fattah	Meeks	Veasey
Foster	Meng	Vela

Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Beyer
Bilirakis
Bishop (MI)
Black
Blackburn
Blum
Blumenauer
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Hanna
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meehan
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—22

Aguilar
Bishop (UT)
Boyle, Brendan F.
DeFazio
Fincher
Gallego
Green, Gene
Guinta
Harper
Jenkins (KS)
Johnson, Sam
Kildee
Kuster
Meadows
Nolan
Pompeo
Sanchez, Loretta
Schrader
Schweikert

□ 1257

Messrs. FLEISCHMANN, MILLER of Florida, AUSTIN SCOTT of Georgia, GRIFFITH, McHENRY, and MEEKS changed their vote from ''yea'' to ''nay.''

Ms. McCOLLUM, Mr. NADLER, Mrs. KIRKPATRICK, Messrs. SMITH of Washington and PETERS changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 256, noes 158, not voting 19, as follows:

[Roll No. 693]

AYES—256

Abraham
Aderholt
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Beyer
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Farr
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meehan
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Scott, Austin
Sensenbrenner
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—158

Adams
Amash
Bass
Beatty
Becerra
Bishop (GA)
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kilmer
Kirkpatrick
Langevin
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—19

Aguilar
Boyle, Brendan F.
DeFazio
Fincher
Green, Gene
Harper
Jenkins (KS)
Johnson, Sam

Kildee	Pompeo	Sessions
Kuster	Sanchez, Loretta	Stivers
Meadows	Schrader	Westmoreland
Nolan	Schweikert	

□ 1304

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SAM JOHNSON of Texas. Mr. Speaker, on rollcall No. 693 I was unable to vote due to the death of my wife Shirley. Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. SESSIONS. Mr. Speaker, on rollcall No. 687 on the motion to suspend the Rules and Pass, as Amended, the DHS Science and Technology Reform and Improvement Act of 2015, I am not recorded. Had I been present, I would have voted "aye."

On rollcall No. 688 on the motion to Table Appeal of the Ruling of the Chair, I am not recorded. Had I been present, I would have voted "aye."

On rollcall No. 689 on the motion to suspend the Rules and Pass, as Amended, First Responder Identification of Emergency Needs in Disaster Situations Act, I am not recorded. Had I been present, I would have voted "aye."

On rollcall No. 690 on ordering the previous question on the rule providing for consideration of both the Conference Report to Accompany H.R. 644—Trade Facilitation and Trade Enforcement Act of 2015 and the Senate amendments to H.R. 2250—Further Continuing Appropriations Act, 2016, I am not recorded. Had I been present, I would have voted "aye."

On rollcall No. 691 on the rule providing for consideration of both the Conference Report to Accompany H.R. 644—Trade Facilitation and Trade Enforcement Act of 2015 and the Senate amendments to H.R. 2250—Further Continuing Appropriations Act, 2016, I am not recorded. Had I been present, I would have voted "aye."

On rollcall No. 692 on the Motion to Recommit with instructions, I am not recorded. Had I been present, I would have voted "nay."

On rollcall No. 693 on the Adoption of the Conference Report to Accompany H.R. 644—Trade Facilitation and Trade Enforcement Act of 2015, I am not recorded. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. DEFAZIO. Mr. Speaker, I was absent on December 11, 2015 due to recovery from eye surgery and missed the following votes. Had I been present I would have voted:

On vote 690, On Ordering the Previous Question for consideration of the conference report to accompany H.R. 644, the Trade Facilitation and Trade Enforcement Act, and for consideration of the Senate amendments to H.R. 2250, I would have voted "no."

On vote 691, On Agreeing to the Resolution providing for the consideration of the conference report to accompany H.R. 644 and for consideration of the Senate amendments to H.R. 2250, I would have voted "no."

On vote 692, On the Motion to Recommit Conference Report with Instructions of H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015, I would have voted "aye."

On vote 693, On Agreeing to the Conference Report to H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015, I would have voted "no."

PERSONAL EXPLANATION

Mr. GENE GREEN of Texas. Mr. Speaker, I was unable to vote on Friday, December 11, 2015 on the five-day Continuing Resolution and the Conference Report for the Customs bill due to a family engagement in my district in Houston.

If I had been able to vote that day, I would have voted as follows: on the Motion on Ordering the Previous Question on the Rule providing for consideration of the Senate Amendments to H.R. 2250, I would have voted "no."

On H. Res. 560, the rule providing for consideration of the Senate Amendments to H.R. 2250 and Conference Report to H.R. 644, I would have voted "no."

On the Democratic Motion to Recommit the Conference Report to H.R. 644, I would have voted "yea."

On Agreeing to the Conference Report to accompany H.R. 644—Trade Facilitation and Trade Enforcement Act of 2015 (H. Rept. 114–376), I would have voted "no."

THE JOURNAL

The SPEAKER pro tempore (Mr. HULTGREN). The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1301

Mr. ZINKE. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1301.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

COMMUNICATION FROM THE HONORABLE JACKIE SPEIER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JACKIE SPEIER, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 11, 2015.

Hon. PAUL D. RYAN,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena issued in connection with court-martial proceedings.

After consultation with the Office of General Counsel regarding the subpoena, I will make the determinations required under Rule VIII.

Sincerely,

JACKIE SPEIER,
Member of Congress.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the gentleman from California (Mr. MCCARTHY) for the purpose of inquiring of the majority leader the schedule for the week to come.

Mr. MCCARTHY. I thank the gentleman for yielding.

Mr. Speaker, before we get started, I would like to discuss a matter of deep importance to the gentleman and myself, of a dear friend, John Stipicevic. He is a trusted aide for many years on this floor, and he will be departing us. He wants to spend more time with his wife, Kristin, and their new baby, Lucy Grace. I would like to thank him for his service to this country and his service to this conference. I know he is a good friend, also, to the gentleman across the aisle.

Mr. HOYER. Mr. Speaker, as we all know, the public's perception—because that is what is covered most—is the confrontation that occurs between the parties, the differences that we have. But one thing that is a reality that the public ought to feel good about is they have extraordinarily good staffers, staffers who are committed to their country, to the House, and to the American people, who do wonderful work.

Stip is a wonderful, wonderful positive participant, who made this House a better place in which to work, who made the substance of what we did more understandable for Members. He facilitated cooperation. He did not create confrontation. And we will miss it.

We wish him the best, of course, as he leaves the House of Representatives, like so many of our staffers do, who go on to do better than most of us are doing, at least from a certain perspective. I want to wish him the very, very best. I want to thank him on behalf of not only myself, because he is a good friend, but also on behalf of my staff with whom he has worked very closely over the years. I know all of them appreciated the relationship they had, and have, with him. So I want to congratulate him and wish him good luck and great success.

I yield, again, to my friend, the majority leader.

Mr. MCCARTHY. I thank the gentleman for yielding and for his kind words about Stip.

Let me get to the schedule.

Mr. Speaker, no votes are expected in the House on Monday.

On Tuesday, the House will meet at noon for morning hour and 2 p.m. for

legislative business. Members are advised that first votes of the week are expected at 6:30 p.m.

On Wednesday, Thursday, and the remainder of the week, the House will meet at 9 a.m. for legislative business.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business today.

Mr. Speaker, the House may also consider a bill to extend certain provisions of the Tax Code.

Additionally, I expect the House to consider an omnibus appropriations bill.

Mr. HOYER. Just to repeat—of course, the majority leader announced it yesterday, and again today—we will not be having votes on Monday.

Has the gentleman decided whether there will be a pro forma session yet on Monday?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

We are still looking at that, and I will let the gentleman know as soon as possible.

□ 1315

Mr. HOYER. I thank the leader for that information.

In any event, Mr. Speaker, the Members, as the majority leader has indicated, will not be having votes until, at the earliest, 6:30 on Tuesday.

I believe that the balance of the week—or such time as may be necessary in order to complete the work of this session of the Congress—will dictate the length of time that we go on the schedule. Is that accurate?

I yield to the gentleman.

Mr. MCCARTHY. Yes. It is my intention that we will stay until we get our work done, but when we get our work done, we will depart for the holiday season.

Mr. HOYER. I thank the gentleman.

To further clarify, I know there has been some talk about a CR that may be sufficient to get us into next year. As I understand what the majority leader is saying, it is our intention not to do that, but to, in fact, complete the appropriations process and the funding of government for the balance of the year until September 30 of next year. Is that accurate, sir?

I yield to the gentleman.

Mr. MCCARTHY. I thank the gentleman for yielding again.

Yes. As the gentleman knows, we just passed a CR moving into next Wednesday. It is our intention to have our work done and to not need to pass any further CRs.

Mr. HOYER. I thank the gentleman for that information.

I would say to him that—and I think he knows and I know—although I don't think either of us is directly involved in the hour-to-hour negotiations that are going on—but, nevertheless, negotiations still go on, Mr. Speaker—I am hopeful that, on both sides, we can see that which is unacceptable to the other side and put that aside for a later day.

The appropriations process, of course, is about funding government. The appropriations process is about keeping government open. The appropriations process is about how do we best serve the American people.

I am hopeful that that will not get mired down or prevent our success in coming to an agreement on the omnibus because of issues on which, clearly, there are significant policy differences and which can be argued on another day and in another bill, but will not undermine the completion of the appropriations process.

I presume the majority leader hopes that as well. Hopefully, over the next few hours and, really, over the next couple of days, we will work on that because, if we don't, we are going to be here on the 17th, the 18th, the 19th, or the 20th, according to what the majority leader said, in order to get our work done.

Is that accurate, Mr. Leader?

I yield to the gentleman.

Mr. MCCARTHY. I thank the gentleman for yielding again.

It is our intention to get an omnibus done in a bipartisan manner. Those are the negotiations that are going on now. I'm hopeful that we can get that done and finished by next week.

Mr. HOYER. I thank the gentleman for that comment.

The only thing I would add, Mr. Speaker, is there is also a tax extender bill that is being discussed. The tax extenders are some of the items that Members on both sides of the aisle believe are appropriate and necessary to help grow our economy and create jobs, which has support on both sides of the aisle.

But it is clear that the extender bill, as I understand it, is a bill that can be very, very large—as large as $800 billion in unpaid tax cuts—which, from our perspective on our side in the House of Representatives, will substantially exacerbate our deficit, and that will undermine the viability of getting tax reform done in the next session or in the years to come.

We think, therefore, that it would be far preferable to have pending getting tax reform done—hopefully, next year if we can do so in a bipartisan fashion—and to have a shorter term. The Senate passed a 2-year bill, which is really a 1-year lookback to 2015 and a year forward to 2016. We need to certainly do that. I think we could get a bipartisan vote for that. I don't know where the negotiations are on that bill.

I would like to inform the majority leader, as he probably knows privately, that we have great concerns on this side of the aisle about a bill of the magnitude that is being discussed and the impact it will have on our deficit, on discretionary spending, and on our opportunity to pass major needed—and a bipartisan expectation of doing—tax reform so our tax system is simpler, fairer, is producing the revenue that we need, but it is also making sure the American people understand and can be provided a much simpler system for them to have to respond to.

If the majority leader wants to make any remarks on that, I yield to the gentleman. Otherwise, Mr. Speaker, I yield back the balance of my time.

ADJOURNMENT FROM FRIDAY, DECEMBER 11, 2015, TO TUESDAY, DECEMBER 15, 2015

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that, when the House adjourns today, it adjourn to meet on Tuesday, December 15, 2015, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania). Is there objection to the request of the gentleman from California?

There was no objection.

ADMINISTRATION'S ATTACK ON GUN RIGHTS

(Mr. RATCLIFFE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RATCLIFFE. Mr. Speaker, the horrific attacks in San Bernardino underscore the pressing need to defeat ISIS and radical Islamic extremism. But instead of trying to fix his failed policies, which contributed to the very rise of ISIS in the first place, the President is instead attempting to divert and distract the American people by leveraging this tragedy to announce his plans to issue an executive order on gun control.

Just yesterday the White House called the San Bernardino attack an incident of gun violence. Mr. Speaker, it was terrorism, and I refuse to let this President use acts of terrorism as a means to try another end run around this Congress.

Earlier this year I stood up against the administration's attempted ammunition ban and I was successful in getting that unconstitutional policy rescinded.

So today I am again standing up against this latest attack on our constitutional gun rights in this country because, if this administration refuses to take terrorism seriously, then the American people will need their Second Amendment rights more than ever before.

CLIMATE DAMAGE WIPES OUT LIVELIHOODS

(Ms. SPEIER asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. SPEIER. Mr. Speaker, while many around the world are watching the climate talks in Paris, some of my constituents along the San Francisco Peninsula are watching the Pacific Ocean. That is because an unusually warm climate and water has led to a record toxic algae bloom that contaminates the crabs. Our critical Dungeness crab fishery is closed, and our fishermen are suffering.

One Half Moon Bay fisherman said: ''If you had asked me 6 months ago about crab, I would've told you we're going to feed our families, we're going to send our kids to college. And I'm not talking just the junior college. If they want to go to Princeton, crab can make this happen with my work ethic. This situation is a new one. This was like getting the legs pulled out from under you.''

So if my Republican colleagues are wondering if climate damage is real or if it is affecting real people, I encourage them to see the docked fishing boats and the landlocked crab pots in my district. Climate damage is wiping out people's livelihoods. We cannot let this become the new normal.

CBO REPORT ON WORK REDUCTION FROM AFFORDABLE CARE ACT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to detail a report from the Congressional Budget Office that was released this month, which says the Affordable Care Act will lead to a reduction in work hours equivalent to 2 million jobs over the next decade.

The key reason for the work reduction, according to the CBO, is healthcare subsidies which are tied to income, which will raise effective tax rates for Americans and will create a disincentive for people who are seeking promotions or new, higher paying jobs.

The report also points to tax increases and penalties as a reason for the work reduction, including the employer mandate, which imposes penalties on those companies with more than 50 employees that do not provide insurance.

The House and the Senate recently passed legislation that would repeal key parts of the Affordable Care Act, including the employer mandate. Unfortunately, President Obama has pledged to veto it.

We can't allow these job losses to become a reality. This is why I will continue to work with my colleagues to make commonsense changes that will improve our Nation's healthcare system and will revitalize economic growth and jobs.

MAJOR CAMERON GALLAGHER

(Mr. SCHIFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHIFF. Mr. Speaker, I rise to pay tribute to the service of Major Cameron Gallagher.

I first met Cameron in 2013, when he was serving as a military fellow in my office, advising me on a range of defense and foreign policy issues. For the past 2 years, Cameron has worked in the Army's Office of the Chief Legislative Liaison, where he has continued to be a trusted adviser to me and to other Members of the House. Cameron's service will now take him and his family to Fort Carson, Colorado, where he will serve as a battalion executive officer in the 4th Combat Aviation Brigade.

Cameron truly represents the very best our Armed Forces and our Nation have to offer. Intelligent and dedicated, Cameron is such an optimist that he sent me trash talk emails for days in the lead-up to last year's Stanford-Army football game. Stanford won 35–0, but that is not really the point.

Cameron, we will miss having you here in Congress. We wish you, C.C., and Henry all the best in your new assignment. And don't forget the Schiff Hotel California policy. You can check out anytime you like, but you can never leave.

MINING SCHOOLS ENHANCEMENT ACT

(Mr. HARDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARDY. Mr. Speaker, we need more mining engineers. Approximately 70 percent of the mining industry's technical leaders will reach retirement age over the next 10 to 15 years.

In our mining engineering programs, almost all current faculty members will need to be replaced by the coming decade.

At our Federal agencies, there is already a dangerous lack of employees with the necessary technical expertise to carry out their essential duties, such as permitting and inspections.

Mr. Speaker, this is irresponsible, and it can have catastrophic consequences like we saw with the Gold King Mine disaster.

In order to sustain our Nation's mining schools, we need to ensure that vital Federal funding is made available for faculty to conduct more research and to better educate the next generation of mineral scientists and engineers.

It can be done by using the existing funding streams under SMCRA. My bill, H.R. 3734, the Mining Schools Enhancement Act, will accomplish this goal.

AMERICA'S VICTIMS OF GUN VIOLENCE

(Mr. PETERS asked and was given permission to address the House for 1 minute.)

Mr. PETERS. Mr. Speaker, Manchester, Illinois, April 24, 2013: Brittney Lynn Luark, 23 years old; Nolan James Ralston, 5 years old; Brantley Jack Ralston, 1 year old.

Fort Hood, Texas, April 2, 2014: Sergeant First Class Daniel M. Ferguson, 39 years old; Staff Sergeant Timothy Owens, 38 years old; Sergeant Carlos A. Lazaney-Rodriguez, 37 years old.

Columbus, Ohio, June 14, 2015: Michael Ballour, 41 years old; Daniel Sharp, 36 years old; Angela Harrison, 35 years old; Tyajah Nelson, 18 years old.

Hialeah, Florida, July 26, 2013: Italo Pisciotti, 79 years old; Samira Pisciotti, 69 years old; Patricio Simono, 64 years old; Merly Niebles, 51 years old; Carlos Javier Gavilanes, 33 years old; Priscilla Perez, 17 years old.

Mohawk Valley, New York, March 13, 2013: Harry Montgomery, 68 years old; Thomas Stefka, 62 years old.

□ 1330

TRENTON TIGERS

(Mr. YOHO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YOHO. Mr. Speaker, I rise today to congratulate the Trenton Tigers on winning Florida's 1A State football championship. This talented group of young men ended the season a perfect 14–0 and broke the State record for ''running clocks'' on all 10 regular-season opponents. This is a feat that has never been done before. Trenton soundly defeated Port St. Joe 56–21. This gives the Tigers their second championship in just 3 years.

An impressive achievement like this cannot be accomplished without hard work and dedication: the hard work of a two-a-day practice schedule, the hard work of each individual team member playing as one for a common goal, and the hard work of a talented coaching staff to guide the team to victory.

I also want to congratulate Coach Andrew Thomas and his staff for doing an exceptional job coaching these young men. Coach Thomas' leadership has not gone unnoticed. He has recently been named the Class 1A Coach of the Year by the Florida Dairy Farmers.

Coach Thomas, thanks for carrying on your great winning tradition and continuing to make the town of Trenton, Florida, and Gilchrist County proud of our young athletes.

TERRORISTS AND GUN LAWS

The SPEAKER pro tempore (Mr. CARTER of Georgia). Under the Speaker's announced policy of January 6,

2015, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, we have heard a great deal this week about what is proposed as a commonsense fix to our Second Amendment, and that is, okay, surely you can agree that anyone on the no-fly list should not be able to walk in and buy a gun.

We have had friends across the aisle that pointed out, like the Times Square bomber, he could have gone in and bought a gun. I am told now that that is not actually the case, that he specifically could not have. The guy made a bomb. He was going to blow up New York Times Square. He didn't need a gun. He was going to blow people up.

A lot of us, when we first hear, ''well, shouldn't that be a no-brainer?'' if you are on the no-fly list, you shouldn't be able to buy a gun. Then when you find out that the no-fly list is composed of names—and we can't even get a number, even a ballpark number. Is it 47,000? Is it 470,000? Is it 700,000? Is it over a million? When you find out you can't actually find any specific criteria for getting on the no-fly list, then you realize the no-fly list is basically anybody this administration says needs to be harassed or looked at further.

As I was leaving London a year ago after speaking to some groups in London, a man that was head of that little area of whatever their TSA is there in the London airport came up and said: Congressman, I know who you are and I am really, really sorry, but apparently your Department of Homeland Security indicates you need to be thoroughly searched personally and your bags. Really sorry.

Anyway, for those people that say no administration would ever be into political revenge, you can look at some of the groups that the IRS went after. In fact, a huge majority of rank-and-file Federal workers in Homeland Security and in the IRS, they would never dream of doing the kind of things that Lois Lerner and her hacks did. They used the power of government to go after political enemies.

Nobody will ever be able to say specifically how much it helped President Obama in 2012 to prevent conservative groups from getting their tax status cleared through the IRS. They did prevent a lot of groups from being able to form. If you don't have the clearance from the IRS, then you can't bring contributions in together to organize and do like many of the unions do that get Federal money. These groups were not going to get Federal money. They were going to get contributions.

The more we see the abuses within this administration, the clearer it is. Whether it was a Democrat or Republican administration, the last thing you would ever want to do is tell a President and administration that you just list anybody on a list; there is no requirement as to the specifics as why. You just put anybody on a list that you have concerns about, and they will never be able to buy a gun. You could keep them from flying if you want to. You just list them on the list. You don't have to tell Congress. You don't have to tell anybody else. Just put people you are not happy with on a list and say you have concerns about them, and they will never be able to buy a gun.

Before we go ripping away people's constitutional Second Amendment right or any other right, which should be a right to get on a plane and fly unless you are a threat, we do not need to have an obscure process where nobody can identify the specifics that gets you on the no-fly list or, in this case, as people are proposing, the no-gun list. Just let an administration list them. We have got to do a lot more soul-searching in America.

As we have seen, there are so many groups and individuals that were listed as unindicted, but coconspirators in the biggest terror financing trial in American history, the Holy Land Foundation trial. We found out that a group that called itself charitable and got clearance from the IRS and they don't really say where their money comes from, when the FBI drilled down and found out, saw where it was going, they were able to prove beyond a reasonable doubt that the five principals in the Holy Land Foundation trial were guilty of financing terrorism. There were many people, many groups listed as coconspirators.

Some, like this Islamic Society of North America of which Imam Magid is past president, ISNA was trying—one of those groups, CAIR, they wanted their names off the unindicted list. If there were no evidence of any ties to the Holy Land Foundation's terrorist funding, then they should have gotten a judge. The judge would have signed the order.

Both the district judge and the Fifth Circuit Federal Court of Appeals looked at the evidence and said there is plenty of evidence here to show that these groups, like the Islamic Society of North America, principals in these groups, they are affiliated with—there is evidence to show they are coconspirators with these terrorist financing people. So they would not allow their names to be removed from the pleadings. They remained in the pleadings.

Unfortunately, for those of us who want justice in America, for those who would destroy our government, Eric Holder became Attorney General immediately after the conviction by the Bush administration in very late 2008. Under his guidance, they never pursued those people that the Federal district court and the Court of Appeals said there is plenty of evidence to support that these people are part of the terror financing network. They never pursued them.

In fact, Imam Magid out at the All Dulles Area Muslim Society—ADAMS, they called themselves. The Secretary of Homeland Security was just out there last week and applauding their efforts and thanking Imam Magid as the White House has thanked Imam Magid. He has helped the President, we know, with at least one speech. That was the one the President delivered while Netanyahu was on the way over here and wrongly said that everybody involved, including Israel, had agreed to the pre-'67 borders.

Since that was so factually wrong when the President stated it publicly, you can't help but feel like, since Imam Magid advised him on the speech, was there in the inner sanctum of the State Department, in that extremely secure setting when the President delivered his speech—he was even asked for an interview about the speech immediately afterwards—you know that there were people with ties to people this administration shouldn't use as their advisers that this administration is using as advisers.

Anyway, there is a reason that America has become extremely skeptical about what they are told. When this administration and my friends across the aisle start saying, ''Hey, we can trust this administration. Just let them list anybody they want to as they currently can on the no-fly list and they will never be able to buy a gun and that will stop terrorism,'' well, it wouldn't have stopped the pipe bombs that Farook and his fiancee—wife, whatever she was, terrorist, female companion—had built and put together.

Also, the President keeps pushing for better background checks. There was a great article from Dr. John R. Lott, Jr., December 3. Dr. Lott has had positions with the University of Chicago, Yale University, Stanford, UCLA, Wharton, and Rice. He was the chief economist at the United States Sentencing Commission during '88 and '89. This guy is an expert when it comes to guns and gun laws.

Dr. Lott had an article that made clear—it is dated December 3; there is a national review online—that there is nothing at all that President Obama or Loretta Lynch had proposed that would have stopped the 14 people being killed and 21 injured out in San Bernardino. In fact, there is nothing that this President proposed in the light of violence in Colorado that would have changed the shooting in Colorado.

In fact, if you go back to the prior shooting in Colorado, we know that the gunman went by at least a couple of theaters that were closer to him because those were not gun-free zones and there were likely people in the theater who had guns who would have

stopped the shooter before he killed and shot as many people as he did.

When it comes to Oregon, they have very strict gun control laws. There is nothing the President or the Justice Department proposed that would have prevented the shooting at the community college in Oregon. Those are places where the gun laws are already as strict or stricter than what the President is asking be applied everywhere else.

So it just seems disingenuous for anyone to say we need gun control laws like in California so that we can stop the violence when it didn't stop the very violence they are using as an excuse to take away people's Second Amendment rights. I would commend that great article by John Lott.

When it comes to the Syrian refugees, most people in America have figured out this has to be stopped because we don't know who is coming in. I have mentioned it here on the floor before, Mr. Speaker, last week and previously, that we had information—I had information that ISIS had probably taken over areas where there were printing facilities so they could probably print passports that we would not be able to know were they legitimate or not.

□ 1345

As this administration keeps saying, we need to bomb Assad out of existence, or at least try to take him out. Well, Assad is not very favorable toward giving this administration all of his criminal records and passport records about the people of Syria. We have no idea who these people are. God bless the Director of the FBI, Comey. He comes in more than once and says: Yes, we will vet them, but you have to understand, even though we will do the best vetting we possibly can, we have nothing to go on.

With Iraqis, as he explained, we had fingerprints. We had fingerprints from IEDs. We had all kinds of information. We had the official records of the Iraqi Government that could help tell us whether somebody coming from Iraq was the person they said they were, or whether they were not. Were they a threat? Were they a danger?

Even with all of that, we find out a couple of guys get to Kentucky and have been there a couple of years. One of them was certainly a terrorist whose fingerprints were on an IED that had been exploded in Iraq, and they didn't catch his fingerprints, even though they had them. If you can't catch a terrorist that you let into Kentucky, and you had his fingerprints and compared them, and it didn't show up initially, then how much worse will it be? How many more terrorists will you let into America from within the Syrian refugees?

Then it has also been disclosed this week what many of us in America knew already. It was only common sense that people who have sworn they want to destroy our country, kill as many Americans and Jews and Israelis as possible, that they would use this refugee crisis not to get into Israel—because they are very protective, thank God—but to get into Western Europe and to get into the United States. Now we know those are the facts.

Most Americans that I have talked to—I think in my telephone townhall, there was about 90 percent of the people in east Texas, of the thousands on the call, they indicated about 90 percent were concerned that we couldn't properly vet the Syrian refugees good enough, and that we needed to pause and hold up and wait until we had more information. That is just common sense.

Then we also, there was an article from Mark Krikorian November 16. He pointed out, and I will quote from his article:

''The 5-year cost to American taxpayers of resettling a single Middle Eastern refugee in the United States is conservatively estimated to be more than $64,000 compared with U.N. figures that indicate it costs about $5,300 to provide for that same refugee for 5 years'' if he or she is in their native region.

So for every person we arrogantly think, gee, we should bring that person into America, as Mark Krikorian points out, actually that is a bit immoral, because if we weren't so arrogant to think we need to get them into America, we could save 12 of them in their native region.

They say, 3 to 4 million people coming out of Syria, out of that area, gee, they need to come to the United States, and yet Saudi Arabia has accommodations for 3 million. So many people have seen a photograph of the massive tent area there for 5 days out of 365. That is during the Hajj, the pilgrimage to Mecca, kitchen facilities, bathroom facilities. It just seems like if they would help take care of the 3 million, make those available, we could work something out to take care of the people that come in for 5 days in the Hajj, that that would be a better solution than this administration forcing Syrian refugees that could not be properly vetted into this country.

Then I was told last night that actually the female terrorist in San Bernardino was using a name that certainly would not have been given to her at birth, and that if we had people that were allowed to study radical Islam, the tenets of its belief, as this one person said, she had a name that is actually a guy's name, and for anyone who has spent their adult life studying radical Islam, like this administration for 7 years, has not allowed the FBI, the intelligence agency, State Department, Justice Department. They purged their records of anything that offended terror and unindicted coconspirator to finance terrorism. So when this unindicted co-conspirator CAIR complained about anything, it was purged from this administration's training records.

As this individual, this friend pointed out, when you spend so many of your years of your adulthood studying this, for her to have proper screening by somebody that had studied radical Islam, you would ask the question: When did you get this name? This clearly was not given to you at birth. He said it would be like an American going into Europe and someone there saying: Now, come on, your name is not George Washington. It wasn't given to you at birth. Where did you get it?

When you start inquiring, then you find out the madrassas she had been to, the places she had been to, but you have to get to secondary screening, further questioning, which there should be red flags all over somebody's record like that. We have the information available that this administration didn't prevent it from being used to properly screen radical Islamists. But before you can properly screen radical Islamists, you have to admit that there is a thing called radical Islam.

Carolyn Glick writes for the Jerusalem Post. She is a brilliant lady. She pointed out one of the problems with my friend, President George W. Bush's position that we are not at war with Islam, and then this administration's taking that and running with it to extremes, they fail to acknowledge that there is pluralism within Islam. Saying that ''If it is bad, it could not possibly be part of Islam,'' is ridiculous. What that does to moderate Muslims, who don't want radical Islamists governing them and cutting their hands off, horsewhipping them, whatever, stoning them to death, they would like to live in peace without worrying about a tyrannical, radical Islamist leader.

We do them a disservice by not pointing out that radical Islam is an element of Islam, and it is a fact. Therefore, moderates are left to say nothing because if they say this is an element of Islam we have got to stand up against, then they come against the wrongheaded positions of the Obama administration.

We actually can help moderate Muslims stand up, as some are starting to do, a few have been doing for a long time, stand up against radical Islam, and say—God blessing President al-Sisi in Egypt, as he stood and talked to a group of imams, said we have got to get control of our religious beliefs, our Islam back from the radicals. We have got to stand up against them. We help them. The al-Sisi regime administration over in Egypt, I have talked to some of them. I don't know if I am still the only Member of Congress that has met with their director of intelligence. We had a very informative meeting for a couple of hours.

They don't understand why this administration appears to be helping radical Islam and standing against the moderates, like President al-Sisi, like the 30 million of the 90 million Egyptian people that went to the street a couple years ago. Wow, that was such a huge deal.

There has never been a group that big, in the history of the world, go to the streets of their country and demand a peaceful regime change. But because the constitution that we helped Egypt with when Morsi was elected did not contain an impeachment provision, they had no other way to go. There was no other way to peaceably remove a president who was violating their own constitution over and over than to go to the streets, as they did.

The Coptic Christian Pope there in Cairo has told me more than once how deeply moving it was to see moderate Muslims, Christians, Jews, secularists go to the street as a part of that 30 million, and so many coming up to the Pope and saying: We are so sorry for the way you have been treated.

Has this administration given any accolades whatsoever to the Egyptian people for passing a constitution with over 90 percent vote that in that constitution, a majority of the ones approving were Muslim, it says in the constitution that when the Muslim Brotherhood, radical Islam, they put Muslim Brotherhood on their terrorist watch list. This administration gets their advice. That administration in Egypt puts them on the terrorist watch list.

They say when the Muslim Brotherhood or any other like-minded radical Islamist group burns down a church, we will rebuild it with government funds. It is incredible. The people of Egypt deserve at least an ''atta boy.''

What was this administration's response? We are going to hold up sending you any helicopters. We sent jets and helicopters and tanks to the Muslim Brotherhood when they were in control under Morsi, but now that the Muslim Brotherhood, this terrorist organization is not in control, we are not going to send you things.

As President al-Sisi once asked me, does your President not understand? We use the Apache helicopters to keep the Suez Canal open. So it was quite a slap in the face to our friends in Egypt that are against radical Islam, our Muslim friends there, when this President didn't go, as I think 47 other leaders or so went. He didn't send the Vice President, didn't send the Ambassador, didn't send anybody from Washington to say: Congratulations, Egypt.

Since moderate Muslims have been in control in Egypt, they have done something earthshaking: They dug another lane, a second lane to the Suez Canal. Countries all over the world went, wow, Egypt, that is enormous.

It was embarrassing to me last year in Egypt as people were asking: Was your country really excited when we got this second lane dug to the Suez Canal? The mainstream media hardly reported anything about it. It was a big deal. It was a free people standing up and doing something monumental. Since it wasn't done by radical Islamists, this administration chose not to give it any credibility.

Then we get the report now. Just hours ago, there was an article from Victoria Taft:

''After the latest Paris terror attack, French President Hollande swore he'd go after radical Muslims who pulled off the mass slayings.

''Now we're learning what he meant by that.

''As HotAir reports:

'The French have kicked in the doors on 2,235 homes and taken 232 people into custody or placed them on house arrest.'

In the sleepy French town of Lagny-sur-Marne just 18 miles from Paris . . . French police went to the local mosque where they found:

The Salafist mosque . . . about 30 kilometers east of the French capital was closed down by police on the 2nd of December. In subsequent raids, the prefect for the Seine-and-Marne department said '7.62 millimeter ammunition for a Kalashnikov rifle and propaganda videos' had been seized, AFP reported. The locations of the raids were not given.

Both ISIS and al Qaeda adhere to the radical Sunni Salafist Muslim teachings. Radicals used some mosques and other home-based un-permitted mosques to stockpile weapons.''

□ 1400

It was reported that, just in the last 15 days, the French have uncovered about a third of the illegal weapons they normally recover in an entire year just from these mosque areas and the homes that they have raided.

Now, I have serious concerns when I see homes being raided in these numbers. The French do not have our protections under our Bill of Rights. They don't have nearly the protections we do. I don't want this many homes busted into. I don't want mosques raided unless there is probable cause to believe there is a problem or that they have committed a crime. You get warrants for those things. The same with the home, the same with somebody's Internet, and the same with their bank records.

Yet this administration is using the Consumer Financial Protection Bureau to do what nobody in American history—any administration—has done before, and that is to get people's bank records, whether or not you want them to or not. They claim: We want to be able to watch so if somebody gets messed around by a bank, we can go after them.

Well, when I was a judge, if you wanted to get bank records, you had to have probable cause that a crime was committed and probable cause that the person whose records you wanted had committed it; otherwise, I didn't sign a warrant because the Constitution didn't allow it. If I did sign a warrant, it had to be specific to place and time and what was being seized.

But this administration gets your bank records—all they want—through the Consumer Financial Protection Bureau. They get all your medical records through ObamaCare requirements. They get all kinds of information about individuals. They get your phone logs, as they have been doing. Now, there is some question whether they still are or not.

I have this article from Michele McPhee and Brian Ross. ABC News reports: ''ISIS May Have Passport Printing Machine, Blank Passports.'' I am glad they finally caught up with the news on that.

I want to revisit an issue.

Senator GRASSLEY sent a letter to Secretary Jeh Johnson, February 3, 2014, so it will be going on 2 years in February. He included an email. Senator GRASSLEY included a redacted copy of the email exchange. I have seen the unredacted email exchange. And even from the redacted email exchange, it is indicated that Secretary Napolitano had a hands-off list.

Apparently, when there were indications Muslim leaders should be secondarily screened, pulled aside from their first stop, asked further questions, the indication is this guy is in a group, they say: Well, he is on the Secretary's hands-off list.

Well, not only can we not get specifics of exactly why somebody is on the no-fly list or the terrorist watch list—just that this administration has a bad feeling about them—we can't find out just how you get on the hands-off list. That is another matter that requires some looking into.

Then we find out this week that an ex-Guantanamo detainee now is an al Qaeda leader back in Yemen. And it talks about al Qaeda in the Arabian Peninsula, or AQAP, released a new video featuring former Guantanamo detainee Ibrahim al Qosi, whose name is also Sheikh Khubayb al Sudani.

In 2010, he pled guilty to charges of conspiracy and material support for terrorism before a military commission. It ended up that this administration transferred him to his home country of Sudan. Now he is back where he wanted to be, helping al Qaeda. We already knew he was a terrorist—he pled guilty—and this administration sent him back.

The question still out there and remains: How many Americans will be killed because this administration decided closing Guantanamo is more important than saving American lives?

They traded five murderous terrorists, coconspirators, for a guy who, all the indications are, deserted his American military post. I wonder how many American lives will be lost because of that.

I have an article from KY3 saying that on Saturday, around 3:50 a.m., two men buying a large number of cell phones at Walmart in Lebanon set off a concern. ''`Somebody went in and bought 60 cell phones from Walmart. That's not normal for this area,' explained Laclede County Sheriff Wayne Merritt.

''After talking with the men, officers didn't have a legal reason to detain them so the men were allowed to leave, according to the Lebanon Police Department incident report.'' That is in Missouri. ''Sheriff Merritt said calling law enforcement officers was the right move.''

But, unfortunately, because of the statement of our Attorney General in recent days in the aftermath of the San Bernardino killings, she has made clear that, in the aftermath of all of those Americans being killed, specifically targeting Christians and Jews—apparently, there was a Muslim shot, but the targets were Jews and Christians, them telling one Jewish man before he was shot: Now you will never get to see Israel—targeting the Christians specifically, instead of going off on how clearly this was a hate crime, the Attorney General says her big concern is that people are not prejudiced against Muslims.

It made it clear to people like the terrorists' neighbors that, if you see radical Islamists gathering and you are suspicious of—maybe they are making pipe bombs in the garage—and you call that in, there is a good chance that Attorney General Loretta Lynch is going to come after you for being biased and bigoted.

What a ridiculous thing to say. Basically, she is saying, if you see something and say something and that something involves Muslims, then I am coming after you. What a ridiculous, terrible thing for the chief law enforcement officer of our country to say.

Then, this article today from Liam Deacon, Breitbart News, ''Homeland Security Shut Down Investigation Into Farook And Malik Linked Islamist Group To Protect 'Civil Liberties' of Potential Terrorists'':

''The Department of Homeland Security has been accused of deleting intelligence records relating to dangerous Islamists linked to terrorists Sayed Farook and Tashfeen Malik, because they wanted to protect the 'civil liberties' of members of the caliphate-supporting network.

''Phil Haney, a U.S. Customs and Border Patrol analyst''—now retired—''says he was ordered to stop investigating Deobandi Islamist groups and his work on them was erased. He even says he was subjected to discipline when he attempted to blow the whistle.

''If he'd been allowed to continue his investigation, he claims Malik's visa application would have been flagged for greater scrutiny.

''He explained: 'The administration was more concerned about the civil rights and liberties of foreign Islamic groups with terrorist ties than the safety and security of Americans.'

''Analyst Phil Haney told Fox News that he once worked as a researcher looking into potential terrorists in the Passenger Analysis Units at the Department of Homeland Security in Atlanta, as well as at the U.S. Customs and Border Protection's National Targeting Center.

''Mr. Haney says that he had been identifying and tracking members of the al-Huda and Tablighi Jamaat groups, offshoots of the radical Deobandi school of Islam, which was founded in British colonial India specifically to oppose western culture.

''Tablighi Jamaat is a Deobandi revivalist movement whose mandate is, according to its leading advocate Ebrahim Rangooni, to save the Muslim world 'from the culture and civilization of the Jews and the Christians' . . . To this end, he has suggested cultivating 'such hatred for their ways as human beings have to urine and excrement.'

''Tablighi Jamaat have been linked to 80 percent of all recent terrorist related crimes in France.

''Mr. Haney's work tracking the radical movement was considered so important that he says he was given an agency award for identifying potential terrorists, and he was asked to become part of the National Targeting Center, which works to connect the dots and build a bigger picture of terrorist activity.

''However, after more than six months of tracking the Deobandis, Homeland Security unexpectedly halted his investigation on the request of the State Department's Office of Civil Rights.''

Anyway, that is what happens. Phil Haney is one of the most patriotic, finest people ever known. He cares so deeply about this country.

By the way, Mr. Speaker, his appearance decries his intellect and knowledge about radical Islam. So, he has done no telling how many secondary screenings in his time in the Middle East, his knowledge of the language, the culture, the moderate Islamic culture, the radical Islamic culture. He knows the teachings of the radicals and who they are. He has been able to get massive amounts of information that I would never have dreamed people would admit to him.

I have been working with him for a number of years to try to get information to people in the administration who would protect the information, and instead, when they realized how much information he had of what others in Homeland Security had deleted, they thought was gone—Janet Napolitano talked about connecting the dots. She forgot to mention that they had been deleting dots like crazy. I knew that Phil's information was so damaging to this administration that, if it were not handled properly, they would destroy the man.

So what happens after he gets an award for identifying so much information? He used the tech system. All he did was enter data. He would look even at social media, and if he found that somebody under consideration was in a photograph with somebody we knew to be a radical Islamist, he would enter that information. There is a massive amount of information out there in social media that this administration has not even availed themselves of.

Previously, when our Embassy in Yemen was surrounded by Houthis, radical Islamist rebels, I got a call from a constituent whose son is over there and is isolated in a hotel and can't get to the Embassy. In talking to a friend who had a friend, it ends up some guy is going through a training or practice session. They set aside their hypothetical practice scenario and took on the real-life scenario of getting four Americans from a hotel in the capital of Yemen to the Embassy and trying to get more in the Embassy out. They used social media. They were able to find pictures being taken by Houthi radical Islamists at different places where they obviously were. So they knew which places to avoid.

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They were able, using people in place in Yemen, American assets, and using social media, were able to get those people from the hotel, get them to the Embassy and get them out, even though this administration would only pay for a commercial airline flight where they sat with some people who may have been part of the rebels that wanted to kill them. Not the best way to get people out of an Embassy, but they got out.

I have heard again recently from my former constituent, and he is doing well. He is a good man. He is a patriot. He wants to help the country.

So it should also be noted that although, in our country, the Attorney General is more concerned about prejudice against Muslims, the Euro Parliament president—this article by Dr. Thomas D. Williams, the 3rd of December, points out that the Euro Parliament president says Christians are not safe on our continent.

In a high-level meeting on religious persecution in Brussels, the president of the European Parliament said that Europe cannot afford to continue ignoring the faith of Christians, who are ''clearly the most persecuted group'' in the world.

In Wednesday's meeting, EP President Martin Schulz said that the persecution of Christians is undervalued and does not receive enough attention, which also has meant that ''it hasn't been properly addressed.''

I applaud the efforts of Glenn Beck trying to save Christians over in areas of radical Islam, because, as the European Parliament President says, radical Islamists' number 1 goal is not other Muslims; it's Christians and Jews. Yet, this administration's big focus is helping Muslims.

Then we find out from the U.N. that actually they locate their refugee centers in urban areas where you rarely find many Christians. And we find out the reports, hear from people that say we are afraid to go into the U.N. refugee camps, because they are virtually all Muslim, and we are targeted, and we can't go there. We can't allow our families to go there.

Yet, it is the U.N. refugee camps that this administration brings the refugees, and wants to bring refugees from.

Glenn Beck, realizing that Christian refugees were being under-appreciated, undervalued by the Obama administration, has gone over and tried to do something about it. I applaud his efforts.

So, Mr. Speaker, as we close out this week, the bill we just passed with regard to the Customs conference report, I just want to go back to January 29, 1961. In about over a month, it will be the 55-year anniversary of President John F. Kennedy's speech. It was a message to commemorate Roosevelt Day for Franklin Roosevelt.

So, in his speech, he points out that 28 years ago, Franklin Roosevelt assumed the leadership of a stricken and demoralized Nation. Poverty, distress, economic stagnation, blanketed the land.

He goes on in the speech, recognizing Franklin Roosevelt. And I would just like to read John F. Kennedy's words, because they are such a contrast to the current President's words, as he wants to take away people's Second Amendment rights.

He wants to have the ability, since he controls, completely controls the no-fly list, nobody in Congress gets to know who he is putting on, why they are putting on, what criteria he is using to put them on. He gets exclusive control of who he wants to put on the no-fly list, he or his assignees. President Obama wants to restrict those rights.

So, Mr. Speaker, I conclude today, and this week in the House, with the words of John F. Kennedy. President John F. Kennedy, January 29, 1961, part of his speech that day said:

''To meet these problems will require the efforts, not only of our leaders or of the Democratic Party, but the combined efforts of all of our people. No one has a right to feel that, having entrusted the task of government to new leaders in Washington, he can continue to pursue his private comforts unconcerned with America's challenges and dangers. For, if freedom is to survive and prosper, it will require the sacrifice, the effort, and the thoughtful attention of every citizen.

''In my own native State of Massachusetts, the battle for American freedom was begun by the thousands of farmers and tradesmen who made up the Minute Men, citizens who were ready to defend their liberty at a moment's notice.''

President Kennedy goes on with these words:

''Today, we need a Nation of Minute Men, citizens who are not only prepared to take up arms, but citizens who regard preservation of freedom as a basic purpose of their daily life and who are willing to consciously work and sacrifice for that freedom. The cause of liberty, the cause of America, cannot succeed with any lesser effort.''

The words of John F. Kennedy, January 29, 1961.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WESTMORELAND (at the request of Mr. MCCARTHY) for today on account of personal reasons.

Mr. DEFAZIO (at the request of Ms. PELOSI) for today on account of medical leave.

Mr. GENE GREEN of Texas (at the request of Ms. PELOSI) for today on account of family engagement in my district in Houston.

PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2016 BUDGET RESOLUTION

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, December 11, 2015.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I hereby submit for printing in the Congressional Record revisions to the budget allocations and aggregates of the Fiscal Year 2016 Concurrent Resolution on the Budget, S. Con. Res. 11. These revisions are designated for the conference report accompanying H.R. 22, the Fixing America's Surface Transportation Act (Public Law 114–94), which passed the House on December 3, 2015, and the conference report accompanying H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015. Corresponding tables are attached.

The adjustment for H.R. 22 is made pursuant to section 4509 of S. Con. Res. 11, a deficit-neutral reserve fund for transportation. For purposes of budget enforcement, this adjustment is consistent with section 3302 of such concurrent resolution. Section 3302 requires transfers from the general fund of the Treasury to the Highway Trust Fund be counted as new budget authority and outlays equal to the amount of the transfer in the fiscal year in which the transfer occurs. Pursuant to section 3403 of S. Con. Res. 11, these revisions to the allocations and aggregates shall take effect upon the enactment of the conference report accompanying H.R. 22.

The adjustment for H.R. 644 is made pursuant to section 4506 of S. Con. Res. 11, a deficit-neutral reserve fund for trade agreements. Pursuant to section 3403 of S. Con. Res. 11, these revisions to the allocations and aggregates shall apply only while the conference report accompanying H.R. 644 is under consideration or upon its enactment.

These revisions represent an adjustment for purposes of budgetary enforcement. These revised allocations and aggregates are to be considered as the aggregates and allocations included in the budget resolution, pursuant to S. Con. Res. 11, as adjusted.

Sincerely,

TOM PRICE, M.D.
Chairman, Committee on the Budget.

TABLE 1—REVISION TO ON-BUDGET AGGREGATES

[On-budget amounts, in millions of dollars]

	Fiscal Year–	
	2016	2016–2025
Current Aggregates:		
Budget Authority	3,040,743	1
Outlays	3,092,541	1
Revenues	2,675,967	32,233,099
Adjustment for passage of H.R. 22, the FAST Act:		
Budget Authority	72,880	1
Outlays	70,252	1
Revenues	22,137	65,837
Adjustment for H.R. 644 the Trade Facilitation and Trade Enforcement Act of 2015:		
Budget Authority	20	1
Outlays	20	1
Revenues	−7	18
Revised Aggregates:		
Budget Authority	3,113,643	1
Outlays	3,162,813	1

TABLE 1—REVISION TO ON-BUDGET AGGREGATES—Continued

[On-budget amounts, in millions of dollars]

	Fiscal Year–	
	2016	2016–2025
Revenues	2,698,097	32,298,954

[1] Not applicable because annual appropriations acts for fiscal years 2017–2025 will not be considered until future sessions of Congress.

TABLE 2—REVISION TO COMMITTEE ALLOCATIONS—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS

[On-budget amounts, in millions of dollars]

House Committee on Ways and Means	2016		2016–2025 Total	
	Budget Authority	Outlays	Budget Authority	Outlays
Current Allocation	963,250	962,255	13,218,695	13,217,578
Adjustment for passage of H.R. 22, the FAST Act	−7	−7	−2,780	−2,780
Adjustment for H.R. 644 the Trade Facilitation and Trade Enforcement Act of 2015	20	20	−98	−98
Revised Allocation	963,263	962,268	13,215,817	13,214,700

TABLE 3—REVISION TO COMMITTEE ALLOCATIONS—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS

[On-budget amounts, in millions of dollars]

House Committee on Energy & Commerce	2016		2016–2025 Total	
	Budget Authority	Outlays	Budget Authority	Outlays
Current Allocation	389,635	392,001	4,341,991	4,346,043
Adjustment for passage of H.R. 22, the FAST Act	0	0	−6,200	−6,200
Revised Allocation	389,635	392,001	4,335,791	4,339,843

TABLE 4—REVISION TO COMMITTEE ALLOCATIONS—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS

[On-budget amounts, in millions of dollars]

House Committee on Transportation & Infrastructure	2016		2016–2025 Total	
	Budget Authority	Outlays	Budget Authority	Outlays
Current Allocation	57,975	16,407	520,762	184,208
Adjustment for SA to H.R. 22, the FAST Act	72,603	70,000	87,778	70,000
Revised Allocation	130,578	86,407	608,540	254,208

TABLE 5—REVISION TO COMMITTEE ALLOCATIONS—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS

[On-budget amounts in millions of dollars]

House Committee on Natural Resources	2016		2016–2025 Total	
	Budget Authority	Outlays	Budget Authority	Outlays
Current Allocation	4,823	5,759	25,492	27,975
Adjustment for SA to H.R. 22, the FAST Act	284	259	275	275
Revised Allocation	5,107	6,018	25,767	28,250

TABLE 6—REVISION TO COMMITTEE ALLOCATIONS—AUTHORIZING COMMITTEE 302(a) ALLOCATIONS

[On-budget amounts in millions of dollars]

House Committee on Agriculture	2016		2016–2025 Total	
	Budget Authority	Outlays	Budget Authority	Outlays
Current Allocation	10,828	12,428	344,113	340,226
Adjustment for SA to H.R. 22, the FAST Act	0	0	3,520	3,038
Revised Allocation	10,828	12,428	347,633	343,264

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 209. An act to amend the Indian Tribal Energy Development and Self Determination Act of 2005, and for other purposes; to the Committee on Natural Resources; in addition, to the Committee on Energy and Commerce for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 993. An act to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, veterans treatment services, mental health treatment, and substance abuse systems; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2250. An act Further Continuing Appropriations Act, 2016.

H.R. 2693. An act to designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the ''Phyllis E. Galanti Arboretum''.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 22 minutes p.m.), under its previous order, the House adjourned until Tuesday, December 15, 2015, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3752. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting a letter in response to the Senate Report 113-174, page 13, focusing on military properties made available as a result of Base Realignment and Closure; to the Committee on Armed Services.

3753. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Azoxystrobin; Pesticide Tolerances [EPA-HQ-OPP-2014-0822; FRL-9939-52) received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3754. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Name Change from the Office of Solid Waste and Emergency Response (OSWER) to the Office of Land and Emergency Management (OLEM) [FRL-9936-38-OSWER] received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3755. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Maryland's Negative Declaration for the Automobile and Light-Duty Truck Assembly Coatings Control Techniques Guidelines [EPA-R03-OAR-2015-0530; FRL-9939-99-Region 3] received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3756. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; El Paso Particulate Matter Contingency Measures [EPA-R06-OAR-2012-0205; FRL-9940-03-Region 6] received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3757. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Naphthalene Acetates; Pesticide Tolerances [EPA-HQ-OPP-2014-0769; FRL-9937-22] received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3758. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bacillus amyloliquefaciens MBI600 (antecedent Bacillus subtilis MBI600); Amendment to an Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2008-0762; FRL-9939-54] received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3759. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Choline Chloride; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2015-0023; FRL-9935-81] received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3760. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Washington: Interstate Transport of Ozone [EPA-R10-OAR-2015-0334; FRL-9940-05-Region 10] received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3761. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Redefinition of the Harrisburg, PA and Scranton-Wilkes-Barre, PA, Appropriated Fund Federal Wage System Wage Areas (RIN: 3206-AN18) received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); ; to the Committee on Oversight and Government Reform.

3762. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Human Resources Management Reporting Requirements (RIN: 3206-AM69) received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

3763. A letter from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Establishment of the Eagle Foothills Viticultural Area [Docket No.: TTB-2015-0006; T.D. TTB-131; Ref: Notice No.: 150] (RIN: 1513-AC18) received December 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ZELDIN:

H.R. 4237. A bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of explosives licenses to known or suspected terrorists, and for other purposes; to the Committee on the Judiciary.

By Ms. MENG (for herself, Mr. ROYCE, Mr. BECERRA, Mr. BERA, Ms. BORDALLO, Mr. CÁRDENAS, Ms. JUDY CHU of California, Ms. CLARKE of New York, Mr. CROWLEY, Ms. DUCKWORTH, Mr. ENGEL, Ms. ESHOO, Mr. GRAYSON, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HONDA, Ms. LEE, Mr. TED LIEU of California, Ms. MATSUI, Mr. MCDERMOTT, Mr. SCOTT of Virginia, Mr. SMITH of Washington, Mr. TAKAI, Mr. TAKANO, Ms. VELÁZQUEZ, Ms. TITUS, Ms. GABBARD, Mr. SABLAN, and Mr. SWALWELL of California):

H.R. 4238. A bill to amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOBIONDO (for himself, Mr. HURD of Texas, Mr. SWALWELL of California, Mr. KATKO, Ms. MCSALLY, Mr. LOUDERMILK, and Mr. RATCLIFFE):

H.R. 4239. A bill to require intelligence community reporting on foreign fighter flows to and from terrorist safe havens abroad, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Ms. JACKSON LEE (for herself, Mr. RATCLIFFE, and Mr. CONYERS):

H.R. 4240. A bill to require an independent review of the operation and administration of the Terrorist Screening Database (TSDB) maintained by the Federal Bureau of Investigation and subsets of the TSDB, and for other purposes; to the Committee on the Judiciary.

By Mr. MARINO (for himself, Ms. JUDY CHU of California, and Mrs. COMSTOCK):

H.R. 4241. A bill to establish the United States Copyright Office as an agency in the legislative branch, and for other purposes; to the Committee on the Judiciary.

By Ms. MAXINE WATERS of California:

H.R. 4242. A bill to strengthen the Federal statutes designed to deter money laundering and terrorism financing, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILMER (for himself, Mr. NEWHOUSE, and Mr. REICHERT):

H.R. 4243. A bill to improve Federal disaster relief and emergency assistance, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PERRY:

H.R. 4244. A bill to prohibit the admission of certain aliens as refugees until the costs of admission and resettlement of such refugees have been addressed, and for other purposes; to the Committee on the Judiciary.

By Ms. PINGREE (for herself and Mr. POLIQUIN):

H.R. 4245. A bill to exempt importation and exportation of sea urchins and sea cucumbers from licensing requirements under the Endangered Species Act of 1973; to the Committee on Natural Resources, and in addition to the Committees on Ways and Means, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOHO (for himself, Mr. SCHRADER, Mr. DUNCAN of Tennessee, Mrs. HARTZLER, Mr. JODY B. HICE of Georgia, Mr. ABRAHAM, Mr. HARPER, Mr. KELLY of Mississippi, and Mr. COSTA):

H. Con. Res. 101. Concurrent resolution supporting the Association of American Veterinary Medical Colleges (AAVMC) and recognizing 50 years of organized academic veterinary medicine in the United States; to the Committee on Agriculture.

By Mr. LAMBORN (for himself, Mr. FORBES, Mrs. HARTZLER, Mr. GOODLATTE, Mr. MILLER of Florida, Mr. ADERHOLT, Mr. FLORES, Mr. FLEMING, Mr. HUELSKAMP, Mr. NEUGEBAUER, Mr. WALKER, Mr. KING of Iowa, Mr. BABIN, Mr. GROTHMAN, Mr. TIPTON, Mr. JORDAN, Mr. ROE of Tennessee, Mr. ZINKE, Mr. WALBERG, Mr. WEBER of Texas, Mr. WENSTRUP, Mr. FRANKS of Arizona, Mr. LAMALFA, Mr. PEARCE, Mr. COLE, Mr. FLEISCHMANN, Mr. HULTGREN, Mr. BARR, Mr. GIBBS, Mr. ROKITA, Mr. FORTENBERRY, Mr. KELLY of Mississippi, Mr. HARPER, Mr. ALLEN, Mr. AUSTIN SCOTT of Georgia, and Mr. YOHO):

H. Res. 564. A resolution expressing the sense of the House of Representatives that the symbols and traditions of Christmas

should be protected for use by those who celebrate Christmas; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ZELDIN:

H.R. 4237.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Ms. MENG:

H.R. 4238.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. LoBIONDO:

H.R. 4239.

Congress has the power to enact this legislation pursuant to the following:

The intelligence and intelligence-related activities of the United States government including those under Title 50, are carried out to support the national security interests of the United States, to support and assist the armed forces of the United States, and to support the President in the execution of the foreign policy of the United States.

Article I, section 8 of the Constitution of the United States provides, in pertinent part, that ''Congress shall have power . . . to pay the debts and provide for the common defense and general welfare of the United States''; ''. . . to raise and support armies . . .''; and ''To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Ms. JACKSON LEE:

H.R. 4240.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3, and 18 of the United States Constitution.

By Mr. MARINO:

H.R. 4241.

Congress has the power to enact this legislation pursuant to the following:

''Article I, Section 8, Clause 8: To promote the Progress of Science and useful Arts, by security for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.''

By Ms. MAXINE WATERS of California:

H.R. 4242.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Clause 18

By Mr. KILMER:

H.R. 4243.

Congress has the power to enact this legislation pursuant to the following:

Section 8 Clause 18 ''To make all Laws which shall be necessary and proper . . .''

By Mr. PERRY:

H.R. 4244.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Ms. PINGREE:

H.R. 4245.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of the US Constitution

Amendment XVI to the Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 228: Mr. PERLMUTTER.
H.R. 383: Mr. SESSIONS.
H.R. 470: Mr. ALLEN.
H.R. 592: Mr. RIGELL.
H.R. 721: Mrs. NAPOLITANO.
H.R. 745: Mr. SCHRADER.
H.R. 775: Mr. GOSAR and Mr. PERLMUTTER.
H.R. 814: Mr. JOHNSON of Ohio.
H.R. 822: Mrs. HARTZLER.
H.R. 911: Mr. BEYER, Mr. CULBERSON, Mr. SALMON, and Mr. BILIRAKIS.
H.R. 985: Mr. NUNES and Mrs. COMSTOCK.
H.R. 986: Mr. MARCHANT.
H.R. 997: Mr. AUSTIN SCOTT of Georgia.
H.R. 1076: Mr. KEATING.
H.R. 1142: Mr. RODNEY DAVIS of Illinois.
H.R. 1174: Ms. PLASKETT, Mr. GRIJALVA, Mrs. BROOKS of Indiana, Mr. POSEY, and Mr. VEASEY.
H.R. 1197: Mr. BUTTERFIELD, Mr. WILSON of South Carolina, and Mr. VEASEY.
H.R. 1217: Mrs. BUSTOS.
H.R. 1218: Mr. BRADY of Pennsylvania.
H.R. 1258: Mr. BERA.
H.R. 1274: Mr. TONKO.
H.R. 1288: Mr. RUIZ.
H.R. 1342: Mr. CRAMER, Ms. WILSON of Florida, Mr. ROTHFUS, Mr. BISHOP of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. WATSON COLEMAN, Mr. ASHFORD, and Mr. DOLD.
H.R. 1399: Mr. GIBSON and Ms. MOORE.
H.R. 1457: Mr. SCHIFF.
H.R. 1460: Ms. BROWN of Florida, Ms. DELBENE, Mr. HIGGINS, Mr. LARSON of Connecticut, Mr. LOEBSACK, Mr. LYNCH, Ms. MATSUI, Mr. NOLAN, Ms. ROYBAL-ALLARD, Mr. SCOTT of Virginia, Mr. SERRANO, and Mr. SHERMAN.
H.R. 1475: Ms. BROWN of Florida and Mr. BILIRAKIS.
H.R. 1571: Mrs. NAPOLITANO and Mr. CARSON of Indiana.
H.R. 1748: Mr. HONDA and Mr. ROYCE.
H.R. 1786: Mr. KLINE and Mr. CLAWSON of Florida.
H.R. 2003: Mr. DOLD.
H.R. 2036: Mr. BRIDENSTINE.
H.R. 2050: Mr. AMODEI and Mr. HECK of Washington.
H.R. 2058: Mr. ZINKE.
H.R. 2067: Mr. MASSIE.
H.R. 2070: Mr. SESSIONS.
H.R. 2072: Ms. EDWARDS.
H.R. 2124: Ms. CLARKE of New York, Mr. QUIGLEY, Mr. FATTAH, Mr. PAYNE, Mr. NEAL, Mr. KEATING, and Mr. SERRANO.
H.R. 2125: Ms. LEE.
H.R. 2142: Ms. BONAMICI.
H.R. 2144: Mrs. COMSTOCK.
H.R. 2205: Mr. COLLINS of New York, Mr. FORTENBERRY, and Mr. MOULTON.
H.R. 2293: Mr. DESJARLAIS, Mr. BILIRAKIS, Mr. NOLAN, and Mr. BERA.
H.R. 2302: Ms. BASS and Mr. RICHMOND.
H.R. 2311: Mr. ROTHFUS.
H.R. 2380: Mr. TAKAI.
H.R. 2412: Miss RICE of New York and Mr. MURPHY of Florida.
H.R. 2493: Ms. EDWARDS and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2540: Mr. TAKANO.
H.R. 2612: Mr. ISRAEL.
H.R. 2624: Ms. SCHAKOWSKY.
H.R. 2680: Mr. BEYER.
H.R. 2698: Mr. BARLETTA.
H.R. 2739: Mrs. COMSTOCK and Mrs. CAROLYN B. MALONEY of New York.
H.R. 2789: Mr. THORNBERRY.
H.R. 2880: Mr. ALLEN, Mr. AUSTIN SCOTT of Georgia, and Mr. SCHIFF.
H.R. 2896: Mr. THORNBERRY, Mr. LUCAS, and Mr. JOHNSON of Ohio.
H.R. 2903: Mr. PALAZZO.
H.R. 2916: Mr. TAKAI.
H.R. 2917: Ms. TSONGAS.
H.R. 2984: Mr. COURTNEY.
H.R. 3024: Ms. MCCOLLUM.
H.R. 3036: Mr. DIAZ-BALART, Mr. TONKO, Mr. BISHOP of Michigan, Mr. MOONEY of West Virginia, Mr. DENT, Mr. SMITH of New Jersey, Mr. JOYCE, Mr. HUDSON, and Mr. THORNBERRY.
H.R. 3040: Mr. WILSON of South Carolina.
H.R. 3136: Mr. GIBSON.
H.R. 3151: Mr. MASSIE, Mr. DESJARLAIS, Mr. DESANTIS, and Mr. BUCK.
H.R. 3222: Mr. ROTHFUS and Mr. STUTZMAN.
H.R. 3268: Mr. LAHOOD.
H.R. 3299: Mr. BURGESS.
H.R. 3314: Mrs. BLACKBURN.
H.R. 3323: Mr. WHITFIELD.
H.R. 3326: Mr. MOOLENAAR.
H.R. 3364: Ms. CLARK of Massachusetts.
H.R. 3381: Ms. VELÁZQUEZ, Mr. MURPHY of Florida, and Mr. DONOVAN.
H.R. 3411: Ms. JUDY CHU of California, Ms. ESHOO, Mr. HASTINGS, and Mr. TAKAI.
H.R. 3437: Mr. CARTER of Georgia.
H.R. 3463: Mr. JOHNSON of Ohio.
H.R. 3513: Mr. DESAULNIER and Mr. COHEN.
H.R. 3516: Mr. LAHOOD.
H.R. 3520: Mr. ROTHFUS.
H.R. 3558: Mr. WEBSTER of Florida.
H.R. 3662: Mr. GIBSON.
H.R. 3666: Mr. PERLMUTTER.
H.R. 3694: Mr. JOHNSON of Ohio.
H.R. 3734: Mr. GOSAR.
H.R. 3756: Ms. BONAMICI.
H.R. 3799: Mr. GRAVES of Georgia.
H.R. 3808: Mr. POLIQUIN and Mr. DOLD.
H.R. 3858: Mr. JOHNSON of Ohio.
H.R. 3885: Ms. BORDALLO.
H.R. 3917: Ms. MATSUI and Mr. BRADY of Pennsylvania.
H.R. 3926: Mr. SCOTT of Virginia, Mr. AGUILAR, and Mr. GUTIÉRREZ.
H.R. 3940: Mr. BOUSTANY, Mr. ZINKE, Mr. JOHNSON of Ohio, Mr. RIGELL, and Mr. DOLD.
H.R. 3952: Mrs. BLACKBURN and Mr. BUCSHON.
H.R. 3961: Ms. LOFGREN.
H.R. 3970: Mr. STIVERS, Ms. NORTON, Ms. JACKSON LEE, Mr. BRADY of Pennsylvania, Mr. HASTINGS, Mr. VARGAS, Mr. MCGOVERN, and Mr. DESAULNIER.
H.R. 3991: Mr. GRIJALVA.
H.R. 4000: Mr. JOHNSON of Ohio.
H.R. 4007: Mr. COLLINS of Georgia.
H.R. 4012: Mr. GARAMENDI.
H.R. 4027: Mr. BEYER.
H.R. 4043: Ms. WILSON of Florida.
H.R. 4055: Ms. MCCOLLUM, Ms. JACKSON LEE, and Ms. BASS.
H.R. 4057: Ms. LOFGREN.
H.R. 4062: Mr. ROSKAM and Mr. BOUSTANY.
H.R. 4085: Mr. CONNOLLY, Mr. KIND, Ms. ESHOO, and Mr. JOHNSON of Ohio.
H.R. 4112: Mr. SESSIONS.
H.R. 4113: Ms. LINDA T. SÁNCHEZ of California.
H.R. 4144: Mr. MCGOVERN, Mr. HIGGINS, Mr. CARTWRIGHT, Mr. VAN HOLLEN, and Mr. TAKAI.

H.R. 4171: Ms. NORTON and Miss RICE of New York.
H.R. 4172: Mr. DOLD.
H.R. 4177: Mr. LAHOOD.
H.R. 4183: Mrs. COMSTOCK.
H.R. 4185: Mr. COLLINS of Georgia, Mr. BILIRAKIS, Mr. BISHOP of Georgia, Mr. MARCHANT, Mr. WELCH, Mr. CARTER of Georgia, Mr. JOHNSON of Ohio, Mr. BARR, Mr. BROOKS of Alabama, and Mr. DAVID SCOTT of Georgia.
H.R. 4186: Mr. COSTELLO of Pennsylvania.
H. Con. Res. 19: Mr. FITZPATRICK, Mr. HUIZENGA of Michigan, Mr. POLIS, and Mrs. COMSTOCK.
H. Con. Res. 75: Mr. POSEY and Mr. FITZPATRICK.
H. Res. 207: Mr. TROTT and Mr. KILMER.
H. Res. 214: Mr. KILDEE.
H. Res. 393: Mrs. KIRKPATRICK.
H. Res. 435: Mr. RUSSELL.
H. Res. 451: Mrs. MILLER of Michigan and Mrs. ELLMERS of North Carolina.
H. Res. 454: Mr. GIBSON.
H. Res. 469: Mr. TROTT, Mr. LAMBORN, Mr. JOHNSON of Ohio, and Mr. BARR.
H. Res. 536: Mrs. TORRES.
H. Res. 540: Mr. HASTINGS.
H. Res. 559: Mr. JOHNSON of Ohio and Mr. REICHERT.
H. Res. 561: Miss RICE of New York.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1301: Mr. ZINKE.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 3, December 7, 2015, by Mr. THOMPSON of California on H.R. 1076, was signed by the following Members: Mr. Thompson of California, Mr. Kildee, Ms. DelBene, Mr. Pallone, Ms. Eshoo, Mr. Norcross, Mr. Courtney, Ms. Slaughter, Mr. Foster, Mr. McNerney, Ms. Edwards, Mr. Gutiérrez, Mrs. Watson Coleman, Mr. McDermott, Mrs. Beatty, Mr. Clyburn, Mr. Delaney, Mr. DeSaulnier, Ms. Jackson Lee, Mr. Serrano, Ms. Velázquez, Mr. Heck of Washington, Mr. Huffman, Mr. Kilmer, Mr. Quigley, Mr. Tonko, Mr. Lowenthal, Mrs. Davis of California, Ms. Kuster, Ms. Castor of Florida, Ms. Clark of Massachusetts, Mr. Cartwright, Mr. Jeffries, Mr. Pascrell, Mr. Al Green of Texas, Mr. Bera, Ms. Lofgren, Mrs. Napolitano, Mr. Garamendi, Ms. Duckworth, Ms. Tsongas, Mr. Honda, Mr. Pocan, Ms. Esty, Mr. Blumenauer, Mr. Michael F. Doyle of Pennsylvania, Mr. Hinojosa, Mr. Yarmuth, Mr. Brendan F. Boyle of Pennsylvania, Ms. Titus, Ms. Bonamici, Mr. Cicilline, Ms. Adams, Mr. Beyer, Mr. Veasey, Mr. O'Rourke, Ms. Pingree, Ms. Matsui, Mr. Larsen of Washington, Mr. Keating, Ms. Frankel of Florida, Ms. Brownley of California, Ms. Hahn, Ms. Wasserman Schultz, Mrs. Capps, Mr. Takano, Ms. Kelly of Illinois, Ms. Clarke of New York, Mr. Nolan, Ms. Schakowsky, Mr. Rangel, Mr. Gallego, Mr. Swalwell of California, Ms. DeLauro, Mr. Connolly, Mr. Murphy of Florida, Ms. DeGette, Mr. Becerra, Mr. Ryan of Ohio, Ms. Wilson of Florida, Mr. Cohen, Ms. Eddie Bernice Johnson of Texas, Mrs. Lawrence, Mr. Hoyer, Mrs. Torres, Ms. Kaptur, Ms. Sewell of Alabama, Mr. Levin, Mr. Van Hollen, Mr. Kennedy, Mr. McGovern, Mr. Schiff, Mr. Brady of Pennsylvania, Mr. Sires, Mrs. Kirkpatrick, Mr. Sarbanes, Mr. Ben Ray Luján of New Mexico, Mr. Cárdenas, Mr. Ruiz, Mr. Lynch, Ms. Michelle Lujan Grisham of New Mexico, Mr. Loebsack, Mr. Vargas, Ms. Judy Chu of California, Mr. Sean Patrick Maloney of New York, Mr. Moulton, Mr. Higgins, Mr. Grayson, Mr. Castro of Texas, Mr. DeFazio, Mr. Larson of Connecticut, Ms. Brown of Florida, Mr. Carney, Mr. Nadler, Mr. Cummings, Mrs. Carolyn B. Maloney of New York, Mr. Langevin, Mr. Hastings, Mr. Capuano, Mr. Farr, Mrs. Lowey, Mr. Price of North Carolina, Mr. Ashford, Ms. Roybal-Allard, Mr. Fattah, Mr. Ted Lieu of California, Mr. Crowley, Ms. Meng, Mr. Smith of Washington, Mr. Sherman, Mr. Scott of Virginia, Mr. Meeks, Mr. Johnson of Georgia, Ms. Moore, Mr. Conyers, Ms. Bass, Mr. Ruppersberger, Mr. Ellison, Mr. Engel, Mr. Israel, Mr. Payne, Ms. McCollum, Mr. Neal, Mr. Polis, Mr. Takai, Ms. Lee, Ms. Maxine Waters of California, Ms. Linda T. Sánchez of California, Mr. Rush, Ms. Gabbard, Mr. Danny K. Davis of Illinois, Mr. Cleaver, Mr. Clay, Mr. Butterfield, Ms. Speier, Mrs. Bustos, Mr. Perlmutter, Mr. Doggett, Mr. Welch, Mr. Himes, Mr. David Scott of Georgia, Mr. Deutch, Mr. Peters, Miss Rice of New York, Mr. Carson of Indiana, Mr. Lewis, Ms. Pelosi, Ms. Loretta Sanchez of California, Ms. Sinema, Mr. Grijalva, Mrs. Dingell, and Mr. Lipinski.

EXTENSIONS OF REMARKS

RECOGNIZING THE CONTRIBUTIONS OF BONITA ''BONNIE'' SHEPHERD—AN EXTRAORDINARY PUBLIC SERVANT WHO SERVED THE UNITED STATES HOUSE OF REPRESENTATIVES WITH DISTINCTION FOR 48 YEARS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise to present a Certificate of Congressional Recognition to Bonita ''Bonnie'' Shepherd on the occasion of 48 Years of public service at the U.S. House of Representatives.

Bonita L. Shepherd, ''Bonnie'' commenced her career as a public servant on Capitol Hill on June 18, 1967 and met everyone who crossed her path with her signature ''Good Morning. How are you?''

Bonnie worked for the U.S. House of Representatives, with a starting per hour salary of $1.51, providing service to Members of Congress, staff, citizens and visitors who traversed our nation's Rayburn Cafeteria.

On January 28, 1988, having served 21 years in the House, Bonnie continued her public service for another 27 years in the House of Representatives with the Architect of the U.S. Capitol as an Elevator Operator, playing an instrumental role in facilitating the safe and flawless movement of Members as they worked to make and pass federal laws affecting our nation.

Every year for 48 years, Bonnie served 435 Members who served the 50 states of our nation, serving the interest of the United States' population when the House was in session.

When the House was out of session, Bonnie also served at the House Flag office where on average more than 100,000 American flags fly over the U.S. Capitol every year, commemorating birthdays, retirements, anniversaries and other special occasions of everyday heroic Americans.

For almost half a century Bonnie has served our nation through wars, recessions, seminal national occurrences and celebrations.

On behalf of the U.S. House of Representatives and the constituents of the Eighteenth Congressional District of Texas, I take great pride in congratulating Bonita L. Shepherd, ''Bonnie'' for her work as an American public servant and keeping a smile on her face while serving Members working to serve the interests of the United States.

I hope my colleagues will join me in congratulating Bonnie for her public service.

TRIBUTE TO DORIS DOZIER CRENSHAW

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to honor the extraordinary contributions of lifelong civil rights activist and public servant Doris Dozier Crenshaw. For more than 60 years, she has been on the frontlines in the fight for equality and human rights for all. Today, we salute this Alabama native for her commitment to serving this nation.

Her journey began in 1955 when at just 12 years old, Doris served as Vice President of the NAACP Youth Council when Rosa Parks served as the organization's advisor. After completing her degree at Clark College, she continued her community outreach in Chicago with Dr. Martin Luther King, Jr. on the Open Housing Campaign.

Doris began her professional career as a Southern Field Representative for the National Council of Negro Women by organizing chapters, designing rural economic programs, and health and housing programs. In 1977, Doris joined the Carter White House Democratic Policy Staff for the Small and Minority Business Issue Division. In 1980, she went on to serve as Deputy Director for the South East Region for the Carter Presidential Campaign.

In the early 1980s, Doris also served as Special Assistant and Mobilization Director for Special Projects to the Rev. Jesse Jackson. In this capacity, she worked extensively in Washington, D.C. and nationwide with black businesses for the PUSH Trade Bureau. Doris then served as a consultant to Vice President Walter Mondale and was later named National Political Director for ''Mondale for President in 1983.''

In 1985, Doris was tapped by Coretta Scott King to serve as Director of Mobilization for the first national holiday honoring Dr. Martin Luther King, Jr. She was also charged by Dorothy Height to serve as Director of Mobilization for the First National Black Family Reunion and the National Black Family Reunions in Atlanta, Los Angeles, and Detroit. This community icon also organized the nationally recognized 40th, 45th, 50th, 55th, 57th anniversary and now the 60th celebrations of the 1955 Montgomery Bus Boycott.

In addition to her various leadership roles, Doris is committed to passing the torch to future generations. In 2008, she founded the Southern Youth Leadership Development Institute. The organization was created to address educational policy issues while engaging youth leaders in inspirational training programs through the ''train-the-trainer'' approach.

Over the years, Doris has been recognized and awarded numerous accolades from organizations around the country and she is a lifetime member of the NAACP and the National Council of Negro Women. Doris is also a member of the Southern Christian Leadership Conference as well as the First United Church of Christ. Her proudest accomplishment is her daughter, Dr. Kwanza (Mikki) Crenshaw.

On a personal note, Doris has served as dedicated mentor and friend. I know that my journey as the first black woman elected to Congress from the State of Alabama would not be possible without her wise counsel, support and mentorship.

On this the 60th anniversary of the Montgomery Bus Boycott, I ask my colleagues to join me in paying tribute to an Alabama treasure whose extraordinary contributions to this nation will continue to shape future generations of public servants.

RECOGNIZING THE DEDICATED SERVICE OF NORTHWEST FLORIDA'S HUNTER WALKER ON THE OCCASION OF HIS RETIREMENT AS SANTA ROSA COUNTY, FLORIDA ADMINISTRATOR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize Mr. Hunter Walker on the occasion of his retirement as Santa Rosa County Administrator, a position in which he has faithfully served for the last twenty years.

A native of Atmore, Alabama and an avid Crimson Tide fan, Mr. Walker attended the University of Alabama where he received both his Bachelor of Arts in Political Science and his Masters of Public Administration. Upon graduation, he served as Assistant to the Homewood, Alabama Mayor for five years. He later moved to Yemassee, South Carolina, where he worked as both City Planner and Management Specialist, and in 1985, he became City Planner and Administrator of Beaufort, South Carolina. In 1986, he became Grady County, Georgia County Administrator in 1986, and from there, he moved to Tifton, Georgia, where he served as City and County Manager for seven years.

In 1995, Mr. Walker moved to Santa Rosa County, located in Florida's First Congressional District where he has since served as County Administrator. For the last two decades, Mr. Walker has been responsible for ensuring the efficient daily operation of county services. In addition, he has been responsible for drafting an annual operating budget for the county, preparing policy recommendations and advising County Commissioners on short and long term policy goals, working with state and federal officials and local stakeholders on joint policy efforts, and ensuring that policies enacted by the County Commission are carried

out in the most thorough and efficient manner possible.

Aside from his public service, Mr. Walker is an active member and vestryman at Holy Cross Episcopal Church in Pensacola and enjoys spending time with his family and playing golf.

Mr. Speaker, on behalf of a grateful community, I am pleased to congratulate Mr. Hunter Walker on his well-earned retirement. My wife Vicki and I wish him; his wife, Pam; daughter, Sarah; and son, John all the best for continued success.

HONORING THE 50TH ANNIVERSARY OF THE COMMUNITY ACTION PARTNERSHIP OF SAN LUIS OBISPO COUNTY, INC.

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mrs. CAPPS. Mr. Speaker, today I rise to honor the Community Action Partnership of San Luis Obispo County, Inc. (CAPSLO) on their 50th anniversary and to highlight its vital role serving our local community.

CAPSLO was established on December 8, 1965. It was created as San Luis Obispo County's official Community Action Agency to eliminate the causes of poverty by empowering low-income individuals and families to achieve self-sufficiency through a wide array of community-based collaborations and programs.

Over the years, it has touched and inspired so many working families through strong partnerships with volunteers, county government, city government, the private sector, and low-income populations throughout the San Luis Obispo community.

Through these partnerships, CAPSLO has worked tirelessly to implement successful programs, such as Early Head Start, Head Start, Migrant and Seasonal Head Start, Supportive Service for Veterans and Families, Homeless Services, and Parent Education and Child Abuse Prevention Services. These programs address the needs of our community by directly combatting poverty and have directly improved the quality of life of local families, strengthened the community, and improved the safety of San Luis Obispo County.

I am pleased to recognize CAPSLO on its 50th anniversary for its leadership and wish the organization luck in the future.

IN RECOGNITION OF JUDY WALDEN SCARAFILE

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. KEATING. Mr. Speaker, I rise today to recognize the distinguished career of Judy Walden Scarafile on the occasion of her retirement as President of the Cape Cod Baseball League. Judy has served this organization honorably for 45 years, including the last 24 as President.

The Cape Cod Baseball League has been an integral and historic component of Massachusetts culture—having been embraced by Cape Cod residents, visitors, and baseball fans alike as a favorite summer pastime since its establishment in 1885. The continued success of the League and that of its individual players—through both collegiate, minor and major league careers—is testament to the dedication and comradery of its leadership. Judy Scarafile embodies the best of the League and the best of the game of baseball; she is a savvy businesswoman, a respected leader, and a pioneer for women working in sports administration.

Judy's tenure would not have been achieved without her tireless commitment to CCBL, its players, and its fans. She first joined the League in 1970, when longtime head of Public Relations for the Red Sox, Dick Bresciani, her mentor, hired her as an official scorer. For over four decades, Judy's love for baseball and dedication to the League led her to rise through the ranks—from publicity assistant to, since 1991, CCBL's first female president.

As President, Judy Scarafile elevated the Cape Cod Baseball League to unprecedented heights. According to the CCBL Commissioner, her leadership helped the League grow ''from little backyard local teams to an international power in terms of collegiate summer baseball.'' Well over one thousand players trained, coached, and supported by the League have gone on to lasting careers in baseball.

In 2003, the Cape Cod Baseball League honored Judy's achievements by inducting her into the League's Hall of Fame. She is also celebrated among other pioneering females in the game of baseball by the National Baseball Hall of Fame's ''Diamond Dreams'' exhibit. Among her many other honors and accolades, Judy has also been named the Hyannis Area Chamber of Commerce Citizen of the Year, presented with the Clara Barton Award by the American Red Cross, and received USA Baseball's Woman of the Year Award.

Mr. Speaker, it brings me great pride to recognize the retirement of Judy Walden Scarafile from her position as President of the Cape Cod Baseball League. Judy has served the many players who pass through the Cape League—and the game of baseball. Though she will be sorely missed, I thank her for her devotion and wish her the best of luck in all her future endeavors.

RECOGNIZING THE ACHIEVEMENT OF DAVID L. KOLBE

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. RYAN of Ohio. Mr. Speaker, I rise today to commend David L. Kolbe of Howard, Ohio for his induction into the Ohio Veterans Hall of Fame this year. A veteran of the Vietnam War and former fire fighter, David has dedicated his life to both those he served with and served for, returning to Ohio to start a career in public service.

Kolbe was elected Damascus Township Trustee at the age of 33 and later served as Henry County Commissioner for four years, where he helped secure funding for the Henry County Veterans Memorial in 1989. Later, Kolbe helped elect President Bill Clinton in 1992 as Northwest Ohio coordinator for the Ohio Democratic Party.

As a union ironworker by trade, Kolbe has supported unions throughout his life, serving as Political and Legislative Director for the Ohio AFL–CIO in 1994 where he championed reform on issues from campaign finance reform to prescription drug pricing. He also excelled in the realm of community service, working with the United Way and the Red Cross State Council during his time with the AFL–CIO, later earning an appointment by Governor Bob Taft to the State Community Service Council.

Throughout his life, helping veterans find employment has been David's core focus as a public servant. He has recently worked closely with Helmets to Hardhats, a non-profit organization that helps connect recently returned veterans to employment in the construction industry. In his current role as political and legislative director for the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, David builds upon his forty year membership in the Iron Workers Local 55 union by serving on the Union Veterans Council executive committee, which he helped found in 2009.

David was nominated for induction into the Ohio Veterans Hall of Fame by Bob Kane of McClure, Ohio and was inducted on November 5, 2015 at the Lincoln Theater in Columbus, alongside eighteen other distinguished veterans. As a Hall of Fame member, David joins the ranks of an impressive list of distinguished Ohioans, including astronauts, police officers, Medal of Honor Recipients, and former Presidents of the United States.

I could not be prouder of the work David Kolbe has done for veterans in the state of Ohio. I see his career of service as an inspiration. I hope you will all join me in congratulating David and his family for being recognized with this great honor.

HONORING VIRGINIA TECH'S COACH FRANK BEAMER

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. WITTMAN. Mr. Speaker, I rise today to honor Virginia Tech's Coach Frank Beamer, who after 29 years, will retire at the end of this season as a football coach, mentor, friend and role model on and off the field.

Beamer was a three-year starting cornerback for the Hokies and after taking over as the Hokies' head coach in 1987, he built the football program at his alma mater into a national power.

Coach Beamer stands as the winningest active Division I football coach and the sixth all time with 279 career wins.

During his 29 years at Virginia Tech, he has 237 victories and has guided the Hokies to

four ACC titles, three Big East championships, six appearances in BCS bowl games, and has posted 13 seasons with 10 or more wins.

At the end of this month, Virginia Tech will play in a bowl game for the 23rd consecutive year under Beamer's lead, the longest current streak in college football recognized by the NCAA.

Beamer has been the face of the Hokie football team and the Virginia Tech community as a whole for so many years. He will certainly be missed.

Thank you, Coach Beamer, for all that you have contributed to Virginia Tech, Blacksburg and the game of college football.

IN COMMEMORATION OF IVADALE MARIE FOULKS FOSTER

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. SHIMKUS. Mr. Speaker, I rise today to honor the memory of a truly remarkable woman. Ivadale Foster passed away on November 14 in her hometown of Danville, Illinois, at the age of 93. Mrs. Foster was a pillar of the community, who dedicated her life to helping others. Her list of accomplishments and memberships on various community organizations is extraordinary. In 1964 Mrs. Foster was recognized as one of Danville's outstanding women and was named volunteer of the year in 1993. She was the first and only African American woman to serve on the Vermilion County Board, a position she held for three decades. She was active in the Laura Lee Fellowship House, American Legion Post 736 Auxiliary, and the Danville Public Schools, to name just a few of the organizations on which she served.

Her list of accomplishments could fill pages, and because of that record of service, the City of Danville and Vermilion County has lost a leader, a trailblazer, and an icon. Ivadale Foster embodied what is good and just in America, and her legacy of community service will touch future generations.

My sincere condolences go out to the family of Mrs. Foster, as we all mourn her passing.

RECOGNIZING THE 75TH ANNIVERSARY OF TAMPA LIGHTHOUSE FOR THE BLIND

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. WEBSTER of Florida. Mr. Speaker, it is my pleasure to recognize the 75th anniversary of Tampa Lighthouse for the Blind. Tampa Lighthouse for the Blind has been serving individuals who are blind or visually impaired since 1940. Tampa Lighthouse for the Blind is dedicated to their mission to maximize independence and provide employment opportunities for persons who are blind or visually impaired.

On-site comprehensive rehabilitation services are provided in their two locations in Florida: Tampa and Winter Haven. The training programs are designed to help individuals who have recently lost part or all of their vision gain the skills needed to perform daily tasks and maintain employment.

Tampa Lighthouse for the Blind opened its first Winter Haven facility in 1993 to provide rehabilitation programs to residents in Polk, Hardee, and Highlands counties. In 1995, the Winter Haven facility opened its Low Vision Clinic for individuals who have some remaining vision. At the Low Vision Clinic, an optometrist specialized in low vision, works to improve visual functioning through the utilization of low vision aids, visual rehabilitation techniques, or specialized training.

Over the past 75 years, Tampa Lighthouse for the Blind has enriched the lives of individuals by providing them with the opportunity to gain greater independence and quality of life, and enjoy and benefit from participation in their communities. On behalf of the citizens of Central Florida, I applaud the efforts of those involved and the investments they are making in the lives of individuals with vision loss to provide them with job training, work experience and other tools necessary to lead independent, successful lives. I wish Tampa Lighthouse for the Blind many more years of quality service to our community.

HONORING 50 YEARS OF UNC HIGHWAY SAFETY RESEARCH CENTER EFFORTS TO IMPROVE SAFETY

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. PRICE of North Carolina. Mr. Speaker, I rise to recognize the 50th anniversary of the University of North Carolina (UNC) Highway Safety Research Center. The Center's mission is to improve the safety, security, access and efficiency of all surface transportation modes by conducting interdisciplinary research and disseminating information. Located on the UNC campus at Chapel Hill, which is in my district, the Center is overseen by the Vice President for Research for the North Carolina University System and the Vice Chancellor for Research and Economic Development on the UNC-Chapel Hill campus.

The UNC Highway Safety Research Center was formed by the North Carolina State Legislature in 1965 at a time when the public was calling for enhanced highway and vehicle safety and injury prevention. Established during former Governor Dan K. Moore's tenure, the Center began operations in 1966 under the direction of Dr. B.J. Campbell. I'd like to recognize the Center's current leadership, including David Harkey, Director of the Highway Safety Research Center; Lauren Marchetti, Director of the National Center for Safe Routes to School; Charles Zegeer, Director of the Pedestrian and Bicycle Information Center; and Robert Foss, Director of the Center for the Study of Young Drivers.

The Center's cross-discipline research—from social and behavioral sciences to engineering and planning—addresses the diverse challenges we face in building safer roads and highways. Research topics include animal-vehicle crash information, bicycle & pedestrian safety and access, child passenger safety, distracted and drowsy driving, motorcycle safety, occupant protection, the safety of older and younger drivers, school travel, traffic operations, and roadway design.

Over its 50-year history, the Center has worked with various partner agencies in North Carolina on identifying road safety challenges, developing and implementing strategies, and evaluating the effectiveness of programs and interventions. Partners in North Carolina include the North Carolina Department of Transportation (NCDOT), the Governor's Highway Safety Program, the State Highway Patrol, and many others. In recent years, the Center worked closely with NCDOT to train State professionals on the concept of complete streets, develop and implement the 'Watch for Me' pedestrian and bicycle safety program, and develop the 2014 Strategic Highway Safety Plan.

The nationally renowned investigators at the center have also translated their results into programs and policies that have been implemented in North Carolina, saving countless lives and injuries. The Center's staff has also trained thousands of safety professionals, and have served as a resource for the public and the media on how to communicate safety messages and provide an impartial voice on timely road safety topics.

For 50 years, the Highway Safety Research Center has been a leading research institute that has helped shape the field of transportation safety. We are fortunate that this world-class highway safety research center calls North Carolina home. Again, I want to congratulate the Center on celebrating 50 years of service to the cause of highway safety and road users everywhere. I look forward to their continued work over the coming decades.

ADDRESSING GUN VIOLENCE IN OUR COMMUNITIES

HON. MARCIA L. FUDGE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Ms. FUDGE. Mr. Speaker, I am sick and tired of people talking about gun violence as if it is just another headline or topic of the day. While we tend to discuss gun violence because it occurs so frequently in our country, another debate is not enough.

How many Americans do we have to bury before gun violence stops? What will it take for every Member of this House to consider gun safety laws? And, when will we stop talking about the lives lost and take real action to save our constituents before their names are called before a moment of silence?

It is clear that there is a culture of violence pervading our society. It is crippling us at our core: tearing families apart and hurting communities. Perpetrators are cutting off generations at the head and ending lives way too soon.

Gun violence is a crisis of murder. We need to call it what it is. We must figure out how to stop people from killing other people and get guns out of the hands of those that do not need them.

Proponents of gun rights say that there is an absolute right to bear arms. I disagree. All rights are subject to reasonable restrictions. But what is absolute, is that Americans have the right to leave their homes without being shot. All Americans deserve to live free from fear.

But, every day Congress does not act, we lose more innocent children, men and women. Every day we do nothing, we forfeit more lives.

I call on my colleagues in Congress to pass comprehensive, national gun policies that eliminate loopholes, ban assault weapons, and place limits on high-capacity magazines. Several bills have been introduced in the House this year. I have co-sponsored many. Yet, none have made it to the House Floor.

This is unacceptable. We have to protect the lives of our constituents.

It saddens me that we are still just talking about gun safety. We did the same after Sandy Hook and Newtown. We reacted similarly following Aurora, Charleston, Oregon, and now San Bernardino. And, discussions continue after each tragic instance of gun violence in our districts.

We are complicit in this violence if we fail to strengthen our gun laws and combat other reasons these murders continue. Comprehensive gun control may not be a panacea, but it is indeed a good start. It is time to take action. Let's make our streets safer for all Americans.

HONORING THE CENTRAL NEW YORK STORM CHEERLEADING ALL STAR PROGRAM

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. KATKO. Mr. Speaker, I rise today to honor the 20th anniversary of the Central New York Storm Cheerleading All Star Program. The CNY Storm was founded in 1996 and was the first All Star program in New York State. The CNY Storm provides a welcoming environment where all ages and ability levels are invited to come and learn about cheerleading and tumbling.

The CNY Storm All Star Program is the longest running and most successful program not only in Central New York, the Capital District, and North Country, but in all of New York State. The coaches and staff at CNY Storm are knowledgeable, experienced and nationally recognized. The team is a United States All Star Foundation member gym and all athletes are USASF members.

The CNY Storm Cheerleading Program plays an important role in Central New York, working with young people locally to teach them life skills, teambuilding, character education and the importance of community and the pursuit of academic goals. The team continuously offers community service activities for its team members, along with academic rewards, college scouting opportunities, and a family atmosphere.

Mr. Speaker, I am honored to recognize the CNY Storm Cheerleading All Star Program and congratulate the program on achieving its 20th anniversary. I wish the program continued success for years to come.

IN HONOR OF THE 40TH ANNIVERSARY OF V–103, THE PEOPLE'S STATION

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. DAVID SCOTT of Georgia. Mr. Speaker, today I rise to honor the 40th anniversary of ''The People's Station'', V–103, a radio station that has withstood the test of time and always kept up with the pulse of metro Atlanta.

V–103 started in 1976 primarily as a disco music station. The station rose to prominence and became one of Atlanta's radio market leaders under the guidance and leadership of then program director, Scotty Andrews. Although it found its audience in disco, as musical tastes changed, V–103 proved to be fluid and ready to meet the listening needs of the people of Atlanta.

There is no finer example of this fact than in 2000 when the People's Station added full time hip hop to their catalog of urban contemporary soul and R&B. V–103 helped promote some of Atlanta's most notable homegrown musicians and producers. But more than just a music station, V–103 has been a pillar of support in both the Greater Atlanta community as well as the United States.

Following the attacks on the World Trade Center on September 11, 2001, then-Mayor Bill Campbell escorted the V–103 morning team to Ground Zero to present more than $100,000 to then New York mayor Rudy Giuliani for the families of first responders. The station raised over $250,000 to assist the displaced people of Hurricane Katrina in Atlanta and New Orleans. In November 2008, the station paused its music service to report on the historic election of this nation's first African American president, Barack Obama. V–103 has been a partner in promoting the 13th district's Health, Job and Foreclosure prevention fairs and contributing to the success of these events.

Over the past 40 years, the People's Station has proven itself as a resource for the greater Atlanta community. With over one million listeners, V–103 is undoubtedly an integral part of people of Atlanta's morning and evening commutes as well as an important part of the philanthropic community.

Mr. Speaker, today I rise to celebrate and honor an organization that has been an informative voice for so many Georgians throughout the last 40 years. I ask my colleagues to join me in commemorating V–103 on their organization's anniversary and for their continued service to the Greater Atlanta community.

180TH ANNIVERSARY OF CENTENARY UNITED METHODIST CHURCH

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize the 180th anniversary of the founding of Centenary United Methodist Church in Effingham, Illinois. Centenary United Methodist Church can trace its origins to 1835, four years after Effingham County was established. This makes Centenary the oldest congregation in Effingham County. The congregation at first had no building in which to worship, the first members of the church would meet in each other's homes. Ground breaking for the current church began in 1954 and the building was dedicated in 1961.

Centenary United Methodist Church has a long tradition of community involvement and care, and for 180 years it has been serving the spiritual and emotional needs of its members and the community with many different activities and programs. I look forward to the continued success of Centenary United Methodist Church, and I extend my best wishes to it on its 180th anniversary.

HONORING THE SERVICE OF JENNIFER L. BAUN

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the service of Jennifer L. Baun of Youngstown, Ohio who served in the U.S. Navy. Today she serves veterans and the greater community and has been recognized for her outstanding work with induction into the Ohio Veterans Hall of Fame.

While Jennifer works full-time in the pharmaceutical industry, she spends a great deal of her free time helping veterans. Jenn is the president of the Northeast Ohio Women Veterans Unit 21, a chapter of the Military Women Across the Nation veterans group, an organization dedicated to women who proudly served in the military. She is vice chair of the Ohio Department of Veterans Services Advisory Committee on Women Veterans and was instrumental in seeking sponsorship for the biennial Ohio Women Veterans Conferences. Additionally, Jenn worked diligently on the movement of legislation supporting the Ohio Women Veterans license plate. In May of 2015, Jenn was a finalist for the Athena Leadership Award for the exceptional impact and leadership she has made in her career and community.

Despite having already given so much, Jenn's commitment to giving even more and helping her fellow veterans is a source of inspiration to me, and our whole community. On behalf of the whole community, I would like to congratulate Jennifer on this most recent honor, and offer my sincere thanks for the work she has done, and will no doubt continue to do for fellow veterans in our community.

RECOGNIZING NORTHWEST FLORIDA'S BUCK LEE ON THE OCCASION OF HIS RETIREMENT AS THE SANTA ROSA ISLAND AUTHORITY EXECUTIVE DIRECTOR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize Mr. Buck Lee for his dedicated service to the Gulf Coast community on the occasion of his retirement as the Santa Rosa Island Authority Executive Director.

A native Northwest Floridian, Buck was born in Pensacola on December 24, 1947 to Jack and LaVonne Lee. Growing up along the Gulf Coast, he attended Warrington Elementary and Junior High Schools, Escambia High School, and Pensacola Junior College. A lifelong Ole Miss fan, he attended the University of Mississippi, where he was a proud member of Kappa Sigma Fraternity. Following his studies, Buck served in the United States Army until 1974, when he returned to Northwest Florida to start a career as a businessman and public servant.

Buck's successful business career included ownership of a car dealership, Jack Lee Buick, and the creation of a government consulting firm. In addition, Buck was also elected to serve the people of Northwest Florida as a County Commissioner in both Escambia and Santa Rosa Counties.

In 2005, Buck was selected as Executive Director of the Santa Rosa Island Authority. In this capacity, he is responsible for implementing plans and programs established by the Santa Rosa Island Authority Board and administering the daily operations of the Santa Rosa Island Authority, which includes a staff of 35 permanent employees and approximately 40 seasonal employees on Pensacola Beach.

Buck's tenure as Executive Director of the Santa Rosa Island Authority has coincided with several pivotal moments in Northwest Florida history. He was appointed in the wake of Hurricane Ivan, one of the costliest storms in American history and was also Executive Director during Hurricane Dennis. Buck worked diligently to restore the beach, but in 2010, the community was hit hard again following the Deepwater Horizon Oil Spill. In 2012, however, Pensacola Beach had the best year ever for retail sales, and with the Santa Rosa Island Authority Board approval, Buck implemented ''Bands on the Beach,'' an event that attracts thousands of individuals. Buck also oversees the Pensacola Beach Blue Angels Airshow and is active in various civic and community organizations. His excellent service has not gone unnoticed, and he has received numerous awards, including the 2011 Communicator of the Year award by the Florida Public Relations Association.

Mr. Speaker, on behalf of a grateful community, I am pleased to congratulate Mr. Buck Lee on his well-earned retirement. My wife Vicki and I wish him all the best for continued success.

JOSEPH DEMOTT

HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. PITTS. Mr. Speaker, I rise today to honor Joseph DeMott of Lititz, Pennsylvania.

Mr. DeMott served our country in the Army Air Corps during World War II, suffering severe leg wounds in a mission over what is now Jakarta. While he was in the hospital, Japan overtook the city and he was captured in March 1942. He was sent to a POW camp to do farm labor, build fences, dig ditches, and work on the docks. Joseph DeMott was starved, beaten, and temporarily blinded when the camp was liberated in September 1945. For his heroism, he received two Purple Hearts.

After the war, back home in Pennsylvania, he became an electrical engineer after graduating from Penn State. He went on later to work as a plant manager at Champion Blower and Forge in Lancaster.

This October, 70 years later, he and seven other former POWs held by Japan during World War II traveled to Japan as guests of the Japanese government to revisit and reconcile with their past.

Mr. DeMott's story is an outstanding lesson to us all not only in courage, selflessness, patriotism, and valor, but also in forgiveness. Those who are truly strong are strong enough to forgive.

Mr. Speaker, there are heroes all around us in this country. I am proud to represent over 40,000 of them in the Sixteenth Congressional District of Pennsylvania.

TRIBUTE TO THOMAS AND LINDA KOEHN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Thomas and Linda Koehn for being recognized as Outstanding Individual Philanthropists by the Des Moines Business Record. They have long been supporters of arts, culture, and community service in the Des Moines area.

For years the Koehns have dedicated their time and talents to promoting the greater good. They have directed most of their philanthropic efforts to The Community Foundation of Greater Des Moines and United Way of Central Iowa. Thomas and Linda describe the two organizations as pillars of the greater Des Moines metropolitan area.

The Koehns' willingness to serve others before themselves has left a long-lasting impact on the community. Their dedicated leadership on a variety of philanthropic boards and organizations cannot be understated, as well as their contributions to the Greater Des Moines Botanical Garden, the Des Moines Symphony, and the Science Center of Iowa, to name a few.

Mr. Speaker, the Koehns' display of civic duty throughout their lives is admirable and gives me great hope for our nation's future. It is Iowans like them who make me proud to call myself an Iowan and represent the people of our great state. I ask that my colleagues in the U.S. House of Representatives join me in congratulating the Koehns for receiving this outstanding recognition and in wishing them nothing but continued success.

HONORING THOMAS ''TANK'' STRICKLAND

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. DUNCAN of Tennessee. Mr. Speaker, Thomas ''Tank'' Strickland is one of the hardest working people I have ever known and a very patriotic American. He will retire soon from his position as city community relations director in Knoxville, Tennessee, where he has served for almost 20 years. He has also represented the city he loves so much for several years as an esteemed member of the Knox County Commission.

A graduate of Austin-East High School and the University of Tennessee, Mr. Strickland's service to the community spans a lifetime and has come not just through government but also volunteer and philanthropy work. The community honored him for this devotion with the naming of Thomas ''Tank'' Strickland Park. Recently, he was also bestowed with the Jayne Thomas Grassroots Volunteer Recognition Award for community advocacy from the Community Action Partnership. This award is given only to those who have ''made a significant and outstanding contribution toward accomplishing the promise of Community Action'' and is ''devoted to changing people's lives.''

Mr. Strickland has devoted countless hours of his life to combating neighborhood violence and helping at-risk youth. He is seen in Knoxville as a symbol of integrity. Among other causes he champions are the Howard Circle of Friends, a senior day-care group, and the Interfaith Health Clinic for the working poor.

Mr. Speaker, Thomas ''Tank'' Strickland has spent his entire life in service to the neighborhood where he grew up. I call his work and dedication to the attention of my Colleagues and other readers in hopes that he will inspire many, many more in the years to come.

PERSONAL EXPLANATION

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. MCGOVERN. Mr. Speaker, I was unavoidably absent on Thursday, December 10, 2015, as I was attending a funeral in my congressional district in Massachusetts.

On Roll Call Vote Number 688, the Motion to Table the Appeal of the Ruling of the Chair on the Privileged Resolution offered by Ms. PELOSI of California to place on the calendar for an immediate vote H.R. 1076, the Denying Firearms and Explosives to Dangerous Terrorists Act, had I been present I would have voted NO.

36TH ANNUAL RECOGNITION DAY OF CONCERNED WOMEN OF BROOKLYN

HON. HAKEEM S. JEFFRIES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. JEFFRIES. Mr. Speaker, I rise today in celebration of the 36th Annual Recognition Day of Concerned Women of Brooklyn. This organization has helped to make a difference in the lives of countless women, their families and communities in Brooklyn for decades. On December 12, 2015 at Giando's on the Water in Brooklyn, NY, this year's honorees will be celebrated for their invaluable service.

The Concerned Women of Brooklyn are proud to honor 12 prominent individuals selected for distinguishing themselves in their chosen fields. Ms. Georgetta Belton, Director of Culinary Ministry at Bethany Baptist Church, Mr. Frank Boswell, Executive Director of Bushwick Economic Development Corporation, Mr. Edie Gonzalez-Devonish, Educational Director of Two by Two Child Care, Dr. Benjamin Igwe, President and CEO of Family Service Network of New York, Mr. Winchester Key, President and CEO of East New York Urban Youth Corporation, Reverend Rose M. King-Bennett of Associated Minister Greater Bright Light Missionary Baptist Church, Ms. Judy D. Newton, independent consultant and community advocate and Reverend Marsha Scipio, Esq. Executive Director of Berean Community and Family Life Center are recipients of Concerned Women of Brooklyn's Excellence in Community and Civic Services.

Dr. Jonah Green, Medical Staff President of Woodhull Medical Center, Ms. Marcia Peters, JD, Senior Associated Executive Director at Bellevue Hospital Center and Dr. Ramanathan Raju, President and CEO of the New York City Health + Hospitals are recipients of Concerned Women of Brooklyn's Excellence in Health Services and Ms. Jani Selestine Ahay, a New England College student is the recipient of the Peggy Pinchback Scholarship Award.

I commend these honorees for their dedication, commitment and contribution to serving the people of Brooklyn.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in celebrating the 36th Annual Recognition Day of Concerned Women of Brooklyn and these 12 wonderful honorees.

TRIBUTE TO STEVE CHAPMAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Steve Chapman for being recognized by the Des Moines Business Record as this year's Outstanding Volunteer Fundraiser. For over 20 years Steve has been relied upon in the greater Des Moines metropolitan area as a trusted and effective fundraising leader.

Among the many diverse contributions Steve has made to the Des Moines metro area, his fundraising acumen has been exceptionally influential. In dedicating his time and talent Steve has successfully fundraised for organizations like ChildServe, Yes for Valley, Boy Scouts of America, Easter Seals, and the American Heart Association, to name a few.

Steve has also played a key role in a number of important Des Moines initiatives, including the passage of the Polk County local option sales tax. His willingness to serve and work on the behalf of others is a testament to his character.

Mr. Speaker, it is with great honor that I recognize Steve today. It is Iowans like Steve that make me proud to be an Iowan and represent our great state. I ask that my colleagues in the U.S. House of Representatives join me in congratulating Steve for this outstanding accomplishment and in wishing him nothing but continued success.

CONGRATULATING LISA DRAKE UPON HER RETIREMENT

HON. ANN WAGNER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mrs. WAGNER. Mr. Speaker, I rise today to congratulate Lisa Drake upon her upcoming retirement after 28 years with Monsanto.

Since January 2007, Lisa has served as the Team Lead for U.S. State and Local Government Affairs for Monsanto. In that capacity, she has managed the company's government affairs and community relations teams in all fifty states and Puerto Rico. She also has served as Secretary of the Board of Colorado Biosciences Association.

Prior to working in Government Affairs, Lisa was Director of Public Affairs for Monsanto's Agricultural Sector, managing global media relations and issues management for the company's leading herbicide, Roundup herbicide, and several of its biotechnology traits and seeds businesses.

Before she joined Monsanto, Lisa earned a B.A. in technical journalism from Colorado State University and she worked for two trade associations in California. She also served as a reporter for several daily and weekly newspapers in Colorado, Mississippi and Alabama.

As the Team Lead for U.S. State and Local Government Affairs, Lisa recruited, trained and developed an outstanding team of professionals to represent Monsanto before local and state governments. She and her team have built deep and effective relationships with legislative bodies, elected officials, and grower organizations throughout the nation. While she has had many accomplishments, one of note is her development and implementation of a strategy to engage and partner with communities around a number of Monsanto's facilities.

Throughout her career, Lisa has represented Monsanto with professionalism, grace, and class and has been a strong advocate for American agriculture and farmers. After relocating from St. Louis some years ago, Lisa and her husband Jack and two children, Sam and Amanda, live and work in Denver, Colorado. In retirement, Lisa and Jack are looking forward to traveling and pursuing their hobbies and philanthropic activities. I wish them the best as they begin this exciting new chapter in their lives.

TRIBUTE TO RICHARD AND BARBARA KUNZE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Richard and Barbara Kunze of Griswold, Iowa, on the very special occasion of their 65th wedding anniversary. They were married at the Lewis Methodist Church in 1950.

Richard and Barbara's lifelong commitment to each other and their children, Rebecca, Dennis, Brad and Dana, along with their grandchildren and great-children truly embodies our Iowa values. It is families like the Kunzes that make me proud to call myself an Iowan and represent the people of our great state.

Mr. Speaker, I commend this great couple on their 65th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

TRIBUTE TO TED BEATTIE

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to commend Mr. Ted Beattie for his dedication to education and to congratulate him on his retirement after twenty-one years with Shedd Aquarium in Chicago.

For over two decades, Mr. Beattie has led Shedd Aquarium as its president and CEO, overseeing the aquarium's largest expansion project and launching Shedd to its position as one of the country's leading educational aquariums.

Mr. Beattie began his career as a marketing and development director for the Cincinnati Zoo and eventually went on to lead zoos in both Tennessee and Texas before coming to Chicago in 1994. He is an active member of the American Zoo and Aquarium Association and formerly served as its president.

As a respected leader in his field of marine science, Mr. Beattie was appointed by President Bush to serve on the sixteen-member U.S. Commission on Ocean Policy, an initiative that has led to the creation of new ocean policies, such as pollution prevention efforts and the enhancement of marine science, commerce, and transportation.

A commitment to education has been one of Mr. Beattie's top priorities in his years with Shedd Aquarium. The $45 million Wild Reef wing opened in 2003 and features one of the

most diverse shark exhibits in the country. In 2009, during Mr. Beattie's tenure, the renovation of Shedd's Abbott Oceanarium marine mammal pavilion was completed—restoring one of Shedd's favorite exhibits, beloved by teachers, students, and patrons of all ages.

Under Mr. Beattie's leadership, Chicago's Shedd Aquarium has secured its reputation as a world-class aquarium, hosting millions of guests each year. Mr. Beattie's commitment to marine education has undoubtedly contributed to Shedd's excellence and I congratulate him on his many achievements and thank him for his work to make Shedd Aquarium one of Illinois' most treasured attractions.

PERSONAL EXPLANATION

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Ms. SINEMA. Mr. Speaker, on rollcall No. 687—Yes, rollcall No. 688—No, rollcall No. 689—Yes.

I was unavoidably detained.

TRIBUTE TO GREENFIELD OIL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Greenfield Oil from Greenfield, Iowa. The company has reached an important milestone this year and I join them in celebrating their 100th anniversary of providing goods and services to southern Iowa.

Greenfield Oil's doors first opened on August 15th, 1915 by its owner, Frank Grounds. Since that time, three generations of family have owned and operated Greenfield Oil, focusing on auto care and tires.

Mr. Speaker, it is a great honor that I'm able to recognize Greenfield Oil and its hard-working employees today for their dedication and perseverance through the years. I invite my colleagues in the United States House of Representatives to join me in congratulating them on their 100th anniversary. I wish them nothing but continued success.

HONORING RYAN CHESTER, WINNER OF THE BREAKTHROUGH JUNIOR CHALLENGE

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. RENACCI. Mr. Speaker, I would like to congratulate Mr. Ryan Chester for his accomplishment of being selected the winner of the Breakthrough Junior Challenge. Ryan is an extraordinarily talented senior from North Royalton High School, who competed against more than 2,000 applicants from across the world. The Breakthrough Junior Challenge is a competition that invites students ages 13–18 to submit videos that explain science, physics, and math concepts.

With a bowl of popcorn, a brilliant mind, and some very creative video-editing skills, Ryan created a capturing visual to explain Einstein's Special Theory in Relativity, and won first prize in this inaugural competition.

As the winner of this competition, Ryan won a $250,000 scholarship, a $100,000 state-of-the art new science lab for North Royalton High School, and $50,000 for his AP Physics teacher Mr. Richard Nestoff. He also had the once in a lifetime opportunity to meet Facebook founder Mark Zuckerberg, whose Silicon Valley Community Foundation co-hosted the event.

Ryan's ability to take his passion for both film and science and apply it in a setting outside of the classroom on his own accord should be encouraged in schools throughout the country. As a nation, we are committed to advancing our understanding of science and applying it in a way that can impact the lives of all man-kind. I know we are in good hands as we continue to lead the way in new scientific breakthroughs and innovations that will define the 21st century with young scientists like Ryan.

It is with great admiration I ask my colleagues in the House to join me in congratulating Ryan on his achievement, and wish him the best with all of his future endeavors.

TRIBUTE TO NORMAN AND SHIRLEY KAISER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Norman and Shirley Kaiser of Massena, Iowa, on the very special occasion of their 50th wedding anniversary. They were married on October 2, 1965 at the Baptist Church in Knoxville, Iowa.

Norman and Shirley's lifelong commitment to each other, their daughter, Dori, and their grandchildren, truly embodies Iowa values. It is families like the Kaisers that make me proud to call myself an Iowan and represent the people of our great state.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,775,084,981,439.86. We've added $8,148,207,932,526.78 to our debt in 6 years. This is over $8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CREW OF THE M.S. SHAHAN II

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. ZELDIN. Mr. Speaker, I, along with my colleague Mr. COURTNEY from Connecticut, rise today to honor the crew of the M.S. *Shahan II*. On September 14, 2015, a seemingly normal work commute turned into a life or death rescue mission. Al Yeomans, Ship's Mate; Cliff McGuigan, Ship's Mate; Jeffrey Krause, Security; Meghan Jackson, Environmental Safety and Occupational Health Specialist; Allyson Cooke, Document Control Specialist; Jennifer Knight, Administrative Assistant; and Hector Lavarreda, Procurement Manager, all a part of the workforce at the Plum Island Animal Disease Center, sprang into action after spotting two boaters off the coast of Old Saybrook, Connecticut.

Upon arriving at the scene, the crew saw the boaters clinging to the fender of their sinking vessel and not wearing life jackets, which meant that a timely rescue was critical. Despite the rough conditions, Captain Peter Jordan managed to maneuver the ferry into position to deploy a rescue sling and hoist the boaters to safety. Once aboard, the crew rushed to protect the victims from hypothermia and shock.

If not for the courageous efforts of the crew members, the story being told may have ended tragically. The actions undertaken by these crew members embody the spirit of American determination and the desire to help others when they need it most. It is important to recognize these individuals so that their selfless actions do not go unnoticed and can be commended by all. Today, we thank these crewmembers for their efforts and service to their communities.

TRIBUTE TO MAIN STREET CORNING

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Main Street Corning. The group has reached an important milestone this year and I join them in celebrating their 25th anniversary of working hard to improve the Corning local business community.

The mission of the Main Street Iowa Program is to improve the social and economic well-being of Iowa's communities by assisting selected communities to capitalize on the unique identity, assets, and character of each historic commercial district. For 25 years, Main

Street Corning has continued to successfully beautify the downtown and fiscally strengthen its businesses.

Mr. Speaker, it's an honor to represent Main Street Corning and its hard-working employees and volunteers in the United States Congress. I invite my colleagues in the United States House of Representatives to join me in congratulating them on their 25th anniversary and in wishing them nothing but continued success.

IN RECOGNITION OF TED BEATTIE

HON. MIKE BOST

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. BOST. Mr. Speaker, I join my Illinois colleagues in wishing Ted Beattie the best as he retires following a 21-year tenure as President and Chief Executive Officer of Shedd Aquarium. Under Mr. Beattie's leadership, Shedd Aquarium has prospered, growing into one of the largest indoor aquariums in the world. I thank him for his contributions to the State of Illinois.

CELEBRATING THE 230TH ANNIVERSARY OF ROCKAWAY VALLEY UNITED METHODIST CHURCH

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Rockaway Valley United Methodist Church, located in Boonton Township, New Jersey, as it celebrates its 230th Anniversary.

Rockaway Valley United Methodist Church has been an active part of the Boonton Township community since its founding in 1785. Through its weekly masses the church continues to foster religious life.

The United Methodist Church got its beginnings in the United States in 1784. The church spread through ''circuit riders'' who traveled spreading the word of God, and caring for His people. In 1785 the Rockaway Valley United Methodist Church was built as a center of worship for this new religion. The current church was built in 1842 by members of the founding families. In 1894 a slate roof was added, and the cupola was added in 1895–1900. There are 12 stained glass windows dating back to 1900 which were donated in honor of the founding members. The church is surrounded by a cemetery which dates back to the building of the church. In 1976 the church building was added to the New Jersey Register of Historic Places, and in 1977 it was added to the National Register of Historic Places.

The Rockaway Valley United Methodist Church has helped the United Methodist community celebrate and practice their beliefs. The church has also done much more for the community of Boonton Township. The church has served as a gathering place for the entire community. Boy Scouts of America Troop 69 has been using the church as a meeting place for 80 years. The church also plays host to a Christian drama school, and a weekly karate class. In 2014 the church donated over 400 pounds of food to the Interfaith Food Pantry. The Rockaway Valley United Methodist Church holds a weekly playgroup for children from birth to kindergarten along with their caregivers to foster a community among the small congregation.

For Rockaway Valley United Methodist Church's 230th Anniversary, I commend all of the pastors and committees of the Church. Since its founding, Rockaway Valley United Methodist Church has been supported by the people of Boonton Township; this is one of the main reasons why the church is still a big part of the community. After 230 years of outstanding service to the Boonton Township, I commend and congratulate Rockaway Valley United Methodist Church for all of its hard work and dedication.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Rockaway Valley United Methodist Church, as it celebrates its 230th Anniversary.

TRIBUTE TO DYLAN DeCLERCK

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to congratulate Dylan DeClerck for being recognized by the Des Moines Business Record as this year's Outstanding Youth in Philanthropy.

At a young age Dylan recognized that one of the most important aspects of life is giving back to others and helping those that need it most. For his part, Dylan founded the organization Opportunity on Deck at the age of 16. This organization plays a key role in empowering youth by encouraging active lifestyles and athletics. Dylan's organization has served over 500 children in Greater Des Moines and continues teaching young people the importance of healthy living, teamwork and sportsmanship. Opportunity on Deck gives youth who wouldn't normally have a chance to participate in sports camps the ability to experience them free of charge.

Dylan's willingness to serve others before himself has already made a long-lasting impact on the lives of hundreds of young people in the Greater Des Moines area. His dedication to improving the community through volunteerism and civic engagement is a testament to his character. Today, Dylan attends Drake University as a marketing and finance student. Although he is busy with his studies he continues to volunteer what little extra time he has to serving others.

Mr. Speaker, Dylan's leadership and display of civic duty at such a young age gives me great hope for our nation's future. It is Iowans like him who make me proud to call myself an Iowan and represent the people of our great state. I ask that my colleagues in the United States House of Representatives join me in congratulating Dylan for receiving this outstanding recognition and in wishing him nothing but continued success.

HONORING BILL SNYDER FOR 36 YEARS OF SERVICE TO BUCKS COUNTY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. FITZPATRICK. Mr. Speaker, congratulations to Bucks County Treasurer William ''Bill'' Snyder for 36 years of honorable service to the people of Bucks County. Before his election in 1980, he served our country with the 31st infantry in Korea between 1951 and 1953. Upon his return to civilian life, he operated and built a successful business and was a member of the International Operating Engineers Union. He is known for his local civic and community involvement, including serving on the Doylestown Township Planning Commission and later the Doylestown Township Board of Supervisors. As county treasurer, Bill Snyder has implemented many changes and efficiencies and was an active member of the County Treasurer's Association of Pennsylvania. In addition, he held various leadership positions on the Bucks County Republican Committee. On this, the occasion of his retirement, we wish him many happy and healthy retirement years.

HONORING COMMANDER JOE GROOM

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. FOSTER. Mr. Speaker, I rise today to honor the service of Commander Joe Groom of the Aurora Police Department.

Since his appointment to the Aurora Police Department in 1989, Commander Groom rose through the ranks to become Investigations Division Commander. He was a steadfast fixture in our community through his involvement in local organizations and constant engagement with his neighbors, fellow officers, and city officials.

Commander Groom was also an ambassador for the City of Aurora, through his work with the International and Illinois Associations of Chiefs of Police, the Chiefs Associations in Kane, DuPage, and Kendall Counties, the Kane County DUI Task Force, the Juvenile Drug Court Advisory Committee, and the Aurora Police Foundation. Beyond his involvement with law enforcement, Commander Groom held leadership positions in the Exchange Club of Aurora, the Knights of Columbus Council 736, and Big Brothers Big Sisters of Kane and Kendall Counties.

Commander Groom passed away on December 9, 2015, at the age of 50. Although his life was tragically cut short, his legacy of 26 years of selfless service will be felt by generations of Aurorans. He will be remembered as a dedicated husband, father, and community leader.

TRIBUTE TO LARRY GILES

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Larry Giles, of Mount Ayr, Iowa, for being selected as a member of the Mount Ayr Community Hall of Fame.

Larry was a 1958 graduate of Tingley High School and was hired as a junior high math teacher at Mount Ayr Schools in 1966. During his 29 years at Mount Ayr Schools Larry served in a number of different roles, including: elementary guidance counselor, special education coordinator, and eventually elementary principal. Larry was closely involved in the reorganization of individual schools into Mount Ayr Community Schools. At one point, he was the principal of 13 buildings at the same time. Larry has served on the school board, Southwestern Community College Board, the Mount Ayr Foundation Board, and has been an active sports official since 1967.

Mr. Speaker, Larry's efforts embody the Iowa spirit and I am honored to represent him and Iowans like him in the United States Congress I ask that all of my colleagues in the United States House of Representatives join me in congratulating Larry for his distinguished career and wishing him nothing but continued success.

HONORING THE SERVICE OF CAPTAIN CARL A. LAHTI

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. COURTNEY. Mr. Speaker, I rise today to honor Captain Carl Lahti, United States Navy, as he concludes his service as the 50th Commanding Officer of Naval Submarine Base New London. On behalf of southeastern Connecticut, I thank Captain Lahti for his service, his leadership and his friendship to our region.

A native of Buffalo, New York, Captain Lahti graduated from the Naval Academy in 1989 and went on to serve in a number of capacities throughout the Submarine Force at sea and on shore. It was during his tour as Commanding Officer of U.S. Naval Submarine Base New London, however, that I got the chance to work closely with Captain Lahti. In a region that follows developments on the base like a box score, Captain Lahti's two and a half-year tour at the base was distinguished by a focus on the fundamentals of supporting the submarine force, a focus on the vitality and viability of the base, and deepening the connections between the base and its host community and state.

Under Captain Lahti's leadership the base undertook over $36 million in major infrastructure projects and capital investment to improve the base's operational infrastructure and the quality of life for sailors and their families. Most notably, Captain Lahti led the preparations to return a new flag officer to SUBASE with the establishment of the new Undersea Warfighting Development Center. And, working closely with the State of Connecticut, Captain Lahti deepened the innovative relationship between the base and its host state through collaborative investment in new projects to improve the operations, training and security at the base.

Beyond the nuts and bolts of base infrastructure, Captain Lahti prioritized efforts to deepen the connection between the installations and the surrounding community. Under his watch, the base community contributed thousands of community service volunteer hours in the region in local schools and organizations. And Captain Lahti was instrumental in broader regional events such as the highly successful Coast Guard Birthday Salute event in August 2015.

Captain Lahti was a fixture in the southeastern Connecticut community during his tenure at SUBASE New London, and the base was rightfully honored under his leadership. It is no wonder then that SUBASE New London was selected by the Mystic Chamber of Commerce as Southeastern Connecticut's ''Employer of the Year.'' In addition, Captain Lahti's leadership led SUBASE New London to earn the SECNAV Energy Gold Award, Galley 5-star Award, and the CNO Environmental Restoration Award.

As you might imagine, a close working relationship with the Commanding Officer of the base is a prerequisite for anyone representing eastern Connecticut in Congress. However, I consider myself privileged to have worked so closely with Captain Lahti not just in his capacity as a Navy officer, but as a friend. He and his team have never been more than a phone call or email away, and the connection between his office and mine has been nothing short of a two-way street. I am grateful for his time, his advice, his counsel and most of all, his unflagging commitment to Connecticut's base and the sailors and submarines stationed at it.

Leading a major installation like SUBASE is a team effort, and no one was a more important part of Captain Lahti's team than his wife Lisa. She was actively involved in the surrounding community, attending a wide range of events for non-profit organizations, promoting charitable activities of all different stripes. Both Carl and Lisa are devoted parents to Benjamin, Nathaniel, Samuel, Abraham, Rebehka, and Katheryn, who also have been frequent guests at community events.

Mr. Speaker, I ask all my colleagues to join me in thanking Captain Lahti for his service to SUBASE New London and our nation, and in wishing him and his family, ''fair winds and following seas'' as they move on to new challenges.

COMMENDING REGINA MEREDITH

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. GRIFFITH. Mr. Speaker, today I commend Regina Meredith, Salem High School's counseling coordinator, who was recently named Counselor of the Year by the Virginia Counselors Association.

Regina studied at Radford University, where she earned her bachelor's degree as well as two master's degrees. She began her career at Carroll County High School, where she taught English. Regina also worked in Hillsville, Roanoke, and Christiansburg as a special education teacher.

She began her counseling career in 2000 in Christiansburg, where she also taught English, prior to joining the staff at Salem High School in 2005. In 2012, Regina was named Salem High's teacher of the year, and in 2014 she was named the Roanoke Area Counseling Association's Member of the Year.

''Regina is an exemplary educator and her work ethic, her professionalism, her innovation and, most importantly, her love for and service to others are models for both students and her colleagues,'' said Salem High School principal Scott Habeeb in the Roanoke Times. ''Without a doubt, we meet the needs of Salem's young people more effectively as a result of Regina Meredith's influence on our school.''

I ask that my colleagues join me in recognizing Regina Meredith for her years of dedication to our nation's young people. I appreciate her hard work, and congratulate her for this tremendous accomplishment.

TRIBUTE TO DAN AND JOAN HOLLINGSWORTH

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to a couple whose commitment to each other and to the Riverside County, California community is exceptional. Today, Dan and Joan Hollingsworth will be celebrating their 60th wedding anniversary. This couple has spent their lives raising a beautiful family and serving their local community.

Dan and Joan were married in Pomona, California in 1955 at the First Baptist Church. After moving to San Jacinto, California in 1960, the couple established Dan's Dairy, a dairy farm that also featured a cash and carry storefront. Dedicated to his business and the greater farming industry, Dan joined the Board of Directors of the Riverside County Farm Bureau after being asked to serve. Dan later went on to serve as the President of the Farm Bureau Board from 1976 to 1978. Dan also worked as a District Representative for Congressman Victor Veysey.

Like her husband, Joan was also very involved with the community over the years. She served on the Riverside County School District Organization, as well as many school, church and charitable organizations. Together Dan and Joan have four children; Bettina Louise, Marcella Joan, Leonard Daniel, and Dennis Clark, 17 grandchildren, and 16 great-grandchildren.

Dan and Joan are still both very active community members. They have owned and operated JoDan Farms, a wholesale tree nursery,

in Murrieta, California since 1989. Dan also has served as the Chair of the Riverside County Republican Party. In 1989, Dan was chosen to be the recipient of the Bob Howie Award for Outstanding Service to Riverside County Agriculture. More recently, he was also selected to receive the Myra Goldwater Lifetime Achievement Award in recognition of his many contributions to the Riverside County community.

Dan and Joan's tireless passion for their family, community service and giving back has contributed immensely to the betterment of the community of Riverside County, California. I am proud to call Dan and Joan close friends, fellow community members and great Americans. Today, I add my voice to the many who will be congratulating them on the celebration of their 60th wedding anniversary.

TRIBUTE TO JOHNNY DANOS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to congratulate Johnny Danos for being recognized by the Des Moines Business Record with the Spirit of Philanthropy Award. Johnny has been a longtime supporter and volunteer for numerous local charities and organizations.

For years Johnny has dedicated his time and talents to promoting the greater good. He has volunteered his efforts to organizations like the United Way of Central Iowa, Broadlawns Advocacy Center for Mental Health, Above and Beyond Cancer, Iowa Society of Economic Success, and the Des Moines Symphony, to name a few. Johnny has utilized his unique relationship-building skills to improve the community.

Johnny's willingness to serve others before himself has made a long-lasting impact on the community. His dedicated leadership on a variety of philanthropic boards and organizations cannot be understated. The philanthropic work Johnny has put in over the years has advanced the Des Moines metropolitan area in ways that were previously thought to be unachievable.

Mr. Speaker, Johnny's display of civic duty throughout his life is admirable and gives me great hope for our nation's future. It is Iowans like him who make me proud to call myself an Iowan and represent the people of our great state. I ask that my colleagues in the United States House of Representatives join me in congratulating Johnny for receiving this outstanding recognition and in wishing him nothing but continued success.

PERSONAL EXPLANATION

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Ms. KUSTER. Mr. Speaker, I wish to clarify my position for a vote cast on December 11, 2015 on passage of H.R. 2250 and the Conference Report to Accompany H.R. 664, Trade Facilitation and Trade Enforcement Act of 2015.

On Roll Call Vote Number 693, I did not vote. It was my intention to vote ''No.''

While I believe H.R. 644 makes some meaningful steps toward combatting unfair trade practices, negative provisions in the bill related to climate protection, and a lack of strong currency provisions make me unable to support the legislation. The conference report strips language that was included in the Senate-passed version of H.R. 644 that would have allowed for the application of countervailing duties to address currency manipulation.

TRIBUTE TO STEVE BUCCI

HON. MARK WALKER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. WALKER. Mr. Speaker, Steve Bucci has served his country in over 40 years in war and peace. From his first days at West Point, Steve has dedicated his life to protecting this nation. After a distinguished military career, he served as a Deputy Assistant Secretary of Defense and most recently as the head of national security research at the Heritage Foundation. Steve launched the Foundation's Index of U.S. Military Strength, the most comprehensive and authoritative annual assessment of the state of the armed forces. He is a recognized world expert on security matters from cyber security to terrorism. Most importantly, he is one of Washington's premier mentors of our future—our young professionals. We all owe him a thank you for a lifetime of putting his nation first.

HONORING THE WORK OF TED A. BEATTIE

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. GUTIÉRREZ. Mr. Speaker, I rise today to honor the work of Ted A. Beattie and wish him the best as he embarks on the next chapter of his life, retirement.

Ted Beattie has served for more than two decades as President and CEO of Shedd Aquarium, one of the largest aquariums in the world. It has also ranked as the top paid cultural attraction in Chicago for seventeen of the twenty-one years. This was due in large part to Mr. Beattie's leadership.

He led two noteworthy and record breaking fundraising efforts, raising almost $100 million in funds for Shedd Aquarium, demonstrating his ability to inspire support for Shedd and its diverse, global animal collection. His leadership for the aquarium, housed in an architecturally beautiful setting, also helped promote 21st-century advances in animal care, environments and interpretation.

For 35 years he devoted his life to animal conservation and education. He holds degrees from Ohio State University (OSU). After completing his education, he went on to serve on the OSU Provost's External Advisory Board on Teaching, the Advisory Board for the School of Journalism and Communication and the OSU Major Gifts Committee.

I know that I speak for many when I say that Ted Beattie will be deeply missed. His devotion and professionalism, his focus on economic security for Shedd Aquarium, and his entire career are truly one of a kind. Mr. Speaker, I ask the entire House of Representatives to join me in honoring Mr. Ted Beattie for his extraordinary leadership and commitment to animal conservation.

CELEBRATING THE OPENING OF THE NEW FIRE DEPARTMENT AT PICATINNY ARSENAL

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to congratulate Picatinny Arsenal on opening a renovated, historic firehouse on the military installation.

Picatinny Arsenal, located Morris County, New Jersey, has been a leader in developing cutting edge guns and ammunition for all branches of the United States Armed Forces since its founding as a powder depot in 1880. Home to over 6,000 employees including civilians, military personnel, and contractors, Picatinny Arsenal's portfolio comprises ninety percent of the Army's lethality and all conventional ammunition for joint warfighters.

Building 3316, home of a new fire department, was originally built in 1903 as a Dutch-colonial structure. Before serving as a fire house it was a horse stable, and later a garage for the Lake Denmark Naval Ammunition Depot. By 1945 the building was converted to a dormitory and fire department for the Navy. In 1962 Army firefighters moved into the building, and it remained a fire headquarters until 2009. In 2010 the building was repurposed to serve as an outdoor recreation facility. Now after renovations, the fire department is moving back in, and creating a third fire department for the installation.

The building was selected as a location for a new fire department after the Fire Chief's assessment showed a need for a new department to better serve all three fire zones. The creation of this department has resulted in the hiring of 16 new firefighters. Many surrounding towns rely on the fire services provided by the arsenal for mutual aid. Due to the dangerous mission of Picatinny Arsenal, all firefighters are trained in a variety of situations including medical response, chemical, biological, radiological, and nuclear situations. The opening of this building will help the Picatinny Fire Department to better serve its community.

First responders are the backbone of our communities, and Picatinny is lucky to have such a well-trained fire department at its disposal. While we all hope the fire department does not see too much action, at least we all know they are ready for every crisis.

Mr. Speaker, please join me in thanking and recognizing the Picatinny Arsenal Fire Department and its firefighters for their dedicated

service, and wish them continued success with their new department.

CONGRATULATING BLACKSBURG MAYOR RON RORDAM

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. GRIFFITH. Mr. Speaker, today I congratulate Blacksburg Mayor Ron Rordam, who was recently approved by the Virginia Municipal League to serve as its president for one year.

''My theme as president is 'Live Local,'" Rordam said in a statement released by the Virginia Municipal League. ''This means everyone should support our local businesses, schools, and neighborhoods. It's how we support our citizens. And, within that broad concept, I will focus on ways we can influence education affecting our youngest citizens to give them every advantage to succeed in the future. To have strong communities, we must have a work force that is flexible and nimble. Early childhood education is one of the most important keys to ensuring that our localities can compete for those future jobs.''

I congratulate Mayor Rordam on this accomplishment, and look forward to continuing to work with him and other local officials in an effort to further the growth of our area's economy and improve its quality of life.

HONORING TED BEATTIE

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to thank Ted Beattie, the CEO of Shedd Aquarium for his decades of service and to wish him well as he retires. Ted has had an incredible impact on the Shedd Aquarium, the Chicago community, and marine wildlife around the world. My family and I have spent many enjoyable hours at Shedd Aquarium.

Ted joined Shedd Aquarium in 1994. Under his leadership Shedd has added 6 permanent exhibits. His work brought creatures of the Caribbean Reef to Chicago, including sharks, stingrays, and of course, coral. He also brought us the Stingray Touch exhibit, which allows children of all ages to come in direct contact with these incredible creatures—with no risk of harm, of course.

Ted was instrumental in the re-imagining of the Oceanarium. There, Shedd Aquarium guests can experience the coast of the Pacific Northwest and the dolphins, sea lions, and otters that make it their home.

Ted's work extends beyond Chicago and the shores of Lake Michigan. Under his leadership, Shedd established the Daniel P. Haerther Center for Conservation and Research. The center includes a portfolio of 18 global field research programs that help us understand and protect threatened marine life.

I thank Ted for all he has done to help us bring the amazing wildlife of Earth's oceans to Chicago. He has helped introduce millions of Chicagoans and visitors to the incredible creatures living beneath the ocean's waves. I am especially grateful for all he has done to protect marine animals around the world.

TRIBUTE TO R. KELLY BRYANT, JR.

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. BUTTERFIELD. Mr. Speaker, I rise and ask my Colleagues to join me in paying tribute to R. Kelly Bryant, Jr., a friend and constituent who passed away on December 6, 2015 at the blessed age of 98 years old. It is worth noting that his date of death was the 150th Anniversary of the Ratification of the 13th Amendment to the U.S. Constitution which legally abolished slavery in America.

Mr. Speaker, Kelly Bryant enjoyed a full life. He graduated from Hampton University, with a concentration in accounting. Following graduation, Mr. Bryant worked for historic North Carolina Mutual Life Insurance Company from the 1940's until his retirement in 1981. His true passion, however, was documenting the history of African American citizens in the City and County of Durham.

Mr. Bryant's contribution to the Durham Community is boundless. He worked tirelessly in many endeavors, including obtaining a historic marker at the site of the Royal Ice Cream sit-in in 1957, saving Geer Cemetery (one of Durham's oldest African American burial grounds) and the completion of a pedestrian bridge over the Durham Freeway, in order to connect black neighborhoods that were separated by the highway. The bridge was later named in honor of R. Kelly Bryant, Jr.

Mr. Bryant believed strongly in preserving Durham's African American history. He collected over 2,500 funeral programs, obituaries, and birth announcements. His archive is so valuable that the Durham County Library currently hosts the R. Kelly Bryant, Jr. Collection as an online exhibit.

In addition to his work as the local historian, Kelly Bryant was a leader in his community, serving the Durham Business and Professional Chain for 49 years; charter member of the Durham Human Relations Commission, served 37 years as a scoutmaster, and was a member of the Durham chapter of the NAACP. One of his greatest passions was his membership and active participation with the Most Worshipful Prince Hall Grand Lodge, Free and Accepted Masons of North Carolina and Jurisdictions, Inc.

Mr. Speaker, Mr. Kelly Bryant also devoted his life to historic White Rock Baptist Church (founded in 1866) in Durham, North Carolina. He was very spiritual in all of his endeavors and embraced the teachings of our Heavenly Father. He served as a Church Trustee for 55 long years.

Mr. Bryant's work did not go unnoticed, he was recognized with many awards and honors, including certificate of acknowledgment and congratulations for his many activities from the North Carolina House of Representatives, NAACP ''Freedom Fund Dinner Award'', Silver Beaver Award from the Boy Scouts of America for ''Distinguished Service to Boyhood'', the first African American recipient of the Bartlett Durham Award, and an appointment as the honorary grand master of the Most Worshipful Prince Hall Grand Lodge of Free and Accepted Masons of North Carolina and Jurisdiction.

Finally R. Kelly Bryant, Jr. is survived by his son, R. Kelly Bryant, III; his daughter, Sandra Artelia Bryant-Yubwannie, of Durham, North Carolina; a sister Maggie Bryant (age 100) and five wonderful grandchildren, Keith Bryant, Korey Bryant, Mykel Bryant Moore, Yohanna Yubwannie and Raevin Bryant. Mr. Bryant was preceded in death by his spouse of 69 years, Artelia Melba Tennessee Bryant, who was his co-worker at North Carolina Mutual Life Insurance Company and was the matriarch of their family. Mrs. Artelia Bryant was the descendant of the legendary Darden family of Wilson, North Carolina.

Mr. Speaker, I am so proud to pay tribute to such an outstanding American legend. His legacy will live on for generations.

EXTENDING BIRTHDAY WISHES TO HIS MAJESTY: KING BHUMIBOL ADULYADEJ OF THAILAND

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. ROHRABACHER. Mr. Speaker, I rise today to join the people of Thailand in extending my warmest wishes to King Bhumibol Adulyadej on the occasion of his 88th birthday on December 5, 2015. During his nearly 70 year reign so far, King Bhumibol Adulyadej has remained a steadfast leader through his commitment to democracy, economic development, and Thai prosperity.

I am grateful for his continued commitment to a strong and long-lasting relationship between the United States and the Kingdom of Thailand. Having had the distinct honor of meeting with King Bhumibol, I have admired his efforts to bring peace, prosperity, and stability for the Thai people.

It is my pleasure to join our Thai friends in recognizing this special day and wishing King Bhumibol Adulyadej a long life of good health and happy 88th birthday.

PERSONAL EXPLANATION

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. MCGOVERN. Mr. Speaker, I was unavoidably absent on Thursday, December 10, 2015 as I was attending a funeral in my district. On Roll Call Vote Number 687, on the bill H.R. 3578, the DHS Science and Technology Reform and Improvement Act of 2015, had I been present I would have voted yea.

On Roll Call Number 689, on H.R. 2795, the FRIENDS Act, had I been present I would have voted yea.

TRIBUTE TO THE HONORABLE TERRY BRANSTAD, GOVERNOR OF IOWA

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise to recognize and congratulate Governor Terry Branstad for his service to Iowa. On December 14, he will break a 200 year-old record, set by Revolutionary War General and New York Governor, George Clinton, becoming the longest-serving Governor in American history.

Born and raised in a small town in rural Iowa, Governor Branstad's roots in our state run deep. He has spent his life immersed in Iowa politics and elected office. His storied political career stretches back five decades. It began in 1973, when he was first elected to the Iowa House of Representatives. Governor Branstad served in the Iowa House until 1979, and then a single term as Lieutenant Governor before winning the gubernatorial election in 1982, at the age of 36.

Governor Branstad served four consecutive terms and guided Iowa through one of the toughest times in our state's history—the 1980's Farm Crisis. During this time, Governor Branstad worked to diversify Iowa's economy. Today, Iowa's economic strengths include agriculture, advanced manufacturing, renewable energy, technology, and financial services, among other things. By the time he left office in 1999, Iowa's unemployment rate was at an impressive low of 2.2%.

After leaving office, Governor Branstad entered the private sector, becoming President of the Des Moines University in 2003. In October 2009, displeased with the condition of the state, Governor Branstad felt called to serve once more. He won the 2010 election, and got to work balancing the state budget, lowering the unemployment rate, improving Iowa schools, increasing government transparency and accountability, and enhancing opportunities for Iowans.

Governor Branstad has dedicated his life to serving Iowans. He unapologetically promotes Iowa and he is a true leader—willing to make tough decisions and fighting for what he believes is best for our state. He is a man of integrity and keeps his promises to Iowans. Governor Branstad's strong work ethic, down-to-earth demeanor, and accessibility are reasons Iowans admire him. Since he was first elected Governor of Iowa, he has visited all 99 counties in our state, every year, to hear directly from Iowans about their concerns.

Mr. Speaker, Governor Branstad has dedicated his life to improving the lives of Iowans. It is with great honor I recognize him for reaching this historic milestone. I ask my colleagues in the United States House of Representatives to join me in congratulating Governor Branstad for this outstanding accomplishment and in wishing him nothing but continued success.

CELEBRATING THE 100TH ANNIVERSARY OF PEQUANNOCK ENGINE COMPANY NO. 1

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to recognize the 100th Anniversary of Pequannock Engine Company No. 1 located in the Township of Pequannock, Morris County, New Jersey.

On April 2, 1915 at the Mandeville Inn, the de facto town hall, a formal fire department was proposed. A few weeks later, 13 men had signed up to form the organization. Through chowder parties, card games, the issuance of $5 bonds culminating in a raffle where the first prize was a pig, the fire department had enough funds to purchase a barn to act as headquarters. Unfortunately this barn caught fire and destroyed much of the fire department's equipment. The volunteers rebuilt the firehouse at its current location on Jackson Avenue. Since its rebuilding, Engine Company No. 1 has been serving the town without pause.

In 1938, Engine Company No. 1 responded to a call at the First Reformed Church of Pompton Plains, one of the oldest churches in the nation and one where George Washington prayed with his troops during the Revolutionary War. Even without fire hydrants and water mains, Engine Company No. 1 was able to save the stone walls of the church. In 1957, Engine Company No.1 spent a week fighting a fire at the factory complex of the Pequannock Hard Rubber Co. in Butler, NJ. The fire company has transformed into one that is equipped to handle a multitude of disasters. As the world has evolved, Engine Company No. 1 has kept pace. With Pequannock's location in the flood plains, the engine company is well prepared for flood rescues and evacuations as well as heavy rescue situations. Firefighters are also trained to handle chemical and biohazard situations.

Along with training programs geared towards our 21st Century world, Pequannock Engine Company No.1 has recently acquired a new 2015 Pierce Quint ladder truck and pumper to replace a 20-year-old truck. This truck will provide much needed flexibility and will allow the engine company to better serve the needs of the town in times when there are a limited number of fire fighters available. Engine Company No. 1 has continued to rise to the occasion over the years, keeping up with the latest training and necessary equipment.

Pequannock Engine Company No. 1 has been able to maintain a high standard with the help of the Pequannock residents. For its 100th Anniversary the engine company has planned a ''wet down'' for the new truck, and an open house for members of the public.

Mr. Speaker, please join me in thanking and recognizing the Pequannock Engine Company No. 1 and its firefighters for 100 years of dedicated service to the Township of Pequannock.

COMMENDING THE RADFORD HIGH SCHOOL GIRLS VOLLEYBALL TEAM

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. GRIFFITH. Mr. Speaker, it is my pleasure to commend the Radford High School girls volleyball team, which recently captured the Virginia High School League 1A state title. The Bobcats rallied from behind for the win, sweeping the last three games in order to beat a valiant team from Auburn High School in Montgomery County by one game.

According to the Roanoke Times, this is Radford's first volleyball state championship since it won the AA title in 1984. I applaud the hard work by all members of this year's Radford High School girls volleyball team, and congratulate the administrators, teachers, coaches, parents, students, and fans. In particular, I would note the efforts of coach Robert Morris, who announced after the match that he is resigning with the completion of this season. Congratulations on a great end to this season.

IN REMEMBRANCE OF COUNCILOR SIDDHI SAVETSILA

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 11, 2015

Mr. ROHRABACHER. Mr. Speaker, I rise today in remembrance of Siddhi Savetsila, a great steward for the Thai people and a longtime friend of the United States. I am deeply saddened to hear about his passing last week at the age of 96. I extend my condolences to his family and the Thai people. Thailand has lost an honorable public servant.

His leadership as a Royal Thai Air Force officer, Minister of Foreign Affairs, Deputy Prime Minister, and member of King Bhumibol's Privy Council was a testament to his commitment for the betterment of the Thai people. Moreover, the honor of his appointment to the Privy Council by the king highlighted the respect he has earned.

On behalf of my wife Rhonda and me, and my colleagues who have had the privilege of knowing Councilor Savetsila, I extend my most sincere condolences to Councilor Siddhi's family and the people of Thailand. May you find comfort during this difficult time.

SENATE—*Monday, December 14, 2015*

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who knows what is best for us, have Your way in our Nation and world. Release the power of Your providence on Capitol Hill, using our lawmakers to bring peace on Earth and good will to humankind.

Lord, inspire them with Your wisdom in both their public and private lives, creating in them a desire to please You in all they do. May their first allegiance always be to You. Deliver them from that extreme hubris that sees itself as always right. Help them instead to remember that more can be accomplished by striving to unite rather than divide.

We pray in Your wonderful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The majority leader is recognized.

APPROPRIATIONS AND TAX RELIEF NEGOTIATIONS

Mr. MCCONNELL. Madam President, Members and staff from both parties are continuing their work on appropriations and on the tax relief measure. As we all know, they have made a lot of progress in recent days. I want to thank all who have been involved in this effort as it continues. We will continue to consult and engage with colleagues as we make further progress on these last two significant items we must complete this year.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

OMNIBUS AND TAX EXTENDERS NEGOTIATIONS

Mr. REID. Madam President, I want to underscore what the Republican leader has said: Everyone is working hard toward a bipartisan compromise in the omnibus and the so-called tax extenders legislation. Many of us in the Senate and the House and our staffs worked through the weekend and have made a lot of progress. We are not there yet.

Keeping the Federal Government open and funded is a congressional responsibility. I am confident we will fulfill this most basic constitutional duty. It is just a question of when we do it. I hope it is sooner rather than later.

PARIS CLIMATE CHANGE AGREEMENT

Mr. REID. Madam President, this past weekend President Obama and the United States took yet another historic step in addressing climate change. The landmark agreement forged in Paris by the United States and about 200 other nations will go far in protecting our planet for future generations.

Climate change poses one of the greatest threats our world has ever known. Here in the United States, we are beginning to see the devastation caused by all kinds of things—in the Western part of the United States, raging wildfires that we have never, ever seen before; in arid places like Nevada and in very, very non-arid places like in the mountains of California, Washington, and Oregon, rising sea levels; our military bases, coastal bases—those in Virginia and Florida—are feeling this impact, changing operation of the bases, with extreme weather and droughts. Now is the time to act to stem the tide of climate change.

I applaud President Obama for his work on this issue. His leadership has inspired the international community to address climate change and its catastrophic effects.

TRIBUTE TO BRIGADIER GENERAL ROBERT T. HERBERT

Mr. REID. Madam President, on a note that I feel important to make for my staff and me, it is important to recognize the accomplishments of everyone here in Washington, here on Capitol Hill, here in the Senate; it is important to recognize the accomplishments of our staff. We have such remarkably dedicated people. I am so proud of my staff. They have worked this past week tirelessly.

I want to talk today, though, about just one of those who has worked for me. His name is BG Robert T. Herbert. He came to me as a congressional fellow two decades ago, and he never left. He was so good. This month marks the 40th year of General Herbert's service in the United States Armed Forces. In 1975, he joined the Army and embarked on a remarkable military career. He grew up in a military family and always dreamed of becoming a military aviator. He made that dream a reality, logging over 7,000 flight hours in all different kinds of aircraft—fixed-wing and rotary—spending time in virtually every aircraft within the United States Army inventory.

As with all pilots, as they get a little older and have different assignments, they just can't stand the fact that they can't fly as they used to. So he no longer spends his days in the cockpit when he does his duties at the National Guard. He is Special Assistant to the Chief of the National Guard Bureau for National Security Policy here in Washington. He previously worked as Nevada's assistant adjutant general.

I am grateful for Bob's service to our Nation. A 40-year military career is an incredible achievement. But I am also thankful for his work here in the Senate. He has been a tireless worker for the people of Nevada and for the country.

Congratulations to BG Robert T. Herbert on this important milestone, and I look forward to his many other accomplishments as Bob's illustrious career continues.

Would the Presiding Officer announce to the Senate what we are going to be doing the rest of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING DANIEL CAPUANO

Mr. DURBIN. Madam President, it is with a heavy heart that I rise today to speak about the loss of one of the bravest men in the Chicago Fire Department, Daniel Capuano.

Daniel went to work this morning—just as he has done every day for the past 15 years—ready to fight fires and risk his life to save the lives of others. Not many people can say they wake up each day ready to make that sacrifice, but this morning, Daniel Capuano did just that.

At 2:40 a.m. today, Daniel Capuano and his fellow firefighters were contacted about a warehouse fire in the 9200 block of South Baltimore Avenue on the South Side of Chicago. Daniel and the other firefighters were immediately dispatched to the scene. The warehouse was undergoing construction, and because of that, there were reports of holes in the floors. When they got there, they saw billowing smoke coming out of the vacant three-story warehouse. Firefighter Capuano and his team moved cautiously through the second floor of the warehouse in search of the cause of the fire, but the heavy, thick smoke made it nearly impossible to see, causing Capuano to fall through an elevator shaft from the second floor of the building to the basement. His fellow firefighters were able to find him quickly and get him on an ambulance and to a nearby hospital. Sadly, it was too late. By the time he arrived at the hospital, he was already in serious condition. At 4:25 a.m. this morning, Daniel Capuano was pronounced dead from trauma.

It is times like these when we are reminded of just how dangerous the job these men and women face every day really is. Daniel Capuano spent his entire career putting the safety of his community before his own. For 15 years he served the Chicago Fire Department fighting and eliminating fires while pulling others to safety. Before that, he was a firefighter in Evergreen Park, a Chicago suburb.

Daniel Capuano is a true hero who made the ultimate sacrifice to make the residents of his community and neighborhood safe. Daniel's death is a devastating loss and serves as a reminder of the risk our firefighters and other first responders take every day. My condolences and prayers are with his wife Julie; his three children, Nicholas, Andrew, and Amanda; and his fellow firefighters.

Daniel, you are a hero to me and to the people of Chicago and Illinois. There are no words to truly describe the sorrow for your loss. I cannot, nor can anyone, thank you for the commitment you made for the safety of the people in your community.

FREEDOM OF RELIGION

Mr. DURBIN. Madam President, it is interesting—the Midwest draws us together in the right way.

Last night in Springfield, IL, a typical midwestern American city, there was a gathering of people from all across the city at 5:30 on a Sunday night. It was a gathering at the Islamic Society of Springfield. A request had been made for people of all religions to come together and to pray in solidarity with our Islamic neighbors. It was billed as a peace rally originally scheduled to be held outside, even in winter weather. Although it has been warm for this time of year, it was raining heavy last night as we all arrived at the building, so everyone crammed inside the building. There was standing and sitting room only. It was a huge outpouring of support for our Muslim brothers and sisters in the Springfield community.

There were representatives of virtually every religion present, and many spoke—rabbis, ministers, Catholic nuns, and even a few elected officials—trying to let our friends in the Muslim community know that despite some of the things that had been said over the last few weeks by Presidential candidates, we in fact embrace them as part of the American family.

There was also an event this weekend that occurred far away from Springfield, in Scottsdale, AZ, where my colleague in the Senate, JEFF FLAKE of Arizona, visited a mosque. It was widely reported. He made outstanding remarks about the regret he felt over some of the political statements that had been made over the last several weeks by political candidates. JEFF FLAKE reminded us across the Nation, as I tried to remind those in Springfield last night, that America is a nation which values the freedom of religious belief.

Our Constitution speaks to only three elements when it comes to religion and our government. First, it says that each of us has the freedom and liberty to choose our own religion or to choose no religion. Second, it says our government will never establish an official state religion. Third, in article VI, it says there will be no religious test in the United States of America of candidates for public office.

It is hard to believe that those three simple thoughts have carried this Nation for more than two centuries when it comes to religion, but we have been successful. Our Nation has been successful where others have failed. There have been times when we failed to live up to our own ideals and our own values, and when hateful statements are made by Presidential candidates, it calls on us to remember our history and to remember triumphant moments and sad moments as well.

It was May of 1939 when the ship SS *St. Louis* left Germany with 900 Jewish passengers. They were trying to escape Hitler and the Nazis. They went to Havana, Cuba, and they were turned away. Then they came to Miami, FL, asking if they could be refugees, Jewish refugees, coming to the United States, and they were turned away as well. The 900 Jewish passengers went back to Germany. According to the records of the Holocaust Museum, 200 of them perished in the Holocaust. It was about that same time when Senator Robert Wagner of New York offered a measure in the Senate—in this very Chamber—that our country would accept 10,000 Jewish children from Germany who were seeking to escape the Holocaust. Sadly, that measure was defeated.

We have other instances in history that go back to the beginning of our Nation where we have been challenged to live up to the ideals and principles of the Constitution. That challenge is with us again today.

A candidate for President of the United States—of a major political party—has called for the exclusion of Muslims from being allowed to immigrate into the United States. That is reprehensible, it is outrageous, and it is un-American. Members of both political parties in Congress have spoken out against it, as they should.

We must remember that many of our Nation's Founders fled religious persecution to come to this Nation. George Washington summed up the prevailing view when he said, ''In this land of equal liberty, it is our boast, that a man's religious tenets will not forfeit the protection of the laws.'' That, of course, is included in the First Amendment to our Constitution.

Throughout our history, many religious minorities have faced intolerance, often prejudice. It was once Catholics from Ireland, Italy, and my mother's homeland of Lithuania who were questioned. Today American Muslims face the same threats of similar discrimination.

In recent weeks a number of prominent Republican leaders have made these threats. But I add quickly that there has been a greater number, thank goodness, who have spoken out against these statements, even on the Republican side.

One Presidential candidate compared Syrian refugees to ''rabid dogs'' and said that American Muslims should not be President of the United States. The frontrunner for the Republican nomination called for a ''total and complete'' ban on Muslim immigrants coming to the United States and advocated for closing down their places of worship. These comments are reprehensible and do not reflect who we are as a nation.

These comments also don't reflect the vital role that millions of Muslim Americans play in my hometown of Springfield, IL, and across the United

States. There are American Muslims who are teachers, professors, doctors, police officers, first responders, and members of the U.S. Armed Forces.

I am concerned that the anti-Muslim rhetoric we have heard in recent weeks could alienate the Muslim community and harm the important relationship between the community and Federal law enforcement.

Last night, as I was leaving the gathering in Springfield, a mother pulled me aside and said she feared for her daughter who wears a hijab—a veil—and who may be the subject of discrimination because of the things that have been said by some of these Presidential candidates. It is important for us to understand her feelings, the love of her children, just as we love our own children and grandchildren, and to also realize that the feelings of the Muslim Americans are truly part of our Nation.

Last night we began the gathering in Springfield, IL, pledging allegiance to the flag—all of us—and singing ''The Star-Spangled Banner.'' Then the first person to make remarks in the Muslim community told us he had served in the U.S. Navy for 19 years. It is hard to imagine some of the hateful things that have been said in that context.

In testimony before the Senate Intelligence Committee in 2004—not long after 9/11—FBI Director Robert Mueller thanked the Muslim and Arab American communities ''for their assistance and for their ongoing commitment to preventing acts of terrorism.'' It has been important to the United States. He went on to say: ''All of us understand that the evolving threats we face today, and those we will face tomorrow, can only be defeated if we work together.''

The current FBI Director, James Comey, spoke before a Senate Judiciary Committee hearing last week and said:

> We've worked so hard over the last 15 years to build relationships of trust that allow us to find out who might be trouble and to stop it. That's in everybody's interest. And anything that gets in the way, that erodes that relationship of trust, is not a good thing.

The inflammatory speeches we have heard create a fertile ground for discrimination. Attorney General Loretta Lynch recently denounced the ''disturbing rise in anti-Muslim rhetoric'' and stated that her ''greatest fear as a prosecutor . . . is that the rhetoric will be accompanied by acts of violence.''

Sitting next to me last night in Springfield was the U.S. attorney for the Central District of Illinois, James Lewis—a friend and someone I am very honored and proud to have nominated to the President for this position. He told me he spent the last several weeks traveling across Central Illinois, visiting Muslim mosques and assuring them that they were still part of America and that they had the full protection of the law. Nevertheless, there has been a dramatic increase of anti-Muslim bigotry since 9/11. In fear and anger, some Americans have wrongly struck out at Muslims.

I had my differences with former President George W. Bush, but he showed real insight, wisdom, and leadership after 9/11 when he made it clear to America that our war was with terrorists who perverted the teachings of the Islamic religion, not with Muslims who were faithful to what he called ''a faith based upon love, not hate.'' Congress at that time spoke with a clear voice too. I cosponsored a resolution with John Sununu, a Republican from New Hampshire, who was then the only Arab American in the Senate. Our resolution condemned anti-Muslim, anti-Arab bigotry, and said that American Muslims are vibrant, peaceful, law-abiding, and greatly contribute to American society. That resolution passed both Chambers unanimously. I hope it would pass today.

Earlier this decade, we saw another wave of anti-Muslim rhetoric and discrimination. In 2011 I chaired the first ever congressional hearing on the civil rights of American Muslims. That hearing documented an alarming increase of anti-Muslim bigotry. At the time, the Equal Employment Opportunity Commission found that Muslims accounted for approximately 25 percent of religious discrimination cases, although they were less than 1 percent of the population. Mary Jo O'Neill of the EEOC said:

> There's a level of hatred and animosity that is shocking. I've been doing this for 31 years, and I've never seen such antipathy towards Muslim workers.

Unfortunately, we are again experiencing an increase in anti-Muslim discrimination. Last week Oren Segal of the Anti-Defamation League said, ''We're definitely seeing anti-Muslim bigotry escalating around the country.''

In recent weeks vandals defaced a mosque near Austin, TX; a pig's head was thrown on the doorstep of a Philadelphia mosque; a man was arrested for breaking into a Florida mosque and damaging property; a sixth grade girl in New York City was allegedly called ''ISIS'' as a group of boys punched her and tried to remove her hijab; and on Thanksgiving day a Muslim cabdriver from Pittsburgh was shot in the back by a passenger who reportedly asked the driver about ISIS and whether he was a ''Pakistani guy.''

Just this weekend a man in California was arrested and charged for a hate crime and arson after allegedly setting a fire in a mosque.

Last week Representative ANDRÉ CARSON—a Democrat from Indiana and one of the two American Muslims who serve in the U.S. Congress—received a death threat. Here is what Congressman CARSON said:

> You have other politicians who are joining the bandwagon and who are fanning the flames of bigotry. That concerns me because we're putting people into the line of fire exposing them to death threats, discrimination at the workplace and assaults.

These incidents of intimidation, hostility, and violence impact the entire Muslim American community. They also play into our enemies' warped views of the United States. Director Comey of the FBI noted last week that ''the notion that the U.S. is anti-Muslim is part of ISIL's narrative and Al Qaeda's narrative.''

It is important to note that not only Muslim Americans are being targeted. Bigots have also targeted Arab Americans, many of whom are Christian, and Hindus, and Sikhs. After 9/11, the first victim killed in the backlash was Balbir Singh Sodhi, a Sikh American, in Mesa, AZ. I submitted a resolution, which passed the Senate unanimously, condemning bigotry against Sikh Americans.

In 2012, a White supremacist murdered six Sikhs at a gurdwara in Oak Creek, WI. Following this terrorist attack, I chaired a hearing on hate crimes and the threat of domestic extremism where we learned that the FBI wasn't even tracking these crimes against Arab Americans, Hindu Americans, and Sikh Americans. I asked the FBI to change the policy, and they did. Clearly there is more work to be done.

Last week, a vandal spray-painted anti-Muslim graffiti on a Sikh gurdwara in Buena Park, CA. In September, a Sikh man in my home State of Illinois suffered a fractured cheekbone after he was allegedly assaulted by a man who yelled ''terrorist'' and ''go back to your country'' at him.

As we work to combat terrorism, we must also work to prevent and punish discrimination and hate-fueled violence against Muslim Americans. The rights of Muslim Americans are just as important as the rights of Christians, Jews, followers of other faiths, and nonbelievers as well.

We know the First Amendment protects both the free exercise of religion and the freedom of speech. But all of us, especially those of us in public life, have a responsibility to choose our words carefully. We must condemn bias and bigotry aimed at Muslim Americans and make it clear that we will not tolerate religious discrimination in the United States of America. We can protect our Nation and still be true to the fundamental freedoms guaranteed by our Constitution.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold that suggestion?

Mr. DURBIN. Yes.

NOMINATION RETURNED TO THE EXECUTIVE CALENDAR

The PRESIDING OFFICER. The papers with respect to Presidential Nomination No. 742 having been returned from the White House, the nomination will be returned to the Calendar, pursuant to the order of November 30, 2015.

Mr. DURBIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REED. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The bill clerk read the nominations of Alissa M. Starzak, of New York, to be General Counsel of the Department of the Army; John Conger, of Maryland, to be a Principal Deputy Under Secretary of Defense; Stephen P. Welby, of Maryland, to be an Assistant Secretary of Defense; and Franklin R. Parker, of Illinois, to be an Assistant Secretary of the Navy.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes for debate equally divided in the usual form.

The Senator from Rhode Island.

Mr. REED. Madam President, will the Presiding Officer inform me when I have used 7 minutes.

The PRESIDING OFFICER. The Senator will be notified when his time has expired.

STARZAK NOMINATION

Mr. REED. Mr. President, these are all able and capable individuals who have been nominated and approved by the Senate Armed Services Committee. I want to pay particular attention to the nomination of Alissa Starzak to be general counsel of the Department of the Army. I have had the pleasure of working with Ms. Starzak for several years in her current capacity as the deputy general counsel of the Department of Defense. She has done an extraordinary job. I am confident that her extensive legal experience in her current—as well as previous—position has prepared her well for the position for which she has been nominated.

Prior to her current position at the Department of Defense, Ms. Starzak worked at the CIA's Office of General Counsel and also served as counsel on the staff of the Senate Select Committee on Intelligence. I don't need to tell my colleagues in the Senate how much we rely on capable and motivated staff to fulfill our responsibilities on behalf of the American people.

I understand from Senator FEINSTEIN, under whose chairmanship Ms. Starzak served, that her work in support of the committee was nothing short of exemplary. She was an extraordinary asset to the committee in all of its deliberations.

Ms. Starzak was originally nominated to be general counsel of the Army in July 2014, and she was later approved by the Senate Armed Services Committee by a voice vote in December 2014. Unfortunately, Ms. Starzak was not confirmed by the full Senate prior to the adjournment of the last session of the Congress. She was renominated in January of this year and her nomination was unanimously agreed to by a voice vote of the committee earlier this month.

The Army has now been without a Senate-confirmed general counsel for nearly 2 years, thereby contributing to institutional instability and uncertainty. It is time to provide the Army with the leadership it deserves. If confirmed today, Ms. Starzak will join a new Secretary of the Army and also a new Army Chief of Staff, GEN Mark Milley, where together they will begin to address the challenges—all of them critical—that face the Army and all of our services.

I have no doubt that Ms. Starzak is up to the task and will execute her duties with the best interest of the men and women in uniform in the U.S. Army and their families. These thoughts will always be in the forefront of her mind, and I urge my colleagues to support her nomination.

I wish also to point out that there were several issues raised with respect to Ms. Starzak's performance as a member of the staff of the Intelligence Committee. All of them have been found to be inaccurate. One suggestion is that there was a document known as the Panetta review, and that the committee staff gained inappropriate access to this document.

Senator FEINSTEIN pointed out—at the time she was the chairman of the Intelligence Committee—during a March 2014 floor speech that this Panetta review and all of these documents were accessed by staff through the regular use of a search tool provided by the CIA on a computer network provided by the CIA to search documents provided by the CIA. This was a process that was overseen and monitored by the CIA, obviously.

This specific suggestion, allegation, or whatever you want to call it, has been reviewed by the CIA's Inspector General, the Senate's Sergeant at Arms, the CIA's Accountability Review Board, and they found no wrongdoing on the part of members on the Intelligence Committee staff.

There was another suggestion that some of these documents were marked deliberative and/or privileged. According to Senator FEINSTEIN, this was not especially noteworthy to SSCI—Intelligence Committee staff—because they were providing, at the direction of their Senators, a review of CIA activities, and thousands of these documents were marked deliberative, procedural, privileged, et cetera. The responsibility of the Congress is to oversee the CIA—not what they will let us look at but what we must look at.

Additionally, Senate legal counsel confirmed to Senator FEINSTEIN that Congress does not recognize these claims of privilege when it comes to documents provided to Congress for its oversight duties, and this review process was completely within the purview of the Senate's oversight responsibility.

And then there was another suggestion, or allegation, that, in fact, Ms. Starzak was involved in the relocation of these Panetta review documents from an offsite CIA facility to the offices of the Senate Intelligence Committee here in the Hart Building. These are absolutely and totally without merit because it turns out that the date of the removal of the documents from the offsite facility occurred late in 2013, more than 2 years after Ms. Starzak left the staff of the Intelligence Committee.

I think it is important to get these facts and conclusions by authoritative sources, such as the Sergeant at Arms, the CIA Inspector General, and the Accountability Review Board of the CIA because there have been some suggestions that she was, in fact, culpable, and that is not the case at all.

I again urge all of my colleagues to support a very capable individual who has the skill, the dedication, and the ability to be an extraordinary general counsel for Department of the Army.

With that, I retain the remainder of my time and yield the floor.

The PRESIDING OFFICER. If no one yields time, the time will be charged equally.

Mr. REED. Madam President, I ask unanimous consent that the time be divided equally.

We have already divided the time equally.

The PRESIDING OFFICER. The Senator is correct.

Mr. REED. How much time do we have remaining on our side?

The PRESIDING OFFICER. Eight and a half minutes.

Mr. REED. I believe Senator FEINSTEIN is coming to the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REED. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. I ask unanimous consent that the time be equally charged to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Madam President, I am very pleased to rise in strong support of the confirmation of Alissa Starzak to be the general counsel of the Army. I urge my colleagues to support her nomination in the vote we are about to take.

Alissa was nominated for the position in July of 2014. While she was reported out favorably by the distinguished Armed Services Committee last year, she did not receive consideration by the full Senate prior to the end of the 113th Congress. The President nominated her again in January of this year, and I am very pleased that the Armed Services Committee, under the chairmanship of JOHN MCCAIN and the ranking member, JACK REED, approved her nomination just a week ago, and I thank both of them for doing so.

I support Alissa Starzak for the only reason that matters: She will be an excellent general counsel for the Department of the Army. First, she is a strong lawyer. Second, she cares deeply about the men and women of the U.S. Army. Given the many challenges our military faces, we can't afford to have this position remain vacant when there is a very strong candidate before us.

Since mid-2011, Alissa Starzak has been a senior attorney within the Office of General Counsel of the Department of Defense. She currently serves as a deputy general counsel. She has led the Department's interactions with Congress on preparing and negotiating the annual Defense authorization, and she has had senior roles in policy discussions about detainee affairs, sexual assault, and harassment in the military.

Alissa has strong expertise in the legal challenges that confront the U.S. Army, and she is well suited to provide legal guidance to the Secretary and Chief of Staff of the Army and ensure the Department strictly obeys the law.

More importantly for me, Alissa was a counsel on the Senate Select Committee on Intelligence from early 2007 to 2011, first under Chairman Jay Rockefeller and then continuing under my chairmanship. In that role, she worked diligently on legislation to update the Foreign Intelligence Surveillance Act, culminating in the FISA Amendments Act of 2008, and she drafted our Intelligence authorization bills, among other issues.

From December 2007 until her departure from the committee in 2011, Alissa was one of two staff leads for our review of the CIA's Detention and Interrogation Program. She coauthored a summary of interrogations of two early CIA detainees, Abu Zubaydah and al-Nashiri, that spurred the committee to approve, by a 14-to-1 vote, a full review of the entire program.

As the colead of that study, Ms. Starzak reviewed many thousands of documents, drafted portions of the committee's study, and advised me and other members of the committee on the progress of the investigation. She departed the committee in 2011—that was 4 years ago—before the completion of the report, its declassification, and its public release.

I know her work on the SSCI study came up during her confirmation hearing at the Armed Services Committee, and I want the record to be perfectly clear. Alissa Starzak departed the committee staff in May of 2011, well before the controversy of the CIA gaining unauthorized access to the committee staff computer network and well before the controversy over the so-called Panetta Review documents. So it is not fair to blame her for anything that happened during that time. She was not there and has not been there for 4 years.

As I stated in a Senate floor statement on March 11, 2014, a portion of the CIA's Panetta Review was transported securely, consistent with its classification from a CIA off-site location to another secure facility—the committee's safe in the Senate. This relocation occurred in late 2013, more than 2 years after Ms. Starzak left the committee staff and long after she began her work at the Pentagon. She had no prior knowledge and no role in the transportation of the document to the Senate. So there should be no confusion on that point.

Before coming to the Senate Select Committee on Intelligence, Alissa Starzak worked as an attorney at the CIA's Office of General Counsel and as an associate in the international law firm of O'Melveny & Myers.

She clerked for the Honorable E. Grady Jolly on the Fifth Circuit of Appeals after graduating from the University of Chicago Law School with honors. Ms. Starzak did her undergraduate work at Amherst College where she graduated magna cum laude. So Alissa Starzak has the intelligence, the right background, and the strong experience within the Department of Defense to be general counsel for the Army.

I urge my colleagues to confirm Alissa Starzak. It is unfortunate that it has taken a year and a half since she was first nominated, but I am very pleased we are voting to confirm her today.

I conclude by thanking Senator MCCAIN and Senator REED for working together to get this done.

I thank the Chair, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Madam President, since no one else seeks the floor at this time, it has just been brought to my attention that there are a couple of letters here which I thought are on point, and it will become clear.

This letter is from Alberto Mora:

I want to state my absolute and explicit endorsement for the nomination of Alissa Starzak to be the next General Counsel of the Army.

By my current affiliation with the Harvard Kennedy School's Carr Center for Human Rights Policy, I served as the General Counsel of the Navy from 2001–2006. I have served alongside many of the most senior civilians in the Department of Defense, and I know what qualities successful civilian leaders should bring to their work, among them professional competence and a commitment to honorable public service. These two qualities describe Ms. Starzak.

The Senate has honored me four times by confirming me for appointments in both Republican and Democratic administrations. I am familiar with and supportive of the Senate's role in confirming senior federal officials, but I fear that in Ms. Starzak's case her confirmation has been impeded for reasons unworthy of the Senate. As you are no doubt aware, she served as counsel on the Senate Select Committee on Intelligence for more than four years. Her work on that committee was thorough and professional; she has served the Congress and our republic ably. That she has been disparaged for her work is wrong. It sends a clear and troubling signal to every congressional staffer of both parties that his or her dedicated public service may be treated not as a credential, but as a disqualification for senior administration appointments. If that signal is confirmed by failing to confirm Ms. Starzak—not for what she did wrong, but for what she did right—it would only serve to damage the Senate, this and future administrations, and our nation.

It is signed by Alberto Mora.

I would also like to submit a letter from RADM John D. Hutson, U.S. Navy, head of the JAG Corps, retired.

I write to express my complete and unequivocal support for the nomination of Alissa Starzak to be the next General Counsel of the Army. I have deep concerns that

her nomination has been the subject of unfortunate and nasty political theater, but I am heartened to know that her nomination will receive a full floor vote on Monday, 14 December 2015. As you are no doubt aware, she served as a professional staff member on the Senate Select Committee on Intelligence for more than four years. . . .

I served as The Judge Advocate General of the Navy. I underwent the confirmation process. As the senior uniformed lawyer in our service, I spent significant time assisting nominees with confirmation. Throughout my career I worked alongside, and under, some of the most capable, professional, and brilliant people who make up the civilian ranks of appointed leaders in our government. While I don't know her personally, I am very familiar with her reputation, which is stellar.

I write because I believe her case has been one that has damaged our republic. She has been maligned for performing her duties as a public servant, and her nomination was held up because of events that occurred after she left the committee staff.

I encourage you in the strongest terms to confirm her for this position. Losing her services to the rankling of partisan disputes would be to the detriment of both the Department of Defense and the country.

Sincerely,

JOHN D. HUTSON,
Rear Admiral, USN.

Madam President, I ask unanimous consent that both of these letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MCLEAN, VA,
December 11, 2015.

DEAR SENATOR: I write to state my absolute and explicit endorsement for the nomination of Alissa Starzak to be the next General Counsel of the Army.

Before my current affiliation with the Harvard Kennedy School's Carr Center for Human Rights Policy, I served as the General Counsel of the Navy from 2001–2006. I have served alongside many of the most senior civilians in the Department of Defense, and I know what qualities successful civilian leaders should bring to their work, among them professional competence and a commitment to honorable public service. These two qualities describe Ms. Starzak.

The Senate has honored me four times by confirming me for appointments in both Republican and Democratic administrations. I am familiar with and supportive of the Senate's role in confirming senior federal officials, but I fear that in Ms. Starzak's case her confirmation has been impeded for reasons unworthy of the Senate. As you are no doubt aware, she served as counsel on the Senate Select Committee on Intelligence for more than four years. Her work on that committee was thorough and professional; she has served the Congress and our republic ably. That she has been disparaged for her work is wrong. It sends a clear and troubling signal to every congressional staffer of both parties that his or her dedicated public service may be treated not as a credential, but as a disqualification for senior administration appointments. If that signal is confirmed by failing to confirm Ms. Starzak—not for what she did wrong, but for what she did right—it would only serve to damage the Senate, this and future administrations, and our nation.

I encourage you to confirm Ms. Starzak without further delay.

Sincerely,

ALBERTO MORA.

DECEMBER 11, 2015.

DEAR SENATOR: I write to express my complete and unequivocal support for the nomination of Alissa Starzak to be the next General Counsel of the Army. I have deep concerns that her nomination has been the subject of unfortunate and nasty political theater, but I am heartened to know that her nomination will receive a full floor vote on Monday, 14 December 2015. As you are no doubt aware, she served as a professional staff member on the Senate Select Committee on Intelligence for more than four years. Unfortunately, she has been unfairly and inappropriately used as ''leverage'' in a partisan quarrel.

I served as The Judge Advocate General of the Navy. I underwent the confirmation process. As the senior uniformed lawyer in our service, I spent significant time assisting nominees with confirmation. Throughout my career I worked alongside, and under, some of the most capable, professional, and brilliant people who make up the civilian ranks of appointed leaders in our government. While I don't know her personally, I am very familiar with her reputation, which is stellar.

I write because I believe her case has been one that has damaged our republic. She has been maligned for performing her duties as a public servant, and her nomination was held up because of events that occurred after she left the committee staff.

I encourage you in the strongest terms to confirm her for this position. Losing her services to the rankling of partisan disputes would be to the detriment of both the Department of Defense and the country.

Sincerely,

JOHN D. HUTSON,
Rear Admiral, USN, JACG, (Ret.).

Mrs. FEINSTEIN. Thank you very much.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COTTON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. I yield back all time.

The PRESIDING OFFICER. All time is yielded back.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Starzak nomination?

Mr. COTTON. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Indiana (Mr. COATS), the Senator from Texas (Mr. CRUZ), the Senator from Arizona (Mr. FLAKE), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Illinois (Mr. KIRK), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. MORAN), the Senator from Kentucky (Mr. PAUL), the Senator from Idaho (Mr. RISCH), the Senator from Florida (Mr. RUBIO), the Senator from South Carolina (Mr. SCOTT), the Senator from Alaska (Mr. SULLIVAN), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Idaho (Mr. RISCH) would have voted ''nay.''

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Oregon (Mr. MERKLEY), the Senator from Michigan (Mr. PETERS), the Senator from Vermont (Mr. SANDERS), the Senator from Michigan (Ms. STABENOW), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 34, as follows:

[Rollcall Vote No. 335 Ex.]

YEAS—45

Baldwin	Franken	Mikulski
Bennet	Gillibrand	Murphy
Blumenthal	Hatch	Murray
Booker	Heinrich	Nelson
Brown	Heitkamp	Reed
Cantwell	Hirono	Reid
Cardin	Isakson	Schatz
Carper	Kaine	Schumer
Casey	King	Shaheen
Collins	Klobuchar	Tester
Coons	Leahy	Thune
Corker	Manchin	Udall
Donnelly	Markey	Warner
Durbin	McCaskill	Warren
Feinstein	Menendez	Whitehouse

NAYS—34

Alexander	Daines	Perdue
Ayotte	Enzi	Portman
Barrasso	Ernst	Roberts
Blunt	Fischer	Rounds
Boozman	Gardner	Sasse
Burr	Grassley	Sessions
Capito	Hoeven	Shelby
Cassidy	Inhofe	Tillis
Cochran	Lankford	Toomey
Cornyn	Lee	Wicker
Cotton	McConnell	
Crapo	Murkowski	

NOT VOTING—21

Boxer	Kirk	Rubio
Coats	McCain	Sanders
Cruz	Merkley	Scott
Flake	Moran	Stabenow
Graham	Paul	Sullivan
Heller	Peters	Vitter
Johnson	Risch	Wyden

The nomination was confirmed.

VOTE EXPLANATION

● Ms. STABENOW. Mr. President, unfortunately, due to inclement weather that delayed my flight to Washington, DC, I was unable to attend today's rollcall vote on the nomination of Alissa M. Starzak to be General Counsel of the Department of the Army. Had I been able to attend, I would have supported her nomination.●

VOTE ON CONGER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Conger nomination?

The nomination was confirmed.

VOTE ON WELBY NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Welby nomination?

The nomination was confirmed.

VOTE ON PARKER NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Parker nomination?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's actions.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

Mr. CRAPO. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO KENTUCKY ADJUTANT GENERAL EDWARD W. TONINI

Mr. MCCONNELL. Mr. President, I wish to pay tribute today to a distinguished airman and honored Kentuckian who has given over four decades of his life to military service. Maj. Gen. Edward W. Tonini, for 8 years the adjutant general of the Commonwealth of Kentucky, retired from service on December 8.

General Tonini is a career Air National Guard officer and was appointed adjutant general by the former Governor in 2007. As adjutant general, he served as the commanding general of both the Kentucky Army and Air National Guard and as executive director of the Department of Military Affairs.

In his 8 years of service in that role, he successfully led the National Guard and Kentucky through many difficult challenges with great skill and ability. He leaves Kentucky's National Guard stronger and more effective than when he found it.

During his tenure, Kentucky's National Guard continued to deploy soldiers and airmen to Iraq, Afghanistan, Kuwait, Djibouti, Kenya, Ethiopia, South America, and even Antarctica. In fact, Kentucky National Guard soldiers and airmen were deployed in support of contingency operations every day of General Tonini's tenure, to the tune of over 16,000 servicemembers over the years.

In January 2009, Kentucky experienced one of the worst natural disasters in the State's history when 10 inches of snow fell on top of 3 inches of ice throughout most of the State. More than 100 counties declared states of emergency while FEMA declared the whole State a disaster zone.

In response to this crisis, General Tonini led the largest State-active-duty call up in Kentucky's history. More than 4,600 servicemembers assisted Kentuckians in need, as nearly 800,000 people were without power and heat. Surely many lives were saved thanks to his leadership during these efforts.

General Tonini worked to establish Kentucky's new, state-of-the-art Commonwealth Emergency Operations Center, which serves as a vital command center and liaison to local governments in times of crisis. The new Commonwealth Emergency Operations Center isn't the only new improvement under General Tonini's watch.

During the last 8 years, the Kentucky National Guard has undertaken nearly $200 million in facility improvements, consisting of both new buildings and additions and alterations to existing buildings, to add about 650,000 square feet of facilities to the Guard's resources. These new facilities include the Paducah and Richmond Armed Forces Reserve Center, the Owensboro Readiness Center, and the Army Aviation Support Facility in Frankfort, among others. General Tonini was also a champion of the important work taking place at the Bluegrass Station industrial park in central Kentucky.

General Tonini was a strong advocate of Kentucky's Agribusiness Development Teams, a program in support of Operation Enduring Freedom in Afghanistan. These teams of Kentucky soldiers and airmen taught agricultural expertise to the people of Afghanistan, sharing their knowledge of irrigation techniques, food preservation, veterinary medicine, and more with hundreds of Afghans across the country.

General Tonini also was a strong supporter of the Guard's state partnership program, where the Kentucky National Guard partners with a foreign nation to strengthen the operations of both partners. The Kentucky National Guard has partnered with Ecuador for 19 years. Under the general's leadership, Kentucky added a second partnership program with Djibouti, making my State the first to partner with an east African nation. Djibouti is a key strategic partner for us in humanitarian and counterterrorist operations.

General Tonini's leadership has also been recognized outside the Commonwealth. In 2013, he was elected the president of the Adjutants General Association of the United States. During his tenure as president, America's National Guard boasted more than 450,000 personnel across the Nation.

Under General Tonini, Kentucky hosted the two largest events in the Nation for survivor outreach to support the family members of fallen servicemembers, one in Louisville and the other in northern Kentucky. We were able to honor more than 850 survivors from multiple States.

Finally, the Kentucky National Guard Memorial saw completion after 10 years thanks to General Tonini's persistence and his prodigious fundraising efforts. Located at Boone National Guard Center in Frankfort, the memorial honors 234 Kentucky guardsmen who have given their lives in the line of duty since 1912.

General Tonini has all these accomplishments and many more to be proud of as he steps down from the adjutant general post he so ably filled for 8 years. He has truly earned a place not just in Kentucky history, but in Kentuckians' hearts for his honorable service.

I would be remiss if I did not also laud the general's wife, Carol, who has been a consistent presence with him at the full range of National Guard events, both in Kentucky and throughout the country. She has been a tremendous asset to him thanks to her grace, her support for those in uniform and their families, and her rock-solid support for her husband.

I ask my colleagues to join me in congratulating General Edward W. Tonini upon his retirement and thanking him for his service—not just over the last 8 years, but over the last four decades. Kentucky is thankful for the many sacrifices he has made over the years to protect our communities and our Nation. I certainly want to wish General Tonini all the best in whatever awaits him in his next endeavors, and I am sure he will tackle all future challenges with the same vigor and fortitude he applied to his military service. Thank you, General Tonini, on behalf of a grateful Commonwealth.

RECOGNIZING THE 80TH ANNIVERSARY OF THE CULINARY WORKERS UNION LOCAL 226

Mr. REID. Mr. President, today I wish to recognize the 80th anniversary of the Culinary Workers Union Local 226.

Since it was founded in 1935, the Culinary Workers Union Local 226 has successfully advocated on behalf of thousands of hospitality workers throughout Nevada. These workers include the

housekeepers, kitchen staff, cooks, and food and beverage servers who play an indispensable role in our local and national economy. Along with local partners, the culinary union has effectively represented workers by advocating for competitive wages, affordable health insurance coverage, and enhanced working conditions. The culinary union is vital in the effort to provide real opportunities for working-class individuals and families.

Over the past eight decades, workplace environments across the United States have been transformed to meet our country's changing needs. Throughout these changes, the culinary union has always been on the frontlines to ensure that workers continue to receive fair treatment and the benefits they have earned. In particular, the culinary union successfully mobilized casino workers on many occasions to ensure that they received adequate health care coverage, improved contract terms, and pension benefits.

The organization has also had a positive impact on its members through the establishment of local services, such as the culinary health fund and the culinary pharmacy. The culinary health fund is a health plan that provides benefits to more than 130,000 participants, ensuring that union members and their families have access to essential health care services that keep them healthy. Additionally, in 2001, the culinary union launched a citizen project, which provides assistance for individuals and families navigating the citizenship process.

I applaud the Culinary Workers Union Local 226 for their dedicated work and commitment to improving the lives of Nevadans. Their work is truly appreciated and admired, and I wish the organization continued success for years to come.

TRIBUTE TO LOURDES TIBAN

Mr. LEAHY. Mr. President, I want other Senators to be aware of information I received about Ecuadorian National Assembly member Lourdes Tiban, a prominent and respected leader of Ecuador's indigenous people.

As an indigenous leader, Ms. Tiban has become one of the most outspoken advocates for freedom of expression, indigenous rights, and social rights in Ecuador. Not surprisingly, this has made her the target of verbal attacks by President Rafael Correa.

Earlier this year, Ms. Tiban was beaten by unidentified assailants as she was walking to work. The assault was filmed and then shared online by government supporters who posted humiliating comments.

This isn't the first time that Ms. Tiban has been physically assaulted. She is the victim of two other similar incidents which I am told have not been properly investigated.

It is regrettable that, instead of vigorously investigating this latest attack against Ms. Tiban, a National Assembly member from President Correa's political party has brought a criminal case for libel against her. This is believed to be in retaliation for Ms. Tiban's claim that government supporters were responsible for targeting her, presumably in an attempt to silence her and remove her from the National Assembly.

Ecuador is a country where judicial independence is seriously compromised. I have spoken about this several times, and it has been well documented by the Department of State, the United Nations, and human rights organizations. It is also illustrated by the fact that the Council of the Judiciary, with the power to appoint and remove judges, is comprised of five former officials of the Correa administration. It is likely that the criminal investigation against Ms. Tiban could result in an unjust conviction.

We should condemn these attacks on freedom of expression, political rights, and the rights of indigenous people, and we should defend judicial independence which is fundamental to democracy in Ecuador and throughout the hemisphere.

Lourdes Tiban has devoted her legislative efforts to protecting human rights for her people, and I am confident that she will continue to do so as she is not easily intimidated. She has my support and the support of others who believe in the principles of democracy.

RECOGNIZING THE GRAND ISLE COUNTY SHERIFF'S DEPARTMENT

Mr. LEAHY. Mr. President, many talented Vermonters support local agencies charged with ensuring the safety of Vermont communities throughout the State, each and every day. Today I would like to recognize one such department—the Grand Isle County Sheriff's Department, which received two national Highway Safety Awards at last month's annual gathering of the International Association of Chiefs of Police in Chicago.

Grand Isle County lies in the northwest reaches of Vermont, covering five towns and 85 square miles of land. It is actually a chain of islands surrounded by the waters of Lake Champlain, with commanding views of the Adirondacks to the west and the Green Mountains to the east. Its communities swell with summer visitors who come to enjoy the ''beauty spot'' of the islands. While it is a rural area, Grand Isle County is also home to the busy Route 2 corridor that links the United States and Canada, a critical transportation route for commerce between the two countries. As such, Grand Isle provides unique challenges for Sheriff Ray Allen and his 13 sworn deputies who work to protect the safety of its visitors and residents while ensuring that traffic is not impeded.

The Grand Isle Sheriff's Department was one of only three small sheriff agencies to be recognized with the National Law Enforcement Safety Challenge award, as noted by the Burlington Free Press. The award cited the department's excellence in traffic safety, with specific focus on impaired driving and speeding violations.

Sheriff Allen's department was also honored with the National Sheriffs' Association's Top Traffic Safety Award, sharing that distinction with the Oklahoma County Sheriff's Office.

These two awards are a notable achievement for a small department and in no small part due to Sheriff Allen's strong leadership. Sheriff Allen is the type of law enforcement officer who cares deeply about the communities he serves and the department he represents. Sheriff Allen was sworn into office in 2011, following 20 years of service as a deputy sheriff. When he is not tending to highways, he is tending to the family's well-known apple orchard.

On the Grand Isle Sheriff's Department Web site, Sheriff Allen cites ''the great working relationship with Local, State and Federal agencies'' that his department enjoys. This, we know, does not happen by accident, and such cooperation is a trademark of successful policing.

''We will strive to build upon the confidence and trust the citizens of Grand Isle County have placed upon us by developing strong relationships with the community and providing high quality, cost effective law enforcement services.'' This is Sheriff Allen's pledge, and one supported by those who work with him.

With these awards, Sheriff Allen has done just that. He has made his department and his community proud. Congratulations, Sheriff Ray Allen.

TRIBUTE TO PRISCILLA HOBSON HANLEY

Ms. COLLINS. Mr. President, I wish to commemorate the contributions of Priscilla Hobson Hanley, who is retiring after more than 30 years of distinguished public service as staff in the U.S. Congress.

Since the very beginning of my service in the Senate nearly 19 years ago, Priscilla has been one of my most valued advisers. She has always provided me with expertise on health care issues and Social Security, and most recently, she has served as staff director for the Senate Aging Committee. She exemplifies the ideal public servant; integrity, thoroughness, a spirit of inquiry, and hard work characterize her service. Above all, Priscilla has always demonstrated her belief that it is an honor to serve the people of Maine and our Nation.

I first met Priscilla in 1984 when we both worked for Maine Senator Bill Cohen. After brief stints working in the House for two Congressmen from her native California, Priscilla was hired by Senator Cohen that year and developed an in-depth knowledge of health care issues. She became deputy staff director of the Aging Committee when Senator Cohen served as chairman.

When I assumed Senator Cohen's seat in 1997, Priscilla was one of the very first people I hired; thus I had a terrific expert in two subject areas of great concern to my Maine constituents: health care and senior issues. As health policy adviser and legislative assistant, Priscilla brought her intelligence and experience to bear on the complex and myriad issues of health care, biomedical research, access to care in rural areas, women's health, Medicare, Medicaid, and Social Security. Through her leadership role on the Aging Committee staff, she advanced our priorities of improving retirement security, increasing funding for research on diseases like Alzheimer's and diabetes, and protecting against scams targeting seniors.

Three examples illustrate Priscilla's commitment to service. In 1997, my very first year in the Senate, we were considering a massive tax bill. At the last minute, a one-sentence provision appeared out of nowhere that was, beneath the innocuous wording, a $50-billion tax giveaway to Big Tobacco. Priscilla spotted that one sentence in the 327-page bill, and we were able to put an end to the subsidy.

Priscilla also helped me start the Diabetes Caucus in the Senate in 1998. As a result of her dedication, funding for diabetes research has tripled since that year.

In 2003, our Nation was still reeling from the attacks of 9/11, and Congress was working on a tax-cut bill to invigorate the struggling economy. A key to the success of that bill and to the economic rebound that followed was the temporary increase in the Federal Medical Assistance Percentage, or FMAP, to help States provide health care to low-income families. Priscilla led the way in developing that key provision.

From dramatic increases in funding for diabetes and Alzheimer's research to improvements in rural health care and advancements in mental health parity, Priscilla has played a leadership role. Her work, due to her unassuming nature, may often be unheralded, but her legacy is inspiring to all of us who serve.

When not working for the American people, Priscilla's great passion is a love of musical theater. In fact, a rare interruption in her more than three decades of service on the Hill came when she took a brief respite from Congress to help run an opera company in Virginia.

Priscilla has a particular fondness for the comic operas of Gilbert and Sullivan, and like Major General Stanley of The Pirates of Penzance, she has an encyclopedic knowledge of all things ''vegetable, animal, and mineral.'' She truly is the very model of a modern Senate staffer, a model all should emulate.

A life so devoted to public service brings to mind the parable of the talents. The master, leaving on a journey, entrusts a servant with a portion of his treasure. Upon his return, the master is delighted to find that his wealth was been wisely invested and multiplied.

Priscilla Hobson Hanley was entrusted the great treasure of intelligence, energy, and passion. She invested that treasure wisely and through hard work and determination multiplied its benefits to all. To her, I quote Scripture and say, ''Well done, good and faithful servant.''

TRIBUTE TO MARK FELTON

Mrs. CAPITO. Mr. President, I wish to recognize one of West Virginia's prized public servants, Mark Felton, on the occasion of his retirement. Through his various roles in the Region III Planning and Development Council, Mark has been an indispensable resource to the four counties he has served for over 30 years.

After earning his bachelor's and master's degrees in geography from Marshall University, Mark began his career in the transportation department of the regional planning council in 1983. Mark authored and supervised innumerable transportation-related studies that benefited residents of the region through improved roads, bridges, travel times, and safety.

The regional councils serve as integral partners in the planning and execution of infrastructure improvements, including water and sewer projects. During my time representing the 2nd Congressional District and continuing through to my time in the Senate, my staff and I worked with Mark and the council to complete numerous infrastructure projects; as a result, we provided potable water to thousands of West Virginians. I have always appreciated the technical assistance and knowledge that Mark and his staff bring to any undertaking. These projects are not always the most glamorous, but they are necessary for the health of the people we serve.

In 2006, Mark was promoted to executive director of the regional planning council. In this role, Mark successfully worked alongside local, county, and State leaders to achieve many goals throughout the region. Mark was consistent in his determination to utilize region III's resources in the most efficient manner possible.

One highlight of Mark's career includes working with the West Virginia Division of Highways and the U.S. Department of Transportation to build the Saint Albans—Nitro Bridge. This was a major achievement that required patience and diligent planning to complete. Through a clever design variation, millions of taxpayer dollars were saved, and the project was completed ahead of schedule. I commend Mark and his team for working skillfully with Federal and State partners to accomplish this huge undertaking under budget and on time. Time and again, Mark exhibited great leadership and wisdom in his roles with the regional planning council and has made a lasting difference in the health and safety of residents of Kanawha, Clay, Boone, and Putnam Counties.

In his spare time, Mark actively participates in local theater activities in the Kanawha Valley, acting in roles for the Charleston Light Opera Guild and Kanawha Players. In addition, he previously served as president of the Children's Theater of Charleston. Hopefully he will continue with his passion, as I have always enjoyed seeing him on stage.

Mark is also a member of Kanawha United Presbyterian Church where he actively participates in the church and bell choirs. Additionally, he is a property trustee of the church and plans to be more involved in both internal operations and outreach ministries after his retirement. Mark and his wife, Kerry, a kindergarten teacher for Kanawha County Schools, have two children, Erin and Patrick.

I wish Mark a fond farewell and the best of luck to him and his family in the next phase of their lives. Our State owes Mark a debt of gratitude for his hard work and dedication to his community. It has been a privilege working with him, and I urge my colleagues to join me in congratulating Mark on a wonderful career.

ADDITIONAL STATEMENTS

TRIBUTE TO MAYOR DONNALEE LOZEAU

● Ms. AYOTTE. Mr. President, today I wish to honor Nashua Mayor Donnalee Lozeau. As a resident of Nashua, I am so proud to call Donnalee my mayor. She is an extraordinary public servant, and I extend my heartfelt gratitude as she approaches the conclusion of her two terms serving the people of the Gate City.

As a third generation resident of Nashua and a graduate of the city's public school system, Donnalee cares deeply about Nashua's future, and she has a long record of service to the people of our city. That includes her previous service to Nashua in the New Hampshire House of Representatives for eight terms, earning the role of deputy speaker. She has always been

known for her independent leadership, her commitment to bringing people together to build consensus, and for ensuring that government is responsive and efficient on behalf of hard-working taxpayers. Donnalee grasps the qualities of what makes our State unique, and in turn, she leads with a passion for problem-solving and a dedication to delivering results. She truly listens to everyone and communicates in sincere and candid terms—which I believe makes her an exceptional leader. In addition, as Nashua's first female mayor, Donnalee is an inspiration for young women in our State to pursue public service.

Under her leadership, Nashua's growth and resilience as a city helped lead to major accomplishments in infrastructure, public education, new business sectors, and companies. Donnalee brought her welcoming, honest, and accessible approach to governing and enhanced the reputation of the city of Nashua by exemplifying those values. In addition to her tireless work at city hall, she has also been an active leader promoting philanthropic, cultural, and business activity across the city. As part of her ongoing dedication to serving Nashua's community and those in need, Donnalee will continue to contribute to our city as executive director of Southern New Hampshire Services, a nonprofit social services agency. Her legacy is also being honored by Nashua's Rivier University with the creation of the Mayor Donnalee Lozeau Leadership Scholarship, which will be used to support the development of many generations of new leaders to come.

As Donnalee prepares to leave city hall, I would like to thank her for the thousands of hours she devoted to making Nashua an even better place to live, work, and raise a family. I am so grateful for Donnalee's leadership, commitment, and friendship, and I wish her all the best as she begins the next chapter of her career.●

TRIBUTE TO DR. ROBERT E. WOLVERTON, SR.

● Mr. COCHRAN. Mr. President, I am pleased to commend the remarkable 66-year, and still counting, career of Mississippi State University professor and lifelong educator, Robert E. ''Bob'' Wolverton, Sr., of Starkville, MS. His many years of hard work and dedication continue to inspire the Mississippi State family to learn more and achieve more for the betterment of our State and Nation. I congratulate Dr. Wolverton for his important contributions to higher education throughout his distinguished career. He and his wife, Peggy, are well respected and admired throughout the university and community.

Mr. President, I ask that a December 1, 2015, article from Mississippi State University, titled ''MSU honors Wolverton with naming of new building rotunda,'' be printed in the RECORD.

The material follows:

[From the Mississippi State University, Dec. 1, 2015]

MSU HONORS WOLVERTON WITH NAMING OF NEW BUILDING ROTUNDA

(By Harriet Laird)

STARKVILLE, MS.—An accomplished professor and lifelong educator whose career spans more than six decades will be honored by Mississippi State with the naming of a select area in one of the university's newest and largest buildings.

Robert E. ''Bob'' Wolverton Sr., former vice president for academic affairs and longtime professor of classics, will see his name etched into the rotunda of MSU's new classroom building, a 150,000 square foot structure currently under construction in the heart of the 137-year-old campus. The honor comes while the 90-year-old educator is still active as a member of the MSU faculty.

Seeing more than 2,000 students walk each day through the facility's rotunda once construction is completed in the fall of 2016, this naming reflects Wolverton's dedication to educating students for 66 years, 38 of those at Mississippi State.

''Simply put, Dr. Wolverton is a venerable institution at our university,'' said MSU President Mark E. Keenum. ''At an age where most professors have long since retired, Dr. Wolverton continues to inspire his students, his colleagues, and this administration through his true wisdom and the passion he still has for the subject matter he imparts. What a fitting honor that the rotunda in one of our soon-to-be iconic buildings will forever bear his name.''

Wolverton began his tenure at MSU in 1977 when he became the university's vice president of academic affairs, having served previously as president for the College of Mount St. Joseph in Ohio. In 1986, he began teaching in the Department of Foreign Languages, now the Department of Classical and Modern Languages and Literatures, serving as the unit's head from 1991–1996.

A two-term chair of MSU's Robert Holland Faculty Senate, he last held the title eight years ago at age 82, with many regarding him as the ''elder statesman'' in such a position at any college or university.

Also an MSU John Grisham Master Teacher, the highest honor given for excellence in classroom instruction, Wolverton has been honored with the MSU Alumni Association Faculty Achievement Award and College of Arts and Sciences Humanist Award.

''All of us admire Bob Wolverton for his unwavering commitment to excellence in teaching and to the students of MSU,'' said Jerry Gilbert, MSU provost and executive vice president. ''Through his many years of service, he has established himself as a tremendous asset to the university. I am so proud that we have chosen to recognize Bob by naming the rotunda in his honor.''

Wolverton holds a bachelor's degree in classics from Hanover (Indiana) College, a master's from the University of Michigan, and a doctorate from the University of North Carolina. He has been on the faculty at the University of Georgia, and Tufts and Florida State universities.

Active in the community, he was honored in 2001 as one of Mississippi's ''Ageless Heroes'' by Blue Cross and Blue Shield of Mississippi. He has served as a board member for the Starkville Friends of the Library, president of the Starkville-MSU Symphony Association, and was a founding member of the Starkville Community Theatre.●

REMEMBERING LIEUTENANT COLONEL JOHN J. NOLAN

● Mrs. FISCHER. Mr. President, I rise to honor a Nebraskan who was recently interred at Arlington National Cemetery. Lt. Col. John J. Nolan of Lincoln, NE, was a U.S. Air Force pilot who deserves our respect and gratitude. After the bombing at Pearl Harbor, he gave up a football scholarship at Temple University to enlist in the Army Air Corps in 1943.

During World War II, John was a B–25 aircraft commander with the heralded Air Apaches, 345th Bombardment Group, assigned to the Fifth Air Force operating in the Southwest Pacific.

In this capacity, he flew low-level strafing missions in specially configured B–25s with eight .50-caliber machine guns that were controlled by pilots. He flew in the Black Sunday raid on Hollandia, New Guinea, on April 16, 1944. This raid became the worst operational loss ever suffered by the Fifth Air Force in a single day.

Following World War II, the Air Force realized more pilots had been lost on instruments than in actual combat. In response, the Instrument Pilot Instruction School was created. John was one of the initial cadre of pilots tasked with providing standardized instrument procedures, techniques, and training methods. These pilots were also required to test and evaluate flight instruments in adverse weather conditions. During this period, he became the B–25 high-time pilot for the entire U.S. Air Force.

John also wrote a substantial part of the instrument flying guidelines, known as Air Force Manual 51–37. Many pilots owe their lives to this manual. As a matter of fact, when his two sons went through pilot training in 1967 and 1973, respectively, his instructions were still in the manual.

John transitioned to F–86s as a part of the Air Force's newly created All Weather Interceptors. He also served in Japan during the Korean war.

In the 1960s, when commercial aviation was converting to jet-powered aircraft and entering into military airspace at high altitudes, John was assigned to Richards-Gebaur Air Force Base, known as Air Defense Command. He became the Air Force liaison to the FAA Central Region, and he was tasked with developing and coordinating procedures to ensure safe arrival and departures within this shared airspace. In this capacity, John was also responsible for maintaining military readiness and operational capabilities.

Upon his retirement in October 1963, John was chosen to serve as the Midwest recruiter for the Air Force Academy.

John dedicated his entire life to his beloved U.S. Air Force. Not only did he serve honorably, John was also an integral participant in so many of the milestones that are now a part of Air Force history.

John never lost his love of flight. He continued to fly well into his late eighties in his restored Fairchild PT 19/26, which is the same aircraft he initially learned to fly in as a cadet in the Army Air Corps.

Lt. Col. John Nolan's entire life was for God and country. He married Marie Di Giambattista on January 6, 1944, before he was assigned overseas. Together, they raised four children. Marie sacrificed much, as so many of our military families experience today, moving 23 times in John's 20-year career. They were married 71 years. Only 27 days after Marie passed, John died this past July 3, 2015, at the age of 94.

We owe a debt of gratitude to John Nolan and his family. He led an extraordinary life at a time when our country needed people like him the most. Through all of this, he remained humble. We will never forget his sacrifices and patriotism.●

TRIBUTE TO FRED GRAY

● Mr. SESSIONS. Mr. President, today I wish to recognize the life and accomplishments of civil rights attorney Fred Gray, Sr., of Montgomery, AL.

Fred Gray was born in Montgomery, AL, on December 14, 1930. He attended the Nashville Christian Institute and received a baccalaureate degree from the then-Alabama State College for Negroes. From there, he went on to receive a law degree from Case Western Reserve University School of Law in Cleveland, OH. Mr. Gray passed the bar examination and returned to his home town of Montgomery to establish a law office. He dedicated himself to the goal of ''destroying everything segregated he could find.'' He also began preaching at the Holt Street Church of Christ.

During the 1950s and 1960s civil rights movement, Mr. Gray worked alongside Dr. Martin Luther King, Jr., E.D. Nixon, and other leaders of the movement. He represented Claudette Colvin and Rosa Parks, who were charged with disorderly conduct for refusing to seat themselves in the rear of segregated city buses. Mr. Gray also successfully defended Dr. Martin Luther King, Jr., against tax evasion charges.

In addition, he represented the Montgomery Improvement Association during the more than yearlong Montgomery Bus Boycott of 1955, which ultimately led to the United States Supreme Court case Browder v. Gayle. This case was filed by Mr. Gray. Additionally, Mr. Gray filed and argued the historic and much-cited case of Gomillion v. Lightfoot before the U.S. Supreme Court, which overturned State redistricting of Tuskegee, AL. After this case, Mr. Gray continued to lead legal efforts to desegregate schools in Alabama.

In 1970, Mr. Gray was one of the first African Americans elected as a State legislator in Alabama. However, he did not allow his new role to prevent him from continuing to represent local Alabamians in the judicial system.

In the early 1970s, Mr. Gray represented plaintiffs in the class-action lawsuit regarding the Federal Tuskegee syphilis study and succeeded in securing appropriate damages and restitutions for 72 study survivors. As a result of efforts led by Mr. Gray, President Clinton invited the study survivors and their families to a ceremony at the White House, where he officially apologized for the actions of the Federal Government regarding the study.

In 2002, Fred Gray became the first African-American president of the Alabama Bar Association. Mr. Gray has spent his life working to achieve equal justice and liberty for the citizens of Alabama. His dedication to the civil rights movement is unequaled, and we are all grateful for the tireless work he has done on behalf of all Americans.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 4, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mrs. COMSTOCK) had signed the following enrolled bill:

H.R. 22. An act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bill was signed on December 4, 2015, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 11, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

H.R. 2250. An act Further Continuing Appropriations Act, 2016.

H.R. 2693. An act to designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the ''Phyllis E. Galanti Arboretum''.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bills were signed on December 11, 2015, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 11, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House passed the following bill, without amendment:

S. 808. An act to establish the Surface Transportation Board as an independent establishment, and for other purposes.

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 11, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 644) to reauthorize trade facilitation and trade enforcement functions and activities, and for other purposes.

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 11, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House agrees to the amendment of the Senate to the text of the bill (H.R. 2250) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016, and for other purposes, and agrees to the amendment of the Senate to the title of the bill.

MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2795. An act to require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event.

H.R. 3578. An act to amend the Homeland Security Act of 2002 to strengthen and make improvements to the Directorate of Science and Technology of the Department of Homeland Security, and for other purposes.

H.R. 3831. An act to amend title XVIII of the Social Security Act to extend the annual

comment period for payment rates under Medicare Advantage.

H.R. 3869. An act to amend the Homeland Security Act of 2002 to assist State and local coordination on cybersecurity with the national cybersecurity and communications integration center, and for other purposes.

H.R. 3875. An act to amend the Homeland Security Act of 2002 to establish within the Department of Homeland Security a Chemical, Biological, Radiological, Nuclear, and Explosives Office, and for other purposes.

H.R. 4188. An act to authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2795. An act to require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3578. An act to amend the Homeland Security Act of 2002 to strengthen and make improvements to the Directorate of Science and Technology of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3869. An act to amend the Homeland Security Act of 2002 to assist State and local coordination on cybersecurity with the national cybersecurity and communications integration center, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3875. An act to amend the Homeland Security Act of 2002 to establish within the Department of Homeland Security a Chemical, Biological, Radiological, Nuclear, and Explosives Office, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3849. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Raisins Produced from Grapes Grown in California; Increased Assessment Rate'' (Docket No. AMS–FV–15–0032) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3850. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Onions Grown in South Texas; Increased Assessment Rate'' (Docket No. AMS–FV–15–0036) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3851. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Matthew L. Nathan, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–3852. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General John F. Kelly, United States Marine Corps, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–3853. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the redevelopment potential of military properties and facilities; to the Committee on Armed Services.

EC–3854. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a semiannual report entitled, ''Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account'' and a semiannual listing of personal property contributed by coalition partners; to the Committee on Armed Services.

EC–3855. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a semiannual report entitled, ''Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account'' and a semiannual listing of personal property contributed by coalition partners; to the Committee on Armed Services.

EC–3856. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Updated Statements of Legal Authority for the Export Administration Regulations to Include Continuation of Emergency Declared in Executive Order 12938'' (RIN0694–AG78) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3857. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC–3858. A communication from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, two reports entitled ''Progress of the Federal Government in Meeting the Renewable Energy Goals of the Energy Policy Act of 2005'' for fiscal years 2009 and 2010, and fiscal years 2011 and 2012; to the Committee on Energy and Natural Resources.

EC–3859. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Energy Conservation Standards for High-Intensity Discharge Lamps'' ((RIN1904–AD36) (Docket No. EERE–2010–BT–STD–0047)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Energy and Natural Resources.

EC–3860. A communication from the Administrator, U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran''; to the Committee on Energy and Natural Resources.

EC–3861. A communication from the Administrator of the Small Business Administration, transmitting, pursuant to law, the Semiannual Report from the Office of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3862. A communication from the Inspector General of the General Services Administration, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3863. A communication from the Secretary of Energy, transmitting, pursuant to law, the Department of Energy's Semiannual Report of the Inspector General for the period from April 1, 2015 to September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3864. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3865. A communication from the Director, National Science Foundation, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Foundation's fiscal year 2015 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC–3866. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Department of Defense Semiannual Report of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3867. A communication from the Deputy Assistant Administrator, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Coastal Fisheries Cooperative Management Act Provisions; American Lobster Fishery'' (RIN0648–BF16) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3868. A communication from the Deputy Assistant Administrator, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Process for Divestiture of Excess Quota Shares in the Individual Fishing Quota Fishery'' (RIN0648–BF11) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3869. A communication from the Deputy Assistant Administrator, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Pacific Island Pelagic Fisheries; 2015 Territorial Longline Bigeye Tuna Catch Limits for Guam'' (RIN0648–XD998) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3870. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions Number 37 and Number 39'' (RIN0648–XE259) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3871. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole for Vessels Participating in the BSAI Trawl Limited Access Fishery in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XE312) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3872. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Delaware River; New Castle, DE'' ((RIN1625–AA00) (Docket No. USCG–2015–1032)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3873. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Witt-Penn Bridge Construction, Hackensack River; Jersey City, NJ'' ((RIN1625–AA00) (Docket No. USCG–2014–1008)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3874. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Titan SPAR, Mississippi Canyon 941, Outer Continental Shelf on the Gulf of Mexico'' ((RIN1625–AA00) (Docket No. USCG–2015–0320)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3875. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Turritella FPSO, Walker Ridge 551, Outer Continental Shelf on the Gulf of Mexico'' ((RIN1625–AA00) (Docket No. USCG–2015–0318)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3876. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Unknown substance in the vicinity of Kelley's Island Shoal, Lake Erie; Kelley's Island, OH'' ((RIN1625–AA00) (Docket No. USCG–2015–0994)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3877. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Rich Passage, Manchester, WA'' ((RIN1625–AA00) (Docket No. USCG–2015–0943)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3878. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Shell Arctic Drilling/Exploration Vessels, Puget Sound, WA'' ((RIN1625–AA00) (Docket No. USCG–2015–0295)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3879. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Grounded Vessel, Atlantic Ocean, Port St. Lucie, FL'' ((RIN1625–AA00) (Docket No. USCG–2015–0992)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3880. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Pago Pago Harbor, American Samoa'' ((RIN1625–AA00) (Docket No. USCG–2015–0906)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3881. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Mississippi River between mile 467.0 and 472.0; Transylvania, LA'' ((RIN1625–AA00) (Docket No. USCG–2015–0893)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3882. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Mississippi River between mile 488.0 and 480.5; Lake Providence, LA'' ((RIN1625–AA00) (Docket No. USCG–2015–0894)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3883. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; 520 Bridge Construction, Lake Washington; Seattle, WA'' ((RIN1625–AA00) (Docket No. USCG–2015–0570)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3884. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Atlantic Intracoastal Waterway; Oak Island, NC'' ((RIN1625–AA00) (Docket No. USCG–2015–0809)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3885. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; West Larose Vertical Lift Bridge; Houma, LA'' ((RIN1625–AA00) (Docket No. USCG–2015–0886)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3886. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Labor Day Long Neck Style Fireworks, Indian River Bay; Long Neck, DE'' ((RIN1625–AA00) (Docket No. USCG–2015–0823)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3887. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Mad Dog Truss Spar, Green Canyon 782, Outer Continental Shelf on the Gulf of Mexico'' ((RIN1625–AA00) (Docket No. USCG–2015–0512)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3888. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; 520 Bridge Construction, Lake Washington; Seattle, WA'' ((RIN1625–AA00) (Docket No. USCG–2015–0570)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3889. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Intermedix IRONMAN 70.3 Event, Savannah River; August, GA'' ((RIN1625–AA00) (Docket No. USCG–2015–0604)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3890. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Kaskaskia River MM 28 to 29; New Athens, IL'' ((RIN1625–AA00) (Docket No. USCG–2015–0777)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3891. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Snake Creek, Islamorada, FL'' ((RIN1625–AA09) (Docket No. USCG–2015–0046)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3892. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Saint-Gobain Performance Plastics Celebration Fireworks; Lake Erie, Cleveland, OH'' ((RIN1625–AA00) (Docket No. USCG–2015–0833)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3893. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Delaware River; Philadelphia, PA'' ((RIN1625–AA00) (Docket No. USCG–2015–0732)) received in the Office of the President of the Senate on December 9, 2015; to

the Committee on Commerce, Science, and Transportation.

EC–3894. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Dredging Rouge River, Detroit, MI'' ((RIN1625–AA00) (Docket No. USCG–2015–0835)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3895. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Mavericks Surf Competition, Half Moon, CA'' ((RIN1625–AA08) (Docket No. USCG–2015–0949)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3896. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation for Battle of Hampton; Hampton River, Hampton, VA'' ((RIN1625–AA08) (Docket No. USCG–2015–0820)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3897. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; Temporary Change for Recurring Marine Event in the Fifth Coast Guard District'' ((RIN1625–AA08) (Docket No. USCG–2015–0400)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3898. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone: Escorted Vessels, Los Angeles-Long Beach, CA, Captain of the Port Zone'' ((RIN1625–AA87) (Docket No. USCG–2015–0880)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3899. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Herbert C. Bonner Bridge, Oregon Inlet, NC'' ((RIN1625–AA11) (Docket No. USCG–2014–0987)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3900. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Rancocas Creek, Centerton, NJ'' ((RIN1625–AA11) (Docket No. USCG–2015–0423)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3901. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Establishment of the Eagle Foothills Viticultural Area'' (RIN1513–AC18) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3902. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Takes of Marine Mammals Incidental to Specified Activities; U.S. Navy Training and Testing Activities in the Northwest Training and Testing Study Area'' (RIN0648–BD89) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

EC–3903. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Ballast Water Management Reporting and Recordkeeping'' ((RIN1625–AB68) (Docket No. USCG–2012–0924)) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1250. A bill to encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes (Rept. No. 114–179).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BOOKER (for himself, Mr. MENENDEZ, Mrs. BOXER, and Mr. WHITEHOUSE):

S. 2400. A bill to amend the Internal Revenue Code of 1986 to reinstate the financing for the Hazardous Substance Superfund, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CASEY (for himself and Mr. TOOMEY):

S. Res. 334. A resolution congratulating the Pennsylvania State University women's soccer team for winning the 2015 National Collegiate Athletic Association Soccer Championship; considered and agreed to.

ADDITIONAL COSPONSORS

S. 804

At the request of Ms. COLLINS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 928

At the request of Mrs. GILLIBRAND, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 968

At the request of Mrs. GILLIBRAND, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 968, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 1446

At the request of Ms. HEITKAMP, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1446, a bill to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

S. 1513

At the request of Mr. PORTMAN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1513, a bill to reauthorize the Second Chance Act of 2007.

S. 1767

At the request of Mr. ISAKSON, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1767, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to combination products, and for other purposes.

S. 2033

At the request of Mr. SCHATZ, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2033, a bill to provide that 6 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.

S. 2185

At the request of Ms. HEITKAMP, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2185, a bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

S. 2196

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2200

At the request of Mrs. FISCHER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor

of S. 2200, a bill to amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements.

S. 2282

At the request of Mr. HATCH, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2282, a bill to amend the Public Health Service Act to reauthorize the C.W. Bill Young Cell Transplantation Program and the National Cord Blood Inventory, and for other purposes.

S. 2297

At the request of Mr. COONS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2297, a bill to amend title XVIII of the Social Security Act to encourage Medicare beneficiaries to voluntarily adopt advance directives guiding the medical care they receive.

S. 2312

At the request of Mr. THUNE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2312, a bill to amend titles XVIII and XIX of the Social Security Act to make improvements to payments for durable medical equipment under the Medicare and Medicaid programs.

At the request of Ms. HEITKAMP, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2312, supra.

S. 2337

At the request of Mrs. FEINSTEIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2337, a bill to improve homeland security by enhancing the requirements for participation in the Visa Waiver Program, and for other purposes.

S. 2338

At the request of Ms. HIRONO, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2338, a bill to award grants to States for the development of innovative long-term services and supports programs.

S. 2344

At the request of Mr. COTTON, the names of the Senator from Texas (Mr. CORNYN), the Senator from Alabama (Mr. SESSIONS) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 2344, a bill to provide authority for access to certain business records collected under the Foreign Intelligence Surveillance Act of 1978 prior to November 29, 2015, to make the authority for roving surveillance, the authority to treat individual terrorists as agents of foreign powers, and title VII of the Foreign Intelligence Surveillance Act of 1978 permanent, and to modify the certification requirements for access to telephone toll and transactional records by the Federal Bureau of Investigation, and for other purposes.

S. 2361

At the request of Mr. THUNE, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 2361, a bill to enhance airport security, and for other purposes.

S. 2393

At the request of Mr. WHITEHOUSE, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Ohio (Mr. BROWN), the Senator from Minnesota (Mr. FRANKEN), the Senator from Hawaii (Ms. HIRONO), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Washington (Mrs. MURRAY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 2393, a bill to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 334—CONGRATULATING THE PENNSYLVANIA STATE UNIVERSITY WOMEN'S SOCCER TEAM FOR WINNING THE 2015 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION SOCCER CHAMPIONSHIP

Mr. CASEY (for himself and Mr. TOOMEY) submitted the following resolution; which was considered and agreed to:

S. RES. 334

Whereas, on December 6, 2015, the Pennsylvania State University Nittany Lions won the 2015 National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') Soccer Championship, also known as the College Cup, in Cary, North Carolina with a hard-fought victory over the Duke University Blue Devils in a 1-0 match;

Whereas the Nittany Lions women's soccer team won their first ever NCAA Soccer Championship after advancing to the College Cup for the fifth time and the College Cup Final for the second time;

Whereas the Pennsylvania State University Nittany Lions are the first Big Ten team to earn an NCAA Women's Soccer Championship;

Whereas the Pennsylvania State University Nittany Lions won both the Big Ten regular season title and the Big Ten Tournament, concluding the 2015 season with a record of 16 wins, including 15 shutouts, and only 3 losses;

Whereas senior Raquel Rodriguez was named a First Team All-American by the National Soccer Coaches Association of America;

Whereas seniors Britt Eckerstrom and Raquel Rodriguez were named to the Academic All-District 2 First Team by the College Sports Information Directors of America; and

Whereas, this season, Head Coach Erica Walsh and her coaching staff depended on team captains Raquel Rodriguez, Mallory Weber, and Britt Eckerstrom to lead by example on the field: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Pennsylvania State University women's soccer team, coaches, and staff for winning the 2015 National Collegiate Athletic Association Soccer Championship;

(2) commends the Pennsylvania State University women's soccer team, coaches, and staff for their hard work and dedication; and

(3) recognizes the students, faculty, alumni, and devoted fans of Pennsylvania State University who supported the Nittany Lions on the path to winning their first ever National Collegiate Athletic Association Soccer Championship.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2927. Mr. MCCONNELL (for Mr. THUNE (for himself, Mr. SCHATZ, Mr. MORAN, Mr. DAINES, Mr. BLUMENTHAL, Mr. BOOKER, and Mr. WYDEN)) proposed an amendment to the bill S. 2044, to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes.

TEXT OF AMENDMENTS

SA 2927. Mr. MCCONNELL (for Mr. THUNE (for himself, Mr. SCHATZ, Mr. MORAN, Mr. DAINES, Mr. BLUMENTHAL, Mr. BOOKER, and Mr. WYDEN)) proposed an amendment to the bill S. 2044, to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Consumer Review Freedom Act of 2015''.

SEC. 2. CONSUMER REVIEW PROTECTION.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(2) COVERED COMMUNICATION.—The term ''covered communication'' means a written, oral, or pictorial review, performance assessment of, or other similar analysis of, including by electronic means, the goods, services, or conduct of a person by an individual who is party to a form contract with respect to which such person is also a party.

(3) FORM CONTRACT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''form contract'' means a contract with standardized terms—

(i) used by a person in the course of selling or leasing the person's goods or services; and

(ii) imposed on an individual without a meaningful opportunity for such individual to negotiate the standardized terms.

(B) EXCEPTION.—The term ''form contract'' does not include an employer-employee or independent contractor contract.

(4) PICTORIAL.—The term ''pictorial'' includes pictures, photographs, video, illustrations, and symbols.

(b) INVALIDITY OF CONTRACTS THAT IMPEDE CONSUMER REVIEWS.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), a provision of a form contract is void from the inception of such contract if such provision—

(A) prohibits or restricts the ability of an individual who is a party to the form contract to engage in a covered communication;

(B) imposes a penalty or fee against an individual who is a party to the form contract for engaging in a covered communication; or

(C) transfers or requires an individual who is a party to the form contract to transfer to any person any intellectual property rights in review or feedback content, with the exception of a non-exclusive license to use the content, that the individual may have in any otherwise lawful covered communication about such person or the goods or services provided by such person.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to affect—

(A) any duty of confidentiality imposed by law (including agency guidance);

(B) any civil cause of action for defamation, libel, or slander, or any similar cause of action;

(C) any party's right to remove or refuse to display publicly on an Internet website or webpage owned, operated, or otherwise controlled by such party any content of a covered communication that—

(i) contains the personal information or likeness of another person or is libelous, harassing, abusive, obscene, vulgar, sexually explicit, or inappropriate with respect to race, gender, sexuality, ethnicity, or other intrinsic characteristic;

(ii) is unrelated to the goods or services offered by or available at such party's Internet website or webpage; or

(iii) is clearly false or misleading; or

(D) a party's right to establish terms and conditions with respect to the creation of photographs or video of such party's property when those photographs or video are created by an employee or independent contractor of a commercial entity and solely intended for commercial purposes by that entity.

(3) EXCEPTIONS.—Paragraph (1) shall not apply to the extent that a provision of a form contract prohibits disclosure or submission of, or reserves the right of a person or business that hosts online consumer reviews or comments to remove—

(A) trade secrets or commercial or financial information obtained from a person and considered privileged or confidential;

(B) personnel and medical files and similar information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(C) records or information compiled for law enforcement purposes, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(D) content that is unlawful or otherwise meets the requirements of paragraph (2)(C); or

(E) content that contains any computer viruses, worms, or other potentially damaging computer code, processes, programs, applications, or files.

(c) PROHIBITION.—It shall be unlawful for a person to offer a form contract containing a provision described as void in subsection (b).

(d) ENFORCEMENT BY COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (c) by a person with respect to which the Commission is empowered under section 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 45(a)(2)) shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—The Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(B) PRIVILEGES AND IMMUNITIES.—Any person who violates this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(e) ENFORCEMENT BY STATES.—

(1) AUTHORIZATION.—Subject to subparagraph (B), in any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by the engagement of any person subject to subsection (c) in a practice that violates such subsection, the attorney general of the State may, as parens patriae, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States to obtain appropriate relief.

(2) RIGHTS OF FEDERAL TRADE COMMISSION.—

(A) NOTICE TO FEDERAL TRADE COMMISSION.—

(i) IN GENERAL.—Except as provided in clause (iii), the attorney general of a State shall notify the Commission in writing that the attorney general intends to bring a civil action under paragraph (1) before initiating the civil action against a person described in subsection (d)(1).

(ii) CONTENTS.—The notification required by clause (i) with respect to a civil action shall include a copy of the complaint to be filed to initiate the civil action.

(iii) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Commission immediately upon instituting the civil action.

(B) INTERVENTION BY FEDERAL TRADE COMMISSION.—The Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1) against a person described in subsection (d)(1); and

(ii) upon intervening—

(I) be heard on all matters arising in the civil action; and

(II) file petitions for appeal of a decision in the civil action.

(3) INVESTIGATORY POWERS.—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(4) PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.—If the Federal Trade Commission institutes a civil action or an administrative action with respect to a violation of subsection (c), the attorney general of a State may not, during the pendency of such action, bring a civil action under paragraph (1) against any defendant named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

(5) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under paragraph (1) may be brought in—

(i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(ii) another court of competent jurisdiction.

(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(6) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other consumer protection officer of a State who is authorized by the State to do so may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

(f) EDUCATION AND OUTREACH FOR BUSINESSES.—Not later than 60 days after the date of the enactment of this Act, the Commission shall commence conducting education and outreach that provides businesses with non-binding best practices for compliance with this Act.

(g) RELATION TO STATE CAUSES OF ACTION.—Nothing in this section shall be construed to affect any cause of action brought by a person that exists or may exist under State law.

(h) EFFECTIVE DATES.—This section shall take effect on the date of the enactment of this Act, except that—

(1) subsections (b) and (c) shall apply with respect to contracts in effect on or after the date that is 90 days after the date of the enactment of this Act; and

(2) subsections (d) and (e) shall apply with respect to contracts in effect on or after the date that is 1 year after the date of the enactment of this Act.

CONSUMER REVIEW FREEDOM ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 316, S. 2044.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2044) to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes.

There being no objection, the Senate proceeded to the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Consumer Review Freedom Act of 2015''.

SEC. 2. CONSUMER REVIEW PROTECTION.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(2) COVERED COMMUNICATION.—The term ''covered communication'' means a written, oral, or pictorial review, performance assessment

of, or other similar analysis of, including by electronic means, the goods, services, or conduct of a person by an individual who is party to a form contract with respect to which such person is also a party.

(3) FORM CONTRACT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''form contract'' means a contract with standardized terms—

(i) used by a person in the course of selling or leasing the person's goods or services; and

(ii) imposed on an individual without a meaningful opportunity for such individual to negotiate the standardized terms.

(B) EXCEPTION.—The term ''form contract'' does not include an employer-employee or independent contractor contract.

(4) PICTORIAL.—The term ''pictorial'' includes pictures, photographs, video, illustrations, and symbols.

(b) INVALIDITY OF CONTRACTS THAT IMPEDE CONSUMER REVIEWS.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), a provision of a form contract is void from the inception of such contract if such provision—

(A) prohibits or restricts the ability of an individual who is a party to the form contract to engage in a covered communication;

(B) imposes a penalty or fee against an individual who is a party to the form contract for engaging in a covered communication; or

(C) transfers or requires an individual who is a party to the form contract to transfer to any person any intellectual property rights in review or feedback content, with the exception of a non-exclusive license to use the content, that the individual may have in any otherwise lawful covered communication about such person or the goods or services provided by such person.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to affect—

(A) any duty of confidentiality imposed by law (including agency guidance);

(B) any civil action for defamation, libel, or slander, or any similar cause of action;

(C) any party's right to remove or refuse to publish any statement on an Internet website owned or operated by such party that contains the personal information or likeness of another person or is libelous, harassing, abusive, obscene, vulgar, sexually explicit, inappropriate with respect to race, gender, sexuality, ethnicity, or other intrinsic characteristic, or that is unrelated to the goods or services offered by such party; or

(D) a party's right to establish terms and conditions with respect to the creation of photographs or video of such party's property when those photographs or video are created by an employee or independent contractor of a commercial entity and solely intended for commercial purposes by that entity.

(3) EXCEPTIONS.—Paragraph (1) shall not apply to the extent that a provision of a form contract prohibits disclosure of the following:

(A) Trade secrets or commercial or financial information obtained from a person and considered privileged or confidential.

(B) Personnel and medical files and similar information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(C) Records or information compiled for law enforcement purposes, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(c) PROHIBITION.—It shall be unlawful for a person to offer or enter into a form contract containing a provision described as void in subsection (b).

(d) ENFORCEMENT BY COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (c) by a person with respect to which the Commission is empowered under section 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 45(a)(2)) shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—The Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(B) PRIVILEGES AND IMMUNITIES.—Any person who violates this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(e) ENFORCEMENT BY STATES.—

(1) AUTHORIZATION.—Subject to subparagraph (B), in any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by the engagement of any person subject to subsection (c) in a practice that violates such subsection, the attorney general of the State may, as parens patriae, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States to obtain appropriate relief.

(2) RIGHTS OF FEDERAL TRADE COMMISSION.—

(A) NOTICE TO FEDERAL TRADE COMMISSION.—

(i) IN GENERAL.—Except as provided in clause (iii), the attorney general of a State shall notify the Commission in writing that the attorney general intends to bring a civil action under paragraph (1) before initiating the civil action against a person described in subsection (d)(1).

(ii) CONTENTS.—The notification required by clause (i) with respect to a civil action shall include a copy of the complaint to be filed to initiate the civil action.

(iii) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Commission immediately upon instituting the civil action.

(B) INTERVENTION BY FEDERAL TRADE COMMISSION.—The Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1) against a person described in subsection (d)(1); and

(ii) upon intervening—

(I) be heard on all matters arising in the civil action; and

(II) file petitions for appeal of a decision in the civil action.

(3) INVESTIGATORY POWERS.—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(4) PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.—If the Federal Trade Commission institutes a civil action or an administrative action with respect to a violation of subsection (c), the attorney general of a State may not, during the pendency of such action, bring a civil action under paragraph (1) against any defendant named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

(5) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under paragraph (1) may be brought in—

(i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(ii) another court of competent jurisdiction.

(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(6) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other officer of a State who is authorized by the State to do so may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

(f) EDUCATION AND OUTREACH FOR BUSINESSES.—Not later than 60 days after the date of the enactment of this Act, the Commission shall commence conducting education and outreach that provides businesses with non-binding best practices for compliance with this Act.

(g) RELATION TO STATE CAUSES OF ACTION.—Nothing in this section shall be construed to affect any cause of action brought by a person that exists or may exist under State law.

(h) EFFECTIVE DATES.—This section shall take effect on the date of the enactment of this Act, except that—

(1) subsections (b) and (c) shall apply with respect to contracts in effect on or after the date that is 90 days after the date of the enactment of this Act; and

(2) subsections (d) and (e) shall apply with respect to contracts in effect on or after the date that is 1 year after the date of the enactment of this Act.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute be withdrawn; that the Thune substitute amendment be agreed to; that the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported substitute amendment was withdrawn.

The amendment (No. 2927) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill (S. 2044), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

BILLY FRANK JR. TELL YOUR STORY ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2270, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 2270) to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy

Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Memorial within the wildlife refuge, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I further ask unanimous consent that the bill be read three times and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2270) was ordered to a third reading, was read the third time, and passed.

CONGRATULATING THE PENNSYLVANIA STATE UNIVERSITY WOMEN'S SOCCER TEAM FOR WINNING THE 2015 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION SOCCER CHAMPIONSHIP

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 334, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 334) congratulating the Pennsylvania State University women's soccer team for winning the 2015 National Collegiate Athletic Association Soccer Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 334) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the Democratic leader, pursuant to the provisions of Public Law 106–398, as amended by Public Law 108–7, and in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, the appointment of the following individuals to serve as members of the United States-China Economic Security Review Commission: Byron Dorgan of North Dakota and Carte P. Goodwin of West Virginia.

ORDERS FOR TUESDAY, DECEMBER 15, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, December 15; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:34 p.m., adjourned until Tuesday, December 15, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF THE TREASURY

ALAN J. KRECZKO, OF CONNECTICUT, TO BE A MEMBER OF THE INTERNAL REVENUE SERVICE OVERSIGHT BOARD FOR A TERM EXPIRING SEPTEMBER 14, 2019, VICE PAUL CHERECWICH, JR., RESIGNED.

JAMES R. WHITE, OF MARYLAND, TO BE A MEMBER OF THE INTERNAL REVENUE SERVICE OVERSIGHT BOARD FOR A TERM EXPIRING SEPTEMBER 14, 2020, VICE NANCY KILLEFER, TERM EXPIRED.

FEDERAL TRADE COMMISSION

EDITH RAMIREZ, OF CALIFORNIA, TO BE A FEDERAL TRADE COMMISSIONER FOR THE TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2015. (REAPPOINTMENT)

EXECUTIVE OFFICE OF THE PRESIDENT

ANDREW MAYOCK, OF ILLINOIS, TO BE DEPUTY DIRECTOR FOR MANAGEMENT, OFFICE OF MANAGEMENT AND BUDGET, VICE BETH F. COBERT.

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

PETER L. REYNOLDS

To be major

CHRISTOPHER P. CALDER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JEREMY W. CANNON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

TED W. LIEU

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JODENE M. ALEXANDER
MICHAEL C. BRICE
EDWARD L. CULLUMBER
DEBORAH J. ROBINSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JOHN LOUIS ARENDALE II
KAMMIE J. DEGHETTO
KAREN L. GARDNER
JAMES P. PALMISANO
MINH–TRI BA TRINH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

BONNIE JOY BOSLER
LEE W. BRADSHAW
ADA MIREA COLLIER
SUSAN G. GEER
MILDRED CAMILLA GLOVER
GARY W. HOPKINS
JEANNE K. LAFOUNTAIN
DIANNE LOUISE SLATEN
STEVEN J. THEOHARES
MICHELLE R. TIRADO
JENNIFER LYNN WEDEL
ESTHER L. WEIGHTMAN
LIANE L. WEINBERGER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ARDEN B. ANDERSEN
JEFFREY S. BUI
PETER K. DERUSSY
DAVID A. GERBER
CRYSTAL L. HNATKO
PATRICK U. HSIEH
MIGUEL ANGEL PIRELA–CRUZ
CATHERINE R. S. PLATT
STEVEN D. PODNOS
NEAL PATRICK RIDGE
SIRAJ A. SAYEED
HENRY SCHWARTZ
JOSHUA L. WRIGHT
MARK A. ZELKOVIC

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

TODD ANDREW LUCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

LEBANE S. HALL
DAVID F. PENDLETON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

WILLIAM CHARLES DUNLAP
JOHN P. GILLESPIE
ROBERT K. MCGHEE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DAWN D. BELLACK
WALTER F. COPPERSMITH
CHRISTOPHER W. DENTEL
SCOTT S. DRIGGS
SHANNON R. HANSCOM
JEFFERY B. MORRIS
CLAYTON E. ROBERTSON
ANGELA LYNN TILLMAN
ANDREW J. TURNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

KATHERINE E. AASEN
DAVID R. ANDERSON
DANTE C. BADIA
MICHAEL V. BAUTISTA
SAMUEL P. BAXTER
BRIAN KERTULLA BEACHKOFSKI
BRIAN ALLAN BETTS
PATRICK ALLEN BROWN
ROBERT N. BURGESS
PATRICK EDWARD CAMPBELL
SCOTT A. CARLIN
SEAN M. CARPENTER
LIESL RADERER CARTER
RANDALL WILKINS CASON, JR.
JEANNETTE E. CLARK
IAN S. COOGAN
DAVID L. CORRICK
ANDREW A. CRUM

RICHARD A. DEEMER, JR.
MATTHEW CHRISTOPHER DIXON
XAVIAN L. DRAPER
BRIAN W. EDDY
MICHAEL H. EGBALIC
ANDREW J. EILER, JR.
MARGARET J. ELDER
DAVID W. ENFIELD
JASON W. EVENSON
SPIROS L. FAFALIOS
HEATH D. FOWLER
LONNIE GARRIS III
KENNETH L. GEILE
JAMES R. GRESIS
ANGELA GUNDERSEN
WILLIAM H. GUTERMUTH
LESLIE S. HADLEY
SHANNON D. HAILES
PETER J. HALL
JAMES L. HARTLE
WILLIAM L. HATZFELD
ANDREAS SIGMUND HAU
RICHARD M. HEASLIP
AARON J. HEICK
ASHLEY LEWIS HEYEN
BEBE D. HOLLINGSHEAD
JOE D. HOUK
BRENT A. HYDEN
MICHELLE K. IDLE
JOSEPH DANIEL JANIK
BRADY G. JOHNSON
JAY D. JOHNSON
DAVID LEE JONES
DEANNA L. KETTERER
THOMAS J. KLEMAS
ERIC T. KOS
ROBERT F. KUEHN
DAVID M. KURLE
ANDREA J. LA FORCE
ANDREW T. LYONS
SUSAN L. MAKI
SARAH W. MANGAHAS
CRISTIANO A. MARCHIORI
SHANE M. MATHERNE
MICHAEL B. MCCLANAHAN
MICHAEL T. MCGINLEY
ANDRE A. MCMILLIAN
JAMES GABRIEL MEAD
KATHRYN A. MERCER
MARVIN T. MERCIER
MATTHEW T. MUHA
STEPHEN J. NESTER
KARLA K. OCONNOR
JOSEPH R. ORCUTT
NEIL D. OTTO
STEPHANIE A. OUDING
DARREN A. PALADINO
KIRSTEN M. PALMER
MARLENA V. PARKER
NIKHIL S. PATEL
MELISSA K. PHILLIPS
TAMARA R. POHLE
SOLEIMAN RAHEL
KENNETH S. RATLIFF
MARK D. RICHEY
ARTHUR J. RODI
MICHAEL W. RYAN
REGINA A. SABRIC
RICHARD THOMAS SAUNDERS
JAMES C. SAVAGE
VANESSA E. SAVAS
LEAH C. SCHMIDT
EDWARD C. SEGURA
JASON E. SHROYER
DEAN D. SNIEGOWSKI
WILLIAM G. STEVENS II
KEVIN M. STEWART
MARK T. STEWART
JEFFERY T. STRICKER
NICLAS P. SZOKE
MICHAEL A. THOMAS
ROBERT W. VANHOY II
CHRISTOPHER A. VORSE
MATTHEW F. WADD
JENNIFER L. WALLER
ROBERT A. WIEMAN
JAMES C. WOOD
JENNIFER L. WRYNN
SAXON T. YANDELL
ARCHER M. YATES, JR.
CHRISTOPHER M. ZIDEK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

BRYAN M. BARROQUEIRO
RYAN P. CORRIGAN
ARNOLD R. DEASIS
DENNIS M. DUKE
DAVID I. FINK
JOSEPH MANNINO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

BRYAN M. DAVIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

TODD E. COMBS

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DAVID H. AAMIDOR
CHRISTIAN A. ABNEY
MARK A. ABOWD
KYLE R. ABRUZZESE
ERIC R. ACKLES
EMORY O. ADAMS
JEFFREY C. AGNEW
BRUCE E. AHO
DAVID P. ALLEN
KHRISTINA N. ALLEN
TIMOTHY L. ALVARADO
CHAD E. AMACKER
BRADEN I. AMIGO
BARRY G. AMMONS
ABRAHAM S. ANDERSON
JONATHAN G. ANDERSON
JONATHAN O. ANDRADE
ANTHONY E. ANDREWS
BRANDON C. ANDREWS
KEITH E. ANGWIN
VINCENT J. ANNUNZIATO
JEAN D. ARCHER
WILLIAM E. ARCHER
BRANDON J. ARCHULETA
JEREMY J. ARIAS
FRANK ARMESON
THOMAS D. ARNOLD
AMARA J. ATELLA
JOEL F. ATER
ARTHUR J. ATHENS
NATHAN B. AUBE
ANTWAN C. AUSTIN
JULIE V. AUSTIN
JOLENE M. AYRES
ALBERTO A. BAEZ
MATTHEW J. BAILEY
CHASE S. BAKER
TYLER D. BAKER
HICHAM F. BAKKAR
ASHER J. BALLEW
WALLACE W. BANDEFF
BRANDON M. BANGSBOLL
JOSEPH B. BARBER
NICOLE R. BARDWELL
NATHAN J. BARLOW
CHAD A. BARNES
JOHN D. BARRINGTON
NICHOLAS G. BARRY
ERIC M. BARTON
MATTHEW S. BAUER
LUTHUR A. BEAZLEY IV
ROBERT G. BECOTTE
ALEXANDER J. BEDARD
LLOYD E. BEDFORD III
JAMES H. BELINGA
JULIAN A. BENITEZPENUELAS
DEREK M. BENZ
JAY R. BERGER
JEFFREY L. G. BERNASCONI
JOSEPH BETZ
DAVID K. BHATTA
DANIELLE N. BIERING
BRIAN W. BIFULCO
JOHN S. BILAL
JENNIFER L. BLACKWELL
TIMOTHY R. BLAIR
ERIC L. BLEWETT
BILLY D. BLUE
CRAIG A. BONHAM
ANTHONY A. BOOHER
DAVID T. BOOKER
BENJAMIN N. BOOTH
TEDDY W. BORAWSKI
JOSHUA K. BORRELL
TIMOTHY L. BOSWELL
JOSHUA D. BOWNS
MICHAEL R. BRABENDER
WILLIAM H. BRADLEY
DANIEL P. BRADY
THOMAS J. BRAMANTI
WILLIAM A. BRANCH
DANIEL R. BRANER
MARK D. BRIDGES
ROBERT J. BRIGGS
KEVIN P. BRITT
WYATT A. BRITTEN
BENJAMIN S. BROBERG
SHELDON E. BROEDEL
DANIEL T. BROOKS
LATISHA M. BROOKS
OWEN M. BROOM
CONRAD C. BROWN
GLEN A. BROWN
MATTHEW R. BROWN
PAUL R. BROWN
WILLIAM A. BROWN IV
JONATHAN R. BROWNING
RYAN D. BRUNER
ADAM R. BUCHANAN
RODNEY J. BUNYAN
JOHN T. BURCH III
ROBERT M. BURNHAM III
BRIAN S. BURNS
JOHN P. BURNS
MATTHEW B. BURTON
NOAH E. B. BUSBEY
LUKE S. BUSHATZ
NEREA M. CAL
TRIVIUS G. CALDWELL
LUKE A. CALVERT
THOMAS S. CAMPBELL
TYJUAN J. CAMPBELL
RYAN D. CANNON
NICHOLAS J. CAPUTO
ZACHARY CARBONELL
KRISTINA A. CARNEY
CARL J. CAROFFINO
BEAU G. CARROLL
BRIAN A. CARROLL
JAMES R. CARROLL
JUSTIN R. CARTER
PATRICK T. CARUSO
MICHAEL P. CARVELLI
MICHAEL L. CASIANO
MARIA C. CASTILLO
VENANCIO O. CASTRO
ALAN C. CAUSEY
HARRY A. CENTENO
JUSTIN J. CHABALKO
DAVID D. CHAMBERLAIN
JOHN R. CHAMBERS
MICAH J. CHAPMAN
FECKER CHARLOT
BRANDON T. CHASE
JEFFREY W. CHASE
BRANDON M. CHENEY
BRETT H. CHERESKIN
JIM D. CHESHIER
PAUL P. CHEVAL
BENJAMIN A. CHOVANEC
ALEXANDER N. CHUNG
DAVID S. CLAMON
ADAM M. CLARK
JAMES R. CLEARY
SAM E. CLEGG III
LOGAN G. CLOANINGER
LEILA M. COCKEREL
JOAB H. COHE
ARI A. COHEN
KENNETH T. COLLINS
MELANIE D. COLLINS
CURBY A. COLVIN
JONATHAN K. COMBS
AUSTIN G. COMMONS
TIMOTHY D. CONLEY
NIGEL R. COOK
ALLEN M. COONES
RICHARD A. CORDERO
COLIN M. CORRIGAN
CHRISTOPHER M. COUCH
MATTHEW A. COYNE
ASHLEY L. CRAIG
BRENDAN M. CRANE
CHARLES C. CRAWFORD
PETER J. CRAWFORD
DAVID R. CRIGGER
JUSTIN M. CROWE
DANIEL B. CRUMBY
LAWRENCE M. CSASZAR
NICHOLAS C. CURRIE
DREW A. CURRISTON
GARY R. CUTLER, JR.
BRENT A. DALTON
DAVID N. DANFORD
QUYEN N. DANG
IANA J. DANIELS
RYAN K. DAVID
AIDA M. DAVIS
JASON C. M. DAVIS
JORDON S. DAVIS
JOSEPH R. DAVIS
JOSEPH W. DAVIS
CHRISTOPHER T. DAY
JOHN F. DEAL, JR.
RYAN J. DEBELTZ
KENT C. DEBENEDICTIS
JOSEPH M. DECHAUNY
ADAM J. DECKER
DAVID J. DEDERICH
ALEX J. DEEP
ZACHARY F. DEGROOT
ROSA A. DELANEY
JONATHAN M. DELL
AMANDA L. DELRE
PHILLIP M. DENKER
ZACHARY D. DENTON
JUSTIN A. DEPUE
JAISON D. DESAI
STEPHEN D. DEUBLE
PAMELA J. DEVILLE
JAMES P. DEVLIN
NATHAN C. DIAZ
LOGAN J. DICK
JONATHAN M. DOERSCH
FRANK A. DOLBERRY
CLAUDIA L. DONAHUE
MATHEW DONOFRIO
ANDRES R. DONOSO
MARK S. DORSEY
MATTHEW A. DOTSON
RYAN P. DOUGHERTY
AARON T. DOUTT
JAMES T. DOWELL
JEANPIERRE DRAGAN

ASHLEY L. DRAKE
DOUGLAS D. DROESCH
JUSTIN M. DUCOTE
JACOB D. DUDLEY
ALEX J. DUFFY
DONOVAN C. DUKE
RYAN M. DUNBAR
DAVID F. DUNHAM
ANTHONY R. DUNKIN
TERRENCE P. DUNN
JEREMY A. DUPLECHIN
JASON M. DYE
AUSTIN S. DZIENGELEWSKI
ANDREW S. EAGEN
RYAN J. EANDI
JONATHAN R. EASTER
CLINT T. EDWARDS
WILLIAM B. EDWARDS
ANDREW P. EGGERS
ANDREW H. EICKBUSH
MATTHEW G. EIDT
JAMES T. ELLIOTT
ERIC P. ELSENER
ROY E. EMERSON
BRADLEY M. ERICKSON
PEDRO A. ESCAMILLA
SCOTT D. ESHOM
NICHOLAS M. ESLINGER
ANTHONY W. EVANS
CHRISTOPHER A. EVANS
RICHARD W. EVANS, JR.
JENNIFER L. FALCETTO
BLAKE FALLER
PETER R. FARESE
THOMAS F. FEENEY
WILLIAM J. FEHRENBACH
SCOTT A. FENNELL
MICHAEL P. FERRITER
ELISE V. FFITCH
BRANDY L. FIELDS
JONATHAN D. FIETKAU
BENJAMIN J. FITTING
JOHN P. FLACH
TANNER N. FLECK
THOMAS C. FLOUNDERS
GARY P. FLOWERS II
JUSTIN R. FOLEY
ANDY K. FONG
TIMOTHY C. FORRY
JAMES R. FORSYTH
NATHANIEL I. FOUST
JOEL L. FRANCESCHI
KEVIN R. FRANKE
JASON E. FRANKLIN
RICHARD L. FRANKO
MICHAEL A. FRANSON
TRENTON L. FREEMAN
BRYAN D. FRENCH
ERIN S. FRITZLER
HAROLD G. FROST
ROBERT M. FULLERTON
JOEL D. FUNK
CHRISTOPHER T. GAGE
JEFFREY P. GAINES
JAMES D. GALLAGHER
CLINT R. GALLOWAY
BRIAN A. GALNEAU
TANNER C. GARRETT
DOMINIC V. GARRITANO
MICHAEL T. GASSER
CHRISTOPHER A. GEHRI
MATTHEW A. GEORGE
ERIC M. GIANNARIS
MATTHEW S. GIFFEN
KEITH L. GILBERT
SAMUEL S. GILSTRAP
NICOLE M. GIVENS
THOMAS A. GIVENS
SERGE GLUSHENKO
MATTHEW J. GOMOLL
JENNIFER L. GONSER
DANIEL I. GONZALEZ
ROBERTO GONZALEZ
JAMES M. GORMAN
RYAN W. GRAF
WILLIAM H. GRATZ
ROBERT B. GRAVES
DOUGLAS G. GRAY
MATTHEW L. GREEN
SETH M. GREEN
JONOTHAN D. GREENE
MATTHEW A. GREENWOOD
ALLEN T. GRIFFITH
ROLAND D. GRIFFITH
JEFFERSON T. GRIMES
CODY R. GRIMM
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SETH A. GULSBY
JENNY M. GUNDERSON
WILLIAM HACKENBRACHT
JONATHAN E. HAGEN
ASHLEY B. HAHN
ALEXANDER D. HAIN
COLLIN N. HAMEL
ANDERS C. HAMLIN
WILLIAM R. HANCOCK III
MICHAEL S. HANDLAN
CHRISTOPHER L. HANES
EMILY C. HANNENBERG
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DREW HANSON
SCOTT J. HARR
CLAUDIA H. HARRIS
LUCAS G. HARRIS
LARS E. HARSTAD
BENJAMIN W. HARTIG
BRIAN C. HARTIGAN
CHRISTOPHER A. HASKELL
KYLE J. HATZINGER
HUGH M. HAYDEN
JEFFREY R. HAYES
ISAAC J. HEDTKE
MICHAEL L. HEFTI
KENT R. HELLMAN
JORDAN M. HEMBREE
THOMAS E. HENDRIX
BRENDAN G. HERING
MARK A. HERLICK
THOMAS S. HERMAN
FRANCISCO M. HERNANDEZ
TRAVIS N. HERTLEIN
BRYAN C. HERZOG
MILES S. HIDALGO
JUSTIN V. HIGH
GREGORY G. HIGHSTROM
COREY D. HILL
EARL J. HILLIARD
MATTHEW G. HIPP
TIMOTHY J. HODGE
ERIC A. HOELSCHER
CHRISTIAN L. HOEMPLER
CHRISTOPHER S. HOFFMAN
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RACHEL E. HOFFMAN
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ANDREW K. HOLLER
MATTHEW J. HOLLER
RONALD Q. HOLMAN
BRADLEY J. HOLSINGER
KAROLINE M. M. HOOD
GREGORY C. HOPE
RONALD K. HOPKINS
BENJAMIN E. HORMANN
ANGELA N. HOUSTON
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DWIGHT D. HOWELL
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MARCUS W. JOHNSON
BRYAN D. JONES
CARLTON O. JONES
DARRELL C. JONES
JAMES E. JONES
TREVOR M. JONES
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GARVIS B. JOYNER
SEAN F. JUSTI
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THOMAS E. LANE
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DAVID L. LAWBURGH
KEVIN H. LAWHON
BENNY Y. M. LEE
LUCAS F. LEINBERGER
JOHN R. LEITCH
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JOSHUA M. LEONE
WILLIAM R. LESLEY
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HENRY S. LEUNG
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TALISHA M. LEWIS
MATTHEW S. LINTON
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SHAYNE W. LUNDY
MATTHEW C. LUYSTER
TRAVIS J. LYNCH
WILLIAM A. LYNCH
IAN L. MACHARRIE
MEGAN C. MACHIN
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BRETT A. MAGINNESS
RICHARD A. MAHN
DANIEL P. MAHONEY
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JAMES T. MCCABE
PETER M. MCCAIN
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TIMOTHY J. MCDONALD
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BRADLEY T. MCMASTER
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BRUCE W. MCPHERSON
NOAH L. MCQUEEN
ROBERT A. MCQUEEN
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LESLIE E. MELSON
HALEY E. MERCER
TROY D. MERKEL
PATRICK D. MERRISS
TYLER A. MERRITT
FRANCIS D. MESSINA
KYLE M. METZGER
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SEAN N. MILLER
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JAMES L. MITCHELL
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ANDREW S. MONROE

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CONCHO P. MOORE
KRISTY R. MOORE
OLIVER C. MOORE
RAMEY D. MOORE
STEPHEN M. MOORE
RAUL R. MORALES
CRAIG B. MOREHEAD
BRADFORD R. MORGAN
MARVIN C. MORGAN III
WILLIAM J. MORGAN
TODD A. MORI
CHRISTOPHER B. MORITZ
LENNOX G. MORRIS
ALISSA K. MORRISON
MICHAEL T. MORRISSEY
DOUGLAS L. MORTON
JEFFREY O. MOSS
MICHAEL A. MOUNCE
MICHAEL E. MUNROE
ROBERT L. MURRAY
RICHARD A. MYERS
BEHNAZ NABAVIAN
ANDREW M. NARCUM
FREDRICK O. NASH
MILES S. NASH
JAMIE L. NEELY
CRAIG J. NELSON
LINWOOD R. NELSON
SHERRIC D. NELSON
JEFFREY M. NEPHEW
BRANDON K. NEWKIRK
MICHAEL M. NGUYEN
MATTHEW B. NIAGRO
JONATHAN C. NIELSEN
JOHN M. NIMMONS
CHARLES F. NOBLE
NICHOLAS J. NORTON
JOSHUA M. OAKLEY
ELIZABETH M. OBRECHT
TIMOTHY J. OCONNOR
DOUGLAS N. ODERA
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DANIEL J. ODONNELL
PATRICIA J. OELSCHLAGER
LAZARO OLIVA
JEANETTE ONTIVEROS
JUDE C. ONWUANUMKPE
LEAH M. ORLOWSKI
DANIEL M. ORR
ETHAN P. ORR
SCOTT W. ORR
ERIC L. ORTIZ
BENJAMIN T. OSCHWALD
IAN P. OSULLIVAN
JOHN A. OTTINGER
WYATT C. OTTMAR
ROBBY R. OTWELL
NICOLAS G. OUIMET
DON C. PALERMO
DAVID C. PALMER
JOSEPH T. PAOLILLI
MAXWELL B. PAPPAS
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RYAN C. PARKER
ANDREW S. PARTIN
MICHAEL R. PASQUALE
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MICHAEL A. PATTI
MICHAEL PEREZ
DUSTIN F. PERKINS
ERIC S. PERKINS
STANLEY L. PETERS
THOMAS P. PETERS
BRIAN A. PETERSON
STEPHANIE L. PFEIFFER
JACOB M. PHILLIPS
JOSHUA J. PHILLIPS
DANIEL A. PICKETT
MARTIN H. PIECUCH
BRYAN P. PIERCE
ALLAN J. PITCHFORD
DANIEL S. PLILEY
NATHANIEL A. PLUNKETT
JAMES M. PLUTT
MICHAEL R. PODOJIL
KELLY M. POLASHENSKI
NATHAN K. POTOTSCHNIK
ADAM R. PRAY
KRISTEN M. PRESSLER
MATTHEW D. PRIDE
VERNON N. PRITCHARD
ELIOT S. PROCTOR
CLIFFORD A. PULLIG
STEVEN A. PYLES
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JUAN P. REMY
COLIN C. REUTINGER
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MICHAEL RICCITIELLO
BLAKE L. RICHTER
CHRISTOPHER M. RILEY
RICARDO X. RIVERA
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JASON E. ROBERTS
SIDNEY L. ROBERTS
COLIN E. ROBERTSON
JOHN W. ROBEY
ANDREW D. ROBINSON
SARAH E. ROBINSON
DANIEL J. ROBLEDO
CHASE L. ROE
THOMAS B. ROEDER
BRETT W. ROEDERER
KYLE F. ROGERS
SERGIO R. ROMEROCANAS
PATRICK R. ROOD
SAM J. ROSENBERG
ANDREW J. ROSSOW
CHRISTOPHER R. ROTTING
BRADLEY W. ROUSH
JESUS M. RUBIO
MATTHEW D. RUSSELL
JOSEPH P. RYAN
THOMAS R. RYAN, JR.
JONATHAN W. RYDER
BENJAMIN W. SAAD
THOMAS J. SACCHIERI III
MICHAEL D. SALAZAR
MIGUEL A. SANCHEZ
MITCHELL J. SANIK
OSVALDO R. SANTIAGOROSARIO
RACHEL R. SARVIS
COLIN M. SATTLER
JACOB B. SAUNDERS
MELISSA L. SAYERS
DREW A. SCHAUB
CHARLES W. SCHEIBE
JUSTIN J. SCHILTZ
ANDREW J. SCHLAF
THOMAS S. SCHLICHTER
ERIC S. SCHLIEBER
JONATHAN D. SCHMIDT
AARON T. SCHMUTZ
ERICH G. SCHNEE
CARL B. SCHREIER
KYLE W. SCHRIEFER
SHAWN R. SCHROEDER
ARIEL M. SCHUETZ
PHILLIP G. SCHUPP
ANDREW T. SCOTT
BENJAMIN S. SCOTT
JOHN A. SCOTT
MATHEW L. SCOTT
GARRETT M. SEARLE
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MALIK M. SHAHKARAM
DANIEL L. SHALCHI
PRANISH D. SHARMA
JOHN W. SHAW III
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AMIE E. SHOMETTE
TOMMY E. SIEKER
MARTIN N. SIGLI
JAMES A. SILSBY III
ADRIANA J. SILVA
ROBERTO A. SILVAS II
JAMES C. SIMMONS
CARL A. SIMONE
MATTHEW T. SKEEN
MICHAEL R. SKOK
JAMES D. SMALL
BRIAN C. SMITH
EDWARD M. SMITH
ERIC C. SMITH
ROBERT J. SMITH
RUSSELL B. SMITH
STEVEN J. SMITH
COLBY J. SMITHMEYER
JESE L. SNYDER
JOSHUA A. SNYDER
CHRISTOPHER SOOD
BISHOP J. SPARKS
GREGORY R. SPENCE
DAVID M. SPENCER
RICHARD T. SPOSITO
CHARLES A. STAAB
ERIK J. STANFIELD
SHAWN A. STANGLE
JEFFREY C. STAPLER
ROBERT D. STCLAIRE
JOSEPH P. STEADMAN
ERICH R. STEFFENS
NATHAN D. STEGER
ADAM W. STENBERG
GREGORY S. STERLEY
MICHAEL D. STEVENS
TIMOTHY J. STEVENS
ROBERT W. STILLINGS
STEPHEN S. STOCK
NATHAN E. STOCKTON
NICHOLAS J. STOUT
TIMOTHY A. STUDENT II
DON A. SULLIVAN
RYAN M. SULLIVAN
RYAN W. SULLIVAN
SHANE P. SULLIVAN
ANTON A. SWANSON
PHILIP C. SWINTEK
NICHOLAS S. TALLANT
TRENTON W. TALLEY
PATRICK R. TANNER
IBRAHIM O. TANTAWI
JAMES C. TAYLOR
ZACHARY L. TEGTMEIER
JAMES E. TENNER, JR.
BRENDON E. TERRY
MICHAEL S. THATCHER
DANIEL P. THOMAS
LEO R. THOMAS
COLIN B. THORNE
RICHARD D. TILLEY
JARED D. TOMBERLIN
MICHAEL C. TOMPKINS
DALE L. TRAKAS
MINH D. TRAN
DANIEL L. TREVINO
DAVID TRINH
ERIC V. TRIVETTE
NATHANIEL H. TUPPER
CAMERON P. TURNER
LANGSTON J. TURNER
ALEXANDER W. UROSEVICH
KRISTEN M. USNICK
KRISTOPHER B. VALENTI
MICHAEL J. VANKLEECK
JACOB D. VANKO
JAMES I. VANSANDT III
MICHAEL J. VANSTEENKISTE
RICHARD A. VARNER
DAVID A. VASQUEZ
TYLER F. VEST
MARK A. VIDOTTO
WILLIAM H. VIEGAS
BRENDAN P. WADSWORTH
RYAN N. WALLACE
BRANDON J. WALLER
JASON T. WALSH
JAMES D. WALTON
DEREK B. WAMSLEY
PHILIP R. WARD
CHATOM J. WARREN
RASHAUN D. WARREN
LERHONDA J. WASHINGTON
BENJAMIN L. WASHKOWIAK
MATTHEW G. WATSON
BENJAMIN J. WEAVER
ANDREW C. WEBB
CARL J. WEBER
MATTHEW R. WEISNER
ROBERT H. WELLS
KATHRYN A. WERBACK
THAD M. WESCOTT
AZIZI V. D. WESMILLER
BRIAN C. WHEAT
JOSHUA C. WHITE
MATTHEW R. WHITE
MITCHELL D. WHITE
JASON R. WIECZOREK
MICHAEL D. WIEHAGEN
AARON B. WILCOX
PETER R. WILCOX
PAUL G. WILKES
ROBERT T. WILKINS
ANTHONY L. WILLIAMS
AICHA D. WILLIAMSON
KYRA J. WILLYERD
BRIAN N. WILSON
CHARLES M. M. WILSON
JAMES C. WILSON
RICHARD S. WILSON
DEVLIN P. WINKELSTEIN
BRIAN W. WINTER
TODD J. WISMAN
JONATHAN G. WISSLER
EVAN L. WOLF
JASON R. WOLFE
MICHAEL A. WOODHOUSE
JEROME M. WOODLIN
JOSEPH T. WOODS
WILLIAM R. WREN
GILES H. WRIGHT
WILLIAM R. WRIGHT
CORY J. WROBLEWSKI
HOPE M. WROBLEWSKI
DAVID W. YI
GEORGE P. YOUNG
MEGAN E. YOUNG
NICHOLAS W. YOUNG
JOSE A. YRIGOLLEN
JEFFREY O. ZABALA
CHRISTOPHER J. ZAGURSKY
PAYE P. ZAWOLO
ALEXANDER M. ZERIO
HENRY S. ZHANG
KIERA K. ZIMMERMAN
JASON R. ZUNIGA
D010652
D012623
D011601
D012604
G010362
D010649
D012522

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

YONATAN S. ABEBIE
BENJAMIN C. ABLE
THEOPHILUS ABRAHAM
CHARLES C. ADAIR
SHEILA M. AGOSTO
DANIEL A. ALBERS
NICHOLAS L. ALBRIGHT
ROSSMARY D. ALVARADO
SCOTT R. ALVAREZ
ANDREW W. ANDERSEN
JAMES R. ANDERSEN
JAMES A. ANDERSON
JUSTIN N. ANDERSON
SAMUEL E. ANDERSON
JAMES T. ATKINSON, JR.
ALLEN A. AVERY, JR.
RACHELL H. BACA
SCOTT A. BAILEY
BENJAMIN P. BAKKEN
JOSHUA M. BAL
STEVEN C. BARNES
EUGENE M. BARTH
CHRISTOPHER D. BARTOK
JASON V. BASILIDES
CRAIG BATTLE
MATTHEW R. BEAUMONT
NICOLAS K. BECK
AMY M. BECKER
DONALD J. BELL
STEVEN J. BENEDETTI
JESSICA M. BENNING
MARK E. BERGMAN
DAVID S. BICKELL
BRIAN T. BILLINGSLEY
GREGORY A. BIRCH
ANTONIO L. BISBALCINTRON
TREVOR J. BLACK
CHRISTOPHER J. BLACKWELL
JEFFREY M. BLAKE
JANICE T. BLANE
PETER M. BOGART
RYAN C. BOILEAU
ANDREW E. BOORDA
JESSICA E. BOROWICZ
TIMOTHY M. BOUCHER
DEVLIN T. BOYTER
PAMELA L. BRACEY
JENNIFER A. BRAY
RICHARD R. BRENNAN
JENNIFER C. BREWSTER
ADAM C. BRINKMAN
SHANE L. L. BRIONES
MATTHEW A. BRITNELL
THEODOSIA R. BRITT
DELANEY P. BROWN
KEVIN A. BROWN
TRACY A. BROWN
PATRICK L. BRUNDAGE
THOMAS J. BRUNEAU
TODD A. BRYANT
GRANT W. BUBB
WILLIAM H. BURGDORF
MATTHEW R. BURMEISTER
SAMUEL M. BURNS
MICAH J. BUSHOUSE
JASON G. BUTTRAM
KELLY L. CALWAY
BREHIMA CAMARA
HERBERT C. CAMPBELL III
APRIL A. CAMPISE
DAVID S. CARMICHAEL
NATHAN A. CARY
LOUIS M. CASCINO
JOSEPH W. CATUDAL
ALVIN T. CAVALIER
CHRISTOPHER S. CHASE
KABA M. CHEGE
JEFFREY T. CHEMASKO
JAMES H. CHESTER
KYSEA L. CHESTNUT
STEVEN C. CHILTON
WEI C. CHOU
ANTHONY S. CHRISTMAS
JUN CHU
MARIBEL CISNEROS
ZACHARY W. CLELAND
CHRISTOPHER M. COATNEY
MATTHEW F. COHEN
BRANDON M. COLAS
GARY W. COLLIER
JAMES M. COMSTOCK
CHRISTOPHER W. CONLIN
SINDI A. CONNELL
CHARLES B. COOK
JUSTIN M. CORBETT
BRIAN P. COTTER
REGINALD L. COTTON
ROBERT K. COWART
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LEAH C. CRAINE
JEREMY C. CRALLIE
CHRISTOPHER J. CRAMER
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KENNETH B. CRESS
DANA M. CRIGGER
JOHN D. CRUMPACKER
ROWELL J. A. CUSTODIO
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BRYAN D. DEAUBLER
JUSTIN D. DECKER
WENDY M. DELACRUZ
DAVID R. DELAVEGA
CHRISTOPHER Y. DELEW
ROMELO L. DELOSSANTOS
PAUL T. DEMING
MATTHEW F. DESABIO
DAVID T. DEVIESE
PABLO B. DIAZ
TANIA P. DONOVAN
GARFIELD D. DOUSE
JERRY V. DREW
VINCENT A. DUENAS
DAVID A. DUNN
THOMAS A. DYRENFORTH
EKZHIN EAR
CHEKESHA A. EGGLESTON
KEITH D. EISENBERGER, JR.
SAMER E. ELAKKAD
BENJAMIN J. ELLIOTT
MICAELA A. ENCARNACION
MATTHEW J. ENGELHARDT
STEVEN M. EQUILS
BRETT R. ERICKSON
KENT A. EVERETTE
MICHAEL E. FALLS
AILEEN E. FARRELL
EDDY M. FAZALDIN
BRADLEY S. FEES
XAVIER T. FELDMAN
GREGORY C. FISHER
MEAGAN K. FLOREA
STEPHANIE K. FLOWERS
CRYSTAL A. FLOYD
ERIC J. FRANCIS
JOHN F. FRANK
ORLANDO W. FRASER
BRYEN C. FREIGO
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RAOUL C. FRUTO
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CASEY M. FULTON
HUNTER A. GALLACHER
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BRETT C. GORDON
DAVID M. GRANZOW
MICHAEL C. GRIECO
BENJAMIN S. GRIFFIN
LINDA F. GRIGGS
KEVIN J. GRILO
OKSANA GRISKO
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ANAMARIA HARTWIG
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DANIEL R. HENDERSON
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KATHRYN L. HILLEGASS
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COREY T. HOLZER
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TERRY M. HORNER
ANDREW H. HORSFALL
JOE C. HOWARD
JOHN C. HOYT
THOMAS J. HUDAK
KEITH W. HUMBARD
STEPHEN G. HUMMEL
NATHAN L. HUNTER
MICHAEL W. HUNTINGTON
PETER S. W. HWANG
ZACHARY E. IIAMS
CURTIS I. IVINS
MEGAN L. JANTOS
ALEXANDER L. JEHLE
LACEY A. JOHNSON
LEONARD M. JOYNER II
ROBERT KANG
ROSS M. KASTNER
ALEXANDER L. KEDROWITSCH
ERIC E. KELLY
NEIL E. KESTER
JAMES E. KIM
CURTIS L. KIMBRELL
ALICIA E. KING
KENNETH T. KING
KURT M. KLINGENSMITH
DAVID M. KNOX
MATTHEW J. KUHLMAN
ANDRZEJ V. KUJAWSKI
FADJI K. KUMAPLEY
JOSEPH K. KYSER
ALEXANDER V. LAMOLINARA
JOHN B. LAMONT III
COLIN J. LASATER
JACOB W. LAWRENCE
JAMES A. LAX
JACKSON LEE
JOSHUA J. LEE
MICHAEL N. K. LEE
NICHOLAS L. LEE
MARYA J. LEONG
DAVID M. LISOVICH
MICHAEL E. LITTLE
JOSE L. LIY
JENNIFER A. LONG
CHAD R. LORENZ
JONATHAN M. LOVELACE
TROY A. LOVELY
GABRIEL A. LUCERO
GREGORY L. LUDEMAN
JUAN D. MAGRI
JAMES F. MALLOY II
MATTHEW W. MANESS
JOHN V. MARICEVIC
CHRISTOPHER E. MARION
ELIZABETH M. MARLIN
ROBERT D. MARTINDILL
QUINCY MAYS
MARIAH A. MCCALLUM
HEATHER L. MCCLELLAN
IAN M. MCCORMACK
SAMUEL P. MCDOWELL
MICHEAL J. MCGATH
STEWART A. MCGURK
KENT W. MCINNIS
SEAN R. MCMAHON
CHARLES L. MCMILLIAN
JACK E. MCMURROUGH, JR.
MARK R. MEDLOCK
SELINA A. MEINERS
DENNIS N. MERCADO
KAINE A. MESHKIN
ALAN T. MESKIL
LEANDER A. METCALF
JUSTIN T. MILLER
PEDER C. MILLER
JEFFREY P. MILLS
JAMES D. MOFFITT, JR.
JOSHUA J. MOLGAARD
MATTHEW J. MOLINO
DIONTANESE Y. MONROE
RUTHANN L. MORGAN
CARRIEN S. MOTTE
CHRISTOPHER A. MULLER
PATRICK C. MULLOY
RANDAL W. MYERS
JENNIFER J. NAM
BRIAN C. NICKLAS
CHINEDU J. NJOKU
PATRICK J. NORDAHL
WILLIAM K. NORTH
NADIR R. NUMAN
JOSHUA N. NUNALLY
ROBERT J. NUSSBAUMER
NATHAN A. OBERMEYER
NATHAN D. OLIN
ERIC W. OLSON
RANDY E. PACE
ROBERT L. PAGE
ALLISON Y. Y. PAN
JOSEPH J. PANETTA
DEREK A. PARNELL
JEREMY E. PARR
JOSHUA B. PARRISH
WILLIAM B. PARSONS, JR.
SCOTT M. PASTOR
NICHOLAS R. PAUL
JOSEPH M. PEDERSEN
CLIFFORD C. PEDERSON
TRINITY T. PETERSON
SCOTT L. PIELUSZCZAK
SUMATTHANA D. PITTMAN
AARON J. PLUTO
MARVIN E. POLK
STEPHEN L. PRATER
MICHAEL E. PREMONT
MARNI E. PRENELL
ROBERT J. PRESCOTT
NICOLE L. PROTZ
EDWIN QUILES
BJORN S. QUIROGA
LEOPELE S. RAABE
JUAN C. RAMOS
DANIELLE E. REDMON
ANDREW K. REMBER
ERIC G. REMPFER
CHRISTOPHER A. RENOLL
JAMES T. REYNOLDS
OLEGARIO REYNOSO
JONATHAN P. RHODES
MICHAEL D. RILEY
CESAR E. RIVERA
ZULEIKA M. RIVERA
DANIEL S. ROBINSON
CALVIN P. ROE II
TANYA J. ROMAN
NADIA L. ROMERO

BRIAN H. ROOT
MAX R. ROVZAR
DIAZ A. B. RUBY
JOEL M. R. SABELLA
MELISSA C. SALAMANCA
ANITA M. SCATTONEFRADY
BRIAN M. SCHULTZ
PAUL H. SCHUMACHER
JOSEPH J. SCHWENDEMANN
TENNILLE W. SCOTT
JACINTO G. SERNA
CHRISTOPHER J. SHAFER
RICHARD L. SHARP
WILLIAM D. SHARPE
NICHOLAS R. SHAW
CHRISTINE L. SHEEHAN
JACOB T. SHEEHAN
DON D. SHEPPARD, JR.
LUKE T. SHIBILSKI
MATTHEW H. SHOENFELT
DENNIS E. SIDRE II
ERIK W. SIMONSON
DAVID D. SINCLAIR
JESSE A. SLADEK
JOSHUA D. SLATTERY
RYAN F. SLOCUM
MATTHEW A. SMALLEY
BENJIMAN A. SMITH
BRIAN W. SMITH
BRYAN C. SMITH
CHRISTOPHER R. SMITH
MATTHEW D. SMITH
NICOLAS R. SNYDER
JASON L. SONG
STEVEN C. SONG
NATHANIEL R. SPARKS
EMMA A. SPARKSHEDMAN
TIMOTHY A. SPEACE
ADAM M. SPERRY
JAMES D. SPILLMAN
JEREMY A. SPRUCE
JONATHAN E. STAFFORD
THOMAS L. STALL
LESLIE A. STANFIELD
ROCK A. STEVENS
BRIAN J. STOFFER
CRIS A. STREETZEL
TYRONE E. STREIFEL
KIRMANIE G. STUART
WENDY A. STULL
CHRISTINE L. SULENTIC
MARGARET A. SYTSMA
RAFAL B. SZELAGOWSKI
RICHARD I. TANG
HAROLD A. TATE
DIANNA V. TAYLOR
JUSTIN E. THAMES
JOY L. THOMAS
GARWAY THOMASJOHNSON
ANA P. THOMPSON
JUSTIN A. THOMPSON
KRYSTAL J. THOMPSON
HARRY F. THOMS
CHRISTOPHER D. THORNTON
AARON A. THURMAN
LAWRENCE M. TOBIN, JR.
AUREL D. TODORESCU
RICHARD B. TOLAND, JR.
JOSHUA J. TOMPKINS
MARISOL M. TORRES
DANIEL M. TREVINO
ALICEMARY TRIVETTE
VIKTOR T. TSUBER
DANIEL J. TUCKER
JOSEPH A. TURNER
JOHN E. TWITTY, JR.
ANDREW J. UNDERWOOD
RUBEN A. VALENZUELA
MICHAEL D. VALLETTA
KURT E. VANSLOOTEN
MATTHEW B. VANSTAVERN
MATTHEW D. VANWINKLE
BRIAN N. VEGA
DAVID H. VONBARGEN
JASMINE D. WALKER
LATOSHA L. WALKER
NOA V. WALKER
NICHOLAS R. WALL
STUART P. WARDERS
SCOTT D. WARNKE
DARRYL T. WASHINGTON
STEPHANIE M. WENTZ
JONATHAN M. WERTZ
MATTHEW S. WEST
GEORGIANA L. WHITE
WENDY R. WILDER
JOHN G. WILDT
CRYSTAL M. WILHITE
GISELLE M. WILLIAMS
ROBERT A. WILLIAMS
TERRILYN A. WILLIAMS
MATTHEW T. WILLIAMSON
PHILIP J. WINGO
JILLIAN M. WISNIEWSKI
ALYSSA J. WOOD
BENJAMIN W. WOODS
CAMERON A. WRIGHT
SANG M. YIM
JONATHAN P. YUDT
MARY J. ZARLENGA
BRIAN M. ZENO
PETER T. ZIMMERMAN
ANDREW J. ZISKIN
NICHOLAS R. ZUCK
D011952
D001853
G010338
D010956
D012494
G010337
G010278
G010295
D011389
D012295
G010288
D011475
D012158

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

PETER J. KOCH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DEREK P. JONES
PATRICK E. PROCTOR
WILLIAM J. RICE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL S. ABBOTT
RAFAEL R. ACEVEDO
MATEO K. R. ACOSTA
FRANK L. ADAMS
AKUATHAYRE A. ADJEPONG
MARIA A. ALCALA
ROBERT B. ALEXANDER
GREGORY E. ALLEN
ERIK A. AMSTUTZ
ANGELA M. ANDERSON
JESSICA S. ARMSTRONG
CARLOS G. ARRIAZA
NYRALIZ AVILA
ANN L. AYERS
ERIC D. BACA
TIMMY R. BARCUS, JR.
KELSEY M. BARLEY
TRAVIS J. BASSETT
SPENCER C. BEATTY
JASON M. BEHLER
MICHAEL D. BELL
REGINALD K. BENNETT
JAMES P. BERTOLINO
JOHN M. BIDWELL, JR.
PAULA P. BIRCH
JONATHAN BLANDING
JASON M. BOST
JILLIAN R. BOURQUE
JUSTIN N. BOWMAN
PATRICK S. BOYD
MICHAEL P. BRABNER
CATORY D. BRADLEY
JACOB M. BRADY
BENJAMIN D. BRONKEMA
MARION A. BROOKSHOOKER
DANIEL R. BROWN
JESSICA L. BROWN
WESLEY A. BROWN
MIANAH A. BURDIN
CHRISTOPHER W. BUSSE
LAUREN A. CABRAL
HANNAH K. CALDWELL
JULIE A. CAMPBELL
MICHAEL A. CANUPSUAREZ
ANTHONY S. CARISTI
NICHOLAS J. CARLTON
FRANKLIN B. CARR
JERAD L. CASIAS
RONALD C. CASPER
VINCENT CERCHIONE
RAFAEL CHAGOLLA
JEFFERY B. CHERRY
EUGENE CHOI
JAY M. CHUNG
STEPHEN M. COLEY
JAMES R. COLLARD
CARLOS E. COMASHORTA
KEVIN M. COOK
LOUIS L. COOK
PEDRO J. COSTAS
BRADLEY COULE
BRIAN T. COVERT
PATRICIA L. CRAFT
LIANNA M. CRAWFORD
JASON B. CROSS
ABRA R. CROSTHWAITE
CAROLINA CRUZ
RAVI N. CRUZ
JOSEPH D. DACUS
ADAM J. DAINO
DAVID A. DANIELS
BRYON C. DARLING
WESLEY A. DAVIS
MARSHAN DAYMON
THOMAS A. DEAN
KIMBERLY N. DEFOUR
DAVID J. DELASSUS
JEFFREY L. DELP
MICHAEL R. DEMBECK
MICHAEL E. DEMICHIEI
LUKASZ DERDA
KEITH A. DESILVA
BRIAN D. DIERCKS
LEISA A. DIXON
ROGER A. DOMINIQUE
SEAN W. DONAHOE
COMARO J. DOUGLAS
CHARLES R. DRUCKER
SEAN P. DUNSTAN
ADAM J. DYET
BRANDON S. EBEL
JEREMY R. ECKEL
MATTHEW T. EINHORN
BEATRICE R. ELAM
ADAM T. ELLISON
SOPHIA L. ESTRADA
ANDREW J. FAIR
CRAIG A. FALK
JEROD J. FARKAS
GREGORY H. FASSETT
MATTHEW D. FERRETTI
DAVID S. FERSTL
TIMOTHY P. FITZGERALD
MICHAEL W. FLINT
DUSTIN W. FLOWERS
JONATHAN A. FORONDA
RAYGAN C. FRANCE
BRYAN T. FRENCH
GEORGE A. FRUTH
TYCHZETTE N. FRYER
MARY K. FULLENKAMP
NICHOLAS R. GAUVIN
JEFFEREY V. GERACI
STEPHEN D. GERRY
REGINALD J. GHOLSTON
TESSHA L. GIAMMONA
RYAN M. GLIELMI
EVAN K. GODDERZ
JASON M. GOLDSTEIN
PHILIP J. GRANADOS
ANDREA M. GREEN
KATRINA B. GRIMES
MARGIE J. GRINES
JAMES C. GRYMES
CLINT L. GUDAN, JR.
TIMOTHY T. HALL
WILLIAM R. HALL
MICHAEL W. HALTER
LAURA A. HAMILTON
AARON J. HARLESS
LARRY A. HARMON
BRANDON L. HARPER
ALPHONSO P. HARRELL
TONETTA M. HARRIS
JONATHAN D. HARVEY
MARQUESSA L. HARVEY
GENEVIEVE B. HAYES
MATTHEW J. HEISS
TABITHA L. F. HERNANDEZ
SUZE HEROLD
JOSEPH W. HERON
ROSS M. HERTLEIN
ELAINA R. HILL
RYAN E. HILL
JASON F. HINDS
STEVEN M. HOAK
MITCHELL C. HOCKENBURY
ADAM M. HODGES
TAUARA HODO
CLINTON L. HOPKINS
ANDREW S. HORN
LAURA E. HOUSE
NATHALIA C. HOWARDMORENO
JASON L. HOWELL
ROBERT T. HRUSKA
JED W. HUDSON
MICHAEL L. HUDSON
RYAN T. HUGHES
MITCHELL T. HUNT
BRIAN J. HUTCHINSON
JOSEPH R. IRWIN
ALEXIS D. JACKSON
JASMINE S. JALLAH
KENNA T. JAMES
PAUL L. JANKER
BOBBY J. JEFFORDS, JR.
LARRY W. JEWETT
CHRISTOPHER P. JOHNSON
TANESHIA R. JOHNSON
BRIAN C. JONES
CHARLIE R. JONES
CHRISTOPHER B. JONES
THOMAS A. JONES
JONATHAN J. KALCZYNSKI
ELIJAH T. KANG
BRIAN C. KARHOFF
ELSA J. KARMAN
ADAM D. KATZ
MICHELLE L. KELLY
ELIZABETH C. KENT
SALEEM A. KHAN
PATRICK Y. KIM
DANIEL D. KING
DAVID A. KLINE
MICHAEL T. KNUCHEL
WON J. KO
TIMOTHY R. KOENIG
SCOTT J. KORITZ

SIMEAMAT KRUSETAYLORGARCIA
JOHN P. KURTZWEIL
MARY R. B. LADIERO
JOSEPHINE E. LADNIER
CHRISTOPHER T. LAMAR
JAMES S. LAWSON
JOSEPH W. LEAP
WESLEY J. LEWIS
JULIA LIM
TIMOTHY W. LOHSE
CHRISTOPHER S. LUCAS
AUSTIN W. LUHER
DERRICK L. LYLES
LOGAN MAIER
LINDSAY S. MAPLES
MARK MARTINEZ
RICHARD MARTINEZ
KEVIN M. MATHENY
JESSICA M. MCCARTHY
ERIKSON A. MCCLEARY
ROBERT P. MCCLELLAND
TRAVIS J. MCCRACKEN
MICHAEL B. MCDANIEL
RYAN E. MCDONALD
OMAR L. MCKEN
JEREMY T. MCNEIL
JASON G. MCPHEE
FREDERICK D. MEEKS
SARA E. MEYER
MICHAEL R. MEYERS
CARL S. MILLER
LAUREL R. MILLER
MILES D. H. MILLER
CHRISTOPHER P. MITCHUM
STEVEN D. MOEBES
SHEILA M. MOFFETT
CHAROKEE M. MOLINA
KEVIN L. MONTGOMERY, JR.
MARK R. MOORE
MARIO MORENO
YOLANDA L. MORGAN
JOHN D. MOSBY, JR.
JOHN E. MOSSMAN
ROBERT S. MURPHY
ELLEN G. MURRAY
JONATHAN C. NAGLE
BENJAMIN T. NAKAMURA
JONATHAN K. NEAL
TRAVIS A. NEDDERSEN
ERIC S. NELSON
STEPHEN J. NEVES
HUE N. NGUYEN
SEAN A. NICE
CHASE E. OCHOA
PATRICK C. ODONNELL
WESLEY R. OGDEN
ROHAN R. OLDACRE
DEVETTE M. OLDS
RYAN E. OLIVER
BRANDON T. OLSON
SHAWN T. ORSKOG
KIMBERLY R. OSORIOTORRES
MIHAILS OVSIJENKO
JUNG W. PAK
PHILLIP PALOMO II
VERNIE Y. PARAM
THORIN A. PARRIS
JOHN M. PAUL
CALLEA M. PAVELKA
KRYSTLE G. PENAHERRERA
LUIS E. PERDOMO
MARC D. PETERMAN
CARSON A. PETRY
AUBRIE A. PFEIFFERSMITH
ADAM R. PHEARSDORF
JASON D. PHILLIPS
MICHAEL R. PINTER
REBECCA G. PINYAN
NATHAN D. PLATZ
ERIC S. PREDMORE
JEREMY C. RAGAN
JACQUELINE S. RALSTON
BRIAN L. RAMIREZ
JONATHON D. REAMS
HOWARD W. REARDON
BYRON O. REBURN
RYAN R. RESSLER
CORREY W. RETZLOFF
KENNETH REYES
BRIAN C. RIESER
ASHLEY M. RITCHEY
EDUARDO L. RIVERA
MARCUS A. RIVERS
WANDLYN D. ROBINSON
AARON A. ROGERS
MIGUEL A. ROSARIO
NINOTCHKA ROSAS HERNANDEZ
ROBERT L. ROWLAND, JR.
TREVOR D. ROWLANDS
KRAIG A. G. ROXBERRY
ADAM D. RUNION
CHRISTOPHER J. SADOSKI
JOYCE H. SARAOS
JONATHAN D. SAUER
WILLIAM B. SCHREINER
JADORE M. SCOVELL
RICHARD A. SCRIMA
JAMES J. SEALE
JAMES C. SEALOCK
TIMOTHY C. SECHRIST
QUAMMIE J. SEMPER
STEPHEN S. SETTEMBRE
MICHAEL J. SIDDALL
KORAK R. SIMMONS
MICHAEL C. SIMMONS
IAASAC A. SIMPSON
KEN E. W. SMITH
JULIE L. SNYDER
JONATHAN W. SOHL
KEVIN E. SOLOMON
ANGELA P. SOMNUK
DAREN B. SOTILLEO
BENJAMIN L. SOURIALL
BRANDON M. STALDING
ERIC M. STANGLE
RAYMOND E. STAPLETON
JENNIFER M. STARNES
JOHN M. STEINER
SCOTT L. STEPHENS
RYAN T. STEUER
CHAD M. STORMOEN
ADAM C. STOVER
DAVID A. STRAHL
KEVIN P. STRAMARA
MARTHA L. SUAREZ
SEAN L. SUMMERS
KELLY R. SVARSTAD
FRANK R. TALBERT
JONATHAN J. TALIS
IVAN R. TAPIA
MONTE L. TARTT
STEVEN C. TAYLOR
TONY T. TAYLOR
WILLIAM L. TAYLOR
BRIAN E. THOMPSON
JOHN M. THOMPSON
RICHARD D. THOMPSON
SARAH J. THOMPSON
MICHAEL N. TIFFANY
LINDSEY N. TRAVIS
ROBERT F. TURNER
JOSHUA UNVERZAGT
THOMAS L. VAIL
ZACHARY G. VALENTINE
JEREMIA M. VAN
STEVEN G. VANDEZANDE
PETER J. VANHOWE
DANIEL W. VARLEY
JON B. VAUGHAN
AMANDA S. VELA
BRENDA S. VIANNA
JASON J. VIVIAN
JACOB H. WADE
MICHAEL S. WALTER
JONATHAN M. WATSON
LATRICE L. WATSON
MICHAEL J. WEBB
TAKASHIA M. WELCH
BRICE R. WESTHOVEN
JAMES E. WHEELER
ANDREW C. WHITLEY
TRENTON P. WILHITE
TERENCE J. WILKIN
ALEXANDER WILKINS
CECILE Y. WILLIAMS
ERIC B. WILLIAMS
JOSEPH J. WILLIAMS
MICHAEL M. WILLIAMS
NATOSHIA L. WILLIAMS
RAYMOND E. WILLSON
ISAAC J. WISNIEWSKI
ROBERT J. WOLFE
ALAN K. WOOD
GREGORY WOOTEN, JR.
BRADLEY A. WRIGHT
DAVID E. WYCHE
DOUGLAS E. YODER
EDGAR A. YU
MICHAEL W. ZDROJESKY
BRADLEY A. ZIELINSKI
D006692
D012584
D012291
D011609

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DENNY L. WINNINGHAM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES ARMY AND AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

To be colonel

JOHN C. BASKERVILLE

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

WILLIAM T. HENNESSY
CHRISTIAN M. KELLEY
JAMES R. LENARD

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203(A):

To be captain

JENNIFER K. GRZELAK
ANDREW R. SHEFFIELD

CONFIRMATIONS

Executive nominations confirmed by the Senate December 14, 2015:

DEPARTMENT OF DEFENSE

ALISSA M. STARZAK, OF NEW YORK, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE ARMY.

JOHN CONGER, OF MARYLAND, TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE.

STEPHEN P. WELBY, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

FRANKLIN R. PARKER, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF THE NAVY.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, December 15, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 16

2 p.m.
Commission on Security and Cooperation in Europe
To hold hearings to examine Azerbaijan's persecution of Radio Free Europe/Radio Liberty reporter Khadija Ismayilova.
2200–RHOB

2:30 p.m.
Committee on Foreign Relations
To hold hearings to examine the Administration's strategy in Afghanistan.
SD–419

DECEMBER 17

9:30 a.m.
Committee on Foreign Relations
To hold hearings to examine the status of Joint Comprehensive Plan of Action implementation and related issues.
SD–419

2:30 p.m.
Select Committee on Intelligence
To receive a closed briefing on certain intelligence matters.
SH–219

JANUARY 20

2:30 p.m.
Committee on Armed Services
Subcommittee on Readiness and Management Support
To hold an oversight hearing to examine Task Force for Business and Stability Operations projects in Afghanistan.
SR–232A

SENATE—*Tuesday, December 15, 2015*

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, thank You for listening to our prayers. May our lawmakers use fervent prayer to solve problems and to experience Your wonderful peace. Help the citizens of this land to join our Senators in using intercession to bring healing to our Nation and world.

Lord, thank You for Your promise that if we call You when facing trouble, You will deliver us. Lift the light of Your countenance upon our Nation and world, O Lord, and let Your will be done. Let there be peace on Earth, and let it begin in each of our hearts. Give us minds that are wise with wisdom, hearts that are warm with faith, and lips that are eloquent with truth.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

APPROPRIATIONS AND TAX RELIEF NEGOTIATIONS

Mr. MCCONNELL. Mr. President, as of this morning we know that committees and Members from both sides are continuing to make important progress in the ongoing fiscal negotiations. That is true on the appropriations side, and it is also true on the tax relief side.

This doesn't mean negotiators have surmounted every obstacle, but it does offer an unmistakable sign of forward momentum. Negotiators are working toward filing legislation today and expect to do so. Many will find that encouraging. For my part, I will continue engaging and consulting colleagues as events move forward.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

OMNIBUS AND TAX EXTENDERS NEGOTIATIONS

Mr. REID. Mr. President, as my friend, the Republican leader, stated, we are continuing to work toward a bipartisan compromise on the omnibus and tax extenders legislation. I have worked hard—we have all worked hard—to get to yes on this massive undertaking, this huge appropriations bill and this big tax bill. I have been involved on a personal basis in every twist and turn of the way.

I want to say a word about the status. We all know that this agreement is not completed, but I have been so impressed with the endurance and the massive amount of experience that these men and women have—both Democrats and Republicans. Senator MCCONNELL and I had an event last week. We sat next to one another. I sent him a note about how impressed I was with one of his staff people who is working intimately with one of mine.

So I want to tell all the staff in all these buildings here on Capitol Hill who have been working on this night and day how much I appreciate their hard work and how the American people are so fortunate to have these good men and women working on their behalf. We find that most everyone engaged and working here on Capitol Hill are not involved for the money. They are involved because they want to do something to help change policy and to try to do what they can to be involved in what goes on in this great country. So I appreciate all they have done to this point.

I think we have done a good job as responsible legislators, working to find common ground and strike a balance that can pass Congress and be signed into law by the President. But it is time for a reality check on where we stand on things.

An agreement could be filed right now that covers most everything that we have discussed and would keep the government funded fully for a year. At this point, the only major outstanding issue is Republicans' insistence on raising the export ban on crude oil.

We have made very clear to Republicans that if they insist on including the oil export ban, there must be included in this robust policies to reduce our carbon emissions and encourage the use of renewable energy. So for the past many days I have worked hard—as a number of others have—to strike the right balance. We have made multiple offers to Republicans that were certainly doable, reasonable, and all Republicans had to do was say yes. Saying yes to any of the offers we put on the table dealing with renewables over the past few days—especially the last 3 days—the ink would be dry, the entire package would be filed, and we would be moving ahead on the floor. I made it very clear to my Republican colleagues that there are offers out there that have been unanswered, and I hope they are answered very quickly.

I have appreciated getting to know the Speaker better than I did before. I found him to be available and someone who understands the policy, and I am encouraged that last night he said when he had his teleconference with all of his Members that he thought we were going to have a deal completed. I hope that in fact is the case.

Republicans can take yes for an answer. That is all they have to do. But Congress is now faced with two clear paths forward. The first is very simple: Pair the oil export ban with much needed policies to reduce our carbon emissions and build more renewable energy. The second path is that we move ahead on the government funding bill and tax package without the package of oil and renewable policies. That would not be my first preference, but we would have to live with it.

We don't have the legislative language yet on the tax package. This isn't pointing fingers at anyone adversely. It is simply the fact that we need to get this done. We don't have the legislative language done yet. At this pace, we are going to be here through Christmas. We need to get that done now.

So these are the two choices. Either path forward will keep the government open and funded. I certainly hope so. Republicans must decide which they prefer.

If Republicans think reducing our carbon emissions and encouraging the use of renewable energy is an unacceptable price to pay, we can move the rest of the package without the oil export ban, but we need not delay anymore. There is no reason to delay any further.

So I say to everyone who is listening here this morning: It is decision time.

Mr. President, would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be

in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MARKETPLACE FAIRNESS ACT

Mr. DURBIN. Mr. President, 2 years ago Members of the Senate did something that doesn't happen very often. We broke through the gridlock and came together to pass meaningful bipartisan legislation that was called the Marketplace Fairness Act. Senator MIKE ENZI, a Republican from Wyoming, has been the leader on this issue from the start. Senator LAMAR ALEXANDER, a Republican from Tennessee, has been an invaluable ally. Senator HEIDI HEITKAMP, a relatively new Member of the Senate but a person with extraordinary knowledge of this field, joined me and 65 others to pass legislation that would level the playing field for Main Street businesses all across America and allow States and localities to collect sales and use taxes that are already owed under the law.

Since that time—that glorious time 2 years ago—what has happened? Nothing—the bill passed the Senate, went to the House, and disappeared.

In the face of this obstruction, a bipartisan group of Senators have said we will oppose any long-term extension of legislation that would take away a State's right to collect taxes on accessing the Internet unless we give States the ability to collect taxes on Internet sales that are already owed.

The Internet Tax Freedom Act is a law which is going to expire with the continuing resolution—which I would support—and it says that States and localities cannot impose a tax on access to the Internet. I think that is sound policy. But what we are asking in return is to allow those who use the Internet to make retail purchases to pay the sales taxes they already owe for their purchases. It is that simple. It is not fair to tie the hands of States and localities to collect the revenue they need to fund law enforcement, public schools, infrastructure, and other vital services without providing a path for States and localities to replace the revenue if they choose.

The Marketplace Fairness Act levels the playing field for retailers by allowing States to treat all retailers—whether it is a brick-and-mortar store or online—the same when it comes to collecting sales and use taxes. It is not a new tax. We are talking about existing taxes and their collection. In Illinois we have a quaint way of dealing with this. I recall a few years ago, when I was doing my State income tax returns, the bookkeeper called and said: Do you want to declare your Internet purchases and pay the sales taxes you owe? I said: Of course I want to pay the taxes I owe. How do you do that?

Well, you declare them on your State income tax return in Illinois. There is no proof. It is your word, and the fact that you sign is what the State goes by. I estimated my Internet purchases that had not been subject to sales tax and paid the appropriate tax in Illinois. It turns out that very few people in my State who actually do make retail purchases over the Internet pay this tax. We are trying to change that. The change is very simple: If you are an Internet retailer, such as Amazon—the largest in the United States—and I make a purchase for the holidays and I declare my ZIP Code at the end of my address, Amazon then knows by my ZIP Code how much to be collected in sales tax. They assess me that with the purchase, take that amount and send it back to the Illinois Department of Revenue for distribution. It is so simple that there is basic software available, at a very modest cost, that any retailer can use to make that same calculation. There is nothing exotic or difficult in the process, but that is what is missing.

Amazon—I use them as an example—actually collects sales tax, and they support our marketplace fairness bill, as do many other Internet retailers. The difficulty we have run into, though, is there is a resistance to giving fairer treatment to stores across America that are collecting sales taxes every day against retailers on the Internet that may or may not collect those taxes themselves.

What difference does it make? I have talked to some of the people who run big chain stores, and they say it has reached a point that something has to be done. Consumers come into a store, a major store, and they ask to see certain products—running shoes, bicycles, flat-screen TVs. They pick the one they like the best, write down all the information about it, and they are never seen again. Some of them do have the nerve to return at a later date when they make their purchase over the Internet to the bricks-and-mortar store when they are dissatisfied with the product. Of course the bricks and mortar store had nothing to do with the sale of the product. They are being asked to provide some consumer relations on a product they didn't even sell.

What is happening? Take a look at the last Thanksgiving holiday weekend—one of the biggest retail weekends of the year. Early reports suggest that the stores on Main Street and shopping malls across America had flat sales compared to last year. How about Internet retail sales for that weekend? They were up significantly across America.

What we are looking for is parity and some equality. It is not fair to say to the store down the block that is paying the rent, paying the property taxes, and collecting the sales taxes that we are going to put them at a disadvantage to their Internet competitors. Internet retailers benefit under our current system, sadly, because they don't charge for sales tax—many of them don't. They have a 5-percent or 10-percent advantage over Main Street competitors. When you ask many of these Internet retailers whether they want to continue the current system, they say: Of course, it gives us a break.

It is not fair, it is not right, and it should be changed. Products sold online seem cheaper when sales and use taxes are not collected at the point of sale, but we all know that tax is still owed by the customers. Thousands of Main Street businesses have worked hard to grow their businesses. They employ local people. Now they have become nothing but show rooms because of this unfairness. Examples: Steve Sahli from Play It Again Sports in Naperville, IL, knows this issue of showrooming all too well. For more than 20 years, Play It Again Sports has been serving the Naperville, IL, community. People come into the store, they try out big-ticket items, use their phones sometimes to take a picture, walk out the door, and buy the item online.

Soccer Plus in Palatine, IL, is an example of what happens when it becomes too difficult to compete with online retailers because of their price advantage. Two years ago, Soccer Plus went out of business. We lost good-paying jobs in Palatine, and Palatine lost a business that was paying its property taxes, employing all the people, and sustaining the services of that good city. There is nothing we can do for Soccer Plus now, but we can still help other retailers avoid that same fate.

Even with countless stories like these, the House of Representatives has refused to address this issue. Numerous requests to the chairman of the House Judiciary Committee to mark up e-fairness legislation from ranking members and other members have not resulted in any action whatsoever. The chairman of the House Judiciary Committee is calling for regular order when it comes to e-fairness legislation but has refused to even hold a legislative hearing on the only e-fairness legislation to be introduced in the House. That was by Representative JASON CHAFFETZ, a Republican from Utah. He introduced the bipartisan Remote Transactions Parity Act. We have worked on a bipartisan basis in the Senate with Congressman CHAFFETZ,

Congressman WOMACK, and others to come up with a bill that we think is fair that can pass. All we are asking for is a day in court—a legislative hearing, a markup, and bring the matter to the floor of the House. The chairman of the House Judiciary Committee has refused to work with us on this legislation. He has his own approach. I disagree with it, but let's have the debate. Let's have the vote. Isn't that what Congress is supposed to be all about? These calls for regular order are nothing more than veiled attempts to delay and obstruct in the House. Let's have regular order. Let's bring up the Chaffetz measure. If the chairman of the Judiciary Committee in the House has his own alternative, let him offer that as well.

While House leadership calls for regular order on legislation to level the playing field for Main Street retailers, they bypassed regular order by airdropping a permanent extension of the Internet Tax Freedom Act into a totally unrelated bill. It was a bill in Customs relating to trade agreements. At the very last minute, they dropped in this provision for the permanent Internet Tax Freedom Act.

The same Members of Congress calling for regular order on e-fairness legislation skipped regular order when it came to the Internet Tax Freedom Act. Last week, the Customs reauthorization conference report, which reformed some of our Customs and trade law, was released. Many were surprised to find deep in the bill on page 381 a brand new provision that had nothing to do with Customs, nothing to do with trade, has not had a recent hearing in the Senate and was dropped in at the last minute in this bill—the permanent Internet Tax Freedom Act.

This provision wasn't in the bill that passed either the House or the Senate. It is what happens toward the end of the legislative session when things go bump in the dark. Internet Tax Freedom Act hasn't even been considered by this body. Yet there it was in a conference report meant to resolve differences that had been debated for months.

I do not support the permanent extension of the Internet Tax Freedom Act in the conference report. I am going to oppose any other attempt to move anything longer than the remaining 9-month extension of the Internet Tax Freedom Act until September 30, 2016. I support the merits of the legislation, but it is grossly unfair to speed this through with an airdrop in a conference report without any hearing and to do it at the disadvantage of retailers and businesses across America.

A long-term extension of the Internet Tax Freedom Act should be paired with the Marketplace Fairness Act. We can make them both permanent law. Let's do it and do it together. Let me explain why. We should not cut off States and localities at the knees by preventing them from collecting tax revenues, by reducing Federal funding, and without also providing State and local governments the authority to collect the taxes already owed. The Federal Government has cut funding for States and local governments over the last several years in an attempt to put the Federal Government on the right fiscal path. Tough decisions have had to be made. Many States and local governments are struggling, even in my State. In a one-two punch, some in Congress want to increase this burden by permanently preventing States and localities from imposing certain types of taxes while denying them the authority to collect sales and tax revenue that is already owed to them.

In 2015 alone, my State of Illinois will lose at least $390 million under the Internet Tax Freedom Act. Chicago will lose $197 million. Springfield will lose $6 million. How do we expect States and localities to fund first responders, firefighters, emergency services, 911 dispatch, health care services, local road maintenance, and all the other services that support our community? Unlike the Federal Government, States and localities can't run deficits to continue these services. The only option they have is to raise other taxes, such as property taxes, or to cut vital services.

There is a reasonable path forward. Congress should pass both a long-term extension of the Internet Tax Freedom Act—which says we will not impose State and local taxes on access to the Internet—and pass the Marketplace Fairness Act, which allows States to opt in so Internet retailers selling in their State will collect the sales tax due and remit to the States and localities.

I hope my colleagues in the House will work with me to do that. I welcome the opportunity to have a serious dialogue about how to move both pieces of legislation forward in an expeditious manner.

Mr. President, I yield the floor.

Mr. LEAHY. Mr. President, will the Senator yield to me for just a moment?

Mr. DURBIN. I am happy to yield to my friend and colleague from Vermont.

Mr. LEAHY. Mr. President, I hope both Senators and Members of the other body listened to what the distinguished senior Senator from Illinois just said. We all extol the virtues of Main Street America—small towns, big towns. I think of the businesses I go into every time I am home in Vermont. These are hard-working people. They are people who support the Little League, the Boy Scout troops, help with all the various charitable drives. And they're being treated unfairly.

What the Senator from Illinois said is absolutely right. There are two different issues. Let's start leveling the playing field. Let's start worrying as much about the citizens of our own community, the people who make our communities work, as we do about some conglomerate that none of us ever see, and our communities never see. So I am proud to say I strongly support what the Senator from Illinois has done.

I yield the floor.

Mr. DURBIN. I thank the Senator from Vermont for his comments.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR AGREEMENT WITH IRAN

Mr. COONS. Mr. President, today our Nation is distracted by grave concerns, by threats abroad and at home, by concerns about our economy and our people. I stand here today to call on us to continue to be focused on something that is not currently at the top of the news but on something that is a pressing and ongoing national concern. We need to be strictly and aggressively enforcing the terms of our nuclear deal with Iran that we reached with a variety of our other international partners and that is currently moving forward. We need to push back on Iran's bad and disruptive behavior, not just in its region but globally, and give our administration and international agencies the resources and the nominees confirmed that will allow them to be successful in enforcing our actions against Iran.

A few short months ago, if you asked anyone what topics would be at the top of the list of America's foreign policy conversation or the upcoming Presidential campaign, you would have been hard-pressed to find anyone who didn't mention the Iran nuclear agreement front and center. It completely centered the debate in this Chamber and around the country last summer and fall. What a difference a few months can make.

This morning many of us are deeply concerned about an alleged bomb threat in Los Angeles that is causing hundreds of thousands of schoolchildren to be sent home mid-schoolday. And in response to the recent and horrific attacks in Paris and San Bernardino, we are focused on identifying weaknesses in our border security and in finding ways to protect the American people without compromising our fundamental values.

We are rightly focused on expanding the U.S.-led coalition to defeat ISIS and on finding a way to assist our allies in providing safe haven to some of

the millions of refugees fleeing terror and chaos abroad. Sadly, we are also distracted by a Republican Presidential primary in which a leading candidate has cast aside the Constitution in favor of incendiary rhetoric. That is why I rise today to make sure we remain focused on one of America's most important challenges to the United States and our key allies, including, centrally, Israel, which is enforcing the terms of the nuclear deal with Iran.

On September 1, after a long study and real reflection and significant debate, I ultimately announced my support for the Joint Comprehensive Plan of Action, or the JCPOA, also known as the Iran nuclear agreement. Just over a week later, the review period ended and Congress failed to reject the deal, so it moved forward. The agreement took effect a month and a half later on October 18, known as adoption day, when Iran agreed to give the International Atomic Energy Agency, or IAEA, dramatically expanded inspection and verification powers. We are now 3 months into the JCPOA, and I want to take this opportunity today to assess areas where the Obama administration and our international partners have done well over the past 3 months and to highlight areas where we must do more.

Since adoption day, we have seen some progress and some real setbacks on implementing the terms of the deal.

First the positives, and there are some. Iran has begun to reconfigure its plutonium nuclear reactor at Arak so it can no longer produce materials necessary for a nuclear weapon. The government has also started to dismantle its enrichment centrifuges and its infrastructure that would have enabled it to use uranium as a nuclear weapon in the short term. The IAEA has also continued to make preparations to monitor and verify the deal and to increase its number of inspectors on the ground, to deploy modern technologies to monitor Iran's declared nuclear facilities, and to set up a comprehensive oversight program of Iran's centrifuge manufacturing facilities and its entire nuclear fuel cycle, from uranium mines, to mills, to enrichment facilities.

These steps are promising, but by no means do they tell the complete story of Iran's bad behavior since this deal was reached, nor do these few positive steps indicate that implementing the terms of this deal going forward will be anything less than exceptionally difficult. In fact, not only will enforcement of this deal be incredibly tricky, but I believe how effectively and aggressively we enforce the JCPOA in these early months and years will set the table for how we respond when Iran commits violations later. Whether we respond now when Iran commits minor violations around the boundaries of the nuclear deal will send a critical message to our allies and adversaries alike.

I am confident that the actions taken by the United States and our allies to counter and restrain Iran and the Middle East, especially in these early months of the deal, will profoundly impact Iran's behavior going forward.

That brings me to less positive news. When I announced my support for the JCPOA last September, I made it clear that it was based on a deep suspicion of Iran, an inherent distrust of their intentions, and a clear-eyed commitment to aggressively oversee and enforce the terms of the deal.

My concerns proved justified on October 22 when Iran concluded a ballistic missile test in clear violation of U.N. Security Council Resolution 1929. Those unlawful tests came just days after adoption day under the JCPOA. Last week, before the U.N. Security Council could finish their investigations and take any concrete actions, we heard reports of a second Iranian ballistic missile test on November 21.

I fear the Iranians are taking action after action in this area and others to demonstrate that they are willing to flout international rules, regulations, and restrictions. And in the absence of our decisive action, these misdeeds by the Iranians will simply continue and escalate.

Today, a new report from the IAEA gives further justification to the distrust shared by supporters and opponents of the nuclear deal. The IAEA report on the so-called possible military dimensions—or PMD—of Iran's nuclear program found ''that a range of activities relevant to the development of a nuclear explosive device were conducted in Iran prior to the end of 2003 as a coordinated effort, and some activities took place after 2003.'' These activities included computer modeling that took place as recently as 2009.

The PMD report details just how determined Iran has been to develop nuclear weapons capability. Iran developed detonators. Iran experimented with explosives technology. Iran engaged in computer modeling of a nuclear explosive. Iran even set up organizations specifically dedicated to nuclear weapons activity. It is not hard to connect those dots, and the IAEA did. That agency found that Iran engaged in efforts to demolish, remove, and refurbish facilities related to testing nuclear weapons components. Its government also offered misleading explanations of its past nuclear behavior.

It is equally important to note what the IAEA did not find. Iran's weapons program didn't advance beyond an exploratory stage. The IAEA found no indication there was a whole undeclared nuclear fuel cycle in Iran or that Iran held significant amounts of undeclared uranium.

Despite the ambiguous nature of this report, I think the take-away is clear: Iran's nuclear weapons-related activities and its sustained determination to hide and obfuscate its behavior reinforce our justifications for ongoing distrust of the Iranian Government and for the strict monitoring and verification of the components of the nuclear deal.

My colleagues and I have access to classified material, meaning we know more than is publicly known about the extent and direction of the nuclear weapons program in Iran. But the IAEA report is important because it establishes a baseline for Iran's program, for our assessment of their breakout time, and for our knowledge of how far they have gotten in weaponization. Knowledge of these efforts is critical to our future enforcement of this deal.

The IAEA report also reaffirms that as implementation of the deal moves forward, the international community must continue to seek and consider information about Iran's past nuclear activity. In my view, the IAEA must maintain its ability to continue reviewing any new information related to Iran's past nuclear weapons program, and we have to continue to assertively investigate any new accusations of Iranian covert activity or malfeasance.

We have to continue to counter Iran's rogue actions—which only serve to isolate Iran on the world stage—by continuing to enforce sanctions without exception and be prepared to impose new sanctions if and when Iran's behavior warrants it. For example, the U.S. Ambassador to the United Nations, Samantha Power, was right to immediately shine a spotlight on the recent ballistic missile test I recently cited and to call for a U.N. Security Council investigation promptly. When that investigation is completed, the Security Council should act, but if it doesn't, I hope and expect that the administration is ready to enforce a series of unilateral American actions, including direct sanctions against those Iranians responsible for this violation. While these ballistic missile tests are outside the parameters of the JCPOA, our response has to be strategic, and we have to make sure Iran knows it can't continue to simply and blatantly disregard the international community and the U.N. Security Council.

Since the announcement of the JCPOA, the Treasury Department has taken steps to target Iran's malign activity in the region. In November, the Treasury Department designated three Hezbollah procurement agents and four companies in Lebanon, China, and Hong Kong for purchasing dual-use technology on behalf of Hezbollah. These sanctions followed actions in July against three senior Hezbollah military officials in Syria and Lebanon who were providing military support to the Syrian regime and an additional Hezbollah procurement agent who served as the point person for the procurement and transshipment of weapons and materials for the group and its Syrian partners for at least 15 years.

These designations also follow Treasury's actions during negotiations over the JCPOA when the Department utilized multiple authorities and sanctioned more than 100 Iranians and Iran-linked persons and entities, including more than 40 under its ongoing terrorism sanction authorities.

In November, Treasury also participated in the U.S.-Gulf Cooperation Council Working Group on Iran, through which participants discussed our joint efforts to counter Iran's support for Hezbollah, for the Assad regime, and for other militant proxies in the region. That working group continues to improve information sharing and cooperation to take joint actions targeting Iran's support for terrorism and its other destabilizing activities in the region and around the world.

In early December, Saudi Arabia agreed to designate 12 Hezbollah officials for terrorism, further disrupting their ability to raise and move funds around the gulf.

Implementing this agreement successfully will demand that we continue to develop discrete, clear, and public responses to minor Iranian violations of the agreement. My view on this was shaped in no small part by advice I got from a dear, long-term friend in New York, Maurice, who told me about his experience decades ago negotiating a complex commercial deal with Iran. After 2 years of excruciating and detailed back-and-forth negotiations, he told me they sat at the table to sign their agreement and begin their commercial partnership. After shaking hands across the table, the lead Iranian negotiator said: Now, my friend, the negotiations begin in earnest.

All of us who have studied Iran's behavior and know the history of their work to conceal their nuclear weapons program and their work to destabilize the region know that Iran will cheat on this agreement. They will litigate the boundaries. They will find ways large and small to test us.

For example, the nuclear agreement bars Iran from enriching beyond 3.67 percent. How will we respond if, for example, for a month Iran claims it accidentally enriched to 4 percent? We are unlikely to snap back the full multilateral sanctions regime because such a move would have little support in the international community for such a small and transient infraction and could be perceived as an overreaction. But inaction is not an option either. In coordination with our allies, we must develop a menu of responses that allow us to respond quickly and precisely to minor violations of the deal because there are no real minor violations of the deal. Otherwise Iran will little by little eat away at the constraints of this agreement, and our deterrence and credibility will collapse.

In addition to deploying sanctions more effectively and ratcheting them up as necessary, the international community must also increase our efforts to push back against Iran's malign activity in the Middle East. More specifically, we have to enhance our campaign of interdicting Iranian weapons shipments and support to its proxies in Syria, Yemen, and Lebanon. Iran sends illicit arms shipments to terrorist groups such as Hamas, Hezbollah, and the Houthis who pass through international waters, and under both domestic and international law, the United States maintains its authority to disrupt these shipments. We must use that authority to act and to demonstrate our will. We must use that authority to work with our partners in the region and our allies around the world to increase the tempo and scope of our interdiction efforts. Successful interdiction efforts not only get deadly weapons out of the hands of terrorists but also deter Iran and undermine its proxies throughout the Middle East.

We know we can be successful in this aspect of our enforcement because the administration has already successfully disrupted Iranian weapons shipments in recent months. Although many of us have been briefed in a classified setting about encouraging developments in this area, I think it is important that we have at least one example that we can share with our colleagues and the world.

Please take a look at this picture to my left. In September, a raid off the coast of Yemen seized a large cache of Iranian arms destined for the Houthi rebels who seek to undermine the legitimate Yemeni Government. This massive weapons shipment included a whole series of the component parts of sophisticated TOW missiles, including 56 tube-launched, optically tracked, wire-guided TOW missiles and the associated sights, mounts, tubes, battery sets, launcher assemblies, guidance systems, battery assemblies, and nearly 20 other sophisticated anti-tank weapons. I commend the administration for these efforts and for this successful interdiction in international waters, but we cannot stop there.

Every month while Iran negotiates with the international community with one hand, with the other hand it has been sending millions of dollars' worth of weapons to the murderous Assad regime in Syria, to Hezbollah in Lebanon, and to the Houthis in Yemen. We must not stand by while Iran continues to spread its terror and destabilize this region. Nor is it sufficient simply to increase our interdiction efforts. We must publicize these efforts when successful.

When an American smalltown sheriff pulls off a successful drug bust, we better believe that sheriff is going to hold a press conference and put on the table the drugs and guns taken off the streets. Actions like that send a simple signal to those who engage in the drug trade that there is a sheriff in town who is actually going after bad actors and who isn't going to tolerate this destabilizing and illegal activity.

I think the American people and the international community need to know about Iran's bad behavior and our willingness to take effective actions to push back. Just as importantly, Iran needs to know that the international community remains serious about cracking down on its illegal arms shipments and its promotion of terror.

I am committed and I am willing and ready to help the administration increase its interdiction efforts in any way I can. A shared commitment to this from my colleagues—a shared focus on this from my colleagues—is especially important today when many members of the administration and the American people are understandably focused elsewhere: on our Presidential election next year, on the global refugee crisis, and on recent terrorist attacks and the conflict with ISIS.

These are busy times. As the holidays approach and as Congress nears a massive budget deal, I see my colleagues and my constituents focusing less and less on Iran, but we must maintain our focus for the months and years to come. Given the 24/7 news cycle and the media's incessant focus on the crisis of the moment, we will be tempted to turn our attention elsewhere.

Adoption day was not the end of the agreement with Iran. In fact, it signified just the beginning. And we must think strategically about the Middle East, which critically includes Iran as the central promoter of terrorism and source of destabilizing action in the region.

We must redouble our efforts to follow through on the most rigorous enforcement of the JCPOA or face terrible consequences. We have to scrutinize Iranian actions ever more closely for signs it is reneging on its commitments. This JCPOA is set to last in principle for 15 years but in some terms indefinitely. Congress must not waiver—not for 1 day—in our oversight of the implementation of this agreement.

Whether my colleagues supported or opposed the deal, we should put our differences about that aside and focus on enforcement. The deal is designed to deter Iran from evading or cheating on the deal while also countering Iranian bad activity in the region. That is why I worked with a group of my colleagues to introduce the Iran Policy Oversight Act in September. This bill, cosponsored by supporters and opponents of the JCPOA, helps ensure the United States aggressively enforces the terms of the nuclear deal. The Iran Policy Oversight Act also provides support for our friends in the Middle East, most centrally our vital and steadfast ally, Israel.

I am pleased to hear the administration is working on negotiating a new

10-year memorandum of understanding for Israel's security, and I am pleased to hear that its assistance will continue to grow to ensure Israel maintains its qualitative military edge.

In recent weeks, I have also had the chance to discuss the Iranian deal and our intention to continue to enforce the sanctions that remain on the books and to interdict and to push back against Iran's destabilizing regional activities. When I was in Paris at the global climate conference, I had the chance to discuss this issue with French Government officials and business leaders. I will continue these efforts in early January when I will travel with seven other Senators to the Middle East and to Europe to discuss our progress implementing this nuclear deal and the challenges that remain.

I commend President Obama and his administration for engaging with Congress during the debate over the Iran agreement and in the months since it took effect, but I urge the administration not to lose focus and to work with this Congress in the months ahead to ensure strict enforcement of the agreement.

But we in Congress have our part to do here as well, not the least of which is making sure the executive branch has capable and effective officials, which is a crucial part of effective implementation. In recent months, not only has the Senate not done its job, but this Chamber's inaction and our apparent focus instead on Presidential politics means we are increasingly making this Chamber less relevant in American foreign policy.

The United States has a very qualified and capable leader in the enforcement of sanctions in Adam Szubin, who oversees the current imposition and enforcement of sanctions at the Department of Treasury. Mr. Szubin worked under the Bush administration and under the Obama administration. He is a dedicated, capable, seasoned career professional who has been widely complimented on a bipartisan basis by members of the Banking Committee and the Foreign Relations Committee on which I serve. He has been nominated to be the new Under Secretary of Treasury for Terrorism Financing—a position critical to the successful enforcement of the JCPOA—but his nomination has been on hold for months for no clear and publicly stated reason.

Adam Szubin's nomination is one of more than two dozen national security-related nominations, including Tom Shannon, nominated to be the Under Secretary of Political Affairs at the State Department. Tom Shannon is a career Foreign Service officer and a determined, dedicated, nonpartisan professional who also would play a critical role in working with our allies and ensuring successful enforcement of this agreement.

Adam Szubin, Tom Shannon, and nearly two dozen other nominees have been blocked, seemingly for purely partisan reasons in this Senate. I call on my colleagues to release their holds and to give the administration the resources and the personnel it needs to do its job in enforcing this difficult deal.

The Senate's commitment to overseeing and enforcing the terms of this deal must go beyond simply doing our job and giving the President's nominees an up-or-down vote. We have to do more. I stand ready to work with this President and the next one to fully oversee the JCPOA. The length of this agreement will transcend Presidential terms, and implementing it should transcend politics as well.

We know Iran will seek every opportunity to push the limits of this deal in an attempt to test our resolve. We must not let Iran relitigate the terms of the deal and escape the boundaries of this deal and lay the groundwork for its future development of a nuclear weapon. We must deter them by holding them accountable.

When this President or a future President, Republican or Democrat, successfully enforces this deal, I will be the first one to compliment them for countering Iran's destabilizing activity in the region. And when the administration, current or future, isn't actively and vigorously enforcing this deal and pushing back on Iran, I will be the first to ask—to demand—that it do more.

The Iranian Government is paying close attention to everything we do, and I, for one, am determined to make sure that Congress, the administration, and the American people are doing the same, to demonstrate to Iran our determination and our will to deter them and to closely and vigorously enforce this difficult deal.

Thank you, Mr. President.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASSIDY). Without objection, it is so ordered.

TRIBUTE TO BOYD MATHESON

Mr. LEE. Mr. President, I rise today to pay tribute, bid farewell, and, coincidentally, to wish a 1-day belated birthday to a truly extraordinary gentleman from Cedar Hills, UT, who is a dear friend, a trusted partner, and one of the finest human beings I have ever known. For nearly 4 years, Boyd Matheson has served my Senate staff ably and honorably, first as State director and then for the last 3 years as chief of staff. He has served with special distinction on Team Lee, so much so that as far as my staff and I are concerned, we are all on Team Boyd. I can say with confidence and a great deal of gratitude that without Boyd Matheson I would not be here today.

I first met Boyd about 12 years ago when he and his wife Debbie and their five children moved into my neighborhood. They had just returned to Utah after spending more than a decade outside the State and in places as far away as Australia while Boyd was building his successful consulting business. I could tell right away that Boyd felt at home in Utah, as well he should. After all, the State was settled by Boyd's ancestors, who came to Utah in the 1850s in search of a place where they could worship, believe, and live as they saw fit without fear of persecution.

While Boyd's ancestors helped settle the State in the 19th century, his parents, who raised an impressive 11 children, helped populate our State in the 20th century. I soon got to know Boyd, who was active in many of the same ecclesiastical and political causes in which I was involved, and I was immediately struck by his masterful command of the English language. Boyd wasn't given to excessive speech, but when he spoke people listened. I noticed that everything Boyd said was at once profound, disarming, inviting, persuasive, and informative—a rare combination. Not much has changed since then. To this day, listening to Boyd speak is an uplifting experience for all who are fortunate enough to be present.

Although it would be several more years before I got to know Boyd very well, I quickly identified him as someone whose opinion mattered to me and to others and whose skills as a communicator I deeply admired. Whenever anyone I knew was in need of advice on how to communicate an important message, I referred them to Boyd, assuring them with great confidence that this was a man who had an uncanny ability not only to say the right things but also to say them in just the right way.

For that very reason, when I began considering running for the Senate, Boyd was one of the very first people I called. As one who had never previously sought or held public office, I knew that the odds were highly stacked against me, to put it mildly. With an instinctive trust in his judgment, I understood that I would need Boyd's help in order to have any plausible chance of winning.

I still remember the first of what would be countless conversations that would take place over the next few months. I was on my way home from work late one evening when I placed the call. I wasn't sure whether he would tell me I was out of my mind or whether he would provide encouragement, nor was I even sure which answer

I would prefer. Nevertheless, I knew, regardless of his response, that I should listen carefully to his assessment of my ideas.

To his credit, and consistent with his thoughtful, careful approach, he didn't give me a definitive answer immediately. Instead, he asked for time to think about it, suggesting that we continue to visit periodically over the next few months, and this we did. In due time, we both came to the same conclusion.

When I entered my Senate race in 2010, I asked Boyd to serve as my communications director. I knew that his distinctive vision for the future, his commitment to positive reform, and his unparalleled gifts for communication would provide my campaign with the direction, clarity of purpose, and optimism it would need to have any chance of success.

I was right. Boyd was the perfect man for the job. He proved to be indispensable to the campaign, quickly earning an appropriate and very descriptive nickname. We often referred to him not simply as Boyd but by his longer and appropriate nickname, which was ''Boyd to the rescue.''

You see, just weeks into the campaign my wife Sharon christened him ''Boyd to the rescue'' because she noticed that he could solve just about any problem, that his calming reassurance had a positive effect on everyone around him, and that somehow things just went more smoothly when he was around.

With Boyd's help I was elected in November 2010. Then, when it was all over and I made plans to transition to Washington, I invited him to join my Senate staff. While disappointed, I was not surprised that he opted to remain in Utah, returning to his career as a businessman and a consultant, a career which I had rather rudely interrupted a year earlier.

You see, Boyd is not your typical chief of staff. Indeed, he is very unlike most of the people you will find in this town—or in any town, for that matter—in the best and most admirable ways imaginable, Boyd didn't ascend to his post by working his way up Washington's political pecking order, biding his time until it was his turn. No, he spent the bulk of his career—which, I would add, is just still getting started—outside of politics, starting and running his own businesses to serve others and to create true value in society, and he began doing this at a very early age. In high school, Boyd ran sports camps where he taught kids in his community the fundamentals of how to succeed on the field, on the court, and in life. This has been the Boyd Matheson business model ever since he was in high school and started his first business—inspiring, teaching, and helping those around him to succeed, though his target audience has changed over time from youth athletes to business executives, foreign dignitaries, long-shot political candidates, and eventually, thankfully, this Senator from Utah.

Boyd agreed to join my campaign not because he had any political aspirations or ambitions of his own; he just wanted to make a difference. He knew that our country was headed down the wrong track and that his fellow Utahns and Americans in every State were facing challenging times ahead. He wanted to help however he could, but it wasn't until he had spent a year crisscrossing the State and the country with my campaign that Boyd realized the magnitude of the economic and social challenges facing the United States. He met countless families and hardworking Americans anxious about their country's future and struggling just to keep up. He visited far too many isolated, forgotten communities that were stuck in poverty with few opportunities and even fewer reasons for hope. And he got a glimpse into the political dysfunction plaguing and, at the same time, perversely enriching Washington, DC.

By the end of the campaign, I could tell that Boyd knew the road to economic recovery and social revival in America would be long and arduous, but I also knew he cared enough about his family, his community, his State, and his country that he would do just about anything to be part of the solution. So when Boyd decided not to pursue a job on Capitol Hill after the campaign, deep down I knew that, God willing, he would be back.

Thankfully, God was willing and so was Boyd. If my first year in the Senate taught me anything, it was that I needed Boyd Matheson's help to survive in Washington. So on December 5, 2011, as my first year in office was coming to a close, I decided to call him and ask him to take a job as my State director. Here again, I wasn't sure what his answer would be, but I knew I needed to ask. It was an offer I hoped he might accept. Not only had I given him ample time to forget about all the late nights and early mornings of the campaign, but the job I was offering him would allow him to stay in Utah most of the time, at least for the time being.

In the end, it was providence that sealed the deal. When I called Boyd to offer him the job, I was at the airport in Salt Lake City traveling back to Washington after a weekend at home with my family. After a few minutes of small talk and catching up on the phone, Boyd asked me where I was at the moment. I told him I was at the airport.

''Me too,'' he said, adding that he was on his way to Bangkok. ''Which airport?''

''Salt Lake City,'' I replied.

''Me too,'' said Boyd. ''Which concourse,'' he asked.

''D,'' I said.

''Me too,'' Boyd repeated again. ''Which gate,'' Boyd asked, as we both started looking around the crowded terminal.

Before I could respond, we had both spotted each other sitting with only a few chairs between us in the waiting area adjacent to gate 6.

We continued the conversation in gate D–6 in person and then via text message once we boarded our respective flights—mine to Washington and Boyd's to Thailand. Eventually he accepted the offer, convinced that our chance encounter in the airport that day was, as his wife Debbie would later put it, an ''inspired connection.''

It was inspired, indeed, but the connection was not just between Boyd and me; it was a connection between a man and his moment, between Boyd and the countless people whose lives have been forever changed because of his faithful service over the last 4 years. And no one has been more blessed than I have.

Boyd has been my constant ally, spiritual coach, advocate, speaking surrogate, and friend. In addition to his many skills and attributes, so many of which are well-known to anyone who has interacted with my office, Boyd possesses a deep and genuine concern for others. Coupled with his freakishly intuitive sixth sense, this makes Boyd the consummate friend and indispensable teammate.

For reasons I don't entirely understand but appreciate more than he can possibly know, Boyd has the extraordinary ability to know when, where, and how he is most needed long before anyone else does, long before the person who needs him knows.

Years ago I lost track of how many times Boyd had sensed that I was worried about something and then he immediately called or texted—invariably with exactly the right words that addressed my concerns.

This, of course, is not part of the chief of staff job description in my office; it is just what Boyd does, not only for me but for everyone he knows. I can't count the number of times he has stepped in to help me, my family, and my staff in moments of need without having been asked and often at great personal sacrifice.

Considering how hard he works to help others, many of us who know and work with him often ask: Does this man ever sleep?

This, in turn, has sparked a number of half-joking suggestions among my staff that Boyd Matheson is actually a vampire, one who survives on Diet Coke rather than blood and rarely, if ever, sleeps. When we ask him whether he will ever take the rest that he needs and most certainly deserves, he relies on a well-worn response, saying, ''I have promises to keep, and miles to go before I sleep.'' The literary world recognizes these as the words of Robert

Frost, but my family, my staff, and I will always attribute them to Boyd. By word and by deed, he made these words his anthem.

Needless to say, Boyd has kept his promises and has more than earned his right to sleep. Yet, somehow, knowing Boyd as I do, I doubt he will hold still for long. Boyd Matheson at his core is a passionate reformer. He is exactly the kind of reformer with exactly the kind of courage and convictions that are so badly needed but too often in short supply here in Washington.

Boyd is, in the words of essayist William George Jordan, one of the reformers of the world:

. . . its men of mighty purpose. They are men with courage of individual convictions, men who dare run counter to the criticism of inferiors, men who voluntarily bear crosses for what they accept as right, even without the guarantee of a crown. They are men who gladly go down into the depths of silence, darkness, and oblivion, but only to emerge finally like divers—with pearls in their hands.

Ask Boyd what pearls he has found in Washington and he will tell you, without pause or hesitation, ''the people.'' It is the people he will miss the most, which is exactly the kind of answer you would expect from Boyd—a man who genuinely cares about people. No matter who you are or how your path happened to cross with his, Boyd listens to and learns from you, he inspires and teaches you, and he always sees the best in everyone, challenging each of us to do the same.

I am most fortunate to know Boyd Matheson and to call him my friend. I am most thankful for his sacrifice and that of his wife Debbie and their five children, who have seen on so many occasions the sacrifice of this great man in the service to me, to my staff, and to others. The people of Washington, DC, are going to miss Boyd Matheson, and the people of the great State of Utah will be lucky to have him back.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMBATING ANTI-SEMITISM, RACISM, AND OTHER FORMS OF INTOLERANCE

Mr. CARDIN. Mr. President, I have had the honor of being the ranking Democrat for the U.S. Senate on the Helsinki Commission. I work with Senator WICKER, who is the Senate chairman of the Helsinki Commission. The two of us have worked very hard on many issues.

As I am sure everyone here knows, the Helsinki Commission is the implementing arm for U.S. participation in the Organization for Security and Cooperation in Europe—the OSCE. It is probably best known for its human rights basket. It does deal with security, military security. It does deal with economic and environmental security. But I think it is best known for its human rights and the impact human rights have on the security of the OSCE region.

In March of this year, the president of the Parliamentary Assembly of the Organization for Security and Cooperation in Europe, Mr. Ilkka Kanerva, appointed me to serve as the assembly's first special representative on anti-Semitism, racism, and intolerance. Since that time, I have focused my work on the urgent issue of anti-Semitism and community security, anti-Muslim bigotry, and discriminatory policing. So let me share with my colleagues the work I have done this year on behalf of the OSCE Parliamentary Assembly and on behalf of all Members of the Senate.

My appointment came after horrific back-to-back terrorist attacks in Paris and Copenhagen in January and February. In both instances, Jewish institutions were targeted—a kosher supermarket in Paris and a synagogue in Copenhagen. In both instances, some symbol associated with free speech was also attacked. In Paris, a murderous rampage was unleashed against the French satirical magazine Charlie Hebdo. In Copenhagen, a conference on free speech, where a Danish cartoonist was among the speakers, was attacked.

I subsequently visited both cities, along with Senator WICKER and Representative ADERHOLT, fellow members of the Helsinki Commission. Following our trip, I authored Senate provisions to increase State Department funding to combat anti-Semitism and other forms of discrimination in Europe and cosponsored Senator MENENDEZ's resolution on anti-Semitism. That resolution supports national strategies to combat and monitor anti-Semitism and hate crimes, including training law enforcement and collecting relevant data. I am pleased that our State Department has advanced many of the efforts outlined in these legislative provisions through OSCE and civil society initiatives.

I have also focused on the problem of discriminatory policing. This summer, Hungary's Commissioner for Fundamental Rights issued an important report on community policing in Hungary's second largest city, Miskolc. He concluded that police had participated in mass, raid-like joint controls, executed with local government authorities, public utility providers, and other public institutions, without explicit legal authorization and predominantly in segregated areas inhabited mostly by Roma. In short, police targeted Roma for harassment, fines, and daily indignities.

For those of us who listened to Attorney General Holder present the Department of Justice's report on Ferguson last March, the Hungarian Commissioner's report has the feeling of deja vu—many differences, to be sure, but similar in that critical community confidence in law enforcement has been abused and damaged.

I have sought to address these issues with several pieces of legislation, including S. 1056, the End Racial Profiling Act; S. 1610, officially named the BALTIMORE Act, Building and Lifting Trust in Order to Multiply Opportunities in Racial Equality, and S. 2168, the Law Enforcement Trust and Integrity Act. Among other provisions, these laws would ban racial profiling by State and local law enforcement, establish mandatory data collection and reporting, and address the issues of police accountability and building trust between police departments and communities by providing incentives for local police organizations to voluntarily adopt performance-based standards to reduce misconduct.

In the OSCE, where discriminatory policing issues have been documented from the United Kingdom and France to Russia, I have urged the chair-in-office to hold a high-level meeting on racism and xenophobia focused on concrete action.

Following the most recent tragedies in Paris and San Bernardino, there has been a backlash of hatred directed against the asylum seekers, immigrants, and Muslims in many OSCE countries, often fueled by populist or extremist parties, such as Le Pen in France, UKIP in Great Britain, the True Finns in Finland, Swedish Democrats, Austrian Freedom Party, or Golden Dawn in Greece. Worse still, this kind of xenophobia bleeds into the discourse of mainstream parties. As such, I will add an increased focus on prejudice and discrimination linked with the migration and refugee crisis to my priorities.

In addition to focusing on anti-Semitism and discriminatory policing and the anti-Muslim backlash, I will also look at the protection of migrants and refugees, as that is becoming an area of discrimination that is troubling in the OSCE region—including in our own country of the United States. I am particularly troubled by the spike in violence in our own country directed at houses of worship and community centers—fueled by escalating anti-Muslim discourse. In Palm Beach, FL, vandals broke all the windows at the Islamic Center, ransacked the prayer room, and left bloody stains throughout the center. That cannot be tolerated in our country. A number of mosques have reported receiving death threats or messages of hate. A pig's head was thrown at a Philadelphia mosque, shots were fired at a mosque in Connecticut, and a fake bomb was left at a Virginia

mosque not far from where we are here today in the U.S. Capitol.

I disagree in the most emphatic way possible with those who would have us call for excluding people from this country based on their faith, and limiting political participation based on religion. That is not who we are. Those are not our values.

The images of Jewish refugees on SS *St. Louis* turned away, port after port, many of whom ultimately perished in death camps, and the image of American citizens, including children, imprisoned in internment camps solely because of their race, are dark corners of our own history. We must be careful not to retread that path. It is one reason I question those who describe terrorism as a Muslim problem. Such statements prevent our communities from working together against a common threat. The slaughter of schoolchildren in Columbine, the massacre of churchgoers in Charleston, and the Oklahoma City bombings were not White problems just because the perpetrators were White; neither should the attacks in Paris and San Bernardino be distilled as Muslim problems.

Radicalization is a very real problem that currently tries to exploit the Muslim community, but it is our problem—Muslims Jews, Christians, Whites, Latinos, Blacks, all Americans—to all come together to solve this problem.

When I see the young people who engaged in these horrible acts, I question why they were susceptible to such great untruths that would allow them to harm themselves and others. No family should have to lose their mother, son, or cousin to mass shootings. No family should have to live with the fear that their loved ones were the perpetrators of mass violence. We must work together to guard against such ideologies that would steal our young people from us.

Given that the United States is historically a nation built upon immigration and the tenets of religious freedom, Americans have long lived alongside others and have seen people of different faiths live together in peace. Muslims have lived in America since the colonial days and served under the command of George Washington. There are an estimated 5,900 Muslims who currently serve in our armed services defending our country and our way of life. When the Supreme Court ruled this summer in favor of a young Muslim woman who allegedly suffered employment discrimination because of her head scarf, Justice Scalia announced the 8-to-1 decision, noting, ''This is really easy.'' Neither immigrants nor Muslims are new to our shores.

Islam is also not new to Europe. Europe's own historic relationship with the rest of the globe has set the stage for ties that have long served as the backbone of prosperity for the Western world. Europeans have created a presence throughout the world—and that is a two-way street. Many countries in the OSCE region, including our own, therefore have a learned history of integration that can be useful in addressing the increasing diversity stemming from the refugee crisis and changing demographics.

Given the conflicts that have forced mass displacement and migration, we should support long-term inclusion and integration efforts at the national, regional, and local level throughout the OSCE region—especially with the leaders of humanitarian efforts for Syrian and other refugees—such as what is being done today in Turkey, Germany, Sweden, Austria, and OSCE partner states such as Jordan and Lebanon. They are taking on tremendous burdens for the refugees because they know it is the right thing to do. They need partners, including the United States.

The successful integration of immigrants and refugees—including access to quality housing, education, employment, and public services—facilitates meaningful intellectual, economic, and other contributions of migrants and refugees that are especially critical for children. These are areas in which our nations should exchange experts and information.

Earlier this year, I introduced provisions in the Senate for a Joint Action Plan between the United States and the European Union to formulize and coordinate public and private sector anti-discrimination and inclusion efforts. We need diverse coalitions working together to address the momentous threats we face today. This includes leading by example by providing factual information about refugees and immigrants and publicly addressing narratives of hate. It is in that spirit that I will continue to work with other parliamentarians and with the administration to combat anti-Semitism, racism, and other forms of intolerance in the United States and elsewhere in the OSCE region. I will do that as the special representative of the OSCE Parliamentary Assembly, and I will do that as a U.S. Senator.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

PARIS CLIMATE CHANGE AGREEMENT AND SENATE ACCOMPLISHMENTS

Mr. BARRASSO. Mr. President, over the weekend, countries meeting in Paris signed a broad new climate agreement. President Obama called the agreement a success. He said it was a ''strong agreement.''

Despite the fanfare, let's keep some things in perspective. There are important parts of this agreement that can do a great deal of damage to American jobs and the American economy. That should be and is a big concern to the American people. Parts of the agreement can do damage to our jobs and our economy. At the same time, important parts are not binding on other countries. The American people are right to wonder if the White House has signed yet another terrible deal just to try to shore up the President's legacy.

Earlier this year, President Obama was so anxious, so desperate to get a deal with Iran over its nuclear program that the President signed a terrible deal. Since then, the International Atomic Energy Agency said that Iran has ''seriously undermined'' the agency's ability to verify what Iran has done. Here we are again. It is another bad deal, and other countries that signed it are already ignoring it.

India is the world's third largest emitter of carbon. The agreement was on Saturday. This agreement tied plans to meet their emissions targets to getting U.S. taxpayer dollars. Then on Monday—just yesterday—India said it has plans to double its coal output by 2020. Is that what President Obama calls, in his mind, a success?

A Gallup poll came out yesterday that showed that the American people's biggest concern is not climate change; it is terrorism. Only 3 percent of all Americans said that pollution or the environment was the most important problem facing America today.

President Obama says climate change is our biggest threat. President Obama continues to put a priority on things that he expects to help his legacy, not on the issues the American public actually are concerned about. As elected representatives, we should not allow the President to buy a legacy for himself using American taxpayer dollars. I am willing to sit down with any Democrat who wants to work on a realistic, responsible, and achievable plan to make American energy as clean as we can, as fast as we can, without raising costs on American families. That should be our goal: coming together to find a real solution, real-world solutions, things that work, not just signing a symbolic agreement that does not solve anything, something that may make the President feel good but doesn't actually do good.

Democrats and Republicans in the Senate can do it. Just look at all we have accomplished this year working together. It has been a very productive year in the Senate. I am not the only one saying it. Last Wednesday, U.S. News & World Report said: ''There's reason for optimism on Capitol Hill ahead of a looming deadline to pass a trillion-dollar omnibus funding measure.'' The magazine asked: ''What is behind it?'' Well, they said: ''After years of partisan gridlock, Congress has seemingly regained its ability to get things done.''

After years of partisan gridlock, Congress has seemingly regained its ability to get things done. The bipartisan policy committee said the same thing recently. They pointed out that the House and Senate have both made important progress this year. They said: ''Both chambers have reinvigorated a robust committee process.''

Getting committees back to work is essential to getting Congress back to work, and that is what Republicans have done this year. So far this year, the total number of days worked is up from last year by almost an additional 3 weeks of work on the Senate floor. This is in comparison to when HARRY REID was in charge. We have been considering a lot more amendments this year as well. For all of last year, there were only 15 up-and-down votes on amendments—15 for the entire year. So far this year, we have voted on over 200 amendments. These are amendments both by Democrats and Republicans. These are opportunities for individual Senators to stand up, offer their ideas, and be heard—ideas that they think will make America better, make legislation better, not just what the leader of the party wants, Senator REID, who blocked so many amendments—not just what Senator REID might think is best for the President, no; what the American people think is important.

So when you look into the substance of what we have done, the news is even better for the American people. So far this year we passed major legislation that has been helping Americans all across the country. We passed an important law on Medicare to make much needed reforms and to reauthorize the Children's Health Insurance Program. We passed the first multiyear highway bill since 2005. We passed the longest reauthorization of the highway trust fund in almost a decade.

These aren't just short-term patches for a few months or a year. That is what happened when the Democrats were in charge. These are long-term fixes that create the certainty and the stability our economy needs. This year the Senate passed the most significant education reform since 2002. We passed an important human trafficking law. We passed a budget. Can you imagine that? There hasn't been a budget passed in both Houses of Congress since 2009. We passed one this year.

As chairman of the Indian Affairs Committee, I can tell you that we have made a lot of progress this year on legislation to improve the lives of people across Indian Country. We passed a measure that will help make crucial and long overdue improvements on roads on tribal lands. Last week we passed legislation that helps give tribes more economic opportunities. It gives them more control over developing their natural resources.

Republicans are eager to work with Democrats and to produce legislation the President will sign. We are proud of the accomplishments of this year. At the same time, we are not afraid to challenge President Obama's most misguided and dangerous policies. That is why the Senate passed legislation repealing ObamaCare to ease Americans' pain under this law. We passed a measure on the Keystone XL Pipeline to create jobs, energy security, and economic growth, and we put that bill on the President's desk to force him to finally make a decision.

We challenged President Obama's job-crushing energy regulations by voting to block his power plan and his devastating rules on waters of the United States. I wish to point out, looking at a headline from yesterday's New York Times, that EPA broke the law with regard to pushing their water rule. The EPA broke the law, which is this issue of this whole waters of the United States. The EPA must be held accountable—accountable for breaking the law, accountable for misuse of government funds. We will hold this administration accountable.

Of course we also oppose the President's nuclear deal with Iran. We have shown the American people we can get things done, and there is a viable alternative to the reckless policies coming out of the White House.

Looking back on what we have been able to do this year, I think there is real reason for optimism. The Senate doesn't need to be the place of gridlock that it had become under HARRY REID. In 2016 the Senate will be taking more votes on important legislation and on amendments. There will be more debates, more consideration of ideas from both sides of the aisle. That is what the American people have sent us to do. That is what they expect from us. The American people have seen it is possible to govern and that not everything in Washington is broken. It takes leaders who are committed to getting things done and committed to looking out for the best interests of the American people.

This is the end of the year, but it is not the end of this Congress. It is not the end of what the Senate can do to make the lives of the American people better. We have done a lot. There is still a lot of work to be done over the next month and the next year. We will continue to work to relieve the burden and the expense of excess government regulations, to reduce the power of unelected, unaccountable Washington bureaucrats, and to return to the States and to the people more of the control that belongs to them. The goal is to give people at home the power to make their own decisions about what is best for them, their communities, and their families.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from New Mexico.

NOMINATION OF ROBERTA JACOBSON

Mr. UDALL. Mr. President, I rise to urge consideration of the President's nominee for Ambassador to Mexico. I do so for two simple reasons: One, this is a critical position, vacant since July, and, two, Roberta Jacobson is highly qualified for this position. Her nomination deserves our attention. I do so as a Senator from a border State and as a Senator who believes we have a constitutional duty to advise and consent.

We have a distinguished candidate ready to serve. We have strong support for her on both sides of the aisle. What we need is an up-or-down vote. The L.A. Times has called Roberta Jacobson ''among the most qualified people ever to be tapped to represent the U.S. in Mexico.''

She has impressive experience, including important work on the Merida Initiative, fighting drug trafficking and organized crime in Mexico. She has served ably as State Department Assistant Secretary for the Western Hemisphere, working to improve relations in our hemisphere and to engage Cuba—opening opportunities for Americans after over 50 years of a failed U.S. policy.

She was approved by the Senate Foreign Relations Committee with bipartisan support. Yet the weeks go by and still we wait.

Our relations with Mexico are critical—affecting our economy, affecting our security. Mexico is working with us to stop those who cross our southern border illegally. Mexico is our third largest trading partner. One million American citizens live in Mexico. It is our top tourist destination, with millions of U.S. visitors every year. My State shares a border with our neighbor to the south. We also share a cultural heritage. The trade that grows every year—hundreds of millions of dollars in goods and services—move between our Nations. Over 36,000 jobs in my State depend on United States-Mexico trade. This increased trade is an engine of economic growth. Exports from New Mexico to Mexico have soared from over $70 million a year to now $1.5 billion 15 years later.

In New Mexico we know how important this partnership is. We need a strong ambassador in Mexico City—working on trade, on border security, and on cultural ties between our Nations. We need an ambassador to work with Mexico and other Central American countries to address immigration issues, to help resolve the migrant crisis, to crack down on border violence and drug trafficking. This is clear to both sides of the aisle, especially to those of us from border States. As someone who has worked with Roberta on multiple issues, I know she is the right person for this job.

I especially want to thank my Republican colleague, Senator JEFF FLAKE,

for his efforts. He is concerned, as I am, that this cannot wait. As Senator FLAKE said recently:

> It's crunch time now. Once you get into next year, it's easier to just put them on hold until the next president assumes office in 2017.

I hope that will not happen. I hope we will listen to Senator FLAKE because it is crunch time and because we do need to get this done.

What is holding up her nomination? It isn't her qualifications. It isn't concerns about how she would be able to carry out her duties as Ambassador. The problem is rooted in something else—something that should have no bearing on whether she is confirmed: Presidential politics and policy differences with the administration over her work on Cuba.

This year, the world celebrated the reopening of diplomatic relations between the United States and Cuba. As the Assistant Secretary for the Western Hemisphere, Roberta helped negotiate this shift. We have begun a 21st century relationship with Cuba—one I am convinced will bring freedom and openness. I congratulate the President for leading this historic change.

A few Senators disagree with his Cuba policy, and so they are blocking Roberta Jacobson's confirmation to serve as Ambassador to Mexico.

Unfortunately, this is just one example of how the rules are being twisted and misused. She is one of the many qualified nominees whose confirmations are on hold. Many of them wait because one or two Senators want to make a political point or extract political pain. Not happy with the President? Block his nominee. Not OK with a policy? Keep the seat vacant.

The real aim is the administration. No matter how qualified, the nominee is just an easy target.

Meanwhile, the backlog grows: 19 judges, half a dozen ambassadors, even a top official at the Treasury Department whose job is to go after the finances of terrorists. That position is vacant as well.

We are on track for the lowest number of confirmations in three decades. We now have 30 judicial districts with emergency levels of backlogs. At the beginning of the year, we had 12. Thousands of people are waiting for their day in court because there is no judge to hear the case. Important work for the American people is left undone.

When we fail to do our job, when we fail to give these nominees a vote up or down, our government fails too.

This is not just the President's team. It is our team. It is America's team—working on trade and security, moving our economy forward, seeing that justice is done.

These vital posts should not go unfilled.

I urge my colleagues to allow us to move these nominations forward now.

I do not believe the Constitution gives me the right to block a qualified nominee, no matter who is in the White House. I say that today, and I have said it many times before.

A Republican President may have nominees I disagree with. That is most likely so. But the people elect a President. They give him or her the right to select a team to govern.

Today—right now—the majority leader can call a vote to confirm these nominees, yet he chooses not to. We changed the Senate rules to allow a majority vote, but that does no good if they remain blocked. That is what is happening in this Congress. The line gets longer and longer of perfectly qualified nominees who are denied a vote and are unable to serve.

So I am not sure who wins here, but I know who loses. The losers are the American people. The losers are the men and women who cannot get a day in court, because there is no judge to hear their case.

The losers are American citizens, businesses, and workers who rely on our embassies and other public servants. The room is empty, and the work is not done—all because one Senator says no, and the majority leader says OK.

Nominees should be judged on their merits, not on feelings about a President someone may not like or a policy someone may not approve. They are public servants in the executive branch, on our courts. They serve the people of this country.

Too often now that service goes begging because one Senator wants to make a point and will gum up the works to do it. That is not governing; it is a temper tantrum.

So I say to my colleagues: Let's get serious. Let's stop these games. Give nominees the consideration they deserve. Give the American people a government that works.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. UDALL. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:15 p.m.

There being no objection, the Senate, at 12:19 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

The PRESIDING OFFICER. The Senator from Wyoming.

SENATE ACCOMPLISHMENTS

Mr. ENZI. Mr. President, last year we made a promise to the American people. If we were elected to the majority, we would get Washington working again for American families. Republicans in the Senate have been focused on putting our country on not just another course but a better course. This will allow us to begin rebuilding the trust of hard-working taxpayers who have seen their government become less effective and less accountable.

Over the course of this year, as the Senate got back to work, the American people got to see something that had been missing from this side of the Capitol over the past 8 years; that is, an open and transparent legislative process. This included Members from both sides of the aisle offering, debating, and ultimately voting on amendments to not just our balanced budget resolution and reconciliation proposal but to a whole host of legislative measures. Leader MCCONNELL promised this, it is happening, and bills are passing because people on both sides of the aisle are having an opportunity to represent their constituents, to get votes on amendments.

The previous year we had 15 total votes on amendments. This year we have already had 192 votes on amendments, and the year is not over. So instead of allowing political points and partisan gridlock to take precedence over responsible governing, we are once again doing the people's business, and the Senate Budget Committee played an important role.

We had the first balanced budget in 14 years. Yes, Congress this year approved its first balanced 10-year budget since 2001. Americans who work every day to provide for their families and pay their taxes understand that it is time for the Federal Government to live within its means, just as they do. Hard-working taxpayers know they can't live on borrowed money, and neither can our Federal Government. This balanced budget approved by Congress shows these families that if they can do it, so can we. Our goal is to make our government more efficient, effective, and accountable. If government programs are not delivering results, they should be improved, and if they are not needed they should be eliminated.

A balanced budget would also help America tame its exploding debt, which today totals almost $19 trillion. Every dollar spent on interest on our debt is another dollar we won't be able to use for government services, for individuals in need or another dollar that won't be available for taxpayers for their own needs. Washington must live within its means, just as every hard-working family does every day, and we have to deliver a more effective and accountable government to the American people that supports them when it

must and gets out of the way when it should.

To get our country and economy back on track, Americans must be allowed to spend more time working to grow their businesses or to advance in their jobs instead of worrying about taxes and inefficient and ineffective regulations. We want to empower our job creators to find new opportunities to expand our economy and, most importantly, assure that each and every American has the opportunity to find a good-paying job and a fulfilling career.

This is why the balanced budget also provided for repeal of the President's unprecedented expansion of government intrusion into health care decisions for hard-working families and small businesses. Our goal is to lift the burdens and higher costs ObamaCare has placed on all Americans.

ObamaCare is saddling American households with more than $1 trillion in new taxes over the next 10 years, and according to the Congressional Budget Office, ObamaCare will cost taxpayers more than $116 billion a year. For every American, ObamaCare has meant more government, more bureaucracy, and more rules and regulations, along with soaring health costs and less access to care.

The budget reconciliation legislation passed by the Senate will eliminate more than $1 trillion in tax increases placed on the American people, while saving more than $400 billion in spending. Most importantly, this bill begins to build a bridge from the President's broken promises to a better health care system for hard-working families across the country.

The Senate Budget Committee is an important resource for facts and information about the congressional budget process and the economy. That is why my committee recently began publishing its budget bulletin again, to provide regular expert articles by committee analysts on the issues before Congress relating to the budget, deficits, debt, and the economy. This year the bulletin has addressed the highway trust fund debate; defense spending, BCA caps, and OCO special funding; reconciliation and the Byrd Rule; budget enforcement and points of order; the appropriations process, which is the spending bills; the debt limit debate; and the 2016 continuing resolution.

Another important part of the committee's work is to increase oversight and transparency surrounding congressional spending. This is why I directed the Congressional Budget Office to release regular reports tracking the budgetary impact of enacted legislation against the fiscal year 2016 balanced budget resolution the Republican Congress approved. I have provided these reports after each recess work period in order to provide a status update on Congress's progress achieving the budget resolution plan.

Regularly providing information such as this will help foster fiscal transparency in the Federal spending process, and over time it will encourage a heightened awareness in the importance of complying with the budget. It will also help ensure that Congress remains focused on fiscal responsibility.

The recent omnibus spending and debt deal clearly illustrates that the Federal budget process is in serious need of reform, which is why the Senate Budget Committee this year has also focused on fixing our broken budget process.

Instilling the Federal budget process with regular action and predictability, active legislative oversight and spending transparency are critical to strengthening our democracy and reducing our Nation's unsustainable spending and debt.

We often talk about the threat America's growing debt poses to our economy and our future, but the growth in Federal regulations also poses a threat to long-term economic growth and job creation. The committee this year has been working to shine a light on these regulations and the burden they have on each and every American. It is critical for lawmakers and hard-working Americans to understand the true cost of regulations that are being issued by the administration. Taming our ''regulation nation'' will help ensure that the Federal Government works for the people, instead of people working for the government.

These aren't the only things that the Senate accomplished. I was proud to be a part of the Finance Committee's efforts to replace the doc fix so that doctors could be paid properly and Medicare recipients would be able to see doctors, also to enact trade promotion authority legislation, to increase trade that increases dollars to the United States, and also to finance the highway trust fund. I was proud to be a part of the effort of the Health, Education, Labor, and Pensions Committee to reauthorize the Elementary and Secondary Education Act, and I commend my chairman for his work on those bills.

Today I also want to acknowledge Senator COCHRAN's work to lead the Appropriations Committee in reporting all 12 appropriations bills for the first time since 2012. Incidentally, they stayed within the budget on those, and most were bipartisan. It is the first time all 12 appropriations bills have been voted out of committee since 2012. I want to thank Senator MURKOWSKI for her work on energy issues, including the Keystone Pipeline bill, and Senator CORNYN, for his efforts to protect victims of trafficking.

I was also proud to work this year on some issues important to my own State of Wyoming by pushing back on the administration's Clean Power Plan and waters of the United States rule, primarily designed to eliminate the use of coal and drive up the price of electricity in this country, which in essence will cost the average American a lot more for their electricity. Just as importantly, it will send jobs overseas where the energy costs less.

This year Congress also corrected a problem that the 2012 highway bill created for Wyoming, and I commend Senator BARRASSO for his efforts on that. I also want to thank Senators MCCAIN and ISAKSON for their work to support our troops and our veterans. I appreciate Senator MCCAIN working with me to ensure small businesses have the help they need to compete for Federal contracts.

This isn't an exhaustive list. There are several more things. We passed over 80 bills this year. But these are some of the things we can be proud of. The Senate is under new management, and these accomplishments and others still to come show hard-working taxpayers that Republicans in the Senate are working to deliver a more effective and accountable government, a government for the people and by the people that supports them when it must and gets out of the way when it should. We have made great progress this year, but there is still more to be done. By working together, we are proving that we can deliver real solutions and real progress that the American people want and deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

TAX BREAK PARITY

Mr. MARKEY. Mr. President, here is where we are. The Republicans are holding the government spending bill and tax breaks for businesses hostage unless they can attach a rider to these bills to allow Big Oil to export American oil overseas to the highest foreign bidder. Ten days before Christmas, Republicans want to give Big Oil the biggest of all Christmas presents by lifting the crude oil export ban, and they keep saying no to long-term extensions of the wind and solar tax breaks and protections for consumers as part of the deal. Lifting the oil export ban would be a disaster for our economy, our climate, and for our national security. We should have tax break parity.

Let me tell you where we are right now. In America the oil industry gets approximately $7 to $8 billion a year in tax breaks. It is interesting because $7 to $8 billion is what the wind and solar industry receives each year—pretty even: wind and solar; oil—$7 to $8 billion every year in tax breaks.

We keep hearing from the other side: Let's have a level playing field; let's have all of the above. Well, what are they asking for right now?

Here is what they are asking for. The oil tax breaks will continue forever,

and the wind and solar tax breaks will phase out over the next 3 to 5 years. This is on top of the windfall which the oil industry receives from the exportation of the oil that otherwise would stay here in the United States. Under that scenario, the losers are going to be U.S. consumers because we will be exporting the oil that is already here in our own ground, so that the oil industry can get a higher price overseas. It will hurt our national security because we still import 5 million barrels per day. Can I say that again? We still import 5 million barrels of oil a day. We still import 25 percent of all our oil. Some of the countries we import that oil from you may have heard of—Saudi Arabia, Kuwait, Iraq, Algeria, Nigeria. We are still importing oil, and we are still exporting men and women over to the Middle East to protect those cargo ships of oil, bringing it to the United States. We don't have a surplus of oil in the United States. We have a deficit of 5 million barrels of oil per day. So that is a dangerous policy. On top of that, I will just say that the whole ethanol subsidy program in the United States is premised upon the fact that we do not have energy independence and we need ethanol to get $1.3 billion dollars' worth of tax breaks a year—biodiesel.

Well, that whole program starts to get called into question if we are already going to declare energy independence here, even as we still import 5 million barrels a day. Our domestic refiners will be hurt by this unless there are proper protections built in in the Tax Code for those refiners. Otherwise, as that crude oil goes overseas, it is going to call into jeopardy the viability of the oil refineries across the East Coast, Midwest, and West Coast of the United States of America.

On the environment, if Brookings Institution is correct and upwards of 3 million barrels of oil will be exported by the year 2025, that is the equivalent of 150 coal-burning plants of additional pollution going up from our own soil.

Some people question: Well, will that really happen? Let me give you some other numbers. The Energy Information Administration says that the developing world and its expanding economy are going to require 10 million additional barrels of oil by the year 2025. The expanding economy is going to require 20 million barrels of new oil by the year 2035.

What Big Oil in America wants is a piece of that action. They want to be able to export into that market, and they will do so by drilling on American soil, not to reduce our own dependence upon imported oil but to sell it because the price on the global market is higher—much higher than the price they could get in America.

Is that truly a good policy, given what we are seeing about the stability of the Saudi government? Well, just look at the governments all across the Middle East from which we import oil. Is this really a good idea? I don't think so. I think it goes to the heart of our national security.

What happens to the Big Oil industry over the next 20 years is that they pick up about $500 billion in new tax revenues; that is with a ''b,'' $500 billion. They keep their $7 billion in tax breaks every year over a 20-year period. That is $140 billion more.

Meanwhile, the solar and wind tax breaks expire; they run out. The rumors are they run out over the wind in 3 years. Well, the young generation is the green generation. They think wind and solar are the future. They don't think fossil fuels are the future.

The whole world, 195 countries, just gathered and signed an agreement to move away from a fossil era to a low-carbon, clean-energy future. So if there was going to be a deal out here, then there should be some equality. If you don't take away the tax breaks from oil and gas, then don't take away the tax breaks for wind and solar—a level playing field, all of the above. Have a competition so that we can know at the end of the day—which is what I think is going to happen—that renewables are actually the future. It is a tale of two tax breaks: one for Big Oil and one for the renewable industry.

As I stand on the floor, this is still an unanswered question, but I do know this: The Republicans are pledging that if their Presidential candidate wins in 2016, then in 2017 that Presidential candidate is going to take off the books the clean power rules that President Obama has promulgated. They are going to review the fuel economy standards that push us to 54.5 miles per gallon by the year 2025, which is still the largest single reduction of greenhouse gases in one stroke that any country in the world has ever actually announced. They are also saying, obviously this week, that they are going to allow the wind and solar tax breaks to expire. So just as the world meets, we have the announcements about what their goals are on this issue.

I think the world expects more from us, but I actually think the young people of our country expect more from us. They truly think this is the future; this is the revolution: more efficient vehicles, powerplants that have fewer emissions, tax breaks for wind, and solar for fuel cells—the future. It is not having 150 new powerplants of coal equivalents of oil being drilled for in our country without some corresponding, permanent, long-term tax breaks that would offset it. No, it is just the opposite. They are saying: We are coming after the Presidential election for the reductions in greenhouse gases from powerplants. We will take those rules off the books. We are going to review the fuel economy standards. We will take those off the books, and we will make sure there is never again a permanent tax break for wind and solar. That is where we are in the same week that the world just met in Paris to announce the global solution to a global warming problem.

So I say equality; I say keep it the same. If you want to keep oil, if you want to keep natural gas tax breaks, keep them. But don't take away ours; that is, not mine but those who believe in a low-carbon, clean-energy future for our planet. The United States must be the leader. We are the innovation giant. We are the country that the world is looking for in order to find these solutions.

We passed laws that created this cell phone in 1996. Until then it was the size of a brick, and people didn't have one in their pocket. Then, 8 years later, a new cell phone came along. By the way, 600 million people in Africa have them because we innovated; we went first.

We can do the same thing in the energy sector, but there has to be some fair treatment that is put in place, especially when the oil industry receives such an incredible bonanza of those breaks here—$500 billion in new revenues. From my perspective, it is undermining our national security because we shouldn't be exporting oil when we are still importing it from dangerous places on the planet, and they keep all their tax breaks.

From my perspective, I look at the Republican mantra from 6 to 7 years ago. It was ''Drill Here, Drill Now, Pay Less.'' They were saying: The more we drill here, the more energy independence we are going to have. They are replacing it this week with ''drill here, export there, pay more'' here at home. That is their new slogan. Everything they had said about why we should be drilling here is now made obsolete by their commitment to now ensure that oil gets exported. There are two prices: There is an OPEC price for global oil, and there is a Texas price for American oil. It is always cheaper here. They want to get it off into ships to get the OPEC price on the global market. I understand that.

What I don't understand is how we can leave behind—with tax breaks that are phasing out and the rumors that the wind tax break expires over the next 3 years—those new technologies that are branded ''Made in America,'' such as these cell phone technologies, these smartphone technologies that have revolutionized countries and continents all across the planet.

I come to the floor to say I understand why Big Oil wants this. It is about as great a Christmas gift as any industry would ever have received.

In return, I hope before we adjourn that we can find a way of being more generous—much more generous—to those other companies, those other technologies that are the future. I hope

the promises Republican Presidential candidates are making that they are going to come back and take the clean powerplant rules off the books—that they are protected because we have the tax breaks. It still signals to industries that they are our future and the past is just a memory, that there is a new 21st century vision that America is going to lead, that the promises President Obama made in Paris on behalf of the American people are, in fact, going to be met, and that our policies are going to reflect the words the President spoke.

I thank the Presiding Officer for this time.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from South Dakota.

SENATE ACCOMPLISHMENTS

Mr. THUNE. Mr. President, from voting to repeal ObamaCare to passing the first long-term Transportation bill in a decade and the first joint balanced budget in 14 years, Senate Republicans have worked hard this year to fulfill our promise to get Washington working again for American families.

While some of our efforts have been blocked by Senate Democrats or by the President, we have still managed to get a lot done. I am particularly proud of some of the legislation we passed this year that will benefit South Dakota families and businesses as well as families and businesses across the country. One bill that I have been working on for a long time—a bill that will mean a lot to South Dakota's farmers and ranchers—is the legislation the House passed last week, the Surface Transportation Board reauthorization bill.

The Surface Transportation Board is responsible for helping to ensure the efficiency of our rail system by addressing problems and adjudicating disputes between railroads and shippers. Unfortunately, it has been clear for several years now that the Surface Transportation Board needs to work better. This became particularly apparent in 2013 and 2014 when a sharp increase in shipping demand and harsh winter weather conditions combined to create massive backlogs in the availability of railcars for grain shipping which, in turn, caused storage issues for farmers across the Midwest.

The U.S. Department of Agriculture found that the rail backlog lowered the price of corn, wheat, and soybeans in the upper Midwest. It forced shippers to pay record-high railroad-car premiums—in the neighborhood of 28 percent to 150 percent above the previous average levels—for roughly 65 consecutive weeks.

The Surface Transportation Board legislation that Congress sent to the President last week will help prevent another situation such as this in the future. The bill, which I spearheaded, makes a number of significant reforms to the Board. For starters, it establishes the number of Board members and establishes a more collaborative process that will allow members to work together to identify and solve problems as they emerge. The bill also provides the Board with the investigative authority to address rail service issues even if an official complaint has not been made. This will allow and encourage the Board to be more proactive when it comes to addressing problems in our Nation's rail system.

The bill also increases transparency by requiring the Surface Transportation Board to establish a data base of complaints and to provide quarterly reports with key information to facilitate the effective monitoring of service issues. Finally, the bill improves the current process for resolving disputes between railroads and shippers.

Right now, disputes can take multiple years and literally millions of dollars to resolve, putting a tremendous burden on shippers and on railroads as well. The legislation we developed improves this process by setting timelines for rate reviews, expanding voluntary arbitrary procedures, and requiring the Surface Transportation Board to study alternative rate review methodologies to streamline and to expedite cases. It requires the Surface Transportation Board to maintain at least one simplified, expedited rate review methodology. These changes will increase efficiency throughout the rate review process.

South Dakota farmers and ranchers depend on our Nation's railroads to bring their goods to market. They also depend on our Nation's highways. This year I was proud to work with my colleagues in the Senate on the first long-term Transportation bill in a decade.

Over the past several years, Congress made a habit of passing numerous short-term funding extensions for Federal transportation programs. Over the past several years of short-term extensions, the latest, I think, was No. 38. That was an incredibly inefficient way to manage our Nation's infrastructure needs, and it wasted an incredible amount of money. It also put a lot of transportation jobs in jeopardy.

When Congress fails to make clear how transportation funding will be allocated, States and local governments are left without the certainty they need to authorize projects or to make long-term plans for addressing various transportation infrastructure needs. That means essential projects, construction projects, get deferred. Necessary repairs may not get made, and the jobs that depend on these projects and repairs are put at risk.

The Transportation bill we passed this month changes all that. It reauthorizes transportation programs for the long term, and it provides 5 years of guaranteed funding. It means States and local governments will have the certainty they need to invest in big transportation projects and the jobs that they create. That, in turn, means a stronger economy and a more reliable, safer, and effective transportation system.

As chairman of the commerce committee, I spend a lot of time working with committee members on both sides of the aisle to develop the Transportation bill's safety provisions. Our portion of the bill includes a host of important safety improvements, including enhancements to the notification process to ensure that consumers are informed of auto-related recalls, and also important reforms at the government agency responsible for overseeing safety in our Nation's cars and trucks.

Another important success for South Dakota this year was the final approval of the expansion of the Powder River Training Complex—the military training airspace over South Dakota, North Dakota, Montana, and Wyoming. The expanded airspace approved by the Air Force and the Federal Aviation Administration will allow our air men and women to carry out critical training in conditions that more closely resemble combat missions. After working with the Air Force on this project for nearly 9 years, I was proud to see this expansion finally completed and even more delighted to see the first large-force training exercise take place at the expanded Powder River Training Complex just this month. Forty-one aircraft took part in the exercise, including the B–1 bombers from Ellsworth Air Force Base in South Dakota. The expanded training complex will save Ellsworth $23 million per year in training costs by reducing the need for the B–1 bombers to commute to other places, such as Nevada and Utah, for training.

Supporting our men and women in uniform—like our airmen at Ellsworth—is one of the most important jobs we have as Members of Congress.

This year I am proud to report that the Senate passed a national defense authorization bill that incorporates a number of critical reforms that will expand the resources available to our servicemembers and strengthen our national security. The National Defense Authorization Act for 2016 tackles waste and inefficiency at the Department of Defense and focuses funding on our warfighters rather than on the Pentagon bureaucracy.

The bill also overhauls our military retirement system. Before this bill, the system limited retirement benefits to servicemembers who had served for 20 years or more, which means huge numbers of military personnel, including many veterans of the wars in Iraq and Afghanistan, retired after years of service without having accrued any retirement benefits. The National Defense Authorization Act replaces this

system with a new retirement system that will ensure that the majority of our Nation's servicemembers receive retirement benefits for their years of service to our country even if they have not reached the 20-year mark.

The bills I have discussed today are just a few of the accomplishments of the Republican-led Senate. Over the course of this year, we have passed a number of significant pieces of legislation that will benefit Americans for years to come.

We have worked hard to help our Nation's veterans by expanding access to mental health resources, reducing wait times for medical care, and increasing the number of providers who can serve veterans. We voted to repeal ObamaCare and start the process of moving toward the real health care reform Americans are looking for: an affordable, accountable, patient-focused system that puts individuals in control of their health care decisions. We passed legislation to contain the out-of-control bureaucracy at the EPA and legislation to begin the process of safeguarding Medicare and Social Security by putting them on a more sustainable financial footing going forward. We passed cyber security legislation to protect Americans' privacy and a major education reform bill that puts States, parents, teachers, and local school boards—not Washington bureaucrats—in charge of our children's education.

While we may have accomplished a lot this year, we know there is still a lot more that needs to be done. Americans are still suffering in the Obama economy, and our Nation continues to face terrorist threats at home and abroad.

Whether it is enacting pro-economic growth policies at home or ensuring that our military has the resources it needs to protect us from threats abroad, Republicans will redouble our efforts to make sure Washington is meeting the needs of American families and addressing the American people's priorities. We plan to spend the second year of the 114th Congress next year the way we have spent the first: fighting to make our economy stronger, our government more efficient and more accountable, and our Nation and our world safer and more secure.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I ask unanimous consent to speak for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, one of the brightest bright spots at the Paris climate talks last week was the robust corporate presence. Leading businesses and executives from around the world were there in Paris to voice their support for a strong international climate agreement. That brings me here today for the now 122nd time to say that it is time for America's leading corporations and their lobbyists to bring that same message here to Washington to help Congress wake up.

Let me use an example of two of the good guys. The two biggest drinks companies in America are Coca-Cola and PepsiCo. Coke and Pepsi both signed this public letter urging strong climate action in Paris:

> Dear U.S. and global leaders:
>
> Now is the time to meaningfully address the reality of climate change. We are asking you to embrace the opportunity presented to you in Paris. . . . We are ready to meet the climate challenges that face our businesses. Please join us in meeting the climate challenges that face the world.

And it is not just that public letter; Coca-Cola's Web site says it will reduce CO_2 emissions by 25 percent and that to do so, ''Coca-Cola will work to reduce the greenhouse gas emissions across its value chain, making comprehensive carbon footprint reductions across its manufacturing processes, packaging formats, delivery fleet, refrigeration equipment and ingredient sourcing.''

Coca-Cola also says: ''We continue to partner with peer companies, bottling partners, NGOs, governments and others in addressing our greenhouse gas emissions and encouraging progress in response to climate change.''

Pepsi's Web site heralds what it calls ''its commitment to action on climate change'' and announces that it has signed both the Ceres BICEP Climate Declaration in the United States and the Prince of Wales's Corporate Leaders Group Trillion Tonne Communique in the UK. These commitments, they say, ''are part of PepsiCo's overall strategy to address climate change by working across its business and with global leaders.''

Here is Indra Nooyi, chairman and CEO of PepsiCo:

> Combating climate change is absolutely critical to the future of our company, customers, consumers—and our world. I believe all of us need to take action now.

I have corresponded with these companies about climate change, and here is what they have said in their letters to me.

In March 2013, Coke said:

> We recognize that climate change is a critical challenge facing our planet, with potential impacts on biodiversity, water resources, public health, and agriculture. Beyond the effects on the communities we serve, we view climate change as a potential business risk, understanding that it could likely have direct and indirect effects on our business.
>
> As a responsible global company, with operations in more than 200 countries, we have a role to play in climate protection. . . .

Then in May 2014:

> The Coca-Cola Company has strongly stated that climate change is happening and the implications of climate change for our planet are profound and wide-ranging. It is our belief that climate change may have long-term direct and indirect implications for our business and supply chain and we recognize that sustainability is core to our long-term value. . . . Climate protection is a key component of our business strategy.

In August of this year:

> Coca-Cola joined twelve other corporations at the White House pledging our support for the American Business Act on Climate [Pledge]. Climate protection has been a key focus of Coca-Cola for decades.

In a letter of February 2013, Pepsi said:

> PepsiCo applauds your efforts to address climate change by focusing Congressional attention on the issue. . . . At PepsiCo, we recognize the adverse impacts that greenhouse gas emissions have on global temperatures, weather patterns, and the frequency and severity of extreme weather and natural disasters. These impacts may have significant implications for our company. . . . Accordingly, responding to climate change is integrated into PepsiCo's business strategy.

In September of this year, Pepsi wrote:

> We look forward to providing further support on the ''Road to Paris''—demonstrating that actions by business in climate are not only good for the environment, but good for business.

That is all great stuff. Here is where it gets a little strange. Coke and Pepsi have a trade association, the American Beverage Association, that lobbies for the soft drink industry, and they also support the business lobbying group, the U.S. Chamber of Commerce. Indeed, the American Beverage Association sits on the board of the U.S. Chamber of Commerce and contributes to it a lot of money.

Here is the official position of the American Beverage Association on climate change from its Web site:

> Each of America's beverage companies has set goals to lower our emissions over time while continually improving efficiency. And our companies have pledged to work with government leaders, environmental organizations, and other businesses to ensure these emission reductions are happening throughout the United States.

They even have the Beverage Industry Environmental Roundtable. But do they lobby us about this in Congress? I have never seen any sign of it. When the American Beverage Association thought Congress might impose a soda tax to fund health care, then they lobbied like crazy—nearly $30 million worth of lobbying expenditure. They know how to lobby when they want to. But on climate, I have never seen it.

As for the U.S. Chamber of Commerce, everyone in Congress knows that the U.S. Chamber of Commerce is dead set against Congress doing anything serious about climate change.

The U.S. Chamber of Commerce is a very powerful lobby group, and its power in Congress is fully dedicated to stopping any serious climate legislation. They are implacable adversaries of climate action, and we see their hostility everywhere.

At one point, the U.S. Chamber of Commerce wrote to me to say I mischaracterized its position on climate change. ''Even a cursory review of our stated views on climate change,'' wrote Chamber of Commerce President and CEO Tom Donahue, ''shows that the Chamber is not debating the existence of climate change or that human activity plays a role.''

Well and good, but here is what I wrote back.

Mr. President, I ask unanimous consent to have printed in the RECORD my full letter at the end of my remarks.

I wrote back:

I am in politics in Washington, and I see the behavior of your organization firsthand. There is no way to reconcile what I see in real life around me with the assurances in your letter that you treat the climate problem in any way seriously.

I then offered a list of the many ways the U.S. Chamber of Commerce actively opposes climate legislation and concluded:

In every practical way in which your organization brings pressure to bear on the American political process, I see you bringing it to bear in line with the big carbon polluters and the climate denial industry. And given the powerful and relentless way in which you bring that pressure to bear on our system in the service of your own First Amendment rights, I hope you will accept that I have the right to express my own views under that same First Amendment.

In sum, the U.S. Chamber of Commerce has a terrible record on climate change. It is Coke and Pepsi's adversary on getting anything done. So why is Coke and Pepsi's American Beverage Association on the board of the U.S. Chamber of Commerce?

The result is that Coke and Pepsi take one position on climate change in their public materials and in Paris and throughout their internal corporate effort, but here in Congress, where the rubber meets the road on legislating and where the lobbying meets our legislative efforts, their lobbying agencies don't support their position. I actually wonder how well they know in the executive suites of Coke and Pepsi that their position is not supported by the lobbying effort they support.

Let me be clear. I am not here to ask that companies such as Coke and Pepsi take a different position on climate change than what they believe. I am here to ask companies to line up their advocacy in Congress with what they believe. My ask is simple: Match your advocacy in Congress with your policy. Don't outsource your advocacy to entities that take the opposite position from you—not on an issue of this magnitude. This is too important an issue for great American companies to say one thing when they are talking to the public and have their lobbying agencies say something completely different when they come to Congress.

I have asked Coke and Pepsi about this discrepancy between their policy and these organizations' advocacy, and here is what they say. From Pepsi:

The Chamber is an important partner for PepsiCo on critical tax and trade matters. However, our positions on climate change have diverged.

From Coke:

The Coca-Cola Company belongs to a wide range of organizations through which we gain different perspectives on global and national issues; however these groups do not speak on our behalf.

Well, if their positions have diverged and these organizations don't speak for them on this issue, why keep supporting one of the leading political opponents of meaningful climate action? If you insist on supporting the entities that lobby against you on climate change, then the question becomes this: What are you doing in Congress to lobby back? What are your countermeasures to dispel the voice of these agencies that you are supporting?

Climate change is not just any other issue. It is so big an issue that the world's leaders just gathered in Paris to address it in the largest gathering of world leaders in history. It is so big an issue that it has its own page on Coke's and Pepsi's Web sites and, indeed, on the Web sites of most major American corporations. It is so big an issue that our former Pacific commander, Admiral Locklear, said it was the biggest national security threat we face in the Pacific theater. To use Admiral Locklear's exact words, climate change ''is probably the most likely thing that is going to happen . . . that will cripple the security environment, probably more likely than the other scenarios we all often talk about.''

Around here in Congress, the bullying menace of the fossil fuel industry is everywhere. The U.S. Chamber of Commerce is their vocal advocate. If companies such as Coke and Pepsi don't push back against this group that they fund, that choice has real consequences here. That choice says to Congress: ''This issue isn't really serious to us.'' That choice says to the individual Members over here: ''If you cross the fossil fuel boys, don't count on us to have your back.''

I recently received a letter from ExxonMobil. It says:

ExxonMobil has for a number of years held the view that a ''revenue-neutral carbon tax'' is the best option. . . . [A] carbon tax could help create the conditions to reduce greenhouse emissions in a way that spurs new efficiencies and new technologies.

This is ExxonMobil.

The revenue-neutral carbon tax could be a workable policy framework for countries around the world—and the policy most likely to preserve the ability of every sector of society to seek out new efficiencies and new technologies.

ExxonMobil may say that in their letter, but let me say as the author of the Senate's revenue-neutral carbon-fee bill, I can assure you that bill is getting zero support from ExxonMobil. ExxonMobil is playing a double game, with statements such as they made in the letter to me on the one hand, but on the other hand all of its massive lobbying clout directed against doing anything serious on climate.

I suggest that it is the same with the other companies. They may have enough happy talk about climate change being serious to get them through a cocktail party at Davos, but the full weight of their industry lobbying leverage, through the Chamber and the American Petroleum Institute and a slew of other front groups, is leaned in hard against climate legislation, including revenue-neutral carbon fees. We should perhaps expect better of them. But we should certainly expect better of other companies that don't have ExxonMobil's massive conflict of interest.

To be fair to Coke and Pepsi, they are not alone. Congress is heavily influenced by corporations. That is no news flash. What my colleagues here all know is that virtually zero of that corporate influence is brought to bear in support of climate action. Even companies with good internal climate policies, even companies that are leaders in what they are doing within their companies and within their supply chains on climate change shy away from this issue in Congress.

The result is that, on one side, the fossil fuel industry maintains a desperate grip on Congress to stop any climate action. They lean on Congress hard to get their way. On the other side, the rest of corporate America has virtually nothing to say in Congress on climate change. Maybe they do on their Web sites, maybe in their public relations, certainly through their sustainability departments, and in some cases from their CEOs. But from their lobbyists and from the trade associations and the lobbying organizations that represent them here in Congress, the silence is deafening.

The corporate effort in Congress to get something done on climate change rounds to zero. I am in Congress, and I am here to say we need you guys to show up. I get that it is never convenient to stand up to bullies. It is always easier if they just go away, but the fossil fuel bullies are not going away. So it is either stand up to them or keep letting them roll Congress.

If what Coke and Pepsi and other corporations say publicly are the things they really believe, then it should be important to them that Congress not get rolled by the guys who are working against what they believe. This should not be too big an ask for the corporations that stood up in Paris: Do the

same thing in Congress. Do the same thing in Congress. Do the simplest and truest of things: Stand up for what you believe.

It is time to wake up, but it is also time to stand up, and what a difference you will make.

Mr. President, I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXXONMOBIL CORPORATION,
Washington, DC, December 2, 2015.

Hon. EDWARD J. MARKEY,
U.S. Senate,
Washington, DC.
Hon. RICHARD BLUMENTHAL,
U.S. Senate,
Washington, DC.
Hon. SHELDON WHITEHOUSE,
U.S. Senate,
Washington, DC.
Hon. ELIZABETH WARREN,
U.S. Senate,
Washington, DC.

DEAR SENATORS: As to your question about Donors Trust and Donors Capital, we had never heard of these organizations until you brought them to our attention. We do not provide funding to them.

At ExxonMobil we too have been following the deliberately misleading stories regarding our company published by the climate activist organization InsideClimate News and by various media outlets. If you are interested in our response, please visit our corporate blog: http://www.exxonmobilperspectives.com.

From the very beginning of concern about climate change, ExxonMobil scientists and engineers have been involved in discussions and analysis of climate change. These efforts started internally as early as the 1970s. They led to work with the U.N.'s Intergovernmental Panel on Climate Change and collaboration with academic institutions and to reaching out to policymakers and others, who sought to advance scientific understanding and policy dialogue.

We believe the risks of climate change are serious and warrant thoughtful action. We also believe that by taking sound and wise actions now we can better mitigate and manage those risks. But as policymakers work to reduce emissions, it is critical to recognize the importance of reliable and affordable energy in supporting human progress across society and the economy.

Sound tax, legal, and regulatory frameworks are essential. With sound policies enacted, investment, innovation, and cooperation can flourish. In our view, policy works best when it maintains a level playing field; opens the doors for competition; and refrains from picking winners and losers.

When considering policy options to address the risks of climate change, we urge you to draw from the best insights from economics, science, and engineering. The U.S. has achieved remarkable reductions in not just greenhouse gas intensity measures, but in absolute levels of carbon dioxide emissions as a result of large-scale fuel switching from coal to natural gas for electricity generation. Thoughtful regulatory initiatives directed to both energy and building efficiency standards, as well as continued improvements in emissions levels related to industrial processes, have also contributed to the reduction in the nation's greenhouse gas emissions.

As you consider additional policy options, such as putting a more direct cost on carbon to incentivize different choices, we suggest that these policies ensure a uniform and predictable carbon cost across the economy and allow competitive market forces to drive solutions. We believe this approach will maximize transparency, reduce complexity, and promote global participation.

You are probably aware that ExxonMobil has for a number of years held the view that a ''revenue-neutral carbon tax'' is the best option to fulfill these key principles. Instead of subsidies and mandates that distort markets, stifle innovation, and raise energy costs, such a carbon tax could help create the conditions to reduce greenhouse gas emissions in a way that spurs new efficiencies and new technologies. The revenue-neutral carbon tax could be a workable policy framework for countries around the world—and the policy most likely to preserve the ability of every sector of society to seek out new efficiencies and new technologies.

Sincerely,

THERESA M. FARIELLO,
Vice President, Washington Office.

Mr. WHITEHOUSE. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LANKFORD). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT'S STRATEGY TO DEFEAT ISIS

Mr. CORNYN. Mr. President, just yesterday President Obama went to the Pentagon for a long overdue meeting with his national security advisers. During that meeting or shortly thereafter, he made this statement: ''We are hitting ISIL harder than ever.'' Unfortunately, the President failed to acknowledge the simple fact that his strategy against ISIL—or ISIS, as it is more frequently called—is simply not working.

This is pretty hard to get right, but at least our leaders should have the humility to recognize reality, and when things aren't working out so well, reconsider and make some midcourse changes so they do work—not this President. I have said repeatedly that the President needs to tell Congress and the American people about his comprehensive strategy to defeat this terrorist enemy, and he has to do more to give our military the flexibility and resources they need to accomplish the mission. It is simply wrong to ask our military to accomplish something and not give them the freedom, flexibility, and resources they need in order to accomplish it.

That is why when the President talks about airstrikes—I know of no military leader who believes that you can defeat this terrorist army in Syria and Iraq by airstrikes alone. Nobody. Yet that seems to be the only tactic this President is using. So the President needs to tell the American people the truth about the realities on the ground in Iraq and Syria. He needs to listen and take advice from the military leadership he has at the Pentagon and on his own staff. Above all, he needs to learn not to be ashamed of American leadership.

It is absolutely true that America doesn't necessarily need to fight the wars for other countries in the region that ought to be engaged in the fight themselves, but the fact is there is no one else on the planet who can lead like the United States of America. We have to organize it, we have to lead it, and we have to support it if we expect other people to be the boots on the ground to fight those wars, but the action we are seeing currently from this administration does not match the very serious threat we face, and it is a threat that has gotten worse, not better, under the President.

CIA Director John Brennan recently estimated that before President Obama prematurely pulled all U.S. troops out of Iraq, without any sort of transition at all, the predecessor of ISIS, known as Al Qaeda in Iraq, had ''maybe 700-or-so adherents left.'' This is the CIA Director, nominated by President Obama and confirmed by the Senate. He said, before the President pulled the plug in Iraq, there were about 700 or so adherents left in Al Qaeda in Iraq, the predecessor of ISIS. If we fast forward that to today, according to the New York Times, just a few months ago, he said: ''Nearly 30,000 foreign recruits have now poured in to Syria, many to join the Islamic State, a doubling of volunteers in the last 12 months. . . .''

Nearly 30,000 foreign recruits, a doubling of volunteers in just the last 12 months, these are pretty amazing and concerning numbers but more often they demonstrate how out of touch the President's remarks are when he says ISIS has been contained or we are hitting them harder than we ever have before. It is simply not working. Clearly, we need the President to execute an effective military strategy that results in both the physical destruction of ISIS and the complete rejection of their bankrupt ideology—not just in the Middle East but around the world, including here at home.

Frequently, when various pundits react when they hear people like me saying the President doesn't have an effective strategy, they say: OK. What is your strategy? First of all, I am not the Commander in Chief, but we did make some constructive suggestions to the President. Nine other Republican Senators joined me in a letter, where we recommended six specific military options that if brought to bear on ISIS, would go a long way toward achieving his stated goal of destroying this terrorist army. First, it would take the handcuffs off the U.S. military and let our troops do what they have trained

to do and what they have volunteered to do. Increasingly, we need a strategy that doesn't just handle the fight over there. We need a strategy to handle the fight here at home because of the danger of foreign fighters, of fighters going from the United States to the fight in the Middle East and then returning or people going to Europe. In particular, one concern has been raised by many of our Democratic colleagues is the use of the visa waiver, where you don't actually need—the 38 countries where you can travel to the United States without actually getting a specific visa or having to be interviewed by a consular officer at one of our embassies. This is a potential vulnerability for the United States.

The third area beyond the fight over there, beyond the danger of people exploiting the flaws in our screening system within immigration, whether it is fiance visas, whether it is a visa waiver or whether it is refugees—there is a third area the FBI Director talked about last week when he testified before the Senate Judiciary Committee. He talked about homegrown terrorists—people like the ones in San Bernardino who did actually travel to the Middle East and come back—but he also included people in the United States, American citizens. I must admit I appreciated the FBI Director's understanding of the threat that ISIS poses, including their attempts to inspire people in this country to become terrorists and commit acts of violence.

This Senator was astonished that the Department of Homeland Security would have a policy preventing the United States from screening the social media use by foreign nationals who are attempting to use our immigration system to come to the United States. In the instance of the female shooter in San Bernardino, it was revealed that using social media, she had posted things that should have been an alert—if our immigration officers were doing their job—to the fact that she was likely to be a jihadist and be a threat here at home.

Another threat we are going to have to deal with that Director Comey and the Deputy Attorney General raised is the use of encryption as a challenge that hinders the FBI's counterintelligence efforts against these ISIS-inspired extremists. Encryption applications are available on your cell phone, and some of the companies—Apple, for example—market them because people want to keep their communications private. We all understand that, but an encrypted message—one that is incapable of being unlocked—is one that can't be used to respond to a court order when somebody in law enforcement goes to court and says: We have probable cause to believe a crime was committed, so we want to execute this search warrant. As Director Comey confirmed, increasingly using encryption is part of terrorist trade craft.

I was shocked—because I hadn't heard it before—to hear Director Comey talk about how encryption impacted an investigation in my home State of Texas. He said many will remember that back in May, two men attempted to attack people at an event northeast of Dallas in Garland, TX. He said that fortunately the quick and effective response of law enforcement officials in the area stopped the men from making their way into the conference center, keeping them from inflicting more harm. We now know the attack was at least inspired by ISIS. In fact, according to media reports, ISIS quickly claimed responsibility for the attack.

Shockingly, Director Comey said last week before the Senate Judiciary Committee that the FBI had 109 encrypted messages with a terrorist overseas as part of this investigation of the Garland incident. According to the FBI Director, that is 109 messages the FBI still doesn't have access to because they are encrypted and they can't even crack it given a court order showing probable cause that it might lead to further evidence in this investigation. He pointed out that these sorts of encrypted communications are part of terrorist trade craft. In fact, there is reason to believe that within terror circles, they understand which of these devices and which of these apps are encrypted and thus make it less likely that they will be discovered when they are conspiring against Americans either here or abroad.

It troubles me that the men and women charged with keeping us safe don't have all the information they need. I think that is a subject on which we need to have a more serious conversation. I think that is why Director Comey mentioned that last week, and that is why the Deputy Attorney General came to testify before the Senate Judiciary Committee to raise the concern, so we can have the kind of debate we always have in America when it is a balancing of privacy and security.

I commend the Director for engaging Congress on this critical issue, but what it points out is that the President and this administration need to have a three-pronged strategy when dealing against a terrorist threat: As I mentioned, over in Syria and Iraq, unhandcuff our military and make sure they have a strategy that will actually work over and above just airstrikes; second, try to make sure we enhance our screening system for immigration for people who come into the United States so we don't inadvertently allow someone into our country who has the intention of doing us harm; and third, do more to come up with a plan to deal with people being radicalized right here in the United States, not the least of which, I would hope the Department of Homeland Security voluntarily reverses their policy of not screening social media communications which are in the public domain. I mean, there is no expectation of privacy on the part of people posting things in a public domain such as Twitter or Facebook, particularly things like Twitter. I know you can restrict access, but most people communicate with their friends, family, and anybody else who happens to want to have a conversation with them on social media.

We can all agree that the threat of ISIS to the United States is broad and real. Sadly, we were reminded in San Bernardino and in Garland last May of this fact.

Last week, both in a letter I sent to the President and here on the floor, we sought to make some constructive suggestions to begin to have that conversation, which was long overdue, about what an effective strategy to carry out the President's stated goal of degrading and destroying ISIS would actually look like. I hope the President listens. Unfortunately, so far experience has taught us he is not necessarily primed that way. But I hope he will reconsider in light of the increased public concern about terrorist activity in the United States. Certainly, public opinion polls have shown that is the No. 1 issue of concern to the American people, and as the leader of the U.S. Government and as Commander in Chief, I hope he will have the humility and the common sense to say that what we are doing now is not working the way it should. We can do better. We can do more.

Certainly, if the President would work with us in a bipartisan and bicameral fashion, I know we would support a strategy that I think Members of Congress felt had a reasonably decent chance of working. But right now the President seems stuck on this same inadequate strategy of just bombing missions. These airstrikes are necessary but not sufficient to get the job done over there. It certainly is incomplete when you look at the threat in terms of exploiting our immigration system and in terms of homegrown radicalism. We haven't heard the kind of plan that we need to hear from the President of the United States that we are willing to work with him on. We need to hear from him what he is willing to do to help keep the American people safe and to fight and win this war against Islamic radicalism.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR AGREEMENT WITH IRAN

Mr. GRASSLEY. Mr. President, according to press reports, this administration may be just weeks away from lifting sanctions on Iran. This is despite Iran's recent actions that indicate they have little intention to comply with the terms of the agreement called the Joint Comprehensive Plan of Action, also known as the Iran nuclear deal. Most recently, the International Atomic Energy Agency released the final report on the possible military dimensions of the Iranian nuclear program. It is quite clear Iran was less than cooperative with the International Atomic Energy Agency. For some reason, despite Iran's stonewalling, the President seems intent and confident that they know the extent of Iran's past nuclear weaponization work.

It is important to remember the evolution of the importance of this information. In April 2015, Secretary Kerry stated in an interview that Iran must disclose its past military-related nuclear activities as part of any final deal. His words on this matter were unequivocal.

He stated:

> They have to do it. It will be done. If there's going to be a deal it will be done. It will be part of the final agreement. It has to be.

Just a few weeks later, when it was clear President Obama's administration was ready to surrender to Iran's demands on this issue, Secretary Kerry said that we didn't need a full accounting of Iran's past activities. He said the U.S. intelligence agencies already had ''perfect knowledge'' of Iran's activities.

Just a few days ago, the International Atomic Energy Agency released their report, which was supposed to be a comprehensive overview of Iran's nuclear program and their past military dimensions of that program. Because of Iran's obstruction, the report is far from comprehensive—as we were promised.

The International Atomic Energy Agency report essentially concludes what many of us have known for a very long time. Iran was working toward developing nuclear weapons capability and they have continually lied and continually misled the international community regarding that program. The International Atomic Energy Agency also concluded that Iran's nuclear weapons program was in operation until 2009, several years later than many believed.

President Obama repeatedly stated that the nuclear agreement was based on unprecedented verification. Yet it is very clear from the International Atomic Energy Agency report that Iran had no intention of cooperating with the requirement that they come clean on their nuclear program. In many areas, the International Atomic Energy Agency indicated that Iran provided little information, misleading responses, and even worked to conceal portions of that program.

Many of the questions around the Parchin military facility remain unanswered. This report from the International Atomic Energy Agency states:

> The information available to the Agency, including the results of the sampling analysis and the satellite imagery, does not support Iran's statement on the purpose of the building. The Agency assesses that the extensive activities undertaken by Iran since February 2012 at the particular location of interest to the Agency seriously undermined the Agency's ability to conduct effective verification.

An effective verification was what we were promised. The Iranians were actively working to cover up and destroy any evidence of their weaponization efforts at Parchin. On many occasions, Iran refused to provide any information or simply reiterated previous denials. Iran refused to cooperate and instead continues to deceive the international community on the military dimensions of its nuclear program. Some may wonder why we should even care about this. It matters because a complete and accurate declaration of all nuclear weapons activity is a critical first step in the verification regime and the safeguard process that the International Atomic Energy Agency will be asked to enforce and something we put our confidence in. I shouldn't say ''we'' because I didn't vote for it—but something this country puts its confidence in this Agency's ability to enforce. There must be a baseline declaration to ensure effective international monitoring going forward.

It also matters because President Obama entered into an agreement, along with our allies, to provide sanctions relief in exchange for Iran giving up its efforts to develop nuclear weapons. It matters because it is clear we do not have ''perfect knowledge''—which we were promised—of what Iran is up to, as Secretary Kerry has claimed. It also matters because since the agreement was finalized, Iranian leadership has not changed their behavior. If anything, they have increased their hostility. Here are some examples of hostility: On October 10, Iran launched a long-range ballistic missile. This is clearly in violation of Security Council Resolution 1929. Then, on November 21, Iran launched another ballistic missile.

It is clear that Iran has no intention to comply with the ballistic missile restrictions of this deal. These are blatant violations. How are we supposed to have any faith in this agreement or Iran's intent to comply? Iran did not comply with the International Atomic Energy Agency. They have continued to test ballistic missiles. They continue to hold Americans hostage. A Washington Post reporter has been imprisoned for more than 500 days and was recently convicted of unspecified charges in a sham trial. Iran has no intention to honor any of their obligations under this deal. It is naive to think otherwise. As a recent Wall Street Journal editorial put it, ''The larger point is that the nuclear deal has already become a case of Iran pretending not to cheat while the West pretends not to notice.''

I hope President Obama and his administration finally wake up and quickly recognize Iran's track record of noncompliance. Iran cannot and should not be rewarded with sanctions relief. The international community should not reward Iran with sanctions relief while Iran doubles down on its confrontational and uncooperative behavior. They should not be given hundreds of billions of dollars while continuing to defy and deceive the international community.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MCCASKILL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 579

Mrs. MCCASKILL. Mr. President, I am on the floor this afternoon to talk about S. 579, which is called the Inspector General Empowerment Act, but it really ought to be called ''Let the inspectors general do their jobs.''

As I look back on my time as a State auditor and I think of all I learned about how government works well and how government behaves badly, I have a special point of respect for inspectors general because of the work I did as an auditor. I believe they are our first line of defense against waste, fraud, and abuse of taxpayer dollars. We should be helping them every way we can to do their jobs.

I want to thank Senator JOHNSON, the chairman of the committee I serve on that has primary jurisdiction on government oversight, and I want to thank Senator GRASSLEY for his long championing the cause of inspectors general and the GAO and all of the noble public servants who are out there every day trying to uncover government behaving badly.

This bill serves three main purposes. It provides additional authority to inspectors general to enhance their ability to conduct oversight investigations. It reforms the process by which the Council of the Inspectors General integrity committee investigates accusations against IGs, which is very important. IGs need to be above reproach.

Any whiff of politics, any whiff of unethical conduct, any whiff of self-dealing—we have to empower the Council of the Inspectors General to deal with that in a way that is effective.

It restores the intent of the 1978 Inspectors General Act to ensure that IGs have timely access to documents they need to conduct good, comprehensive oversight audits and investigations. Many of the provisions are authorities that the IGs have been seeking for a long time, and most of them are beyond noncontroversial.

I wish to focus on one section of the bill for a minute and explain how critical its provision is to congressional overseers and for the taxpayers. The main issue I wish to talk about today is the section of the bill that ensures IGs have access to all agency documents. The Inspector General Act, which was passed in 1978, explicitly grants access to ''all records, reports, audits, reviews, documents, papers, recommendations, or other material.''

For the last 37 years, we lived in a world where ''all'' meant all. But this summer, the Department of Justice Office of Legal Counsel issued an opinion that allows agencies to withhold documents from the inspectors general. Other than national security concerns, intelligence concerns, and statutes that explicitly restrict disclosure of documents to IGs, all of which are addressed by this bill, there is absolutely no reason that IGs should have their access to documents restricted. There is no universe in which the Inspector General Act should be interpreted to mean anything less than what it says. They have to have access to the documents or they can't do their work. It really isn't any more complicated than that.

The convoluted legal reasoning that is being implemented by the counsel at the Department of Justice is a big step backwards for effective oversight of our government. We can't expect them to do their jobs well without fear or favor if they can't get access to the information that is vital to their work.

When the auditors in my office came back with an access issue, my instruction to them was this: Well, get on your ''dog with a bone act,'' because if they are trying to withhold documents from you, there is something in those documents we need to see.

I think if every agency knows that the inspector general has access to documents, it will have a deterrent effect on people behaving badly with taxpayer money or engaging in self-dealing or other activities that frustrate taxpayers and heighten the level of cynicism that, frankly, right now is breaking my heart in this country about our government.

I join with my Republican colleagues today in asking unanimous consent for this bill to be brought up. We have worked on it for years. It is time. I appreciate the hard work of both on this, and I stand shoulder to shoulder with them trying to get this one across the finish line.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I rise today to urge my colleagues to pass S. 579, the Inspector General Empowerment Act of 2015. I want to thank Senator MCCASKILL for her hard work on this and her support and Senator GRASSLEY for his many years as a real champion of this cause, as well as the other bipartisan cosponsors of this legislation and for the work their staff have done on this very important issue.

In 1978 Congress created a crucial oversight partner for all of us—inspectors general. They are independent watchdogs embedded in each agency, accountable only to Congress and the American people. That is crucial. They are the American people's eyes and ears, and they are our best partner in rooting out waste, fraud, and abuse. As an example, in fiscal year 2014 alone, inspectors general identified $45 billion in potential savings to the taxpayer.

What this bill aims to do is to reduce waste, fraud, and abuse by increasing accountability and ensuring transparency. The bill exempts inspectors general from time-consuming and independence-threatening requirements such as the computer matching and paperwork reduction statutes. It allows inspectors general to compel the testimony of former agency employees or Federal contractors and grant recipients in some administrative misconduct or civil fraud cases.

Too often we lose crucial information or have to end an investigation because the bad actor either leaves Federal employment or is a contractor or grantee and under current law cannot be subpoenaed. For example, the State Department inspector general oversees the $10.5 billion the agency obligates in grants every year yet cannot compel testimony of the grant recipients even in the event of suspected fraud or misconduct. He can only require current agency employees to speak to his team, which can result in an incomplete or one-sided investigation. If we care about oversight and accountability, inspectors general must be able to compel relevant testimony. In addition to these authorities, the bill requires inspectors general to publish reports within 3 days to ensure transparency and accountability.

I want to spend a little bit of time on the transparency aspect of this. Like many places around the country, we have seen some real problems with the VA health care system. There was a scandal in the Tomah facility in Tomah, WI. The result of that tragedy was that people died. I will never forget a call that I made to the surviving daughter of Mr. Thomas Baer, a veteran who went to the Tomah facility seeking care with stroke-like symptoms. Thomas Baer sat in the waiting room for 2 or 3 hours. He suffered a couple of strokes and died. I talked to his surviving daughter, Candace Baer, and I will never forget the fact that she said to me: Senator, had I only known, had I only known there were problems with the Tomah VA health facility, I never would have taken my father there, and my father would be alive today. That is how important transparency and accountability is. That is what this bill restores to the inspectors general.

Finally, the bill reiterates that inspectors general should have access to all agency documents necessary to do their job, unless Congress expressly denies that access by statute. The bill not only maintains current authorities for certain agency heads to keep inspector general work if it is necessary to preserve the country's national security interests, it actually enhances those authorities.

In sum, this is a bipartisan commonsense cause. We all want inspectors general to be able to do their jobs well. That is why this bill was unanimously approved by my committee—the Senate Committee on Homeland Security and Governmental Affairs. It is why it has 14 bipartisan cosponsors representing Committees of the Judiciary, Appropriations, Armed Services, Energy and Natural Resources, and the Senate Intelligence Committee.

Even retired Senator John Glenn has asked my committee to take action to ensure inspectors general have access to documents. In the letter he wrote to my committee and to the House oversight committee, Senator Glenn says: ''The success of the IG Act is rooted in the principles on which the Act is grounded—independence, direct reporting to Congress, dedicated staff and resources, unrestricted access to agency records, subpoena power, special protections for agency employees who cooperate with the IG, and the ability to refer criminal matters to the Department of Justice without clearing such referrals through the agency.''

This is the heart of what the Inspector General Act asked for. This is what this bill restores. I cannot imagine anything controversial about wanting inspectors general to have access to the people and the documents they need to do their jobs. Americans deserve an accountable, transparent, and effective government. This is one tangible thing that we can do to help achieve that common goal.

I urge my colleagues to pass S. 579 today.

Mr. President, I ask unanimous consent to have printed in the RECORD an excellent article that appeared in the New York Times, as well as the letter we received from Senator John Glenn.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Nov. 27, 2015]

TIGHTER LID ON RECORDS THREATENS TO WEAKEN GOVERNMENT WATCHDOGS

(By Eric Lichtblau)

WASHINGTON.—Justice Department watchdogs ran into an unexpected roadblock last year when they began examining the role of federal drug agents in the fatal shootings of unarmed civilians during raids in Honduras.

The Drug Enforcement Administration balked at turning over emails from senior officials tied to the raids, according to the department's inspector general. It took nearly a year of wrangling before the D.E.A. was willing to turn over all its records in a case that the inspector general said raised ''serious questions'' about agents' use of deadly force.

The continuing Honduran inquiry is one of at least 20 investigations across the government that have been slowed, stymied or sometimes closed because of a long-simmering dispute between the Obama administration and its own watchdogs over the shrinking access of inspectors general to confidential records, according to records and interviews.

The impasse has hampered investigations into an array of programs and abuse reports—from allegations of sexual assaults in the Peace Corps to the F.B.I.'s terrorism powers, officials said. And it has threatened to roll back more than three decades of policy giving the watchdogs unfettered access to ''all records'' in their investigations.

''The bottom line is that we're no longer independent,'' Michael E. Horowitz, the Justice Department inspector general, said in an interview.

The restrictions reflect a broader effort by the Obama administration to prevent unauthorized disclosures of sensitive information—at the expense, some watchdogs insist, of government oversight.

Justice Department lawyers concluded in a legal opinion this summer that some protected records, like grand jury transcripts, wiretap intercepts and financial credit reports, could be kept off limits to government investigators. The administration insists there is no intention of curtailing investigations, but both Democrats and Republicans in Congress have expressed alarm and are promising to restore full access to the watchdogs.

The new restrictions grew out of a five-year-old dispute within the Justice Department. After a series of scathing reports by Glenn Fine, then the Justice Department inspector general, on F.B.I. abuses in counterterrorism programs, F.B.I. lawyers began asserting in 2010 that he could no longer have access to certain confidential records because they were legally protected.

That led to a series of high-level Justice Department reviews, a new procedure for reviewing records requests and, ultimately, a formal opinion in July from the department's Office of Legal Counsel. That opinion, which applies to federal agencies across the government, concluded that the 1978 law giving an inspector general access to ''all records'' in investigations did not necessarily mean all records when it came to material like wiretap intercepts and grand jury reports.

The inspector-general system was created in 1978 in the wake of Watergate as an independent check on government abuse, and it has grown to include watchdogs at 72 federal agencies. Their investigations have produced thousands of often searing public reports on everything from secret terrorism programs and disaster responses to boondoggles like a lavish government conference in Las Vegas in 2010 that featured a clown and a mind reader.

Not surprisingly, tensions are common between the watchdogs and the officials they investigate. President Ronald Reagan, in fact, fired 15 inspectors general in 1981. But a number of scholars and investigators said the restrictions imposed by the Obama administration reflect a new level of acrimony.

''This is by far the most aggressive assault on the inspector general concept since the beginning,'' said Paul Light, a New York University professor who has studied the system. ''It's the complete evisceration of the concept. You might as well fold them down. They've become defanged.''

While President Obama has boasted of running ''the most transparent administration in history,'' some watchdogs say the clampdown has scaled back scrutiny of government programs.

''This runs against transparency,'' said the Peace Corps inspector general, Kathy Buller.

At the Peace Corps, her office began running into problems two years ago in an investigation into the agency's handling of allegations of sexual assaults against overseas volunteers. Congress mandated a review after a volunteer in Benin was murdered in 2009; several dozen volunteers reported that the Peace Corps ignored or mishandled sexual abuse claims.

But Peace Corps lawyers initially refused to turn over abuse reports, citing privacy restrictions. Even after reaching an agreement opening up some material, Ms. Buller said investigators have been able to get records that are heavily redacted.

''It's been incredibly frustrating,'' she said. ''We have spent so much time and energy arguing with the agency over this issue.''

The Peace Corps said in a statement, however, that it was committed to ''rigorous oversight'' and has cooperated fully with the inspector general.

Agencies facing investigations are now sometimes relying on the Justice Department's opinion as justification for denying records—even records that are not specifically covered in the opinion, officials said.

At the Commerce Department, the inspector general this year shut down an internal audit of enforcement of international trade agreements because the department's lawyers, citing the Justice Department's guidance, refused to turn over business records that they said were ''proprietary'' and protected.

The Environmental Protection Agency's inspector general has reported a series of struggles with the organization over its access to documents, including records the agency said were classified or covered by attorney-client privilege. And investigators at the Postal Service, a special Afghanistan reconstruction board, and other federal agencies have complained of tightened restrictions on investigative records as well.

Hopes of a quick end to the impasse have dimmed in recent days after the Obama administration volunteered to restore full access for the Justice Department's inspector general—but not the other 71 watchdogs.

Attorney General Loretta E. Lynch, asked about the issue at a House hearing last week, said the proposal was intended to ensure, at least at the Justice Department, ''that the inspector general would receive all the information he needed.''

But watchdogs outside the Justice Department said they would be left dependent on the whims of agency officials in their investigations.

''It's no fix at all,'' said Senator Charles E. Grassley, Republican of Iowa, who leads the Judiciary Committee.

In a rare show of bipartisanship, the administration has drawn scorn from Democrats and Republicans. The Obama administration's stance has ''blocked what was once a free flow of information'' to the watchdogs, Senator Patrick J. Leahy of Vermont, the ranking Democrat on the Judiciary Committee, said at a hearing.

A Justice Department spokeswoman, Emily Pierce, said in a statement on Friday: ''Justice Department leadership has issued policy guidance to ensure that our inspector general gets the documents he requests as quickly as possible, even when those documents are protected by other statutes protecting sensitive information. The department is unaware of any instance in which the inspector general has sought access to documents or information protected from disclosure by statute and did not receive them.''

Nowhere has the fallout over the dispute been felt more acutely than at the Justice Department, where the inspector general's office said 14 investigations had been hindered by the restricted access.

These include investigations into the F.B.I.'s use of phone records collected by the National Security Agency, the government's sharing of intelligence information before the 2013 Boston Marathon bombings, a notorious gun-tracing operation known as ''Fast and Furious'' and the deadly Honduran drug raids.

In the case of the Honduran raids, the inspector general has been trying to piece together the exact role of D.E.A. agents in participating in, or even leading, a series of controversial drug raids there beginning in 2011.

Details of what happened remain sketchy even today, but drug agents in a helicopter in 2012 reportedly killed four unarmed villagers in a boat, including a pregnant woman and a 14-year-old boy, during a raid on suspected drug smugglers in northeastern Honduras. They also shot down several private planes—suspected of carrying drugs—in possible violation of international law.

An investigation by the Honduran government cleared American agents of responsibility. But when the inspector general began examining the case last year, D.E.A. officials refused to turn over emails on the episodes from senior executives, the inspector general's office said. Only after more than 11 months of back-and-forth negotiations were all the records turned over.

The D.E.A. refused to comment on the case, citing the investigation. A senior Justice Department official, speaking on the condition of anonymity because of the continuing review, said the refusal to turn over the records was the flawed result of ''a culture within the D.E.A.'' at the time—and not the result of the Justice Department's new legal restrictions.

Mr. Horowitz, the inspector general, said the long delay was a significant setback to his investigation. He now hopes to complete the Honduran review early next year.

In the meantime, the watchdogs say they are looking to Congress to intervene in a dispute with the administration that has become increasingly messy.

''It's essential to enshrine in the law that the inspector general has access to all agency records,'' said Mr. Fine, who is now the Pentagon's principal deputy inspector general. ''The underlying principle is key: To be an effective inspector general, you need the right to receive timely access to all agency records.''

JULY 23, 2015.

Hon. RON JOHNSON,
Chairman, Committee on Homeland Security and Governmental Affairs.
Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform.

DEAR SENATOR JOHNSON AND REPRESENTATIVE CHAFFETZ: Since the enactment of the Inspector General Act in 1978, the Inspectors General have provided independent oversight of government programs and operations and pursued prosecution of criminal activity against the government's interests. Recommendations from IG audits have led to improvements in the economy and efficiency of government programs that have resulted in better delivery of needed services to countless citizens. Investigations of those who violate the public trust to enrich themselves at the expense of honest taxpayers, of contractors who skirt the rules to illegally inflate their profits, and of others who devise criminal schemes to defraud the government have led to billions of dollars being returned to the U.S. Treasury.

The success of the IG Act is rooted in the principles on which the Act is grounded—independence, direct reporting to Congress, dedicated staff and resources, unrestricted access to agency records, subpoena power, special protections for agency employees who cooperate with the IG, and the ability to refer criminal matters to the Department of Justice without clearing such referrals through the agency. We considered these safeguards to be vital when we developed the Act and they remain essential today. No other entity within government has the unique role and responsibility of Inspectors General, and their ability to accomplish their critical mission depends on the preservation of the principles underlying the Inspector General Act.

In recent years, IGs have experienced challenges to their ability to have independent access to records and information in their host agencies. Broad independent access to such records is a fundamental tenet in the IG Act and to compromise or in any way erode such access would strike at the heart of important law. In short, full and unfettered access is vital to an IG's ability to effectively prevent and detect fraud, waste, and abuse in agency programs and activities.

The Inspector General Act has stood the test of time. The billions of dollars recovered for the government and the increased efficiency and effectiveness of government programs and operations are a testament to the Act's continued success. Any action that would impair the IG's ability to achieve their mission—particularly the denial of full and independent access to agency records and information—would have an immeasurable adverse impact and severely damage their critical oversight function. For this reason, I urge you to take action to protect the independent access rights of Inspectors General.

Sincerely,

JOHN GLENN,
United States Senator (Ret.).

Mr. JOHNSON. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, first of all, I wish to compliment Senator MCCASKILL and Senator JOHNSON for their leadership in bringing this bill out of their committee—a committee I don't serve on but a bill that is very important to the oversight work of this Senator, and I hope every Senator considers it to be very important. I would say that I agree with everything they have said. I want to emphasize what they said, and I want to take a few minutes to do that because I feel strongly about this piece of legislation.

There is an important principle here—a very important principle—that we ought to keep in mind, because it is an insult to 100 Senators and 435 Members of the House of Representatives when legislation is written and it is explained very clearly what that legislation is supposed to accomplish: that an inspector general would have access to all records. Then we have a lawyer in the Office of Legal Counsel in the Department of Justice—one person making an interpretation of a law that is contrary to congressional intent—that one person out of 2 million people in the executive branch of government can override the will of 535 Members of Congress. That will was expressed way back in 1978.

This is just a little different quote from a letter Senator JOHNSON has already talked about from a respected Member of this Senate for 24 or maybe 30 years, Senator John Glenn of Ohio, who was very much interested in making sure that we had strong oversight by Congress and that within the executive branch, they had strong oversight that the IG would do within a specific department.

Senator John Glenn of Ohio was one of the chief architects of this legislation. He said: ''Full and unfettered access is vital to an IG's ability to effectively prevent and detect waste, fraud, and abuse in an agency's programs and activities.''

Here we are with what Senator John Glenn said when he was a Member of this body and this legislation passed. Then we have one lawyer out of 2 million executive branch employees interpreting a statute contrary to congressional intent and then overriding it—in other words, giving Cabinet heads opportunities to avoid doing what the inspector general law says and what an inspector general needs to do to do their job: have access to all records.

Senator MCCASKILL made that clear. Senator JOHNSON made that clear. This is a bipartisan effort coming unanimously out of this committee, that this is an egregious attack on the powers of Congress and we can't let one person out of 2 million people in the executive branch of the government get away with it. Yet we seem to have some problems getting it passed. I don't understand it. You try to explain that to the people of this country, whether it is in New York City or whether it is in Des Moines, IA. There is no way this can be justified, that one lawyer out of 2 million people in the executive branch of government can issue an opinion and override the Congress of the United States.

I intend to go into some detail about how I feel about this legislation, if my colleagues haven't come to that conclusion already. To ensure accountability and transparency in government, Congress created inspectors general, or IGs, as our eyes and ears within the executive branch. That is the foresight of one famous Senator and astronaut by the name of John Glenn. But IGs cannot do their job without timely and independent access to all agency records. That is why this bill is called ''all means all.'' Agencies cannot be trusted not to restrict the flow of potentially embarrassing documents to the IGs who oversee them. If the agencies can keep IGs in the dark, then this Congress will be kept in the dark as well.

When Congress passed the Inspectors General Act of 1978, the Congress explicitly said that IGs should have access to all agency records. Inspectors general are designed to be independent but to also be part of an agency. Inspectors general are there to help agency leadership identify and correct waste, fraud, and abuse. What Cabinet head wouldn't want somebody in their department to have access to all records that show that maybe that department isn't spending money according to congressional intent or maybe not following the law the way Congress intended? It ought to be welcome by any administration head.

Fights between an agency and its own inspector general over access to documents are a waste of taxpayers' money and personnel time. The law requires that inspectors general have access to all agency records—precisely, by the way, to avoid these costly and time-consuming disputes. However, since 2010, a handful of agencies, led by the FBI—and I respect the FBI, but in this case I don't—has refused to comply with this legal obligation.

The Justice Department claimed that the inspector general could not access certain records until—guess what—department leadership gave them permission to do it, even though the law says they are entitled to all documents. Requiring private approval from agency leadership for access to agency information undermines inspectors general independence. That is bad enough, but it also causes wasteful delays.

After this access problem came to light, Congress took action. So we have the 2015 Department of Justice Appropriations Act declaring—this is Congress again declaring—that no funds should be used to deny the inspector general timely access to all records. In other words, just this year—or last year when the appropriations bill was passed for 2015—we had Members of Congress saying that this lawyer, out of 2 million executive branch employees, who is frustrating the will of Congress is wrong.

This new law directed the inspector general to report to Congress within 5

days whenever there was a failure to comply with this requirement. In February alone, the Justice Department's IG notified Congress of three separate occasions in which the FBI failed to provide access to records requested for oversight investigations. IGs for the Environmental Protection Agency, the Department of Commerce, and the Peace Corps have experienced similar stonewalling.

Then, in July, the Justice Department's Office of Legal Counsel—that is this one lawyer out of 2 million employees—the Office of Legal Counsel released a memo arguing that we did not really mean ''all records'' when we put those words in the statute. Here we have somebody in the Justice Department—one person out of 2 million employees—trying to tell 535 Members of Congress what they meant when they said ''all'' means all. So let me be clear. We meant what we said in the IG act: ''All records'' really means all records.

I told my colleagues about the Department of Justice Appropriations Act responding to this a year ago. Well, 1 week after this report was issued, that the Office of Legal Counsel issued its awful legal opinion, Senator MIKULSKI and Senator SHELBY—both outstanding members of the Committee on Appropriations—sent a letter to the Justice Department correcting the Office of Legal Counsel's misreading of the appropriations rider, also known as section 218. I would like to read from the Mikulski and Shelby letter:

> We write to inform you that the OLC's interpretation of section 218 is wrong and the subsequent conclusion of our committee's intention is wrong. We expect the department and all of its agencies to fully comply with section 218 and to provide the Office of Inspector General with full and immediate access to all records, documents, and other materials in accordance with section 6(a) of the Inspectors General Act.

So we wrote a statute in 1978. We have no problems with it until this person—one lawyer out of 2 million executive branch employees—writes an opinion saying ''all'' doesn't mean all. Then we have Members of the body who are insulted by that interpretation, and these Members write: No money in this appropriations bill can be used to carry out that Office of Legal Counsel opinion. And, if they would have listened to the members of the Appropriations Committee, Senator JOHNSON and Senator MCCASKILL would not have to work so hard to correct a bad opinion, contrary to congressional intent, that was written by the Office of Legal Counsel.

I applaud my colleagues on the Appropriations Committee, particularly Senators MIKULSKI and SHELBY, for standing up for the inspectors general.

In early August I chaired a Judiciary Committee hearing on the Office of Legal Counsel opinion and the devastating impact it is already having on the work of inspectors general across the country. Remember, the Office of Legal Counsel is in the Justice Department. Well, we had a Justice Department witness before our committee disagree with the results of the Office of Legal Counsel opinion and actually support legislative action to solve the problem.

So following the hearing, 11 of my colleagues and I sent a bipartisan—I want to emphasize bipartisan—as well as bicameral letter to the Department of Justice and the entire inspectors general community. In this letter, the chairs and ranking members of the committee of jurisdiction in both the House and the Senate asked for specific legislative language to reaffirm that ''all'' means all. As the witness from the Justice Department said, there ought to be legislative language to correct this awful interpretation by one lawyer out of 2 million employees in the executive branch, overriding 535 Members of Congress.

It took the Justice Department 3 months to respond to this letter, and its proposed language was far too narrow to actually override this Office of Legal Counsel opinion. However, the inspectors general community responded to our letter within 2 weeks. In September, a bipartisan group of Senators and I incorporated the core of this language into the bill we are talking about today, S. 579. It is entitled the ''Inspector General Empowerment Act of 2015.'' In total, 13 colleagues have joined me on this bill: Senators JOHNSON, MCCASKILL, ERNST, BALDWIN, CARPER, CORNYN, LANKFORD, COLLINS, AYOTTE, KIRK, MIKULSKI, FISCHER, and WYDEN. It is bipartisan.

I am grateful to each of them for standing up with me for inspectors general. I especially want to thank Senators JOHNSON and MCCASKILL, as I have already done, but do it again for working closely with me on this legislation from the very beginning and for their work in getting this bill through their committee.

Let me tell you what this bill does. The Inspector General Empowerment Act includes further clarification that Congress intended IGs to have access to all agency records, notwithstanding any other provision of law, unless other laws specifically state that IGs are not to receive such access.

Let me be clear. The purpose of this provision is to nullify and overturn this awful decision that this one lawyer in the Department of Justice out of 2 million-plus Federal employees in the executive branch issued this opinion. These words, notwithstanding any other provision of law, are key to accomplishing that goal, but the bill does much more than overturning the OLC opinion, which has been roundly criticized by both sides of the aisle. It bolsters IG independence by preventing agency heads from placing them on arbitrary and indefinite administrative leave. It promotes transparency by requiring IGs to post more of their reports online, including those involving misconduct by senior officials that the Justice Department chose not to prosecute.

Also, the bill equips IGs with tools they need to conduct effective investigation, such as the ability to subpoena testimony from former Federal employees. When employees of the U.S. Government are accused of wrongdoing or misconduct, IGs should be able to conduct a full and thorough investigation of those allegations. Getting to the bottom of these allegations is necessary to restore public trust. God only knows how much restoration of public trust in the government in Washington we have to restore. Unfortunately, employees who may have violated that trust are often allowed to evade the IGs inquiry by simply retiring from the government. So the bill empowers IGs to obtain testimony from employees like that.

(Ms. AYOTTE assumed the Chair.)

Similarly, the bill helps IGs better expose waste, fraud, and abuse by those who receive Federal funds. It enables IGs to require testimony from government contractors, subcontractors, grantees, and subgrantees. Currently, most IGs can subpoena documents from entities from outside their agency. However, most cannot subpoena testimony, just documents—although there are a few agencies that can. For example, the inspector general for the Defense Department and the Department of Health and Human Services already have that authority. The ability to require witnesses outside the agency to talk to the IG can be critical in carrying out an inspector general's statutory duties or recovering wasted Federal funds.

The IG community recently provided me with numerous examples of actual, real-life cases that illustrate the need to subpoena witnesses.

Madam President, I ask unanimous consent to have printed in the RECORD a document that lists these accounts.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INSPECTORS GENERAL & TESTIMONIAL SUBPOENA AUTHORITY

THE USE OF TESTIMONIAL SUBPOENA AUTHORITY

Examples of when Testimonial Subpoena Authority Would Have Been Useful

Below are examples where subjects of IG oversight could have been served with testimonial subpoena's by an Inspector General:

1. Among a number of schemes identified during a multiagency OIG investigation, Target owner of small businesses submitted overlapping small business proposals to two federal agencies and obtained funding for both projects, approximately $500,000 from each agency. During the course of the projects, the work funded by one of the agencies was falsely reported out in project reports to both agencies. National Science

Foundation (NSF) OIG requested interviews with the Target owner and two of his company's employees, and they initially agreed through counsel to be interviewed.

However, during the first of the interviews, an employee confessed to having destroyed company timesheets and created new company time sheets in response to an IG subpoena, and informed NSF OIG that he did so at the Target's request. After that interview, the Target declined to be interviewed. In addition, a fourth employee declined to be interviewed about his timesheets and work performed, which would have been relevant to the fraud scheme. NSF OIG's inability to compel testimony negatively impacted our ability to pursue the obstruction and other potential charges against the Target and company employees.

2. In a matter involving a very senior level Securities and Exchange Commission (SEC) executive, instances of serious administrative misconduct were being investigated. During the pendency of the investigation, which had been declined criminally, the executive resigned and refused to cooperate any further. As a result, the investigation was completed without all of the investigative steps completed that would have indicated whether the misconduct was simply the result of a ''bad actor,'' or whether there are more systemic issues that should be addressed by the agency. A testimonial subpoena would ensure that the necessary investigative steps could be completed. This is particularly important in an agency like the SEC where employees are able to leave rather quickly for private sector jobs (the proverbial ''revolving door'').

3. The Peace Corps awarded a $1.5 million contract to a small business under the 8(a) Business Development Program, which is intended to provide eligible small disadvantaged businesses additional opportunities to obtain certain government contracts. The 8(a) Program requires that eligible small businesses perform a significant portion of the contract; however, an investigation disclosed that the small business did not comply with that requirement. Instead, the small business allowed a large subcontractor to perform nearly all of the work. Because Peace Corps was not in a direct contractual relationship with the subcontractor actually performing the work, OIG had no recourse to obtain statements of the subcontractor.

4. During a criminal investigation conducted by the Consumer Product Safety Commission (CPSC) OIG of allegations involving a CPSC Assistant General Counsel representing a company obtain contracts to provide supplies to the DoD, records were obtained from the CPSC, Department of the Army, and DoD regarding several of the alleged (accused eventually pled guilty to them) offenses. However, additional offenses could not be proven as CPSC OIG had no authority to require US based members of the foreign company to submit to interviews or provide testimonial information. CPSC OIG requested interviews with both senior managers and agents of the company in question, and although they initially agreed to be interviewed all later declined.

5. During the course of a review conducted after Fast & Furious, DOJ OIG wanted to interview a former U.S. Attorney in Arizona. When asked for a voluntary interview with the then retired U.S. Attorney declined. DOJ OIG had no way to reach the retired U.S. Attorney to elaborate on prior statements he had made.

6. In a Farm Credit Administration OIG case where a senior staff member retired during an investigation, it was subsequently discovered he/she had changed official documents, impersonated an official and committed libel and slander, before retiring during the middle of an investigation on other matters. The former government employee was not receptive to interview post retirement and due to his retirement from government service, there was no recourse.

7. Peace Corps OIG, in the course of performing an audit of one of the largest agency contracts, discovered that an unauthorized subcontractor was performing the majority of the work under the contract. The contract was misidentified as a fixed-price contract, did not include an IG audit clause, and the subcontractor was not in a direct contractual relationship with Peace Corps. Peace Corps OIG was hindered in examining potentially false or fraudulent billing by having to rely solely on documentary subpoenas.

8. NSF OIG conducted an investigation of two professors, a husband and wife, who both served as Principal Investigators at a U.S. university and received grant funds from multiple federal agencies. The Targets also had full time tenured positions at a foreign university and used federal funds to travel to that foreign country, without disclosing their affiliation in either grant proposals or the U.S. university. During the investigation, the Targets declined, through counsel, to be interviewed. The case was declined by the U.S. attorney's office, and ultimately by the state attorney general's office. NSF OIG's inability to interview these Targets negatively affected NSF OIG's ability to obtain all relevant evidence to effectively pursue grant fraud charges against the Targets.

9. The Farm Credit Administration OIG was advised of a contractor who was paid by the agency for contract services it had not provided. Attempts to contact a company representative by mail and telephone were not productive (telephone messages were not returned; certified mail not answered). Fortunately, OIG was able to prevail upon the FBI who had contacts with the company representative. Had the contractor not responded to the FBI contacts, the OIG would have had little recourse in obtaining information from the contractor regarding recovery of the funds. There was a scarce amount of information regarding bank accounts to subpoena for financial records. A testimonial subpoena would have been instrumental under those circumstances.

10. In three other small business grant-fraud cases pursued by NSF OIG, three Targets declined to be interviewed regarding apparent fraud schemes that had been identified. Having testimonial subpoena would have provided an important tool to more effectively pursue these cases.

i. The first Target faked letters of support for his proposals, applied for duplicate proposals to multiple federal agencies, listed his in-laws (over 90) as company employees, and paid for his wife's business facility with federal funds. Target declined to be interviewed, negatively affecting NSF OIG's ability to fully investigate the matter.

ii. The second Target provided financial reports to NSF that did not match his company's expenditure ledger for the award and appeared to include personal expenditures. The Target initially agreed to be interviewed but canceled such interviews on multiple occasions, negatively affecting NSF OIG's ability to fully investigate the matter.

iii. The third Target made up a fake investment company to support a matching award from the agency, and the individual who purportedly signed the investment letter as CFO did not sign the letter and never heard of the fake investment company. The Target initially agreed to be interviewed by NSF OIG, but terminated the interview early on after understanding the implications of the NSF OIG investigation. Since then, he has declined to even comply with a subpoena for documents.

A CASE STUDY: DOD IG'S USE OF TESTIMONIAL SUBPOENA AUTHORITY

Testimonial subpoena authority, found at §8(i) of the Inspector General Act of 1978, as amended, 5 U.S.C. App., was originally provided by §1042 of the National Defense Authorization Act of 2010, 111 Pub. L. 84.

Testimonial subpoena authority has never been delegated, but has always been retained/exercised personally by the DoD IG.

Internal procedures mandate that before a testimonial subpoena is issued: (1) the witness, who cannot be a Federal employee, must have declined a voluntary interview, (2) the interview must be expected to produce information needed to resolve critical issue(s) or corroborate essential facts, and (3) the information sought cannot reasonably be obtained through any other means.

§8(i)(3) of the IG Act requires the DoD IG notify the Attorney General seven days before issuing a testimonial subpoena. This notice requirement has not hindered the DoD IG's use of its testimonial subpoena authority.

To date, since 2010, the DoD IG has considered a total of eight testimonial subpoena requests, all in connection with administrative investigations:

Two requests were considered but denied because they failed to meet the internal procedures criteria.

One request, associated with the Retired Military Advisor (RMA) administrative re-investigation, was authorized by the DoD IG and served on the witness, a former Assistant Secretary of Defense for Public Affairs.

Two requests, also associated with the RMA administrative re-investigation, were authorized by the DoD IG but not served on the witnesses, a former Secretary of Defense and a former DoD General Counsel, because the witnesses belatedly agreed to be interviewed voluntarily.

One request, associated with an internal administrative review of a DCIS investigation, was authorized by the DoD IG and served on the witness, a former DoD Deputy Inspector General for Investigations/ Acting Chief of Staff.

One request, associated with an Audit Policy review of DCAA, was authorized by the DoD IG but not served on the witness, a former DCAA Director, because the witness belatedly agreed to be interviewed voluntarily.

One request, associated with an IPO evaluation of the transfer of ITAR controlled technology by MDA to NASA, was authorized by the DoD IG but not served on the witness, a former NASA contractor, because the witness belatedly agreed to be interviewed.

Mr. GRASSLEY. Madam President, I also ask unanimous consent to have printed in the RECORD a letter I received yesterday from the Project on Government Oversight.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

POGO—PROJECT ON
GOVERNMENT OVERSIGHT,
December 14, 2015.

Hon. CHUCK GRASSLEY,
Hart Senate Office Building,
Washington, DC.
Hon. CLAIRE MCCASKILL,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR GRASSLEY AND SENATOR MCCASKILL: The Project On Government Oversight (POGO) is a nonpartisan independent watchdog that champions good government reforms. POGO's investigations into corruption, misconduct, and conflicts of interest achieve a more effective, accountable, open, and ethical federal government. Recognizing the vital role that Inspectors General (IG) play, POGO has investigated and worked to improve the IG system since 2006. This work includes multiple reports on the IG system, maintaining an IG vacancy tracker, and working with Congress to incorporate needed reforms in the Inspector General Act of 2008. In light of this work, we are writing to thank you for introducing the Inspector General Empowerment Act of 2015, and to urge Congress to quickly pass this important legislation.

Inspectors General can make all the difference when it comes to creating a better government, but Congress needs to ensure that IGs have access to all the information they need to do their job effectively. Federal agencies have begun to unreasonably challenge IGs' statutory right to access agency data in attempts to prevent embarrassing events from coming to light. It is essential that Congress act quickly to pass the Inspector General Empowerment Act of 2015 to prevent the overbroad interpretation of restrictions on IG authority from becoming accepted law, allowing current and future waste, fraud, and abuse to remain hidden.

In order to serve as the eyes and ears of Congress, an IG office must have an unrestricted view of the agency it oversees. This principle is enshrined in Section 6(a)(1) of the Inspector General Act, which states that each IG office shall have ''access to all records, reports, audits, reviews, documents, papers, recommendations, or other material . . . which relate to programs and operations with respect to which that Inspector General has responsibilities under this Act.'' It seems crystal clear that ''all'' means all, but some agencies have fought back against that idea.

The most blatant rejection of ''all means all'' can be found in the July 2015 opinion by the Department of Justice's (DOJ) Office of Legal Counsel (OLC) that improperly limits IG access and caters to agency resistance to necessary oversight. If left unchallenged, this opinion will allow agencies' incorrect interpretation of Section 6(a)(1) to become de facto law. The OLC's opinion states that the unfettered access afforded by Section 6(a) of the Inspector General Act is superseded by specific restrictions on the dissemination of Title III, grand jury, and FCRA information. The OLC concluded, for instance, that the IG office may not be entitled to obtain these records when conducting financial audits and other administrative and civil reviews that are only tangentially related to DOJ's criminal and law enforcement activities. POGO disagrees with this interpretation because it rests upon a clear misreading of the common language Congress made clear in the law.

Congressional leaders on both sides of the aisle have rightly condemned the OLC's opinion, according to which ''all records'' does not mean ''all records.'' POGO believes this OLC opinion makes a mockery of the entire IG system: these offices cannot possibly be effective watchdogs on behalf of Congress and the American public if agencies restrict IG access and force them to negotiate with agency leaders for access on a case-by-case basis. Agency records provide the raw materials IG offices need to fulfill their statutory responsibilities. The very purpose of having an independent IG is undermined if the office has to seek the agency's permission in order to carry out its mission. Unless Congress acts quickly, this OLC opinion will gut the IG system and prevent meaningful oversight.

While many federal agencies handle records that are highly sensitive and legitimately withheld from public dissemination, that does not mean they should be withheld from IG offices, or by extension from Congress, both of which offer independent oversight and recommendations to improve agency operations. Secret agency programs are particularly susceptible to waste, fraud, and abuse, but IG offices cannot uncover or correct these problems without access to agency records. Agency actions that deny access to those records violate our system of checks and balances, and do so unduly, as IGs have proven they can responsibly handle sensitive information.

For example, the DOJ Office of the Inspector General (OIG) has shown that it can effectively and responsibly oversee the most sensitive DOJ operations without jeopardizing law enforcement actions. It has reviewed grand jury materials and other sensitive records when it examined the FBI's potential targeting of domestic advocacy groups, the FBI's efforts to access records of reporters' toll calls during a media leak probe, the President's Surveillance Program, and the firing of U.S. Attorneys, among other important and high-profile cases.

Congress needs to clarify that IG offices must be granted access to all agency records notwithstanding any other existing or future law or any other prohibition on disclosure, including but not limited to: 1) the federal rules of criminal procedure; 2) Title III; 3) the FCRA; and 4) laws such as the Kate Puzey Act that restrict the dissemination of personally identifiable information. In addition, Congress should specify that agencies do not waive the attorney-client or other common law privileges when records are turned over to IG offices. The Inspector General Empowerment Act of 2015 addresses this issue and corrects the troublesome OLC memo. However, until Congress passes the bill, that memo can be and has been used to block oversight.

The bill also addresses other improper challenges to IG access. Under the Computer Matching and Privacy Protection Act (CMPPA), IGs must get approval from agency leaders in order to match the computer records of one federal agency against other federal and non-federal records. The Inspector General Empowerment Act of 2015 would exempt IG offices from the CMPPA so they can access records at other agencies without getting approval from the very officials they are supposed to oversee. Additionally, under current law, IGs can only compel testimony from federal employees. This means that former federal employees, contractors, or grant recipients can refuse to testify before an IG in the course of an investigation. This bill would provide IGs with testimonial subpoena power over these individuals, and allow for fuller and more effective oversight of federal programs and agencies.

In the light of the erroneous July OLC opinion, it is urgent that Congress act now to make sure IGs have the ability to function as intended. Not correcting this precedent now will cripple current and future IGs and in turn limit Congress's and the public's ability to oversee the executive branch and hold it accountable.

Sincerely,

DANIELLE BRIAN,
Executive Director.

Mr. GRASSLEY. Madam President, the Project on Government Oversight is a nonpartisan, independent watchdog that has been advocating good government reforms for decades. In this letter the Project on Government Oversight expresses its support for this bill in general and for provisions that equip inspectors general with the authority to require testimony. Let it be clear that the bill also imposes limitations on the authority of IGs to require testimony.

There are several procedural protections in place to ensure that this authority is exercised wisely. For example, the subpoena must be approved by a designated panel of three other IGs. It is then referred to the Attorney General. For those IGs who can already subpoena witnesses' testimony, I am not aware of any instances in which it has been misused. In fact, the inspector general for the Department of Defense has established a policy that spells out additional procedures and safeguards to ensure the subjects of subpoenas are treated fairly. I am confident the rest of the IG community will be just as scrupulous in providing appropriate protection for the use of this authority. You see, we all win when inspectors general can do their jobs. Most importantly, the public is better served when IGs are able to shine light in the government operation and stewardship of taxpayer dollars.

In September we attempted to pass this important bill by unanimous consent. It has been nearly 3 months since leadership asked whether any Senator would object. Not one Senator has put a statement in the RECORD or come to the floor to object publicly. At the August Judiciary Committee hearing, there was a clear consensus that Congress needed to act legislatively and needed to overturn this Office of Legal Counsel opinion that one person out of 2-plus million employees in the executive branch overruled this 1978 act that the inspector general ought to be entitled to all information. Every day that goes by without fixing the opinion of the Office of Legal Counsel is another day that watchdogs across government can be stonewalled.

At that hearing, Senator LEAHY said this access problem is ''blocking what was once a free flow of information'' and Senator LEAHY called for a permanent legislative solution. Senator CORNYN noted that the Office of Legal Counsel opinion is ''ignoring the mandate of Congress'' and undermining the oversight authority that Congress has under the Constitution. Senator TILLIS

stated that the need to fix this access problem was ''a blinding flash of the obvious'' and that ''we all seem to be in violent agreement that we need to correct this.''

However, some Members raised concern about guaranteeing IGs unchecked access to certain national security information. Fortunately, we were able to agree on some changes to the bill that addressed those concerns, without gutting the core of the bill. We made these concessions so the bill can pass by unanimous consent. This Senator thanks my colleagues who worked with me to arrive at this compromise.

As we move forward, it is important to note the following: First, I am not aware of a single instance in which an IG has mishandled any classified or sensitive operational information. IGs are subject to the same restrictions on disclosing information as everyone else in the agency they oversee.

Second, the Executive orders restricting and controlling classified information are issued under the President's constitutional authority. Naturally, this bill does not attempt to limit that constitutional authority at all. It just clarifies that no law can prevent an IG from obtaining documents from the agency it oversees unless the statute explicitly states that IG access should be restricted. No one thinks this statute could supersede the President's constitutional authority.

Third, there is already a provision in law that allows the Secretary of Defense to prohibit an Inspector General review to protect vital national security interests and to protect sensitive operational information. We agreed to clarify that already existing provision to include the ability to restrict access to information as well as to prevent a review from occurring. However, we kept the language in that provision that requires notification to Congress whenever that authority to restrict an IG's access to information is exercised.

After making these changes, we attempted to hotline the revised bill last week. Since then, no Senator has publicly stated any other concerns. The cosponsors have worked hard behind the scenes over the past 3 months in good faith to accommodate the concerns of any and all Members willing to work with us. Now the time has come to pass this bill. We all lose when Inspectors General are delayed or prevented from doing their work.

I urge my colleagues to stand up for Inspectors General, overturn the Office of Legal Counsel opinion, and restore the intent of the Inspector General Act. All IGs should have access and timely independent access to all agency records. The most important thing is the principle that not one lawyer—that any one lawyer in the Department of Justice or any agency of government doesn't have a right to override the opinion of the Congress expressed in a statute so clearly as this is expressed.

Madam President, at this time I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 68, S. 579, the Inspector General Empowerment Act of 2015; I further ask consent that the Johnson substitute amendment be agreed to; that the bill, as amended, be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Objection.

The PRESIDING OFFICER. Objection is heard.

Mr. GRASSLEY. Will the Senator yield for a question?

The PRESIDING OFFICER. The Senator from Iowa has the floor.

Mr. GRASSLEY. Madam President, will the Senator yield for a question?

Mr. REID. Yes.

Mr. GRASSLEY. May I ask on whose behalf the minority leader is objecting? Is it on his own behalf or on behalf of another Senator?

Mr. REID. Other Senators are concerned about it, and I made the objection on my behalf.

Mr. GRASSLEY. I will not question what the minority leader just said, but it seems to me we ought to know who that Senator is besides the minority leader because Senator WYDEN and I have worked very hard over the last 10 years, and we finally got done what we thought was a very good measure for this body; that the people who put holds on legislation ought to be made public, and there has been nothing in the RECORD. So why don't these people have guts enough to put in the RECORD their reasons and who they are? The public has a right to know that.

Mr. REID. I am it.

Mr. JOHNSON. Will the Senator yield for a question?

Mr. REID. No.

Mr. JOHNSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Madam President, I want to rise and voice my disappointment. This is a very commonsense piece of legislation that has strong bipartisan support. Senator GRASSLEY has worked tirelessly on this and certainly our committee has as well. We cannot get a simple, commonsense bipartisan piece of legislation passed by the Senate—and then the insult of not even hearing what the objection is.

What is the objection to giving the inspectors general the tools they need to provide the accountability and the transparency to safeguard American taxpayer money?

I cited my example of the Potomac Healthcare system, the Potomac VA health care system, where because an inspector general was not transparent because the VA inspector general held 140 reports on inspections and investigations, the family of Thomas Baer did not realize there were problems. They took their father to that health care facility and their father died of a stroke because of neglect. That is how important this is. Yet we cannot even hear the reason behind the objection as to why they would not allow this very commonsense piece of legislation to pass.

This is very disappointing.

With that, I yield the floor.

Mr. GRASSLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I have a unanimous consent request.

EXTENSION OF MORNING BUSINESS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that morning business be extended until 6 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR AGREEMENT WITH IRAN

Mr. SULLIVAN. Mr. President, I rise today to revisit an issue that some in this body I am sure, no doubt, would probably not want to revisit. My intention is not to cause any of my colleagues discomfort, but this is an issue—and the Presiding Officer knows more than most—that needs to be discussed, and the Presiding Officer has done a great job of discussing it. I think it has become pretty clear to most Americans and many Members of this body that this body made a mistake a few months back, a mistake with significant consequences for our security, for the security of the Middle East, and certainly a mistake as it relates to some of our own American citizens. For the first time in U.S. history on a national security agreement of major importance, the mistake that was made was the Congress of the United States moved forward to approve an agreement not on the basis of a bipartisan majority, which is the history of this country, but on the basis of a partisan minority in both Houses. Of course, I am talking about President

Obama's Iranian nuclear deal that will very soon—as early as next month, according to the terms of the agreement—be sending tens of billions of dollars to the biggest sponsor of terrorism in the world.

There are many things that are going on in this body right now. We are looking at the spending bills, and there is a lot of concern about terrorism. As a matter of fact, polling is showing that right now terrorism is ranking as the highest concern for Americans—higher even than the economy—given the attacks in California and what is happening with ISIS.

Amidst all of these challenges, however, the implementation of the Obama administration's nuclear deal with Iran is looming on the horizon and is not being talked about enough in this body. It is critical that we keep our eye on Iran—still the world's largest state sponsor of terrorism—particularly now. Why is it so critical now? Because, as I noted, as early as next month, in January, tens of billions of dollars of sanctions relief will be pouring into the country of Iran according to the terms of the agreement.

I commend my colleague from New Jersey, Senator MENENDEZ. I was presiding last week in the Senate, and once again he gave another outstanding speech on American foreign policy, on American national security, on what is going on with Iran, what is going on with their activities destabilizing the Middle East, what is going on with their activities which are as we speak violating the Iran U.N. Security Council resolutions.

Yes, I know we debated this issue for a long time on the Senate floor, and I am sure some of my colleagues who voted on this deal are done and they don't want to talk about it anymore.

Mr. President, if you recall, one of the arguments to support this deal, one of the arguments the President was making was that—we were told this deal would change Iran's behavior. President Obama stated that the deal ''demonstrates that if Iran complies with its international obligations, then it can fully rejoin the community of nations.'' The words of the text of the agreement even state that the United States is ''expressing its desire to build a new relationship with Iran.'' And, of course, Secretary Kerry, in hearings and in private briefings with the Senate, noted that he thought—and you saw his actions—that the agreement would establish a much more positive and constructive relationship between Iran and the United States. So that was one of the arguments for the deal we voted on. How is that working out? Well, I think we have gotten a new relationship with Iran, all right, but it is worse than the old one.

Since the signing of the Iranian deal, Iran has taken deliberative steps, definitive steps that continue to undermine the security interests of the United States and our allies and those of our citizens in almost every region, in almost every realm. Every action the Iranians have taken has seemed to want to increase tension between us, Iran, and some of our allies.

I wish to provide some examples. Almost as soon as the ink was dry on this agreement, the Iran regime and its leaders continued doing what they typically do: chanting ''Death to America.'' And more specifically, the Ayatollah Khamenei predicted that the Zionist regime—of course he is referring to Israel—will be ''nothing'' in 25 years. It is another one of his references to wiping Israel off the map—after the agreement. Then he stated, of the 25-year period, ''Until then, struggling, heroic, and jihadi morale will leave no moment of serenity for the Zionists.'' That is the leader of the country we did this deal with—after we signed the agreement. So it is still certainly provocative in that regard.

How about its funding of Hezbollah, one of its terrorist proxies around the world? It is still full speed ahead. There are estimates of up to $200 million a year. That continues after the signing.

How about abiding by U.N. Security Council resolutions, such as the one that prevents the Quds Force commander, General Soleimani, from traveling? Well, we know that was violated. As a matter of fact, Soleimani went to Moscow to meet with Putin to discuss arms transfers, likely in violation of the U.N. Security Council resolution—the resolution that bans conventional weapons from being imported to Iran. So that was another violation, and they are likely planning another one.

Let me remind this body about the Quds Force commander. This is what former U.S. Army Chief of Staff GEN Ray Odierno said about him:

> Qassem Soleimani is the one who has been exporting malign activities throughout the Middle East for some time now. He's absolutely responsible for killing many Americans. In fact, I would say the last two years I was there the majority of our casualties came from his surrogates, not Sunni or al Qaeda.

This is the person who is negotiating with Putin to trade arms—likely in violation of another U.N. Security Council resolution.

What about his troops? Well, we have seen an increase of Iranian troops in Syria. General Dunford, the current Chairman of the Joint Chiefs of Staff, predicted that there are about 2,000 troops in Syria helping to lead the fight to save Assad and working with the Russians to do that.

How about Iran's compliance with U.N. Security Council Resolution 1929, which bans its ballistic missile program? Remember that issue? We debated that issue on the floor. General Dempsey, the Chairman of the Joint Chiefs, said that under no circumstances should we agree to lifting that ban, but we did in the deal. Now we are learning that Iran has tested not one but two ballistic missiles on October 11 and November 21 in likely—almost certain—violation of U.N. Security Council Resolution 1929. In my view, that is a violation of the Iran agreement.

This is what our Ambassador to the U.N. stated. She said that the missiles Iran tested only months after we passed the agreement are ''inherently capable of delivering a nuclear weapon.'' So they are testing missiles with that capability. This should concern all Americans. What should really concern all Americans right now is that despite Ambassador Power's statement, it appears the Obama administration is looking to do nothing on this violation of the U.N. Security Council resolution.

This is how my colleague from Tennessee, the chairman of the Foreign Relations Committee, BOB CORKER, put it:

> Iran violates U.N. Security Council resolutions because it knows neither this administration nor the U.N. Security Council is likely to take any action. Instead, the administration remains paralyzed and responds to Iran's violations with empty words, with condemnation, and concern.

As I mentioned, last week my colleague from New Jersey, Senator MENENDEZ, gave an outstanding speech on this issue on December 8, and he noted—similar to Senator CORKER—that the Obama administration's reaction has been muted, almost one of silence.

Mr. President, there is more. A report from the International Atomic Energy Agency, which we were all anticipating, just recently came out and stated that Iran pursued nuclear weapons in secret until 2009—longer than previously believed. So the country we are doing this deal with, at least according to the IAEA, has been lying to the world.

Iran has been caught lying and cheating. It is testing ballistic missiles against the U.N. Security Council Resolution 1929 and others; it is still funding global terrorism; it is sending thousands of troops to Syria to prop up Assad; it has sent the man with the blood of thousands of American soldiers on his hands to Russia to talk about arms trading, in likely further violation of U.N. Security Council resolutions; and, of course, it is still chanting ''Death to America'' and talking about wiping Israel off the face of the Earth—all since the Obama administration signed the Iranian nuclear agreement.

There is one more outrage, perhaps the worst one, in my view. In a direct affront to the United States and our citizens, Iran is still holding five Americans against their will in that country. Think about that. Many of us who closely watched the negotiations

thought surely, surely Secretary Kerry—who had enormous leverage; the entire world was aligned against Iran—would surely use that leverage to get our citizens free, or maybe if he wasn't going to do it as part of the deal, there would be some kind of side agreement after the signing that they would be quietly released. But, like everything else since the signing of this agreement, the American hostage situation in Iran has actually gotten worse.

I wish to read the names and describe a little bit about the Americans who are currently being held in Iran.

Amir Hekmati of Michigan, a U.S. marine, was detained in Iran in 2011 while visiting Iranian relatives and was sentenced to 10 years in prison for espionage—a U.S. marine who proudly served his country. I am a marine. We don't leave our fellow marines on the battlefield, but evidently the Obama administration has not learned that lesson.

Saeed Abedini of Idaho, a Christian pastor, was detained in Iran in 2012 and sentenced to 8 years in prison on charges related to his religious beliefs. Again, an American is languishing in Iranian jail right now, a pastor.

Robert Levinson of Florida, a former official of the FBI, disappeared in 2007. Iran's leaders denied knowledge of Levinson's whereabouts or any involvement in his disappearance.

Most recently, Siamak Namazi, a Dubai-based businessman, was arrested after the signing of this Iranian nuclear deal—after the signing—was arrested by the Iranian Government while visiting relatives in Iran. Right now, any charges against him are unknown. That happened on October 15.

Of course, Jason Rezaian of California—a journalist for the Washington Post, who was credentialed as a journalist by the Government of Iran—has been detained for over 500 days and recently—again, after the signing of the agreement with President Obama—was sentenced to an undisclosed prison for an undisclosed term for espionage.

That is five Americans right now. I don't have to remind my colleagues that it is the holiday season. It is a time for families and loved ones to come together, to be with each other. But what about the families of these Americans? Who is thinking about them?

Secretary Kerry and President Obama should be on the phone every day working for their release, but that is clearly not happening. As the Washington Post editorial board put it recently:

> Iran appears content to allow Mr. Rezaian and the other Americans to rot in prison indefinitely, even as the regime collects more than $100 billion in sanctions relief and is granted the role it has long sought as a regional power. That should not be an acceptable outcome.

That is the Washington Post. That is the Washington Post editorial—''That should not be an acceptable outcome.'' No, it shouldn't. It should not.

All of this begs some very obvious questions. Given Iran's consistent provocative actions against U.S. interests and our citizens since the signing of the Iran deal and given that one of the promises of the deal—better relations with Iran, more constructive behavior from Iran—has proven to be utterly false, why in the world are we moving full steam ahead with the lifting of sanctions as early as next month? Think about that. Why indeed are we getting ready to release tens of billions of dollars to the world's biggest sponsor of state terrorism when we know the additional money will only embolden Iran? Just think how they are acting now. When they have tens of billions of dollars to further their terrorist activities, it will embolden them to act in even more nefarious ways against our interests and those of our allies and, most importantly, those of American citizens.

Another question: Why aren't the President and Secretary Kerry at a minimum telling the Iranians they won't see one dime—one dime—of the billions and billions of dollars we are set to hand over to the Iranians until all five Americans are released from prison? Why aren't we using that leverage? That leverage is going to go away as soon as we release that money.

Why are we getting ready to release tens of billions of dollars to Iran when it is clear they are going to simply violate this agreement? That is not just my view. Former Senator and Secretary of State Hillary Clinton was quoted as saying just last week that it is not if, but when, Iran will violate President Obama's nuclear agreement.

Just last week she stated: ''They are going to violate it.'' Former Senator, former Secretary of State Hillary Clinton knows a little about the issue. She helped negotiate it. ''They are going to violate it,'' she said. ''They are going to violate it, they are going to be provocative about it, and we need to respond quickly and very harshly.'' That is the former Secretary of State.

Well, I agree with the former Secretary of State—the Iranians are going to violate this agreement. In fact, it is very likely the Iranians have already violated this agreement with their U.N. Security Council resolution violations.

So what should we do?

First, for any Americans listening, watching, who care about this issue, I urge you to call the President, call the Secretary of State, call the White House, call the State Department. Tell them something that I believe the vast, vast majority of Americans agree with: Our government should not be relieving Iran of any sanctions while it continues to illegally hold five Americans hostage. We should demand of our President that he should not allow tens of billions of dollars to flood into the biggest terrorist regime in the world while our citizens languish in Iranian jails. This is simple, and it is just wrong.

We need to light up the switchboard. Let President Obama know. Here is the number to the White House switchboard: (202) 456–1414. Call the President and tell him you think it is fundamentally wrong to let five Americans languish in prison while we are getting ready to send the biggest terrorist regime in the world tens of billions of dollars.

Call John Kerry. Here is the number to the State Department switchboard: (202) 647–4000. Tell him: Mr. Secretary, get on the phone. Release these prisoners; release our citizens or don't give Iran any of the billions of dollars they think they are going to get next month.

Second, I agreed with my colleague Senator MENENDEZ when he gave his speech last week that we need to keep the leverage against Iran by tightening the full range of sanctions available to us to penalize Iran for violating U.N. Security Council resolutions, as they have done within the last month. In his speech he also said we need to reauthorize the Iran Sanctions Act. I agree with him, and this body should take action to do just that.

Finally, I am working to get support for a simple bill that would prevent the President from lifting sanctions until Iran is no longer designated a state sponsor of terrorism and until Iran releases our five citizens who are languishing in their jails.

With all due respect to my colleagues who voted for this agreement, I believe this body made an enormous mistake by allowing the President's nuclear agreement to move forward. Iran's actions since the signing of this agreement—day after day, against the interests of the United States and our citizens—have made this 100 percent clear.

This mistake can be undone. We don't have to allow Iran access to tens of billions of dollars in sanctions relief while they continue to destabilize the Middle East, while they continue their robust expansive terrorist activities throughout the world. And we certainly—and this is a message for the President of the United States and the Secretary of State. We certainly don't have to allow them the tens of billions of dollars while Iran retains and detains Americans on trumped-up charges in Iranian jails, with no prospect for release. As the Washington Post put it, ''That should not be an acceptable outcome.''

Mr. President, I yield the floor.

EXTENSION OF MORNING BUSINESS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with

Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER (Mr. HOEVEN). Without objection, it is so ordered.

PILOT'S BILL OF RIGHTS 2

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 319, S. 571.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 571) to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, reserving the right to object, I have worked hard, and I——

Mr. INHOFE. Will the Senator yield for one question?

Mr. BLUMENTHAL. Certainly, I will yield.

Mr. INHOFE. This is the request to move to the calendar number, and the next request would be for the consideration.

Mr. BLUMENTHAL. Then I will be happy to yield at this point.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as ''Pilot's Bill of Rights 2''.

SEC. 2. MEDICAL CERTIFICATION OF CERTAIN SMALL AIRCRAFT PILOTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue or revise regulations to ensure that an individual may operate as pilot in command of a covered aircraft if—

(1) the individual possesses a valid driver's license issued by a State, territory, or possession of the United States and complies with all medical requirements or restrictions associated with that license;

(2) the individual holds a medical certificate issued by the Federal Aviation Administration on the date of enactment of this Act, held such a certificate at any point during the 10-year period preceding such date of enactment, or obtains such a certificate after such date of enactment;

(3) the most recent medical certificate issued by the Federal Aviation Administration to the individual—

(A) indicates whether the certificate is first, second, or third class;

(B) may include authorization for special issuance;

(C) may be expired;

(D) cannot have been revoked or suspended; and

(E) cannot have been withdrawn;

(4) the most recent application for airman medical certification submitted to the Federal Aviation Administration by the individual cannot have been completed and denied;

(5) the individual has completed a medical education course described in subsection (c) during the 24 calendar months before acting as pilot in command of a covered aircraft and demonstrates proof of completion of the course;

(6) the individual, when serving as a pilot in command, is under the care and treatment of a physician if the individual has been diagnosed with any medical condition that may impact the ability of the individual to fly;

(7) the individual has received a comprehensive medical examination from a State-licensed physician during the previous 48 months and—

(A) prior to the examination, the individual—

(i) completed the individual's section of the checklist described in subsection (b); and

(ii) provided the completed checklist to the physician performing the examination; and

(B) the physician conducted the comprehensive medical examination in accordance with the checklist described in subsection (b), checking each item specified during the examination and addressing, as medically appropriate, every medical condition listed, and any medications the individual is taking; and

(8) the individual is operating in accordance with the following conditions:

(A) The covered aircraft is carrying not more than 5 passengers.

(B) The individual is operating the covered aircraft under visual flight rules or instrument flight rules.

(C) The flight, including each portion of that flight, is not carried out—

(i) for compensation or hire, including that no passenger or property on the flight is being carried for compensation or hire;

(ii) at an altitude that is more than 18,000 feet above mean sea level;

(iii) outside the United States, unless authorized by the country in which the flight is conducted; or

(iv) at an indicated air speed exceeding 250 knots.

(b) COMPREHENSIVE MEDICAL EXAMINATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall develop a checklist for an individual to complete and provide to the physician performing the comprehensive medical examination required in subsection (a)(7).

(2) REQUIREMENTS.—The checklist shall contain—

(A) a section, for the individual to complete that contains—

(i) boxes 3 through 13 and boxes 16 through 19 of the Federal Aviation Administration Form 8500-8 (3-99);

(ii) a signature line for the individual to affirm that—

(I) the answers provided by the individual on that checklist, including the individual's answers regarding medical history, are true and complete;

(II) the individual understands that he or she is prohibited under Federal Aviation Administration regulations from acting as pilot in command, or any other capacity as a required flight crew member, if he or she knows or has reason to know of any medical deficiency or medically disqualifying condition that would make the individual unable to operate the aircraft in a safe manner; and

(III) the individual is aware of the regulations pertaining to the prohibition on operations during medical deficiency and has no medically disqualifying conditions in accordance with applicable law;

(B) a section with instructions for the individual to provide the completed checklist to the physician performing the comprehensive medical examination required in subsection (a)(7); and

(C) a section, for the physician to complete, that instructs the physician—

(i) to perform a clinical examination of—

(I) head, face, neck, and scalp;

(II) nose, sinuses, mouth, and throat;

(III) ears, general (internal and external canals), and eardrums (perforation);

(IV) eyes (general), ophthalmoscopic, pupils (equality and reaction), and ocular motility (associated parallel movement, nystagmus);

(V) lungs and chest (not including breast examination);

(VI) heart (precordial activity, rhythm, sounds, and murmurs);

(VII) vascular system (pulse, amplitude, and character, and arms, legs, and others);

(VIII) abdomen and viscera (including hernia);

(IX) anus (not including digital examination);

(X) skin;

(XI) G-U system (not including pelvic examination);

(XII) upper and lower extremities (strength and range of motion);

(XIII) spine and other musculoskeletal;

(XIV) identifying body marks, scars, and tattoos (size and location);

(XV) lymphatics;

(XVI) neurologic (tendon reflexes, equilibrium, senses, cranial nerves, and coordination, etc.);

(XVII) psychiatric (appearance, behavior, mood, communication, and memory);

(XVIII) general systemic;

(XIX) hearing;

(XX) vision (distant, near, and intermediate vision, field of vision, color vision, and ocular alignment);

(XXI) blood pressure and pulse; and

(XXII) anything else the physician, in his or her medical judgment, considers necessary;

(ii) to exercise medical discretion to address, as medically appropriate, any medical conditions identified, and to exercise medical discretion in determining whether any medical tests are warranted as part of the comprehensive medical examination;

(iii) to discuss all drugs the individual reports taking (prescription and nonprescription) and their potential to interfere with the safe operation of an aircraft or motor vehicle;

(iv) to sign the checklist, stating: ''I certify that I discussed all items on this checklist with the individual during my examination, discussed any medications the individual is taking that could interfere with their ability to safely operate an aircraft or motor vehicle, and performed an examination that included all of the items on this checklist.''; and

(v) to provide the date the comprehensive medical examination was completed, and the physician's full name, address, telephone number, and State medical license number.

(3) LOGBOOK.—The completed checklist shall be retained in the individual's logbook and made available on request.

(c) MEDICAL EDUCATION COURSE REQUIREMENTS.—The medical education course described in this subsection shall—

(1) be available on the Internet free of charge;

(2) be developed and periodically updated in coordination with representatives of relevant nonprofit and not-for-profit general aviation stakeholder groups;

(3) educate pilots on conducting medical self-assessments;

(4) advise pilots on identifying warning signs of potential serious medical conditions;

(5) identify risk mitigation strategies for medical conditions;

(6) increase awareness of the impacts of potentially impairing over-the-counter and prescription drug medications;

(7) encourage regular medical examinations and consultations with primary care physicians;

(8) inform pilots of the regulations pertaining to the prohibition on operations during medical deficiency and medically disqualifying conditions;

(9) provide the checklist developed by the Federal Aviation Administration in accordance with subsection (b); and

(10) upon successful completion of the course, electronically provide to the individual and transmit to the Federal Aviation Administration—

(A) a certification of completion of the medical education course, which shall be printed and retained in the individual's logbook and made available upon request, and shall contain the individual's name, address, and airman certificate number;

(B) subject to subsection (d), a release authorizing the National Driver Register through a designated State Department of Motor Vehicles to furnish to the Federal Aviation Administration information pertaining to the individual's driving record;

(C) a certification by the individual that the individual is under the care and treatment of a physician if the individual has been diagnosed with any medical condition that may impact the ability of the individual to fly, as required under (a)(6);

(D) a form that includes—

(i) the name, address, telephone number, and airman certificate number of the individual;

(ii) the name, address, telephone number, and State medical license number of the physician performing the comprehensive medical examination required in subsection (a)(7);

(iii) the date of the comprehensive medical examination required in subsection (a)(7); and

(iv) a certification by the individual that the checklist described in subsection (b) was followed in the comprehensive medical examination required in subsection (a)(7); and

(E) a statement, which shall be printed, and signed by the individual certifying that the individual understands the existing prohibition on operations during medical deficiency by stating: ''I understand that I cannot act as pilot in command, or any other capacity as a required flight crew member, if I know or have reason to know of any medical condition that would make me unable to operate the aircraft in a safe manner.''.

(d) NATIONAL DRIVER REGISTER.—The authorization under subsection (c)(10)(B) shall be an authorization for a single access to the information contained in the National Driver Register.

(e) SPECIAL ISSUANCE PROCESS.—

(1) IN GENERAL.—An individual who has qualified for the third-class medical certificate exemption under subsection (a) and is seeking to serve as a pilot in command of a covered aircraft shall be required to have completed the process for obtaining an Authorization for Special Issuance of a Medical Certificate for each of the following:

(A) A mental health disorder, limited to an established medical history or clinical diagnosis of—

(i) personality disorder that is severe enough to have repeatedly manifested itself by overt acts;

(ii) psychosis, defined as a case in which an individual—

(I) has manifested delusions, hallucinations, grossly bizarre or disorganized behavior, or other commonly accepted symptoms of psychosis; or

(II) may reasonably be expected to manifest delusions, hallucinations, grossly bizarre or disorganized behavior, or other commonly accepted symptoms of psychosis;

(iii) bipolar disorder; or

(iv) substance dependence within the previous 2 years, as defined in section 67.307(a)(4) of title 14, Code of Federal Regulations.

(B) A neurological disorder, limited to an established medical history or clinical diagnosis of any of the following:

(i) Epilepsy.

(ii) Disturbance of consciousness without satisfactory medical explanation of the cause.

(iii) A transient loss of control of nervous system functions without satisfactory medical explanation of the cause.

(C) A cardiovascular condition, limited to a one-time special issuance for each diagnosis of the following:

(i) Myocardial infraction.

(ii) Coronary heart disease that has required treatment.

(iii) Cardiac valve replacement.

(iv) Heart replacement.

(2) SPECIAL RULE FOR CARDIOVASCULAR CONDITIONS.—In the case of an individual with a cardiovascular condition, the process for obtaining an Authorization for Special Issuance of a Medical Certificate shall be satisfied with the successful completion of an appropriate clinical evaluation without a mandatory wait period.

(3) SPECIAL RULE FOR MENTAL HEALTH CONDITIONS.—

(A) In the case of an individual with a clinically diagnosed mental health condition, the third-class medical certificate exemption under subsection (a) shall not apply if—

(i) in the judgment of the individual's State-licensed medical specialist, the condition—

(I) renders the individual unable to safely perform the duties or exercise the airman privileges described in subsection (a)(8); or

(II) may reasonably be expected to make the individual unable to perform the duties or exercise the privileges described in subsection (a)(8); or

(ii) the individual's driver's license is revoked by the issuing agency as a result of a clinically diagnosed mental health condition.

(B) Subject to subparagraph (A), an individual clinically diagnosed with a mental health condition shall certify every 2 years, in conjunction with the certification under subsection (c)(10)(C), that the individual is under the care of a State-licensed medical specialist for that mental health condition.

(4) SPECIAL RULE FOR NEUROLOGICAL CONDITIONS.—

(A) In the case of an individual with a clinically diagnosed neurological condition, the third-class medical certificate exemption under subsection (a) shall not apply if—

(i) in the judgment of the individual's State-licensed medical specialist, the condition—

(I) renders the individual unable to safely perform the duties or exercise the airman privileges described in subsection (a)(8); or

(II) may reasonably be expected to make the individual unable to perform the duties or exercise the privileges described in subsection (a)(8); or

(ii) the individual's driver's license is revoked by the issuing agency as a result of a clinically diagnosed neurological condition.

(B) Subject to subparagraph (A), an individual clinically diagnosed with a neurological condition shall certify every 2 years, in conjunction with the certification under subsection (c)(10)(C), that the individual is under the care of a State-licensed medical specialist for that neurological condition.

(f) IDENTIFICATION OF ADDITIONAL MEDICAL CONDITIONS FOR THE CACI PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall review and identify additional medical conditions that could be added to the program known as the Conditions AMEs Can Issue (CACI) program.

(2) CONSULTATIONS.—In carrying out paragraph (1), the Administrator shall consult with aviation, medical, and union stakeholders.

(3) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report listing the medical conditions that have been added to the CACI program under paragraph (1).

(g) EXPEDITED AUTHORIZATION FOR SPECIAL ISSUANCE OF A MEDICAL CERTIFICATE.—

(1) IN GENERAL.—The Administrator shall implement procedures to expedite the process for obtaining an Authorization for Special Issuance of a Medical Certificate under section 67.401 of title 14, Code of Federal Regulations.

(2) CONSULTATIONS.—In carrying out paragraph (1), the Administrator shall consult with aviation, medical, and union stakeholders.

(3) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing how the procedures implemented under paragraph (1) will streamline the process for obtaining an Authorization for Special Issuance of a Medical Certificate and reduce the amount of time needed to review and decide special issuance cases.

(h) REPORT REQUIRED.—Not later than 5 years after the date of enactment of this Act, the Administrator, in coordination with the National Transportation Safety Board, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the effect of the regulations issued or revised under subsection (a) and includes statistics with respect to changes in small aircraft activity and safety incidents.

(i) PROHIBITION ON ENFORCEMENT ACTIONS.—Beginning on the date that is 1 year after the date of enactment of this Act, the Administrator may not take an enforcement action for not holding a valid third-class medical certificate against a pilot of a covered aircraft for a flight, through a good faith effort, if the pilot and the flight meet the applicable requirements under subsection (a), except paragraph (5), unless the Administrator has published final regulations in the Federal Register under that subsection.

(j) COVERED AIRCRAFT DEFINED.—In this section, the term ''covered aircraft'' means an aircraft that—

(1) is authorized under Federal law to carry not more than 6 occupants; and

(2) has a maximum certificated takeoff weight of not more than 6,000 pounds.

(k) OPERATIONS COVERED.—The provisions and requirements covered in this section do not apply to pilots who elect to operate under the medical requirements under subsection (b) or subsection (c) of section 61.23 of title 14, Code of Federal Regulations.

SEC. 3. EXPANSION OF PILOT'S BILL OF RIGHTS.

(a) APPEALS OF SUSPENDED AND REVOKED AIRMAN CERTIFICATES.—Section 2(d)(1) of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1159; 49 U.S.C. 44703 note) is amended by striking ''or imposing a punitive civil action or an emergency order of revocation under subsections (d) and (e) of section 44709 of such

title'' and inserting ''suspending or revoking an airman certificate under section 44709(d) of such title, or imposing an emergency order of revocation under subsections (d) and (e) of section 44709 of such title''.

(b) DE NOVO REVIEW BY DISTRICT COURT; BURDEN OF PROOF .—Section 2(e) of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1159; 49 U.S.C. 44703 note) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—In an appeal filed under subsection (d) in a United States district court with respect to a denial, suspension, or revocation of an airman certificate by the Administrator—

''(A) the district court shall review the denial, suspension, or revocation de novo, including by—

''(i) conducting a full independent review of the complete administrative record of the denial, suspension, or revocation;

''(ii) permitting additional discovery and the taking of additional evidence; and

''(iii) making the findings of fact and conclusions of law required by Rule 52 of the Federal Rules of Civil Procedure without being bound to any findings of fact of the Administrator or the National Transportation Safety Board.'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) BURDEN OF PROOF.—In an appeal filed under subsection (d) in a United States district court after an exhaustion of administrative remedies, the burden of proof shall be as follows:

''(A) In an appeal of the denial of an application for the issuance or renewal of an airman certificate under section 44703 of title 49, United States Code, the burden of proof shall be upon the applicant denied an airman certificate by the Administrator.

''(B) In an appeal of an order issued by the Administrator under section 44709 of title 49, United States Code, the burden of proof shall be upon the Administrator.''; and

(4) by adding at the end the following:

''(4) APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.—Notwithstanding paragraph (1)(A) of this subsection or subsection (a)(1) of section 554 of title 5, United States Code, section 554 of such title shall apply to adjudications of the Administrator and the National Transportation Safety Board to the same extent as that section applied to such adjudications before the date of enactment of the Pilot's Bill of Rights 2.''.

(c) NOTIFICATION OF INVESTIGATION.—Subsection (b) of section 2 of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1159; 49 U.S.C. 44703 note) is amended—

(1) in paragraph (2)(A), by inserting ''and the specific activity on which the investigation is based'' after ''nature of the investigation''; and

(2) in paragraph (3), by striking ''timely''; and

(3) in paragraph (5), by striking ''section 44709(c)(2)'' and inserting ''section 44709(e)(2)''.

(d) RELEASE OF INVESTIGATIVE REPORTS.—Section 2 of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1159; 49 U.S.C. 44703 note) is further amended by inserting after subsection (e) the following:

''(f) RELEASE OF INVESTIGATIVE REPORTS.—

''(1) IN GENERAL.—

''(A) EMERGENCY ORDERS.—In any proceeding conducted under part 821 of title 49, Code of Federal Regulations, relating to the amendment, modification, suspension, or revocation of an airman certificate, in which the Administrator issues an emergency order under subsections (d) and (e) of section 44709, section 44710, or section 46105(c) of title 49, United States Code, or another order that takes effect immediately, the Administrator shall provide to the individual holding the airman certificate the releasable portion of the investigative report at the time the Administrator issues the order. If the complete Report of Investigation is not available at the time the Emergency Order is issued, the Administrator shall issue all portions of the report that are available at the time and shall provide the full report within 5 days of its completion.

''(B) OTHER ORDERS.—In any non-emergency proceeding conducted under part 821 of title 49, Code of Federal Regulations, relating to the amendment, modification, suspension, or revocation of an airman certificate, in which the Administrator notifies the certificate holder of a proposed certificate action under subsections (b) and (c) of section 44709 or section 44710 of title 49, United States Code, the Administrator shall, upon the written request of the covered certificate holder and at any time after that notification, provide to the covered certificate holder the releasable portion of the investigative report.

''(2) MOTION FOR DISMISSAL.—If the Administrator does not provide the releasable portions of the investigative report to the individual holding the airman certificate subject to the proceeding referred to in paragraph (1) by the time required by that paragraph, the individual may move to dismiss the complaint of the Administrator or for other relief and, unless the Administrator establishes good cause for the failure to provide the investigative report or for a lack of timeliness, the administrative law judge shall order such relief as the judge considers appropriate.

''(3) RELEASABLE PORTION OF INVESTIGATIVE REPORT.—For purposes of paragraph (1), the releasable portion of an investigative report is all information in the report, except for the following:

''(A) Information that is privileged.

''(B) Information that constitutes work product or reflects internal deliberative process.

''(C) Information that would disclose the identity of a confidential source.

''(D) Information the disclosure of which is prohibited by any other provision of law.

''(E) Information that is not relevant to the subject matter of the proceeding.

''(F) Information the Administrator can demonstrate is withheld for good cause.

''(G) Sensitive security information, as defined in section 15.5 of title 49, Code of Federal Regulations (or any corresponding similar ruling or regulation).

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prevent the Administrator from releasing to an individual subject to an investigation described in subsection (b)(1)—

''(A) information in addition to the information included in the releasable portion of the investigative report; or

''(B) a copy of the investigative report before the Administrator issues a complaint.''.

SEC. 4. LIMITATIONS ON REEXAMINATION OF CERTIFICATE HOLDERS.

(a) IN GENERAL.—Section 44709(a) of title 49, United States Code, is amended—

(1) by striking ''The Administrator'' and inserting the following:

''(1) IN GENERAL.—The Administrator'';

(2) by striking ''reexamine'' and inserting '', except as provided in paragraph (2), reexamine''; and

(3) by adding at the end the following:

''(2) LIMITATION ON THE REEXAMINATION OF AIRMAN CERTIFICATES.—

''(A) IN GENERAL.—The Administrator may not reexamine an airman holding a student, sport, recreational, or private pilot certificate issued under section 44703 of this title if the reexamination is ordered as a result of an event involving the fault of the Federal Aviation Administration or its designee, unless the Administrator has reasonable grounds—

''(i) to establish that the airman may not be qualified to exercise the privileges of a particular certificate or rating, based upon an act or omission committed by the airman while exercising those privileges, after the certificate or rating was issued by the Federal Aviation Administration or its designee; or

''(ii) to demonstrate that the airman obtained the certificate or the rating through fraudulent means or through an examination that was substantially and demonstrably inadequate to establish the airman's qualifications.

''(B) NOTIFICATION REQUIREMENTS.—Before taking any action to reexamine an airman under subparagraph (A), the Administrator shall provide to the airman—

''(i) a reasonable basis, described in detail, for requesting the reexamination; and

''(ii) any information gathered by the Federal Aviation Administration, that the Administrator determines is appropriate to provide, such as the scope and nature of the requested reexamination, that formed the basis for that justification.''.

(b) AMENDMENT, MODIFICATION, SUSPENSION, OR REVOCATION OF AIRMAN CERTIFICATES AFTER REEXAMINATION.—Section 44709(b) of title 49, United States Code, is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(3) in the matter preceding subparagraph (A), as redesignated, by striking ''The Administrator'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), the Administrator''; and

(4) by adding at the end the following:

''(2) AMENDMENTS, MODIFICATIONS, SUSPENSIONS, AND REVOCATIONS OF AIRMAN CERTIFICATES AFTER REEXAMINATION.—

''(A) IN GENERAL.—The Administrator may not issue an order to amend, modify, suspend, or revoke an airman certificate held by a student, sport, recreational, or private pilot and issued under section 44703 of this title after a reexamination of the airman holding the certificate unless the Administrator determines that the airman—

''(i) lacks the technical skills and competency, or care, judgment, and responsibility, necessary to hold and safely exercise the privileges of the certificate; or

''(ii) materially contributed to the issuance of the certificate by fraudulent means.

''(B) STANDARD OF REVIEW.—Any order of the Administrator under this paragraph shall be subject to the standard of review provided for under section 2 of the Pilot's Bill of Rights (49 U.S.C. 44703 note).''.

(c) CONFORMING AMENDMENTS.—Section 44709(d)(1) of title 49, United States Code, is amended—

(1) in subparagraph (A), by striking ''subsection (b)(1)(A)'' and inserting ''subsection (b)(1)(A)(i)''; and

(2) in subparagraph (B), by striking ''subsection (b)(1)(B)'' and inserting ''subsection (b)(1)(A)(ii)''.

SEC. 5. EXPEDITING UPDATES TO NOTAM PROGRAM.

(a) IN GENERAL.—

(1) Beginning on the date that is 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration may not take any enforcement action against any individual for a violation of a NOTAM (as defined in section 3 of the Pilot's Bill of Rights (49 U.S.C. 44701 note)) until the

Administrator certifies to the appropriate congressional committees that the Administrator has complied with the requirements of section 3 of the Pilot's Bill of Rights, as amended by this section.

(2) In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Transportation and Infrastructure of the House of Representatives.

(b) AMENDMENTS.—Section 3 of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1162; 49 U.S.C. 44701 note) is amended—

(1) in subsection (a)(2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''this Act'' and inserting ''the Pilot's Bill of Rights 2''; and

(ii) by striking ''begin'' and inserting ''complete the implementation of'';

(B) by amending subparagraph (B) to read as follows:

''(B) to continue developing and modernizing the NOTAM repository, in a public central location, to maintain and archive all NOTAMs, including the original content and form of the notices, the original date of publication, and any amendments to such notices with the date of each amendment, in a manner that is Internet-accessible, machine-readable, and searchable;'';

(C) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(D) to specify the times during which temporary flight restrictions are in effect and the duration of a designation of special use airspace in a specific area.''; and

(2) by amending subsection (d) to read as follows:

''(d) DESIGNATION OF REPOSITORY AS SOLE SOURCE FOR NOTAMS.—

''(1) IN GENERAL.—The Administrator—

''(A) shall consider the repository for NOTAMs under subsection (a)(2)(B) to be the sole location for airmen to check for NOTAMs; and

''(B) may not consider a NOTAM to be announced or published until the NOTAM is included in the repository for NOTAMs under subsection (a)(2)(B).

''(2) PROHIBITION ON TAKING ACTION FOR VIOLATIONS OF NOTAMS NOT IN REPOSITORY.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), beginning on the date that the repository under subsection (a)(2)(B) is final and published, the Administrator may not take any enforcement action against an airman for a violation of a NOTAM during a flight if—

''(i) that NOTAM is not available through the repository before the commencement of the flight; and

''(ii) that NOTAM is not reasonably accessible and identifiable to the airman.

''(B) EXCEPTION FOR NATIONAL SECURITY.—Subparagraph (A) shall not apply in the case of an enforcement action for a violation of a NOTAM that directly relates to national security.''.

SEC. 6. ACCESSIBILITY OF CERTAIN FLIGHT DATA.

(a) IN GENERAL.—Subchapter I of chapter 471 of title 49, United States Code, is amended by inserting after section 47124 the following:

''§ 47124a. Accessibility of certain flight data

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATION.—The term 'Administration' means the Federal Aviation Administration.

''(2) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Aviation Administration.

''(3) APPLICABLE INDIVIDUAL.—The term 'applicable individual' means an individual who is the subject of an investigation initiated by the Administrator related to a covered flight record.

''(4) CONTRACT TOWER.—The term 'contract tower' means an air traffic control tower providing air traffic control services pursuant to a contract with the Administration under the contract air traffic control tower program under section 47124(b)(3).

''(5) COVERED FLIGHT RECORD.—The term 'covered flight record' means any air traffic data (as defined in section 2(b)(4)(B) of the Pilot's Bill of Rights (49 U.S.C. 44703 note)), created, maintained, or controlled by any program of the Administration, including any program of the Administration carried out by employees or contractors of the Administration, such as contract towers, flight service stations, and controller training programs.

''(b) PROVISION OF COVERED FLIGHT RECORD TO ADMINISTRATION.—

''(1) REQUESTS.—Whenever the Administration receives a written request for a covered flight record from an applicable individual and the covered flight record is not in the possession of the Administration, the Administrator shall request the covered flight record from the contract tower or other contractor of the Administration in possession of the covered flight record.

''(2) PROVISION OF RECORDS.—Any covered flight record created, maintained, or controlled by a contract tower or another contractor of the Administration that maintains covered flight records shall be provided to the Administration if the Administration requests the record pursuant to paragraph (1).

''(3) NOTICE OF PROPOSED CERTIFICATE ACTION.—If the Administrator has issued, or subsequently issues, a Notice of Proposed Certificate Action relying on evidence contained in the covered flight record and the individual who is the subject of an investigation has requested the record, the Administrator shall promptly produce the record and extend the time the individual has to respond to the Notice of Proposed Certificate Action until the covered flight record is provided.

''(c) IMPLEMENTATION.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Pilot's Bill of Rights 2, the Administrator shall promulgate regulations or guidance to ensure compliance with this section.

''(2) COMPLIANCE BY CONTRACTORS.—

''(A) Compliance with this section by a contract tower or other contractor of the Administration that maintains covered flight records shall be included as a material term in any contract between the Administration and the contract tower or contractor entered into or renewed on or after the date of enactment of the Pilot's Bill of Rights 2.

''(B) Subparagraph (A) shall not apply to any contract or agreement in effect on the date of enactment of the Pilot's Bill of Rights 2 unless the contract or agreement is renegotiated, renewed, or modified after that date.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents for chapter 471 of title 49, United States Code, is amended by inserting after the item relating to section 47124 the following:

''47124a. Accessibility of certain flight data.''.

SEC. 7. AUTHORITY FOR LEGAL COUNSEL TO ISSUE CERTAIN NOTICES.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall revise section 13.11 of title 14, Code of Federal Regulations, to authorize legal counsel of the Federal Aviation Administration to close enforcement actions covered by that section with a warning notice, letter of correction, or other administrative action.

Mr. INHOFE. Mr. President, I further ask unanimous consent that the Feinstein amendment be agreed to; that the committee-reported substitute, as amended, be agreed to; that the bill, as amended, be read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, reserving the right to object, I want to thank the Senator from Oklahoma for his hard work and his dedication to the Pilot's Bill of Rights, which is before us now, and I know he has in his heart and mind the best interests of our aviation public.

I have sought to improve this bill. I have had strong concerns about a number of its provisions. I want to thank him and thank Senator THUNE, Senator NELSON, and Senator MANCHIN, as well as Senator FEINSTEIN and Senator REED, for the improvements they have made to the bill. But I feel, with all due respect, that problems remain.

We have an effective medical certification system now which, unfortunately, this bill undermines, in my view. This bill replaces it with an untested framework, making it easier for people with dangerous medical conditions to fly. There is really no medical certificate effective to deal with potential medical problems. I am gravely concerned that this bill may lead to an increase in the number of aviation accidents.

My hope is—since it has 69 cosponsors, and the will of the Senate now is apparently to move forward—that we can perhaps improve it in the course of the FAA reauthorization. I hope some of these issues can be addressed in that process. I hope my colleague Senator INHOFE will work with me to keep the policy proposals outlined in this bill in mind as we go forward with the FAA reauthorization bill—and that is scheduled to be sometime next year—so that further improvements can be given due consideration.

Again, I thank the Senator from Oklahoma for his hard work on this bill, and I withdraw my objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2928) was agreed to, as follows:

(Purpose: To clarify the administrative authorities and to improve the physician certification)

On page 37, line 12, after the period, insert the following: ''I certify that I am not aware of any medical condition that, as presently treated, could interfere with the individual's ability to safely operate an aircraft.''.

On page 40, line 6, insert ''and signed by the physician'' after ''followed''.

On page 48, between lines 3 and 4, insert the following:

(1) AUTHORITY TO REQUIRE ADDITIONAL INFORMATION.—

(1) IN GENERAL.—If the Administrator receives credible or urgent information, including from the National Driver Register or

the Administrator's Safety Hotline, that reflects on an individual's ability to safely operate a covered aircraft under the third-class medical certificate exemption in subsection (a), the Administrator may require the individual to provide additional information or history so that the Administrator may determine whether the individual is safe to continue operating a covered aircraft.

(2) USE OF INFORMATION.—The Administrator may use credible or urgent information received under paragraph (1) to request an individual to provide additional information or to take actions under section 44709(b) of title 49, United States Code.

The committee-reported amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 571), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 571

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as ''Pilot's Bill of Rights 2''.

SEC. 2. MEDICAL CERTIFICATION OF CERTAIN SMALL AIRCRAFT PILOTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue or revise regulations to ensure that an individual may operate as pilot in command of a covered aircraft if—

(1) the individual possesses a valid driver's license issued by a State, territory, or possession of the United States and complies with all medical requirements or restrictions associated with that license;

(2) the individual holds a medical certificate issued by the Federal Aviation Administration on the date of enactment of this Act, held such a certificate at any point during the 10-year period preceding such date of enactment, or obtains such a certificate after such date of enactment;

(3) the most recent medical certificate issued by the Federal Aviation Administration to the individual—

(A) indicates whether the certificate is first, second, or third class;

(B) may include authorization for special issuance;

(C) may be expired;

(D) cannot have been revoked or suspended; and

(E) cannot have been withdrawn;

(4) the most recent application for airman medical certification submitted to the Federal Aviation Administration by the individual cannot have been completed and denied;

(5) the individual has completed a medical education course described in subsection (c) during the 24 calendar months before acting as pilot in command of a covered aircraft and demonstrates proof of completion of the course;

(6) the individual, when serving as a pilot in command, is under the care and treatment of a physician if the individual has been diagnosed with any medical condition that may impact the ability of the individual to fly;

(7) the individual has received a comprehensive medical examination from a State-licensed physician during the previous 48 months and—

(A) prior to the examination, the individual—

(i) completed the individual's section of the checklist described in subsection (b); and

(ii) provided the completed checklist to the physician performing the examination; and

(B) the physician conducted the comprehensive medical examination in accordance with the checklist described in subsection (b), checking each item specified during the examination and addressing, as medically appropriate, every medical condition listed, and any medications the individual is taking; and

(8) the individual is operating in accordance with the following conditions:

(A) The covered aircraft is carrying not more than 5 passengers.

(B) The individual is operating the covered aircraft under visual flight rules or instrument flight rules.

(C) The flight, including each portion of that flight, is not carried out—

(i) for compensation or hire, including that no passenger or property on the flight is being carried for compensation or hire;

(ii) at an altitude that is more than 18,000 feet above mean sea level;

(iii) outside the United States, unless authorized by the country in which the flight is conducted; or

(iv) at an indicated air speed exceeding 250 knots.

(b) COMPREHENSIVE MEDICAL EXAMINATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall develop a checklist for an individual to complete and provide to the physician performing the comprehensive medical examination required in subsection (a)(7).

(2) REQUIREMENTS.—The checklist shall contain—

(A) a section, for the individual to complete that contains—

(i) boxes 3 through 13 and boxes 16 through 19 of the Federal Aviation Administration Form 8500–8 (3–99);

(ii) a signature line for the individual to affirm that—

(I) the answers provided by the individual on that checklist, including the individual's answers regarding medical history, are true and complete;

(II) the individual understands that he or she is prohibited under Federal Aviation Administration regulations from acting as pilot in command, or any other capacity as a required flight crew member, if he or she knows or has reason to know of any medical deficiency or medically disqualifying condition that would make the individual unable to operate the aircraft in a safe manner; and

(III) the individual is aware of the regulations pertaining to the prohibition on operations during medical deficiency and has no medically disqualifying conditions in accordance with applicable law;

(B) a section with instructions for the individual to provide the completed checklist to the physician performing the comprehensive medical examination required in subsection (a)(7); and

(C) a section, for the physician to complete, that instructs the physician—

(i) to perform a clinical examination of—

(I) head, face, neck, and scalp;

(II) nose, sinuses, mouth, and throat;

(III) ears, general (internal and external canals), and eardrums (perforation);

(IV) eyes (general), ophthalmoscopic, pupils (equality and reaction), and ocular motility (associated parallel movement, nystagmus);

(V) lungs and chest (not including breast examination);

(VI) heart (precordial activity, rhythm, sounds, and murmurs);

(VII) vascular system (pulse, amplitude, and character, and arms, legs, and others);

(VIII) abdomen and viscera (including hernia);

(IX) anus (not including digital examination);

(X) skin;

(XI) G–U system (not including pelvic examination);

(XII) upper and lower extremities (strength and range of motion);

(XIII) spine and other musculoskeletal;

(XIV) identifying body marks, scars, and tattoos (size and location);

(XV) lymphatics;

(XVI) neurologic (tendon reflexes, equilibrium, senses, cranial nerves, and coordination, etc.);

(XVII) psychiatric (appearance, behavior, mood, communication, and memory);

(XVIII) general systemic;

(XIX) hearing;

(XX) vision (distant, near, and intermediate vision, field of vision, color vision, and ocular alignment);

(XXI) blood pressure and pulse; and

(XXII) anything else the physician, in his or her medical judgment, considers necessary;

(ii) to exercise medical discretion to address, as medically appropriate, any medical conditions identified, and to exercise medical discretion in determining whether any medical tests are warranted as part of the comprehensive medical examination;

(iii) to discuss all drugs the individual reports taking (prescription and nonprescription) and their potential to interfere with the safe operation of an aircraft or motor vehicle;

(iv) to sign the checklist, stating: ''I certify that I discussed all items on this checklist with the individual during my examination, discussed any medications the individual is taking that could interfere with their ability to safely operate an aircraft or motor vehicle, and performed an examination that included all of the items on this checklist. I certify that I am not aware of any medical condition that, as presently treated, could interfere with the individual's ability to safely operate an aircraft.''; and

(v) to provide the date the comprehensive medical examination was completed, and the physician's full name, address, telephone number, and State medical license number.

(3) LOGBOOK.—The completed checklist shall be retained in the individual's logbook and made available on request.

(c) MEDICAL EDUCATION COURSE REQUIREMENTS.—The medical education course described in this subsection shall—

(1) be available on the Internet free of charge;

(2) be developed and periodically updated in coordination with representatives of relevant nonprofit and not-for-profit general aviation stakeholder groups;

(3) educate pilots on conducting medical self-assessments;

(4) advise pilots on identifying warning signs of potential serious medical conditions;

(5) identify risk mitigation strategies for medical conditions;

(6) increase awareness of the impacts of potentially impairing over-the-counter and prescription drug medications;

(7) encourage regular medical examinations and consultations with primary care physicians;

(8) inform pilots of the regulations pertaining to the prohibition on operations during medical deficiency and medically disqualifying conditions;

(9) provide the checklist developed by the Federal Aviation Administration in accordance with subsection (b); and

(10) upon successful completion of the course, electronically provide to the individual and transmit to the Federal Aviation Administration—

(A) a certification of completion of the medical education course, which shall be printed and retained in the individual's logbook and made available upon request, and shall contain the individual's name, address, and airman certificate number;

(B) subject to subsection (d), a release authorizing the National Driver Register through a designated State Department of Motor Vehicles to furnish to the Federal Aviation Administration information pertaining to the individual's driving record;

(C) a certification by the individual that the individual is under the care and treatment of a physician if the individual has been diagnosed with any medical condition that may impact the ability of the individual to fly, as required under (a)(6);

(D) a form that includes—

(i) the name, address, telephone number, and airman certificate number of the individual;

(ii) the name, address, telephone number, and State medical license number of the physician performing the comprehensive medical examination required in subsection (a)(7);

(iii) the date of the comprehensive medical examination required in subsection (a)(7); and

(iv) a certification by the individual that the checklist described in subsection (b) was followed and signed by the physician in the comprehensive medical examination required in subsection (a)(7); and

(E) a statement, which shall be printed, and signed by the individual certifying that the individual understands the existing prohibition on operations during medical deficiency by stating: ''I understand that I cannot act as pilot in command, or any other capacity as a required flight crew member, if I know or have reason to know of any medical condition that would make me unable to operate the aircraft in a safe manner.''.

(d) NATIONAL DRIVER REGISTER.—The authorization under subsection (c)(10)(B) shall be an authorization for a single access to the information contained in the National Driver Register.

(e) SPECIAL ISSUANCE PROCESS.—

(1) IN GENERAL.—An individual who has qualified for the third-class medical certificate exemption under subsection (a) and is seeking to serve as a pilot in command of a covered aircraft shall be required to have completed the process for obtaining an Authorization for Special Issuance of a Medical Certificate for each of the following:

(A) A mental health disorder, limited to an established medical history or clinical diagnosis of—

(i) personality disorder that is severe enough to have repeatedly manifested itself by overt acts;

(ii) psychosis, defined as a case in which an individual—

(I) has manifested delusions, hallucinations, grossly bizarre or disorganized behavior, or other commonly accepted symptoms of psychosis; or

(II) may reasonably be expected to manifest delusions, hallucinations, grossly bizarre or disorganized behavior, or other commonly accepted symptoms of psychosis;

(iii) bipolar disorder; or

(iv) substance dependence within the previous 2 years, as defined in section 67.307(a)(4) of title 14, Code of Federal Regulations.

(B) A neurological disorder, limited to an established medical history or clinical diagnosis of any of the following:

(i) Epilepsy.

(ii) Disturbance of consciousness without satisfactory medical explanation of the cause.

(iii) A transient loss of control of nervous system functions without satisfactory medical explanation of the cause.

(C) A cardiovascular condition, limited to a one-time special issuance for each diagnosis of the following:

(i) Myocardial infraction.

(ii) Coronary heart disease that has required treatment.

(iii) Cardiac valve replacement.

(iv) Heart replacement.

(2) SPECIAL RULE FOR CARDIOVASCULAR CONDITIONS.—In the case of an individual with a cardiovascular condition, the process for obtaining an Authorization for Special Issuance of a Medical Certificate shall be satisfied with the successful completion of an appropriate clinical evaluation without a mandatory wait period.

(3) SPECIAL RULE FOR MENTAL HEALTH CONDITIONS.—

(A) In the case of an individual with a clinically diagnosed mental health condition, the third-class medical certificate exemption under subsection (a) shall not apply if—

(i) in the judgment of the individual's State-licensed medical specialist, the condition—

(I) renders the individual unable to safely perform the duties or exercise the airman privileges described in subsection (a)(8); or

(II) may reasonably be expected to make the individual unable to perform the duties or exercise the privileges described in subsection (a)(8); or

(ii) the individual's driver's license is revoked by the issuing agency as a result of a clinically diagnosed mental health condition.

(B) Subject to subparagraph (A), an individual clinically diagnosed with a mental health condition shall certify every 2 years, in conjunction with the certification under subsection (c)(10)(C), that the individual is under the care of a State-licensed medical specialist for that mental health condition.

(4) SPECIAL RULE FOR NEUROLOGICAL CONDITIONS.—

(A) In the case of an individual with a clinically diagnosed neurological condition, the third-class medical certificate exemption under subsection (a) shall not apply if—

(i) in the judgment of the individual's State-licensed medical specialist, the condition—

(I) renders the individual unable to safely perform the duties or exercise the airman privileges described in subsection (a)(8); or

(II) may reasonably be expected to make the individual unable to perform the duties or exercise the privileges described in subsection (a)(8); or

(ii) the individual's driver's license is revoked by the issuing agency as a result of a clinically diagnosed neurological condition.

(B) Subject to subparagraph (A), an individual clinically diagnosed with a neurological condition shall certify every 2 years, in conjunction with the certification under subsection (c)(10)(C), that the individual is under the care of a State-licensed medical specialist for that neurological condition.

(f) IDENTIFICATION OF ADDITIONAL MEDICAL CONDITIONS FOR THE CACI PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall review and identify additional medical conditions that could be added to the program known as the Conditions AMEs Can Issue (CACI) program.

(2) CONSULTATIONS.—In carrying out paragraph (1), the Administrator shall consult with aviation, medical, and union stakeholders.

(3) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report listing the medical conditions that have been added to the CACI program under paragraph (1).

(g) EXPEDITED AUTHORIZATION FOR SPECIAL ISSUANCE OF A MEDICAL CERTIFICATE.—

(1) IN GENERAL.—The Administrator shall implement procedures to expedite the process for obtaining an Authorization for Special Issuance of a Medical Certificate under section 67.401 of title 14, Code of Federal Regulations.

(2) CONSULTATIONS.—In carrying out paragraph (1), the Administrator shall consult with aviation, medical, and union stakeholders.

(3) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing how the procedures implemented under paragraph (1) will streamline the process for obtaining an Authorization for Special Issuance of a Medical Certificate and reduce the amount of time needed to review and decide special issuance cases.

(h) REPORT REQUIRED.—Not later than 5 years after the date of enactment of this Act, the Administrator, in coordination with the National Transportation Safety Board, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the effect of the regulations issued or revised under subsection (a) and includes statistics with respect to changes in small aircraft activity and safety incidents.

(i) PROHIBITION ON ENFORCEMENT ACTIONS.—Beginning on the date that is 1 year after the date of enactment of this Act, the Administrator may not take an enforcement action for not holding a valid third-class medical certificate against a pilot of a covered aircraft for a flight, through a good faith effort, if the pilot and the flight meet the applicable requirements under subsection (a), except paragraph (5), unless the Administrator has published final regulations in the Federal Register under that subsection.

(j) COVERED AIRCRAFT DEFINED.—In this section, the term ''covered aircraft'' means an aircraft that—

(1) is authorized under Federal law to carry not more than 6 occupants; and

(2) has a maximum certificated takeoff weight of not more than 6,000 pounds.

(k) OPERATIONS COVERED.—The provisions and requirements covered in this section do

not apply to pilots who elect to operate under the medical requirements under subsection (b) or subsection (c) of section 61.23 of title 14, Code of Federal Regulations.

(l) AUTHORITY TO REQUIRE ADDITIONAL INFORMATION.—

(1) IN GENERAL.—If the Administrator receives credible or urgent information, including from the National Driver Register or the Administrator's Safety Hotline, that reflects on an individual's ability to safely operate a covered aircraft under the third-class medical certificate exemption in subsection (a), the Administrator may require the individual to provide additional information or history so that the Administrator may determine whether the individual is safe to continue operating a covered aircraft.

(2) USE OF INFORMATION.—The Administrator may use credible or urgent information received under paragraph (1) to request an individual to provide additional information or to take actions under section 44709(b) of title 49, United States Code.

SEC. 3. EXPANSION OF PILOT'S BILL OF RIGHTS.

(a) APPEALS OF SUSPENDED AND REVOKED AIRMAN CERTIFICATES.—Section 2(d)(1) of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1159; 49 U.S.C. 44703 note) is amended by striking ''or imposing a punitive civil action or an emergency order of revocation under subsections (d) and (e) of section 44709 of such title'' and inserting ''suspending or revoking an airman certificate under section 44709(d) of such title, or imposing an emergency order of revocation under subsections (d) and (e) of section 44709 of such title''.

(b) DE NOVO REVIEW BY DISTRICT COURT; BURDEN OF PROOF.—Section 2(e) of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1159; 49 U.S.C. 44703 note) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—In an appeal filed under subsection (d) in a United States district court with respect to a denial, suspension, or revocation of an airman certificate by the Administrator—

''(A) the district court shall review the denial, suspension, or revocation de novo, including by—

''(i) conducting a full independent review of the complete administrative record of the denial, suspension, or revocation;

''(ii) permitting additional discovery and the taking of additional evidence; and

''(iii) making the findings of fact and conclusions of law required by Rule 52 of the Federal Rules of Civil Procedure without being bound to any findings of fact of the Administrator or the National Transportation Safety Board.'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) BURDEN OF PROOF.—In an appeal filed under subsection (d) in a United States district court after an exhaustion of administrative remedies, the burden of proof shall be as follows:

''(A) In an appeal of the denial of an application for the issuance or renewal of an airman certificate under section 44703 of title 49, United States Code, the burden of proof shall be upon the applicant denied an airman certificate by the Administrator.

''(B) In an appeal of an order issued by the Administrator under section 44709 of title 49, United States Code, the burden of proof shall be upon the Administrator.''; and

(4) by adding at the end the following:

''(4) APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.—Notwithstanding paragraph (1)(A) of this subsection or subsection (a)(1) of section 554 of title 5, United States Code, section 554 of such title shall apply to adjudications of the Administrator and the National Transportation Safety Board to the same extent as that section applied to such adjudications before the date of enactment of the Pilot's Bill of Rights 2.''.

(c) NOTIFICATION OF INVESTIGATION.—Subsection (b) of section 2 of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1159; 49 U.S.C. 44703 note) is amended—

(1) in paragraph (2)(A), by inserting ''and the specific activity on which the investigation is based'' after ''nature of the investigation''; and

(2) in paragraph (3), by striking ''timely''; and

(3) in paragraph (5), by striking ''section 44709(c)(2)'' and inserting ''section 44709(e)(2)''.

(d) RELEASE OF INVESTIGATIVE REPORTS.—Section 2 of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1159; 49 U.S.C. 44703 note) is further amended by inserting after subsection (e) the following:

''(f) RELEASE OF INVESTIGATIVE REPORTS.—

''(1) IN GENERAL.—

''(A) EMERGENCY ORDERS.—In any proceeding conducted under part 821 of title 49, Code of Federal Regulations, relating to the amendment, modification, suspension, or revocation of an airman certificate, in which the Administrator issues an emergency order under subsections (d) and (e) of section 44709, section 44710, or section 46105(c) of title 49, United States Code, or another order that takes effect immediately, the Administrator shall provide to the individual holding the airman certificate the releasable portion of the investigative report at the time the Administrator issues the order. If the complete Report of Investigation is not available at the time the Emergency Order is issued, the Administrator shall issue all portions of the report that are available at the time and shall provide the full report within 5 days of its completion.

''(B) OTHER ORDERS.—In any non-emergency proceeding conducted under part 821 of title 49, Code of Federal Regulations, relating to the amendment, modification, suspension, or revocation of an airman certificate, in which the Administrator notifies the certificate holder of a proposed certificate action under subsections (b) and (c) of section 44709 or section 44710 of title 49, United States Code, the Administrator shall, upon the written request of the covered certificate holder and at any time after that notification, provide to the covered certificate holder the releasable portion of the investigative report.

''(2) MOTION FOR DISMISSAL.—If the Administrator does not provide the releasable portions of the investigative report to the individual holding the airman certificate subject to the proceeding referred to in paragraph (1) by the time required by that paragraph, the individual may move to dismiss the complaint of the Administrator or for other relief and, unless the Administrator establishes good cause for the failure to provide the investigative report or for a lack of timeliness, the administrative law judge shall order such relief as the judge considers appropriate.

''(3) RELEASABLE PORTION OF INVESTIGATIVE REPORT.—For purposes of paragraph (1), the releasable portion of an investigative report is all information in the report, except for the following:

''(A) Information that is privileged.

''(B) Information that constitutes work product or reflects internal deliberative process.

''(C) Information that would disclose the identity of a confidential source.

''(D) Information the disclosure of which is prohibited by any other provision of law.

''(E) Information that is not relevant to the subject matter of the proceeding.

''(F) Information the Administrator can demonstrate is withheld for good cause.

''(G) Sensitive security information, as defined in section 15.5 of title 49, Code of Federal Regulations (or any corresponding similar ruling or regulation).

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prevent the Administrator from releasing to an individual subject to an investigation described in subsection (b)(1)—

''(A) information in addition to the information included in the releasable portion of the investigative report; or

''(B) a copy of the investigative report before the Administrator issues a complaint.''.

SEC. 4. LIMITATIONS ON REEXAMINATION OF CERTIFICATE HOLDERS.

(a) IN GENERAL.—Section 44709(a) of title 49, United States Code, is amended—

(1) by striking ''The Administrator'' and inserting the following:

''(1) IN GENERAL.—The Administrator'';

(2) by striking ''reexamine'' and inserting '', except as provided in paragraph (2), reexamine''; and

(3) by adding at the end the following:

''(2) LIMITATION ON THE REEXAMINATION OF AIRMAN CERTIFICATES.—

''(A) IN GENERAL.—The Administrator may not reexamine an airman holding a student, sport, recreational, or private pilot certificate issued under section 44703 of this title if the reexamination is ordered as a result of an event involving the fault of the Federal Aviation Administration or its designee, unless the Administrator has reasonable grounds—

''(i) to establish that the airman may not be qualified to exercise the privileges of a particular certificate or rating, based upon an act or omission committed by the airman while exercising those privileges, after the certificate or rating was issued by the Federal Aviation Administration or its designee; or

''(ii) to demonstrate that the airman obtained the certificate or the rating through fraudulent means or through an examination that was substantially and demonstrably inadequate to establish the airman's qualifications.

''(B) NOTIFICATION REQUIREMENTS.—Before taking any action to reexamine an airman under subparagraph (A), the Administrator shall provide to the airman—

''(i) a reasonable basis, described in detail, for requesting the reexamination; and

''(ii) any information gathered by the Federal Aviation Administration, that the Administrator determines is appropriate to provide, such as the scope and nature of the requested reexamination, that formed the basis for that justification.''.

(b) AMENDMENT, MODIFICATION, SUSPENSION, OR REVOCATION OF AIRMAN CERTIFICATES AFTER REEXAMINATION.—Section 44709(b) of title 49, United States Code, is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(3) in the matter preceding subparagraph (A), as redesignated, by striking ''The Administrator'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), the Administrator''; and

(4) by adding at the end the following:

''(2) AMENDMENTS, MODIFICATIONS, SUSPENSIONS, AND REVOCATIONS OF AIRMAN CERTIFICATES AFTER REEXAMINATION.—

''(A) IN GENERAL.—The Administrator may not issue an order to amend, modify, suspend, or revoke an airman certificate held by a student, sport, recreational, or private pilot and issued under section 44703 of this title after a reexamination of the airman holding the certificate unless the Administrator determines that the airman—

''(i) lacks the technical skills and competency, or care, judgment, and responsibility, necessary to hold and safely exercise the privileges of the certificate; or

''(ii) materially contributed to the issuance of the certificate by fraudulent means.

''(B) STANDARD OF REVIEW.—Any order of the Administrator under this paragraph shall be subject to the standard of review provided for under section 2 of the Pilot's Bill of Rights (49 U.S.C. 44703 note).''.

(c) CONFORMING AMENDMENTS.—Section 44709(d)(1) of title 49, United States Code, is amended—

(1) in subparagraph (A), by striking ''subsection (b)(1)(A)'' and inserting ''subsection (b)(1)(A)(i)''; and

(2) in subparagraph (B), by striking ''subsection (b)(1)(B)'' and inserting ''subsection (b)(1)(A)(ii)''.

SEC. 5. EXPEDITING UPDATES TO NOTAM PROGRAM.

(a) IN GENERAL.—

(1) Beginning on the date that is 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration may not take any enforcement action against any individual for a violation of a NOTAM (as defined in section 3 of the Pilot's Bill of Rights (49 U.S.C. 44701 note)) until the Administrator certifies to the appropriate congressional committees that the Administrator has complied with the requirements of section 3 of the Pilot's Bill of Rights, as amended by this section.

(2) In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Transportation and Infrastructure of the House of Representatives.

(b) AMENDMENTS.—Section 3 of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1162; 49 U.S.C. 44701 note) is amended—

(1) in subsection (a)(2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''this Act'' and inserting ''the Pilot's Bill of Rights 2''; and

(ii) by striking ''begin'' and inserting ''complete the implementation of'';

(B) by amending subparagraph (B) to read as follows:

''(B) to continue developing and modernizing the NOTAM repository, in a public central location, to maintain and archive all NOTAMs, including the original content and form of the notices, the original date of publication, and any amendments to such notices with the date of each amendment, in a manner that is Internet-accessible, machine-readable, and searchable;'';

(C) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(D) to specify the times during which temporary flight restrictions are in effect and the duration of a designation of special use airspace in a specific area.''; and

(2) by amending subsection (d) to read as follows:

''(d) DESIGNATION OF REPOSITORY AS SOLE SOURCE FOR NOTAMS.—

''(1) IN GENERAL.—The Administrator—

''(A) shall consider the repository for NOTAMs under subsection (a)(2)(B) to be the sole location for airmen to check for NOTAMs; and

''(B) may not consider a NOTAM to be announced or published until the NOTAM is included in the repository for NOTAMs under subsection (a)(2)(B).

''(2) PROHIBITION ON TAKING ACTION FOR VIOLATIONS OF NOTAMS NOT IN REPOSITORY.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), beginning on the date that the repository under subsection (a)(2)(B) is final and published, the Administrator may not take any enforcement action against an airman for a violation of a NOTAM during a flight if—

''(i) that NOTAM is not available through the repository before the commencement of the flight; and

''(ii) that NOTAM is not reasonably accessible and identifiable to the airman.

''(B) EXCEPTION FOR NATIONAL SECURITY.—Subparagraph (A) shall not apply in the case of an enforcement action for a violation of a NOTAM that directly relates to national security.''.

SEC. 6. ACCESSIBILITY OF CERTAIN FLIGHT DATA.

(a) IN GENERAL.—Subchapter I of chapter 471 of title 49, United States Code, is amended by inserting after section 47124 the following:

''§ 47124a. Accessibility of certain flight data

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATION.—The term 'Administration' means the Federal Aviation Administration.

''(2) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Aviation Administration.

''(3) APPLICABLE INDIVIDUAL.—The term 'applicable individual' means an individual who is the subject of an investigation initiated by the Administrator related to a covered flight record.

''(4) CONTRACT TOWER.—The term 'contract tower' means an air traffic control tower providing air traffic control services pursuant to a contract with the Administration under the contract air traffic control tower program under section 47124(b)(3).

''(5) COVERED FLIGHT RECORD.—The term 'covered flight record' means any air traffic data (as defined in section 2(b)(4)(B) of the Pilot's Bill of Rights (49 U.S.C. 44703 note)), created, maintained, or controlled by any program of the Administration, including any program of the Administration carried out by employees or contractors of the Administration, such as contract towers, flight service stations, and controller training programs.

''(b) PROVISION OF COVERED FLIGHT RECORD TO ADMINISTRATION.—

''(1) REQUESTS.—Whenever the Administration receives a written request for a covered flight record from an applicable individual and the covered flight record is not in the possession of the Administration, the Administrator shall request the covered flight record from the contract tower or other contractor of the Administration in possession of the covered flight record.

''(2) PROVISION OF RECORDS.—Any covered flight record created, maintained, or controlled by a contract tower or another contractor of the Administration that maintains covered flight records shall be provided to the Administration if the Administration requests the record pursuant to paragraph (1).

''(3) NOTICE OF PROPOSED CERTIFICATE ACTION.—If the Administrator has issued, or subsequently issues, a Notice of Proposed Certificate Action relying on evidence contained in the covered flight record and the individual who is the subject of an investigation has requested the record, the Administrator shall promptly produce the record and extend the time the individual has to respond to the Notice of Proposed Certificate Action until the covered flight record is provided.

''(c) IMPLEMENTATION.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Pilot's Bill of Rights 2, the Administrator shall promulgate regulations or guidance to ensure compliance with this section.

''(2) COMPLIANCE BY CONTRACTORS.—

''(A) Compliance with this section by a contract tower or other contractor of the Administration that maintains covered flight records shall be included as a material term in any contract between the Administration and the contract tower or contractor entered into or renewed on or after the date of enactment of the Pilot's Bill of Rights 2.

''(B) Subparagraph (A) shall not apply to any contract or agreement in effect on the date of enactment of the Pilot's Bill of Rights 2 unless the contract or agreement is renegotiated, renewed, or modified after that date.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents for chapter 471 of title 49, United States Code, is amended by inserting after the item relating to section 47124 the following:

''47124a. Accessibility of certain flight data.''.

SEC. 7. AUTHORITY FOR LEGAL COUNSEL TO ISSUE CERTAIN NOTICES.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall revise section 13.11 of title 14, Code of Federal Regulations, to authorize legal counsel of the Federal Aviation Administration to close enforcement actions covered by that section with a warning notice, letter of correction, or other administrative action.

Mr. INHOFE. Mr. President, first of all, let me thank the Senator from Connecticut, because it is complicated. This is something that—it is also very difficult to actually explain a bill to 69 people and get that many cosponsors. But it is something we have been concerned about for a long time. Ten years ago, on the light aircraft, we actually had this language—even stronger than it is now. In that period of time, there hasn't been one accident that can be related to a third-class medical. I think the time has proven itself in 10 years.

To respond, I would be very happy to work with the Senator from Connecticut on problems that may rise that I don't envision right now. I appreciate very much his cooperation and also his staying around this late at night.

Thank you so much.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

CONGRATULATING MEGHAN ABLES

● Mr. BOOZMAN. Mr. President, today I wish to pay tribute to an outstanding Arkansas educator, Meghan Ables, who was named the 2016 Arkansas Teacher of the Year.

In nearly 13 years of teaching, Meghan's work in the classroom has made a difference in the lives of students in the Stuttgart School District. While she has taught a variety of subjects at Stuttgart High School, she currently serves as an English and journalism teacher. She has added reading and writing opportunities at the school by reestablishing its monthly magazine, The Bird Banner, and helping launch its studio, Ricebird Television.

Meghan challenges her students to use their skills to improve their community. Her journalism class partnered with Arkansas Children's Hospital as well as the local police and fire departments to raise awareness about safe driving.

Meghan's commitment to education also inspires those who work with her to do their best to encourage further development in the classroom. She has led professional development activities for using literacy techniques in the classroom, presented for the Literacy Design Collaborative, LDC, and provided Teacher Excellence and Support System, TESS, training to her colleagues.

The Arkansas Teacher of the Year program, part of the National Teacher of the Year program, recognizes teachers around the State for their teaching excellence. This truly is a major accomplishment in Meghan's career and something for which she can be very proud. Her outstanding contributions to education, the Stuttgart School District, and her students proves she is well deserving of this recognition.

I would like to offer my congratulations to Meghan Ables for her determination, devotion, and commitment to her students and to education. I am encouraged by her efforts to inspire our next generation of leaders and her drive to help them succeed.●

TRIBUTE TO JOE SIMON, JR.

● Ms. HEITKAMP. Mr. President, today I would like to honor a North Dakotan who is among the longest serving fire department volunteers in my State, keeping his community safe from fires and other threats for more than 65 years. That is a rare distinction in public service. The name Joe Simon, Jr., of Thompson, ND, has been on the volunteer firefighters' roster since his high school days when his father was fire chief.

Joe served for 36 years as the chief of the Thompson Fire Department. During that time, it was Joe's responsibility to keep the department fully staffed, manage training and medical duties, and work on grants to help keep the department running. Though Joe has retired as chief, he is still actively involved with department, helping with monthly checks of equipment and going on fire calls.

According to his friend, George Hoselton, it was under Joe's leadership that the Thompson Fire Department got its first set of the Jaws of Life rescue system—a major purchase for a volunteer department. After a college student died in an accident along the highway near Thompson because no Jaws of Life were available, Joe led door-to-door fundraising efforts to buy the lifesaving equipment. The community, today comprised of just a thousand North Dakotans, contributed enough money that the Thompson Fire Department was able to purchase the Jaws of Life and a rescue vehicle needed to carry the Jaws of Life and other equipment, says George. And that is what Joe is best at: working hard, bringing folks together, and making his community safer.

Joe's volunteerism at the Thompson Fire Department over more than 60 years has made the department a model for other communities around the State and country. Thompson Fire Department has taught classes to share its practices with other fire departments in the region and has long led the way in improving its volunteers' skills and safety. Under Joe's leadership, the department secured one of the earliest automatic defibrillators in the State of North Dakota. Joe also helped get medical first response units up and running at other volunteer departments in the region and was instrumental in getting 911 and emergency first responder radio systems set up in Grand Forks County. Service is a way of life in Joe's family. His wife, Sue, has been an EMT with the Thompson Fire Department for 27 years, which puts her in second place in seniority.

After studying at the University of North Dakota, Joe has spent his life in Thompson helping to grow and support the community in many ways. For 36 years, he worked as the head of the Agricultural Stabilization and Conservation Service in Grand Forks. Outside of his firefighting duties, Joe has been actively involved in American Legion baseball, Thompson High School football, and almost any other sporting event in town. Every Memorial Day, Joe puts out flags in nearby cemeteries, and reads a list of the honored dead—all of the veterans buried at four cemeteries around Thompson.

Friend and fellow firefighter George says that Joe ''gets the biggest smile on his face when he helps someone. That makes his day.''

Volunteers make up 96 percent of North Dakota's firefighters. They have other jobs but continue to give back, building stronger and safer communities and supporting the very fabric of our State. North Dakotans know that each of us has to step in to help our family and neighbors during tough times, and our first responders know that better than most. It is North Dakotans like Joe who epitomize why our State is such a unique and wonderful place filled with dedicated individuals who put others before themselves.

Thank you, Joe, for your tremendous service to your community and for your tireless efforts to keep communities throughout North Dakota safe.●

TRIBUTE TO LIEUTENANT GENERAL HAROLD GREGORY ''HAL'' MOORE, JR.

● Mr. SESSIONS. Mr. President, today I wish to recognize retired LTG Harold ''Hal'' Moore of Auburn, AL, for his lifetime of service to the United States of America.

LTG ''Hal'' Moore is best known as the lieutenant colonel in command of the 1st Battalion, 7th Cavalry Regiment, at the Battle of Ia Drang, in 1965 during the Vietnam war and as the author of ''We Were Soldiers Once . . . and Young.'' This book explores the weeklong Battle of Ia Drang where Hal served as the battalion commanding officer and led his troops personally. It is a magnificent book evidencing his courage, leadership, brilliance, and that of his regiment. I read it years ago and have not forgotten it.

Encircled by enemy soldiers and with no clear landing zone that would allow them to depart, Moore managed to persevere despite overwhelming odds. Moore's belief that ''there is always one more thing you can do to increase your odds of success,'' along with the courage of his entire command, are credited with this victory. Hal used the concepts of air assault organization and employment that he and his troopers learned during their time at Ft. Benning, GA, for the first time in actual combat.

Moore then took the lessons he learned from this initial battle and helped instruct future troopers on how to better employ the tactic, saving countless lives going forward. During the Battle of Ia Drang, Moore was referred to as ''Yellow Hair'' by his troops, for his blond hair, and as a tongue-in-cheek tribute referencing

GEN George Armstrong Custer, commander of the same 7th Cavalry at the Battle of the Little Bighorn just under a century before.

For his actions, Hal was awarded the Distinguished Service Cross, the second highest military decoration of the U.S. Army. After the Battle of Ia Drang, Moore was promoted to colonel and subsequently took command of the 3rd Brigade, commonly referred to as the Garry Owen Brigade.

After his service in the Vietnam war, Moore served in various assignments until his retirement from the Army, as a lieutenant general on August 1, 1977, after completing 32 years of active service. Today he remains an ''honorary colonel'' of the 1st Battalion, 7th Cavalry Regiment.

Along with the book he wrote, Hal is remembered in the 2007 book written by his volunteer driver, ''A General's Spiritual Journey,'' and in the 2013 biography by author Mike Guardia, ''Hal Moore: A Soldier Once . . . and Always.'' Moore has also been designated a Distinguished Graduate by the West Point Association of Graduates and has a 3-mile stretch of Highway 280 in Lee County, AL, named in his honor.

Lieutenant General Moore splits time between Auburn, AL, and Crested Butte, CO. He continues to involve himself in his community. I am proud to call LTG Harold ''Hal'' Moore a fellow Alabamian and to acknowledge and celebrate his long and distinguished life.●

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 2:15 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 808. An act to establish the Surface Transportation Board as an independent establishment, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 4:33 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to 36 U.S.C. 2302, and the order of the House of January 6, 2015, the Speaker appoints the following Members on the part of the House of Representatives to the United States Holocaust Memorial Council: Mr. ISRAEL of New York and Mr. DEUTCH of Florida.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on December 15, 2015, she had presented to the President of the United States the following bill:

S. 808. An act to establish the Surface Transportation Board as an independent establishment, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3904. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Naphthalene Acetates; Pesticide Tolerances'' (FRL No. 9937–22) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3905. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Choline Chloride; Exemption from the Requirement of a Tolerance'' (FRL No. 9936–50) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3906. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Bacillus amyloliquefaciens MBI600 (antecedent Bacillus subtilis MBI600); Amendment to an Exemption from the Requirement of a Tolerance'' (FRL No. 9939–54) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3907. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Azoxystrobin; Tolerance Exemption'' (FRL No. 9939–52) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3908. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Highly Fractionated Indian Land (HFIL) Loan Program'' (RIN0560–AI32) received in the Office of the President of the Senate on December 10, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3909. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tomatoes Grown in Florida; Decreased Assessment Rate'' (Docket No. AMS–FV–15–0058) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3910. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Transition Assistance Program (TAP) for Military Personnel'' (RIN0790–AJ17) received in the Office of the President of the Senate on December 10, 2015; to the Committee on Armed Services.

EC–3911. A communication from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development , Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Homeless Emergency Assistance and Rapid Transition to Housing: Defining 'Chronically Homeless' '' (RIN2506–AC37) received in the Office of the President of the Senate on December 10, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3912. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2015–0001)) received in the Office of the President of the Senate on December 10, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3913. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2015–0001)) received in the Office of the President of the Senate on December 10, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–3914. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Name Change from the Office of Solid Waste and Emergency Response (OSWER) to the Office of Land and Emergency Management (OLEM)'' (FRL No. 9936–38–OSWER) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Environment and Public Works.

EC–3915. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Washington: Interstate Transport of Ozone'' (FRL No. 9940–05–Region 10) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Environment and Public Works.

EC–3916. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; El Paso Particulate Matter Contingency Measures'' (FRL No. 9940–03–Region 6) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Environment and Public Works.

EC–3917. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Maryland's Negative Declaration for the Automobile and Light-Duty Truck Assembly Coatings Control Techniques Guidelines'' (FRL No. 9939–99–Region 3) received in the Office of the President of the Senate on December 9, 2015; to the Committee on Environment and Public Works.

EC–3918. A communication from the Chief Financial Officer, National Labor Relations Board, transmitting, pursuant to law, a report entitled ''Performance and Accountability Report for Fiscal Year 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–3919. A communication from the Secretary of Veterans Affairs, transmitting proposed legislation relative to major medical facility construction projects and major medical facility leases for fiscal year 2016; to the Committee on Veterans' Affairs.

EC–3920. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant

to law, the report of a rule entitled ''Ultimate Heat Sink for Nuclear Power Plants'' (Regulatory Guide 1.27) received during adjournment of the Senate in the Office of the President of the Senate on December 11, 2015; to the Committee on Environment and Public Works.

EC–3921. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–117); to the Committee on Foreign Relations.

EC–3922. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Exempt from Certification; Mica-Based Pearlescent Pigments; Confirmation of Effective Date'' (Docket No. FDA–2015–C–1154) received in the Office of the President of the Senate on December 14, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–3923. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the Semiannual Report of the Inspector General and the Management Response for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3924. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2015 through September 30, 2015 and the Semi-Annual Report of the Treasury Inspector General for Tax Administration (TIGTA); to the Committee on Homeland Security and Governmental Affairs.

EC–3925. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, the Department's Semiannual Report from the Office of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–3926. A communication from the Acting Director, Office of Personnel Management, the President's Pay Agent, transmitting, pursuant to law, a report relative to the extension of locality based comparability payments; to the Committee on Homeland Security and Governmental Affairs.

EC–3927. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, a report entitled ''National Security Professional Development Interagency Personnel Rotations 2nd Fiscal Year End Report on Performance Measures''; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

H.R. 998. A bill to establish the conditions under which the Secretary of Homeland Security may establish preclearance facilities, conduct preclearance operations, and provide customs services outside the United States, and for other purposes (Rept. No. 114–180).

By Mr. GRASSLEY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1169. A bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes (Rept. No. 114–181).

S. 1318. A bill to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. MCCAIN for the Committee on Armed Services.

*Gabriel Camarillo, of Texas, to be an Assistant Secretary of the Air Force.

*John E. Sparks, of Virginia, to be a Judge of the United States Court of Appeals for the Armed Forces for the term of fifteen years to expire on the date prescribed by law.

*Marcel John Lettre, II, of Maryland, to be Under Secretary of Defense for Intelligence.

*Navy nomination of Vice Adm. Kurt W. Tidd, to be Admiral.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. KLOBUCHAR (for herself and Ms. MURKOWSKI):

S. 2401. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes; to the Committee on the Judiciary.

By Mr. MCCAIN (for himself, Ms. AYOTTE, Mr. BLUNT, and Mr. KIRK):

S. 2402. A bill to require the Secretary of Homeland Security to search all public records to determine if an alien is inadmissible to the United States; to the Committee on the Judiciary.

By Mr. BLUNT (for himself, Mrs. GILLIBRAND, Mr. BURR, Ms. HIRONO, Mr. COCHRAN, Ms. MIKULSKI, and Mr. BLUMENTHAL):

S. 2403. A bill to amend title 10, United States Code, to provide a period for the relocation of spouses and dependents of certain members of the Armed Forces undergoing a permanent change of station in order to ease and facilitate the relocation of military families, and for other purposes; to the Committee on Armed Services.

By Mr. BLUMENTHAL (for himself and Mr. MARKEY):

S. 2404. A bill to require the Federal Trade Commission to prescribe regulations regarding the collection and use of personal information obtained by tracking the online activity of an individual, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER:

S. 2405. A bill to require the disclosure of information concerning the manufacture of methamphetamine upon transfer or lease of covered housing; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER:

S. Res. 335. A resolution supporting the goals and ideals of National Aviation Maintenance Technician Day, honoring the invaluable contributions of Charles Edward Taylor, regarded as the father of aviation maintenance, and recognizing the essential role of aviation maintenance technicians in ensuring the safety and security of civil and military aircraft; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. Res. 336. A resolution honoring the Portland Timbers as the champions of Major League Soccer in 2015; considered and agreed to.

ADDITIONAL COSPONSORS

S. 122

At the request of Mr. MCCAIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 122, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada.

S. 233

At the request of Mr. LEE, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 233, a bill to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector.

S. 298

At the request of Mr. GRASSLEY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 298, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option of providing services to children with medically complex conditions under the Medicaid program and Children's Health Insurance Program through a care coordination program focused on improving health outcomes for children with medically complex conditions and lowering costs, and for other purposes.

S. 441

At the request of Mr. PERDUE, his name was added as a cosponsor of S. 441, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 551

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 551, a bill to increase public safety by permitting the Attorney General to

deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 740

At the request of Mr. HATCH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 740, a bill to improve the coordination and use of geospatial data.

S. 849

At the request of Mr. ISAKSON, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 849, a bill to amend the Public Health Service Act to provide for systematic data collection and analysis and epidemiological research regarding Multiple Sclerosis (MS), Parkinson's disease, and other neurological diseases.

S. 928

At the request of Mrs. GILLIBRAND, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 968

At the request of Mrs. GILLIBRAND, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 968, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 1041

At the request of Mr. SANDERS, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 1041, a bill to eliminate certain subsidies for fossil-fuel production.

S. 1152

At the request of Mr. WHITEHOUSE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1152, a bill to make permanent the extended period of protections for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. 1239

At the request of Mr. DONNELLY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1239, a bill to amend the Clean Air Act with respect to the ethanol waiver for the Reid vapor pressure limitations under that Act.

S. 1375

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1375, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1697

At the request of Ms. HEITKAMP, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1697, a bill to provide an exception from certain group health plan requirements to allow small businesses to use pre-tax dollars to assist employees in the purchase of policies in the individual health insurance market, and for other purposes.

S. 1715

At the request of Mr. HOEVEN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1715, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 400th anniversary of the arrival of the Pilgrims.

S. 1830

At the request of Mr. BARRASSO, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1830, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 1831

At the request of Mr. TOOMEY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1831, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 1874

At the request of Mr. HATCH, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1874, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1915

At the request of Ms. AYOTTE, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1915, a bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes.

S. 1982

At the request of Mr. CARDIN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 2044

At the request of Mr. THUNE, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2044, a bill to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes.

S. 2109

At the request of Mr. JOHNSON, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2109, a bill to direct the Administrator of the Federal Emergency Management Agency to develop an integrated plan to reduce administrative costs under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes.

S. 2148

At the request of Mr. WYDEN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2148, a bill to amend title XVIII of the Social Security Act to prevent an increase in the Medicare part B premium and deductible in 2016.

S. 2159

At the request of Mr. PERDUE, his name was added as a cosponsor of S. 2159, a bill to amend title XIX of the Social Security Act to allow for greater State flexibility with respect to excluding providers who are involved in abortions.

S. 2226

At the request of Ms. AYOTTE, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 2226, a bill to amend the Public Health Service Act to reauthorize the residential treatment programs for pregnant and postpartum women and to establish a pilot program to provide grants to State substance abuse agencies to promote innovative service delivery models for such women.

S. 2312

At the request of Mr. THUNE, the names of the Senator from Iowa (Mrs. ERNST), the Senator from Iowa (Mr. GRASSLEY) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 2312, a bill to amend titles XVIII and XIX of the Social Security Act to make improvements to payments for durable medical equipment under the Medicare and Medicaid programs.

S. 2321

At the request of Mr. MERKLEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2321, a bill to amend the

Fair Labor Standards Act of 1938 regarding reasonable break time for nursing mothers.

S. 2325

At the request of Ms. BALDWIN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2325, a bill to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes.

S. 2361

At the request of Mr. NELSON, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2361, a bill to enhance airport security, and for other purposes.

S. 2377

At the request of Mr. REID, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2377, a bill to defeat the Islamic State of Iraq and Syria (ISIS) and protect and secure the United States, and for other purposes.

S. RES. 148

At the request of Mr. KIRK, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 326

At the request of Mr. JOHNSON, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. Res. 326, a resolution celebrating the 135th anniversary of diplomatic relations between the United States and Romania.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 335—SUPPORTING THE GOALS AND IDEALS OF NATIONAL AVIATION MAINTENANCE TECHNICIAN DAY, HONORING THE INVALUABLE CONTRIBUTIONS OF CHARLES EDWARD TAYLOR, REGARDED AS THE FATHER OF AVIATION MAINTENANCE, AND RECOGNIZING THE ESSENTIAL ROLE OF AVIATION MAINTENANCE TECHNICIANS IN ENSURING THE SAFETY AND SECURITY OF CIVIL AND MILITARY AIRCRAFT

Mr. SCHUMER submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 335

Whereas the safety of the flying public is ensured and the integrity of aircraft airworthiness is personally guaranteed by individuals who comprise the professional aviation maintenance technician workforce;

Whereas professional aviation maintenance technicians are key members of the Armed Forces of the United States and help protect the United States through a strong Armed Forces aviation infrastructure;

Whereas the duties of aviation maintenance technicians are critical to the homeland security of the United States and an integral component of the aerospace industry of the United States;

Whereas professional aviation maintenance technicians provide the strong infrastructure through which public confidence in the airborne transportation safety and military aviation strength of the United States is ensured;

Whereas, in 1901, Charles Edward Taylor began working as a machinist for Orville and Wilbur Wright at the Wright Cycle Company in Dayton, Ohio;

Whereas using only a metal lathe, drill press, and hand tools, Charles Edward Taylor built, in 6 weeks, the 12-horsepower engine that was used to power the first flying machine of the Wright brothers;

Whereas the ingenuity of Charles Edward Taylor earned him a place in aviation history when the Wright brothers successfully flew their airplane in controlled flight on December 17, 1903;

Whereas Charles Edward Taylor had a successful career in aviation maintenance for more than 60 years;

Whereas Charles Edward Taylor was honored by the Federal Aviation Administration with the establishment of the Charles Edward Taylor Master Mechanic Award, which recognizes individuals with not less than 50 years of aviation maintenance experience;

Whereas Charles Edward Taylor has become a hero to aircraft maintenance technicians worldwide; and

Whereas 45 States, together with the commonwealths, territories, republics, and federations of the United States, have already declared May 24 to be Aviation Maintenance Technician Day within their jurisdictions: Now, therefore, be it

Resolved, That the Senate—

(1) supports National Aviation Maintenance Technician Day to honor the professional men and women who ensure the safety and security of the airborne aviation infrastructure of the United States; and

(2) recognizes the life and memory of Charles Edward Taylor, the aviation maintenance technician who built and maintained the engine that was used to power the first controlled flying machine of the Wright brothers on December 17, 1903.

SENATE RESOLUTION 336—HONORING THE PORTLAND TIMBERS AS THE CHAMPIONS OF MAJOR LEAGUE SOCCER IN 2015

Mr. WYDEN (for himself and Mr. MERKLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 336

Whereas on December 6, 2015, the Portland Timbers won the Major League Soccer Cup, the championship match of Major League Soccer;

Whereas by defeating the Columbus Crew by a score of 2 to 1, the Portland Timbers won their first Major League Soccer championship and the 20th edition of the Major League Soccer Cup;

Whereas Portland Timbers players Diego Valeri and Rodney Wallace scored goals in the Major League Soccer Cup;

Whereas Portland Timbers midfielder Diego Valeri was designated by Major League Soccer as the Most Valuable Player of the Major League Soccer Cup;

Whereas the victory of the Portland Timbers in the Major League Soccer Cup was the first Major League Soccer championship win for Portland Timbers head coach, Caleb Porter, and Portland Timbers owner, Merritt Paulson;

Whereas by doing charity work, the Portland Timbers organization inspires the people of Portland, Oregon, both on the soccer field and in the community;

Whereas the Timbers Army and the fans of the Portland Timbers, who inspire and exemplify Rose City pride by filling Providence Park with songs, scarves, flags, and confetti, and contributing to the community with charity work, are the best fans in Major League Soccer; and

Whereas the success of the Portland Timbers soccer team will—

(1) broaden an appreciation of athletics in young people; and

(2) encourage Oregonians to volunteer in their communities: Now, therefore, be it

Resolved, That the Senate—

(1) honors the Portland Timbers as the champions of Major League Soccer in 2015;

(2) recognizes the outstanding achievement of the Portland Timbers team, ownership, and staff; and

(3) requests that the Secretary of the Senate prepare an enrolled copy of this resolution for—

(A) Portland Timbers owner Merritt Paulson;

(B) Portland Timbers head coach Caleb Porter; and

(C) Portland Timbers general manager Gavin Wilkinson.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2928. Mr. INHOFE (for Mrs. FEINSTEIN (for herself and Mr. REED)) proposed an amendment to the bill S. 571, to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

TEXT OF AMENDMENTS

SA 2928. Mr. INHOFE (for Mrs. FEINSTEIN (for herself and Mr. REED)) proposed an amendment to the bill S. 571, to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes; as follows:

On page 37, line 12, after the period, insert the following: ''I certify that I am not aware of any medical condition that, as presently treated, could interfere with the individual's ability to safely operate an aircraft.''.

On page 40, line 6, insert ''and signed by the physician'' after ''followed''.

On page 48, between lines 3 and 4, insert the following:

(l) AUTHORITY TO REQUIRE ADDITIONAL INFORMATION.—

(1) IN GENERAL.—If the Administrator receives credible or urgent information, including from the National Driver Register or the Administrator's Safety Hotline, that reflects on an individual's ability to safely operate a covered aircraft under the third-class medical certificate exemption in subsection (a), the Administrator may require the individual to provide additional information or history so that the Administrator may determine whether the individual is safe to continue operating a covered aircraft.

(2) USE OF INFORMATION.—The Administrator may use credible or urgent information received under paragraph (1) to request an individual to provide additional information or to take actions under section 44709(b) of title 49, United States Code.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. ENZI. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on December 15, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. ENZI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 15, 2015, at 2:15 p.m., to conduct a hearing entitled ''Afghanistan Intelligence Assessment.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. ENZI. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on December 15, 2015, at 2:30 p.m., in room SR–418, of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. ENZI. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on December 15, 2015, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. ENZI. Mr. President, I ask unanimous consent that LCDR Robert Donnell, a Coast Guard fellow with the Senate commerce committee, be granted floor privileges for the remainder of the 114th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 378, 380, and 427 through 430.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote en bloc without intervening action or debate on the nominations in the order listed; that following disposition of the nominations, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Anthony Rosario Coscia, of New Jersey, to be a Director of the Amtrak Board of Directors for a term of five years; Derek Tai-Ching Kan, of California, to be a Director of the Amtrak Board of Directors for a term of five years; Dana J. Boente, of Virginia, to be United States Attorney for the Eastern District of Virginia for the term of four years; Robert Lloyd Capers, of New York, to be United States Attorney for the Eastern District of New York for the term of four years; John P. Fishwick, Jr., of Virginia, to be United States Attorney for the Western District of Virginia for the term of four years; and Emily Gray Rice, of New Hampshire, to be United States Attorney for the District of New Hampshire for the term of four years?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider individually the following nominations at a time to be determined by the majority leader in consultation with the Democratic leader: Calendar Nos. 305, 306, 360, and 361; that there be 30 minutes for debate for each nomination equally divided in the usual form; that upon the use or yielding back of time on the respective nomination, the Senate proceed to vote without intervening action or debate on the nomination. Further, as in executive session, I ask unanimous consent that all judicial nominations received by the Senate during the 114th Congress, first session, remain in status quo, notwithstanding the provisions of rule XXXI, paragraph 6, of the Standing Rules of the Senate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. For the information of our colleagues, it is my intention to schedule each of these nominations for floor consideration and a vote prior to the Presidents Day recess in February.

HONORING THE PORTLAND TIMBERS AS THE CHAMPIONS OF MAJOR LEAGUE SOCCER IN 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 336, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 336) honoring the Portland Timbers as the champions of Major League Soccer in 2015.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 336) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, DECEMBER 16, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Wednesday, December 16; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business until 6 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Wednesday, December 16, 2015, at 11 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 15, 2015:

AMTRAK BOARD OF DIRECTORS

ANTHONY ROSARIO COSCIA, OF NEW JERSEY, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS.

DEREK TAI-CHING KAN, OF CALIFORNIA, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS.

DEPARTMENT OF JUSTICE

DANA J. BOENTE, OF VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS.

ROBERT LLOYD CAPERS, OF NEW YORK, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF NEW YORK FOR THE TERM OF FOUR YEARS.

JOHN P. FISHWICK, JR., OF VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS.

EMILY GRAY RICE, OF NEW HAMPSHIRE, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEW HAMPSHIRE FOR THE TERM OF FOUR YEARS.

HOUSE OF REPRESENTATIVES—*Tuesday, December 15, 2015*

The House met at noon and was called to order by the Speaker pro tempore (Mr. KELLY of Mississippi).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 15, 2015.

I hereby appoint the Honorable TRENT KELLY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

AUTHORIZATION FOR USE OF MILITARY FORCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, 2 weeks ago when Secretary of Defense Ash Carter testified before the House Armed Services Committee, I asked him if Congress' debating and voting on an Authorization for Use of Military Force, an AUMF, would help in the cause of defeating ISIL. Secretary Carter said it would be helpful because we would need to show the troops that Congress supports them.

Two weeks ago, the Obama administration announced that it would be sending an expeditionary force into Iraq and Syria to fight ISIS. In his column last week entitled ''Obama's Quiet Shift in War on ISIS,'' syndicated columnist Doyle McManus wrote: ''If the first expeditionary forces succeed, as their record suggests they will, they will almost surely be followed by more.'' I completely agree with Mr. McManus.

Mr. Speaker, on November 6, my colleague JIM MCGOVERN and I, along with 33 of our colleagues, wrote a letter to Speaker RYAN urging him to allow debate on an AUMF on the House floor. We never received a response. Last week, JIM and I wrote Speaker RYAN another letter urging him to allow a debate on the AUMF on the House floor as one of the first actions Congress takes when we come back in January 2016.

Mr. Speaker, President Obama continues to escalate our involvement against ISIS in Iraq and Syria. Our fight with ISIS isn't going away any time soon, which is why it is high time Congress fulfills its constitutional duty and debates our role in the Middle East. As James Madison said: ''The power to declare war, including the power of judging the causes of war, is fully and exclusively vested in the legislature.'' The most important vote by a Member of Congress is to commit a young man or woman to fight and die for this country.

Mr. Speaker, I have two letters that I include in the RECORD.

CONGRESS OF THE UNITED STATES,
Washington, DC, November 6, 2015.

Hon. PAUL RYAN,
Speaker, House of Representatives, Washington, DC.

DEAR SPEAKER RYAN: Among the issues that require urgent attention by the U.S. House of Representatives is the question of the extent of involvement by the U.S. military in the war against the Islamic State in Iraq and Syria. Given the recent announcement by President Obama of a deepening entanglement in Syria and Iraq, it is critical that the House schedule and debate an Authorization for the Use of Military Force (AUMF) as quickly as possible.

Last week, the president announced initiatives that escalate U.S. engagement in combat operations in Syria and Iraq. Specifically, the U.S. will deploy a U.S. Special Operations contingent into northern Syria to be embedded with and to advise opposition militant forces in that region; and U.S. military advisors and special operations forces already in Iraq will be embedded with Kurdish and Iraqi forces on the front lines of combat. Secretary of Defense Carter also stated that U.S. air operations in both Syria and Iraq will increase their bombing campaigns. Taken all together, these represent a significant escalation in U.S. military operations in the region and place U.S. military personnel on the front lines of combat operations.

We do not share the same policy prescriptions for U.S. military engagement in the region, but we do share the belief that it is past time for the Congress to fulfill its obligations under the Constitution and vote on an AUMF that clearly delineates the authority and limits, if any, on U.S. military engagement in Iraq, Syria and the surrounding region. U.S. bombing campaigns have been going on for more than a year, and U.S. troops on the ground have been increasingly close to or drawn into combat operations, including the recent death in combat of a special operations soldier in Iraq.

Consistent with your pledge to return to regular order, we urge you to direct the committees of jurisdiction to draft and report out an AUMF as soon as possible. We do not believe in the illusion of a consensus authorization, something that only happens rarely. We do believe the Congress can no longer ask our brave service men and women to continue to serve in harm's way while we fail in carrying out our constitutional responsibility in the area of war and peace.

As long as the House fails to assert its constitutional prerogatives and authority, the Administration may continue to expand the mission and level of engagement of U.S. Armed Forces throughout the region. We strongly urge you, Mr. Speaker, to bring an AUMF to the floor of the House as quickly as possible.

Sincerely,

James P. McGovern; Tom Cole; Barbara Lee; Walter B. Jones; Peter Welch; John Lewis; Bill Posey; John Abney Culberson; Ryan K. Zinke; Richard L. Hanna; Thomas Massie; Ted S. Yoho; Ed Whitfield; Dana Rohrabacher; Justin Amash; Mark Sanford; Paul A. Gosar; Mick Mulvaney; John J. Duncan, Jr.; Matt Salmon; Raúl R. Labrador; Janice D. Schakowsky; Peter A. DeFazio; Charles B. Rangel; Louise M. Slaughter; Janice Hahn; Joseph P. Kennedy; Michael C. Burgess; Chellie Pingree; John Garamendi; Joseph Crowley; David N. Cicilline; John Conyers, Jr.; Beto O'Rourke; Daniel T. Kildee.

CONGRESS OF THE UNITED STATES,
Washington, DC, December 10, 2015.

Hon. PAUL RYAN,
Speaker of the House, House of Representatives, Washington, DC.

DEAR SPEAKER RYAN: We write to you again to strongly urge you to bring before the U.S. House of Representatives an Authorization for the Use of Military Force (AUMF) related to U.S. military involvement in Iraq, Syria and elsewhere against the Islamic State. We ask that you schedule the debate and vote on an AUMF resolution in January when the 114th Congress reconvenes in 2016.

As you are aware, U.S. involvement in Iraq and Syria continues to escalate. In both countries, U.S. special operations forces are engaged in front-line operations. Last month a bipartisan group of 35 Members of the House, representing a broad ideological spectrum, called on you to schedule such a debate as soon as possible. As that letter stated: ''We do believe the Congress can no longer ask our brave service men and women to continue to serve in harm's way while we fail in carrying out our constitutional responsibility in the area of war and peace.'' We are attaching a copy of that letter for your convenience and review. In subsequent media reports, we were deeply disappointed to read that you do not believe that the 114th Congress needs to act on a new AUMF to

wage war against the Islamic State, but rather that the 14-year-old and 13-year-old AUMFs approved by the 107th Congress under starkly different circumstances provide the president with all the authority he requires.

We firmly believe that among the most important duties of Congress is that of debating and voting on whether to send U.S. armed forces into battle. On this matter, the Constitution is crystal clear: it is the duty of Congress to authorize such engagement. We believe that it violates our oath of office to continue to ignore this urgent and serious matter.

Ten months ago, the president sent a draft AUMF to Congress for consideration and last Sunday he called, once again, on Congress to approve a new AUMF. It is now the role of the Speaker to direct the committee of jurisdiction to approve the Administration's draft, or to amend it, or to draft a new version of the AUMF and to schedule that resolution for consideration and a vote by the full House as expeditiously as possible.

Once again, we strongly urge you to bring an AUMF before the House in January 2016 so that the House may debate and vote on authorizing U.S. military operations in Iraq, Syria and elsewhere against the Islamic State. We look forward to receiving your response.

Sincerely,

JAMES P. MCGOVERN,
Member of Congress.
WALTER B. JONES,
Member of Congress.

Mr. JONES. Mr. Speaker, if we do not meet our responsibility, we will become complicit in the loss of life among our troops. How many young children will have a loved one that doesn't come home from fighting for this country?

The picture here, Mr. Speaker, is the first one that I brought after we went into an unnecessary war known as Iraq. His daddy, Phillip Jordan, was a gunnery sergeant who was killed in 2003. The little boy's name is Tyler Jordan. This is actually 12 years ago, and now he is 18 years of age. How many more children will have to go without a father or a mother or a brother or sister who lost their life in war?

We need to meet our constitutional responsibility. It is embarrassing that we in Congress—I don't even think we have a right to criticize the President, quite frankly. Let's do our job based on the Constitution. Let's do our job and debate a new AUMF or a declaration of war. Let's meet our responsibility for the good of our men and women in uniform and their families.

Mr. Speaker, I ask God to please bless our Nation, bless our men and women in uniform, and, please, God, continue to bless America.

TAX EXTENDERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, within the next few days, the House could take up a tax package that extends a number of tax breaks permanently. The cost of such a package runs in the $600 billion to $800 billion range—none of which is paid for—ballooning our deficits in a way that reinforces a misguided double standard that investments in the growth of jobs and opportunities must be offset, but tax cuts are always free.

Tax cuts, like everything else, have a cost. If we fail to pay for them, we will once again increase deficits and debt, which in turn will be used as the catalyst for another round of cuts to the very programs I believe are vital to our economy and to our people. Therefore, Mr. Speaker, I will oppose an unpaid-for tax extenders package like this that is proposed, should it come to the floor.

Before going through my concerns about this deal in greater detail, let me say that the package being discussed has a number of tax preferences that I and many others support. These include making permanent expansions of the earned income tax credit, the child tax credit, and the American opportunity tax credit launched under the Recovery Act in 2009. It would also provide incentives to businesses and individual filers for investment, research, charitable contributions, and teaching expenses, among others. Most of us support those efforts.

In many ways, this would be a bill where everyone gets something they want. But, Mr. Speaker, our children and grandchildren will get the bill.

What concerns me most about this deal is that it further entrenches the false notion that offsets only matter when it comes to spending priorities. The direct consequences will be providing Republicans with the ammunition they need to propose even deeper cuts to the very investments that help grow the economy and create jobs both in the short term and in the long term.

Frankly, I am surprised that we haven't heard more of an outcry that the roughly $800 billion in lost revenue from this package is nearly the same amount as the $813 billion in discretionary cuts Republicans insisted upon in the sequester. It would appear that we are setting ourselves up for Republicans demanding the next round of severe cuts that harm our economy and our people, both on the nondefense side and on the national security side. Frankly, Mr. Speaker, we must move away from this dangerous pattern.

Republicans have continued to argue that tax cuts pay for themselves by spurring economic growth, a theory that has been proven wrong, and, sadly, as I said, our children will pay the price for the deficits that have resulted. Others will argue that the effect on our deficits and debt of another $700 billion in unpaid-for tax expenditures over the next 10 years can be ignored because we would extend them every year anyway. While convenient, neither of these is a responsible position for governing.

In a Wall Street Journal piece last Monday, Maya MacGuineas, president of the Committee for a Responsible Federal Budget—the Committee for a Responsible Federal Budget—asked: ''How do we explain to our children that we borrowed more than $1 trillion—counting interest—not because it was a national emergency or to make critical investments in the future but because we just don't like paying our bills?''

Our answer has to be not to justify the irresponsible behavior, but to correct it. And this tax extenders package will make that much more difficult. First, this package undermines Congress' ability to invest in creating jobs and opportunities that make the American Dream possible for millions of families.

When we cut taxes without paying for them, there are consequences. Every dollar in lost revenue is a dollar that must be made up somewhere else in the budget. As I said earlier, these unpaid-for tax extenders will set the table for further Republican attempts to slash critical investments in our Nation's future.

Secondly, Mr. Speaker, it will hinder our ability to restore fiscal stability by making it less likely that we will be able to protect the future sustainability of entitlement programs like Medicare and Social Security.

In order to appear balanced, recent Republican budgets proposed trillions of dollars in cuts to health programs for seniors and the most vulnerable in our society. Worsening our deficit outlook by passing this bill invites them to continue that tack.

While we face a challenge to our most critical retirement and health programs—a challenge driven by the retirement of the baby boom generation and the looming effect of compound interest on our debt—my Republican friends continue to offer budget proposals that severely cut benefits for seniors and the most vulnerable Americans and they try to justify doing so because our deficits are too high. Their proposal would exacerbate that by about $1 trillion, as Maya MacGuineas said. Here we are, though, about to consider proposals to raise the deficits even higher.

Thirdly, Mr. Speaker, this type of unpaid-for, permanent extension will undercut our economic competitiveness by making comprehensive tax reform more difficult to achieve, not easier. We need comprehensive tax reform, and this will make it more difficult. Locking in preferences while lowering the revenue baseline by more than half a trillion dollars will ensure a plunge into further debt.

Mr. Speaker, I continue to believe that the business community would much prefer to see rates go down through comprehensive reform than simply an extension of individual preferences. This bill promises them both—

more preferences and lower rates—at the cost of deficits, debt, and diminished investment in our economic competitiveness.

There are certainly components of this tax extenders package that I, as I said before, would like to make permanent. I wish we could make them even better, in fact. For instance, the child tax credit should be structured to keep up with inflation so those working the hardest to get by don't continue to see their resources dwindle year after year.

Again, let me quote Maya MacGuineas when she highlighted this important point in her op-ed when she said: ''Most of the extensions under consideration are sensible enough policy—and their merit is an argument for paying for them.''

I couldn't agree more. This tax extenders package, itself, serves as a powerful argument for Democrats and Republicans to come together to achieve that which we really need: comprehensive tax reform.

So, in closing, Mr. Speaker, while I agree we need short-term certainty for tax filers before the end of the year, I believe the price this package would have us pay is too steep and too irresponsible in the short term and in the longer term. Instead, we could provide that same immediate certainty with a simple 2-year extension. That is what we ought to do.

Mr. Speaker, I urge my colleagues to think carefully about the long-term impact and consequences of this tax extenders package on the ability to create jobs and opportunities, grow our economy, invest in strengthening our security, reduce our Nation's debt, and balance our budget.

In closing, Mr. Speaker, I believe that this Congress and our people expect us to do better. We have a responsibility to our country and to our children to do better. Let's do it.

□ 1215

ANDERSON TRUCKING: A MINNESOTA SUCCESS STORY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. EMMER) for 5 minutes.

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to recognize Anderson Trucking Service for their impressive 60 years of business.

The founder of Anderson Trucking, Harold Anderson, grew up in the transportation industry and began hauling granite with his father. In those early years, Harold developed a strong interest in machinery and driving. So it was no surprise when he chose to pursue a career in trucking.

Harold officially started Anderson Trucking Service after he returned home from World War II. The company is now run by Harold's sons, Rollie and Jim, as well as his grandsons, Brent and Scott.

Over the years, Anderson Trucking has grown and prospered, but the Anderson family has never forgotten their roots. The company and the Anderson family represent the best St. Cloud and central Minnesota have to offer. The customer service of Anderson Trucking is only matched by the community service provided by the Andersons and their great employees.

Today Anderson Trucking has thousands of rigs, hundreds of drivers, and has driven millions of miles. The Andersons, however, do not just measure success by the number of miles driven or the number of deliveries made, but also by the high level of the customer service that the company provides.

For the past 6 decades, this international transportation company has successfully and safely delivered freight to their valued customers.

We look forward to seeing the continued success of Anderson Trucking for this generation and generations to come.

Congratulations on your first 60 years.

PREFERRED CREDIT, INC., EMBODIES MINNESOTA NICE

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to recognize Preferred Credit, Inc., of St. Cloud, Minnesota, for winning a Torch Award for Ethics from the Minnesota Better Business Bureau.

Preferred Credit was established in St. Cloud in 1982 and quickly realized their goal of becoming one of the preferred finance companies for the direct sales industry throughout the United States. This outstanding Minnesota company accomplished this goal by giving their clients the best possible customer service and building strong, personal relationships.

The way Preferred Credit achieves success is evidence of how deserving they are of this award. The Torch Awards are meant to recognize companies that go above and beyond for their customers, employees, vendors, and community.

I would like to congratulate Preferred Credit, Incorporated, for receiving this prestigious award and for representing what Minnesota is all about.

Thank you for everything you have contributed to the St. Cloud community and to the great State of Minnesota. We would not be where we are today without great businesses like yours.

THE BACKBONE OF MINNESOTA SMALL BUSINESS AND AMERICA

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to discuss overregulation.

Chair of the Federal Reserve, Janet Yellen, recently said that small community banks really are suffering from regulatory overload. I absolutely agree.

Community banks and credit unions are struggling with excessive and overly burdensome regulation.

Today 17 of my colleagues on the House Financial Services Committee and I sent a letter to the Consumer Financial Protection Bureau, better known as the CFPB, regarding the most recent addition to the pile of regulations harming consumers and community financial institutions, the newly revised Regulation C.

Regulation C requires most banks and credit unions to collect new personal data on loan applications beginning January 1, 2018. This regulation essentially doubles the current requirements triggered by Dodd-Frank.

The CFPB, without adequate justification of need, now wants personal information, including business or commercial information, property values, property addresses, credit scores, and interest rates. This appears to be a government agency fishing expedition that should raise serious concerns relating to our personal privacy and liberties.

This significantly higher regulatory hurdle means community financial institutions will have to allocate more of their limited resources to deal with Washington's red tape, rather than providing loans to families and businesses in Minnesota.

It is my hope that the CFPB will exempt small community financial institutions from this new burden, or we will have to work to draft legislation that will help our small community banks in Minnesota because, as I often say, Mr. Speaker, what is good for Minnesota is good for America.

JUSTICE FOR ALL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, I rise today and I stand in the well of the House as a proud American.

I love my country, Mr. Speaker. Because I love my country, I have tried not to forget those who go to distant places, those who go into harm's way. They do it because they love the country. Many of them do not come back the same way they left, Mr. Speaker. They are the men and women who serve in our military. I never want to forget the sacrifices that they make.

Today I want to salute and honor them for the many causes that they have taken up and for the many times that they have left their homes and their loved ones to stand up for liberty and justice for all, to make real the great American ideals, and to provide us the safety and security that we have today.

But I also stand here today in the well of the House, Mr. Speaker, to announce my solidarity for justice, my solidarity with the Muslim community for justice, because I understand what it is like to be a part of a community that is treated unjustly.

I lived through segregation in the United States of America. I know what it is like to go to the back door. I know what it is like to drink from filthy ''colored'' water fountains. I know what injustice looks like. I have seen its face. I know what it smells like.

I have been in waiting rooms where only Blacks could sit. They were for Blacks only because there were other places for others. I don't want to see anything like that, similar to that—anything that is remotely similar—occur to someone else.

I am standing here today in solidarity with the Muslim community because of the injustice that is being perpetrated against Islam.

I am a Christian. My grandfather was a Christian minister. But I stand here to support Islam today, one of the great religions of the world. I do this, Mr. Speaker, because to demean Islam by adding the word terrorist with it is an injustice to the religion.

Islam is a peaceful religion. No religion condones the taking of innocent lives intentionally. Let me repeat this. No religion condones taking the lives of innocent persons intentionally.

This is why I am here, because I want to make it clear that Islam does not condone this. We should not be talking about Islamic terrorists. Why not call them what they are: people who commit dastardly deeds. If you do it in the name of a religion, that doesn't make what you do a part of the religion. People ought not be found guilty by their affiliation with a religion.

What these people are doing—ISIL, al Qaeda, Daesh, ISIS, any name—is evil, and we ought to call it such. It is not Islam. We ought not, as a result, decide that we are going to bar all members of the Islamic faith from this country. That would be wrong, Mr. Speaker. To even consider it is something that I find repugnant: barring all people because of their faith.

The Islamic faith is not—is not—the motivating factor behind all of this injustice that we see perpetrated by ISIL. They can claim what they want, but the members of the faith have spoken up.

In Houston, Texas, we met just recently and discussed this at length. Every Muslim in that room denounced what was being perpetrated and perpetuated by ISIL, by ISIS, by any name—evil. We ought not do this to a great religion.

I stand for justice, and I stand for justice for the Islamic faith. I believe that persons who are in harm's way in Syria and in other countries ought to be given an opportunity to escape harm.

I believe that the Good Samaritan was right. The Good Samaritan didn't ask: What will happen to me if I help this person who is in harm's way? The Good Samaritan posed the question: What will happen to him if I don't help him?

That is the question we have to ask ourselves as it relates to our brothers and sisters. They are our brothers and sisters because there is but one race. That is the human race.

One God created all of humanity to live in harmony, to quote Dr. King. But the question we have to ask is: What will happen to them if we don't extend the hand of friendship?

The Good Samaritan went so far as to take the person to a place where there was shelter, where the person could receive some attention, and said to the innkeeper, if you will: Extend me a line of credit. If this person needs more than what I can give you today, I will come back and I will take care of my line of credit.

We owe it to ourselves, as a great leader of the world, the world leader, to make sure that we extend justice to Islam.

Mr. Speaker, I include for the RECORD a list of the persons who were in attendance at the meeting.

HOUSE OF REPRESENTATIVES,
Washington, DC, December 13, 2015.

Topic: Meeting with Community Leaders to Discuss Various Issues of Importance that Impact America, our Community, and Future Generations.

Hosted by: Congressman Al Green.

LIST OF PARTICIPANTS

1. Tahir Javid, President, Pakistan Association of Golden Triangle
2. M.J. Khan, President, Islamic Society of Greater Houston
3. Mehmet Okumus, President, Turkish Community
4. Muhammad Sheikh, President, Houston-Karachi Sister City Association
5. Mian Nazir, President, Pakistan Association of Greater Houston
6. Mustafa Carrol, Executive Directory, CAIR USA
7. Shahnela Nasim, President, South Asian Chamber of Commerce
8. Shah Haleem, Chairman, Bangladesh Association of Greater Houston
9. Khalid Khan, Vice-Chair, Bangladesh Association of Greater Houston
10. Murad Ajani, President, His Highness The Agha Khan Council
11. Jamal Entlique, Vice President, Houston-Abhu Dabhi Sister City Association
12. Matloob Khan, President, Shah Latif Cultural Institute
13. Syed Akhtar, President, Pakistan Chamber of Commerce-USA
14. Ilyas Choudry, Islamic Circle of North America
15. Shabbir Hussain, ICNA Houston Chapter
16. Representation from Arab American Community Cultural Center
17. Abuzer Tyabjee, Dawoodi Bora Community
18. Latafat Hussain, Indian Muslim Association of Greater Houston
19. Syed Shahid Sunni, President, Muslim Consul USA
20. Akhtar-Abdullah, Al-Noor Society of Greater Houston
21. Mohammad Junggua Community Member
22. John Shike WAA TV
23. Saeed B. Gadi, (P.A.S.T.) and Pakistan Post.
24. Mahmud Dahri, Shah Latif Cultural Institute
25. Abdul Sattar Quereshi, PAGH.

MEDIA

1. Shamim Syed, Pakistan News
2. Tariq Khan, Pakistan Chronicle
3. Kamran Jilani, Pakistan Journal and Pakistan Chronicle
4. Mahmood Ahmed, Urdu Times
5. Tariq Hameed, Geo News
6. Zahid Akhtar Khanzada, Geo News and Jang Group.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 25 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WALKER) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Merciful God, we give You thanks for giving us another day.

Bless the Members of the people's House as they work toward the difficult and complicated task of funding our government in a fair and equitable manner. May they negotiate with one another in good faith and trust in a shared love for our Nation.

Bless our Nation and its citizens as we approach the end of 2015. Help us to look to the future with hope, and committed to a renewed effort to work together for a united America.

Help us all to be truly grateful for the blessings of this past year.

And, as always, we pray that all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present

and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

THANK YOU, GOVERNOR HALEY

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I appreciate Governor Nikki Haley of South Carolina for her decision to enforce the law and fine the Department of Energy for failing to process weapons-grade plutonium, which the Department was statutorily mandated by 50 U.S. Code, Section 2566.

While the Mixed Oxide Fuel Fabrication Facility is about 70 percent completed, it will not be able to meet the January 1, 2016, deadline establishing a $1 million a day fine up to $100 million annually. This was documented today in the Aiken Standard by SRS beat reporter Derrek Asberry.

While other options have been examined using flawed, biased studies, they are not real alternatives because the MOX process is the only viable, legal option under our nuclear nonproliferation agreement with the Russian Federation. Additionally, it converts weapons-grade plutonium into green fuel, promotes nuclear nonproliferation, and eliminates the need for a repository.

The Department of Energy should commit to complete the MOX project in its entirety, as it promised the people of South Carolina, especially when considering the economic and environmental impact of storing the material.

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 15, 2015.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 15, 2015 at 9:29 a.m.:

That the Senate passed H.R. 2270.

That the Senate passed S. 2044.

Appointment:

United States-China Economic Security Review Commission.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

APPOINTMENT OF MEMBERS TO THE UNITED STATES HOLOCAUST MEMORIAL COUNCIL

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 36 U.S.C. 2302, and the order of the House of January 6, 2015, of the following Members on the part of the House to the United States Holocaust Memorial Council:

Mr. ISRAEL, New York

Mr. DEUTCH, Florida

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 5 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 4 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

COMBAT TERRORIST USE OF SOCIAL MEDIA ACT OF 2015

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3654) to require a report on United States strategy to combat terrorist use of social media, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3654

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Combat Terrorist Use of Social Media Act of 2015''.

SEC. 2. REPORT ON STRATEGY TO COMBAT TERRORIST USE OF SOCIAL MEDIA.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report on United States strategy to combat terrorists' and terrorist organizations' use of social media.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An evaluation of what role social media plays in radicalization in the United States and elsewhere.

(2) An analysis of how terrorists and terrorist organizations are using social media, including trends.

(3) A summary of the Federal Government's efforts to disrupt and counter the use of social media by terrorists and terrorist organizations, an evaluation of the success of such efforts, and recommendations for improvement.

(4) An analysis of how social media is being used for counter-radicalization and counter-propaganda purposes, irrespective of whether or not such efforts are made by the Federal Government.

(5) An assessment of the value of social media posts by terrorists and terrorist organizations to law enforcement.

(6) An overview of social media training available to law enforcement and intelligence personnel that enables such personnel to understand and combat the use of social media by terrorists and terrorist organizations, as well as recommendations for improving or expanding existing training opportunities.

(c) FORM.—The report required by subsection (a) should be submitted in unclassified form, and may include a classified annex in accordance with the protection of intelligence sources and methods.

SEC. 3. POLICY AND COMPREHENSIVE STRATEGY TO COUNTER TERRORISTS' AND TERRORIST ORGANIZATIONS' USE OF SOCIAL MEDIA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report that contains a comprehensive strategy to counter terrorists' and terrorist organizations' use of social media, as committed to in the President's 2011 ''Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States''.

(b) FORM.—The report required by subsection (a) should be submitted in unclassified form, and may include a classified annex in accordance with the protection of intelligence sources and methods.

SEC. 4. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this Act, the term ''appropriate congressional committees'' means the Committee on Foreign Affairs, the Committee on the Armed Services, the Committee on Homeland Security, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Foreign Relations, the Committee on Armed Services, the

Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material for the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of this legislation, H.R. 3654. It is entitled the Combat Terrorist Use of Social Media Act of 2015.

I want to recognize the leadership of Judge TED POE, a Member of this body, on this critical issue.

The threats posed by Islamist terrorists have evolved, but the administration's policies have not evolved. If we are going to prevent additional attacks, then the President must lay out a broad, overarching strategy needed to win. That strategy must include a plan to counter terrorists' use of social media.

Terrorists are skillfully exploiting social media to recruit supporters, to radicalize, to raise money, to spread fear. Two weeks ago in San Bernardino, California, 14 innocent people were killed, and 21 people were injured by radical Islamist terrorists. We know these extremists—husband and wife—used social media, with one of them making a pledge on Facebook in support of ISIS. This pledge was identified by Facebook and was taken down immediately.

Yesterday, it was revealed that the U.S. Department of Homeland Security actually prohibited immigration officials from reviewing the social media postings of all foreign citizens who were applying for U.S. visas and that they only intermittently began looking at posts from some visa applicants. So imagine a situation in which you have people who are going to Syria, who are posting on social media, and you have a blanket prohibition on reviewing those social media postings. That was the state of the situation as we were trying to defend the homeland.

Frankly, the failure of this administration to incorporate a review of social media posts into the visa approval process is absurd. Ignoring the online statements of terrorists who are trying to enter the United States puts our country at risk. This must fixed.

This bill, frankly, is timely; it is important; and it forces the administration to put forward a strategy to combat terrorists' use of this social media. In 2011, the President promised to create that strategy, but he never delivered anything. We are, simply, not going to defeat ISIS or other terrorist groups without combating their social media recruiting.

Following a bipartisan letter from Representatives POE of Texas, ENGEL, SHERMAN, and myself last March, Twitter strengthened its policies to assert that statements threatening or promoting terrorism were against Twitter's terms of service. Most of the other social media companies have similar user guidelines that prohibit threats of violence and the use of their platforms by terrorists.

We need a strategy that clearly articulates our country's goals, the responsibilities of each Federal agency, what role each one will play, a vision of how our government is going to work with the private sector, and a vision of how we are going to pull civil society into this effort. Without a strategy, the administration's effort to combat terrorists' use of social media appears to be disconnected, and it appears to be ineffective.

Then, of course, after we have that strategy, we are going to need action. It is ironic that extremist groups have turned to Twitter, to Facebook, and to YouTube in order to encourage attacks on a free society when these companies would not have been created without there having been a free society, one which upholds free speech, free thought, and encourages entrepreneurship.

Mr. Speaker, it is imperative that the administration lays out how we will contend with these terrorists in their hijacking of the social network for their twisted purposes. We truly have, basically, a caliphate today on the Internet—a virtual caliphate, if you will, on the Internet. This bill by Judge TED POE is intended to force a strategy to solve this problem.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

December 10, 2015.

Hon. ED ROYCE,
Chairman,
House Committee on Foreign Affairs.

DEAR CHAIRMAN ROYCE: On December 9, 2015, your committee ordered H.R. 3654, the ''Combat Terrorist Use of Social Media Act of 2015,'' reported.

As you know, H.R. 3654 contains provisions within the jurisdiction of the Permanent Select Committee on Intelligence. On the basis of your consultations with the Committee and in order to expedite the House's consideration of the bill, the Permanent Select Committee on Intelligence will not assert a jurisdictional claim over the bill by seeking a sequential referral. This courtesy is, however, conditioned on our mutual understanding and agreement that it will in no way diminish or alter the jurisdiction of the Permanent Select Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matter contained in the bill or any similar legislation.

I would appreciate your response to this letter confirming this understanding and would request that you include a copy of this letter and your response in the committee report for the bill and in the Congressional Record during floor its consideration. Thank you in advance for your cooperation.

Sincerely,

DEVIN NUNES,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, December 11, 2015.

Hon. DEVIN NUNES,
Chairman, Permanent Select Committee on Intelligence.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 3654, the Combat Terrorist Use of Social Media Act of 2015, and for agreeing to forgo seeking a sequential referral of that bill to the House Permanent Select Committee on Intelligence.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your Committee, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 3564 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, December 11, 2015.

Hon. ED ROYCE,
Chairman,
Committee on Foreign Affairs.

DEAR CHAIRMAN ROYCE: I am writing with respect to H.R. 3654, the ''Combat Terrorist Use of Social Media Act of 2015,'' which was referred to the Committee on Foreign Affairs and in addition to the Committee on the Judiciary. As a result of your having consulted with us on provisions in H.R. 3654 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our Committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 3654 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 3654, and would ask that a copy of

our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 3654.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, December 11, 2015.

Hon. BOB GOODLATTE,
Chairman,
House Committee on the Judiciary.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H.R. 3654, the Combat Terrorist Use of Social Media Act of 2015, and for agreeing to be discharged from further consideration of that bill.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on the Judiciary, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will seek to place our letters on H.R. 3564 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of this measure that would push back against the use of social media by terrorist groups.

Let me start by thanking Congressman POE of Texas for introducing this legislation. I am very glad to be an original cosponsor. I want to thank Congressman SHERMAN for his hard work, and I want to thank, of course, our chairman, Chairman ROYCE. This is a real bipartisan, important, strong measure.

I think we need to be using every tool at our disposal to meet the challenge posed by ISIS and other terrorist groups, and this bill will help us to meet them on the virtual battlefield, which is where they have been having such great success—on social media. Anyone who has looked at the situation over the past months or years knows that the one major difference is social media. Social media, of course, riles up jihadists and also enables them to surreptitiously communicate in terms of plotting terrorist attacks. We have to be one step ahead of them, and we cannot let them be one step ahead of us.

That is why legislation like this is so important. I cannot think of a conflict in the past in which our enemies have been able to broadcast such horrific depictions of destruction and bloodshed, like we are seeing from ISIS. We all know the images of Mohammed Emwazi, who was known as Jihadi John, as he brutally murdered innocent people. Those videos spread across the Internet with staggering speed, showing everyone in the world the threat that ISIS posed and the tactics ISIS fighters were willing to use. Fortunately, the administration's efforts succeeded in taking him out, but we know there are far too many who are waiting to take his place.

ISIS isn't just using social media to foment fear and panic. ISIS and other groups have taken full advantage of Twitter, Facebook, YouTube, and other platforms to spread their violent ideology, to recruit new fighters, and to radicalize members of vulnerable and marginalized populations. For example, as more and more information comes out about the San Bernardino shooters, it is becoming clear that Tashfeen Malik used Facebook to convey her commitment to violent extremism to overseas contacts.

We need to find a way to deal with this challenge on social media without violating free expression or privacy concerns. It is going to require creative thinking, but I am confident that we can do it. We have to do it. We don't have a choice but to do it. We have already taken some steps. I worked with Chairman ROYCE and with Representatives POE of Texas and SHERMAN to push Twitter to make it easier for users to report recruitment efforts. This is a small step to help with one of the tools that ISIS is using, but they are constantly evolving, and we need to keep looking for ways to push back.

That is where this legislation comes in. This bill would require the administration to devise a strategy to combat terrorists' use of social media and to foster greater collaboration between government and private sector companies to help identify and stop terrorist activities online. Again, we need to look for every advantage possible in taking the fight to ISIS. This bill would help us push back on one of the ways ISIS has achieved such a global reach.

Again, I commend Mr. POE of Texas for his tireless efforts in bringing in legislation to the floor. I commend the chairman as well and Mr. SHERMAN. I support this measure, and I urge my colleagues to do the same.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 6 minutes to the gentleman from Texas (Mr. POE), the author of this bill and the chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. POE of Texas. Mr. Speaker, I want to thank Representative SHERMAN, on the other side, for cosponsoring this legislation; and I want to thank Chairman ROYCE and Chairman ENGEL for being original cosponsors of this bill.

Mr. Speaker, this is another piece of legislation that has come out of the Foreign Affairs Committee—bipartisan, unanimously voted on, and approved by the Foreign Affairs Committee, as much of our legislation is.

Mr. Speaker, I also want to thank three staffers who have worked on the Subcommittee on Terrorism, Nonproliferation, and Trade—Luke Murry, Oren Adaki, and Jeff Dressler, who now works with the majority leader's staff. These three individuals know more about terrorism, I think, than any three people on the Hill, and I want to thank them for their work not only on this bill but on legislation in general.

As has been said, Mr. Speaker, terrorists' use of social media has exploded over the last several years. A recent study by The Brookings Institute found that ISIS now uses 40,000 Twitter accounts. Terrorists use social media to do the following: to recruit others, to raise money, to spread propaganda, and to even train future fighters.

This legislation deals with foreign terrorist organizations. We are not talking about a person who claims to be a terrorist or who we think is a terrorist. It is specifically dealing with foreign terrorist organizations that are designated by our government.

The recipes for the bombs used at the Boston Marathon were in al Qaeda's magazine, which was posted on social media before the attack. The al Qaeda affiliate al Shabaab live tweeted the attack on a Kenyan mall that killed 72 people. The al Qaeda branch in Yemen, known as AQAP, which is another terrorist organization, held a press conference on Twitter, allowing users to submit questions that were then answered by AQAP and were posted back on Twitter the following week—a conference call by terrorists. In October, ISIS issued a new instruction manual on how terrorists can use social media. Today, wannabe terrorists don't have to go to the battlefield—to Syria—to get trained. They can get trained online—like receiving college credits—on how to be a terrorist and on how to be a fighter.

Nationwide, the FBI is currently investigating 900 potential lone wolf terrorists in the United States. The Internet and social media serve as their playbook to carry out attacks. Since March of 2014, 71 people in the United States have been charged with crimes related to ISIS.

□ 1615

Their backgrounds are very different, but nearly all of them had spent time online voicing their support for ISIS. Later, they were arrested after their online posts drew some attention by the FBI.

In 2011, as the chairman has said, the administration released a report on countering violent extremists that recognized that online radicalization was a growing problem. The administration promised a strategy of how we can deal with this. Four years later, unfortunately, we don't have a strategy, and

we don't have a plan. This is a problem because individual agencies are making their own unilateral decisions.

This week, we learned that the Department of Homeland Security did not review the social media posts of Tashfeen Malik, who was granted a fiancee visa, but posted her radical views on social media prior to obtaining the visa.

The State Department does not know how to effectively counter terrorist messaging because it does not have the expertise of the intelligence community. The intelligence community approaches social media as a ''capture everything'' because it has not been made clear what it can do and what it cannot do. The FBI does not know how far it should push social media companies to prohibit them from allowing terrorist organizations' content on their sites.

So we must have a comprehensive strategy before we can effectively defeat the enemy on the cyber battlefield. Mr. Speaker, all U.S. departments really must be singing the same song on the same page in the hymnal about how to defeat foreign terrorist organizations that use social media—American social media companies.

I will say this: Facebook has done a fairly decent job of bringing down terrorist sites, and Facebook has seen a drop in the number of terrorists that try to use their site, but not all social media companies have been as responsive to terrorism.

Mr. Speaker, we already have technology that is used to make sure that child pornography is not posted online. Thanks to Hany Farid, the chairman of the computer science department at Dartmouth College, who invented a technology that is used with Microsoft. He said that we can use that same protocol that we do to bring down child pornography to bring down social media sites that deal with foreign terrorist organizations' propaganda and their spreading of murder. Here is what he said:

''There's no fundamental technology or engineering limitation. This is a business or policy decision. Unless the companies have decided that they just can't be bothered.''

So that is his opinion on how we can use this same protocol. This can be done. We can use the same protocol, and we can bring down those foreign terrorist organization sites.

This is not a free speech issue—that has been discussed, and some are concerned about that—because we are dealing specifically with foreign terrorist organizations. The Supreme Court has already ruled regarding that issue in 2010 in Holder v. Humanitarian Law Project that a foreign terrorist organization does not have constitutional rights in the United States under the First Amendment. So this is not a problem.

In this 21st century fight against terrorists who are sophisticated and tech savvy, we have to defeat these organizations on all the battlefields: overseas, over here, and online.

And that is just the way it is.

Mr. ENGEL. Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. I yield 3 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), the chair of the Foreign Affairs' Subcommittee on the Middle East and North Africa.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the chairman and the ranking member, who lead this committee in such an able, expert manner and in a bipartisan way. I thank especially the author of this important resolution, one of our subcommittee chairmen, TED POE.

I rise in strong support of Judge POE's bill, the Combat Terrorist Use of Social Media Act. I urge all of my colleagues to support this important measure.

Extremist groups like ISIS are well-known for their extensive use of social media, spreading their hateful ideology, inciting violence, and attempting to recruit susceptible individuals to their hateful and twisted cause.

When we hear reports and statistics that we have heard today—like ISIS having over 40,000 Twitter accounts or that there are an estimated 200,000 pro-ISIS social media posts per day—clearly, more needs to be done. These jihadists have become more and more tech savvy and are more adept at manipulating the tools of social media. Yet we in the United States lack any comprehensive strategy to counter their perverted ideology via social media.

As Judge POE has very ably argued, the administration could be stopping pro-extremists' social media in much the same way that we now stop online child pornography. ISIS and other foreign terrorist organizations do not have free speech rights under American law.

Now, we were all shocked, as you heard today, that our very own Department of Homeland Security maintained a policy that prevented the screening of visa applicants' social media accounts because we worried about bad public relations; we worried about intrusions into their privacy, even though social media posts, by their very definition, are exactly that, reaching out to the public through social manners, meaning through public ways.

Every pro-ISIS post or any post by any other foreign terrorist organization that uses Facebook, YouTube, or Twitter, every one that we are able to take down before action is being taken is one less chance for these extremists to recruit and spread their vicious propaganda, and the administration needs to start getting serious about stopping it.

This bill will require the administration to provide Congress—and, therefore, the American public—with a strategy to fight Islamic extremists' use of social media, as well as require that the administration give us a policy that enhances the collaboration between the Federal Government and social media companies so that we can counter this troubling and dangerous threat.

I applaud Judge POE for introducing this bill. I thank our esteemed chairman and ranking member for bringing it to the floor in such a speedy manner.

I offer my full support, and I urge all of my colleagues to do the same.

Mr. ENGEL. Mr. Speaker, every day ISIS is working to bring new fighters into its ranks, recruiting candidates from South Asia, from France, the U.K., and right here in the United States. ISIS is able to cast such a wide net because they are taking full advantage of social media. We need to take this tool out of their hands, even as we press forward with our partners to fight ISIS on the battlefield.

This legislation will enable us to work more closely with social media companies and put together a strategy to meet this challenge.

Again, I want to commend my friend, Judge POE.

I urge a ''yes'' vote on this bill.

Mr. Speaker, I would say to the gentleman from Texas (Mr. POE), you are right: ''That is just the way it is.''

I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, again, it was revealed yesterday that the U.S. Department of Homeland Security actually prohibited immigration officials from reviewing the social media postings of all foreign citizens applying for U.S. visas and only sporadically began looking at posts from some visa applicants.

The failure to incorporate a review of social media posts into the visa approval process is absurd. Ignoring the online statements of those terrorists trying to enter the United States puts our country at risk. This must be fixed.

Destroying ISIS will require determined leadership. It is going to require Presidential leadership. And the President must use his authority as Commander in Chief to lead this fight to destroy ISIS—not to contain it—to destroy ISIS and other extremist groups.

So it has been said that a virtual caliphate awash in hate and propaganda exists online. Yet U.S. Government efforts in this area are failing. A strategy to combat terrorist use of social media is one of many measures the administration must develop so we can win the fight. Promised in 2011, this strategy is overdue.

With this bill, Congress is demanding that the administration deliver its strategy so that the Federal agencies can effectively prevent terrorists from using social media to spread hate, fear, and violence.

I again want to recognize my colleagues Representative POE of Texas

and Representative ENGEL of New York for their leadership on this measure, which I encourage all the Members of this House to support.

I yield back the balance of my time, Mr. Speaker.

Ms. JACKSON LEE. Mr. Speaker, I thank my colleague, Congressman TED POE from Texas for his work on H.R. 3654, Combatting Terrorists' Use of Social Media Act of 2015.

The proliferation of terrorism is an existential threat to our homeland greater than ever before because of the viral spread of extremism on the world-wide web.

The challenge before us is balancing civil liberties such as freedom of speech with our national security interests.

Various social media platforms are being utilized by Daesh leaders and their affiliates across the globe to reach, engage and radicalize—instantly and for free.

One only needs to view the gruesome propaganda videos put online by Daesh with evocative music, clearly edited to inspire violence with imagery that conjures an ''us vs. them'' emotion.

The world-wide web was intended as a platform to share productive and creative knowledge and ideas.

The sensory impact of the violent propaganda video is so powerful that a powerful counter-narrative is imperative.

Through its online campaign, Daesh instantly gains access to vulnerable and impressionable minds, whether teenagers going through teenage angst or unemployed educated women and men who have limited economic prospects and feel disenfranchised from society.

So what we have is a mélange of Daesh recruits, copycats and wannabes all inspired vis a vis the worldwide web, ready to carry on and die for an ideology they don't fully grasp its gravity on them and their future.

The evidence of this is tens of thousands of foreign fighters from all over the world who have left their homes and joined Daesh in Iraq and Syria.

But then we also have those who do not even leave the comforts of their homes in carrying out their crimes.

Part of what our government and governments across the globe must do is to fight back by cutting off terrorist bank accounts, Twitter, Facebook, Google and other social media accounts.

Whereas money is the currency for compensating Daesh's recruits, social media is being utilized as a currency and tool for engaging and brainwashing these recruits.

I commend our powerful military's might and professionalism of neutralizing Abu Salah who has been described as one of the most senior and experienced members of Daesh's financial network and in fact has been referred to as the organization's finance minister.

I hope that our friends in Silicon Valley and the tech industry will join us in our fight against Daesh with their genius as we continue our collective efforts of addressing the role that social media will play in defeating enemies of the peace on the traditional battlefield as well as on the contemporary battlefield of the web.

The past few months have been marked by senseless threats or actual violence and tragedy across the globe from the most recent details of the threat triggering the Los Angeles Public School District shut down, to the San Bernardino shootings, to Boko Haram attacks in Nigeria, shootings in Bamako, Mali, at the Bartaclan Theatre and other social venues in Paris, to attacks in Beirut, Lebanon and the downing of a plane claiming innocent lives of Egyptians and Russians.

Violent extremism cannot be the ''new-normal'' in our nation and in our world.

To combat the scourge of violent extremism, and make sure this is not our ''new normal'' it is important that we adapt to the capabilities of adversaries of peace through a multipronged approach, which is why I support H.R. 3654.

Specifically, this bill requires the President to transmit to Congress a report on U.S. strategy to combat terrorists' and terrorist organizations' use of social media.

This bill is in tandem with the President's comprehensive strategy to counter terrorists' and terrorist organizations' use of social media, encapsulated in the President's 2011 Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States.

Among other things, the President's robust plan seeks to protect our communities from violent extremist recruitment and radicalization.

This is a top national security priority for the Administration and those of us here in Congress.

The President's strategic plan and H.R. 3654 facilitate the creation of a report which will enable our country in our efforts at combatting violent extremism through: evaluation of the role social media plays in radicalization in the United States and across the globe; analysis of how terrorists and terrorist organizations are using social media; recommendations to improve the federal government's efforts to disrupt and counter the use of social media by terrorists and terrorist organizations; a classified assessment of the intelligence value of terrorists' social media posts; and a classified overview of training available to law enforcement and intelligence personnel to combat terrorists' use of social media and recommendations for improving or expanding existing training opportunities.

Part of what the Bill seeks to achieve is information on our nation's policy that enhances the exchange of information and dialogue between the federal government and social media companies as it relates to the use of social media platforms by terrorists.

Finally, among other things, the Bill also calls for our updated comprehensive strategy to counter terrorists' and terrorist organizations' use of social media, as committed to in the President's 2011 Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States.

As a nation, we must work together, private and public sector to prevent all types of extremism regardless of who inspires it.

At the same time, countering ISIS, better to be referred to as Daesh, Boko Haram, al-Qa'ida and other extremists' violent ideologues requires our coordinated social media, intelligence sharing, law enforcement and community engagement strategy that will enable us to thwart violent extremism, saving many American lives.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 3654, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

SUPPORTING FREEDOM OF THE PRESS IN LATIN AMERICA AND THE CARIBBEAN

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 536) supporting freedom of the press in Latin America and the Caribbean and condemning violations of press freedom and violence against journalists, bloggers, and individuals exercising their right to freedom of speech, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 536

Whereas despite the strong tradition of independent and critical media in many countries in Latin America and the Caribbean, journalists in some countries are becoming increasingly vulnerable to violence and government harassment;

Whereas, on July 29, 2015, the Western Hemisphere Subcommittee convened a hearing titled ''Threats to Press Freedom in the Americas'' and Carlos Lauria, Senior Americas Program Coordinator at the Committee to Protect Journalists stated that ''Scores of journalists have been killed and disappeared. Media outlets have been bombed and forced into censorship. . . . Censorship due to violence in Latin America has reached one of its highest points since most of the region was dominated by military rule more than three decades ago.'';

Whereas in 2014, Cuban authorities detained 1,817 members of civil society, 31 of whom were independent journalists;

Whereas in Cuba, independent journalists face sustained harassment, including detention and physical abuse from the Castro regime;

Whereas in Ecuador, in September 2015, the government took steps to close the sole press freedom monitoring organization, Fundamedios, for exceeding its corporate charter, but the government relented in the face of international criticism and potential economic reprisals;

Whereas in the country, forced corrections by the government have become a means of institutional censorship;

Whereas according to the Committee to Protect Journalists, Mexico is one of the most dangerous countries in the world for the press;

Whereas in Mexico, over 50 journalists have been killed or have disappeared since 2007, at least 11 reporters have been killed since 2011, 4 of them in direct reprisal for their work;

Whereas according to the Committee to Protect Journalists, at least 4 journalists have been killed in Brazil in 2015, many times after being tortured and having their bodies mutilated;

Whereas Evany José Metzker, a political blogger in the state of Minas Gerais who had been investigating a child prostitution ring, was found decapitated outside the town of Padre Paraíso;

Whereas according to the Organization of American States (OAS) 2014 Annual Report of the Inter-American Commission on Human rights, journalists covering protests in Venezuela were subject to assaults, obstruction, detention, raids, threats, censorship orders, and confiscation or destruction of equipment;

Whereas, on April 21, 2015, a lawsuit within the 29th District Tribunal of the Metropolitan area of Caracas charged the journal El Nacional and its Chief Editor Miguel Henrique Otero for ''reproducing false information'' and was forced to flee Venezuela;

Whereas the Honduran national human rights commissioner reported that 8 journalists and social communicators were killed as of September, compared with 3 in 2013, and dozens of cases in which journalists reported being victims of threats and persecution;

Whereas according to the OAS 2014 Annual Report of the Inter-American Commission on Human Rights Members of the media and nongovernmental organizations (NGOs) stated the press ''self-censored'' due to fear of reprisal from organized crime or corrupt government officials;

Whereas in Colombia, there were 98 incidents of violence and harassment against journalists, 30 were physically attacked, and 45 were victims of harassment or intimidation due to their reporting;

Whereas members of illegal armed groups sought to inhibit freedom of expression by intimidating, threatening, kidnapping, and killing journalists;

Whereas national and international NGOs reported that local media representatives regularly practiced self-censorship because of threats of violence from these groups;

Whereas according to the OAS 2014 Annual Report of the Inter-American Commission on Human rights, throughout 2014, Guatemala presented accounts of cases of harassment and the filing of several criminal complaints against a newspaper that criticized the Administration;

Whereas according to the Department of State's Country Reports on Human Rights Practices for 2014 in Nicaragua, the government continued to use direct and indirect means to pressure and seek to close independent radio stations, allegedly for political reasons;

Whereas according to the Department of State's Country Reports on Human Rights Practices for 2014 in Argentina, a survey released of 830 journalists throughout the country indicated 53 percent of respondents worked for a media outlet that self-censored content; and

Whereas almost half the journalists surveyed said they self-censored in their reporting on the national government: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports a free press in Latin America and the Caribbean and condemns violations of press freedom and violence against journalists;

(2) urges countries in the region to implement recommendations from the Organization of American States' Office of the Special Rapporteur for Freedom of Expression to its Member States;

(3) urges countries in Latin America and the Caribbean to be vocal in condemning violations of press freedom, violence against journalists, and the culture of impunity that leads to self-censorship;

(4) urges countries in the Western Hemisphere to uphold the principles outlined in the Inter-American Democratic Charter and urges their neighbors in the region to stand by the charter they are a party to; and

(5) urges the United States Agency for International Development and the Department of State to assist, when appropriate, the media in closed societies to promote an open and free press.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to bring forward this resolution, introduced by my friend and colleague, the gentleman from New Jersey (Mr. SIRES), on the important issue of press freedom in the Western Hemisphere.

Freedom of the press is the cornerstone of democracy. It is our obligation to promote and protect this fundamental right, particularly here in our own hemisphere.

Undoubtedly, Mr. Speaker, we have seen a troubling erosion of these rights in several parts of the Western Hemisphere at the hands of authoritarian, populist leaders, as well as violence against journalists by transnational narcotics trafficking organizations.

In Ecuador, President Correa silences discourse and dissent by intimidating and censoring the media. Hefty fines are issued for any reporting unfavorable to him or his policies.

In Mexico, narcotics traffickers intimidate the press and violently target journalists to silence those journalists.

In Cuba, despite the administration's naive rapprochement, a lack of free expression is underscored by the continued political imprisonment of anyone who dares to speak or write against the Castro dictatorship.

This resolution is an important demonstration of our support for the fundamental right to freedom of speech and our belief that regional leaders in the Organization of American States need to do more to condemn what, in some parts of the region, has become the systemic violation of press freedom. The United States must stand with brave journalists who are on the front lines of exposing corruption in government.

Earlier this year, Chairman DUNCAN's Subcommittee on the Western Hemisphere held a hearing on threats to press freedom in the Americas. One witness told the committee that there is now a growing regional trend of government persecution and harassment of journalists, as well as an increase in violent attacks carried out by state and nonstate actors with near complete immunity.

I applaud Mr. SIRES and the chairman emeritus of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, for introducing this resolution and all who champion freedom of expression as a fundamental part of a vibrant, democratic tradition.

I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H. Res. 536.

I want to congratulate my friend from New Jersey (Mr. SIRES), who is the driving force behind this resolution, and my friend from Florida (Ms. ROS-LEHTINEN), who has cosponsored this resolution. The two of them have really worked very, very hard through the years to raise this issue, and it is good that we are taking up this measure now.

□ 1630

Here in the United States we know that a free and open press is the cornerstone of a strong democracy. We count on the press to hold leaders accountable and shine a light on the challenges facing our country. The work of a free press goes hand in hand with the representative government we practice in this Chamber.

As government officials, we have tremendous respect for our friends in the so-called fourth estate. So it is especially troubling when we see governments right here in our hemisphere try to silence this critical institution.

On May 1, World Press Freedom Day, President Obama said ''in too many places around the world, a free press is under attack by governments that want to avoid the truth or mistrust the ability of citizens to make their own decisions.''

Unfortunately, that threat to press freedom is particularly acute right here in our own hemisphere. That is why I am so glad, as I mentioned before, that my friends, Mr. SIRES, ranking member of the Subcommittee on the Western Hemisphere, and Ms. ROS-LEHTINEN, the subcommittee's former chair, introduced this measure condemning violations of press freedom and violence against journalists in Latin America and the Caribbean.

Mr. SIRES and Ms. ROS-LEHTINEN are leaders on the Western Hemisphere in our Congress and are never shy to speak up when individuals' rights are in danger. I used to be the chairman of the Subcommittee on the Western Hemisphere; so, I have seen this problem firsthand.

Here in the Americas, leaders often speak out when electoral democracy is at risk. That is great. But, unfortunately, those leaders fall silent when it comes to the more subtle challenges to democracy, particularly violations of press freedom.

We saw it earlier this year when the Ecuadorian Government threatened to close down a press freedom monitoring organization known as Fundamedios. Chairman ROYCE and I joined many in the international community in condemning this effort. Fortunately, President Correa relented in the face of international condemnation.

Still, attacks on press freedom in Ecuador are a daily problem, creating a hostile environment for journalists trying to do their jobs. A 2013 communications law put in place fines and sanctions for the press. So it is no surprise that Freedom House rated Ecuador's press as not free this year. The list goes on and on.

In Venezuela, journalists have been targeted by politically motivated lawsuits. That is why it is such a miracle, what we saw this past week or so with the Venezuelan elections.

Despite the harassment, despite the lack of press freedom, despite going after people who would raise the truth, the Venezuelan people weren't fooled and voted overwhelmingly against the current oppressive regime.

That is good. It is good to see. But we need to make sure that free press really exists not only in places like Venezuela, but in Cuba, where the government has rounded up and detained independent journalists just for reporting the reality on the ground. Just for reporting the truth in Cuba, you get rounded up and detained.

In Mexico, drug trafficking organizations have brutally murdered many of those who report on their violent activities. Just last week, the editor of a Mexican newspaper called El Manana explained to The Washington Post that submitting to drug traffickers' demands is the only way to stay alive. He said: ''You do it or you die, and nobody wants to die. Self-censorship—that's our shield.'' And in Colombia and Honduras, journalism remains a dangerous profession.

This resolution underscores these abuses and the scourge of violence against journalists. It reaffirms the important role a free press plays in open societies, and it urges these governments in the region to do much more to provide protection to those journalists under threat.

I urge my colleagues to join me in supporting this resolution. I again compliment Mr. SIRES and Ms. ROS-LEHTINEN.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 6 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), chair of the Subcommittee on the Middle East and North Africa of the Committee on Foreign Affairs and the primary cosponsor of this resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the chairman of our committee, again, the gentleman from California (Mr. ROYCE), and the ranking member, the gentleman from New York (Mr. ENGEL), for bringing this important resolution to the floor in such a speedy manner.

I want to thank my dear friend, my legislative brother, the gentleman from New Jersey (Mr. SIRES), for bringing forward House Resolution 536, which is a resolution to support freedom of the press in Latin America and the Caribbean and condemning violations of press freedoms and violence against journalists, bloggers, and individuals who are exercising their right to freedom of speech. I am honored to be the Republican lead on Mr. SIRES' resolution.

Basic freedoms are being threatened all over Latin America, Mr. Speaker, by rogue regimes that seek to quash dissenters in any way that they can.

Earlier this year we held a subcommittee hearing, as the chairman pointed out, on this very subject of the threat to press freedom. Carlos Ponce of Freedom House stated that, when it comes to press freedom, only three countries in Latin America were rated free by this organization.

Can you imagine that, Mr. Speaker? Out of all of the countries in Latin America, only three could be labeled as free when it comes to freedom of the press.

More and more, we see countries like Venezuela, Ecuador, Nicaragua, and Cuba taking steps to muzzle broadcast and print media into submission, leaving journalists and editors no choice but to self-censor their very own content.

Venezuela's 2004 Ley de Responsabilidad Social en Radio y Television, or Law of Social Responsibility in Radio and Television, has provided the legal framework to quash and censor the press, and its provisions have been replicated by Ecuador and other countries in the region.

Due to the provisions in this law, television stations and newspapers have been bullied by the regime or forced to sell their outlets. In the case of RCTV, broadcasts were suspended by the Venezuelan regime.

Owners of Globovision and El Universal, both critical of the regime, were forced to sell their outlets to business interests with close ties to the regime.

Ecuador faces equally daunting challenges to press freedoms. A large number of journalists are being sued. Watchdogs such as Fundamedios are being harassed constantly. Newspapers such as El Universo are being fined for running articles that are not in agreement with the regime.

In Nicaragua, the Ortega regime has also restricted media outlets by making it difficult for journalists to operate. With the recent promulgation by the Law of Sovereign Security, it has nearly ensured a muzzle on all reporters.

Former President Cristina Kirchner of Argentina and her court often demonize journalists and charge popular media outlets, such as El Grupo Clarin or the daily Ultima Hora, with inciting collective violence and terrorizing the population. These are actual charges.

Mexico, one of our closest allies in the region, is one of the most dangerous countries for journalists. This year alone, six journalists were killed in direct connection to their journalism work.

In my native country of Cuba, despite the misguided normalization effort by the Obama administration, the Castro regime continues to hold total control of information. There is no free press in Cuba. Foreign media outlets usually censor their own information because they don't want to be kicked out of the country.

Last week, Mr. Speaker, I had the honor of meeting a Cuban artist here in Washington, D.C., known as El Sexto, the sixth one. He was jailed for nearly a year for announcing that he would take part in a performance art that criticized the Communist regime leaders.

The mere announcement was enough to be jailed for almost a year. Citizen journalists who defy the Castro brothers on the island are regularly subject to death threats, arbitrary arrests, beatings, and torture by the repression apparatus of the regime.

Mr. Speaker, this is a critical time for basic freedoms in our hemisphere. Free and independent media are instruments to fight against the scornful, tyrannical regimes that plague our hemisphere today.

We in the United States must remain ever vigilant amongst our friends and foes in this key moment in history for press freedom and freedom of expression in our region.

This vote today, Mr. Speaker, overwhelmingly supporting efforts like the one spearheaded by our good friend, the gentleman from New Jersey (Mr. SIRES), is a good place in which to start.

I thank the chairman, ranking member, and Mr. SIRES for their work on this important topic.

Mr. ENGEL. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. SIRES), the author of this resolution, the ranking member of the

Subcommittee on the Western Hemisphere, a good friend, and a great member of the Committee on Foreign Affairs.

Mr. SIRES. Mr. Speaker, I would like to thank Chairman ROYCE, Ranking Member ENGEL, and all the staff for their support in promoting democratic values around the world and in their efforts to bring this resolution to the floor.

I also want to thank my good friend ILEANA ROS-LEHTINEN for serving as the Republican lead on this legislation. I also want to recognize the leadership of my colleague, Chairman JEFF DUNCAN, on this issue.

Freedom of expression is the key to a thriving democracy. It is the number one tool to hold people and governments accountable for their actions. In recent years, many organizations dedicated to freedom of speech and advancing civil societies have been trying to bring attention to the deterioration of press freedom in parts of the Western Hemisphere, specifically in Latin America and the Caribbean.

Cuba has consistently been characterized as having one of the most repressive media environments in the world, with the Castro brothers controlling all aspects of the print and electronic media.

Venezuela and Ecuador have harassed and fined the media, shut down press operations, and even physically attacked journalists who were trying to expose the state-sponsored crackdown against peaceful political dissenters.

In other countries, such as Mexico and Honduras, an increase in drug-related violence and worsening security situations have created a culture of impunity, allowing violence against journalists and the press to go unpunished.

As a child in Cuba, I witnessed the deterioration of democracy as the Castro regime took over the island and systematically destroyed all aspects of freedom of speech and expression. There is a strong connection between the country's democratic values and the freedom afforded to their press.

Working to preserve freedom of speech and pushing back against those who seek to quiet dissenters should be a top priority when engaging our neighbors in the region. That is why I introduced H. Res. 536, a resolution condemning violations of press freedom, violence against journalists, bloggers, and individuals exercising their right to freedom of speech.

This resolution condemns these violations and urges countries in the region to implement the recommendation of member states made by the Organization of American States, Office of Special Rapporteur for Freedom of Expression.

This resolution also urges our administration to assist the media in closed societies to promote a free press.

I urge my colleagues to support H. Res. 536 to help foster better protections for the press around our hemisphere.

Mr. ROYCE. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, in closing, let me say that today we are talking about a particular challenge facing the Western Hemisphere. But let me say that we have seen a great deal in the last few weeks that we should be optimistic about.

As I mentioned before, for example, voters in Venezuela recently went to the ballot box to demand change. They did so in Argentina as well. So we see once again that, despite all of the challenges in the hemisphere, electoral democracy remains vibrant, but we have to keep working to keep it vibrant.

But, of course, elections alone are not enough. We need to work in partnership with our friends in the Americas to ensure that every country has a robust democracy that includes a free and independent press. Most importantly, countries must guarantee the safety of journalists, especially as they courageously report in dangerous places.

I, again, thank Mr. SIRES and Ms. ROS-LEHTINEN for introducing this important resolution. I urge my colleagues to support its passage.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank my colleagues for their support of this resolution, as well as the chairman of the Western Hemisphere Subcommittee, Mr. DUNCAN, and, of course, the ranking member, Mr. SIRES, the author of this resolution before us today. I thank them for the work they have done on the committee to bring attention to the troubling attacks on a free press that have plagued the Western Hemisphere.

Mr. Speaker, as Thomas Jefferson wrote in 1816: ''Where the press is free, and every man able to read, all is safe.''

This resolution is timely and important. I am proud of the work our committee has done to promote and defend freedom of the press, which is, of course, the cornerstone of democratic principles. The United States should—and must—continue to do more to help defend free expression across the Americas.

Mr. Speaker, I yield back the balance of my time.

Mr. SCHIFF. Mr. Speaker, as a co-chair of the House Caucus on the Freedom of the Press, I strongly support H. Res. 536 and its condemnation of violations of press freedom and violence against journalists, bloggers, and individuals exercising their right to freedom of speech across Latin America and the Caribbean. Thomas Jefferson once said, ''Our liberty depends on the freedom of the press, and that cannot be limited without being lost.'' Those words ring true not only for our nation, but for all nations and all people dedicated to the ideals of democracy and committed to a democratic system of government.

Whether through act and intimidation by the government or non-state actors, the voices of journalists across Latin American and the Caribbean—voices raised to speak out against corruption, abuses of power, and criminal activity—are being silenced at an alarming rate. This cannot be allowed to continue. I commend the House of Representatives and the sponsors of this legislation for drawing attention to this issue, and call on regional leaders to take all necessary steps to foster, protect, and defend the inherent right of their citizens to express themselves freely, publicly, and without fear of reprisal. Every time this right is violated, the foundations of society are weakened. We must all be vigilant and unrelenting in our support of free expression around the world.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H.R. 536, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 45 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOODALL) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 1155, H.R. 712, and H.R. 1927

(Mr. SESSIONS asked and was given permission to address the House for 1 minute.)

Mr. SESSIONS. Mr. Speaker, today, the Rules Committee issued three Dear Colleagues outlining the amendment processes for two packages: the Sunshine for Regulations and Regulatory Decrees and Settlements Act of 2016 and the Fairness in Class Action Litigation and Furthering Asbestos Claim Transparency Act of 2015, as well as H.R. 1155, the SCRUB Act of 2015.

These bills are likely to come before the House the first week back in January 2016. Amendment deadlines have been set for next Tuesday, December 22. Bill text and more detailed information can be found on the Rules Committee Web site.

Please feel free to contact me or my staff if we can be of any assistance or if you have any questions.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Suspending the rules and agreeing to House Resolution 536; and

Agreeing to the Speaker's approval of the Journal, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Any remaining electronic vote will be conducted as a 5-minute vote.

SUPPORTING FREEDOM OF THE PRESS IN LATIN AMERICA AND THE CARIBBEAN

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 536) supporting freedom of the press in Latin America and the Caribbean and condemning violations of press freedom and violence against journalists, bloggers, and individuals exercising their right to freedom of speech, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, as amended.

The vote was taken by electronic device, and there were—yeas 399, nays 2, not voting 32, as follows:

[Roll No. 694]

YEAS—399

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (FL)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaHood
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Neal
Neugebauer
Newhouse
Nolan
Norcross
Nugent
Nunes
O'Rourke
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—2

Jones
Massie

NOT VOTING—32

Bridenstine
Brownley (CA)
Cuellar
DeGette
DeSantis
Deutch
Duffy
Granger
Grijalva
Heck (NV)
Herrera Beutler
Issa
Kennedy
Kildee
Labrador
Lamborn
Lipinski
Lummis
Marchant
Moore
Mulvaney
Napolitano
Noem
Olson
Ratcliffe
Rohrabacher
Rush
Simpson
Slaughter
Stivers
Thompson (CA)
Valadao

□ 1902

Ms. ADAMS and Mr. JOHNSON of Georgia changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CUELLAR. Mr. Speaker, on Tuesday, December 15th, I am not recorded on any votes because I was absent due to family reasons. If I had been present, I would have voted: "Yea", on rollcall 694, passage of H. Res. 536—Supporting freedom of the press in Latin America and the Caribbean and condemning violations of press freedom and violence against journalists, bloggers, and individuals exercising their right to freedom of speech.

Mrs. NAPOLITANO. Mr. Speaker, on Tuesday, December 15th, 2015, I was absent during rollcall vote No. 694. Had I been present, I would have voted "yea" on the motion to suspend the rules and pass H. Res. 536—Supporting freedom of the press in Latin America and the Caribbean and condemning violations of press freedom and violence against journalists, bloggers, and individuals exercising their right to freedom of speech.

THE JOURNAL

The SPEAKER pro tempore (Mr. GROTHMAN). The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

APPOINTING THE DAY FOR THE CONVENING OF THE SECOND SESSION OF THE ONE HUNDRED FOURTEENTH CONGRESS

Mr. MCCARTHY. Mr. Speaker, I send to the desk a joint resolution (H.J. Res. 76) appointing the day for the convening of the second session of the One Hundred Fourteenth Congress, and ask unanimous consent for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the joint resolution is as follows:

H.J. RES. 76

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the second regular session of the One Hundred Fourteenth Congress shall begin at noon on Monday, January 4, 2016.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR A JOINT SESSION OF CONGRESS TO RECEIVE A MESSAGE FROM THE PRESIDENT

Mr. MCCARTHY. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration in the House.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 102

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, January 12, 2016, at 9 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

UNESCO

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, the Obama administration is making a push to get Congress to give the President the authority to waive a legal prohibition on U.S. contributions to UNESCO. If the U.S. waives this prohibition and resumes payments to UNESCO, it will erode our credibility, and it will give the Palestinians and the U.N. the green light to continue the scheme to unilaterally declare a Palestinian state without direct negotiations with the democratic Jewish State of Israel.

If you add what our yearly contribution would be plus arrears, the American taxpayers, our constituents, could be on the hook for over half a billion dollars in just a couple of years.

Mr. Speaker, we know that our law has worked to prevent the Palestinians from joining other specialized agencies at the U.N., but if Congress relents on this issue, the Palestinians will say: Let's continue to bypass Israel and go to the U.N. for recognition.

I will continue to vehemently oppose this waiver, Mr. Speaker, and I ask my colleagues to stand with me.

GUN VIOLENCE

(Mr. TAKANO asked and was given permission to address the House for 1 minute.)

Mr. TAKANO. Mr. Speaker, I rise today to honor the memory of two members of my community who lost their lives in the attack on San Bernardino.

Sierra Clayborn was a bright and kind young woman. She was a graduate of the University of California, Riverside, with a degree in biochemistry. Sierra's friends described her as always smiling and always offering an encouraging word. She loved to make people laugh.

Damian Meins will be remembered as a selfless, gentle, and intelligent man. He enjoyed traveling, painting, and serving others, which included dressing up as Santa Claus for school pictures. He leaves behind his high school sweetheart and their two daughters.

Mr. Speaker, yesterday we remembered the massacre at Sandy Hook Elementary School; today we honor the victims at San Bernardino. My question to this body is: Will we do anything to protect our communities from gun violence tomorrow?

REMEMBERING RUDY ESCOBAR, COMMANDER OF THE MACON COUNTY HONOR GUARD

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to remember Rudy Escobar, an honored friend and veteran, who passed away on December 8 of this year at the age of 88.

For over two decades, Mr. Escobar served as the commander of the Macon County Honor Guard in the service of central Illinois veterans. His dedication to his brothers and sisters in uniform was truly remarkable, and he will be missed by many in the Macon County community.

Mr. Speaker, for most of his life, Mr. Escobar worked tirelessly on behalf of his fellow veterans. After his service in World War II as a China Marine, he returned home and cofounded the Macon County Honor Guard, which has since performed over 3,000 honor ceremonies at military funerals.

Active in his community, it became customary for him to voluntarily transport fellow veterans to and from the VA medical center in Danville, Illinois. He was also a member of the American Legion and the VFW posts.

Mr. Speaker, Mr. Escobar was a loving husband, father, and grandfather; and most of all, he was a devoted veteran. His commitment to the military community will always be remembered.

VICTIMS OF GUN VIOLENCE

(Mr. PETERS asked and was given permission to address the House for 1 minute.)

Mr. PETERS. Mr. Speaker, Mohawk Valley, New York, March 13, 2013: Michael Ransear, 57 years old; Michael Renshaw, 51.

Santa Barbara, California, May 23, 2014: Katherine Cooper, 22 years old; Christopher Michaels-Martinez, 20; Cheng Yuan Hong, 20; Weihan Wang, 20; Veronika Weiss, 19; George Chen, 19 years old.

Roseburg, Oregon, October 1, 2015: Lawrence Levine, 67 years old; Kim Saltmarsh Dietz, 59; Sarena Dawn Moore, 44; Jason Johnson, 33; Treven Taylor Anspach, 20 years old; Lucero Alcaraz, 19; Lucas Eibel, 18 years old; Quinn Cooper, 18 years old; Rebecka Carnes, 18.

Albuquerque, New Mexico, January 19, 2013: Greg Griego, 51 years old; Sarah Griego, 40; Zephania Griego, 9.

EPA VIOLATES LAW WITH WOTUS PROMOTION

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this week the Government Accountability Office, or GAO, found that the Environmental Protection Agency broke Federal laws by promoting its highly controversial waters of the United States rule.

While I agree that the Clean Water Act needs clarifying, this rule would drastically expand Federal jurisdiction beyond the historical limits of the law and would apply to State and ephemeral waters. The rule would greatly increase the costs of permitting and trigger new environmental reviews and litigation.

Thankfully, this disastrous rule was put on hold nationwide by a Federal Court ruling earlier this year. In its finding, the GAO said that this was an attempt by the EPA to spread ''covert propaganda'' by directing Internet users to the Web sites of environmental groups in support of the WOTUS rule.

This illegal attempt to gain congressional support for the rule—and to sway public opinion—undermines the integrity of the rulemaking process, and it shows just how unprecedented this vast expansion of the EPA's power really is.

SAN BERNARDINO SHOOTING VICTIMS

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I stand here today to remember the victims of the tragic terrorist attack in San Bernardino, California.

Among these victims was a young woman from my district named Tin Nguyen. She was from Santa Ana, California. Tin was only 31 years old, and she had been working for the San Bernardino County Department of Public Health for 4 years as a food inspector, and she was planning her wedding to her longtime boyfriend when she was taken on that day of the shooting.

At the age of 8, Tin and her family fled Vietnam. They fled a war, famine, and all sorts of terrible situations to come and find a new life in California. Despite the challenges of being an immigrant, Tin graduated from Valley High School in Santa Ana, and she received her undergraduate degree from Cal State, Fullerton.

Last Saturday, family and friends gathered at Saint Barbara's Catholic Church in Santa Ana to mourn the death of this young woman who was known for her incredible spirit and a heart bigger than the sun. Let us honor the memory of this extraordinary young woman. She gave so much, but her life was tragically cut short by these shootings.

□ 1915

THE STRUGGLE FOR FREEDOM IS NEVER OVER

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, 224 years ago today the States ratified the first 10 amendments to our Constitution.

These most basic rights remain the bedrock of our society; yet, even today we have seen them come under attack:

Freedom of speech has been attacked by some who prefer not to hear dissenting opinions, forgetting that it applies to all.

The right to bear arms is under constant threat from those who would prefer that only criminals are armed and that law-abiding Americans are defenseless.

Freedom from unreasonable search and seizure has come under attack from our own government, which believes we must sacrifice liberty for security.

Freedom of religion, the very right our Founders sought when they fled their homes overseas, is threatened by those who would coerce Americans to violate their faith in their day-to-day lives.

In every instance, the House of Representatives has fought to preserve these rights, but this serves to remind us that the struggle for freedom is never over, that we must always remain vigilant, and that freedom is but one generation from extinction.

But today we mark this anniversary in celebration of the vision the Founders had. God bless them, and God bless America for having done so.

RECOGNIZING FIRST RESPONDERS AFTER THE MASS SHOOTING IN SAN BERNARDINO

(Mr. RUIZ asked and was given permission to address the House for 1 minute.)

Mr. RUIZ. Mr. Speaker, I am heartbroken and outraged over the mass shooting act of terror that took the lives of innocent people and left many others wounded in the neighboring community of San Bernardino.

These cold-blooded acts of violence in our Nation has to stop. I strongly denounce this act of terror and mourn for the 14 victims of this horrific tragedy, including Aurora Godoy, a constituent of mine from San Jacinto, California, whose young life was cut far too short.

December 2, 2015, will remain in all of our memories as a tragic day for San Bernardino, the Inland Empire, California, and our Nation. In the face of this tragedy, however, true heroism shined through when law enforcement officials ran towards the danger, risking their own lives to protect the lives of others and when first responders tended to the injuries of the victims.

Our Nation should be proud of the men and women who risked their lives to save our community that day. Thank you to the men and women who wore the badge and took care of the victims.

TRADE DEFICIT

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, I rise to call on my colleagues and the American people to oppose the Trans-Pacific Partnership, the TPP.

This job-outsourcing trade deal, like every one before it, has been sold to the American people with the false promise of jobs in exports. By looking at America's accounts, you can tell they are all in the red if you take a look at the gaping trade deficits out there and job deficits and the lives of people, how they have been impacted by every single trade deal that has been signed.

Once again, our global trade deficit grew by more than $40 billion just in October, and it had grown by $1 billion more than the increase from September. Experts estimate that $1 billion invested in this country creates 5,000 additional jobs.

For every $1 billion of trade deficit we have, we lose 5,000 jobs here. When your trade deficit is half a trillion dollars, it is no wonder we have a job deficit across this country.

Since China joined the WTO, the U.S. goods trade deficit with China has reached $324.4 billion, hundreds of thousands of jobs gone. The same with NAFTA, $9 trillion in deficit.

Mr. Speaker, I urge my colleagues to reject the TPP.

KIRK DOUGLAS' BIRTHDAY

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, today I rise to honor the 99th birthday of a great American: Kirk Douglas.

I read about Mr. Douglas' birthday in the paper where he didn't receive gifts, but gave gifts. He gave a $15 million contribution to an Alzheimer's home in California. He did this on his birthday.

I found out that he has a long history of charitable giving in philanthropy. In Los Angeles, he created 400 different playgrounds, has given money to children's hospitals, and taken a long effort to help people from all walks of life.

I saw him also in a movie that I saw recently called ''Trumbo.'' I didn't realize that he had stood up against blacklisting in Hollywood and had encouraged the hiring of Dalton Trumbo, a blacklisted writer, who saved his career from what was a scourge on the United States Congress and our history of free speech and democracy.

I first learned all of what Kirk Douglas has done when I heard an apology for slavery and Jim Crow, and I found out he had been for an apology for slavery for years. He had an Internet site encouraging people to join a petition and lobbyists to pass an apology for slavery in this country.

These type of things show that Kirk Douglas is the type of person we should emulate and honor. He has had 99 great years. I thank him for his efforts of charitable giving and for his philosophy of forgiveness and understanding.

COCONSPIRATORS IN SUPPORTING TERRORISM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, as we consider this week what Congress will fund through September 30 of next year and what we will not fund, the San Bernardino shooting, the radical Islamist terrorist attack there, has awakened a lot of people across the country.

There is an article from December 2, 2015, by Ashley Pratte. The question is: Is ISIS contained or covered up? That is the title.

''With the recent terrorist attacks in Paris carried out by ISIS, Americans are on high alert—and rightfully so. Just hours prior to the attacks Obama said that ISIS was 'contained.' Americans everywhere are baffled by Obama's continued ignorance and lack of strategy when it comes to destroying the Islamic State.

''Yesterday, Lt. Gen. Michael Flynn, former head of the Defense Intelligence Agency, stated on The Lead with Jake Tapper that the White House knowingly ignored a 2012 report about the rise of ISIS because they didn't mesh well with the re-election 'narrative.'

''Now it is all starting to make sense. Of course the President believes ISIS is contained, he has been willingly and knowingly ignoring reports about the serious threats that ISIS poses to America and to the world since it wouldn't help him get re-elected.

''The scary thing is that these aren't the first reports we have heard from former Obama intelligence officials regarding the White House ignoring their reports on ISIS. This September The Daily Beast published an exclusive story by Shane Harris and Nancy A. Youssef, claiming that over 50 spies say ISIS intelligence was cooked. These 50 intelligence analysts formally filed a complaint that their reports on ISIS were being 'inappropriately' altered by senior officials.

''These are very powerful words. If there truly is a 'cancer' at the highest level of command, Americans have a lot to be concerned about when it comes to national defense and security. According to the Daily Beast, the accusations being made suggest that a significant amount of people tracking the inner workings of ISIS think that their reports are being altered to fit a public narrative—echoing the sentiments of Lt. Gen. Michael Flynn.

''It is disturbing to think that our military and intelligence officials aren't being listened to by the Obama administration simply because it doesn't fit their narrative. Just yesterday lawmakers on Capitol Hill heard from the chairman of the Pentagon's Joint Chiefs of Staff, Marine Gen. Joseph Dunford, that ISIS is not contained, contradicting President Obama's statements. We now have to question whether or not intelligence reports are still being ignored because of their inconvenience to the administration and because of the looming election year.

''Sadly, these reports from top military and intelligence officials aren't surprising. Americans have noticed for a while that Obama's statements on ISIS show how little he knows about the threat they pose or that he is deliberately ignoring the facts. A new CBS poll indicates that only 23% of Americans think Obama has a clear strategy for defeating ISIS, which shows just how little confidence Americans have in their commander-in-chief.

''On Monday, just weeks after the Paris attacks, Obama made mind-boggling remarks at a climate change summit in Paris, where he made it a point to mention that he will beat ISIS by fighting climate change.

''Let's be honest, ISIS was never a 'jayvee' team, it was never 'contained,' and it certainly won't be defeated by resolving to end climate change, but it was a good narrative for the Obama administration spin to quell the fear of the American public. However, this narrative stands in stark contrast with the real narrative, the one being told by military and senior intelligence officials—the one being ignored.''

And we have from the Center for Immigration Studies, Mr. Speaker, an ''Analysis of the 'Visa Waiver Program Improvement Act of 2015,''' this out December 14, 2015.

It reviews the House bill drafted to tighten up the Visa Waiver Program, and it has been reported that this may be included in the omnibus—we will find out tonight—2016 spending bill as a kind of political replacement for the bill passed in November to tighten up the refugee screening.

This article goes on from the Center for Immigration Studies that:

''One key provision makes it out-of-bounds for people who have visited—or who are natives of—Syria or Iraq, or state sponsors of terror to use the VWP. Another major provision tightens up requirements and certifications by countries to live by the conditions of the participation—including use of fraud-resistant passports and strict timeframes for reporting of lost or stolen documents.

''Dan Cadman, a Center fellow and author of the analysis, said, 'Congress has at least decided to tackle many of the gaps and problems with the VWP, which has represented for some time the 'soft underbelly of homeland security'; but there can be no doubt that the U.S. vetting for refugees and asylum seekers still represents a major national security risk, and remains an unaddressed problem.'

''One major problem with the bill is the exception to several requirements that has been carved out for countries in the Schengen visa-free zone, which covers nearly all of northern, western, and central Europe, including hotbeds of terrorist activities in France and Belgium. Cadman writes that 'this exception is the caveat that undoes the intent of the rule.'''

So, Mr. Speaker, it is important to note that we have got a lot more work to do here to prevent this President's administration from continuing to allow people into this country without our ability to actually vet them and check them.

There are indications that members of the Visa Waiver Program may only check one in three documents that are provided to them because they just don't have time.

Well, just when Americans thought we were unsafe, unsecure, that this administration won't face up to the threat that radical Islam is, that most all of the country understands we are up against except the administration—they won't mention the words radical Islam—and just when people think they are starting to maybe make the point and get the point across to this administration, we have the Secretary of the Department of Homeland Security who stands up for the terrorists.

□ 1930

He stands up for people who want to come into this country and do us harm.

This is an article from Politico, of all places, and the title reads: ''DHS chief: 'Legal limits' on scrutinizing immigrants' Web postings.''

The article reads:

'' 'We are dealing with private communications and things for which there is an expectation of privacy,' Jeh Johnson says in an interview.''

Mr. Speaker, that is very interesting. I am glad that the Secretary of Homeland Security understands that the Supreme Court says there is a right to privacy somewhere within the shadow of the penumbra of the Constitution—that is, the Bill of Rights. Yet he doesn't understand those constitutional protections are not afforded to people who want to come into the United States. They are in another country. I can't imagine this in anybody's definition of our U.S. Constitution. No Americans in other countries are entitled to U.S. constitutional protections over there, and they are people who are applying to come in.

There is social media out there, and there are really sharp folks in Homeland Security and in the Justice Department who are not under the direct thumb of the administration who know how to access it; they know how to check things; they can use search engines and can check to see what contacts and what pictures are out there. Are they pictured with a terrorist somewhere? Of course, that might get our friend Senator MCCAIN in trouble;

but, nonetheless, there is a lot of social media that can be checked.

Here we have an article today, December 15, by Seung Min Kim:

''Homeland Security Secretary Jeh Johnson said Tuesday there are 'certain legal limits' that constrain federal officials from scrutinizing the social media histories of foreigners trying to enter the United States—a new debate that has flared in the aftermath of the San Bernardino, California terrorist attack.

''His comments, in an interview with POLITICO, mark the first time the Homeland Security chief weighed in on the merits of reviewing social media in immigration cases. According to recent news reports, Tashfeen Malik, the female shooter in the California massacre, had posted extremist views yet still obtained a visa to the United States.

'' 'You have to keep in mind—and this is again, not a comment on any particular case—that social media, Facebook, and the like can involve public statements, public postings, it can involve friending, and it can involve private communications,' Johnson said from his office at the Department of Homeland Security headquarters in northwest Washington.

'' 'We are dealing with private communications and things for which there is an expectation of privacy, and you're dealing with U.S. persons,' Johnson continued. 'There are certain legal limits to what we can do.' ''

Mr. Speaker, I would suggest to you that people who are trying to come into this country are not U.S. persons and that social media ought to be used by Homeland Security to find out what kind of lengths people will take who want to come into this country.

If they had not marginalized one of the best people working for Homeland Security and had not gone after him and attacked him, they would have learned—and I am talking about my friend Phil Haney, who was very adept at using social media to see if they had questions about somebody—what kind of contacts are out there on the Internet? What pictures were made with whom? What is posted where about this person? It is also important to have somebody like him who has spent time in the Middle East, who knows the language, who knows and understands moderate Islam, who understands radical Islam, who understands who the players are and who the imams are who are teaching radical Islam, who knows the groups that are teaching radical Islam.

If Phil Haney had been allowed to continue the investigation into Tablighi Jamaat, then he would have seen the ties that these shooters had. He would have found Ms. Malik's social posting. One of the things he says would have tipped him off right away is that ''Tashfeen Malik'' is a boy's name, and he is a bit of a hero in radical Islamic circles. If you know that, which I didn't and he does, then you pull that person aside for additional screening. You pull that application and ask, ''Why do you have a boy's name? You certainly weren't given that.'' His example is it would be like a woman from America who was trying to get into another country with the name ''George Washington.'' Really? That is your real name? It would raise flags and questions and would cause you to do further checking.

People at Homeland Security have seen, if you become a whistleblower and if you blow the whistle on the Obama administration's and Homeland Security's deleting of documents and on their refusing to investigate radical Islam, then they will convene a grand jury to make your life a living hell until you retire, and that is only if they can't find some little ''something'' to indict you of after they have looked everywhere and through everything.

The people at Homeland Security have seen what happens to people who are honest, who are honorable, who are trying to warn of contacts this administration has with people who have ties to radical Islam. I know there are people out there who say, ''I wish you would use names.'' Why doesn't somebody in the mainstream media go get the pleadings from the Holy Land Foundation trial in the Federal court of the Northern District of Texas, and you will see a list of names. If there were somebody who were worthy of a Pulitzer anymore, he would take those names and compare them against the people who have access to the White House and the groups that have access to the White House and to the State Department and to the Justice Department and to intelligence agencies.

They would find that CAIR, just blocks away from here—I can see their building from my window, and they can see mine—is on the list. Yet, it is CAIR that has—I don't know if they have got a red phone or what they have got over to the White House; but when they get bothered or when, maybe, they don't like a Koranic scripture or something that is being quoted in training material, they can just call the White House and tell them to get rid of it, and they do. They can call the Justice Department, for, after all, CAIR and the FBI were outreach partners. Finally, in 2009, after they were implicated as partners, coconspirators in funding terrorism, the FBI finally, in 2009, had to send them a letter, saying, basically, We had better suspend our relationship as partners, because there was all this evidence at the Holy Land Foundation trial that, actually, you are a supporter, and you are a coconspirator; so we are going to have to put that on hold for a bit. But this administration picked right back up. CAIR was certainly heard from out in California immediately after the shootings.

Anyway, this article goes on. It reads:

''Lawmakers on Capitol Hill have seized on reports that Malik passed a trio of background checks during her fiancee visa application process in 2014 despite publishing social media posts that were openly supportive of violent jihadism.''

Anyway, congratulations to the Secretary of Homeland Security. Americans can sleep well because Secretary Johnson is setting us up to have another Tashfeen Malik shoot more people because we are not going to, under this administration, check their social media to see if they have pledged allegiance to ISIS.

This is from Todd Bensman, December 10, PJ Media: ''America is Talking About the Wrong Refugee Problem.''

I would submit it is a legitimate problem we have been talking about, but this article points out a problem that, certainly, I and many of my Republican friends have been pointing to.

The article reads:

''A few weeks ago, the fangs came out when news broke that the Paris attackers were 'refugees' who had entered the European continent among thousands of immigrants. Elected Republicans and conservative pundits challenged the American plan to resettle Syrian refugees, and still are.

''But their bite is off mark.

''As many as six of the Paris attackers and their leader were not resettled refugees of the sort President Obama wants to import into the country (three attackers still have not been publicly identified).

''These terrorists entered Europe with illegal immigrant asylum seekers, of the sort who routinely show up at the U.S.-Mexico border.''

Mr. Speaker, I am still hearing from friends on the U.S.-Mexico border who know and who say we are continuing to have people from countries where radical Islam is a major problem—in the Middle East and in North Africa—show up at the U.S.-Mexico border. Some of them are caught.

The article points out:

''Illegal immigrant asylum seekers don't give the host nation a choice. They show up uninvited, smuggled, and often unknowable. They insist on being taken in anyway, pointing to our generous laws and traditions.

''At least three of the Paris terrorists—including main attack planner Abdelhamid Abaaoud—were what we would call Special Interest Aliens (SIAs). They infiltrated over the common European external . . . border at Greece, just like Syrians show up at the U.S.-Mexico border, camouflaged among many other illegal immigrants. Europe's SIAs from Syria, Somalia, Pakistan, and many other Islamic nations are moved along their land and

sea routes with the ubiquitous aid of human smugglers, just as they are to the U.S.-Mexico border.

''This is perhaps the world's deadliest known case of terrorist border infiltration by SIAs. Abaaoud was a Belgium citizen before he went to Syria and became a notorious Islamic State operative. He knew he was on the radar of intelligence services, and couldn't come home the legal way unnoticed. So he traveled home as an illegal migrant under the cover of thousands of legitimate ones.''

Mr. Speaker, I know I have got people out there who have belittled me in the past when I have quoted from the FBI Director that we have people from radical Islamic areas who have camouflaged themselves. He had said that some of them actually changed their names to have Hispanic-sounding names and that they tried to blend in. That is what the FBI Director says. People can belittle me all day long, but when the FBI Director—in this case, the former FBI Director—said that while he was Director, then, when those points are made, somebody needs to talk about them whether the country is going to make fun of one or not.

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In an article, dated December 10, 2015, by Andrew McCarthy, titled, ''After Jihadist Mass Murder, the CAIR's Sharia Agenda Rolls On,'' he points out just how CAIR continues with their agenda and what those who have studied CAIR, its contacts, its relations, what they intend is civilization jihad. That is our civilization they care to take over.

Now, my friend from the Department of Homeland Security, now retired so he can talk about things that aren't classified, discussed some of these things on Megyn Kelly's show. He was actually investigating Tablighi Jamaat, which is one of many organizations that are under the overall radical Islamic movement. As he has pointed out, Tablighi Jamaat means ''society for spreading faith.'' It is an Islamic global proselytizing movement with followers in over 200 countries.

Now, not everybody in Tablighi Jamaat is a terrorist. Not everybody in Tablighi Jamaat is a radical Islamist, but it should set off bells and whistles to wake people up when a relationship is seen.

From the Middle East Quarterly in 2005, it states: ''After joining Tablighi Jamaat, groups at a local mosque or Islamic center and doing a few local dawa (proselytism) missions, Tablighi officials invite star recruits to the Tablighi center in Raiwind, Pakistan, for four months of additional missionary training. Representatives of terrorist organizations approach the students at the Raiwind center and invite them to undertake military training.''

Tablighi Jamaat links to terror include: 1995, Benazir Bhutto coup attempt; 2001, John Walker Lindh; 2001, Richard Reid, the shoe bomber; 2002, Jose Padilla; 2002, Portland Seven; 2002, Lackawanna Six; 2005, London Underground Bombing; 2006, airline bombing plot; 2008, Barcelona plot.

Those are just some of the ties that Tablighi Jamaat has had with terrorism.

Now, the al-Huda Institute is a global network of Islamist religious schools, with branches in Pakistan, Canada, and the United States. USA Today reported on December 12, 2015: ''Nosheen Ali Irfan, 54, who lives in Karachi, Pakistan's largest city, said she sent both of her daughters to study in Al-Huda during summer 2014 but within five weeks became disgruntled by the teachings and discontinued the lessons.

''Irfan said her family has a religious background but the teachings at Al-Huda were 'too radical' even for them . . . 'If there is an environment Jihadis (Islamic warriors) would come to recruit, it would be these kinds of institutions,' she said.''

Al-Huda links to terror include Ali Asad Chandia, an al-Huda teacher in College Park, Maryland, who provided material support to a Pakistani terror group; 2012, four former students join ISIS in Syria; and in 2015, Tashfeen Malik, who was engaged in the San Bernardino attack.

In San Bernardino, the investigation into groups affiliated with the Deobandi Islamic movement was stopped before it could have connected the dots, and that is where Phil Haney was going in. He was finding all these ties that Tablighi Jamaat individuals had with other known terrorists. In fact, he got a letter of commendation before Homeland Security realized, wow, he is finding people that have ties to this administration so we have got to stop him cold.

Before they realized that, June 8, 2012, he was given a letter that said: ''On behalf of U.S. Customs and Border Protection (CBP), I commend your outstanding contributions while assigned to the National Training Center-Passenger (NTC–P). Your display of dedication and effort in the fight against terrorism has been exemplary.

''Your talents and professionalism have contributed to the continued achievements of the NTC–P. You played a key role by providing support to the CBP mission and the NTC–P lead role in defending and protecting our nation's borders.''

On further down, it says: ''Additionally, your expertise and experience has been invaluable while assigned to the Advanced Targeting Team (ATT). Your research on the Tablighi Jamaat Initiative has assisted in the identification of over 300 persons with possible connections to terrorism. The assistance you have provided in the development of this initiative has been key to the future success of the project.''

See, that was before they pulled him off and said no more looking into Tablighi Jamaat. You can't do it because you are messing with people you can't be messing with. Apparently, ties would come back to this administration. It is not hard to figure out. Just look at the Holy Land Foundation pleadings, look at who are listed as coconspirators in supporting terrorism, and look at whom this administration takes advice from.

Tommy Nelson, a minister back in Denton, Texas, I have never met once, said: Yeah, God is in control, but just because he is in control doesn't mean he wants us to lean on our shovel and pray for a hole.

Well, when this headline came out, Mr. Speaker, God isn't fixing this, despite prayers that God would fix it. I feel sure God is saying: Use what I have given you, and you can stop it yourself.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CUELLAR (at the request of Ms. PELOSI) for today on account of family reasons.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2044. An act to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes; to the Committee on Energy and Commerce.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 808. An act to establish the Surface Transportation Board as an independent establishment, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 11, 2015, she presented to the President of the United States, for his approval, the following bills:

H.R. 2250. Further Continuing Appropriations Act, 2016.

H.R. 2693. To designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the ''Phyllis E. Galanti Arboretum''.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 51 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, December 16, 2015, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3764. A letter from the Administrator, Risk Management Agency, Department of Agriculture, transmitting the Department's final rule — Area Risk Protection Insurance (ARPI) Regulations; ARPI Basic Provisions and ARPI Forage Crop Insurance Provisions [Docket No.: FCIC-15-0003] (RIN: 0563-AC49) received December 11, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3765. A letter from the OSD Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting the Department's Major interim final rule — Transition Assistance Program (TAP) for Military Personnel [Docket ID: DOD-2013-OS-0236] (RIN: 0790-AJ17) received December 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

3766. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Homeless Emergency Assistance and Rapid Transition to Housing: Defining ''Chronically Homeless'' [Docket No.: FR-5809-F-01] (RIN: 2506-AC37) received December 11, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3767. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of the General Counsel, Department of Energy, transmitting the Department's final determination — Energy Conservation Program: Energy Conservation Standards for High-Intensity Discharge Lamps [Docket No.: EERE-2010-BT-STD-0043] (RIN: 1904-AC36) received December 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3768. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Transmission Operations Reliability Standards and Interconnection Reliability Operations and Coordination Reliability Standards [Docket No.: RM15-16-000; Order No.: 817] received December 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3769. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Revisions to Emergency Operations Reliability Standards; Revisions to Undervoltage Load Shedding Reliability Standards; Revisions to the Definition of ''Remedial Action Scheme'' and Related Reliability Standards [Docket Nos.: RM15-7-000, RM15-12-000, RM15-13-000; Order No.: 818] received December 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3770. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Ultimate Heat Sink for Nuclear Power Plants, Regulatory Guide 1.27 Revision 3, received December 11, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3771. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Takes of Marine Mammals Incidental to Specified Activities; U.S. Navy Training and Testing Activities in the Northwest Training and Testing Study Area [Docket No.: 140109018-5999-02] (RIN: 0648-BD89) received December 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCAUL: Committee on Homeland Security. H.R. 3878. A bill to enhance cybersecurity information sharing and coordination at ports in the United States, and for other purposes, with an amendment (Rept. 114–379, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 2285. A bill to improve enforcement against trafficking in cultural property and prevent stolen or illicit cultural property from financing terrorist and criminal networks, and for other purposes, with an amendment (Rept. 114–380, Pt. 1).

Ordered to be printed.

Mr. DENT: Committee on Ethics. In the Matter of Allegations Relating to Representative JARED POLIS (Rept. 114–381). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 3878 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COHEN (for himself, Mr. NADLER, Mr. ROHRABACHER, and Mr. FORBES):

H.R. 4246. A bill to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days; to the Committee on the Judiciary.

By Mr. CURBELO of Florida:

H.R. 4247. A bill to provide that certain Cuban entrants are ineligible to receive refugee assistance, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WESTMORELAND (for himself and Mr. DAVID SCOTT of Georgia):

H.R. 4248. A bill to amend the Financial Stability Act to revise the reevaluation procedures with respect to determinations by the Financial Stability Oversight Council that a nonbank financial company shall be supervised by the Board of Governors and shall be subject to prudential standards; to the Committee on Financial Services.

By Mr. JOHNSON of Georgia:

H.R. 4249. A bill to provide an increased Federal capability for civil investigations and litigation, regarding alleged police, prosecutorial, or judicial misconduct, under section 210401 the Violent Crime Control and Law Enforcement Act of 1994, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENAUER:

H.R. 4250. A bill to amend the Internal Revenue Code of 1986 to extend the statute of limitation for credit or refund for taxpayers who receive combat pay; to the Committee on Ways and Means.

By Mr. COFFMAN (for himself, Mr. CARTWRIGHT, Mr. POCAN, Mr. PASCRELL, Mr. LATTA, Mr. HONDA, Ms. ESTY, Mr. NUGENT, Mr. ISRAEL, Mr. LOEBSACK, Mr. COLE, Mr. SEAN PATRICK MALONEY of New York, Ms. BROWNLEY of California, Mr. COSTA, Mr. RYAN of Ohio, Mrs. LOVE, Mr. PALAZZO, Mr. MILLER of Florida, Mr. ZINKE, Mr. BILIRAKIS, Mr. JONES, Miss RICE of New York, Mr. WALKER, Mr. BOST, Mr. KING of Iowa, Mr. ZELDIN, Mr. COSTELLO of Pennsylvania, and Mr. RUIZ):

H.R. 4251. A bill to amend title 10, United States Code, to ensure that the Secretary of Defense affords each member of a reserve component of the Armed Forces with the opportunity for a physical examination before the member separates from the Armed Forces; to the Committee on Armed Services.

By Mr. FINCHER (for himself, Mr. HECK of Washington, and Mr. STIVERS):

H.R. 4252. A bill to extend temporarily the extended period of protection for members of uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HASTINGS (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GRIJALVA, Mr. MURPHY of Florida, Mr. JOHNSON of Georgia, and Mr. VAN HOLLEN):

H.R. 4253. A bill to establish a grant program to help State and local law enforcement agencies reduce the risk of injury and death relating to the wandering characteristics of some children with autism and other disabilities; to the Committee on the Judiciary.

By Mr. KILMER:

H.R. 4254. A bill to prohibit employers from requiring grocery store employees to enter into covenants not to compete, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 4255. A bill to amend the Act commonly known as the Indian Long-Term Leasing Act to expand certain exceptions for

long-term lease limits for the Pueblo of Santa Clara; to the Committee on Natural Resources.

By Mr. MURPHY of Florida:

H.R. 4256. A bill to simplify income-based repayment under the Federal student loan program, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NUNES (for himself, Mr. THORNBERRY, Mr. MCCAUL, Mr. MILLER of Florida, Mr. FRELINGHUYSEN, Ms. GRANGER, Mr. KING of New York, Mr. LOBIONDO, Mr. ROONEY of Florida, Mr. HECK of Nevada, Mr. POMPEO, Mr. STEWART, Mr. TIBERI, Mr. ROSKAM, Ms. JENKINS of Kansas, Mr. MARCHANT, Mrs. BLACK, Mr. MEEHAN, Mr. DOLD, and Mr. HOLDING):

H.R. 4257. A bill to protect the American and Iranian peoples as well as the global economy from Iran's systematic abjuration of international legal standards on human and civil rights, its support for international terrorism, and the corrosive economic malfeasance of Iran's Revolutionary Guard Corps, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Rules, Ways and Means, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSKAM (for himself, Mr. NUNES, Mr. POMPEO, and Mr. ZELDIN):

H.R. 4258. A bill to impose sanctions against any entity with respect to which Iran's Revolutionary Guard Corps owns, directly or indirectly, a 20 percent or greater interest in the entity, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself, Mr. RIBBLE, and Mr. GROTHMAN):

H.R. 4259. A bill to prohibit the Administrator of the Environmental Protection Agency from establishing, implementing, or enforcing any limit on the aggregate emissions of carbon dioxide from a State or any category or subcategory of sources within a State; to the Committee on Energy and Commerce.

By Ms. SINEMA (for herself, Mr. COSTELLO of Pennsylvania, and Mr. COFFMAN):

H.R. 4260. A bill to protect servicemembers in higher education, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Veterans' Affairs, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCARTHY:

H.J. Res. 76. A joint resolution appointing the day for convening of the second session of the One Hundred Fourteenth Congress; considered and passed.

By Mr. DEFAZIO (for himself and Mr. JONES):

H.J. Res. 77. A joint resolution to amend the War Powers Resolution; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCARTHY:

H. Con. Res. 102. Concurrent resolution providing for a joint session of Congress to receive a message from the President; considered and agreed to.

By Mr. GALLEGO (for himself, Mr. BYRNE, Mr. LEWIS, Mr. JOHNSON of Georgia, Mr. FARR, and Mr. MCGOVERN):

H. Res. 565. A resolution supporting the peace process in Colombia; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII,

163. The SPEAKER presented a memorial of the General Assembly of the State of New Jersey, relative to Senate Concurrent Resolution No. 132, requesting the Congress of the United States call a convention of the States to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. LOEBSACK introduced a bill (H.R. 4261) for the relief of Max Villatoros; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. COHEN:

H.R. 4246.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. CURBELO of Florida:

H.R. 4247.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, the Commerce Clause

By Mr. WESTMORELAND:

H.R. 4248.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause, Article I, Section 8, Clause 3 of the Constitution states that Congress shall have power to regulate the regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. JOHNSON of Georgia:

H.R. 4249.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18, ''The Congress shall have the Power to . . . make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Govenment of the United States, or in any Department or Officer thereof.''

By Mr. BLUMENAUER:

H.R. 4250.

Congress has the power to enact this legislation pursuant to the following:

US Const., Art. I, Sec. 8 providing Congress the taxing authority.

By Mr. COFFMAN:

H.R. 4251.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution, specifically clause 14 (relating to the power of Congress to make rules for the government and regulation of the land and naval forces), clause 16 (relating to the power of Congress to provide for organizing, arming, and disciplining the militia), and clause 18 (relating to the power of Congress to make all laws necessary and proper for carrying out the powers vested in Congress)

By Mr. FINCHER:

H.R. 4252.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mr. HASTINGS:

H.R. 4253.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §8

By Mr. KILMER:

H.R. 4254.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: Congress shall have the power to ''regulate Commerce with foreign Nations, and among the several states and with the Indian Tribes.''

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 4255.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. MURPHY of Florida:

H.R. 4256.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution

By Mr. NUNES:

H.R. 4257.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of Article I of the United States Constitution;

Clause 18 of section 8 of Article I of the United States Constitution.

By Mr. ROSKAM:

H.R. 4258.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: ''The Congress shall have Power To . . . provide for the common Defence and general Welfare of the United States.''

Article I, Section 8, Clause 3: ''The Congress shall have the Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

Article I, Section 8, Clause 18: ''The Congress shall have the Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.''

Tenth Amendment: ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are

reserved to the States respectively, or to the people.''

By Mr. SENSENBRENNER:

H.R. 4259.

Congress has the power to enact this legislation pursuant to the following:

Article 1

Section 8

Clause 18

By Ms. SINEMA:

H.R. 4260.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. LOEBSACK

H.R. 4261

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 4 of the US Constitution

By Mr. DEFAZIO:

H.J. Res. 77.

Congress has the power to enact this legislation pursuant to the following:

Clause 11, of Section 8, of Article I of the U.S. Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 224: Mr. BRADY of Pennsylvania, Ms. WASSERMAN SCHULTZ, Mr. AL GREEN of Texas, Mr. SERRANO, Mr. COURTNEY, Mr. SMITH of Washington, Mr. CARTWRIGHT, Mr. KENNEDY, and Mr. FOSTER.

H.R. 239: Mr. MCNERNEY, Ms. Velázquez, Mr. LYNCH, Mr. CLAY, Mrs. DAVIS of California, Mr. LEWIS, Mr. MURPHY of Florida, and Ms. LORETTA SANCHEZ of California.

H.R. 320: Mr. CARTER of Texas.

H.R. 347: Mr. STIVERS.

H.R. 379: Mr. COFFMAN and Mr. VISCLOSKY.

H.R. 448: Mr. TONKO.

H.R. 465: Mr. PEARCE and Mr. LATTA.

H.R. 539: Ms. GRAHAM, Mr. MEEKS, Mr. BRADY of Pennsylvania, Mr. QUIGLEY, Mr. RODNEY DAVIS of Illinois, and Mr. HONDA.

H.R. 556: Mr. BERA

H.R. 592: Mr. POLIQUIN.

H.R. 619: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 667: Mr. VAN HOLLEN.

H.R. 699: Mr. KIND and Mr. ROTHFUS.

H.R. 703: Mr. JODY B. HICE of Georgia.

H.R. 721: Ms. BASS.

H.R. 746: Ms. EDWARDS, Mr. MICHAEL F. DOYLE of Pennsylvania, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 842: Mr. YOHO, Mr. STUTZMAN, Mr. MEEKS, and Mr. ASHFORD.

H.R. 870: Mr. SEAN PATRICK MALONEY of New York.

H.R. 885: Mr. BERA.

H.R. 911: Mr. FATTAH and Mr. ROSS.

H.R. 921: Ms. BROWN of Florida.

H.R. 953: Mr. BRADY of Pennsylvania.

H.R. 969: Mr. FATTAH and Ms. TITUS.

H.R. 986: Mr. HENSARLING and Mr. MCCLINTOCK.

H.R. 990: Ms. TSONGAS.

H.R. 1076: Ms. KELLY of Illinois, Mr. CARNEY, and Mr. QUIGLEY.

H.R. 1093: Mr. JOHNSON of Ohio.

H.R. 1116: Mr. JOYCE, Mr. DENT, and Mr. ROSKAM.

H.R. 1142: Mr. COSTELLO of Pennsylvania, Mr. BERA and Ms. FRANKEL of Florida.

H.R. 1153: Mr. CULBERSON.

H.R. 1157: Mr. RUIZ.

H.R. 1220: Mr. RUPPERSBERGER, Mr. HUNTER, and Mr. BOST.

H.R. 1258: Mr. LOWENTHAL, Mr. COURTNEY, and Mr. YODER.

H.R. 1312: Mr. WALDEN.

H.R. 1399: Ms. STEFANIK.

H.R. 1427: Mr. SERRANO.

H.R. 1453: Mr. ROKITA.

H.R. 1457: Ms. MENG and Mr. TIPTON.

H.R. 1475: Mr. KING of Iowa and Mr. GALLEGO.

H.R. 1559: Mrs. MCMORRIS RODGERS.

H.R. 1608: Mr. LYNCH.

H.R. 1692: Mr. KENNEDY.

H.R. 1726: Ms. WILSON of Florida.

H.R. 1728: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 1733: Mr. TIPTON.

H.R. 1747: Ms. FRANKEL of Florida.

H.R. 1751: Ms. WILSON of Florida.

H.R. 1818: Mr. PERLMUTTER.

H.R. 1854: Mr. MEEKS.

H.R. 1877: Mr. CARSON of Indiana.

H.R. 1942: Mr. KENNEDY and Mr. LOWENTHAL.

H.R. 1964: Mr. PERLMUTTER.

H.R. 2016: Mr. KILMER and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 2017: Mr. BROOKS of Alabama.

H.R. 2023: Mr. TAKAI.

H.R. 2096: Mr. THOMPSON of California.

H.R. 2123: Mr. KING of New York.

H.R. 2138: Mr. KIND.

H.R. 2191: Mr. TED LIEU of California.

H.R. 2217: Ms. WILSON of Florida.

H.R. 2257: Mrs. NAPOLITANO.

H.R. 2278: Mr. JONES and Mr. DUNCAN of Tennessee.

H.R. 2293: Mr. CULBERSON, Mr. YODER, Mr. LOWENTHAL, Mr. COLE, and Mr. COURTNEY.

H.R. 2302: Mr. SCOTT of Virginia.

H.R. 2315: Mr. CASTRO of Texas.

H.R. 2411: Mr. LOWENTHAL, Mr. TONKO, and Ms. MOORE.

H.R. 2430: Mr. TAKANO, Mr. GRAYSON, and Mr. DANNY K. DAVIS of Illinois.

H.R. 2513: Mr. GALLEGO.

H.R. 2515: Mr. CÁRDENAS and Mr. KELLY of Pennsylvania.

H.R. 2519: Ms. SCHAKOWSKY.

H.R. 2540: Mr. BERA.

H.R. 2635: Ms. MENG.

H.R. 2646: Mr. FRELINGHUYSEN.

H.R. 2680: Mr. LOWENTHAL.

H.R. 2689: Mr. KILMER.

H.R. 2694: Ms. DELBENE.

H.R. 2713: Mr. YOUNG of Alaska.

H.R. 2716: Mr. WEBSTER of Florida.

H.R. 2726: Ms. FRANKEL of Florida.

H.R. 2737: Mr. TROTT, Mrs. WAGNER, and Ms. HAHN.

H.R. 2739: Mr. FORTENBERRY and Mr. SCHIFF.

H.R. 2759: Mr. GRIJALVA and Ms. SINEMA.

H.R. 2763: Mr. KIND.

H.R. 2775: Ms. DUCKWORTH.

H.R. 2849: Ms. EDWARDS, Mr. COFFMAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. BRADY of Pennsylvania.

H.R. 2858: Mr. LOWENTHAL and Mr. LYNCH.

H.R. 2871: Mr. ENGEL.

H.R. 2896: Mr. CONAWAY.

H.R. 2903: Mr. NEWHOUSE, Ms. SEWELL of Alabama, and Ms. SINEMA.

H.R. 3040: Mr. PERLMUTTER.

H.R. 3051: Ms. FUDGE, Mr. CLEAVER, Ms. KELLY of Illinois, Ms. MOORE, Ms. CASTOR of Florida, Ms. MATSUI, and Mr. ISRAEL.

H.R. 3179: Mrs. ELLMERS of North Carolina.

H.R. 3187: Mr. ROHRABACHER.

H.R. 3284: Mr. GRIJALVA, Mr. HASTINGS, Mr. CONYERS, Mr. DOLD, and Mr. ENGEL.

H.R. 3309: Mrs. COMSTOCK.

H.R. 3314: Mr. WOMACK.

H.R. 3326: Mr. POLIQUIN.

H.R. 3339: Mr. FRELINGHUYSEN, Mr. VEASEY, Mr. BEYER, Mrs. KIRKPATRICK, Mr. CÁRDENAS, and Mr. COLLINS of New York.

H.R. 3355: Mr. YARMUTH, Ms. WILSON of Florida, and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 3356: Mr. LARSEN of Washington.

H.R. 3366: Ms. WILSON of Florida.

H.R. 3381: Mr. SENSENBRENNER and Ms. SCHAKOWSKY.

H.R. 3384: Mrs. NAPOLITANO.

H.R. 3406: Ms. SLAUGHTER.

H.R. 3411: Ms. JACKSON LEE and Mr. YARMUTH.

H.R. 3437: Mr. MCCLINTOCK.

H.R. 3441: Mrs. BLACK.

H.R. 3497: Mr. COHEN.

H.R. 3514: Ms. DELBENE.

H.R. 3520: Mr. JOHNSON of Ohio.

H.R. 3565: Mr. BERA and Mr. CÁRDENAS.

H.R. 3606: Mr. O'ROURKE.

H.R. 3646: Mr. POMPEO.

H.R. 3654: Mr. CICILLINE, Mr. BRENDAN F. BOYLE of Pennsylvania, and Ms. JACKSON LEE.

H.R. 3666: Ms. PINGREE.

H.R. 3691: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 3694: Mr. ROYCE.

H.R. 3706: Mr. PITTENGER, Mrs. WATSON COLEMAN, Mr. BEYER, Mr. SENSENBRENNER, and Mr. BERA.

H.R. 3719: Ms. STEFANIK.

H.R. 3722: Mr. HURD of Texas.

H.R. 3742: Mrs. COMSTOCK.

H.R. 3786: Ms. WILSON of Florida.

H.R. 3790: Mr. CÁRDENAS and Mr. RYAN of Ohio.

H.R. 3793: Ms. LEE.

H.R. 3808: Mr. TIBERI and Mr. HUIZENGA of Michigan.

H.R. 3832: Ms. FRANKEL of Florida and Mrs. COMSTOCK.

H.R. 3861: Ms. WILSON of Florida.

H.R. 3870: Mr. PERLMUTTER.

H.R. 3880: Mr. JOHNSON of Ohio and Mr. WEBSTER of Florida.

H.R. 3886: Ms. WILSON of Florida, Mr. KILMER, and Mrs. NAPOLITANO.

H.R. 3914: Mr. CARTER of Georgia.

H.R. 3926: Ms. SCHAKOWSKY, Mr. POLIS, Ms. LOFGREN, Mr. CARSON of Indiana, Mr. TAKANO, Mr. YARMUTH, and Ms. JUDY CHU of California.

H.R. 3927: Ms. BROWNLEY of California.

H.R. 3940: Mr. BERA, Mr. HARPER, Mr. BUCK, Ms. PINGREE, Ms. SEWELL of Alabama, Mr. POSEY, and Mr. ASHFORD.

H.R. 3947: Ms. WILSON of Florida and Ms. FRANKEL of Florida.

H.R. 3948: Ms. WILSON of Florida and Ms. FRANKEL of Florida.

H.R. 3957: Ms. FRANKEL of Florida.

H.R. 3963: Mr. JONES and Mr. LIPINSKI.

H.R. 3965: Mrs. NAPOLITANO.

H.R. 3970: Ms. STEFANIK, Mr. HIGGINS, Mr. CARSON of Indiana, Ms. SLAUGHTER, and Mr. FOSTER.

H.R. 3990: Ms. LEE, Ms. SINEMA, Ms. GABBARD and Ms. ESHOO.

H.R. 4016: Mr. BOUSTANY.

H.R. 4018: Mr. MILLER of Florida, Mr. ROONEY of Florida, and Mr. PITTENGER.

H.R. 4055: Mr. TAKANO.

H.R. 4058: Ms. STEFANIK.

H.R. 4080: Mr. KILDEE.

H.R. 4087: Mr. DEUTCH.

H.R. 4108: Mr. JONES.

H.R. 4117: Mr. COHEN.

H.R. 4138: Mr. DOLD and Mr. FARENTHOLD.

H.R. 4144: Mr. KEATING.

H.R. 4153: Mr. BILIRAKIS.

H.R. 4162: Mr. POCAN, Mr. PRICE of North Carolina, Mr. CARTWRIGHT, Mr. TONKO, Ms. LEE, and Mr. SWALWELL of California.

H.R. 4177: Mr. MILLER of Florida.

H.R. 4179: Mr. TONKO.

H.R. 4180: Ms. DUCKWORTH.
H.R. 4183: Mr. WALBERG.
H.R. 4184: Mr. FARR, Mr. BLUMENAUER, Mr. GRIJALVA, Mr. MCGOVERN, Mr. POCAN, and Mr. RYAN of Ohio.
H.R. 4185: Mr. ROGERS of Kentucky, Mr. BUCSHON, Mr. WHITFIELD, Mr. LYNCH, Mr. MARINO, and Mrs. ROBY.
H.R. 4186: Mr. ZINKE.
H.R. 4197: Mrs. BLACK and Mr. LATTA.
H.R. 4209: Mr. JEFFRIES, Mr. RANGEL, and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 4211: Mr. HIMES and Ms. SINEMA.
H.R. 4229: Ms. SLAUGHTER.
H.R. 4233: Ms. LORETTA SANCHEZ of California.
H.R. 4238: Mrs. BUSTOS, Mr. MEEKS, Mrs. NAPOLITANO, Mr. VARGAS, Ms. SPEIER, Mr. RANGEL, Miss RICE of New York, Mr. CONYERS, Mrs. WATSON COLEMAN, Ms. LORETTA SANCHEZ of California, and Mr. PETERS.
H.R. 4240: Mr. GOODLATTE, Mr. SENSENBRENNER, Mr. RICHMOND, Mr. Pierluisi, Mr. COHEN, Ms. SINEMA, and Mr. RANGEL.
H. J. Res. 74: Mr. HENSARLING.
H. Con. Res. 56: Mr. HOLDING.
H. Res. 14: Mr. AUSTIN SCOTT of Georgia.
H. Res. 54: Mr. DENHAM.
H. Res. 112: Ms. PINGREE.
H. Res. 265: Mr. GALLEGO.
H. Res. 289: Mr. COHEN.
H. Res. 290: Mr. MILLER of Florida.
H. Res. 394: Mr. COHEN.
H. Res. 417: Mr. GRAVES of Missouri and Mr. BOUSTANY.
H. Res. 432: Mr. COLLINS of New York, Mr. BERA, and Mr. CRAMER.
H. Res. 469: Mr. DIAZ-BALART.
H. Res. 527: Ms. WILSON of Florida.
H. Res. 548: Ms. LOFGREN and Mr. COHEN.
H. Res. 552: Ms. MENG.
H. Res. 554: Mr. TAKANO, Mr. FARENTHOLD, Ms. BONAMICI, and Mr. MEEKS.
H. Res. 558: Mr. HIGGINS.
H. Res. 562: Mr. HUFFMAN and Mr. SWALWELL of California.

EXTENSIONS OF REMARKS

CONGRATULATING GOV. TERRY BRANSTAD ON BECOMING THE LONGEST-SERVING GOVERNOR IN AMERICAN HISTORY

HON. PAUL D. RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. RYAN of Wisconsin. Mr. Speaker, on behalf of the whole House, I extend heartfelt congratulations to Governor Terry Branstad on his 7,642nd day in office. He is now the longest-serving governor in American history. And this day of recognition comes not a moment too soon because his principled leadership is a model for us all.

Over the course of his 21 years in office, he has helped the people of Iowa overcome enormous challenges. He inherited a budget deficit; he now presides over a large surplus. When he came in, the state economy had gone bust; now it is booming. And through good times and bad, he has always stood four-square behind his values.

People say he is good at retail politics, and that is certainly true. But his success is more than a testament to his skill. It is a testament to his devotion. Governor Branstad knows that a true public servant lives among the people. He visits all 99 counties of Iowa every year. He can tell you the ins and outs of everything in Iowa—from soybeans to livestock to insurance. He goes to every small event in every small town because he wants to be there. He listens because he cares.

Asked what he wants his legacy to be, Governor Branstad has said he wants Iowa to be a place where young people want to stay—where there is opportunity for all. I could think of no better goal for every governor in the country.

I also think it is fitting that the long-serving governor whose record he has surpassed was George Clinton, a man who left his state to become vice president. For Governor Branstad, national office would have been a step down. He knows his state. He loves his state. The people of Iowa are grateful for his service. I'm grateful for his friendship. And all of us in the House are grateful for his example.

TRIBUTE TO BILL AND MARILYN RYAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Bill and Marilyn Ryan of Council Bluffs, Iowa, on the very special occasion of their 65th wedding anniversary. They were married in 1950.

Bill and Marilyn's lifelong commitment to each other and their children, Laura, Mary, Jane, Nancy, Anne, and Carol, truly embodies our Iowa values. It is families like the Ryan family that make me proud to call myself an Iowan and represent the people of our great state.

Mr. Speaker, I commend this great couple on their 65th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

PERSONAL EXPLANATION

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. WESTMORELAND. Mr. Speaker, on December 11, 2015, the House of Representatives considered the Conference Report to Accompany H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015. Regrettably, due to a family commitment I was unable to cast my vote on this legislation. Had I been present, I would have voted yes on the Conference Report to Accompany H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015.

IN SUPPORT OF OUR CLOSE PARTNER TAIWAN

HON. SCOTT DesJARLAIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. DESJARLAIS. Mr. Speaker, I rise today to highlight the positive steps that our close partner and friend Taiwan has taken in the South China Sea.

On December 12, 2015, the Taiwanese government inaugurated a newly constructed lighthouse and renovated wharf on the Taiping Island, which is the largest natural island of the Spratly Islands in the South China Sea and has been administered by Taiwan since 1946. This infrastructure project will help support free and safe passage of ships through the surrounding waters, further enabling Taiwan to offer humanitarian assistance, disaster relief, and provide emergency rescue support to passing vessels.

Like the United States, Taiwan is a firm believer in freedom of navigation rights and has actively worked to promote peace and prosperity throughout the South China Sea region. Earlier this year, Taiwan President Ma Ying-jeou proposed the South China Sea Peace Initiative, reiterating their government's longstanding position of shelving disputes and promoting joint resource development in these contested waters.

Over the years, Taiwan has continued to play a responsible and peaceful role in the region and as such, I urge my colleagues to join me in working with our Taiwanese partners to promote our common interests and uphold international law.

HONORING CHIEF MASTER SERGEANT JOHN FRANCIS DITRO

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. KATKO. Mr. Speaker, I rise today to honor the career of Chief Master Sergeant John F. Ditro who will retire from the United States Air Force on December 31, 2015. Chief Master Sergeant Ditro has more than 27 years of combined military service in the United States Navy, the United States Air Force, and the New York Air National Guard.

Chief Ditro entered the United States Navy through the delayed enlistment program in May of 1982 and was called up to active duty in July of that year. In January of 1983, he was assigned to the United States Naval Station Roosevelt Roads, Puerto Rico, working on truck diesel engines and aviation fuel pumps in support of the Aviation Fuels Division.

After a brief stint in the naval reserves, Chief Ditro re-enlisted in the United States Navy in March of 1986. He was stationed aboard the *Caloosahatchee* and in March of 1988, Chief Ditro was released from the United States Navy. Chief Ditro then began working as a civilian accountant at the Naval Air Station Joint Reserve Base and in 1994 he joined the Pennsylvania Air National Guard as a Combat Communications technician. In August of 1995 Chief Ditro accepted a position with the New York Air National Guard working as a Command and Control Battle Management Operations specialist in the Northeast Air Defense Sector. Chief Ditro was activated on September 11, 2001 after the attack on the World Trade Center.

In June of 2002, Chief Ditro transferred to the 174th Fighter Wing located at Hancock Field Air National Guard Base in Syracuse, New York. Chief Ditro was named the Financial Management Superintendent in 2003; under Chief Ditro's management, the financial services office was named the Financial Services Office of the Year in 2008. In June of 2010, Chief Ditro accepted the challenge to become the first Operations Support Squadron Superintendent leading the charge to assist the Operations Group in all missions as the Chief of Intelligence.

Chief Master Sergeant Ditro's major awards and decorations include: Meritorious Service Medal, Air Force Commendation Medal with 2

Devices, Air Force Achievement Medal, Meritorious Unit Award, Air Force Outstanding Unit Award, Air Force Organizational Excellence Award, Coast Guard Meritorious Unit Commendation, Combat Readiness Medal with 2 Devices, Navy Good Conduct Medal, Air Reserve Forces Meritorious Service Medal with 6 Devices, National Defense Service Medal with 1 Device, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, Humanitarian Service Medal, Navy and Marine Corp Overseas Service Ribbon, Air Force Expeditionary Service Ribbon with Gold Border, Air Force Longevity with 5 Devices, Armed Forces Reserve Medal with 3 ''M'' Devices, New York Recruiting Medal, New York Humane Service to New York State Medal, New York Air National Guard Outstanding Enlisted Leader of the Year Ribbon, and New York Defense of Liberty award.

Chief Ditro has served his country honorably and for that he has my utmost respect. I want to thank him for his dedication, loyalty, and service to his country. I wish Chief Ditro the best and I hope that he enjoys his retirement with his wife Sandy and his two sons, Jason and Joshua.

CONGRATULATING LOCAL LEADERS IN COCHISE COUNTY

HON. MARTHA McSALLY

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Ms. MCSALLY. Mr. Speaker, I rise to congratulate local leaders in Cochise County, KE&G construction, and Cemex for their outstanding work on the Palominas Flood Protection and Groundwater Recharge project. This project is the first-ever aquifer protection and recharge effort of its kind implemented at a regional scale, and aims to protect flows of a desert river and its lush streamside habitat while also replenishing the water supplies of local residents. The Palominas project embodies the values of the residents of Cochise County who not only want to ensure protection of our waterways and natural resources, but are looking for solutions to provide more economic opportunity. One-size-fits-all requirements from Washington fail to take into account Arizona's unique landscapes, but the formation of local partnerships allowed the community to come together to create a solution to benefit all, including the citizens, businesses, and native plants and animals.

This project received top state and local honors in Arizona and was recognized internationally for offering a long-term solution to the recurring problem of sheet flow flooding at a local elementary school and the need for aquifer recharge. The project includes a 17 million gallon detention basin that holds storm water runoff, as well as dry wells and infiltration trenches covering 290 acres. These dry wells and infiltration trenches provide additional storage capacity during storms, reduce the loss of water through evaporation, and increase the amount of water recharged into the nearby San Pedro River.

Dennis Donovan, a civil engineer overseeing the project for Cochise County told the Arizona Republic that the project includes the large detention basin with berms to slowly steer the water into a wide channel before spilling over four foot walls that ''slow down the storm water to where, to the best it can, it (sinks and) recharges.'' The water control mechanisms in the basin keep storm water from washing through in a day leaving the basin dry again the next.

The Sierra Vista Herald noted that, ''CEMEX's Sierra Vista Plant joined forces with KE&G Construction to complete the project within a three-month time frame. Working through more than two inches of rainfall, these dynamic teams beat the heaviest rains of the summer monsoon season.''

The health of the San Pedro River is important to Fort Huachuca and the vitality of the surrounding community. Projects like these help to protect the future of the San Pedro River and demonstrate the commitment of the Army and the community to preserving their natural environment.

HONORING LAW ENFORCEMENT OFFICERS IN VIRGINIA'S 10TH DISTRICT

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mrs. COMSTOCK. Mr. Speaker, I rise today to recognize the following law enforcement personnel who have recently been honored at the 11th Annual Law Enforcement Appreciation Dinner in my district for their invaluable service and commitment to our communities. I submit the following excerpts from a speech delivered by Mr. Jim Wink, who spoke at this event in the fall. This year's honorees are Officer Dustin Bowers of the Mount Weather Police Department, Officer William McCann of the Northwestern Regional Adult Detention Center, Deputy Shane Jewell of the Clarke County Sheriff's Office, Deputy Mackenzie Carter of the Winchester City Sheriff's Office, Deputy Aaron Jeter of the Frederick County Sheriff's Office, Laura Patten of the Berryville Police Department, Corporal Richie Lewis O'Connor of Winchester Police Department, Trooper Terry Hilliker of the Virginia Department of State Police, and DEA Special Agent Thomas Hickey of the Northwest Virginia Regional Drug Task Force.

Officer Dustin Bowers has continually displayed the highest degree of competence, esprit de corps, and dedication to the mission at Mount Weather. He routinely goes above and beyond to perform his duties as a police officer, and in doing so, improves the Mount Weather department. Officer Bowers, without hesitation, took on the responsibility of serving as the field training officer for new officers. This year, Officer Bowers was selected to attend the federal law enforcement training center's active shooter instructor course. Since completing the course, Officer Bowers has worked to improve the department's capability to respond to an active shooter incident. He is currently developing an active shooter training program for Mount Weather emergency operation center employees focused on teaching them how to react to shooting incidents in the work place and other public locations. Officer Bowers also, through his own initiative, researched and proposed new equipment that the department purchased, which improved police officer readiness at all levels. Mount Weather Police Department can think of no finer officer more deserving of recognition.

Officer William McCann is the head of the field training officer program, a CPR instructor, training officer, and constant mentor at the detention center in Winchester. He has been nominated and will be the recipient of two life-saving awards. In addition to these two critical incidents, Officer McCann's impact is present on a daily basis. He is one of the most respected and influential staff members in the detention center which accounts for nearly 200 employees. Officer McCann's wealth of knowledge comes from over 20 years of experience in the Maryland department of corrections where he served as a lieutenant.

Deputy Shane Jewell joined the Clarke County Sheriff's Office in 2009. He is a respected instructor at the Rappahannock Regional Criminal Justice Academy, where he teaches defensive tactics. Deputy Jewell supports the mission of this office and is the epitome of a team player. Deputy Jewell's hard work and dedication to the Clarke County community is valuable.

Deputy Mackenzie Carter joined the Winchester City Sheriff's Office only a year ago; however, in a short time, she has displayed her dedication to the office and her team. She exerts a strong ability to assist others and volunteers for extra duties at the sheriff's office. Deputy Carter has the willingness to take on difficult projects and see them to a successful completion, which has repeatedly impressed the sheriff over the past year. Deputy Carter has also shown that she is dedicated to going above and beyond in serving her community. She has participated in and started several community-based fundraising events and community service incentives, such as the CCAP food drive, Evans Home for Children food drive, the Winchester Literacy Foundation summer reading program.

While on patrol one evening, Deputy Aaron Jeter, observed a speeding violator. He made the decision to stop the vehicle for the violation. With the assistance from other deputies; Deputy Jeter was able to recover a large amount of heroin from under the vehicle. The total amount seized from the traffic stop was 261 individual packets of heroin and over $400.00 in cash. Following this seizure, Deputy Jeter continued his increased effort to combat the local heroin epidemic, which plagues our community. Deputy Jeter's work against the local heroin problem is truly noteworthy. The efforts of deputies, like Aaron Jeter, will help curb the amount of heroin related overdoses and deaths, which our community has recently faced. Deputy Jeter's outstanding work with these cases makes him a worthy and deserving candidate for this year's HSCBA award.

Laura Patten serves the Berryville Police Department as the sole civilian employee in the capacity of administrative assistant. She began working for the department in August of 1989 and is looking forward to her upcoming retirement in 2016. Early in her career she served as a crossing guard making sure the children of the community made their way safely to school and back home. In the office, Laura keeps the flow of communication working between the community and officers in the field. Indeed, she is the face and voice of the department working the front desk and answering the phones. It is often an

under-appreciated function that Laura provides to the department. Berryville PD Chief Neal White states he is very thankful that she is getting the credit she truly deserves.

Corporal Richie Lewis of Winchester responded to a violent kidnapping last year that involved a male holding a knife to the throat of a female. Lewis helped to neutralize the situation with the help of his team. Upon seeing the officers the suspect became agitated, so the officers withdrew from the building out of fear the suspect would harm the female. When the suspect shut the hall door Cpl. Lewis reentered the building and snuck up to the landing on the third floor. While Cpl. Lewis was approaching the landing, with gun drawn, the suspect reopened the door. Out of fear of shooting the female Cpl. Lewis transitioned from his pistol to his Taser. When the suspect gave Cpl. Lewis an opening between the female's body and his own, Cpl. Lewis was able to shoot the suspect with his Taser and incapacitate him, bringing the situation to a quick and effective resolution.

Trooper Hilliker handles all traffic and criminal matters with professionalism and personal pride. He continues to take on the extra responsibility of being an explosive K–9 handler on top of his other duties. Trooper Hilliker's dedication to the department and the citizens it serves is unmatched. 2001–2002 Winchester Police Department, 1997–1999 Muskego Police Department Muskego, WI. Terry Hilliker served as a member of the Winchester and Muskego Police Departments as a patrolman where he was tasked with a multitude of responsibilities and challenges when working in local law enforcement. The experience Terry learned during this time is evident in his current role as a trooper. Terry Hilliker started his service related professions with the United States Marine Corps (1976–1996). He served in various command, staff and administrative billets from the platoon, company, and battalion levels to the regimental, brigade, and division level. Terry retired from the Marine Corps with the rank of lieutenant colonel.

DEA Special Agent Thomas Hickey is a contributing member of the Northwest Virginia Regional Drug Task Force and assists members of the force with numerous narcotics cases annually. Special Agent Hickey has been and continues to be a major supporting federal entity essential to fighting the current heroin epidemic. Special Agent Hickey has been instrumental in numerous local heroin cases by providing intelligence information, identifying major Baltimore, Maryland heroin suppliers and arresting and prosecuting large scale Baltimore heroin distributors who have plagued our communities. Special Agent Hickey is a dedicated law enforcement professional who believes in the working relationships between state, local and federal law enforcement agencies. He continues to provide an expert element to the drug task force that is necessary in combating the drug epidemics that plague our communities. Special Agent Hickey responds to active drug overdoses and assists agents by providing support and advice. He prefers to be involved in local drug cases from the beginning, and often responds to and assists local agents at all hours of the day and night. In 2014 special Agent Hickey initiated, investigated, and prosecuted fourteen large scale federal heroin investigations all of which were directly related to the Winchester, Frederick and Clarke county communities.

TAIWAN'S PEACE INITIATIVE IN THE TAIPING ISLAND OF THE SOUTH CHINA SEA

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. PAYNE. Mr. Speaker, I rise today to express my sincere appreciation for the Republic of China (Taiwan) recent leadership and initiative in pursuing long-term peace and stability in the South China Sea.

In December 2015, a U.S. State Department official expressed that all claimants should work to reduce regional tensions.

I encourage all relevant countries to resolve maritime disputes in accordance with international laws and regulations, including the United Nations Charter and UN Convention on the Law of the Sea (UNCLOS). I especially take note of Taiwan's willingness to work with other parties concerned, through consultations conducted on the basis of equality and reciprocity, to jointly ensure peace and stability in the South China Sea, to uphold the freedom of navigation and overflight, and to conserve and develop resources in the region.

Taiping Island is the largest natural and self-sustainable island in Spratly Islands. This island qualifies as an island according to the UNCLOS. Taiwan has set up a hospital in Taiping Island. Over the past decade, this hospital has offered humanitarian assistance to 21 people in 20 cases, including 12 Philippine and Myanmar nationals, which fully demonstrates Taiwan's dedication to humanitarianism.

COMMEMORATING TROY'S 60TH ANNIVERSARY

HON. DAVID A. TROTT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. TROTT. Mr. Speaker, I rise today to recognize the 60th anniversary of the city of Troy, Michigan. Troy has always been a community of opportunity.

The township of Troy became a home rule city in 1955 after the introduction of commercial and industrial development led to tremendous growth in the post-World War II period. Since 1955, Troy has witnessed a myriad of changes including the construction of I–75, the explosion of growth on Big Beaver Road, as well as thriving residential neighborhoods.

These achievements have not gone unnoticed. Troy is consistently rated as one of the safest cities in Michigan, best places to raise a family, and most recently, one of the happiest places in America.

None of these things would be possible without the thousands of city residents that strive each day to improve their community and take care of their families. It is to you, the residents of Troy that I say thank you for the privilege of representing you in Congress and congratulations to Troy for sixty prosperous years, with many more to come.

RECOGNIZING THE MARSHALL CHRISTIAN ACADEMY TCAL DIVISION II STATE FOOTBALL CHAMPIONS

HON. LOUIE GOHMERT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. GOHMERT. Mr. Speaker, for more than twenty five years, Marshall Christian Academy has been providing Christian based education to students whose families desire them to have a solid foundation in academics and athletics, while developing excellence and Christ-centered character. It is a great honor to recognize the Marshall Christian Academy Guardians on their most recent accomplishment, capturing the Texas Christian Athletic League Division II 6-man Football State Championship title.

Marshall Christian Academy takes pride in working on the A, B, and Cs—attitude, behavior, and conduct, in both academics and athletics. The school website states, ''At Marshall Christian Academy, we play Six-Man Football to work in the character of Christ to our young men. God has blessed us with the opportunity to play the great game of football. Six-Man is an effective tool for developing young men in discipleship and training them in the game of life—how to play a game, how to be tough and how to represent Jesus Christ on and off the field.''

The team fought and overcame a number of obstacles before claiming the state title, proving once again they are champions in every sense of the word. Their season was riddled with lengthy travel, inclement weather, illnesses, and a devastating car accident which seriously injured two team members and claimed the life of a family member. But through it all, the Guardians relied on the power of prayer to persevere and emerge triumphant, resulting in a season culminating in their first ever state football championship with a 36–28 win over Annapolis Christian Academy.

The Marshall Christian Academy Guardians achieving this landmark accomplishment include David Florence, Stephan Florence, William Hency, Ryan Stokell, Aslan Bell, Andrew Stokell, Dylan Alford, Hunter Cagle, Dazmond Lewis, Noah Heredia, Caleb Beesinger and Matthew Stokell.

Congratulations should be extended to the dedicated faculty and staff members who so skillfully created the solid foundation of direction and motivation necessary to build a team of champions: Marshall Christian Academy Administrators Raymond Bade, Duane Schultz and Guy Barr III, along with the Guardians' athletic staff comprised of Head Coach Guy Barr III, along with Assistant Coaches Jeff Arrington, Tyrone Robinson and Robert Stokell.

May God continue to bless their efforts so they may one day dedicate their drive and determination to help make this great country even stronger. My most enthusiastic and heartfelt congratulations to the Marshall Christian Academy Guardians, as their legacy is now recorded in the CONGRESSIONAL RECORD which will endure as long as there is a United States of America.

REFLECTING ON THE RECOVERY OF THE NORTHERN MARIANA ISLANDS SINCE TYPHOON SOUDELOR

HON. GREGORIO KILILI CAMACHO SABLAN

OF THE NORTHERN MARIANA ISLANDS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. SABLAN. Mr. Speaker, on the night of August 2nd and through the early morning of August 3rd this year, Typhoon Soudelor lashed through the Northern Mariana Islands, causing widespread destruction to homes, businesses, and infrastructure, uprooting the lives of the people I represent here in Congress.

Today, I want to reflect on that event, and on the exceptional grace and generosity that have made recovery possible.

The typhoon's impact was especially grave on Saipan, the most populated island in the Northern Marianas. Soudelor rendered hundreds of families homeless overnight. It also decimated infrastructure—knocking out power and water systems, shutting down the ports, ravaging the college, schools and other public buildings.

Survival is a way of life in our islands. We are accustomed to bracing ourselves through tropical storms and picking ourselves up when skies clear. But the sheer ferocity of Typhoon Soudelor caught us all off-guard. Even the National Weather Service failed to foresee the force of this storm.

That there was no loss of life is testament to the resilience and resourcefulness of our people. And we are grateful to Providence for sparing us.

As long as we live, those of us who experienced Soudelor will not forget the wreckage we saw the morning after. Nor will we forget the hardship that followed, the long hours in line for food and fuel and other necessities, the days of physical suffering and distress, the weeks without power and running water.

Soudelor tested our infrastructure, our government, and our capacity as a community to deal with disaster.

Now, however, four months after the storm, I can report that conditions are greatly improved, since that long and terrifying night in August.

Electricity is restored, and residents have daily water service. Streets have been cleaned in our villages and commercial districts. Students are in school. Businesses have reopened. Workers are employed again. Families are putting their lives back together.

Though there is still much to reconstruct and strengthen to be better prepared and more resilient than before, it is remarkable how far we have come on the road to recovery.

So, today, I want to thank all those who contributed to this successful response to adversity. There are so many individuals and organizations. It is not possible for me to know and name each and every one. Their collective efforts prove how much can be done, when people work together towards a common goal.

First we thank the American people, who gave without hesitation to fellow citizens in need. When all is said and done, American taxpayers will have contributed an estimated 100 million dollars in federal disaster aid to feed those who had no food, shelter those who lost their homes, repair residences and replace lost property, reopen shops and return the economy to life, revive the power and water systems. In doing all this, they gave us the hope that we needed to work our way to recovery.

We thank President Barack Obama and Governor Eloy Inos for their leadership in ensuring the prompt availability of resources to address the state of disaster in the Northern Marianas.

We thank the Federal Emergency Management Agency team, led by Federal Coordinating Officer Stephen De Blasio. FEMA's collaborative spirit set the tone for the response, working with other federal agencies and responders to aid the thousands of typhoon survivors.

We thank our U.S. service members, who mobilized quickly to produce and distribute drinking water, clear debris, clean up fuel spills, and transport critical supplies and equipment.

We thank our Commonwealth emergency management crews, utility workers, police officers and firefighters, healthcare professionals, educators, and other local government employees, who answered the call to serve even as their own families were picking up the pieces of their shattered homes and lives.

We thank our local businesses, shuttered by the storm, who nevertheless rallied together to raise funds for the recovery effort.

We thank the legions of volunteers—of all ages, all religions and races, many survivors themselves—who came forward to share food, water, clothing, shelter, and comfort with their fellow human beings.

And we thank our friends from throughout the Pacific region, and indeed throughout the world, for sending supplies, expertise, and equipment by air and by sea to help us back on our feet.

Today, the marks of Typhoon Soudelor are still to be seen in homes and businesses yet to be repaired, debris yet to be removed. But beneath these physical scars, a new strength is arising.

A new community-based working group known as CARE—the Commonwealth Advocates for Recovery Efforts—has emerged. The people in CARE—from all walks of life, private and public sector, formal and informal organizations—are committed to rebuilding our island home so that it is stronger and better than before.

With this newborn spirit of hope, cooperation and interdependence I am confident that we will succeed.

RECOGNIZING THE 60TH YEAR OF DESEGREGATION OF THE CITY OF MEMPHIS FIRE DEPARTMENT

HON. STEVE COHEN

OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. COHEN. Mr. Speaker, I rise today to recognize the 60th year of desegregation of the City of Memphis Fire Department. On July 11, 1955, twelve African American men were recruited to join the Memphis Fire Department and were assigned to Fire Station No. 8 located at E.H. Crump and Mississippi Boulevards. They were: Robert Crawford; Carl Stotts; Floyd Newsum; Norvell Wallace; George Dumas; John Copper; William Carter; Leon Parsons; Richard Burns; Lawrence Yates; Leroy Johnson; and Murray Pugues. Like many African Americans who worked to break the barriers erected by Jim Crow era laws, there were many challenges to being the first to integrate the fire department, but their love for the city of Memphis and desire to keep citizens safe from harm helped them to overcome the challenges with the highest levels of determination and professionalism.

For many years following integration, racial differences dictated how African American firefighters responded to fires. In his book ''Black Fire: Portrait of a Black Memphis Firefighter,'' Robert Crawford recalled how the twelve men were required to wait outside homes belonging to white residents until after the Captain inspected the home to ensure any woman present was appropriately dressed. When responding to fires at residences belonging to African Americans, the twelve were allowed to enter and investigate alongside their white colleagues. Crawford also recounted the challenges he and others faced when working with firefighters from other firehouses around the city, obtaining information on fighting fires and in being considered for promotions.

Fire Station No. 8 became well-known for its crews' perseverance, work ethic and bravery in the line of duty. Over time, other fire companies became open to working with the men, which led to the full integration of the Memphis Fire Department. This was, however, not without resistance from some within the department who were opposed to such change, even into the 1980s when some of the twelve men had been promoted to high ranks. By the time of their retirements, they had achieved the ranks of: Robert Crawford—Deputy Director of the Memphis Fire Department; Carl Stotts—Deputy Chief; Floyd Newsum—Division Chief; Norvell Wallace—Assistant Fire Marshal; George Dumas—Battalion Commander; John Copper—Captain; William Carter—Fire Inspector; Leon Parsons—Lieutenant; Richard Burns—Private; and Lawrence Yates—Private. Sixty years later, the Memphis Fire Department remains integrated and three African Americans have held the highest position of Director, including Alvin Benson who now serves as the Chief of the Shelby County Fire Department.

Mr. Speaker, these twelve men are a part of Memphis history. They are honored with an exhibit at the Fire Museum of Memphis and they have a place in the hearts of the citizens of Memphis. Now, they will be honored and remembered in the United States CONGRESSIONAL RECORD. I ask all of my colleagues to join me in recognizing the 60th year of desegregation of the Memphis Fire Department.

HONORING THE FIFTH ANNIVERSARY OF THE DEATH OF U.S. BORDER PATROL AGENT BRIAN TERRY

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. ISSA. Mr. Speaker, I rise today to honor Brian Terry and his service to this great country as a U.S. Border Patrol agent.

In 2009, the Bureau of Alcohol, Tobacco, Firearms, and Explosives began a program known as ''Operation Fast and Furious.'' The program was a maligned attempt to track 2,000 weapons destined for drug cartels.

Five years ago, Border Patrol agents were assaulted by a band of robbers 17 miles inside the U.S. border in Arizona, resulting in the death of Brian Terry on December 15, 2010. Two of the guns found at the scene were linked to Operation Fast and Furious. Together with Senator CHUCK GRASSLEY and the Senate Judiciary Committee, the House Committee on Oversight and Government Reform attempted to get answers for the Terry family, but this effort has been stonewalled and obstructed by those responsible for the ill-conceived Operation.

Before serving three and a half years with the U.S. Border Patrol, Agent Terry served in the United States Marine Corps and worked as a police officer in Ecorse and Lincoln Park, Michigan, not far from his hometown of Flat Rock. He was only 40 years old when his life was cut tragically short. Agent Terry is survived by his mother, father, stepmother, stepfather, brother and two sisters.

Some of those involved in Agent Terry's shooting were recently convicted for their terrible crime. However, the Obama Administration continues to actively resist turning over information related to the Congressional investigation into Operation Fast and Furious. We must never give up our fight to ensure the Terry family gets nothing less than full accountability from their government. I have pledged to them before, and do so again today, that I will continue to pursue the truth.

TRIBUTE TO RYAN SCHWEIZER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Ryan Schweizer from Dowling Catholic High School for winning the Class 4A Boys Cross Country individual title. Ryan is the son of Mike and Kathy Schweizer.

Ryan has spent his high school career working towards a single goal: winning a coveted state championship. After 4 long years of hard work, Ryan was able to achieve that goal when he crossed the finish line at the 2015 Class 4A Boys Cross Country State Championship. He finished 4 seconds ahead of any other runner.

Mr. Speaker, the example set by Ryan demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent him and his family in the United States Congress. I ask that all of my colleagues in the United States House of Representatives join me in congratulating Ryan on competing in this rigorous competition and wishing him nothing but continued success in his education and athletic pursuits.

IN RECOGNITION OF MAYOR GERALD W. GROSS OF WEST EASTON, PENNSYLVANIA

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. CARTWRIGHT. Mr. Speaker, I rise to honor the Mayor of the Borough of West Easton, PA, the Honorable Gerald W. Gross, for his 50 years of service as an elected official. His accomplishments were recognized by the West Easton Borough Council on the evening of Monday, December 14.

Mayor Gross first held an official role in West Easton as a member of the Borough Council. It was a position he held for twenty years. In 1986, he was sworn in as the Mayor of West Easton. He has been the mayor for thirty years.

Known to be a patient and giving man, Mayor Gross would take calls from home to hear complaints and questions from Borough residents. He owns a landscaping business and often donates free materials and services to the Borough to maintain parks and recreational areas.

As a dedicated leader, Mayor Gross closely oversaw several large community projects, such as the installment of public sewer lines and the planning and construction of the West Easton municipal building. He also led planning and preparations for the Borough's centennial celebration in 1998, which was ended with a fireworks display.

Mayor Gross has been ardent in his efforts to boost economic development in the Borough. A notable accomplishment was his role in the establishment of a new Northampton County leased DUI Treatment Center in 2012, which generates $50,000 in impact fees for the Borough's general fund. Additionally, he has worked to make the community and its parks safe and clean in order to promote West Easton as a great place for families.

Mayor Gross is also known to be someone who can bring people together. He believes much can be done when people are willing to compromise, and he stresses the importance of listening to each other and staying focused on the greater good of the community. His good works have served as a role model for his daughter, Kelly Gross, who was first elected to West Easton Borough Council in 1993 and currently serves as Council President.

It is an honor for me to recognize Mayor Gerald Gross for his generous nature and his lifetime of service. With a will to do for others, he has improved his community and inspired the next generation of leaders.

CHINA DISCRIMINATES AGAINST CANADIAN FALUN GONG CONTESTANT

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. POE of Texas. Mr. Speaker, I come here today with yet another example of China's egregious disregard for the most basic of human rights—the right to live freely.

After the Falun Gong's rise in popularity in the 1990s, the Chinese Government perceived this peaceful group as a threat. Over the years, Falun Gong followers in China have been imprisoned, tortured, and killed. In fact, there are more Falun Gong practitioners in prison in China than any other persecuted group.

Last month China hit a new low in its attempt to silence the Falun Gong community. Anastasia Lin is a Falun Gong practitioner who also happens to be Miss World Canada. The Miss World competition is held this year in China but Miss Canada can't go. Why? Because China refused to give her a visa. She was given no explanation why. However, the motive is clear. Beijing does not like how outspoken Ms. Lin has been about China's human rights abuses and religious oppression.

Anastasia Lin moved from China to Canada when she was 13 years old. Yet she has not stopped fighting for the rights of her fellow members of the Falun Gong community. During a congressional hearing in July, Ms. Lin told Members that tens of thousands of Falun Gong practitioners have been killed so their organs could be harvested and sold for transplants. Clearly, Beijing's only concern is remaining in power, not the welfare of the Chinese people.

Last week, on the 65th annual International Human Rights Day, I gave another speech demanding Beijing put a stop to this atrocious practice of harvesting organs from prisoners of conscience. It is high time China ends its illegal subjugation of Falun Gong practitioners. Justice must be served.

Unfortunately, Anastasia Lin is an innocent victim of the Chinese Government's attempts to persecute the Falun Gong. It just goes to show how obsessed the Chinese Government is about persecuting the Falun Gong. Beijing is now censoring beauty pageants. But the courageous men and women of the Falun Gong community will not be silenced by Beijing's abuse—beauty pageant or no beauty pageant.

And that's just the way it is.

TRIBUTE TO RUTH LAMPE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Ms. Ruth Lampe, who at the age of 102 has received her honorary high school diploma from Winterset High School.

Back in Ruth's younger years it wasn't uncommon for students to drop out of school and go work to help support their family. She did so after her freshman year at Winterset High School. Ruth would have graduated with the class of 1931. Today, Ruth volunteers her time two days a week at the senior center in Winterset where she helps serve meals to those who need it the most. A friend of Ruth's, and another regular at the senior center, worked with the school district for months to attain her honorary diploma.

Mr. Speaker, applaud and congratulate Ruth for receiving her high school diploma after so many years and thank her for staying active in her community. I am proud to represent her in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Ruth and wishing her nothing but the best.

PERSONAL EXPLANATION

HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. PERRY. Mr. Speaker, on December 2, 2015, I inadvertently voted ''aye'' on Roll Call 657. I intended to vote ''nay''. This amendment was offered by Mr. TONKO of New York.

RECOGNIZING TIM GORDON

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. BUCK. Mr. Speaker, I rise today to recognize Mr. Tim Gordon for his service to our country in the United States Army. I believe that America's brave men and women in uniform are the nation's greatest assets. They have made incredible sacrifices for our country and deserve our utmost support and aid for their service.

Mr. Gordon was in the Army from June 1966 through April 1972. During this time, he fought in Vietnam from February 1969 through February 1970, no soldiers were lost under his command. Ultimately, he was honorably discharged with the rank of Captain.

Our nation owes no greater debt of gratitude than the one we owe our veterans. They and their families should be commended. On behalf of the 4th Congressional District of Colorado, I extend my best wishes to Mr. Tim Gordon.

Mr. Speaker, it is an honor to recognize Mr. Tim Gordon for his accomplishments.

TRIBUTE TO MAJOR MICHAEL POCHE

HON. STEVE CHABOT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. CHABOT. Mr. Speaker, I rise to pay tribute to Major Michael Poche of the United States Army for his extraordinary dedication to duty and service to our Nation. Major Poche and his wife Stephanie will be moving on from his present assignment as an Army Congressional Liaison for the Office of the Secretary of Defense to serve as an officer in the Louisiana National Guard.

Army Congressional Liaison officers provide an invaluable service to both the military and Congress. They assist Members and staff in understanding the Army's policies, actions, operations, and requirements. Their first-hand knowledge of military needs, culture, and tradition is a tremendous benefit to Congressional offices. Prior to serving as a Congressional Liaison, Mike served as a Military Congressional Fellow. During that year he also earned a Masters in Legislative Affairs from the George Washington University.

A native of Monroe, Louisiana, Mike first joined the Louisiana National Guard in 1996 and subsequently earned his commission through the University of Louisiana at Monroe ROTC in 2004. During his 19-year Army career, Mike has served in numerous tactical leadership and staff assignments as an Armor and Cavalry Officer. As a platoon leader and troop commander, Mike commanded troops in Iraq over three separate combat tours totaling 35 months.

His great work has not gone unnoticed. During Major Poche's distinguished service to this nation, he has earned awards and decorations including: three Bronze Star Medals, the Meritorious Service Medal, the Army Commendation Medal, and four Army Achievement Medals.

Mr. Speaker, it is my honor to recognize the selfless service of Major Poche, his wife Stephanie, and their three children: Kaley, Mari Katherine, and Evan. I wish them the best as they continue to serve our great nation and proceed to the next chapter in their remarkable careers.

IN HONOR OF DAVIDSON COUNTY MANAGER ROBERT HYATT'S SERVICE TO THE STATE OF NORTH CAROLINA

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. HUDSON. Mr. Speaker, I rise today to honor the retirement of Mr. Robert Hyatt, Davidson County Manager. Mr. Hyatt has been a tireless advocate for the people of Davidson County, and has fully earned the admiration and gratitude of his fellow North Carolinians.

Mr. Hyatt served as Davidson County Manager for over 16 years after being appointed to the position on May 24, 1999. Prior to his appointment as Davidson County Manager, Mr. Hyatt served as Assistant County Manager of Brunswick County, North Carolina, from 1995 to 1999; Town Manager for the Town of Clayton, North Carolina, from 1988 to 1995; and Town Manager for the Town of Wallace, North Carolina, from 1983 to 1988. This is an impressive record of service for any public servant, and is certainly worthy of the recognition and praise Mr. Hyatt has received during the later years of his service as Davidson County Manager.

Recently, Mr. Hyatt was presented the Order of the Long Leaf Pine, the highest award the Governor of North Carolina can bestow, on December 8, 2015. The Order was created in 1963, and has been presented to honor persons who have a proven record of service to the State of North Carolina. In addition to this prestigious honor, Mr. Hyatt received the ''Service to Agriculture and Extension Award'' from the Davidson County Cooperative Extension for his efforts in support of the local agricultural industry and for his representation in 2015 on the North Carolina State University Visioning Team. Mr. Hyatt was also recognized for his thirty years of service from the International City/County Management Association on September 25, 2013.

In addition to his service as Davidson County Manager, Mr. Hyatt has been an exemplary civil servant through his contributions to a number of other organizations. He has served on the North Carolina City/County Managers Association's Membership Support and Program Committees, and served a three-year term as a member of the executive board for the Boy Scouts for the Uwharrie District of North Carolina.

Mr. Speaker, please join me today in thanking Davidson County Manager Robert Hyatt for his esteemed service to the state of North Carolina and wishing Robert, his wife Teresa, and their two sons, Will and Thom, well as they enter an exciting new chapter of their lives.

TRIBUTE TO RODNEY AND KAREN WAHLE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Rodney and Karen Wahle of Carson, Iowa, on the very special occasion of their 50th wedding anniversary. They were married on November 6, 1965, at the Malvern Methodist Church in Malvern, Iowa.

Rodney and Karen's lifelong commitment to each other, their children, James and Jennifer, and their grandchildren, truly embodies our Iowa values. It is families like the Wahles that make me proud to call myself an Iowan and represent the people of our great state.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF THE HENRY FORD HEALTH SYSTEM

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Henry Ford Health System on their 100th anniversary. Originating from Detroit General Hospital, namesake Henry Ford became the sole investor in 1914 and coupled his entrepreneurial spirit with medical innovation.

Admitting its first patient in 1915, Henry Ford Hospital was so successful in meeting the needs of a city in the midst of a population boom that by 1917 it had already expanded to its current size. In its early days, the hospital revolutionized wait times, reducing them to 30 minutes for a patient to be seen, and opened the nation's first ward for treating chemical dependency. It developed new techniques in the fields of surgery and physical therapy. The excellent quality of care at Henry Ford Hospital would even later inspire works of art from visionaries like Diego Rivera. Beyond the positive impact Henry Ford Hospital has had on Michigan, it has also rendered invaluable service to our country by serving as an army hospital during World War II and caring for our soldiers upon their return.

Henry Ford Health System and its partners have pioneered a broad range of medical knowledge, from bone research to kidney transplants to treatment of high blood pressure to robotic surgery. While innovation may be the driving force behind the success of the Henry Ford Health System, they have never lost focus of the top priority: people. In 2008, they launched the No Harm campaign which, over the course of the next three years, reduced surgical complications, decreased length of stay, and trimmed medical costs by 10 million dollars. Their good stewardship is felt by over 89,000 patients a year in the five-county area, a number that is very impressive for a hospital system that started with 48 beds. Henry Ford Health System's commitment to and investment in the Detroit metropolitan communities are immeasurable. In 2011, Henry Ford Health System was one of only 4 recipients to receive a Malcolm Baldrige National Quality Award, America's highest honor for innovation and performance excellence.

Mr. Speaker, I ask my colleagues to join me today in honoring the 23,000 employees of Henry Ford Health System and congratulating them on their 100th anniversary and wish them many more years of success.

REGARDING THE NATIONAL GUARD AND RESERVISTS DEBT RELIEF EXTENSION ACT OF 2015

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. COHEN. Mr. Speaker, I rise today in support of the National Guard and Reservists Debt Relief Extension Act of 2015, which I introduced earlier today with my colleagues JERROLD NADLER and DANA ROHRABACHER.

This bipartisan legislation ensures that certain members of the National Guard and Reserves who fall on hard economic times after their service will continue to obtain bankruptcy relief without having to fill out the substantial paperwork required by the so-called ''means test'' under chapter 7 of the Bankruptcy Code.

This bill simply extends the existing ''means test'' exception, which will expire at the end of the year if Congress fails to act.

Under the means test, a Chapter 7 bankruptcy case is presumed to be an abuse of the bankruptcy process if it appears that the debtor has income in excess of certain thresholds. The National Guard and Reservists Debt Relief Act of 2008 created an exception to the means test's presumption of abuse for members of the National Guard and Reserves who, after September 11, 2001, served on active duty or in a homeland defense activity for at least 90 days. The exception remains available for 540 days after the servicemember leaves the military.

The National Guard and Reservist Debt Relief Extension Act of 2015 would simply extend the exception until December 2019.

This bill is a meaningful way for our Nation to recognize the tremendous sacrifice made by National Guard and Reserve members who have served on active duty or homeland defense since September 11, 2001 and may be suffering financial hardship.

I urge my colleagues to support this bill.

ACKNOWLEDGING TED BEATTIE

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to acknowledge a dear friend and an exceptional leader, Mr. Ted Beattie, as he retires as President and CEO of Chicago's Shedd Aquarium. Ted has very many notable achievements during his tenure at Shedd, from the $45 million Wild Reef exhibit that features one of the largest and most diverse shark exhibits in North America; the renovation of the aquarium's popular Abbott Oceanarium marine mammal pavilion; and housing of eight amazing beluga whales.

I have had been pleased that Ted opened the doors of Shedd to several of Chicago's school groups to learn more about marine based sciences and get an in depth look into the vast exhibits to encourage our children to engage in science and biology based careers.

Further, I have been told that Ted is an amazing golfer and as a high school golfer, played with Renee Powell against Legendary Boxer Joe Louis and Althea Gibson. While Ted has called Chicago home for many years, he is undoubtedly an extremely passionate and dedicated Ohio State graduate and fan (a rival of our Flagship University of Illinois).

Ted is an active member of the American Zoo and Aquarium Association (AZA), and serves on several boards including the American Association of Museums, the Arts Club board of directors and is a member of the Chicago Club, the Commercial Club of Chicago, Economic Club of Chicago, the Onwentsia Country Club and the Plantation Club in Ponte Vedra Beach, FL.

I am hopeful that Ted continues his services to the greater arts community and his Alma Mata, the Ohio State University. I am certain that he will continue to enjoy the game of golf that he loves and will inspire those involved in marine sciences for many years to come. Transition to retirement can be fun, enjoyable and relaxing, so to Ted . . .

May the road rise up to meet you.

May the wind be always at your back.

May the sun shine warm upon your face;

the rains fall soft upon your fields and until we meet again,

may God hold you in the palm of His hand.

TRIBUTE TO CURTIS AND BRENDA MEIER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise to honor and congratulate Curtis and Brenda Meier of Clarinda, Iowa, for receiving the Gary Wergin Good Farm Neighbor Award. The Wergin Good Farm Neighbor award is named for Gary Wergin, a long-time WHO Radio farm broadcaster who helped establish the award.

The Wergin Good Farm Neighbor Award is made possible by the financial support of the Coalition to Support Iowa's Farmers. The award recognizes farmers who contribute their time and talents to their community, including caring for the environment and being good neighbors.

Curtis and Brenda are active in their community and their church. Curtis is a commissioner with the Page County Soil and Water Conservation District and serves on the County Fair Board. The Meiers run their local diversified farm with a number of their family members, including their son, daughter, and their families.

Mr. Speaker, I applaud and congratulate Curtis and Brenda for earning this award. They are shining examples of how hard work and dedication can be a benefit to a whole community I ask that my colleagues in the United States House of Representatives join me in congratulating Curtis and Brenda for their accomplishments and in wishing them nothing but continued success.

RESTORATION TUESDAY

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to acknowledge Restoration Tuesday, and the need to restore federal voter protections for vulnerable communities. Every Tuesday that Congress is in session shall be known as Restoration Tuesday, and I invite

each of you to share constituent testimonials about modern-day barriers to voting.

I am a proud daughter of Selma, Alabama where 50 years ago the brave Foot Soldiers of the Voting Rights Movement dared to challenge an unjust system that prohibited people of color from voting in the South.

Unfortunately, Alabama has not yet fully learned the lessons of its painful past. We have witnessed a renewed assault on our sacred right to vote in the wake of Shelby County versus Holder. In the aftermath of the Supreme Court's decision, Alabama implemented one of the most restrictive photo ID laws in the nation. Under this pernicious voter ID law, only a handful of photo IDs can be used at polling places.

When the State of Alabama started requiring a photo ID to vote, officials claimed it would reduce voter fraud. The reality is that voter fraud is rare—but the end results are that more than 250,000 Alabamians without a photo ID have been disenfranchised. Many of the disenfranchised are African-Americans, low-income individuals, senior citizens, and the disabled.

This past October, Alabama lawmakers decided to make this bad law even worse by reducing services at 34 DMVs across the state. Driver's licenses are the most popular form of ID used at the polls—and 8 out of the 10 counties in Alabama that are impacted have the highest percentage of black registered voters in the state. How is this not discriminatory?

I fully support the federal lawsuit filed by the Greater Birmingham Ministries and the Alabama NAACP, challenging the photo ID law in our state. I have repeatedly argued that Alabama's photo ID law is a renewed assault on voting rights.

I also applaud the U.S. Department of Transportation's decision to investigate the reduction of services at the 34 DMVs in question for a possible violation of Title VI of the 1964 Civil Rights Act. Alabama cannot balance its budget on the backs of those who can least afford it, nor infringe upon the civil rights of minorities by limiting access to the most popular form of identification used to vote.

Voting is at the heart of our democracy. It's our most fundamental right—and duty—as Americans. I am a proud Alabamian, so it disappointments me that for every two steps Alabama takes forward, we take one step back.

Voting should be made easier—not harder—so that no voices are excluded and that every citizen can cast their vote without any unnecessary or unwarranted barriers.

Alabama recently reached a settlement with the Department of Justice to settle claims that the state did not fully comply with the National Voter Registration Act of 1993. An investigation by the Department of Justice found that Alabama had largely failed to provide opportunities for Alabamians to register to vote when they applied for or renewed a driver's license.

Mr. Speaker, we have witnessed a number of attempts—not just in Alabama—but across the country to restrict the vote. I stand before you today to urge Congress to restore the vote. Representatives LINDA SÁNCHEZ, JUDY CHU and I introduced the Voting Rights Advancement Act in June to stop the renewed assault on voting rights, and to restore preclearance for states like Alabama where new barriers to voting threaten to silence the most vulnerable voices in our electorate.

We cannot take for granted the battles endured by those who came before us, nor can we neglect our own responsibilities to ensure liberty and justice. The struggle continues, and each of us must do our part to further the cause of human and civil rights for all Americans.

We must restore the voices of the excluded—Congress must act today to restore the vote.

IMPACT OF THE ARTS ON STUDENTS AT SAVOY ELEMENTARY

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Ms. NORTON. Mr. Speaker, I rise to call attention to the remarkable impact of art on the educational performance of the students at Savoy Elementary, a public school in my district.

Savoy Elementary Anacostia, located here in the nation's capital, is one of eight pilot schools of Turnaround Arts, a signature program of the President's Committee on the Arts and the Humanities. Turnaround Arts has had clear, life-changing impacts on the students of Savoy—attendance is up, discipline referrals are down, and the school has made double-digit gains in math and reading scores.

The Savoy Players are a performing group at Savoy Elementary. Led by Carol Foster, a legendary arts leader in the national capital region, this group has been hugely successful. To be part of this group, students must exhibit maturity, grit, excellent attendance, and good grades. The professionalism, spirit, and magnetism of this group has catapulted them into the limelight.

In addition to countless performances for their school community, they have had four performances at the White House, performed with Brian McKnight at the Warner Theater, and brought down the house at the Kennedy Center. But, most importantly, singing, dancing and performing has brought them the joy, meaning, and purpose that every child should experience.

Mr. Speaker, in this holiday season, I ask my colleagues to join me in celebrating the clear benefit exposure to the arts has made for the children of Savoy Elementary, and hope that the new education legislation will bring similar opportunities to kids across the country.

INTRODUCTION OF THE AVONTE'S LAW ACT OF 2015

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. HASTINGS. Mr. Speaker, I rise today to introduce a bill, the Avonte's Law Act of 2015, which was inspired by the tragic circumstances surrounding the death of Avonte Oquendo of Queens, New York. Avonte was an autistic child who wandered away from his school. His lifeless body was not found for more than a month. ''Wandering'' is very common in children with autism and other disabilities, and sometimes children who wander are non-verbal or cannot communicate well with others, leading to dangerous interactions with strangers or even law enforcement.

This bill authorizes a new grant program within the United States Department of Justice to provide local law enforcement agencies with the resources to procure response tools and increase education and training for first responders, schools, and families with the goal of preventing situations like Avonte's from happening again.

The bill also requires the Attorney General to establish standards and best practices for the administration of any type of voluntary ''tracking'' system used by law enforcement agencies that are awarded these funds. Tracking devices are one of the many ways we can help prevent another tragic situation like Avonte's.

Mr. Speaker, by taking a holistic approach to this issue, we can help children with autism spectrum disorder (ASD) live safe and happy lives all around the country.

TRIBUTE TO THE NODAWAY VALLEY BOYS CROSS COUNTRY TEAM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Nodaway Valley High School Boys Cross Country team for winning the Iowa Class 1A State Cross Country Championship.

I would like to congratulate each member of the team:

Runners: Nathan Venteicher, Shane Breheny, Heath Downing, Brayten Funke, Dallas Kraeger, Skyler Rawlings, and Brycen Wallace;

Head Coach: Darrell Burmeister; and Assistant Coaches: Dave Swanson, Phyllis Eshelman, and Alyse Dreher.

Mr. Speaker, the success of this team and their coaches demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent them in the United States Congress. I ask that all of my colleagues in the United States House of Representatives join me in congratulating the team for competing in this rigorous competition and wishing them all nothing but continued success.

LEGISLATION ALLOWING COMBAT VETERANS AN EXTENDED TIME TO FILE FOR REFUND

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. BLUMENAUER. Mr. Speaker, today I am introducing legislation that will allow members of our military services to file their taxes long after they were due in order to provide an adequate window to claim refunds or credits that may have been owed.

It has come to my attention that some members of our armed forces, in their haste to rejoin civilian life, can occasionally let fall by the wayside tax returns—particularly those that may actually have a refund. While tax liability can follow a taxpayer forever—plus interest and penalties—taxpayers only have a couple years in which to claim a credit or a refund.

This legislation widens the opportunity for a veteran to look back, realize a missed opportunity, and remedy the situation. I look forward to working with my colleagues to advance this solution.

TRIBUTE TO TIM SESSOMS

HON. MARK WALKER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. WALKER. Mr. Speaker, the Honorable Tim Sessoms has served his community for more than thirty years.

His life is an example of a rare instinctive trait that actually puts others first. I have personally witnessed the vast amount of people who regularly reach out to Mr. Sessoms for guidance or help.

From the senior adult in the elderly care center to the child in need, Tim Sessoms finds a way to solve the problem or meet the need.

His work as Mayor of Summerfield was another way that Mr. Sessoms chose to give back to his town. His vision and his ability to execute has moved Summerfield to a better place for years to come.

Our community owes the Honorable Sessoms a debt of gratitude. His friends and neighbors know that he walks the walk with integrity and grace. We all owe him a ''thank you'' for a lifetime of putting his fellow man first.

AIKEN NAMED MAIN STREET COMMUNITY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. WILSON of South Carolina. Mr. Speaker, last week, Aiken was named a Main Street Community—one of only two communities to receive this honor from Main Street South Carolina. The Main Street Community designation provides Aiken with a comprehensive training and assistance to revitalize their downtown through a three year boot-camp program. Aiken joins Orangeburg as the second community in South Carolina's Second Congressional District to receive the Main Street Community designation.

After a competitive application process, the city of Aiken was recognized for their work in promoting historic and economic development downtown. In the next few years, they will work with Main Street South Carolina to identify the goals of its community and to provide residents, business owners, and local leaders with key resources to enhance the local economic development.

I am grateful to Mayor Rick Osbon, former Mayor Fred Cavanaugh, City Manager John Klimm, and the entire Aiken City Council for receiving this great honor. I look forward to seeing the positive impact this will bring to Aiken.

In conclusion, God Bless Our Troops and may the President by his actions never forget September 11th in the Global War on Terrorism.

HONORING REVEREND SAMUEL LITTLEJOHN

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. VEASEY. Mr. Speaker, I rise today to honor Reverend Samuel Littlejohn's 50th anniversary as a spiritual leader and Pastor of Shining Light Missionary Baptist Church in Fort Worth, Texas.

Reverend Littlejohn was born in Tyler, Texas, to a Baptist minister and a family dedicated to the church. As a young child, his mother, father, and grandfather all instilled an abiding love for and sustaining commitment to his religion. He was baptized at the age of seven at the Greater Hopwell Missionary Baptist Church in Tyler, where he remained a member until he moved to Fort Worth to pursue seminary studies.

In 1951, Reverend Littlejohn moved to Fort Worth and joined Pilgrim Valley Missionary Baptist Church. He served as the Superintendent of the Sunday school, participated in the Senior Choir, and acted as the President of the #2 Usher Department.

Reverend Littlejohn continued his seminary education by earning a missionary degree from Southwest Theological Seminary and Bishop College. In November 1960, Reverend Littlejohn was ordained and gave his first sermon in front of Pilgrim Valley church.

He served the Pilgrim Valley community until 1965, when he was called to pastor Shining Light Missionary Baptist Church, where he has served for the last 50 years.

Along with his work in his church communities, Reverend Littlejohn has continued to be an active and vocal participant in the community. Pastor Littlejohn has worked with the Community Action Agency (CAA), was an organizing member of the first Ministers and Police Taskforce and served as a member of Parent, Preacher, and Principal organization which worked with Fort Worth Independent School District to encourage children to stay in school.

Most notably, Pastor Littlejohn was the driving force behind the Stop Six Community Health Center. Reverend Littlejohn was a founding member of the Stop Six Community Corporation and much of the success of the organization can be attributed to the Reverend. His work greatly impacted the DFW community and is now used as a model in other cities.

Earlier this year, the Black Pastors, Clergy and Ministerial Group Association of Texas, Inc. presented Pastor Littlejohn with the ''Living Legend Award'' and recognized him as one of the honorable senior pastors in Fort Worth.

TRIBUTE TO LEONARD AND MARYANN BRYAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Leonard and Maryann Bryan of Council Bluffs, Iowa, on the very special occasion of their 50th wedding anniversary. They were married in 1965.

Leonard and Maryann's lifelong commitment to each other and their children, Steven, Traci, and Cari, their grandchildren, and great-grandchildren, truly embodies our Iowa values. It is families like the Bryans that make me proud to call myself an Iowan and represent the people of our great state.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

HONORING THE GRAND OPENING OF SOUTHLAKE'S SENIOR ACTIVITY CENTER

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. MARCHANT. Mr. Speaker, I rise today to recognize and congratulate the City of Southlake's grand opening of the Southlake Senior Activity Center.

The history of the Southlake senior center began in 1998, when Mayor Gail Eubanks, Southlake's first mayor, donated the original facility to the city to serve as the activity and social center for the growing senior community in Southlake. Since the opening of the original senior center, the population of Southlake has nearly doubled in size. To accommodate the needs of this growing community, plans were developed and approved for the construction of a new community recreation center. On September 27, 2014, the City of Southlake broke ground for the construction of the new, state of the art, recreation and senior center known as The Marq.

The Marq contains over 20,000 square feet of multipurpose space which includes a senior lounge, senior wellness room, game room, banquet hall, and amphitheater. In it, the new Southlake Senior Activity Center will serve the community by providing programs and services to Southlake area seniors, enhancing their lives and fostering a sense of community among the city's residents.

I am extremely appreciative of the City of Southlake and the Southlake Senior Activity Center for continuing to address the needs of the community by enhancing the quality of their infrastructure and the lives of its seniors. Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in congratulating the City of Southlake and the Southlake Senior Activity Center on the grand opening of their new facility.

ACKNOWLEDGING THE ASSOCIATION FOR TALENT DEVELOPMENT

HON. DONALD S. BEYER, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. BEYER. Mr. Speaker, I rise today to acknowledge the Association for Talent Development (ATD) as the largest association dedicated to the training and talent development profession, recognizing them for their annual Employee Learning Week, held December 7th through the 11th, 2015.

ATD's members come from more than 120 countries and work in public and private organizations in every industry sector. ATD supports talent development professionals who gather locally in volunteer-led U.S. chapters and international member networks, and with international strategic partners.

Established in 1943, ATD is a leader in the talent development field. As businesses seek competitive advantages and growth, talent development professionals make sure an organization's best asset, its employees, have the skills they need to help achieve business growth. ATD serves this important community of professionals with research and resources.

To further these goals, ATD has declared December 7th through December 11th, 2015, as ''Employee Learning Week'' and designated time for organizations to recognize the strategic value of employee learning. I applaud ATD and its members for their dedication to developing knowledgeable and skilled employees during Employee Learning Week.

I urge my colleagues to join me in supporting policies that commit to maintaining a highly skilled workforce.

HONORING PATRICK McCORMICK OF PENNSYLVANIA

HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. PERRY. Mr. Speaker, today I'd like to honor Patrick McCormick on his retirement after more than 38 years of service to the United States of America.

Whether through his service through the U.S. Air Force, New Cumberland Army Depot, or his leadership roles as Director of Defense Logistics Agency (DLA) Distribution's Current Operations and Logistics Operations, his tireless dedication, professionalism and sacrifice touched the lives of countless people and challenged all with whom he worked with to be the best.

Through numerous promotions and awards Patrick has left an enduring legacy of service. In particular, by earning the Department of Defense (DOD) Distinguished Civilian Service award, the highest award available for career DOD civilian employees, he demonstrated an exceptional devotion to duty. Through hard work and leadership Patrick's record of service to our Nation's warfighters and citizens is truly outstanding.

It is with great pride along with Pennsylvania's Fourth Congressional district that I congratulate Patrick McCormick on his retirement after more than 38 years of service to the United States of America.

RECOGNIZING THE 50TH ANNIVERSARY OF CALIFORNIA CITY

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. MCCARTHY. Mr. Speaker, I rise today in recognition of the 50th anniversary of the incorporation of California City, a residential nexus for mining, aerospace and desert tourism in Eastern Kern County.

California City began with a dream worthy of its namesake: the foundation of a suburban metropolis to rival Los Angeles. Sociologist and developer Nat Mendelsohn found in the wide spaces of Kern's High Desert the chance to build a completely planned community from scratch, free of parochial interests. He bought 80,000 acres of desert in 1958, carved out a gigantic Central Park featuring a 20 acre lake, and by 1965 had arranged for the incorporation of a massive, 203 square mile township. Overnight, California City became the third largest city in the state.

For generations before Nat Mendelsohn ever gazed upon the High Desert, mule teams carted the bounty of stranded mines to the railheads at Mojave. This traffic expanded in the 20th century, as neighboring Boron grew to produce half the world's supply of borax. Meanwhile, huddled around ancient dry lakes just a dozen miles from town, America's premier jet aircraft test center—Edwards Air Force Base—began to expand into a permanent institution, with hundreds of employees needing homes and services. Even tourism brought jobs to California City, as the surging popularity of dirt bikes and off-roading drew thrill-seekers through town on their way to the wonders of the interior: Jawbone, Death Valley, Red Rock Canyon, and the Trona Pinnacles. California City grew by leaps and bounds, fed by the steady currents of desert commerce.

Today, as the city celebrates its Jubilee, we have a chance to draw lessons from its history. California City would never have existed without the vision and drive of one entrepreneur, willing to bet everything on a dream. In Kern County—as in America—we are dependent both on the enterprising spirit of our people, and on the power of our communities to persevere when they are united. I am proud today to congratulate the people of California City on this 50th anniversary, and look forward to California City's next 50 years.

TRIBUTE TO GEORGE AND CATHERINE ROSS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate George and Catherine Ross of Essex, Iowa, on the very special occasion of their 65th wedding anniversary. They were married in 1950.

George and Catherine's lifelong commitment to each other and their family truly embodies our Iowa values. It is families like the Ross family that make me proud to call myself an Iowan and represent the people of our great state.

Mr. Speaker, I commend this great couple on their 65th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

PERSONAL EXPLANATION

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. GUINTA. Mr. Speaker, on Roll Call Vote Number 692, I am not recorded because I was absent from the U.S. House of Representatives. Had I been present, I would have voted in the following manner.

On Roll Call Number 692, had I been present, I would have voted NO.

IN RECOGNITION OF LARRY HOLMES ON THE OCCASION OF THE UNVEILING OF THE LARRY HOLMES STATUE IN EASTON, PENNSYLVANIA

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. CARTWRIGHT. Mr. Speaker, I rise to honor Larry Holmes, who reigned as World Boxing Council Heavyweight Champion from 1978 to 1983, and who will be honored with the installment of a bronze statue depicting the Champ about to strike a punch. His accomplishments not only made the City of Easton known nationally, they also inspired others to strive to be their best, to be a champ.

The statue unveiling held on Sunday, December 13 commenced with a Championship Parade that began on 3rd Street in front of the new Easton City Hall and continued onto the Drive named in the Champ's honor and down to the statue's location in Scott Park on the confluence of the Delaware and Lehigh Rivers.

"The Easton Assassin" grew up in the projects. At the age of 13, he dropped out of school to support his family. At the age of 19, he started boxing and pursued a legendary career. His left jab is rated among the best in boxing history. An impressive 44 of his 69 wins were from knockouts. Holmes was inducted into the International Boxing Hall of Fame in 2008.

Larry Holmes is not just a champ for his boxing; he is a champ for his service to the community. After retiring from boxing, Holmes became a businessman and invested in his hometown. He is noted to have employed more than 200 people through his various business holdings at one time including Larry Holmes Enterprises, a real estate and property management company; two restaurants; a training facility; and an office complex. Over the years, he has been a role model for young fighters, and he has supported various charities and youth groups throughout the Lehigh Valley, in particular the Easton Area Community Center (EACC), which used to be known as St. Anthony's Youth Center—the place where he first learned to box. Later, and thanks to Holmes, the EACC's annual fundraiser became well-known as an event attended by boxing champions. Holmes can often be seen at community events and performing with his band.

It is an honor for me to recognize Larry Holmes. He has been a good son to Easton. Through this statue, visitors for generations will see the heart of a legend.

HONORING SONYA GISH OF PENNSYLVANIA

HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. PERRY. Mr. Speaker, today I'd like to honor Sonya Gish on her retirement after more than 30 years of service to the United States of America.

Through her work with the Information Technology Department at New Cumberland Army Depot, and her leadership role as Deputy Director, and later Director, of Distribution Policy and Processing at Defense Logistics Agency (DLA) Distribution, her tireless dedication, professionalism and sacrifice touched the lives of countless people and challenged all with whom she worked with to be the best.

Her colleagues describe Sonya as the consummate role model and a truly indispensable asset to DLA Distribution. Her numerous promotions and awards exemplify an outstanding record of service to our Nation's warfighters and citizens. Through work ethic and character, Sonya has truly left an enduring legacy of service.

It is with great pride along with Pennsylvania's Fourth Congressional district that I congratulate Sonya Gish on her retirement after more than 30 years of service to the United States of America.

COLONEL MICHAEL P. DIETZ

HON. ROGER WILLIAMS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. WILLIAMS. Mr. Speaker, I rise today to acknowledge the distinguished career and military service of Colonel Michael P. Dietz. An Alaskan native, Michael enlisted in the United States Army in Providence, Rhode Island in 1979. As an Enlisted Soldier, Michael served in Europe, Korea and Central America eventually achieving the rank of Staff Sergeant. In 1989, he was given a direct commission as a 2nd Lieutenant in the U.S. Army Military Intelligence Corp. During the First Gulf War, he served with the Third Mobile Armored Corp as a Senior Intelligence Analyst.

Throughout the 1990s Colonel (COL) Dietz served in a series of positions of increasing responsibility in the area of military intelligence to include, operations officer of an Anti-Terrorist Response Team and culminating with the Deputy Command of the 6th Civil Support Team, an Anti-Terrorist Team specializing in Weapons of Mass Destruction. During this time, COL Dietz had operational control of response elements to the events of 9/11 and the Columbia Space Shuttle Disaster over East Texas.

In 2003, COL Dietz commanded mobile collection teams for the Defense Intelligence Agency (DIA) in Iraq. He later commanded the entire DIA effort in Afghanistan in 2004. Both positions required work with Allied Nations.

In 2008–2009, COL Dietz commanded the 636th Military Intelligence Battalion of the Texas National Guard. This is the number one rated MI Battalion in both Operation Iraqi Freedom and Operation Enduring Freedom.

COL Dietz, in his 36 years of service, has served combat tours with 101st Airborne Division, 82nd Airborne Division as a Battalion Commander, 3rd Army, 3rd Special Forces Group, United States Army Special Operations Command, 5th Special Forces Group, the Defense Intelligence Agency and the 636th MI Battalion.

COL Dietz is currently a member of the Warrior Transition Unit at Ft. Sam Houston, Texas. This unit specializes in repairing wounded warriors. COL Dietz is in the process of being treated for numerous injuries that he sustained while deployed in Iraq and Afghanistan.

He has been married for 31 years to Elly Del Prado Dietz and his daughter, Sharon is a 1st Lieutenant currently serving at Camp Mabry, Austin, Texas and his son, Aidan is a 2nd Lieutenant serving as an Airborne Infantry Platoon Leader in the 143rd INF BN (ABN).

COL Dietz's 36 years of distinguished service reflects great credit upon himself, the Texas Army National Guard, the United States Army and the United States of America. On behalf of a grateful Nation, I wish him and his family the very best in retirement.

TRIBUTE TO THE DOWLING CATHOLIC HIGH SCHOOL BOYS CROSS COUNTRY TEAM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Dowling Catholic High School Boys Cross Country team for winning the Iowa Class 4A State Cross Country Championship.

I would like to congratulate each member of the Team: Runners: Matthew Carmody, John Clingan, Jack Fink, Matt Fraizer, Skyler Riesberg, Jack Turner, and Ryan Schweizer; Head Coach: Timothy Ives; and Assistant Coaches: Duncan McLean, Gerard Amadeo, Ann Flood, and Kevin Lewis.

Mr. Speaker, the success of this team and their coaches demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent them in the United States Congress. I ask that all of my colleagues in the United States House of Representatives join me in congratulating the team for competing in this rigorous competition and wishing them all nothing but continued success.

HONORING THE 240TH ANNIVERSARY OF THE NAVY CHAPLAIN CORPS

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. FORBES. Mr. Speaker, today I would like to recognize the 240th anniversary of the Navy Chaplain Corps. For 240 years, Navy chaplains have served with honor, courage, and selflessness, ensuring that our Sailors, Marines, and Coast Guardsmen are able to practice and grow in their faith, regardless of where they serve.

Our Navy chaplains are an invaluable pillar of their military communities. The role of a chaplain is inherently religious. As the makeup of our service members has expanded, the chaplaincy has expanded with it to include representatives reflecting the many faith traditions of our troops, including Catholic, Protestant, Jewish, Muslim, and Buddhist. When religious leaders become military chaplains, they pledge to equally serve all members of the armed forces, regardless of religious belief. Chaplains faithfully carry out this sacred duty each and every day.

While military chaplains are noncombatants and do not carry weapons, they still serve in harm's way. Sixteen Navy chaplains have given their lives providing religious and spiritual support for our men and women at war. Two Navy chaplains were awarded the Congressional Medal of Honor for their sacrificial ministry to their Sailors and Marines. Lieutenant Commander Joseph T. O'Callahan braved a fiery inferno to administer last rites and direct damage control operations aboard the

stricken USS *Franklin* in 1945. Lieutenant Vincent R. Capodanno repeatedly exposed himself to intense enemy fire in Vietnam while administering last rites to dead and dying Marines, refusing treatment of his own wounds and directing corpsmen to his wounded comrades, before being killed while coming to the aide of another. Six naval ships have been named after chaplains with one, the destroyer USS *Laboon*, still in service.

Mr. Speaker, I ask my colleagues to join with me today in recognizing the brave and honorable service of Navy chaplains over the last 240 years.

COMMENDING AND CONGRATULATING JOYCE I. MARTRATT ON 50 YEARS OF CIVILIAN SERVICE WITH THE U.S. AIR FORCE

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Mrs. Joyce I. Martratt on her 50 years of civilian service with the United States Air Force. Joyce has served in numerous capacities with the Air Force on Guam, and she has dedicated much of her professional life to furthering its mission and providing critical support to our Airmen.

Joyce was born to Jesus San Nicolas and Rosario Castro Camacho of Hagatna on August 28, 1939. She is the eldest of five children and endured the atrocities of war during the occupation of Guam during World War II. As a survivor of the war, she and her family relocated to the village of Mongmong, where they settled and began to rebuild their lives and homes. In 1955, Joyce was adopted by her Aunt Maria and Uncle Peling Castro in order for her to further her education as they moved to Washington, D.C. before resettling in San Francisco in 1956. She attended Oakland Community College while working for the Gallop Poll. She then moved back to Guam to attend the University of Guam. While at the University of Guam, she met her late-husband Herbert Sablan Leddy, and together they started a family. In 1984, Herbert passed away and Joyce later remarried Charlie Martratt.

Joyce began working at the Andersen Air Force Base in 1965. She was first hired for a temporary job at the Civilian Personnel Office as a clerk typist. She went on to work as a secretary and clerk-stenographer and continued to progress professionally. She served in several capacities, including work for the commander of the 43d Combat Support Group, Vice Commander of HQ Eighth Air Force, command of the 3rd Air Division, and the 43rd Bombardment Wing (Hvy) (SAC), the 633d Air Base Wing (PACAF), and the 13th Air Force (PACAF). Joyce worked with the 13th Air Force until the headquarters moved to Hickam in 2005. After the move, Joyce transferred to the 36th Air Base Wing Commander, where she is currently employed.

During her 50 years of service, Joyce was privileged to be involved in many historic events and assisted and coordinated the visits of distinguished guests to the island. She supported efforts after the fall of Saigon during the Vietnam War when the people of Guam and the U.S. Air Force provided humanitarian aid to over 111,000 Vietnamese refugees who were temporarily housed on Guam during Operation New Life. She has also supported numerous U.S. Air Force missions, including the evacuation of former Philippine President Ferdinand Marcos and his family from the Philippines in 1986, and care for 6,600 Kurdish refugees who were brought to Guam as part of Joint Task Force Operation Pacific Haven in 1996. For several years, Joyce wrote a column about the local culture for the AAFB newspaper called "Ask Joyce."

Joyce has been a hallmark of Andersen Air Force Base and our community in Guam. She has always been a dedicated worker who puts her whole heart into what she does. Joyce is a true professional and her knowledge and background has helped the constant rotation of Commanders better understand the challenges and opportunities at Andersen Air Force Base. Her institutional knowledge is so critical to the entire team at Andersen Air Force Base. Additionally, Joyce is heavily involved in her parish of San Isidro as the director of faith formation and as a catechist. She serves in the community whenever called upon and is dedicated to her family.

I join the United States Air Force and the people of Guam in thanking Joyce I. Martratt for her 50 years of service to our nation, our island, and our Airmen in the U.S. Air Force. She represents the very best of our civilian workforce and is symbolic of the great patriotism that exists on Guam. I commend her for her outstanding career and tireless work in all that she has accomplished. Thank you (Si Yu'os Ma'ase), Joyce.

RECOGNIZING THE HONORABLE JOSEPH TYSON ON THE OCCASION OF HIS RETIREMENT AS A MEMBER OF THE KINSTON, NORTH CAROLINA CITY COUNCIL

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. BUTTERFIELD. Mr. Speaker, I rise to recognize Kinston, North Carolina City Councilman and Mayor Pro Tem, The Honorable Joseph Tyson who is retiring from public service after 17 years. The City of Kinston, located in my congressional district, has been fortunate to have a remarkable leader in Mr. Joseph Tyson. Through his words and actions as a City Councilman and Mayor Pro Tem, he has demonstrated time and time again that he is one of our state's finest and most effective leaders.

Mr. Tyson spent his formative years in my district in Beaufort, North Carolina until 1964 when he left to attend North Carolina A&T University in Winston-Salem. It was there that he received his commission as a Second Lieutenant in the United States Army. He would spend more than two decades in uniform as an infantry and chemical officer. He retired as a Lieutenant Colonel.

When Hurricane Floyd devastated much of eastern North Carolina in 1999, Mr. Tyson played a pivotal role in guiding the city through myriad issues resulting from the effects of the historic storm. From having to replace a wastewater treatment plant, to navigating the relocation of a large number of the city's residents, Mr. Tyson worked with other leaders to resolve problems for the benefit of the community.

Mr. Tyson has always looked for ways to give back, even after dedicating so much of himself to his city and his country. Following his retirement from the Army in 1993, Mr. Tyson began working as the senior Army instructor for the JROTC program at Kingston High School. He taught cadets important leadership skills and equipped them with the tools they needed to succeed. He motivated and encouraged those under his command to be the best version of themselves.

Mr. Tyson has been a strong and steady leader for his community and has succeeded in making Kinston a better place for current and future generations. He has earned the respect and trust of his fellow councilmen, and has the admiration of a grateful community, whom he has diligently served.

Mr. Speaker, I am honored to recognize this man of conviction, principle, and exceptional character as he retires after nearly two decades on the Kinston City Council. I ask my colleagues to join me in wishing The Honorable Joseph Tyson the best of luck as he embarks on the next chapter of his life.

HUNGARY AND THE REFUGEE CRISIS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. POE of Texas. Mr. Speaker, before the Paris attacks, pundits sitting in far-flung capitals of the world were throwing lobs at Hungary for turning a blind eye to the plight of Syrian refugees. Now that we know that one of the attackers posed as a refugee to get into Europe and then stayed in a refugee camp as he made his way from Greece to Paris, I'd like to do something I know the pundits won't do: go back to an old story to make sure they got it right.

First, the outside world's opinions of what Hungary should or should not do are wholly irrelevant. Hungary is a sovereign country that ultimately will make its own political decisions based on its interests and concerns on a case-by-case basis. Whether Hungary lets in refugees from a conflict that it had absolutely nothing to do with is a purely Hungarian question. Just like we wouldn't want Canada telling us what to do, nor does Hungary want countries like Germany telling it what to do.

The fact of the matter is that the refugee issue is complex. There are two sides to the morality argument. Yes, there is a moral argument to helping those fleeing war, but let's not forget about the moral argument for a government keeping its promise to its citizens that it will protect them. Refugees pose serious economic and security concerns to the countries of Europe. Modest estimates suggest that Germany, who has touted a welcoming posture towards the refugees, will find itself

spending as much as 10 billion euros in 2015 to accommodate these newcomers. If Hungary were to spend even half of that amount, it would cost the country upwards of 7% of its annual budget.

While Germany may be financially capable of weathering the financial storm precipitated by the influx of refugees, Hungary's economy may not. Despite notable improvements in recent years in both trade and investment, Hungary's unemployment rate sits now at 10.5%. The Organization for Economic Cooperation and Development notes that, although Hungary successfully exited from recession in early 2013, the recovery of its economy is modest at best. The OECD notes Hungary must "maintain fiscal discipline," underscoring Budapest's need to invest in its own people and economy—not spend billions accommodating others.

Putting the economic factors aside, it is quite obvious that taking in Syrian refugees comes with a whole host of security concerns. ISIS has openly boasted in recent months that it is sending operatives to Europe under the guise of refugees, intending to fulfill the terrorist organization's threat to stage attacks in the West. European and American intelligence officials report that ISIS has set up a wing that specializes in launching terrorist attacks abroad, providing guidance, training and funding for attacks that kill the most civilians possible. Earlier this month British media outlets reported that the Tunisian leader of an al-Qaeda-affiliated terrorist group was smuggled into Europe posing as a refugee in October before being arrested and deported to Tunisia. Unfortunately, we have seen the bloody aftermath of the attacks on Paris, which were carried out in part by an ISIS terrorist who entered Europe as an asylum seeker.

The Hungarian Government does not think all of the refugees are terrorists. But the grave security concerns should not be written off for the sake of humanitarianism. Hungary has a humanitarian obligation to its own people too. Hungary has called on the European Union to set up the necessary institutions and orderly processes to handle this massive influx of people into the bloc. Hungary and its neighboring eastern and central European countries should not be expected to bear the burden of this sea of refugees. More than anything, these countries should not be judged for making decisions based on their own interests. That is simply their right.

And that's just the way it is.

TRIBUTE TO THE URBANDALE HIGH SCHOOL GIRLS CROSS COUNTRY TEAM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Urbandale High School Girls Cross Country team for winning the Iowa Class 4A State Cross Country Championship.

I would like to congratulate each member of the team:

Runners: Mickey Cole, Carly Klavins, Neanagit Malow, Casey Middleswart, Julia Noah, Avery Peterson, and Elyse Prescott;

Head Coach: Dan Davis

Assistant Coach: Carla Madson.

Mr. Speaker, the success of this team and their coaches demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent them in the United States Congress. I ask that all of my colleagues in the United States House of Representatives join me in congratulating the team for competing in this rigorous competition and wishing them all nothing but continued success.

PERSONAL EXPLANATION

HON. PETE AGUILAR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. AGUILAR. Mr. Speaker, on December 2, 2015 I was absent from the House of Representatives due to a mass shooting terrorist attack in my district. I was also absent on December 3rd and 8th through 11th. Due to my absence, I am not recorded on roll call votes 656 through 693. I would like to reflect how I would have voted had I been present for legislative business.

I would have voted "no" on Roll Call Vote number 656, on Agreeing to the Upton of Michigan Amendment No. 1 to H.R. 8.

I would have voted "yes" on Roll Call Vote number 657, on Agreeing to the Tonko of New York Amendment No. 2 to H.R. 8.

I would have voted "no" on Roll Call Vote number 658, on Agreeing to the Gene Green of Texas Amendment No. 14 to H.R. 8.

I would have voted "yes" on Roll Call Vote number 659, on Agreeing to the Beyer of Virginia Amendment No. 17 to H.R. 8.

I would have voted "yes" on Roll Call Vote number 660, on Agreeing to the Schakowsky of Illinois Amendment No. 19 to H.R. 8.

I would have voted "yes" on Roll Call Vote number 661, on Agreeing to the Tonko of New York Amendment No. 22 to H.R. 8.

I would have voted "yes" on Roll Call Vote number 662, on Agreeing to the Castor of Florida Amendment No. 23 to H.R. 8.

I would have voted "yes" on Roll Call Vote number 663, on Agreeing to the Polis of Colorado Amendment No. 24 to H.R. 8.

I would have voted "no" on Roll Call Vote number 664, on Agreeing to the Barton of Texas Amendment No. 25 to H.R. 8.

I would have voted "yes" on Roll Call Vote number 665, on Agreeing to the Conference Report for S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

I would have voted "no" on Roll Call Vote number 666, on Ordering the Previous Question for H. Res. 546, Providing for consideration of the conference report to accompany H.R. 22, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

I would have voted "yes" on Roll Call Vote number 667, on Agreeing to H. Res. 546, Providing for consideration of the conference report to accompany H.R. 22, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

I would have voted "no" on Roll Call Vote number 668, on Agreeing to the Cramer of North Dakota Amendment No. 26 to H.R. 8.

I would have voted "no" on Roll Call Vote number 669, on Agreeing to the Rouzer of North Carolina Amendment No. 30 to H.R. 8.

I would have voted "yes" on Roll Call Vote number 670, on Agreeing to the Pallone of New Jersey Amendment No. 37 to H.R. 8.

I would have voted "yes" on Roll Call Vote number 671, on the Motion to Recommit with Instructions for H.R. 8, the North American Energy Security and Infrastructure Act.

I would have voted "no" on Roll Call Vote number 672, on Passage of H.R. 8, the North American Energy Security and Infrastructure Act.

I would have voted "yes" on Roll Call Vote number 673, on Agreeing to the Conference Report for H.R. 22, To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

I would have voted "no" on Roll Call Vote number 674, on the Motion to Adjourn.

I would have voted "no" on Roll Call Vote number 675, on the Motion to Adjourn.

I would have voted "no" on Roll Call Vote number 676, on the Motion to Adjourn.

I would have voted "no" on Roll Call Vote number 677, on the Motion to Adjourn.

I would have voted "no" on Roll Call Vote number 678, on the Motion to Adjourn.

I would have voted "yes" on Roll Call Vote number 679, on the Motion to Suspend the Rules and Pass, as Amended, H.R. 158, the Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015.

I would have voted "yes" on Roll Call Vote number 680, on the Motion to Suspend the Rules and Pass, as Amended, H.R. 3842, the Federal Law Enforcement Training Centers Reform and Improvement Act of 2015.

I would have voted "no" on Roll Call Vote number 681, on Consideration of H. Res. 556, Providing for consideration of H.R. 2130, Red River Private Property Protection Act.

I would have voted "no" on Roll Call Vote number 682, on Ordering the Previous Question for H. Res. 556, Providing for consideration of H.R. 2130, Red River Private Property Protection Act.

I would have voted "no" on Roll Call Vote number 683, On Agreeing to H. Res. 556, Providing for consideration of H.R. 2130, Red River Private Property Protection Act.

I would have voted "yes" on Roll Call Vote number 684, on Agreeing to the Cole of Oklahoma Amendment No. 2 to H.R. 2130.

I would have voted "no" on Roll Call Vote number 685, on the Motion to Table the Appeal of the Ruling of the Chair.

I would have voted "no" on Roll Call Vote number 686, on Passage of H.R. 2130, the Red River Private Property Protection Act.

I would have voted "yes" on Roll Call Vote number 687, on the Motion to Suspend the Rules and Pass, as Amended, H.R. 3578, the DHS Science and Technology Reform and Improvement Act of 2015.

I would have voted "no" on Roll Call Vote number 688, on the Motion to Table the Appeal of the Ruling of the Chair.

I would have voted ''yes'' on Roll Call Vote number 689, on the Motion to Suspend the Rules and Pass, as Amended, H.R. 2795, the First Responder Identification of Emergency Needs in Disaster Situations or ''FRIENDS'' Act.

I would have voted ''no'' on Roll Call Vote number 690, on Ordering the Previous Question for H. Res. 560, Providing for consideration of the conference report to accompany H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015 and providing for consideration of the Senate amendments to H.R. 2250, Making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016.

I would have voted ''no'' on Roll Call Vote number 691, on Agreeing to H. Res. 560, Providing for consideration of the conference report to accompany H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015 and providing for consideration of the Senate amendments to H.R. 2250, Making appropriations for the Legislative Branch for the fiscal year ending September 30, 2016.

I would have voted ''yes'' on Roll Call Vote number 692, on the Motion to Recommit with Instructions the Conference Report for H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015.

I would have voted ''no'' on Roll Call Vote number 693, on Agreeing to the Conference Report for H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015.

HONORING MAMIE VEST

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. GRIFFITH. Mr. Speaker, on behalf of myself and Representative BOB GOODLATTE, I submit these remarks in honor of the life of Mamie Vest of Floyd and Roanoke, Virginia. Mamie was born on August 9, 1938, and was the youngest child of Deputy Sheriff William Lewis Phillips and Cordova Quesenberry Phillips.

Though a native of Floyd County, Mamie's career in art was launched by an internship in Charlotte, North Carolina at the Delmar Studios photography business. She returned to Roanoke, where she went on to enjoy her career in advertising, design, and public relations. She also married the love of her life, Earl Stewart Vest.

Mamie worked as a graphic artist for Roanoke Engraving, became director of art services at Brand Edmonds Advertising, and—by the age of 28—founded her own independent business, Mamie Vest Associates. Additionally, Mamie also served as a legislative aide in both the Virginia Senate and House of Delegates, as well as a long-time advisor to Representative GOODLATTE.

Between the 1970s and 1990s, Mamie created and directed advertising for over 80 local, state, and federal Republican campaigns. She was a talented and fierce trailblazer and, in recognition of her work in advertising, Mamie won the American Advertising Federation's Silver Medal Award in 1982.

In addition to being politically active, Mamie was an active member of our community. She was an active member of the Roanoke City Sign Ordinance Committee, served as Chairman of the Roanoke City Arts Commission, and served as the Roanoke Valley Coordinator for the Virginia Bicentennial Commission. Mamie also was appointed by Governor Linwood Holton to the Consumer Credit Study Commission, by Governor John Dalton to the Advisory Committee on Furnishing and Interpreting the Executive Mansion, and by Governor George Allen to the Board of Trustees of the Virginia Museum of Natural History.

Regrettably, Mamie passed away on November 17, 2015. She is survived by her husband of 56 years, her granddaughter Sedona Marguerite Hanks, as well as her sister and brother-in-law, George and Ruth Heafner of Greensboro, N.C., Helen Mabry of Cherryville, N.C.; sister-in-law, Barbara Vest of Maryland. Also surviving are many nieces, nephews, great-nieces, great-nephews, and cousins.

Mamie Vest was dedicated to her work and her family. She had a tremendous impact on our community and, though she will be greatly missed by many, she will long be remembered. We are both honored to have called her a friend. Our thoughts and prayers go out to Mamie's family and loved ones. May God give them comfort and peace.

RECOGNIZING THE ANNIVERSARY OF DWAYNE AND CAROL CHESTNUT

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Ms. TITUS. Mr. Speaker, I rise today to recognize the golden wedding anniversary of Dwayne and Carol Chestnut, two dear friends, respected community leaders, generous philanthropists, and loyal Democrats. They have three children, Kay, Michelle, and Mark, and two grandchildren, Darrel and Danielle Jobe.

Carol and Dwayne met as teenagers in high school when, coming out of class, he held the door open for her. Carol responded, ''It is good to know that there are still gentlemen and scholars left.'' Dwayne was smitten and holds the door for Carol still today.

When Carol and Dwayne were courting in Texas in the early fifties, their favorite song was ''Too Young'' by Nat King Cole. Its words were prophetic: ''This love will last though years may go.'' The joy they find in each other spills over into the numerous lives, including my own, which they have touched over the fifty years they have been together.

Congratulations. Here's to many more good times and sweet memories to come.

ANGELO CANDELORI: A LIFETIME OF OUTSTANDING PUBLIC SERVICE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to express gratitude and deep appreciation for the leadership and commitment of one of New Jersey's most dedicated public servants, Colonel Angelo Candelori.

For over 30 years, Colonel Candelori has volunteered countless hours and offered exceptional guidance and insights as a member of the Fourth Congressional District's Service Academy Nominations Board—a task he has taken most seriously and accomplished with great success. Year after year, Colonel Candelori has ''sweat the details,'' tediously poring over the applications of prospective Service Academy nominees. With great scrutiny and wisdom he has interviewed every young man and woman, recommending only those whom he felt were most deserving of my congressional nomination.

I have benefitted greatly from Colonel Candelori's expertise, discernment, dedication, and desire that our armed services receive the best and brightest possible officer applicants. And so, too, has the United States military.

Having served for 32 years in the United States Marine Corps and the reserves—a tenure that overlapped with his time on our Service Academy Board—Colonel Candelori relied on his instinctive knowledge and judgement, as well as years of military training, to help identify young applicants best suited to become America's next generation of military leaders. With honor, integrity, courage and dedication, Colonel Candelori easily embodies the Marine Corps motto ''Semper Fi''—proving to be ''always faithful'' to the United States of America, his fellow Marines, and all members of our armed forces.

If you knew Colonel Candelori personally, you would know that his dedication to his community and his commitment to public service is evident beyond his military career. For many years Colonel Candelori was a member of the Hamilton Township Planning Board and the Hamilton Township Development Review Advisory Board. His positive impact in many local and state volunteer and/or civic organizations resulted in his designation as a Point of Light by President George H. W. Bush. Colonel Candelori was also named a recipient of the U.S. Secretary of Energy's Community Service Award and the Enrico Fermi Federation Achievement Award.

Recognition of Colonel Candelori's leadership quality is international as he was knighted with the title of Cavalieri in the Order of Solidarity by the government of Italy. He served as president of the Societa Cavalieri d'Italia and is a past trustee of the Italian-American National Hall of Fame and a past president of the Enrico Fermi Federation.

Mr. Speaker, to say that Colonel Angelo Candelori is a patriot and a gentleman would be an understatement. He is a remarkable, dedicated family man and community leader who has truly advanced the common good.

This year, as he steps down from his more than three decades of assisting in the vetting of future uniformed military officers, I ask my colleagues in the House of Representatives to join me in honoring Colonel Angelo Candelori for his dedicated service to the citizens of New Jersey and to the United States of America.

IN HONOR OF GOVERNOR TERRY BRANSTAD

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 15, 2015

Mr. BLUM. Mr. Speaker, I rise today in honor of Iowa Governor Terry Branstad, who yesterday became the longest serving governor in the history of the United States, surpassing former Vice President George Clinton from New York.

Governor Branstad has now served 7,642 days as governor. I salute and congratulate him on his dedication to the state of Iowa and his passion for public service.

Born and raised on a farm in Northern Iowa, Governor Branstad's life has been dedicated to the advancement of the state of Iowa. After a tenure in the United States Army, he served three terms in the Iowa House of Representatives and was subsequently elected as the Lieutenant Governor.

In 1982, at the age of 35, he was elected as the youngest governor in Iowa history. After his first four terms in office, Governor Branstad refocused his boundless energy on continuing to serve the state as the President of Des Moines University. He returned as governor in 2010 and is currently serving his sixth term.

During his administration, Iowa has seen record low unemployment rates, as well as an admirable budget surplus. His endless energy and strong work ethic inspires all of us who serve in elected office to constantly strive to improve our performance on behalf of all Iowans.

Thank you, Governor Branstad, for all that you have done for the great state of Iowa and your nearly twenty-one years of service.

SENATE—*Wednesday, December 16, 2015*

The Senate met at 11:01 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by RDML Brent W. Scott, Deputy Chief of Chaplains for the U.S. Navy and Chaplain of the Marine Corps in Washington, DC.

The guest Chaplain offered the following prayer:

Please join me in prayer.

Heavenly Father, we begin this day in the privilege of prayer, thanking You for this great Nation, a people gathered from every tongue and tribe, bound together through the more noble ideals of liberty and justice and equality, formed and favored as one Nation under God. We ask Your help as You continue to make us as one.

We pray for our Senate in this session and ask You to bless them with wisdom and discernment to lead our people toward reconciliation, to rebuild our Nation's confidence in justice, to restore our sense of equality. Free each one from the divisive distractions of any lesser ideals that they may more powerfully serve the people as a body of, by, and for the people, making every effort to keep and protect a more perfect union.

We pray blessing for the men and women who wear our Nation's cloth, standing watch in every corner and clime of the globe. Give them peace as they bring peace to this troubled world.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. SULLIVAN). The majority leader is recognized.

APPROPRIATIONS AND TAX RELIEF AGREEMENT

Mr. MCCONNELL. Mr. President, I said yesterday that committees and Members from both sides were making important progress in the appropriations and tax relief negotiations.

As colleagues now know, last night the committees and Members reached agreement and filed legislation over in the House. I just participated in a productive meeting where the committees walked our conference through details of this legislation. I know our colleagues across the aisle are discussing the matter as well. I will have more to say on this soon. Now is the time for Members to review the legislation for themselves. I would encourage them to do so. I would also encourage Members to debate it.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

OMNIBUS AND TAX EXTENDERS AGREEMENT

Mr. REID. Mr. President, as the Republican leader mentioned, last night the Senate and House leaders finalized a bipartisan compromise that keeps our government open and funded and extends important tax policies for American families and businesses.

I said last night—define ''last night.'' The last email I got was 2:45 this morning from my chief of staff, who was one of the negotiators. Sometime in the darkness, the bill was finalized. When I say ''the bill,'' it is really two bills—a bipartisan compromise keeps our doors opened and funded and extends important tax policies for American businesses.

This was not an easy process. Members and our staffs worked intensely for weeks to craft this agreement. As I mentioned yesterday and I say again today, I appreciate the cooperation, expertise, and all the good work done by Speaker RYAN, Leader PELOSI, Senator MCCONNELL, and their staffs. They were, I am told—and in all my dealings with them, I underscore and underline what my chief of staff Drew Willison, chief negotiator, said of the staff. They were a pleasure to work with. They were professional and did exceptional work on the agreement that we reached.

It is a good compromise. The Presiding Officer, not being a longtime Member of Congress but a longtime legislator, knows that no legislation is perfect, but this is good legislation. This is truly a fine definition of legislation—the art of compromise. When we say ''compromise,'' it doesn't mean anyone is doing away with their principles; what it simply means is that people can't be bullheaded and unreasonable in what they are doing to accomplish their goals.

In spite of Republican majorities in the Senate and the House, we Democrats were able to ensure that this legislation creates and saves middle-class jobs, protects the environment, and invests in renewable energy sources. For example, by extending tax incentives for wind, solar, geothermal, and other technologies, the omnibus spending bill will create and protect over 100,000 jobs in the clean energy sector. A 5-year extension of wind and solar credits will promote growth and help curb carbon emission by roughly 25 percent by the year 2020. And to those who will argue that lifting the oil export ban will counteract these important steps to limit pollution, that is simply not the case. It is not true. Extending the wind and solar tax incentives will eliminate over 10 times more carbon emissions than lifting the oil export ban will create.

The omnibus spending bill is good for jobs, and good for clean energy and the environment. It also helps American families by including a provision that will lower health insurance premiums.

To fully appreciate the compromise, we can't simply tick off the many beneficial policies the agreement includes. We must also consider that many troublesome provisions the Democrats fought to exclude didn't wind up in the legislation. When this matter came from the House, there were more than 200 so-called riders, and they didn't wind up in the bill. Many of these riders represented the worst of legislative priorities: weaken Dodd-Frank banking regulations; undermine the Department of Labor's fiduciary rule; roll back the National Labor Relations Board's joint employer standard; eliminate protections for clean air, water, land, and climate; weaken the consumer protection bureau's ability to protect consumers; curb the President's powers under the Antiquities Act to create national monuments; and destroy the candidate contribution limits. These are only a few of the many special riders that were sent to us from the House, and we did not allow 99 percent of these to be included because they are harmful policies.

I say again, this compromise isn't perfect, but it is good. It is good for the American people. And if it weren't for Democratic efforts, it would have been a lot worse.

I also extend my appreciation to the great staff of the White House—first of all, the President's Chief of Staff, Denis McDonough. He is a former college football player, he is a strong man

emotionally and physically, and he is very forthright, which I appreciate in the positions that he takes with everybody. He helped guide this legislation through.

We have a number of people who work at the White House with whom we worked intensely. All the Cabinet officers—we had a very good relationship with Brian Deese, who is a jack-of-all-trades at the White House and does so much in many different areas. I appreciate very much his involvement in many different ways.

Longtime Senate employee Katie Beirne Fallon has been available anytime we needed her, and this has been very difficult for her because she is a new mom to two little twins. She was always available. We were disappointed when she went to the White House from the Senate, but her knowledge of the Senate has been helpful in our being able to move this bill as far as it has been.

A longtime staffer who operated on the floor here for many, many years was Marty Paone, who was available whenever we needed him. He is a fine man. We still miss him here in the Senate. He does such a great job for the country and the Senate.

We must pass the legislation, as the Republican leader said, as quickly as we can. Christmas is fast approaching. I hope Republicans in the House and the Senate will move quickly to move this legislation to the floor so we can vote on it and give the American people every confidence their government will remain open.

Would the Presiding Officer state what the Senate will be doing the rest of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 6 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET AND TAX EXTENDERS

Mr. WARNER. Mr. President, I rise today to call attention to the significant contributions public servants make to our Nation each day. It appears that we are close to the final conclusion to the budget and tax extenders debate, and hopefully we will soon all be able to go home to see our families. I have a little easier opportunity with that than the Presiding Officer.

It does appear that this year we may be able to put together a 2-year budget process, which is a step in the right direction. Too often Congress punts on its public responsibilities with stopgap solutions to our country's problems. Through all these challenges, though, our public servants, particularly our Federal employees, with little recognition and less fanfare work through these ups and downs to improve Americans' lives.

TRIBUTE TO FEDERAL EMPLOYEES

KEVIN STRICKLIN

Mr. WARNER. Mr. President, since 2010, I have come to the Senate floor on an occasional basis to honor exemplary Federal employees, a tradition started by my friend, the former Senator from Delaware Ted Kaufman. Today I am going to continue that tradition as we get to the close of this year.

I am pleased to honor a great Federal employee, Kevin Stricklin, who also happens to be a Virginian. As the administrator for coal at the Mine Safety and Health Administration, Mr. Stricklin leads a team that enforces safety rules, improves industry compliance, and executes rescue and recovery operations.

On his watch, the number of coal miners who died in accidents last year, 16, while still too high, was the lowest ever recorded in the history of the United States. In addition, the number of mines with chronic violations dropped from 51 in 2010 to 12 in 2014, and the number of citations against mines fell from more than 96,000 in 2010 to less than 63,000 in 2014, even as inspections increased.

After the Upper Big Branch Mine disaster in 2010, Mr. Stricklin was at the frontlines of implementing reforms to improve mine safety, including quarterly inspections, surprise inspections for repeat violators, and a program that identifies habitual safety lapses.

When accidents have occurred, Mr. Stricklin's creativity and calm under pressure have saved countless lives. In a 2002 accident, a Pennsylvania coal mine flooded, trapping nine miners. Mr. Stricklin and his team devised a plan to drill a 6½-inch hole and inject compressed air into it. Their plan provided oxygen to the miners and prevented the water level from rising any further. The miners survived and were hoisted to the surface using a capsule the team helped design.

Following a 2006 accident in West Virginia, rescuers' efforts were impeded by limitations in communicating over long distances. The protocol at that time was 1,000 feet. The team's solution was to develop a wireless fiber-optic system that extended communication up to 5 miles. Mr. Stricklin and his team improved the standard by more than 26 times.

Like so many other Federal employees, they went above and beyond because it was in the country's best interest, not because they expected praise or recognition. Mr. Stricklin, whose two grandfathers and father were all coal miners, describes his objective as being ''for each miner to go home as safe and as healthy at the end of the day as they started at the beginning of the day.''

I am proud to rise today to recognize Mr. Stricklin's dedication to public safety and commitment to public service. I hope my colleagues will join me in thanking him, his team, and, frankly, during the holiday season, all Federal Government employees at all levels of service to our country for their contributions and hard work.

As we go through these final days of debate—and hopefully, as I said at the outset, we will get a chance to spend time with our families over the holidays—I do think it is important that we also take a moment to reflect on the close to 2 million civilian Federal employees who serve our Nation in so many ways each and every day without fanfare.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I also ask unanimous consent that I be permitted to complete two sets of remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROTECTING AMERICANS FROM TAX HIKES ACT

Mr. HATCH. Mr. President, last night after months of discussion and several weeks of intense negotiations, bipartisan leaders from both the House and the Senate reached an agreement on both the substance and a procedural path forward for legislation that will provide millions of American families and businesses with much needed tax relief and set the stage for comprehensive tax reform in the future.

The bill, which we are calling the Protecting Americans from Tax Hikes Act—or PATH Act—of 2015, would make a number of temporary tax provisions permanent, putting an end to the repeated tax extenders exercise that

has plagued Congress for decades and giving greater certainty to U.S. taxpayers across the board.

There are no two ways about it; this is a historic bill. It is actually the latest in a long line of historic bills we have considered in the Senate this year, and it has quite a bit in common with some of the other efforts we have tackled in 2015.

For example, for many years now, much of what we have done in Congress has been dictated by the next deadline, cliff or crisis around the corner. More often than not, the tendency has been to simply kick every can down the road and then give speeches about why we shouldn't do that anymore. This year the Senate has worked to end the practice of governing by crisis.

Among other things, we have passed bipartisan legislation to repeal and replace the Medicare sustainable growth rate, or SGR, formula and to provide long-term funding for highway and infrastructure projects. Both of these issues had plagued Congress for decades, with permanent or long-term fixes seemingly always out of reach, regularly demonstrating that Congress was too divided and too ineffective to reach any meaningful solutions.

The same could be said for tax extenders, which has been an almost yearly exercise in relative futility, characterized by partisan bickering as the deadlines approach, with short-term extensions enacted at the last minute, leaving no one—certainly not American taxpayers—feeling better in the end. Yet, with the PATH Act, as with the SGR and highway funding bills, we have been able to reach a bipartisan agreement that would effectively end this cycle.

We have to pass it. According to the Joint Committee on Taxation, 52 separate tax provisions—what we typically refer to as extenders—expired at the end of 2014. That is 52 separate provisions that, on a relatively frequent basis, face expiration and require us to reach agreements on further extensions. Our bill would reduce that number down to 33 provisions—still far too many—but a significant relief in terms of ongoing extenders pressure.

Most importantly, the bill makes permanent many of the most consequential extenders provisions, the ones that tend to drive the crisis-and-cliff mentality when it comes to tax extenders, further relieving the pressure and allowing Congress to function more effectively.

By adding more permanence to the Tax Code, we will allow families and businesses to better plan for the future. In addition, we will adjust the tax and revenue baseline to make conditions vastly more favorable for comprehensive tax reform in the future, a major priority for members of both parties.

Most importantly, passing this legislation and making more tax policies permanent will provide significant tax relief for hardworking taxpayers in every walk of American life, from the middle class to military families to the working poor. It will do the same for businesses and job creators throughout our country, resulting in a healthier U.S. economy, increased growth, and more American jobs.

Put simply, more permanence in the Tax Code will be a good thing for our country, and the PATH Act will provide just the kind of permanence we need.

Let's take a few minutes to look at some of the key provisions of this legislation. I will start by talking about some of the biggest priorities that my friends on the other side of the aisle brought into the recent negotiations.

As we all remember, President Obama's so-called stimulus included provisions that made some of the biggest refundable tax credits in the Tax Code even more refundable, including the earned-income tax credit, or EITC, and the child tax credit, or CTC. These increased credits—which, when boiled down, are essentially additional cash payments made directly from the government to an individual filing a tax return—were originally designed to be temporary and have had to be extended a number of times over the years.

Going into these negotiations, Democrats essentially demanded that the enhancements for the EITC and CTC, along with a partially refundable college tax credit that was also created in the stimulus, be made permanent.

As you might expect, Republicans were reluctant to go down that road, not because we don't want to help families who benefit from these credits but because we know refundable credits are particularly susceptible to error, fraud, and overpayment. These types of improper payments are well documented, particularly with regard to the EITC, where every year we lose tens of billions of dollars to either deception or bureaucratic mistakes. However, we opted to accept making these credits permanent because doing so allowed the negotiations to move forward. But we did demand—and the Democrats agreed—to include significant provisions to improve the program's integrity with regard to these credits in order to reduce improper payments going forward. In fact, if enacted, the program integrity provisions in this bill will be the most robust improvements to address waste, fraud, and abuse of the Tax Code in nearly 20 years. Essentially, this compromise of refundable credits was the very definition of a win-win situation, particularly when you consider the other provisions that have been included in this legislation as a result, and we really never did this before. We all knew there was fraud.

With this bill, we will be able to secure key incentives for economic growth. For example, the bill makes permanent section 179, small business expensing, which allows small businesses—the drivers of American job creation—to grow and invest with more immediate tax benefits. This has been a top priority for many Members of Congress, not to mention virtually everyone in the business community.

The PATH Act will also improve and make permanent the research and development tax credit, the vital tax provision for companies and industries that thrive on innovation and research—areas where the United States continues to lead the world. This has been something I have fought for every year—year after year after year. We have always gotten it, but it has never really worked as well as it should because there was no permanence to it. Now it will be permanent, and that is a great step forward.

Our bill also extends the term for bonus depreciation, giving more companies greater incentives to invest in assets that will help their businesses grow and expand. This, too, has been a longtime priority for the business community and many Members of Congress. While we were not able to make it permanent, we did improve and extend this important tax incentive.

The bill will also make key improvements to make America more competitive on the world stage. For example, it permanently extends the active financing exception, or AFE, from subpart F income, and it provides a 5-year extension for the controlled foreign corporation, or CFC, look-through provision. Both of these tax provisions give American companies owned by American stockholders and employing American workers a greater ability to compete internationally. This is important if, like me, you want to see U.S. companies remain U.S. companies.

In addition to these top priorities for businesses and job creators in the United States, the PATH Act would provide significant tax relief for families. The bill makes permanent the deduction for State and local sales taxes. It makes permanent the low-income military housing credit and the employer wage credit for Active-Duty military employees. It provides a long-term extension and an expansion of eligibility for work opportunity tax credits. All of these provisions benefit American families in various regions under a number of different circumstances. Our legislation will ensure that millions of Americans who benefit from these tax provisions will be able to rely on and plan around them well into the future—not a bad result, if you can ask me.

I am not done yet. In addition to the many benefits we will provide to families and businesses, the PATH Act will also give significant tax relief to charities. It would, for example, make sure that charitable distributions from

IRAs remain tax-free on a permanent basis, and the charitable deduction for contributions of food inventory would also be made permanent under the bill, as would the provision that incentivizes S corporations to make charitable contributions of property.

I have covered quite a bit of ground here, and I am really only going through the highlights. I haven't even gotten to the ObamaCare provisions yet.

As we negotiated this legislation, the most difficult part was probably dealing with the rumor mill, which I suppose was not unexpected. Most of the really outrageous rumors we heard during this process dealt with provisions of the so-called Affordable Care Act. People were claiming that Senate Republicans had agreed to bail out the ObamaCare Risk Corridor Program in order to get a deal. We heard that there was an agreement to provide tax relief to prop up the failing ObamaCare exchanges. But, of course, none of these rumors were true. This exercise in tax permanence was never going to be used to solidify ObamaCare, and Republicans never for a second considered allowing that to happen.

However, because many Democrats have begun to recognize some of the more problematic elements of the President's health law, we agreed on the need to suspend one of the more harmful taxes imposed under ObamaCare. The bill includes a 2-year moratorium on the medical device tax—one of the more unpopular and poorly drafted taxes included in the health law that has in recent years drawn the ire of Republicans and Democrats alike. This moratorium is important not only because it demonstrates the bipartisan opposition to the tax, but because it will help patients and consumers throughout the country who have seen their health care costs go up because of the medical device tax. I have been a particular advocate to get rid of that lousy tax, and we are ultimately going to get rid of it, but at least we are rid of it for the next 2 years. We will see what happens in those 2 years.

When all is said and done, this legislation provides roughly $650 billion in tax relief over the next 10 years for families, job creators, and others. That is real money that will help millions of people and provide real growth for our economy. That is the real value of greater permanence in our Tax Code and is the biggest reason we need to pass this legislation.

Don't get me wrong: I don't believe this is a perfect bill by any means. It is not even close to perfect. As I have grown fond of saying, if we were living in the United States of ORRIN HATCH, this legislation would look a lot different. Although it pains me to admit sometimes, that is not where we live. Here in the real world, any undertaking worth the effort is going to require compromise. I know I say that a lot. In fact, I probably said something about the importance of compromise and learning the art of the doable every time we have considered a high-profile piece of legislation this year, but that does not make my arguments any less true.

This is a good bill, period. Anyone, if they are so inclined, could cling to the parts they don't like and make excuses to vote no. Taken as a whole, both parties should be able to support the overall package we put together, and without question, every one of us should welcome the positive impact this bill will have on our economy and our future legislative efforts here in the Congress.

I urge all of my colleagues to support the PATH Act and provide real tax relief at this critical time.

Before I close, I just have to note that a lot of work has gone into this legislation. Every provision of this bill has had a number of champions in the Congress who have worked for years to preserve and enhance these provisions in the hopes of eventually making them permanent. I want to acknowledge some of those efforts here today, particularly those of my colleagues on the Senate Finance Committee. For example, the deduction for State and local sales taxes, which this bill makes permanent, has had a number of champions on both sides of the aisle. In our committee, Senators ENZI, CORNYN, THUNE, and HELLER have all made this issue a priority, and our legislation will ensure that their work pays off.

Another one of the more significant tax provisions this bill would make permanent is the research and development tax credit. This has been a top priority of mine for many years, and Senators CORNYN, CRAPO, and ROBERTS have also played leading rolls in this effort over the years.

Section 179, small business expensing, will also be made permanent under this bill, and Senators TOOMEY, ROBERTS, THUNE, PORTMAN, and ISAKSON have all been leaders on this issue for many years.

The bill would also make permanent the accelerated 15-year depreciation for restaurants and retail, a provision that Senators BURR, CORNYN, CRAPO, HELLER, ISAKSON, ROBERTS, and PORTMAN have all worked long and hard to keep in place. Of course, I could always add my own name to every one of these.

In addition, Senator ENZI has been a big supporter of making the active financing exception, or AFE, permanent. Our bill, once again, accomplishes this goal.

On the charitable side, Senator ROBERTS has been a strong supporter of the S corporation basis adjustment for charitable contributions and the charitable deduction for food inventory contributions, both of which will be made permanent by passing this bill.

Senator THUNE has also been a leader with regard to the food inventory deduction, and he has also worked to ensure that charitable distributions from IRAs remain tax-free—another permanent provision in the PATH Act and something all Republicans support.

Senator HELLER has championed the special rules for real property contributions made for conservation purposes—yet another item our bill makes permanent.

The deduction for teacher classroom expenses is also made permanent in this bill. Senator BURR has been a strong supporter of that provision and deserves a lot of credit for it.

In addition, the PATH Act will make the low-income housing tax credit permanent—something both Senator ROBERTS and Senator CRAPO have worked on for some time.

All of the people I have mentioned have been very active Members on the Republican side.

Senator PORTMAN has pushed to extend the work opportunity tax credit and to expand it to include the long-term unemployed. His proposed modification is included in our bill, as is an unprecedented 5-year extension for this credit.

Thanks, Senator PORTMAN. We appreciate your work on this.

We have seen him work so hard on so many of these issues. We are grateful for him, and I am really grateful to have all of these people on my committee helping out.

Of course, this is not an exhaustive list. Right now I am focusing mainly on temporary provisions that we will make permanent by passing the PATH Act. If I start talking about my various colleagues' efforts on shorter term extensions in the bill, we would be here all day.

I do, however, also want to give credit where it is due on the ObamaCare provisions. For years now, opposition to the misguided medical device tax—that is the most charitable description of that tax you will ever hear from me—has been gaining momentum. Throughout that time, Senators TOOMEY, BURR, and COATS have worked very hard on the Finance Committee to push for a repeal. As I noted earlier, our bill would take a significant step forward in this effort by imposing a 2-year moratorium on this job-killing tax.

I might add that I haven't mentioned my colleagues on the other side, but certainly AMY KLOBUCHAR has stood right with me, as have so many on the other side of the aisle as well, in getting rid of that tax. It is only for 2 years, but ultimately we are going to get rid of it completely, and we have to do that.

Let me just say that it is a pleasure for me to work with Senator WYDEN, the ranking member. He has worked with us on many of these issues, and so

have others on the Democratic side of the aisle, but the leadership on many of these issues has come from these people I have mentioned, and I want to make sure the people who are listening will understand this.

As one can see, the PATH Act reflects the efforts and priorities of many Members of the Senate—not just members of the Finance Committee but Members on both sides on some of these very important issues, as they would have to be. I thank my Democratic friends for helping.

As the debate on this important bill begins in earnest, I am particularly grateful for the work my colleagues on the Finance Committee have put in to advance the interests of their constituents. Each of our Members has put a huge stamp on this legislation, and with a little luck and a handful more votes, their work will be permanently enshrined in the Tax Code, and that is no small achievement after all of these years of trying to make some of these provisions permanent.

There are, of course, others who have also worked hard on various parts of this bill. Virtually every Senator—or at the very least every Senator's constituents—has high-priority items included in this bill. That is a big reason why it is important that we get this done for the American people.

Again, I am happy to bring together both Democrats and Republicans on this important set of tax changes that is long overdue. I am very pleased to work with my Democratic colleagues as well, many of whom deserve credit. Being in the majority, we had to have the efforts of these Republican people whom I have been praising here today.

REMEMBERING NATHAN GRAHAM

Mr. HATCH. Mr. President, I wish to pay tribute to a beloved Utahn who was taken years before his time—Nathan Graham. Nate was not only a celebrated member of the tightly knit community of Utahns here in Washington but was also a well-respected former staffer of the U.S. Senate.

Tragically, at the young age of 37, Nate was struck by a random infection and passed away unexpectedly while on a business trip to China last week. Although he is no longer with us, the great love he shared with others remains in our hearts.

Born in Layton, UT, Nate graduated from Northridge High School before studying political science at Weber State University and moving to Washington, DC. From 2003 to 2009, he served as a legislative assistant for my friend and former colleague Senator Robert F. Bennett. Nate was Senator Bennett's key staffer on the Transatlantic Policy Network—a group that includes U.S. and European elected officials as well as business, policy, and academic leaders in Europe and the United States.

As a military legislative assistant, Nate also worked closely with combat leaders at Utah's military installations, including Hill Air Force Base, the Dugway Proving Ground, and the Utah Test and Training Range. In this capacity, he also advanced Senator Bennett's priorities on the Appropriations Subcommittee on State, Foreign Operations, and Related Programs. The Senator's agenda included increasing funding for microfinance programs, strengthening the Millennium Challenge Corporation, and working to acquire the F–35 aircraft at Hill Air Force Base. As Senator Bennett's trusted adviser, he accompanied the Senator to Europe several times for TPN business and meetings. He also traveled to Egypt, Taiwan, and China in support of Senator Bennett's work on foreign policy.

Nate's trademark humility endeared him to all. He never thought himself above anyone else, and he was always helpful and kind to everyone, regardless of status or position. Nate even had a special reputation as a mentor to Senator Bennett's junior staff. He looked out for young staffers just starting their careers and actively searched out new experiences for their professional development.

Following his time in the Senate, Nate entered the private sector, accepting a position with Procter & Gamble as their senior manager for global government relations and public policy.

Although Nate never worked for me directly, he was a gifted public servant whose contributions were highly regarded across the entire Utah delegation and by me personally. Speaking to Nate's character, Senator Bennett—who is going through his own personal battle with cancer right now—sent me the following note over the weekend:

> Nate Graham was a valued and much-loved member of my staff who was on track for great success in life, both professionally and with his beautiful family. This is a terrible tragedy. Our thoughts and prayers are with his family. We will miss him terribly.

While Nate was working for Senator Bennett, he met and fell in love with his sweetheart and eternal companion, Melanie Mickelson. I know Bob was delighted when he could be a matchmaker for some of his staffers.

In addition to Melanie, Nate is survived by their four sons: Rowen, James, Lincoln, and Griffin—who was born just 2 months ago. Nate was an active member of the Church of Jesus Christ of Latter-day Saints, having served an LDS mission in Honduras and Belize. Just 6 weeks before he passed away, he was released as the bishop of a local congregation in Arlington, VA, where he built a reputation for fostering a community of love and friendship.

A tidal wave of support has washed over the Graham family in the wake of Nate's passing. In just a few days, friends and neighbors have already raised nearly $100,000 in a crowdfunding effort to support this family.

I wish to close with the words of the Scottish poet Henry Francis Lyte, from his hymn, ''Abide With Me,'' which he wrote on his deathbed in 1847. This song is well beloved across the LDS community. It offers comfort and peace amid the sadness of loss:

> I fear no foe, with Thee at hand to bless;
> Ills have no weight, and tears no bitterness;
> Where is death's sting?
> Where, grave, thy victory?
> I triumph still, if Thou abide with me.

We believe Nate now abides in a holier place. His family is in our thoughts just as they are in our prayers. May God comfort them, and may He comfort all of us as we mourn the loss of an exceptional friend, father, and husband.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona.

RUSSIAN ROCKET ENGINES POLICY PROVISION

Mr. MCCAIN. Mr. President, I rise to call attention, sadly, to the triumph of pork-barrel parochialism in this year's Omnibus appropriations bill—in particular, a policy provision that was airdropped into this bill, in direct contravention to the National Defense Authorization Act, which will have U.S. taxpayers subsidize Russian aggression and ''comrade'' capitalism.

Nearly 2 years ago, Russian President Vladimir Putin, furious that the Ukrainian people had ousted a pro-Moscow stooge, invaded Ukraine and annexed Crimea. It is the first time since the days of Hitler and Stalin that brute force has been projected across an internationally recognized border to dismember a sovereign state on the European Continent. More than 8,000 people have died in this conflict, including 298 innocent people aboard Malaysian Airlines Flight 17 who were murdered by Vladimir Putin's loyal supporters with weapons that Vladimir Putin had supplied them.

Putin's imperialist campaign in Eastern Europe forced a recognition, for anyone who was not yet convinced, that we are confronting a challenge that many had assumed was resigned to the history books: a strong, militarily capable Russian Government that is hostile to our interests and our values and seeks to challenge the international order that American leaders

of both parties have sought to maintain since the end of World War II.

That is why the Congress imposed tough sanctions against Russia, especially against Putin's cronies and their enormously corrupt business empire. As part of that effort, Congress passed the National Defense Authorization Act of Fiscal Year 2015, which restricted the Air Force from using Russian-made RD–180 rocket engines for national security space launches—engines that are manufactured by a Russian company controlled by some of Putin's top cronies. We did so not only because our Nation should not rely on Russia to access space but because it is simply immoral to help subsidize Russia's intervention in Ukraine and line the pockets of Putin's gang of thugs who profit from the sale of Russian rocket engines.

Last year the Defense authorization bill exempted five of the engines that United Launch Alliance purchased before the invasion of Ukraine. This allowed ULA, the space launch company that for years has enjoyed a monopoly on launching military satellites, to use those Russian rocket engines if the Secretary of Defense determined it was necessitated by national security.

Since the passage of the act in the Senate 89 to 11, Russia has continued—as we all know—to destabilize Ukraine and menace our NATO allies in Europe with aggressive military behavior. Putin has sent advanced weapons to Iran, violated the 1987 Intermediate-Range Nuclear Force Treaty. In a profound echo of the Cold War, Russia has intervened militarily in Syria on behalf of the murderous regime of Bashar Assad. Clearly, Russian behavior has only gotten worse.

That is why a few weeks ago Congress acted again and passed the National Defense Authorization Act of Fiscal Year 2016. The NDAA authorized $300 million in security assistance and intelligence support for Ukraine to resist Russian aggression. At the same time, the bill recognized that a small number of Russian engines could be needed—could be needed to maintain competition in the National Security Space Launch Program and facilitate a smooth transition to rockets with engines made in the United States. Therefore, the legislation allowed ULA to use a total of nine Russian engines. The fiscal year 2016 Defense authorization bill, including its provision limiting the use of Russian rocket engines, was debated for months. For months the issue was debated. The Committee on Armed Services had a vigorous debate on this important issue. An amendment was offered to maintain the restriction on the Air Force's use of Russian rocket engines. In a positive vote of the committee, the amendment was adopted.

We then considered hundreds of amendments to this bill on the Senate floor over a period of 2 weeks. For 2 weeks we literally considered hundreds of amendments, and we did so transparently, with an open process which was a credit, frankly, to both sides. There was not one amendment that was called up to change the provision of that authorization bill concerning the RD–180 rocket engines. The legislation passed with 71 votes.

Then, because of a misguided Presidential veto, this defense legislation was actually considered a second time on the floor and it passed 91 to 3. I want to reemphasize, one of the things I was proud of for years is that we do debate the Senate Armed Services national defense authorization bill. We have done so every year for some 43 years, and passed it, and had the President sign it. We open it to all amendments, but there was no amendment on rocket engines proposed on the floor of the Senate. Why wasn't it? If there were Members of the Senate who did not like the provisions in the bill, we had an open process to amend it, but they didn't. They didn't because they knew they could not pass an amendment that would remove that provision in the Defense Authorization Act. So now in the dead of night we just found out, hours before we are supposed to vote, that they put in a restriction which dramatically changes that provision that was done in an open and transparent process. To their everlasting shame, in the dark of night, not a vote—not a vote—no one consulted on the Armed Services Committee.

The fiscal year 2016 bill, including its provision limiting the use of Russian rocket engines, was debated for months. The committee had a vigorous debate, as I mentioned. Here is my point. The Senate had this debate. We had ample time and opportunity to have this debate. Through months of this fulsome debate, no Senator came to the Senate floor to make the case that we needed to buy more Russian rocket engines, no Senator introduced an amendment on the floor to lift the restriction on buying more Russian rocket engines. To the contrary, the Senate and the full Congress, including the House of Representatives, voted overwhelmingly and repeatedly to maintain this restriction. This is a policy issue, not a money issue—nowhere in the realm of the Appropriations Committee. It was resolved, as it should have been, on the defense policy bill.

Here we stand with a 2,000-page Omnibus appropriations bill crafted in secret. Members outside of the Appropriations Committee were not brought into the formulation of this legislation. There was no debate. Most of us are seeing this bill for the first time this morning, and buried within it is a policy provision that would effectively allow unlimited purchases and use of—guess what—Russian rocket engines.

What is going on here? ULA wants more Russian engines, plain and simple. That is why ULA recently asked the Defense Department to waive the NDAA's previous restriction on the basis of national security and let it use a Russian engine for the first competitive national security space launch. The Defense Department declined.

So what did ULA do when it couldn't get its way? It manufactured a crisis. Though the Department of Defense is restricted in using these Russian rocket engines, there is no similar restriction on NASA or commercial space launches. So ULA rushed to assign the RD–180s—the rocket engines—that it had in its inventory to these non-national security launches, despite the fact that there is no restriction on the use of Russian engines for those launches. This artificial crisis has now been seized on by ULA's Capitol Hill leading sponsors; namely, the senior Senator from Alabama, Senator SHELBY, and the senior Senator from Illinois, Senator DURBIN, to overturn the NDAA's restriction, and that is exactly what they have done—again, secretly, nontransparently, as part of this massive 2,000-page Omnibus appropriations bill.

As I said, neither Senator SHELBY nor Senator DURBIN, nor any other Senator, raised objections to the provisions of the bill or offered any alternative during the authorization process on the Senate floor. That is a repudiation of the rights of every single Senator in this body who is not a Member of the Appropriations Committee.

In fact, as I have said, when this issue was debated and voted on in the Committee on Armed Services, the authorizing committee of jurisdiction voted in favor of maintaining the restriction. Instead, my colleagues on the Appropriations Committee crafted a provision in secret, with no debate, to overturn the will of the Senate as expressed in two National Defense Authorization Acts. The result will enable a monopolistic corporation to send potentially hundreds of millions of dollars to Vladimir Putin and his corrupt cronies and deepen America's reliance on these thugs for our military's access to space.

This is outrageous and it is shameful. It is the height of hypocrisy, especially from my colleagues who claim to care about the plight of Ukraine and the need to punish Russia for its aggression.

How can our government tell European countries and governments that they need to hold the line on maintaining sanctions on Russia, which is far harder for them to do than for us, when we are getting our own policy in this way? We are gutting our own policy. How can we tell our French allies, in particular, that they should not sell Vladimir Putin amphibious assault ships, as we have, and then turn around

and try to buy rocket engines from Putin's cronies? Again, this is the height of hypocrisy. Since March of 2014, my colleagues in the Senate have tried to do everything we can to give our friends in Ukraine the tools they need to defend themselves and their country from Russian aggression. Rather than furthering that noble cause, Senator SHELBY and Senator DURBIN have chosen to reward Vladimir Putin and his cronies with a windfall of hundreds of millions of dollars.

A rocket factory in Alabama may benefit from this provision. Boeing, headquartered in Illinois, may benefit from this decision. But have no doubt, the real winners today are Vladimir Putin and his gang of thugs running the Russian military industrial complex. I wish that Senator SHELBY and Senator DURBIN would explain to the American taxpayer exactly whom we are doing business with. They will not. But my colleagues need to know.

Let me explain. At least one news organization has investigated how much the Air Force pays for these RD–180 rocket engines, how much the Russians receive, and whether members of the elite in Putin's Russia have secretly profited by inflating the price. In an investigative series entitled ''Comrade Capitalism,'' Reuters exposed the role that senior Russian politicians and Putin's close friends, including persons sanctioned over Ukraine, have played in the company called NPO Energomash, which manufactures the RD–180. According to Reuters, a Russian audit of that company found that it had been operating at a loss because funds were, ''being captured by unnamed offshore intermediary companies.''

In addition, the Reuters investigation also reported that NPO Energomash sells its rocket engines to ULA through another company called RD Amross, a tiny five-person outfit that stood to collect about $93 million in cost markups under a multiyear deal to supply these engines. The Defense Contract Management Agency found that in one contract alone, RD Amross did ''no or negligible'' work but still collected $80 million in ''unallowable excessive pass-through charges.''

Now, remember my friends, that is a five-person outfit—five persons. The Defense Contract Management Agency found that in one contract they collected $80 million in unallowable, excessive passthrough charges. My friends, thanks to this amendment, that is who is going to continue to receive this money.

According to University of Baltimore School of Law professor Charles Tiefer, who reviewed Reuters documents, ''The bottom line is that the joint venture between the Russians and Americans is taking us to the cleaners.'' He said that he had reviewed Pentagon audits critical of Iraq war contracts, but those ''didn't come anywhere near to how strongly negative'' the RD Amross audit was.

My colleagues, we have to do better. We have to do better than this. Some may say that we need to buy rocket engines from Putin's cronies in Russia. In particular, they will cite a letter from the Department of Defense, in response to a list of leading questions from the Appropriations Committee just a few days ago, which they will claim as confirmation that the Department believes the United States will not have a domestically manufactured replacement engine for defense space launches before 2022.

Of course, that is nonsense. When the Department of Defense starts making predictions beyond its 5-year budget plan, what I hear is ''This isn't a priority'' or ''We don't really know.'' Either way, this is unacceptable. Both the authorizers and the appropriators have ramped up funding for the development of a new domestically manufactured engine. The Pentagon needs to do what it has failed to do for 8 years: Make this a priority.

Indeed, American companies have already said that they could have a replacement engine ready before 2022. Our money and attention should be focused on meeting this goal, not on subsidizing Putin's defense industry. Proponents of more Russian rocket engines will also cite claims by the Air Force that ULA needs at least 18 RD–180 engines to create a bridge between now and 2022 when a domestically manufactured engine becomes available. This, too, is false.

Today, we have two space launch providers—ULA and SpaceX—that, no matter what happens with the Russian RD–180, will be able to provide fully redundant capabilities with ULA's Delta IV and SpaceX's Falcon 9 and, eventually, the Falcon Heavy space launch vehicles. There will be no capability gap. The Atlas V is not going anywhere anytime soon. ULA has enough Atlas Vs to get them through at least 2019, if not later. As I alluded a moment ago, the Pentagon agrees that no action is required today to address a risk for assured access to space.

In declining ULA's recent request for a waiver from the Defense authorization bill's restriction, the Deputy Secretary of Defense concluded that they ''do not believe any immediate action is required to address the further risk of having only one source of space launch services.'' Indeed, in its recent letter, the Department of Defense even confirmed that ULA has enough engines to compete for each of the nine upcoming competitions and that the number they will pursue is ''dependent upon ULA's business management strategy.''

So I ask Senator SHELBY and Senator DURBIN: What are your priorities? As we speak, Ukrainians are resisting Russian aggression and fighting to keep their country whole and free. Yet this Omnibus appropriations bill sends hundreds of millions of dollars to Vladimir Putin, his cronies, and Russia's military industrial base as Russia continues to occupy Crimea and to destabilize Ukraine and their neighbors in the region. What kind of message does that send to Ukrainians who have been fighting and dying to protect their country? How can we do this when Putin is menacing our NATO allies in Europe? How can we do this when Russia continues to send weapons to Iran? How can we do this when Putin continues to violate the 1987 Intermediate-Range Nuclear Forces Treaty? How can we do this when Putin is bombing U.S.-backed forces in Syria fighting the murderous Assad regime?

I understand that some constituents of Senator SHELBY and Senator DURBIN believe they would benefit from this provision, but as the New York Times editorial board stated earlier this year:

> When sanctions are necessary, the countries that impose them must be willing to pay a cost, too. After leaning on France to cancel the sale of two ships to Russia because of the invasion of Ukraine, the United States can hardly insist on continuing to buy national security hardware from one of Mr. Putin's cronies.

I repeat; that is from the New York Times, an editorial dated June 5, 2015, titled ''Don't Back Down on Russian Sanctions.'' I also refer to an article from Reuters, dated November 18, 2014, titled ''In murky Pentagon deal with Russia, big profit for a tiny Florida firm.''

On the record, I make this promise: If this language undermining the National Defense Authorization Act is not removed from the omnibus, I assure my colleagues that this issue will not go unaddressed in the fiscal year 2017 National Defense Authorization Act. Up to this point, we have sought to manage this issue on an annual basis. We have always maintained that if a genuine crisis emerged, we would not compromise our national security interests in space. We have sought to be flexible and open to new information. But if this is how our efforts are repaid, then perhaps we need to look at a complete and indefinite restriction on Putin's rocket engine.

I take no pleasure in saying that. I believe that avoiding the year-over-year conflict over this matter between our authorizing and Appropriations Committees is in our Nation's best interests. Such back-and-forth only delays our shared desire to end our reliance on Russian technology from our space launch supply chain, while injecting instability into our national security space launch program.

That instability threatens the reliable launch of our most sensitive national security satellites and the stability of the fragile industrial base that supports them. But I cannot allow—I

cannot allow the Appropriations Committee or any other Member of this body to craft a ''take it or leave it'' omnibus spending bill that allows a monopolistic corporation to do business with Russia's oligarchs to buy overpriced rocket engines that fund Russia's belligerence in Crimea and Ukraine, its support for Assad in Syria, and its neoimperial ambitions.

I would like to address this issue in a larger context. The way the Congress is supposed to work is that authorizing committees authorize, whether it be in domestic or international or, in this case, defense programs. The responsibility of the authorizing committee is to make sure, in the case of defense—the training, equipping, the authorizing, the funding, the policies—that all falls under the Armed Services Committee.

The Appropriations Committee is required in their responsibilities to decide the funding for these programs. It is within their authority to zero out a program if they do not think the funding is called for or necessary. They can add funding if they want to for various programs. But this—this is a complete violation, a complete and total violation.

This issue was raised in the subcommittee and addressed in the subcommittee of the Armed Services Committee. It was in the full committee. It was addressed on the floor where there were hundreds of amendments that were proposed. Yet what was decided by the Armed Services Committee remained intact until, in the dark of the night, until 10 or 11 or 12 or whatever time it was this morning, up pops a direct contradiction, a direct dismembering, a direct cancellation of a provision in the law where we are talking about hundreds of millions of dollars that have no bearing whatsoever on the authority and responsibility of the Appropriations Committee.

So there are two problems here: One, it was done in the dark of night—in the middle of the night. No one knew. Second of all, it is in direct violation of the relationship between the authorizing committees and the Appropriations Committee. So I say to my colleagues who are not on the Appropriations Committee: If you let this go, then maybe you are next. Maybe it is an amendment or a program that you have supported through debate and discussion and authorizing the committee and votes on amendments on the floor of the Senate. Then in the middle of the night, in December, when we are going out of session in 48 hours or so—or 72 hours—then up pops a provision that negates the entire work of the authorizing committee over days and weeks and months.

I say to my colleagues: You could be next. You could be next. That is why this in itself—subsidizing Vladimir Putin—is outrageous enough. But if we are going to allow this kind of middle-of-the-night airdropping, fundamental changes in programs and proposals and policies that have been debated in the open, that have been voted on in the open, completely negated, then we are destroying the very fundamental structure of how the Senate and the Congress are supposed to work.

I ask unanimous consent that a letter I sent to the chairman of the Appropriations Committee, dated November 19, 2015, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, November 19, 2015.

Hon. THAD COCHRAN,
Chairman, Committee on Appropriations, Washington, DC.

DEAR CHAIRMAN COCHRAN: As you finalize the appropriations bills for fiscal year 2016, I am concerned to hear that your Committee may be considering authorization language that would undermine sanctions on Russian rocket engines in connection with the Evolved Expendable Launch Vehicle (EELV) program, as approved in the recently enacted Fiscal Year 2016 National Defense Authorization Act (NDAA) on November 10, 2015, by a vote of 91–3. That provision, which was reviewed at length by the Armed Services Committee and subject to a fulsome amendment process on the Senate Floor, achieves a delicate balance that facilitates competition by allowing for nine Russian rocket engines to be used as the incumbent space launch provider transitions its launch vehicles to non-Russian propulsion systems.

I know you share my concerns about our continued use of Russian rocket engines in connection with military space launch and I ask you to respect the well-informed work my Committee took in crafting our legislation. Recent attempts by the incumbent contractor to manufacture a crisis by prematurely diminishing its stockpile of engines purchased prior to the Russian invasion of Crimea should be viewed with skepticism and scrutinized heavily. Such efforts should not be misconstrued as a compelling reason to undermine any sanctions on Russia while they occupy Crimea, destabilize Ukraine, bolster Assad in Syria, send weapons to Iran, and violate the 1987 Intermediate Range Nuclear Forces Treaty.

We welcome your Committee's views and look forward to working with your Committee on ensuring that Department of Defense resources are not unwisely allocated to benefit the Russian military industrial base or its beneficiaries. I believe avoiding the year-over-year re-litigation of this matter between our authorizing and appropriations committees is in our best interest, inasmuch as such back-and-forth only delay our shared desire to eliminate Russian technology from our space launch supply chain and injects instability into the EELV program—not conducive to its success in ensuring the reliable launch of our most sensitive national security satellites or the stability of the fragile industrial base that supports them.

Thank you for consideration of this important issue.

Sincerely,

JOHN MCCAIN,
Chairman.

Mr. MCCAIN. I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Minnesota.

Mr. FRANKEN. Madam President, I ask unanimous consent to speak for 15 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

PARIS CLIMATE CHANGE AGREEMENT

Mr. FRANKEN. Madam President, I rise today to celebrate the successful climate negotiations that were just wrapped up in Paris.

This past Saturday, 196 countries came together to reduce harmful greenhouse gas emissions, taking a very important step in the fight against climate change. This historic agreement is a recognition that we cannot afford to ignore the negative impacts of climate change and that we must work together globally to put the planet on a safer path forward.

The agreement does not simply take countries at their word, but it requires transparent measurement and verification to ensure that they live up to their promises. Crucially, the deal requires countries to revisit their emission reduction targets every 5 years. That way countries can factor in new technologies and new policies in order to keep global warming under 2 degrees Celsius.

This truly historic deal has been nearly 25 years in the making. International climate efforts date back to 1992, when governments around the world met in Rio de Janeiro with the objective of stabilizing greenhouse gas concentrations. Nations have met every year since to further the goal. While some meetings have been more successful than others, most have been met with disappointment and lack of action. After all, climate change is a complex issue, and bringing about a consensus action for any international issue is no small feat. That is why this agreement is truly, truly impressive.

Two weeks ago I traveled to Paris with nine of my colleagues. We met with U.N. Secretary General Ban Ki-moon, with U.S. Energy Secretary Ernest Moniz, and with our top U.S. climate change negotiator, Todd Stern. I congratulate all of them for their fine work.

Part of the purpose of our trip was to demonstrate to the world that there is a strong coalition in the U.S. Congress that supports the President's efforts on climate change, a message we conveyed to other nations, including Bangladesh. It is a country that has contributed little to industrial air pollution, but it is one of the most vulnerable to the negative impacts of climate change. It is estimated that unless we act, rising sea level will inundate some 17 percent of Bangladesh, displacing about 18 million people in this low-lying nation. They will be uprooted and turned into climate refugees without a home.

But, of course, climate change isn't something that will just impact Bangladesh and other low-lying nations. It is already impacting us right here at home.

While we cannot attribute any single extreme weather event to climate change, we do know that climate change impacts the frequency, duration, and severity of extreme weather events. Just look at the damage caused by Superstorm Sandy. The storm surges caused by Sandy along the eastern seaboard were far more damaging because of climate-induced sea level rise. May I remind you that the damage caused by Sandy cost taxpayers $60 billion.

We are also seeing climate impacts to our forests. When Forest Service Chief Tom Tidwell testified before the Senate energy committee a few years ago, he told us that throughout the country we are seeing far longer fire seasons and that wildfires are also larger and more intense. I asked Chief Tidwell whether scientists at the Forest Service have concluded that climate change has been exacerbating the intensity, the size, and duration of wildfires in the wildfire season. Without hesitation, he said yes. As a result, the Forest Service is spending more and more of their budget fighting fires—now more than half of their entire budget.

We are seeing more intense droughts. Unless we act, these droughts will have a major impact on food security around the world. That is why I recently penned an op-ed in the Minneapolis StarTribune with Dave MacLennan, the CEO of Cargill, the Nation's largest privately held corporation.

As the CEO of a company focused on agriculture, Dave is concerned about what climate change is going to do to our food supply in a world that is expected to go from 7 billion to 9.5 billion inhabitants by midcentury. That is why Cargill called for a strong outcome at the global climate negotiations.

So you can see that Cargill has a strong business case to make on why we have to deal with climate change. But, of course, that business case isn't just confined to the agriculture sector. Addressing climate change presents a tremendous opportunity to transform the energy sector.

For the very first time just this last week, Beijing issued its most severe warning to alert citizens of intense smog and local air pollution levels. Officials ordered half of the city's private vehicles to stay off the road, halted all operation at outdoor construction sites, and advised schools to temporarily close their doors. Citizens were encouraged to limit outdoor activities and recommended to wear a mask when outside.

China is choking on its own fumes from fossil fuels. As China and others recognize that they have to race toward clean energy, I want to make sure that our nation leads that race. I want to make sure that our startups are innovating tomorrow's solutions, that our companies are the ones that are developing and deploying clean energy technologies here and around the world. Again, I want to reiterate that. Addressing climate change head on would not only mitigate unprecedented damage to our economy but spur growth and innovation in a world that is hungry for advancements in clean energy.

My State of Minnesota recognized this opportunity in 2007 when it established a renewable energy standard and an energy efficiency standard. These kinds of policies send a strong signal to the private sector to develop and deploy clean energy solutions, and major investors are catching on to the opportunities. Just this month, Bill Gates launched the Breakthrough Energy Coalition to develop transformative energy solutions. The Coalition of nearly 30 billionaires from 10 different countries will invest in early stage energy companies to help them bridge the gap between government-funded lab research and the marketplace. According to Gates, the ''primary goal with the Coalition is as much to accelerate progress on clean energy as it is to make a profit.'' To back up this statement, Gates alone plans to invest $1 billion in clean energy in the next 5 years.

So you can see that the very serious threat of climate change presents a ''Sputnik moment'' for our Nation, an opportunity to rise to the challenge and defeat that threat. In response to Sputnik, we ended up not just winning the space race and sending a man to the Moon, but we did all sorts of great things for the American economy and for our society. We did it once, and we can do it again. By rising to the challenge of climate change, we will not just clean up our air but also drive innovation and create jobs—and not only in the clean energy sector—just as the space program created economic growth in so many economic sectors.

The Obama administration deserves a lot of credit for its leadership on climate change. Our domestic commitment through the Clean Power Plan, which builds on the work of my State and others, has established a Federal plan for reducing emissions. This important policy has provided American innovators and businesses the confidence to take on new risks and to drive new technologies forward.

After dragging our feet for so many years, I am proud that the United States is acting domestically and leading internationally.

But our job is not done. The agreement in Paris puts the planet on a safer trajectory than the one we have been on, but we have to remain vigilant and build upon that success. Internationally, we have to hold other nations accountable, ensure that they commit to stronger emission reduction targets over time, and make sure that those reductions are transparent and verifiable. Domestically, we have to build on the success of our cities and our States, and we have to work to make sure that the Clean Power Plan and other emissions reduction policies are effective. As a member of the Senate energy committee, I intend to do just that.

Two years ago, my first grandchild was born, and I am expecting my second grandchild in January. God willing, they will live through this century and into the next. I want them to know that when we had the opportunity to put Earth on a safer path, we seized the moment.

So let's celebrate this agreement because it is an important milestone, and then let's build on it to make the planet a safer and more habitable place for our grandchildren and their children.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUNT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OMNIBUS APPROPRIATIONS BILL

Mr. BLUNT. Madam President, I am here today to talk a little about the bill we saw posted late last night—a bill that I think has better results than the process itself would have suggested we might have.

There is no question that we have to get back to the process of bringing these bills to the floor. Bring them to the floor one at a time and let everybody challenge every penny of spending, to spend it in a different way or don't spend it at all. I am disappointed, as every citizen in the country should be, that we didn't do it that way. I hope we have the opportunity next year to get back to where these bills are dealt with one at a time.

The other area I am disappointed in is the inability to use this bill to have the kinds of policy victories I would like to see. The rule on the waters of the United States—the courts consistently appear to be saying the EPA absolutely doesn't have the authority to do what they are trying to do. In my State, the fourth most dependent State on coal-powered utilities, the rule on electricity will double our utility bill sometime between now and 2030, and for some Missourians, their utility bill will more than double. There is the rule that makes it difficult for financial advisers to give advice to small investors and people with small savings,

small retirement accounts. If this financial adviser's rule—the so-called fiduciary rule—is allowed to go into effect, it will have dramatic impact. The joint employer rule upends the franchise model of doing business—a model of doing business which is around the world now but is uniquely American in its capacity to bring people into the middle class and allow them to rise into the middle class.

So I am disappointed about all of those things. But when we look at the bill as a spending bill, when we look at the bill as a bill that is supposed to do what this bill does, which is to decide how to spend the country's money, there is a significant reprioritization here.

One of the things I have seen even more in recent years than I think used to be the case is that when so many of our friends in the House and the Senate—and maybe even more so in the Senate—talk about how important it is to fund our priorities, what they are really staying is that it is important to fund anything any of us are for. That is not the way to set priorities. The way to set priorities is to decide what is important for the government to do, decide what the government can do better than people can do for themselves or maybe couldn't possibly do for themselves, and then set those priorities. In that case, I think this bill makes significant steps in the right direction, with dramatic changes in areas that had been a problem for several years now, at least the last 5 or 6 years, and in the case I want to talk about first, the last dozen years, but nobody has been able to do anything about it. Nobody has ever said those aren't our priorities; they just said: Well, we have all of these priorities—which meant every line in the appropriations bill, the best I can tell.

Let's talk about the Labor-HHS bill. It is about 32 percent of all the money after defense. If I have any time, I might talk about the Defense bill because it does great things for veterans, great things for cyber security, great things that support those who serve, and one of those things is encouraging our allies on the frontlines in the War on Terror.

In Labor and Education and particularly in Health and Human Services, the National Institutes of Health, where so much of our health care research is generated—a little of it is done in every State. Some States have great institutions. Certainly Missouri does—the University of Missouri, Columbia, Washington University, Children's Hospital. Hospitals all over our State have unique opportunities to do research. Health care research is something that, frankly, just isn't going to happen the way it should happen unless the government steps forward and says: We are going to be a leader here.

From about 1996 until 2003, the Federal Government doubled NIH research—in less than a decade, doubled NIH research. Since 2003, there has been no increase. There has been no increase in over a decade. As that money didn't increase, the buying power of the money decreased. We can certainly argue there is somewhere in the neighborhood of 20 to 25 percent less buying power, so really in terms of what they are getting for research, there is less buying power by about 20 percent to 25 percent. Young researchers are frustrated at never getting that first grant, never getting the truly experimental grant to see if something will work that nobody may have thought of before.

This bill increases NIH research by almost 7 percent. It takes that $30 billion Federal commitment to research and makes it a $32 billion commitment. It begins the process of catching up. Why do we need to do that? What are the reasons we need to do that besides the fact that the government has done research of all kinds for a long time, from ag research, which I support, to health research, which I support? I can think right offhand of about three critical reasons we should be concerned about health research.

One is the individual impact that the failure to do this has had. As people live longer, more and more people die from Alzheimer's and its complications or cancer and its complications. Fewer people die from a heart attack because we have done great things there and can still do more through treatment and prevention to make heart attacks even less likely. But as people survive heart attack and stroke, they are more likely to die from Alzheimer's or cancer. This creates great stress for families, particularly Alzheimer's, which can create years and maybe decades of stress for families. So to try to prevent or postpone that, to work with families—I would say that is priority reason No. 1.

To save money for taxpayers would be priority reason No. 2. The projection is that by 2050, through Medicare, the Federal Government will be spending $1 trillion a year on Alzheimer's and Alzheimer's-related health care. That is about as big as this discretionary budget. I think this budget is about $1.15 trillion. So take all the money we are spending today on discretionary spending, and suddenly, in just a few decades, that is the same amount of money we will be spending because of Alzheimer's. So that is a good second reason.

A third reason is that health care is about to revolutionize everything from smart phone technology to the individual health care that is possible now that we know what we know about the human genome, the things we know about that make me as an individual different from everybody else and everybody else who is hearing this different from everybody else. What kind of unique cure can we find? What kind of designer medicine cure can we find to solve a problem for you, and then how do we make that scalable so that, with minor variations, we can make the same thing possible and affordable for other people as well? And where that research is done—the smart phone technology applications, the focus on the brain, the focus on designer medicines—where that is done is likely to be where many of those jobs turn out to be. So certainly health care is and will continue to be a big economic driver. The multiplication of economic impact in a positive way with what we invest in health care is pretty dramatic. So that is a big increase.

Fighting opioid abuse—this is where people take prescription medicines. The Presiding Officer is a veteran, having just retired from her long military service. Many of those who serve are the most likely to have this problem because of injuries they sustained, accidents they were part of, attacks they were a victim of which create pain. So they take heavy amounts of appropriate things to ease that pain but then get addicted to it. This is an area people weren't talking about at all long ago, but deaths from prescription opioids have quadrupled since 1999—actually, more than that because they quadrupled between 1999 and 2013.

Overdose of prescription drugs costs the economy an estimated $20 billion in work loss and health care costs every single year. The lives of families are impacted when a successful person, a responsible person, or someone who has not achieved either of those things yet but is a loved part of your family, becomes a victim of opioid abuse. We have a commitment in this budget to $91 million. It is not the biggest line item in the budget, but it is almost three times what we have been spending.

Many of our Members have been real leaders in talking about this. Senator AYOTTE from New Hampshire, Senator PORTMAN from Ohio, and Senator SHAHEEN from New Hampshire are all very focused on this problem.

The Individuals with Disabilities Education Act benefits here as we move toward hopefully less Federal control on education but more ability to help local schools deal with people who have individual challenges.

Rural health is a big issue in my State and a big issue in the Presiding Officer's State. It is handled here in a different way.

Job training is an important thing we do.

But what do we not do here? This is my final addition to this: What are we not doing? We would have liked to have not funded over 40 programs, which was the bill that the Appropriations Committee sent to the floor months ago that was never debated. That would have been the chance to debate all 40 of

those programs. I think there were 43 programs that cost about $2.5 billion. Debate all 43 of those programs and decide if the committee is right or not—we can't do that if we don't get it here on the floor. But we still eliminate 18 programs. Those programs currently were more than a quarter of a billion dollars of spending.

The President asked for 23 new programs that were $1.16 billion of spending that were not done in this bill.

The Independent Payment Advisory Board under ObamaCare, where there would be a board rather than you and your doctor who decided what your health care is going to look like—that is not funded, so that won't occur. And there won't be a big transfer from other accounts with some other label to insurance companies, because all of the expectations from ObamaCare have turned out not to produce the kinds of results its supporters thought it would.

Hopefully we have made a big difference in how we prioritize the spending of the people's money, of the taxpayers' money, and hopefully we have also made a renewed commitment to do this the right way. We have done it this way since, frankly, the control of the Senate changed half a dozen years ago. The new majority was totally committed to getting these bills to the floor. They were all ready—all 12 bills—for first time in 6 years, most of them ready about the end of May, the first of June, but with only a couple of exceptions were they allowed to come to the floor, and that was at the very last minute when it was too late for this process to work the way it should.

Let's hope for more transparency, more debate, and more challenges. I am chair of this one committee I have been talking about today, but certainly there have to be other ideas that other Members who aren't on this subcommittee have, who aren't on the Appropriations Committee have. They do their best to get those ideas in by talking, in this late process and during the year, about what should happen.

Let's do our best to make this happen the way the Constitution envisions and the way people have every right to expect. I hope for a better process but realize that this process does significantly change the priorities the Federal Government has been stuck with for the last 6 years and heads in a new direction.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TOOMEY). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMPETITIVE SPACE LAUNCH

Mr. DURBIN. Mr. President, the senior Senator from Arizona came to the floor this morning and raised a question about a provision in the Omnibus appropriations bill, particularly the aspect of it that related to the Department of Defense. During the course of raising the issue, the senior Senator from Arizona used my name on the floor repeatedly. It was refreshing and I am relieved. The senior Senator from Arizona has not attacked me on the floor for 3 weeks, and I was fearful he was feeling under the weather, but clearly he is in fine form and feels good, and I welcome him back to the floor for another attack on me personally.

Let's talk about the issue he raised because it is complicated but extremely important when it comes to the defense of the United States. Here is what it boils down to: In the early 2000s, there were two companies making rockets that launched satellites. The two companies were Boeing and Lockheed, and they competed with one another, but in the early 2000s—and I don't understand why—they made an argument to the Department of Defense that the Nation would be better off if they merged the two companies into one company and then provided the rockets to launch satellites to defend the United States and collect information. They argued that if they worked together, it would cost less, and they merged. With the approval of the Department of Defense, they continued to bid on satellite launches.

What happened was a good thing and a thing that was not so good. What was good was that their product was very reliable. They launched satellites with great reliability, and that is of course what America and its national defense requires. The bad part is that the costs went through the roof. The costs went up about 65 percent over this period of time since they created United Launch Alliance, costing the Federal taxpayers about $3 billion more for launches than it did in the past. They argued that they would eliminate competition and provide reliability, and they did, but the costs went up dramatically.

A new player arrived on the scene—SpaceX. SpaceX is associated with Elon Musk, a name that is well known in America. They decided to get into the business. They were going to build rockets and launch satellites too. Naturally, the United States of America said: Be my guest but prove you can do it in a way that we can count on you, because when we need a satellite launched to collect information, we want to make sure it is successful.

Over the years, SpaceX improved, evolved, and developed the capacity to launch satellites to the point where NASA, for example—the National Aeronautics and Space Administration—used SpaceX rockets successfully. It reached a point where the Department of Defense said to SpaceX: You are capable and will be certified to now compete for Department of Defense business. It is to the credit of SpaceX that they reached that point.

I thought this was an exciting development because, once again, we were going to have competition between the United Launch Alliance, the old Boeing-Lockheed merger, and SpaceX, the new company. The owner of SpaceX said to me as well as publicly: We can do this for a fraction of the cost to American taxpayers. What I did was invite the CEOs of both companies to come to my subcommittee—when I then chaired the Defense Appropriations Subcommittee—in March of 2014. No one had quite seen a hearing like this before. We put the CEOs of both companies at the table at the same time, and we asked them questions about their operations, reliability, costs, and projections for the future.

At the end of this hearing, I said to the CEOs of each of these companies: I want to do something that is a little unusual. I want to offer each of you the opportunity, if you wish, to submit 10 questions to the other CEO that you think should have been asked and perhaps we didn't—and so they did. It was a complete record and a good one. For the first time, it really showed me that we were moving to a new stage in rocket science and capacity that could serve the United States by keeping us safe and keeping the costs down, and that of course should be our goal.

Then there was a complication. Vladimir Putin of Russia decided to take aggressive action by invading Georgia and Ukraine, and other actions by him that we considered confrontational tended to freeze up the relationship between the United States and Russia. Why is that important? It is important because the engine being used by United Launch Alliance to launch America's defense satellites was an engine built in Russia.

People started saying: Why in the world are we giving Russia and Vladimir Putin the opportunity to sell rocket engines to the United States? Secondly, why would we want to be dependent on Russia for rocket engines? So the debate started moving forward. How do we exclude the Russians from building engines and still have competition between these two companies? That is what brings me here today.

We were trying to find the right combination to bring competition and reliability without engaging the Russians. Everyone in Congress knows we have authorizing committees and appropriations committees. The senior Senator from Arizona is the chair of the defense authorizing committee, the Armed Services Committee, and I have been chair and am now the vice chair of the Defense Appropriations Subcommittee.

The senior Senator from Arizona started including provisions in the authorizing bill which said that ULA, United Launch Alliance, could not use

Russian engines to launch satellites and compete for business using those engines in the United States. As a result, the Air Force came to see me. First, I might add, a letter was sent when this provision was added to the Defense authorization bill. The letter was sent in May of this year, signed by Ash Carter, the Secretary of Defense, and James Clapper, the Director of National Intelligence, suggesting that excluding Russian engines so quickly could cause a problem in terms of the availability of missiles to launch satellites as we need them. The limitation that was put in by the defense authorization committee as to the number of engines that could be used would be quickly depleted, and the Air Force, the Department of Defense, and our intelligence agency said that may leave us vulnerable, so they asked the Senator from Arizona to reconsider that provision. He did not. If anything, the language that came out of conference on this provision made it even more difficult for the United Launch Alliance to consider using a different type of engine. I might add, they don't have an alternative engine to the Russian engine. United Launch Alliance uses it now. We told them to develop an American engine, and I stand behind that. They told us it will take anywhere from 5 to 7 years for that to happen.

I understand this is a complex assignment, and we want them to get it right. It seems like a long time, but it points to the dilemma we face. If United Launch Alliance cannot bid for work with the Department of Defense using a Russian engine, they don't have an alternative engine to bid with. At that point, SpaceX becomes the sole bidder and the monopoly source for engines. We tried to move from ULA as a monopoly source or sole bidder to competition, and now by injecting this prohibition against Russian engines beyond a certain number, we are again getting back to the days of a sole bidder.

What we have allowed in this Omnibus appropriations bill is language which gives 1 year of flexibility to the Department of Defense when it comes to bidding for these satellite launches, and of course it means United Launch Alliance will be using Russian engines for that bidding.

The Senator from Arizona came to the floor and spent most of his time talking about the aggression of Russia and Vladimir Putin and how we need to be strong with our response. Back in the day, when our relationship was more constructive, the Senator from Arizona and I actually traveled to Ukraine. I agree with him about the aggression of Russia and Mr. Putin and why the United States needs to be strong in response, but we have to be careful that we don't cut off our nose to spite our face. If we reach a point where we don't allow ULA to use a Russian engine to compete, we could endanger and jeopardize the opportunities the United States needs to keep us safe, and that is exactly what the Secretary of Defense and Mr. Clapper said in writing to Senator MCCAIN.

My message is that there is nothing, incidentally, in this omnibus bill that was not discussed in the original bill as marked up. There is no airdrop of language. It is a slightly different version of the language but says the same thing—that we think there should be some flexibility as ULA moves to develop their new engine.

The Department of Defense has convinced me that it would be shortsighted of us to make it impossible for ULA to even bid on future satellite launches. God forbid something happens to SpaceX where they can't launch satellites. At that point then, we would be in a terrible situation. We wouldn't be able to keep our country safe when we should. None of us wants that to happen.

The provision in the omnibus bill gives 1 year for the Department of Defense and the Air Force to continue to work with ULA to have a launch and have competitive bidding. If SpaceX performs as promised and comes in with a lower bid for those launches, they deserve to win, and they will. In the meantime, we want to make sure we have the availability of sourcing beyond just one company—beyond SpaceX.

I am impressed with all of these companies. The Senator from Arizona raised the point that Boeing has its headquarters in my home State, and I am very proud of that. I have worked with them in the past. I think it is an excellent company and does great work. My initial premise in starting this conversation in the Appropriations subcommittee was that we should have competition, and Boeing should face competition. The insertion of the Russian engine issue has made this more complex, and it will take us some time to reach what should be our ultimate goal: quality and reliable engines in these rockets to launch satellites to keep America safe and the certainty that if one company fails to be able to meet our defense needs, there is an alternative supplier. That, to me, is the best outcome possible.

This section 8045 of the Department of Defense appropriations is critical to our national security and launching satellites into space. We have to assure the Department of Defense and our intelligence agencies that we can put critical satellites into orbit when we need it. We have to make certain that the costs of these launches is competitive so taxpayers end up getting the best outcome for the dollars they put into our national defense. We have to generate competition to drive down costs, and we have to bring to an end our reliance on Russian-manufactured rocket engines. I wish that were not the case. I wish our relationship with Russia was positive in every aspect, but it is not, and I join with virtually all of my colleagues in believing that the sooner we move away from Russian-made engines to American-made engines in competition, the better for us and the better for our Nation.

There is no doubt that our Omnibus appropriations bill recognizes the need to end our reliance on Russian engines, and we actually put our money where our mouth is. We added $143.6 million on top of the $84.4 million requested by the President to accelerate the development of a new rocket engine. This amount is $43.6 million more than the $100 million authorized by the defense authorization committee, so we are making certain we are going to end this reliance on Russian engines. The question is how we manage the space launch through the several years of launches before we have that engine. We need to do it without jeopardizing our national security.

The general provision I referred to allows for space launch competition in 2016 without regard to the source of an engine. It will permit real competition on four missions in 2016, and it will avoid trading one monopoly for another. I think I have explained how we have reached this point.

I think there is good faith on both sides. I don't question the motives of the senior Senator from Arizona. I hope he doesn't question mine. What we need to make certain of is that we move toward a day when America is safe and that the money spent by taxpayers is well spent.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NASA'S BUDGET

Mr. NELSON. Mr. President, we are going back into space with Americans on American rockets, and we are going to Mars. We are on the cusp of the next big breakthrough in space exploration.

It is interesting that this is at the very time that in our culture here on Earth, the movie that is harkening back—''Star Wars''—is coming out again, and it is going to be such a blockbuster at the box office. What is fictional in ''Star Trek'' and ''Star Wars'' is now becoming factual.

In large part, it is what has been done in the Nation's space program since the shutdown of the space shuttle back in 2011 and in the preparation of the new vehicles—the new rockets, the

new spacecraft, the new satellites, the new exploratory missions that have gone on.

Who among us, merely three decades ago, would have thought the Hubble Space Telescope would look back into the far reaches of the universe—close to the beginning of that universe—and start to unlock secrets through this telescope that is orbiting the Earth that was put up by humans in the U.S. space shuttle? Who among us would believe that we now are going to launch a telescope in 2018 that will look back in time to the very beginning of the source of light in the universe—the big bang—and understand this universe all the more and how it evolved in this magnificent creation that we earthlings observe of the heavens? Who among us, over four decades ago when we landed on the Moon, were not impatient to escape the bounds of Earth's gravity once again to get out and explore the heavens?

That is now becoming a reality. It is becoming a reality in large part because of the budget that will be presented to the Congress, which we will pass—an appropriation that just in this present fiscal year that we find ourselves in right now will increase NASA's budget $1.3 billion over what NASA was appropriated last year. Getting Americans and American rockets back into space, since we haven't had Americans on American rockets since we shut down the space shuttle, had to be done. That was an essentially extraordinary creative flying machine, but its design had inherent flaws that were risky for human beings. Indeed, in over 135 flights of the space shuttle, we lost two crews—14 souls—because of its design. There was a malfunction where there was no escaping for the crew. But now we have new rockets that will have the crew in a capsule on the top of the rocket so that if there is an explosion on the pad, an explosion in ascent all the way into orbit, we can still save the crew because we can separate them by the escape rockets from the main vehicle and save the crew, ultimately having them land or by parachute—powered landing or a parachute landing.

These rockets are almost ready to fly. Indeed, some of them have been flying for quite a while. Two companies, SpaceX and Boeing, will have the spacecraft. SpaceX, its capsule and spacecraft called Dragon, is sitting on top of a rocket that has flown many times called the Falcon 9. Boeing, with a spacecraft called the Starliner, will sit upon the very proven Atlas V. Which one will fly first? We do not know. But the fact is that is only 2 years away—2017. They will fly with the first crews to and from the space station so that we no longer have to rely upon a very reliable partner that indeed helped us build the International Space Station to which we go and return not only with crew but with cargo as well. We won't have to rely on the Soyuz anymore. We will be flying on American rockets. That is going to happen in a short 2 years.

The assurance of that is this. It is the Omnibus appropriations bill that is coming forth that has appropriated the amount NASA needs to keep this competition between SpaceX and Boeing going for developing, hopefully, two spacecraft that will be launching Americans on American rockets to and from our International Space Station.

By the way, we have six human beings on the space station. It is an international crew. They are doing all kinds of experiments. At another time and another day, I can tell my colleagues about some of those exciting things.

We are going to Mars. We are going to Mars because we are developing a spacecraft called *Orion* that we have already test-flown out to 3,600 miles to check its structural integrity on a ballistic reentry. That was done a year ago. Now we are building the largest, most powerful rocket ever on Earth, called the Space Launch System, or SLS. *Orion* and SLS have also been given a boost in this appropriations bill. So we are well on our way for the first test of this full-up rocket with capsule in September of 2018. That is less than 3 years away, with the first crewed vehicle after the first test in 2021.

That is the forerunner to building the spacecraft and the technologies that can take human beings and keep them alive all the way from Earth to Mars, land on Mars, stay on Mars for a while, and return safely to the Earth. ''Star Wars,'' ''Star Trek,'' is fiction. It is exciting, but it's fiction. This is space fact. It is happening in front of our eyes.

Now, there are other things that are happening with this appropriations bill. We think, in this solar system, if there is a chance for life besides Mars, or life that was there and we want to know what happened—there is a moon around Jupiter called Europa. Europa is so cold that it has an exterior that is ice. But the gravitational pull of Jupiter, as Europa goes around and around Jupiter, is such that it causes the friction from an inner core that already has heat and heats up from the inside. So under this crust of ice on Europa is water. In our experience as earthlings, wherever we have found water, we have found life. So is not Europa one of the best chances of there being life as we understand it in those oceans? It is a smaller body than Earth—Europa—and yet has oceans that are twice the volume of the oceans on planet Earth. That is a real possibility.

So in this appropriations bill, there is $1.6 billion to proceed on a plan for taking us to Europa to see if there is other life in our solar system.

There is also something that is very important to us earthlings, and that is that we need to know what is happening to the planet and we need to be able to predict and we need to be able to foretell, because if a big storm is coming here, we want precise measurements to let us, bound on the face of terra firma, know what is that storm that is coming and what are the weather conditions. That accuracy is so important for us in our daily lives here on Earth, not even to speak of our national security.

You could go through the rest of the NASA budget and you can see that it indeed sets us on a course for extraordinary space exploration as well as taking care of the aeronautical research, which is the other ''A'' in NASA—aeronautics. That has a plus-up from the President's request—aeronautics—giving all the research on the technology to make sure that our aviation industry is at the absolute cutting edge.

We are going to Mars, and we are beginning this journey as we did with the test of the spacecraft a year ago. That journey is going to accelerate, and in the lifetimes of many of those within the sound of my voice, they will witness a human crew of Americans and possibly an international crew that will go all the way to the planet Mars and return. Indeed what was science fiction based on science facts—the Matt Damon movie ''The Martian''—really is right within our grasp. It is an exciting time as we bring our space exploration back to life so that the American people can see that there is a viable space program and that we have a goal and that goal is the planet Mars.

COAST GUARD LEGISLATION

Mr. NELSON. Mr. President, I want to take advantage of this opportunity to also share with the Senate that we have a very important Coast Guard bill on which we are going to try to get unanimous consent so that we can send it on to the House. There are parts that have been controversial and those parts generally have been worked out. There are one or two others.

This Senator thinks the American people—unless they get in trouble out on the high seas—don't really have an understanding of what a professional military organization the U.S. Coast Guard is. We have the Coast Guard participating with our Defense Department over in the war zones—the area of responsibility over in Central Command. We have the Coast Guard basically doing the job for the U.S. Navy in the waters off of Alaska. We have a Coast Guard that is patrolling the waters off of the continental United States, as well as the island State of Hawaii. The Coast Guard is always there when Americans get in trouble, and indeed when mariners who are not

Americans get into trouble. The Coast Guard is an incredible professional organization that is doing the job.

Down in the waters off of my State of Florida, the Coast Guard does this incredible job working with the U.S. Navy on the interdiction of drugs. When the drug smugglers have to be interdicted, the Navy, if they are tracking them, hands that over to the Coast Guard because the Coast Guard, in fact, has the law enforcement capability to go in and take down the smugglers.

The Coast Guard can shoot the motors out of these go-fast boats to interdict smugglers—even going after submerged vehicles—to stop them. The Coast Guard does that from not only their boats but also from the air. The Coast Guard stands tall. We in the Congress now need to stand tall for the Coast Guard.

Earlier this month the majority leader offered a unanimous consent to discharge from the Senate commerce committee and pass the Coast Guard Authorization Act, giving the Coast Guard the resources it needs to carry out its mission. It cannot be overstated.

It is a small, very agile service of 42,000 Active-Duty members. It plays a vital role in protecting the Nation from narcoterrorism, human smuggling, environmental disasters, and from the loss of life and property at sea.

So what is in this bill? It is the result of several months of negotiations between the House and the Senate. The chairman of our Senate commerce committee, JOHN THUNE, and I, as the ranking member of the commerce committee, have worked with our colleagues to craft a bill that will authorize a total of $9.1 billion in each of the fiscal years 2016 and 2017. It is a $380 million per year increase over the amount authorized last year, and it enhances the Coast Guard and its capability to do a number of the things that I have listed, which include cracking down on the drug trade and the destruction of evidence, including the destruction of illegal drugs. It enhances the Coast Guard capabilities to stop the smuggling of drug money across our maritime borders. The Coast Guard's Western Hemisphere strategy is to combat the criminal networks, secure the borders, and safeguard American commerce. So to meet all that, this legislation's increased funding is going to support the Coast Guard's ongoing fleet recapitalization program, including the design and construction of a new offshore patrol cutter and continued production of a fast response cutter.

I have ridden in these fast response cutters. I have ridden in the go-fast boats as they simulated a drug smuggler that was trying to avoid us. This boat can do the hairpin turns and the sudden 180-degree turns at top speed, and that is how these guys can't get away. If for some reason they were not able to interdict them at sea, we have them from the air.

I have watched the Coast Guard sharpshooters blow out the motors on a go-fast drug smuggling boat. But we have to recapitalize a lot of these old boats. The average age of a Coast Guard high endurance cutter is 45 years old. The average age of the Coast Guard's 210-foot medium endurance cutter is 48 years old. These are two of the primary ships that are used for interdiction and rescue worldwide. So new offshore patrol cutters, fast response cutters, will give our Coast Guard an effective coastal and offshore interdiction capability in order to meet its objectives.

You think of the Coast Guard off the coast. They are in Washington. I am not talking about the ones onshore. They are out there protecting national security assets in and around the Potomac and the Anacostia Rivers.

In addition to this recapitalization, the bill allows the Coast Guard to begin updating its fleet of polar icebreakers, allowing the service to pay an estimated $1 billion needed for the acquisition of a new state-of-the-art heavy polar icebreaker. Why do we need that?

Have you noticed recently what the Chinese have been doing in the Arctic? Especially, have you noticed what the Russians are doing in the Arctic? Have you noticed that the Russians have 19 icebreakers and we have just a few? Have you noticed that China is funding and building icebreakers for the Arctic?

Part of our icebreakers, the *Polar Star* and the *Healy* were built in the 1970s and 1990s. The *Polar Star* is now well beyond its intended 30-year service life. It is vital that we enable the Coast Guard to begin bringing these new vessels online to support the Coast Guard's Arctic strategy and cooperative maritime strategy and to meet the President's stated intent for increased American presence and capabilities in the Arctic.

I went with the Coast Guard to Alaska. As I said a moment ago, the Navy has really ceded the Alaskan waters to the Coast Guard to protect maritime shipping—a huge fishing fleet up there. But also on the North Slope of Alaska, which is the beginning of those Arctic waters, there is a lot of activity up there—not only fishing but exploring for oil. At times of the year when it is totally incapable of a seaworthy vessel to crack the ice, you have to have an icebreaker to do it. The Russians have 19. They are getting very aggressive in the Arctic. Just ask the Prime Minister of Norway, with all of his teams, how concerned they are with what the former Soviets are doing up in the Arctic. Thus, this bill enhances and speeds up our capability of getting another icebreaker—a modernized icebreaker.

So this legislation is also going to provide the Coast Guard parity with our Department of Defense sister services with respect to personnel policies such as parental leave and eligibility for combat-related special compensation. If they are out there on the frontlines, they should have parity with our sister men and women in uniform.

This legislation will ensure that the Coast Guard is properly equipped to protect our national and homeland security interests in our ports, on our coastal and inland waters, such as Washington, and on the high seas around the world.

This Senator believes that we will be able to do this by unanimous consent, if we work through a few more things. So I urge our colleagues in the Senate: Let's get this up and get it passed before the Christmas recess so the House will have it the first part of next year so we can get on about the process of getting this bill authorized, completed, and sent down to the President for signature into law.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Pennsylvania.

ERIC WILLIAMS CORRECTIONAL OFFICER PROTECTION ACT OF 2015

Mr. TOOMEY. Mr. President, I am going make a unanimous consent request, but first I want to say a few words about the legislation about which the request pertains. I want to thank my colleague Senator BOB CASEY for joining me on this.

It was back in 2014 that Senator CASEY and I introduced the Eric Williams Correctional Officer Protection Act. It is a bipartisan bill, and it is a simple idea. The idea is to better enable these men and women who protect us every day by working as corrections officers—to better enable them to protect themselves in the very dangerous environments in which they go to work every day.

Amazingly enough, under the Bureau of Prisons policy, prison guards are often placed on duty, guarding large numbers of inmates by themselves, unarmed, and with no meaningful way to defend themselves. Officer Eric Williams of Wayne County, PA, paid the price for this policy. In February of 2013, Eric Williams was working alone in a housing unit of a Federal prison, a unit of 125 inmates. Carrying only a radio, handcuffs, and a set of keys, he had no means of self-defense and no one with him to provide back-up. A gang member serving a life sentence for first-degree murder savagely attacked and killed Officer Williams. The inmate used a homemade weapon to stab Eric Williams 129 times. He beat Eric

so badly that his skull was crushed. The damage was so severe that Eric Williams' father stated: ''I didn't even recognize my boy laying in that casket.'' Eric was just 34 years old.

This Bureau of Prisons policy is very misguided. We send our law enforcement officers alone, without defensive gear, to guard large numbers that include convicted killers. So, working with Senator CASEY and with Eric Williams' parents, Don and Jean Williams, we introduced the Eric Williams Correctional Officer Protection Act. I should point out that Don and Jean Williams have been absolutely heroic advocates in insisting that correctional officers have this tool at their disposal.

This is a bill that would require the Bureau of Prisons to issue nonlethal pepper spray to guards at high- and medium-security prisons so that these guards will have some means to protect themselves, some means of self-defense. We know this works. We know this works because there are many, many documented cases where a violent attack is immediately ended by deploying pepper spray. The fact is, pepper spray completely and immediately incapacitates an attacker. It does so while doing no permanent damage.

Well, it is too late for Eric Williams, but there are thousands of correctional officers across America who are working in dangerous environments every day. If we pass this legislation, we are probably going to save some of their lives over time.

The bill is bipartisan, as I pointed out. It has been endorsed by the American Federation of Government Employees, by the Federal Law Enforcement Officers Association, by the Council of Prisons Local 33. I am pleased to announce that thanks to the concerted and, as I said, heroic efforts of Eric's parents, Don and Jean Williams, and many law enforcement and correction officers across the country, I believe that today the Senate is ready to enact this legislation.

I also thank my cosponsors, Senators MANCHIN, MCCONNELL, CORNYN, INHOFE, CAPITO, LANKFORD, KIRK, and VITTER.

Before I make the formal unanimous consent request, I yield to the senior Senator from Pennsylvania who has joined me in this effort, Mr. CASEY.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I want to thank Senator TOOMEY for his work on this legislation—our work together. As Senator TOOMEY did, I especially want to commend Don and Jean Williams, the parents of corrections officer Eric Williams. I will not reiterate the horrific nature of his death; Senator TOOMEY outlined that. I cannot imagine more of a nightmare for a corrections officer and for his or her family.

We can bring some measure of protection to these officers by making sure that every possible circumstance is one in which the officer has pepper spray to be able to prevent an attack or to slow an attack down enough until that corrections officer gets help.

I want to say how much we appreciate the fact that this is bipartisan. This is one of those issues that should not have any kind of political division. Senator TOOMEY outlined the challenge and also the solution for this problem.

This is not a guarantee, but it means that if a corrections officer—and they are always outnumbered, by the way. If they are outnumbered, they will have some measure of protection.

I want to emphasize one thing I certainly forgot about or maybe never fully understood until I was in a line at corrections officer Eric Williams' viewing before his funeral. The line was full of law enforcement officers. I think sometimes we forget—and it was made clear to me that night—that these individuals are part of law enforcement, just like police officers at the local level or State police officers or other law enforcement personnel. When you work in a Federal prison and you are a corrections officer, you are part of law enforcement.

Those of us who work hard to provide resources for law enforcement should once again support legislation like this. I want to thank Senator TOOMEY for his work. I want to thank those who made this possible. I hope we can have this legislation pass through the Senate before we leave by the end of this week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, again, I want to thank Senator CASEY for his excellent work on this. At this time, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 238 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 238) to amend title 18, United States Code, to authorize the Director of the Bureau of Prisons to issue oleoresin capsicum spray to officers and employees of the Bureau of Prisons.

There being no objection, the Senate proceeded to consider the bill.

Mr. TOOMEY. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 238) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 238

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Eric Williams Correctional Officer Protection Act of 2015''.

SEC. 2. OFFICERS AND EMPLOYEES OF THE BUREAU OF PRISONS AUTHORIZED TO CARRY OLEORESIN CAPSICUM SPRAY.

(a) IN GENERAL.—Chapter 303 of part III of title 18, United States Code, is amended by adding at the end the following:

''§ 4049. Officers and employees of the Bureau of Prisons authorized to carry oleoresin capsicum spray

''(a) IN GENERAL.—The Director of the Bureau of Prisons shall issue, on a routine basis, oleoresin capsicum spray to—

''(1) any officer or employee of the Bureau of Prisons who—

''(A) is employed in a prison that is not a minimum or low security prison; and

''(B) may respond to an emergency situation in such a prison; and

''(2) to such additional officers and employees of prisons as the Director determines appropriate, in accordance with this section.

''(b) TRAINING REQUIREMENT.—

''(1) IN GENERAL.—In order for an officer or employee of the Bureau of Prisons, including a correctional officer, to be eligible to receive and carry oleoresin capsicum spray pursuant to this section, the officer or employee shall complete a training course before being issued such spray, and annually thereafter, on the use of oleoresin capsicum spray.

''(2) TRANSFERABILITY OF TRAINING.—An officer or employee of the Bureau of Prisons who completes a training course pursuant to paragraph (1) and subsequently transfers to employment at a different prison, shall not be required to complete an additional training course solely due such transfer.

''(3) TRAINING CONDUCTED DURING REGULAR EMPLOYMENT.—An officer or employee of the Bureau of Prisons who completes a training course required under paragraph (1) shall do so during the course of that officer or employee's regular employment, and shall be compensated at the same rate that the officer or employee would be compensated for conducting the officer or employee's regular duties.

''(c) USE OF OLEORESIN CAPSICUM SPRAY.—Officers and employees of the Bureau of Prisons issued oleoresin capsicum spray pursuant to subsection (a) may use such spray to reduce acts of violence—

''(1) committed by prisoners against themselves, other prisoners, prison visitors, and officers and employees of the Bureau of Prisons; and

''(2) committed by prison visitors against themselves, prisoners, other visitors, and officers and employees of the Bureau of Prisons.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 303 of part III of title 18, United States Code, is amended by inserting after the item relating to section 4048 the following:

''4049. Officers and employees of the Bureau of Prisons authorized to carry oleoresin capsicum spray.''.

SEC. 3. GAO REPORT.

Not later than the date that is 3 years after the date on which the Director of the Bureau of Prisons begins to issue oleoresin capsicum spray to officers and employees of the Bureau of Prisons pursuant to section 4049 of title 18, United States Code, as added by this Act, the Comptroller General of the United States shall submit to Congress a report that includes the following:

(1) An evaluation of the effectiveness of issuing oleoresin capsicum spray to officers and employees of the Bureau of Prisons in prisons that are not minimum or low security prisons on—

(A) reducing crime in such prisons; and

(B) reducing acts of violence committed by prisoners against themselves, other prisoners, prison visitors, and officers and employees of the Bureau of Prisons in such prisons.

(2) An evaluation of the advisability of issuing oleoresin capsicum spray to officers and employees of the Bureau of Prisons in prisons that are minimum or low security prisons, including—

(A) the effectiveness that issuing such spray in such prisons would have on reducing acts of violence committed by prisoners against themselves, other prisoners, prison visitors, and officers and employees of the Bureau of Prisons in such prisons; and

(B) the cost of issuing such spray in such prisons.

(3) Recommendations to improve the safety of officers and employees of the Bureau of Prisons in prisons.

Mr. TOOMEY. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

HIGHER EDUCATION EXTENSION ACT OF 2015

Mr. ALEXANDER. Mr. President, I ask unanimous consent that I be allowed to enter into a colloquy with Senators AYOTTE, BALDWIN, CASEY, and PORTMAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. If it is agreeable to Senators, I will make a few remarks introducing the subject of the colloquy, and then the Senators will speak in that order. I am here today to talk about the Federal Perkins Loan Program Extension Act of 2015, which is a substitute to H.R. 3594. I have a bill which has been taken to the desk.

The original sponsors of the bill, which I will ask to be considered at the conclusion of the colloquy, are Senators AYOTTE, BALDWIN, JOHNSON, CASEY, COCHRAN, BOOZMAN, and me. We have debated the Perkins loan several times on the floor of the Senate. Twice, I have objected to the House bill to extend the Perkins Loan Program. This is a program that was set to expire in 2012, since the 1998 reauthorization of the Higher Education Act.

That date was not extended the last time we reauthorized the Higher Education Act. This is a program that, in 1998, the Congress and the President decided would expire in 2012. The expiration of the loan program should not have been a surprise to anybody. It has not received appropriations since 2004.

The Department of Education reminded institutions that the program was expiring earlier this year. I objected to the extension on the grounds that the current Federal loan program—one that all students, not select students, are able to use—has a lower interest late and better repayment options than the Perkins Loan Program. I objected because I believed there should only be one Federal loan program for undergraduate students, as well as one for graduate students, and one for parents.

That was the testimony we received in our education committee, the HELP Committee. Senator BENNET and I and a bipartisan group of Senators have introduced something called the FAST Act, which would, in a variety of ways, simplify the ability of students to apply for Federal student aid. One of those ways is to simplify the maze of student loans that are available to students today.

Sometimes students end up with more loans than they even know they have. Then they have trouble paying them back. However, in recent weeks, I have had many conversations with Senators. Some of them are on the floor today and are Members of this colloquy, who have suggested to me they would like to have the Perkins Loan Program extended until we can address it in the Higher Education Reauthorization Act.

Senator AYOTTE, Senator BALDWIN, Senator COLLINS, Senator CASEY, Senator JOHNSON, Senator PORTMAN, and Senator BLUMENTHAL are some of the Senators who have eloquently made that case on the floor of the Senate. They came and argued the merits of the Perkins Loan Program. Most of the arguments relied on the use of these loans by students to provide for financing up to a student's full cost of attendance to meet a gap in funding that is above their direct Federal loan limits for the very neediest students; or they argued it was an important resource to students in urgent circumstances such as when a student's parent loses a job.

I listened to these Senators. I have listened to university presidents and others who have talked with me about it. As a result, today I come here with what I believe is a fair compromise, cosponsored by the Senators that I mentioned, to address the specific issues raised.

We propose a 2-year extension of the Perkins Loan Program while we work on a long-term solution for simplifying the student aid program. This extension will give us time to move forward on the Higher Education Act reauthorization next year, and come to a consensus on how to simplify the Federal student aid program, which has become so complicated that many students will not even apply for loans, and many of those who do don't realize the opportunities they have to pay the loans back according to very generous terms.

That being said, I think it is important for me to say that I am still, frankly, skeptical of the merits of this duplicative loan program, which only serves 5 percent of all student loan borrowers and amounts to a little over one-half of 1 percent of all the outstanding federal student loans we have in the country today. The program provides an average loan of about $2,000 and illustrates the complicated mess our student loan system is in today.

My colleagues, cosponsors, and I have worked on this compromise to extend the Perkins Loan Program for 2 years for all eligible undergraduates and 1 year for current graduate students who have already received a Perkins loan for the graduate degree they are pursuing.

This is what the substitute does. It extends the Perkins Loan Program until September 30, 2017, for all eligible undergraduates. It provides 1 year of additional Perkins loans to graduate students who have already received a Perkins loan.

Under the Direct Grad PLUS Loan Program, graduate students have the ability to borrow up to the cost of attendance annually and have no aggregate or lifetime loan limits. In other words, you don't need the Perkins loan as a graduate student to meet costs because you can get as much money as you would need under the regular direct loan system.

The bill requires that the institutions award the maximum annual limit of subsidized direct loans prior to awarding a Perkins loan for current undergraduate Perkins loan borrowers.

It requires that institutions award the maximum annual limit of both subsidized and unsubsidized direct loans prior to awarding a Perkins loan for new undergraduate Perkins loan borrowers.

It requires the institution to disclose to Perkins loan borrowers the following: that the program is ending; next, that this loan is not eligible for certain repayment and forgiveness benefits available to borrowers utilizing the Direct Loan Program.

For an undergraduate, the interest rate is lower in the Direct Loan Program and they have a more generous way to repay the loan than under the Perkins loan. We want the Perkins loan borrowers to know that.

We want them to know they may consolidate their Perkins loan into a Federal direct loan to receive the benefits of the Direct Loan Program; that is, the more generous repayment terms.

We want them to know that Federal direct loans and Perkins loans have different interest rates.

We want them to know that if they are receiving a Perkins loan as an undergraduate today and they have received one in the past, that their institution has already awarded all subsidized Federal direct loans for which they may be eligible for that year. In other words, the Perkins loan is their second loan.

Many students borrow more than they should and then have trouble paying it back. We want them to know

that if they are receiving a Perkins loan for the first time, their institution has already awarded all subsidized and unsubsidized Federal direct loans for which they were eligible that year and that this is their third loan.

If this whole Federal student aid system sounds complicated, it is.

There are millions of students across our country who take advantage of generous Federal grants and loans—more than $30 billion in grants that they don't have to pay back every year. There is a total outstanding debt of federal student loans of $1.2 trillion, almost $100 billion in new loans every year. However, it is such a maze and so complicated that many students don't understand how much they are borrowing. So that was my purpose in objecting to an automatic extension of the Perkins loan without thinking about it in terms of how we simplify it and make it easier for students to understand the tangled maze of loans in the Federal student aid system.

I thank my colleagues who are here today for being so eloquent and so aggressive in pointing out the benefits of the Perkins Loan Program and for coming up with the suggestion that we find a fair compromise so that over the next 2 years the Perkins Loan Program will continue but that during that time, both our education committee and the full Senate and the House will have a chance to review and make simpler the Federal system of grants and loans for students who attend our 6,000 colleges and universities in the country.

At this point, I recognize Senator AYOTTE of New Hampshire, who was one of the first to come to the floor and very persuasively argue about the importance of some continuation of the Perkins Loan Program.

Ms. AYOTTE. Mr. President, I thank the Senator from Tennessee. The Perkins loan is a very important loan program to people in New Hampshire and to 5,000 students in New Hampshire who are current recipients.

While I know my colleagues who are on the floor who have fought so hard for this—Senator BALDWIN, Senator CASEY, and Senator PORTMAN—would have preferred that the Senate take up and pass the House's Higher Education Extension Act prior to Perkins expiring, because all of us were on the floor on September 29 as well, I do very much appreciate the spirit of compromise that the Senator from Tennessee has shown in working with us to extend this very important loan program for 2 years, and I thank him for that and for not letting this expire.

I thank my colleagues on the floor who have fought so hard for the students in their States who, like the students in New Hampshire, the 5,000 students who received a Perkins loan during the last academic year—this is very important to those students. I have heard from them, the colleges, universities, and financial aid administrators in New Hampshire, who have urged that it is very important, especially before we end the year with the Perkins Loan Program expired, that we pass this extension.

Certainly I look forward to continuing to work to make sure that all of our student loan programs are easier for people to use; that they are simpler; and that we make sure young people in this country and those who are returning to education as well—perhaps in a change of career or a new course in their life—that they get the opportunity, no matter where they come from or their economic background, to reach their full potential in this country because that is the essence of the American dream.

Again, this program is very important to my home State. This program is also important to half a million students across the country. It hits a lot of students.

Unfortunately, in my home State of New Hampshire, we have the distinction of having the highest average student loan debt in the country. So every bit helps students. These 5,000 students in New Hampshire—I want them to know this program will continue, and I want to make sure the people of New Hampshire understand that I am going to continue to fight for access for all of our students in New Hampshire and those who want to have better educational opportunities to better their lives and reach their full potential.

I thank the Senator from Tennessee, and certainly I thank the other Senators who are on the floor on a bipartisan basis who fought so hard for the Perkins loan extension.

Mr. ALEXANDER. Mr. President, I thank the Senator from New Hampshire. She has been a passionate advocate for the Perkins loan recipients in New Hampshire and across this country and played a major role in developing this 2-year compromise that permits us to continue the program while we look at the future.

Senator BALDWIN of Wisconsin was one of the first on the floor to point out the importance of passing the House bill and dealing with this issue. She is a member of the Senate's education committee, what we call the Health, Education, Labor, and Pensions Committee. Both she and her colleague from Wisconsin, Senator JOHNSON, have vigorously advocated for an extension of the Perkins Loan Program. I thank Senator BALDWIN for her hard work and look forward to working with her not just on passing this bill but working in the committee to come to a proper resolution on student aid.

Ms. BALDWIN. I thank the chairman for this colloquy and for the moment at which we have now arrived.

Mr. President, I rise to speak about the Perkins Loan Program—a vital investment in students that has been successful in helping Americans access affordable higher education and pursue their dreams.

Due to Senate inaction, the Perkins Loan Program lapsed at the end of September. I have twice come to the floor to urge my colleagues to take action and extend this critical student loan program which has helped literally millions of America's low-income students for more than half a century.

I am proud to have earned the support of a strong bipartisan majority in the Senate to continue this investment. Since the program's expiration, a growing chorus of advocates, students, and colleges and universities have joined our bipartisan coalition in calling on the Senate to act.

As has been well documented, my friend Chairman ALEXANDER and I have had our differences on this issue. As he just shared, he has objected to my previous efforts to revive the Perkins Loan Program due to his concerns with the program that he wanted to address as a part of the discussion about reauthorizing the Higher Education Act—a discussion, by the way, I very much look forward to. But despite his prior objections, I have certainly remained firm in the belief that we must act now to help students, even as we look toward that future conversation on higher education starting at the education committee and then proceeding through the Congress.

I continue to work with my Republican colleagues and Democratic colleagues—especially those Republican colleagues who had concerns with the program—in order to find an interim path forward.

I am so pleased that we are here today with a bipartisan compromise that provides a 2-year extension of the Perkins Loan Program. The compromise before us today is not perfect, and this is not the legislation I would have written on my own. However, today we have found a bipartisan solution that breaks the gridlock and will revive the Perkins Loan Program, providing critical support to students across America who were left in the lurch when the program expired this fall.

This extension provides current and new undergraduate borrowers with access to Perkins loans through September 30 of the year 2017, allowing them to complete both the 2016–2017 and 2017–2018 academic years with the support of this important program. In addition, it provides current graduate students with a Perkins loan an additional year of eligibility through September 30, 2016, allowing them to complete the 2016–2017 academic year with the support of Perkins. Like the 1-year extension measure which the House adopted by voice vote earlier this fall, this 2-year extension is fully paid for.

I thank Chairman ALEXANDER for working with me and Ranking Member

MURRAY to address his concerns and to reach this compromise which we expect the Senate to pass in short order.

I also thank my strong allies in this fight: Senator MURRAY, Senator CASEY, Senator PORTMAN, Senator AYOTTE, Senator COLLINS, and many other supporters of the Perkins Loan Program in the Senate.

I also thank our partners on the House Education and the Workforce Committee, Chairman KLINE and Ranking Member SCOTT, who supported extending the Perkins Program. I am hopeful they will push this legislation across the finish line before Congress leaves for the year.

Since 1958, the Federal Perkins Loan Program has been successfully helping Americans access affordable higher education with low-interest loans for students who cannot borrow or afford more expensive private student loans.

In Wisconsin, the program provides more than 20,000 low-income students with more than $41 million in aid, students such as Andrew, a current student at the University of Wisconsin-Stevens Point campus. Without the support of his Perkins loan, Andrew said he would not have had the means to attend college with the little to no income at his disposal. Today, not only is Andrew making the dean's list every semester, but he also has his sights set on attending the law school at the University of Wisconsin. Andrew said: ''Without the assistance I get from the Perkins Loan I would be forced to either take out other high-interest loans, delay my graduation rate, or drop out—which is the last thing I want to do.''

I am pleased that we have reached an agreement to extend this program for 2 years to help students just like Andrew. I look forward to working with my colleagues on the HELP Committee to ensure that campus-based programs like Perkins are a part of the future of Federal support for higher education.

Again, I thank the chairman for his colloquy and his hard work on reaching this resolution for the moment and look forward to the larger debate in the Education Committee when we reconvene next year.

Mr. ALEXANDER. Mr. President, I thank the Senator from Wisconsin. This is the second time in 2 weeks that she has played a role in an important bipartisan decision on the floor of the Senate regarding education. She has made a major contribution to our Elementary and Secondary Education Act, and through her willingness to work in a bipartisan way with other Senators who she mentioned, we have been able to get a bipartisan result. Hopefully, it will be passed by the end of the year, and then we will work together in committee to find the right solution.

No Member came more quickly to me to talk about the Perkins Loan Program than did the Senator from Ohio, ROB PORTMAN, who has an eye for the budget with his broad experience as Director of the budget and with a large number of colleges and universities in Ohio. He is here today to discuss the Perkins Loan Program, along with Senator BALDWIN, Senator AYOTTE, and Senator CASEY.

Mr. PORTMAN. Mr. President, I thank the Senator from Tennessee. I appreciate his work and help to ensure these kids are not going to be left in the lurch. There are kids in the State of Ohio who are expecting to get their Perkins loans this January as they go into the next semester, and there were certainly thousands of young people who were hoping in the fall that they were going to be able to take advantage of it, and they were very uncertain.

It is a big program in Ohio. We actually have over 25,000 Ohio students who receive financial aid through Perkins. In one school alone, Kent State, 3,000 students.

By the way, I got lobbied on this very directly. A young woman named Keri Richmond interned in my office last summer. Keri is a classic example of someone who needs Perkins because it fills in the gaps for her. In her case, she has a Pell. Yet as a young woman who has been in and out of foster homes her entire life—and, by the way, is a wonderful advocate and spokesperson for that program and how it helps foster kids to get on their feet—she does not have the help at home that many students do. So even for the small things, she needs that Perkins loan. She is very grateful today that we are extending this program, of course; but, more importantly, she is grateful for all her other colleagues at Kent State and around the State of Ohio.

I was with some Ohio State students a couple weeks ago for a holiday party with the president of Ohio State, who is very pleased this has been finally handled because he was trying to plan. As we know, schools play a big role in Perkins. It is essentially like a revolving loan program. With the interest, they are able to come up with new loans for the next year. So the colleges and universities in Ohio are very involved. We have 1,700 students at Ohio State; overall, we have 60 schools in the Buckeye State—colleges and universities—taking advantage of this. So this is a big deal for us.

I appreciate the fact that the chairman has been willing to sit down and work with us on this and come up with a way for us to move forward to give these young people the certainty that they need at a time when it is more expensive to go to college. This is a barrier for a lot of young people to be able to get that degree, to get the experience, to have the ability to be able to go out in this tough job market and be able to find work and find their place in the workforce. I am happy we have come to this point.

I will say I am very eager to work with the chairman, Ranking Member MURRAY, and others over the next period of time while we extend this program to come up with a better way to deal with our student loan program generally. I think the chairman makes a good point about the complexity. I think he is probably right that it is so complex that some parents and students are turned off by it, and we can simplify it. Certainly, we can, but I also want to make it clear that we need to be sure that we are providing maximum flexibility for students who might otherwise get left behind and wouldn't be able to take advantage of the opportunity to go to college and get a degree. We should be doing everything in our power to provide more students in my home State of Ohio and around the country the chance to get the tools they need in order to be able to be successful.

I thank Senator AYOTTE, Senator CASEY, and Senator BALDWIN. We have been at this for a while. We have been out here on the floor a few times talking about this. I think this is a result that lets us say to the people we represent back home: We are going to give you that certainty, that confidence to know this is not going to be pulled away.

On the other hand, we are going to work hard over the next couple of years to ensure that this program is viable for the longer term—along with other programs—and simplify these programs so they do work better for all the parents and all the students whom we represent.

I thank the chairman. This is one of the good results at the end of the year. In a way, going into the Christmas season, it is appropriate that we have this little package that is now wrapped up and has a ribbon on it. But it does expire, so our work is not done, and we will only redouble our efforts to ensure that we can come up with a program that does provide the flexibility and important safety net that Perkins does.

Mr. ALEXANDER. Mr. President, I thank the Senator from Ohio. He is exactly right. I know of no State that has more small colleges of the kind that would take advantage of Perkins loan probably than the State of Ohio. It is important to say that Senator BALDWIN, Senator CASEY, and Senator AYOTTE have been urgently making their case on the floor over the last several weeks and have done so in such an effective way that we have been able to come up with a bipartisan compromise. The more of that we are able to do, I think the more confidence the American people will have in their Senators. So I appreciate his leadership in making this possible.

Another Senator who is a member of the Senate's committee that oversees education is the Senator from Pennsylvania, Mr. CASEY. He, too, has just

completed work on the Elementary and Secondary Education Act, which many people thought we had no chance of passing this year and which we passed by a very large margin. I thank him, as I did Senator BALDWIN, for working in such a constructive way.

Some people look at the Senate and say: Well, you all are always arguing. Of course we are. That is what we do. That is like looking at the Grand Ole Opry and saying: You all are always singing. We have different points of view—and we do on the Perkins loan. But once we make our points of view known, we then do our jobs and we say: OK. Now we need to get a result. If all we wanted to do was to make a speech or make a point, we could stay home or get our own radio show. But we are Senators, and our job, having had our say, is to get a result.

So I thank Senator CASEY, the Senator from Pennsylvania not only for his work on this compromise on Perkins loans but also for his work on our efforts to fix No Child Left Behind. I look forward to his comments.

Mr. CASEY. Mr. President, I thank the chairman for his work in helping us get to this point today. It is an important moment at the end of an important year, and we are grateful for his leadership. Even when we have had a basic disagreement to get this compromise worked out, it would not have happened, it could not have happened without his leadership and working with Democrats on our side of the aisle, Senator MURRAY, as the ranking member of the Health, Education, Labor, and Pensions Committee, working with Chairman ALEXANDER. I thank Senator BALDWIN for her work in leading this effort on our side and leading our team.

This is a compromise, which, as Senator ALEXANDER noted, some people don't think we do enough of. I think it is an important example of why we must work together.

When we consider the compromise that I worked on and the other Senators who are here and others who are not here, along with our staffs—I mentioned Jared and Lauren on my staff, who did a lot of work on this, and we are grateful for that.

But we can report today some good news for more than 150,000 current freshmen Perkins loan recipients whose eligibility was cut off when the program expired on the 30th of September of this year. This bipartisan agreement provides for a 2-year extension of the Perkins Loan Program and provides some certainty for students and their families as we debate a longer term solution. We have more to do. Simply put, what students tell us they need is that basic certainty.

One of the reasons we are happy we have reached a compromise at this stage is that I think most of us believe what have I often said—that early education applies to higher education. If young people learn more when they are in their college years, they are going to earn more later. One of the ways to learn more when you are at that age is to have the resources and help of a loan program such as Perkins.

Perkins loans are critically important in a State such as Pennsylvania. Forty thousand students in Pennsylvania receive these loans at more than 100 schools. As many people know, these loans are fixed rate and they are low interest. Unlike traditional subsidized loans, they don't accrue interest when the student is in school. They have significant robust forgiveness opportunities for borrowers who, for example, become high school teachers or first responders or librarians or nurses or Peace Corps volunteers, among so many other professions. The loans can be consolidated to qualify for income-based repayment and other loan-forgiveness options.

This agreement ensures that those with the least financial resources will be able to continue to receive this important source of financial aid. Because of this compromise, freshmen and students across the Commonwealth of Pennsylvania will not have to choose between dropping out and taking out unaffordable, high-interest private loans in order to secure their degree.

I would like to give two examples before I conclude.

Abigail Anderson, a freshman at Immaculata University, currently receives a Perkins loan of $2,000. She said she had it all figured out, but with this program expiring on September 30, she said: It changes everything. She said she didn't know how she was going to pay for school next year because her parents couldn't afford to pay any more. About the Perkins Loans, Abigail Anderson said, ''Every little amount counts. It makes a difference.''

Here is another example. Amber Gunn, a freshman at Temple University, is from Hazelton, PA, near my hometown of Scranton. Amber did not have enough money to pay her tuition bill even for this year. Her mother wasn't able to cosign her loans, but she was able to get a Perkins loan in the amount of $5,000 from the help of Temple University's financial aid office. Amber Gunn said as follows:

Without the Perkins Loan I probably wouldn't have been able to enroll for my first semester of school. I'm not sure what I'll do next year without the loan, I'm kind of in a predicament.

For some, that might be an understatement.

So now, with this bipartisan agreement, neither Abigail nor Amber and so many others will have to worry. They can focus their attention on the end of the semester, their exams—and whatever else they are having to focus on—instead of wondering whether they will be able to afford to return to campus for their sophomore years.

Even with this compromise, we have lots of work to do—more work to do to come together on reauthorization of the Higher Education Act. But this is a good moment for the Senate, and it is especially a good moment for students and families across the country, and in my case for the some 40,000 in the State of Pennsylvania.

I thank the chairman for his leadership and again thank Senator BALDWIN.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I once again thank the Senator from Pennsylvania for being both a passionate advocate and skilled legislator in helping us come to a result here that meets most of the goals of the Senators who spoke about this, at least for the next 2 years, and gives us a chance in our committee to continue to work on it.

BUDGETARY REVISIONS

Mr. ENZI. Mr. President, section 4313 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016, allows the chairman of the Senate Budget Committee to revise the allocations, aggregates and levels in the budget resolution for legislation that would amend the Higher Education Act of 1965. The authority to adjust is contingent on the legislation not increasing the deficit over either the period of the total of fiscal years 2016–2020 or the period of the total of fiscal years 2016–2025.

I find that amendment No. 2929 fulfills the conditions of deficit neutrality found in section 4313 of S. Con. Res. 11. Accordingly, I am revising the allocation to the Committee on Health, Education, Labor, and Pensions and the budgetary aggregates to account for the budget effects of the legislation.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BUDGET AGGREGATES—BUDGET AUTHORITY AND OUTLAYS

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 4313 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$s in millions	2016
Current Aggregates:	
Budget Authority	3,009,288
Outlays	3,067,674
Adjustments:	
Budget Authority	269
Outlays	269
Revised Aggregates:	
Budget Authority	3,009,557
Outlays	3,067,943

REVISION TO THE ALLOCATION TO THE COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 4313 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$s in millions	2016	2016–2020	2016–2025
Current Allocation:			
Budget Authority	12,137	83,101	160,672

REVISION TO THE ALLOCATION TO THE COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS—Continued

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 4313 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

$s in millions	2016	2016–2020	2016–2025
Outlays	14,271	85,383	171,731
Adjustments:			
Budget Authority	269	−14	−13
Outlays	269	−14	−13
Revised Allocation:			
Budget Authority	12,406	83,087	160,659
Outlays	14,540	85,369	171,718

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 3594, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 3594) to extend temporarily the Federal Perkins Loan program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. ALEXANDER. I ask unanimous consent that the Alexander substitute amendment, which is at the desk, be agreed to, and that the bill, as amended, be read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2929) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Perkins Loan Program Extension Act of 2015''.

SEC. 2. EXTENSION OF FEDERAL PERKINS LOAN PROGRAM.

(a) AUTHORITY TO MAKE LOANS.—

(1) IN GENERAL.—Section 461 of the Higher Education Act of 1965 (20 U.S.C. 1087aa) is amended—

(A) in subsection (a), by striking ''of stimulating and assisting in the establishment and maintenance of funds at institutions of higher education for the making of low-interest loans to students in need thereof'' and inserting ''assisting in the maintenance of funds at institutions of higher education for the making of loans to undergraduate students in need'';

(B) by striking subsection (b) and inserting the following:

''(b) AUTHORITY TO MAKE LOANS.—

''(1) IN GENERAL.—

''(A) LOANS FOR NEW UNDERGRADUATE FEDERAL PERKINS LOAN BORROWERS.—Through September 30, 2017, an institution of higher education may make a loan under this part to an eligible undergraduate student who, on the date of disbursement of a loan made under this part, has no outstanding balance of principal or interest on a loan made under this part from the student loan fund established under this part by the institution, but only if the institution has awarded all Federal Direct Loans, as referenced under subparagraphs (A) and (D) of section 455(a)(2), for which such undergraduate student is eligible.

''(B) LOANS FOR CURRENT UNDERGRADUATE FEDERAL PERKINS LOAN BORROWERS.—Through September 30, 2017, an institution of higher education may make a loan under this part to an eligible undergraduate student who, on the date of disbursement of a loan made under this part, has an outstanding balance of principal or interest on a loan made under this part from the student loan fund established under this part by the institution, but only if the institution has awarded all Federal Direct Stafford Loans as referenced under section 455(a)(2)(A) for which such undergraduate student is eligible.

''(C) LOANS FOR CERTAIN GRADUATE BORROWERS.—Through September 30, 2016, with respect to an eligible graduate student who has received a loan made under this part prior to October 1, 2015, an institution of higher education that has most recently made such a loan to the student for an academic program at such institution may continue making loans under this part from the student loan fund established under this part by the institution to enable the student to continue or complete such academic program.

''(2) NO ADDITIONAL LOANS.—An institution of higher education shall not make loans under this part after September 30, 2017.

''(3) PROHIBITION ON ADDITIONAL APPROPRIATIONS.—No funds are authorized to be appropriated under this Act or any other Act to carry out the functions described in paragraph (1) for any fiscal year following fiscal year 2015.''; and

(C) by striking subsection (c).

(2) RULE OF CONSTRUCTION.—Notwithstanding the amendments made under paragraph (1) of this subsection, an eligible graduate borrower who received a disbursement of a loan under part E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087aa et seq.) after June 30, 2016 and before October 1, 2016, for the 2016–2017 award year, may receive a subsequent disbursement of such loan by June 30, 2017, for which the borrower received an initial disbursement after June 30, 2016 and before October 1, 2016.

(b) DISTRIBUTION OF ASSETS FROM STUDENT LOAN FUNDS.—Section 466 of the Higher Education Act of 1965 (20 U.S.C. 1087ff) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''After September 30, 2003, and not later than March 31, 2004'' and inserting ''Beginning October 1, 2017''; and

(B) in paragraph (1), by striking ''September 30, 2003'' and inserting ''September 30, 2017'';

(2) in subsection (b)—

(A) by striking ''After October 1, 2012'' and inserting ''Beginning October 1, 2017''; and

(B) by striking ''September 30, 2003'' and inserting ''September 30, 2017''; and

(3) in subsection (c)(1), by striking ''October 1, 2004'' and inserting ''October 1, 2017''.

(c) ADDITIONAL EXTENSIONS NOT PERMITTED.—Section 422 of the General Education Provisions Act (20 U.S.C. 1226a) shall not apply to further extend the duration of the authority under paragraph (1) of section 461(b) of the Higher Education Act of 1965 (20 U.S.C. 1087aa(b)), as amended by subsection (a)(1) of this section, beyond September 30, 2017, on the basis of the extension under such subsection.

SEC. 3. DISCLOSURE REQUIRED PRIOR TO DISBURSEMENT.

Section 463A(a) of the Higher Education Act of 1965 (20 U.S.C. 1087cc–1(a)) is amended—

(1) in paragraph (12), by striking ''and'' after the semicolon;

(2) in paragraph (13), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(14) a notice and explanation regarding the end to future availability of loans made under this part;

''(15) a notice and explanation that repayment and forgiveness benefits available to borrowers of loans made under part D are not available to borrowers participating in the loan program under this part;

''(16) a notice and explanation regarding a borrower's option to consolidate a loan made under this part into a Federal Direct Loan under part D, including any benefit of such consolidation;

''(17) with respect to new undergraduate Federal Perkins loan borrowers, as described in section 461(b)(1)(A), a notice and explanation providing a comparison of the interest rates of loans under this part and part D and informing the borrower that the borrower has reached the maximum annual borrowing limit for which the borrower is eligible as referenced under subparagraphs (A) and (D) of section 455(a)(2); and

''(18) with respect to current undergraduate Federal Perkins loan borrowers, as described in section 461(b)(1)(B), a notice and explanation providing a comparison of the interest rates of loans under this part and part D and informing the borrower that the borrower has reached the maximum annual borrowing limit for which the borrower is eligible on Federal Direct Stafford Loans as referenced under section 455(a)(2)(A).''.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. ALEXANDER. Mr. President, I know of no further debate on this measure.

The PRESIDING OFFICER. Hearing no further debate, the bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 3594), as amended, was passed.

Mr. ALEXANDER. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Once again, I thank Senator BALDWIN, Senator CASEY, and the other Senators who participated in our colloquy, Senator AYOTTE and Senator PORTMAN. They have all pushed hard to see that we get a result on the Perkins loan extension. They have been effective advocates and skilled legislators, and I am grateful for their hard work.

There have been other Senators who have spoken on the floor and have been very passionate advocates. I don't think I have a list of all of them, but I know, for example, Senator COLLINS made her case here on the floor and in the conference on our elementary and secondary education bill for the students of Maine who receive Perkins Loans. I know Senator BLUMENTHAL was here on a day when I was here as well making his case for students in Connecticut. I know the Senator from Wisconsin, Mr. JOHNSON, was here making a vigorous case for the students from Wisconsin, as did Senator BALDWIN. Senator BOOZMAN of Arkansas and Senator COCHRAN of Mississippi have

also been advocates as well as those who participated in the colloquy.

We have had a broad group of Senators involved both on the floor and in the negotiations. We now have passed a bill in the Senate. It will go to the House. Hopefully, it will be considered and become a law by the end of the year.

I look forward to working with my two colleagues on the education committee to reauthorize the Higher Education Act, with the goal of simplifying and making more effective the Federal Student Aid Program so American students can afford and can attend college or university.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TILLIS). Without objection, it is so ordered.

CRUDE OIL EXPORT BAN

Mr. HOEVEN. Mr. President, I rise again to raise the case for lifting the 40-year-old ban on exporting crude oil. Lifting the ban will not only benefit my home State of North Dakota, but it will also benefit our Nation and our allies in a host of different ways, and that is why I worked hard to include legislation to repeal the ban in the year-end legislation that Congress now has under consideration.

Importantly, this is must-pass legislation, meaning it will be very hard for the President to veto lifting the ban on exporting crude oil. When taken together, the reasons for lifting the oil export ban are very powerful. Doing so will encourage more domestic production, increase the global supply of crude oil, thereby reducing the cost at the pump for our consumers, particularly over the long term, and it will grow our economy and create good-paying jobs for our citizens.

The last reason for lifting the ban is vitally important as well, particularly now as we work on making sure our Nation is secure. National security through energy security helps to keep our people safer. I will take a few minutes and go through those benefits one by one.

Let's start with the American consumer. The price of oil is based on supply and demand. The more oil on the market, the lower the price. It is a matter of simple economics—supply and demand. The volatility and global price of crude oil is felt right down to the consumer level. More global supply means lower prices at the pump for gasoline, benefiting our consumers and small businesses across the country. That means more money in consumers' pockets. Those facts are backed up by studies at both the U.S. Energy Information Administration—the EIA—which is part of the Department of Energy, as well as the nonpartisan Brookings Institute.

This spring, EIA Administrator Adam Sieminski confirmed that finding in testimony before our Energy and Natural Resources Committee, of which I am a member. In September, the EIA released a new report that reaffirms the benefits to consumers and businesses that would result from lifting the decades-old crude oil export ban. It stands to reason if we just think about it for a minute. Oil is a global commodity, right? The global price is based on North Sea oil, or Brent crude, so that is the global price. Because we are not allowed to export oil, the domestic price is different. That is based on WTI—West Texas Intermediate—crude. So the West Texas Intermediate crude price typically simply runs somewhere between $5 and $8 a barrel lower than Brent crude, the international price. So here we are producing oil—my State of Texas and others—we produce some of the lightest, sweetest crude in the world. Yet when our producers sell that, they are getting $5 to $8 less per barrel than people who are producing internationally. So we are talking about OPEC, Russia, Venezuela, our competitors—they price off Brent. They are getting $5 to $8 more for every barrel they sell.

Now, think about that. Let's say you are a store or a business of any kind. For selling the same product or selling a better product, you are going to get less money than your competitor. Which of you stays in business? Which of you grows and produces more of that product? Which of you goes out of business?

So what is going on in the world right now? We have OPEC flooding the market. Why are they doing that? They are doing that to capture market share and to reassert their dominance. Once they put us out of business, then they are back in the driver's seat and prices will go right back up for the consumer. We don't want to let that happen. We want a robust oil and gas industry that will make sure that we have competition, that we have energy security, and that consumers have lower prices at the pump.

Second, in addition to benefiting consumers, crude oil exports benefit our economy here at home. Crude oil exports will increase revenues and boost overall economic growth. It will help increase wages, create jobs, and improve our balance of trade. One area of our economy that currently enjoys a favorable balance of trade is agriculture. That is because our farmers and our ranchers successfully market their products around the globe. Our crude oil producers can do the same if they are given the opportunity. Local economies also benefit. Service industries, retail, and other businesses and communities centered on oil development will see more economic activity and growth if this antiquated ban is lifted. Also, crude oil exports will benefit our domestic industry, our energy industry, obviously.

The EIA's latest study concluded that lifting the ban will reduce the discount for light sweet crude oil produced in States such as North Dakota, Texas, and others and encourage investment to expand domestic energy production.

The drop in the price of oil this year has slowed domestic production. In our State of North Dakota, we continue to produce oil. In fact, our State increased production in October to almost 1.17 million barrels a day. That is up a little bit from last month when we produced about 1.16, but we are already down from our peak earlier this year of 1.2 million barrels a day.

This goes back to what I am saying. We are in a fight to determine who is going to produce oil and gas globally. Do we want that to be America or would we prefer that to be OPEC, Russia, Venezuela, and some of our other adversaries?

Our producers are resilient, innovative, and highly competitive. They are developing new technologies and techniques to become more cost-effective and more efficient all the time. Allowing them to compete in the global market will not only make us more inventive, more creative, and deploy better technologies but grow our economy and grow our domestic oil and gas industry.

Of course, that means high-paying jobs for our people. According to a study by IHS, a global provider of industry data and analysis, lifting the ban will attract an estimated $750 billion in new investments and create nearly 400,000 additional jobs in the United States between 2016 and 2030. I have seen studies that are actually higher. That is $750 billion in private investment—not government spending, in private investment—to stimulate and grow our economy and 400,000 additional jobs. Again, those are jobs in the private sector—not more government—private sector jobs, economic growth, more revenue to help reduce the deficit and the debt without raising taxes. We know that from experience in North Dakota, where in recent years per capita personal income has been growing faster than any other State in the country, not solely but in large part because of oil and gas production.

On a national level, crude oil exports will help to bring our energy policy into the 21st century. The crude oil export ban is an economic strategy that was implemented in the 1970s, and the world has changed dramatically since then. Back then, the conventional wisdom was that there was a finite

amount of oil in the world, and we pretty much knew where it was, and there were even alarms at that time that we were going to run out of oil. Barton Hinkle pointed out in Reason magazine that as recently as 2005, the BBC asked: ''Is global oil production reaching a peak?''

In 2008, the Houston Chronicle declared: ''We are approaching peak oil sooner than many people would have thought.''

Two years later, the New York Times reported on a group of environmentalists who ''argue that oil supplies peaked as early as 2008 and will decline rapidly, taking the economy with them.''

Yet here we are. Nobody envisioned the kind of energy revolution we are seeing in the United States—in North Dakota, in Texas, and in other oil-and-gas-producing States—with new and creative technologies that produce more energy with better environmental stewardship.

Back in 2011 I asked then-Interior Secretary Salazar to have the U.S. Geological Survey do a new study to update estimates of recoverable reserves in the Williston Basin. In April of 2013, the results came in and they were profound. The USGS found that there are approximately 7.4 billion barrels of technically recoverable oil in the Williston Basin, which is more than twice the previous estimate. The upper end of that estimate is 11.4 billion barrels of recoverable oil. It is about twice the USGS estimate made in April of 2008, which projected about 3.65 billion recoverable barrels in the Bakken formation.

So my point is, in less than 5 years' time, with the new technology and development, we have more than doubled the amount of recovery oil just in the Williston Basin, in the North Dakota-Montana area, from 3.65 billion barrels to 7.4 billion barrels, and we are just scratching the surface.

The report also estimates there to be about 6.7 trillion cubic feet of undiscovered, technically recoverable natural gas, nearly three times the estimate 5 years earlier.

So again my point: We don't even drill for natural gas. We are drilling for oil and we produce natural gas as a by-product. And the amount available is going up dramatically. As I say, the most recent estimate for natural gas, 3.67 trillion cubic feet, is more than double the amount just 5 years earlier. That is what technology is doing with the resource. This is the opportunity we have.

Recoverable oil projections to date may be as little as several percentages of what is actually in the ground. That is the kind of potential we have. That is the kind of potential we have to depend on ourselves for energy, not OPEC or anyone else.

I recently asked the USGS Director, Suzette M. Kimball, to update the most recent assessments to provide more information on a new formation that we are producing in North Dakota—the Tyler. That is because industry advances in directional drilling and hydraulic fracturing have greatly expanded the ability to access formerly difficult areas. As I said, the industry is working on a new formation—the Tyler formation.

I want to make one other point, too, and this goes to environmental stewardship. We are actually producing less greenhouse gas in the country today than we have in prior years. A big part of the reason is something called hydraulic fracturing because now, with hydraulic fracturing, we are producing so much more natural gas that we have low-priced, abundant natural gas, and as we use more of it we are actually reducing carbon emissions in the United States. So isn't it ironic that as we develop and deploy the new technologies to produce oil and gas more efficiently, more economically, and more dependably, at the same time, through hydraulic fracturing and directional drilling, we are also doing so with better environmental stewardship.

Isn't that what American innovation and ingenuity is all about? Isn't that the creativity that we unleash in the private sector, when we create a good business climate and we empower investment, rather than block it with regulation and taxation and roadblocks and redtape that doesn't make any sense? That is how we create that rising tide that lifts all boats. That is how we become the most powerful and dynamic economy in the history of the world. That is how we create more jobs and opportunity for our people.

So now, just 10 years after some were lamenting the depletion of the world's oil reserves, the model has shifted from scarcity to abundance, and we will need additional investments in technology, transportation, and energy infrastructure, such as pipelines, rail, roads, and other industry needs to produce that energy. The good news is that the industry will build the infrastructure, create the jobs, and produce the energy we need if we just provide them with that good business climate and that opportunity to do it. As I said, as they deploy those advanced technologies, as they make that investment, they produce jobs, economic growth, more tax revenue, without raising taxes, to help with the debt and deficit, and they do so with better environmental stewardship. That is how we lead the world forward with better environmental stewardship, with American ingenuity, creativity, and innovation.

Lifting the ban will create more domestic production and energy infrastructure, which holds two key benefits. First, more domestic production and infrastructure means that in a national emergency, Americans will not be dependent on the need for oil from elsewhere in the world—places like OPEC. Americans do not want to return to depending on OPEC for our energy.

The second benefit is that U.S. crude oil will provide strategic geopolitical benefits for us and for our allies around the world. It will provide our friends with alternative sources of oil and reduce their reliance on Russia, Venezuela, Iran, and other unstable parts of the world for their vital energy needs.

As a further security advantage, adding more domestic supply will provide a buffer against shortages going to volatile conflicts in the Middle East and elsewhere around the globe. We finally have an opportunity to curb the disproportionate influence OPEC has had on the world oil markets for almost half a century, and we need to capitalize on it.

One final point on national security. We must recognize the implications of the President's deal with Iran, which lifts sanctions against Iranian oil. That agreement will put 1 million barrels a day of Iran's oil on the global market and billions of dollars in their Treasury. Does it make any sense at all to maintain a ban on U.S. oil exports while the President lifts a ban on Iranian oil exports? Of course not. Clearly, it does not. In fact, we should be maintaining the sanctions on Iran even as we lift the oil export ban on our producers.

The consensus among lawmakers and experts in the field of energy and national security is evident: Lifting the ban on U.S. oil exports will create jobs, boost our economy, and bolster our national defense. It is supported by studies done by the U.S. Energy Information Administration, EIA—part of the Department of Energy—the nonpartisan Brookings Institute, and Harvard Business School.

Last week we held an Energy and Natural Resources Committee meeting to examine the link between terrorism and the global oil and gas market. The results were telling. Expert witnesses from such highly regarded, nonpartisan think tanks as the Center for a New American Security and IHS, a global provider of data and analysis, affirmed that lifting the oil export ban will enhance national security. Representative of the general opinion in the hearing was testimony by Dr. Sara Vakhshouri, a nonresident senior fellow at the Atlantic Council, who said that with the Middle East in turmoil and confronting terrorist attacks and threats, it is important to have alternative resources and ''especially from the U.S.''

Jamie Webster, senior director at IHS, capped the issue, saying: ''We have put out a couple of studies on the crude export issue and our finding is that this is a clear win for the U.S.

economy and also for energy security. It's difficult to find a case where this is not a positive.''

The ban on crude oil exports is an anachronism, a solution to a problem that no longer exists owing to the innovation of the American energy industry. At this time in our history, all the circumstances argue for lifting the ban. Americans need jobs, the economy needs a free market boost, and the American people deserve the security of knowing that in an emergency, we have a reliable and abundant source of energy as well as the infrastructure to deliver it. Lifting the ban on crude exports is an idea whose time has come. Let's get it done.

I am very pleased to see my esteemed colleague from the great State of Texas, the only State that produces more oil than my home State of North Dakota, but we are working hard, and you know when you are in second position, you always run a little harder, work a little harder. We are hot after them, but I must say they do an amazing job down there. His leadership on this issue has been tremendous because he understands it is not only important for the Lone Star State, but it is important for our country.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, while the Senator from North Dakota is still here, let me just say that he gave a speech that I wish I could have given. I couldn't say it any better than he did, but I will just make one point as he is preparing to leave the floor.

Some people wonder why is it that the Texas economy is doing so well relative to the rest of the country. Last year, 2014, our economy grew at 5.2 percent. The U.S. economy grew at 2.2 percent. Now the fact that we are producing energy using the techniques the Senator from North Dakota talked about—fracking and horizontal drilling—fracking, by the way, has been around for 70 years or more—that has helped contribute to job creation and our economic growth. This is something we would like to see expand across the country.

We have been blessed, as has the Senator from North Dakota, with abundant natural resources. What we are asking to be able to do is to sell those to willing buyers overseas. Many of them are some of our closest allies, who are being terrorized by thugs such as Vladimir Putin, who uses energy as a weapon. Think about how powerful this would be in our national security toolbox to be able to sell natural gas and crude oil to some of our closest allies so they don't have to rely on people like Mr. Putin.

I congratulate the Senator from North Dakota, Mr. HOEVEN, for his leadership on this issue. We have all worked together on it, and it has been a team effort, and we are close to getting it done.

The final point I want to make is that this is not just about energy-producing States, this is a net positive for the United States and for our allies abroad.

Mr. HOEVEN. Will the Senator from Texas yield for just a minute?

Mr. CORNYN. I will be happy to.

Mr. HOEVEN. I want to pick up on that last point. It is particularly important when you consider this legislation that this bill just doesn't benefit the oil-and-gas-producing States, it really benefits everybody when you think about all of the infrastructure and the materials, the equipment that goes into producing that energy. When you talk about drilling down 10,000 feet, 2 miles underground, and drilling out 3 miles in multiple directions; when you talk about the equipment that is needed to do that, the tanks, the transportation; when you talk about all the things—the research, development, engineering—that go into it, I doubt there is a State in the Union that isn't touched by this energy industry. That is something I think all of our Members have to keep in mind when we look at this legislation. It is not just about energy-producing States, it is about all of us in terms of the economy, and it is about all of us in terms of national security. We are the ones leading forward with the newest technology that will leave the environment with better stewardship.

I am glad the Senator actually brought up that point, and I hope our colleagues will keep that in mind as we bring forward this legislation.

Mr. CORNYN. Mr. President, there is another benefit that spreads evenly among Americans, and that is low gasoline prices. The single driver for low gasoline prices is the supply of oil. Because of the abundant supply of oil due to innovation and these techniques the Senator from North Dakota talked about, oil prices are lower than they have been in a long time.

You can buy a gallon of gasoline in Texas for well under $2. I think I saw it as cheap as $1.80 or maybe lower than that in some places. That has a direct impact on the pocketbook of working families. That is another reason why this legislation needs to be passed on Friday of this week in the House and in the Senate. I thank the Senator from North Dakota for this brief discussion.

WORKING TOGETHER IN THE SENATE

Mr. CORNYN. Mr. President, I wanted to come to the floor and talk about what we have been able to accomplish this year because sometimes I think people, when they hear us talk, think we are somehow claiming credit where credit is not entirely due or whether we are trying to make this purely a partisan matter. It is not, but it does require good leadership.

As the Presiding Officer knows, having been speaker of the house in North Carolina, the people who set the agenda—that is a pretty important power. All of the legislation that has passed this year would not have passed if it weren't for the majority leader, Senator MCCONNELL, under the new majority scheduling it for a vote in the Senate and chairmen in the relevant committees processing that legislation at the committee level and making it available for floor consideration.

It is not just the Republican majority. Time after time, we have seen Republicans and Democrats working together hand in glove to try to pass legislation that is good for the American people. We saw that on the Education reform bill, where Senator MURRAY and Senator ALEXANDER worked so closely together. We saw it on the highway bill—the first multiyear highway bill in a decade—where the Senator from California, Mrs. BOXER, working together with Senator INHOFE from Oklahoma and the majority leader, worked to really turn things around in the House of Representatives, to give them the space and time to pass a multiyear highway bill and to work with us to reconcile the differences and get it to the President. That is pretty important.

I was on the phone earlier today talking with some of the folks at the Austin American-Statesman about the impact on the traffic situation we have on I–35. It is a veritable parking lot during many times of the day. People understand the importance of taking care of infrastructure and maintaining it but also expanding it so people can get from point A to point B, but more importantly, what that means in terms of the environment and their quality of life.

So my simple point is that there is a big difference to the way this Chamber operated under the Democratic leader, when Senator REID was majority leader, back when our friends across the aisle were in the majority. The statistic has been mentioned that there were 15 rollcall votes on amendments. We have had more than 200 so far this year alone. Frankly, I think our Democratic friends like the way the Senate has been operating under the current majority more than they did when they were in the majority because under the dysfunction of the previous majority, even Democrats in the majority weren't able to get votes on the amendments. When they stood before the voters, people asked ''What have you done?'' and they didn't have much to show except dysfunction.

As the Presiding Officer knows, whether it is North Carolina or other places around the country, we got a number of new Senators as a result of

that misguided dysfunction, which was calculated but I think proved to be a miscalculation.

It is a good thing to see the Senate operating again in the interests of the American people. We have had a pretty busy session. I am not claiming it was perfect. Frustrations abound. It is in the nature of divided government.

The legislative process was designed by our Founding Fathers in the Constitution to be hard because they actually saw the concentration of power as a threat to their freedom and their liberty, and they didn't want an efficient Federal Government. They wanted checks and balances. They wanted checks between the various branches, between the two branches of the legislature, and also checks and balances with regard to the allocation of power to the Federal Government relative to the States and individuals. All of that separation of power was designed to require deliberation and to require transparency and the building of consensus before legislation was passed that would have an impact on their lives.

It has been a good thing to see the Senate working again, and I think all of us, Republicans and Democrats alike, can be proud of some of the work we have done.

One of the things I am most proud of this year is the fact that we were able to pass a bill called the Justice for Victims of Trafficking Act by 99 to 0. This was the first legislation that actually provided a crime victims compensation fund to help provide grants to victims of human trafficking. As I have described before on this floor, the typical profile of a victim of human trafficking is a young girl between the ages of 12 and 14. We need to have resources available for people with big hearts in communities all across this country to help rescue these victims of trafficking and help them recover their lives and get on with their lives in a more productive and safe manner. This is one of the things we have done together.

PARIS CLIMATE CHANGE AGREEMENT

Mr. CORNYN. Now, Mr. President, I want to spend a few minutes talking about some of the things on which I don't think we are going to be able to find political consensus. That has to do with the President's moving up his list of priorities. Among all the other things that are going on in the world, he seems to be saying that climate change is the most urgent challenge facing the United States and the world. I worry a little bit any time I hear a politician—or anybody, for that matter—making sort of messianic claims. The President characterized the agreement in Paris—and I will talk more about the nature of that agreement—''a turning point for the world.'' It strikes me that it takes quite a bit of hubris and really arrogance to be claiming that yes, this is going to be a turning point for the world. As a matter of fact, the Wall Street Journal said that it pays to be skeptical of a politician who claims to be saving the planet.

I don't share the President's priorities when it comes to climate change because I think there are actually more urgent priorities, such as fighting terrorism both abroad and here at home. That would be a more urgent priority. Some of the other more prosaic work we do here is pretty important to the quality of lives of the American people and to the economy, our ability to create an environment where they can find work and provide for their families. I think those needs are more urgent.

Nevertheless, the President seems to be once again exaggerating what his authority is under our Constitution. Of course, the President has no legal authority to bind his successor. What he seems to be saying is ''This is an agreement between me and the 140-some-odd nations,'' and it won't last beyond his Presidency. Last time I checked, the President will be leaving the White House sometime in January 2017. What he has purported to do is enter into an agreement that would somehow bind his successor and would somehow bind the Congress and the American people. But under our Constitution, this President—no President has any authority to do anything like that.

So it is clear that this agreement has been crafted in a way that gives some of the countries that are parties to the agreement more leeway than others. Some major economies don't have to play by the same rules that the United States would.

This agreement represents the President once again trying to claim authority he simply does not have. We don't have a king. In America, we made that decision a long time ago. I think it was 1787 when we decided we would not have a king, but the President seems to act like a monarch and claim authorities from some source other than the Constitution. It seems unbelievable that after the Obama administration has failed to find support for so many of the President's overreaching regulations here at home—not in the Congress, not in the State houses, not in the courts—his response was to sign on to an agreement with the United Nations that seeks to tax our use of energy. It is another attempt to do an end run around the Constitution and around the American people.

What really frustrates me is the President's willingness to sacrifice our economy—job creation and the ability of people to find work and to provide for their family—to promote a cause that offers no guarantee of a more resilient climate or a clean environment.

The President and some of his supporters frequently like to say: Well, people who don't regard climate change as a priority are anti-science. I actually think people who think agreements such as this are going to provide the answer are anti-science.

First, if you start looking at some of the models that are used to predict temperatures decades and perhaps centuries out, this is not what you would call science, this is more like an economic projection or model, and we know how reliable they have been in the past.

I couldn't help but think about growing up and a book that I remember reading called ''The Population Bomb,'' which was written by a Stanford professor named Paul R. Ehrlich. The thesis of ''The Population Bomb'' was that unless we did something to control population, millions of people were going to starve to death because we were going to outstrip our food supply.

Well, obviously that didn't happen. One of the reasons it didn't happen is because of a man by the name of Norman Borlaug, a Nobel Prize winner, and now considered the father of the Green Revolution. By the way, he did spend a little bit of time at Texas A&M in Bryan College Station. But he was a very heroic figure who used science to help figure out how to increase production of the food supply in a way that made Paul Ehrlich's prediction a pipe dream. It just didn't happen.

I think that by predicting all these dire consequences, it is the predictors—it is the people who are embracing this sort of climate change theology—who don't have any confidence in our ability to innovate our way out of these problems.

I will use one more anecdote to try to make the point. At the start of the 20th century, horses in New York City were producing about 5 million pounds of manure a day. Can you imagine what an environmental hazard this would be with manure piled on vacant lots with rats? I will not go into all the details; it is pretty repulsive to think about. But there is a book called ''SuperFreakanomics,'' which uses this great example. They said: Well, what happened to that? Instead of some grandiose government policy or instead of some new tax or regulation that government issued, what happened to that and the environmental hazard that presented was the internal combustion engine. So not overnight, but apparently in short order, that manure was disposed of. Horses were replaced by cars.

Again, it is just another example of how American innovation, creativity, and entrepreneurialism can take care of many of these problems that some of our friends worry so much about and think should be such an important priority for us. America's entrepreneurs have shown time and again that they are simply more adaptive and genius than government regulators and bureaucrats.

By bypassing the American people and signing our country up for a bad international agreement that doesn't put our country first, we should instead focus on finding innovative solutions that fit the diverse needs of consumers, businesses, and a growing economy alike.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

HONORING OUR MEN AND WOMEN IN LAW ENFORCEMENT

SERGEANT SEAN RENFRO, TROOPER TAYLOR THYFAULT, JAIMIE JURSEVICS, AND OFFICER GARRETT SWASEY

Mr. GARDNER. Mr. President, I rise today to honor our men and women in law enforcement. Across the United States this year, 118 law enforcement officers have paid the ultimate sacrifice.

In Colorado, we honor our four fallen officers: Sergeant Sean Renfro with the Jefferson County Sheriff's Office, whose care and concern for others did not end when he was off duty; Trooper Taylor Thyfault with the Colorado State Patrol, an Army veteran and a cadet training to become a trooper and due to his bravery was honored as a trooper before being laid to rest; Jaimie Jursevics with the Colorado State Patrol, a new mom and the victim of the careless actions of another; and Officer Garrett Swasey with the University of Colorado at Colorado Springs Police Department, our most recent loss, as he responded to the senseless attack in Colorado Springs.

Each of their legacies reflects an extraordinary Colorado spirit, each a cherished member of their community, leaving behind loved ones as they worked to uphold the law and care for those around them. These heroes risked their lives, and they showed the highest courage. And as we prepare our hearts and our homes for the holiday season, I hope we can all take a few moments to express our sincere gratitude for their service and protection. In the best of times, patrolling the roadways, being present in our neighborhoods, and maintaining order can be a difficult and dangerous duty. I am proud of the work the men and women who make up each law enforcement office in Colorado carry out each and every day. On watch in precincts, correctional facilities, and along our highways, they diligently fight to safeguard our State.

Colorado families, including mine, from the Eastern Plains to the Western Slope remain safe in large part because of the work and valor of our law enforcement personnel. As the guardians of our communities, they prepare to respond to things that most of society simply hope will never happen to them. Lt. Col. Dave Grossman wrote that American law enforcement is the loyal and brave sheepdog, always standing watch for the wolf that lurks in the dark.

With the recent events at home and abroad, we are reminded of the threats that are hiding in the shadows and the dangers that police officers confront each and every day. Yet they remain steadfast in their commitment to stand against evil.

I am personally grateful for the sacrifices they make and the commitment they demonstrate to protect our State and our country. Their courage and selfless service were exemplified in the recent tragedy in Colorado Springs. As first responders, they are the first to encounter the fear, the calls for help, and the danger, but in that fear and danger, they provide hope and safety. Driven by courage and the desire to serve, they fulfill a great need throughout our communities. They carry these values as they begin their watch each and every day when they leave their family to protect mine and every other American. Their badge identifies them as a source of help in vulnerable times, and behind each badge of police officers, sheriff deputies, correctional officers, and patrolmen and patrolwomen is a heart that extends beyond its own bounds.

Calling Colorado home rings truer when you also have the honor to safeguard it. I am thankful for their service and thankful to the families for their continued sacrifice. They are constantly in my family's thoughts and prayers, and we wish them each a safe and happy holiday.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

TAX BREAK EQUALITY

Mr. MARKEY. Mr. President, today is a great day to be an oil company in America. Not since August 27, 1859, when Edwin Drake drilled that first oil well in Titusville, PA, has there been a day as good for the oil industry in our country as today.

Why is today a great day for Big Oil? Well, I will tell you. Last night at 2 a.m., the Republican leadership released its spending bill. Tucked into that bill on page 1,865 is a provision that would massively reshape our Nation's energy policy. Tucked into that bill is language that would roll back longstanding U.S. law and allow the oil industry to sell American crude oil overseas for the first time in more than 40 years.

If this becomes law, it means potentially $175 billion in new revenue for the oil industry over the next decade, up to $500 billion in new revenues for the oil industry over the next 20 years. That is why this provision is in there. It is corporate welfare for the most profitable industry in the history of the world, the oil industry.

What does this mean for the American people? Lifting the ban on the exportation of American oil so it goes overseas rather than staying here in America. It will be a disaster for our economy, for our climate, for our national security, and for our consumers. Do you remember the old mantra of the Republican Party, ''Drill here, drill now, pay less''? Now they have changed it. Their new mantra is ''Drill here, export there, pay more.''

The oil industry push to export American oil isn't about helping consumers at the pump; it is about pumping up Big Oil's profits. When has the oil industry ever pushed for policies that would drive down prices and their profits? These are for-profit corporations, not charitable institutions. They are looking to make lots of new money off of selling oil around the world but not here in the United States.

If we allow this to happen, it will be a disaster for consumers in many regions of the country—for example, the Northeast. The Department of Energy has said that losing our refineries on the east coast, which could easily happen because of this new law, will lead to ''higher prices,'' ''higher price volatility,'' and the potential for ''temporary [supply] disruptions'' in our region.

Right now consumers across America in 2015 are saving $700 because gasoline prices are so low and $500 on home heating oil because prices are so low. That is a stimulus, almost like a tax break in the pockets of working-class and poor Americans all across our country.

Exports would wipe out this economic stimulus for average Americans. It would begin to lead to the higher prices that the oil industry wants, both on the global market and here in the United States of America. And the new revenue the oil industry collects from exports is not magically created out of thin air; it will be transferred from American consumers and our domestic refiners into the pockets of the Big Oil companies in our country. This could amount to one of the largest single energy taxes in the history of the world.

Remember, Saudi Arabia and their OPEC allies control the global oil trade. They control the price that is paid on the global market, and recently OPEC suggested oil prices may rise again next year, putting in jeopardy the economic benefits that low gasoline prices and the low home-heating oil prices have provided for average Americans.

Second, national security. Importing our oil while we export our young men and women abroad—that is what we have right now. We are importing oil from Saudi Arabia, from Nigeria, from Algeria, from Kuwait, and from Iraq. That is what happens every day. That is a big reason we have so many young men and women over in the Middle

East protecting those cargo ships of oil coming into our country. We still import 5 million barrels of oil a day. China and the United States are the largest importers.

We don't have oil to export. We are still importing 25 percent of our oil into our country right now, and we are importing it from countries we should not be importing that oil from. If we have a chance to back out that oil, to tell those countries we don't need their oil any more than we need their sand, we are doing a big favor for our young men and women in uniform. We are allowing ourselves to step back and be more dispassionate in the decisions we make about our relationships with all of those countries.

What this decision says is we are going to export our own oil even as we continue to import oil from the Middle East. This will only heighten our dependence upon oil coming in from countries that we should not be importing oil from if we have a chance to back it out. That is what is wrong with this decision at its heart—oil. It is not like a widget. It is not like a computer chip. You don't fight wars over that. You fight wars over oil. That is why ISIS targets the part of Syria that it does. That is why the part of Saudi Arabia that has the oil is the one now being jeopardized by rebels. That is why Libya is so valuable and being fought over—oil, oil, oil—and the revenues that they produce in order to then create that instability, create that jihadism that we are dealing with. We should be backing out all the oil we are importing from that region if we have a chance to do so, and we do, but not after this bill passes. We are going to be in a situation where we basically are saying we are going to be permanently dependent upon that oil being imported from that region.

I listened last night to all the Republican candidates for President debating in Las Vegas about national security. Well, that is what this is all about—this is all about that oil. This is all about that oil revenue that goes into the pockets of people who should not have our money, who spend it in ways we don't feel good about.

In my opinion, this decision will dramatically weaken our national security position, weaken our ability to be stronger in the Middle East because we are less dependent upon pretty much the only product they make—oil—and would be able to deal with the national security issues in a much better way, being much more clear-eyed, dispassionate, and protective of American interests and the interests of those we are allied with over the world.

Third, this is a tale of two tax breaks. One tax break is for Big Oil. They get $7 to $8 billion a year in tax breaks, and it is permanent—permanent. What happened in this bill is that the $7 to $8 billion for tax breaks for wind and solar are now going to be phased out. We hear constantly from Republicans out here on the floor that they believe in ''all of the above.'' Well, you can't have ''all of the above'' competing fairly if one industry—the oil industry—gets their $7 to $8 billion in tax breaks every year, and wind and solar—the technologies of the 21st century—are going to have their tax breaks phased out over the next 4 to 5 years. That is in this bill.

So the oil industry gets $500 billion in new revenues over the next 20 years, $140 billion worth of tax breaks over the next 20 years, and wind and solar watch their tax breaks evaporate over the next 4 to 5 years. Is that a good deal for America, for the climate, for our job creation in America with jobs that are here in America? That is not a good deal. By the way, Big Oil wants their tax breaks so they can export the oil out of our country. Is that a good deal? It absolutely is not.

For the offshore wind industry, which has yet to be born, we need the tax breaks to incentivize companies—wind companies from around the world—to come to the Northeast, to come to this incredible place which has been called the Saudi Arabia of wind. Those tax breaks are going to phase out before an industry is even born—the offshore wind industry. Does that make any sense? If we are going to give tax breaks to oil, we should give tax breaks to the offshore wind industry. We should give tax breaks to all these renewable industries on a predictable basis for years to come. That is not happening in this bill. It is just the opposite.

For national security, for equality, in terms of all energy resources but especially those nonpolluting energy resources, there should be equality, but there is not. There is not. We could have an America with 40 percent of all electricity being wind and solar by the year 2030, if we kept the same tax breaks between now and 2030—40 percent. The 7 percent we would add in from hydropower and then the power that comes from nuclear power in our country, over 60 to 65 percent of all electricity in America would be noncarbon polluting by the year 2030, but the tax breaks for wind and solar are going away in 4 to 5 years. Does that make any sense? No, not at all. That is what this bill does, and that is why this bill has that provision that was inserted late at night a couple of nights ago that is on page 1,865 in this omnibus bill.

The Koch brothers wrote a letter to all Republicans a couple of days ago. They said: Lift the ban on exportation of oil out of our country, even as we still import from the Middle East, and reduce and kill solar and wind tax breaks.

Good. We understand the agenda. It is in this bill, and it is not good for America. It is not who we are. It is not this innovation economy which we know is going to have the capacity, like we did with cell phones, to very briefly in history just move from this kind of a phone in 1996, when it never really existed in people's pockets anywhere on the planet, to this kind of phone and now 600 million people in Africa have it today. We did that—America. We can do the same thing with renewable energy, but we need to ensure that those tax breaks are equal to oil's, for oil is the technology of the 19th century, the oil of the 20th century. We have to have a vision of what is possible here in the 21st century. This bill does not include that.

That is why it is being added to a must-pass bill. It could not pass if it was not in a must-pass bill with unrelated issues, unrelated appropriations. They needed it to carry it through because they could not do it standing alone down here on the floor of the Senate.

So whether it be the impact on our economy, which is going to drive prices higher, or whether it be on our national security, it is going to increase our dependence upon imports from the Middle East. Whether it be the impact on consumers, where they are going to be paying higher prices, or whether it be the environment, where, believe it or not, by the year 2025 this is going to lead to upward of 2 to 3 million new barrels of oil per day being exported out of our country—that is the equivalent of building 150 coal-burning plants in our country and sending those emissions up into the sky.

Having a bill pass on the floor of the Senate in the same week that the whole world came together in Paris and signed an agreement saying we were going to have less greenhouse gases going up into the atmosphere and that the United States was going to be the leader—we cannot tell the rest of the world to reduce their dependence on fossil fuels while we announce in the next week we are going to change our policy and start drilling for 2 to 3 million new barrels just to export it out of our country and phase out the tax breaks for wind and solar as we tell the rest of the world they should be moving to wind and solar. That does not work. You cannot preach temperance from a bar stool. You cannot preach temperance from an oil rig and tell other countries to move to renewables. It just doesn't work that way. It doesn't work that way. They might nod. They might say: Oh, don't worry. We are still going to honor our commitments. But you know behind your back as a country they are just going to be saying: I see what they are doing. We will start doing the same stuff. We will build a few more coal-burning ones. We will burn more fossil fuels over here. If they are not sincere, why should we be sincere? If they can

preach temperance on Sunday and then on Wednesday say ''bingo'' in the church hall, we can do the same thing.

So I am just afraid that on every one of these lines this bill fails: environment, national security, consumers, and the economy. It is bad for America. It is bad policy. We should feel better about our capacity to innovate.

I am especially concerned about wind. I am especially concerned about offshore wind. There is a reason we call ourselves the Saudi Arabia of wind. It is because we have the potential to back out the oil from Saudi Arabia. That is why. That is our metaphor because we know how much oil they have and how they have controlled the price of oil in the world every single day since 40 years ago, when they decided to have their first oil embargo. That is when we put this law on the books that we would never export our oil again. We would keep it here.

It is 40 years later. The Middle East is in chaos. It is hard for anyone to even describe what the future for the Middle East is going to be. How many of these leaders are actually even going to be in place in 5 years? No one in the world knows, but we do have one thing. We have our own domestic energy source, wind—natural gas, wind, and solar. We should keep it here to protect ourselves. It will make us a better partner with the rest of the world. If we are totally strong, we can project our power diplomatically, economically much better than we are.

So for me this is a historic day. I understand what Big Oil wants to do. I understand what the Republicans want to do. Our leader HARRY REID did his absolute best to get the best deal he could for the renewable energy sources that we have, to stand up as long as he could these tax breaks. He did a good job, but the pressure was on him from the Republicans. Unfortunately, in this agreement, the wind and solar tax breaks will expire. Wind tax breaks expire very soon.

From my perspective, we should have this debate out here soon. We should have a debate about the Middle East. We should have a debate about oil, about our national security, about our role in the future. It is time for us to have the big debates out here, the big debates in prime time, with everyone participating and everyone understanding that the rest of this century is going to be about the United States over in the Middle East. Whether we like it or not, from the day we invaded Iraq, that was our destiny. So let's have those big debates. In the center of that has to be oil and the revenues that are fueling so much of what is happening over there.

I thank the Presiding Officer for giving me the opportunity to speak today.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OIL AND GAS EXPORTS

Mr. INHOFE. Mr. President, I couldn't help overhearing my friend from Massachusetts talking about something really good that is going to happen; that is, we are going to lift the caps off our exports on oil and gas.

I just can't understand why we ever had caps on exports. It seems like this administration is perfectly willing not just to approve of but to encourage countries like Iran and Russia to export their oil and help them and yet preclude us from doing the same thing. Right now one of the problems we have with Russia is they have a hand up on us because there are so many countries over there dependent on them for their ability to have energy. It is just pretty amazing that is going on.

So I am really glad. Hopefully, this will go through. I know in my State of Oklahoma it has cost literally hundreds of jobs in just three companies because they could no longer afford to drill here.

That is a big issue. I remember I was invited to Lithuania back when the President of Lithuania wanted to dedicate and open their first terminal so that they would be able to import gas and oil, some of that being from us. Everyone there was so joyous of the fact that they were not going to have to rely on Russia any longer, that they could rely more on us. We do have friends out there whom we want to be able to take care of.

PARIS CLIMATE CHANGE AGREEMENT

Mr. INHOFE. Mr. President, this past weekend, the officials from the administration traveled 3,800 miles to Paris to attend the international climate negotiations in Paris. As a reminder, this is a program that has been going on now for 21 years. The ones who started this whole idea that the world is coming to an end because of global warming came from the United Nations.

I have gone to several of these meetings. I didn't go to this one because even John Kerry, our Secretary of State, said publicly that there is not going to be anything binding. If there is nothing binding, then why are they even there? In fact, it was interesting because when he made that statement, President Hollande of France was outraged. He said: He must have been confused when he said that. But that changed the whole thing. It was on November 11 that he made that statement.

Anyway, they went ahead and they had their 21st annual conference. I remember one of them I went to. I ran into a friend of mine from a West African country.

I said: Luke, what are you doing here? Why are you over here? You don't believe all this stuff, do you, on global warming?

He said: No, but we stand to be able to bring back literally billions of dollars to Benin, West Africa. Besides that, this is the biggest party of the year.

The worst thing they said happened at the South America meeting 3 years ago was they ran out of caviar. Anyway, we are paying for all that stuff. When they went over and said that wonderful things were going to happen in Paris, we knew it wasn't going to happen.

The COP21 conference has nothing do with saving the environment. With no means of enforcement and no guarantee of funding as developed countries had hoped, the deal will not reduce emissions and it will have no impact on global temperatures.

When they say they had this historic meeting, everyone was scratching their heads wondering: What happened? Did they win anything at all?

James Hansen is the scientist who is credited with being the father of global warming. I can remember when I got involved with the issue when they came back from Kyoto and wanted to ratify a treaty, and that was at the turn of the century, 1998. James Hansen has been working on global warming—he is a NASA scientist—for years. It goes all the way back to the eighties. He characterized what happened in an interview he had with the British newspaper the Guardian. He said the agreement is a fraud. Here is the guy who is the father of global warming, and he said it is a fraud and it doesn't accomplish anything. This is likely because the only guaranteed outcome from the Paris agreement is continued growth in emissions.

According to a study from the MIT Joint Program on the Science and Policy of Global Change, global emissions will increase by 63 percent through—that is assuming that everyone complies with their commitments, which obviously they will not and they can't—global emissions will increase by 63 percent through 2050 compared to the year 2010. By the end of this century, the MIT study projects, temperatures—if they were successful—would only be reduced by 0.2 degrees Celsius.

Even the 26 to 28 percent greenhouse gas emission reductions which President Obama committed to on this agreement is really a fraud. There is an environmentalist witness who came before our committee. He was the Sierra Club's former general counsel, and his name is David Bookbinder. He testified before the Senate Environment and

Public Works committee—the one that I chair—this year saying that the President's power plan does not add up to the 26 to 28 percent target; it is totally unattainable.

When asked to explain the targets in corresponding regulatory actions to Congress, the key administration officials refused to do that.

In fact, something happened. It may be the first time this has happened. People wonder how the unelected bureaucracies go off and do things that are not in keeping with the majority of the American people, and we see this all the time. To preclude that from happening, every bureaucracy has a committee in the Senate and in the House that is supposed to be watching what they are doing and they are supposed to be overseeing. They have jurisdiction, just like my committee has jurisdiction over the EPA. I tried to get them to come in and tell us when it was announced by President Obama that they were going to propose the 26 to 28 percent reduction in greenhouse gases by 2025, and they refused to testify.

I would ask the Chair, in the years you have been here, have you ever seen a bureaucracy refuse to come before the committee that has the jurisdiction? They did. We are the authority in Congress to approve such—it has not only not pledged the money that has been committed as our price to pay, we haven't actually appropriated any money at all.

So while proclaimed as historic, this agreement did little to overcome the longstanding obstacle that has plagued international climate agreements from the start where responsibility is unequally divided between the developed and the developing world.

I can remember back in about 1999, I guess it was, around the Kyoto time, we had a vote here, and I was involved in that vote. It was called the Chuck Hagel and Bob Byrd vote. It said that if you come back from any of these places where you are putting this together with a treaty—whether it is Kyoto or another treaty—we will not vote to ratify a treaty that either is bad for the economy of America or doesn't treat China and the developing countries the same as it treats us. That passed 95 to 0. So when they go over and come back, it is dead on arrival. The thing is, everyone knows it except for the 192 countries that were over there. So we can't figure out why they would call this a historic event.

While the administration is pushing forward with economically disastrous climate regulations before the end of his Presidency, China gets to continue business as usual, including emissions growth through 2030—each year. That is about 15 years of increase. They came back saying: Well, we have to increase our CO_2 emissions for 15 more years.

Yesterday morning, just 3 days after India signed off on the final Paris agreement, the Guardian—that is the big newspaper in London—reported that India is targeting to more than double its output of 1.5 billion tons through 2020 because ''coal provides the cheapest energy for rapid industrialization that would lift millions out of poverty.''

At the historic meeting they had, the top official from India's Coal Ministry said:

> Our dependence on coal will continue. There are no other alternatives available.

India is not alone; there are numerous other countries that will continue to do that.

Even though the temperature level set is misleading, a 1.5-degree cap on global temperature increase is no more realistic or technologically feasible than the 2 degrees they used before this.

The fine print remains the same. For any agreement to have legal significance within the United States, it has to be ratified by the Senate. People in other countries don't know that. They think someone, particularly a very strong President like President Obama—that he can just pretty much mandate anything he wants. It doesn't work that way in the United States.

In what was literally the final hour—this is very interesting—they had to delay the announcement of their agreement by 2 hours because they wanted to make one change in the agreement. They had language that said ''developed country''—that is us, the United States—''parties shall continue taking the lead by undertaking economy-wide. . . .'' and then explained how to do it. They wanted to replace the ''shall'' with ''should'' because they discovered in their discussions that if they left ''shall'' in there, it would have to come to the U.S. Senate for ratification, and they would all be embarrassed because we would know what the results of that would be.

Missing from the administration's top 21 celebratory speeches is the fact that neither the American people nor the U.S. Senate supports the international agreement and that the centerpiece regulatory commitment—the so-called Clean Power Plan—faces significant legal obstacles in the Congress—in fact, not just obstacles, but it has already been voted on. There is a CRA—that is the Congressional Review Act—and the Congressional Review Act is saying that we are going to reject the Clean Power Plan, and it passed with an overwhelming majority of Democrats and Republicans in the House. What they agreed on has already been rejected.

Missing from almost all of the Paris agreement coverage before and after is that the basis for this agreement is not scientific but political. Ninety percent of the scientists do not believe the world is coming to an end because of global warming, as environmental NGOs and the U.S. administration officials claim.

A Wall Street Journal op-ed examined what constituted this misrepresentation of 97 percent. We always hear that 97 percent of the scientists say that this is true; it must be true. Anytime you have something that is unpopular, if you keep saying over and over again that the science is settled, a lot of people out there believes it is. But when they did the analysis of the 97 percent consensus and explained it, it was simply based on fractions of respondents. For example, in a commonly cited 2009 survey of over 3,100 respondents, only 79 were counted because they claimed their expertise was solely climate-related.

Well, the 97 percent consensus was reviewed just a few weeks ago by one of the news stations in their poll——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. INHOFE. Mr. President, I ask unanimous consent for 1 more minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. The poll found that 97 percent of Americans don't care about global warming when stacked against issues such as terrorism, immigration, health care, and the economy. I remember when it used to be the No. 1 concern of Americans, and following the same March Gallup poll over the years, it has gone from No. 1 or No. 2 over that period of time to No. 15—dead last. They have a lot of work to do, and it is not going to work.

Before I yield the floor, let me thank my friend from Connecticut for all of his help last night. We worked late, and we did the right thing. I appreciate that very much.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am pleased and honored to follow my colleague from Oklahoma, and I extend my thanks to him for his cooperation on the legislation we did last night by unanimous consent, which I was pleased to support eventually and work with him to reach a resolution on.

(The further remarks of Mr. BLUMENTHAL are printed in today's RECORD during consideration of S. Res. 310.)

The PRESIDING OFFICER. The Senator from Wyoming.

RECOGNIZING THE PEOPLE OF CAMPBELL COUNTY, WYOMING

Mr. ENZI. Mr. President, I recently traveled to my hometown of Gillette, WY. I am usually in Wyoming most weekends, but I get to my hometown only about every other month because I have a huge State to cover. I happened to get there when the senior citizens were having their annual crafts

gala. As I wandered through, looking at all of the marvelous things they had done, I was shown a Christmas ornament specifically designed for our county. I was asked if I could take it and a message to our President. Of course I agreed, and today I want to share that message and that ornament with my fellow Senators.

That is what it looks like on the tree.

The letter says:

Dear Mr. President,

We seniors of Gillette, Campbell County, Wyoming, want to send you this Christmas ornament that reflects the support of many programs in our community. Without the coal and oil industries, Campbell County would not have such a wonderful school system or the outstanding programs for seniors. The Campbell County Senior Center provides hot lunches for seniors Monday through Friday and serves about 100 (or more) every day. It also offers numerous other activities such as ceramics, painting, exercise classes, social activities, computer classes, day trips to local points of interest, and assistance in completing forms for government programs. We feel the Campbell County Senior Center is the Cadillac of all senior centers.

The coal and oil industries not only support Campbell County but they support the whole State of Wyoming. Much of the tax dollars generated by the coal and oil industries are distributed throughout Wyoming. When your administration tries so hard to close down these industries, it not only affects the thousands of families in Campbell County but it affects the whole state. Although we realize there are valid concerns about global warming and environmental issues in our country, we want to testify that the coal and oil industries in our county are environmentally conscience and they work hard to beautify the land here.

The people of Wyoming not only receive but they also give freely. If there is anyone in need here, the people step forward and give their time, talents, and resources. If every state in this country would give as Wyoming does, there wouldn't be any hunger or homelessness.

We have enclosed some photos to show you a few of the programs offered to children, seniors, and families in Campbell County. We ask that you please take the time to look at them. We would also like to invite you to visit Campbell County to see the wonderful community we have. Visit our open-pit coal mines and our oil industry along with the various forms of wildlife that share this land.

Thank you for taking the time to listen to the concerned seniors of Gillette, Wyoming.

May God Bless You and Your Family!

The letter is dated November 17, 2015. At the end of the letter is a list of a number of the seniors who signed the letter. I ask unanimous consent that their names be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Thomas W. Procket, Sheryl Matthews, Nancy Pauluson, Rollie G. Banks, Zaigie Setterling, Marlene Jones, Debbie S. Schofield, Jeff Ketterling, Buede Jones, James Osborne, Camel A. Lipne, Naima Appel, Jim & Eseelle Hanson, Marian Neugebauer, Colleen Neese, Joann Gilliertson, Betty Lou Anderson, Norm Bennett, Marie Mortellaro, John P. McClellam, Mary Jo Younglund, Bradley Shane Anderson, Marie Tarno, Margret Chase, Barbara Rognnae, Laura Kerry, Bernie A. Darson, Bonnie Z. Namor, June Keeney, Kerolyn S. Jones, Allie Bratton.

Janel Laubach, I C. Hecht, Rhyllis Rae Alldekoven, Cathy Raney, Barbara Leastmen, Patsy K. Drume, Susan Burke, Fred C. Smiley, Betty Beesley, Mary Ann Bourne, Renee Davis, Mary Frances Reest, Judy G. Deters, Andrew W. Deters, Glorienera H. Ceven, Lucille Gaungen, Belle Demple, Maria Case, Raymond Case, Bill & Elaine Sharpe, Rose & Fred Schave, Lloyd Derrick, J.W. Keeflang, Ruth Steffen, Gladys Pridgeon, John A. Hart, Fays Coleman.

Mr. ENZI. Mr. President, I have taken a closer look at the ornament that they gave me to give to the President. We are not only the energy capital of Wyoming, but we are also the energy capital of the Nation. We produce 40 percent of the Nation's coal, and the reason we produce 40 percent of the Nation's coal is that this coal is cleaner than anywhere else. Powder River Basin coal is lower in sulfur and other chemicals, and they have even found ways to improve the way it operates. If some of the money from the Department of Energy were used as an incentive for cleaning up coal, it could be done much better.

Our university, again using money from the energy business, is also working on a few projects. One of them is to use solar power to separate hydrogen out of water and burn the hydrogen with coal to make it burn better and cleaner.

We have five powerplants in my county, and we love to talk people into coming to Campbell County. We are successful at getting senior staffers, from both Republican and Democratic offices, to come each year to take a look at what it is like in that part of the country. The biggest comment that all of them make as they leave is that they had no idea that it could be that clean. They thought the coal mines would be dirty.

I ran into that when I went to the first global warming conference in Japan. I went there early, as the negotiations were starting, and I guess I was one of the first people to show up in a suit, so people were leaping over tables and everything to interview me. I usually don't do that. I ask what their circulation is in Wyoming, and of course in Japan it was zero, so I didn't do any interviews. But one of the big papers in Tokyo was so interested that I wouldn't do an interview that they sent a reporter to Wyoming. They called first and asked if it would be OK if he came and traveled with me for a day. I said that it would be fine as long as he also visited a coal mine and powerplant.

He came and traveled with me, and he had no idea of the distances that we have between the few people that we have in Wyoming. We are the least populated State in the Nation. He also followed through on visiting the coal mine and powerplant. Again, he had the same comment. He couldn't believe it could be done so cleanly and so well.

In the early days of the coal mines coming in, people said they would never able to reclaim that land because we have such low moisture in Wyoming. We are actually considered high desert. In fact, the eastern part of that State has the most desert. God didn't put anything above the ground. He put it all under the ground, and part of it is coal under 80 feet of dirt, which is considered nothing in the coal mining business. So we have been able to mine the coal with this open pit and to reclaim it.

Now it is fun to take people out to see one of these mines because when you get to it, they say: Don't let them tear up that part over there. We say: That is where the mine used to be. This is where it is going to be. They then say: Oh, go ahead and tear that up because it looks better after they put everything back in its place.

It could be done better yet, but there are some requirements in the reclamation that it has to be put back the way that it was, and that puts some constraints on it. Nobody would move millions of tons of dirt on a farm or ranch and put it back exactly the way it was, down to where the rocks are placed.

We have a product that is used nationally and that the Chinese would like to use. Did you know that during the Olympic games in China they had to fire out rockets that would go to a fairly high altitude and then spread out some chemicals that would clean the air so that it would look nice on television? They are extremely interested in getting Campbell County coal shipped to them so they can burn that in their powerplants and clean their air.

It is the least expensive form of energy there is, and I am talking about just one of the forms of energy. We also have oil, which results in natural gas and coalbed methane. This little symbol is a uranium symbol. We also produce most of the Nation's uranium in our county. That could be used more extensively to provide clean power and as a source for agriculture as well, including raising bison.

So I wanted to share this Christmas ornament with all of my colleagues and echo what the seniors have said and suggest that America is the most innovative country in the world and if we have a problem, we can solve it. A little bit of incentive can go a long way. We are an inventive country. A little bit of incentive has gone a long way a lot of times.

We actually have had some private companies that are talking about restocking the space station. We have the plane that was powered by bicycle pedals that crossed the English Channel. If we can do those sorts of things, there is no limit to what can be done.

We have to quit discouraging inventiveness and encourage the use of the resources we have.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent to speak in morning business for such time as I consume, not to exceed 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

OMNIBUS SPENDING BILL

Mr. SESSIONS. Mr. President, I rise to address the 2,000-page, trillion-dollar-plus, year-end omnibus spending bill—drafted behind closed doors, away from public view, with only a limited number of people involved. Members of the Senate and Members of the House were unaware of what deals were being cut and what decisions were being made. I believe it contains provisions that will cause material harm to American workers—I just do—and to matters involving this legislation that I have worked on for years. I am very disappointed. Actually, I am deeply disappointed.

This bill contains dramatic changes to Federal immigration law that would increase, by as much as four-fold, the number of low-wage foreign workers provided to employers under the controversial H–2B visa program. It has been a matter of controversy for a number of years. It has been added to this bill without hearings and without an open process in the Senate. These foreign workers are brought in exclusively to fill blue-collar, low-wage, nonfarm jobs—not agricultural jobs—in hotels and in restaurants and on construction sites, in amusement parks, landscaping, truck driving, and in many other occupations—jobs being sought by millions of Americans around this country. Millions are taking those jobs every day.

When we go into hotels and restaurants, are not Americans doing those jobs? H–2B workers are supposed to be here to fill seasonal jobs that Americans allegedly ''won't do.'' That is what they say—those who want more, cheaper labor.

Even those they are supposed to be temporary positions, foreign H–2B workers are allowed to bring their spouses and their children with them—which, of course, results in costs being incurred by local communities, hospitals, and schools across the country. Although the alien's spouse and children are not supposed to work in the United States, I don't think anyone is under the illusion that this administration has any intention—or previous ones, for that matter—to do anything to stop them from working if they want to, nor will they be deported if they violate the terms of their employment, nor will they be removed if they overstay the visa they have been given.

Hotels have good jobs. Construction has good jobs. As to landscaping, there is a group that does my lawn in Alabama. Three African-American men come out and work on our lawn in a fairly short period of time, using good equipment. The head person is in his 40s and had 20 years in the Army. What do people mean that Americans won't do this work?

At a time of record immigration, we do not appreciate the scope of it. We already have the highest number of foreign-born individuals in American history. We are not against immigration. Immigration is a positive thing—properly conducted. Good people come into America. But we are at record levels both in total numbers and, in a few years, the highest percentage of foreign-born in America will be reached, and it will continue thereafter. So is it any wonder that 83 percent of the electorate wants immigration either frozen or reduced?

The Republican-led Congress is about to deliver the President a fourfold increase in one of the most controversial foreign worker programs we have. In fact, it is a much larger version of a proposal that was contained in the Gang of 8 comprehensive immigration bill that was rejected by the American people and the House of Representatives just 2 years ago. The result is higher unemployment and lower wages for Americans. The free market controls—more labor, lower wage; more labor, less job opportunity. It is indisputable.

The Economic Policy Institute has noted: ''Wages were stagnant or declining for workers in all of the top 15 H–2B occupations between 2004 and 2014,'' and ''unemployment rates increased in all but one of the top 15 H–2B occupations between 2004 and 2014, and all 15 occupations averaged a very high unemployment rate . . . Flat and declining wages, coupled with such high unemployment rates over such a long period of time, suggests a loose labor market and an over-supply of workers rather than an under supply.''

I think that is a fact. Our free market friends ought to understand that.

It is worth noting that the civilian labor force participation rate is currently at around 62.5 percent, a low that we have not seen in nearly four decades. Labor participation rate means the percentage of workers in the working ages that actually have a job. It is the lowest rate we have had in four decades.

Nevertheless, despite this low labor force participation rate, this provision in the omnibus bill would exempt from the statutory limit, which is now 66,000 H–2B workers a year—any worker who was present in the United States during the three previous years. Thus, instead of 66,000 foreign workers, the bill would allow up to 264,000 foreign workers to be present in the United States on H–2B visas. That is over a quarter of a million low-wage, low-skilled workers brought in to occupy blue-collar jobs. That may be good for certain businesses that now have a large number of workers, because they don't have to raise wages and change working conditions and raise benefits to attract and keep workers. They can just bring in people from abroad who are thankful to get any good cash-income job at lower wages.

This is bad for struggling American workers trying to get by and take care of their families. It is particularly bad, as economist after economist has shown, for minorities, including African Americans and Hispanics, and recent immigrants who are here lawfully looking to try to get a little better wage with a little better retirement and health care benefits. This is going to help them? Give me a break.

On top of this provision, this omnibus bill approves, without any conditions—the President's request for increased refugee admissions, allowing him to bring in as many refugees as he wants. He can do that. It is hard to believe, but he is allowed to do so. He simply has to notify Congress of how many he intends to admit. He can bring them from anywhere he wants and allow them access to unlimited welfare and entitlements at the taxpayers' expense, which is not scored as a cost.

At the Subcommittee on Immigration and the National Interest that I chair, we had an official from Health and Human Services who testified that 75 percent of the refugees are self-sustaining within 180 days. But my staff helped me to ask the follow-up question. What we found was that means Health and Human Services is no longer giving them refugee money, but that other kinds of welfare don't count against them. But 93 percent, we know, of immigrants from the Middle East between 2009 and 2013 are on food stamps, and 73 percent are on Medicaid or health care programs. And they may be there the rest of their lives.

This is not being scored. This is why a country that is smart seeks to bring in people who have the greatest chance of being successful.

Sure, some will do well, and many are wonderful people, and we have a tradition of that. I am just saying that we have a President with unlimited powers who has an agenda, and he is passing on the costs that are going to be to the detriment of working Americans for decades to come.

So the risks associated with the refugee admissions program are significant.

With respect to Syria, FBI Director James Comey repeatedly said that we simply do not have the ability to vet refugees from Syria. Testifying before the House Committee on Homeland Security in October, he said:

We can only query against that which we have collected. So if someone has never made a ripple in the pond in Syria in a way that would get their identity or their interests reflected in our database, we can query our database until the cows come home, but we are not going to. There will be nothing to show up because we have no record on that person.

Well, that is absolutely correct. Of course, that is correct. But they tried to tell us in Committee that we are going to do biometric checks. So I proceeded to ask repeatedly, and finally, after the most difficult time, they acknowledged they have no database in Syria to check biometrics against. It is not like the United States: If you are caught by the police, they take your fingerprints, and they can tell whether you were convicted in Maine, Alabama, or California. It is in the computer system. They don't have that in Syria. So that was a misrepresentation, an attempt to mislead and create false confidence in the American people that we have an ability to vet people coming here from Syria—an ability we don't have. The FBI Director honestly and directly stated that.

Any claims made by others that refugees in the United States never engage in acts of terrorism are demonstrably false. Just a few weeks ago, I identified a list of at least 12 individuals who were admitted to the United States as refugees, but who have been implicated in terrorism in the last year alone.

We found out there may be more, and probably they are under investigation right now. In fact, the FBI has said there is a terrorism investigation in every single State in America. These terrorists, for example, are from Somalia, Bosnia, Kenya and Uzbekistan. They came in different stages in their lives. Some were admitted as children, others as adults. Yet they all turn their backs on this country after being welcomed here as refugees.

This is not made up. It is a real problem. The American people want some action. They would like to see Congress and this Administration respond, especially, and they are rightly angered and upset with their elected representatives and their President for not taking sufficient action.

I, along with my colleague Senator SHELBY and others in the House, asked for inclusion of specific language in this omnibus bill that would protect the interests of the American people, that would reassert the constitutional role of Congress in establishing a uniform system of immigration, that would require the identification of offsetting cuts in Federal spending to pay for the refugee admission program. But none of that was included in the omnibus bill.

I doubt they ever spent a minute looking at a letter from two Senators. As Chairman of the Subcommittee on Immigration and the National Interest, I sent appropriators a list of several dozen provisions for inclusion in our funding bills to improve immigration enforcement and to block Presidential overreach and lawlessness, including among other things, provisions to defund sanctuary cities.

Why should we be funding and providing Federal law enforcement money to cities that won't cooperate with the Federal Government in its most basic responsibility of respect and comity between these various Federal and State agencies. It goes on every day. But we are being blocked in sanctuary city after sanctuary city.

Also, I asked the appropriators to prevent visas from being issued to nationals of countries that refuse to take back their criminals. This is important. My former colleague Senator Specter offered a bill for a number of things. It would bar admission for certain visas for nationals of countries that won't take back their people who have been in the United States. It is a fundamental principle of immigration law worldwide that if you admit a person from a foreign country, when their visa is up, they go home. Their visa is up if they commit a crime, and they are to be sent back home; they are to be deported.

But country after country is refusing to take back their convicted criminals. I guess they figure: ''Why don't you keep our criminals for us?'' But that is not what the law is, and we are stuck with them in jails. We have to pay for their housing. After 6 months, absent certain circumstances, the Supreme Court says they generally have to be released. It's possible that if an alien files a habeas petition that the government will have to go to court and have hearing with a judge. This is driving up costs, using incredible amounts of hours. We shouldn't tolerate it one minute. There is no reason that this government shouldn't act—which the law will now allow and directly says they should do—to refuse to issue visas to a country that won't take back their criminals. They refuse to do it. There is additional legislation that would force that, and we could have done it in this bill. It should have bipartisan support.

I also asked for language in the bill to defund the unlawful, improper Executive amnesty. The President's actions are unlawful. We don't have to fund his unlawful activity. There is no duty on behalf of Congress to acquiesce and provide money to people to work in a big building in Crystal City to process millions of people in the country illegally for amnesty because the President now says: ''I am just going to let them stay.'' It has been blocked for the most part by a Federal court, but there is nothing in the bill to expressly defund it.

I asked for legislation to protect American workers against abuses in the H–1B program. This is where Southern California Edison had a program. They brought in 500 foreign workers from India in some sort of contract deal, had the American workers who had been at Edison doing computer work for years train the new workers, and then ended up terminating the Americans and replacing them with those from abroad. How can anyone say there was a shortage of workers? The same was done by Disney. Senator NELSON of Florida and I introduced legislation to fix that. I have introduced legislation with Senator CRUZ and supported legislation from Senator GRASSLEY to fix this program. None of that has been included in this bill. Why not?

I asked for an expansion of the 287(g) program that allows Federal law enforcement officials and officers to assist with enforcing our immigration law. This was a good program. It had been on the books. President Bush finally began to expand it. They train local law officers for weeks at a time, and they become extensions of Federal law enforcement officers to help identify and process people who are unlawfully in the country and who have been apprehended—a very good program that had good results. This Obama Administration has eviscerated it. It is less than half of what it was. It should have been expanded all over America, if you actually want the law enforced in this country. But if you don't want the law enforced in America, you kill a program like 287(g). Did the appropriators put in the omnibus bill anything to deal with that abuse? No.

We put in language that would prevent illegal aliens from receiving tax credits. This is unbelievable. The Treasury Inspector General for Tax Administration from President Obama's own Treasury Department has done an analysis of this and urged that it be fixed. People come to America illegally, with children somewhere around the world. They don't have a Social Security number. They use an ITIN identification document—which was intended for executives. They use that, and they file a tax return. They don't pay taxes because their income is low, but they get a tax credit based on children that are not even in the country.

How abusive is that? I understand this was rejected and was not in the omnibus bill because President Obama didn't want it. So he gets to dictate what is in a congressional bill that I think would have 90-percent support by the American people if they understood how significant it was? That is a different figure, but it is an abusive, improper tax credit.

So all of these provisions were rejected by the bill supporters.

But industry's request for more foreign workers was granted—unconditionally approved. So I asked about this provision. I heard it might be under consideration, so I asked about

it. I said: ''The American people don't want a fourfold increase in immigration. I know there are some special interests pushing for this. I have heard that. Tell me it is not so.'' I was told it wasn't so. But last night—this morning at 2 a.m.—when the bill was produced, it was in there. So I am not happy about it, colleagues. I don't see how we can operate around here if we can't rely on representations.

Because of this bill, sanctuary cities will continue to get Federal funds, the Obama Administration can continue issuing visas to countries that refuse to repatriate their criminal aliens, and the President's Executive amnesty continues.

Meanwhile, the tax bill that will be moved with the omnibus bill makes permanent the Additional Child Tax Credit and the Earned Income Tax Credit, but it does nothing to block their future distribution to illegal aliens. A tax credit to a person who doesn't pay taxes is a check from the government. It is not a tax deduction; it is a direct payment. It scores as a welfare benefit. This means more illegal aliens will continue to get tax credits. It should be stopped.

As I feared, the ultimate effect—and I have expressed concern about this for some months now—is that this bill will fund the President's entire lawless immigration agenda. The only real bill we have to provide an opportunity to legislate and fix some of these things is a big omnibus bill. And what does it do? It funds essentially the President's entire agenda.

In fact, the omnibus spending bill will ensure that at least—for example, we have had discussions about the Middle East. People argue that we are not letting in enough people from the Middle East, and that we shouldn't talk about a pause. But under this bill it would ensure that at least 170,000 green cards—that means permanent residency with a guaranteed path to citizenship—and refugee and asylee approvals will be issued to migrants from Muslim countries just over the next 12 months. We are very generous about this, and it is very difficult to know if we are managing this properly, except that we know it is not being safely monitored, and the FBI Director has told us so.

This bill even fails to address substantial problems with the EB–5 investment visa program, problems that some of my colleagues have worked for months to resolve. The problems with this program have been documented by the Government Accountability Office and the Department of Homeland Security Inspector General, not the least of which are issues related to fraud and national security. We can fix that program. We need to do it. This would have been a good opportunity.

For years the American people have suffered under the lawless, dangerous, and wage-reducing immigration policies of this administration. They sent us here to Washington to protect their interests, to protect the people's interests, to ensure the defense of their families, and to advance the common good—the public interest. They did not send us here to bow down to the President's lawless immigration policies, nor to line the pockets of special interests in big business. That is not what we are here for.

Whom do we represent?

This bill explains why Republican and Democratic voters are in open rebellion, as former Speaker of the House Newt Gingrich said recently—open rebellion. They elected people whom they believed were going to take action to protect their security, their jobs, and their wages. And what do they get? A bill that is worse than current law. It goes in the opposite direction—no wonder people are upset.

This legislation represents a further disenfranchisement of the American voter. What does a vote mean in this country? At a time when hundreds of thousands of criminal aliens are on our streets, criminal aliens are killing innocent Americans, numerous foreign-born individuals are implicated in terrorism, tens of thousands of aliens from Central America continue to stream across our southern border, countless Americans are being replaced by foreign workers and forced to train their replacements, and millions of Americans are just struggling to get by, this Congress has chosen to make things worse.

We need to remember whom we represent and whom our duty is to. Our duty is to voters, the American people, not the interests of businesses, activist groups, and that kind of thing.

I appreciate the opportunity to share these remarks. I have been very firm about my statements here, but I am very unhappy about this bill. I do not believe this is the kind of legislation we should be moving. It was not moved in the normal process on the floor of the Senate, where amendments could be offered and a bill could be studied over months of time before final passage, perhaps. So with regret and a good deal of frustration, I urge my colleagues to oppose and reject this proposal.

I would also just mention one more thing, and then I will wrap up. Senator SHELBY and I wrote a letter to the Appropriations Committee on November 16, asking for Congress to assume its constitutional duty ensuring immigration laws are uniform by approving the number of refugees who come to America, and not leave that as an open-ended power given to the President, who can execute it in an arbitrary manner.

We also said that no benefits should be provided to future refugees until the Congressional Budget Office submits a score—a simple report on the cost of this program. How long would it take? Not that long. Don't we need to have a score, a cost number?

We also asked that no refugees be admitted until the Department of Homeland Security submits a report on terrorist and criminal refugees.

None of those provisions were included in any of the legislation before us. I think all of those are logical.

I also previously wrote letters asking for other provisions, such as prohibiting funds for lawsuits against States that are trying to help enforce immigration laws, to bar funds for attorneys for illegal aliens through these grant programs that are being utilized. Fundamentally, it has never been the responsibility of the Federal Government to prepare and provide free attorneys for people who have entered the country illegally. It never has been the law.

I also asked that no funds be provided for sanctuary cities.

I asked for language that prohibited funds for Executive amnesty policies; that prohibited funds for the DACA Program; that there would be no spending of funds in the Immigration Examinations Fee Account for anything other than naturalization and immigration benefits provided by Congress.

I asked for language that would bar funds for salaries of political appointees or other employees who direct employees to violate the law. Why should we be paying people who direct their own subordinates to violate fundamental provisions of immigration law?

I asked for language that would prevent funds from being used to grant ''prosecutorial discretion'' to aliens in removal proceedings, no funds for an extension of Temporary Protected Status unless approved by Congress, and no funds to continue the Administration's abuse of the parole authority. We shouldn't be funding these abusive practices that undermine the certainty of immigration laws.

I asked for language to prohibit funds to grant H–1B visas to companies that have replaced American workers. I asked for restrictions on the issuance of Employment Authorization Documents, and that no funds be used to add new countries to the Visa Waiver Program until implementation of a biometric exit system.

This bill does direct some money to a biometric exit system, which, if this Administration would act, would begin to do something significant. But they have resisted what the 9/11 Commission has said we must have. When people come into the country, they are checked in, they are fingerprinted, and they are biometrically identified, but nobody checks if they left. So you can come into America on a visa and never go home. This is why almost half of the people illegally in America today came lawfully on a visa. They just didn't return when they were supposed to.

I asked for money to establish—notably, there has been an advocacy unit in U.S. Immigration and Customs Enforcement in the past to protect illegal immigrants and give them all kinds of additional rights—an advocacy unit for victims of immigrant crimes.

I asked for others, too.

I would just say that I, and others, have raised a series of important issues that need to be fixed, and would receive, if understood by the American people, 90 percent support. Senator GRASSLEY, chairman of the Judiciary Committee—of which my Subcommittee on Immigration and the National Interest, is a part—has also been active in these things. It is a deep disappointment that this last piece of legislation that could make some improvement in a number of these issues will do nothing of significance, but it will increase by four-fold the number of low-skilled, low-wage workers allowed to enter this country from 66,000 to 264,000. They will pull down wages and reduce the job prospects of struggling Americans.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WILDFIRE PROVISIONS IN THE OMNIBUS APPROPRIATIONS BILL

Ms. MURKOWSKI. Mr. President, most of us are busy today reviewing the contents of the Omnibus appropriations bill that was released late last night—actually, early this morning. I come to the floor this afternoon with my colleague from Washington, the ranking member on the Energy and Natural Resources Committee, to speak about the wildfire provisions. More specifically, I am here to explain why Congress chose not to accept a flawed proposal from the administration and really, I think, to be here to give hope and optimism about a path forward for next year.

I think it goes without saying that our Nation's wildfire epidemic is a serious challenge that demands attention from each one of us. Each year the wildfire season seems to include new ''worsts'' and shattered records, and 2015 has been particularly devastating. It seems as though we didn't have a wildfire season; we've had a wildfire year. We all know that we have seen too much acreage burn, too many western communities have suffered damage, and, tragically, lives have been lost.

According to the National Interagency Fire Center, more than 9.4 million acres of our country had burned through October 30 of this year. In Alaska, where most of these fires occur, we lost over 5 million acres during this period. For perspective, that is about the size of the State of Connecticut. That is what we saw burn in Alaska alone this year.

Those of us whose States are impacted by wildfire started this year in agreement that the way wildfire management has been funded is broken; and that it is past time we fix it. We know we can't continue to underfund fire suppression, only then to scramble to borrow money to fight fires—and all this while the fires are many times burning out of control. We know that we need to end this very disruptive and unsustainable cycle of fire borrowing, which drains funds from other programs as agencies desperately seek resources. I think this fire borrowing concept is one area where we have all been able to come together, whether it is those within the agencies or those of us looking to address policy, the appropriators. We have to figure out how we are going to stop the fire borrowing that goes on within the various accounts in an effort to respond to these wildfires.

Earlier this year, as the chairman of the Interior-Environment Appropriations Subcommittee, I set out to fix this very broken system. Under my direction, our committee reported a bill to do just that. The Interior appropriations bill included a permanent, fiscally responsible fix for fire borrowing. It would have provided resources to the agencies up front—enough funding to fully cover the average annual cost of firefighting over the past 10 years—while allowing for a limited cap adjustment in have truly catastrophic fire years. The bill simultaneously increased funding for fire prevention efforts and took steps also to return to active forest management.

We thought this was not only a sound approach to address the fire borrowing but also the forest management issues that so many of us are concerned about. Unfortunately, we ran into a wall with the House of Representatives. They wouldn't accept the language because of its limited cap adjustment. Instead, we worked across Chambers within the Appropriations Committee to provide an unprecedented level of funding to address wildfire in this omnibus.

As I said, I am still going through the omnibus myself and trying to figure out whether to support the overall bill. But I do think it is important to recognize and understand what we have included in this omnibus. The wildfire provisions are both responsible and pragmatic. It provides real money, right now and gives us the time to develop long term real solutions. The bill includes $1.6 billion for fire suppression, which is $600 million over the average cost of fighting wildfires over the past 10 years. It also includes $545 million for hazardous fuels reduction, and it includes $360 million for the Forest Service's timber program, which will help us resume the active management of our forests.

What we have in this omnibus bill is more funding for wildfires than was spent during the 2015 fire season—and, again, that was one of the most expensive fire seasons in history. When we think about what we have done, barring a truly record-setting fire season in 2016, fire borrowing should not be an issue for us the rest of this fiscal year. We did this the right way—the way that Congress should deal with the government's responsibilities—by making cuts elsewhere to pay for this within the budget. Again, this is real money. This is money that will be available immediately because we have done this through the appropriations process.

We have had many conversations—Senator CANTWELL and I and many in this body—with Members who were hoping to see a different proposal. The House had a proposal, colleagues here in the Senate had a proposal, and the administration had a proposal. They were hoping it could be factored into the omnibus, but for a number of reasons it was not included within the bill.

The administration's proposal would have amended the Stafford Act to expand the purposes for emergency funding for major disasters to include fighting wildfires on Federal lands. The House included a similar idea in a forestry bill it passed earlier in the year. The irony here is that the Administration came out very strongly against this back in July, just a few months ago. The President's advisers issued a Statement of Administration Policy objecting to the repurposing of the Stafford Act and the use of the Disaster Relief Fund for wildfire suppression operations.

In September, the director of FEMA wrote an opinion piece about this. He said that tapping the Disaster Relief Fund for wildfires would ''undermine the federal government's ability to budget for and fund responses to disasters, as well as to finance state and tribal public infrastructure recovery projects.''

The Secretary of the Interior, the Secretary of Agriculture, and the head of the Office of Management and Budget echoed that concern in a letter where they said, ''We do not believe that Congress should modify the Robert T. Stafford Disaster Relief and Emergency Assistance Act as a means to address the escalating costs of wildfire.''

Yet here we are just a few months later, and the administration is now proposing to amend the Stafford Act. And after reviewing the proposal, it appears to be nothing more than a workaround that still has serious problems.

I think the first important reminder is that the Stafford Act itself is designed to provide Federal assistance to State, local, and tribal governments to alleviate disaster suffering and facilitate recovery after a disaster has occurred. There is no precedent for accessing it to provide emergency money for disasters on Federal lands.

The second concern we have is that this proposal doesn't actually end fire borrowing. What it does is create an account that is separate from the Disaster Relief Fund that is subject to appropriations, which means that it is now empty. That fund may be there, but there is nothing in it, and it could remain empty. There is no guarantee that appropriators will fund the account or that the President will ever request funds for it. And if there are no funds in the account, then basically what we have to assume is that the agencies are going to have to borrow again. So we haven't fixed the borrowing.

We have an average of 68,000 fires each year. Under this proposal, each one could require a separate Presidential declaration once the initial appropriations run out. So we have to ask the question: How does this actually work? Does the Forest Service Chief have to estimate how much each fire is going to cost? What happens in the meantime while you have all these fires burning? Again, the agencies are going to be in a situation where they are going to be forced to fire borrow.

Even if we assume that Federal dollars will be appropriated to the fund envisioned by this proposal and that the President will make disaster declarations after he is asked to do so by Cabinet officials, we are still setting another troubling precedent. The administration will effectively be able to decide to give itself money under the Stafford Act. This is not like giving an individual money after they have suffered a disaster, a loss to their home or property; this is the administration being able to decide to give itself money. So the question is, is this really something that we want to do?

Finally, I think this proposal is a missed opportunity. It was supposed to be coupled with a set of productive forest management reforms. What we saw is a good start. There are forest reforms in there but there is not very much in this to get excited about for Alaska, where we have both a wildfire problem and a timber problem. The proposal also does too little to help our firefighters or our communities which are at physical risk from wildfires and economic risk from restrictions on timber harvesting.

I am certainly not alone in this. Again, Senator CANTWELL has spoken very passionately on this issue—not only in committee but here on the floor. I am going to yield to her in just a moment.

We heard from a representative from the International Association of Fire Chiefs, who said that ''due to the rapidly rising cost of wildland fire suppression, IAFC [the International Association of Fire Chiefs] is concerned that the [Disaster Relief Fund] could run out of money as it is also used to address hurricanes, tornadoes, earthquakes, and other emergencies.''

We have also heard from a nonprofit organization called Firefighters United for Safety, Ethics, and Ecology. Their letter to congressional leaders observes that ''allowing agencies to declare wildfires as disasters simply to access near-unlimited funding for suppression will undermine efforts that have been long in the making to shift agencies toward alternative proactive strategies in fire preparedness and planning, fuels reduction and forest restoration.''

I want to find a solution to the fire-budgeting problem as much as anyone in this Chamber, but the proposal that surfaced during budget negotiations was not the right way to go. It was not developed in the open and transparent manner that we would hope, and it has not been fully vetted. It has drawn opposition not only from Members here but from outside groups whose members are on the ground actually fighting these fires. So the only solution was to do what we have done, which is fully fund firefighting within the budget that we were given.

The omnibus is our path forward on wildfire funding for this year. It devotes greater resources to fire prevention and hazardous fuels reduction and contains real money—not an empty account—that will be available immediately. We can use the window it provides to develop long-term solutions.

This is where I want to give encouragement to other Members. I am committed, as I know that Senator CANTWELL is, to working to address the longer term solutions to these issues. I am here today to affirm that wildfire management legislation will be a top priority for those of us on the Energy and Natural Resources Committee next year.

I know we come at this from different perspectives, but that is OK. Let's bring our different perspectives and work collaboratively with all Members to develop a commonsense bill that properly addresses the challenges and concerns that Senator CANTWELL has articulated when it comes to active forest management, how we deal with our hazardous fuels, and how we work on the front end to prevent these catastrophic fires. We need to be working together toward these solutions, and I certainly make that commitment with my ranking member to advance early on in the New Year these provisions that I think will make a difference.

I know Senator CANTWELL wants to be part of the solution here and she has played a great part as we have worked together to craft a solution in the committee. With that, I know that from the Energy and Natural Resources Committee perspective, we have a lot on our plate. But I think that from my perspective as a Senator from Alaska, this is an issue that the people in my State feel very passionately about.

I will ask Senator CANTWELL, as we deal with the pressing issues that are before us, is this an area where we can come together as an energy committee to address these very immediate concerns?

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, responding to my colleague from Alaska—and I will make a longer statement in a second—I do want to thank her for her leadership, not just as chairwoman of the Energy and Natural Resources Committee, but also as the chairwoman of the Appropriations Interior subcommittee.

Thank you for your detailing exactly why it is so important to have real money up front. You are right. For you and me and for many Western States, we have seen a change in fire habit, and we have seen probably two of the worst fire seasons our country has seen in many years and the fact that this year's season may trump that.

It is very important that we give the agencies the tools to address this issue and that we give them the tools now—not a guessing game, not how much they might get or how much they might borrow but how much they have now. I think the 50-percent increase is a recognition of how dire the situation is and makes sure that these communities know that they get those resources.

Yes, I wish to thank the chairwoman for allowing the committee to have a hearing. Senator BARRASSO participated at a very critical moment and at a very sad moment because it was just days after we learned that we lost firefighters in the central part of our State.

I wish to say that she has had a committee hearing. We have had committee hearings. My staff attended what was called the Wildfire and Us Summit. Many people in the central part of our State participated in that summit. Your question is, Is this important to us? I think when you have a rain forest that catches on fire or you have parts of Alaska that have never burned that are up in smoke, you bet this is of critical importance to both our States and to many Western States. I thank you for the question and thank you for helping to get real resources on the table and a 50-percent increase over last year's fire budget. Thank you.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I know that Senator CANTWELL has a

longer statement that she would like to make at this point in time.

I yield to Senator CANTWELL.

Ms. CANTWELL. Mr. President, I thank my colleague Senator MURKOWSKI for her leadership on the Senate Energy and Natural Resources Committee, and I thank the Senator for her discussion on fighting wildfires in the United States of America. I think she gave a great rendition. My hat is off to appropriators. I can tell you this: What we need is real money, and that is what she has provided. I thank her for that.

I thank her partner on the subcommittee, Senator UDALL from New Mexico. They worked together and had to provide a framework in which the omnibus reflects an appropriation that we will vote on later this week containing $1.6 billion for fire funding and fire suppression. That is $500 million more than last year. So I consider it a very good down payment.

Congress has recognized that it is very important to provide funding for fire suppression and at sufficient levels so that agencies can address the issues of prevention and hazardous fuel reduction. This is something. It is critically important.

I am pleased that this is a very large increase in firefighting accounts this year. Besides the 50-percent increase in fire suppression, as my colleague mentioned, there is $375 million in hazardous fuel reduction and new grants to local communities to decrease their fire hazards, additional fuel reduction projects such as controlled burns in our forests, and research on protecting homes during massive wildfires.

This is critically important to my State, as they have implemented many programs over the last two seasons that they call ''hasty response'' or fuel reduction, where they have been able to show that certain treatments have actually been able to save communities and neighborhoods that have done such treatment. The challenge becomes this: How do you educate the rest of the community, the rest of the State, on the vital importance of doing this fuel reduction? It is very important that we continue this.

I thank again the chairwoman of the Energy and Natural Resources Committee and the interior subcommittee of the Committee on Appropriations on the fact that this is real money today, a 50-percent increase without the necessity for a future declaration of disaster, without a future appropriations request, without pitting States against each other on every disaster, but providing some predictability with this increase about how to move forward for the 2016 firefighting season.

It is very important, as she mentioned, that we continue to focus on a variety of issues and resolutions: stopping the way that we continue to erode funds from other accounts while ensuring there are considerations of cost and oversight for large and expensive fires, integrating forest research to better prioritize where prevention money goes, increasing controlled burns on our Federal lands, ensuring personnel and equipment can operate seamlessly across jurisdictions during wildfires, funding community preparedness and FireWise activities, funding risk mapping, providing technology on all large fires to ensure managers know in real time the location of the fires and of our firefighters, and upgrading our air tanker system.

We saw a lot of this, and we heard a lot about our air tanker system during our committee hearings and that there was much more we could be doing.

As to establishing surge capacity, we heard a lot from our local communities that joined in the fight and are more than willing to join in this effort of helping us fight wildfires, but we need to have the capacity and the training.

As to ensuring communications, nothing was more frustrating in some of these wildfires than to have no broadband communication and yet to be in charge of all the evacuation for the region without the ability to communicate to the people that needed to be evacuated. It is critically important that we have on-the-ground communications systems available on day one.

Doing preventative treatments when risks are low is a particular issue for our State. We want to make sure that we have cooperation in working with other agencies. We don't want to do fire treatments when we are in drought conditions and high temperatures and dry, dry conditions, but when there are less risks.

We want to do mapping to clearly identify where the risks are, and we want to use technology for safety and effectiveness, such as GPS and other systems that can be used from the air, and modifying the individual assistance program. I say that because various communities that have been hardest hit by our fires have been in rural communities, but the way the definition works under our current law basically has prejudice against a community if it is not dense enough to meet the current requirement.

I wish to say that the ranking member, myself, and probably even the Presiding Officer have very rural communities that can be devastated by fires. That means an entire community that may be based on recreation or outdoors or any kinds of outdoor activities could be so devastated and yet would be left without the resources, simply because they didn't meet a population density number. To me, we need to address this because these communities are integral parts of our larger United States and the economic stability of many of our States.

We want to continue to make these improvements in our system. As I said, the chairwoman of the Energy and Natural Resources Committee allowed several hearings to take place, and we want to continue the efforts in working with our colleagues to make sure that we are moving forward on this issue in providing all the resources that we can.

I wish to address one issue, and that is that we are not going to get this overall solution by simply clearcutting large swaths of land in which we haven't made the right assessments. I say that because we have had so many issues in the State of Washington where dangerous erosion has taken place in those circumstances, but it is clear that we all agree that massive fuel reduction does need to take place.

I look forward to working with my colleague on that because there are many ways in which we can prevent and fight our national wildland fires. I look forward to working with Senator MURKOWSKI, and I thank her for getting us real money—a 50-percent increase—that doesn't require another declaration, doesn't require a future event. It is there, and we can start using it. Let's go to work with our colleagues in defining how we do hazardous fuel reduction in the most aggressive way possible, giving our communities better tools to fight these fires in the future, and working to make sure that we have the best equipment and the best resources for those individuals who are fighting those fires.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I want to thank the Senator from Washington for not only her comments here this evening but for her leadership and guidance in this area. When your State is hard hit by these disasters, you learn a lot. You learn a lot about what works in the process and, unfortunately, what doesn't work. When you cannot get a cat to run a fire break because it doesn't have the appropriate card or designation, people come to us and say: Well, that is crazy. And you have to agree; it is crazy. We can do better. When we are talking about the issue of wildland fire and management, it is this management piece that I really hope we can get to, because it is not just about throwing more money at the fires and hoping that we get it right. It is not only about ensuring that we prioritize and get it right with suppression dollars, but also that we are working aggressively to deal with the prevention, with hazardous fuels reduction, with actively managing these issues. That is how we are going to be making the headway. That is where we need to be working collaboratively, whether you are from a very open, remote, and large State such as Alaska or whether you are a State that sees smaller fires that have a catastrophic impact on your local economies. I know that Senator CANTWELL has articulated that very, very clearly within the committee.

We have our work cut out in front of us. I worked on a statement that included no shortage of fire puns and needing to put a damper on this 10-alarm fire that was out there, but I decided that the issue of fire was not a joke or a laughing matter for anybody.

We have a lot of work to do, and I am ready to do it. I am rolling up my sleeves and looking forward to a lot of cooperation from my colleagues as we address this very important priority.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.J. Res. 78, which was received from the House; that the joint resolution be read a third time and the Senate vote on passage of the resolution with no intervening action or debate.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 78) making further continuing appropriations for fiscal year 2016, and for other purposes.

There being no objection, the Senate proceeded to consider the joint resolution.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. Is there further debate on the joint resolution?

If not, the joint resolution having been read the third time, the question is, Shall the joint resolution pass?

The joint resolution (H.J. Res. 78) was passed.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

SIGNING AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the majority leader be authorized to sign duly enrolled bills or joint resolutions on Wednesday, December 16.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO NEW ZEALAND AMBASSADOR MICHAEL MOORE

Mr. WYDEN. Mr. President, my friend Chairman HATCH and I rise today to offer our sincere gratitude to Ambassador Michael Moore of New Zealand who is returning to his home country after more than 5 years here in Washington and a long, successful career as a beloved public servant.

With roots as a union organizer, he rose to become Prime Minister of New Zealand and later served as a Director-General of the World Trade Organization. He dedicated much of his career to the belief that freer trade can help address some of the most intractable challenges facing impoverished people around the globe.

Mr. HATCH. Mr. President, I am happy to join my friend and Finance Committee colleague in expressing our gratitude to Ambassador Moore. Here in Washington, he witnessed the passage of three trade agreements, as well as historic trade legislation earlier this year that reflects many of the values he fought to instill in global trade policy. Ambassador Moore was always there with advice and good counsel as we navigated difficult waters, and his irrepressible spirit and good humor will be sorely missed.

Mr. WYDEN. As they say in New Zealand, ''He tangeta, he tangeta, he tangeta,'' which translated from the Maori language roughly means, ''people are the most important thing.''

ADDITIONAL STATEMENTS

CONGRATULATING THE WILDY FAMILY

● Mr. BOOZMAN. Mr. President, today I wish to congratulate the Wildy family for being named the 2015 Arkansas Farm Family of the Year.

This honor recognizes the dedication of Wildy Family Farms and David and Patty Wildy to Arkansas's No. 1 industry.

The Wildy family settled in Mississippi County in 1914 and has been on the same farm since 1938. David has devoted his life to farming, spending his childhood on the farm, and his passion has been passed down to his children. Wildy Family Farms is a fifth-generation farm. His father and grandfather both earned the Arkansas Master Farm Family award. Being named the Arkansas Farm Family of the Year has been a longtime dream for David.

David and Patty oversee 9,200 acres of land where they grow soybeans, cotton, wheat, milo, and peanuts. The Wildys are committed to being good stewards of the environment. Energy and water conservation play a major role in the business. Using a private environmental audit process to protect the condition of the land, Wildy Family Farms is able to meet and improve its conservation goals and the standards established for environmentally responsible practices.

David is a leader in Arkansas agriculture. He served as a member of the Mississippi County Farm Bureau board of directors for 7 years, presiding as president in 1986. In addition, he served on the Arkansas Agriculture Department board from 2005–2010 and is a member of the St. Francis Levee District board of directors, the University of Arkansas Agriculture Development Council, and several other boards and associations.

The Arkansas Farm Bureau's Farm Family of the Year program honors farm families across the State for their outstanding work both on their farms and in their communities. This recognition is a reflection of the contribution to agriculture at the community and State level and its implications for improved farm practices and management. The Wildy family is well deserving of this honor.

I congratulate David and Patty as well as other partners, which includes their sons and daughters Justin and Kristi Wildy, Tab and Taylor Wildy, Hayley Wildy and Paul and Bethany Harris, on their outstanding achievements in agriculture and ask my fellow colleagues to join me in honoring them for this accomplishment. I wish them continued success in the Farmer of the Year program and look forward to the contributions they will continue to offer Arkansas agriculture.●

TRIBUTE TO JEFF SAYER

● Mr. CRAPO. Mr. President, my colleague Senator JIM RISCH joins me today in expressing our gratitude to Jeff Sayer, a great Idahoan and public servant. We honor Jeff's contributions over the past few years as he transitions from State service.

Jeff Sayer has served honorably as the State of Idaho director of the Department of Commerce since October 2011. During his 4 years of service at the Department of Commerce, Jeff accomplished many important objectives. They include the reorganization of the department, making it leaner and more responsive to business. Jeff likes to say that he wants a department that ''moves at the speed of business,'' and he was successful in meeting that goal. Jeff launched the Idaho Global Entrepreneurial Mission and established the

Idaho Opportunity Fund, as well as Idaho's Tax Reimbursement Incentive that resulted in 4,047 new jobs, $496 million in new capital investments, $1.65 billion in total wages, and $288 million in new State revenue. These are just some of the impressive accomplishments of the Department of Commerce under the direction of Jeff Sayer.

Jeff's leadership of the Governor's Leadership in Nuclear Energy, or LINE, Commission is equally important. Jeff started this commission, led it through a complete review of the State's role in supporting nuclear energy and Idaho National Laboratory, and oversaw the completion of a final report that is still helping guide policymakers in Idaho and Washington, DC.

While we congratulate Jeff on being presented with an outstanding opportunity to return to the private sector, we are saddened to be losing his leadership and talents in State government. We wish Jeff and his wife, Laurel, well in their new endeavor and look forward to still leaning on Jeff for guidance and wisdom on a frequent basis.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting nominations which were referred to the Committee on the Judiciary.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:06 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following joint resolutions, in which it requests the concurrence of the Senate:

H.J. Res. 76. Joint resolution appointing the day for the convening of the second session of the One Hundred Fourteenth Congress.

H.J. Res. 78. Joint resolution making further continuing appropriations for fiscal year 2016, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 102. Concurrent resolution providing for a joint session of Congress to receive a message from the President.

ENROLLED BILL SIGNED

At 2:09 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2270. An act to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Memorial within the wildlife refuge, and for other purposes.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. MCCONNELL).

ENROLLED BILL SIGNED

At 6:37 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.J. Res. 78. Joint resolution making further continuing appropriations for fiscal year 2016, and for other purposes.

The enrolled joint resolution was subsequently signed by the Acting President pro tempore (Mr. MCCONNELL).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

S. 329. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, and for other purposes (Rept. No. 114–182).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 556. A bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes (Rept. No. 114–183).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 782. A bill to direct the Secretary of the Interior to establish a bison management plan for Grand Canyon National Park (Rept. No. 114–184).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1583. A bill to authorize the expansion of an existing hydroelectric project (Rept. No. 114–185).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 1592. A bill to clarify the description of certain Federal land under the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 to include additional land in the Kaibab National Forest (Rept. No. 114–186).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1694. A bill to amend Public Law 103–434 to authorize Phase III of the Yakima River Basin Water Enhancement Project for the purposes of improving water management in the Yakima River basin, and for other purposes (Rept. No. 114–187).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 1941. A bill to authorize, direct, expedite, and facilitate a land exchange in El Paso and Teller Counties, Colorado, and for other purposes (Rept. No. 114–188).

S. 1942. A bill to require a land conveyance involving the Elkhorn Ranch and the White River National Forest in the State of Colorado, and for other purposes (Rept. No. 114–189).

S. 2046. A bill to authorize the Federal Energy Regulatory Commission to issue an order continuing a stay of a hydroelectric license for the Mahoney Lake hydroelectric project in the State of Alaska, and for other purposes (Rept. No. 114–190).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 2069. A bill to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon (Rept. No. 114–191).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 2083. A bill to extend the deadline for commencement of construction of a hydroelectric project (Rept. No. 114–192).

H.R. 373. A bill to direct the Secretary of the Interior and Secretary of Agriculture to expedite access to certain Federal land under the administrative jurisdiction of each Secretary for good Samaritan search-and-recovery missions, and for other purposes (Rept. No. 114–193).

H.R. 1324. A bill to adjust the boundary of the Arapaho National Forest, Colorado, and for other purposes (Rept. No. 114–194).

H.R. 1554. A bill to require a land conveyance involving the Elkhorn Ranch and the White River National Forest in the State of Colorado, and for other purposes (Rept. No. 114–195).

H.R. 2223. A bill to authorize, direct, expedite, and facilitate a land exchange in El Paso and Teller Counties, Colorado, and for other purposes (Rept. No. 114–196).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MCCAIN (for himself and Mr. FLAKE):

S. 2406. A bill to require the Administrator of the Federal Aviation Administration to review certain decisions to grant categorical exclusions for Next Generation flight procedures and to consult with the airports at which such procedures will be implemented; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY (for himself, Ms. AYOTTE, Ms. WARREN, Mrs. FEINSTEIN, Mrs. BOXER, Mr. WYDEN, Mr. MERKLEY, and Mr. RUBIO):

S. 2407. A bill to posthumously award the Congressional Gold Medal to each of J. Christopher Stevens, Glen Doherty, Tyrone Woods, and Sean Smith in recognition of their contributions to the Nation; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FRANKEN:

S. 2408. A bill to direct the Secretary of Labor to issue an occupational safety and health standard to reduce injuries to patients, nurses, and all other health care

workers by establishing a safe patient handling, mobility, and injury prevention standard, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN:

S. 2409. A bill to amend titles XVIII and XIX of the Social Security Act to improve payments for hospital outpatient department services and complex rehabilitation technology and to improve program integrity, and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 812

At the request of Mr. MORAN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 812, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 901

At the request of Mr. MORAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 901, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that exposure, to establish an advisory board on such health conditions, and for other purposes.

S. 1579

At the request of Mr. SCHATZ, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1579, a bill to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States.

S. 1587

At the request of Mr. KAINE, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1587, a bill to authorize the use of the United States Armed Forces against the Islamic State of Iraq and the Levant.

S. 1631

At the request of Mr. SANDERS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1631, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to modify certain provisions relating to multiemployer pensions, and for other purposes.

S. 1900

At the request of Mr. KAINE, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1900, a bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award job training Federal Pell Grants.

S. 1926

At the request of Ms. MIKULSKI, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 1926, a bill to ensure access to screening mammography services.

S. 2070

At the request of Ms. AYOTTE, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 2070, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 2312

At the request of Mr. THUNE, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Arizona (Mr. MCCAIN), the Senator from Wyoming (Mr. BARRASSO), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 2312, a bill to amend titles XVIII and XIX of the Social Security Act to make improvements to payments for durable medical equipment under the Medicare and Medicaid programs.

S. 2336

At the request of Mr. COONS, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2336, a bill to modernize laws, and eliminate discrimination, with respect to people living with HIV/AIDS, and for other purposes.

S. 2373

At the request of Ms. CANTWELL, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2373, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. CON. RES. 26

At the request of Mr. KIRK, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. Con. Res. 26, a concurrent resolution expressing the sense of Congress regarding the right of States and local governments to maintain economic sanctions against Iran.

S. RES. 113

At the request of Mr. WARNER, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. Res. 113, a resolution expressing the sense of the Senate that the Citizens' Stamp Advisory Committee should recommend the issuance of, and the United States Postal Service should issue, a commemorative stamp in honor of the holiday of Diwali.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MARKEY (for himself, Ms. AYOTTE, Ms. WARREN, Mrs. FEINSTEIN, Mrs. BOXER, Mr. WYDEN, Mr. MERKLEY, and Mr. RUBIO):

S. 2407. A bill to posthumously award the Congressional Gold Medal to each of J. Christopher Stevens, Glen Doherty, Tyrone Woods, and Sean Smith in recognition of their contributions to the Nation; to the Committee on Banking, Housing, and Urban Affairs.

Mr. MARKEY. Mr. President, on September 11, 2012, militants attacked the Temporary Mission Facility of the United States, and its personnel, in Benghazi, Libya. As the attack unfolded, our people attempted to defend the Mission and protect United States diplomatic personnel. Tragically, they did not succeed and four brave Americans sacrificed their lives.

Today, along with Senators AYOTTE, WARREN, FEINSTEIN, BOXER, WYDEN, and MERKLEY, I am introducing legislation to honor Ambassador J. Christopher Stevens, Glen Doherty, Tyrone Woods, and Sean Smith by posthumously awarding them the Congressional Gold Medal in recognition of their selfless service and extraordinary contributions to the nation, at the cost of their lives. These distinguished public servants and warriors made the ultimate sacrifice for our Nation, and their memories will live on as an inspiration to all for their bravery and commitment to our Nation.

J. Christopher Stevens was serving as United States Ambassador to Libya and previously served twice in the country, as both Special Representative to the Libyan Transitional National Council and as the Deputy Chief of Mission. He served in the United States Foreign Service for twenty-one years. Public service was his life work. He started his career serving as a Peace Corps volunteer teaching English in Morocco.

Glen A. Doherty grew up in Winchester, MA. He was a Navy SEAL for twelve years. He served in Iraq and Afghanistan, attaining the rank of Petty Officer First Class and earned the Navy and Marine Corps Commendation medal.

Tyrone Woods was a Navy Seal for 20 years. He also served in both Iraq and Afghanistan, attaining the rank of Senior Chief Petty Officer when he retired. In Iraq, he led multiple raids and reconnaissance missions and earned the Bronze Star.

Both Glen Doherty and Tyrone Woods were working to protect American personnel abroad when the Temporary Mission Facility of the United States in Benghazi, Libya, was attacked. As the coordinated attack unfolded, Glen and Tyrone exposed themselves to enemy fire as they engaged

attackers armed with guns, mortars, and rocket-propelled grenades. Their ultimate sacrifice saved the lives of American personnel who were rescued and safely returned to their families.

Sean Smith served in the Air Force for 6 years, attained the rank of Staff Sergeant and was awarded the Air Force Commendation Medal. After leaving the Air Force, he served in the State Department for 10 years on various assignments which took him to places such as Baghdad, Brussels, Pretoria, the Hague, and Tripoli.

As their careers attest, all four men served our Nation honorably and with high distinction and utmost bravery. They made the supreme sacrifice for our country, and this medal represents the deep gratitude of a nation that will never forget their heroic service.

I ask all Senators to join me in support of this legislation to posthumously award these four brave American heroes the Congressional Gold Medal for giving our Nation their last full measure of devotion.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2929. Mr. ALEXANDER (for himself, Ms. AYOTTE, Ms. BALDWIN, Mr. JOHNSON, Mr. CASEY, Mr. COCHRAN, and Mr. BOOZMAN) proposed an amendment to the bill H.R. 3594, to extend temporarily the Federal Perkins Loan program, and for other purposes.

SA 2930. Mr. MCCONNELL (for Mr. CARPER (for himself, Mr. GRASSLEY, Mrs. MCCASKILL, and Mr. JOHNSON)) proposed an amendment to the bill S. 1616, to provide for the identification and prevention of improper payments and the identification of strategic sourcing opportunities by reviewing and analyzing the use of Federal agency charge cards.

SA 2931. Mr. MCCONNELL (for Mr. LANKFORD) proposed an amendment to the resolution S. Res. 310, condemning the ongoing sexual violence against women and children from Yezidi, Christian, Shabak, Turkmen, and other religious communities by Islamic State of Iraq and Syria militants and urging the prosecution of the perpetrators and those complicit in these crimes.

TEXT OF AMENDMENTS

SA 2929. Mr. ALEXANDER (for himself, Ms. AYOTTE, Ms. BALDWIN, Mr. JOHNSON, Mr. CASEY, Mr. COCHRAN, and Mr. BOOZMAN) proposed an amendment to the bill H.R. 3594, to extend temporarily the Federal Perkins Loan program, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Perkins Loan Program Extension Act of 2015''.

SEC. 2. EXTENSION OF FEDERAL PERKINS LOAN PROGRAM.

(a) AUTHORITY TO MAKE LOANS.—

(1) IN GENERAL.—Section 461 of the Higher Education Act of 1965 (20 U.S.C. 1087aa) is amended—

(A) in subsection (a), by striking ''of stimulating and assisting in the establishment and maintenance of funds at institutions of higher education for the making of low-interest loans to students in need thereof'' and inserting ''assisting in the maintenance of funds at institutions of higher education for the making of loans to undergraduate students in need'';

(B) by striking subsection (b) and inserting the following:

''(b) AUTHORITY TO MAKE LOANS.—

''(1) IN GENERAL.—

''(A) LOANS FOR NEW UNDERGRADUATE FEDERAL PERKINS LOAN BORROWERS.—Through September 30, 2017, an institution of higher education may make a loan under this part to an eligible undergraduate student who, on the date of disbursement of a loan made under this part, has no outstanding balance of principal or interest on a loan made under this part from the student loan fund established under this part by the institution, but only if the institution has awarded all Federal Direct Loans, as referenced under subparagraphs (A) and (D) of section 455(a)(2), for which such undergraduate student is eligible.

''(B) LOANS FOR CURRENT UNDERGRADUATE FEDERAL PERKINS LOAN BORROWERS.—Through September 30, 2017, an institution of higher education may make a loan under this part to an eligible undergraduate student who, on the date of disbursement of a loan made under this part, has an outstanding balance of principal or interest on a loan made under this part from the student loan fund established under this part by the institution, but only if the institution has awarded all Federal Direct Stafford Loans as referenced under section 455(a)(2)(A) for which such undergraduate student is eligible.

''(C) LOANS FOR CERTAIN GRADUATE BORROWERS.—Through September 30, 2016, with respect to an eligible graduate student who has received a loan made under this part prior to October 1, 2015, an institution of higher education that has most recently made such a loan to the student for an academic program at such institution may continue making loans under this part from the student loan fund established under this part by the institution to enable the student to continue or complete such academic program.

''(2) NO ADDITIONAL LOANS.—An institution of higher education shall not make loans under this part after September 30, 2017.

''(3) PROHIBITION ON ADDITIONAL APPROPRIATIONS.—No funds are authorized to be appropriated under this Act or any other Act to carry out the functions described in paragraph (1) for any fiscal year following fiscal year 2015.''; and

(C) by striking subsection (c).

(2) RULE OF CONSTRUCTION.—Notwithstanding the amendments made under paragraph (1) of this subsection, an eligible graduate borrower who received a disbursement of a loan under part E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087aa et seq.) after June 30, 2016 and before October 1, 2016, for the 2016–2017 award year, may receive a subsequent disbursement of such loan by June 30, 2017, for which the borrower received an initial disbursement after June 30, 2016 and before October 1, 2016.

(b) DISTRIBUTION OF ASSETS FROM STUDENT LOAN FUNDS.—Section 466 of the Higher Education Act of 1965 (20 U.S.C. 1087ff) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''After September 30, 2003, and not later than March 31, 2004'' and inserting ''Beginning October 1, 2017''; and

(B) in paragraph (1), by striking ''September 30, 2003'' and inserting ''September 30, 2017'';

(2) in subsection (b)—

(A) by striking ''After October 1, 2012'' and inserting ''Beginning October 1, 2017''; and

(B) by striking ''September 30, 2003'' and inserting ''September 30, 2017''; and

(3) in subsection (c)(1), by striking ''October 1, 2004'' and inserting ''October 1, 2017''.

(c) ADDITIONAL EXTENSIONS NOT PERMITTED.—Section 422 of the General Education Provisions Act (20 U.S.C. 1226a) shall not apply to further extend the duration of the authority under paragraph (1) of section 461(b) of the Higher Education Act of 1965 (20 U.S.C. 1087aa(b)), as amended by subsection (a)(1) of this section, beyond September 30, 2017, on the basis of the extension under such subsection.

SEC. 3. DISCLOSURE REQUIRED PRIOR TO DISBURSEMENT.

Section 463A(a) of the Higher Education Act of 1965 (20 U.S.C. 1087cc–1(a)) is amended—

(1) in paragraph (12), by striking ''and'' after the semicolon;

(2) in paragraph (13), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(14) a notice and explanation regarding the end to future availability of loans made under this part;

''(15) a notice and explanation that repayment and forgiveness benefits available to borrowers of loans made under part D are not available to borrowers participating in the loan program under this part;

''(16) a notice and explanation regarding a borrower's option to consolidate a loan made under this part into a Federal Direct Loan under part D, including any benefit of such consolidation;

''(17) with respect to new undergraduate Federal Perkins loan borrowers, as described in section 461(b)(1)(A), a notice and explanation providing a comparison of the interest rates of loans under this part and part D and informing the borrower that the borrower has reached the maximum annual borrowing limit for which the borrower is eligible as referenced under subparagraphs (A) and (D) of section 455(a)(2); and

''(18) with respect to current undergraduate Federal Perkins loan borrowers, as described in section 461(b)(1)(B), a notice and explanation providing a comparison of the interest rates of loans under this part and part D and informing the borrower that the borrower has reached the maximum annual borrowing limit for which the borrower is eligible on Federal Direct Stafford Loans as referenced under section 455(a)(2)(A).''.

SA 2930. Mr. MCCONNELL (for Mr. CARPER (for himself, Mr. GRASSLEY, Mrs. MCCASKILL, and Mr. JOHNSON)) proposed an amendment to the bill S. 1616, to provide for the identification and prevention of improper payments and the identification of strategic sourcing opportunities by reviewing and analyzing the use of Federal agency charge cards; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Saving Federal Dollars Through Better Use of Government Purchase and Travel Cards Act of 2015''.

SEC. 2. DEFINITIONS.

In this Act:

(1) IMPROPER PAYMENT.—The term ''improper payment'' has the meaning given the term in section 2 of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).

(2) QUESTIONABLE TRANSACTION.—The term ''questionable transaction'' means a charge card transaction that from initial card data appears to be high risk and may therefore be improper due to non-compliance with applicable law, regulation or policy.

(3) STRATEGIC SOURCING.—The term ''strategic sourcing'' means analyzing and modifying a Federal agency's spending patterns to better leverage its purchasing power, reduce costs, and improve overall performance.

SEC. 3. EXPANDED USE OF DATA ANALYTICS.

(a) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Administrator for General Services, shall develop a strategy to expand the use of data analytics in managing government purchase and travel charge card programs. These analytics may employ existing General Services Administration capabilities, and may be in conjunction with agencies' capabilities, for the purpose of —

(1) identifying examples or patterns of questionable transactions and developing enhanced tools and methods for agency use in—

(A) identifying questionable purchase and travel card transactions; and

(B) recovering improper payments made with purchase and travel cards;

(2) identifying potential opportunities for agencies to further leverage administrative process streamlining and cost reduction from purchase and travel card use, including additional agency opportunities for card-based strategic sourcing;

(3) developing a set of purchase and travel card metrics and benchmarks for high risk activities, which shall assist agencies in identifying potential emphasis areas for their purchase and travel card management and oversight activities, including those required by the Government Charge Card Abuse Prevention Act of 2012 (Public Law 112–194); and

(4) developing a plan, which may be based on existing capabilities, to create a library of analytics tools and data sources for use by Federal agencies (including inspectors general of those agencies).

SEC. 4. GUIDANCE ON IMPROVING INFORMATION SHARING TO CURB IMPROPER PAYMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Administrator of General Services and the interagency charge card data management group established under section 5, shall issue guidance on improving information sharing by government agencies (including inspectors general) for the purposes of section 3(a)(1).

(b) ELEMENTS.—The guidance issued under subsection (a) shall—

(1) require relevant officials at Federal agencies to identify high-risk activities and communicate that information to the appropriate management levels within the agencies;

(2) require that appropriate officials at Federal agencies review the reports issued by charge card-issuing banks on questionable transaction activity (such as purchase and travel card pre-suspension and suspension reports, delinquency reports, and exception reports), including transactions that occur with high risk activities, and suspicious timing or amounts of cash withdrawals or advances;

(3) provide for the appropriate sharing of information related to potential questionable transactions, fraud schemes, and high risk activities with General Services Administration Office of Charge Card Management and the appropriate officials in Federal agencies; and

(4) include other requirements determined appropriate by the Director for the purposes of carrying out this Act.

SEC. 5. INTERAGENCY CHARGE CARD DATA MANAGEMENT GROUP.

(a) ESTABLISHMENT.—The Administrator of General Services and the Director of the Office of Management and Budget shall establish a purchase and travel charge card data management group to develop and share best practices for the purposes described in section 3(a).

(b) ELEMENTS.—The best practices developed under subsection (a) shall—

(1) cover rules, edits, and task order or contract modifications related to charge card-issuing banks;

(2) include the review of accounts payable information and purchase and travel card transaction data of agencies for the purpose of identifying potential strategic sourcing and other additional opportunities (such as recurring payments, utility payments, and grant payments) for which the charge cards or related payment products could be used as a payment method; and

(3) include other best practices as determined by the Administrator and Director.

(c) MEMBERSHIP.—The purchase and travel charge card data management group shall meet regularly as determined by the co-chairs, for a duration of three years, and include those agencies as described in section 2 of the Government Charge Card Abuse Prevention Act of 2012 (Public Law 112–194) and others identified by the Administrator and Director.

SEC. 6. REPORTING REQUIREMENTS.

(a) GENERAL SERVICES ADMINISTRATION REPORT.—Not later than one year after the date of the enactment of this Act, the Administrator for General Services shall submit a report to Congress on the implementation of this Act, including the metrics used in determining whether the analytic and benchmarking efforts have reduced, or contributed to the reduction of, questionable or improper payments as well as improved utilization of card-based payment products.

(b) AGENCY REPORTS AND CONSOLIDATED REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the head of each Federal agency described in section 2 of the Government Charge Card Abuse Prevention Act of 2012 (Public Law 112–194) shall submit a report to the Director of the Office of Management and Budget on that agency's activities to implement this Act.

(c) OFFICE OF MANAGEMENT AND BUDGET REPORT TO CONGRESS.—The Director of the Office of Management and Budget shall submit to Congress a consolidated report of agency activities to implement this Act, which may be included as part of another report submitted to Congress by the Director.

(d) REPORT ON ADDITIONAL SAVINGS OPPORTUNITIES.—Not later than one year after the date of the enactment of this Act, the Administrator of General Services shall submit a report to Congress identifying and exploring further potential savings opportunities for government agencies under the Federal charge card programs. This report may be combined with the report required under subsection (a).

SA 2931. Mr. MCCONNELL (for Mr. LANKFORD) proposed an amendment to the resolution S. Res. 310, condemning the ongoing sexual violence against women and children from Yezidi, Christian, Shabak, Turkmen, and other religious communities by Islamic State of Iraq and Syria militants and urging the prosecution of the perpetrators and those complicit in these crimes; as follows:

On page 3, line 4, insert ''by Islamic State of Iraq and Syria militants'' before the semicolon at the end.

On page 3, line 10, strike ''and''.

On page 4, line 2, strike the period at the end and inserting ''; and''.

On page 4, after line 2, add the following:

(4) defines ''complicit'', for purposes of this resolution, as having knowingly and willingly taken actions which have directly supported, promoted, enabled, aided, abetted, or encouraged crimes involving sexual violence against women and children from Yezidi, Christian, Shabak, Turkmen, or other religious communities by Islamic State of Iraq and Syria militants, including actively working to deny, cover up, or alter evidence of such crimes.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 16, 2015, at 2:30 p.m., to conduct a hearing entitled ''The Administration's Strategy in Afghanistan.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. NELSON. Mr. President, I ask unanimous consent that Joshua Manning, a NASA fellow and a detailee, and Brandon Fisher, a Coast Guard fellow at the commerce committee, be allowed floor privileges for the 114th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE INDEFINITELY POSTPONED—H. CON. RES. 91

Mr. MCCONNELL. Mr. President, I ask unanimous consent that H. Con. Res. 91 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 269, 433, 435, 436, and 437.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Thomas O. Melia, of Maryland, to be an Assistant Administrator of the United States Agency for International Development; Gabriel Camarillo, of Texas, to be an Assistant Secretary of the Air Force; Marcel John Lettre, II, of Maryland, to be Under Secretary of Defense for Intelligence; Navy, Vice Adm. Kurt W. Tidd to be Admiral; and Thomas Edgar Rothman, of Maryland, to be a Member of the National Council on the Arts for a term expiring September 3, 2016.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote en bloc without intervening action or debate on the nominations in the order listed; that following disposition of the nominations, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Melia, Camarillo, Lettre, Tidd, and Rothman nominations en bloc?

The nominations were confirmed en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination under the privileged section of the Executive Calendar: PN892; that the Senate vote on the nomination with no intervening action or debate; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Steven Michael Haro, of Virginia, to be an Assistant Secretary of Commerce.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Haro nomination?

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

SECURING FAIRNESS IN REGULATORY TIMING ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3831, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3831) to amend title XVIII of the Social Security Act to extend the annual comment period for payment rates under Medicare Advantage.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3831) was ordered to a third reading, was read the third time, and passed.

SAVING FEDERAL DOLLARS THROUGH BETTER USE OF GOVERNMENT PURCHASE AND TRAVEL CARDS ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 315, S. 1616.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1616) to provide for the identification and prevention of improper payments and the identification of strategic sourcing opportunities by reviewing and analyzing the use of Federal agency charge cards.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I further ask unanimous consent that the Carper substitute amendment which is at the desk be agreed to; the bill, as amended, be read a third time and passed; and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2930) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Saving Federal Dollars Through Better Use of Government Purchase and Travel Cards Act of 2015''.

SEC. 2. DEFINITIONS.

In this Act:

(1) IMPROPER PAYMENT.—The term ''improper payment'' has the meaning given the term in section 2 of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).

(2) QUESTIONABLE TRANSACTION.—The term ''questionable transaction'' means a charge card transaction that from initial card data appears to be high risk and may therefore be improper due to non-compliance with applicable law, regulation or policy.

(3) STRATEGIC SOURCING.—The term ''strategic sourcing'' means analyzing and modifying a Federal agency's spending patterns to better leverage its purchasing power, reduce costs, and improve overall performance.

SEC. 3. EXPANDED USE OF DATA ANALYTICS.

(a) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Administrator for General Services, shall develop a strategy to expand the use of data analytics in managing government purchase and travel charge card programs. These analytics may employ existing General Services Administration capabilities, and may be in conjunction with agencies' capabilities, for the purpose of —

(1) identifying examples or patterns of questionable transactions and developing enhanced tools and methods for agency use in—

(A) identifying questionable purchase and travel card transactions; and

(B) recovering improper payments made with purchase and travel cards;

(2) identifying potential opportunities for agencies to further leverage administrative process streamlining and cost reduction from purchase and travel card use, including additional agency opportunities for card-based strategic sourcing;

(3) developing a set of purchase and travel card metrics and benchmarks for high risk activities, which shall assist agencies in identifying potential emphasis areas for their purchase and travel card management and oversight activities, including those required by the Government Charge Card Abuse Prevention Act of 2012 (Public Law 112–194); and

(4) developing a plan, which may be based on existing capabilities, to create a library of analytics tools and data sources for use by Federal agencies (including inspectors general of those agencies).

SEC. 4. GUIDANCE ON IMPROVING INFORMATION SHARING TO CURB IMPROPER PAYMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Administrator of General Services and the interagency charge card data management group established under section 5, shall issue guidance on improving information sharing by government agencies (including inspectors general) for the purposes of section 3(a)(1).

(b) ELEMENTS.—The guidance issued under subsection (a) shall—

(1) require relevant officials at Federal agencies to identify high-risk activities and communicate that information to the appropriate management levels within the agencies;

(2) require that appropriate officials at Federal agencies review the reports issued by charge card-issuing banks on questionable transaction activity (such as purchase and travel card pre-suspension and suspension reports, delinquency reports, and exception reports), including transactions that occur with high risk activities, and suspicious timing or amounts of cash withdrawals or advances;

(3) provide for the appropriate sharing of information related to potential questionable transactions, fraud schemes, and high

risk activities with General Services Administration Office of Charge Card Management and the appropriate officials in Federal agencies; and

(4) include other requirements determined appropriate by the Director for the purposes of carrying out this Act.

SEC. 5. INTERAGENCY CHARGE CARD DATA MANAGEMENT GROUP.

(a) ESTABLISHMENT.—The Administrator of General Services and the Director of the Office of Management and Budget shall establish a purchase and travel charge card data management group to develop and share best practices for the purposes described in section 3(a).

(b) ELEMENTS.—The best practices developed under subsection (a) shall—

(1) cover rules, edits, and task order or contract modifications related to charge card-issuing banks;

(2) include the review of accounts payable information and purchase and travel card transaction data of agencies for the purpose of identifying potential strategic sourcing and other additional opportunities (such as recurring payments, utility payments, and grant payments) for which the charge cards or related payment products could be used as a payment method; and

(3) include other best practices as determined by the Administrator and Director.

(c) MEMBERSHIP.—The purchase and travel charge card data management group shall meet regularly as determined by the cochairs, for a duration of three years, and include those agencies as described in section 2 of the Government Charge Card Abuse Prevention Act of 2012 (Public Law 112–194) and others identified by the Administrator and Director.

SEC. 6. REPORTING REQUIREMENTS.

(a) GENERAL SERVICES ADMINISTRATION REPORT.—Not later than one year after the date of the enactment of this Act, the Administrator for General Services shall submit a report to Congress on the implementation of this Act, including the metrics used in determining whether the analytic and benchmarking efforts have reduced, or contributed to the reduction of, questionable or improper payments as well as improved utilization of card-based payment products.

(b) AGENCY REPORTS AND CONSOLIDATED REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the head of each Federal agency described in section 2 of the Government Charge Card Abuse Prevention Act of 2012 (Public Law 112–194) shall submit a report to the Director of the Office of Management and Budget on that agency's activities to implement this Act.

(c) OFFICE OF MANAGEMENT AND BUDGET REPORT TO CONGRESS.—The Director of the Office of Management and Budget shall submit to Congress a consolidated report of agency activities to implement this Act, which may be included as part of another report submitted to Congress by the Director.

(d) REPORT ON ADDITIONAL SAVINGS OPPORTUNITIES.—Not later than one year after the date of the enactment of this Act, the Administrator of General Services shall submit a report to Congress identifying and exploring further potential savings opportunities for government agencies under the Federal charge card programs. This report may be combined with the report required under subsection (a).

The bill (S. 1616), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

REGARDING THE 25TH ANNIVERSARY OF DEMOCRACY IN MONGOLIA

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 320, S. Res. 189.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 189) expressing the sense of the Senate regarding the 25th anniversary of democracy in Mongolia.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 189) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 1, 2015, under ''Submitted Resolutions.'')

CONGRATULATING THE PEOPLE OF BURMA ON THEIR COMMITMENT TO PEACEFUL ELECTIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 321, S. Res. 320.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 320) congratulating the people of Burma on their commitment to peaceful elections.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment to strike out all after the resolving clause and insert the part printed in italic.

S. RES. 320

Whereas Burma conducted general elections on November 8, 2015, the country's first national vote since a civilian government was introduced in 2011 that ended nearly 50 years of military rule;

Whereas the people of Burma have, by their vigorous participation in electoral campaigning and public debate, strengthened the foundations of a free and democratic way of life;

Whereas preliminary reports indicate that voter turnout exceeded 80 percent;

Whereas international observers have reported that election day was largely free and fair and conducted in an orderly and peaceful fashion despite broader structural concerns such as the disenfranchisement of the Rohingya;

Whereas the ruling military-backed Union Solidarity *and* Development Party suffered a dramatic loss at the polls, and the National League for Democracy won a sizable majority in both chambers of Burma's Union Parliament, the Pyidaungsu Hluttaw, and will select Burma's next President;

Whereas Nobel Peace Prize Laureate Aung San Suu Kyi has symbolized the struggle for freedom and democracy in Burma and has actively supported democratic reform through her leadership of the National League for Democracy;

Whereas the National League for Democracy espouses a policy of nonviolent movement towards multi-party democracy in Burma, supports national reconciliation, and endorses strengthening democratic institutions, protecting human rights, implementing free market economic reforms, and reinforcing rule of law;

Whereas President Thein Sein and Commander-in-Chief Min Aug Hlaing made public commitments to respect the election results and vowed to abide by the law to ensure an orderly and prompt transition to a new government; and

Whereas the continued democratic development of Burma is a matter of fundamental importance to the advancement of United States interests in Southeast Asia and is supported by the United States Senate: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the people of Burma for embracing democracy through their participation in the November 8, 2015, general elections, and for their continuing efforts in developing a free, democratic society that respects internationally recognized human rights;

(2) recognizes the National League for Democracy's victory as a reflection of the will of the Burmese people;

(3) calls on the Union Solidarity and Development Party to undertake a peaceful transfer of power and abide by the law to ensure an orderly and prompt transition to a new government;

(4) encourages all parties to pursue national reconciliation talks and work together in the spirit of national unity to seek what is best for the country;

(5) recognizes that while the Government of Burma has made important progress towards democratization, there remain serious challenges and impediments to the realization of full democratic and civilian government, including the reservation of unelected seats for the military and the disenfranchisement of groups of people including the Rohingya;

(6) expresses hope that newly elected members of parliament will contribute to the ongoing political transformation and will herald a new generation of responsible democratic leadership in Burma;

(7) calls on the Government of Burma to support meaningful efforts to reform the 2008 Constitution of Burma, with the full and unfettered participation of all the people of Burma and in a manner that promotes and protects democratic development of Burma and safeguards against arbitrary interference by the military;

(8) calls on the Government of Burma to release all political prisoners;

(9) supports negotiations between the Government of Burma and ethnic groups and organizations toward a genuine national ceasefire;

(10) encourages the President of the United States, in close and timely consultation with Congress, to continue to support efforts to promote genuine democratic transition and to ensure that any changes in United States policy toward Burma, including the consideration of any potential relaxation of restrictions, are aligned with support for a genuine and sustainable democratic transition; and

(11) reaffirms that the people of the United States will continue to stand with the people of

Burma in support of democracy, partnership, and peace.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported amendment be agreed to; that the resolution, as amended, be agreed to; that the preamble be agreed to; and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The resolution (S. Res. 320), as amended, was agreed to.

The preamble was agreed to.

CELEBRATING THE 135TH ANNIVERSARY OF DIPLOMATIC RELATIONS BETWEEN THE UNITED STATES AND ROMANIA

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 322, S. Res. 326.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 326) celebrating the 135th anniversary of diplomatic relations between the United States and Romania.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations with an amendment to the preamble.

(Omit the part in boldface brackets and insert the part printed in italic.)

S. RES. 326

Whereas the United States established diplomatic relations with Romania in June 1880;

Whereas the Governments of the United States and Romania strive to continually improve cooperation between government leaders and strengthen the two countries' strategic partnership, focusing on the political-military relationship, law-enforcement collaboration, trade and investment opportunities, and energy security;

Whereas the Governments of the United States and Romania are committed to supporting human rights, advancing the rule of law, democratic governance, economic growth, and freedom;

Whereas Romania joined the North Atlantic Treaty Organization (NATO) in 2004, and has established itself *both* as a resolute ally of **[**both**]** the United States and *as a* strong NATO member;

Whereas the Government of Romania continues to improve its military capabilities, and has repeatedly demonstrated its willingness to provide forces and assets in support of operations that address the national security interests of the United States and all NATO members, including deployments to Afghanistan, Iraq, Libya, and Kosovo;

Whereas, in 2011, the United States and Romania issued the ''Joint Declaration on Strategic Partnership for the 21st Century Between the United States of America and Romania,'' reflecting increasing cooperation between our countries to promote security, democracy, free market opportunities, and cultural exchange;

Whereas the United States and Romania signed a ballistic missile defense (BMD) agreement in 2011, allowing the deployment of United States personnel, equipment, and anti-missile interceptors to Romania;

Whereas, in October 2014, the United States Navy formally launched Naval Support Facility Deveselu to achieve the goals of the 2011 BMD agreement and thus established the first new United States Navy base since 1987;

Whereas, in September 2015, Romania stood up a NATO Force Integration Unit;

Whereas Romania will host the Alliance's Multinational Division-Southeast headquarters in Bucharest and commits significant resources to the Very High Readiness Joint Task Force;

Whereas Romania has agreed to host components of the United States European Phased Adaptive Approach missile defense system, which will be operational by the end of 2015; and

Whereas, for the past 25 years, the Government of Romania has shown leadership in advancing stability, security, and democratic principles in Central and Eastern Europe, the Western Balkans, and the Black Sea region, especially in the current difficult regional context: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 135th anniversary of United States-Romanian diplomatic relations;

(2) congratulates the people of Romania on their accomplishments as a great nation; and

(3) expresses appreciation for Romania's unwavering partnership with the United States.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to; that the amendment to the preamble be agreed to; that the preamble, as amended, be agreed to; and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 326) was agreed to.

The amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

CONDEMNING THE ONGOING SEXUAL VIOLENCE AGAINST WOMEN AND CHILDREN FROM YEZIDI, CHRISTIAN, SHABAK, TURKMEN, AND OTHER RELIGIOUS COMMUNITIES BY ISLAMIC STATE OF IRAQ AND SYRIA MILITANTS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 297, S. Res. 310.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 310) condemning the ongoing sexual violence against women and children from Yezidi, Christian, Shabak, Turkmen, and other religious communities by Islamic State of Iraq and Syria militants and urging the prosecution of the perpetrators and those complicit in these crimes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BLUMENTHAL. Mr. President, I am here to support the bipartisan efforts and goals of my colleagues in S. Res. 310, which condemns the ongoing sexual violence perpetrated by ISIL against women and children from Yezidi and other religious communities.

The horrific and despicable actions of ISIL against women and girls who were kidnapped, enslaved, tortured, raped, and impregnated in conflict-affected regions there and others around the world are one of the horrors of terrorism. This resolution addresses it, but it could and should have gone much further. In fact, it lacks the recognition of the full range of support that Yezidi survivors of sexual violence desperately need. That is the reason that I offered two amendments to improve this important resolution, to urge the President to exercise his existing authority. No new author is necessary for him to provide and support age-appropriate, comprehensive post-violence care, including the provision of treatment to prevent HIV infection, trauma and surgical care, mental health services, social and legal support, and a full range of medically necessary reproductive health services, including emergency contraception, safe abortion care, and maternal health services.

When the horrors that ISIL inflicts on the Yezidis came to light in the New York Times report entitled ''ISIS Enshrines a Theology of Rape,'' including systematic rape of women and children in ISIL-held territory, I demanded that our great Nation take action. I refer my colleagues' attention to that article.

We cannot allow for the continued use of rape as a tool of warfare to destabilize and disrupt communities, to exert control over women and girls, and in the case of the Yezidis, to impregnate them purposefully and relentlessly. Survivors should not be forced to carry pregnancies to full term simply because access to reproductive health care is not available following their vicious assault.

We cannot stand idly by while witnessing such violations of human rights and dignity. The United States must work to increase access to reproductive health care for the vulnerable populations, particularly safe abortion services, and most especially for the Yezidi girls and women who were purposefully impregnated as a tool of terrorism by ISIL.

I have called on the administration multiple times to confront this horror. In September, I wrote a letter with five

of my Democratic colleagues to Secretary Kerry, calling on the State Department to declare Iraqi religious minorities, including the Yezidis, as protected priority groups so they could seek refugee assistance within Iraq's border.

In October, I wrote a letter with 27 of my Democratic colleagues, calling on the President to take action to properly implement existing law. Existing law includes the Helms amendment. Tomorrow is the 42nd anniversary of the Helms amendment. For its entire existence, the Helms amendment has been incorrectly interpreted, and it continues to serve as a critical obstacle in our foreign aid efforts to provide for safe abortions in the case of rape, incest, and life endangerment.

Mr. President, I ask unanimous consent that the letter and the response of the administration dated December 7, 2015, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, October 22, 2015.

President BARACK OBAMA,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We write to express our deep concern for the reproductive health of women and girls who are kidnapped, enslaved, tortured, raped, and impregnated in conflict-affected zones worldwide. Rape is increasingly used as a tool of warfare to destabilize communities, exert control over women and girls, and in some cases purposely impregnate them, as executed by Boko Haram in Nigeria and the Islamic State of Iraq and the Levant in Syria and Iraq. Survivors are forced to carry pregnancies to full term because access to reproductive healthcare is not available following their assault. We cannot be bystanders to such gross violations of the human dignity of these women and girls. If the U.S. does not work to increase access to reproductive healthcare for vulnerable populations, particularly safe abortion services, there will be negative, long-term consequences. As such, we implore you to take the following actions to confront this crisis.

We request you take action to correct the overly constrained implementation of the Helms Amendment which serves as a critical barrier to safe abortion, particularly impacting women and girls fleeing conflict. Although the Helms Amendment prevents U.S. foreign aid from being used to perform abortions for family planning purposes, for over 40 years it has been incorrectly interpreted to prevent the use of foreign aid to fund safe abortions even in the cases of rape, incest, or life endangerment. These three cases clearly fall outside the restrictions enacted by the Helms Amendment. As such, we urge you to issue guidance to the relevant agencies, allowing them to support safe abortion services in at least the limited circumstances of rape, incest, or life endangerment, including for survivors of conflict-related sexual violence.

Subsequently, we urge you to exercise your existing authority to ensure U.S. foreign aid does not stand in the way of women and girls fleeing conflict who seek abortion services. The Helms Amendment restricts U.S. foreign aid from being used to pay for abortion even in countries where abortion is permissible by local law. For instance, although abortion remains illegal in Syria and Iraq, regional countries which receive U.S. foreign assistance—Turkey, Lebanon, Jordan, and Egypt—have welcomed millions of refugees and have varying legal exceptions or allowances for abortions related to rape, incest, or life endangerment, which are undermined by limitations imposed by this policy.

Finally, we applaud commitments made by this Administration to address these issues, including those made last year at the Global Summit to End Sexual Violence in Conflict and those in the National Action Plan on Women, Peace, and Security (NAP). We request that you further strengthen actions taken under the NAP implementation plan. A high-level objective of the NAP is ensuring women's access to relief and recovery in a manner that recognizes the unique needs of women and girls in conflict-affected zones and the need to provide humanitarian services. As expressly noted in the NAP, women's access to relief and recovery can be addressed by ''support[ing] access to reproductive health in emergencies and humanitarian settings.'' As such, we encourage increased attention to this matter and request a report of the Administration's comprehensive review and update to the NAP, scheduled to be released this year. We also ask that the Administration provide an assessment of how the relevant agencies are fulfilling their respective duties to provide access to the full range of reproductive healthcare.

We look forward to working with you to ensure these actions are implemented. As the world's largest aid donor, the U.S. can and should endeavor to provide the reproductive healthcare that is desperately needed by some of the world's most vulnerable populations.

Sincerely,

Richard Blumenthal; Jeanne Shaheen; Kirsten E. Gillibrand; Barbara Boxer; Michael F. Bennet; Claire McCaskill; Mazie K. Hirono; Patty Murray; Edward J. Markey; Patrick J. Leahy; Al Franken; Sherrod Brown; Christopher A. Coons; Brian Schatz; Cory A. Booker; Elizabeth Warren; Maria Cantwell; Charles E. Schumer; Tammy Baldwin; Barbara A. Mikulski; Christopher Murphy; Richard J. Durbin; Ron Wyden; Bernard Sanders; Dianne Feinstein; Debbie Stabenow; Gary C. Peters; Amy Klobuchar.

U.S. DEPARTMENT OF STATE,
Washington, DC, December 7, 2015.

Hon. RICHARD BLUMENTHAL,
U.S. Senate,
Washington, DC.

DEAR SENATOR BLUMENTHAL: Thank you for your letter of October 22 to President Obama regarding your concern about access to reproductive health care in conflict settings. We have been asked to respond on the President's behalf.

The Department of State and the U.S. Agency for International Development take this issue very seriously. The Helms Amendment has prohibited since 1973 the use of U.S. foreign assistance to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions. We review our policies on an ongoing basis to ensure maximum effectiveness in improving health outcomes, including for those who are highly vulnerable to sexual violence because of conflict or other crises.

Through our policies and investments, we continue to demonstrate our commitment to rights and protection of women and girls worldwide. We do so by working with the international community, including the UN Population Fund, the UN High Commissioner for Refugees, the International Committee of the Red Cross, and other development and humanitarian organizations. We work together to: respond to the challenges of increasing access to reproductive health services in crisis settings; strengthen global coordination to prevent sexual violence; promote justice and accountability; and provide health care, including sexual and reproductive health services.

The U.S. National Action Plan on Women, Peace, and Security outlines the United States' commitment to the protection and participation of women in a broad range of efforts to resolve conflict and sustain peace. The Department of State and other agencies are reviewing the NAP under the auspices of the National Security Council. This interagency review reflects our commitment to accountable implementation and rigorous learning of best practices. Upon completion of the review later this year, the Department would be pleased to brief you and your staff on relevant findings.

Your letter provides valuable input on these important issues. We welcome any additional input you or your staff may have, and look forward to continued dialogue.

Sincerely,

JULIA FRIFIELD,
Assistant Secretary, Legislative Affairs.

Mr. BLUMENTHAL. The letter very simply asks that the administration ''take action to correct the overly constrained implementation of the Helms amendment which serves as a critical barrier to safe abortion, particularly impacting women and girls fleeing conflict.'' The letter asks that the administration recognize that American foreign aid can be used to fund safe abortions even in the cases of rape, incest, or life endangerment. That is a very simple principle.

Preventing our foreign aid funds from being used for that purpose not only denies critical assistance to Yezidi girls and women, but also overly constrains the assistance of this great Nation to the victims of terror and horror abroad.

Today, the U.S. Senate will adopt S. Res. 310, and I have joined in supporting it. I am deeply disappointed that the administration has essentially denied even considering a change in policy. This action does not mean that the United States should be complacent regarding the dismal state of protection for the Yezidi girls and women.

The amendments I offered were rejected by my Republican colleagues, and I understand my colleagues' goal of expressing concern for girls and women and others. Despite my reservation and profound disappointment with the administration's reaction to and the denial of these two amendments, I am supporting this resolution. I have withdrawn my amendments, recognizing the reality of our current situation on the floor of the U.S. Senate, but it remains essential that we recognize the full scope of the post-rape health care

needed by survivors of rape. These victims have been hideously and gruesomely used as a tool of terrorism invoked by ISIL.

Fully countering ISIL's terrorist strategy means providing necessary and compassionate care for girls and women who have been victims and have been shunned by their families. They have been rejected by their communities. They have been victims many times over as a result of these heinous crimes committed against them.

I hope that my fellow Senators will join me as I continue to call on the administration to right this wrong. As the world's largest donor of assistance around the world, the United States can and should do better and do more to provide health care that girls and women vitally need when they become vulnerable and, in fact, victims of terror inflicted by these heinous criminal acts.

I thank the Presiding Officer, and I yield the floor.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Lankford amendment to the resolution be agreed to; that the resolution, as amended, be agreed to; that the preamble be agreed to; and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2931) was agreed to, as follows:

(Purpose: To define ''complicit'' for purposes of the resolution)

On page 3, line 4, insert ''by Islamic State of Iraq and Syria militants'' before the semicolon at the end.

On page 3, line 10, strike ''and''.

On page 4, line 2, strike the period at the end and inserting ''; and''.

On page 4, after line 2, add the following:

(4) defines ''complicit'', for purposes of this resolution, as having knowingly and willingly taken actions which have directly supported, promoted, enabled, aided, abetted, or encouraged crimes involving sexual violence against women and children from Yezidi, Christian, Shabak, Turkmen, or other religious communities by Islamic State of Iraq and Syria militants, including actively working to deny, cover up, or alter evidence of such crimes.

The resolution (S. Res. 310), as amended, was agreed to.

The preamble was agreed to.

The resolution, as amended, with its preamble, reads as follows:

S. RES. 310

Whereas the Islamic State of Iraq and Syria (ISIS) has publicly and systematically targeted communities on the basis of their religious identities, including Yezidis, Christians, Shi'a Muslims, Shabaks, Turkmens, and Kaka'i, in a campaign of violence that includes summary executions, beheadings, torture, arbitrary detainment, forced displacement, rape and sexual violence, and enslavement;

Whereas enslavement and sexual violence against women is a widespread practice among ISIS militants, who have, according to the Yezidi Affairs Directory, captured and enslaved as many as 5,500 Yezidis, including as many as 3,000 women, since August 2014;

Whereas ISIS has established a formal slave trade in which women and girls as young as 5 years old are systematically abducted, transported, categorized according to physical traits and perceived value, and traded among ISIS militants or sold for as little as $10;

Whereas the Research and Fatwa Department of ISIS has issued guidelines and directions for the enslavement of Yezidi women and children and has justified the actions on the basis of religious teachings;

Whereas the New York Times reported that ''the Islamic State has developed a detailed bureaucracy of sex slavery, including sales contracts notarized by the ISIS-run Islamic courts'';

Whereas according to various reports, including testimony before Congress by Khidher Domle, a Yezidi activist and Director of the Media Department at the University of Dohuk, the enslavement and sexual violence used against Yezidi women and children by ISIS militants in their attack on Mount Sinjar was premeditated;

Whereas ISIS has initiated the mass killing of Yezidi men and boys, the sexual violence and enslavement of Yezidi women and children, and the forced displacement of Christians and other religious communities;

Whereas the threat and reach of ISIS extends beyond Iraq and Syria into the rest of the world, as demonstrated by ISIS-affiliated attacks and recruitment of foreign fighters from the United States, Europe, Central Asia, and Africa;

Whereas, according to testimony presented before the Committee on Foreign Affairs of the House of Representatives on September 29, 2015, it is possible that one of the ISIS militants involved in the sexual slavery of Yezidi women and children is a United States citizen; and

Whereas the United States Government should investigate and urge prosecution of American citizens who are perpetrators of or complicit in such crimes: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the ongoing sexual violence against women and children from Yezidi, Christian, Shabak, Turkmen, and other religious communities by Islamic State of Iraq and Syria militants;

(2) calls on the Attorney General to commence the investigation and prosecution of any United States citizens alleged to be perpetrators of or complicit in these crimes and to report back to Congress what steps are being taken to investigate and urge the prosecution of those involved;

(3) calls on the Government of Iraq and the governments of other countries to identify individual perpetrators and individuals involved in these crimes and take appropriate measures to arrest and urge the prosecution of those individuals; and

(4) defines ''complicit'', for purposes of this resolution, as having knowingly and willingly taken actions which have directly supported, promoted, enabled, aided, abetted, or encouraged crimes involving sexual violence against women and children from Yezidi, Christian, Shabak, Turkmen, or other religious communities by Islamic State of Iraq and Syria militants, including actively working to deny, cover up, or alter evidence of such crimes.

ORDERS FOR THURSDAY, DECEMBER 17, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, December 17; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business until 6 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:52 p.m., adjourned until Thursday, December 17, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

PAUL LEWIS ABRAMS, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE DEAN D. PREGERSON, RETIRED.

SUZANNE MITCHELL, OF OKLAHOMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF OKLAHOMA, VICE DAVID L. RUSSELL, RETIRED.

SCOTT L. PALK, OF OKLAHOMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF OKLAHOMA, VICE STEPHEN P. FRIOT, RETIRED.

RONALD G. RUSSELL, OF UTAH, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF UTAH, VICE BRIAN THEADORE STEWART, RETIRED.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 16, 2015:

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

THOMAS O. MELIA, OF MARYLAND, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

DEPARTMENT OF DEFENSE

GABRIEL CAMARILLO, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE.

MARCEL JOHN LETTRE, II, OF MARYLAND, TO BE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

VICE ADM. KURT W. TIDD

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

THOMAS EDGAR ROTHMAN, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016.

DEPARTMENT OF COMMERCE

STEVEN MICHAEL HARO, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

HOUSE OF REPRESENTATIVES—*Wednesday, December 16, 2015*

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

Rear Admiral Margaret Grun Kibben, Chief of Chaplains for the United States Navy, Washington, D.C., offered the following prayer:

Almighty God, whose way is in the sea and whose paths are in the great waters, we offer our gratitude to You, for the pastors, rabbis, priests, and imams who, over the course of 240 years, have left the safety of their homes and the comfort of their pulpits to wear the cloth of this country's Navy.

We would ask that You would grant Your blessing on these whom You have called to ensure that the voices of faith are never silenced, to provide the sanctuary of Your presence, to serve alongside the sons and daughters who faithfully serve in every clime and place to preserve the ideals You have offered.

In our efforts to preserve liberty, remind us that the freedoms we enjoy are gifts of Your grace.

In our deliberations to uphold justice, keep us bound to Your law of mercy.

In our encounters with each other, guide us with Your steadfast love that, in these days of tumultuous seas of conflict and raging waters of uncertainty, Your way be known and Your path revealed. It is in the strength of Your name we pray.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Georgia (Mr. ALLEN) come forward and lead the House in the Pledge of Allegiance.

Mr. ALLEN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

REMOVAL AND APPOINTMENT OF CHIEF ADMINISTRATIVE OFFICER

The SPEAKER laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, December 2, 2015.

Hon. PAUL D. RYAN,
Speaker, House of Representatives, Washington, DC.

DEAR SPEAKER RYAN: I am writing to advise you of my intention to retire from federal service in early 2016. Accordingly, I hereby resign as Chief Administrative Officer of the House effective upon the election of my successor, or as you otherwise direct.

It has been a high honor and distinct privilege to serve you and your colleagues, past and present, since the 1970's; and especially so, to serve alongside the extraordinarily dedicated men and women in the Office of the CAO during the 113th and 114th Congresses.

In order to ensure a seamless transition, I am pleased that Clerk of the House Karen Haas has graciously detailed to my office Mr. Will Plaster, a senior member of her staff, to serve on an interim basis as Deputy Chief Administrative Officer.

Mr. Speaker, I appreciate more than words can adequately convey the priceless opportunities afforded me throughout my career to serve this magnificent—and uniquely American—institution we call the people's House.

I congratulate you on your election as Speaker, and wish you all the best in the challenging days ahead.

Sincerely,

ED CASSIDY.

The SPEAKER. Pursuant to clause 1 of rule II, Mr. Ed Cassidy, of the State of Connecticut, is removed effective December 31, 2015.

Pursuant to the provisions of section 208(a) of the Legislative Reorganization Act of 1946, the Chair appoints William Plaster of the Commonwealth of Virginia to act as and to exercise the duties of Chief Administrative Officer of the House of Representatives, effective December 31, 2015.

The Chair will administer the oath at this time.

Mr. Plaster appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

HALT ON K–1 VISA PROGRAM

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, the terrorist attack in San Bernardino, the deadliest attack on U.S. soil since September 11, made it clear that our homeland is vulnerable to terrorists.

The terrorist couple's attack also made it clear that there are serious screening problems associated with the K–1 fiance(e) visa program. That is exactly how the wife involved in these attacks came to the United States to begin with.

Mr. Speaker, protecting our homeland is my most sacred duty, which is why I want the American people to know that right now, I will be introducing legislation to put a halt on the K–1 visa program until the Congress votes to resume it.

In the meantime, my legislation would require the GAO to review the national security risks associated with this program and to submit findings to the Congress.

This is the right and commonsense thing to do. We must protect our homeland.

PANTHER PRIDE

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, the color purple and Panther Pride are alive and well in Texas.

Ridge Point High School has been open for 5 years—5 short years—yet last Saturday, they took us to heights that schools that have been around for 50 years have never achieved. They made the Final 4, the Texas 5A Division 2 State semifinal football playoffs.

Mr. Speaker, the Panthers came up a little short, but fans like me walked out darn proud of our guys. They never quit, and they never will.

I have a warning for teams we play next year: Panthers don't retreat—we reload.

FUNDING TO TEST RAPE KITS

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, tomorrow the House will vote on an omnibus spending bill, and I look forward to

supporting that bill because it does so much good for America, moves us forward, and brings us together as a body to move America forward. Included in there is the amendment I have had on the House floor, and the Senate accepted to add an additional $4 million to test rape kits.

Mr. Speaker, there is a horrific backlog of rape kits in this country, and the Federal Government has stepped forward. Now we will step forward with $45 million—last year it was $41 million—to give to local governments to reduce the backlog. That means we will be able to catch the guilty and stop them before they violate the law again and violate another woman, because rapists are often serial offenders.

I look forward to supporting the omnibus bill, protecting women in America, and finding justice for criminals.

TRANSPARENCY AND ACCOUNTABILITY OF FAILED EXCHANGES ACT

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, the only thing 5 years of ObamaCare has shown us has been its multiple and continuous flaws. When this legislation was signed into law, the President freely gave money away to establish State exchanges. However, they forgot one piece of the puzzle: They provided no provisions for recouping funds when the State exchanges failed.

Mr. Speaker, these accounts spent billions of taxpayer dollars and provided zero solutions to protect taxpayers when States decided to stop operating the exchanges. Where is the accountability? This burden cannot be placed on the taxpayer.

Today I introduced the Transparency and Accountability of Failed Exchanges Act to ensure Americans are not on the hook for the billions that were recklessly doled out to the States to establish these State exchanges. By promoting accountability and transparency, my legislation fixes the problems by providing clear steps to recover Federal funds when State exchanges fail, and it requires unused funds to be returned back to the Treasury Department to pay down the national debt.

Mr. Speaker, I urge my colleagues to cosponsor this legislation that promotes accountability and transparency.

BOOSTING TIMBERING IN THE ALLEGHENY NATIONAL FOREST

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to once again reinforce the importance of proper management of our Nation's national forests.

Over the past two decades, timber harvests in the Allegheny National Forest have fallen dramatically, following a trend we have seen in national forests nationwide. This has a domino effect on communities and school districts in and around the forest, because, since 1908, counties in national forests are entitled to 25 percent of the receipts from timber sales under the 1908 Good Neighbor Compact.

These are communities which were built on the lumber industry and natural resources. Many are among the most rural, poorest in Pennsylvania, and the funding from timber sales is critical for schools, roads, and other public services, something these towns and school districts depend on.

Due to this diminished revenue and various challenges forest communities continue to face, we must pass real reform that leads to good management practices in our national forests. As such, I continue to support the Resilient Federal Forests Act of 2015, or H.R. 2647. I believe this legislation is a key to increasing timber harvests in our national forests, which will not only benefit our communities but will create a forest that is healthier and less prone to wildfires and invasive species.

NORTHERN CALIFORNIA ACADEMY NOMINEE ANNOUNCEMENTS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute.)

Mr. LAMALFA. Mr. Speaker, I am pleased to announce my nominees for appointment to our Nation's service academies. With the recommendations of my Veterans Council, we have nominated a group of young men and women that are committed to representing the First District and our great Nation.

For the U.S. Naval Academy, we have Trent Foster; we have Kody Rulofson and David Shattuck.

For the U.S. Military Academy, we have Nicholas Katz, Bradley Salyer, and Wyatt Wyckoff.

For the U.S. Air Force Academy, we have Christiana Jackman.

For our Merchant Marine Academy, we have Anna Lewis and Garret Reader.

For the U.S. Naval Academy and the U.S. Air Force Academy, we have Mason Royse.

And for the U.S. Naval Academy and the U.S. Military Academy, we have Rory Sprague.

Congratulations to them all.

We thank the Veterans Council for helping with the interview process and vetting these young people.

We thank the parents for raising them to be the go-getters that they are and for the dedication required to get to this point. And we thank the nominees themselves for the hard work that it takes and the service that they are willing to do and put out and their sacrifice for us.

God bless them all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PALAZZO). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

STEM CELL THERAPEUTIC AND RESEARCH REAUTHORIZATION ACT OF 2015

Mr. PITTS. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 2820) to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stem Cell Therapeutic and Research Reauthorization Act of 2015''.

SEC. 2. REAUTHORIZATION OF THE C.W. BILL YOUNG CELL TRANSPLANTATION PROGRAM.

(a) IN GENERAL.—Section 379(d)(2)(B) of the Public Health Service Act (42 U.S.C. 274k(d)(2)(B)) is amended—

(1) by striking ''remote collection'' and inserting ''collection''; and

(2) by inserting ''including remote collection,'' after ''cord blood units,''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 379B of the Public Health Service Act (42 U.S.C. 274m) is amended—

(1) by striking ''$30,000,000 for each of fiscal years 2011 through 2014 and''; and

(2) by inserting ''and $30,000,000 for each of fiscal years 2016 through 2020'' before the period at the end.

(c) SECRETARY REVIEW ON STATE OF SCIENCE.—The Secretary of Health and Human Services, in consultation with the Director of the National Institutes of Health, the Commissioner of the Food and Drug Administration, and the Administrator of the Health Resources and Services Administration, including the Advisory Council on Blood Stem Cell Transplantation established under section 379(a) of the Public Health Service Act (42 U.S.C. 274k(a)), and other stakeholders, where appropriate given relevant expertise, shall conduct a review of the state of the science of using adult stem cells and birthing tissues to develop new types of therapies for patients, for the purpose of considering the potential inclusion of such new types of therapies in the C.W. Bill Young Cell Transplantation Program (established under such section 379) in addition to the continuation of ongoing activities. Not later than June 30, 2019, the

Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives recommendations on the appropriateness of such new types of therapies for inclusion in the C.W. Bill Young Cell Transplantation Program.

SEC. 3. CORD BLOOD INVENTORY.

Section 2 of the Stem Cell Therapeutic and Research Act of 2005 (42 U.S.C. 274k note) is amended—

(1) in subsection (a), by striking ''one-time'';

(2) by striking subsection (c);

(3) by redesignating subsections (d) through (h) as subsections (c) through (g), respectively;

(4) in subsection (d) (as so redesignated)—

(A) in paragraph (1), by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (2), (3), and (4)'';

(B) in paragraph (2)(B), by striking ''subsection (d)'' and inserting ''subsection (c)''; and

(C) by adding at the end the following:

''(4) CONSIDERATION OF BEST SCIENCE.—The Secretary shall take into consideration the best scientific information available in order to maximize the number of cord blood units available for transplant when entering into contracts under this section, or when extending a period of funding under such a contract under paragraph (2).

''(5) CONSIDERATION OF BANKED UNITS OF CORD BLOOD.—In extending contracts pursuant to paragraph (3), and determining new allocation amounts for the next contract period or contract extension for such cord blood bank, the Secretary shall take into account the number of cord blood units banked in the National Cord Blood Inventory by a cord blood bank during the previous contract period, in addition to consideration of the ability of such cord blood bank to increase the collection and maintenance of additional, genetically diverse cord blood units.'';

(5) in subsection (f) (as so redesignated)—

(A) by striking paragraph (4); and

(B) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively; and

(6) in subsection (g) (as so redesignated)—

(A) in paragraph (1)—

(i) by striking ''$23,000,000 for each of fiscal years 2011 through 2014 and''; and

(ii) by inserting ''and $23,000,000 for each of fiscal years 2016 through 2020'' before the period at the end; and

(B) by striking paragraph (2).

SEC. 4. DETERMINATION ON THE DEFINITION OF HUMAN ORGAN.

Not later than one year after the date of enactment of this Act, the Secretary of Health and Human Services shall issue determinations with respect to the inclusion of peripheral blood stem cells and umbilical cord blood in the definition of human organ.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

□ 0915

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PITTS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2820, the Stem Cell Therapeutic and Research Reauthorization Act, introduced by my colleagues, Representative CHRIS SMITH of New Jersey and Representative DORIS MATSUI of California.

This bill is another example of the Energy and Commerce Committee's ongoing effort to work together in a bipartisan manner to strengthen public health and solve problems in our Nation's healthcare system.

H.R. 2820 reauthorizes the National Cord Blood Inventory program and the C.W. Bill Young Cell Transplantation Program through fiscal year 2020, which provides Federal support for cord blood donation and research essential to increasing patient access to transplants.

The National Cord Blood Inventory, the NCBI, is a program to collect, store, and distribute umbilical cord blood to those in need of a cord blood stem cell transplant. These cord blood units must meet specific criteria, and are available through the C.W. Bill Young Cell Transplantation Program to treat patients who need a transplant.

The blood-forming cells from cord blood have unique qualities that help some patients who would otherwise be unable to have a potentially lifesaving transplant. NCBI is the largest and most diverse marrow registry in the world.

The C.W. Bill Young Cell Transplantation Program provides support to patients who undergo a transplant and helps match donors to patients who are in need of an unrelated marrow donor. Seventy percent of all patients who need a transplant don't have a match donor in their family, and this program gives them somewhere to turn.

I support H.R. 2820. I urge my colleagues to support this important piece of legislation.

I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2820, the Stem Cell Therapeutic and Research Reauthorization Act, would continue the highly successfully Be The Match Registry for bone marrow and umbilical cord blood transplantation.

This program provides hope to people in need of lifesaving transplants. Each year about 20,000 patients receive blood marrow transplants. Seventy percent of those patients do not find a match within their family and instead rely on the Be The Match Registry to find a non-relative bone marrow donor.

That is why continued Federal support for the Be The Match Registry and its nearly 12.5 million registered bone marrow donors and collection of more than 209,000 cord blood units is so important.

I am glad that we have come together on a bipartisan basis in our committee and in the House and the Senate to support this lifesaving program.

I want to thank Congresswoman MATSUI for her leadership in this area. I urge my colleagues to vote ''yes'' to concur with Senate H.R. 2820.

I reserve the balance of my time.

Mr. PITTS. Mr. Speaker, I yield myself such time as I may consume.

I would like to reiterate the important work that the National Marrow Donor Program does for patients. Be The Match, operated by the National Marrow Donor Program, has facilitated more than 68,000 marrow and cord blood transplants, which is an average of more than 520 transplants a month. They conducted their first transplant as the National Marrow Donor Program in 1987.

They also continue to lead the way in developing new cellular therapies, in advancing services to speed the transplant process, and improving treatments for post-transplant complications. Be The Match invests in dedicated researchers whose countless hours in the lab and caring for patients have helped more patients than ever before to receive a transplant.

Beyond establishing the registry, investment in medical research over the years has been essential in helping find the answers that save the lives of more patients.

In 1990, the Nobel Prize in Medicine was awarded to Dr. E. Donnall Thomas for discoveries in cellular transplantation.

In 1994, the first peripheral blood stem cell collected for use in unrelated transplants occurred.

In 1998, the cord blood program was launched.

In 2001, the NMDP Repository was built, one of the world's largest tissue sample storage facilities used for medical research.

In 2004, Be The Match and the NMDP partnered with the Medical College of Wisconsin to create the Center for International Blood and Marrow Transplant Research.

The great work and discovery continues. I urge bipartisan support for H.R. 2820 and support for discovery and cures for patients.

I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I continue to reserve the balance of my time.

Mr. PITTS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 2820, the Stem Cell Therapeutic and Research Reauthorization Act of 2015.

This bill reauthorizes the National Cord Blood Inventory program and the

C.W. Bill Young Cell Transplantation Program, two programs that save lives every day through bone marrow transplants and blood infusions.

This bill is very similar to legislation that the Georgia General Assembly passed in 2007, establishing the newborn umbilical cord blood bank. I voted for that legislation in the Georgia General Assembly, and I will vote in favor of this legislation.

For some patients who have leukemia, lymphoma, sickle cell anemia, or a life-threatening blood cancer, help from programs like the National Cord Blood Inventory program and the C.W. Bill Young Cell Transplantation Program, may be their last hope at living longer, healthier lives. That is why H.R. 2820 is so important.

This bill reauthorizes these two programs through 2020, and continues to provide lifesaving techniques and research to many who fight for their lives every day.

This bill originally passed the House on September 8 by voice vote. I encourage my colleagues to support it again.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH), the prime sponsor of this legislation.

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank, first of all, our distinguished chairman, Chairman PITTS, for his extraordinary work on this legislation.

I also want to thank Mr. GENE GREEN of Texas, Mr. PALLONE, and, of course, Chairman UPTON for his strong support of this reauthorization.

In the Senate, we have had a tremendous team of ORRIN HATCH, JACK REED, RICHARD BURR, and AL FRANKEN, who again worked in a very bipartisan way to ensure that this life-affirming, lifesaving legislation not only made it through the Senate, but was beefed up, made stronger.

People talk about the lack of bipartisanship. I do believe this is one of those bills where we have all come together to try to say—whether it be bone marrow or adult stem cells in the form of cord blood—that it be made available to as many people as possible in the most usable and efficacious way.

Mr. Speaker, just let me say—and we know this and I will try not to be too redundant because I think the chairman has explained it—the bill under consideration by the House today does reauthorize through 2020 two critically important and complementary programs, the C.W. Bill Young Cell Transplantation Program and the National Cord Blood Inventory.

It is especially appropriate during this time of gift-giving to reauthorize these life-giving programs. Americans willing to give the gift of life to others are at the heart of the success of this program.

In reauthorizing it, we are grateful for the adult donors willing to provide bone marrow or peripheral blood stem cells as well as mothers who donate their child's cord blood through public cord blood banks.

Under the National Cord Blood Inventory program, Mr. Speaker, contracts are awarded to cord blood banks to collect cord blood units donated after mothers give birth.

Around 4 million births occur in the United States every year. God, in his grace and love, has left a gift that then gives life and helps to cure diseases, including leukemia and other devastating blood-related diseases, left after that birth.

Again, cord blood and the placenta itself is teeming with stem cells that are, again, highly efficacious in curing and mitigating disease.

Americans have access to more than 12 million adult volunteer donors and 209,000 cord blood units through Be The Match. The program's Bone Marrow and Cord Blood Coordinating Centers make information about bone marrow and cord blood transplants available to donors and patients. The Office of Patient Advocacy helps support patients and families dealing with a life-threatening diagnosis. The Stem Cell Therapeutic Outcomes Database tracks results.

Again, if you want to know how something is working or not, you track it, and you are constantly recalibrating it in order to make it better.

Today's bill is the second reauthorization of the Stem Cell Therapeutic and Research Act of 2005, a law that I authored a decade ago, joined by Artur Davis of Alabama, legislation that, again, cleared the Senate with the great help of Senator ORRIN HATCH.

That law built upon the excellent work of our distinguished, late colleague Bill Young of Florida to facilitate bone marrow transplants and created a brand-new national umbilical cord blood donation and transplantation program.

Dr. Jeffrey Chell, the CEO of NMDP/Be The Match, has noted that, for many diseases, including blood cancers and sickle cell anemia disease, cellular therapy is the best hope for a cure.

As he told Chairman PITTS and his committee, the patient population rising the most quickly is the elderly population, growing by double digits every year. The reason for that is that the medical conditions for which transplant is often the only cure tend to occur in older populations; diseases like acute leukemia, myelofibrosis, and others.

Breathtaking scientific breakthroughs have turned medical waste, post-birth placentas, and umbilical cord blood into medical miracles, treating more than 70 diseases—some say as many as 80—including leukemia, lymphoma, and sickle cell anemia.

Let me just conclude by pointing out that, during consideration of the Senate HELP Committee, language was added to direct relevant agencies to study the state of science using adult stem cells and birthing tissues to develop new therapies for patients.

Last year I visited Celgene Corporation in Summit, New Jersey, to learn of their extraordinary efforts to use cord blood to heal diabetic foot ulcers and how they turn amniotic membrane, an old placenta, into wound management that now has advanced past stage 3 clinical trials to the approval and regulatory filings stage.

Again, I want to thank the chief cosponsor, Ms. MATSUI; Mr. JOLLY; and Mr. FATTAH. Again, this is a bipartisan bill.

Mr. Speaker, the bill under consideration by the House today reauthorizes through 2020 two critically important and complementary programs—the C.W. Bill Young Cell Transplantation Program and National Cord Blood Inventory.

During this time of gift-giving, it is incredibly timely to reauthorize these life-giving programs. Americans willing to give the gift of life to others are at the heart of the success of this program. In reauthorizing it we are grateful for the adult donors willing to provide bone marrow or peripheral blood stem cells, as well as mothers who donate their child's cord blood through public cord blood banks.

Today, Mr. Speaker, under the National Cord Blood Inventory Program (NCBI), contracts are awarded to cord blood banks to collect cord blood units donated after mothers give birth. These units are then made available through the C.W. Bill Young Cell Transplantation Program also called the Be the Match Registry. The Program provides a single point of access, enabling those in need of lifesaving transplants to search for a match via an integrated nationwide network of bone marrow donors and cord blood stem cells. Americans have access to more than 12 million adult volunteer donors and 209,000 cord blood units through Be The Match. The Program's Bone Marrow and Cord Blood Coordinating Centers makes information about bone marrow and cord blood transplant available to donors and patients, and the Office of Patient Advocacy helps support patients and families dealing with a life-threatening diagnosis. And the Stem Cell Therapeutic Outcomes Database tracks results.

The leadership of Senators ORRIN HATCH, JACK REED, RICHARD BURR and AL FRANKEN was invaluable in shepherding this vital bill through the Senate. And special thanks to both Chairmen UPTON and PITTS for their outstanding leadership and help on this bill, as well as the strong support by Ranking Members PALLONE and GREEN. I am deeply grateful to original cosponsors Ms. MATSUI, Mr. JOLLY and Mr. FATTAH for their important contributions.

Today's bill is the second reauthorization of the Stem Cell Therapeutic and Research Act of 2005, a law that I sponsored a decade ago joined by Artur Davis of Alabama; legislation that cleared the Senate with the incomparable help of Senator ORRIN HATCH. That law built

upon the excellent work of our distinguished late colleague Bill Young of Florida to facilitate bone marrow transplants and created a brand new national umbilical cord blood donation and transplantation program.

Dr. Jeffrey W. Chell, CEO of NMDP/Be the Match has noted that for many diseases including blood cancers and sickle cell disease, cellular therapy is the best hope for a cure. He told Chairman PITTS' subcommittee that the patient population ''rising the most quickly is the elderly population . . . growing by double digits every year, and the reason for that is the medical conditions for which transplant is often the only cure tend to occur in older populations for diseases like acute myeloid leukemia, myelodysplastic syndrome, myelofibrosis and others.''

Breathtaking scientific breakthroughs have turned medical waste—post birth placentas and umbilical cord blood—into medical miracles treating more than 70 diseases including leukemia, lymphoma and sickle cell anemia.

Not only has God in His wisdom and goodness created a placenta and umbilical cord to nurture and protect the precious life of an unborn child, but now we know that another gift awaits us immediately after birth. Something very special is left behind—cord blood that is teeming with lifesaving stem cells.

In addition to currently treating more than 70 diseases like sickle cell anemia and leukemia, cord blood units from NCBI banks are also made available for research on future therapies. In groundbreaking research, Dr. Kurtzberg of Duke University also testified last June that ''in addition to use in patients with malignant and genetic diseases, cord blood is showing enormous potential for use in cellular therapies and regenerative medicine. Cord blood derived vaccines against viruses and certain types of cancers are currently under development and in early phase clinical trials. Cells, manufactured from cord blood units are being developed to boost recovery of the immune system. Cells regulating autoimmunity (Regulatory T cells) are also in clinical trials. These approaches, which often utilize cord blood banked in family banks, may help patients with Type 1 Diabetes, as well as other diseases.''

Dr. Kurtzberg further testified that she and others are developing uses for cord blood to treat acquired brain disorders. ''Over the past six years'' she said ''we have initiated trials of autologous (the patient's own) cord blood in babies with birth asphyxia, cerebral palsy, hearing loss and autism . . .''

Dr. Kurtzberg has also said ''We've learned that when donor cells are infused into one's body, they go to the brain and help heal the brain. When a child has a brain injury around birth, we can use their own cord blood cells to correct the damage that's occurred.''

Inportantly, during consideration in the Senate HELP Committee, language was added to direct the relevant agencies to study the state of science using adult stem cells and birthing tissues to develop new therapies for patients. Last year, Mr. Speaker, I visited Celgene Corporation of Summit, New Jersey to learn of their extraordinary efforts to use cord blood to heal diabetic foot ulcers and how they've turned amniotic membrane—an old placenta—into wound management that has now advanced past stage 3 clinical trials to the approval and regulatory filings stage.

H.R. 2820 authorizes $265 million over five years and will ensure that thousands of present-day and future patients benefit from the exciting field of regenerative medicine.

Mr. PITTS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 2820.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PITTS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 0930

NATIONAL GUARD AND RESERVIST DEBT RELIEF EXTENSION ACT OF 2015

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4246) to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4246

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Guard and Reservist Debt Relief Extension Act of 2015''.

SEC. 2. NATIONAL GUARD AND RESERVISTS DEBT RELIEF AMENDMENT.

Section 4(b) of the National Guard and Reservists Debt Relief Act of 2008 (Public Law 110–438; 122 Stat. 5000) is amended by striking ''7-year'' and inserting ''11-year''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Tennessee (Mr. COHEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 4246, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Every day at home and abroad, uniformed men and women risk their lives to protect our freedom and way of life. Among those brave souls are military reservists and members of the National Guard, who have been called to duty in Iraq, Afghanistan, and in many other places across the globe. We are eternally grateful for their service to our country.

The Federal Government has a responsibility to ease the transition of reservists and guardsmen back into civilian life upon their return home. Some may return home with physical handicaps. For others, psychological challenges face them and their families. Some of these veterans and their families have suffered financial hardships, and, occasionally, bankruptcy is the unfortunate last resort. In a chapter 7 bankruptcy, debtors surrender virtually all of their assets to the bankruptcy trustee and receive a discharge from their debts at the end of the short case.

In 2005, Congress made a number of reforms to the Bankruptcy Code under the Bankruptcy Abuse Prevention and Consumer Protection Act. A significant policy goal of that Act was to address abuses of the chapter 7 bankruptcy process. To that end, Congress inserted into the Bankruptcy Code a threshold test to gauge whether debtors have disposable income that can be used to pay their debts. This is commonly referred to as the ''means test.''

If debtors are able to pay some portion of their debts from their disposable monthly incomes, then the filing of a chapter 7 bankruptcy case is presumed to be an abuse of the bankruptcy system. Debtors can contest that presumption or can seek relief under other bankruptcy chapters, including chapter 13, under which they can restructure how to pay for their debts over time from their disposable incomes.

In 2008, Congress recognized that military reservists and National Guardsmen sometimes confront unique financial challenges as a consequence of their military service. For instance, if these military members receive hazard pay during their service, that could actually inflate the results of the disposable income calculation under the means test, lifting them out of chapter 7 eligibility. So Congress enacted the National Guard and Reservist Debt Relief Act, which President Bush signed into law in October of 2008. This Act allows reservists and National Guardsmen to bypass the means test, making it easier for them to file a chapter 7 case.

The original Act expired in 2011, but it was extended for an additional 4 years. The exemption is, once again,

set to expire on December 19. H.R. 4246, introduced by Mr. COHEN and Mr. FORBES, further extends the existing exemption to 2019.

We continue to call on our guardsmen and reservists to serve our country. We should ensure that those military members who fall on hard times are not denied access to bankruptcy because of their service to their country. The bill before us today extends the sunset date by 4 years, at which time Congress will have the opportunity to reexamine whether this exception to the means test continues to be necessary.

I thank the gentleman from Tennessee (Mr. COHEN) and the gentleman from Virginia (Mr. FORBES) for introducing this legislation; and I urge my colleagues to vote ''yes'' on the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. COHEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. CONYERS is the ranking member, and I appreciate his support just as I appreciate Mr. GOODLATTE for bringing this bill to the floor. Bills don't get to the floor without the chairman of the committee having recommended them; so I thank Mr. GOODLATTE and I thank Mr. CONYERS, as I have been thinking about the apology for slavery and Jim Crow that came to this floor 7 years ago but that wouldn't have without the work of then-Chairman CONYERS; so I thank him again.

Today, I thank Mr. FORBES and my other sponsors, Mr. NADLER and Mr. ROHRABACHER, who have cosponsored this bill with me.

Mr. Speaker, I rise today in support of H.R. 4246, the National Guard and Reservist Debt Relief Extension Act of 2015.

This bipartisan legislation ensures that certain members of the National Guard and Reserves who fall on hard economic times after their service will continue to obtain the bankruptcy relief which we have granted them in the past so they won't have to fill out substantial paperwork that is required by the so-called ''means test'' under chapter 7 of the Bankruptcy Code and meet that test.

The means test came into effect about 10 years ago when President Bush signed into law what is called the BAPCPA, the Bankruptcy Abuse Prevention and Consumer Protection Act, which made numerous amendments to the bankruptcy law. It provided a means test, which made it more difficult to get into bankruptcy court. This gives National Guardsmen and reservists an opportunity to extinguish their debts without having to go through that difficult test.

The National Guard and Reservist Debt Relief Act of 2008 created an exception to the means test's presumption of abuse for members of the National Guard and Reserves who after September 11 served on Active Duty or in a homeland defense activity for at least 90 days. The exception remains available for 540 days after the servicemember leaves the military.

Many servicemembers, we know, are subjected to unscrupulous lenders and payday loans, and we have seen stories that show that up to, I think, 11 percent of servicemembers have been taking out payday loans. Eleven percent of enlisted personnel in the Active Duty military obtain these loans, which include vehicle title loans, pawnshop loans, and other high-interest loans; so they are preyed upon.

In understanding they give service to our country and are preyed upon by folks near the military establishment in the communities, it is appropriate that we give them this relief. It is a way for our Nation to recognize the sacrifices made by National Guard and Reserve members who have served on Active Duty or in homeland defense since September 11 and who may be suffering from financial hardship.

The bill is supported by the National Association of Consumer Bankruptcy Attorneys and by the Veterans of Foreign Wars.

Again, I thank Mr. GOODLATTE and Ranking Member CONYERS and my fellow cosponsors; and I urge all of my colleagues to support this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I urge my colleagues to support this important legislation that continues a very good practice that benefits our Guard and Reserve members.

I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I rise in strong support of H.R. 4246, the ''National Guard and Reservist Debt Relief Extension Act of 2015.''

It has been ten years since President Bush signed into law the Bankruptcy Abuse Prevention and Consumer Protection Act, a bill that made numerous amendments to the Bankruptcy Code, many of which pertained to consumer debtors.

In particular, the Act established a means test mechanism—purportedly intended to determine a debtor's ability to repay debts—that requires a presumption of abuse if the debtor has income in excess of specified thresholds.

H.R. 4246 would continue the current exemption from this presumption for certain qualifying National Guard members and reserve component members of the Armed Services.

This exemption, which was first enacted in 2008 on a bipartisan basis, is due to expire in just a few days on December 19th.

H.R. 4246 recognizes that some of those who serve in the military encounter financial difficulties during or in the wake of their service and that they merit relief from the additional proof requirements of the means test.

In fact, servicemembers are often targeted by unscrupulous lenders. As reported by the Wall Street Journal earlier this year, payday lenders prey on service members and their families at twice the rate that they use to target civilians.

These short-term, high-interest loans are often used to provide small amounts of money to pay for unexpected or emergency expenditures or to obtain advances on tax refunds.

Yet, as a result of excessive interest rates, these loans can quickly balloon into overwhelming debt obligations. According to the Journal, some servicemembers have paid as much as 600 percent to 700 percent for the life of their loans, or even four times the amount of the original loan.

In 2013, about 11 percent of enlisted personnel in the active duty military obtained payday loans, which included vehicle title loans, pawnshop loans, and other high-interest loans.

So, at least for those servicemembers who seek bankruptcy protection in response to financial distress, H.R. 4246 ensures that they are exempted from the presumption of abuse if he or she is on active duty or is performing a homeland defense activity for a specified period.

I commend the gentleman from Tennessee, STEVE COHEN, for his leadership on this legislation and for his enduring commitment to our Nation's servicemembers.

Accordingly, I urge my colleagues on both sides of the aisle to join me in supporting H.R. 4246.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 4246.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. COHEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

EMERGENCY INFORMATION IMPROVEMENT ACT OF 2015

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1090) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide eligibility for broadcasting facilities to receive certain disaster assistance, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1090

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Emergency Information Improvement Act of 2015''.

SEC. 2. ELIGIBILITY OF BROADCASTING FACILITIES FOR CERTAIN DISASTER ASSISTANCE.

(a) PRIVATE NONPROFIT FACILITY DEFINED.—Section 102(11)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(11)(B)) is amended by inserting ''broadcasting facilities,'' after ''workshops,''.

(b) CRITICAL SERVICES DEFINED.—Section 406(a)(3)(B) of the Robert T. Stafford Disaster

Relief and Emergency Assistance Act (42 U.S.C. 5172(a)(3)(B)) is amended by striking ''communications,'' and inserting ''communications (including broadcast and telecommunications),''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. COSTELLO) and the gentleman from Indiana (Mr. CARSON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on S. 1090.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Currently, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, also known as the Stafford Act, provides for assistance to governments and to nonprofit organizations to rebuild damaged facilities following a declared disaster.

S. 1090, the Emergency Information Improvement Act of 2015, clarifies the eligibility of certain not-for-profit broadcasting facilities for disaster assistance that is consistent with existing policy.

These stations provide essential alerts and information before, during, and after disasters and emergencies. In fact, these broadcasters are an integral component of our national public alert and warning system. Following a disaster, it is critical that these facilities get up and running as soon as possible to ensure the public receives necessary emergency information. For example, during recent major disasters, these broadcasters were critical to getting information to the public quickly.

I want to thank Congressman PALAZZO for his leadership on shepherding this bill through committee and for getting it here to the House floor.

Mr. Speaker, I reserve the balance of my time.

Mr. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume.

S. 1090, the Emergency Information Improvement Act of 2015, would clarify the eligibility of certain broadcasting facilities for public assistance.

Broadcasters are critical partners when it comes to emergency management in the face of a disaster. One of the best ways to prevent deaths and injuries during a disaster is to warn those who are in harm's way of impending danger. This allows people to take the necessary precautions to avoid injury and death and to minimize property damage. Broadcasters work hand in hand with emergency managers to provide this notice before a disaster strikes. After a disaster, the broadcasters' role remains just as critical. They continue airing information about ongoing hazards and aid recovery efforts by providing how-to information on accessing recovery assistance.

From Hurricane Sandy to this year's floods in the Carolinas, the emergency broadcasts save lives and keep people out of harm's way. This is not just about large-scale disasters. When a violent storm caused the sudden collapse of a concert stage in my hometown of Indianapolis, Indiana, local broadcasters kept a tragedy from becoming that much worse. Timely alerts enabled Fair officials to clear the Midway minutes before the storm struck, potentially saving the lives of hundreds of people. We see this all over the country every year.

Unfortunately, broadcast facilities are not immune to hazards, which is why this bill is so important. When broadcasting facilities are damaged by a disaster, we must ensure that they are eligible for recovery assistance so that they can be up and running in time for the next hazard.

I would note, Mr. Speaker, that this language is absolutely identical to the language that my good friend from New York (Mr. NADLER) has been so tirelessly advocating for; so I want to thank him for his efforts in bringing this issue to our attention and for his diligence in ensuring this matter was brought to the House floor.

I urge my colleagues to support this measure.

Mr. Speaker, I yield back the balance of my time.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I urge the passage of the bill.

I yield back the balance of my time.

Mr. PALAZZO. Mr. Speaker, I give my full support of Senate Bill 1090, the Emergency Information Improvement Act. Congressman BRIAN HIGGINS of New York and I sponsored the House version of this bill, and we are proud to see this simple but very important piece of legislation pass.

Disasters strike every year in every corner of America. Hurricanes on the Gulf Coast and Eastern Seaboard, ice storms in the Midwest and plains states, wild fires in the West, tornados through our Nation's heartlands and flooding in Texas, the Carolinas, and elsewhere.

During a disaster, local public radio stations play an essential role in delivering information about response efforts, local relief supplies, evacuation orders and emergency routes, where to find food, shelter and fuel as well as on-the-ground, at-the-scene reporting to help affected communities understand and respond.

Approximately 98 percent of the American population has access to a public radio or TV signal. Current federal emergency response and relief statutes are ambiguous on whether local public broadcasting stations are eligible for emergency financial assistance when damaged by storms and other disasters. This legislation amends the Stafford Act to make clear that local public radio and broadcasting stations are eligible recipients of disaster relief. The Emergency Information Improvement Act brings greater stability to the availability of critical information during times of crisis.

Its passage by Congress will significantly boost our efforts to ensure that all Americans have the information they need when they need it during occurrences of natural and man-made disasters. It will guarantee that locally licensed stations are eligible for federal disaster relief funding in the event their facilities are impacted by a disaster.

I want to personally thank my colleagues in the Senate, Senators TED CRUZ and CORY BOOKER, for introducing companion legislation in the Senate and for their hard work in seeing this important piece of legislation pass their chamber.

□ 0945

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. COSTELLO) that the House suspend the rules and pass the bill, S. 1090.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

FURTHER CONTINUING APPROPRIATIONS ACT, 2016

Mr. ROGERS of Kentucky. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 78) making further continuing appropriations for fiscal year 2016, and for other purposes.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 78

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That the Continuing Appropriations Act, 2016 (Public Law 114–53) is further amended by striking the date specified in section 106(3) and inserting ''December 22, 2015''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. ROGERS) and the gentlewoman from New York (Mrs. LOWEY) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on the consideration of H.J. Res. 78.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to present H.J. Res. 78, a short-term continuing resolution that will fund the government through December 22.

This morning, we posted a full-year omnibus funding bill. The bill will responsibly fund the government for the remainder of fiscal 2016 year at the level set by the Bipartisan Budget Act passed in October. We are set to consider it later this week.

However, our current funding mechanism expires today at midnight. To allow for enough time to read and process this legislation, it is necessary at this point that we pass another continuing resolution to keep the lights on in our government.

The legislation we have before us today simply extends current levels of funding for critical government programs and services for 6 additional days through next Tuesday. It is very short and limited in scope, buying us enough time to shepherd the omnibus through to enactment and then for the bill to be enrolled, sent to the President, and signed into law.

So I urge my colleagues to support this bill, to give us the time to consider the full appropriations package, and bring the fiscal year 2016 appropriations process to a close.

I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield myself such time as I may consume.

For the second time in a week, I rise in half-hearted support for the continuing resolution before us. This is the third time the Republican majority has brought us to the brink of a shutdown in just the past 11 weeks. It has been over 2½ months since we passed a bipartisan 2-year budget agreement that set guidelines for appropriations. We should have final bills signed into law by now. There are no excuses for these constant delays.

Unfortunately, Republicans' insistence on including dangerous, harmful policies in spending bills that would restrict women's reproductive health decisions, harm the environment, and roll back consumer protections, just to name a few, delayed the ability of Congress to come to a fair, bipartisan agreement on time.

However, we did know throughout this process that Republicans would need Democratic votes to pass the omnibus. That is why I am pleased to say we were able to get rid of more than 150 poison pill riders, including those related to women's health, labor, such as efforts to block the fiduciary rule and the joint employer rule, consumer financial protection, clean air and water—all gone. However, I was disappointed we were unable to reverse a 19-year-old prohibition on Federal funding for the research of gun violence.

The budget agreement enacted in November provided additional funding, allowing us to make critical investments, reflecting Democratic values. There are some large increases to the National Institutes of Health and the Army Corps of Engineers, for example, Head Start, energy research, COPS hiring, nutrition funding, and so much more. We also prevented further cuts to the EPA and other agencies routinely targeted by Republicans. I am disappointed that the omnibus does not deal adequately with Puerto Rico's crisis. It does carry the 9/11 health and compensation fund. The omnibus carries some tax matters, including the Cadillac tax and solar and wind tax credits.

In all, the package is a mixed bag. Each Member will have to read the details for him- or herself.

While I will vote to keep the government open today, Mr. Speaker, the American people deserve a Congress that does its job on time and puts the interests of hardworking families ahead of special interests.

I yield back the balance of my time.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. ROGERS) that the House suspend the rules and pass the joint resolution, H.J. Res. 78.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

Concurring in the Senate amendment to H.R. 2820, by the yeas and nays;

H.R. 4246, by the yeas and nays;

S. 1090, by the yeas and nays;

H.R. 3654, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

STEM CELL THERAPEUTIC AND RESEARCH REAUTHORIZATION ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill (H.R. 2820) to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and concur in the Senate amendment.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 12, as follows:

[Roll No. 695]

YEAS—421

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)

Latta	Palazzo	Sewell (AL)
Lawrence	Pallone	Sherman
Lee	Palmer	Shimkus
Levin	Pascrell	Shuster
Lewis	Paulsen	Simpson
Lieu, Ted	Payne	Sinema
LoBiondo	Pearce	Sires
Loebsack	Pelosi	Smith (MO)
Lofgren	Perlmutter	Smith (NE)
Long	Perry	Smith (NJ)
Loudermilk	Peters	Smith (TX)
Love	Peterson	Smith (WA)
Lowenthal	Pingree	Speier
Lowey	Pittenger	Stefanik
Lucas	Pitts	Stewart
Luetkemeyer	Pocan	Stutzman
Lujan Grisham (NM)	Poe (TX)	Swalwell (CA)
Luján, Ben Ray (NM)	Poliquin	Takai
Lummis	Polis	Takano
Lynch	Pompeo	Thompson (CA)
MacArthur	Posey	Thompson (MS)
Maloney, Carolyn	Price (NC)	Thompson (PA)
Maloney, Sean	Price, Tom	Thornberry
Marchant	Quigley	Tiberi
Marino	Rangel	Tipton
Massie	Ratcliffe	Titus
Matsui	Reed	Tonko
McCarthy	Reichert	Torres
McCaul	Renacci	Trott
McClintock	Ribble	Tsongas
McCollum	Rice (NY)	Turner
McDermott	Rice (SC)	Upton
McGovern	Richmond	Valadao
McHenry	Rigell	Van Hollen
McKinley	Roby	Vargas
McMorris Rodgers	Roe (TN)	Veasey
McNerney	Rogers (AL)	Vela
McSally	Rogers (KY)	Velázquez
Meadows	Rohrabacher	Visclosky
Meehan	Rokita	Wagner
Meeks	Rooney (FL)	Walberg
Meng	Ros-Lehtinen	Walden
Messer	Roskam	Walker
Mica	Ross	Walorski
Miller (FL)	Rothfus	Walters, Mimi
Miller (MI)	Rouzer	Walz
Moolenaar	Roybal-Allard	Wasserman Schultz
Mooney (WV)	Royce	Waters, Maxine
Moore	Ruiz	Watson Coleman
Moulton	Ruppersberger	Weber (TX)
Mullin	Rush	Webster (FL)
Mulvaney	Russell	Welch
Murphy (FL)	Ryan (OH)	Wenstrup
Murphy (PA)	Salmon	Westerman
Nadler	Sánchez, Linda T.	Westmoreland
Napolitano	Sanchez, Loretta	Whitfield
Neal	Sanford	Williams
Neugebauer	Sarbanes	Wilson (SC)
Newhouse	Scalise	Wittman
Noem	Schakowsky	Womack
Nolan	Schiff	Woodall
Norcross	Schrader	Yarmuth
Nugent	Schweikert	Yoder
Nunes	Scott (VA)	Yoho
O'Rourke	Scott, Austin	Young (AK)
Olson	Scott, David	Young (IA)
	Sensenbrenner	Young (IN)
	Serrano	Zeldin
	Sessions	Zinke

NOT VOTING—12

Cuellar	Granger	Lipinski
DeGette	Herrera Beutler	Slaughter
DeSantis	Hultgren	Stivers
Deutch	Kildee	Wilson (FL)

□ 1030

Messrs. BARTON and AUSTIN SCOTT of Georgia changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE IN RECOGNITION OF THE LIVES LOST IN THE SAN BERNARDINO TERRORIST ATTACK

(Mr. AGUILAR asked and was given permission to address the House for 1 minute.)

Mr. AGUILAR. Mr. Speaker, today I rise with a heavy heart to pay tribute to the 14 innocent lives lost on December 2 in San Bernardino, California, in the terrorism attack at the Inland Regional Center.

In the wake of this terrorist act, our San Bernardino community has come together and supported one another during this dark chapter in our region and our Nation.

Mr. Speaker, today I ask my colleagues, fellow Americans, and those who hear this message around the world, to pray for the families of the 14 victims, the speedy recovery of the 22 injured, the countless first responders that helped that day, and for the health and resilience of the San Bernardino community.

In the aftermath of this pain, I have seen firsthand the tenacity and the spirit of the area that we call the Inland Empire. We have said loudly, as one community, that this tragedy will not define us and it will not divide us.

We will not be afraid to come together in fellowship, to work together, to mourn together, or to rebuild together. Across faiths and across culture, we will support one another in this time of need.

Mr. Speaker, San Bernardino has been forced to soldier through difficult times before. As we face this new and difficult hurdle, I know my community will continue to stand together to show our country and our region the resolve of this city and of these people to heal. We are San Bernardino united.

Mr. Speaker, I am joined by my colleagues, and I ask the House to pause for a moment of silence in honor of those affected by the terrorist act in San Bernardino on December 2.

The SPEAKER. The House will observe a moment of silence.

NATIONAL GUARD AND RESERVIST DEBT RELIEF EXTENSION ACT OF 2015

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4246) to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 419, nays 1, not voting 13, as follows:

[Roll No. 696]

YEAS—419

Abraham	Courtney	Harper
Adams	Cramer	Harris
Aderholt	Crawford	Hartzler
Aguilar	Crenshaw	Hastings
Allen	Crowley	Heck (NV)
Amodei	Culberson	Heck (WA)
Ashford	Cummings	Hensarling
Babin	Curbelo (FL)	Hice, Jody B.
Barletta	Davis (CA)	Higgins
Barr	Davis, Danny	Hill
Barton	Davis, Rodney	Himes
Bass	DeFazio	Hinojosa
Beatty	Delaney	Holding
Becerra	DeLauro	Honda
Benishek	DelBene	Hoyer
Bera	Denham	Hudson
Beyer	Dent	Huelskamp
Bilirakis	DeSaulnier	Huizenga (MI)
Bishop (GA)	DesJarlais	Hunter
Bishop (MI)	Diaz-Balart	Hurd (TX)
Bishop (UT)	Dingell	Hurt (VA)
Black	Doggett	Israel
Blackburn	Dold	Issa
Blum	Donovan	Jackson Lee
Blumenauer	Doyle, Michael F.	Jeffries
Bonamici	Duckworth	Jenkins (KS)
Bost	Duffy	Jenkins (WV)
Boustany	Duncan (SC)	Johnson (GA)
Boyle, Brendan F.	Duncan (TN)	Johnson (OH)
Brady (PA)	Edwards	Johnson, E. B.
Brady (TX)	Ellison	Johnson, Sam
Brat	Ellmers (NC)	Jolly
Bridenstine	Emmer (MN)	Jones
Brooks (AL)	Engel	Jordan
Brooks (IN)	Eshoo	Joyce
Brown (FL)	Esty	Kaptur
Brownley (CA)	Farenthold	Katko
Buchanan	Farr	Keating
Buck	Fattah	Kelly (IL)
Bucshon	Fincher	Kelly (MS)
Burgess	Fitzpatrick	Kelly (PA)
Bustos	Fleischmann	Kennedy
Butterfield	Fleming	Kilmer
Byrne	Flores	Kind
Calvert	Forbes	King (IA)
Capps	Fortenberry	King (NY)
Capuano	Foster	Kinzinger (IL)
Cárdenas	Foxx	Kirkpatrick
Carney	Frankel (FL)	Kline
Carson (IN)	Franks (AZ)	Knight
Carter (GA)	Frelinghuysen	Kuster
Carter (TX)	Fudge	Labrador
Cartwright	Gabbard	LaHood
Castor (FL)	Gallego	LaMalfa
Castro (TX)	Garamendi	Lamborn
Chabot	Garrett	Lance
Chaffetz	Gibbs	Langevin
Chu, Judy	Gibson	Larsen (WA)
Cicilline	Gohmert	Larson (CT)
Clark (MA)	Goodlatte	Latta
Clarke (NY)	Gosar	Lawrence
Clawson (FL)	Gowdy	Lee
Clay	Graham	Levin
Cleaver	Graves (GA)	Lewis
Clyburn	Graves (LA)	Lieu, Ted
Coffman	Graves (MO)	LoBiondo
Cohen	Grayson	Loebsack
Cole	Green, Al	Lofgren
Collins (GA)	Green, Gene	Long
Collins (NY)	Griffith	Loudermilk
Comstock	Grijalva	Love
Conaway	Grothman	Lowenthal
Connolly	Guinta	Lowey
Conyers	Guthrie	Lucas
Cook	Gutiérrez	Luetkemeyer
Cooper	Hahn	Lujan Grisham (NM)
Costa	Hanna	Luján, Ben Ray (NM)
Costello (PA)	Hardy	

Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—1

Amash

NOT VOTING—13

Cuellar
DeGette
DeSantis
Deutch
Granger
Herrera Beutler
Huffman
Hultgren
Kildee
Lipinski
Slaughter
Stivers
Waters, Maxine

□ 1042

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. MCCARTHY asked and was given permission to address the House for 1 minute.)

Mr. MCCARTHY. Mr. Speaker, there are a few certainties in life: death, taxes, and my good friend from Maryland (Mr. HOYER) asking for a colloquy about every week, but the schedule of this House in December is not one of those certainties. So I rise today to ensure that the Members of this body have the most up-to-date information on the floor schedule in the House.

Currently, the House is scheduled to be in session and voting on Thursday and Friday of this week. Members are advised that we are expected to remain in session until we finish our business for the year.

At this point, we expect to consider the tax extender package tomorrow, and the omnibus on Friday. Should there be any further changes to the schedule, I will be sure to notify the Members as soon as possible.

□ 1045

Mr. HOYER. Will the gentleman yield?

Mr. MCCARTHY. I yield to the gentleman from Maryland.

Mr. HOYER. I thank my friend for yielding.

Can the leader tell me what the expectation would be for Members on Friday as to when would be a target date to complete business on Friday?

Mr. MCCARTHY. We will convene at 9 a.m. It is our anticipation as long as it goes as scheduled that we can be walking off the floor by noon.

Mr. HOYER. I thank the gentleman for the information.

Mr. MCCARTHY. Mr. Speaker, I yield back the balance of my time.

EMERGENCY INFORMATION IMPROVEMENT ACT OF 2015

The SPEAKER pro tempore (Mr. EMMER of Minnesota). Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 1090) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide eligibility for broadcasting facilities to receive certain disaster assistance, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. COSTELLO) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 1, not voting 12, as follows:

[Roll No. 697]

YEAS—420

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan

Poe (TX)	Sarbanes	Turner
Poliquin	Scalise	Upton
Polis	Schakowsky	Valadao
Pompeo	Schiff	Van Hollen
Posey	Schrader	Vargas
Price (NC)	Schweikert	Veasey
Price, Tom	Scott (VA)	Vela
Quigley	Scott, Austin	Velázquez
Rangel	Scott, David	Visclosky
Ratcliffe	Sensenbrenner	Wagner
Reed	Serrano	Walberg
Reichert	Sessions	Walden
Renacci	Sewell (AL)	Walker
Ribble	Sherman	Walorski
Rice (NY)	Shimkus	Walters, Mimi
Rice (SC)	Shuster	Walz
Richmond	Simpson	Wasserman Schultz
Rigell	Sinema	Waters, Maxine
Roby	Sires	Watson Coleman
Roe (TN)	Smith (MO)	Weber (TX)
Rogers (AL)	Smith (NE)	Webster (FL)
Rogers (KY)	Smith (NJ)	Welch
Rohrabacher	Smith (TX)	Wenstrup
Rokita	Smith (WA)	Westerman
Rooney (FL)	Speier	Westmoreland
Ros-Lehtinen	Stefanik	Whitfield
Roskam	Stewart	Williams
Ross	Stutzman	Wilson (FL)
Rothfus	Swalwell (CA)	Wilson (SC)
Rouzer	Takai	Wittman
Roybal-Allard	Takano	Womack
Royce	Thompson (CA)	Woodall
Ruiz	Thompson (MS)	Yarmuth
Ruppersberger	Thompson (PA)	Yoder
Rush	Thornberry	Yoho
Russell	Tiberi	Young (AK)
Ryan (OH)	Tipton	Young (IA)
Salmon	Titus	Young (IN)
Sánchez, Linda T.	Tonko	Zeldin
Sanchez, Loretta	Torres	Zinke
Sanford	Trott	
	Tsongas	

NAYS—1

Massie

NOT VOTING—12

Cuellar	Granger	Kildee
DeGette	Herrera Beutler	Lipinski
DeSantis	Huffman	Slaughter
Deutch	Hultgren	Stivers

□ 1053

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 695, 696 and 697. Had I been present, I would have voted "aye" on rollcall vote Nos. 695, 696, and 697.

COMBAT TERRORIST USE OF SOCIAL MEDIA ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 3654) to require a report on United States strategy to combat terrorist use of social media, and for other purposes, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 3654, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1100

HEZBOLLAH INTERNATIONAL FINANCING PREVENTION ACT OF 2015

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 2297) to prevent Hezbollah and associated entities from gaining access to international financial and other institutions, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Hizballah International Financing Prevention Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Statement of policy.
TITLE I—PREVENTION OF ACCESS BY HIZBALLAH TO INTERNATIONAL FINANCIAL AND OTHER INSTITUTIONS
Sec. 101. Report on imposition of sanctions on certain satellite providers that carry al-Manar TV.
Sec. 102. Sanctions with respect to financial institutions that engage in certain transactions.
TITLE II—REPORTS AND BRIEFINGS ON NARCOTICS TRAFFICKING AND SIGNIFICANT TRANSNATIONAL CRIMINAL ACTIVITIES OF HIZBALLAH
Sec. 201. Report and briefing on narcotics trafficking by Hizballah.
Sec. 202. Report and briefing on significant transnational criminal activities of Hizballah.
Sec. 203. Rewards for Justice and Hizballah's fundraising, financing, and money laundering activities.
Sec. 204. Report on activities of foreign governments to disrupt global logistics networks and fundraising, financing, and money laundering activities of Hizballah.
TITLE III—MISCELLANEOUS PROVISIONS
Sec. 301. Rule of construction.
Sec. 302. Regulatory authority.
Sec. 303. Termination.

SEC. 2. STATEMENT OF POLICY.

It shall be the policy of the United States to—

(1) prevent Hizballah's global logistics and financial network from operating in order to curtail funding of its domestic and international activities; and

(2) utilize all available diplomatic, legislative, and executive avenues to combat the global criminal activities of Hizballah as a means to block that organization's ability to fund its global terrorist activities.

TITLE I—PREVENTION OF ACCESS BY HIZBALLAH TO INTERNATIONAL FINANCIAL AND OTHER INSTITUTIONS

SEC. 101. REPORT ON IMPOSITION OF SANCTIONS ON CERTAIN SATELLITE PROVIDERS THAT CARRY AL-MANAR TV.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees and leadership a report on the following:

(1) The activities of all satellite, broadcast, Internet, or other providers that have knowingly entered into a contractual relationship with al-Manar TV, and any affiliates or successors thereof.

(2) With respect to all providers described in paragraph (1)—

(A) an identification of those providers that have been sanctioned pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism); and

(B) an identification of those providers that have not been sanctioned pursuant to Executive Order 13224 and, with respect to each such provider, any information indicating that the provider has knowingly entered into a contractual relationship with al-Manar TV, and any affiliates or successors of al-Manar TV.

(b) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form to the greatest extent possible, but may include a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term ''appropriate congressional committees and leadership'' means—

(1) the Speaker, the minority leader, the Committee on Foreign Affairs, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the majority leader, the minority leader, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate.

SEC. 102. SANCTIONS WITH RESPECT TO FINANCIAL INSTITUTIONS THAT ENGAGE IN CERTAIN TRANSACTIONS.

(a) PROHIBITIONS AND CONDITIONS WITH RESPECT TO CERTAIN ACCOUNTS HELD BY FOREIGN FINANCIAL INSTITUTIONS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall prescribe regulations to prohibit, or impose strict conditions on, the opening or maintaining in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines, on or after such date of enactment, engages in an activity described in paragraph (2).

(2) ACTIVITIES DESCRIBED.—A foreign financial institution engages in an activity described in this paragraph if the foreign financial institution—

(A) knowingly facilitates a significant transaction or transactions for Hizballah;

(B) knowingly facilitates a significant transaction or transactions of a person identified on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury and the property and interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) for acting on behalf of or at the direction of, or being owned or controlled by, Hizballah;

(C) knowingly engages in money laundering to carry out an activity described in subparagraph (A) or (B); or

(D) knowingly facilitates a significant transaction or transactions or provides significant financial services to carry out an activity described in subparagraph (A), (B), or (C).

(3) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act

(50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under this subsection to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.

(4) PROCEDURES FOR JUDICIAL REVIEW OF CLASSIFIED INFORMATION.—

(A) IN GENERAL.—If a finding under this subsection, or a prohibition, condition, or penalty imposed as a result of any such finding, is based on classified information (as defined in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.)) and a court reviews the finding or the imposition of the prohibition, condition, or penalty, the President may submit such information to the court ex parte and in camera.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to confer or imply any right to judicial review of any finding under this subsection or any prohibition, condition, or penalty imposed as a result of any such finding.

(b) WAIVER.—

(1) IN GENERAL.—The President may waive, on a case-by-case basis, the application of a prohibition or condition imposed with respect to a foreign financial institution pursuant to subsection (a) for a period of not more than 180 days, and may renew the waiver for additional periods of not more than 180 days, on and after the date on which the President—

(A) determines that such a waiver is in the national security interests of the United States; and

(B) submits to the appropriate congressional committees a report describing the reasons for such determination.

(2) FORM.—The report required by paragraph (1)(B) shall be submitted in unclassified form, but may contain a classified annex.

(c) SPECIAL RULE TO ALLOW FOR TERMINATION OF SANCTIONABLE ACTIVITY.—The President shall not be required to apply sanctions to a foreign financial institution described in subsection (a) if the President certifies in writing to the appropriate congressional committees that—

(1) the foreign financial institution—

(A) is no longer engaging in the activity described in subsection (a)(2); or

(B) has taken and is continuing to take significant verifiable steps toward terminating the activity described in that subsection; and

(2) the President has received reliable assurances from the government with primary jurisdiction over the foreign financial institution that the foreign financial institution will not engage in any activity described in subsection (a)(2) in the future.

(d) REPORT ON FOREIGN CENTRAL BANKS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report that—

(A) identifies each foreign central bank that the Secretary determines engages in one or more activities described in subsection (a)(2)(D); and

(B) provides a detailed description of each such activity.

(2) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(e) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(f) DEFINITIONS.—

(1) IN GENERAL.—In this section:

(A) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''account'', ''correspondent account'', and ''payable-through account'' have the meanings given those terms in section 5318A of title 31, United States Code.

(B) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(i) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

(ii) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(C) FINANCIAL INSTITUTION.—The term ''financial institution'' means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (M), (N), (P), (R), (T), (Y), or (Z) of section 5312(a)(2) of title 31, United States Code.

(D) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning given that term in section 1010.605 of title 31, Code of Federal Regulations.

(E) HIZBALLAH.—The term ''Hizballah'' means—

(i) the entity known as Hizballah and designated by the Secretary of State as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

(ii) any person—

(I) the property or interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); and

(II) who is identified on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury as an agent, instrumentality, or affiliate of Hizballah.

(F) MONEY LAUNDERING.—The term ''money laundering'' includes the movement of illicit cash or cash equivalent proceeds into, out of, or through a country, or into, out of, or through a financial institution.

(2) OTHER DEFINITIONS.—The President may further define the terms used in this section in the regulations prescribed under this section.

TITLE II—REPORTS AND BRIEFINGS ON NARCOTICS TRAFFICKING AND SIGNIFICANT TRANSNATIONAL CRIMINAL ACTIVITIES OF HIZBALLAH

SEC. 201. REPORT AND BRIEFING ON NARCOTICS TRAFFICKING BY HIZBALLAH.

(a) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees and leadership a report on the activities of Hizballah related to narcotics trafficking worldwide.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form to the greatest extent possible, but may include a classified annex.

(b) BRIEFING.—Not later than 30 days after the submission of the report required by subsection (a), the President shall provide to the appropriate congressional committees and leadership a briefing on—

(1) the report;

(2) procedures for designating Hizballah as a significant foreign narcotics trafficker under the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.); and

(3) Government-wide efforts to combat the narcotics trafficking activities of Hizballah.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term ''appropriate congressional committees and leadership'' means—

(1) the Speaker, the minority leader, the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the majority leader, the minority leader, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate.

SEC. 202. REPORT AND BRIEFING ON SIGNIFICANT TRANSNATIONAL CRIMINAL ACTIVITIES OF HIZBALLAH.

(a) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees and leadership a report on the significant transnational criminal activities of Hizballah, including human trafficking.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form to the greatest extent possible, but may include a classified annex.

(b) BRIEFING.—Not later than 30 days after the submission of the report required by subsection (a), the President shall provide to the appropriate congressional committees and leadership a briefing on—

(1) the report;

(2) procedures for designating Hizballah as a significant transnational criminal organization under Executive Order 13581 (75 Fed. Reg. 44,757); and

(3) Government-wide efforts to combat the transnational criminal activities of Hizballah.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term ''appropriate congressional committees and leadership'' means—

(1) the Speaker, the minority leader, the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the majority leader, the minority leader, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate.

SEC. 203. REWARDS FOR JUSTICE AND HIZBALLAH'S FUNDRAISING, FINANCING, AND MONEY LAUNDERING ACTIVITIES.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report that details actions taken by the Department of State through the Department of State rewards program under section 36 of the State Department Basic Authorities Act (22 U.S.C. 2708) to obtain information on fundraising, financing, and money laundering activities of Hizballah and its agents and affiliates.

(b) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall provide a briefing to the appropriate congressional committees on the status of the actions described in subsection (a).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SEC. 204. REPORT ON ACTIVITIES OF FOREIGN GOVERNMENTS TO DISRUPT GLOBAL LOGISTICS NETWORKS AND FUNDRAISING, FINANCING, AND MONEY LAUNDERING ACTIVITIES OF HIZBALLAH.

(a) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes—

(A) a list of countries that support Hizballah or in which Hizballah maintains important portions of its global logistics networks;

(B) with respect to each country on the list required by subparagraph (A)—

(i) an assessment of whether the government of the country is taking adequate measures to disrupt the global logistics networks of Hizballah within the territory of the country; and

(ii) in the case of a country the government of which is not taking adequate measures to disrupt such networks—

(I) an assessment of the reasons that government is not taking such adequate measures; and

(II) a description of measures being taken by the United States to encourage that government to improve measures to disrupt such networks;

(C) a list of countries in which Hizballah, or any of its agents or affiliates, conducts significant fundraising, financing, or money laundering activities;

(D) with respect to each country on the list required by subparagraph (C)—

(i) an assessment of whether the government of the country is taking adequate measures to disrupt the fundraising, financing, or money laundering activities of Hizballah and its agents and affiliates within the territory of the country; and

(ii) in the case of a country the government of which is not taking adequate measures to disrupt such activities—

(I) an assessment of the reasons that government is not taking such adequate measures; and

(II) a description of measures being taken by the United States to encourage that government to improve measures to disrupt such activities; and

(E) a list of methods that Hizballah, or any of its agents or affiliates, utilizes to raise or transfer funds, including trade-based money laundering, the use of foreign exchange houses, and free-trade zones.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form to the greatest extent possible, and may contain a classified annex.

(3) GLOBAL LOGISTICS NETWORKS OF HIZBALLAH.—In this subsection, the term ''global logistics networks of Hizballah'', ''global logistics networks'', or ''networks'' means financial, material, or technological support for, or financial or other services in support of, Hizballah.

(b) BRIEFING ON HIZBALLAH'S ASSETS AND ACTIVITIES RELATED TO FUNDRAISING, FINANCING, AND MONEY LAUNDERING WORLDWIDE.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State, the Secretary of the Treasury, and the heads of other applicable Federal departments and agencies shall provide to the appropriate congressional committees a briefing on the disposition of Hizballah's assets and activities related to fundraising, financing, and money laundering worldwide.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. RULE OF CONSTRUCTION.

Nothing in this Act or any amendment made by this Act shall apply to the authorized intelligence activities of the United States.

SEC. 302. REGULATORY AUTHORITY.

(a) IN GENERAL.—The President shall, not later than 120 days after the date of the enactment of this Act, promulgate regulations as necessary for the implementation of this Act and the amendments made by this Act.

(b) NOTIFICATION TO CONGRESS.—Not less than 10 days before the promulgation of regulations under subsection (a), the President shall notify the appropriate congressional committees of the proposed regulations and the provisions of this Act and the amendments made by this Act that the regulations are implementing.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SEC. 303. TERMINATION.

This Act shall terminate on the date that is 30 days after the date on which the President certifies to Congress that Hizballah—

(1) is no longer designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); and

(2) is no longer designated for the imposition of sanctions pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

Amend the title so as to read: ''An Act to prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material on this resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this measure.

In particular, I want to thank the gentleman from North Carolina, Mr. MARK MEADOWS, for being an early leader on this issue, focusing on Hezbollah and on this legislation.

I also want to thank Congressman DAVID SCOTT of Georgia. He served for 8 years on the Foreign Affairs Committee as vice chairman of the Subcommittee on Terrorism, Nonproliferation, and Trade.

I would just mention that, as chairman of the NATO Parliamentary Assembly Committee that researched and wrote the report on Iran's nuclear weapons program, he has unique insights with respect to the threat posed by Hezbollah—not just to Israel, but to the West. We thank them both for their work on this measure.

I also want to thank Senators RUBIO and SHAHEEN for recognizing the urgency of this problem and working in a bipartisan way to ensure that this legislation was able to pass the Senate so that today we can send it to the President's desk.

And, most importantly, I want to thank my good friend and colleague, the gentleman from New York, Mr. ELIOT ENGEL, for his work to push back against Iran and its proxies that threaten the United States and threaten our allies globally.

Now, I will say that this day is overdue. This past May, the House passed this bill by a vote of 423–0. In fact, last Congress the House also passed legislation spearheaded by Mr. MEADOWS in the 113th Congress 404–0, which the other body failed to take up. Thankfully, this year is different because right now, Iran is on a roll.

Last week we learned the regime test-fired another ballistic missile in violation of two U.N. resolutions. Meanwhile, Iran continues to hold American hostages. And its terrorist proxy—which is Hezbollah—is wreaking havoc throughout the Middle East.

Mr. Speaker, it is critical that we confront this kind of aggression. We cannot stand by while the Iranian regime exports violence and exports its revolutionary ideology. That is why this legislation targeting Hezbollah is so important.

Prior to September 11, 2001, Hezbollah was responsible—before that attack by al Qaeda—for more American deaths than any other terrorist organization on this planet. In 1983, Hezbollah suicide bombers struck the U.S. marine barracks in Beirut, killing 241 American servicemen, and in a similar attack in 1996, in Saudi Arabia, killed 19 American servicemen.

Hezbollah continues to serve as Iran's frontline against Israel, with 100,000 rockets pointed at our ally. The terrorist group also plays a key role in Iran's effort to prop up Syria's murderous Assad regime. Thousands of Hezbollah fighters freely cross the border between Lebanon and Syria to join the fight.

Unfortunately, the threat posed by Hezbollah and other Iranian proxies is poised to become even more dangerous.

Iran is Hezbollah's primary benefactor, giving the Lebanese political party and militant group some $200 million a year in addition to weapons, training, intelligence, and logistical assistance as well.

Over the past few years, Iran has been forced to cut back its financial support to Hezbollah due to the international sanctions regime that the

Obama administration will dismantle in the coming months.

As a result of the sanctions relief due to Tehran under the Iran deal, Hezbollah will see additional funding come its way, a boost that will benefit Hezbollah's regional and international operations.

With more money, Hezbollah will step up its aid to Shia militias in Iraq and Yemen in cooperation with Iran. It will increase its presence in Syria, and, most significantly, it is going to increase its threat to Israel.

Finally, increased funding will help Hezbollah rebuild its capabilities beyond the Middle East. A newly enriched Hezbollah will be more aggressive at home and abroad, boosting its destabilizing activities inside and outside of Lebanon.

Yet, this is not a foregone conclusion. This legislation represents an important first step in pushing back against Iran and Hezbollah and repairing the damage that the administration's sanctions relief for Tehran has done to our national security.

Hezbollah is worried, as this bill puts Hezbollah's sources of financing under additional scrutiny, particularly those resources outside of Lebanon, given that many Lebanese banks have stepped up their game now to prevent money laundering.

It will also promote the application of advanced antiterrorism and antimoney laundering methods to both financial institutions and business enterprises operating as financial institutions, such as those adopted by regional banks, including many in Lebanon.

In addition to targeting the terrorist organization's diverse financial network, the legislation also requires the U.S. Government to focus on Hezbollah's global logistics network and its transnational organized criminal enterprises, including its drug smuggling operations, key areas of expansion for that terrorist organization.

How do I know they are worried? Because they said so in their own words. After the Senate passage of this legislation, Hezbollah issued a formal statement condemning the Senate vote and describing it as a ''crime'' against Hezbollah. With their international networks, particularly their most lucrative networks outside of Lebanon in Africa and Latin America, in our crosshairs, they should be worried. They should be worried.

I strongly urge my colleagues to support this critical measure.

I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of the Hezbollah International Financing Prevention Act.

The House first passed this bipartisan legislation on May 14 by a vote of 423–0. That is as bipartisan as you can get. On November 17, the Senate sent the bill back to us with a number of very modest changes. By passing it again today, we send it to the President's desk.

I want to commend my friend, Chairman ROYCE, for being the driving force behind this very, very important bill. When Chairman ROYCE introduced the bill, I was glad to join as an original cosponsor.

I also want to acknowledge Representatives DEUTCH, MEADOWS, and MENG for their had work on this important legislation.

Mr. Speaker, over a decade ago, I authored the Syria Accountability and Lebanese Sovereignty Restoration Act, which is now law. My partner, ILEANA ROS-LEHTINEN of Florida, and I pushed very hard for many years to get this bill finally passed by both Houses and signed into law by the President.

This measure aimed to end Syrian support for terrorism, including support to groups such as Hezbollah. Since then, Hezbollah has found new ways to siphon resources and expand its reach, all the while working toward the same goal: to undermine Lebanese political independence and support Iran's dangerous agenda throughout the region.

It is a bit ironic that the group that really controls Lebanon today is not really the Lebanese Government, but it is Hezbollah, which really has the same type of duplication, but they are stronger militarily than the Lebanese Government. That is a shame for Lebanon. It really is.

We know the aggregation that Hezbollah has had with Lebanon's wars against Israel and being Iran's proxy in Syria and doing all kinds of things that are detrimental to the world. Our laws to crack down on this group of Hezbollah need to keep pace. Again, their goal is to undermine Lebanese political independence and support Iran's dangerous goals. We need to be one step ahead of them.

Iran is the world's leading state sponsor of terrorism. Let's not forget that. While the Islamic Revolutionary Guard Corps and its Quds Force spread instability throughout the region, Iran's most destructive terrorist tool has been Hezbollah.

Among other things, this heinous group was behind the bombings of the U.S. Embassy and marine barracks in Lebanon and the Israel embassy and Jewish community center in Buenos Aires, Argentina.

Hezbollah's nefarious activities are not limited to terrorism. The group has put down roots in drug trafficking and other forms of transnational crime. Hezbollah has become a sophisticated and complex terrorist organization, and we need a response adequate to meet this challenge.

This legislation will move the ball forward by sanctioning foreign banks for knowingly doing business with Hezbollah. We need to send a clear message to companies getting tangled up with this terrorist group. That message is: Walk away or face the consequences of the United States of America.

The bill would also shine a bright light on Al-Manar, Hezbollah's television station, itself a specially designated terrorist group. Chairman ROYCE and I, working together through the years, especially listen to what is being broadcast.

During the cold war, when we had Radio Free America and television broadcasts, we felt that the message that the United States was getting to these countries was very important. And we believed—both of us—that it did, in fact, play a major role in the collapse of the Soviet Union because they were fed the truth by us. We are strong supporters of continuing that kind of thing.

Hezbollah uses Al-Manar for logistical propaganda and fundraising purposes. It defies reason that this station is still carried by the satellite providers all over the world. Can you imagine that?

Let me say that again. This legislation shines a bright light on Al-Manar, which is Hezbollah's television station—itself, a specially designated terrorist group—and Hezbollah uses this station for logistical propaganda and fundraising purposes. It is outrageous that this station is still carried by satellite providers all over the world.

□ 1115

We need to expose this puppet organization for what it is. Our government needs new powers provided in this legislation, and I am pleased that the House and Senate worked together to get the bill across the finish line.

I urge my colleagues to support this important legislation; and I, again, thank Chairman ROYCE for pushing this, for being the driving force of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Indiana (Mrs. WALORSKI), a member of the House Committee on Armed Services.

Mrs. WALORSKI. I thank the chairman for yielding.

Mr. Speaker, I rise in strong support of H.R. 2297, legislation that will impose sanctions on international financial institutions that knowingly engage in business with Hezbollah.

Hezbollah is one of the world's largest, most dangerous, well-funded terrorist organizations. Trained, funded, and deployed as a proxy of the Iranian Government, with operations spanning several continents, the Shiite group has effectively taken over the Lebanese Government and has launched thousands of rockets at Israeli civilians.

There is no question that Hezbollah is stronger than ever. They have murdered Americans, Israelis, Syrians, and

citizens of other nations. They have amassed an arsenal of advanced weaponry, including 150,000 rockets and missiles; have made technological advances; and have gained battlefield experience in Syria, all which have helped turn Hezbollah into what could be Israel's most dangerous enemy in a generation.

The bill also requires that President Obama report to Congress on Hezbollah's involvement in its drug business, money laundering, and other criminal activities—all of which are critical to funding its terrorism.

We cannot jeopardize our national security and continue to ignore the serious threat that Hezbollah poses to our country and to our allies, including Israel. While this bill is not a silver bullet, it is a huge step in the right direction.

I thank the chairman and the committee for their work on this important measure.

Mr. ENGEL. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. DAVID SCOTT), who serves on the Financial Services Committee, who was a valued member of the Foreign Affairs Committee, who has served as vice chairman of the Subcommittee on Terrorism, Nonproliferation, and Trade. Congressman SCOTT is also a member of the NATO Parliamentary Assembly. He does such a fine job, and I want everyone to know he grew up in my district.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I thank the gentleman and really appreciate that.

I, certainly, want to thank Chairman ROYCE for his very kind remarks that he gave to me concerning our work.

Ladies and gentlemen of the House and ladies and gentlemen of America, we have before us, perhaps, the most singular, significant bill and thing that we can do right now to send a bold, powerful message to the world that we are going to finally begin that really intricate process, with determination, to dismantle one of the single most horrific terrorist groups on this Earth—Hezbollah.

Now, why do I say that?

I don't say that just to get up and say a few words. I have spent 12 years on the NATO Parliamentary Assembly, and I have served as chairman of the Science, Space, and Technology Committee. For 3 hard years, we did the research, and we wrote the report specifically on getting the real truth out about Iran's nuclear weapons program. In the process of doing that, we discovered the intricals, the tunnels and all of the different things that gave support to Hezbollah by Iran. This is why this is so important.

Let me just tell you that almost the single, solitary, main purpose for Hezbollah is to destroy Israel. Make no mistake about it. Right now, they have already got hundreds of missiles pointed toward Israel.

How can we do something right now to address this?

It is with this bill. You always follow the money, and the money trails are so complex. You have corporations; you have dummy companies; you also have individuals and third and fourth parties that our work found out that Iran works through.

The language in this bill clearly points to and gives the President of the United States the authority. As a matter of fact, it is almost like a very strong demand and request from us in the Congress. It is the executive branch that has investigative power. The CIA, Special Ops, and the entire military are at its disposal, including the FBI.

We are the single most powerful nation in the world, and it is about time we stood up and showed the world that we are no longer going to tolerate Hezbollah and that we are no longer going to tolerate Iran's working through these third parties to make the people of Israel suffer and live under the conditions under which they are living.

Let me get to the other crux of this matter.

It is as I said on CNN, in my commentary, that I was fighting very strongly against—and I talked with the President—and fighting as to how weak the position the Iranian agreement has put us in. Sure, they are going to get a nuclear weapon, probably within the next 9 years. That worries us.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ENGEL. I yield the gentleman an additional 1 minute.

Mr. DAVID SCOTT of Georgia. But the real Achilles' heel in this Iranian agreement is where we simultaneously lift up the sanctions on their economy—and they are thriving now—and also unleash $150 billion right away—cash. At the same time, we know that, with this cash, already both Russia and China have signed agreements to get the most sophisticated weapons there are.

This bill will help us because, in section 201, it very clearly states that the President shall identify any country that is helping to finance the terrorism coming out of Hezbollah. We will be able to track this. We are sending a powerful message with this. Once Iran has this cash, there is no boundary as to what they can use it for. I guarantee you, because Hezbollah is an arm—a very terroristic arm—of Iran, they will channel money there, and that will help us.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. ENGEL. I yield the gentleman an additional 1 minute.

Mr. DAVID SCOTT of Georgia. Finally, in my few minutes, ladies and gentlemen, we can't stop there, because Israel, as I said, is a target, and we have got to put forth a new memorandum of understanding. We need to do this, Members of the House, and we need to do it right away. The President and the executive branch need to go to work and start identifying these people who are providing this support.

There is another step we have got to go through right away. We support Israel with a memorandum of understanding in the form of military aid. Right now, it is at $3.1 billion annually; but, ladies and gentlemen, given the circumstances, we need to increase that to $5 billion annually.

Now, why do I say that?

I hope that my previous remarks will give support to that. At no time has Israel needed our help as they need it now. This was, in my humble opinion, a weak Iranian agreement. A lot was made out of it as to the United States and Israel. We need to send a powerful, strong message that there is no light between the United States and Israel and that we are going to send $5 billion.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. ENGEL. I yield the gentleman an additional 1 minute.

Mr. DAVID SCOTT of Georgia. The other point is that our current appropriations for Israel end in 2017. I want to repeat that because I don't think the people of America know the aid they will get. Where would Israel be? It could have been blown away if they hadn't had the Iron Dome; but it is because we had an understanding—a memorandum—and because we are giving them $3.1 billion.

With all of this upsurge of terrorism all around the world now—right here in California just last week, in Paris, and all over—we may not think we are going to war, ladies and gentlemen, but war has been declared on the United States, on Israel, and on Europe. By George, it is time we declared war back on them. That is why we need to increase this memorandum of understanding to that $5 billion mark for that year, and that will send a powerful message as to how strong Israel and the United States' relationship is.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH), the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH of New Jersey. I thank the gentleman.

First of all, let me thank our distinguished chairman for offering yet another important bill in the fight against terrorism, especially as it relates to Hezbollah. The Hezbollah International Financing Prevention Act of 2015, has been very adequately explained by both the chairman and the ranking member. I don't want to be

redundant, but it is a very, very important bill that will make a difference.

Hezbollah, as we all know, is a terrorist organization and is a proxy of the Iranian regime, which directly threatens our close ally Israel as well as ourselves. This bill would help hobble Hezbollah's ability to finance its terrorist activities, and it is strongly deserving of the support of every Member of this Chamber.

This bill sends a message to the administration. It seeks to mitigate at least some of the damage that has been unleashed by President Obama's misguided policy towards Iran, and by an egregiously flawed nuclear arms deal that lifts sanctions that will free up billions of dollars for the regime in Tehran to finance anti-American and anti-Israel terror groups, such as Hezbollah.

Let's not forget that Hezbollah is an organization that has attacked Americans. It not only fires missiles unprovoked—like Hamas—into Israel, but it finances all sorts of terror and bombings, including of U.S. Embassies. Many of the terrorists associated with Hezbollah were involved with the killing of the marines back in the early 1980s. One of those marines was Paul Innocenzi, from my district—from my hometown—who left behind his dear wife and children. She was left a widow, as were many others, by that horrific act of terrorism.

I ask Members to support this bill. Again, I thank Chairman ROYCE for his leadership. I will remind my colleagues that, I think, to date, the chairman has had about 35—three dozen—hearings on Iran and on issues related to Iran. Every aspect of our misguided policy has been focused upon, as have the ideas that seek, to mitigate the damage. This is one of those initiatives. Interdict the money flow, and you can help to stop some of the terrorism.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

Colleagues, in closing, we all know too well that Iran is the world's leading state sponsor of terror and that its most destructive terrorist tool is Hezbollah. This group's nefarious activities are not limited to terrorism. They range from drug trafficking to other forms of illicit activity. Hezbollah has transformed into one of the world's most sophisticated and complex and dangerous terror organizations.

H.R. 2297 is the adequate response to meet this challenge. On the terror financing front, this bill would move the ball forward by sanctioning foreign banks for knowingly doing business with Hezbollah. The bill would also expose Hezbollah's television apparatus, as I mentioned before, Al-Manar, which is used for logistical, propaganda, and fundraising purposes.

□ 1130

Again, I want to commend Chairman ROYCE and commend all the other people who worked so hard making this a reality. This will be signed into law. This will go to the President's desk. I think we can all be proud, once again, of the bipartisan way in which the Foreign Affairs Committee works.

I urge my colleagues to support this important legislation.

I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself the balance of my time.

I would just remind our colleague that, yes, indeed, Hezbollah has cost the lives of 260 marines and other U.S. service personnel.

I would share with you that in 2006, during the second Lebanon war—during the Hezbollah war, as I would call it—I was in Haifa. At that time, I witnessed what were probably 4,000 to 5,000 rockets being fired over a period of time into Israel and saw firsthand the human cost of this.

I mentioned the 260 marines that died in two attacks. Going down to the trauma hospital and seeing firsthand the 600 victims of those Hezbollah attacks, including the realization that Hezbollah had tunnelled underneath Israel's territory to bring fighters up within Israel, you see the impact that Iran's encouragement, money, and training is having on these terrorist fighters, and you see the consequence and the cost in terms of human lives lost.

Representative ELIOT ENGEL and I, after the Gaza conflict, by the way, were in one of these tunnels that came up right outside of a school. This one was coming from Hamas but, again, financed by Iran. The engineering work for the tunnels in Lebanon underneath the border there was, again, done by Iran.

You look at these rockets, whether they are the antiaircraft rockets or the antiship rockets and missiles or the ground-to-ground missiles, where do they get these rockets? They get them from Iran. When I was in Haifa, there were maybe 15,000 of those rockets. Today, as you know, there are over 100,000.

Mr. ENGEL and I have held a number of hearings on this subject. But those 100,000 rockets have a much longer range, again, thanks to Iran. Hezbollah, in the meantime, is gaining in its position and strength monetarily, both from the money it gets from Iran and from its clandestine activities in smuggling. We have an opportunity with this legislation to cut off its international financing.

I want to thank my colleagues for their work because we have got to have a strategy that cuts off their illicit activities and that holds other countries and banking systems accountable. We have got to go after the vulnerabilities that Hezbollah has in terms of sustaining this terror network. Let's cut off their cash and their support system with this legislation. I urge passage.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 2297.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 571. An act to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

FIRST RESPONDERS PASSPORT ACT OF 2015

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3750) to waive the passport fees for first responders proceeding abroad to aid a foreign country suffering from a natural disaster, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3750

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''First Responders Passport Act of 2015''.

SEC. 2. PASSPORTS FOR FIRST RESPONDERS.

(a) IN GENERAL.—Subsection (a) of section 1 of the Passport Act of June 4, 1920 (22 U.S.C. 214), is amended, in the third sentence, by inserting after ''to attend a funeral or memorial service for such member;'' the following: ''from an individual who is operating under a contract, grant, or cooperative agreement with the United States Government, including a volunteer, who is proceeding abroad to aid a foreign country suffering from a natural disaster as determined by the Secretary;''.

(b) REPORT.—Not later than 90 days after the end of the first full fiscal year after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the number of waivers of fees for the execution and issuance of passports to first responders under section 1 of the Act of June 4, 1920, as amended by subsection (a) of this section, for such fiscal year.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material for the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

I begin by thanking Representative DARRELL ISSA, a senior member of the Foreign Affairs Committee and the former chairman of the Committee on Oversight and Government Reform, for authoring this very straightforward piece of legislation.

When catastrophe strikes overseas, America's first responders deploy all over the world. They assist in some of the most difficult and damaged environments that we could only imagine: the 2010 earthquake in Haiti, the 2014 flooding in Paraguay, earlier this year following the earthquake in Nepal. Rushing to the front lines of human need, leaving their own families, they represent the true face of American compassion.

The gentleman from California (Mr. ISSA) is at the cutting edge of this issue, and his trips to visit these spots speak on an issue that he knows of very well when he says that these brave men and women have saved countless lives on this planet over the years. This bill that he has written, the First Responders Passport Act, is an important amendment to the Passport Act of 1920, allowing the Secretary of State to waive passport fees for those first responders who have volunteered to serve our country and volunteered to travel abroad to aid others in their time of greatest need.

Currently, the passport fee waiver can only be exercised for a very limited group, largely comprised of officers or employees of the U.S. traveling abroad on official duty. What this bill would do is to extend that waiver to include first responders that are working under a contract with the United States Government.

The U.S. Agency for International Development contracts with approximately 450 first responders every year. These first responders are required to maintain a valid passport in case of immediate deployment, which can cost as much as $165 per passport for a first-time applicant. These fees are not covered by the USAID contract or the country but, rather, are paid out of pocket by the individual.

These first responders are serving in support of our national interests. They are putting their own lives at risk to provide immediate medical response following a natural disaster like the '04 Indian Ocean earthquake, which unleashed devastating tsunamis on Thailand, Indonesia, and Sri Lanka.

Many of the first responders that deploy abroad come from the search and rescue teams based in Los Angeles County, California, and Fairfax County, Virginia. Waiving the passport fee for those brave and selfless enough to help those in the greatest need is the least we can do. I commend Congressman ISSA for doing this.

I reserve the balance of my time.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of this measure.

Mr. Speaker, I would like to thank Chairman ROYCE, Ranking Member ENGEL, my colleague and friend from California (Mr. ISSA), and my fellow Foreign Affairs Committee colleagues for their unanimous support in helping our first responders answer the call to service when a natural disaster strikes abroad.

Every year, Americans bravely go abroad to help victims of natural disasters in foreign lands, such as the 2010 earthquake in Haiti, the 2008 cyclone in Yemen, and 2015 Hurricane Patricia in Mexico, just to name a few.

Earlier this year, the world was shocked by the images of Nepal's 7.8 magnitude earthquake that killed over 8,600 and injured over 16,800. The United States was one of the largest donors to the relief and rebuilding effort in the wake of this catastrophe through charitable donations, DOD donations, and search and rescue operations and efforts. The United States' search and rescue teams searched for survivors trapped in debris.

These first responders continuously put their lives on the line at home and abroad. Mr. Speaker, this is an example of American leadership. Their bravery and efforts do not go unnoticed. We should all do what we can to make their endeavors easier.

Unfortunately, American contractors and volunteers, despite being coordinated by USAID, are subject to passport fees at their own expense when attempting to travel abroad in response to these disasters. To alleviate this obstacle, H.R. 3750, the First Responders Passport Act, would allow the Secretary of State to grant their passports free of charge.

I am proud to have introduced this commonsense bill with the gentleman from California (Mr. ISSA) because contractors and volunteers deserve the same treatment as government employees when they are being sent abroad to offer their service on behalf of our Nation.

Cultural diplomacy, like the services these brave men and women provide in the face of international disasters, is critical to our international image and international relations. I ask that my colleagues support this bipartisan, commonsense legislation.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. ISSA), a senior member of the Committee on Foreign Affairs and the author of this bill.

Mr. ISSA. Mr. Speaker, I thank Chairman ROYCE and Ranking Member ENGEL for bringing this, in a timely fashion, to the floor. I want to thank my partner in this legislation, Mr. BOYLE of Pennsylvania.

Now, Congress often does things and makes a lot of to-do about it. I don't want to overstate this simple technical correction, but I don't want to understate it either. The fact is America is proud of people who volunteer or choose, in the worst possible conditions, to go in harm's way, to go in devastation's way.

It is a small thing, but very meaningful, to say that, one, they won't have to pay for their passport out of their own pocket, and, two, although normally the contracts for these first responders come out of Los Angeles and Fairfax County, should there be a major disaster again that is beyond these first responders' capability, the law will allow for anyone authorized by the United States Government to go and help in these areas to be granted, as necessary, a passport, including expediting fees, in order to get to the devastation quickly and with a minimum of bureaucracy involved.

America knows about Haiti, Nepal, Japan, and so many other devastated areas over the last few years. Until today, America never took the time to simply say in this small way thank you to our first responders: Thank you for what you do. We certainly appreciate it enough for it to come out of the taxpayers' pocket to make sure it doesn't have to come out of your own pocket when you are going, on behalf of the American people, to help those in need around the world.

Again, I thank the chairman for his leadership in bringing this in a timely fashion. I urge support.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume for the purpose of closing.

I would just say, briefly, that we are reminded each and every day that American leadership abroad is needed now more than ever. Yes, this has a military component, it has an international relations and diplomacy component, and it also has this soft power component.

Mr. Speaker, this is a part of the soft power of the United States, harnessing the idealism and volunteerism of our people to do good for others around the world when they are most in need. This

is a rather simple step that we can take to help those who are helping others. I am proud to support it, and I ask that all Members support our legislation.

I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

I would like to recognize the work of Representative ISSA and also Representative BRENDAN F. BOYLE of Pennsylvania. I think that this bill, this First Responders Passport Act, is going to be an important change in the law in terms of encouraging people to be first responders.

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By extending a courtesy that we currently grant to employees of the government, we here have an opportunity to get first responders who have that expertise, those volunteers who travel the greatest distances to work in the harshest of conditions and to help those in greatest need. This, to me, I think is a great concept.

I urge my colleagues to support this bill so that we can take care of those who take care of others, our first responders.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as the Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, I rise today in strong support of H.R. 3750, the ''First Responders Passport Act of 2015.''

I thank Representative DARRELL ISSA and the House Foreign Affairs Committee Leadership, Chairman ROYCE and Ranking Member ENGEL for shepherding this legislation along.

This bill amends the Passport Act of June 4, 1920 to waive passport fees for an individual who has contracted with the U.S. government, including a volunteer, to aid a foreign country suffering from a qualifying natural disaster.

As the African proverb goes, ''in moments of crisis, the wise build bridges—'' this is what our first responders do: they build bridges for those caught in natural disasters.

In today's world fraught with natural disasters from Storm Desert that our friends in the U.K. are facing to cyclones, hurricanes and tornadoes across the globe, more than ever, it is very important that we build bridges by equipping our first responders dedicated to aiding countries across the globe suffering from natural disasters.

According to scientists, the first half of this decade featured deadly climate-related disasters, among them the great floods in Thailand in 2011, Hurricane Sandy in the United States in 2012, and Typhoon Haiyan in the Philippines in 2013.

Moreover, the year 2014 was the earth's warmest in 134 years of recorded history, and 2015 could well turn out to be even hotter.

According to some scientists, it is difficult to not draw a nexus between climate change and some of the natural disasters we have suffered on planet earth in this decade alone.

In the end, climate related and natural disasters have cost the world a lot in lives as well as economically.

In fact, according to the World Meteorological Organization, 1,300 climate-related natural disasters have been recorded in Africa between 1970 to 2012.

In this time frame, these natural disasters in Africa have caused the loss of 700,000 lives and caused economic damage worth U.S. $26 billion.

Experts inform us that in 2012 there were 99 natural disasters in Africa—twice the long-term average.

The passage of H.R. 3750 is very timely, especially in light of recent talks in Le Bourget, France at the Conference of Parties (COP 21), with the objective of achieving a legally binding and universal agreement on climate, from all the nations of the world.

In other words, the conveners at COP 21 seek to protect our precious earth, address the nexus between our protection of precious earth to some of the natural disasters we are suffering and reach a consensus on how we leave our children their inheritance of the earth better than we found it.

Every day, hundreds of thousands of first responders heed the call during natural disasters to protect and serve the people of planet earth who find themselves at the mercy of mother-nature during natural disasters.

I hold in high regard the service of our first responders: firefighters, law enforcement officers, emergency response technicians, nurses, emergency room doctors, and the dozens of other professionals and volunteers who are the ultimate public servants.

From Katrina to earthquakes in Haiti and Nepal, time and time again, first responders have put their lives and comfort on the line in order to rescue survivors, care for those in need, and prevent the further loss of life.

H.R. 3750 is very critical because it aims to reduce personal costs borne by first responders—people who help others in their time of need.

According to the Global Increase in Climate-Related Disasters, we face more frequent floods, storms, heat waves, and droughts which are connected to greater extremes in temperatures and rainfall.

Moreover, recent warnings by the U.S. National Oceanic and Atmospheric Administration, inform us that the global temperature is already halfway to the ''two degree warming'' threshold for limiting catastrophic climatic impacts.

As the evidence shows, unequivocally, the dedication of first responders is an integral part of bringing relief to parts of the world where natural disasters have struck.

I support this legislation and hope that as we move forward, we continue to engage in dialogue about the fact that:

Climate impacts are not just concerns for the distant future, but are already being felt by us and our children;

All countries, rich and poor are casualties of natural disaster, but the death toll is higher among the poor who are more likely to live in harm's way, such as in flood-prone areas; and

It is important to create structures that facilitate the swift deployment of first responders to people in dire need of disaster relief.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 3750, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

GLOBAL HEALTH INNOVATION ACT OF 2015

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2241) to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2241

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Global Health Innovation Act of 2015''.

SEC. 2. ANNUAL REPORT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for a period of 4 years, the Administrator of the United States Agency for International Development shall submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) A description of—

(A) the extent to which global health innovations described in subsection (a) include drugs, diagnostics, devices, vaccines, electronic and mobile health technologies, and related behavior change and service delivery innovations;

(B) how innovation has advanced the Agency's commitments to achieving an HIV/AIDS-free generation, ending preventable child and maternal deaths, and protecting communities from infectious diseases, as well as furthered by the Global Health Strategic Framework;

(C) how goals are set for health product development in relation to the Agency's health-related goals and how progress and impact are measured towards those goals;

(D) how the Agency's investments in innovation relate to its stated goals; and

(E) progress made towards health product development goals.

(2) How the Agency both, independently and with partners, donors, and public-private partnerships, is—

(A) leveraging United States investments to achieve greater impact in health innovation;

(B) engaging in activities to develop, advance, and introduce affordable, available, and appropriate global health products; and

(C) scaling up appropriate health innovations in the development pipeline.

(3) A description of collaboration and coordination with other Federal departments and agencies, including the Centers for Disease Control and Prevention, in support of global health product development, including a description of how the Agency is working to ensure critical gaps in product development for global health are being filled.

(4) A description of how the Agency is coordinating and aligning global health innovation activities between the Global Development Lab, the Center for Accelerating Innovation and Impact, and the Bureau for Global Health.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New Jersey (Mr. SIRES) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of the Global Health Innovation Act introduced by the gentleman from New Jersey (Mr. SIRES).

I would just point out that, over the past two decades, we have made unprecedented progress in addressing some of the most difficult global health challenges of our time. Global rates of child mortality have dropped by 53 percent. Malaria deaths are down by 47 percent. Maternal mortality has been reduced by 44 percent. The eradication of polio is within reach.

Yet, despite these successes, we have a long way to go. The Ebola outbreak in West Africa should serve as a stark reminder of the global threat of infectious disease. Though child and maternal mortality rates have been drastically reduced, there are still 5.9 million children under the age of 5 who died from preventable causes in 2015. There were 830 mothers who died from preventable causes every day. I have been to Africa and have often seen the disastrous effects of these diseases.

USAID's Global Development Lab and Center for Accelerating Innovation and Impact is working to address these global health challenges by bringing together science, technology, innovation to develop low-cost, high-impact health technologies.

This legislation, written by Mr. SIRES, before us today seeks to support these efforts while bettering congressional oversight. It directs the administrator of USAID to submit to Congress five annual reports on the development and use of global health innovations in its programs, particularly those relating to HIV/AIDS, to maternal and child health and to combating infectious diseases.

I want to thank the gentleman from New Jersey (Mr. SIRES), the ranking member of the Subcommittee on the Western Hemisphere, for bringing this forward in a timely manner.

I urge Members to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SIRES. Mr. Speaker, I yield myself such time as I may consume. I rise in support of this measure.

I want to start by thanking Chairman ROYCE and Ranking Member ENGEL for their work on global health and their efforts to bring this bill to the floor.

I would also like to thank the many Members who have cosponsored this bill, especially Congressman MARIO DIAZ-BALART, who has gracefully acted as the Republican lead.

Additionally, I would like to thank the staffers who worked diligently to bring H.R. 2241 to the floor for a vote.

Infectious diseases and other health conditions still claim the lives of nearly 9 million people each year. Emerging health threats, such as drug resistance, pose a serious threat to human health across the globe.

New vaccines, drugs, tests, and other health tools are desperately needed. Progress cannot be made without a sustained investment in research and development.

U.S. investments in global health research are central components of U.S. foreign policy to increase national security, strengthen U.S. relations around the world, and reduce infectious diseases.

The U.S. has a legacy of leadership in global health research through agencies like USAID. That is why I was proud to introduce H.R. 2241, the Global Health Innovation Act. This will provide the oversight needed to gain a clearer picture of USAID's global health research and development.

Over the years, research and development projects have greatly expanded at the USAID, searching for advancements toward an HIV- and AIDS-free generation and preventable maternal and childhood deaths, and preventable infectious diseases.

This legislation is an effort to keep up with the scope of USAID's expanded efforts and ensure their research and development activities reflect their goals and priorities. This report asks them to provide clarity on their goals and metrics to better understand their work.

H.R. 2241 directs the USAID administrator to report annually to Congress on the development and use of global health innovations in USAID programs, projects, and activities. The report must also include how the Agency measures progress, investments, and developments toward their health-related goals.

I urge my colleagues to vote in support of H.R. 2241 to allow Congress to exercise its oversight powers and ensure USAID's research and development efforts reflect their priorities.

Mr. Speaker, I thank Chairman ROYCE and Ranking Member ENGEL once again. I urge my colleagues to support H.R. 2241.

I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, the Global Health Innovation Act will enable Congress to conduct more effective oversight of USAID's effort to develop and expand access to low-cost, high-impact health technologies.

I support this bill, and I urge its adoption.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 2241, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

TRACKING FOREIGN FIGHTERS IN TERRORIST SAFE HAVENS ACT

Mr. LOBIONDO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4239) to require intelligence community reporting on foreign fighter flows to and from terrorist safe havens abroad, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4239

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Tracking Foreign Fighters in Terrorist Safe Havens Act''.

SEC. 2. INTELLIGENCE COMMUNITY REPORTING TO CONGRESS ON FOREIGN FIGHTER FLOWS.

(a) REPORTS REQUIRED.—Not later than 60 days after the date of the enactment of this Act, and every 180 days thereafter, the Director of National Intelligence, consistent with the protection of intelligence sources and methods, shall submit to the appropriate congressional committees a report on foreign fighter flows to and from terrorist safe havens abroad.

(b) CONTENTS.—Each report submitted under subsection (a) shall include, with respect to each terrorist safe haven, the following:

(1) The total number of foreign fighters who have traveled or are suspected of having traveled to the terrorist safe haven since 2011, including the countries of origin of such foreign fighters.

(2) The total number of United States citizens present in the terrorist safe haven.

(3) The total number of foreign fighters who have left the terrorist safe haven or whose whereabouts are unknown.

(c) FORM.—The reports submitted under subsection (a) may be submitted in classified form. If such a report is submitted in classified form, such report shall also include an unclassified summary.

(d) SUNSET.—The requirement to submit reports under subsection (a) shall terminate on the date that is two years after the date of the enactment of this Act.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) in the Senate—

(A) the Committee on Armed Services;

(B) the Select Committee on Intelligence;

(C) the Committee on the Judiciary;

(D) the Committee on Homeland Security and Governmental Affairs;

(E) the Committee on Banking, Housing, and Urban Affairs;

(F) the Committee on Foreign Relations; and

(G) the Committee on Appropriations; and

(2) in the House of Representatives—

(A) the Committee on Armed Services;

(B) the Permanent Select Committee on Intelligence;

(C) the Committee on the Judiciary;

(D) the Committee on Homeland Security;

(E) the Committee on Financial Services;

(F) the Committee on Foreign Affairs; and

(G) the Committee on Appropriations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. LOBIONDO) and the gentleman from California (Mr. SWALWELL) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. LOBIONDO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill, H.R. 4239.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LOBIONDO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, terrorism remains one of the greatest threats facing our Nation today. As a member of both the Permanent Select Committee on Intelligence and the Committee on Armed Services, I have seen how the brave men and women of our Nation's Armed Forces and the intelligence services battle this threat on a daily basis.

But the recent terrorist attack in San Bernardino has highlighted that this is not just a threat to be faced by our servicemen and -women. We face this threat here at home, in our communities, from individuals who have been radicalized abroad and entered our country with the intent to do us harm.

We must focus our intelligence efforts and bring them to bear directly on the problem of individuals radicalizing abroad and traveling to commit terrorist acts here at home. We must ensure that this important information gets into the hands of our Nation's representatives here in the United States Congress.

The bill we are debating today will do just that. The Tracking Foreign Fighters in Terrorist Safe Havens Act requires the intelligence community to report to Congress three important categories of information:

The total number of foreign fighters who have traveled to terrorist safe havens, including their country of origin;

The number of U.S. citizens present in terrorist safe havens; and

The total number of foreign fighters who have left terrorist safe havens or whose whereabouts are unknown.

This information is crucial to policymakers. It will help Members understand the size and scope of the threats we face, the potential risk of terrorism at home, and how terrorist safe havens can undermine our national security.

By ensuring that this information goes to a wide range of congressional committees, the bill ensures that relevant committees of Congress can begin to address this growing threat.

This legislation is also bipartisan. I want to thank the gentleman from California (Mr. SWALWELL) for cosponsoring this legislation.

I want to also thank Chairman NUNES and Ranking Member SCHIFF and my colleagues on Homeland Security, Chairman MCCAUL and Ranking Member THOMPSON.

Before closing, I want to take a moment to thank the men and women of this country who serve our intelligence community and our Armed Forces. I am honored to know so many of them in the course of my oversight work and to see their diligent efforts in helping to keep our Nation safe.

Mr. Speaker, I reserve the balance of my time.

Mr. SWALWELL of California. Mr. Speaker, I yield myself such time as I may consume.

First, let me express my thanks to Mr. LOBIONDO, my colleague on the Permanent Select Committee on Intelligence and the chairman of its CIA Subcommittee.

I serve as the subcommittee's ranking member. I appreciate the bipartisan way that the chairman of the whole committee and our ranking member, Mr. SCHIFF, as well as the way that Mr. LOBIONDO and I have approached this critical issue of foreign fighter flow.

ISIS is one of the greatest threats facing the United States today. Defeating ISIS means that the United States and its allies must be more coordinated in our efforts to scrub ISIS from this Earth and to protect Americans at home than ISIS is in attacking us. This will require a multifaceted approach, involving both foreign policy and the way that our intelligence community tracks ISIS here at home.

The threat posed by foreign fighters who travel to and from a foreign zone or a terrorist safe haven and then return to wreak havoc in the West is both real and persistent.

The challenge is that, when these foreign fighters go to these countries, if they are not killed on the battlefield, oftentimes they learn even better training and are able to return either to Western Europe or other parts of the world or even the United States with improved training and an increased hatred for innocent people. That leaves us very vulnerable.

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To help confront this threat, the Tracking Foreign Fighters in Terrorist Safe Havens Act builds on important provisions in the 2016 Intelligence Authorization Act which require a report on foreign fighter flows into and out of Syria and Iraq. This would expand the scope of that report.

This bill broadens this requirement by calling on the Director of National Intelligence to report regularly on foreign fighter travel to and from any foreign safe haven or terrorist safe haven. If we do not know who is going to fight in these hot zones, we will have an incomplete picture of our own vulnerabilities.

And, these reports have to be specific. They must include, for example, the foreign fighters' countries of origin, the number of foreign fighters who have traveled to or departed each safe haven, and the number of those whose whereabouts remain unknown.

Importantly, to the extent a report is submitted in a classified form, it must also include an unclassified summary of the report's contents. I appreciate the chairman agreeing to my request to include this unclassified requirement.

Increased transparency and public awareness is very important in the fight against terrorism. These broad, comprehensive reports will allow us to better understand the foreign fighter threat and, in turn, help all of us better protect our national security.

Let me again thank Mr. LOBIONDO. I urge my colleagues to vote in support of the Tracking Foreign Fighters in Terrorist Safe Havens Act.

Mr. Speaker, I reserve the balance of my time.

Mr. LOBIONDO. Mr. Speaker, I yield 3 minutes to the gentlewoman from Arizona (Ms. MCSALLY).

Ms. MCSALLY. Mr. Speaker, I rise today in support of H.R. 4239, the Tracking Foreign Fighters in Terrorist

Safe Havens Act. This legislation fulfills a recommendation of the Committee on Homeland Security's Task Force on Combating Terrorist and Foreign Fighter Travel, of which I was proud to be a member. In fact, our chairman, Mr. KATKO, and another member, Mr. HURD, are with us today to speak on this important legislation.

Our bipartisan task force investigated America's security vulnerabilities for 6 months. We produced a final report in September that made 32 key findings and over 50 recommendations to make Americans safer. Today's bill, which I cosponsored, is the direct result of one of these recommendations.

We know that ISIS is adept at propaganda and has used social media extensively to attract fighters to their cause. At least 30,000 people from 100 different countries have traveled to Iraq and Syria, including 250 Americans. But their calls to action now extend past Syria and Iraq. In fact, our Task Force found ISIS now has a direct presence, affiliates, or groups pledging support in at least 19 countries.

In my 26 years in uniform, including six deployments to the Middle East and Afghanistan and a final assignment at U.S. Africa Command, we watched foreign fighters flow to safe havens in Africa and the Middle East to get training and join the Islamic extremist fight. ISIS has accelerated this dangerous dynamic and is expanding, despite the President declaring otherwise. So our efforts to track these fighters should not be limited to Iraq and Syria. That is why our Task Force recommended that the intelligence community regularly track and update Congress on foreign fighter flows to all terrorist sanctuaries, which is what this bill requires.

The administration's response to ISIS can only be described as anemic. We must take decisive action to defeat the ISIS threat and protect Americans.

I am pleased that, in the last month, the House has taken action on several of our Task Force's recommendations. It is obvious that more work remains. And if the President won't act, the House will.

I urge all Members to join me in supporting H.R. 4239.

Mr. SWALWELL of California. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. SCHIFF), the ranking member.

Mr. SCHIFF. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of the Tracking Foreign Fighters in Terrorist Safe Havens Act, and I want to thank Chairman LOBIONDO, Representative SWALWELL, and the full committee chairman, Mr. NUNES, for their leadership on this issue.

This bill will help inform Congress and the public on one of the most pressing counterterrorism challenges we face today: the flow of foreign fighters from the West to and from Syria, Iraq, and other terrorist safe havens.

The Paris attacks brought home the dangers posed by citizens of Western nations who can move easily between countries, traveling to Syria and Iraq to fight with ISIS, and who may then return home to commit horrific acts of terror and violence in their own countries.

Tracking foreign fighters is a constant concern of the intelligence community and an issue on which we receive continual briefings. I believe these new reporting requirements will help keep Congress and the Nation more fully informed about this very serious threat to our national security.

Of course, tracking foreign fighters is not enough. We have to redouble our efforts to staunch the flow of foreign fighters to and from Syria and Iraq. In addition to intelligence coordination, this requires a serious, substantial, and new commitment from Turkey, whose border with Syria has proven to be a conduit for a large number of fighters, as well as oil, money, and arms entering and leaving Syria.

From the Mara line to the Euphrates, there is a 60-mile stretch along the Turkish-Syrian border through which much of the illegal trafficking in fighters and goods flow to ISIS. Turkey must close that border to ISIS. It has the power to do so, but does it have the will? Thus far, the answer has been, tragically, no, and this must change.

Turkey must stop the flow of foreign fighters from crossing into Syria to join the fight. Where the Turks have been unable or unwilling to stop that flow, Kurdish forces have stepped up and demonstrated much greater success. I believe that if the Turks are unwilling to do more to shut down the flow of foreign fighters and resources that cross that border, we should increase our assistance to the Kurds, who have proven themselves far and away the most effective anti-ISIS fighting force in the region.

Once again, I thank the chairman and Representative SWALWELL for their leadership on this issue. I hope that, in addition to these reports, we will also hear from the intelligence community about actions that Turkey takes to close down this critical 60-mile stretch of border between the Mara line and the Euphrates.

Mr. LOBIONDO. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HURD).

Mr. HURD of Texas. Mr. Speaker, threat equals capabilities plus intent.

ISIS has demonstrated that it has both the capabilities and the intent to attack the homeland. ISIS has expanded far beyond Iraq and Syria. It has affiliates that have carried out deadly attacks in Egypt, Libya, Afghanistan, Yemen, Saudi Arabia, Tunisia, and France.

Groups and individuals have pledged their support to ISIS in numerous other places, including the Philippines, the Palestinian territories, Nigeria, and Sudan. Tracking foreign fighters who travel to Iraq and Syria alone is not enough to mitigate the threat they pose to our national security. Terrorist safe havens around the globe are potential petri dishes for bad guys aiming to do bad things to the U.S.

ISIS has explicitly encouraged fighters who cannot make it to Iraq and Syria to join their struggle in other locations. It is imperative that our intelligence and defense efforts aim at tracking and stemming the flow of fighters to and from all terrorist safe havens, even those outside of Iraq and Syria.

I was an undercover officer in the CIA, and I understand how important it is to track threat indicators early. We cannot wait until one of these foreign fighters in a terrorist safe haven attempts an attack. We must preempt rather than react. This legislation supports our intelligence community's efforts to do just that.

I urge my colleagues to support this legislation.

Mr. SWALWELL of California. Mr. Speaker, I thank my colleague from Texas for his service in the intelligence community, and I appreciate the bipartisan nature of this bill.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Alabama (Ms. SEWELL).

Ms. SEWELL of Alabama. Mr. Speaker, today, I rise in support of our Nation's security and in our ongoing fight against terrorists and extremism around the world. As a Member who serves on the Intelligence Committee, the safety and security of the American people is my top priority.

H.R. 4239, the Tracking Foreign Fighters in Terrorist Safe Havens Act, requires the intelligence community to report on foreign fighter flows to and from terrorist safe havens abroad.

The recent horrific terrorist attacks that occurred in Paris, Beirut, and here at home in San Bernardino, California, not only shake our very conscience, but also cause us to evaluate our own security measures and intelligence protocols.

This bill expands on the approach to tracking foreign fighters outlined in the Intelligence Authorization Act, and requires the DNI to produce an additional written report on foreign fighter flows to and from terrorist safe havens abroad every 180 days. Each report would include invaluable details, such as countries of origin, the numbers of U.S. citizen foreign fighters, and the numbers of foreign fighters whose whereabouts are unknown to us.

The threat of extremists returning to the United States from the battlefields in Iraq and Syria are serious, and we must do what we can to prevent it. I am convinced that a more vigilant and robust foreign fighter tracking and reporting process is critically important

to fighting terrorism and combating ISIS abroad, as well as extremism here at home.

We must evaluate our national counterterrorism strategy and policies continuously to ensure that we are doing everything within our power to protect the American people and to defeat and destroy ISIS and all terrorists that seek to do us harm.

I want to congratulate the chairman and my colleague, Mr. SWALWELL, for their leadership on this effort, and I urge my colleagues to support this legislation.

Mr. LOBIONDO. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. KATKO).

Mr. KATKO. Mr. Speaker, I would like to thank the gentleman from New Jersey for introducing this bill, and I rise today in support of it.

The tragic events in San Bernardino have brought ISIS violence to our shores. Attacks like this are aimed at undermining our democratic way of life and sowing fear among the citizens of our Nation. This threat must be defeated, plain and simple. To defeat it, we need to respond in an intelligent manner that deals with the vulnerabilities and protects the constitutional liberties that we hold dear.

The measure before us today strengthens our hand against terrorism, and I hope the House will join today in a strong, bipartisan manner to support this bill.

I had the privilege of chairing the bipartisan Task Force on Combating Terrorism and Foreign Fighter Travel. Over 6 months, we investigated security gaps at home and abroad to determine the best ways to make America safe. We heard from stakeholders here in the United States, Europe, and the Middle East, about the unique challenges they face every day in combating terrorism.

Out of this Task Force, we came up with 32 findings and over 50 recommendations that will make our country and our allies safer, if adopted. This bill, Mr. Speaker, contains one of those recommendations, that our intelligence community should report regularly on the flow of foreign fighters to terrorist safe havens.

The bill takes action to stop ISIS' practice of encouraging fighters to go to what it calls provinces in places like Libya to carry out acts of terrorism by improving the sharing of information on the flow of these foreign fighters between nations.

Understanding where the enemy's safe havens are and tracking and analyzing foreign fighter flows will better allow our intelligence agencies and the Department of Defense to strike effectively and deadly and give us a better picture of the ISIS threat.

As we leave to celebrate the holidays with our families, let's leave having taken action on this commonsense bill that will make every American safer.

Mr. SWALWELL of California. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. CARSON).

Mr. CARSON of Indiana. Mr. Speaker, I rise in support of this legislation, which I believe is critical to our national security and that of our allies.

Public estimates indicate that over 30,000 foreign fighters, including some from the United States, have traveled to Iraq and Syria.

Over the last few years, Mr. Speaker, Americans watched as three teenage girls from Denver were arrested on their way to Syria. Ten young men from Minnesota were arrested—including the ringleader just last week—for a similar attempt.

These young men and women, Mr. Speaker, and many others who make it to Syria, intend to carry out terrible atrocities against innocent people. Even more concerning, we know that some people hope to return and bring their fight to American soil.

□ 1215

As a member of the House Intelligence Committee, I have confidence that the men and women in our intelligence community have the resources and expertise to keep us safe.

Every day, they are tracking foreign fighters around the world, coordinating with our allies, and shutting down threats before they become a reality. We need to better understand this threat to create a whole-of-government response.

Mr. Speaker, this information will help us conduct outreach into affected communities here at home so we can show parents what their kids are doing online and how to protect them from radicalization.

Mr. Speaker, it will help us expand our support and coordination with our allies, including Turkey and Iraq, to show them what they can do, what we can do, and combine our efforts to stop these fighters.

These reports, mandated in this legislation, will show where terrorists are coming from and where they train. It will help us assess when they may be returning home and what precautions we need to put in place. In light of the attacks in San Bernardino and Paris, this is absolutely critical.

I encourage support from my colleagues.

Mr. LOBIONDO. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. MCCAUL), the chairman of the Homeland Security Committee.

Mr. MCCAUL. Mr. Speaker, I want to first thank Chairman LOBIONDO for his hard work on this legislation. And I want to thank the House Intelligence Committee for working closely with my committee to get this important legislation done. I can think of no more timely piece of legislation. I want to thank Ranking Member SWALWELL from California for his hard work on this as well.

Mr. Speaker, I rise in support of this bill. Hundreds of our people have been radicalized, lured to the jihadist safe haven in Syria. They have been joined by thousands of Westerners, forming a terrorist army unlike anything we have ever seen.

These foreign fighters represent a triple threat: They strengthen groups like ISIS on the ground; they radicalize others back home; and, worst of all, they may be sent back to conduct terrorist attacks against us in the homeland.

We saw this in the streets of Paris, where battle-hardened extremists returned from Syria prepared to kill. And here at home, we have arrested so-called returnees from Syria, including one individual plotting a terrorist attack in Ohio.

Earlier this year, I launched a bipartisan congressional Task Force on Combating Terrorists and Foreign Fighter Travel. One of their findings was that we must do more to track ''the great jihadi migration'' around the world.

Our intelligence about foreign fighters in Syria is improving, but as we have seen, the threat can change almost overnight. ISIS is already urging its followers to go to its other sanctuaries in places like Afghanistan and Libya.

We need to stay a step ahead of this threat, which is why this legislation requires the intelligence community to track extremist travel patterns and to report on a regular basis to Congress. It also requires agencies to monitor the number of U.S. citizens in terror hotspots and to report on how many individuals have departed those locations.

This is the kind of early-warning intelligence we need in order to create a ''firebreak'' to slow the spread of Islamist terror, and to keep Americans from being lured to new jihadist safe havens.

I would like to commend the task force for their hard work on this, including Mr. KATKO.

And let me just say this. I get regular threat briefings, and I have never seen a higher threat environment than we have seen since 9/11, and it is from the flow of foreign fighters.

We have 5,000 of them that have Western passports, 30,000 foreign fighters from 100 different countries; 250 Americans have left to join the fight, and, Mr. Speaker, that is just who we know about.

Now we know they are communicating in dark space. As the Director of the FBI says, they have one simple message: Come to fight in Syria or kill where you are. Unfortunately, we have seen them too often come to fight in Syria and, unfortunately, just recently, too many that have come to kill here in the United States.

Mr. SWALWELL of California. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. QUIGLEY).

Mr. QUIGLEY. Mr. Speaker, in these trying times, Congress needs to provide leadership and answer the question: What really keeps Americans safe?

ISIS has directed U.S. and Western passport holders to launch attacks at home and abroad, and this threat requires our vigilance. But it is foolish to think we can effectively combat this terrorism blindly. Congress needs an accurate estimation of the number of foreign fighters who have traveled to terrorist havens like Syria. We need to know how many U.S. citizens are currently there, and we need to know the whereabouts of those who have left.

Given that many of the terrorist attackers were European nationals, the need for this intelligence is crucial in the fight against ISIS and those who wish to harm the U.S.

The Tracking Foreign Fighters in Terrorist Safe Havens Act provides for a more clear understanding of the real threats to U.S. security and allows Congress to work in partnership with our national security agencies to defend against these threats. I am happy to support this commonsense step to keep Americans safe.

Mr. LOBIONDO. Mr. Speaker, I have no additional speakers on this side, so I reserve the balance of my time.

Mr. SWALWELL of California. Mr. Speaker, I yield myself such time as I may consume.

Again, I want to thank the gentleman from New Jersey for working in a bipartisan way to address one of the greatest threats that the United States, our allies, and people in the Middle East face today, and that is ISIS. ISIS is a brutal, growing force, growing in its influence and ability to carry out successful terrorist attacks, but also growing in its ability to inspire others to take up attacks on their own.

ISIS has been so successful these days that they don't even have to order attacks here in America. Their success has inspired others to take up their own attacks. Until we are as coordinated as they are, they will continue to be successful. We saw, in Paris, that a number of the attackers were people who had traveled from Western Europe to Syria and then returned to carry out the horrific attacks we saw back in November.

But we can defeat ISIS. We have defeated evil as a country before, and this country works best when its leaders work to protect the American people in a bipartisan way, as we are seeing today.

There is no silver bullet we can fire to stop ISIS. Instead, ISIS' defeat will come at the hands of American leadership—American leadership in stitching together a coalition of countries willing and able to defeat ISIS—but also American leadership and its own intelligence community to protect us here at home.

Mr. Speaker, let me close by reiterating my strong support for the Tracking Foreign Fighters in Terrorist Safe Havens Act. The information that this will provide is an important step regarding foreign fighter training, and it will be of great importance as we continue to fight terrorism at home and abroad and secure our homeland.

Again, I thank the gentleman from New Jersey.

I yield back the balance of my time.

Mr. LOBIONDO. Mr. Speaker, I yield myself the balance of my time.

Once again, I join in thanking my colleague from California (Mr. SWALWELL). I think the approach we have had to this is exactly what we need in combating terrorism.

It is hard to imagine, even just a few years ago, that we would be facing this threat that we face today and this threat of terrorism that we have seen, this barbaric face in Paris and in San Bernardino, the fact that the enemy is evolving in so many different ways, and the fact that we have to be right 100 percent of the time and that they have so many different avenues that they can pursue.

This piece of legislation is another piece to the puzzle which will help our country and our agencies be able to figure things out. Our intelligence community works tirelessly with law enforcement to be able to figure out what the next challenge is.

I hope the people of America understand the expertise and professionalism that the intelligence community and law enforcement bring to the table to keep our country safe. I hope my colleagues understand how important this legislation is and everyone votes ''yes'' to support it.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. TIPTON). The question is on the motion offered by the gentleman from New Jersey (Mr. LOBIONDO) that the House suspend the rules and pass the bill, H.R. 4239, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LOBIONDO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

STRENGTHENING CYBERSECURITY INFORMATION SHARING AND COORDINATION IN OUR PORTS ACT OF 2015

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3878) to enhance cybersecurity information sharing and coordination at ports in the United States, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3878

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2015''.

SEC. 2. IMPROVING CYBERSECURITY RISK ASSESSMENTS, INFORMATION SHARING, AND COORDINATION.

The Secretary of Homeland Security shall—

(1) develop and implement a maritime cybersecurity risk assessment model within 120 days after the date of the enactment of this Act, consistent with the National Institute of Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity and any update to that document pursuant to Public Law 113–274, to evaluate current and future cybersecurity risks (as that term is defined in the second section 226 of the Homeland Security Act of 2002 (6 U.S.C. 148));

(2) evaluate, on a periodic basis but not less than once every two years, the effectiveness of the cybersecurity risk assessment model established under paragraph (1);

(3) seek to ensure participation of at least one information sharing and analysis organization (as that term is defined in section 212 of the Homeland Security Act of 2002 (6 U.S.C. 131)) representing the maritime community in the National Cybersecurity and Communications Integration Center, pursuant to subsection (d)(1)(B) of the second section 226 of the Homeland Security Act of 2002 (6 U.S.C. 148);

(4) establish guidelines for voluntary reporting of maritime-related cybersecurity risks and incidents (as such terms are defined in the second section 226 of the Homeland Security Act of 2002 (6 U.S.C. 148)) to the Center (as that term is defined subsection (b) of the second section 226 of the Homeland Security Act of 2002 (6 U.S.C. 148)), and other appropriate Federal agencies; and

(5) request the National Maritime Security Advisory Committee established under section 70112 of title 46, United States Code, to report and make recommendations to the Secretary on enhancing the sharing of information related to cybersecurity risks and incidents between relevant Federal agencies and State, local, and tribal governments and consistent with the responsibilities of the Center (as that term is defined subsection (b) of the second section 226 of the Homeland Security Act of 2002 (6 U.S.C. 148)); relevant public safety and emergency response agencies; relevant law enforcement and security organizations; maritime industry; port owners and operators; and terminal owners and operators.

SEC. 3. CYBERSECURITY ENHANCEMENTS TO MARITIME SECURITY ACTIVITIES.

The Secretary of Homeland Security, acting through the Commandant of the Coast Guard, shall direct—

(1) each Area Maritime Security Advisory Committee established under section 70112 of title 46, United States Code, to facilitate the sharing of cybersecurity risks and incidents to address port-specific cybersecurity risks, which may include the establishment of a working group of members of Area Maritime

Security Advisory Committees to address port-specific cybersecurity vulnerabilities; and

(2) that any area maritime security plan and facility security plan required under section 70103 of title 46, United States Code approved after the development of the cybersecurity risk assessment model required by paragraph (1) of section 2 include a mitigation plan to prevent, manage, and respond to cybersecurity risks.

SEC. 4. VULNERABILITY ASSESSMENTS AND SECURITY PLANS.

Title 46, United States Code, is amended—

(1) in section 70102(b)(1)(C), by inserting ''cybersecurity,'' after ''physical security,''; and

(2) in section 70103(c)(3)(C), by striking ''and'' after the semicolon at the end of clause (iv), by redesignating clause (v) as clause (vi), and by inserting after clause (iv) the following:

''(v) prevention, management, and response to cybersecurity risks; and''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentlewoman from California (Mrs. TORRES) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3878, and I urge its passage.

Since the terrorist attacks of 9/11, the U.S. Congress has appropriated $2.4 billion in port security grant funds to protect port facilities against potential terror attacks. As a nation, we have done a fairly good job of updating the physical security at ports, but the U.S. Government has been very slow to ensure that our ports are secure from cyber vulnerabilities.

For example, cybersecurity of our Nation's critical infrastructure has been on the Government Accountability Office's High Risk List since 2003, yet we have not fully engaged on cybersecurity efforts at the Nation's 360 seaports.

The threat of a cyber attack is real, and, when addressing the protection of maritime critical infrastructure, we must clearly define the roles and responsibilities for ensuring our Nation's ports are protected.

Under the Maritime Transportation Security Act of 2002, the Coast Guard is identified as the government agency responsible for ensuring the physical security at our Nation's port infrastructure. This bill makes it clear that the Coast Guard is also the primary agency responsible for ensuring the maritime sector is prepared to prevent and to respond to cybersecurity risk and vulnerability.

More than $1 trillion of goods—from cars, to oil, to corn, and everything in between—move through our Nation's seaports each and every year. Like many industries in America, port facilities and ship operators are increasingly moving cargo through our ports using automated industrial control systems.

While this automation certainly has a lot of benefits, such as reducing the time that it takes to stock our shelves and lowering the cost of doing business, it doesn't come without risks. These computer systems are controlling machinery at port facilities to move containers and fill tanks and onload and offload ships.

Terror groups, nation-states, criminal organizations, hackers, and even disgruntled employees could breach these systems, with potentially catastrophic results to the Nation's security and economy.

Breaches in the maritime domain are particularly concerning, not only from an economic standpoint, but because the dangerous cargos, such as liquefied natural gas and other dangerous cargos, that also pass through our Nation's seaports are at risk.

Just as we have hardened physical security at our Nation's ports, we need to do the same in virtual space to protect the systems critical to the maritime transportation system against malicious actors. This bill does just that, and it requires the Coast Guard to develop a comprehensive cyber risk assessment specific to the vulnerabilities of the maritime industry. It directs the Secretary of Homeland Security to encourage participation with information sharing to better streamline coordination at the national level.

H.R. 3878 is a bipartisan piece of legislation, introduced by my colleague from California (Mrs. TORRES), and I give her great credit for this piece of legislation, working with so many Members on this. It actually is the result of a hearing held by the Homeland Security Subcommittee that I chaired back in October on the subject of cybersecurity at our Nation's ports.

□ 1230

The bill clarifies the Department of Homeland Security's role in maritime cybersecurity as well as it ensures that port facilities work with the Coast Guard to identify cyber risks and vulnerabilities and share best practices across the industry. This is the first step, Mr. Speaker, in protecting our ports from cyber threats, and I certainly urge my colleagues to join this commonsense, bipartisan legislation.

Again, I want to thank the gentlewoman from California for her work on this issue.

Mr. Speaker, I reserve the balance of my time.

Mrs. TORRES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3878, the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act.

Mr. Speaker, I introduced H.R. 3878, the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act, to ensure the Department of Homeland Security takes a more proactive approach to address cybersecurity risks at our Nation's ports and to improve cybersecurity information sharing and coordination between public and private partners at maritime facilities.

The United States has approximately 360 commercial sea and river ports which use cyber technology to move over $1 trillion worth of cargo each year. The Ports of Los Angeles and Long Beach and other ports in California account for almost 40 percent of the cargo entering this country, and nearly 30 percent of the country's exports leave through California ports.

The Port of Los Angeles is the number one port by container volume and cargo value in the United States, seeing around $1.2 billion worth of cargo each day. Each year, the Port of Long Beach handles more than 6.8 million 20-foot container units in cargo value at $180 billion and is the second busiest port in the U.S. With so much economic activity happening at our Nation's ports, protecting the cyber networks they rely on is critical to our local and national economy.

This past October, the Subcommittee on Border and Maritime Security on which I serve held a hearing focused on the threat of cyber attacks at a port and how the Coast Guard is working with private and public partners to protect maritime critical infrastructure against such attacks. This is of particular interest to me because many of the goods that enter through the Ports of Long Beach and Los Angeles come directly to my district where the goods are redistributed throughout the Nation. The hearing was called in response to a June 2014 GAO report recommending the Department of Homeland Security take action to strengthen cybersecurity at our Nation's ports.

Mr. Speaker, the report found that maritime Sector Coordinating Councils are no longer active. These councils include port owners, operators, and related private industry associations. This means that today there is no one entity that coordinates information sharing between the ports, the private sector, and government stakeholders.

At the October subcommittee hearing, we received testimony that information sharing on cyber risks at ports should be stronger and that some ports lack the resources to prevent, identify, and respond to cyber attacks. To address these challenges, I introduced

H.R. 3878, which will require the Secretary of Homeland Security and the Commandant of the U.S. Coast Guard to take several steps to enhance cybersecurity at our ports.

Specifically, it requires the Secretary of Homeland Security to establish guidelines for reporting cybersecurity risks, to develop and implement a maritime cybersecurity risk model, and to make recommendations on enhancing the sharing of cyber information. It also requires the Coast Guard to direct Area Maritime Security Committees to address cybersecurity risks. These measures will create an environment where DHS, the Coast Guard, ports, and stakeholders work together to enhance cybersecurity at our Nation's ports.

Mr. Speaker, I would like to thank Chairman MCCAUL and Subcommittee Chairwoman MILLER for their cooperation and the bipartisan nature of the staff discussions on this bill. Mr. Speaker, I urge my colleagues to support H.R. 3878.

I reserve the balance of my time.

Mrs. MILLER of Michigan. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New York (Mr. DONOVAN).

Mr. DONOVAN. Mr. Speaker, I rise today in support of H.R. 3878, the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2015.

This bill by my friend Representative TORRES contains an amendment I offered at committee, which makes an important change to the Maritime Transportation Security Act of 2002.

More than $1.3 trillion worth of cargo travels through U.S. ports each year, making them a truly critical part of our Nation's infrastructure. Any disruption or slowdown of activity could have a tremendous impact on the entire economy, costing billions of dollars every day.

Ensuring the security of our maritime infrastructure is a complex task and one that falls primarily on the United States Coast Guard. However, while the Coast Guard has the history and the expertise to provide physical security, its mission of ensuring that our maritime infrastructure is safe from cyber threats is still evolving.

Currently, the Maritime Transportation Security Act of 2002 requires vessels and port facilities to conduct vulnerability assessments and develop security plans for physical security, access controls, procedural security measures, and communication systems. My amendment in committee added cybersecurity to that list. This addition will make it crystal clear that the Coast Guard has the specific authority to require maritime vessels and facilities to incorporate cybersecurity into their assessments and plans.

The need for this change and the underlying legislation was highlighted during a hearing before the Border and Maritime Security Subcommittee on the topic of cybersecurity at our Nation's ports. In that hearing, we heard how a range of actors—from narcotics traffickers to terrorist organizations, and even nation-states—could exploit cyber vulnerabilities at our ports for the purpose of smuggling illicit materials or causing severe economic disruption. Mr. Speaker, this legislation will ensure that we are better prepared to respond to the growing cyber threat to our Nation's maritime infrastructure.

I thank Representative TORRES for offering this legislation and for accepting my amendment at committee.

Mr. Speaker, I urge my colleagues to support the bill.

Mrs. TORRES. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. LOWENTHAL).

Mr. LOWENTHAL. I thank the gentlewoman for yielding.

Mr. Speaker, I rise in support of H.R. 3878, the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2015.

Mr. Speaker, in southern California, I represent the Port of Long Beach, which is one of the busiest seaports in the country, is set to handle more than 7 million containers this year, and accounts for nearly 20 percent of all the loaded containers moving throughout our Nation. It is a critical link for trade between our country and Asia and is a linchpin for our national security and our national economy. In other words, the security of the Port of Long Beach is not to be treated lightly.

I am not a stranger to the critical nature of the port, but we are now learning about emerging port-specific cyber threats. This body recently took the first steps to fight off the growing threats to our Nation's cybersecurity with a number of bills and hearings on this topic. I am glad that out of those hearings, our attention now turns to the cybersecurity of our critical infrastructure, including the hundreds of cargo ports in this country.

As a result of H.R. 3878, we would see working groups forming at our ports and coming together to address port-specific cybersecurity vulnerabilities. These findings would be shared with appropriate stakeholders, including Federal and local governments, port authorities, terminal operators, as well as law enforcement, in an effort to enhance cybersecurity situational awareness at the ports.

Mr. Speaker, I am confident that these working groups will continue to find innovative solutions in response to this emerging threat. Within the working groups, I hope that they will codify key definitions and classification mechanisms and that they will come out of these discussions to ensure the effectiveness of the group.

In closing, Mr. Speaker, I urge my colleagues to support this important bill.

Mrs. MILLER of Michigan. Mr. Speaker, I reserve the balance of my time.

Mrs. TORRES. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. HAHN).

Ms. HAHN. I thank my colleague, Congresswoman TORRES, for introducing this very important bill.

Mr. Speaker, as co-chair and co-founder of the Congressional PORTS Caucus and also as a representative of the busiest port complex in the Nation, I have long advocated for much-needed cybersecurity at our Nation's ports.

In 2013, a report by the Brookings Institution found that there is a serious cybersecurity gap at many of our Nation's ports, putting them at risk for an attack. A significant cyber attack at one of our major ports could bring commerce in an entire region to a halt and send shock waves throughout the national and global economies.

This is a problem that needs to be addressed, but unfortunately, we do not have a clear picture of where cybersecurity vulnerabilities exist at our ports.

Earlier this year, the House passed my amendment to instruct the Department of Homeland Security to identify gaps in cybersecurity at the Nation's 10 most at-risk ports and then to make recommendations for how we can address these problems. I am pleased that that amendment has been included in the omnibus that we will be voting on later this week.

Mr. Speaker, the bill we are talking about today expands on this progress and is a great vehicle to identify cybersecurity problems at our Nation's ports. I would like to commend my colleague Congresswoman TORRES for bringing this important issue to the floor.

Mr. Speaker, I urge all my colleagues to vote ''yes'' on this bill.

Mrs. MILLER of Michigan. Mr. Speaker, I have no further speakers. If the gentlewoman from California is prepared to close, I will then close for our side.

Mrs. TORRES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3878 will enhance our understanding of cyber risks at our ports and the countermeasures needed to mitigate them.

With the increased levels of technology at maritime facilities, all public and private port stakeholders must share information and coordinate efforts to make sure that our Nation's ports are protected from cyber attacks.

Again, I appreciate the bipartisan cooperation on this legislation.

Mr. Speaker, I encourage my colleagues to support H.R. 3878.

Mr. Speaker, I yield back the balance of my time.

Mrs. MILLER of Michigan. Mr. Speaker, I simply, once again, urge my colleagues to support H.R. 3878. It is a

very good bill, and it is a very important bill—again, in a bipartisan way—for the security of our ports and the homeland security of our Nation as well.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I speak in support of H.R. 3878, the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act.

I thank Chairman MCCAUL and Ranking Member THOMPSON for their bipartisan work and stewardship of the Committee on Homeland Security's work, which includes H.R. 3878.

Congresswoman TORRES should be commended for her hard work that led to the introduction of the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act.

H.R. 3878, requires the Department of Homeland Security (DHS) to seek to enhance cybersecurity situational awareness and information sharing between maritime security stakeholders, the maritime industry, port owners and operators, which include maritime terminal owners and operators.

This bill requires DHS to:

consult with the Coast Guard to enhance participation by the Maritime Information Sharing and Analysis Center in the National Cybersecurity and Communications Integration Center; and

request that the National Maritime Security Advisory Committee report and make recommendations to DHS on methods to enhance cybersecurity and information sharing between stakeholders.

The bill also assures DHS leadership in port security by requiring the agency's maritime security risk assessments to include cybersecurity risks to ports and the maritime border of the United States.

Ports serve as America's gateway to the global economy. The nation's economic prosperity rests on the ability of containerized and bulk cargo arriving unimpeded at U.S. ports to support the rapid delivery system that underpins the manufacturing and retail sectors.

My service in the House of Representatives has focused on making sure that our nation is secure and prosperous.

A central component of national security is the ability of our International Ports to move goods into and out of the country.

The Port of Houston is critical infrastructure:

According to the Department of Commerce in 2012, Texas exports totaled $265 billion.

The Port of Houston is a 25-mile-long complex of diversified public and private facilities located just a few hours' sailing time from the Gulf of Mexico.

In 2012 ship channel-related businesses contributed 1,026,820 jobs and generated more than $178.5 billion in statewide economic impact.

In 2014, the Port of Houston was ranked among U.S. ports as the 1st in foreign tonnage; largest Texas port with 46 percent of market share by tonnage and 95 percent market share in containers by total TEUS in 2014; largest Gulf Coast container port, handling 67 percent of U.S. Gulf Coast container traffic in 2014; and 2nd ranked U.S. port in terms of total foreign cargo value.

The Government Accountability Office (GAO), reports that this port, and its waterways, and vessels are part of an economic engine handling more than $700 billion in merchandise annually.

A Maritime Cyber-RISKS report published in 2014 outlined examples of cybersecurity vulnerabilities that are specific to ports.

The Cyberattacks examined included:

Theft of money by deceiving a company into transferring large amounts of funds to a bank account owned by criminals;

In 2013, the FBI issued a warning to maritime companies warning them of a fraud committed against several companies using a man-in-the-middle cyberattack that resulted in $1.65 million in losses.

In this attack an impersonation occurs when the email address of a trusted party is co-opted or taken over by an unknown 3rd party.

The trusted 3rd party makes a request to change banking information that should be used to provide payment for legitimate services provided an established business relationship.

The legitimate business is not aware of the request to change bank payment information.

When the payment is sent, thieves receive it and quickly close the account so that the funds cannot be retrieved.

Another malicious attack that does not involve theft of funds can occur if the location of cargo information is deleted by a cyberattacker.

According to CyberKeel this type of attack happened to a shipping company in 2011.

In this attack data related to rates, loading, cargo number, date and place were corrupted.

This cyberattack meant that no one at the port could identify where containers were, whether they loaded, nor identify which containers were on ships.

Cyberattack that targeted technology used by companies who are taking receipt of cargo at port locations.

The Firmware software code on handheld scanning technology that reads barcodes on containers was corrupted by malware.

When the scanners were plugged into the company's network the corrupted code started a series of automated cyberattacks that searched the company's network for financial information.

After finding the information, a connection was established with a computer in China.

Cyberattack at the Port of Antwerp was run by a drug smuggling ring.

In this attack the cyber criminals were able to gain control of the port terminal system that allowed them to release containers to their own trucks without the knowledge of port authorities.

This attack is particularly chilling when considering our efforts to protect against weapons of mass destruction in the form of biological, nuclear and chemical weapons from being brought into the country undetected.

This type of attack also has implications for persons entering the country undetected.

The same attack carried out against port worker automated identification systems would open the door on a host of domestic security issues.

Our nation has thousands of miles of coastlines, lakes, and rivers and hundreds of ports that provide opportunities for legitimate travel, trade, and recreation.

At the same time, these waterways offer opportunities for terrorists and their instruments, and drug smugglers to enter our country.

Cybersecurity at ports must be national priority, for this reason, I ask my colleagues to join me in voting in favor of H.R. 3878.

The SPEAKER pro tempore (Mr. DONOVAN). The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and pass the bill, H.R. 3878, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 2 p.m. today.

Accordingly (at 12 o'clock and 43 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 2 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

Concurring in the Senate amendments to H.R. 2297, by the yeas and nays;

H.R. 3750, by the yeas and nays; and

H.R. 4239, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

HEZBOLLAH INTERNATIONAL FINANCING PREVENTION ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendments to the bill (H.R. 2297) to prevent Hezbollah and associated entities from gaining access to international financial and other institutions, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr.

ROYCE) that the House suspend the rules and concur in the Senate amendments.

The vote was taken by electronic device, and there were—yeas 425, nays 0, not voting 8, as follows:

[Roll No. 698]

YEAS—425

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—8

Cuellar
DeSantis
Deutch
Herrera Beutler
Joyce
Kildee
Rangel
Rogers (KY)

□ 1430

Messrs. JEFFRIES and GRIFFITH changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FIRST RESPONDERS PASSPORT ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3750) to waive the passport fees for first responders proceeding abroad to aid a foreign country suffering from a natural disaster, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 2, not voting 10, as follows:

[Roll No. 699]

YEAS—421

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)

Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—2

Amash
Sanford

NOT VOTING—10

Cicilline
Cuellar
DeSantis
Deutch
Herrera Beutler
Hudson
Joyce
Keating
Kildee
Meadows

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1439

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MEADOWS. Mr. Speaker, on rollcall No. 699, I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. HUDSON. Mr. Speaker, on rollcall No. 699, I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. HUDSON. Mr. Speaker, on rollcall No. 699, I was inadvertently detained and missed the vote on H.R. 3750. Had I been present, I would have voted "yes."

TRACKING FOREIGN FIGHTERS IN TERRORIST SAFE HAVENS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4239) to require intelligence community reporting on foreign fighter flows to and from terrorist safe havens abroad, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. LoBIONDO) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 10, as follows:

[Roll No. 700]

YEAS—423

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—10

Collins (NY)	Herrera Beutler	Simpson
Cuellar	Joyce	Takai
DeSantis	Keating	
Deutch	Kildee	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1448

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CUELLAR. Mr. Speaker, on Wednesday, December 16th, I am not recorded on any votes because I was absent due to a death in the family. If I had been present, I would have voted: ''yea'', on rollcall 695, to concur in the Senate Amendment to H.R. 2820—Stem Cell Therapeutic and Research Authorization Act of 2015; ''yea'', on rollcall 696, passage of H.R. 4246—National Guard and Reservist Debt Relief Extension Act of 2015; ''yea'', on rollcall 697, passage of S. 1090—Emergency Information Improvement Act of 2015; ''yea'', on rollcall 698, to concur in the Senate Amendment to H.R. 2297—Hizballah International Financing Prevention Act of 2015; ''yea'', on rollcall 699, passage of H.R. 3750—First Responders Passport Act of 2015, as amended; ''yea'', on rollcall 700, passage of H.R. 4239—Tracking Foreign Fighters in Terrorist Safe Havens Act.

HOUR OF MEETING ON TOMORROW

Mr. PAULSEN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mr. TROTT). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

WAYNE COUNTY STATE CHAMPS

(Mr. PALAZZO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALAZZO. Mr. Speaker, I rise today to commend the Wayne County High School football team on winning the 5A Mississippi State Football Championship.

The War Eagles finished their 12–3 season in a 45–41 victory over the defending State champion, Oxford High School.

In the final minutes of the game, four-star defensive tackle Benito Jones caught a touchdown pass from Reggie Stewart, putting the War Eagles ahead. Earlier this year, Jones was named a Dandy Dozen, which is a title given to the top 12 high school football players in Mississippi.

It takes resilience, perseverance, and, most importantly, skill to beat a defending champion on its home turf in Oxford. That is why I congratulate the team, Coach Todd Mangum and his staff, and the parents and administrators for bringing home the State title.

We are proud of you.

TAKE OFF YOUR MASKS

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Mr. Speaker, last week, the Las Vegas Review-Journal, which is the largest newspaper in Nevada and is one of the largest in the Southwest, was sold to a group of unknown investors.

We know little about the details of the sale except that the paper was purchased for $140 million by a group of financiers, including some who allegedly have ties to Las Vegas. We know nothing about the group, nothing about its business ties, its political positions, or its potential conflicts of interest.

Several watchdog and journalistic integrity groups, including the Society of Professional Journalists, have rightly called for the new owners to be transparent and reveal their identities or risk having the quality and value of the information they provide rightly questioned by readers and employees.

I applaud the many hard-working reporters, editors, photographers, and columnists at the RJ who have protested this lack of transparency and journalistic ethics.

It is time for the new owners to take off their masks and prove they have nothing to hide.

OBAMACARE

(Mr. BARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARR. Mr. Speaker, being uninsured in the era of ObamaCare is about to get a lot more expensive. The penalty for individuals and families who cannot afford ObamaCare-approved plans will double next year.

Congress will soon finalize a reconciliation bill that will repeal this punitive individual mandate tax. We urge the President to sign this bill for the sake of American families who can't afford this penalty.

Rather than punish Americans who can't afford to buy ObamaCare's expensive insurance with an equally unaffordable tax, here is a better idea: Let's give uninsured Americans the freedom to purchase high-quality private insurance on a more affordable basis.

House Republicans have and will continue to offer the American people an alternative to ObamaCare. We call it the American Health Care Reform Act. This legislation, which I helped draft and which I cosponsored, will actually decrease the cost of health care without growing government.

Mr. Speaker, it is time to end this costly experiment called ObamaCare and to actually focus on solutions that will lower costs and make life easier for the American people.

REMEMBERING AURORA GODOY

(Mr. RUIZ asked and was given permission to address the House for 1 minute.)

Mr. RUIZ. Mr. Speaker, I rise to recognize and to honor the life of 26-year-old Aurora Banales Godoy of San Jacinto, California, whose life was taken in the December 2 terrorist attack in San Bernardino, California.

''Rora,'' as she was called by her family, had a caring, loving, and happy personality, and she smiled a lot. She would always lend a helping hand when needed even without being asked.

Rora graduated from Carson High School in California and attended culinary school. She worked for the San Bernardino County's Department of Environmental Health. She married her high school sweetheart, James Godoy, and is mother to Alexander, a beautiful 2-year-old boy.

Rora's legacy will live on through Alexander's happy demeanor and smiles. Rora's passion was to be a great mom and wife. She enjoyed baking, scrapbooking, Disneyland, the Green Bay Packers, and ''Star Wars'' movies.

We will miss Rora's laugh; but as she would say, ''What can I do to get through this? Smile. Everything will be okay, and happiness will come back again.''

BOKO HARAM

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, as we remain correctly focused on the ISIS threat, less attention is being paid to Boko Haram.

Over the past few years, Boko Haram has evolved from a regional to a global threat. Boko Haram is one of the world's deadliest terror groups, and it has pledged allegiance to ISIS. It has also been almost 2 years since Boko Haram kidnapped hundreds of Nigerian schoolgirls.

I want to thank my south Florida colleague, FREDERICA WILSON, for her leadership in reminding all of us about this tragic terrorist attack.

We must bring back our girls. We are right to be concerned by the threat that ISIS poses to our national security and to the world; but we cannot ignore the threat posed by Boko Haram.

Mr. Speaker, ISIS, Boko Haram, and so many other radical Islamic groups

are being given the time and space to operate; so we must redouble our efforts to defeat these Islamic extremist groups.

CONGRATULATING THE LOS ANGELES CONSOLIDATED SCHOOL DISTRICT

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, I have had both the sobering and serious responsibility of serving on the Homeland Security Committee since the heinous acts of 9/11.

I rise today to give comfort to and to thank the Los Angeles Consolidated School District for its swift response. I know that the reports of its actions received conflicting commentary, but it had the responsibility for over 600,000 children. I believe, when administrators act seriously, competently, and thoughtfully, they need to know that we appreciate it.

We live in very difficult and challenging times. It is a horrific person who sends false threats and who frightens the general public; but it is a wise leader who takes it seriously to protect his constituents. In this instance, the Los Angeles Consolidated School District, its superintendent, and all of those involved in making the decision to protect those children did the right thing.

We live in very difficult times, and we here in the United States are continuing to try and define and refine our alert system and to do the kind of intelligence work to provide our local authorities with the right information; but, as a parent, I congratulate them for standing up for the children and making sure that those children and teachers and others were safe.

God help us that we will purge out the horrificness and horribleness of terroristic acts.

□ 1500

BALANCED BUDGET AMENDMENT

(Mr. HARDY asked and was given permission to address the House for 1 minute.)

Mr. HARDY. Mr. Speaker, we are $18 trillion in the red. Specifically, our Federal debt, which is a combination of debt held by the public and debt held by government accounts, stands at $18.7 trillion. That means every man, woman, and child owes roughly $58,000 right now, and it will no doubt rise day by day.

At the beginning of the year 2000, we were $5 trillion underwater. Fast-forward a few years to when President Obama took office, and we were approximately $10 trillion in debt. Today, we are almost double that.

I came to Congress to make the difficult decisions to help put our Nation back on the path of growth, because right now I am fearful that my children and my grandchildren will not have the same opportunities.

It is for these reasons that I have authored and introduced a balanced budget amendment. In fact, 45 States have some type of balanced budget requirement already in law. It is time the Federal Government follows suit.

My amendment will prohibit outlays from exceeding receipts. It will prevent Congress from raising the debt ceiling. It will prevent the President—any President—from instituting an executive order without first presenting Congress a balanced budget.

Every business and every family balances their budget. It is time for the Federal Government to do the same.

HONORING REVEREND ALBERT E. CHEW, JR.

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to honor the life of a community leader, Reverend Albert E. Chew, Jr.

Reverend Chew was born in a little town in east Texas and moved to Fort Worth, where he served as pastor of the Shiloh Missionary Baptist Church for 56 years. I can tell you that, during his time at Shiloh, Reverend Chew not only impacted the Northside community where the church was located, but the greater overall Fort Worth and Tarrant County communities.

Reverend Chew served on the Fort Worth Human Relations Commission, the Missionary Baptist Church General Convention of Texas, and also was one of the early founders of a group, the Black Ecumenical Leadership Alliance, also known as BELA. His church was very committed to the NAACP and often held various NAACP meetings at the church. Reverend Chew, previous to his service in the ministry, was also a veteran of World War II.

He will be greatly missed in the Fort Worth community. He was a great gentleman, a legend. Let's pray for our friends at the Shiloh Missionary Baptist Church.

REMEMBERING GRETCHEN QUIE

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise today to honor the life of former Minnesota First Lady Gretchen Quie, who, sadly, passed away this past weekend.

Gretchen grew up in Minneapolis and graduated from Central High School before heading to St. Olaf College, where she met her future husband, Al Quie.

Gretchen was active in local church and civic organizations and was by her husband's side as he served 21 years here in the United States Congress and 4 years as Governor of the State of Minnesota.

With an eye for art, Gretchen was instrumental in upgrading the Minnesota Governor's residence and opening it up to the public. She would often host ''Night at the Mansion'' programs, where Minnesotans were invited to have dinner and then stay the night.

Gretchen Quie was also a member of Minnetonka Lutheran Church and a community leader, serving on a number of nonprofit boards.

Minnesotans' thoughts and prayers are with Governor Quie, his family, their five children, their 29 grandchildren and great-grandchildren.

HONORING REVEREND SAM ''PAPA'' CRAIG, JR.

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to honor the accomplishments and the contributions of Reverend Sam Craig, Jr., and to offer my condolences to his family.

Reverend Craig passed away peacefully on the 29th of November this year. He was 91 years old, and he is survived by his wife, Catherine Caldwell.

Reverend Craig was the assistant pastor at First Baptist Church in Santa Ana, where he was a member for over 42 years.

Reverend Craig enlisted in the Marines Corps in 1947, and he served with honor for 22 years. He served in World War II, in the Korean war, and in Vietnam, and eventually retired in 1969 as a warrant officer.

After retiring from the military, he taught for 17 years in our local Santa Ana Unified School District as both an elementary and a junior high school teacher.

Reverend Craig was committed to his church, and he had a passion. He had a passion for teaching Bible study and for leading the Mission Society. Reverend Craig's dedication to education, to community service, and to his faith is highly commendable. The people of California's 46th Congressional District will miss him.

HONORING AM GENERAL CEO CHARLIE HALL ON HIS RETIREMENT

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize the service of Charlie Hall as he retires as CEO of AM

General after 5 years of leadership of this iconic company, the manufacturer of the Humvee.

A natural and driven born leader, Hall joined AM General as CEO in January 2011 and led a top-to-bottom revitalization by launching key partnerships with the National Guard and Reserve, bolstering foreign military sales, and diversifying the company's commercial portfolio.

Hall is known for his collaborative, deliberative, no-nonsense leadership style and has never lost track of his top priority, delivering the best, light tactical vehicles on the planet for our men and women in uniform. Under his leadership, AM General has truly been transformed and now stands poised for a very bright future.

On behalf of the outstanding workforce at AM General and all Hoosiers in the Second Congressional District, I thank Charlie Hall for having such an extraordinary impact on this company and for serving as a role model for the next generation of leaders in our community. I wish him and his family the very best in his retirement.

HONORING BRIGADIER GENERAL HERBERT JACK LLOYD

(Mr. WESTERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WESTERMAN. Mr. Speaker, today I rise to honor an American patriot and hero. On December 10, 2015, Brigadier General Herbert Jack Lloyd was called home to be with his Savior, away from the war and strife he knew most all of his adult life.

General Lloyd served 35 years in the United States Army, moving from private to brigadier general, commanding at entry level from squad leader to assistant division commander. On July 16, 2014, General Lloyd was inducted into the Army Ranger Hall of Fame. Brigadier General Lloyd has received numerous decorations throughout his service, including three combat jumps with the 6th Vietnamese Parachute Battalion, two Silver Stars, seven Bronze Stars, and two Purple Hearts.

Mr. Speaker, though I could expound on the godly, courageous, and patriotic life lived by General Lloyd, I will simply read a sentence from the General's obituary that he wrote himself: ''If there is nothing worth dying for—in this sense—there is nothing worth living for.'' I believe this speaks directly to who General Lloyd was as a man. He lived his life in complete service to God, country, and family.

I offer my most heartfelt condolences to his son, Mark; daughter-in-law, Beth; and his grandchildren, Hannah and Matthew. May the general's example and memories continue to live on in Hope, Arkansas, and around the world.

WEAR RED WEDNESDAY

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, today is Wear Red Wednesday to bring back our girls.

As millions here in America prepare for the holidays, we must think of the Nigerians whose celebrations will be tempered by fear and sorrow. Think of the Nigerian Christians fearful of fully celebrating Christmas and attending their places of worship, haunted by the Boko Haram Christmas Day church bombings of years past.

Think of the families that were devastated 611 days ago by the kidnapping of the Chibok girls. For these families, Christmas is a sobering reminder that their precious sisters and daughters are gone.

Please include these 219 girls and their families in your Christmas prayers this year. Pray that next year they will enjoy a peaceful and joyous Christmas together.

Please continue to tweet, tweet, tweet #bringbackourgirls. Tweet, tweet, tweet #joinrepwilson.

FUTURE FORUM: CLIMATE CHANGE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from California (Mr. SWALWELL) is recognized for 60 minutes as the designee of the minority leader.

Mr. SWALWELL of California. Mr. Speaker, I rise today to kick off the latest Future Forum Special Order hour. Today we will be talking about something of unique importance to millennials across the United States and, in fact, the world: climate change and what we do about it.

Joining me today are Members from across our country. We have Congressman BOYLE from the Philadelphia area, Congressman LIEU from the Los Angeles area, and Congressman GALLEGO from the Phoenix area.

Why is the risk of climate change so unique and important to millennials? Well, they know that the very world in which they live—and the one that we will give to our children—is in danger of experiencing catastrophic environmental changes. It is our future that is on the line, and it is our future that is in danger.

I also encourage anyone watching this to participate in the conversation at #futureforum, and I will engage our Members under that hashtag.

First, I want to start with Congressman LIEU.

I would ask you, Congressman, in the Los Angeles area, a place where young people are thriving and young people across the world are moving to, what are you hearing from millennials in the Los Angeles area?

Is it anything like what I heard in southern California when SCOTT PETERS and I were down there last month and we talked to students at the University of California, San Diego, and we had a word cloud? This is where you ask participants in the audience to text in what issue is most important to them, and the one that is more important gets bigger and bigger in font size. As you can see here in this photograph, climate was the number one issue on the minds of people down in San Diego. Is that what you are hearing in the Los Angeles area?

I yield to the gentleman from California (Mr. TED LIEU).

Mr. TED LIEU of California. Absolutely. That is why I am very pleased and proud that the University of California system became the first, and currently the only, university to be a part of Bill Gates' breakthrough energy fund.

We are taking some great steps in California to mitigate carbon pollution. As you know, California passed the Global Warming Solutions Act last decade, and it is one of the strongest laws in the world. One of the first bills I authored seeks to replicate California's laws nationwide.

It is an important issue for millennials because it is going to directly affect you in the coming decades. It is going to affect our children and grandchildren. So we need to make sure that we mitigate carbon pollution.

All of us are busy. We all deal with a thousand issues, but carbon pollution is the one issue that can kill humanity as a species if we don't do anything about it.

Mr. SWALWELL of California. Thank you, Congressman LIEU.

Something that is quite interesting to me is that for millennials, when polled or asked about climate change, it is not a partisan issue. In this House, it feels quite like a partisan issue.

My question for Congressman BOYLE: Across the country from Los Angeles, is addressing climate change a partisan issue, and what are you hearing from millennials in the Philadelphia area?

I yield to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE).

□ 1515

Mr. BRENDAN F. BOYLE of Pennsylvania. First, I just want to commend the gentleman Mr. SWALWELL for his excellent leadership when it comes to this issue of utmost importance to our generation, but also to all the other issues that face our generation, especially the student loan debt issue that he and I have spoken about a number of times here on this House floor.

With respect to climate change, this should not be a partisan issue. Indeed, in Europe, for decades, centre-right parties acknowledged and still to this day acknowledge the existence of global climate change and work to address it.

Here in the United States, however, it has, unfortunately, become a partisan issue. Yet, what is so interesting is that, when I go about my district in Philadelphia and in suburban Philadelphia and Montgomery County, Pennsylvania, and I speak specifically to small-business owners, small-business owners, by the way, at least half of whom are probably Republican, each and every one of them is talking to me about ways and investments that they are making to ensure that they can get more bang for their buck when it comes to energy and things that they are doing, investments that they are making to ensure that we do better as far as the environment, yet at the same time also reduce costs.

I did a tour back in the spring of a major company in my district that has made a massive investment in terms of solar panels on the roofs. This is a major facility, a family-owned business. This is not an insignificant amount of money they have spent in terms of this investment. They would not be doing so if they thought this was a hoax. They would not be doing so if they thought, by transitioning to renewables, they are able to bring down their energy costs and pour more money back into their business.

We need to end, especially in this House, this false dichotomy between doing what is right for our economy and doing what is right for our climate and for the next generation. The fact is, if we are smart and show the best of American ingenuity, we can do both.

Mr. SWALWELL of California. Congressman GALLEGO, I am curious. You look at this poster board, and we see that 73 percent of people aged 18 to 29 believe that the Earth is warming. Clearly, 73 percent of people in that age range are not Democrats. They are not Republicans. In fact, young people are quite independent minded.

Are you finding that people in your congressional district in the Phoenix area believe that the Earth is warming and that mankind is not only responsible for that, but has an obligation to do something about it?

Mr. GALLEGO. Well, in Phoenix, we are always used to pretty warm weather. Of course, as of late, we actually have noticed it has actually gotten a lot, lot warmer, and we are worried.

Within that 73 percent range, you will meet a lot of people from all demographic backgrounds, especially Latino and African American communities, that are particularly worried. These are the communities that are growing still, a very young population, but also, unfortunately, tend to have less money.

What that means is, when it gets hotter—and it continues to get hotter in Arizona—and they are going to have to pay for higher air-conditioning costs or are going to have to pay more for water service, they are the ones who are going to be directly impacted by climate change.

These young people—the average age of the Latino in Arizona is about 25—have to see into the future. What they see in the future is a State and a country that is warmer, that has less water, and that did not make the kind of energy investments that we could have done for many years.

Right now the politicians of today do not have the vision for the new energy future. That is why you see those high numbers. Those high numbers are a direct reflection of young millennials who really, truly care about the future and are projecting into the future what they think is important for stability of not just this country, but the population on Earth.

Mr. SWALWELL of California. Now, Congressman LIEU, talking about this statistic, in the Los Angeles area, there is a lot that young people are doing with startups, especially in clean energy.

I had the opportunity to visit an incubator hub, thousands of square feet where they are working in Los Angeles in the Arts District to try and solve some of the greatest climate challenges we have through renewable energy sources.

What are you seeing as far as innovation in your area where people are saying: You know what. This is not a false choice between fossil fuels and doing nothing about it? Are you seeing something there at home?

Mr. TED LIEU of California. When California passed our landmark Global Warming Solutions Act, we had huge investments in green energy actually come into the State. California has now been a leader in green technology in terms of solar, in terms of biofuels and other technologies.

If you want to do that, people do come to California. It really has helped to jump-start parts of our community. I agree with Representative BOYLE. It is a false choice between the economy and climate mitigation. You can do both.

I also do want to note that it is not just young people who realize this. You have also now organizations that you traditionally would not call progressive coming on board, saying that carbon pollution is a problem. You have got the Catholic Church saying that we need to address climate change now. You have got the U.S. military.

One of the great things about our military is it is exceptional, it is amazing, because it actually deals with facts. The U.S. military takes the world as it is, not as they think it should be or in some fantasyland. When the U.S. military looked at the science and the facts, they said that this is a national security problem.

We are having more severe weather events. We are going to have food shortages in other parts of the world causing migrations, causing conflicts. In terms of the U.S. military's own fuel use, it is very difficult to transport a lot of fuel over long distances. They are actually looking at renewables, at solar, at other renewable sources.

Lastly, let me just say, as we stand here today, one of the world's largest oil companies, ExxonMobil, believes in climate change. They believe it is caused by the burning of fossil fuels, and they support a price on carbon. Now, we wish it didn't take them over three decades to come to this position, but that is their position today.

Since they don't say it very loudly, I am going to say it very loudly. ExxonMobil believes in climate change. For those who don't, you may want to think what does that oil company know that you don't.

Mr. SWALWELL of California. If oil companies believe in climate change, you can, too. I think that is the message here today.

In Paris, over the past few weeks, over a hundred countries, thousands of world leaders, gathered to declare what over 98 percent of the scientific community has always known, which is that climate change is real. Man has caused it, and we must do something about it.

The reaction in my congressional district has been one of enthusiasm. People are happy to see that internationally this is being addressed. It is not just the United States. It is not just the giants, but every country across the globe is recognizing this.

What are you hearing at home, Congressman BOYLE, about the Paris talks and what can come out of it?

Mr. BRENDAN F. BOYLE of Pennsylvania. Well, the first thing is the fact that 194, 195 nations or so from all around the world could come together and agree on one document as ambitious as this one is is truly inspiring not just on the issue of climate change, but, indeed, as we look at all the other immense challenges that we face as a human race.

I think that it is great specifically for this issue, but it also shows what we can do together if our hearts are in the right place and we are dedicated toward saving this planet.

I also just want to follow up on something that Mr. LIEU said, which is a great point in terms of talking about the broader coalition of people who want action on this incredibly important issue.

I would add one more to his extensive list, and that is the insurance companies. Insurance companies, especially on the East Coast, especially in south Florida and the entire Florida peninsula, have a great deal of exposure at stake.

They understand that right now—not 20 years from now, not 100 years from now—as we speak, there are parts of Florida, there are parts of Virginia

Beach, that are flooding when it is not even raining. These are real consequences that we have to deal with.

For those of us in the Philadelphia area, in New York, New Jersey, I never imagined we would be riding out a hurricane and having to deal with the aftereffects—3 years later still dealing with those aftereffects, by the way—and the price tag for that for insurance companies was absolutely enormous.

One thing that we all need to consider—and this is a really shocking statistic, but sadly true—last month, November of 2015, was the warmest month in recorded history. Those records have gone back since 1880. We know that this is not a 1-month phenomenon, that indeed it is just a continuation of the trend that we have been dealing with.

I would really urge those who want to make this a partisan issue and part of the usual food fight that too often goes on around here, this issue is going to face Democrats, Republicans, Independents, every single person in our country, every single person on Earth.

The sooner that we take politics out of this and that we come together on a comprehensive solution that balances, yes, our economic needs with, also, our needs to tackle this issue, the better off all Americans will be.

Mr. SWALWELL of California. I am glad that you mentioned, Congressman LIEU, the work that is being done in and among our Armed Forces.

Congressman GALLEGO, you served in Iraq, and you are a member of the Committee on Armed Services right now. I strongly believe that drilling our way out of this is not going to produce the energy results that we need, and, of course, as we know, it will be harmful to the Earth, that there are actually ways through innovation.

That is something that America has always done. We have innovated our way out of the problems that have challenged us. Whether it comes to wind, solar, alternative fuel cells, we are doing that from a national security posture.

In my congressional district, we have Lawrence Livermore National Laboratory and Sandia National Laboratory. At Sandia, they are doing work with oil companies at what is called the combustion research facility, where they are trying to make the automobile engine more efficient. At Lawrence Livermore, at the national emission facility, which is the largest and most energetic inertial confinement fusion device built to date and the largest laser in the world, fusion holds the promise of providing a practically limitless supply of clean energy to the world.

I am wondering, Congressman GALLEGO, just as someone who has worked in the military, defending our country before, somebody who overseas the military now in Congress, what can we do from a national security posture to address climate change?

Mr. GALLEGO. Well, first we have to recognize that it truly is a national security issue in two areas. One, if you look at how we mobilize our troops, when you are out there—and I was a frontliner. I served with the United States Marine Corps as an infantryman.

Many times I was far away from a base, but I still needed resources. So people had to drop off my food. People had to drop off a generator to power the computers that gave us the information we needed.

That was all done, unfortunately, by trucks that were exposing themselves to IEDs to bring us gasoline to basically power these generators to even keep us warm when it got really cold, things of that nature.

If we had a strong investment in green technology that allowed us to have energy independence down at the module level, it would reduce the amount of men and women that have to be on these dangerous roads.

When we kind of look at the grander scope of how you actually effectively fight a war, the first thing you do is you try to take away their energy resources. The first thing you do is you take out their electrical grid, you take out any opportunity for them to actually be able to move. That includes what we know now as gasoline.

If you look at some of our greatest victories, when Sherman was pushing through Europe, when Patton was fighting in World War II, what they did was effectively cut off the axis powers' ability to basically feed their engines by destroying their capability of refining oil into gasoline.

If we want to also make sure that we, as a country, have strong national security going now and into the future, we have to make sure that we are energy independent. Most of the hydrocarbons that are still in existence in this world are not in the United States. They are found in a lot of countries that are not stable allies of ours or in a very unstable region.

For example, Venezuela is one of our biggest oil partners. Even if you go down to the Middle East, they are in a very unstable area. We still rely on that area for a lot of our oil or the world, in general. If we do not receive their oil, they do set the price of the commodities, which also affects, obviously, a lot of our national security posture.

If we were truly serious about understanding what we need to do in the future to continue having a strong national security that defends the American way of life, energy independence through renewables is the way to do it.

Mr. SWALWELL of California. Congressman GALLEGO, you come from one of the hottest spots in the United States.

Congressman BOYLE, you also alluded to November being the hottest month on record. It seems like every month we learn that the month before was the hottest month on record.

We are in the United States. If we were in Australia or South America, hearing that November is the hottest month on record may not be as surprising as a month that is in the dead of fall and the dawn of winter in the United States.

Congressman LIEU, you represent a district that for 40 years before you were there was represented by the great Henry Waxman, someone who did a lot of good work on this floor to address climate change.

In our home State of California, while the future specific day-to-day effects of climate change are not yet known, projections not only show a rise in sea levels across the world and threatening our coast in California, but models are also suggesting increasingly extreme weather events.

Whether you are in the Los Angeles area or in the San Francisco Bay area, we have been experiencing drought-like conditions for years as well as hurricanes on the East Coast in places like the northeast that have not seen the intensity like Hurricane Sandy, which we have seen before.

□ 1530

And so, as we adapt for our current climate and any rapid change in our environment, I want to know, Congressman LIEU, can you talk a little bit about weather events and why this is a threat to coastal communities?

Mr. TED LIEU of California. Representative SWALWELL, that is a great point you make. Whether you call it science, facts, or measurements, you can measure climate change. So we know that last year was the hottest year in recorded history, only to be outdone by the first 6 months of this year, only to be outdone again, as Representative BOYLE mentioned, by November—last month. We know that ocean levels have risen 8 inches in about the last century, and just since 1992, they have risen about 3 inches.

I love my district, which stretches from Malibu, south through Santa Monica, Manhattan Beach, Palos Verdes, and along the coast, and I don't want my constituents all moving to Representative GALLEGO's district because they are getting flooded.

It is important that we look at this. The projections show that by 2050, large parts of American coastal areas will be at risk of flooding—and that is a huge problem. So we have to not only pay attention to that as a national security interest, but just for people to live their normal lives. And Mother Nature does not discriminate.

Mr. SWALWELL of California. Congressman LIEU, an interesting fact about that number. NASA projects that by 2050, between $66 billion and $106 billion worth of existing coastal

property will likely be below sea level nationwide, with $238 billion to $507 billion worth of property below sea level by 2100. And so it certainly has, as you said, not just the livelihood effect on it, but also a price tag, as we have seen.

I mentioned Congressman GALLEGO served in the military. I believe you also serve today as a reservist. If you will, talk about the national security threat because of climate change.

Mr. TED LIEU of California. I am very honored to have Los Angeles Air Force Base in my district. It was the first base to actually go green in terms of its vehicles. So all the vehicles the L.A. Air Force Base uses on the government side are energy-efficient electric vehicles. They are the first large institution to develop a vehicle-to-grid program where you actually plug in the vehicle and it gives electricity back to the grid when the grid needs it. If you can get that widespread, that would be a game changer across America. So the military is very focused on this issue.

Again, what makes America an exceptional country—one of the best in the world—is we actually rely on facts and science and measurements. Ninety-seven percent of scientists looking at this issue have said that climate change is real, it is largely caused by humans, and we need to do something about it or else we are going to be in a great world of hurt.

If 9 out of 10 doctors said your child shows the symptoms of diabetes, would you keep feeding your child Snickers bars? You would be crazy if you do that. You would actually go and seek treatment. It makes no sense for folks to believe in doctors and science and math and technology and then, on this one narrow issue of carbon pollution, simply for ideological reasons, say we are not going to trust any science or facts or measurements.

Mr. SWALWELL of California. Bringing us back to what millennials believe on this issue. Some of you have participated in our Future Forum dialogue.

On January 14, Congressman LIEU will be in the Los Angeles area hosting a Future Forum dialogue on climate change, student loan debt, and the other issues facing our generation. But some of the science, as you mentioned, behind millennial beliefs is quite powerful.

According to a 2014 Harstad poll, 80 percent of millennials favor the idea of requiring utilities to generate at least a third of their power from renewable sources like solar and wind by 2030. That also falls in line with what much of the rest of the developed world is doing.

There was a New York Times story last year highlighting that, by the end of 2014, Germany would receive nearly a third of its energy through renewable sources. Two-thirds of young adults age 18 to 34, according to a National Geographic article, say they are inclined to vote for candidates who support cutting greenhouse gases and increasing financial incentives for renewable energy. And in a 2015 poll by NextGen Climate, 75 percent of voters under the age of 35 say they would be more likely to vote for a candidate who pledged to turn the country to 50 percent clean energy by 2030.

So we have talked about the national security argument, we have talked about the economic advantages and, of course, the livelihood threat of flooding in extreme weather events.

Congressman BOYLE, what about American exceptionalism? Are we any less capable than Germany or Denmark or any of these other countries of addressing climate change?

Mr. BRENDAN F. BOYLE of Pennsylvania. Well, for anyone to believe that—I know there are some right now who are running for President trying to denigrate America and talk about what is all supposedly wrong with us. I would point out that the whole history of our country has been seeing enormous challenges and meeting them and defeating them. That has been the entire history from Valley Forge, which I am privileged to represent, all the way through to the present day.

I would also say to the men and women of my generation—of our generation—who might be understandably skeptical on this issue because each and every month they hear the same statistics we do that this past month was the hottest month on record, only to be beaten by the succeeding month, that we have actually been here before in terms of dealing with environmental degradation.

As for our parents' generation, they faced two particularly strong issues that seemed very difficult to meet and defeat. One was with respect to the ozone layer. If we were having this conversation in the early 1970s, a great deal of the talk was about repairing the ozone layer. Even when some of us were kids, that was an issue. Notice that you don't hear about that anymore. That is because we made the important changes that were necessary, and we solved that problem.

A second was with respect to our waterways and rivers. I am proud to represent, Mr. Speaker, and to my colleagues here, the Delaware River in Philadelphia, which actually separates Pennsylvania from New Jersey. It is a beautiful waterway. It is also a very historic one, as that is where, famously, on Christmas Day 1776, George Washington and our soldiers crossed the Delaware into the Battle of Trenton to defeat the Hessians and help launch our young Nation on its way to independence.

Well, a previous generation ago, that waterway, as well as the Hudson River and countless others, was in its worst state ever. Today, that same Delaware River is cleaner than at any point in our grandparents' lifetime. That is an enormous achievement. It is one that, 40, 50 years ago, most people would have predicted could not have been accomplished.

So I would say to all Americans, but especially to those of our generation, yes, this is an enormous problem, but, yes, we can also defeat it. Yes, we can also rise to the occasion, just as we have with each and every other major challenge our Nation has faced.

Mr. SWALWELL of California. That is right, Mr. BOYLE.

Mr. GALLEGO has seen this with me. He came out to my congressional district and spoke with millennials in the San Francisco Bay Area. We are aspirational. We are optimistic. We are collaborative. In fact, we came out of the family cell phone plan, so we are used to solving all sorts of problems with group think and then actually arriving at a decision. That is what we do: We collaborate, we solve small problems, we think big, and we take on the larger problems.

Your closing thoughts, Congressman GALLEGO, on what our generation can do to address this threat to our national security, our livelihood, and our economy.

Mr. GALLEGO. I think if we actually lean back on the strengths of our generation, that is what we need to do. We are a very empathetic generation. We care about our community. We care about our world. And being able to translate that into political power is important.

Whether you vote for a Democrat, Republican, or Independent, make sure they understand that is your priority, to be represented by somebody who understands the threat of climate change and you want to see action.

We also need to get involved more on the economic innovation side that comes with the new energy future. We are going to be developing the technologies that are really going to be making the biggest impacts in terms of slowing down the warming of the Earth.

And it is our friends and colleagues now that are working in labs and doing the startups in Los Angeles, Phoenix, and San Francisco that are creating the technology of tomorrow. We need to continue to be pushing forward, supporting their efforts, supporting them through R&D. But, more importantly, having a Congress that is supportive and understanding of the challenges of climate change is the key to all that.

Mr. SWALWELL of California. Thank you, Congressman GALLEGO, for participating today.

Thank you, Congressman LIEU, for your service to our country and for standing up for Americans now in this new world and understanding that this is a national security issue as well.

Congressman LIEU, if you want to, give us your closing thoughts on climate change and what millennials—and everyone, as you said—can do about this issue.

Mr. TED LIEU of California. Mother Nature does not discriminate. Whether you are 20 years old, a Republican or Democrat or a member of the Green Party, the laws of physics and the laws of chemistry do not negotiate.

We are now in a danger zone when it comes to carbon pollution. If we don't act quickly to reduce carbon pollution, in the coming decades we are going to be in a world of hurt. We are going to have far more extreme weather events, far more national security issues.

So, working together, it is my hope that we can pass strong legislation through this Congress, and I believe we will because, in a democracy, the side with the facts eventually wins.

Thank you, Representative SWALWELL, for having this terrific Future Forum event on the floor today.

Mr. SWALWELL of California. Thank you, Congressman LIEU.

It has been exciting going to the nine cities across America and talking to young people and learning their thoughts. As the Future Forum, our goal has been first to listen, and then to engage with millennials, whether it is going to their college campuses, community colleges, workforces, incubator and startup hubs; and then it is to crowdsource these problems, and then for the lawmakers of Future Forum to come back to this body and this Chamber and act on the issues that young Americans care about.

It is the largest generation America has ever known. It is the most diverse generation that America has ever known. It is an aspirational generation that wants to solve problems and not sit on the sidelines and watch our sea levels rise and watch the Earth get warmer. It is a generation that feels a sense of responsibility that we are only on this Earth for a very short period of time, and we will be judged by what we leave to the next generation.

So, yes, we can do something about it. Young Americans are committed to fighting climate change. They know it is our own reality and the reality of those who will inherit this Earth, and they know it is better to start now, before it is too late.

Mr. Speaker, I yield back the balance of my time.

□ 1545

BUDGETARY CONCERNS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Arizona (Mr. SCHWEIKERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. SCHWEIKERT. Mr. Speaker, as we get ourselves sort of organized, you will actually notice a couple of these boards are a little worn. It is because it is a, shall we say, the continuation of a theme. But this is sort of an auspicious day to actually do some of this, as we are getting ready to do the omnibus, the big budgetary bill.

What is so important here is, I want, everyone, first, to understand the $1.1-plus trillion we are talking about is solely what we call the discretionary portion of the budget. This is the portion of the budget we debate here, we do amendments, we work through; and then, in this particular case, because of a series of blocks and frustrations and game-playing that happened previously, we get here to the end and we are trying to package it all together. But it is not the majority, it is not anywhere near close to the majority of our Federal spending.

So take a look at this board. And this is for 2015. So we are right now working on the budget for the 2016 appropriation cycle.

If you see the blue, the blue is mandatory spending. Those are things like Social Security and Medicare and Medicaid and other parts of the welfare portion of our budget that are formula-driven, that you hit a certain age, you get a benefit; you fall below a certain income, you get a certain benefit. It is about 69-plus percent of our spending, and this is for last year.

Only 31 percent of the 2015 budget actually goes through this sort of normal appropriation process, and that is really important to understand the scale of the spending and how little of it actually is debated, because it is a formula. It is also the portion of our spending that is exploding.

So we are going to walk through a couple of these boards today. One of my goals is actually to also walk through and talk about what is actually happening in some of the mandatory spending, and why, for all of us, we are going to have to have that very honest, very difficult, very math fact-based conversation.

In my district, the Scottsdale, Phoenix area, I am incredibly blessed. I have an amazing constituency, I have a wonderful area, but we have done 100+ of these budget townhalls over the last couple of years, and I will get people who will come in and say, but that number doesn't feel right. I know it may not feel right.

Previous politicians on both sides, I think, have underplayed what is happening in this country demographically and what it actually means to our commitment.

So if you are someone who really, really, really cares about keeping this country safe, you need to be willing to start to understand what is happening in these numbers. You need to understand the financial pressure that is going to be on your ability to finance the military. If you care about health care, you need to understand the financial pressure that is going to be coming to deal with those, medical research, education.

So let's first get our head around what is both happening, and then we are going to actually walk through some demographic slides. And the reason I want to do that is to understand, this isn't the type of discussion where you can throw a switch and the solutions are simple.

The next slide, this is actually sort of walking through the projections, and, understand, these projections have actually changed a little bit, but I didn't have a chance to finish all the calculations. So this is, functionally, four budget cycles from now. So it is the 2020 budget. We are right now doing the 2016 budget.

At that point, 76 percent of the spending is Medicare, Medicaid, Social Security, interest on the debt, veterans benefits, and other transfer programs, welfare programs; 76. Remember, the budget cycle we just finished, it was 69. In, functionally, 4 or 5 years, it becomes 76 percent of all of our spending.

So if you care about the military, if you care about healthcare research, if you care about foreign aid, if you care about any of those things, it is shrinking rather dramatically as a percentage of our total spending.

Yet, you have got to understand, from 2015 to that 2020 budget, this government is going to go from, I think it is a $3-some trillion budget to a $4.1 trillion budget. So in that few years, we are going to actually increase by $1 trillion in spending and revenues, and some of those revenues come from borrowing. Yet, the ratio continues to explode because it is going into that mandatory spending.

This is demographics. This is reality. And unless you have a solution for baby boomers to stop, like me, turning gray, we have to grow up and deal with it. I find here in Washington there is pathological avoidance of the reality that is upon us.

I am going to do this without knocking anything down. And I believe these are already up on our Web site, the ability to sort of take a look and see where is the money actually going; because I can't tell you how many times we would do those budget townhalls and someone would come in the door and say, Well, DAVID, if you just did this, if you would get rid of foreign aid, that would take care of the problem. Then you go to this slide and try showing them that the tiny, tiny, tiny little sliver right there was foreign aid.

Well, DAVID, if you would just get rid of this. Well, waste and fraud is huge. The reality of it, we know in Medicare and Medicaid and many of these things, we have to come up with more dramatically efficient ways, the use of technology. We are going to start to talk about that at the end of this, that

there really are some solutions we need to be embracing. But they are little slivers.

Do you see the blue areas? Social Security, Medicare, Medicaid, welfare benefits, interest on the debt? As you saw today, with the Fed starting to raise interest rates, we expect, in just a few years, interest to be bigger than the defense budget. In about 7 years, interest will be approaching $1 trillion a year.

Understand, this is the reality of the math. This is no more happy talk that seems to go around in politics. It is math.

This portion over here, if you take out the Defense Department—so if you look at defense and all this blue, these here are all the agencies. It is important to understand these numbers, because I have been heartbroken at how often we do townhalls around our State, and there is this misunderstanding of where the money is actually being appropriated.

So we are going to talk about a little bit of the demographics of what is going on, but also, how much trouble, how much difficulty is Social Security in?

Remember, they used to say it is the third rail of politics, you are not allowed to talk about it or tell the truth about it, but we have a moral obligation to explain what is going on. How about Medicare? How about some of these others?

So I wanted you to see this particular slide here, and this just gives you a sense of also what is happening with us demographically.

I can remember many, many years ago, sitting in a statistics class over at Arizona State University—I love that school—and this is, I think, in the early eighties, and the professor is showing graphs saying, you have got to understand, in the 2015–2028 point, you have all these baby boomers that move into retirement, so I am sure the government, I am sure Washington, D.C., will make sure they have these massive amounts of reserves set aside to provide benefits for our seniors.

Well, being one of those ''end of the baby boomer folks,'' and now being here in Washington realizing: That money isn't there. So when you look at this particular chart—and the only reason it is partially here—you see 2018, it is the next to the last bar. And then, all of a sudden, the last bar, do you see it is shooting up? We have hit the time they have called the inflection point.

So, in 22 months, we hit the time that we have talked about for 30 years, that the debt is going to start to explode in this country; 2018. We are doing the 2016 budget right now. We are already in the 2016 budget. So 22 months from now, the debt starts to explode.

So we are going to have a good year this year, though, because of some of the budget deal that was done about a month or so ago; and some of the other, lifting some of the spending caps of sequestration, we are going to end up with a larger deficit this year.

So I guess the best number I have seen right now is $440 billion, $450 billion this year. But come 2018, a couple of years from now, it starts to take off, and it takes off for, functionally, the next 40 years. This is the reality that is facing us. So, if you care about the military and education and all these other things, understand what is about to happen.

Here, actually, are some of the slides that start to become more difficult to talk about, and I am actually sort of frustrated that we don't do more of this.

This particular chart here—and actually, I think this one I may have taken from The Wall Street Journal. And for folks who are actually interested in these demographic facts and how they affect your country, but also affect the world, The Wall Street Journal actually just recently finished a series I think they call ''2050,'' and it actually has some of the best narratives, best graphs, best details I have ever seen in sort of walking through, that this just isn't an American trend.

Take a look at the numbers you see in China and other places around the world, where the aging of the population, compared to the benefits that have been promised, compared to the number of workers, and that imbalance, and what that means to future economic growth for the world, let alone just the United States.

But do you see this line where it starts to explode off the charts? That is, functionally, enrollment in Social Security. So when we were at 2008, we had about 41 million folks who were in Social Security. Today, I believe now we have crossed 50 million, so 2008–2015, this is the reality of how quickly that slope. And it is the what? It is the baby boomers.

Remember, we have about 76 million of our brothers and sisters who turn 65 in about an 18-year period. The first one, the first baby boomer crossed that threshold, I believe, in late 2008. So we are in that demographic inflection.

You are going to start to see more and more of this reflected in our economic growth, in the debt, and the movement of your Federal Government resources into retirement programs for those who are over 65. Whether it be medical, whether it be indigent medical, whether it be Social Security and others, it is our commitment. We have made these promises. We have also made a promise that we need to find some way to pay for them, and that is where this discussion, hopefully, is going to take us.

This slide is a bit more of a concern. We are doing a project in our office right now. We have a little, a couple of folks set aside in our office called the ''Idea Shop,'' and they try to do sort of detailed research outside the day-to-day chaos that is being a Member of Congress.

It is really the bottom point here that I want to pop out at you, and that is the number of our brothers and sisters, the number of our fellow Americans, that are 55–64, so they are heading towards retirement. Nineteen percent of them have no retirement savings at all, so they are solely dependent on Social Security and the medical benefits that they will receive from Medicare.

If we bounce up one, 25 percent of those older than 45 have, functionally, no money set aside.

Now, I accept we have just come through a pretty rough economic cycle, but the last couple of years it is getting better. It is still not great, but this is a point where we are starting to step up and understand we need a revolution in this country's Tax Code. We need a revolution in how we regulate in this country.

We all walk around with these supercomputers in our pocket. Information is ultimately the greatest regulator in a society, and yet we still try and design these command-and-control functions of bureaucracies like it was the 1930s.

We are also going to do a little talking about embracing the new economy, the hyper-efficient economy, that will, hopefully, maximize economic growth.

But everything, whether it be from immigration, to Tax Code, to regulatory codes, everything, now the first words out of that politician's, that policymaker's, that researcher's, and you, as the constituent's mouth needs to be, how does this maximize economic growth for the country, because I want to keep my commitment to the young and our commitments to seniors. When you look at the numbers, it does not happen unless we can get this economic expansion, some economic growth really working.

So as we go through these slides—the other thing is also, for someone that is also really interested in these, we try to put these up on our social media, but these are some of the different projects we are working on.

Now, on this one, this is just to sort of understand, one more time—and I know I am repeating myself with the different slides, but we did a budget deal about, what, 2 months ago? Social Security Disability was going broke. Social Security Disability in early, mid-2016 was, functionally, the trust fund for that was going to be gone.

□ 1600

So the solution that Congress supported—I voted ''no,'' but that is because we thought we had a more elegant solution. Functionally, the political will was not there for the types of reforms we thought were appropriate.

They reached in and took $114 billion out of the big Social Security trust fund and moved it over here to the Social Security disability fund to shore it up. Okay. That was their solution, but there was almost no discussion around this body that it shortened the life of Social Security by about another year.

So when you take a look—the reason we are showing these is—take a look at this middle one. If you were to exclude the interest—now, understand, the revenues for Social Security come from really two pots, the taxes and then the money it has loaned to the government back to the general fund.

So the Federal Government—I know it is just an accounting gimmick back and forth because we are paying ourselves interest, but that is what we do. We pay ourselves interest, and that is considered one of the revenue sources for Social Security.

So if you were to take taxes and interest, but if you were to look at that midline and say, instead of the sort of bookkeeping entry we do back and forth, no interest, just the revenues from taxes on FICA, Social Security, it went negative in 2010. So more money was going out to beneficiaries than what has been coming in in taxes.

But if you actually put both the interest and the tax stream, it goes negative no longer in 2022. It goes negative now in 2021. So if I had a big marker, I would walk over there and cross that out. Of course, I would also knock over the board in doing it. So, functionally, 5 years, 60 months from now, Social Security goes negative.

Mr. Speaker, this is no longer that theoretical discussion we were having saying sometime off in the future, sometime in 2027, sometime in 2040. It is 5 years. It is less than one U.S. senatorial term that Social Security goes negative.

Mr. Speaker, how much discussion do you see in the political class, in the researcher class, the policy class, and in our communities saying: ''We need to deal with this today because every day we wait it becomes more difficult''?

If we look at the history of the last couple of decades when those of us who care about this deeply have gotten behind microphones and started to point out the numbers, we see the television ad the next campaign, whether it be pushing PAUL RYAN or a look-alike off of a cliff and saying that PAUL RYAN wants to try to reform your entitlements because—the fact of the matter is Medicare is going bankrupt. He wants to save the system. But if we can scare you to death, it becomes a great political issue.

I also believe the voters are way ahead of the political class in understanding we need to step up and do hard things to fix these. I also want to make the argument that these are the biggest issues in front of us because, if we don't do it, then everything in the future is going to be how do we survive the promises we have made in our entitlements. And it is coming fast. Remember, Social Security goes negative in about 60 months. That is how fast it is coming at us.

This was just to sort of reemphasize the fact—do you see that little red area? That is what we did in the budget deal a couple months ago. We grabbed that $114 billion and pulled it out of Social Security. Because of that, we shortened the life. We tried to do this without knocking them over. This was just another variation of the same set of numbers.

So now you know the reality. We have some on Medicare. But when you start to see some of the charts, we have charts that say that, if there is not a substantial economic expansion, Medicare could be 7 years and the trust fund is substantially drained.

Remember, these are supposed to be freestanding trust funds. The way the law works is you start to cut benefits. We need to avoid these. So how do you do it? How do you avoid these?

The first argument I want to make is it is next year when we start to discuss tax reform, a tax reform that maximizes economic growth, maybe not the benefit for the group you belong to or the industry you are in, but the tax reform that benefits the entire country to maximize economic growth.

Mr. Speaker, I am also asking for a revolution in the way we look at the regulatory state. There are a few people who have written about this. There are a few people who have thought about this.

For a couple of years I sat on the Science, Space, and Technology Committee. We would have debates back and forth with the EPA on: ''How did you get to this regulation? How did you find this out?''

They would say: ''We are not going to give you our data sets. It is proprietary. We are just doing the command and control.''

I learned there is this intense frustration. There is this fight out there between I believe people who make money off the regulatory state and those who functionally pay for it, which is all of us.

The fact of the matter is the crowdsourcing of information and data. Are we actually doing the most efficient methodology to have clean water and the most efficient technology to have clean air?

How about in my financial world? I sit on the Financial Services Committee. This is going to get a little geeky. But, in 2008, the bonds that were backed by mortgages blew up.

All of a sudden we found out there were lots and lots and lots of mortgages and deeds of trust rolled into these bonds that stopped performing. There were lots of debates and discussions of these were toxic loans, they were Alt-A that were put into these bonds, whatever the reason. How did we not know?

So we set up a financial system that bundled these mortgages into bonds. Are you telling me that, from the regulatory state, if we had designed an information-based regulatory system where those of us—when I was Maricopa County treasurer and you were looking at buying debt to park the cash you had so you would get a rate of return for your taxpayers, you would pick up the phone and call Moody's or call S&P or call the rating and say: ''Hey, is this a safe bond? Is this A rated? Is it AAA?'' or whatever it is. You would get a phone call back. They would say: ''Yes. It is fine.'' That was your due diligence.

How about a system that uses information so the information flows saying: ''Hey, the bond you are looking at, you now have 5 percent of the loans on it that aren't making their payments,'' ''Hey, do you realize this bond has an intense geographic concentration so, if something happens in that geography, you are going to have ever greater difficulties?''

All of a sudden the regulators that are built into the system come in and bayonet the wounded after the war is lost. Sorry. That was one of my father's favorite sayings.

But the fact of the matter is the way we do much of our regulation is after the sins have happened instead of using information to avoid the mistake in the beginning. So I am making the argument that that type of revolutionary thinking in the way we, as a society, regulate will maximize economic growth.

On immigration, you need to change this immigration system. When you realize that two-thirds of the immigration population is familial—and I know this sets people's hair on fire.

But if you are going to take in 1 million, 1.2 million, legal immigrants into the country this year, you do realize two-thirds of that population functionally gets to come to the United States because of a family member, where much of the rest of the world, whether it be Australia, New Zealand, Great Britain, Canada, have moved to a system that maximizes talent because they figured out they desperately need economic growth to keep their commitments.

But there is a fourth one that is almost never talked about and I can actually start to see here in Congress and I see it in our State legislatures, and that is actually the new economy.

I promise sometime when we get back in January we are going to do a presentation of how the new economy can both change how the government functions, but also, if we can get out of its way, it provides opportunity for everyone and, hopefully, maybe some escape velocity economically.

So let me throw you first just a simple concept. How many of you out there have ever ridden in a ride share or seen these things they call like Zipcar where you hit the button on your phone and you are able to just use a car? Why doesn't government do that?

I think we saw some data that there are 176,000 cars that are either owned or leased by the Federal Government. We found one small agency that had more vehicles than employees.

So if I came to you right now and said: ''Let's rethink this. Does this agency here belong owning their own little vehicle fleet and this agency that is right next door belong owning theirs?''

Why wouldn't you pool them together and create a simple app that does two things? It says the cars belong to everyone in the agency. You hit the button and say: ''I need to use one today, and tomorrow I don't need one'' and, ''Oh, by the way, the technology says that I am going to this community'' and it tells you who else from the bureaucracy is also going in the same direction.

It is already happening in the private sector. Now think of it even more expansive. Why is it just the Federal Government? Why wouldn't it be your State, your local, your tribal?

Another example we are working on right now in Arizona and we are actually working on with some of my State legislators is this concept for capital assets.

Mr. Speaker, I live in Maricopa County. It is maybe the third or fourth most populous county in the country. It is made up of 30-some cities and tribal communities.

How many of those communities own the really expensive earthmovers? How many of those earthmovers are used to their max every single day? If they are not, why isn't a simple app created to share? So do this tribal community, this city, this county, and this government each need to own their own? Why aren't they put on sharing platforms?

The concept is real simple. Capital assets need to be maximized. It is like the concept of a classroom. At 3:45, when school is out, does that classroom become the community college? At 7:30, does it become the senior learning class? It is a building. We are paying to heat and cool it. It is there. We spent the capital money. How do you maximize the utilization of capital assets?

Mr. Speaker, this is happening in the private world. Much of this technology is coming out of Silicon Valley and other hubs of innovation in our country. We need to open ourselves up in the government and say: ''We need to be embracing this technology to move it to ourselves.''

In the last half of this, I see fights starting to break out on the new technology and how it changes how we work. It changes our optionality. We need to understand that technology is changing our society. But if we can get out of the way, it can actually really provide us some opportunities.

So there are crazy thoughts. We are researching these. Let's say you are one of these drivers, whether it be an Uber platform or something else and there is this argument saying, well, you are being treated as a self-employed 1099 or you are getting direct payments electronically or you are doing Airbnb or these sorts of things. How is that going to help you fund your Social Security?

Maybe we need to rethink it. Maybe it really is time to have that honest conversation of should you be allowed to have that account that is truly yours and set up your technology that every time you have a client and you take them and deliver them to a location, every time you have guests in your Airbnb, every time you provide a certain service, you can use that technology so that a little bit of that money goes to your retirement account.

We have the technology. It would be a very low-cost way to do it. And we start to engage in the technology revolution that is happening around us to basically embrace it, not be scared of it, and at the same time use that technology to shore up what we have just talked about, the devastating actuarial math we are running into.

Mr. Speaker, I know there is a political battle coming in this because, for some of my brothers and sisters on the other side, it is very much: How do I unionize that population? How do I do this type of control? How do I have this?

For many of those on the more free market side, we are making the argument for individuals to be able to use technology and the new economy to pursue their optionality, maximizing the value of their time. They need to be allowed to do that.

We are Americans. Being free is part of the basic—it is supposed to be part of our DNA. At the same time, use that same creativity, that same optionality, to not be afraid of it, but to use that technology to actually grow the economy and embrace the empowerment of individuals to deal with the very problems we were showing on those slides.

Mr. Speaker, I yield back the balance of my time.

RESOLUTION TO HONOR AND PRAISE THE AMERICAN JEWISH COMMITTEE ON ITS 109TH ANNIVERSARY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 30 minutes.

GENERAL LEAVE

Mr. AL GREEN of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject matter of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. AL GREEN of Texas. Mr. Speaker, as I move forward with this Special Order hour, because the AJC has been very close in Houston, Texas, to a leading citizen, the Honorable William Alexander Lawson, I think it appropriate to let it be known that the AJC stands in sympathy with a good many persons with reference to Pastor Lawson's loss of his wife, the Honorable Audrey Lawson.

□ 1615

She will be funeralized on Friday at 11 a.m.—that would be central standard time—in Houston, Texas, at the Wheeler Avenue Baptist Church. Pastor Lawson has worked very closely with the AJC and many other Jewish organizations. I would dare say that he has been a nexus between various communities and the Jewish community. I am saddened by his loss and want him to know that the AJC as well as my good offices send him our condolences.

Today, Mr. Speaker, we are here to present H. Res. 518. H. Res. 518 honors and praises the American Jewish Committee on the occasion of its 109th anniversary. I am proud to tell you, Mr. Speaker, that on the campus today here at the Capitol we have visitors from the AJC. We have Richard Foltin, who is the Director of National and Legislative Affairs in AJC's Office of Government and International Affairs, in Washington, D.C. He happens to be accompanied by an intelligent, beautiful lady, who works with the AJC. Her name is Daniela Erazo. They are here, and I am proud to let them know that we are most excited about their being here on the occasion of the introduction of this resolution.

This resolution has been cosigned by a good number of Members of Congress. I would like to, because this is very special to us, give their names so that the RECORD will be clear as to who the cosponsors are.

The original cosponsors are: the Honorable ILEANA ROS-LEHTINEN, Florida's 27th District; the Honorable EMANUEL CLEAVER, Missouri's Fifth District; the Honorable STEVE COHEN, Tennessee's Ninth District; the Honorable ALCEE HASTINGS, Florida's 20th District; the Honorable SANDER LEVIN, Minnesota's Ninth District; the Honorable JERROLD NADLER, New York's 10th District; the Honorable CHARLES RANGEL, New York's 13th District; the Honorable DAVID SCOTT, Georgia's 13th District;

the Honorable FREDERICA WILSON, Florida's 24th District; the Honorable TOM MACARTHUR, New Jersey's Third District; and, of course, the Honorable DEBBIE WASSERMAN SCHULTZ, Florida's 23rd District, whom I mentioned earlier.

This resolution is one that acknowledges the mission of the AJC, which is to enhance the well-being of the Jewish people and Israel, and to advocate and advance Jewish rights and Jewish values in the United States and around the world. The AJC is committed to combating racial prejudice, anti-Semitism, and sponsoring and supporting issues related to the State of Israel.

The AJC has a rich history. It was founded on November 11, 1906, in New York City, by a group of American Jews who wanted to raise awareness about some of the atrocities that were taking place against Jewish people in Russia as well as in other places. This leadership went on to add as its list of duties, I suppose, doing all that they could to help in the fight against racism here in this country.

I am proud to tell you that the local chapter of the AJC in Houston, Texas, currently has as its director, Randy Czarlinsky. He is a dear friend. The president is Marcia Nichols. She is a friend as well.

But I am also going to mention a friend who was there in 1989. His name is David Mincberg. David Mincberg and I worked together. I was the president of the Houston branch of the NAACP. At that time, we had an unfortunate circumstance occur in Houston, Texas. We had a city council person make a racial slur. The AJC and the NAACP worked very closely together.

David Mincberg was one of the leading citizens to stand up and denounce this racial slur that took place and call for the resignation of the city council person. It had been prognosticated by one of our local persons who was in the community associated with political science.

He went on to explain that this person probably could have won. I have not mentioned his name. I see no need to. He probably could have won his office because there still was some support for him—substantial support, I might add. But because David Mincberg and the AJC stood with the African American community, by and through the NAACP and other organizations, this city council person decided to apologize and to resign from office.

This is but one example of how the AJC has made a difference in the lives of people who are not directly associated with the AJC. I think all people of goodwill are by virtue of the fact that the AJC is on a mission to do those things that will enhance the quality of life for people around the world, especially as they suffer from discrimination and other forms of atrocities that would cause them to have a quality of life that is unacceptable.

To this end, I would like to just mention some of the varied circumstances that the AJC has been involved with.

When Hurricane Katrina hit in 2005, the AJC organized a delegation to travel to the Gulf to bring relief and aid to the victims. This was quite an effort that the AJC put together. It contributed about $1.9 million in relief funds to help these victims to make sure that they had housing and to make sure that places of worship were rebuilt.

I would also add that the AJC, in 2010, received a wonderful honor. Dillard University decided that they would dedicate their new Distance Learning Center in honor of the AJC, as the AJC donated about $200,000 to this university.

In 2005, the AJC's efforts with reference to the tsunami relief fund should be acknowledged. This tsunami relief fund consisted of about $900,000 that went to help persons who were the victims of the tsunami in the Indian Ocean. This was a major disaster. I am proud to know that the AJC played a role in helping persons to receive not only what we call relief, but actually an understanding that they were not alone, that there were people in distant places who were willing to stand with them to make sure that they received the help that human beings beset by tragedy richly deserve.

In 2004, with the Dominican Republic and Haiti when there were floods, the AJC made a contribution.

In 2001, there was an earthquake in El Salvador, and the AJC made a donation.

In 2000, with the Lebanese refugees in northern Israel, the AJC made a donation to assist them.

And in 1999, with the Muslim refugees in Kosovo, the AJC made a financial contribution.

The AJC has been there in most of the major disasters around the world to be a hand to those in times of need, as evidenced by the record that I am building.

I would also note that the AJC was there in 1954. In 1954, the NAACP was litigating Brown v. Board of Education. The AJC filed an amicus brief in this case supporting the efforts of the NAACP and the other organizations—there were many—but the AJC was one of the leading organizations helping us to fight the discrimination that was taking place in our schools, such that the schools would be open to all, that there would no longer be segregation in schools in the United States of America.

As a result of what the AJC and the NAACP were able to accomplish, the rest, of course, is history. Brown v. Board of Education was won by the NAACP, with the aid of other organizations, including the AJC. We now have integrated schools. I would dare say that, without the help of the AJC and donations and helping us with some of the test materials with reference to how people are impacted by segregation—the psychological evaluations and the materials related thereto—without these things, we may not have won that lawsuit. The AJC has been instrumental in helping us with this type of invidious discrimination.

In 1965, the AJC presented Reverend Dr. Martin Luther King with the American Liberties Medallion for his exceptional advancement of the principles of human liberty. Dr. King, as you know, was a freedom fighter for all. While he was doing this, he had the aid and comfort of the AJC. The AJC was there to help him with marches and with the protest movement, but also there to help him as he went through some of the difficult times. I can remember the Edmund Pettus Bridge, for example. There were members of the AJC who were on-site to march with Dr. King after what we call Bloody Sunday had taken place.

The AJC and its members also established the Transatlantic Institute to promote Transatlantic cooperation for global security, Middle East peace, and human rights. This was done in 2004.

The AJC is a champion not only of human rights for Israel, but also for Palestinians. The AJC supports a two-state solution. The AJC encourages peace talks between Israel and the Palestinian leadership. The AJC believes that a peaceful solution with the parties negotiating it is the best way to have a long and lasting peace in the Middle East.

I must tell you that I have been involved with the Houston AJC as they go through some of these difficult issues and talk through them and work through them, and I am honored to support the AJC in its efforts to bring peace to not only Israel and Palestine, but also to the entire Middle East. The AJC is very much concerned about the diaspora on the whole, but more specifically about their friends and neighbors in the Middle East and bringing peace.

The AJC, in 2007, joined me and other colleagues, especially Representative Laura Richardson, in a resolution that we had, H. Res. 826, a resolution condemning noose intimidation.

In 2006, we had, at that time, some persons who felt it necessary to hang nooses in various places to intimidate and to incite others to do dastardly deeds. The AJC joined with us to denounce this type of behavior. As a result, while I don't say that there are no nooses being placed in places for the purpose of intimidation, I can say that they are not as prevalent as they were back in 2006–2007. I am honored at the AJC was there to help us with this endeavor.

In 2008, the AJC visited South Sudan to study how Israel could assist in the

preparation for South Sudanese independence. I had the honor of going to Sudan myself. I was not with the AJC at the time, but I did have an opportunity to see some of the needs of the people. They were great, they were many, they were varied, and the AJC was there to assist with the independence movement.

□ 1630

The AJC does things that go far beyond what, perhaps, many think it should be doing or has been doing.

In 2015, the AJC joined the chorus of civil rights groups in condemning bans on Muslims from entering the United States. This is one of their most recent activities. The AJC believes that religion should be respected and that, because a person happens to be of a given religion, it is no reason to conclude that a person can be banned or should be banned from the United States of America. The AJC respects all religions.

The AJC is an entity that established a full-time office in Israel. It did this for the first time such that it would have a means by which it could advocate for peace between the Israelis and their Arab neighbors; so they wanted to make sure that they had an office on the ground in Israel. While it appears to be a Jewish organization—and it is—it still wanted to make sure that its presence was immediately known in the State of Israel.

The AJC has long supported comprehensive immigration reform, and they want this type of reform done once the security of the Nation's borders has been put in place. Once the borders are secure, the AJC wants that comprehensive immigration reform. In fact, it would be great if it could all happen at the same time, and we push for this.

The AJC is an organization of goodwill, is an organization that has withstood the test of time, and is an organization that is diverse in every aspect of its existence as its membership is very diverse, and it preaches diversity.

In Houston, Texas, the AJC has, on many occasions, talked about the rich diversity of Houston, Texas. In fact, on an annual basis, an event is sponsored in Houston, Texas, wherein diversity is celebrated. We talk about this at what is called America's Table. We talk about all of the various ethnicities that are at America's Table, and we talk about how we all came to America's Table. We talk about the greatness of America. We talk about how there is but one race—the human race. We celebrate our rich diversity such that we can appreciate each other.

The AJC has made it possible for people who may not have had an opportunity to meet and to greet each other in an informal setting to sit at the table of brotherhood and to get to know each other in such a way as to not only develop a relationship but as to develop a friendship. The AJC is a supporter of relationship building, but, more importantly, of establishing relationships that can lead to friendships.

So I am honored today, Mr. Speaker, to present H. Res. 518, a resolution to help us acknowledge the great work of the AJC, not only this year, but in each year to come, such that this House of Representatives will annually record and recognize the accomplishments of the AJC and its members.

I mentioned SANDER LEVIN, who is from Michigan. I may have said ''Minnesota'' earlier. I want to correct the RECORD. He is a dear friend and a great supporter of this resolution, and he is also a person who has been in the fight for human rights. That means human rights as they relate to all people, not just to some people.

I am honored to close with a very brief word about the AJC and what I see in the future.

I believe that the AJC, given its history, is going to help us write a future that will bring peace to Israel and its neighbors. I believe that the AJC has demonstrated that it not only wants to be of benefit to Israel, but also to its neighbors. I believe that, with its involvement here and in Israel, the AJC is going to make a difference.

I think that the AJC, because of its history, will help us through this immigration reform debate. The AJC does a lot of research, and it has a lot of intelligence on how this type of circumstance, with people living in the shadows, can impact the lives of people beyond their physical existence and also beyond their mental existence. I am proud that the AJC is providing this type of intelligence.

I believe that the AJC, in the future, will help us with issues related to police community relations. The AJC is always available to help us when we have these turbulent times, when there are circumstances that must be addressed by communities that are grieving. The AJC helps us to bring the communities together so that we can, at some point, come to a conclusion that is beneficial to the community as a whole and to the persons who have been injured or harmed.

In the future, I believe, as the AJC moves forward with its various programs, it will help us with the hopes and with the aspirations of people who are suffering in places around the world from various natural disasters. I think they will do even more to help persons who are suffering from natural disasters. They have done an awful lot in every circumstance that is mentionable to date, but I do think that they will do even more. They have a wide reach, and they make sure that they are present, in some way, in order to be of assistance.

The AJC has been there. My prediction is that it will be there and that it will make a difference when it is present. I am honored to have received this time, and I do trust that Members who have statements will place them in the RECORD.

Mr. Speaker, I yield back the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today as a proud original cosponsor of House Resolution 518, Honoring and Praising the American Jewish Committee on the Occasion of its 109th anniversary, and to more broadly commend and celebrate the work of AJC. Thank you to my colleague Representative AL GREEN for organizing this special order hour.

Originally founded to raise awareness about the targeting of Jewish communities in Russia, AJC has become a leading voice and advocate against racism and prejudice here in the United States and around the world. Rooted in the Jewish values of tikkun olam—repairing the world—and of being a voice for those who cannot speak for themselves, AJC has been a key actor in pivotal movements and legislative victories including the Civil Rights Act of 1964, the Voting Rights Act, and for comprehensive immigration reform. As we continue to work to fulfill the complete visions of those movements, AJC will continue to be on the front lines.

AJC has partnered with governments all over the world to promote tolerance and understanding and successfully worked to restore and preserve Jewish historical and cultural centers from India to Morocco to Argentina. This work is critical not only for supporting Jewish communities and historical memory abroad, but also for the broader goal of promoting intercultural and interreligious understanding in the face of hatred and violence.

On a more personal level, as a young legislator in the Florida House, the American Jewish Committee took me on my first trip to Israel in 1995. That mission was nothing short of transformative. Although I felt a connection to the land of Israel as a Jew, that trip was the first of many that has deepened my connection to the land, to the history and reinforcing my steadfast commitment to supporting the state of Israel and the U.S.-Israel relationship. With threats coming from across and within her borders, our support for this relationship has perhaps never been more important.

So again, I commend the American Jewish Committee for its work on behalf of the Jewish community, on behalf of Israel, and on behalf of all the people its work impacts.

LIFTING THE CRUDE OIL EXPORT BAN

The SPEAKER pro tempore (Mr. HILL). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from North Dakota (Mr. CRAMER) for 30 minutes.

Mr. CRAMER. Mr. Speaker, I rise today to talk a little bit about one component of the omnibus tax extender package that is dominating the legislative agenda as we wrap up this year.

The one piece of the package that I want to talk about is the lifting of the crude oil export ban, which is an issue

that has passed twice now in the House of Representatives—in fact, as a standalone bill. H.R. 702, the lifting of the crude oil export ban, passed with 62 percent of the vote.

As is often the case, good bills that are passed by the House often languish in the Senate for a number of reasons. Perhaps one of the main reasons bills languish in the Senate is that their rules are as antiquated as is this export ban on crude oil.

Mr. Speaker, I want to take some time to talk about this provision and why it is important that we lift the crude oil export ban. I want to talk a little bit about the history that led to the export ban in the first place, and I want to talk about a more optimistic future as we look at the oil renaissance—what it has created and what it can create.

As I said, the export ban really is an antiquated law. It was put in place 42 years ago, which was a very different time in our country. It was different for a number of reasons, not the least of which being that the ban on exporting crude oil came at a time when our country did not enjoy energy abundance as we do today. It, rather, suffered from a scarcity of energy resources—a scarcity of oil, a scarcity of all kinds of energy—and, certainly, from a scarcity of the products that are created by oil. It suffered even from a scarcity, frankly, of some of the technologies that make the development of fossil fuels and, yes, of new, cleaner—greener, if you will—energy sources.

We are nothing in this country but for our innovation. I think innovation is the key to much of our success. It is not that the United States really had a scarcity of resources, but that, rather, we had a scarcity of technology to develop those resources. As the technology developed to get more and more of our energy resources and to develop them, it also progressed to make it more and more efficient to develop them and to make it cleaner to develop them. I am happy to elaborate.

I represent the great State of North Dakota. I am the only Member of the people's House from the State of North Dakota. We have just over 700,000 people in my State. So, like my 434 colleagues, I represent, roughly, 700,000 citizens. It just so happens that they make up a State.

In just the past few years alone, we have lost 80,000 U.S. jobs, just in the last year, 80,000 U.S. jobs, because our oil producers have been forced to scale back their rigs by nearly 60 percent. That is the result of a collapse in price.

Why is there a collapse in price? There is a collapse in price largely because we are producing a lot more, and, of course, we cannot sell the product outside of the United States. Obviously, you can't produce more than your consumers can take in.

In North Dakota, we grow a lot of crops. We grow a lot of food to feed a hungry world. In fact, we are the number one producer of anywhere from 12 to 16 or 18 crops depending on the year. We produce a lot of wheat, but we can't begin to eat it all. We produce a lot of cattle. We produce a lot of honey. We produce a lot of sunflowers. We produce a lot of beans. We produce a lot of products that we couldn't begin to consume in this country, but there are hungry people all over the world who would love to consume it.

So we are always innovating, creating new breeds and technologies and farming practices and chemicals and, yes, modifying the product. Why? It is because there is not more land on which to grow more food, but there are many more people who need to eat it throughout the world.

The same is true, in many respects, of energy. Yet now, as we have come upon this time with this renaissance that was created—again, not because God suddenly put more oil under the ground, but because of technology—the advancement of horizontal drilling and hydraulic fracturing has unlocked billions of barrels of oil that were always there or were at least there for several years—decades, centuries, millennia. It has unlocked it because of technology.

We talk a lot about energy independence and about the goal to get there. Yes, that is a noble goal. I would submit, though, that more important than that is energy security. And I have heard the Chair, Mr. Speaker, talk about the topic of energy security with great eloquence. Energy security is like food security. It is the ability to develop and to produce what you need as well as to produce for the global marketplace, increasing our influence in the world. I am going to get into that in a little bit.

Let's not forget about the jobs. Let me talk for a minute about the jobs in my home State of North Dakota, which is now the second leading producing State of oil, second only to Texas.

I was an economic development director for our State at a time when we were beginning to diversify our economy, at a time when out-migration was just starting to plateau. Since that time, we have become the fastest growing economy in the country and have the fastest growing population in the country. We now have the second highest per capita personal income in the country and the lowest unemployment rate in the country. In fact, we still, even with this downturn, have more jobs than we have people looking for work in North Dakota.

I have seen people go from poverty to prosperity. There is nothing wrong with that. I have seen truck drivers become fleet owners. I have seen short order cooks become restauranteurs. I have seen carpenters become developers.

□ 1645

I have seen people who have a water well become entrepreneurs selling water for hydraulic fracturing.

I have seen the renaissance lift people up. While a rising tide lifts all boats, they don't necessarily all get lifted at the exact same time. So there is a little bit of massaging and intervention that goes on to help people even during the boom, if you will, to keep up.

According to an IHS Energy study, for every one job created in the oil and gas sector, there are six jobs created in the broader economy. I can tell you, Mr. Speaker, from my experience in North Dakota, that is definitely true. It is not just the oil rig worker. It is not just the truck driver. It is not just the pipeline worker.

All of them, as important as they are and as good of jobs as they are, it is that restaurant owner. It is the hair dresser. It is the Main Street retailer, the person selling groceries. It is the entrepreneur who comes up with an idea no one else had thought of before. It is the entrepreneur that sees the problem that needs a fix, finds the fix, sells it and markets it and becomes an employer as well, rather than just an employee.

By the way, the American jobs created by the oil renaissance of recent years exists in all 50 States.

Speaker RYAN put out this chart today, this little graphic piece, identifying the opportunities that lifting the crude oil export ban would have that go beyond the renaissance that we have experienced in recent years. Lifting the oil export ban would create an estimated 1 million American jobs in nearly all 50 States. That is because the supply chain that it takes to produce the oil, to discover the oil, to move the oil, to refine the oil, to finance, to do the accounting, it is in every State.

In fact, the President's home State of Illinois is one of the greatest beneficiaries of the oil renaissance. Many of these 1 million jobs would be created right there within a matter of years. It would add, imagine now, $170 billion—with a B—to our gross domestic product every year.

At a time when we are looking for revenue to meet the priorities of our Nation, at a time while unemployment has come down, we still have a very, very low workforce participation rate, at a time when our education system doesn't always match the opportunities, we have the opportunity with these additional dollars and the additional job opportunities to meet the demands of a growing economy. All the while, we could, with lifting the crude oil export ban, meet the market demands around the world.

Mr. Speaker, I happen to think that history can be a great teacher. I said earlier that I want to address the history or the context of this export ban. How did this come to be?

You know, as I said, much has been written and said by me and my colleagues and others in the industry how lifting the export ban would be good for our economy, how it would be good for job creation, and how it would be good for the United States of America. The history of how it came to be, I think, is useful.

It was the Yom Kippur war in 1972 led by Syria—an attack by Syria backed up by, Mr. Speaker, none other than the Soviet Union—against our friends, Israel. It was the United States, as has been the rich tradition of our country, who came to the defense of our best friend and ally in democracy who shares our values in the Middle East, Israel. Syria and the Soviet Union pitted against Israel, backed by the United States.

The Yom Kippur war led to the oil embargoes of 1973, which caused a reaction, leading eventually to this crude oil export ban. You might recall in the seventies, Mr. Speaker—I do, barely, but I do—the gas shortages, the rationing of gas, sales limited to 10 gallons of gas per customer, as is illustrated in this poster, this real picture of the 1970s.

Now, while it might have been a well-meaning policy to put a ban on exporting crude oil with the idea that somehow we could produce enough oil in the United States or, at least, we ought to hoard what we have, it is not like the United States was a leading producer of oil. We weren't what we are today.

Today, we are the number one producer of oil and gas. Gas, as you know, can be exported. By the way, refined petroleum products can also be exported.

So that is what led to the ban. The problem is, as I said earlier, this isn't 1973 anymore. This is not 1979. This is not 1989. This is a time when we have energy abundance. We have oil abundance to the point where we have every storage facility, including pipelines, ships, and tanks, full of oil. We are still producing light, sweet crude, I might add. In a little bit, I will get to the difference between that and this heavy sour crude and the various market mixes that demand that.

Mr. Speaker, as I started out reminding the Chamber, we passed H.R. 702 with 62 percent of the vote, a large bipartisan vote. That was a bill introduced by my friend, Representative JOE BARTON of Texas. He is in the Chamber with us, and I would like to yield such time as he would like to explain why this is such an important piece of this week's omnibus and tax package.

Mr. Speaker, I yield to the gentleman from Texas (Mr. BARTON).

Mr. BARTON. Mr. Speaker, the first thing that I want to do is commend the gentleman from North Dakota for his hard work on this. He is an original cosponsor of H.R. 702. He is a valued member of the ad hoc whip team that we put together.

He and I have worked the floor. We have had dinners with undecided Members. We have helped coordinate action efforts with some of the outside groups that are supportive.

You have been unflagging in his help on this. I could say similar things about the Speaker in the chair. The gentleman from Arkansas has also been a valued member of our team.

What I want to focus on is to explain to the Members what this means strategically to the United States of America. The world produces and consumes about 95 million barrels of oil per day right now; 95 million. Three countries, the United States, Saudi Arabia, and Russia, combined produce about 30 percent of that, a little over 30 million barrels a day between those three countries. Right now, Saudi Arabia would be number one, Russia would be number two, and the United States would be number three at about 9 million barrels a day production here in the United States.

Until this bill becomes law, which we hope will pass the House and the Senate and the President will sign it this weekend, if you want to change the world oil markets, it takes five or six phone calls. The chairman of OPEC, the Organization of the Petroleum Exporting Countries, who have their headquarters in Vienna, would make four or five phone calls to the various oil ministers of Saudi Arabia, Iran, Libya, Nigeria.

If they all agree on a price and a production quota, they have a meeting, they get all the member states to ratify it, and they set the price. A handful of people set the world price. That is the way it has been done since the mid-1970s during the Arab oil embargo.

If we repeal the ban on U.S. crude oil exports, which I think we are going to do, and the President signs the bill next week, we have about 500 million barrels of oil in storage in Oklahoma, Louisiana, and Texas, up in the Midwest where the gentleman is from. Believe it or not, there is some in California and some even up on the East Coast. There is privately owned oil that is just sitting there.

The chairman of OPEC calls those same five oil ministers and says, Boys, we need to raise the price. We are going to cut production. Each of you guys, your nation, we agree to cut production to half a million barrels a day. We are going to tighten up the market, and we are going to raise the price. And they all agree to do it.

Well, that word is going to get out. Somebody in Houston is going to say, Well, I have got 10 million barrels right here. Somebody in Corpus Christi, somebody in New Orleans, somebody in Mobile, Alabama, somebody in New York City or Long Beach, California, there will be oil on the market to replace the production cutbacks of OPEC, if not in minutes, in hours.

What we are doing is taking the keys from OPEC and giving the keys to the American people, the free market. Who has the biggest oil reserves in the world, if you include our alternative shale reserves? The United States of America. Who has the best technology in the world? United States of America. Who has the best people, the best seismic engineers, the best production engineers, the best oil field workers, the best truck drivers, the best pipeliners? The United States of America.

So, by golly, within a week, we are going to unleash the free market competitive enterprise of the American people on the world oil market. These other countries—Russia, Saudi Arabia, Iran, Iraq, Nigeria, and Libya—they can increase production a little bit, but there is only one country in the world that could literally double production within 4 or 5 years. Guess who that is? The United States of America

So what we are doing this week in the omnibus—there are lots of reasons to be for it. If you want to take control of energy policy away from a handful of oil ministers who are primarily in the Middle East, vote for this bill and put control in the market. Let the Americans compete with the Mexicans and the Canadians and the Saudis and the Iraqis and the Russians and anybody else who wants to sell oil.

We don't realize what we are about to do, but it has tremendous economic and strategic implications for freedom everywhere in the world. You, sir, from North Dakota have helped make that possible. The gentleman in the chair from Arkansas has helped make that possible. The 262 Members of this House, Republicans and Democrats—HENRY CUELLAR of Laredo, Texas—has helped make that possible.

Next week is going to be a great week, it is going to be a milestone week, and we are going to look back, this is when we took back control from OPEC and gave it to the free market and to the American entrepreneurial spirit.

I thank Congressman CRAMER for his hard work. I am proud to have him as one of the leaders in this effort.

Mr. CRAMER. Mr. Speaker, I thank Chairman BARTON for his kind words and his tireless effort on behalf of the employees, the workers, the economy of our country, and for articulating so beautifully and so perfectly, without rehearsal, the next chapter of what I began to talk about when I talk about the historical context. We are reliving much of that history right now.

As we think about ISIS, as we think about Iran and a path to a nuclear weapon, when we think about what is going on with Russia's movement further and further into Europe and its growing influence, the bear is back.

Here we have the opportunity to use the peaceful tools of energy development rather than the weapons of war.

□ 1700

Never has the world needed it more. You talked about the bipartisan effort and how proud we are to work hand in hand with our Democratic Member friends, what a blessing that has been. One of the best, a gentleman that I have grown to not just know and appreciate, but to love, is Representative DAVID SCOTT of Georgia, whose heart for the things that matter has in many ways changed mine, I have to admit. He has changed mine.

He has offered amendments to multiple bills, an amendment to multiple bills that I have now joined him in offering. It is not one on this bill, but I want to read the amendment because it is relevant to what we are doing. It is a simple amendment.

Representative SCOTT from Georgia offered this, and I join him in it, if not as an amendment, at least as an instruction. I quote now from his amendment:

Knowing that young Black men in the United States ages 18 to 37 are the hardest hit, at a 38 percent unemployment rate, and as high as 50 percent in some of our States and cities, the U.S. Congress, through this act, strongly requests the labor unions and contractors who will participate in the development of our oil infrastructure to actively recruit qualified said young Black men ages 18 to 37 for employment with their existing apprenticeship programs.

His amendment goes on to say:

These labor union apprenticeship programs will be conducted in conjunction with the National Electrical Contractors Association and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, under the auspices of the National Joint Apprenticeship and Training Committee, which allows apprentices to ''Earn While You Learn.''

As I said earlier, if we, as capitalists, people who support the free enterprise system—and this is clearly support of free markets—if we believe that a rising tide can lift all boats, let's lend a hand. Let's prove it. Let's prove it by giving more opportunities to populations that have disadvantages in our marketplace and prove to them that we can, in fact, lift all boats.

I might add—and, Chairman BARTON, if you want to explain some of this and comment on this—there is another important provision that was in H.R. 702 that is also part of this bill, and that gets to the use of support for the maritime security program. Would you be willing to share a couple minutes about that, because that is an important part of what we are doing.

Mr. BARTON. Will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Texas.

Mr. BARTON. We have a fleet of privately owned ships that are normally in private commercial operation and that are owned by the companies that operate here in the ports of the United States. We pay a small fee each year from the Department of Defense so that, if these ships ever need to be used to transport military supplies overseas, they have to cease commercial operation and carry the military cargo.

They are only used when it is—I won't say an emergency, but a special situation. In this bill, we have some funding that increases the per-ship reimbursement rate slightly so that it makes it feasible for these ships to be on standby for our military to use. It was offered by the chairman of the full committee—I think Chairman FRED UPTON—when our bill was on the floor, and it was included in the manager's amendment. It was made part of the bill then and is in the bill that is before us that we are going to vote on on Friday. It is a way to help in a cost-effective way our military when they need lift capacity to get military supplies overseas in a tense situation.

Mr. CRAMER. Making this vehicle another all-important appropriate vehicle for this amendment because the main piece of the omnibus package is, of course, increased spending for our defense. But you said cost effective. You are right, having these flagships available really saves the country the cost of about $52 billion worth of building the ships, so it is a tremendous tool.

Mr. BARTON. It is a good deal for the taxpayer and a good deal for our troops.

Mr. CRAMER. It definitely is. Thank you for that, and thank you again for your leadership.

Mr. BARTON. Thank you for your leadership. I am going to have to excuse myself, but thank you for this Special Order.

Mr. CRAMER. Mr. Speaker, I am going to wrap up, as well, with another history lesson. It is so interesting. I love history. I am not one who looks back a lot. I do like to look in the rearview mirror once in a while to make sure I am still going straight as I move forward. I think we as a Congress and as a country need to do the same.

It was on this very day, December 16, 1773, that patriots at Boston Harbor expressed their displeasure with a foreign power's influence over what they felt was an essential commodity. Participants of the Boston Tea Party, many of whom were small-business owners, well versed in and practitioners of the teachings of Adam Smith and, yes, free market economics, never would have envisioned that one commodity should be arbitrarily discriminated against over another, especially by their own government. We have an opportunity with this commodity to make a difference.

Mr. Speaker, may I inquire how much time is left? I see that Chairman SHIMKUS is here and might have a word or two for us.

The SPEAKER pro tempore. The gentleman has 1 minute remaining.

Mr. CRAMER. I yield to the gentleman from Illinois (Mr. SHIMKUS), my good friend.

Mr. SHIMKUS. I want to thank my colleague from North Dakota and just say a couple things.

First of all, what we have done on the omnibus is great public policy. Crude oil is a commodity like corn and beans that should be sold on the world market.

Secondly, more oil on the world market lowers the prices for crude oil for everybody.

Thirdly, on the international security arena, and by focus on Europe, and primarily the old captive nations of Eastern Europe, is that they are being held hostage by energy extortion by the Russians. The more we put more crude oil on the world market, the more that lowers the international price. That makes them have the opportunity to be free and independent from a totalitarian regime that is their neighbor to the east.

I appreciate my colleague offering me up an opportunity to address this.

Mr. CRAMER. That is the perfect wrap-up, Mr. SHIMKUS.

Mr. Speaker, I yield back the balance of my time.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 5 o'clock and 8 minutes p.m.), the House stood in recess.

□ 1934

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 7 o'clock and 34 minutes p.m.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 16, 2015.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 16, 2015 at 5:21 p.m.:

That the Senate passed S. 238.

That the Senate passed with an amendment H.R. 3594.

With best wishes, I am
Sincerely,
KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 16, 2015.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 16, 2015 at 6:04 p.m.:

That the Senate agreed to without amendment H.J. Res. 78.

With best wishes, I am
Sincerely,
KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by the Speaker on Wednesday, December 16, 2015:

H.J. Res. 78, making further continuing appropriations for fiscal year 2016, and for other purposes.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 2029, MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2016; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM DECEMBER 19, 2015, THROUGH JANUARY 4, 2016; AND FOR OTHER PURPOSES

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–382) on the resolution (H. Res. 566) providing for consideration of the Senate amendment to the bill (H.R. 2029) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; providing for proceedings during the period from December 19, 2015, through January 4, 2016; and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CUELLAR (at the request of Ms. PELOSI) for today and the balance of the week on account of death in family.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 238. An act to amend title 18, United States Code, to authorize the Director of the Bureau of Prisons to issue oleoresin capsicum spray to officers and employees of the Bureau of Prisons, to the Committee on the Judiciary.

S. 571. An act to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes; to the Committee on Transportation and Infrastructure.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill and a joint resolution of the House of the following title, which were thereupon signed by the Speaker:

H.R. 2270. An act to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Memorial with the wildlife refuge, and for other purposes.

H.J. Res. 78. Joint resolution making further continuing appropriations for fiscal year 2016, and for other purposes.

ADJOURNMENT

Mr. COLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, December 17, 2015, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3772. A letter from the Deputy Secretary, Department of Defense, transmitting the Department's Semiannual Report to the Congress for the period April 1 through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Armed Services.

3773. A letter from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Truth in Lending (Regulation Z) Annual Threshold Adjustments (CARD ACT, HOEPA and ATR/QM) received December 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3774. A letter from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Appraisals for Higher-Priced Mortgage Loans Exemption Threshold (RIN: 3170-AA11) received December 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3775. A letter from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rules — Truth in Lending (Regulation Z) received December 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3776. A letter from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rules — Consumer Leasing (Regulation M) (RIN: 3170-AA06) received December 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3777. A letter from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting two reports on the Progress of the Federal Government in Meeting the Renewable Energy Goals of the Energy Policy Act of 2005 for fiscal years 2009-2010 and 2011-2012, pursuant to 42 U.S.C. 15852(d); Public Law 109-58, Sec. 203(d); (119 Stat. 653); to the Committee on Energy and Commerce.

3778. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting the report entitled ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran'', pursuant to 22 U.S.C. 8513a(d)(4); Public Law 112-81, Sec. 1245(d)(4) (as amended by Public Law 112-158, Sec. 503(b)(1)); (126 Stat. 1261); to the Committee on Energy and Commerce.

3779. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed items to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to 22 U.S.C. 2778 note; Public Law 105-261, Sec. 1512 (as amended by Public Law 105-277, Sec. 146); (112 Stat. 2174); to the Committee on Foreign Affairs.

3780. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting agreements prepared by the Department of State concerning international agreements other than treaties entered into by the United States, to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(d) Public Law 92-403, Sec. 1; (86 Stat. 619); to the Committee on Foreign Affairs.

3781. A letter from the Acting Director, Office of Personnel Management, transmitting a detailed report justifying the reasons for the extension of locality-based comparability payments to non-General Schedule categories of positions that are in more than one executive agency, pursuant to 5 U.S.C. 5304(h)(2)(C); Public Law 89-554, Sec. 5304(h) (as added by Public Law 102-378, Sec. 2(26)(E)(ii)); (106 Stat. 1349); to the Committee on Oversight and Government Reform.

3782. A letter from the Secretary, Department of Energy, transmitting the Department's Semiannual Report to Congress for the period of April 1, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3783. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's FY 2015

Agency Financial Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3784. A letter from the Secretary, Department of the Treasury, transmitting the Department's Semiannual Report to Congress for the period of April 1, 2015, through September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3785. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's Semiannual Report to Congress for the period ending September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

3786. A letter from the Chief Financial Officer, National Labor Relations Board, transmitting the Board's Performance and Accountability Report for Fiscal Year 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3787. A letter from the Acting Director, Office of Personnel Management, transmitting a report regarding the National Security Professional Development Interagency Personnel Rotations 2nd Fiscal Year End Report on Performance Measures, pursuant to 5 U.S.C. prec. 101 note; Public Law 112-239, Sec. 1107(g); (126 Stat. 1976); to the Committee on Oversight and Government Reform.

3788. A letter from the Chief Administrative Officer, transmitting a quarterly report of receipts and expenditures of appropriations and other funds for the period October 1, 2015 to December 31, 2015, pursuant to 2 U.S.C. 104a (H. Doc. No. 114—82); to the Committee on House Administration and ordered to be printed.

3789. A letter from the Assistant Attorney General, Department of Justice, transmitting the Annual Report to Congress on Investigation, Enforcement and Implementation of Sex Offender Registration and Notification Act Requirements, pursuant to 42 U.S.C. 16991; Public Law 109-248, Sec. 635; (120 Stat. 644); to the Committee on the Judiciary.

3790. A letter from the Secretary, Department of Veterans Affairs, transmitting a draft bill to authorize major medical facility projects for the Department of Veterans Affairs for fiscal year 2016, and other purposes, pursuant to 38 U.S.C. 8104(a)(2); to the Committee on Veterans' Affairs.

3791. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2015-85] received December 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3792. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Tribal Economic Development Bonds: Use of Volume Cap for Draw-down Loans [Notice 2015-83] received December 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3793. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only (I.R.B. 2015-49) — Revenue Ruling: 2015 Base Period T-Bill Rate (Rev. Rul. 2015-26) received December 15, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLE: Committee on Rules. H. Res. 566. A resolution providing for consideration of the Senate amendment to the bill (H.R. 2029) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; providing for proceedings during the period from December 19, 2015, through January 4, 2016; and for other purposes (Rept. 114–382). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ALLEN:

H.R. 4262. A bill to amend title I of the Patient Protection and Affordable Care Act to require that a State awarded a Federal grant to establish an Exchange and that terminates the State operation of such an Exchange provide for an audit of the use of grant funds and return funds to the Federal Government, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MOONEY of West Virginia (for himself, Ms. CLARK of Massachusetts, Mr. BERA, Mr. BLUM, Mr. LANGEVIN, Mr. POLIQUIN, Mr. AGUILAR, and Mr. MACARTHUR):

H.R. 4263. A bill to amend the Higher Education Act of 1965 to provide for the preparation of career and technical education teachers; to the Committee on Education and the Workforce.

By Mr. SMITH of New Jersey:

H.R. 4264. A bill to promote United States national security and foreign policy objectives through consolidation and strengthening of the rule of law and respect for human rights in the Republic of Azerbaijan; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OLSON (for himself, Mr. LATTA, Mr. CUELLAR, and Mrs. KIRKPATRICK):

H.R. 4265. A bill to amend the Clean Air Act with respect to national ambient air quality standards, including the 2015 ozone standards, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CONYERS (for himself, Mr. SCOTT of Virginia, Ms. WILSON of Florida, Mr. CLAY, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DANNY K. DAVIS of Illinois, Mrs. BEATTY, and Ms. GRAHAM):

H.R. 4266. A bill to direct the Secretary of Labor to issue an occupational safety and health standard to reduce injuries to patients, nurses, and all other health care workers by establishing a safe patient handling, mobility, and injury prevention standard, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLLINS of New York (for himself, Mr. KINZINGER of Illinois, Mr. JOHNSON of Ohio, Mr. BUCSHON, and Mr. LATTA):

H.R. 4267. A bill to provide that no penalty may be imposed on a State for refusing to expend refugee resettlement assistance funds on certain refugees, and for other purposes; to the Committee on the Judiciary.

By Mr. O'ROURKE:

H.R. 4268. A bill to designate the Castner Range in the State of Texas, to establish the Castner Range National Monument, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE (for himself, Ms. ADAMS, Mr. AGUILAR, Ms. BASS, Mr. BECERRA, Mr. BEYER, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Ms. BROWNLEY of California, Mrs. CAPPS, Mr. CAPUANO, Mr. CÁRDENAS, Mr. CARNEY, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. COURTNEY, Mr. CROWLEY, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Ms. DEGETTE, Mr. DELANEY, Ms. DELAURO, Mr. DESAULNIER, Mr. DEUTCH, Mr. DOGGETT, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. DUCKWORTH, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Ms. ESTY, Mr. FARR, Mr. FOSTER, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. GALLEGO, Mr. GRAYSON, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HASTINGS, Mr. HIGGINS, Mr. HIMES, Mr. HONDA, Mr. HOYER, Mr. HUFFMAN, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. LANGEVIN, Mr. LARSON of Connecticut, Mrs. LAWRENCE, Ms. LEE, Mr. LEVIN, Mr. TED LIEU of California, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. MCDERMOTT, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MEEKS, Ms. MENG, Ms. MOORE, Mr. MOULTON, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mr. NORCROSS, Ms. NORTON, Mr. PALLONE, Mr. PASCRELL, Ms. PINGREE, Ms. PLASKETT, Mr. POCAN, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Miss RICE of New York, Mr. RICHMOND, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SHERMAN, Mr. SIRES, Ms. SLAUGHTER, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. TONKO, Mrs. TORRES, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VEASEY, Ms. VELÁZQUEZ, Mr. VARGAS, Ms.

WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, and Mr. YARMUTH):

H.R. 4269. A bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes; to the Committee on the Judiciary.

By Mr. POMPEO:

H.R. 4270. A bill to provide authority for access to certain business records collected under the Foreign Intelligence Surveillance Act of 1978 prior to November 29, 2015, to make the authority for roving surveillance, the authority to treat individual terrorists as agents of foreign powers, and title VII of the Foreign Intelligence Surveillance Act of 1978 permanent, and to modify the certification requirements for access to telephone toll and transactional records by the Federal Bureau of Investigation, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Missouri:

H.R. 4271. A bill to prohibit the Administrator of the Environmental Protection Agency from awarding contracts for public relations, market research, or other similar activities; to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture, Transportation and Infrastructure, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESTY (for herself, Mrs. WALORSKI, and Mr. COFFMAN):

H.R. 4272. A bill to provide for the issuance of a Families of Fallen Heroes Semipostal Stamp; to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GENE GREEN of Texas (for himself and Mr. MCDERMOTT):

H.R. 4273. A bill to amend titles XVIII and XIX of the Social Security Act to improve payments for hospital outpatient department services and complex rehabilitation technology and to improve program integrity, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas:

H.R. 4274. A bill to prohibit the admission of K-1 nonimmigrants and to prohibit the issuance of K-1 visas, and for other purposes; to the Committee on the Judiciary.

By Mr. KELLY of Pennsylvania (for himself, Mr. KIND, Mr. GUTHRIE, and Mr. MICHAEL F. DOYLE of Pennsylvania):

H.R. 4275. A bill to amend title XVIII of the Social Security Act to eliminate a provision under the Medicare Advantage program that inadvertently penalizes Medicare Advantage plans for providing high quality care to Medicare beneficiaries; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY (for himself, Mr. TONKO, Ms. MATSUI, Ms. CLARKE of New York, and Ms. CASTOR of Florida):

H.R. 4276. A bill to strengthen parity in mental health and substance use disorder benefits; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NOEM (for herself and Ms. SCHAKOWSKY):

H.R. 4277. A bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE (for himself, Mr. ENGEL, Mr. RANGEL, Ms. EDWARDS, Ms. CLARKE of New York, Ms. NORTON, Mr. FATTAH, Mr. DAVID SCOTT of Georgia, Ms. WILSON of Florida, Mr. SIRES, Mr. MCGOVERN, Mr. VAN HOLLEN, Mr. JEFFRIES, Mr. COHEN, Ms. JACKSON LEE, Mrs. LAWRENCE, Mr. BLUMENAUER, Ms. FUDGE, Mr. QUIGLEY, Ms. SPEIER, Mrs. WATSON COLEMAN, Ms. SCHAKOWSKY, and Mr. TAKANO):

H.R. 4278. A bill to authorize the Director of the Bureau of Justice Assistance to make grants to States, units of local government, and gun dealers to conduct gun buyback programs, and for other purposes; to the Committee on the Judiciary.

By Mrs. WALORSKI (for herself and Mrs. BROOKS of Indiana):

H.R. 4279. A bill to direct the Secretary of Veterans Affairs to disclose certain information to State controlled substance monitoring programs; to the Committee on Veterans' Affairs.

By Mr. ROGERS of Kentucky:

H.J. Res. 78. A joint resolution making further continuing appropriations for fiscal year 2016, and for other purposes; to the Committee on Appropriations. considered and passed.

By Mr. HARDY:

H.J. Res. 79. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mrs. LOWEY (for herself, Mr. ROSKAM, Mr. ENGEL, and Mr. ROYCE):

H. Res. 567. A resolution expressing opposition to the European Commission interpretive notice regarding labeling Israeli products and goods manufactured in the West Bank and other areas, as such actions undermine efforts to achieve a negotiated Israeli-Palestinian peace process; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mrs. CAPPS introduced a bill (H.R. 4280) to authorize the President to award the Medal of Honor to Colonel Philip Conran of the United States Air Force for acts of valor during the Vietnam War; which was referred to the Committee on Armed Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ALLEN:

H.R. 4262.

Congress has the power to enact this legislation pursuant to the following:

Consistent with the original understanding of the commerce clause, the authority to enact this legislation is found in Clause 3 of Section 8, Article 1 of the U.S. Constitution.

By Mr. MOONEY of West Virginia:

H.R. 4263.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution states that ''The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.''

By Mr. SMITH of New Jersey:

H.R. 4264.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3
Article 1, Section 8, Clause 4
Article 1, Section 8, Clause 18

By Mr. OLSON:

H.R. 4265.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constitution: The Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. CONYERS:

H.R. 4266.

Congress has the power to enact this legislation pursuant to the following:

Art. 1; Sec. 8

By Mr. COLLINS of New York:

H.R. 4267.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution

By Mr. O'ROURKE:

H.R. 4268.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Office thereof.

By Mr. CICILLINE:

H.R. 4269.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. POMPEO:

H.R. 4270.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. SMITH of Missouri:

H.R. 4271.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 14 states Congress shall have the power to make rules for the government and regulation of the land and naval forces.

By Ms. ESTY:

H.R. 4272.

Congress has the power to enact this legislation pursuant to the following:

clause 7 of section 8 of article I of the Constitution.

By Mr. GENE GREEN of Texas:

H.R. 4273.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution.

By Mr. SAM JOHNSON of Texas:

H.R. 4274.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 United States Constitution

By Mr. KELLY of Pennsylvania:

H.R. 4275.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I Section 8 of the United States Constitution.

By Mr. KENNEDY:

H.R. 4276.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—to provide for the general welfare and to regulate commerce among the states.

By Mrs. NOEM:

H.R. 4277.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. PAYNE:

H.R. 4278.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3—Congress has the ability to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mrs. WALORSKI:

H.R. 4279.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the United States Constitution

By Mrs. CAPPS:

H.R. 4280.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14

By Mr. ROGERS of Kentucky:

H.J. Res. 78.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. HARDY:

H.J. Res. 79.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 178: Mr. SESSIONS.
H.R. 201: Mr. TURNER.
H.R. 307: Mr. CÁRDENAS.
H.R. 347: Mr. PITTENGER.
H.R. 391: Mr. MCGOVERN.
H.R. 393: Ms. PINGREE.
H.R. 546: Mr. TIPTON.
H.R. 592: Mr. ENGEL.
H.R. 676: Mr. MCNERNEY and Mrs. NAPOLITANO.
H.R. 721: Mrs. TORRES.
H.R. 752: Mr. CÁRDENAS.
H.R. 793: Mr. ENGEL.
H.R. 815: Mr. TURNER.
H.R. 841: Mr. FLEMING.
H.R. 863: Mr. ROHRABACHER.
H.R. 921: Mr. FORBES.
H.R. 973: Mrs. KIRKPATRICK.
H.R. 986: Mr. WALBERG and Mrs. ROBY.
H.R. 1116: Mr. HUDSON, Mr. BISHOP of Michigan, Mrs. BROOKS of Indiana, Mr. FLORES, and Mr. DOLD.
H.R. 1117: Mr. HUFFMAN.
H.R. 1130: Mr. KELLY of Pennsylvania, Mr. KIND, Mr. YOUNG of Iowa, Ms. JACKSON LEE, and Ms. ESHOO.
H.R. 1192: Mr. KINZINGER of Illinois, Mr. FATTAH, and Ms. WILSON of Florida.
H.R. 1197: Mr. ROONEY of Florida.
H.R. 1220: Ms. BONAMICI.
H.R. 1258: Ms. KELLY of Illinois.
H.R. 1274: Mr. CARTWRIGHT.
H.R. 1288: Ms. KUSTER, Mr. QUIGLEY, and Ms. MENG.
H.R. 1343: Mr. VEASEY.
H.R. 1431: Mrs. BLACKBURN and Mr. FRANKS of Arizona.
H.R. 1432: Mrs. BLACKBURN and Mr. FRANKS of Arizona.
H.R. 1475: Ms. MENG.
H.R. 1567: Ms. GRAHAM.
H.R. 1594: Mr. LATTA.
H.R. 1608: Mr. HASTINGS.
H.R. 1671: Mr. HOLDING, Mr. WENSTRUP, and Mr. PEARCE.
H.R. 1726: Mr. VEASEY.
H.R. 1763: Mr. VISCLOSKY.
H.R. 1769: Mr. AUSTIN SCOTT of Georgia, Mr. BISHOP of Michigan, and Mr. HILL.
H.R. 1784: Mr. ENGEL.
H.R. 1877: Mr. ENGEL.
H.R. 1923: Mrs. BEATTY and Mr. COLLINS of New York.
H.R. 2043: Mr. ENGEL.
H.R. 2216: Mr. CÁRDENAS.
H.R. 2257: Mr. LOEBSACK and Mr. KENNEDY.
H.R. 2302: Ms. JACKSON LEE.
H.R. 2304: Mr. MCCAUL.
H.R. 2411: Ms. ESHOO, Mr. MEEKS, Ms. LEE, Ms. SLAUGHTER, Mr. MCGOVERN, and Mr. MCDERMOTT.
H.R. 2442: Mr. COHEN.
H.R. 2536: Ms. ESTY.
H.R. 2597: Mr. BERA.
H.R. 2649: Mr. GUTHRIE.
H.R. 2713: Ms. GRAHAM.
H.R. 2716: Mr. YODER.
H.R. 2799: Mr. HARRIS and Ms. MATSUI.
H.R. 2817: Mr. POCAN, Mr. PRICE of North Carolina, Mr. COOK, and Mr. ZINKE.
H.R. 2847: Mr. KEATING and Mr. CÁRDENAS.
H.R. 2965: Mr. GRAVES of Missouri.
H.R. 2984: Mr. BOST.
H.R. 3099: Mr. HASTINGS, Mrs. KIRKPATRICK, and Ms. KUSTER.
H.R. 3180: Mr. HURD of Texas, Ms. JACKSON LEE, Mr. ENGEL, and Ms. CLARKE of New York.
H.R. 3222: Mr. OLSON.
H.R. 3229: Mrs. MILLER of Michigan, Mr. COSTELLO of Pennsylvania, Mr. AUSTIN SCOTT of Georgia, Ms. DELBENE, and Mr. RIGELL.
H.R. 3235: Mr. RODNEY DAVIS of Illinois.
H.R. 3323: Mr. SIMPSON and Mr. AUSTIN SCOTT of Georgia.
H.R. 3326: Mr. BOUSTANY and Mrs. HARTZLER.
H.R. 3375: Mr. TAKAI.
H.R. 3381: Ms. MCCOLLUM and Ms. KUSTER.
H.R. 3393: Ms. MCSALLY.
H.R. 3477: Mr. AMODEI.
H.R. 3556: Mr. SCHIFF, Mr. O'ROURKE, and Mr. ISRAEL.
H.R. 3579: Mr. HUFFMAN.
H.R. 3662: Mr. PALMER, Mrs. HARTZLER, Mr. ALLEN, Mr. BISHOP of Michigan, Mr. BOST, Mr. BUCSHON, and Mr. NUNES.
H.R. 3698: Mr. VEASEY.
H.R. 3706: Ms. ESTY and Mr. WOODALL.
H.R. 3722: Mr. HUDSON.
H.R. 3734: Ms. MCSALLY and Mr. GRIFFITH.
H.R. 3782: Mr. SEAN PATRICK MALONEY of New York.
H.R. 3783: Mr. SEAN PATRICK MALONEY of New York.
H.R. 3785: Mr. KEATING, Mr. ISRAEL, and Ms. DUCKWORTH.
H.R. 3805: Mr. MEEKS, Mr. DIAZ-BALART, Mr. SCHIFF, and Mr. KLINE.
H.R. 3852: Ms. PINGREE.
H.R. 3856: Mr. MEEHAN, Mr. AMODEI, and Mr. BARLETTA.
H.R. 3858: Mr. BUCSHON and Mr. JONES.
H.R. 3888: Mr. RANGEL.
H.R. 3940: Mr. TURNER.
H.R. 3990: Mr. FOSTER, Mr. VEASEY, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 4019: Mr. SERRANO and Mr. POLIS.
H.R. 4039: Ms. MENG.
H.R. 4058: Mr. TURNER.
H.R. 4062: Mrs. BLACKBURN.
H.R. 4087: Ms. WILSON of Florida.
H.R. 4101: Mr. HONDA.
H.R. 4121: Mr. RANGEL.
H.R. 4137: Mr. MEEKS and Mr. RANGEL.
H.R. 4152: Mr. BILIRAKIS and Mr. JOHNSON of Ohio.
H.R. 4153: Ms. ESHOO.
H.R. 4162: Ms. TSONGAS.
H.R. 4185: Mrs. BLACK, Mr. GUTHRIE, Mr. BUCK, Ms. SEWELL of Alabama, Mr. KELLY of Pennsylvania, Mr. WESTMORELAND, Ms. PINGREE, Mr. PALAZZO, Mr. BOUSTANY, Mr. DESJARLAIS, Mr. OLSON, and Mr. FORBES.
H.R. 4186: Mr. ROUZER.
H.R. 4211: Mr. PITTENGER.
H.R. 4226: Mr. MURPHY of Florida.
H.R. 4237: Mr. KATKO.
H.R. 4238: Mr. LOWENTHAL.
H.R. 4240: Mr. VELA, Mr. LABRADOR, Mr. BURGESS, Mr. CARTER of Georgia, and Mr. JOHNSON of Georgia.
H.R. 4247: Mr. SIRES.
H.R. 4257: Mr. RUSSELL, Mr. STIVERS, and Mr. BOUSTANY.
H.J. Res. 9: Mr. SESSIONS.
H.J. Res. 74: Mr. TURNER.
H. Con. Res. 17: Mr. AL GREEN of Texas.
H. Con. Res. 19: Mr. ROKITA.
H. Con. Res. 75: Mr. MCCAUL and Mr. BOUSTANY.
H. Con. Res. 88: Mr. BURGESS.

H. Con. Res. 97: Mr. ISSA.
H. Con. Res. 100: Mr. JOHNSON of Ohio, Mr. MACARTHUR, Mr. ALLEN, and Mr. TOM PRICE of Georgia.
H. Res. 265: Ms. WILSON of Florida.
H. Res. 290: Mrs. HARTZLER.
H. Res. 318: Mr. SESSIONS.
H. Res. 428: Mr. KEATING and Mr. SCOTT of Virginia.
H. Res. 467: Mr. CÁRDENAS.
H. Res. 510: Mr. ROSKAM.
H. Res. 523: Ms. WILSON of Florida and Mr. HIGGINS.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. ROGERS OF KENTUCKY

H.J. Res. 78, a resolution making further continuing appropriations for fiscal year 2016, and for other purposes, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

TRIBUTE TO CHUCK TURNER

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. ROGERS of Kentucky. Mr. Speaker, it is with great sorrow that I rise today to recognize Chuck Turner, a longtime Appropriations Committee professional staff member, who sadly passed away on December 8.

Chuck was a skillful appropriator, a beloved colleague, and a steadfast public servant. His 40-year career was dedicated to serving Congress, the Capitol Hill community, and the American people.

Chuck began his long career on Capitol Hill working for the Library of Congress, first in the U.S. Copyright Office, then in the Library's Financial Services Office, where he handled budget issues.

For the better part of the last 32 years, Chuck worked with the House Appropriations Legislative Branch Subcommittee: first on detail from the Library of Congress, and then—after proving himself to be invaluable—as senior staff for the Subcommittee.

His concern for and commitment to the Legislative Branch underscored everything he did. He consistently put the Committee and his work for the House before anything else.

He made sure that Members of Congress have the resources they need to do their legislative work on behalf of the American people. In particular, he maintained a deep affection for the Library of Congress—ensuring its work and collections remain available to the public and to the Members who rely on its information to do their jobs.

He also ensured that all who entered the Capitol Complex—be it staff, visitors, or the Members themselves—are safe—protected by a well-equipped Capitol Police force, in solid and secure facilities. His life's work can be felt each time you set foot in the Capitol Complex.

Chuck was recognized for his expertise and good work on more than one occasion. He was called upon to serve as a Special Investigator for the Select Committee to Investigate the Preparation for and Response to Hurricane Katrina. He took part in a staff delegation to Indonesia to help train members of the Indonesian parliament and their staff on the legislative budget process. And for several years, he not only worked with the House Legislative Branch Subcommittee, but he also helped the Senate with writing their Legislative Branch Appropriations bill.

Chuck was truly the epitome of a devoted public servant—he worked until the very end.

On a more personal level, Chuck was beloved by all those he worked with. His kindness, consideration, easy sense of humor, and loyal friendship is something that all could aspire to. The Legislative Branch, the House, and the Appropriations Committee will be a lesser place without him.

I want to thank Chuck for his decades of service, and for leaving his final mark on this institution—the Legislative Branch bill that will be a part of the final, fiscal year 2016 omnibus legislation. His presence will be deeply missed in the halls of the Capitol.

TRIBUTE TO KAY RAYMOND

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Kay Raymond, of Creston, Iowa, for being selected as Creston Volunteer of the Year for 2015.

Kay spent a number years teaching special education before retiring 12 years ago. After retirement, Kay decided to use her free time to continue giving back to her community. Now she volunteers numerous hours a week as a volunteer for Friends of the Library, as a member and volunteer at the YMCA, and also gives back as a member of her church and at other local organizations.

Mr. Speaker, Kay's dedication to her community and her fellow Iowans is a true testament to her character. Her efforts embody the Iowa spirit and I am honored to represent her and Iowans like her in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Kay for her achievements and wishing her nothing but continued success.

RECOGNIZING THE ACHIEVEMENTS OF PHIL ROMANO

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, tonight I want to recognize the life and achievements of a brilliant and fascinating man—Phil Romano. Now, although Mr. Romano is not originally from Texas, he falls into the category of people who moved there as quickly as he could. A man that cannot easily be entertained, Mr. Romano bounced around the country before making Dallas his home, and bounced through multiple successful business projects before settling with a self-proclaimed and modest title: entrepreneur. However, Mr. Romano is much more than an entrepreneur. He is rich in character, and Dallas is proud to be his home.

Mr. Romano is best known for his successful career in the restaurant industry. His business ventures brought Texas as well as the nation beloved institutions such as Fuddruckers, Romano's Macaroni Grill, and Eatzi's. These business ventures solidified his status as a successful businessman, but Mr. Romano helped satisfy much more than people's appetites.

When Mr. Romano was working with a small venture capital firm SHD Management LLC, he had the keen eye to spot a good product. After talking to a cardiologist named Julio Palmaz, Mr. Romano agreed to invest capital and run the business operations for the balloon-expandable heart stent. It ended up becoming over a 10 million dollar invention, but more impressively than that, it saved countless lives, including Mr. Romano's, who now uses a heart stent after he helped invent it. When he worked in the restaurant industry he touched people's stomachs, and when he was a venture capitalist he touched people's hearts.

However, his success is most tangible in the impact he has on Dallas. His most recent project, Trinity Groves, will provide a community space for entrepreneurs to grow, businesses to invest, and people to enjoy. In addition to that, his affinity for art, embodied not only in his home but in his studio on Dragon Street in Dallas, will solidify his legacy as a brilliant and deep man.

Mr. Speaker, whether it was with a burger, a heart stent, a community, or a painting, throughout his life, Phil Romano has left a Texas-sized impression on Dallas, the city he loves that loves him back.

THE CHRISTIAN AND YEZIDI GENOCIDE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. SMITH of New Jersey. Mr. Speaker, each day, our newspapers, magazines, radios and television screens are filled with images of people fleeing territory controlled by the Islamic jihadist group known as the Islamic State of al-Sham, or ISIS.

More than half of the 635,000 refugees—an estimated 53 percent—in Europe are from Syria alone, according to the United Nations High Commission for Refugees or UNHCR.

While violence plays the major role in the impetus of Syrians to leave their homes, Shelly Pitterman of the UNHCR testified at a hearing I chaired on October 20th that the main trigger for flight from refugee camps or shelter in nations like Jordan is the humanitarian funding shortfall. In recent months, he told us that the World Food Programme cut its program by 30 percent, and the current Syrian Regional Refugee and Resilience Plan for 2015 is only 41 percent funded. The UNHCR expects to receive just 47 percent of the funding it needs for Syria over the next year.

One year ago this month, the United Nations Office for the Coordination of Humanitarian Affairs issued a report that detailed a worsening humanitarian situation in Syria. An estimated 12.21 million were in need of humanitarian assistance, including 7.6 million internally displaced people and more than 5.6 million children in need of assistance. An estimated 4.8 million people were in need of humanitarian assistance in hard to reach areas and locations. Those numbers have not improved as the conflict has continued.

By the third international pledging conference on March 31, 2015, the crisis had become the largest displacement crisis in the world, with 3.8 million people having fled to Lebanon, Jordan, Turkey, Iraq and Egypt, in addition to those internally displaced. In support of the Syria Response Plan and the Regional Refugee and Resilience Plan, international donors pledged US$3.8 billion. However, according to the Financial Tracking Service at the UN Office for the Coordination of Humanitarian Affairs or OCHA, only $1.17 billion of $2.89 billion in the plan had been received as of December 7th. This constitutes only 41% of what is considered necessary by OCHA.

Last week's hearing focused on the plight of persecuted religious minorities in Syria and Iraq, which constitutes genocide, and the failure of much of the international community to live up to their pledges of humanitarian assistance, factors which ''push'' refugees to Europe and beyond. In particular, we will examine violence targeting religious minorities such as Christians and Yezidis (a non-Islamic religious minority) in territory controlled by ISIS in Syria and Iraq.

This past September, the Simon-Skjodt Center for the Prevention of Genocide at the United States Holocaust Memorial Museum undertook a ''Bearing Witness'' trip to northern Iraq to investigate allegations of genocide being committed by ISIS. In a report entitled ''Our Generation is Gone'' The Islamic State's Targeting of Iraqi Minorities in Ninevah,'' the report stated that: ''Based upon the public record and private eyewitness accounts, we believe the self-proclaimed Islamic State (IS) perpetrated crimes against humanity, war crimes, and ethnic cleansing against Christian, Yezidi, Turkmen, Shabak, Sabaean-Mandaean, and Kaka'i people in Ninevah province between June and August 2014. In our interviews, we heard accounts of the forcible transfer of populations, severe deprivation of physical liberty, rape, sexual slavery, enslavement, and murder perpetrated in a widespread and systematic manner that indicates a deliberate plan to target religious and ethnic minorities. Some specific communities—notably the Yezidi, but also Shia Shabak and Shia Turkmen—were targeted for attack.''

Mirza Ismail, Chairman and Founder of the Yezidi Human Rights Organization-International, testified that the Yezidis are on the verge of annihilation.

Chaldean Bishop Francis Kalabat testified that, ''There are countless Christian villages in Syria who have been taken over by ISIS and have encountered genocide and the Obama administration refuses to recognize their plight.''

Carl Anderson, Supreme Knight of the Knights of Columbus, calls on the Obama administration to publicly acknowledge that genocide is taking place against the Christian communities of Iraq and Syria. Mr. Anderson testified that ''vulnerable religious minorities fear taking shelter in the camps of the United Nations High Commissioner for Refugees because of religiously motivated violence and intimidation inside the camps.'' ''Syrian Christians'', he notes, ''and other vulnerable minorities are disproportionately excluded from the U.S. Syrian Refugee Resettlement Program due to reliance on a functionally discriminatory UNHCR program.''

Dr. Gregory Stanton, President of Genocide Watch and research professor at George Mason University, in his testimony entitled ''Weak Words Are Not Enough'', he states, ''Failure to call ISIS' mass murder of Christians, Muslims, and other groups in addition to Yazidis by its proper name—genocide—would be an act of denial as grave as U.S. refusal to recognize the Rwandan genocide in 1994.''

The administration reportedly is considering declaring the ISIS treatment of Yezidis to be genocide, but there is no indication that Christians will be included. That's absurd. Such an action would be contrary to the facts and tragically wrong. Last year, a United Nations resolution determined that both Yezidis and Christians were being particularly targeted by ISIS.

A group of Christian leaders recently wrote to Secretary of State John Kerry to present their case for treating Christians the same as Yezidis in this matter, but they have not received a reply thus far.

As we attempt to end the ISIS threat, we must consider how to help ensure religious pluralism in Syria and Iraq in the future. That will not be an easy task since animosities have grown during the conflicts in Iraq and Syria, exponentially so during the rise and reign of terror of ISIS. Nevertheless, unless we consider how to help make these lands safe for religious minorities, we will continue to see them chased out of their traditional areas even if there is no ISIS.

Our witnesses last week provided us a picture of the ongoing struggle faced by religious minorities in ISIS territory, and hopefully, they will help us to begin the discussion of making these areas safe for their people in the years to come.

TRIBUTE TO GRACIE RUSSELL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Gracie Russell for being selected as the Creston Youth of the Year. Gracie is the daughter of Rob and Julie Russell.

Gracie is a senior at Creston High School and is active in FFA, volleyball, basketball, tennis, and the National Honor Society. She's also active in the community, volunteering her time with the Appalachian Service Project, Union County Youth Council, St. Malachy Youth Group, Douglas Boosters 4–H Club, and Iowa Junior Beef Breeds Association. Gracie has also participated in Meals from the Heartland, roadside cleanup, Rectory Rerun time, painting at McKinley Park, decorating the restored Creston Depot for Christmas activities, Balloon Days pedal pull time, Halloween safety at Early Childhood Center, planting trees around the community, and Open Table.

Mr. Speaker, the example set by Gracie is one all Iowans should strive for. Her willingness to serve truly embodies the Iowa spirit and I am honored to represent her and Iowans like her in the United States Congress. I ask that all of my colleagues in the United States House of Representatives join me in congratulating Gracie for this achievement and wishing her nothing but continued success.

HOUSTON'S BEST FROM TX–22

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Darius Anderson from George Ranch High School for being named the Touchdown Club of Houston's Offensive Player of the Year.

This running back sure can run. During his award winning senior year, Darius has rushed for over 1,700 yards and has 27 touchdowns. A young man of character and a strong work ethic, he no doubt makes his parents, coaches, and teachers proud. The next trophy in his sights? The football state championship trophy he and his teammates will compete for this weekend. Best of luck to Darius and his Longhorn teammates.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to Darius for all of his success. We look forward to seeing where his football career takes him.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote number 694. Had I been present, I would have voted aye on Roll Call vote number 694.

TRIBUTE TO CURT TURNER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Curt Turner, of Creston, Iowa, for being selected as the Creston Citizen of the Year.

Curt Turner graduated from Diagonal High School as valedictorian and attended the

United States Air Force Academy Preparatory School in Colorado Springs. He moved to Creston in 1978 and opened his own insurance agency, American Family Insurance, in 1986. By the time Curt retired in 2008, he had led the company nationally in farm sales for 10 consecutive years. During his 22 years of working in insurance, he was also a major contributor to the Creston community. He was a member of the Elks, served on the school board from 1990–1999, remains an active member of his church, and in his retirement, continues to serve the community as a local Seniors' Health Insurance Information Program (SHIIP) volunteer.

Mr. Speaker, Curt's dedication to his community and willingness to serve represents all that is great with our state. His efforts embody the Iowa spirit and I am honored to represent him and Iowans like him in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Curt for his achievements and wishing him nothing but continued success.

HONORING TED BEATTIE

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize the President of Shedd Aquarium, Ted A. Beattie.

After more than two decades of leadership at a world renowned aquarium, Mr. Beattie is retiring with a career record dedicated to advancing conservation and education of animals and ecosystems. Mr. Beattie came to Shedd Aquarium in January 1994 as the third President/CEO. During his tenure, his leadership and vision for the aquarium have led to the development and opening of six permanent exhibits, including the addition of Wild Reef and the re-imagination of Shedd's Abbott Oceanarium marine mammal pavilion.

Beyond that, Mr. Beattie oversaw the establishment of the Daniel P. Haerther Center for Conservation and Research, which now includes a portfolio of eighteen global field research programs that span the world. He also added Shedd's onsite animal hospital and lab facilities within the A. Watson Armour III Center for Aquatic Animal Health and Welfare, introduced a Master Energy Road Map designed to cut the aquarium's energy consumption in half by 2020, opened the Shedd's Teen Learning Lab, and helped the aquarium earn a position in Chicago's top-attended paid cultural attraction for 17 of the last 21 years.

It is clear that Mr. Beattie's contributions to the aquarium have been extensive, but more broadly, he has contributed to the positive transformation of Museum Campus. This 57 acre addition to Grant Park is the heart of exploration and discovery for millions of visitors along Chicago's lakefront.

The impact of Mr. Beattie's leadership will be greatly missed by Shedd Aquarium and the City of Chicago. I ask my colleagues to join me in honoring and celebrating his work and accomplishments.

PERSONAL EXPLANATION

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. VALADAO. Mr. Speaker, on Tuesday, December 15, I missed votes due to being unavoidably detained as a result of weather-related flight delays. Had I been present, I would have voted in support of roll call vote Number 694.

TRIBUTE TO REV. OLLIE AND ALTHA ODLE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Rev. Ollie and Altha Odle on the very special occasion of their 70th wedding anniversary. They were married on November 24, 1945 in Kansas City, Kansas.

Rev. Ollie and Altha's lifelong commitment to each other and their children, Terry, Ollie Jr. and Kathie, truly embodies our Iowa values. It is families like the Odles that make me proud to call myself an Iowan and represent the people of our great state.

Mr. Speaker, I commend this great couple on their 70th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

THE GOLDMAN ACT TO RETURN ABDUCTED AMERICAN CHILDREN: ENSURING ADMINISTRATION ACTION

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. SMITH of New Jersey. Mr. Speaker, last month, I chaired the fourth oversight hearing this year on implementation of the Sean and David Goldman International Child Abduction Prevention and Return Act.

The Goldman Act empowers the executive branch with powerful new tools and a myriad of ways to successfully resolve parental child abduction cases. Like any law, however, it is only as good as its implementation.

Historically, 750–1,000 American children are unlawfully removed from their homes each year by one of their parents and taken across international borders.

International parental child abduction rips children from their homes and takes them away to a foreign land, alienating them from the love and care of the parent and family left behind.

Child abduction is child abuse. Its negative impact on the children and left behind families can last for years—even a lifetime.

Two of our witnesses at the hearing—like many who were there and are around the country—know first-hand the trauma, the tears, the excruciating pain, and the longing and heartbreak of parental child abduction.

David Goldman's son Sean was abducted to Brazil and unlawfully retained for approximately 5½ years. Mr. Goldman tenaciously pursued every legal means of return including expert counsel in his quest to bring Sean home. Today father and son are thriving.

Captain Paul Toland continues his heroic 12 year quest to bring his 13 year old daughter, Erica, home from Japan. Captain Toland refuses to quit or be deterred despite years of frustration and setbacks—such is this father's incredible love for his precious daughter.

Our first hope is to prevent, or at least mitigate the number of, abductions and the State Department is to be commended for implementing a provision of the Goldman Act that adds children that a judge has determined to be at risk of abduction to a ''no fly'' list. In 2014, we saw a decrease in the number of new abductions—150 fewer new cases than the previous year.

But I am concerned that the State Department has chosen not to impose any sanctions on any of those nations found to have engaged in a ''pattern of noncompliance.''

The Goldman Act, however, requires State Department action on individual cases that have been pending for more than a year if the foreign government has not been taking adequate steps to resolve the case.

The Goldman Act also requires action when, collectively, a country has high numbers of cases—30 percent or more—that have been unresolved for over a year; or if the government is failing in their duties under the Hague Convention or other bilateral agreement; or if their law enforcement fails to enforce return or access orders.

The Goldman Act not only shines a light on a country's record through the annual designation of countries showing a ''pattern of noncompliance'', it holds countries accountable and incentivizes systemic reform. Actions escalate in severity, and range from official protests through diplomatic channels, to public condemnation, to extradition, to the suspension of development, security, or other foreign assistance.

The Goldman Act was designed to raise the stakes on the foreign country's inaction or obstruction, and move the country to end the nightmare of abduction.

In July we reviewed the State Department's first annual report on abduction and access resolution rates around the world. The annual report had some major gaps and misleading information, some of which were corrected by the Supplemental Data posted by the State Department in August.

Tragically, in contravention of both the spirit and letter of the Goldman Act, the State Department failed to list Japan—with more than 50 abduction cases—among the 22 countries showing a ''pattern of noncompliance'' and therefore eligible for Goldman Act sanctions. This glaring omission sent the unfortunate signal that pre-Hague Japan cases were no longer a top priority—cases like that of Sgt. Michael Elias who has been denied any contact with his two young children, Jade and Michael, after they were abducted to Japan in 2008.

In September the State Department sent to Congress its first 90 day report on actions it took to bring the 22 most difficult countries to the resolution table.

Those actions included demarches, judicial rulings, and meetings—all of which are necessary and of value—but noticeably absent was the imposition of any number of meaningful sanctions prescribed by the Goldman Act.

I respectfully submit that this was a missed opportunity to convey to ''pattern of non-compliance'' nations that the United States is absolutely serious about resolving parental abduction. The imposition of sanctions says we mean business. (Sanctions are imposed on an entity to enforce civil rights laws and other policies of paramount importance)

Notwithstanding section 103 of the Goldman Act, the Report makes no mention of MOUs or bilateral agreements to resolve cases—including and especially cases that existed prior to Japan's ratification of the Hague.

I—and others—have raised this concern for several years, especially for victims of Japan's policies. Perhaps Assistant Secretary Bond can tell us if any bilateral agreements or MOUs are in the works.

The report details the State Department's efforts to persuade India to ratify the Hague Convention—a step that if not combined with an MOU to resolve current abduction cases, which number about 75, we risk replicating the extraordinary misery endured by left behind parents after Japan ratified the Hague. If India ratified the Hague it will—like Japan—grandfather preexisting cases out of the convention resolution process.

Bindu Philips, mother of Albert and Alfred, has struggled with her ex-husband in Indian courts for the return of her sons for nearly nine years. Ravi Parmar has been fighting for his son's return for three years.

Section 201 of the Goldman Act also requires the State Department to conduct a review of individual cases pending 12 months or more to discern whether the foreign government has taken adequate steps to resolve the case or whether actions are warranted. This is the ''individual case'' trigger for actions (as opposed to the ''pattern of noncompliance'' country trigger). Despite a half-dozen Congressional letters from various members of Congress asking for Sec. 201 reviews of egregious cases, the State Department, to my knowledge, has not done a single review, much less applied actions.

I am encouraged by a press statement by Secretary of State John Kerry.

While noting that the Goldman Act provides ''additional tools to advocate for the return of abducted children'' he states ''there can be no safe haven for abductors. The Department of State will continue to use all the tools available to us to help those involved in international parental child abduction cases to resolve their disputes and move forward with their lives.''

TRIBUTE TO MAJOR GENERAL LUIS VISOT

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. JOLLY. Mr. Speaker, I rise to pay tribute to Major General Luis R. Visot of the United States Army Reserve who will retire after more than 37 years of exceptionally distinguished service culminating in assignment as Chief of Staff, Army Reserve. As Chief of Staff, Major General Visot oversaw staff operations at both the United States Army Reserve Command at Fort Bragg, North Carolina and the Office of the Chief of Army Reserve at Fort Belvoir, Virginia. He immediately set out to improve efficiencies within and between the staffs to improve the quality and speed of decision making processes through deliberate staff interaction both vertically and horizontally. I am grateful for his and his family's life of service to the Army Reserve and wish him well as he transitions into retirement.

Born in Ponce, Puerto Rico, MG Visot was commissioned as a 2LT in May 1978. He holds a Bachelor of Arts from Marquette University in Milwaukee, WI and a Master's in Education from the University of Georgia in Athens, GA. MG Visot received a Master's in Strategic Studies from the United States Army War College. His military education includes: Infantry Airborne Basic Course, Quartermaster Officer Basic Course, Transportation Officer Advanced Course, Command and General Staff College, the Associate Logistics Executive Development Course, the United States Army War College, the Advanced Joint Military Professional Education (AJPME), the Joint Flag Officer Warfighting Course, and CAPSTONE.

Prior to assuming responsibilities as Chief of Staff, Major General Visot served as the Deputy Commanding General (Operations), United States Army Reserve Command from May 2012 to April 2014. During his tenure as DCG–O, he ably assisted the Chief of Army Reserve (CAR)/Commanding General, United States Army Reserve Command (USARC) in establishing and executing operational and strategic priorities consistent with those of Forces Command and Secretary of the Army. Major General Visot guided the Command as it provided continuous support to the war effort and executed multiple contingency deployments in support of the Global War on Terrorism. Major General Visot executed delegated Mission Command over sixteen USARC Operational and Functional (O&F) Commands (over 160K Soldiers and $282 million OMAR and $567 million RPA budgets) to synchronize/integrate ARFORGEN implementation and consolidate the readiness focus.

With more than 37 years of Active Duty in support of the Army Reserve, MG Visot's distinguished career is marked by tremendous accomplishments, impacting across the breadth and depth of the Total Army. He is a leader who genuinely cares for Soldiers, Civilians and Families. Nothing is more important to him than caring for our Nation's most precious resource—our Soldiers. As a Citizen Soldier himself, Major General Visot is acutely aware of the challenges and sacrifices of Army Reserve Soldiers as they balance the demands of service to the Nation, community, and family well-being. He enthusiastically fostered a command culture emphasizing ''Care for our Soldiers'' and held Leaders accountable for the wellbeing of our Soldiers on and off duty. Major General Visot has proven to be a pivotal leader in the Army Reserve. His impassioned leadership focus will have a positive influence on the Army Reserve for years to come.

As with all our Citizen Soldiers, it is important that we acknowledge the University of South Florida for their outstanding support as MG Visot's civilian employer. It is because of their cooperation and understanding during his many tours on Active Duty that he was able to make such a positive impact on the Army Reserve.

It is only fair and proper to acknowledge the tireless support of his wife, Dr. Cindy S. Visot, as her love and support enabled MG Visot to work tirelessly on his assigned duties. Dr. Visot is the Chief of Staff and the Director of Board of Trustees Operations at the University of South Florida. Let us thank her for all her sacrifices throughout their service. We congratulate MG and Dr. Visot on their many years of distinguished service and wish them continued success in the future.

UNDEFEATED COACH OF THE YEAR

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. OLSON. Mr. Speaker, I rise today to recognize Coach Ricky Tullos for being named the Touchdown Club of Houston's Coach of the Year.

Coach Tullos has helped the young George Ranch Longhorn football program write quite a success story. Under Tullos' guidance, the Longhorns are 44–8 and undefeated this season. His players love the intensity he brings to the game and have great respect for him as a leader. This weekend, Coach Tullos will coach his team to victory in the state championship game. Coach Tullos, keep doing what you're doing and bring home the championship. Good luck to you and your team this weekend.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to Coach Tullos for being named Coach of the Year. The Longhorns are lucky to have a leader and mentor like him.

TRIBUTE TO ZACK PEPPMEIER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Zack Peppmeier, of Shannon City, Iowa for earning the American FFA Degree. Zack was recently

awarded this degree at the National FFA Convention and Expo in Louisville, Kentucky, on October 31.

The American FFA Degree is awarded to members who have demonstrated the highest level of commitment to FFA and made significant accomplishments in their supervised agricultural experience. Zack had to meet certain requirements, such as studying agriculture for three years in high school, earning money in an agriculture field and investing that money into their business, as well as participating in community service and having a record of outstanding leadership ability and community involvement. Overall, Zack spent four years working towards and meeting these requirements, and his hard work and years of dedication has paid off.

Mr. Speaker, it is an honor to represent leaders like Zack in the United States Congress and it is with great pride that I recognize him today. I ask that my colleagues in the United States House of Representatives join me in congratulating him on receiving this esteemed designation, and in wishing him the best of luck in all his future endeavors.

RECOGNIZING DARRIELLE KING OF DESOTO FOR BEING RANKED AS THE EIGHTH-BEST SENIOR RECRUIT IN THE NATION BY THE PREPVOLLEYBALL.COM

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is with great pride that I recognize Darrielle King. She is an Under Armour Second Team All American and a nominee for Gatorade Player of the Year.

King was an outstanding defensive player on the volleyball court, totaling 147 solo blocks and 124 block assists. The All-Stater had 243 kills and was named District 8–6A's outstanding blocker.

Mr. Speaker, on behalf of the 30th Congressional District of Texas, I ask all of my distinguished colleagues to join me in congratulating Darrielle King for her outstanding recognition on and off the volleyball court.

PERSONAL EXPLANATION

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. THOMPSON of California. Mr. Speaker, due to a funeral I attended in California, I was unable to cast my vote for Roll Call 694. Had I been present I would have voted:

YES—H. Res. 536, Supporting freedom of the press in Latin America and the Caribbean and condemning violations of press freedom and violence against journalists, bloggers, and individuals exercising their right to freedom of speech.

TRIBUTE TO ROBERT AND EVELYN BIRKBY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Robert and Evelyn Birkby of Sidney, Iowa, on the very special occasion of their 69th wedding anniversary. They were married on November 3, 1946 at the Sidney Methodist Church in Sidney, Iowa.

Robert and Evelyn's lifelong commitment to each other and their family truly embodies our Iowa values. It is families like the Birkbys that make me proud to represent our great state.

Mr. Speaker, I commend this great couple on their 69th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

CELEBRATING THE RETIREMENT OF MS. TERRI CROOK FROM THE INTERNAL REVENUE SERVICE

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. HASTINGS. Mr. Speaker, I rise today to honor and celebrate Ms. Terri Crook as she retires from the Internal Revenue Service (IRS), after serving 37 years as a Revenue Officer in the Collection Function.

Terri received a Bachelor's of Science degree from Florida State University (FSU) in 1980. In 1991, she was selected as a Group Manager in the Collection Function. She later became an Analyst and served 401 Taxpayer Assistance Centers nationwide. In 2009, she was selected as the Local Taxpayer Advocate for South Florida and was ultimately selected to head an Innovative Training Team within the Taxpayer Advocate Service.

Terri's passion for advocacy and counseling to various taxpayers and organizations throughout South Florida is to be commended. She has devoted herself to serving as a Volunteer Income Tax Assistance (VITA) Volunteer every year during Filing Season. In this capacity, she has prepared tax returns for people living in low-income areas.

In her personal time, she co-wrote and directed a one woman show entitled, ''Don't Be No Whole Fool Cause Life Ain't No Dress Rehearsal,'' and donated all the proceeds from the show to charity. Furthermore, she has also helped children at her local Boys and Girls Club develop their public speaking skills.

Mr. Speaker, it gives me great pride to recognize Ms. Terri Crook on her retirement from the IRS. I want to thank her for her years of service, and wish her all the very best as she embarks on a new chapter in her life.

PATENT NO LONGER PENDING

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. OLSON. Mr. Speaker, I rise to congratulate young Liliana Segura of Katy, Texas for recently being awarded a patent from the U.S. Patent and Trademark Office (USPTO).

While a student at Beckendorff Junior High, she was fortunate enough to enroll in a Gifted and Talented Independent Study with Mentorship course. During this course, Liliana brilliantly invented a new clipboard design and worked with her mentor to file a patent application with the USPTO as an eighth grader. Her design for the ''Particulate Collecting Pad'' was awarded a patent for her insightful and ingenious creation. Liliana's invention is a testament to the innovation and ideas our students are capable of achieving when given the opportunity.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Liliana on her now patented invention. Keep working hard and dreaming big.

HONORING 100TH ANNIVERSARY FOR 31ST STREET BAPTIST CHURCH

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to honor the members of the 31st Street Baptist Church in Richmond, Virginia on their 100th anniversary.

During the turn of the last century, African Americans continued to face significant oppression and discrimination. In 1895, despite the adversity facing the Black community, African American Baptist Churches came together to form the National Baptist Convention of the United States to strengthen and unify Baptist Churches. Today, it is the largest predominately Black Christian denomination in the United States.

The 31st Street Baptist Church grew out of this movement and was consecrated in 1915. The church quickly established itself as a leading voice in the Richmond community and its congregation rapidly grew. Members were active in the community and encouraged to attend the historic March on Washington in 1963. Sadly in 1966, the church structure was burned down. But out of the ashes, 31st Street Baptist Church persevered and its current sanctuary was built.

From 1982 to 2007, Reverend Darrel Rollins led the church. Under his leadership the church prospered even further. The congregation grew from 150 to 1,300 and the church added more than 50 new ministries. These ministries included assistance to seniors, nutrition assistance, and a consortium of three sister churches. Today, the Church feeds 70 to 250 people a day during the summer in the East End community. The physical building of the church has also grown and has become accessible to all.

More recently, the 31st Baptist Church was recognized by the Tricycle Gardens, a nonprofit working to expand access to healthy foods in Richmond, with the Golden Trowel award for the church's community garden that contributes to the food available at their soup kitchen. The garden has continued to grow under Rev. Dr. Morris Henderson's leadership and has even received a farm serial number from the U.S. Department of Agriculture. The First Lady's Let's Move! Initiative has also recognized the church and its urban farm for its positive impact on the community. This unique garden is just one of the many ways that 31st Baptist Church has served and enriched the Richmond community.

Mr. Speaker, as the 31st Street Baptist Church of Richmond, Virginia celebrates this historic anniversary, the congregation can rejoice in 100 years of fellowship and service to the Richmond community. I wish them many more years of joy and dedicated service to the community.

TRIBUTE TO THE NORWALK HIGH SCHOOL DEBATE TEAM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Norwalk High School Debate Team for winning State Debate Championship for the first time in 22 years.

I would like to congratulate each member of the team:

Varsity Debaters: Joe Oswald, Collin Kilgore, Melinda Klawonn, Alex Johnson, Liah Moeller, and Noah Percy

Coach: Jenipher Sutherland

Mr. Speaker, the success of this team and their coach demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent them in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating these young people for competing in this rigorous competition and wishing them all nothing but continued success.

MRS. SUZANNE WRIGHT

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I recently learned that Suzanne Wright, co-founder of Autism Speaks and a member of the organization's board, has been diagnosed with pancreatic cancer Suzanne is taking a leave of absence from her work with Autism Speaks to focus on her medical care.

In 2005, Suzanne and Bob Wright co-founded Autism Speaks after their grandson Christian was diagnosed with autism. Over the last ten years, Autism Speaks has become a world leader in educating people about autism spectrum disorder and advocating for individuals with autism.

Since Autism Speaks' founding, Suzanne has led the organization's signature global awareness initiatives. She was instrumental in establishing April 2nd as World Autism Awareness Day by the United Nations, for example, and she launched the global Light It Up Blue campaign and established World Focus on Autism, Autism Speaks' annual meeting of First Ladies from around the globe.

Suzanne has been a tireless advocate for autistic individuals and their families. She is known to countless families for her personal notes and generosity, as well as for her leadership and support of many Autism Speaks Walks around the country. I urge my colleagues to keep Suzanne in their thoughts and prayers and to continue to be motivated by her example.

PERSONAL EXPLANATION

HON. MIKE POMPEO

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. POMPEO. Mr. Speaker, on roll call votes nos. 690 through 693, on Friday, December 11, 2015, I was unable to cast my vote in person due to a previously scheduled engagement. Had I been present, I would have voted yes on roll calls 690, 691, and 693. I would have voted no on roll call 692.

TRIBUTE TO KATIE PATTERSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Katie Patterson for being named an Innovation Iowa—Women of Innovation award winner in 2015.

In November, the Technology Association of Iowa honored 10 Iowa women with innovation awards. This is an award that elevates and celebrates today's extraordinary women and recognizes women who are leaders in science, technology, engineering, and math. Katie was recognized as a Rising Star. She is the founder of Happy Medium, a digital media and advertising agency.

Mr. Speaker, it is an honor to represent leaders like Katie in the United States Congress and it is with great pride that I congratulate her for utilizing her talents to better both the community of Des Moines and the state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Katie on receiving this esteemed designation, and in wishing her nothing but continued success.

CLASS 1A—ARCOLA HIGH SCHOOL FOOTBALL TEAM STATE CHAMPIONS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge the Purple Raiders of Arcola Jr. Sr. High School as the IHSA Class 1A high school state champions.

On November 27, 2015 Arcola defeated Stark County by 35–17 winning the Class 1A State Championship. I would like to recognize the effort of this amazing team and congratulate them on their historic season as they celebrate their first state championship title in 27 years.

I would also like to congratulate the Strader family. Brothers Clayton and Connor and their cousin Chase for contributing to six touchdowns and several tackles. Tommy Eddleman, Jim Fishel, Aldo Garcia, Chad Hopkins, Jarod Kiger, and John Lidy make up the coaching staff which supported Athletic Director and Head Coach, Zach Zehr to provide great leadership for these talented football players.

I look forward to the continued success of the Arcola Jr. Sr. High School. I extend my best wishes for another outstanding season next year.

The following are Arcola Purple Raider Varsity Football players: Conner Strader, Clayton Strader, Parker Ingram, Kollin Seaman, Martin Rund, Daniel Mendoza, Victor Gonzalez, Myles Roberts, Blake Lindenmeyer, Seth Still, Chase Strader, Mario Cortez, Sam Crane, Alec Downs, Tony Salinas, Wyatt Fishel, Giovanni Salinas, Brandon Lebeter, Cole Hutton, Rey Garza, Ethan Still, Mason Gentry, Javi Leal, Pablo Rodriguez, Kaleb Byard, Jonny Garza, Dalton Pantier, Gavin Coombe, Luke Spencer, Tito Garcia, Clayton Kuhring, Jack Spencer, Alex Kauffman, Aaron Dudley, Grant McPherson, Jorge Garza, and Jack Nacke.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,775,084,981,439.86. We've added $8,140,759,141,496.86 to our debt in 6 years. This is over $8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO CINDY THOMPSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Cindy Thompson of Council Bluffs, Iowa, for being honored with the Outstanding Individual Leader Award by the Iowa Tourism Office and the Travel Federation of Iowa.

Cindy has worked for the Pottawattamie County Conservation Board and the communities in southwest Iowa since 1989. She spends her time working on tourism projects throughout the area. The leadership skills she demonstrates has helped the tourism industry to grow and expand in southwest Iowa. Cindy contributes her success to the great people with whom she has had the privilege to work.

Mr. Speaker, I applaud and congratulate Cindy for earning this award. It is because of Iowans like her that I'm proud to represent the people of our great state. I ask that my colleagues in the United States House of Representatives join me in congratulating Cindy for this outstanding accomplishment and in wishing her nothing but continued success.

IN RECOGNITION OF RETIREMENT OF DEBBIE LOCKE-DANIEL

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the achievements of Debbie Locke-Daniel and her many years of service to the City of Ypsilanti and Washtenaw County. Mrs. Locke-Daniel served as the President and CEO of the Ypsilanti Area Convention and Visitors Bureau (Visit YPSI) where she used her business acumen to help successfully market the Ypsilanti-Ann Arbor area as a destination for numerous meetings, events and conventions. Known for her relentless work ethic and leadership talents, Mrs. Locke-Daniel has enabled the Ypsilanti area to grow its economy and promote its strengths across Michigan and the nation.

Mrs. Locke-Daniel is a true community leader and has served on numerous boards including a leadership role as Past Chair of the MotorCities National Area Partnership which works to cultivate an appreciation for the rich heritage of Michigan's auto industry. Mrs. Locke-Daniel also served as Vice President of the Board for the Ypsilanti Wheels on Meals, which delivers prepared meals to homebound, disabled, and infirmed residents, and earned the 2012 Ypsilanti Kiwanis Community Service Award for her efforts. In addition, she has been a board member of both the Marnee Divine Foundation (Catholic Social Services in Washtenaw County) and the Michigan Firehouse Museum.

Visit YPSI is more than a tourism agency; it is a vehicle for economic and community development. For many years, this organization has awarded grants to small communities such as Manchester, Dexter, and Superior Township. These grants have been used to create town entry signs, public maps, and landscaping alterations with the hope of increased tourism activity. Without Mrs. Locke-Daniel's vision and stewardship of funds, many communities would not have had the ability to further their own economic growth projects which is critical to the success of our region.

One of the remarkable achievements of Visit YPSI was its receipt of the Destination Marketing Accreditation Program designation. This international accreditation recognizes entities for their high level performance in destination marketing and management. To date, only one percent of convention and visitors bureaus within Michigan, and seven percent nationally, have earned this prestigious recognition.

Mrs. Locke-Daniel was largely responsible for forming a team which was able to create a body of work that met such stringent international standards. Described as the ultimate team player, the success of Visit YPSI has been attributed to her ability to empower staff to seek creative solutions and grow within their positions.

Mr. Speaker, I ask my colleagues to join me today to honor and congratulate Mrs. Debbie Locke-Daniel on her retirement and years of service to her community. Although she will be missed, her achievements will continue to have a positive impact on our community for years to come.

HONORING THE LIFE AND DEDICATED SERVICE OF NORTHWEST FLORIDA'S JAMES RANDELL ''RANDY'' STOKES, SR.

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. MILLER of Florida. Mr. Speaker, it is with profound sadness that I rise to honor the life and dedicated service of James Randell ''Randy'' Stokes, Sr. of Fort Walton Beach, Florida, who died on December 8, 2015.

Mr. Stokes was born in Andalusia, Alabama in the fall of 1932. During the Korean War, he left high school to join the United States Army and became an intelligence sergeant. Although only 18 years old, he graduated in the top eight from the Light Artillery Battalion Leadership School. In 1952, Mr. Stokes was honorably discharged and returned home to Andalusia to finish high school, where he lettered in football, basketball, baseball, and track. Following graduation, he attended Troy State University to play football and study engineering. Then, in 1954, he transferred to Auburn University where he received his Bachelor's degree in Architecture.

In 1959, Mr. Stokes moved to Fort Walton Beach, the city he would call home until his passing. Upon arriving in Florida, he began working at Ricks and Kendrick Architect, Inc. and became partner after 10 years. In 1988, he started his own firm—Stokes Architectural, Inc.

Mr. Stokes has been honored by the Florida Association of the American Institute of Architects for his leadership and community service benefitting the profession of architecture. His architectural work is on display in many Northwest Florida landmarks, including Saint Mary's School and Church in Fort Walton Beach, Niceville High School, Choctawhatchee High School, Fort Walton Beach High School, Northwest Florida State College, the Greater Fort Walton Beach Chamber of Commerce building, the Walton County Chamber of Commerce building, White Wilson Medical Center, and Westwood Retirement Center, among others.

In addition to his architectural contributions, Mr. Stokes was a leader in Northwest Florida's civic society, serving as president of the Greater Fort Walton Beach Chamber of Commerce, twice as president of the local YMCA, councilmember and Mayor of the City of Mary Esther, president of the Fort Walton Beach Rotary Club, and a member of the Krewe of Bowlegs.

Mr. Speaker, on behalf of the U.S. House of Representatives, I am proud to honor the dedicated service of Randy Stokes. Vicki and I will keep his entire family, especially his son, James Jr. and daughter-in-law, Andrea; daughter, Judy and son-in-law, Ken; daughter, Jennifer; daughter, Janet and son-in-law, Don; as well as his grandchildren Ross, Annie, Ryan, Christina, Drew, Conner, LylaKae, Bryna, Rand, and Champ; his nieces Terri and Mellie; and his siblings Betty, Tommy, Kevin, Jerry, and Silvia in our thoughts and prayers.

SUCCESS ON AND OFF THE FIELD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Paddy Fisher of Katy High School for winning the Greater Houston High School Rotary Lombardi Award.

Each year the Rotary Lombardi Award is awarded to a player who displays talent, leadership, and respect on and off the football field. The award honors Vince Lombardi's legacy and recognizes talented Houston athletes. Paddy, a senior at Katy High School, was selected as this year's recipient for his outstanding talents on the defensive side of the ball and for being a leader on the team. Paddy's parents and coaches are no doubt proud of his talent and character.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Paddy for winning this prestigious award. We wish him continued success at Northwestern on and off the field.

RECOGNIZING ROBERT DICK DOUGLAS, JR. THE LONGEST SERVING EAGLE SCOUT IN BOY SCOUT HISTORY—90 YEARS AN EAGLE

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. SESSIONS. Mr. Speaker, as a member of the Congressional Scouting Caucus, I rise

today to honor Robert Dick Douglas, Jr., the longest serving Eagle Scout in Boy Scout History, who on December 8, 2015, celebrated 90 Years as an Eagle.

Mr. Douglas joined the Boy Scouts July 23, 1923, on his 11th Birthday in Greensboro, NC, and earned his Eagle Award 2 years, 4 months and 15 days later, on December 8, 1925, at the age of 13 and has been active in Scouting ever since.

He was recently an honored guest at the History of Scouting Trail (HOST) Annual Congressional Gala and quoted from memory what he called ''His Guiding Star'' almost 90 years after his Father, Judge Robert Dick Douglas, Sr., Chairman of the Greensboro Council Court of Honor, penned it as the winning essay for a local Community Chest Contest in 1926, to describe Scouting's goals in 50 words or less.

''Scouting safeguards your boy by proper companionship, guides him by adult leadership and develops him with a well-considered program of activities for the purpose of making him more reverent to God, more loyal to his country, more helpful to his fellow man and more useful to himself.''

Following these words, Robert Dick Douglas, Jr. has enjoyed unparalleled Scouting success and adventure traveling to the far reaches of Africa and Alaska in the late 1920's and early 1930's, writing three bestselling accounts, which helped pave the way for an exemplary life as an Attorney & Community Servant.

As such, he recently received The Distinguished Eagle Scout Award (September 24, 2015) and 16 of my fellow Representatives who are Eagle Scouts joined together and signed a Special Letter of Congratulation to Mr. Douglas.

I know they would wholeheartedly join me again today in recognizing this Historic Achievement—90 Years an Eagle Scout and the Longest Serving Eagle Scout in Boy Scout History.

TRIBUTE TO STACIE EUKEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Stacie Euken, of Wiota, Iowa, for being selected as the 2015 Bob Joslin Award winner at the Iowa Farm Bureau annual meeting in December.

Stacie grew up on a hog farm in Cass County and studied Agriculture Education and Communications at Iowa State University. She now farms with her husband near Wiota and serves as the Cass County Farm Bureau president. Stacie takes every opportunity given to her to volunteer and promote agriculture, whether that's helping the local Pork Producers at a grill out, teaching kids about agriculture at community events, or going to Washington, D.C. to speak to legislators. She is a true Iowan, through and through.

Mr. Speaker, Stacie's dedication to advancing the agriculture community not only in Iowa but across the nation is truly commendable. Her efforts embody the Iowa spirit and I am honored to represent her and Iowans like her in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Stacie for her achievements and wishing her nothing but continued success.

RECOGNIZING CHIEF WILLIAM ''TONY'' FARRAR

HON. NORMA J. TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mrs. TORRES. Mr. Speaker, I rise today to honor Chief William ''Tony'' Farrar of the Rialto Police Department for his outstanding service to the community.

For 34 years, Chief Farrar has actively served in various capacities to lead officers in the Rialto Police Department. His work has been described as exemplary by colleagues on account of his extreme professionalism and compassionate nature. Among Chief Farrar's many accomplishments include his induction into the Evidence-Based Policing Hall of Fame for his scientific evaluation of policing practices. Throughout his tenure, he has received widespread commendation for his leadership and extensive knowledge of tactical operations.

As Chief of Police, Chief Farrar has been a major proponent of integrating new technologies into everyday police activities. In doing so, he is an advocate for ''evidence-based policing,'' which consists of implementing tactics that have demonstrated proven effectiveness. He understands the complexities of modern-day policing, and insists on officers continuing their education throughout their careers in order to gain a continual understanding of the field. Chief Farrar's outlook has been essential for maintaining an active police force that provides public safety to people in the region.

Most recently, Chief Farrar has been involved in researching Body Worn Video devices that are being implemented in police departments throughout the United States His work is contributing to the growing field of literature on the subject and is developing future police tactics. Last year, the Journal of Quantitative Criminology published an article written by him analyzing the effects of these devices on the use of force and citizens' complaints against police. His knowledge in this field is bolstered by the master's degree that he received from the University of Cambridge in 2013 along with the many fellowships that he has participated in throughout the years.

Chief Farrar is retiring from the Rialto Police Department, and on December 21, many members of the community will be participating in a walk of honor to celebrate his legacy. This momentous event will be a demonstration of the lasting impact that he has made on residents in the area. While he will surely be missed, I am excited to see how he will continue to be a part of the community.

For his heroic contributions to the Rialto Police Department, and for his many other achievements, I would like to recognize Chief Tony Farrar.

DRUG RESISTANT TB: THE NEXT GLOBAL HEALTH CRISIS?

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. SMITH of New Jersey. Mr. Speaker, last week, I convened a hearing on an extremely urgent issue, focused on addressing what may very well be the next global health crisis: drug resistant tuberculosis.

Just as Ebola surprised many at the ferocity with which it spread, all of us must be concerned that the world is not fully prepared to meet the threat from this highly contagious airborne disease which killed 1.5 million people last year alone. That translates to over 4,000 people a day—4,000 lives that ended prematurely, including young children.

The World Health Organization released its Global Tuberculosis report just over a month ago and appealed to the world to beef up efforts to combat TB, and yesterday, in Cape Town South Africa, the International Union Against Tuberculosis and Lung Disease concluded its annual meeting, having gathered experts in fighting TB from all over the world. These are positive signs, showing that the global health community continues to surge toward ending TB by 2035—or sooner.

While most TB is curable if diagnosed and patients strictly adhere to a treatment regimen, some 6 million new cases of TB were reported to WHO in 2014. However it is likely that the number of people who contracted TB far exceeds this number—and may be as high as 9.6 million people. These people need to be diagnosed with a diagnostic that is fast and reliable and able to detect drug resistances, and treated, so they can lead healthy productive lives.

On a myriad of fronts there is reason for hope. For example the Expert MTB/RIF can diagnose TB and resistance to rifampicin within two hours, an amazing breakthrough. As CDC's Tom Friedman testified, this new diagnostic holds great promise. This new diagnostic holds great promise in enabling rapid detection of drug resistance, and the U.S. Government has led the global effort to scale up access to this test. The increase in the proportion of drug-resistant TB cases diagnosed and started on treatment over the past several years is largely attributable to the scale-up of this test.

Yet the tragic fact remains that some 480,000 new cases of hard-to-treat cases of multidrug resistant TB—a disease which often hits the poorest of the poor—are estimated to have occurred in 2014, yet only about 25 per cent of these, or 123,000 cases were detected and reported, leaving a whopping 75 percent undetected and untreated.

Given the ease at which TB can spread through the air—especially through coughing—and the fact that people with weakened immune systems are more susceptible, one can see how left untreated MDR TB and its even more pernicious cousin, XDR or Extensively Drug Resistant TB can be catastrophic to individuals and wreak havoc on public health and public health systems.

To illustrate how fragile health systems can be overwhelmed, a course of treatment for

normal, drug susceptible TB costs roughly between $100 and $500, depending on the country. For MDR TB, the cost is roughly between $5,000 and $10,000 per patient.

To respond fully to the TB crisis, the WHO estimates that some $8 billion per year is needed. Unfortunately, there is a global budget shortfall of about $1.4 billion. We need to lead not only in terms of providing funding, but also in terms of encouraging others—other countries, but also the private sector and foundations—in meeting this need by closing this gap.

Now is the time for a significantly enhanced response. A sustained focus on tuberculosis prevention today will save lives and money tomorrow, helping people the world over as well as protecting the homeland from what otherwise could become a global pandemic.

Our 3 witnesses from the hearing are extraordinary leaders in the health field and experts on TB. They—like many on subcommittee—believe we can at least mitigate TB in the short term and eliminate this deadly infectious disease by 2035, just as we have successfully fought polio. It takes political will, however, and an investment of resources that will pay dividends for healthier people in the long run.

The subcommittee will continue to work hard on combatting TB, along with members of the House Tuberculosis Elimination Caucus, whose co-chair is my good friend from New York, Ranking Member ELIOT ENGEL, who joined the hearing last week. We also had some very outstanding leaders in the global fight against TB who briefed us and gave testimony at the hearing.

TRIBUTE TO HONOR JAMES BELT, JR.

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is with great sadness that I recognize the life and passing of James Belt, Jr. Mr. Belt, Jr. was a very prominent and well-respected leader in the community. As a activist, he also served our community by offering his words of wisdom and years of knowledge and experience.

For close to 40 years, he has served the community as a civil and criminal lawyer. He received his Bachelor of Business Administration Degree from Pan American University, Edinburg, in 1968. And went on to earn a Juris Doctorate from Thurgood Marshall School of Law at Texas Southern University in Houston in 1977. He opened his private practice in the heart of South Dallas, where he served those who needed him most. Mr. Belt, Jr. was also a Dallas Examiner co-publisher, sat on the board of the National Newspaper Publisher Association, the official Black Press of America and the NNPA Foundation Board.

During the early 2000s, he co-hosted Dallas Examiner Live on KNON Radio. He previously sat on the Texas Southern University Board of Regents in Houston, Dallas Area Rapid Transit Board and the Texas Rural Foundation Board.

He was the founder of the Dallas Black Criminal Bar Association—an organization of Black lawyers in the private practice of law in Dallas County. He was a member of the National Bar Association, Texas Bar Association, J.L. Turner Legal Association and the Inns of Court. He was also a lifetime member of the NAACP.

Mr. Speaker, it is in earnest respect that I recognize the memory of James Belt, Jr. before this body of Congress and this nation for the irreplaceable contributions he made to the community of Dallas and the State of Texas. My sincere condolences go out to his wife of 45 years, Mollie F. Belt; his children, James C. Belt III, Melanie Belt, MD and Carlos Cavazos; 10 grandchildren, Brittany Cavazos, Jerry Cavazos, C.J. Cavazos, Joshua Cavazos, Michael Cavazos, Lejond Cavazos, Chloe Cavazos, Bryce Belt, Dylan Belt and Melania McDaniel; two daughter-in-laws, Melba Cavazos and Cherrese Belt; and one son-in-law, Demetrius McDaniel, Esq. While his loss will be deeply felt, the memory of his kindness and the recollection of his good deeds will transcend into future generations.

A DOZEN YEARS OF KEEPING PEARLAND SAFE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 16, 2015

Mr. OLSON. Mr. Speaker, I rise today to celebrate Pearland Fire Chief Vance Riley for his 12 years of service on the Texas Governor's EMS and Trauma Advisory Council (GETAC).

Chief Riley was first appointed to the Council in 2004 under Governor Rick Perry. After six years of dedicated service, he was appointed Chair of GETAC in 2010. GETAC reviews EMS and Trauma rules and recommends changes that need to be made. It also develops certification plans for emergency personnel and plans for emergency medical services. Now, after 12 years of service, Governor Abbott recently presented Chief Riley with a certificate of appreciation for his outstanding work and dedication. Pearland and all of Texas have benefitted from Chief Riley's leadership and commitment to keeping our communities safe.

On behalf of the Twenty-Second Congressional District of Texas, thank you to Chief Riley for his 12 years of service to our great state.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, December 17, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 20

2:30 p.m.

Committee on Armed Services

Subcommittee on Readiness and Management Support

To hold an oversight hearing to examine Task Force for Business and Stability Operations projects in Afghanistan.

SR–232A